

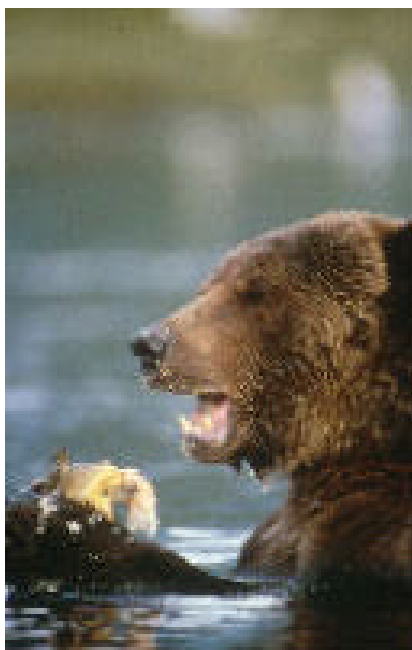
***BEST PRACTICE TO IMPLEMENT THE
Convention on Biological Diversity
IN ANCIENT FORESTS***

Briefing NO.1¹:

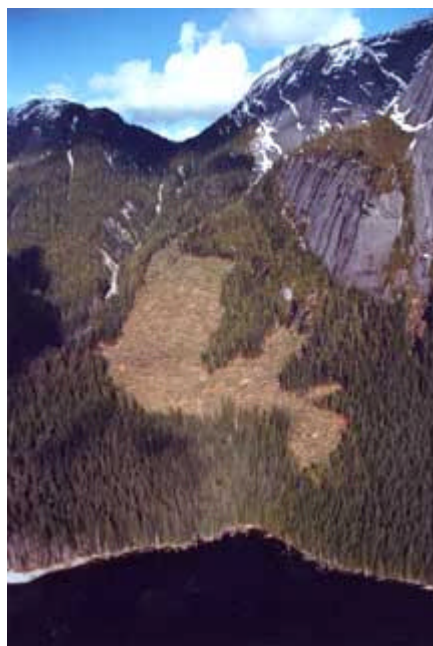
THE CASE OF THE

GREAT BEAR RAINFOREST

BRITISH COLUMBIA, CANADA



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¹ This paper is the first in a series produced by *GREENPEACE* to show how the CBD has been, or could be, implemented for ancient forests. It shows that conservation and sustainable use are reconcilable.

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This case study describes the process of how an area of almost 1.6 million hectares of temperate ancient forest in the West Coast of Canada has been saved from clearcutting and destruction.

The Convention on Biological Diversity (CBD), the comprehensive international treaty on conservation and sustainable use of biodiversity, is currently being implemented in the Great Bear Rainforest in British Columbia. Canada, Contracting Party to the CBD since 1992, and host of the CBD Secretariat, has for the first time started to meet its international commitment to conserve biodiversity, use its components sustainably, and to share benefits in a fair and equitable way.

Measures, Money and Moratoria were the means: Moratoria to develop a comprehensive management plan, measures for conservation and sustainable use, setting aside areas for protection with established conservation value and need, and money to implement such measures.

The study shows that Greenpeace's "Call for Action" for the Ancient Forest Summit (6th Conference of the Parties of the CBD in Den Haag, April 2002) can provide a feasible, workable solution for the ancient forests world-wide, if stakeholders, in particular Governments and companies, have the political will.

Summary

In the 1990s, the coastal rainforest on the West Coast of Canada became one of the most renowned hotspots for environmental struggles on the planet. With half this rare forest already logged, large-scale clearcutting was scheduled for virtually every remaining valley containing pristine ancient forest, and the future of one of the world's most endangered ecosystems hung in the balance. Environmental groups vowed to protect these remaining areas, and Greenpeace launched an intense global campaign targeting the trade and investment of the logging companies that were linked to the destruction of the region known as the Great Bear Rainforest.

On April 4, 2001 an historic agreement was reached between environmental groups and logging companies, supported by many First Nations, as well as workers and coastal communities². On that day, the government of Canada's western-most province, British Columbia, announced the adoption of a new approach to conservation and environmentally responsible logging in the Great Bear Rainforest. The jubilant Premier of the province, Ujjal Dosanjh was on hand to endorse the framework agreement and went on to say that "today in British Columbia we have witnessed a truly historic day in the campaign to save the world's remaining ancient forests."

