Mission
FERN works to achieve environmental and social justice with a focus on forests and forest peoples’ rights in the policies and practices of the European Union.

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Legal Status
FERN’s administrative office is in the Netherlands where we are registered as a not-for-profit organisation, known as a “Stichting.” We also have two offices where we are registered employers, in Belgium and the United Kingdom.

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For updates on our campaigns sign up for:
• our monthly newsletter www.fern.org/forestwatch
• our press releases www.fern.org/pressreleases
• our publications updates www.fern.org/publicationsupdate

Image: Flickr creative commons
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FERN is a small NGO with large ambitions. Our mission is to work in the EU to contribute to social and environmental justice, with a focus on forests. We are part of a global movement working for human rights and environmental justice.

In 2010 we worked on forests and climate change, illegal logging and forest governance, forest certification and timber procurement, EU forest biodiversity and biomass and trade and investment (focussing on export credit agencies). All our campaigns are based on thorough analysis and are implemented by working closely with a large variety of partners and allies. Networking and coalition building are key elements of our way of working.

FERN has no director and is jointly managed by its staff. Consensus decision making drives our way of working, which is to open up, rather than occupy space for dialogue. We are willing to challenge established thinking about what can and can’t be achieved and aim to respond positively with pro-active ways forward.

In 2010 we continued to challenge the belief that carbon trading could be used effectively to pay for forests, and found an increasing number of allies in other NGOs as well as the private sector. We worked successfully with partners in the Global South towards solutions to improve forest governance, leading to the conclusion of six legally binding partnership agreements between EU and timber exporting countries. We also used changes to the EU Treaty to increase transparency and accountability of EU export credit agencies in relation to human rights.
FERN has been facilitating meetings of the Forest Movement Europe (FME) since 1995. The FME is an informal network of NGOs working on forests from a social and environmental justice perspective. The meetings are intended to be an informal gathering and a place in which strategies can be openly shared. Annual meetings are regularly attended by representatives from up to 45 different organisations. Each year a partner organisation hosts the event, and in 2010 it was organised by ARA www.araonline.de. ARA works on projects for environmentally and socially equitable development.

Based in Nettersheim, Germany, in the Eifel hills, agenda items included discussions on the EU Green Paper on Forest Protection (see European Forests campaign); the Shrink Campaign to have people reduce their paper use (see www.shrinkpaper.org); and illegal logging. Over the years, participants of FME meetings have used the opportunity to produce shared statements.

Presentations from the 2010 meeting are available at http://www.fern.org/links/forest-movement-europe/2010

Photos taken during the 2010 meeting in Nettersheim: most meetings end with an excursion into local forests. Images Jutta Kill
Forests and climate

FERN is working for ...
forest climate agreements that respect forest peoples’ rights and are not funded by carbon offsets

What is REDD? Reducing Emissions from Deforestation and Forest Degradation...

Paying Southern countries to avoid deforestation, thus reducing the release of greenhouse gases is an idea that has been around since the 1997 United Nations Framework Convention on Climate Change (UNFCCC) meeting in Kyoto. At that time it was rejected by NGOs and developing countries, arguing that Northern countries would use it as an excuse to continue burning fossil fuel, that it would not be practical, and that it would displace rather than reduce deforestation. These concerns have not gone away, but ‘REDD’ is now seen as an important element of global action against climate change. It has even grown to REDD+ including tree planting, sustainable forest management and conservation. This often turns out to be monoculture plantations, unsustainable industrial logging and protecting forests that were not going to be logged, respectively.

REDD’s focus on carbon rather than on the drivers of deforestation has, however, led it down a blind alley. Negotiations tend to get bogged down in discussions about how to measure, report and verify carbon, when what is needed to protect forests is improved forest governance as well as strengthening local peoples’ tenure rights. Measuring forest carbon is seen as essential because of the assumption that carbon trading will finance REDD activities (see page 9). FERN and our partners are pushing for UN climate talks to move away from forest carbon, and refocus on improving forest governance and strengthening tenure rights (page 12).

