

## Policy Guide

Whether at the federal, state, county, municipal or even institutional level, policy-makers can have an outsized impact on the consumption of forest-risk commodities.

Although third-party certifications can be helpful for individual consumers, policy-makers should steer clear of relying upon certifications, which often fluctuate in their efficacy and reliability. It is the role of government to protect the public and to regulate the harmful impacts of corporations, and mandatory government policies will always be stronger than voluntary industry certification standards. Instead, policy-makers should develop independent, stringent and customized policies to protect forests. In circumstances in which prevailing third-party certifications are truly effective at reducing deforestation, it is still essential for policy-makers to regulate industry and to create a level playing field so that all companies are required to adhere to robust standards.

Although this paper focuses on tropical forests, policy-makers should also incorporate language that protects boreal forests. Boreal forests are primarily logged for wood products, and in North America, the boreal forest, which is the largest intact ecosystem left on Earth, is being cut down at a rate of one million acres per year. This is devastating for global climate goals, because the boreal forest is a major carbon reservoir. Clear-cutting boreal forests and leaving them barren is not considered deforestation, but instead is referred to as forest degradation. Deforestation only technically occurs when a forest is cut down and the land converted to other uses. Therefore, policy-makers interested in preserving global forests should avoid the phrase “tropical deforestation,” which is narrow and invites loopholes, and instead, opt for the following language: “tropical or boreal forest degradation or deforestation.”

Passing legislation or executive orders that regulate the procurement of forest-risk commodities.

## Recommendations

Incentivizing the procurement of only those forest-risk commodities that have a transparent origin and that are produced sustainably, without having contributed to tropical or boreal forest degradation or deforestation.

Banning or disincentivizing the procurement of forest-risk commodities without a transparent origin, especially when deforestation and forest degradation commonly occur in the general region of origin (i.e. beef from Brazil).

Banning or disincentivizing the procurement of forest-risk commodities that originate on deforested or degraded land, especially in intact forests (intact forest definition: “a forest that has never been industrially logged and has developed following natural disturbances and under natural processes, regardless of its age. Intact forests include forests that have experience non-industrial-scale human impacts, including tradition or subsistence activities carried out by Indigenous communities.”)

## Examples

Proposed Deforestation-Free Procurement Acts in [New York](#) and [California](#) would require state contractors to “know and show” the origin of forest-risk commodities that they supply to the states. Only those commodities that demonstrably do not contribute to deforestation or forest degradation may be purchased.

Executive Order [D-2022-016](#) in Colorado encourages state contractors to source forest-risk commodities with known origins and to avoid procuring commodities that contributed to deforestation or forest degradation.

## Banning forest-risk commodities

### Recommendation

Some policy-makers have opted for policies that outright ban forest-risk commodities that demonstrably originate on deforested or degraded forest land.

### Example

The proposed [FOREST Act](#) would prohibit the importation of forest-risk commodities produced on **illegally** deforested land into the U.S.

Providing funding for forest conservation to countries and entities that would otherwise profit from deforestation and forest degradation.

### Recommendation

Many people in tropical regions are driven to deforest land for the production of forest-risk commodities because there are few other economic opportunities. Providing funding to these regions may create opportunities for local communities to make a living by conserving and restoring forests, rather than burning and cutting them down.

### Examples

The Tropical Forest Conservation Act allows eligible foreign countries to fund local forest conservation efforts with money that would otherwise be used to pay back debts to the U.S government.

The AMAZON21 Act, introduced by Rep. Steny Hoyer, would create a \$9 billion results-based fund for governments and entities in tropical regions to use to conserve and restore tropical forests.

Ensuring the Free, Prior and Informed Consent (FPIC) of Indigenous and local communities that traditionally live in, or currently rely upon forests.

### Recommendation

Free, prior and informed consent on the part of local and Indigenous communities that have ties to forests and the areas surrounding them is important for several reasons, one of which is that overlooking the free, prior and informed consent of a group that lives closely with the environment is often an indicator that environmental degradation will ensue. When forests are owned legally or customarily by Indigenous communities, they are deforested half as much as other forests. FPIC is a policy that should be implemented alongside any and all other policies for tropical deforestation.

### Example

FPIC policies are incorporated into the proposed Deforestation-Free Procurement Acts in New York and California and Executive Order D-2022-016 in Colorado.