If the model created through implementing the Great Bear agreement is fully implemented and then applied elsewhere, the Premier's statements could well prove prophetic. Over 20 large pristine rainforest valleys totalling 650,000 hectares will be protected from logging and development, and a further 68 ancient rainforest valleys will have logging deferred for between 12-24 months, to allow time for appropriate research and planning to be conducted.

Logging companies, First Nations, environmental groups and workers have agreed to cooperate in developing these land-use plans that protect the health of the forest, and of the economic future of local communities. Independent scientists will advise the conservation plan-

² See Greenpeace (2000), Questions and Answers on the Great Bear Rainforest Agreements, 4 April 2001, www.greenpeacecanada.org/e/news/0104042.html.

ning process to ensure that science is rigorously applied, is ecologically responsible and incorporates the knowledge of First Nations people. The BC government has also acknowledged that First Nations in the area are entitled to a stronger role in decision-making over what occurs on their traditional territories, which will inevitably result in a stronger land-use planning process.

As the amount of protected areas increase, experts will be brought in to advance economic development in the region to offset the reduction in logging, and a fund has been created to assist in mitigating impacts on local workers. The fund is currently at Can \$30-million but although this amount seems impressive, many more funds will be required to complete the conservation planning process and ensure that the rights of local communities are respected.

Implementation of the Convention on Biological Diversity (CBD) in the Great Bear Rainforest:

1. Identification and Monitoring, applying the precautionary approach:

The first step to reaching the objectives of the CBD is **identification and monitoring** of components of biodiversity important for its conservation and sustainable use, and identifying processes and categories of activities likely to have a significant adverse impact (Art. 7).

The Forest

In the case of the coastal temperate rainforest, it has now become widely known that this ecosystem is one of the most rare forest types in the world. Even in its original extent, it covered less than 0.2 per cent of the world's land mass, and by the mid-1990s the vast majority of the coastal rainforest globally had already disappeared. The largest remaining pristine tract of temperate rainforest was in British Columbia, Canada, and came to be known as the Great Bear Rainforest, due to the abundance of black bears, Grizzly Bears, and a rare snow-white Kermode or Spirit Bear, a sub-species found nowhere else on earth. These species and numerous others, including salmon, wolves, mountain goats and the endangered seabird the marbled murrelet, were dependent on the ancient rainforest valleys and the clear mountain streams that ran through them. In the mid-1990s, very little research had been done to determine the habitat requirements of these species and what would be required to protect the biodiversity of the rainforest in the long-term.

Conservation Area Design – a scientific assessment

Despite the lack of scientific analysis, logging companies had already been granted the rights to clear-cut these valleys, and were proceeding with an aggressive plan that would see virtually all of them logged within the next decade. In order to counter these plans, Greenpeace and three other environmental groups, commissioned a scientific team of conservation biologists, wildlife biologists and fisheries experts to develop a comprehensive plan for the southern extent of the Great Bear.

Applying the rigorous principles of conservation biology and embarking on a thorough peer review process, these scientists developed a Conservation Area Design that clearly delineated what would be required in order to protect the Grizzly, wolves and salmon in the future. The CAD³ recommended core protected areas of ancient rainforest that would provide prime habitat for the far-ranging Grizzly Bear that relies heavily on the rich biodiversity and salmon streams found in the bottoms of the rainforest valleys. Buffer areas, where more sensitive

³ Joo, R.M.; M.A. Sanjayan; D. Sizemore (1999): A Conservation Area Design for the Central Coast Region of British Columbia, Canada. Round River Conservation Studies. www.roundriver.org, Utah, US.

logging might occur without damaging the forest's health, were also designated, as well as areas where the health and structure of the forest needed to be restored. The scientific team recommended that the pristine rainforest valleys are left unlogged, in order to provide a strong core of protected areas and connecting corridors that would allow wildlife to utilise their full range.

Necessity to draw on traditional knowledge

When it was released in 1999, the Conservation Area Design was the most scientifically rigorous study ever completed on the habitat needs of rainforest-dependent species from the perspective of conservation biology and the application of the precautionary principle. It provided a solid scientific framework for moving forward on land-use plan, but made clear that a great deal more work needed to be incorporated to develop a comprehensive plan. The traditional knowledge of First Nations needed to be overlaid, both to add to the ecological knowledge contained in the CAD, but also to determine the social and economic potential that the region's resources might provide to local communities. Further work would be required to develop a stronger socio-economic impact analysis of how best to expend the local economy from being solely dependent on the cutting of timber, to a more diversified and healthy economy that would sustain a broader array of environmental and economic opportunities.

