



# Earth Negotiations Bulletin

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## IPF-4 HIGHLIGHTS WEDNESDAY, 19 FEBRUARY 1997

Working Group I, a contact group and the Plenary met on the sixth day of IPF-4. In the morning, Working Group I completed review of outstanding conclusions and proposals for action on underlying causes, forest research, traditional forest-related knowledge and criteria and indicators (C&I). Working Group II cancelled its session to allow the contact group on finance and trade to meet in the morning. Delegates conducted an exchange of views on the draft text for multilateral institutions and instruments in an afternoon Plenary. The contact group's consultations continued into the evening.

### CONTACT GROUP

The contact group led by CANADA met in the morning and after the afternoon Plenary. Delegates were planning to complete their review of sections on finance and paragraphs under trade and environment.

### WORKING GROUP I

**UNDERLYING CAUSES:** In the paragraph listing causes of deforestation under conclusions, IRAN, supported by COLOMBIA, proposed deleting references to oil exploitation. GABON retained this reference with the Co-Chair's language "oil exploitation in forested countries, not conducted in accordance with appropriate national legislation."

**TRADITIONAL FOREST-RELATED KNOWLEDGE:** In the reference to protection of indigenous rights in the conclusion on locating valuable new products (in E/CN.17/IPF/1997/WG.I/L.3), BRAZIL, on behalf of the G-77/CHINA, proposed substituting "and appropriate payment to indigenous people and relevant local communities based on their IPR" for a previous proposal on "payment of royalty on IPR." NORWAY, supported by AUSTRALIA and CANADA, noted that IPR is not a defined concept and the Panel should instead be consistent with CBD wording on "the fair and equitable sharing of benefits arising from the use of TFRK." The Co-Chair formulated text that reflects divergent views and inserted CBD language on the sharing of benefits, "which many countries consider should incorporate appropriate payment."

Delegates had a lengthy negotiation on the new action proposal referred from Working Group II on mechanisms for

benefit-sharing. CANADA, supported by NORWAY, the US, NEW ZEALAND and the EU, rejected the G-77/CHINA's proposal to add language "to ensure mechanisms to provide payments" and "economic" benefits because this language is not consistent nor as broad as CBD language on securing benefit-sharing. The US insertion of benefit-sharing "including payments where appropriate" was adopted.

**COUNTRIES WITH LOW FOREST COVER:** The G-77/CHINA proposed a revised action subparagraph urging developed countries to lead reforestation, afforestation and conservation efforts. Based on a suggestion from the G-77/CHINA, and amended by the US and COSTA RICA, delegates accepted language urging assistance from developed countries "notably, as appropriate" those with low forest cover. A subparagraph on improving efficiency and procedures for cooperation in SFM was agreed with minor amendments.

**FOREST RESEARCH:** Delegates accepted the G-77/CHINA proposal for a revised action proposal to examine the need to expand the capacity of existing research institutions and, where appropriate, establish new centers.

**CRITERIA AND INDICATORS:** The EU, supported by the US, CANADA, NEW ZEALAND and the G-77/CHINA, presented text from informal consultations that was then inserted in the action proposal and conclusion on C&I initiatives in similar regions. The agreed language, with the US deletion of "convergence," emphasizes mutual recognition among sets of C&I as tools for assessing trends in national forest management and conditions. Text on the collection, assembly, storage and dissemination of data was moved into these paragraphs.

Based on a US proposal, a conclusion suggesting consistency in methods for global forest assessments was retained. Bracketed text referring to divergent views on a core set of global C&I was placed in a separate subparagraph noting that dialogue should continue.

### PLENARY

Delegates commented on a Secretariat's draft based on earlier statements on programme element V.

The EU, the US, MALAYSIA, AUSTRALIA, NEW ZEALAND and COLOMBIA supported the continuation of the Interagency Task Force on Forests. The EU said it should be an informal body to ensure its continued success in responding with flexibility. The US emphasized transparency and participation.

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The US, COLOMBIA, AUSTRALIA, JAPAN, NEW ZEALAND, VENEZUELA, BRAZIL, the PHILIPPINES and CUBA supported an ongoing intergovernmental dialogue on forests. COLOMBIA, AUSTRALIA, JAPAN, NEW ZEALAND and the REPUBLIC OF KOREA specified that it be under the auspices of the CSD. The US, NEW ZEALAND and UGANDA supported an *ad hoc* open-ended Intergovernmental Forum on Forests. AUSTRALIA called for an *ad hoc* high-level Forum that should report by 1998 on the possible elements of a legally-binding instrument and by 2000 on progress in implementing the IPF's proposals for action. NEW ZEALAND emphasized that the Forum should integrate regional C&I initiatives for SFM. The REPUBLIC OF KOREA called for a high-level forum to address all issues including coordination with other mechanisms and indigenous issues and all types of forests and to review the need for a legal mechanism.

