



IFF-4 HIGHLIGHTS

MONDAY, 7 FEBRUARY 2000

On the sixth day of IFF-4, delegates met in Working Group 1 to further discuss bracketed text on TFRK and protected areas. The contact groups on trade and environment and on international arrangements and mechanisms (Category III) met during the day, and the contact group on finance met in an evening session.

WORKING GROUP 1

PROTECTED AREAS: Delegates agreed on text merging paragraphs on provision of financial support. COLOMBIA called for reference to national action plans. CANADA opposed, noting this could exclude developing countries. COLOMBIA suggested "in countries where they exist" and the text was adopted.

On an action proposal including text on returns from carbon sequestration, AUSTRALIA supported lifting brackets. BRAZIL suggested, and COLOMBIA supported, reference to FCCC Article 3.3 identifying forest activities covered by the FCCC. AUSTRALIA said this was beyond the IFF's mandate and suggested reference to results of further FCCC negotiations. The US proposed, and the EU and CANADA agreed to, text on implementation of the FCCC. BRAZIL said referring solely to implementation would be too specific. AUSTRALIA agreed and suggested "in accordance with the implementation of relevant articles of the Kyoto Protocol and the UNFCCC." BRAZIL suggested "in accordance with, and within the context of." The text was adopted as amended by Brazil.

TRADITIONAL FOREST-RELATED KNOWLEDGE: On a conclusion stating that further work is required to develop a common appreciation between IPR, *sui generis* or other relevant systems for protection of TFRK and the CBD, the US preferred emphasizing the importance of ongoing work. BRAZIL suggested changing the wording to "under the CBD" and the text was adopted.

On an action proposal regarding cooperation between countries and international organizations to develop an understanding of the relationship between IPR, *sui generis* or other relevant systems for protection of TFRK, and addressing the issue of identifying the origin of TFRK, the US suggested deletion of reference to the origin of genetic resources. ECUADOR and BRAZIL opposed. The US said the

IFF should not be discussing genetic resources in this context. CANADA said TFRK implicitly includes genetic resources. COLOMBIA supported retention of genetic resources. The US also proposed moving the reference to the CBD in order to specify relevant international organizations. JAPAN said moving the reference would change how the text reflects the interaction between IPR and the CBD. The US agreed, and both references are included. The entire paragraph remains bracketed.

On inviting the CBD COP to prepare an overview on possible approaches to identifying, collecting, recording and applying TFRK, CANADA proposed alternative language in order to emphasize the participation and involvement of the holders of traditional knowledge, innovations and practices, and to invite the CBD Secretariat to prepare an overview of approaches to incorporate TFRK into SFM. NORWAY suggested direct reference to indigenous peoples and local communities and, with the EU, supported Canada's proposal. The US asked for clarification on the proposed overview, as much is under the domain of national governments. In response, CANADA cited case studies as examples. NORWAY suggested adding text to reflect national governments' control. BRAZIL stressed retaining "identifying, collecting, recording and applying" and providing examples of TFRK application. No consensus was reached.

On the action proposal regarding the CBD *Ad Hoc* Working Group on Article 8 (j), CANADA proposed text considering options for collecting, recording, applying and locating TFRK, taking into account the need to foster its wider application with the approval and involvement of the holders. ECUADOR suggested bringing the two paragraphs together. No consensus was reached.

CONTACT GROUPS

TRADE AND ENVIRONMENT: The contact group on trade and environment briefly addressed voluntary certification. Developing countries insisted on only including reference to the WTO, while some developed countries called for including references to UNCTAD, FAO and UNEP. On the action proposal addressing trade liberalization, three proposed formulations were reflected in a paper presented by contact group Chair Don Wijewardana (New Zealand). One country put forward an alternative in an attempt to alleviate concerns over balance in the text by reiterating language from a conclusion noting the

This issue of the *Earth Negotiations Bulletin* © <enb@iisd.org> is written and edited by Radoslav Dimitrov <rado@polisci.umn.edu>, Ian Fry <ifry@mpx.com.au>, Laura Ivers <laurai@iisd.org>, Wendy Jackson <>wendyj@chickmail.com>, Violette Lacloue <violette@iisd.org>, and Leila Mead <leila@interport.net>. The Editor is Pamela Chasek, Ph.D. <pam@iisd.org> and the Managing Editor is Langston James "Kimo" Goree <kimo@iisd.org>. Digital editing by Andrei Henry <andrei@iisd.org>. The Sustaining Donors of the *Bulletin* are The Netherlands Ministry of Foreign Affairs, the Government of Canada (through CIDA), the United States (through USAID), the Swiss Agency for Environment, Forests and Landscape, the United Kingdom Department for International Development (DFID) and the European Commission (DG-XI). General Support for the *Bulletin* during 2000 is provided by the German Federal Ministry of Environment (BMU) and the German Federal Ministry of Development Cooperation (BMZ), the Danish Ministry of Foreign Affairs, the Ministry of Environment of Austria, the Ministries of Foreign Affairs and Environment of Norway, the Ministry of Foreign Affairs and Ministry of Environment of Finland, the Government of Sweden, the Government of Australia, the United Nations Development Programme (UNDP), the Global Environment Facility (GEF) and BP Amoco. The *Bulletin* can be contacted by e-mail at <enb@iisd.org> and at tel: +1-212-644-0204; fax: +1-212-644-0206. IISD can be contacted by e-mail at <info@iisd.ca> and at 161 Portage Avenue East, 6th Floor, Winnipeg, Manitoba R3B 0Y4, Canada. The opinions expressed in the *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 non-commercial publications only and only with appropriate academic citation. For permission to use this material in commercial publications, contact the Managing Editor. Electronic versions of the *Bulletin* are sent to e-mail distribution lists and can be found on the Linkages WWW server at <http://www.iisd.ca/linkages/>. The satellite image was taken above New York ©2000 The Living Earth, Inc. <http://livingearth.com>. For information on the *Earth Negotiations Bulletin*, send e-mail to <enb@iisd.org>.