But in order to explore new economic opportunities, ecological opportunities and options must also be left open. In the past, by clearcutting ancient forests about which little was known, many other potential economic options were being foreclosed: opportunities for tourism, for fishing, for the collection and sale of botanical forest products, and even for medicinal applications, such as the use of bark from the Pacific Yew tree that is now used to inhibit cancer.

A moratorium: Time to explore the best options with care

The Great Bear agreement announced on April 4th is premised on the understanding that only a healthy ecosystem can sustain healthy communities, and that these options need to be maintained and protected. Accordingly, the vast majority of pristine ancient rainforest valleys in the Great Bear will remain under a moratorium on logging, while further study, monitoring and conservation planning can be conducted. The moratorium is currently scheduled to extend for between 1-2 years, with the understanding that, as sufficient information becomes available and is agreed upon by the participants in the planning process, some of these valleys will also be recommended for formal protection, while ecologically responsible logging may be allowed in others. New information may also indicate that additional areas should be left unlogged on at least a temporary basis, while further study is completed. It is safe to say, however, that instituting this moratoria is the cornerstone for protecting the forest and to facilitating an end to the historic conflicts between logging companies and First Nations and environmental groups who live and work on the West Coast of B.C.

2. Applying the Ecosystem Approach⁴: Integrated management of the Great Bear Rainforest, reconciling conservation and sustainable use.

The CBD aims at both conservation and sustainable use, complemented by benefit sharing. Article 8 of the CBD requests Contracting Parties to establish a comprehensive **system of protected areas. Whether in or outside** protected areas, biological resources management should ensure both conservation and sustainable use (Art. 1, 8, 10 of the CBD). The frame-

⁴ The Ecosystem Approach was adopted at COP 5 to implement the Convention on Biological Diversity in a comprehensive way. www.biodiv.org/

work agreement for the Great Bear Rainforest region provides a solid basis for completing a comprehensive network of protected areas, and for applying principles of sustainable use.

Comprehensive protection

The 20 valleys that have already been proposed for formal protection are a good first step in developing the protected areas network, but all parties acknowledge that further research and study is required to determine what other parts of the landbase need to be protected in order to ensure the maintenance of biodiversity.

Conservation outside protected areas (Principle 3 of the Ecosystem Approach)

However, if the logging that occurred outside the protected areas was of a destructive nature, the overall health of the forest could still be irreparably damaged, despite the system of protected areas. As a result, the logging companies in this region have already acknowledged that the rate of logging will be reduced and have committed to adopt more environmentally sensitive methods of logging in the areas outside the network. Independent experts will help develop guidelines for what constitutes responsible logging, and the involvement of tourism associations as well as First Nations that are more intimately aware of the economic potential of gathering botanical forest products will help ensure that other forest values and economic opportunities are protected.

Conservation and the rights to the land

First Nations in B.C. face similar situations to some indigenous peoples in Brazil and Papua New Guinea, to name only two: they have never ceded title to their lands, but have historically had much of their rights to use these lands stolen from them following European contact. In order for cultural diversity to be protected, along with biological diversity, a reversal of this trend must occur, which has broad implications for how First Nations' decision-making is incorporated into land-use decisions in the Great Bear region. For example, while in the past the creation of parks has prohibited First Nations from utilising the resources in that area – even though the land might legitimately be considered to belong to them – efforts are being made through the implementation of this agreement to develop new land-use designations that facilitate First Nations' involvement. This may include utilising the designation of Tribal Park, rather than Provincial Park, which may allow First Nations to continue harvesting some resources from the landbase, even while development such as logging or mining is prohibited. This is an evolving area of work that requires creativity and commitment on all sides.

3. Creating incentives

The CBD asks Contracting Parties to **create incentives** for conservation and sustainable use (Art. 11).

Internationally, companies that purchase wood products are more and more often demanding that the products they buy come from responsibly managed forests. This kind of consumer power has created disincentives for some kinds of logging and the products that result from it, at the same time as creating strong market-based incentives for products that come from responsibly managed forests. This was particularly true in relation to the Great Bear Rainforest, with literally hundreds of customers of B.C. forest products expressing concern over the clearcutting of these ancient rainforests, which created a strong dis-incentive for logging companies to continue clearcutting this area.