CANADA said it cannot agree to a stand-alone high-level forum that is not linked to a convention, nor does it support a process linked to the FAO Committee on Forestry. UGANDA highlighted the need to overcome the problem that forestry issues are scattered across other instruments and lack a political voice, and with CHINA and COSTA RICA, supported a forum to establish an INC. COSTA RICA noted possible shortcomings such as insufficient financial and human resources.

The EU, MALAYSIA, CANADA, and PAPUA NEW GUINEA supported the establishment of an INC to elaborate an international convention on forests. CANADA specified that the negotiations should be finalized by 2000 and that the main issues for an INC include: creation of a permanent global governance structure that provides for effective participation of major groups; creation of rights and obligations in achieving SFM; elaboration of modalities for enhanced international cooperation and improved efficiency and coordination of assistance; and establishment of means for national reporting on progress in achieving SFM and for monitoring compliance.

The EU specified that the INC should work within a specific timeframe while continuing implementation, monitoring and evaluation of ongoing forest-related programmes. PAPUA NEW GUINEA highlighted the need for a complementary continuation of the IPF prototype with a clear objective to level the playing field. If an INC is not possible at this stage, INDONESIA supported the creation of an *ad hoc* Forum that would establish an INC by 2000.

MALAYSIA reaffirmed interest in a legal framework in the short term and said it should include: reference to the Forest Principles and Agenda 21; treatment of issues including the comprehensiveness of ITTA commitments, finance and technology transfer; and holistic treatment of forest-related issues such as biodiversity.

NORWAY said there could be advantages to a convention if consensus can be reached, but differing views on the format should not hamper progress on substantive issues. AUSTRALIA said it is yet to be convinced of the need for a global legal instrument. VENEZUELA noted the lack of political will and consensus for regional level conventions on SFM and said a legally-binding instrument on forests is premature, as did COLOMBIA and BRAZIL. JAPAN stressed that prior to initiating negotiations on a legally-binding instrument, its objectives and scope must be thoroughly discussed and full consensus on the need for a convention must be achieved. BRAZIL noted that the Panel's mandate to develop a consensus on a step-by-step basis has not

fully been met on this issue. The US suggested replacing language calling for a holistic mechanism with language recommending that any future arrangements should continue to promote international forest policy dialogue in a holistic manner, focusing on consensus-building and review of progress and taking account of countries' different capacities to implement SFM.

COLOMBIA, NORWAY, the PHILIPPINES and JAPAN emphasized the importance of implementing the IPF's proposals for action. NORWAY underscored the need to maintain momentum created by the IPF process by establishing a framework for continued international dialogue on forests with clear objectives and timetables and, with COLOMBIA, to continue building consensus on issues that require further discussion.

BRAZIL recommended that the CSD be given a range of future options including: financial arrangements and mechanisms; a trade agreement; codes of conduct for the private sector; and the extension of Objective 2000 to all forests. The PHILIPPINES suggested that the options presented to the CSD be limited to two or three.

The ALLIANCE OF INDIGENOUS PEOPLES called for language on: securing the land rights of indigenous and other forest-dependent peoples; enhancing their participation in forest-related activities; and harmonizing forest policies with emerging social instruments such as the Draft Declaration on the Rights of Indigenous Peoples. AUSTRALIA proposed new language recognizing the contribution of regional initiatives to develop and implement C&I in defining SFM. COLOMBIA and MEXICO underscored the importance of respecting the principle of differentiated responsibilities. MEXICO highlighted the need to include the principles of transparency, a gradual approach and a clear legal process.

### IN THE CORRIDORS

The second debate on a global convention on forests revealed little shift in delegations' positions from the IPF-4's first exchange of views. Delegates and observers were left wondering how the final action proposals will reconcile divergent positions. Some suggest that the best way out is a relatively extensive list of options that include all delegations' proposals. Others suggest that there is still room to strike compromises between strong proponents of a convention and those advocating action not solely focused on a convention. While some prefer a more confined range of options, others fear that such limitations will increase the probability of movement toward a convention. Most concur that whatever options the IPF puts forward, the selection of any one path requires higher-level political authority.

### THINGS TO LOOK FOR TODAY

**PLENARY:** Delegates are expected to continue to debate actions and conclusions on programme element V (multilateral institutions and instruments) in morning, afternoon, and possibly evening Plenary sessions in Conference Room 1.

**WORKING GROUPS:** Depending on the results of Plenary and contact group consultations, the two Working Groups may meet in the afternoon to review proposals for action and conclusions from programme elements II (financial assistance and technology transfer) and IV (trade and environment).

Look for revised text of conclusions and action proposals for programme element III (assessment, research, valuation and C&I).