

UNFF7 HIGHLIGHTS: MONDAY, 23 APRIL 2007

On Monday, 23 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 plenary in the morning for the second multi-stakeholder dialogue, and later met in two working groups: Working Group I addressed the Chair's text on the NLBI; and Working Group II discussed a Co-Chairs' matrix on the MYPOW. In the evening, UNFF7 Chair Hans Hoogeveen chaired an informal consultation on financing, the facilitative process and national targets.

MULTI-STAKEHOLDER DIALOGUE

Lorraine Rekmans, National Aboriginal Forestry Association, Canada, facilitated the multi-stakeholder dialogue on three themes: indigenous and local communities' participation; private sector investment in SFM; and major groups' participation in the MYPOW. For INDIGENOUS PEOPLES, Rekmans called for recognition of the sovereign autonomy of indigenous peoples in the NLBI.

BUSINESS AND INDUSTRY called for policy settings that provide a stable enabling environment and noted a moral imperative to reduce illegal logging. PAKISTAN questioned poor countries' capacity to mobilize private sector funding. NGOs called for assistance to major groups other than to multinational corporations, and stressed that certification schemes must involve communities and major groups.

FARMERS AND SMALL FOREST LAND OWNERS said: SFM should not be based only on subsidies; certification should remain a market initiative; and the NLBI should recognize public-private partnerships. AUSTRALIA called for focused consideration of certification schemes and private sector engagement. The SCIENTIFIC AND TECHNOLOGICAL COMMUNITY advocated critical analysis of the portfolio approach and identifying new obligations and responsibilities for countries receiving investments. CHILDREN AND YOUTH lamented the low demand for certified timber and the absence of education from the portfolio approach. WORKERS AND TRADE UNIONS called for greater recognition of the multi-functionality of forests.

On expectations for the NLBI, WOMEN stressed partnerships among all stakeholders. FARMERS AND SMALL FOREST LAND OWNERS requested benefit sharing and, with WORKERS AND TRADE UNIONS, involving major groups and other stakeholders in decision-making. The SCIENTIFIC AND TECHNOLOGICAL COMMUNITY called for funding for education and extension programmes, and for integrating scientific knowledge into implementation, especially in developing

countries. CHILDREN AND YOUTH called for civil society involvement in NLBI implementation.

On their own contributions, FARMERS AND SMALL FOREST LAND OWNERS highlighted forest-related knowledge and capacity of forest owner organizations, and CHILDREN AND YOUTH, contributions through educational networks. NGOs stressed political commitment to implementation and partnerships between major groups and governments, which, WOMEN proposed, could be developed with partnership fund seed money. INDIGENOUS PEOPLES appealed for recognition of their efforts and better relations between indigenous peoples, governments and major stakeholders. Jan Heino, CPF Chair, confirmed willingness to maintain dialogue with relevant groups.

WORKING GROUP I – NLBI

PURPOSE: COLOMBIA, BRAZIL, MALAYSIA and VENEZUELA suggested using language agreed upon at UNFF6 and, opposed by the US, the EU and MEXICO, deleting reference specifying that the NLBI provides a framework for collaboration and coordination among CPF members. The EU and MEXICO, opposed by the AFRICAN GROUP, supported reference to providing policy guidance for national action.

PAKISTAN, opposed by the US, proposed specifying that the NLBI enhances the contribution of "SFM," rather than "forests," to internationally agreed development goals. MALAYSIA and SENEGAL, opposed by the EU and MEXICO, requested specification that the NLBI's purpose refers to "all types of" forests.

PRINCIPLES AND SCOPE: The AFRICAN GROUP requested a list of definitions in the NLBI's annex. On the chapeau, the US and others, opposed by MEXICO and others, proposed that States "resolve to" instead of "should" respect the principles listed, and favored opening the instrument for subscription. SWITZERLAND suggested modeling the NLBI after other NLBIs that use stronger language; Brazil objected.