By agreeing to protect the rainforest valleys, and improve logging practices, logging companies in B.C. have now seen a reduction in pressure from the marketplace and some, in fact,

are now being applauded for having taken these positive steps. Some First Nations are now working closely with Greenpeace and other environmental groups to develop comprehensive land-use plans for their territories and are exploring getting certified by the Forest Stewardship Council, and environmental groups have pledged to help support the resulting products and projects in the marketplace. For example, Greenpeace and some other environmental groups have members that want to actively support the Great Bear Rainforest agreement and so Greenpeace's support includes assistance in promoting First Nations-run eco-tourism projects to overseas markets.

Different incentives for different stakeholders

Different kinds of incentives are being applied for different parties. Those who work in the logging industry, for example, are much more concerned over whether they will still have jobs, if larger areas of ancient forest are protected, and this is clearly a legitimate concern. The parties to the agreement have established a preliminary transition and mitigation fund aimed at limiting financial impacts on workers, and providing new training opportunities: while more funds will be needed as the conservation planning moves ahead, the fact that the parties have publicly acknowledged the need for financial mitigation and a desire to work together to raise these funds provides an incentive to workers to support the Great Bear agreement being implemented.

However, other incentives are not as well developed and still need to be pursued. Not all of the logging companies, for example, have yet committed to pursue certification under the Forest Stewardship Council, the only certification system the environmental community supports. It is hoped that as strong conservation and management plans are developed for this region that these changes will help to encourage the logging companies to become FSC-certified so that these products, too can be more actively endorsed.

Abolish perverse incentives

Finally, there are still some policies and legislation that must be considered perverse incentives and these, too, need to be reformed. At minimum, this includes a relatively high level of subsidy being given to logging companies operating in the coastal rainforest, who pay below market value in stumpage rates (the royalty fee each company pays, per tree cut, for the privilege of logging on publicly-owned land). Furthermore, the government also requires that logging companies maintain a certain, inevitably high, rate of logging, even during periods when markets are depressed and there is no demand for the wood being logged. These are two examples of government policy that clearly need to change, if the model being established in Canada's coastal rainforest is to meet the requirements of the Convention on Biological Diversity.

4. The Process: Applying the Ecosystem approach to the decision-making: Solving the conflicts.

The Ecosystem Approach means integrated management, based on appropriate scientific methodologies, considering all forms of relevant information. It recognises that humans, with their cultural diversity, are an integral component of many ecosystems. All relevant sectors of society and scientific disciplines should be involved (Decision V/6⁵).

While the CAD applied Principle 5, 6, 8 and 9,⁶ and was one of the basis for the negotiations, the negotiations on how to manage the Great Bear Rainforest in the future involved consid-

⁵ www.biodiv.org/decisions/default.asp?lg=0&m=cop-05&d=06.

⁶ Principle 5: Conservation of ecosystem structure and functioning, in order to maintain ecosystem services, should be a priority target of the ecosystem approach; Principle 6: Ecosystems must be managed within the limits of their functioning; Principle 7: The ecosystem approach should be undertaken at the appropriate spatial and temporal scale.

erations of decentralisation (Principle 2), the economic context of management of the area (Principle 3), long-term management (Principles 8) and the recognition of inevitable change (Principle 9).

A matter of societal choice (Principle 1 of the Ecosystem Approach)

Environmental struggles have often seemed to pit environmentalists against those who work extracting resources, and the allegation that environmentalists care more for trees than for people has often been heard on the west coast of Canada. Feelings of animosity have been long entrenched in this part of the world, and the process of negotiations that resulted – eventually – in the Great Bear agreement was a challenging and often rancorous one. Ultimately, however, all parties were able to recognise that the needs of the forest ecosystem had to be protected in order to have a healthy economy, and that if forest protection imposed significant, potentially unacceptable, hardships on individuals, in the long-term the decision to protect the forest would likely be overturned.

Drawing on all forms of information and involving all relevant stakeholders (Principle 11 and 12 of the Ecosystem Approach)

The negotiations over the Great Bear Rainforest involved virtually every conceivable sector of society that might have an interest in forests and forestry, and involved both multilateral as well as bilateral discussions between the various sectors. Logging companies and environmentalists met regularly. An alliance of coastal First Nations initiated discussions with companies, municipal governments, environmentalists and workers. Through a government-run process, many other parties were involved, including workers' associations and unions, mayors of local communities, individuals involved in tourism, hunting, fishing and guiding, to name only a few.

