

Rights and Resources Initiative Dialogue Bulletin

A Summary Report of the Ninth Rights and Resources Initiative (RRI) Dialogue on Forests, Governance and Climate Change

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SUMMARY OF THE NINTH RIGHTS AND RESOURCES INITIATIVE DIALOGUE ON FORESTS, GOVERNANCE **AND CLIMATE CHANGE: 8 FEBRUARY 2011**

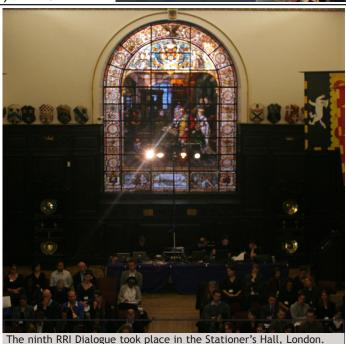
The ninth Rights and Resources Initiative (RRI) Dialogue on Forests, Governance and Climate Change took place in London, UK, on Tuesday, 8 February 2011. Co-organized with Forests Peoples Programme (FPP), Forest Trends and Tebtebba (Indigenous Peoples' International Centre for Policy Research and Education), the meeting was attended by approximately 140 participants and brought together international and nongovernmental organizations, civil servants and representatives from civil society organizations, academia and the private sector from around the world. Ministers from the UK Department of Energy and Climate Change and the Department for International Development also attended and addressed the

The Dialogue allowed participants and panelists to take stock of recent developments on the rights of forest communities and indigenous peoples, and on reducing emissions from deforestation and forest degradation in developing countries, plus the role of conservation, sustainable management of forests and enhancement of forest carbon stocks (REDD+). In particular, participants were able to consider discussions and the outcome from the sixteenth Conference of the Parties (COP 16) to the UN Framework Convention on Climate Change (UNFCCC) that took place in Cancún, Mexico, in late 2010. In addition, participants in the Dialogue examined the role of forest restoration and reforestation for both climate change mitigation and adaptation and discussed how to formulate more coherent safeguards and recourse mechanisms for REDD+ programmes.

Participants convened in four panel sessions and held discussions on: the global implications for forests and people of the Cancún Agreement on Long-term Cooperative Action (Cancún Agreement); national- and communitylevel implications of the Cancún Agreement; ensuring that REDD+ complements restoration, poverty alleviation and adaptation; and promoting and operationalizing safeguards and accountability.

A Brief History of the RRI Dialogues AND UNFCCC IN RELATION TO REDD+

RRI is a global coalition of international, regional and community organizations engaged in forest conservation, research and development. RRI aims to promote greater global



action on pro-poor forest policy and market reforms to increase household and community ownership, control and benefit from forests and trees.

RRI DIALOGUES

The RRI Dialogues are designed to foster critical reflection and learning on forest governance, the rights of forest communities and indigenous peoples, and forest tenure in

IN THIS ISSUE

A D A ATTILL A A DEPUBLICATION OF THE PROPERTY
A Brief History of the RRI Dialogues and UNFCCC in
Relation to REDD+1
RRI Dialogues1
UNFCCC Negotiations on REDD and REDD+ 2
Report of the Ninth RRI Dialogue
Session One: Global Implications of the Cancún
Agreement for Forests and People
Session Two: National- and Community-Level
Implications of the Cancún Agreement
Session Three: Ensuring that REDD+ Complements .
Restoration, Poverty Alleviation and Adaptation 4
Session Four: Promoting and Operationalizing
Safeguards and Accountability5
Closing Remarks

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the context of global action to combat climate change. Since July 2009, the Dialogues have been held in London (UK) and Washington D.C. (US), with regionally-focused events in Addis Ababa (Ethiopia), San Salvador (El Salvador) and Kathmandu (Nepal). The Dialogue series builds on the discussions of the International Conference on Rights, Forests and Climate Change, convened by RRI and Rainforest Foundation Norway in October 2008. Previous dialogues have focused on a variety of topics, including the role of forest governance in achieving reduced emissions from deforestation, the status of forests in the global negotiations on climate change, and the implications of UNFCCC COP 15 in December 2009 in Copenhagen for forest communities and indigenous peoples. For more information on all of these events, visit: http://www.rightsandresources.org/programs. php?id=169

