



## IFF-4 HIGHLIGHTS FRIDAY AND SATURDAY, 4-5 FEBRUARY 2000

On Friday, 4 February, delegates met in a Plenary session to consider the Co-Chairs' draft proposal for an international arrangement on forests (Category III). Working Group 1 continued to negotiate bracketed text on TFRK, Working Group 2 convened briefly to hear updates on contact groups' progress, and the contact group on EST met. The contact group on finance met on Saturday.

### PLENARY

Co-Chairs Ristimäki and Asadi reported on progress made in working and contact groups. Co-Chair Ristimäki introduced the Co-Chairs' text on an international arrangement on forests, emphasizing it is intended to facilitate negotiations. The text proposes the establishment of: a UN Forest Council (UNFC), under the aegis of the CSD or the GA, to meet biannually to build consensus, monitor progress, and coordinate and develop policy; a UN Partnership on Forests (UNPF) comprised of international and regional organizations and financial institutions that address forests; a steering committee, with a structure similar to the ITFF; and a small secretariat.

Some delegates, including the US, AUSTRALIA and the G-77/CHINA, accepted the draft proposal as a basis for discussion. Others, including CANADA and the RUSSIAN FEDERATION, felt the text did not adequately reflect all views expressed. The G-77/CHINA said the draft text focuses on coordination and policy development functions in isolation of financial resources and deemed the proposal to reallocate funds from the UN budget and from existing organizations inadequate. He stressed the need for financial resources either through the establishment of a global forest fund or strengthening of the GEF.

On the proposed UNFC, some countries, including the REPUBLIC OF KOREA and BRAZIL, opposed the term "council." The G-77/CHINA preferred a forum that would meet annually, with biannual high-level segments. He said the forum should focus on developing policy and coordinating implementation at the national level, rather than on mobilizing political support for a convention. The EU questioned how the UNFC could strengthen commitment to SFM and stressed the need for developing a participatory approach. The G-77/CHINA called for clarification on the proposed UNPF. Some countries, including the EU, the REPUBLIC OF KOREA and SWITZERLAND, questioned the need for a separate steering committee.

The EU reiterated its preference for negotiating a LBI and lamented the omission of an international agreement from the proposed work programme for the UNFC. SWITZERLAND

supported the preparation of a LBI and argued that the proposed structure, if implemented, would fall short of carrying out many IPF proposals for action.

CANADA proposed a two-track approach: a transitional phase during which the proposed UNFC would concentrate on implementing the IPF/IFF proposals for action; and the establishment of an international negotiating committee (INC) to develop a convention to cover all functions and elements identified by the IFF. CHINA said the Co-Chairs' proposal did not guarantee effective action toward SFM and called for reference to financial mechanisms and EST transfer.

The RUSSIAN FEDERATION requested additional text to reflect some countries' support for a LBI. The US requested more emphasis on implementing existing arrangements and asked for clarification regarding the relationship between the proposed steering committee and permanent intergovernmental body. She stressed consideration of voluntary financial contributions and participation by all groups and interested parties. NEW ZEALAND called for a lighter institutional structure and opposed references to a new LBI, noting that negotiation of a LBI would impede action toward SFM and implementation.

MALAYSIA supported the creation of an intergovernmental body under the GA that would allow the participation of all UN members and eventually lead to a LBI. The REPUBLIC OF KOREA stated that the proposed structure would impede implementation, coordination and policy development. ZAMBIA emphasized giving priority to monitoring and implementation, full participation within an institution under the GA, financial and political coordination, and trade issues.

BRAZIL supported: giving coordination, implementation and policy development equal importance; better addressing monitoring of progress; and seeking stronger political commitment toward SFM. He noted that there is not enough consensus or knowledge to launch a negotiating process for a LBI. COLOMBIA called for reference to assistance and support for: SFM-related national action plans; a financial mechanism; and a forum under the GA. CUBA called for provision of resources in addition to the UN budget, and called for careful consideration of NGO participation based on existing UN rules. ARMENIA called for text reflecting a process toward a LBI.

NORWAY supported a more action-oriented follow-up to the IFF, a permanent legal political commitment to achieve SFM, and an intergovernmental body under the aegis of ECOSOC in the interim. He also called for: reference to national forest programmes; emphasis on implementation of the IPF/IFF proposals for action; additional financial resources to support SFM and implementation; and a transparent process open to IGOs, NGOs, indigenous groups and the private sector.



POLAND supported a LBI and a mechanism for improved coordination of existing regional arrangements on forests. PAPUA NEW GUINEA requested that the text be negotiated in Plenary. He supported Canada's proposed two-track approach and called for language reflecting a possible framework agreement. He said LFCCs and SIDS should be addressed in the text on partnership agreements.

JAPAN underscored the importance of discussing the objectives and functions and sought clarification as to whether a UNFC should be permanent. He cautioned against duplicating work within existing fora and suggested the proposed financial mechanism be carefully studied. GABON supported, *inter alia*: an INC for a LBI; additional funding; and greater synergies between the private sector, government and NGOs. He hoped the world would not "blame" the IFF for "wasting time." SENEGAL sought additional funding, a LBI and civil society participation. The CZECH REPUBLIC favored a LBI, but remained open to other options. ECUADOR supported a council under the GA with civil society participation. She called for involving other groups in the ITFF. MEXICO said a new forum would need to be justified, supported a process for further dialogue and the development of technical and scientific bodies, and cautioned against both a decision making body and a high-level segment.

