

## UNFF7 HIGHLIGHTS: WEDNESDAY, 25 APRIL 2007

On Wednesday, 25 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 addressed the NLBI and Working Group II discussed the MYPOW. A contact group met in morning, afternoon and evening sessions to discuss, *inter alia*, themes and content of the proposed MYPOW matrix.

### WORKING GROUP I – NLBI

#### INTERNATIONAL COOPERATION/MEANS OF IMPLEMENTATION: Transfer of Environmentally Sound Technologies: On technology adaptation capacity, the US suggested referring to “technologies for sustainably using forests as an energy source” rather than “technologies, including on wood for energy.” NORWAY and others suggested “forest-related technologies,” and, opposed by SENEGAL, MAURITANIA and NIGER, proposed deleting reference to wood for energy.

**International Trade:** On promoting trade in forest products, the US, with AUSTRALIA and NEW ZEALAND, suggested referring to trade in products from sustainably managed “and legally harvested” forests. The EU proposed adding “in accordance with work under relevant instruments and organizations.” The AFRICAN GROUP, JAPAN, ARGENTINA and SWITZERLAND supported the amended US proposal. VENEZUELA and BRAZIL opposed all references to promoting international trade and combating illegal harvesting, noting that the NLBI should only address capacity building for implementing existing agreements on trade in forest products. COLOMBIA and INDIA said “sustainably harvested” implies legally harvested forest products.

On prohibiting illegal trade, BRAZIL, with MALAYSIA but opposed by the EU, called for language agreed at the World Summit on Sustainable Development on cooperating to strengthen countries’ capacities. The US proposed strengthening cooperation on forest law enforcement and governance as related to forest product trade.

**Relationship to other organizations:** The US questioned whether text on cooperating with relevant organizations and multilateral environmental agreements (MEAs) is appropriate for the instrument, while BRAZIL, with VENEZUELA and ARGENTINA but opposed by the EU and NORWAY, questioned the appropriateness of the whole subsection. NORWAY, supported by CPF Chair Jan Heino, proposed inviting the CPF to cooperate with the UNFF in identifying synergies, rather than having UNFF review CPF members’ work programmes.

**MONITORING, ASSESSMENT AND REPORTING:** INDIA, opposed by NEW ZEALAND, proposed deleting reference to existing criteria and indicator processes. The US proposed “based on the thematic elements for SFM.”

AUSTRALIA, ARGENTINA and the AFRICAN GROUP warned of the burden that would be created by biennial reporting. The EU and CAMBODIA called for reference to simplified reporting formats and the facilitative process. Opposed by GUATEMALA, INDIA, COLOMBIA, and BRAZIL, the EU proposed deleting reporting “on a voluntary basis.”

**INFORMATION EXCHANGE:** Delegates agreed to: information exchange “in accordance with national legislation” (VENEZUELA); and deleting reference to SFM and the Global Objectives (US, MEXICO).

**INSTITUTIONAL AND WORKING MODALITIES:** VENEZUELA proposed changing the instrument’s name to “Voluntary” NLBI, and, with NEW ZEALAND and the US, deleting reference to UNFF acting as the NLBI’s governing body, while the EU requested retaining reference to the UNFF Secretariat as the NLBI’s secretariat.

MEXICO opposed reference to subsidiary bodies, and, with INDONESIA, specified timebound, goal-oriented *ad hoc* expert groups. ARGENTINA recommended referring to these via an ECOSOC resolution and, with SWITZERLAND and JAPAN but opposed by the EU, deleting the paragraph. The EU suggested referring to existing ECOSOC provisions on intersessional bodies.

On the 2015 review, the US, opposed by MEXICO, CANADA and others, specified deciding “on amendments to this instrument and the addition of annexes.” BRAZIL, with the EU and PERU, proposed moving language on review to an ECOSOC resolution. MEXICO recalled her previous proposal calling for a mid-term review in 2011.

**SUBSCRIPTION:** Noting lack of consensus on subscription, ARGENTINA, the US, INDONESIA and CUBA said they would agree to adoption of the instrument. AUSTRALIA and BRAZIL requested adoption by ECOSOC resolution. The EU preferred bracketing text on subscription pending consideration of other options for raising political commitment. With MEXICO and PAKISTAN, the EU favored adoption by the UN General Assembly, should adoption be agreed. INDONESIA and SWITZERLAND noted that adopted ECOSOC resolutions are sent to the General Assembly.

INDONESIA, SWITZERLAND and the RUSSIAN FEDERATION, opposed by the EU, proposed deleting sections on amendments and adoption of annexes and supplementary instruments.

**PREAMBLE:** The US suggested additional paragraphs on: recognizing forest benefits and SFM contributions to sustainable

development and poverty eradication, which was agreed; and emphasizing dependence of SFM implementation on good governance, which was bracketed. The AFRICAN GROUP proposed reference to the needs and requirements of low forest cover countries (LFCCs).

Regarding impacts of deforestation, the EU, CROATIA, SINGAPORE and others, opposed by INDIA, BRAZIL and others, requested reference to climate change.

**FACILITATIVE PROCESS:** BRAZIL, MEXICO and NEW ZEALAND opposed references to establishing a facilitative process including an expert committee to facilitate NLBI implementation. The EU proposed alternative language providing for a voluntary, demand-driven process, and inviting the CPF and its members to develop the process for adoption at UNFF8.

Chair Hans Hoogeveen presented the Chair's revised draft text, highlighting paragraphs reflecting general agreement and others reflecting the Chair's proposed compromise language. The Group agreed to postpone discussions on the Chair's text pending consultations.