UNFCCC NEGOTIATIONS ON REDD AND REDD+ FROM BALI TO CANCÚN: The idea of making

payments to discourage deforestation and forest degradation was originally discussed in the negotiations leading to the Kyoto Protocol, although it was not ultimately included in that treaty. The REDD concept subsequently developed from a proposal in 2005 by a group of countries calling themselves the Coalition for Rainforest Nations. The proposal was taken up during the Bali Climate Change Conference (COP 13) in December 2007. These negotiations resulted in the Bali Action Plan (BAP), which included a call for "policy approaches and positive incentives on issues relating to reducing emissions from deforestation and forest degradation in developing countries; and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries" (paragraph 1b(iii)), known as "REDD+". The Bali Action Plan set a two-year deadline for finalizing an international agreement in December 2009 at COP 15. While COP 15 did not finalize an agreement on REDD or REDD+, parties did take note of the "Copenhagen Accord," which recognized the crucial role of REDD and REDD+ and the need to provide positive incentives for such actions by enabling the mobilization of financial resources from developed countries (paragraph 6). The Copenhagen Accord also noted the need for scaled-up, new and additional funding for mitigation, including REDD+, as well as adaptation, technology transfer and capacity building. It noted a collective commitment by developed countries to provide resources "approaching US\$30 billion" for 2010-2012, and a goal of US\$100 billion annually by 2020, from a range of sources (paragraph 8). It also established the Copenhagen Green Climate Fund (paragraph 10).

CANCÚN AGREEMENT ON LONG-TERM **COOPERATIVE ACTION:** During the Cancún Climate



Victoria Tauli-Corpuz, Executive Director, Tebtebba

Change Conference held from 29 November to 11 December 2010, parties adopted the Cancún Agreement (Decision 1/CP.16). On REDD+, the Agreement affirms that, provided adequate and predictable support is forthcoming, developing countries should aim to slow, halt and reverse forest cover and carbon loss. It encourages

developing country parties to contribute to mitigation actions in the forest sector by: reducing emissions from deforestation and degradation; conserving forest carbon stocks; sustainable forest management; and enhancing forest carbon stocks. As part of this objective, developing countries are requested to develop a national strategy



Director, RRG

or action plan, national forest reference levels or sub-national reference levels as an interim measure, a robust and transparent national forest monitoring system, and a system for providing information on how the safeguards (in Annex I to the decision) are being addressed throughout implementation. The text also requests the UNFCCC's Subsidiary Body for Scientific and Technological Advice (SBSTA) to develop a work programme to identify, inter alia, drivers of deforestation and degradation, and methodologies for estimating emissions and removals from these activities, as well as develop modalities for measuring, reporting and verification (MRV) of emissions by sources and removals by sinks resulting from these activities, consistent with MRV of nationally-appropriate mitigation actions for consideration by COP 18. The Ad Hoc Working Group on Long-term Cooperative Action under the UNFCCC is requested to explore financing options for the full implementation of results-based actions and to report on this at COP 17 in late 2011.

REPORT OF THE NINTH RRI DIALOGUE

Arvind Khare, Executive Director, RRG, chaired the opening session of the Dialogue and introduced the speakers. In his welcoming address, Marcus Colchester, Director, FPP, invited participants to reflect on what transpired in Cancún. On the rights of the 1.2 billion people who depend on forests for their livelihoods, he said it was essential that forest tenure be transformed. He noted that findings in the FPP report "Pushback: Local Power, Global Realignment" demonstrate increased land grabs by mining and plantation interests over the past year, and growing resistance by indigenous peoples. He stated that the process of transferring rights to indigenous peoples had stalled and asked if this might be due to the financial resources being poured into addressing forest issues. On the Cancún Agreement, he welcomed the gains but questioned whether workable mechanisms were being developed and whether these approaches were getting through to the ground level.

Recalling her role as a Philippines delegate in the REDD+ negotiations in Cancún, Victoria Tauli-Corpuz, Executive Director, Tebtebba, underlined the importance of upholding achievements on the rights of indigenous peoples, suggesting these will be tested as indigenous peoples seek to have these recognized in international instruments and at the national level. She said research has shown that indigenous peoples and communities are forest conservers, and called for capacity building to ensure that decisions on REDD+ are translated into reforms in forest policy and institutions. She underlined the importance of acknowledging indigenous peoples as agents



of good governance if REDD+ is to succeed in reducing emissions and promoting sustainable development, noting the importance of participatory governance.

