Some comments on the draft Guidelines from Asia, Africa and International CSOs

Introduced by James Mayers, IIED

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Comments have come from...

Asia
• China international CSO WWF (3 sets of comments)
• China university
• Myanmar government

Africa
• Cameroon regional CSO
• Gabon international CSO WWF
• Madagascar CSO
• Mozambique CSO
• Tanzania CSO
• East and Southern Africa office of international CSO WWF

International CSOs
• International CSO (UK-based) Global Witness
• International CSO (Europe policy office) WWF
• International CSO (US-based) Forest Trends
• International CSO (UK-based) IIED
General comments

• ALL welcome the Guidelines as a very promising initiative
• Diverse comments yet consistent in main elements
• Summing up what Guidelines say: ‘Be legal – and go a bit further’
• Main elements are included - need to be more ambitious and more specific (avoid ‘etc’!)
• What do we learn from experience with existing Guidelines?
• How to ‘shape’ the Guidelines with respect to complementary actions, e.g.
  – Developing more best practice guidance
  – Imperative to act on illegal trade from e.g. Madagascar and Congo Basin
Introduce the Guidelines

• Clarify aspirations – balance of fostering incentive versus requiring compliance - Guidelines as specific practical advice
• Guidelines as steps to stronger measures – notably:
  – Requirement that Chinese importers and manufacturers ensure they do not buy illegal timber products and move towards sustainable sources
  – Detailed guidance for Chinese companies on how to meet these responsibilities
  – Monitoring and reporting on these new, and existing forest management, Guidelines
• Integration with existing forest management Guidelines
• Recognition of complexity of trade - proving legality and good practice where traders do not own the forests
Basic principles

• Add principle of public engagement and transparency
Legal

• Introduce context where laws may be unclear, contradictory, perverse or non-existent

• Include regional protocols e.g. East Africa Coimmunity

• Include sub-national legislation e.g. local government by-laws
Trade

• All terms – like ‘accurate cargo declaration’ need very specific clarity – challenge of proving legality in the supply chain

• Include situation where import for processing and then re-export (where other laws would apply)?
Investment

• Investment section before Trade? Signal ‘no trade without investment’?
• Investment can take many forms (e.g. providing financial incentives, obtaining concessions, building up companies) - specify different means of engagement
• Corporate social responsibility – is not self-evident – need to describe what this means
• This section exemplifies need for other actions – HOW can investors be fully informed of policies and how to select and develop locally beneficial and sustainable investments
Environment

• More needed on sustainability and conservation of ecosystem services – not just avoidance of accidents and CITES
• More clarity on CITES specifics
• More integration with forest management practice – reduced impact logging, certification
Community development

• Social and environmental impact assessment essential
• Recognition of statutory and customary rights – and of Free, Prior and Informed Consent - of communities essential
• Participatory consultation mechanisms
• Comprehensive training – not just local laws
• More emphasis on joint ventures and local processing
Annexes

• Clarify how these will be introduced and ‘delivered’
• Others to add include:
  – ILO 169
  – UNDRIP
  – RAMSAR
  – Investment Policy Framework for Sustainable Development (UNCTAD 2012)
Possible further ingredients of guidance

• The case for investing in sustainable forestry – benefits for each stakeholder group
• Understanding investment – enabling and asset investment – and how investment decisions are made
• Ingredients of success – engaging with external conditions, forming partnerships
• The process of investment - from first proposition to negotiation and performance management
• Case studies – example material
• Sources of further information and inspiration
Examples of detailed guidance on investments in sustainable land use