

Canadian Environmental Network CONSULTATION REPORT

Title of Consultation: United Nations Forum on Forests 7 (UNFF7)

Date(s) held: April 16-27, 2007

Location: United Nations, New York, New York, USA

Author(s)

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Number of ENGO Delegates at Consultation: There was only one representative from Canadian ENGOs at UNFF7. Other NGOs were present from a variety of developed and developing countries and international ENGOs, as well as other Major Groups including Women, Youth, Small Forest Landowners, Industry, Indigenous Peoples, and Science. There were over 600 participants at UNFF7.

What was the purpose of the consultation?

UNFF7 had two main purposes:

1. To negotiate a Non-Legally Binding Instrument (NLBI) on sustainable forest management (SFM).
2. To develop a Multi-year Program of Work (MYPOW) for 2007-2015 for UNFF.

What were the outcomes of the consultation?

1. NLBI

After 15+ years of negotiations on forests, an NLBI on SFM was agreed to:

http://www.un.org/esa/forests/pdf/session_documents/unff7/UNFF7_NLBI_draft.pdf

While the negotiation of the final text appears to represent a significant overall achievement, problems remain. Some delegates cited back-peddling on previously agreed upon language in the text. Some provisions that a few delegations pushed vigorously for disappeared in the final text, including those that would have established a facilitative process, used quantitative and timebound targets for SFM, combating illegal trade, promoting secure land tenure, defining SFM; and for establishing UNFF and its Secretariat as the governing body/secretariat of the NLBI. Even the most valuable component, financing, remains vague and left to be negotiated at UNFF8.

In the end, it is important to note that the previously agreed upon four Global Objectives remain and that the NLBI as a unified negotiated text is likely a major accomplishment. While some countries think that the only added value from the NLBI is the possibility of additional funding, others believe that the NLBI will ultimately lead to better protection for enterprises that practice sustainable forest management in the face of increased competition from areas with poor standards as well as strengthened global forest policy and tighter regulation of activities that negatively impact forests. Other countries remain concerned about the potential loss of control over their own forest resources. While there were attempts to combine elements into a package linking financing with an advisory body on SFM through a “facilitative process”, no deal could be reached.

Failure to achieve an NLBI at UNFF7 could have been used to make a legally binding instrument (e.g. Canada’s suggestion for a Forest Convention) more attractive to countries that have been sitting on the fence. There was a meeting of like-minded countries to discuss funding and other arrangements in the context of a legally binding instrument. No details were made available to UNFF delegates.

2. MYPOW

The MYPOW for UNFF was also agreed to:

http://www.un.org/esa/forests/pdf/session_documents/unff7/UNFF7_MYPOW_draft.pdf

The MYPOW identifies themes and tasks for the next four biennial sessions of the UNFF. The MYPOW is much stronger than that proposed at UNFF1 and it is hoped that this perceived added value will be realized. Among the new issues is a recognition of the link between forests and climate change. But more than focusing on just issues, the MYPOW is significant in promoting UNFF as a platform for dialogue focusing on information sharing, stakeholder participation, and exchange on best practices and lessons learned. This will be a refreshing change from the endless text negotiations that have characterized previous sessions.

The Secretariat will analyse the various voluntary country reports in order to get an indication of the overall progress on NLBI implementation. In this way UNFF could actually take on the larger role of providing useful information and facilitating cooperation among all the groups and agencies involved in implementing SFM.

The matrix on the MYPOW for 2007- 2015 describes main tasks, overall themes, cross-cutting issues and common agenda items for future UNFF sessions. Emerging issues may be added as required according to the guidance on emerging issues in the resolution.

For UNFF8 through 11, the main task is achieving the four Global Objectives and implementing the NLBI.

UNFF8

The main theme is “Forests in a Changing Environment”. Topics to be addressed are:

- forests and climate change;
- reversing the loss of forest cover, preventing forest degradation and combating desertification; and
- forests and biodiversity conservation, including protected areas.

