



Earth Negotiations Bulletin

A Reporting Service for Environment and Development Negotiations

Vol. 13 No. 28 Published by the International Institute for Sustainable Development (IISD) Thursday, 13 February 1997

IPF-4 HIGHLIGHTS WEDNESDAY, 12 FEBRUARY 1997

IPF-4 continued debate on International organizations and multilateral institutions and instruments, including appropriate legal mechanisms, in a morning Plenary. The afternoon session was canceled to allow regional group consultations.

PLENARY

APPROPRIATE LEGAL MECHANISMS:

Co-Chair Rodriguez resumed the Plenary on Consensus building towards the further implementation of the forest principles, including appropriate legal mechanisms (E/CN.17/IPF/1997/5). Several delegations highlighted the continued need for a high-level policy forum on forests, including SENEGAL, GABON, UGANDA, CUBA, CHINA, BRAZIL, IRAN, RUSSIA and GREENPEACE INTERNATIONAL.

NORWAY, ZIMBABWE, GABON, CUBA, CHINA, COLOMBIA and CONGO recommended that this body be under the auspices of the CSD. COLOMBIA said it should be permanent, have a Secretariat similar to that of the IPF and be financed by voluntary contributions.

The US said it would be useful to have a forum to monitor and report on progress in implementing IPF recommendations, and this forum could be the CSD itself or a subsidiary thereof. SWITZERLAND said the IPF dialogue should be continued with a limited mandate to ensure consistency of national, regional and international efforts in coordination with the CSD. NORWAY said future work must secure IPF's progress on C&I, NFPs and increased investment in SFM through a negotiated document.

GREENPEACE INTERNATIONAL said the forum should be a subcommission under the CSD. The LATIN AMERICAN FOREST NETWORK said equitable participation should be ensured. SENEGAL suggested that it be put under the auspices of FAO. GABON specified the need for the body to identify funding and research priorities.

CHINA said the terms of reference of the forum should include issues pertaining to a future legal mechanism. JAPAN supported establishing an intergovernmental forum to continue the forest-related policy dialogue and implement IPF objectives. Implementation should be incorporated into forging a broader consensus toward a legal instrument. BRAZIL specified that the forum should analyze all possible alternatives, including the possibility of a convention, and should not be limited by a specific

time frame. GABON and SENEGAL said its timetable should not extend beyond the year 2000.

INDIA supported a continued dialogue to identify gaps, redundancy and synergies before pursuing new initiatives that currently lack consensus. FAO recommended close examination of the roles of existing forest-related organizations before deciding to form a new one. IRAN advocated avoiding overlap with other forest-related fora and close coordination with related conventions.

MEXICO said alternatives for a mechanism or forum should: build confidence; be transparent, participatory, and gradual, allowing for periodic review; generate legal certainty; adopt equitable measures; and reflect existing agreements including those on technology transfer on preferential terms. No obligation should be transferred from developed to developing countries. RUSSIA emphasized the need to develop new studies and improve forest research.

UGANDA, GABON, PERU, CUBA and CONGO supported the continuation of the Inter-Agency Task Force on Forests. PERU said the Task Force should provide specific proposals and work on capacity-building. SWITZERLAND said the Task Force should: seek concerted action on NFPs; identify pilot initiatives through partnerships; study policy frameworks to integrate intellectual property rights with traditional forest-related knowledge; and explore means to strengthen research.