“...address the drivers of deforestation, confront the forces that seek to destroy forests, and empower the communities who are best placed to protect, maintain and enhance them.”
- Accra Caucus report, 2010
Forests and climate

**Forests and climate: A history**

Temperatures are rising, and every year, global weather patterns become more erratic. Forests are an essential part of stabilising our climate, but when temperatures increase by more than two degrees, the effect on forests will be significant. Greenhouse gas emissions need to drop by up to 95 per cent in next 40 years to keep forests standing. Halting deforestation will contribute to reducing greenhouse gas emissions only if it is not used to excuse the continued burning of fossil fuels.

For the past few years, governments and the World Bank have been eagerly pushing REDD (page 6) as a win-win solution to halting deforestation and mitigating climate change. But whether forests and the climate will really benefit depends on:

**How the money is raised**: Money could come from governments, the private sector, or the ‘market.’ FERN is concerned that ‘markets’ are often interpreted as ‘carbon markets’ and that using carbon trading to finance REDD is problematic as it would increase global inequalities, undermine good governance and not be effective in reducing emissions. See page 8.

**Who gets the money**: Whilst money is needed to keep forests standing, paying off destructive companies while not supporting organisations and communities that protect and sustainably use forests will create a perverse incentive. Any solution therefore needs to include a tried and tested mechanism to ensure those who truly contribute to keeping forests standing are supported.

**How deforestation is prevented**: The drivers of deforestation need to be dealt with, and that means reducing demand for food, fuel and fibre and increasing recognition of community control over forest land in the South.

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**2010 publications**

Working with a variety of networks, FERN’s forests and climate campaign monitored the United Nations REDD negotiations, producing updates from Copenhagen, Bonn and Cancun, as well as press releases throughout the year, which were picked up widely in the global press.

**Lessons learnt from FLEGT for REDD**

Negotiations towards achieving Voluntary Partnership Agreements to curb illegal logging have been occurring in several African countries for many years (see page 12). FERN has been working to apply lessons learnt from the negotiations to national REDD processes. National REDD processes are seen as less inclusive and don’t effectively address key questions concerning improving governance and recognition of local peoples’ tenure rights. In 2010 we published a summary report on this issue.

**Realising rights protecting forests**, produced by the Accra Caucus (representing civil society and Indigenous Peoples’ organisations from 38 countries), this report includes case studies showing that understanding the realities and respecting the rights of indigenous peoples and forest-dependent communities is the only way to ensure forests remain standing.
Carbon Trading in 2010

2010 was an interesting year for the carbon trading campaign. We witnessed a sharp increase in public and private sector understanding of the shortcomings of carbon trading and the EU Emissions Trading Scheme continued to be hit by low prices and corruption. Despite this, governments, and the EU in particular, continued to put their faith in carbon trading.

In meetings with Commission officials, NGOs, and the media, FERN highlighted how brokers, traders and large energy utilities are now dominating carbon trading. The result of this domination is that the large majority of trading in the carbon market happens in the "secondary carbon market" where permits and offset credits are traded among traders. This trade has nothing to do with projects aiming to reduce emissions. Profits are made not from climatic improvements but on successfully betting on price fluctuations.

FERN is working to …
move the climate debate beyond carbon trading and support communities faced with carbon offset projects

We shared FERN’s analysis on why carbon trading is failing to tackle climate change at workshops in Belgium, Brazil, Finland, Germany, Ghana and Thailand, and wrote several submissions including to the USA’s Commodity Futures Trading Commission on the lack of financial regulatory oversight of carbon markets, and the inability to effectively regulate carbon markets.

FERN released two key publications in 2010 to make our analysis accessible to a wider audience. Each of them outlined why carbon trading is a false solution to the climate crisis.

Trading Carbon is a guide to the workings and flaws inherent to carbon trading. The book is also available in French and will be available in Portuguese in 2011.

The briefing Designed to fail provides a summary of Trading Carbon, highlighting the key arguments. The briefing is extensively used in NGO workshops and talks, was distributed widely at the UN Climate Conference in Cancun, and continues to be regularly downloaded from the FERN website. It is also available in French, Portuguese and Spanish.