Under the “Means of Implementation” theme, topics include:

- applying means of implementation, including financial resources, capacity building and environmentally sustainable technology transfer; and
- a decision on a voluntary global financing mechanism, a portfolio approach or forest financing framework.

UNFF9

Under the overarching theme of “Forests for People, Livelihoods and Poverty Eradication”, topics of discussion will include:

- community-based forest management;
- social development and indigenous and other local and forest dependent communities, including forest land tenure; and
- social and cultural aspects.

UNFF9 will also celebrate the International Year of Forests, include an assessment of progress, and convene a high-level ministerial segment.

UNFF10

The principal theme is “Forests and Economic Development”, with topics such as:

- forest products and services;

- NFPs and other sectoral policies and strategies;
- reducing risks and impacts of disasters; and
- benefits of forests and trees to urban communities.

UNFF11

The main theme is “Forests: Progress, Challenges and the Way Forward for the International Arrangement on Forests (IAF)” with the major topics to be discussed being:

- reviewing the effectiveness of the IAF and considering all future options;
- reviewing progress towards the achievement of the Global Objectives and implementation of the NLBI; and
- reviewing the contribution of forests and the IAF, including the NLBI to the internationally agreed development goals.

A high-level ministerial segment will be convened at UNFF11.

3. MAJOR GROUP INVOLVEMENT

The Major Groups (including Indigenous Peoples, Workers and Labour Unions, Women, Children and Youth, Farmers and Small Forest Landowners, NGOs, Scientific and Technological Communities and Business and Industry) received a level of recognition in United Nations forest processes not previously realized (see Romaguer 2005 for concerns about NGO participation at UNFF5). In addition to two multi-stakeholder dialogue sessions hosted by the Major Groups, interventions were made by Major Groups during negotiations on the Multi-Year Program of Work (MYPOW) and the NLBI and recognized by the Chair.

In the first multi-stakeholder dialogue, Children and Youth called for indicators on education and capacity building. Women elaborated on concerns about their insecure land tenure and the lack of capacity in forestry institutions to deal with their issues. Farmers and Small Forest Landowners called for clear and secure tenure and land use rights and a mechanism for public-private partnerships. NGOs and Indigenous Peoples jointly cautioned against relying totally on market solutions to combat forest destruction. They called for: recognizing indigenous and local communities’ rights and community and small landholder access to a financial mechanism. Scientific and Technological Communities supported a trust fund for forests and text on increasing capacity and cooperation. Workers and Labor Unions noted the relationship between fair wages and SFM and called for references in the text to conventions of the International Labor Organization. Several delegates openly welcomed the participation of Major Groups and asked them to bring forward proposals for text for the NLBI.

In a precedent setting arrangement, the second multi-stakeholder dialogue was facilitated by Lorraine Rekmans, National Aboriginal Forestry Association, Canada. This focused on three themes: indigenous and local communities’ participation; private sector investment in SFM; and Major Groups’ participation in the MYPOW.

Indigenous Peoples called for recognition of the sovereign autonomy of indigenous peoples in the NLBI. Business and Industry called for policy that will provide a stable operating environment and for a focus on certification schemes. NGOs stressed political commitment to implementation and that certification schemes must involve communities and Major Groups. Farmers and Small Forest Land Owners said SFM should not be based only on subsidies and that certification should remain market-based. Scientific and Technological Communities advocated critical analysis of the portfolio approach for financing, suggested by PROFOR, and called for funding for extension programs. Children and Youth expressed disappointment at the low demand for certified timber and the absence of education in the portfolio approach. Workers and Trade Unions called for greater recognition of the importance and diverse benefits from forests and, along with all Major Groups, involvement of all stakeholders in decision-making. Women stressed partnerships among all stakeholders.

