

UNFF7 HIGHLIGHTS: THURSDAY, 26 APRIL 2007

On Thursday, 26 April, the seventh session of the United Nations Forum on Forests (UNFF7) convened to discuss the non-legally binding instrument (NLBI) on all types of forests, and the Multi-Year Programme of Work (MYPOW) for the period 2007-2015. Delegates convened in two working groups: Working Group I (WGI) addressed a revised Chair's text on the NLBI and Working Group II (WGII) discussed the MYPOW. Contact groups met to discuss remaining contentious issues on both the NLBI and MYPOW; consultations continued into the night.

WORKING GROUP I – NLBI

PURPOSE: On strengthening political commitment and action to implement sustainable forest management (SFM), BRAZIL, opposed by SWITZERLAND, proposed replacing "SFM" with "sustainable management of all types of forests." VENEZUELA, opposed by the AFRICAN GROUP, CHILE, the EU, SWITZERLAND, IRAN and COSTA RICA, bracketed strengthening "action."

On providing a framework for international cooperation, INDIA, BRAZIL, the AFRICAN GROUP and CHILE proposed reference to the national level.

The EU, the AFRICAN GROUP and others, opposed by the US, BRAZIL and MEXICO, proposed deleting reference stating that nothing in the instrument prejudices States' international obligations. BRAZIL and COLOMBIA favored referencing States' sovereign rights to exploit their own resources. The EU and others objected, noting duplication with preambular language.

On States' responsibility to implement SFM, the US suggested adding reference to "enforcement of forest-related laws." BRAZIL preferred "enforcing forest laws and promoting good governance."

CHINA and PAKISTAN, opposed by the EU and the RUSSIAN FEDERATION, suggested specifying that major group participation be "subject to national legislation and forest policies." The US opposed reference to "forest policies."

SFM: Reporting on informal consultations on the SFM conceptual framework, AUSTRALIA proposed that SFM "is an evolving process based on experiences gained in the planning and implementation of programmes and practices for the management, conservation and sustainable development of forests, to maintain or enhance the social, economic, environmental, cultural and spiritual benefits of forests to meet the needs of present and future generations." VENEZUELA suggested SFM "as" an evolving process "is needed" to enhance forest benefits. After debate and consultations on whether to define SFM in the instrument, AUSTRALIA proposed "SFM, as

a dynamic concept, aims to maintain and enhance the economic, social, and environmental values of forests for the benefit of present and future generations." Delegates deferred this to a contact group.

NATIONAL POLICIES AND MEASURES: BRAZIL and others stressed taking into account member States' policies, priorities, conditions and resources. On formulating national forest programmes (NFPs), the EU, opposed by the US, proposed replacing implementing "SFM" with "this instrument" and, with others, favored quantifiable and timebound targets.

The EU proposed deleting a subparagraph on supporting traditional forest-related knowledge (TFRK). BRAZIL and others favored including "benefit sharing," with the EU adding "access." NEW ZEALAND and INDONESIA favored referring to "approval and involvement," of TFRK holders. Delegates agreed on a subparagraph on developing criteria and indicators for SFM.

On enabling investment, the EU, opposed by INDIA, preferred "secure land tenure" over "land tenure arrangements." On developing mechanisms for valuing forest goods and services, the EU, COSTA RICA and MEXICO proposed reference to payment for environmental services. The US proposed compromise language on reflecting forest values in the marketplace. VENEZUELA and INDIA opposed both proposals.

The EU preferred retaining references to: underlying causes of deforestation, in text on national policies; and voluntary certification schemes, in a paragraph on private sector engagement.

INTERNATIONAL COOPERATION/MEANS OF IMPLEMENTATION: Regarding incentives, NEW ZEALAND bracketed "financial and other" incentives, and MEXICO, "in particular to developing countries and countries with economies in transition." On strengthening technology adaptation capacity, VENEZUELA and INDIA, opposed by many, proposed deleting technologies "including on wood for energy." Delegates agreed to "including technologies for the use of fuelwood."

Delegates decided to bracket all references to trade and illegal harvesting pending informal consultations. AUSTRALIA and the US, opposed by the EU and SWITZERLAND, favored deleting a paragraph on procurement policies.

On the financial mechanism, the EU proposed alternative language on exploring a voluntary portfolio approach to support the development of NFPs containing timebound targets and catalyzing mobilization of domestic resources. The US and JAPAN supported the proposal as basis for discussion, while VENEZUELA, INDIA and BRAZIL opposed the introduction of new language at this point.

On cooperating with relevant multilateral environmental agreements, the US preferred "international agreements" and, opposed by the EU, "advancing" over "achieving" the instrument's purpose. BRAZIL preferred cooperation "for SFM."

The EU and COSTA RICA, opposed by INDIA, proposed alternative paragraphs on addressing climate change.

MONITORING ASSESSMENT AND REPORTING

(MAR): Delegates agreed to text on voluntarily submitting national progress reports.

WORKING MODALITIES: The EU called for the UNFF to serve as the intergovernmental forum for the instrument. BRAZIL, with INDIA and others, preferred language on the UNFF monitoring and assessing the instrument's implementation. VENEZUELA and others proposed deleting text on amendments and annexes to the instrument; the US objected, and the EU suggested referring this to a contact group.

WORKING GROUP II – MYPOW

MAR: Delegates proposed alternative formulations regarding the paragraph on the preparation of the Secretary-General's report on assessing progress in 2011 and 2015. SWITZERLAND and the AFRICAN GROUP proposed that reports consider progress towards SFM and on the International Arrangement on Forests (IAF) respectively. COSTA RICA, MEXICO and others objected, urging focus on progress on NLBI implementation and achieving the Global Objectives. NORWAY cautioned that broadening the scope would hinder a preliminary assessment and, with AUSTRALIA, BRAZIL and GUATEMALA, said it would consume significant time at the 2011 session. ARGENTINA said reference to the IAF inappropriately implies institutional assessment, and the US recalled that session themes are critical and could be marginalized by lengthy assessment.

