

CLIMATE JUSTICE DEMANDS THAT WE ACT: SUPPORT THE NY TREES ACT



Due to the global nature of climate change, New Yorkers are in harm's way, with deadly heat waves, life-threatening storms, and negative economic impacts. New Yorkers are also impacted by the interconnected global biodiversity and justice crises. Making matters worse is the reality that people of color, the poor, and Indigenous Peoples both within and outside of the Empire State are the most impacted by these crises.

The time has come to ensure that the commodities New York purchases with taxpayers' dollars are not exacerbating the climate, biodiversity and justice crises. One critical step is to protect tropical rainforests. If we continue to destroy the world's tropical rainforests, we are unlikely ever to stabilize our climate and maintain global biodiversity. Moreover, there is a direct link between tropical deforestation and human rights violations that flow from the production of commodities like tropical timber, soy, palm oil, and chocolate. New York should move from being complicit in the purchasing of harmful commodities to taking climate justice leadership for New Yorkers and the world.

For decades, New York has been successfully implementing common-sense procurement reforms, from labor protections to buying cleaner vehicles. The New York Tropical Rainforest Economic & Environmental Sustainability (TREES) Act (S.8898/A.9711, Krueger/Zebrowski) would help to

ensure that New York State government procurement does not drive tropical deforestation or degradation by tightening an existing state ban on the use of tropical hardwoods for government projects, and creating a new statute requiring state contractors who deal in forest-risk commodities to certify that their products don't drive deforestation or associated abuses of the rights of Indigenous Peoples and local communities in tropical forested regions. New York would be the first state in the nation to implement such a policy, following in the footsteps of the European Union, which recently enacted economy-wide deforestation regulations.

S.8898/A.9711 is Common-Sense Legislation

Bill highlights:

- Requires state contractors who deal in forest-risk commodities to certify that their products don't drive tropical deforestation or degradation by providing data to the state and the public demonstrating supply chain due diligence to their products' points of origin.
- Closes loopholes in a 30-year-old state law limiting the government's use of tropical hardwoods.

- Gives a bidding preference to New York-based small/medium-sized businesses, certified Minority/Women-owned Business Enterprises (MWBEs), and businesses fulfilling state contracts using New York State products.
- Creates a Supply Chain Transparency Assistance Program to support New York-based small/medium-sized businesses and MWBEs to achieve ethical supply chains for forest-risk products. This program will be administered by Empire State Development.
- Requires a minimum of two representatives from indigenous tropical communities within the relevant geographic areas, along with representatives from business and civil society, to be consulted during the regulatory process to ensure robust implementation.
- Defines “forest-risk commodities” to include soy, beef, palm oil, coffee, cocoa, wood pulp, paper, and wood products, with other commodities considered over time by the Office of General Services.

Global Justice

The impacts of tropical deforestation are felt most acutely by Indigenous Peoples whose lands, cultures, and livelihoods are inextricably linked to the forests where they live. This bill would require suppliers to New York State agencies and authorities to ensure that their supply chains are not linked to abuses of Indigenous Peoples’ rights. Most large contractors in the sectors covered by this bill have already adopted commitments to adhere to global standards of Free Prior and Informed Consent in their operations. This bill would help ensure those commitments are universally adopted and upheld.

Supply-Chain Transparency

By creating a statute to require state contractors to certify that they are not contributing to tropical forest degradation or deforestation directly or through their supply chains, the New York Tropical Rainforest Economic & Environmental Sustainability Act will boost growing supply-chain transparency efforts in the affected industries and close loopholes in existing statutes that limit the purchase of tropical hardwoods by the state and local governments.

New York Should Be a Leader

Keeping tropical forests standing is essential to countering the climate crisis, which is crucial to save New Yorkers from superstorms, floods, heatwaves, and more. By passing this bill, New York State would join a movement to tackle the root causes of tropical forest destruction. The European Union has adopted legislation that will require businesses working in deforestation hotspots to certify that their goods have not harmed forests. Similar legislation is advancing in the US Congress, the UK, California, and elsewhere. This is New York’s opportunity to join this growing movement and help clean up global supply chains. By ensuring that the products New York State buys do not contribute to the destruction of Earth’s most vital ecosystems and the communities that depend on them, NY procurement can help save global forests. In turn, global forests can save New Yorkers – and the rest of humanity.