The Major Groups proposed an initiative to hold a workshop to share experiences of Major Groups around the world in Sustainable Forest Management. The Dominican Republic agreed to host the event in June 2008 in the Dominican Republic. Developed countries are being approached for funding and co-sponsorship of the event. Interest has been shown by several European countries.

4. OTHER

In addition to several interesting side events, including one staged by the World Bank on a portfolio approach to financing, there was a panel discussion of the Collaborative Partnership on Forests (CPF) and the launching of preparations for the International Year of Forests 2011.

What are the implications of the outcomes of the consultation?

It is still too early to tell since a funding mechanism for the NLBI has not yet been agreed to. There is a good possibility that there will be additional resources brought to bear on forest issues but this will not be easy. The NLBI is a voluntary, non-legally binding instrument, so countries can choose not to support it and the discussions on financing have been some of the most troublesome throughout the many years of negotiations on forests.

Equally important was the presence and participation of Major Groups in UNFF7. The effort of the Major Groups was recognized in a letter sent by the Chair of the UNFF Secretariat (attached). In it, he states:

“It is with pleasure that I write to thank you for your participation in the seventh session of the UN Forum on Forests this year, and particularly the Multi-Stakeholder Dialogue. This session of the Forum was the most significant milestone reached by the International Arrangement on Forests to date, and we thank you for your support in accomplishing this achievement.

Your efforts in mobilizing stakeholder participation from the Non-Governmental Organizations Major Group are a critical factor for our growing success in engaging civil society in the work of the Forum. These efforts have been, and continue to be much appreciated.

The adoption of the non-legally binding instrument on all types of forests sets a new standard in forest management, one that is expected to have a major impact on international cooperation and national action to reduce deforestation, prevent forest degradation, promote sustainable livelihoods and reduce poverty for all forest dependent peoples. The Forum now has a clear and strong mandate through 2015, reflected in the new multi-year programme of work.

Major groups’ contributions to sustainable forest management have been well recognized in discussions at the Forum, and, indeed, the UNFF7 outcomes call for active and effective stakeholder participation in the development, implementation and assessment of forest-related policies and programmes. We are confident that your group will have a number of important and relevant inputs to make for future discussions at the Forum, as well as at relevant regional and sub-regional discussions.

I look forward to our continuing collaboration.”

What action, in your opinion, should be taken by the ENGO community in the aftermath of this consultation?

The ENGO community should participate in the upcoming Major Group initiative that will be co-sponsored by the Dominican Republic in June 2008. We will be preparing a proposal and requesting assistance from developed countries, including Canada, to co-sponsor this initiative, primarily through funding.

Attendance by ENGOs at UNFF7 was significantly reduced from the days of the Intergovernmental Forum on Forests, likely due to a focus on the Convention on Biological Diversity as a mechanism for achieving sustainable forest management and environmental protection objectives. The ENGO community should remain engaged with the UNFF process to ensure that the non-legally binding instrument on forests obtains funding to do additional forest related work and that the funds are directed primarily in aid of biodiversity conservation and ensuring benefits of sustainable forest management are derived by indigenous peoples and local communities. The next full meeting, UNFF8, will be held 20 April - 1 May 2009, at UN headquarters in New York and an ad-hoc session in 2008 to deal with the financial mechanism. There will also be a role for ENGOs to play in 2011, the International Year of Forests.

The resolution being sent by UNFF7 to the UN Economic and Social Council (ECOSOC) recommends developing: *“for adoption at UNFF8, a voluntary global financial mechanism / portfolio approach / forest financing framework for all types of forests, aiming at mobilizing significantly increased, new and additional resources from all sources, based on existing and emerging innovative approaches, also taking into account assessments and reviews of current financial mechanisms, to support the implementation of sustainable forest management, the achievement of the global objectives on forests and the implementation of the non-legally binding instrument on all types of forests.”* In support of this it has been decided that *“the UNFF should, within existing resources, convene before UNFF8, an open ended ad-hoc expert group to develop proposals for the development of a voluntary global financial mechanism, a portfolio approach and a forest financing framework. The Collaborative Partnership on Forests is invited to assist in the development of these proposals.”*

Romaguer (2005) had a list of recommendations after UNFF5. Recommendations that should be further considered are elaborated on below in the light of achievements at UNFF7.