“There is no volatility and there is no volume and as traders you have to make money.”
- Brett Stacey, CEO of carbon broker Carbon Desk on closure of carbon trading company Greyhound Energy Markets
2010 has been lauded as an important year for the climate due to decisions made at the 16th UN Climate Conference in Cancun. FERN’s analysis shows that whilst a lot has been achieved in terms of educating people about the dangers of global warming; greenhouse gas emissions continue to rise and carbon trading, the key policy presented by the EU to address climate change, is not working.

Emissions in the EU are still rising. After a brief dip in emissions due to the economic recession, emissions in the EU rose again in 2010, suggesting that the EU Emission Trading Scheme has failed to trigger a move away from dependence on fossil fuels for energy production.

Carbon fat cats. The EU’s carbon trading scheme has turned the “polluter-pays” principle on its head by generating billion-Euro windfall profits to some of the most polluting industries in the EU. Almost all ‘carbon fat cats’ further increased their windfall profits by buying cheap carbon offsets to cover their emissions while selling the more valuable emission permits (which they had received for free) and pocketing the difference.

Paradise for fraudsters. Evidence that carbon trading is extremely prone to corruption, fraud and cyber crime is rapidly growing: In a ‘missing traders’ tax fraud scheme that involved permits from the EU carbon trading scheme, EU treasuries lost €5 billion when traders disappeared before paying taxes on traded carbon permits. Later in the year, cyber fraudsters hacked into EU carbon trading registries and stole millions of Euros worth of emission permits while a carbon industry survey “obtained some eyebrow-raising findings on the level of corruption, fraud or embezzlement in the CDM”.

The wrong goal: Global warming needs to be kept below 1.5 degrees for low-lying island states to have any hope of not being swallowed by rising sea levels. The EU aims for two degrees, which means a reduction in emissions of up to 95 per cent by 2050. Even that gives only a 50 per cent chance of remaining within a two degrees increase.

The wrong policy option: The EU has chosen carbon trading as their preferred policy option for achieving the two degrees goal, but the cap will not reduce emissions to the required level. Trading in carbon contributes nothing to the reductions and potentially more effective policy options are marginalised.

The hole in the cap: One of the most troubling elements of carbon trading is that it allows countries or companies to offset their emissions elsewhere rather than reduce them at home. Offsetting does not reduce emissions, just displaces them, meaning that climate change is not being addressed. For a full referenced guide to FERN’s concerns see www.fern.org/tradingcarbon

“We'll have a financial crisis in emissions at some point. You'll find few economists who disagree.”
- Kenneth Rogoff, Harvard, former International Monetary Fund Chief
Background

Forests in Europe are under pressure, human activities have led to a serious decline in biodiversity. On top of this, climate change is having an increasingly negative effect on forest ecosystems. Growing demand for wood – pushed by e.g. EU bio-energy policies – will further deplete the carbon storage in forests and exacerbate negative impacts on biodiversity.

EU forest protection in 2010

2010 saw EU Member States respond to an EU discussion paper on forest protection and information systems. Their responses made it clear that increased forest protection is not on the agenda of several EU Member States.

As well as monitoring forest protection, we also focused our attention on influencing the EU Rural Development policy, specifically discussions around the Common Agricultural Policy (CAP) post 2013. Although this is the most important EU policy affecting forests, the bulk of interest continues to be on agriculture, so there is a lot of work ahead.

Through the publication of several reports on the implementation of the forestry measures under the CAP, we were able to give detailed input into the discussions on the CAP post 2013.
Background

Whilst the need to reduce our use of and dependence on fossil fuels is clear, the solution must not cause more of a problem. Whether biomass is a ‘renewable’ energy source, depends on how it is produced. Current EU energy policies will unfortunately give biomass production a significant boost, without the necessary safeguards being in place. The EU’s present bioenergy policy is therefore likely to have many negative environmental and social impacts. EU bioenergy policies need to be led by how much biomass can be sustainably supplied, rather than looking for ways to meet an unrealistic level of demand.