The range of perspectives was, and is, significant. Logging companies wanted to maximise the profits being made from their logging operations and felt unfairly criticised by environmental groups and others for the practices they employed. Some workers felt that the logging companies that employed them viewed them as purely an additional cost and were seeking to eliminate jobs, while others feared potential job losses would occur as more areas of ancient forest were protected, and blamed the environmental community for this. This view was supported by some municipal governments in logging towns that feared their way of life was disappearing. First Nations whose lands were being clear-cut were both angry that their lands were being destroyed, and at the same time were deriving no economic benefit from the logging, and were suffering high levels of unemployment and a huge array of social problems.

The public, meanwhile, supported more protection of the publicly owned ancient forests as more and more of it was clear-cut, but was also growing tired of the ongoing battles between the warring sectors.

And environmental groups and their supporters kept seeing vast tracts of ancient forests clear-cut, government reports acknowledging an ever-higher number of endangered species being added to the list, and nothing being done to stop the destruction. Lobbying of government, meetings with the logging industry, postcard campaigns and rallies to mobilise public support all seemed to fall on deaf ears. The ancient trees continued to fall, and the valleys continued to be clear-cut.

It was then that the fight extended to the international marketplace. Greenpeace and other environmental groups⁷ embarked on an initiative to meet with customers of B.C. forest products to ask that they demand products that were not derived by the clearcutting of ancient rainforests, and ancient rainforest valleys. Many customers adopted responsible purchasing policies and expressed their concerns to the logging companies: some laid out timelines by which they expected changes to be made and told the companies that if they did not meet the timeline, they would be cancelling their contracts. A groundswell of support began to grow internationally, and the pressure mounted on the logging companies to solve the problem.

As the pressure from the marketplace grew, the negotiations between the various sectors intensified. Virtually all parties wanted to find a solution, but the challenge that remained was locating one that could satisfy enough of everyone's needs to ensure that no one felt the burden of the solution rested on their shoulders alone. It was incredibly difficult, and at times seemed nearly impossible. Ultimately, an agreement was reached, largely predicated on the ability to compromise.

First Nations gained recognition that they are entitled to increased decision-making, but have not regained control over their lands. Logging companies agreed to defer logging in some rainforest valleys, which environmental groups supported, but also gained assurances that they would continue logging in others, which the environmental groups didn't believe was ecologically responsible. Some workers' associations supported the agreement, even though they recognised that some jobs might be lost in the short-term, but received commitments that funds would be raised to off-set the impacts. Tourism operators, meanwhile, negotiated to keep some of their prime tourism routes intact, while logging continued in other areas that tourists had previously frequented.

Implementation of the Convention on Biological Diversity

At the end of the day, an agreement was reached, and the government was able to endorse it. The consensus agreement package contains a combination of nearly 700,000 hectares of protected areas and 900,000 hectares of deferred areas, plus a new ecosystem-based approach to planning, an independent information body of scientists and economists, government to government protocols and a "managing change plan" for economic diversification. While the process for implementing the agreement has only just begun, both the framework that has been established and the ability for diverse interests to reach that agreement auger well for the future of the process. Some believed it could not be done but the message here is clear: If there is political will to negotiate in a constructive manner with the aim to come to a solution that implements the spirit and objectives of the Convention on Biological Diversity, it is possible.

5. Financial Implications: Commitments, Costs and Compensations

The efforts required by a broad range of interests in resolving what had arguably been the most heated conflict over land-use decisions in Canada was not inexpensive. All parties spend thousands of dollars in order to travel to meetings, conduct original research and mapping analyses, and determine initial impacts of the agreement on First Nations coastal communities and workers. As part of the agreement, an initial fund of approximately Canadian \$30-million was established to begin to address impacts on individuals who may be affected by the transition taking place.

This fund is only able to address the short-term costs associated with placing some pristine valleys in protection, including the impacts on affected workers or contractors in the short-

⁷ Forest Ethics, Sierra Club of British Columbia, Rainforest Action Network, National Resource Defense Council. The National Resource Defense Council later left the negotiations.

term. In the longer term, it is expected that additional valleys will be protected and thus removed from the harvesting landbase, that the rate of logging will decrease, and that improving logging practices will require additional research, additional planning and a higher level of monitoring for effectiveness. Each of these will have budget implications.