### **WORKING GROUP II – MYPOW**

**FORUM SESSIONS:** On UNFF sessions as a platform for dialogue, the EU proposed a list of intended dialogue partners. BRAZIL, supported by the AFRICAN GROUP, NORWAY, INDONESIA and AUSTRALIA, proposed reference to CPF members only. The EU reiterated the need to invite the chairs of the three Rio Conventions' governing bodies, while IRAN preferred reference to "relevant MEAs."

Regarding dialogue with regional and subregional mechanisms and organizations, the US and AUSTRALIA preferred reference to "relevant" over "forest-related" mechanisms. ARGENTINA and PAPUA NEW GUINEA suggested including both. Delegates did not reach agreement on whether the dialogue should be "on" and/or "with" regional and subregional mechanisms.

On exchanging experiences and identifying challenges in NLBI implementation, delegates proposed to reorganize the text to emphasize exchanging national and regional experiences and sharing best practices and lessons learned. The AFRICAN GROUP and BRAZIL called for reference to the Global Objectives. SWITZERLAND, with the US, supported maintaining the notion of advancing SFM.

AUSTRALIA cautioned against convening a high-level ministerial segment at UNFF11, while the AFRICAN GROUP, the EU, VENEZUELA, and SWITZERLAND supported convening one, as UNFF11 will discuss the future of the IAF. The EU supported ministerial segments at UNFF9 and UNFF11, and suggested exchanging views on the nature of the segment to accommodate Australia's concerns.

Regarding ECOSOC-related matters, ARGENTINA, reporting on informal consultations and supported by the EU, proposed text on Secretariat reporting on and to ECOSOC and its functional commissions. The AFRICAN GROUP cautioned against overburdening the Secretariat.

On Forum session outputs, the EU proposed that reports reflect non-negotiated discussions in addition to negotiations. On timing of sessions, delegates debated whether months or quarters should be specified in addition to years, given the need for: interface with other bodies and consideration of their meeting dates (the US, the AFRICAN GROUP and MEXICO); flexibility (PERU); and country planning (PAPUA NEW GUINEA and the PHILIPPINES).

**REGIONAL AND SUBREGIONAL INPUTS AND DIALOGUE ON REGIONAL PRIORITIES:** The US, supported by ARGENTINA, BRAZIL, the EU and others, proposed merging paragraphs on regional and subregional contributions and input to Forum sessions, inviting regional mechanisms, instruments, and organizations to address agenda items and provide a summary of their

deliberations prior to sessions. Some delegates expressed concern that the language was too prescriptive for regional and subregional input and preferred "encouraging" over "inviting."

Regarding the proposed three-month timeframe for submissions, the Secretariat clarified that summaries should be submitted six months in advance for logistical purposes. WOMEN proposed a similar process for major groups. The EU said this will be addressed in a separate section. Some delegates supported adding language on regional contributions to Forum discussions. BRAZIL added "according to their mandates."

On preparation of an analytical background report by the Secretary-General based on regional and subregional submissions, ARGENTINA, the EU and others said the report should be a compilation of submissions. Delegates agreed to a summary report.

**EMERGING ISSUES:** Delegates debated subparagraphs on what constitutes an emerging issue and the procedure and consultation process for identifying them. The AFRICAN GROUP requested explicit language stating that the emerging issue must be forest-related. Delegates agreed that emerging issues must be: of global significance; related to and/or impacting on forests and SFM; urgent and unexpected; and not already addressed in the agenda.

Regarding procedure, and following a US proposal to include consultations with regional groups, ARGENTINA pointed out that regional groups generally do not discuss substance. VENEZUELA called for flexibility in the process to allow for multiple emerging issues. Delegates agreed that the Bureau, in consultation with member States, will decide on including an emerging issue, taking into account contributions from CPF members, major groups, regions and subregions, and the Forum Secretariat. The AFRICAN GROUP clarified that the Bureau must reach consensus on the issues.

**ENHANCED COOPERATION:** Delegates agreed on text proposed by the US encouraging major groups' and other stakeholders' contribution to, and participation in, sessions and other relevant discussions.

On the Forum's relationship to the CPF, the EU, supported by the US, proposed language encouraging the CPF to participate in sessions in addition to providing reports. On text regarding multi-stakeholder partnerships, the EU proposed specifying all partners while BRAZIL preferred simply referring to "multi-stakeholders."

### **CONTACT GROUP ON THE MYPOW**

Delegates began clustering items under UNFF sessions. For UNFF8 and its focus on forests and environmental sustainability, delegates generally agreed to cluster detailed tasks around three broad subthemes related to: forests and climate change; combating loss of forest cover, desertification and forest degradation; and forests and biodiversity conservation. Delegates were urged to refrain from adding tasks to the matrix. On means of implementation, one regional group requested clarification on the expected outcome of discussions on means of implementation as a flagship theme. Another regional group responded that they expected to identify obstacles and ways to overcome them and adopt a global forest funding mechanism. Delegates continued discussing the matrix late into the evening.

### **IN THE CORRIDORS**

Wednesday saw NLBI negotiators switch strategies, from negotiating packages on substance to outlining modalities for developing key elements of the NLBI, such as finance or the facilitative process, at a later stage. As one delegate noted, with less than two days of negotiating time left, attempting to develop fully-fledged mechanisms at this session is simply not realistic. While most delegates were confident that this strategy will enable UNFF7 to actually adopt an NLBI, one delegate questioned the utility of adopting a skeleton of the instrument when its essential elements have yet to be filled in.