

## **Submission to the COP30 Presidency Forest Roadmap & book chapter**

### **Ending forest conversion and protecting of original forest in plantations**

#### *Significance of Forests*

Numerous human requirements and planetary processes are supported by forests (Fernholz and Bowyer, 2015). These important ecosystems are threatened by a variety of conflicting land uses, with one of main causes of deforestation worldwide being the conversion of natural ecosystems into plantations for products like pulpwood, soy beans, and palm oil (Curtis et al., 2018).

Natural or semi-natural habitats are being displaced by plantations, and planted forests are sometimes the complete opposite of locations for biodiversity conservation (Brockhoff et al., 2008). Ecosystems, the cycling of carbon and nitrogen, biodiversity, and productivity are all being impacted in the long run (Wang et al., 2021). As global climate warming intensifies, the corresponding loss of chemical and microbiological fertility and effects on ecosystem sustainability are only expected to worsen (Peng et al., 2021).

Even prior to the 1992 Rio 'Earth' Summit, the issue of deforestation was discussed at a number of intergovernmental committees, forums, and ministerial statements (Humphreys, 1996, Humphreys, 2006). In 2021, the Glasgow Declaration, one of the signature outcomes of the twenty-sixth Conference of Parties (COP 26) to the UN Framework Convention on Climate Change (UNFCCC), world governments formally acknowledged the connections between deforestation and climate change, pledging to cooperate to "halt and reverse forest loss and land degradation by 2030" (UNFCCC, 2021).

#### *Plantations and sustainable forest management*

One of the main causes of the emergence of ideas like sustainable forest management and the application of market mechanisms such as eco-labelling and timber certification is the loss of forests (Cashore et al., 2004, Cadman, 2011). Large-scale commercial plantations have been created using either native or exotic species planted with seedlings or saplings. The major purpose of these plantations is to produce commercial timber, principally sawlogs, veneer logs, and pulp logs. Both native and exotic tree species may be found in plantation forests, which are either private plantations run by or for landowners or public plantations managed as a state asset (Department of Agriculture Fisheries and Forestry, 2022).

When compared to other international jurisdictions, developed countries' forest regulations have comparatively high levels of prescriptiveness and substantive performance thresholds (Maesen and Cadman, 2015, Mcdermott et al., 2007). However, their implementation is still difficult, unclear, and up to the regulators' discretion.

The Deforestation Regulation of the European Union is anticipated to take effect in 2026. Even if developed nations are regarded as low-risk, timber producers are nonetheless required to guarantee EU importers that their wood is free of deforestation. To help natural resource managers prove the efficacy of due diligence processes to prevent deforestation, jurisdictions offer a variety of approaches. Nevertheless, removal of natural vegetation and subsequent conversion to plantations continue to take place under antiquated regulatory frameworks that have not kept up with changes in international standards, making compliance challenging (Cadman et al., 2024).

#### *Certification as a response to combatting forest conversion*

For a while now, forest managers have used private certification schemes to show that their operations are sustainable.

Market-driven, non-state- systems go beyond governmental regulations and accredit (certify) forest management according to their own standards with the goal of promoting sustainable and lawful forest management (Cashore et al., 2004, Cadman et al., 2015). The Programme for Endorsement of Forest Certification (PEFC) and the Forest Stewardship Council (FSC) are the organisations that oversee the two primary forest certification programmes in operation, which also have related supply chain verification (often referred to as chain of custody) (Gale et al., 2011, Gale, 2014). By 2022, these projects had certified approximately 440 million hectares worldwide, or over 40% of industrial roundwood production, including about twenty million hectares of Australian forests, including plantations and native forests (Taylor, 2022).

Compliance with sustainability requirements is confirmed by certification in both schemes. Chain of Custody (CoC) permits forest products to enter the supply chain and be certified. Forest goods may be tracked throughout the supply chain under both systems, but there is no reciprocal recognition. A Controlled Wood (CW) standard for forest management also exists under the FSC, which effectively confirms that the forest products have been generated lawfully (Taylor and Lindenmayer, 2021). Such material is permitted into the supply chain, but it has no certification status (Cadman et al., 2015, Cadman, 2009). Similarly, non-certified material entering the supply chain is categorised as coming from controlled sources (CS) by the PEFC, which acknowledges the legitimacy of production (2020). The conversion of natural forests to plantations is prohibited by both systems. In both schemes, standards covering maintenance of forest remnants on plantations are in place, and while they vary one from another, both are more stringent than legislation in some jurisdictions (Cadman et al., 2024).

Forest management (FM) certification exists for managers under both FSC and PEFC, and under FSC, a further certification exists for controlled wood (CW), designed for businesses receiving timber from forest managers not certified under the FSC but still fulfilling specific safeguards. The CW standard describes the essential requirements that forest management enterprises must fulfil at the forest management unit (FMU) level in order to demonstrate to a business or independent certifying body that the wood they sell is managed appropriately. Organisations having FSC CoC certification can show that they have reduced the risk associated with materials sourced without FSC certification.

It allows forest management companies to show that the wood they supply has been managed to avoid wood that has been illegally harvested, harvested in violation of traditional and civil rights, harvested in forest management units where management activities threaten high conservation values, harvested in areas where forests are being converted to plantations or non-forest use, or harvested from forests where genetically modified trees are planted (FSC, 2006).