REVIEW: Regarding a paragraph on undertaking a mid-term review in 2011, delegates debated who would assume responsibility for coordinating the review. The EU suggested the FAO, but the AFRICAN GROUP, supported by BRAZIL and MEXICO, preferred that the Secretary-General prepare the report in collaboration with the FAO.

The AFRICAN GROUP, opposed by ARGENTINA, proposed retaining reference to achieving the IPF/IFF Proposals for Action, previous UNFF resolutions and internationally agreed development goals. AUSTRALIA, supported by the EU and the US but opposed by BRAZIL, proposed having terms of reference for the mid-term review, in addition to reviewing NLBI implementation and achievement of the Global Objectives. The Secretariat proposed a "progress report" rather than a "review" to avoid, *inter alia*, the formalities of terms of reference, and proposed integrating the language with text under MAR. Delegates agreed to "assess" rather than "review" progress.

Delegates agreed to a paragraph on devoting UNFF11 to reviewing the effectiveness of the IAF and the NLBI and considering options for the future, and agreed to delete reference to a legally-binding instrument.

After deleting reference to the IAF, delegates agreed to a paragraph on reviewing the contribution of forests to achieving internationally agreed development goals, including the MDGs, as mentioned in ECOSOC resolution 2006/49, and to provide input to the General Assembly.

DETAILED MYPOW: Delegates agreed that this section should be consistent with matrix terminology. Delegates debated whether to include language implying flexibility in the MYPOW. Co-Chair Ozols proposed that the Forum may decide to adapt the MYPOW to evolving conditions, to accommodate concerns for retaining flexibility without re-opening debates. After some discussion, delegates agreed to delete the paragraph.

RESOURCES: On requesting the Secretary-General to ensure appropriate resources for the Forum's work, the US, with AUSTRALIA, JAPAN, the EU and others, supported deleting reference to appropriate "additional" resources, and inserting language reflecting that this be done "within existing" resources. INDONESIA and the AFRICAN GROUP called for stronger language to ensure that insufficient resources do not hamper the Secretariat's work, with Co-Chair Madingou suggesting

"adequate" resources. ARGENTINA said requesting more resources contradicts what ECOSOC has mandated and goes beyond UNFF's authority.

On inviting voluntary contributions to the UNFF Trust Fund, the US, supported by AUSTRALIA, proposed deleting language on supporting developing country participation, noting that this language already exists in ECOSOC resolution 2006/49. Concurring, ARGENTINA suggested referencing the relevant paragraphs of the resolution. After some debate on whether to delete the paragraph, reference the relevant ECOSOC resolution or restate exact text from the resolutions, delegates agreed to restate the relevant ECOSOC paragraphs regarding support for developing countries and voluntary contributions.

CONTACT GROUP ON THE NLBI

A contact group, co-chaired by Irena Zubčević, Croatia, and Tri Tharyat, Indonesia, convened to resolve outstanding issues on purpose, principles and scope, and the conceptual framework for SFM. On purpose, delegates agreed to specifying that the NLBI provides a framework for national action and international cooperation, but did not agree on whether it should strengthen political commitment "and action" towards SFM. On principles and scope, delegates agreed on reference to States' responsibility for SFM and enforcement of forest-related laws, and major groups' involvement in SFM "in accordance with national legislation." References to the instrument not prejudicing States' international obligations and sovereign right to exploit their natural resources remained bracketed. Delegates could not agree whether to state that SFM depends "*inter alia*" on mobilization of financial resources and promoting good governance.

On the SFM conceptual framework, delegates considered Australia's compromise proposal presented during WGI. Several developing countries opposed any language that could be interpreted as a definition of SFM, whereas numerous developed countries stated that this proposal was the furthest they were willing to compromise.

During informal consultations on finance, Chair Hoogveen made separate but potentially linked proposals on considering for adoption at UNFF8 a voluntary global financial mechanism/portfolio approach/forest financing framework and a voluntary facilitative process. Some countries expressed concerns with this proposal, and discussions continued into the evening.

CONTACT GROUP ON THE MYPOW

Conceição Ferreira, Portugal, and Javad Amin-Mansour, Iran, co-chaired the MYPOW contact group. Delegates discussed the matrix and deliberated relevant sections of the resolution text. Delegates debated the flagship themes and key tasks for UNFF8. The group also discussed whether to include low forest cover countries under cross-cutting issues, with almost all delegates supporting its inclusion only under UNFF8 key tasks. The group deferred further deliberations on the matrix and began discussions on resolution text. Discussions continued into the evening.

IN THE CORRIDORS

On Thursday, reaching agreement over the "conceptual framework" for SFM was one real sticking point of the NLBI. With one side determined to seize the "historic opportunity" to develop an internationally agreed (non)definition of SFM, and the other unwilling to accept anything near that, one delegate noted that the gap was wide enough for the NLBI to disappear into it for good. Some participants speculated that positions were still hard because some countries really do not want an NLBI. Any notion that a MYPOW might be agreed in the absence of an NLBI, however, was seen as unrealistic by others. Some delegates began to contemplate the fallback position of a resumed UNFF7 session in the coming months.

ENB SUMMARY AND ANALYSIS: The *Earth Negotiations Bulletin* summary and analysis of UNFF7 will be available on Monday, 30 April 2007, online at: <http://www.iisd.ca/forestry/unff/unff7/>