

## UNFF EXPERT GROUP HIGHLIGHTS: WEDNESDAY, 13 DECEMBER 2006

On Wednesday, 13 December, the United Nations Forum on Forests (UNFF) open-ended *ad hoc* expert group on the consideration of the content of the non-legally binding instrument (NLBI) on forests convened at UN Headquarters in New York. In the morning and afternoon plenary sessions, delegates considered the draft composite text of the NLBI. Participants focused on national measures, relationship to other instruments, seven thematic elements of SFM, international trade in forest products, research, and public awareness and education.

### PLENARY

COSTA RICA and SWITZERLAND highlighted difficulties in continuing discussion of the draft text while the purpose of the instrument remained unclear. Responding to queries as to what the status of the text would be at the beginning of UNFF-7, Chair Hooegeven clarified that the text, with all country proposals, would be forwarded to UNFF-7 as a reference document, and that the Secretariat would also provide a consolidated text taking into account proposals from the expert group.

**NATIONAL MEASURES CONTRIBUTING TO THE GLOBAL OBJECTIVES:** On requiring environmental impact assessments (EIAs) for projects with likely adverse effects, BRAZIL, supported by COLOMBIA and the AFRICAN GROUP, said EIA use should be promoted, rather than required, according to national legislation and for projects with likely adverse effects on the sustainable management of forests. IRAN and PAKISTAN preferred referring to forests, not "sustainable management of" forests.

The US, supported by the AFRICAN GROUP, preferred promoting use of EIAs for projects with potential significant impacts on forests subject to national legislation. GUATEMALA said EIAs were costly. MALAYSIA suggested text reflecting that EIAs were one of many management tools, and URUGUAY supported reference to other tools including codes of good forest practices and criteria for SFM. Noting language in the Forest Principles stating that EIAs should be carried out, MEXICO said "promoting" EIAs was weaker than previously agreed language. SWITZERLAND said the instrument should add value to what has already been adopted.

On enabling environments for investment, the EU proposed deleting language that would limit stakeholder involvement. IRAN, supported by VENEZUELA, proposed removing specific reference to "foreign and domestic" investment.

On involving stakeholders in forest decision making, the EU, supported by AUSTRALIA, proposed moving this paragraph to the section on principles. The US opposed, noting its importance as a national commitment. CANADA, supported by IRAN,

proposed merging the text with a paragraph on stakeholder participation. SWITZERLAND provided alternative text on promoting active participation and empowerment of major groups in developing, implementing and evaluating SFM policies and programmes at all levels.

On developing, promoting and implementing voluntary instruments, participants debated, *inter alia*, whether to single out certification. After protracted debate, the original text was retained, which specifies "including certification."

Regarding fostering access for households and communities to forest resources and markets, the EU, opposed by the US, COLOMBIA and ARGENTINA, requested deleting fostering access "where appropriate."

On monitoring and assessing forest conditions, BRAZIL, opposed by SWITZERLAND, requested deletion of a reference to agreed criteria and indicators (C&I). The AFRICAN GROUP, INDONESIA and MALAYSIA proposed text on using national C&I. CHINA, supported by PAKISTAN, the AFRICAN GROUP and INDIA but opposed by SWITZERLAND, said actions should be taken on a voluntary basis. CUBA proposed text reflecting that actions depend on national capacities and conditions. The RUSSIAN FEDERATION proposed using C&I based on national priorities and taking into account internationally agreed C&I.

JAPAN proposed a new subparagraph on promoting forest law enforcement and governance to eradicate illegal practices. The US proposed five new subparagraphs on: scientific and technological innovations for SFM; sharing and use of best practices; promoting implementation of national forest programmes, C&I and good business practices through public-private partnerships; strengthening forest law enforcement and combating illegal logging and corruption; and creating transparent and effective markets for products and services.

**RELATIONSHIP TO OTHER INSTRUMENTS:** The EU sought clarification on who would undertake the task of increasing interaction with other instruments. Supported by the RUSSIAN FEDERATION, INDIA, CUBA, MALAYSIA and MOROCCO, the EU suggested moving the paragraph to the section on enhanced cooperation. The US, questioning whether the NBLI could provide direction to the UNFF, preferred deleting the paragraph.

**SEVEN THEMATIC ELEMENTS AND PROPOSALS FOR ACTION:** The Secretariat reported on ongoing work on clustering and simplifying the IPF/IFF Proposals for Action (PfAs) and relevant UNFF and ECOSOC resolutions under the seven thematic elements of SFM, with a view to assisting national SFM implementation and monitoring and reporting of progress towards achieving SFM. He explained that this section of the text requested the development of annexes to this end.

BRAZIL, supported by COLOMBIA, expressed doubts on, *inter alia*: whether it was necessary for the instrument itself to cluster and simplify the PfAs, rather than only facilitate their implementation; and if development of these annexes would assist with national reporting, since the Global Objectives are more comprehensive than the thematic elements.

NEW ZEALAND supported the idea of developing such annexes as part of the UNFF's multi-year programme of work (MYPOW), but said their completion prior to the instrument's adoption was unlikely. COSTA RICA and the AFRICAN GROUP requested deleting the section. COSTA RICA, the EU and AUSTRALIA noted that this work may be more appropriate under the MYPOW. The EU, the US and URUGUAY noted that the thematic elements should be part of the conceptual framework behind the instrument. AUSTRALIA suggested a separate section on SFM, addressing, *inter alia*, SFM definitions, the seven thematic elements, and taking into account relevant PfAs. Several participants requested that references to reporting be placed in the section on monitoring, with MEXICO specifying inclusion of quantifiable voluntary national objectives.

