

# How the EU Biodiversity Strategy can protect and restore forests and rights



*Unsustainable forestry, agriculture and mining have a devastating effect on the global environment. Wildlife is in terminal decline and there is precious little nature left to provide the food, resources, and space that humans need. The European Union (EU) Biodiversity Strategy for 2030 outlines how the EU will address the climate and biodiversity crises both in Europe and abroad. It includes an array of targets and initiatives, many of which concern forests. The most controversial of these is the proposal to put at least 30 per cent of EU land under legal protection and to push for a similar target under the United Nations Convention on Biological Diversity (CBD).*

Forest protection and restoration can have serious implications – both positive and negative – for people living in and around forests.<sup>1</sup> The Biodiversity Strategy should therefore be designed and implemented with the communities that would be directly impacted.

## Box 1: Rights-based forest protection and restoration

If the following principles are followed, efforts to protect and restore forests can respect and even enhance **human rights** while increasing **biodiversity** and forests' ability to both fight and survive the **climate crisis**.

### 1. Human rights:

- Safeguard local and Indigenous Peoples' [rights](#)
- Promote social justice and gender equality
- Enable inclusive, deliberative governance
- Ensure local communities including women receive equitable access to and benefits from forests

### 2. Biodiversity:

- Protect and enhance ecosystems
- Promote environmental co-benefits
- Support biodiverse and resilient landscapes<sup>2</sup>

### 3. Climate:

- Restore resilient ecosystems
- Do not increase plantations
- Protect remaining mature forest
- Undertake action *in addition to* reducing fossil fuel emissions

Three approaches which echo the above principles: [rights-based restoration](#), [rights-based conservation](#) and [community-led forest management](#).

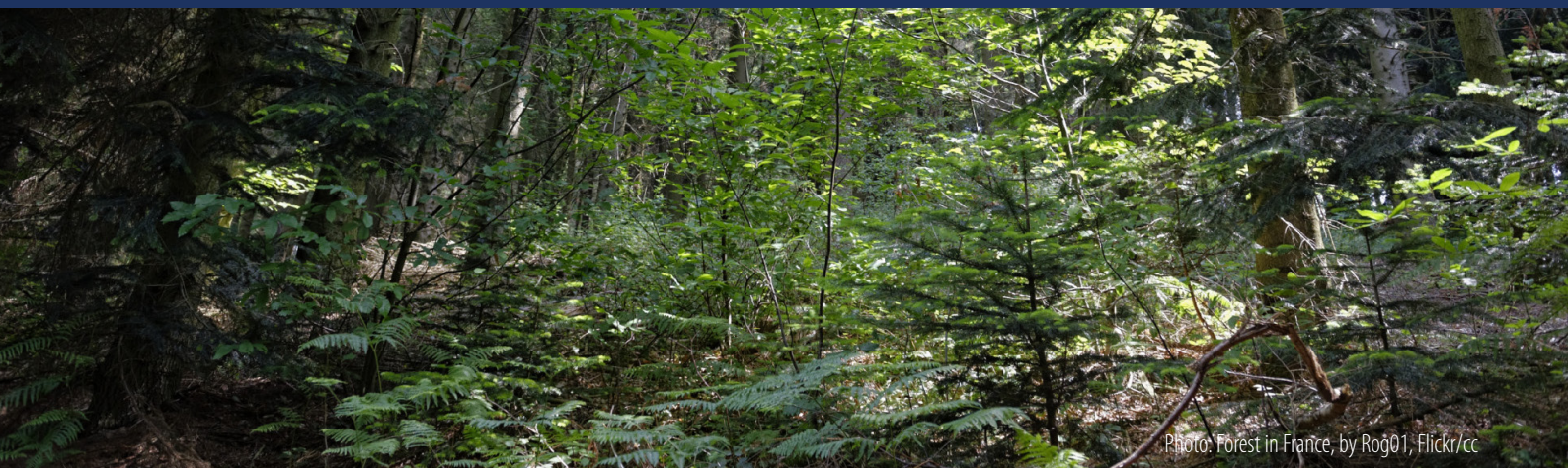
It must also consider local realities. Although there are some common principles that should always be followed (Box 1), efforts to protect and restore tropical forests will need to differ from those undertaken in the EU.