BRAZIL, with the US but opposed by NEW ZEALAND and others, proposed separating text on the instrument's application to all types of forests and on its voluntary, non-binding nature. SENEGAL warned that this would affect the participation of low-forest cover countries (LFCCs).

BRAZIL and CHILE proposed bracketing a subparagraph stating that nothing in the instrument will prejudice States' obligations under international law, while the US, opposed by MEXICO and SWITZERLAND, preferred "nothing in the instrument is intended to affect the application or interpretation of a State's international legal rights and obligations."

On States' responsibility to implement SFM "including" good governance, BRAZIL, with the AFRICAN GROUP but opposed by the EU, SWITZERLAND and NORWAY, preferred "promoting" good governance, and PERU and VENEZUELA preferred deleting reference to governance.

On major group involvement in forest decision-making processes, the US, opposed by CHINA, ARGENTINA and the RUSSIAN FEDERATION, recommended deleting “subject to national legislation and forest policies.” AUSTRALIA and SWITZERLAND said major groups play an important role in SFM implementation and not just in decision-making processes.

The EU, opposed by INDONESIA and BRAZIL, proposed merging a subparagraph on new and additional financial resources into one on international cooperation. SWITZERLAND preferred separating the concepts of mobilizing domestic and international resources. VENEZUELA proposed deleting reference to ensuring the competitiveness of SFM. The US, opposed by INDIA and CHINA, proposed text on SFM requiring “mobilizing” financial resources “as well as on good governance at all levels.”

SFM: Delegates debated, without reaching agreement, whether to include a definition of SFM in a section on the seven thematic elements of SFM. The EU, AUSTRALIA, MEXICO, NEW ZEALAND and JAPAN supported having the definition, noting its importance for a clear understanding of SFM and the NLBI. The AFRICAN GROUP, INDONESIA, COLOMBIA, BRAZIL and others objected, proposing to address the thematic elements in a section on monitoring, assessment and reporting (MAR). SWITZERLAND and the US suggested elaborating the definition, while the RUSSIAN FEDERATION cautioned against prolonged negotiations. SENEGAL said a definition must also include reference to ecosystem payments and financing. COLOMBIA and others opposed language specifying that the thematic elements constitute an indicative set of criteria for SFM; the US supported the language.

WORKING GROUP II – MYPOW

WGII discussed a Co-Chairs’ proposed matrix based on delegates’ proposals from the previous week. Regarding UNFF8, CUBA, with the DOMINICAN REPUBLIC, proposed maintaining “Means of implementation” as a flagship theme while INDIA preferred it to be the sole flagship theme. PERU proposed the theme “SFM, growth and environmental sustainability.” SWITZERLAND, AUSTRALIA and NORWAY proposed focusing on forests and climate change. The US bracketed reference to SFM, proposing “Forests and environmental sustainability.” She opposed means of implementation as a flagship theme, reiterating, with COLOMBIA and BRAZIL, means of implementation as a cross-cutting issue.

Under UNFF8 key tasks, SWITZERLAND proposed disaster risk reduction, while the US preferred it under UNFF10. Delegates proposed: forest health and vitality (MALAYSIA); trade and investment (AUSTRALIA); protected forests, including nature-based tourism (US); and forest products and services, including ecotourism, forest certification and other products (PERU). PAKISTAN proposed addressing LFCCs as both a key task and a cross-cutting issue. The EU, the AFRICAN GROUP and AUSTRALIA bracketed reference to water and watersheds. Supported by SWITZERLAND and AUSTRALIA and opposed by the AFRICAN GROUP, the EU proposed bracketing reference to preparations for the International Year of Forests 2011 (IYF). AUSTRALIA bracketed biodiversity, and the US bracketed emerging issues, cautioning against duplication of efforts and lack of forum focus, respectively. The US preferred key “discussion items,” as opposed to “tasks,” and suggested UNFF provide input to the 2010 review of the Millennium Development Goals.