A number of delegations and NGOs supported action toward a forest convention: COLOMBIA, COSTA RICA, the EU, INDONESIA, POLAND, the PHILIPPINES, VENEZUELA and the FOREST ALLIANCE OF BRITISH COLUMBIA. The EU proposed that the IPF recommend the establishment of an Intergovernmental Negotiating Committee (INC) to negotiate a convention by no later than 2000. A global forest convention could cover, *inter alia*: C&I; inventory and valuation of forests; environmental impact assessment; the special needs of developing countries and the rights of indigenous people, local communities and small forest owners; traditional forest-related knowledge; international cooperation on funding and the transfer of technology and capacity building; and scientific research. POLAND said the current momentum toward consensus on the need for a convention should not be lost, and a forest convention would facilitate implementation of related conventions. INDONESIA noted the need for agreement on an appropriate mechanism for achieving SFM before discussing the path towards this goal and expressed support for starting the process of discussion on a convention. The FOREST ALLIANCE OF BRITISH COLUMBIA and the PHILIPPINES underscored the need to balance all forest values in

This issue of the *Earth Negotiations Bulletin*© <enb@iisd.org> is written and edited by Deborah Davenport <ddavenp@emory.edu>, Nabih Megateli <nmegateli@igc.apc.org>, Kira Schmidt <kiras@iisd.org> and Steve Wise <swise@igc.apc.org>. The Editor is Pamela Chasek, Ph.D. <pam@iisd.org> and the Managing Editor is Langston James Kimo Goree VI <kimo@iisd.org>. The sustaining donor of the *Bulletin* is the International Institute for Sustainable Development <reception@iisdpost.iisd.ca>. Specific funding for this volume is provided by the Canadian Forest Service. General support for the *Bulletin* for 1997 is provided by the Overseas Development Administration (ODA) of the United Kingdom, the Ministry of Foreign Affairs of Denmark and the Swiss Federal Office of the Environment. The authors can be contacted at their electronic mail addresses or at tel: +1-212-644-0204; fax: +1-212-644-0206. IISD can be contacted at 161 Portage Avenue East, 6th Floor, Winnipeg, Manitoba R3B 0Y4, Canada; tel: +1-204-958-7700; fax: +1-204-958-7710. The opinions expressed in *Earth Negotiations Bulletin* are those of the authors and do not necessarily reflect the views of IISD and other funders. Excerpts from the *Earth Negotiations Bulletin* may be used in other publications with appropriate citation. Electronic versions of the *Bulletin* are sent to e-mail distribution lists (ASCII and PDF format) and through the *Linkages* WWW-server at <http://www.iisd.ca/linkages/>. For further information on ways to access, support or contact the *Earth Negotiations Bulletin* send e-mail to <enb@iisd.org>.

developing a convention. With COLOMBIA, they called for all stakeholder views to be considered in the process.

GABON said a new framework convention taking into account regional differences could be established if a larger consensus can be achieved. NORWAY said a global convention could have advantages if a broad consensus is reached regarding inclusion of all sectors, a holistic approach and linkages to other conventions and organizations. SWITZERLAND said work could begin on negotiating a framework convention that permits regional accords. Deliberations could identify ideas to be included and allow long-term, legally-binding planning and implementation of SFM initiatives.

COSTA RICA drew attention to the Central American Forests Convention, which states that poverty is a cause and a consequence of deforestation. He called for a forest convention to address the problems of poverty, debt servicing, declining terms of trade and overexploitation of natural resources. ARGENTINA called for a step-by-step approach toward a legal instrument. He recommended establishing a working group of legal and technical experts under the Economic and Social Council (ECOSOC), followed by an INC for a convention to combat deforestation and forest degradation.

NEW ZEALAND said no consensus currently exists in support of a convention, which might not be the most cost-effective approach. UGANDA said the IPF should focus on developing an action programme before discussing a convention. ZIMBABWE stated that attempting to debate the relative merits of a forest convention could detract from a necessary focus on implementing the IPF's proposals for action.

SENEGAL underscored the need for more in-depth study of all possible options. INDIA said any international mechanism would create difficulties in dealing with local situations, and any abridgment of rights of local populations must be compensated. Adding layers of international regulation will require a detailed, transparent debate that should not be rushed or restricted in duration. He reserved judgment on global regulation of managing sovereign forests. CUBA called for more dialogue and clarification of possible objectives of a new convention before initiating negotiations.