Juan Manuel Torres Rojo, Director General, National Forestry Commission, Mexico, highlighted key REDD+ elements included in the Cancún Agreement, such as outcome text addressing the REDD+ structure, the need for safeguards, an implementation strategy, and the need for adequate and predictable financial support. He also identified various "pending" issues, including identification of REDD+ activities; rules for MRV of associated emission removals; guidance for the reporting of safeguards and their definitions; and financing options for full implementation of REDD+.

Gregory Barker, Minister of State, Department of Energy and Climate Change, UK, emphasized the importance of financing for REDD+, noting that the UK Government has committed £2.9 billion for climate finance, including a significant proportion for forest issues. He stressed that public funding should be used to mobilize private sector investment in greater quantities, including measures to stimulate markets. Minister Barker stressed that the drivers of deforestation and forest degradation must be identified and addressed. He highlighted the need to: establish a clear understanding of forest governance and wider land-use planning issues; ensure a clear and equitable distribution of the benefits of REDD+ activities; and work closely with forest-dwelling communities to ensure maintenance of their livelihoods.

Responding to a number of questions on funding, Minister Barker underlined the UK Government's commitment to work directly with forest communities through multilateral and bilateral programmes to establish stronger relationships and safeguard rights. He described private sector funding as more sustainable than government finance, and noted the need for clarity about the nature and sources of private finance. He described the Capital Markets Climate Initiative in London, which brings together key actors including those "who write the checks." He also highlighted the Initiative's work on structuring financial products for specific projects and market development, and its initial focus on projects in sub-Saharan Africa. On governance, he described an official review process with key stakeholders designed to develop proposals on embedding the rights of communities in government programmes.

SESSION ONE: GLOBAL IMPLICATIONS OF THE CANCUN AGREEMENT FOR FORESTS AND PEOPLE

Chair Andy White, Coordinator, RRI, invited panelists to identify the most important outcomes from Cancún and those requiring further work. While acknowledging the importance of the UNFCCC, he noted the host of REDD-related initiatives taking place in parallel with the negotiations.



Juan Manuel Torres Rojo, Director General, Mexico National Forestry Commission

David Capper, Head of Climate Finance, Institutions and Forests, UK Department of Energy and Climate Change, noted the tension between the activity of producing toplevel studies on mobilizing finance and the ability of multilateral funds to disburse money that makes a difference on the ground. He welcomed upcoming technical work on common standards and performance.

Abyd Karmali, Managing Director and Global Head of Carbon Emissions, Bank of America Merrill Lynch, said the Cancún Agreement achieved elements needed to ensure private sector involvement, such as inclusion of safeguards and the possibility of operating at the sub-national level. He lamented the lack of



Gregory Barker, Minister of State, Department of Energy and Climate Change

explicit recognition of the importance of private sector engagement, stressing that this is needed to fill the financing gap for REDD+ activities. Karmali highlighted the urgency of designing and enforcing safeguards, addressing accounting issues, and developing appropriate standards.

Andreas Dahl-Jørgensen, Advisor, Norway's International Climate and Forest Initiative, outlined key aspects of the Cancún Agreement, such as the goal of reversing deforestation, the need for social and environmental safeguards, and the focus on results-based approaches. He outlined the mandates for this year, including the establishment of emission reference levels, and the development of MRV and safeguard systems. On financing for REDD+ activities, Dahl-Jørgensen highlighted the "critical" importance of a price for carbon.

Re-introducing panelist Juan Manuel Torres Rojo, Session Chair Andy White noted that the relative security of indigenous peoples' property rights and other institutional conditions in Mexico seemed to influence the positive reception of REDD+ in that country. Torres Rojo reflected on his Government's experience of REDD+-type projects, noting the opportunities to enhance the value of forest products, organize communities and build social capital. He highlighted the need to create positive incentives to build a social rather than a market-led mechanism, warning that the market context would create difficulties in developing the "social character" of REDD+ projects.