### *Protecting original forest inside plantations*

The presence of remaining forest, or forest remnants, within plantations is becoming more widely acknowledged by certification schemes. Remnants, according to one PEFC-aligned standard, are “original native vegetation remaining in a landscape after the original land clearance/plantation establishment” (Responsible Wood, 2021b). Remnants in heavily cleared landscapes and mature forest in degraded areas are regarded as having significant biodiversity values (SBV) in and of themselves. These remnants can be of any size and condition. For the sake of habitat diversity at the catchment and landscape levels, forest managers must make sure remnants are conserved, enhanced, and restored as well as ensuring that ecological connectivity is maintained, or strengthened. If forestry has affected biological diversity, managers must also restore habitat (Responsible Wood, 2021a, Responsible Wood, 2021b).

Over time, regulations pertaining to forest conversion and remnant forest retention have evolved, and plans have been established to enable businesses applying for re-certification to modernise their systems and procedures (Responsible Wood, 2022).

The FSC system places a strong emphasis on employing control mechanisms to prevent conversion-related wood from entering the system. The FSC Policy For Association offers an additional

conversion protection. These approaches prohibit conversion and have become more stringent over time, moving from a method based on minimal conversion to one that determines what constitutes significant conversion (FSC, 2009). With a few small exceptions, minimal conversion forbids the conversion of any area, regardless of size (FSC, 2022a). The restrictions around FSC's original 1994 cut-off date prohibiting certification of plantations established after that date were changed in 2022 by FSC International to a new date of December 31, 2020, effective from July 1, 2023. After that, any conversion activities under the new policy were governed under new rules with no further conversion being permitted, and restitution made for past practices (FSC, 2022b).

The main tenets of environmental sustainability at scale have been defined as ecosystem integrity, strong governance, and effective planning (Morgan et al., 2021). However, current management practices are affecting ecosystem stability and adaptive capacity, weakening ecosystem structures and processes, and decreasing ecosystem integrity (Rogers et al., 2022). Remnant forest loss lowers ecosystem integrity, which in turn lowers ecosystem value and the provision of ecosystem services (Morgan et al., 2022, Buckwell and Morgan, 2022).

Over time, the original forest can be gradually lost as management classifications change or boundaries are redrawn. Although the causes of loss of original forest in plantations may differ from jurisdiction to jurisdiction, they all point to inconsistent planning that fails to appropriately value and account for surviving native vegetation. According to Petak (1980) and Morgan et al. (2021), it is therefore imperative that environmental planning be incorporated into management practices in order to ensure that decisions are informed by the best available knowledge.

#### *The role of state and non-state systems in preventing forest conversion*

One of the problems is the lack of responsiveness to stakeholder scrutiny in state legislation, which stands in contrast to certification schemes. Accountability mechanisms and more informal processes under these 'soft' law approaches have proven more amenable to stakeholder feedback. Nevertheless, the interactions between state regulation and private certification over time has increased regulatory responsiveness and accountability (Auld and Gulbrandsen, 2010, Bartley, 2011, Gulbrandsen, 2014). Paying attention to procedural aspects of forest governance, as well as the increased transparency of agencies, and greater stakeholder inclusion, have enhanced the legitimacy of plantation management when disputes occur (Lacey et al., 2016, Johansson, 2012, Johansson, 2014).

Private governance analysts have also frequently emphasised the danger of the competition between private schemes leading to laxer regulations (Overdeest and Zeitlin, 2014, Cashore et al., 2007, Gulbrandsen, 2005). Although there are still significant flaws in private regulatory schemes, their susceptibility to public opinion and changing international standards that forbid the conversion of natural forests to plantations has been a major force for regulatory change in the public sphere. Private governance systems can therefore offer vital pathways for stakeholder input to shape regulatory change (Gulbrandsen, 2014, Eberlein et al., 2014) in ways that complement state regulatory processes, which have historically been shallow, and at times, institutionally deceptive (Dimitrov, 2005).

The private sector has embraced certification as a non-state, market-driven option due in part to the laxity of governmental policies and the need to preserve or obtain market access (Schlyter et al., 2009). On the other hand, government regulation can on occasions be stricter than voluntary methods (Buliga and Nichiforel, 2019). Using the planning tools at its disposal for multiple uses of forest resources across the landscape, the state can be capable of managing competing interests in the forest conservation and management area across different tenures and jurisdictions (Stjernström et al., 2017). All that is required is the will.

#### **Conclusion**

Since the introduction of forest conversion timber into the market runs the risk of contaminating supply chains and having negative reputational effects, it will be necessary to update current

legislative, regulatory, and private environmental governance frameworks to forbid forest conversion or it will continue to be a barrier to sustainable forest management. To prevent forest conversion of any size throughout the landscape, reform is required to guarantee strong governance, effective planning, and ecosystem integrity at the landscape level.

### **Recommendations**

- All jurisdictions need to recognise forest remnants and high conservation value vegetation, regardless of size or condition, as having high biodiversity value and these areas cannot be cleared or converted.
- National environmental protection and biodiversity conservation legislation and related standards must allow for the identification and conservation of remnant vegetation, including management requirements.
- Particularly, there should be no minimum thresholds whereby the removal of native vegetation is permitted.
- Grants, subsidies, or other incentives to promote the creation of plantations should only be given if native forests or forest remnants are not converted inside plantation limits; all values of such areas should be specifically recorded and safeguarded.
- Collaboration between international and intergovernmental agencies is required to ensure global definitions and descriptions of plantations ensure native forests and native vegetation are excluded from conversion.

**Bibliography available on request**