This briefing outlines the opportunities and potential pitfalls of the forest initiatives outlined in the EU Biodiversity Strategy.

<sup>1</sup> [Concerns have been raised](#) that the anticipated CBD target of placing 30 per cent of the earth's surface into conservation status by 2030 has the potential to directly displace or dispossess up to 300 million people who live in or make livelihoods in those areas.

<sup>2</sup> A Landscape Approach is broadly defined as a framework to integrate policy and practice for multiple land uses, within a given area, to ensure equitable and sustainable use of land while strengthening measures to mitigate and adapt to climate change. <https://environmentalevidencejournal.biomedcentral.com/articles/10.1186/2047-2382-4-2>





## Forest protection and restoration within the EU

In the EU, increased demand for timber means that trees are being cut in fast-vanishing natural forests and at an ever younger age.<sup>3</sup> Even protected areas are becoming degraded and European Commission data shows that forest carbon is decreasing.<sup>4</sup> So how can the Biodiversity Strategy prevent and reverse the impact of this intensive forest management?

**Here are four priorities the Biodiversity Strategy should pursue, plus a cautionary note for each:**

### 1 Binding EU nature restoration targets:

- **Why is it important?** Voluntary targets have been ineffective, so it is time to make them legally binding.
- **What to watch out for:** The definition of restoration is key. It should not include intensive management practices but should support enhancement of biodiversity (including non-timber forest products such as mushrooms), and the replanting of local species.

### 2 Strict protection of 10 per cent of primary and old-growth forests from industrial logging:

- **Why it is important?** Latest [research](#) estimates that less than one per cent of primary forests are left in Europe, mainly in Central and Eastern European forests. Civil society in [Romania](#), [Slovakia](#), [Poland](#) and [other](#) countries have called for strict protection of their last remaining primary and old-growth forests from industrial and illegal logging.
- **What to watch out for:** Whilst this sort of strict protection can work in the European context, the EU needs to be careful about similar solutions in tropical forests where strictly protected areas have led to violence against local communities. All efforts to introduce strict protection should adhere to the principles in Box 1.

### 3 Three billion trees roadmap:

- **Why is it important?** Such initiatives can increase the amount of forest cover and remove carbon dioxide from the atmosphere.
- **What to watch out for:** Tree planting cannot solve the climate crisis.<sup>5</sup> By focussing on trees, not forests, the roadmap could cover up business as usual forestry that is causing the EU carbon sink to decline. For more information read our briefing [Can tree planting solve climate change?](#)

### 4 Guidelines on biodiversity-friendly afforestation, reforestation and close-to-nature management:

- **Why is it important?** Strong guidelines could help the EU forest sector be more sustainable and resilient, while balancing social and economic needs.
- **What to watch out for:** Existing [Sustainable Forest Management](#) criteria have not prevented the current degradation seen across Europe. New guidelines must go further and follow the principles outlined in Box 1. For an example what truly environmental forestry could look like, see this French [case study](#).

<sup>3</sup> Over half of the productive forests in [Sweden](#) are young, less than 60 years. In [France](#), 50% of trees are less than 60 years old and 79% are less than 100 years old.

<sup>4</sup> See Commission Report 'Preparing the ground for raising long-term ambition, EU Climate Action Progress Report 2019, SWD (2019) 599 final

<sup>5</sup> Tree planting will not, for example, help the climate if trees are then cut down and burnt for energy; trees are planted in a way that doesn't consider local biodiversity needs; trees are planted instead of reducing CO<sub>2</sub> emissions (offsetting); or tree planting diverts attention from the need to protect existing, mature forests.