PERU stressed the need to identify gaps and overlaps in international organizations and, with the CONGO, INDONESIA, PERU and GREENPEACE INTERNATIONAL, emphasized the need for improved coordination of existing agreements related to forests before initiating negotiations for a convention. BRAZIL noted that gaps in institutions and instruments do not imply a need for a convention or an INC now but instead a need for better coordination and communication. The CONGO noted that given gaps in existing instruments, a forest convention may be advantageous, but he questioned if a convention would be a panacea for SFM or would provide adequate financial means.

The US said a convention might serve as an excuse not to take action to solve problems on the ground and implement existing agreements and initiatives. It could also lead to a lowest common denominator result and should therefore not be negotiated at this time. Several initiatives to promote national implementation of SFM have been launched that require time to mature before the need for a new convention can be adequately assessed. IUCN said progress of international discussions on forests has been insufficient to provide a solid foundation for elaborating provisions of a convention. The US said the best way to mobilize finances and technology is through private sector activities, which cannot be governed by a convention. The LATIN AMERICAN FOREST NETWORK stated that it is inappropriate to establish a convention on forests and expressed concern about a lack of political will to provide adequate financial resources to ensure an effective

participatory process in formulating such an instrument. COLOMBIA also highlighted the importance of additional financial resources and technology transfer.

CUBA underscored the need to adhere to the Rio Forest Principles regarding financing and development assistance. NIGER underscored the need to allocate new and additional resources through the GEF. IUCN called for: enhanced efforts to forge consensus on concrete and effective actions; implementation of existing forest-related agreements; establishment of a process for identifying gaps in the existing legal framework; and determination of whether any new instruments would be beneficial. PERU highlighted the need for support from the international community for national and regional case studies. IRAN noted that integrating environmental, social and economic values is essential to achieve SFM, and C&I are important to guide and assess progress toward SFM. BRAZIL suggested a voluntary code of conduct and extending the ITTO's Objective 2000 to all timber products.

GREENPEACE INTERNATIONAL proposed options for action, including: explicit inclusion of indigenous peoples among major groups; formulation of a strategic framework for research; review of progress on development and implementation of NFPs; improved coordination among existing international legal instruments; and a World Action Plan on Forests. JAPAN said the UNGA Special Session provides an opportunity to streamline and rationalize the mandates and functions of UN organizations and specialized agencies.

IN THE CORRIDORS

A number of delegations reminded the Plenary that the ultimate aim of the IPF is to further SFM. Some participants are concerned that postponing a decision on a convention might hinder progress on other proposals for action. Others note that delegates are under pressure to ensure that the IPF make recommendations, such as establishing a high-level policy forum, that will lead to progress toward SFM. After two days of discussing little other than a possible convention, many delegates look forward to delving into negotiations on the other substantive issues on the IPF agenda in hope of producing concrete proposals for action.

THINGS TO LOOK FOR TODAY

WORKING GROUPS: Two working groups are expected to begin negotiations on Elements of a Draft Report (E/CN.17/IPF/1997/3). Working Group I will meet in Conference Room 1 to begin considering programme elements I.1 (national forest and land-use plans), I.2 (underlying causes of deforestation), I.3 (traditional forest-related knowledge), I.4 (ecosystems affected by desertification and pollution), and I.5 (countries with low forest cover). Working Group II will meet in Conference Room 2 and will consider programme element II (financial assistance and technology transfer).

Planning a Meeting in 1997?

The International Institute for Sustainable Development, publishers of the *Earth Negotiations Bulletin*, now provide a new publication called *Sustainable Developments* to report from government, UN agency or NGO sponsored initiatives. *Sustainable Developments* provides daily and/or summary reports for conferences, workshops and symposia. This service includes distribution through our print and e-mail network to more than 25,000 readers and creation of a World Wide Web page for your event with photos and RealAudio interviews with participants. For more information and pricing contact Kira Schmidt at IPF-4 or at tel: +1 212 644 0204; fax: +1 212 644 0206; e-mail: kiras@iisd.org.