



## UNFF-4 HIGHLIGHTS: THURSDAY, 13 MAY 2004

On Thursday, delegates met in parallel working groups to continue negotiating Vice-Chair's draft texts on forest-related scientific knowledge (FRSK), traditional forest-related knowledge (TRFK), monitoring, assessment and reporting (MAR) and criteria and indicators (C&I), and the process for facilitating the review of the effectiveness of the international arrangement on forests (REIAF). At various times in the day, delegates also convened informal-informal consultations on the social and cultural aspects of forests (SCAF), the finance and transfer of environmentally sound technologies (FINTEST), and enhanced cooperation. As of 9:00 pm, delegates had completed negotiations on SCAF and were continuing informal consultations on FRSK, FINTEST, MAR, REIAF and enhanced cooperation.

### WORKING GROUP I

**FOREST-RELATED SCIENTIFIC KNOWLEDGE:** Vice-Chair Xolisa Mabhongo (South Africa) reopened discussions on a revised Vice-Chair's draft text on FRSK. On lessons learned, the G-77/CHINA noted that some were formulated in terms of future actions, instead of past experiences. Delegates agreed to open the respective paragraphs with "in spite of lessons learned, experience has shown that" and list proposed steps. Delegates agreed to keep the lesson on stakeholder involvement. Noting the decline of public funding for research in both developed and developing countries, delegates agreed to state that this limited the potential contribution of forest research to the advancement of the Intergovernmental Panel on Forests/Intergovernmental Forum on Forests (IPF/IFF) proposals for action.

On linkages between science and policy, the G-77/CHINA asked to detail the use of scientific knowledge in policy development, whereas the US focused on the involvement of scientists in forest policy processes. Delegates agreed to drop the detailed references.

The G-77/CHINA cautioned against weakening existing commitments for support to capacity building, and preferred to refer to research cooperation, rather than "regional" research cooperation. On partnerships and stakeholder participation in prioritization and development of research programmes, the G-77/CHINA suggested referring to all "relevant stakeholders" or deleting the paragraph. On determination of forest research, the G-77/CHINA proposed inviting countries to consider the involvement of all relevant stakeholders, including indigenous and local

communities, in forest-related research, and calling for making available forest-related research results to developing countries free of cost.

The G-77/CHINA requested retaining the paragraph on capacity building, noting that IPF/IFF proposals for action do not call for a necessary level of support.

On the involvement of the private sector, the G-77/CHINA asked to not duplicate discussions under SCAF and adopt similar text. Delegates agreed to adapt it to FRSK. Delegates also agreed to delete the paragraph on capacity building and continue consultations on the promotion of forest-related scientific research. On linkages between forestry education and research, the G-77/CHINA asked not to single out developing countries, and instead to refer to "countries, within their capacities." The US agreed to delete a reference to broader development goals.

**TRADITIONAL FOREST-RELATED KNOWLEDGE:** In the afternoon, Vice-Chair Mabhongo reopened discussions on the revised Vice-Chair's draft text on TFRK. The G-77/CHINA explained its concerns over facilitation of access, use of mainstream intellectual property instruments and prejudging the work of other fora. She proposed having a single preambular paragraph highlighting the importance of TFRK to SFM and one operative paragraph on protecting and safeguarding TFRK. A number of delegations needed time to consult, but, following informal consultations, expressed their willingness to condense the text.

The US and NORWAY said its concerns included: access to TFRK; recognition that TFRK adds to SFM and poverty reduction; and reference to work in other fora. NEW ZEALAND added effective participation of indigenous and local communities.

The G-77 proposed a single operative paragraph "urging countries to continue to safeguard and protect TFRK, including through the development of national and international legislation, ensuring that these activities do not adversely affect holders of TFRK through misappropriation or use in ways not intended when holders gave the information," but expressed willingness to revert to negotiating the initially tabled text.

On measures for benefit sharing, delegates discussed whether to retain reference to "practices and genetic resources." NEW ZEALAND, opposed by the G-77/CHINA, said this reference is beyond the scope of the debate on TFRK. SWITZERLAND, opposed by the G-77/CHINA, suggested reference to "access" to TFRK.

Delegates debated whether to refer to "traditional," rather than "original," TFRK holders throughout the text. NEW ZEALAND suggested deleting both qualifiers, given the difficulty identifying a traditional holder. The text was bracketed. PAKISTAN proposed



a reference to the area where TFRK originates. On the international community's respect for national laws, the EU, opposed by the G-77/CHINA, proposed a text on "taking into account international obligations, as appropriate." On the reference to the TFRK that is in the common domain, the US suggested, and the G-77/CHINA opposed, replacing a reference to TFRK "that is already in common domain" with the words "with the agreement of the traditional holders of that knowledge."

On the CPF supporting national actions, CANADA asked to delete the paragraph. The G-77/CHINA asked that it be retained and proposed referring to "traditional" holders of knowledge and to the "preservation" and protection of TFRK. Regarding a reference on collaboration with indigenous peoples, in the same paragraph, the G-77/CHINA asked for input from the indigenous peoples' major group. INDIGENOUS PEOPLES said their input was of utmost importance and welcomed "collaboration with indigenous peoples." INDIGENOUS WORLD ASSOCIATION reiterated the indigenous right to self-determination and indigenous title to property and reminded states that the free prior informed consent of indigenous peoples must be obtained before accessing their property. He noted the minimal involvement of indigenous peoples at this stage of the debate and said their input must be taken into account throughout the negotiations.