## Protection and restoration beyond the EU's borders

COVID-19 has demonstrated the close link between destruction of nature and pandemics, and invigorated calls to protect and restore global forests. What is missing from such calls, however, is mention of the fact that forests are often owned and occupied by Indigenous Peoples and local communities, who depend on them for survival. They have often protected their land for centuries and yet now they are under attack – from their governments, from people hoping to profit from ‘developing’ the land, and from climate change itself. Ambitious biodiversity protection targets should not come at the expense of Indigenous Peoples’ and local communities’ rights and livelihoods.

As the Biodiversity Strategy aims to also increase biodiversity outside the borders of the EU, the following points should be carefully considered.

### Putting people and human rights principles at the centre of the EU's global biodiversity efforts:

- **Why is it important?** Although most of the world's biodiversity lies outside the EU, it is impacted by EU aid and trade. The EU therefore has a clear role in stopping imports of forest-destroying products, and creating an enabling environment for forest protection and the restoration of degraded forests.
- **What to watch out for:** Deforestation is what is known as a “wicked” problem, meaning it has many different causes and solutions. It is therefore important to consider the issues outlined below.

### International cooperation, neighbourhood policy and resource mobilisation

To ensure its policies don't negatively impact forest communities and the environment, the EU and countries in the global South must build partnerships that take into account uneven power dynamics. Any initiative must learn from the [recent examples](#) of conservation projects in Africa that infringed local communities' rights, and ensure all projects meet global human rights obligations and the Free Prior and Informed Consent (FPIC) of rightsholders.

Of particular concern is the proposed “NaturAfrica initiative to protect wildlife and key ecosystems.” The EU must be transparent about the history of the proposal and those who it plans to task with delivering it. More information about both the concept, and the implications it holds for human rights should be made available for public scrutiny and it should not go ahead unless civil society's and local communities' concerns have all been dealt with.

Any legislative or financial action to protect biodiversity must be designed through a multi-stakeholder deliberative process with Indigenous Peoples' and local community representatives. The EU should look to support [rights-based restoration](#), [rights-based conservation](#) and [community-led forest management](#). This would improve forest governance, respect land tenure rights, reduce social inequalities, increase the rights of those most at risk (including Indigenous Peoples and women), and enable sustainable livelihoods and agriculture. It will also deliver on objectives laid out in the July 2019 communication on [“Stepping up EU Action to Protect and Restore the World's Forests”](#).



Photo: It is essential to ensure the voices of women and youths are heard in all discussions with forest communities, by Observatoire Congolais des Droits de l'Homme



## Championing inclusive biodiversity targets abroad

While we support the EU's headline target to restore forests within the EU, we have more concern about the EU pushing for a global target. Measures to halt deforestation, protect remaining forests, and restore ecosystems in the global South should be determined by the citizens of these countries and a target should not be proposed until it is clear what can be sustainably achieved. National governments of tropical countries should set priorities through deliberative, multi-stakeholder dialogues with the government, civil society and local communities.

It is positive that the Biodiversity Strategy includes mention of the 'principle of equality' and rights-based approaches, but to make these a reality, genuine participation, respect for

rights, and inclusive governance must be the criteria by which global initiatives to protect and restore forests are assessed and funded. The EU should take seriously the concerns raised by civil society organisations and NGOs [about the potential impact of increased forest protection and restoration on human rights](#). It should use its position within the 15<sup>th</sup> CBD Conference of the Parties (COP15), where global targets for protection and restoration will be discussed, to champion rights-based approaches.

Finally, the EU should continue to support efforts to combat illegal exploitation of natural resources such as the [Forest Law Enforcement, Governance and Trade \(FLEGT\) Action Plan](#). The EU's Neighbourhood, Development and International Cooperation Instrument (NDICI) should include concrete targets for delivering on the sorts of rights-based initiatives outlined above.



Forests have become an integral part of Lubuk Beringin, as the villagers have carried out forest management and exploitation in a sustainable manner by implementing traditional values. By Iri Saputro/CIFOR