The US questioned whether this clustering should be taken up by a policy document, and proposed text stating that, *inter alia*, the thematic elements provide a coherent and useful reference framework for SFM and constitute an indicative global set of criteria for SFM.

**INTERNATIONAL TRADE IN FOREST PRODUCTS:** CANADA, supported by many, suggested that as a voluntary agreement, the chapeau should read "participating states should" instead of "member states commit to." CHILE countered that because the whole instrument is voluntary, stronger language is needed.

The US, supported by many, proposed alternative text on encouraging trade in forest products and investment in the forest sector by removing trade barriers and by developing and implementing open and predictable and non-discriminatory international rules for trade and investment. INDONESIA agreed, adding text on further promoting market access for products from sustainably managed and legally harvested forests. INDIA argued that "sustainably managed" implies legally harvested, and proposed deleting the latter. The RUSSIAN FEDERATION, PAKISTAN and CHILE requested more time to discuss the issue with trade experts.

The US, supported by the RUSSIAN FEDERATION, the EU and NORWAY, suggested replacing several similar paragraphs with text promoting a mutually supportive relationship between trade and environment and facilitating trade in legally harvested products. CANADA suggested adding "which are legally traded." BRAZIL preferred reference to illegal "trade" instead of "harvest." The AFRICAN GROUP preferred taking actions to prohibit trade in illegally harvested forest products.

On cooperation on forest law enforcement and governance, the US proposed revised language on combating illegal harvesting of, and associated trade in, timber, wildlife, and non-timber products. CHINA, supported by MALAYSIA and opposed by INDIA, the US, SENEGAL and IRAN, proposed deleting reference to wildlife.

JAPAN, supported by the EU, proposed deleting language on operation of voluntary certification and labeling schemes in accordance with national legislation. The US, supported by NEW ZEALAND, proposed replacing national legislation with "international obligations." AUSTRALIA, supported by NEW ZEALAND, proposed that voluntary certification and labeling schemes not be used as "unjustified discrimination or disguised restrictions" rather than as "disguised protectionism," and MALAYSIA proposed "non-tariff barriers."

On promoting valuation systems that internalize environmental and social costs of forest products, the US, supported by CANADA, MEXICO and INDIA, argued this was not related to trade and should be moved to another section. IRAN, supported by SWITZERLAND, requested retaining the paragraph.

The EU proposed a new subparagraph on public procurement policies and AUSTRALIA, on assessing forest certification schemes. The RUSSIAN FEDERATION, the US, MALAYSIA, the AFRICAN GROUP and INDIA expressed reservations about both proposals.

On addressing illegal forest-related practices through greater information sharing and international cooperation, NEW ZEALAND, CHINA and IRAN supported deleting language directing the UNFF to carry this out. CHINA preferred that "efforts be made to" address these practices. IRAN proposed deleting reference to international cooperation. The US and the AFRICAN GROUP supported deleting the paragraph.

Regarding the trade-related section, MAJOR GROUPS called for: addressing poverty reduction as impacted by international trade; highlighting economic development that benefits forest dependent people; and discouraging trade of timber products from places where land tenure issues remain unresolved.

**RESEARCH:** The International Union of Forest Research Organizations highlighted a joint initiative on science and technology to be launched at UNFF-7, which would support the work of the UNFF.

IRAN proposed adding "scientific activities" to the section's title, while the EU preferred the title "Technical and Scientific Activities." On the role of science and research in SFM, the US proposed that states resolve to strengthen contributions of science and research. The EU, supported by FIJI, proposed promoting international cooperation, including through South-South cooperation and triangular cooperation, and appropriate international, national and regional institutions. The EU also proposed language referring to scientific and technological innovations, including those that help indigenous and local communities undertake SFM. PAKISTAN proposed undertaking collaborative research and development with technical and financial support from developed countries.

On encouraging states to strengthen linkages between science and policy, MEXICO and IRAN preferred not singling out developing countries, and IRAN suggested enhancing research capacity in developing countries.

**PUBLIC AWARENESS AND EDUCATION:** SINGAPORE proposed replacing the entire section with text on resolving to promote and encourage understanding of, and the measures required for, SFM, including through, *inter alia*: enhancement of forest education capacity; the media and the inclusion of these topics in education and awareness programmes; and supporting such programmes amongst major groups.

MAJOR GROUPS, supported by SWITZERLAND, proposed alternative text on promoting and encouraging universal access to formal and informal education, and extension and training programmes.

On supporting education on SFM among youth, women and major groups: CANADA proposed adding indigenous peoples; IRAN added all stakeholders; INDIA proposed adding local communities; and PAKISTAN favored forest-dependent communities.

### IN THE CORRIDORS

Wednesday was a busy day in Conference Room Two and its environs. Some delegates expressed hope that the text produced by a drafting group on voluntary timebound national targets will put this issue back on the table, after it was sidelined at previous sessions. Some developing country participants declared that the added value of the instrument should be a firm commitment to provision of financial resources, noting there would be no agreement without this. Other delegates lamented the continued weakening of language on the grounds that this instrument is non-binding, arguing its voluntary nature should allow for use of stronger language. Yet others felt that until consensus is achieved on the instrument's underlying *raison d'être*, the text will continue to reflect widely divergent views. Nonetheless, all were pleased with the quick and smooth reading of the text, and expressed confidence in the Chair's ability to maintain momentum.