Under UNFF9 key tasks, the US proposed including reference to community-based forest management. Delegates debated the need for a mid-term review. The US, opposed by the AFRICAN GROUP, felt UNFF9 was too soon for a mid-term review. The EU and SWITZERLAND called for UNFF input into the 2012-2013 cycle of the Commission on Sustainable Development.

Regarding cross-cutting issues, COSTA RICA supported including MAR, and IRAN proposed including education and capacity building under means of implementation. VENEZUELA, with others, proposed referring to “local communities” in text language on indigenous

knowledge and practices. Delegates agreed to a high-level segment for UNFF9.

For the UNFF10 flagship theme, the US proposed “Mainstreaming forests in economic development,” while the AFRICAN GROUP preferred “Forests for growth and sustainability.” Under key tasks, the US proposed including forest research and development and land and resource tenure. The EU, with NORWAY, proposed deleting reference to: nature-based tourism; forests and sustainable development; and, with SWITZERLAND and ARGENTINA, an assessment of the IYF. She proposed moving trade and investment under means of implementation. INDIA proposed adding reference to non-timber forest products, and deleting reference to certification. The US proposed adding text on integrating national forest programmes into economic policy and planning. COLOMBIA preferred “voluntary instruments” to “certification.” COSTA RICA supported maintaining forest products and “services.” PERU proposed technological development, training and technical assistance programmes, and promotion of trade in forestry products. BRAZIL advocated discussing climate change. For UNFF11 key tasks, AUSTRALIA bracketed reference on a high-level segment.

BRAZIL stressed focusing on implementation of the Global Objectives. PERU said the three pillars of sustainable development must be dealt with comprehensively. The US reiterated two clusters of cross-cutting issues: means of implementation, including finance, technology transfer and capacity building; and law and governance. PAPUA NEW GUINEA supported land and forest tenure as a cross-cutting issue. Under common items, the US proposed: regional and subregional inputs; multistakeholder participation and dialogue; and CPF activities and inputs. The EU opposed MAR as a separate common item, noting its connections to NLBI implementation.

Delegates agreed to move emerging issues to the section on common items. The EU proposed implementation of the NLBI under common items. The US opposed formal intergovernmental preparatory meetings, preferring country-led initiatives and *ad hoc* expert groups, and said discussions on modalities should precede any decision on preparatory activities.

Regarding the resolution, the AFRICAN GROUP proposed a new paragraph placing special emphasis on LFCCs.

INFORMAL CONSULTATIONS ON FINANCING

Delegates exchanged views on the financing mechanism and means of implementation, the facilitative process, and timebound, quantifiable targets. Many delegates acknowledged that the details of the financing mechanism would not be agreed at UNFF7 and preferred focusing on how to initiate further negotiations. Several developed country delegates recommended reviewing existing financing processes and investigating a portfolio approach. Many delegates requested further elaboration on the facilitative process, and some questioned its appropriateness. Several delegates also noted that national targets would be set by countries themselves, and thus could take into account national circumstances. Chair Hoogeveen said discussions should focus on a balanced package of these three contentious issues.

IN THE CORRIDORS

Only shortly after delegates began deliberations on a new Chair’s text on the NLBI, one delegate’s ominous prediction came true: delegates disagreeing over whether or not to include a definition of sustainable forest management in the text confirmed worries that negotiations may well stumble over basics.

Of even greater concern was the debate over the EU’s proposal for a “facilitative process,” which aroused suspicions among many developing countries that it might turn into a mechanism that ties financial support to peer-reviewed monitoring of country progress. Meanwhile, supporters of the mechanism realized that their proposal set off on the wrong track. As one delegate said, the fact that financial support and facilitation will likely be tied together in a package deal for adoption was not intended to mean that funding disbursements under the NLBI will become conditional on participation in the facilitative mechanism.