mutually supportive roles of both trade and environment. One suggested instead amending the paragraph to include text on encouraging countries to assess, review and consider the environmental implications of trade liberalization measures and another delegate suggested adding sustainable implications. One developed country proposed combining ideas from two of the proposals in the Chair's paper to include special attention to removing trade restrictions that constrain market access, as well as encouraging countries to conduct environmental reviews of trade agreements. Chair Wijewardana suggested using this proposal as a basis for discussion, responding to a suggestion to discuss the issues in a smaller group. In response, one group of developed countries said this could prejudice the outcome of negotiations and asked that their proposal, which includes language on substantially reducing tariffs as well as non-tariff measures, be considered as well. The group adjourned to discuss informally both action proposals and delegates' suggested text.

INTERNATIONAL ARRANGEMENTS AND MECHANISMS (CATEGORY III): Co-Chair Asadi introduced a revised Co-Chairs' proposal for an international arrangement on forests and welcomed Samuel Insanally (Guyana) as Chair of the group. The revised text states the arrangement's objective is to secure long-term political commitment to promote and implement internationally agreed actions on forests, lists the sixteen identified priority areas and sets out the principal functions of policy development, coordination, policy implementation and provision of political/legislative authority. The proposal calls for establishing, *inter alia*: a permanent intergovernmental body, possibly a UN Forum on Forests (UNFF), under the GA or ECOSOC; an institutional partnership on forests; and an intergovernmental negotiation process for a LBI. Several delegates welcomed the text as a basis for negotiation, but requested time to evaluate it. Several delegates asked for clarification on the nature of the proposed partnership and the relationship of the proposed UNFF to the GA and/or ECOSOC.

Many developing countries emphasized that the proposed financial support, comprised of the reallocation of existing funds and voluntary contributions, would be inadequate and underscored the need for a new global forest fund. One developing country said there should not be reference to a LBI without reference to a new financial mechanism. Some developing countries requested a more detailed proposal on financial resources and one suggested a minimum amount be specified.

While several delegates supported establishing both a permanent forum for policy development and an INC, others expressed opposition to the proposed double function of policy development and LBI negotiation. A few delegates said the functions identified are too broad and suggested the proposal focus only on areas of wide agreement. One developing country delegate called for developing a global plan on forests. Delegates also, *inter alia*: stressed the need for biannual high-level segments; supported the proposed establishment of subsidiary bodies for scientific, technical and expert advice; called for reference to LFCCs; and stressed the need to address the issue of planted forests.

In considering the objective, views varied as to whether to include reference to a legal framework. While some were in support, many others objected on the grounds that there is no consensus on the need for a legal framework. One developed country preferred the term "body" instead of "arrangement." Another underscored support for a permanent body within the UN system with the principle of

promoting SFM rather than simply promoting political commitment. She extended an alternative proposal for a global framework for policy development, coordination and implementation that promotes institutional synergies and cooperation between the North and South as well as the public and private sectors.

In discussing the proposed functions of the arrangement, some delegates suggested deletion of references to legislative authority. Others suggested replacing "legislative authority" with "legislative framework." Many developing countries reiterated their request for specific provisions for financial resources and proposed listing a global forest fund as an additional function of the arrangement. One developed country pointed out that the fund has been debated at length, and referred discussion to the contact group on financial resources.

With regard to the priority areas, many agreed that the list had been discussed enough and is complete, while others felt that the list is not exhaustive and that some elements are not well defined. Several delegates pointed out that these are not areas of concern but elements for the work programme, and said they should be stated as such. Some suggested grouping them in categories, and one suggested grouping them according to criteria for SFM.

FINANCE: The contact group on financial resources continued to make progress on their deliberations. On a proposal to increase financial resources and improve effectiveness of available resources, all delegates agreed to a reference concerning prioritizing and increasing financial assistance to the forest sector in developing countries.

Regarding giving special consideration to providing financial assistance to developing countries, delegates could not agree on where to locate "sustainably" in relation to forest products and services. On a conclusion referring to the special needs of developing countries, particularly LFCCs, three formulations remain for a reference to expanding forest cover. Delegates agreed to text that encourages reinvestment of forest revenues into SFM and skipped over discussion on creating a forest fund. Concerning the use of existing mechanisms, such as the GEF, a developed country proposed reviewing the scope of these mechanisms for financing a wider range of SFM activities. Developing countries reserved their position on this. Delegations agreed on text which explores the feasibility of operationalizing an investment promotion entity.

IN THE CORRIDORS

Deliberations in the trade and environment contact group appear to have reached a stalemate, with some delegations becoming increasingly frustrated with the stewardship of the process. Others believe that discussions revolving around reducing tariffs and non-tariff barriers are "too sensitive" for this level of UN negotiation and would prefer that these matters are referred to the WTO.

THINGS TO LOOK FOR TODAY

WORKING GROUPS: Working Group 1 will meet at 10:00 am in the Trusteeship Council to discuss outstanding text TFRK and underlying causes.

CONTACT GROUPS: The contact group on Category III will meet in Conference Room 2 at 10:00 am, the contact group on trade and environment will meet at 3:00 pm in Conference Room 8, the contact group on finance will meet at 4:00 pm in Conference Room 5 and the contact group on EST transfer at 6:30 pm in Conference Room 5.