EU forests and bioenergy in 2010

The European Commission launched a Biomass Report with recommendations for Member States wishing to introduce biomass sustainability criteria at the national level. FERN therefore worked closely with national NGOs to ensure that discussions around biomass’ contribution to the future EU energy mix took into account the different situation in each country.

There was also a need for NGOs to agree on some overall principles on sustainable biomass production. In order to move towards this, FERN chaired meetings of NGOs which achieved general agreement about common NGO demands.

Publications on European forests

In 2010, European forests related publications included *Forests in Danger* (see page10) a publication outlining failures of EU policy and what needs to change to protect forests in the EU. FERN also participated in the publication of the NGO report *Driving to destruction*, demonstrating the impacts of EU’s biofuel plans on carbon emissions and land.

Another report *What changes are needed*, looked at how the EU’s rural development policy is being implemented. This was complemented by three briefing notes: *NGO participation in the Rural Development Policy; The lack of coherence between national rural development programmes and EU environmental commitments;* and *Is the rural development policy supporting good forest management and biodiversity conservation? “What changes are needed” follows up FERN’s earlier study “Funding forests into the future? How the European Fund for Rural Development affects Europe’s forests”.*
Forest law and governance

FERN is working with partners on…
forest law reform processes
to halt the illegal timber trade

Controlling illegal logging means, first and foremost, improving forest governance. This includes increasing transparency, improving accountability and coordination, building capacity and ensuring participation in the forestry sector in tropical forest countries. So far, the EU FLEGT programme has been successful in improving forest governance.

Background

FERN helped initiate the EU’s Forest Law Enforcement, Governance and Trade (FLEGT) work. The central element of FLEGT is the Voluntary Partnership Agreements (VPAs), legally binding trade agreements between the EU and tropical forest countries, negotiated with civil society organisations and local community representatives. To date, all six concluded agreements have the full support of civil society, community organisations, the timber industry, and the government. VPAs are therefore a good spring board from which to improve forest governance and law reform to recognise community control over forests.

Forest law and governance in 2010

Communications were a key part of our work in 2010. We created PowerPoint presentations outlining key areas of FLEG work and produced two VPA updates as part of our monthly newsletter. Perhaps most importantly however was our second report on the need for REDD (see page 6) to learn from FLEGT. In December 2010 we launched Lessons learned from FLEGT for REDD showing the need to focus on good governance.

Concrete achievements in 2010 included:
- Stronger civil society groups in all seven African VPA countries (Cameroon, CAR, Congo, DRC, Ghana, Gabon, Liberia).
- FERN’s partner coalitions actively participated in the negotiation and implementation of VPAs in all African countries.
- A FLEGT seminar in Brussels with EU representatives and presentations by local civil society representatives at various Chatham House meetings and the European Commission.
Cautious Optimism

Despite the successes outlined on page 12, not a plank of FLEGT licensed timber has yet arrived in Europe. FERN is often therefore asked why we call FLEGT a success. The answer is that it is working because of the process. Before the trade part of FLEGT has even begun, it has already improved: transparency; the capacity of civil society and government agencies; and participation of all stakeholders. It has also increased recognition of community tenure rights. However, none of this guarantees that implementation will be a success and increased efforts are needed to ensure effective implementation.

LoggingOff revamped, translated and re-launched

The now bilingual website www.loggingoff.info was set up as a place for NGOs to exchange clear, concise, up-to-date information, including joint North-South civil society position papers on the FLEGT VPA negotiations. The site is a one-stop-shop for all those involved or interested in these negotiations.

In 2010, three LoggingOff branded counter briefs provided the views of Cameroonian, Congolese, Ghanaian, and European civil society on the concluded agreements and their implementation.

Power Point presentations on the site outlined key aspects of the FLEGT process and gave updates in several countries.

Our partner support manager began visiting each of the site co-managers in national NGOs to hand over the running of different sections of the site of them.

Addressing illegal logging would provide US$ 10 to 15 billions a year to tropical timber exporting countries.
- See European Commission proposal for an EU FLEGT Action Plan
FERN is encouraging certification schemes which implement standards which recognise forest peoples’ rights and improve forestry practices and legislation.