Onel Masardule, Executive Director, Foundation for Promotion of Indigenous Knowledge, Kuna Peoples, Panama, drew attention to conflicting demands from governments that expect indigenous peoples to protect forests and reduce climate change, but also impose massive extractive projects on communities. He lamented the lack of provisions in the Cancún Agreement on the active participation of indigenous peoples and noted the weakness of the reference in the UN Declaration of Rights of Indigenous Peoples (UNDRIP) to the need for parties to international negotiations to "take note" of the UNDRIP. He warned that the Cancún safeguards are similar to the "failed" safeguards used by the World Bank, and suggested that the absence of guarantees to respect rights could increase the likelihood of conflict. He stated that the Panamanian Government's refusal to introduce environmental impact assessments for extractive projects was an example in this regard, and expressed regret at the absence of a reference in the Cancún Agreement to prior informed consent of indigenous peoples.

In the ensuing discussion, participants commented on how safeguards would be used, who would use them and the consequences of not following the safeguards. Several highlighted the importance of addressing forest governance and others discussed the need for political will to help resolve outstanding issues. Participants also addressed the issue of carbon markets, questioning whether the creation of REDD+ carbon markets should not follow the establishment of safeguards and suggesting that the introduction of a market mechanism might result in destruction of the social capital. Responding, Karmali highlighted that the REDD+ decision recognizes that different regions have different starting points. He also stressed the importance of early engagement with the private sector, to ensure buy-in and also to help contribute to capacity building. Masardule encouraged careful consideration of markets, noting that markets are not managed by indigenous peoples and highlighting the risk of distorting indigenous peoples' management structures.

SESSION TWO: NATIONAL- AND COMMUNITY-LEVEL IMPLICATIONS OF THE CANCÚN AGREEMENT

Session Chair Marcus Colchester, FPP, introduced this session on national- and community-level implications of the Cancún Agreement. Samuel Bokwe, Member of Parliament and Vice President, REPAR-Cameroon (a network of lawmakers advocating sustainable forest policies), highlighted that forest communities rely completely on forests and emphasized their need for financial and adaptation support, such as through the UNFCCC Adaptation Fund. Bokwe outlined outstanding issues such as: women and gender considerations; community rights issues; involvement of local communities; and how REDD+ financing will reach the local communities, whether through national governments or directly.

Tony La Viña, Dean, Ateneo School of Government, Philippines, spoke of the enormous consequences of advocates of REDD+ having achieved much of what they had sought. He cautioned against the temptation within government ministries to "dust down" old forest management plans given the distinctive challenges of REDD+, including how to develop a strategic design to deliver multiple benefits. On technical issues, including emission reference levels and work on MRV systems, he noted the need to resist outsourcing such work. On finance, he called for policy work to feed into the upcoming negotiations on the available options.

Kanyinke Sena, Indigenous Peoples of Africa Coordinating Committee, questioned the fate of the forests in the absence of more ambitious greenhouse gas (GHG) mitigation targets, and warned of dangers for communities around issues such as land ownership and carbon rights. While welcoming the establishment of the Green Climate Fund, he gueried how the funding process would proceed and whether communities trust

> outlined issues to be addressed to ensure effective participation of local communities, including: building the confidence of local communities that their rights will be recognized in a REDD+ mechanism; system on how safeguards are addressed and

the market system. Victoria Tauli-Corpuz establishing an information

implemented; developing a participatory monitoring system involving local communities; ensuring the integration of the UNDRIP in the implementation of a REDD+ mechanism: and developing an integrated framework for ensuring that REDD+ is implemented considering human rights and ecosystems approaches. Tony La Viña, Dean, Ateneo School of Government, Philippines She also highlighted that



indigenous peoples themselves must determine the implications of the Cancún Agreement and REDD+.

In the subsequent discussion, one participant commented on the need not only to consider ecosystems and human rights issues, but also to ensure biodiversity and healthy forests. Responding to a question on the interaction between the forest management and mineral extraction regimes, Bokwe cited the example of Cameroon's solution of harmonizing their mineral and forest codes.

Session Three: Ensuring that Redd+ COMPLEMENTS RESTORATION, POVERTY ALLEVIATION AND ADAPTATION

Camilla Toulmin, Director, International Institute for Environment and Development (IIED), chaired the session on ensuring that REDD+ complements restoration, poverty alleviation and adaptation.

Jeff Hatcher, Director of Global Programs, RRI, introduced the topics for discussion and proposed that REDD+ has the potential to be a cross-cutting answer to a number of issues. He highlighted emerging complementarities between the goals of REDD+, poverty alleviation and food security, suggesting for example that programmes to restore degraded lands and at the same time increase sequestration capacities can provide livelihood options for the poor and sources of food, help adaptation, reduce water shortages, and increase drought resistance. He concluded by asking panelists to address three questions: can REDD+ address poverty alleviation, food insecurity and adaptation; where are the possibilities for alleviating poverty with REDD+; and should we "hang our adaptation hopes" on REDD+?