ZIMBABWE and NIGER supported a LBI and called for a structure allowing greater African representation and providing adequate financial resources. GREENPEACE advocated reference to: the special status of ancient forests; curbing illegal logging; and the precautionary principle.

#### WORKING GROUP 1

**TRADITIONAL FOREST-RELATED KNOWLEDGE:** On a conclusion stressing that further work is required to help develop a common appreciation and understanding of the relationship between IPR, patents, *sui generis* and other relevant systems, TRIPs, and the CBD, the EU said it could accept the conclusion if references to patents and TRIPs were deleted. JAPAN and the US agreed, contingent on deleting *sui generis* and other relevant systems. BRAZIL and NORWAY supported the EU, but opposed deleting reference to *sui generis* and other relevant systems. The US noted the need for further consultation.

On an action proposal inviting the CBD Secretariat to prepare an overview of approaches to identifying and recording TFRK, ECUADOR suggested, and the PHILIPPINES supported adding the International Labor Organization (ILO) to the list of collaborating institutions. BRAZIL called for reference to traditional communities in addition to indigenous people. PERU said the text should invite the CBD COP to prepare the overview and called for reference to national and regional consultation.

Regarding developing policies at the national level to achieve the objectives of Article 8(j) and related provisions of the CBD and developing guidelines to protect TFRK, delegates agreed to include, for purposes of clarification, language on supporting efforts of international organizations and institutions to develop guidelines. The US, with JAPAN, expressed concern over the directive nature of "support" and preferred acknowledging international efforts. BRAZIL and the PHILIPPINES opposed. CANADA proposed, and BRAZIL opposed, reference to "a set of" guidelines. CANADA suggested qualifying the reference to the guidelines by adding "as appropriate." BRAZIL, with COLOMBIA, preferred "in accordance with their mandates." CHILE proposed deleting "a set of" in relation to guidelines. CANADA modified this to "including the possible development of guidelines." With the removal of "possible" and inclusion of Brazil's proposal, this whole paragraph was accepted.

#### WORKING GROUP 2

Working Group 2 met briefly to hear progress reports from the Chairs of the contact groups on EST transfer, finance, and trade and environment. They noted that progress had been made, but that bracketed text still remains. The Chair of the contact group on EST transfer noted that discussion of one paragraph was pending conclusion of the TFRK debate in Working Group 1.

#### CONTACT GROUPS

**TRANSFER OF EST:** The group had before it revised text based on the previous day's discussions and proposals. Regarding a conclusion on the wide range of available ESTs that support SFM, delegates agreed to lift brackets from text on the international community's role in promoting access to and transfer of ESTs.

Delegates agreed to the action proposal on enhancing technology transfer to promote SFM. Regarding the action proposal urging developed countries to take further concrete measures to promote and facilitate EST transfer, delegates agreed to text on mobilizing further support in developing appropriate technologies in developing countries.

Regarding an action proposal on benefit sharing, developing countries proposed text on sharing benefits of forest biodiversity utilization and results of research and its applications, as well as giving due recognition to the origin of biological resources in patent applications in accordance with CBD provisions. Developed countries cautioned this formulation may go beyond discussions underway in other fora, including the CBD and WIPO. A group of countries proposed alternative language stating that the recognition of the origin of forest biological resources and IPR systems should be addressed. Some insisted on retaining reference to international and domestic laws relating to IPR and that benefit sharing be as mutually agreed. The issue remains unresolved pending group consultations.

**FINANCE:** The group considered a Chair's revised text and made progress on some paragraphs, but the proposal for a forest fund remains the major point of contention. Regarding the special needs of developing countries, delegates agreed to have a single reference to LFCCs. On increasing revenues from sustainably produced forest products, delegates could not agree on whether to refer to biological diversity or biological resources. On effective management arrangements, one developed country preferred reference to absorptive capacity. Developing countries disagreed.

Debate continued over establishing an international forest fund with a regional group preferring the fund be "suggested" rather than "proposed." Developing countries stated the fund was not an abstract issue. One developed country said the lever for new funds is agreement on a LBI. Another developed country noted their recent announcement of a tropical forest fund without need for a LBI. Text referring to the concept of an international investment promotion entity was accepted with minor changes. On a proposal to increase financial resources and improve effectiveness of available resources, some developed countries preferred deleting reference to an increase in financial resources.

#### IN THE CORRIDORS

Some delegates speculate that some developed countries are hoping to stretch out discussions on financial resources until they have a clear picture whether or not there will be a legally binding instrument on forests. There is further speculation that the developed countries in question do not wish to reveal to their developing country colleagues that they have little additional funds to offer, fearing that this may change attitudes toward a LBI.

#### THINGS TO LOOK FOR TODAY

**WORKING GROUP 1:** Working Group 1 will meet at 3:00 pm in the Trusteeship Council to discuss outstanding text on TFRK, underlying causes and protected areas.

**CONTACT GROUPS:** The contact group on trade and environment will meet at 10:00 am in Conference Room 2. The contact group on international arrangements and mechanisms (Category III) will be chaired by Guyana. It will meet at 10:00 am in Conference Room 5 and at 3:00 pm in Conference Room 8. The contact group on EST transfer will meet at 6:00 pm in Conference Room 6. The contact group on finance may meet, time and location to be announced.