**Certification in 2010**

The Forest Stewardship Council (FSC) faces ongoing problems, including controversy around the certification of large-scale tree plantations. Critical articles in the Belgian press (and a later film) exposed negative social and environmental impacts caused by the FSC certified Brazilian-Scandinavian joint venture company Veracel. More than 100,000 hectares of eucalyptus monoculture were certified despite significant negative social and environmental impacts, many in violation of FSC minimum requirements. This led to the issuance of the certificate being re-assessed by FSC – a long-standing request by FERN and other NGOs critical about FSC’s certification of Veracel’s monocultures. The outcome is expected in 2011.

With regards to FSC aligning itself with carbon offsets, FERN expressed its concern to the FSC, outlining how forest carbon offsets increase the long-term climate risk to forests by slowing down actual reductions in emissions.

**Deflowering the EU Ecolabel**

One of FERN’s most high-profile publications in 2010 looked at the awarding of the EU “flower” Ecolabel to two brands of photocopy paper, Golden Plus and Lucky Boss. These are both manufactured by the Indonesian company Pindo Deli, part of Asia Pulp and Paper (APP), one of the world’s most controversial and damaging pulp and paper companies.

The report “EU Ecolabel allows forest destruction. The case of Pindo Deli” concluded that the lack of transparency in the process of awarding the EU Ecolabel and the EU Ecolabel criteria for sustainable forest management for copy and graphic paper cannot exclude the most egregious examples of forest destruction.
Procurement in 2010

FERN continues to monitor and actively influence the EU process to come up with an overarching timber procurement policy.

After years of advocacy, we achieved one of our biggest successes when the UK adopted social criteria as part of its procurement policy (which up to then it had specifically excluded). There are now hot debates about whether EU timber procurement rules allow for the inclusion of social criteria in national procurement policies or not.

FERN continued to advise the UK Government on its timber procurement policy as part of the Reference Board to the Central Point For Timber Procurement (CPET).

Success for sustainable forest management...

For FERN, sustainable forest management must be environmentally sound, socially responsible and economically viable. This was also the definition used by most EU Member States when they designed their timber procurement policies. Therefore, Belgian, Danish and Dutch timber procurement policies include clearly defined social criteria as well as environmental and economic criteria. The UK Government however argued that ‘sustainable’ did not include social aspects. In 2010, sustained campaigning by FERN finally paid off when the UK formally adopted a timber procurement policy that included social criteria.

In November 2010, a report by the EU Ad Hoc Working Group on timber procurement was published which acknowledges that social criteria could be an intrinsic part of procurement policies prescribing legal and sustainable timber. This study can give positive input into the discussions on the future orientations for the modernisation of the EU legislative framework for public procurement taking place in 2011.
Trade and investment

FERN works towards…
EU trade and investment policies that do not subsidise climate change and ensure strict financing rules are in place for institutions such as Export Credit Agencies (ECAs)*

Trade and Investment in 2010

Building on the momentum of the G20 leaders’ declaration that subsidies for fossil fuels should be phased out, ECA-Watch presented its analysis that ECA-support is a subsidy at the OECD. Also at the OECD level, ECA-Watch worked with Amnesty International on an international campaign to integrate Human Right standards into the “Common Approaches” on export credits.

There was also success when the Swedish and Spanish Presidencies concluded that the EU and its Member States should emphasise the importance of implementing human rights within export credit guarantees. FERN and several partners also worked with European Parliamentarians and this paid off in December 2010 when the International Trade Committee of the European Parliament adopted a very important proposal to regulate ECAs.

*What are Export Credit Agencies?
Export Credit Agencies are governmental or quasi-governmental departments that use taxpayers’ money to help companies invest and export overseas. ECAs typically provide financial backing in the form of guarantees, insurance or direct loans. They protect companies against the commercial and political risks of not being paid while operating abroad and underwrite ten per cent of global exports from large industrial countries. FERN works with ECA-Watch to achieve binding environmental, social and human rights guidelines for ECAs. For more information, see www.eca-watch.org.
How the Lisbon Treaty has changed ECA campaigning

The only EU legislation directly relating to ECAs is the EU Directive “on the application of certain guidelines in the field of officially supported export credits.” It takes up the same terms and conditions for export credits as those under the OECD Arrangement on Export Credits. Since the ratification of the Treaty of Lisbon, the European Parliament and Council have had co-decision power over how the Arrangement is incorporated into law.