Florence Daviet, Co-Manager, Governance of Forests Initiative, World Resources Initiative, suggested that incentives other than climate change mitigation would have a significant role in driving REDD+. She said that consideration of the links between REDD+ and adaptation is driven by context and community-led considerations. She noted that while it is easy to see linkages at the community level, it is more difficult to ensure that national frameworks do not obstruct opportunities for local communities to self-manage.

Suzanne von Walter, Senior Programme Officer, SwedBio, highlighted the need to address the role of industrialized countries in driving deforestation. She stressed that good governance is a much larger issue than forests and will take years to develop. On restoration, she cautioned that there was always a question of ownership in relation to degraded



Florence Daviet, Co-Manager, Governance of Forests Initiative, World Resources Institute



land. She questioned whether it is possible to expand forests only to sequester carbon in the midst of pressures to expand agriculture.

Cecile Njdébet, Director, Cameroon Ecology, stressed that local communities are not homogenous, pointing out that indigenous men and women have different problems and needs. Njdébet highlighted that to adequately consider REDD+ and poverty alleviation, the following must be addressed: property rights and women's access to land; reform of forestry systems; and greater clarity on funding mechanisms, including access to funds.

In the ensuing discussion, participants highlighted the need to consider REDD+ as an economic development opportunity, rather than as a compensation mechanism or a tool for the creation of carbon credits. One participant noted the role of forests in shifting the development paradigm and ensuring poverty alleviation. Several participants emphasized sharing good practice examples from around the world, citing the example of land rights security for local communities in Mexico. Highlighting the importance of capacity building in the REDD+ process, one participant gave the example of educating students in schools and forestry institutions on the meaning and benefits of forest conservation.

SESSION FOUR: PROMOTING AND OPERATIONALIZING SAFEGUARDS AND ACCOUNTABILITY

Session Chair Tony La Viña recalled that safeguards had been consistently top of the agenda during the contact group on REDD+ in Cancún that he chaired.

On the Cancún Agreement, Kristen Hite, Attorney, Climate Change Program, Centre for International Environmental Law, noted the need to strengthen reference to land tenure, which can be enhanced through free prior informed consent. She compared the UN and Bretton Woods approaches to safeguards and set out the challenges and opportunities to advance safeguards, including: sequencing that prioritizes agreement on rules to ensure effective outcomes; the UNFCCC SBSTA work on safeguards guidance; the World Bank's revision of safeguards; the development of new safeguards by the Convention on Biological Diversity; consistency at the national level while increasing country ownership; land and resource tenure; and accountability. On consistency of approach, she highlighted the rights-based approach with prescriptive policies and procedures, as well as full consideration of both social and environmental impacts. She also drew attention to coherence



Standing room only during the Ninth RRI Dialogue.

with international obligations (including the UNDRIP), protection of biodiversity and ecosystems, participatory decision-making processes (including free prior informed consent); robust information disclosure and transparency, and an accessible recourse mechanism.

Tim Clairs, Senior Technical Advisor, UN-REDD, Environment and Energy Group, UNDP outlined the themes of four strands of UNDP's work that will contribute to the UNFCCC SBSTA's deliberations on a system for sharing information on addressing and preparing safeguards: participatory governance assessments; a guidance framework for monitoring REDD+ governance; development of UN-REDD social and environmental principles and criteria; and stakeholder engagement.

Charles DiLeva, Chief Counsel, Climate Change, Sustainable Development and International Law, World Bank, speaking via live audiofeed, underlined that many of the REDD+ elements of the Cancún Agreement revolve around indigenous peoples' rights. He highlighted the need to focus not just on safeguards as contained in the text, but also on how to use the limited resources available to implement the principles and policies in a way that engages local communities.

Saskia Ozinga, Coordinator, FERN, presented a forthcoming report titled "Smoke and Mirrors," which is a critical assessment of the World Bank's Forest Carbon Partnership Facility (FCPF). She outlined three key findings: FCPF safeguards are being diluted or obfuscated; there is a huge and growing gap between the rhetoric and what is happening on the ground; and if there are no fundamental changes, Readiness Preparation Proposals will result in an undermining of peoples' tenure rights and an increase in forest loss.

