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EU Court of Justice rules that NGOs have the right to challenge forest management plans through the courts in Poland

On 2 March 2023, the Court of Justice of the EU ruled, in [Case C-432/21](#), that the exclusion in Polish legislation of the possibility of legal proceedings against forest management plans violates EU law. The Court stated that Poland was in breach of its obligations as a Member State of the EU because it had excluded in its legislation the possibility for environmental organizations to appeal against forest management plans. The Court concluded that conservation organizations must have the right to challenge forest management plans in court, especially if changes within forest ecosystems involve major human intrusion. The Court decided that species protection under the Bird and Habitat Directives of the EU takes precedence over local forest management.

In a joint communication, the Polish Ministry of Climate and Environment and the National Forests, which manages c. 80% of Poland's 9.2 million ha of forests, stated that the right to appeal forest management practices had already been respected. It was also stated that future court verdicts based on the EU Court of Justice decision would lead to the collapse of forest management throughout the country and consequently the collapse of the Polish timber industry.

The court decision will allow NGOs to at least partially control cutting in areas of natural value, especially in those areas where forest management blocks the founding or expansion of national parks. In recent years there has been systematic destruction of the most valuable forest areas in Poland, particularly in the Carpathian Forest. This forest, which covers the Bieszczady Mountains and

Przemysł Foothills in south-east Poland, is a refuge for species such as the brown bear, grey wolf, lynx, wildcat, golden eagle, Eurasian pygmy, eagle and Ural owls and the Eurasian three-toed woodpecker. NGOs have been campaigning for several decades for the enlargement of the Bieszczady National Park and the establishment of the Turnicki National Park in the Przemyskie Foothills.

This new ruling of the EU Court of Justice follows an [April 2018 verdict](#) by the Court concerning the Białowieża Primeval Forest, which highlighted failure of forest management in Poland to respect the Bird and Habitat Directives. It can only be hoped that the state authorities, as in the case of the verdict on the Białowieża Primeval Forest, will, after initial resistance, adhere to this latest ruling.

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TikTok facilitating songbird trade in Indonesia

Throughout Southeast Asia, songbirds are sought as pets, ornaments, for prayer releases, and particularly as competitors in singing competitions. In 2017, as a result of increased demand for wild-caught birds, the IUCN declared an Asian Songbird Extinction Crisis, with Indonesia a critical hotspot. The internet has provided new avenues for the exploitation, trafficking and sale of songbirds, including via the online marketplace OLX in Indonesia (Fink et al., 2021, *Applied Geography*, 134, 102505). The use of internet technology in the songbird trade is fast-moving and difficult for conservationists to address. Here we report evidence that TikTok (ByteDance, Beijing, China) is being used for advertising and facilitating trade in protected and threatened species of Indonesian birds.

Indonesia has c. 110 million TikTok users. In early 2021, TikTok joined the Coalition to End Wildlife Trafficking Online, releasing a guideline that 'any content that depicts or promotes the poaching or illegal trade of wildlife is not allowed on our platform and will be removed when identified', with 74% of this content allegedly removed before receiving any views (Koçak, 2021, *TikTok*, 16 June 2021). However, TikTok has been used to promote content from owners of exotic pets in the USA, some of which could be illegally sourced (Faheid, 2021, *National Public Radio*, 4 July 2021), and the UK TikTok site has been used to share images of illegal badger-killing trophies and organize attacks on badgers (Gatten, 2022, *The Telegraph*, 29 November 2022).



An example Tik Tok post that depicts wild songbird trade in Indonesia. *Cak ijo* is shorthand for *cucak ijo*, the trade name for leafbirds (*Chloropsis* spp.), PH, *paruh hitam* (black beak); *jamin jantan* (guaranteed male, although the photo could show either a juvenile male or an adult female of the greater green leafbird *Chloropsis sonnerati*); 450 ecer: IDR 450,000 (c. GBP 24); WA is shorthand for WhatsApp. We have obscured the telephone number and the name of the shop.

Here we present an example of the greater green leafbird *Chloropsis sonnerati*, an Endangered and protected species (under law P.106 of the Indonesian Ministry of Environment and Forestry) that is a popular pet across Java (Marshall et al., 2019, *Biological Conservation*, 241, 108237). In presenting this image, we have used a privacy-compliant image processing tool to limit the risk of this TikTok user's identity being discoverable by reverse image search.

The proliferation of bird trade on online platforms poses new challenges for monitoring the trade of caged birds in Indonesia. There may be incentives to trade species online rather than in physical marketplaces, given the perception of enhanced anonymity and the potential to reach a wider market and secure higher sale prices (Fink et al., 2021, op. cit.). Our observation indicates that TikTok users are flouting the platform's guidelines. We recommend that the monitoring of bird trade and other illegal wildlife trade should include emerging and popular platforms such as TikTok.

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A new specialist group for Brazilian fungi

In January 2023, the IUCN Species Survival Commission (SSC) created a new specialist group to focus on the conservation of Brazilian fungi: the IUCN SSC Brazil Fungal Specialist Group (iucnbrazfun.com, [@iucnfungibrazil](https://twitter.com/iucnfungibrazil) and [iucnssc_fungibrazil](https://iucnssc_fungibrazil.org/)). As a megadiverse country with key biodiversity hotspots, Brazil and its fauna, flora and funga face numerous challenges related to threats such as climate change and anthropogenic activities. This is of particular concern in centres of endemism, which for fungi include the Araucaria and cloud forests of southern Brazil. As there is currently no public policy to include fungi in the conservation agenda in Brazil, in part because of the absence of an official national Red List for fungi (for an unofficial national list, see mindfunga.ufsc.br/mind-funga), the diversity of fungi is being neglected by decision-makers, despite their importance for ecosystem dynamics and health.

With a vision of Brazil as a country that values and conserves fungi, the new specialist group was formed by a diverse group of Brazilian mycologists and lichenologists with a common aim to include fungi in species conservation programmes, environmental legislation, public policy, ecosystem management and science outreach initiatives. These efforts have already included the assessment of fungal species for the IUCN Red List (Mueller et al., 2022, *Diversity*, 14, 736), promotion of integrative approaches for fungal conservation (Costa-Rezende et al., 2022, *Oryx*, 56, 13), capacity building and scientific popularization and communication.

The next steps for the new specialist group include: (1) a series of initiatives to disseminate and strengthen the group in Brazil and elsewhere, (2) the promotion of IUCN Red Listing workshops and training of specialists in the application of the Red List categories and criteria, (3) periodic updating of the list of Brazilian fungal species as part of the Flora and Funga of Brazil Project (floradobrasil.jbrj.gov.br), (4) political engagement at municipal, state and federal levels,



Parmotrema pachydermum (Hue) O. Blanco, A. Crespo, Divakar, Elix & Lumbsch, a Critically Endangered lichen species. Photo: Adriano Spielmann.