In December 2010, we saw the first hopeful signs that the Parliament’s increased power would have a beneficial effect on the environment when the European Parliament Committee on International Trade voted in favour of amendments requiring ECAs to respect the EU’s three pillars of sustainable development, as well as its development policies and objectives, including human rights.

The battle is not yet won though, 2011 will show us whether the final legislation remains true to its hopeful beginnings.

In 2010, FERN and ECA-Watch produced two reports and one briefing. The first of these, The changing landscape of Export Credit Agencies, outlines how ECAs were changing in the face of the global financial crisis, and urges civil society actors to be watchful and monitor developments closely. The second, Fool’s gold, describes how ECA funding is being used to disproportionately support climate damaging industries. Finally, a briefing for the UN climate conference in Cancun outlines the negative impact of ECA fossil fuel financing and raises the question of whether ECAs have a role to play in contributing to “climate finance.”
### Income...

All figures in Euros

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FERN’s latest financial statements can be downloaded at: [http://www.fern.org/about-us/audited-finances](http://www.fern.org/about-us/audited-finances)
### Expenditure

#### Staff
- 554,350

#### Grants to partner organisations and networks
- 348,486

#### Travel and meetings
- 216,567

#### Administration and other costs
- 95,778

#### Publications
- 52,943

#### Consultants
- 112,194

**Total**: 1,380,318

### Expenditure per campaign

- **Institutional (core) costs**: 231,097
- **Forests and climate**: 249,036
- **Carbon Trading**: 47,129
- **European Forests**: 126,571
- **Forest Law and Governance**: 521,731
- **Certification**: 13,989
- **Trade and Investment**: 190,765
FERN would like to thank...

Our funders

FERN’s work is entirely dependant on the generosity of its funders, many of them long term supporters. We ensure accountability to our donors through regular reporting and ensure independence by having a wide variety of funding sources. FERN's work in 2010 was made possible thanks to:

- Charles Stewart Mott Foundation, United States of America
- Congo Basin Forest Fund, Tunisia
- Department for International Development, United Kingdom
- DG Environment, European Commission
- EuropeAid, European Commission
- Ford Foundation, United States of America
- Grundtvig, European Commission
- Interchurch Organisation for Development Cooperation, The Netherlands
- VROM, The Netherlands
- Oxfam Novib, The Netherlands
- Sigrid Rausing Trust, United Kingdom
- SwedBio, Sweden
- World Wildlife Fund, United Kingdom

Our partners

In 2010, FERN specifically worked with:

- Amis de la Terre, France
- ARA, Germany
- Both ENDS, The Netherlands
- Brainforest, Gabon
- BSPB - Birdlife Bulgaria
- Campagna per la Riforma della Banca Mondiale, Italy
- CED, Cameroon
- CEDEN, Democratic Republic of the Congo

Our partners continued

- Civic Response, Ghana
- ClientEarth, UK
- Climate and Development Initiative, Uganda
- The Corner House, UK
- Debtwatch, Spain
- Euronatura, Portugal
- FASE-ES, Brazil
- Finnish Association for Nature Conservation - Finland
- Foder, Cameroon
- Forest Monitor, UK
- Forest Peoples Programme, UK
- Global Witness, UK
- Hnuti Duha
- IDEAL, Malaysia
- LDI, Liberia
- MEFP, Central African Republic
- NESPON, India
- OCDH, Republic of Congo
- OCDH, Central African Republic
- OCEAN, Democratic Republic of the Congo
- Pro Regenwald, Germany
- Rainforest Foundation UK
- Sahabat Alam, Malaysia
- SAMFU, Liberia
- SDI, Liberia
- SSNC, Sweden
- SPEA - Birdlife Portugal
- SSNC (Swedish Society for Nature Conservation), Sweden
- Well Grounded, UK
- WWF Danube Carpathian Programme, Romania
- WWF Hungary