Dawn Robinson, Associate Director, ProForest, underlined that the long-term effects of standards depend on the buy-in of those who will use these standards, noting that such buy-in



(L-R) **David Capper**, Head of Climate Finance, Institutions and Forests, Department of Energy and Climate Change, UK; **Abyd Karmali**, Managing Director and Global Head of Carbon Emissions, Bank of America Merrill Lynch; **Andy White**, Coordinator, RRI; **Andreas Dahl-Jorgensen**, Advisor, Government of Norway's International Climate and Forest Initiative; **Juan Manuel Torres Rojo**, Director General, Mexico National Forestry Commission; **Onel Masardule**, Executive Director, Foundation for Promotion of Indigenous Knowledge, Kuna Peoples, Panama.



can be generated, *inter alia*, by consultation, participation of end users, guidance and education. She called for minimum acceptable standards and noted the possibility of "progressive standards." Robinson stressed the need to balance sovereignty and the need for global consistency, noting the possibility of setting global standards that allow for national interpretation into the local and national contexts.

In a closing discussion, Charles DiLeva rejected suggestions that the Bank was engaged in diluting safeguards. He offered an assurance that safeguards are typically harmonized "upwards." Participants welcomed this assurance and called for the application of the UN's rights-based approach. Participants differed on whether the World Bank's ongoing revision of standards represented a challenge or an opportunity. A number of speakers underlined the need for early consideration of standards and safeguards in policy consideration, stressing that this is important if they are to have a real impact and that consideration of safeguards should not become an exercise in crisis management. There were calls for the early involvement of indigenous peoples and local communities in defining the terms.

CLOSING REMARKS

In his closing remarks, Arvind Khare, RRG, recalled that participants had highlighted three themes: the question of whether international promises and obligations are being translated and implemented on the ground; good forest governance as the key imperative for indigenous peoples and their territories; and the identification of outputs and gaps in the Cancún Agreement. He observed that some were hopeful about the Cancún outcomes, while others were despondent. He compared international concerns about money, the pace of progress and the private sector, with national and community concerns about biodiversity, rights, livelihoods, and the development of national safeguard systems. He observed that this dichotomy between international and national concerns had been echoed in a number of debates, including those on: carbon versus multiple use; climate versus multiple crises; finance versus human rights; and international versus national standards.

Khare noted that the private sector had supported clarity of tenure, safeguards and standards, with a view to leveling the playing field and removing market uncertainty, resulting in a certain convergence with voices in the field calling for safeguards for their rights. On safeguards, he noted that most countries funding and in receipt of funds for REDD+ are signatories to international treaties on human rights and



Participants in the Stationer's Hall during the Ninth RRI Dialogue.

UNDRIP, and are thus obligated to respect rights. Khare noted that while the idea behind REDD had begun in Western capitals, it is already being redefined at national and local levels, and in indigenous peoples' territories. He suggested that there seems to be a distinct realization that indigenous peoples and communities will continue to: assert their tenure with their territorial and human rights; define implementation of REDD on their own terms and standards, irrespective of the sources of funding; and define REDD+.

Stephen O'Brien, UK Parliamentary Under Secretary of State for International Development, highlighted that the Dialogue had set two challenges: finding new ways to reconcile the competing demands on forests, such as for wood, food, fuel, biodiversity and reducing emissions from deforestation; and ensuring that as forests and forest lands increase in value, poor, forest-dependent indigenous communities are not at risk of losing out. He underlined the need to focus on, inter alia: promoting forest governance so as to bring greater opportunities to communities that depend on them for a living; ensuring that forestry laws are coherent, clear and publicly disclosed; and considering trade issues, stressing that buyers' markets are changing and demanding standards. He noted the UK Government's activities in some of these areas, including supporting independent forest monitoring by Indonesian civil society and government, and helping to improve forest governance in Ghana, Liberia, Cameroon, the Democratic Republic of the Congo and Indonesia.

Arvind Khare thanked everyone for their excellent contributions to the Dialogue and brought the meeting to a close at 5:38 pm.



Jeffrey Hatcher, RRI; Cecile Njdébet, Director, Cameroon Ecology; and Susanne von Walter, Senior Programme Officer, SwedBio