After a lengthy evening negotiation on TFRK, delegates could not reach consensus on this issue and thus decided to forego the resolution.

## WORKING GROUP II

**MONITORING, ASSESSMENT AND REPORTING AND CRITERIA AND INDICATORS:** Vice-Chair Stephanie Caswell (US) opened the floor for discussions. In the preamble and lessons learned proposed by the Vice-Chair, the EU suggested referring to MAR and C&I in separate paragraphs. The preamble was then accepted.

In several operative paragraphs, the G-77/CHINA proposed minor amendments to reflect countries' different stages of development and the addition of references to strengthening countries' C&I. Delegates agreed to welcome the Global Environment Facility (GEF) Operational Programme on Sustainable Land Management and encourage countries to submit project proposals.

On encouraging countries to include forests and forest-related MAR in national development plans and poverty reduction strategy papers (PRSP), the G-77/CHINA rejected "in order to enhance opportunities for financing" as a conditional clause. Vice-Chair Caswell suggested, and delegates agreed, on "which could enhance opportunities for international cooperation."

Delegates adopted a paragraph encouraging states to invite stakeholder participation in C&I development and implementation. Regarding a paragraph endorsing seven thematic elements of SFM drawn from criteria identified in C&I processes, JAPAN cautioned that endorsing the thematic elements would create a dilemma for countries who participate in C&I processes that do not embrace all seven elements. The EU, with SWITZERLAND, added a reference to cultural aspects as criteria for SFM. NORWAY, opposed by NEW ZEALAND, AUSTRALIA and the REPUBLIC OF KOREA, proposed deleting a paragraph encouraging countries to consider the thematic elements in developing C&I for SFM. AUSTRALIA, supported by the REPUBLIC OF KOREA, opposed by SWITZERLAND, suggested developing a single set of C&I and proposed text encouraging C&I processes to work towards convergence over time.

**REVIEW PROCESS:** Working Group II continued discussions on a revised Vice-Chair's draft text on REIAF. Delegates agreed to invite the CPF and other relevant organizations to report on implementation of the IPF/IFF proposals for action and on the 21 Specific Criteria, and to voluntarily provide quantifiable benchmarks against the criteria "within their mandate." Delegates also discussed a possible deadline for the Secretariat to prepare, translate and distribute the review report in advance of UNFF-5. MEXICO stressed the importance of having translated versions for consideration by Member States at least a month in advance, with the G-77/CHINA calling for two months. Delegates agreed to request the report "well in advance."

Delegates decided to adopt a single preambular paragraph. They then engaged in a prolonged discussion on a proposed questionnaire, to be submitted to countries by the Secretariat, that aims to clarify "by way of a simple rating system" the extent to which the international arrangement on forests has influenced national actions. The G-77/CHINA opposed specific rating systems. JAPAN concurred and proposed that the Secretariat compose the questionnaire after receiving basic guidance from UNFF-4. He suggested limiting the number of questions and requesting simple information relevant only to the REIAF. Supported by the US and SWITZERLAND, he proposed asking countries for specific examples of UNFF contributions to national-level implementation.

The US asked that the content of the questionnaire be clarified, and suggested convening an informal group in New York to draft the questionnaire. The G-77/CHINA opposed, stressing the need for open discussion. He opposed a detailed questionnaire and suggested making only a general request to Member States for their views. The EU and SWITZERLAND stressed the need for a questionnaire, noting it would increase the number of submitted reports and facilitate the REIAF by making reports comparable. UNFF Secretariat noted that after UNFF-1 had failed to provide guidance on reporting, subsequent reports were very few, incompatible, and did not allow for the drawing of conclusions. JAPAN, with the G-77/CHINA, expressed scepticism about the possibility of reaching agreement on the format of a questionnaire. CANADA, with SWITZERLAND and MEXICO, underscored that a questionnaire would be just a voluntary tool to assist countries.

## IN THE CORRIDORS

Some have said an early afternoon harvest on SCAF was a positive step for UNFF-4, while others were concerned about the slow progress in the REIAF over the use of the questionnaire. Yet despite this, many are of the view that there remains much goodwill within UNFF evidenced by the frequent corridor talk concerning future intersessional country-led initiatives. No doubt this goodwill will be put to the test at the *ad hoc* expert group meeting in September.

## THINGS TO LOOK FOR TODAY

**PLENARY:** Delegates are scheduled to convene in Plenary in Salle XVIII from 10:00 am – 1:00 pm and from 3:00 pm – 6:00 pm to consider: preparations for the *ad hoc* expert group on consideration with a view to recommending the parameters of a mandate for developing a legal framework on all types of forests; the 2006-2007 strategic framework; dates and venues of UNFF-5; other matters; the provisional agenda; and adopting the report of UNFF-4.