It is preliminarily estimated that up to \$400-million may be required in order to complete the planning process, begin to introduce alternative economic ventures, and provide mitigation or re-training funds for those who are impacted directly. The potential costs of establishing other economic alternatives have not yet been determined, but will almost certainly involve many more millions.

Efforts are now underway to raise these funds from a variety of sources, including both provincial and federal governments, private investors and institutions and environmental foundations. All of these are promising, but more avenues still need to be explored. Participants in the agreement are also exploring establishing new economic incentives for conservation that includes the application of biodiversity credits and the introduction of conservation covenants.

The bottom line is that these processes demand not only human resources, dedication and creative minds, but also significant influxes of capital. Protecting the world's ancient forests and the health of communities that depend on them is expensive, but increasingly the world is recognising that there is no choice. In May 2001, a European journalist asked one BC logging company executive why his company was supporting the deal, given the high cost of conservation and implementation. As he said at the time, "It rapidly became clear to us that the cost of **not** doing it was higher than doing it. It's the right thing to do."

6. Lessons Learnt

It would be foolish to pretend that the Great Bear Rainforest agreement was easy to achieve. In reality, besides the financial implications, the demands placed on individuals negotiating at the table and their respective organisations were huge. And, because the negotiating process began with a high level of conflict and even animosity between the various parties, it took a great deal of time to come to even tentative agreements over the elements of the overall package.

Three factors were critically important to the success of the discussions. The first was that even though some environmental groups participated directly in the process, while others campaigned outside the process, the groups were able to form a cohesive, collective position over what environmental aspects of the agreement needed to be included, particularly as it related to the status of the ancient rainforest valleys. Secondly, although a few logging companies were reluctant to defer logging in some pristine valleys, some companies actively supported the proposed pathway, and this support was able to convince other parties that these deferrals were needed.

Finally, the concerns expressed by an informed marketplace were absolutely essential in convincing intransigent logging companies that they needed to move. In short, without some level of financial pressure to change, it is doubtful that all of the logging companies that currently support the Great Bear agreement would have become signatories. The combination of participants in B.C. being willing to engage in constructive debate and negotiations, coupled with pressure from the international marketplace to see real change occur, were essential to reaching this historic agreement. The land-use plan is a historic landmark and world-wide unique: It proves that, despite the outstanding economic importance of the logging industry in

British Columbia, a balance between, and integration of, conservation and sustainable use of biological diversity is possible (Cf. Art. 1 of the CBD, Principle 10 of the Ecosystem Approach).

7. Next Steps to continue the success

Greenpeace has developed a three-point platform for the Convention on Biological Diversity to adopt, if world governments are to succeed in protecting the last of the earth's ancient forests. These are: the adoption of **moratoria** on logging and development of large areas of ancient forests; refining the existing **mapping** to determine habitat needs and threats, and introducing **measures** to improve logging practices and protect the forests and their species; and finally, raising the **money** required to complete the above tasks and ensure an adequate and effective transition for local communities.⁸

The model for the Great Bear Rainforest has begun to incorporate these measures. A moratorium is now in place, maintaining both the ecological as well as the economic options for the future. Mapping and additional scientific research has begun, although this process, too, will be challenging: the parties will inevitably disagree at times over the validity of the science. Maintaining some level of independent analysis for the scientific team will be critical to the credibility of the end product that delineates some additional areas for protection, and defines what will constitute ecologically responsible logging other areas of this globally rare forest. Finally, the amount of money that will be required to fully implement a scientifically-defensible conservation plan and ensure that the transition needs of local communities has yet to be raised. This will not be an easy task, but in many ways it should be the easiest of the three measures to address. All of the elements for making the Great Bear Rainforest a true conservation success story are in place, and the potential for this model to serve as a template for application in other ancient forest ecosystems is immense.

Time is running out for the world's ancient forests, but there is still time for agreements to be reached. By applying these models throughout ancient forest regions, we can collectively ensure that the world's ancient forests, and the biodiversity they contain, continue to thrive in the new millennium. There is no time to waste.

⁸ www.greenpeace.org/saveordelete.

Finding Rainforest Solutions - The First Step!

Phase 1 Decisions for the Great Bear Rainforest