1) Explore undertaking partnerships other than with governments, especially in countries that are presently reluctant to commit themselves to the implementation of the IPF/IFF Proposals for Action, with, for example, the private sector, scientific and NGO communities.

- in this light, follow-up on the Major Group workshop initiative should be explored with Canada, specifically CIDA

2) Explore collaborations with like-minded governments on implementing SFM at the regional or circumpolar level. This could include, for example, forming a “Boreal Council” with countries such as Sweden, Russia and Finland based on the model of the Arctic Council.

- this is still a worthwhile suggestion. There are pan-Boreal ENGO initiatives but no partnership of countries and representatives of Major Groups. This might be addressed as another member group of the Collaborative Partnership on Forests.

3) Provide sufficient financial resources for effective Canadian and International ENGO/IPO consultation and coordination before the next UNFF so that a coherent presentation during the side-events could be made.

- this certainly has merit. While Canadian participation at the event was strong, there was minimal work conducted beforehand and no presentation organized for the side events. The Canadian delegate delivered a portion of the text prepared by Major Groups for the second multi-stakeholder dialogue. RCEN could prepare a proposal to Natural Resources Canada to be more effective at UNFF8.

4) Consider transforming the financial provisions of the voluntary Code of Conduct on sustainable forest management into a standalone financial mechanism that could compliment the already existing financial proposals tabled at UNFF-5; or consider seriously supporting one of the various financial mechanisms proposed at UNFF-5.

- the playing field has broadened considerably since UNFF5. ENGOs should study the World Bank and other proposals to see which financial mechanisms provide the best hope for achieving significant results from the NLBI on SFM. This should be part of the proposal to NRCAN by RCEN.

5) Continue to increase Canada's gross national income (GNI) percentage allocated to Official Development Assistance by at least 15% annually to be able to reach 0.7% of GNI by 2015 deadline to meet the MDG commitments.

- this is still relevant. ODA has been increasing but it is still insufficient to do the mammoth tasks faced in international development. Greater participation by Major Groups could make ODA more effective.

6) Urge the Collaborative Partnership on Forests to allow the Permanent Forum on Indigenous Issues to become a permanent member.

and

7) Propose a model of effective participation of major groups that may have some of the positive structural and coordination elements of the Civil Society Advisory Group/Trade Advisory Group participatory model of the International Tropical Timber Organization.

and

8) Ensure that new participation mechanisms are established at the international level to guarantee the fully informed and effective participation of ENGOs/IPOs in decision-making process of UNFF as well as in the monitoring, assessment and reporting of the IPF/IFF Proposals for Action (e.g. based on CITES, Ramsar and other models).

- the involvement of Major Groups at UNFF should continue to be broadened and involvement at CPF not just restricted to indigenous peoples. The Major Group workshop initiative in 2008 should develop some guidance in this matter.

9) Convince the international community to focus their efforts on the adoption of a legally binding Protocol on forests under the Convention on Biological Diversity until (if ever) the UNFF's credibility and effectiveness can be regained, provided that governments give the CBD the necessary resources.

- this may be unnecessary given the adoption of an NLBI at UNFF7 and the work on forests ongoing at CBD. It should continue to be reviewed depending on the outcome of negotiations on financial mechanisms for the NLBI.

References:

Romaguera, B. 2005. Report on the Fifth United Nations Forum on Forests (UNFF-5): A Perspective from a Canadian Environmental Nongovernmental Organisation. Presented to the Canadian Environmental Network. Prepared by Boris Romaguera, ENGO representative on the Canadian delegation, 6th of June 2005