

CSD/IFF

UN Intergovernmental Forum on Forests ends – UN Forum on Forests to begin –

by Richard Tarasofsky*

Ed. Note: The UN Commission on Sustainable Development's (CSD) open-ended ad hoc Intergovernmental Panel on Forests (IPF) was established in 1995 to pursue consensus and coordinated proposals for action to support the management, conservation and sustainable development of all types of forests. Its objective was to submit final conclusions and policy recommendations to the CSD at its fifth session in April 1997.

The IPF met four times between 1995-1997 and adopted a final report at its fourth session in February 1997, which it submitted to CSD V. However, IPF delegates could not agree on some major issues such as financial assistance and trade-related matters, or whether to begin negotiations on a global forest convention. In its report, the IPF forwarded a range of options to the CSD. CSD V adopted that report and forwarded a set of recommendations to the UN General Assembly Special Session (UNGASS) to conduct an overall review and appraisal of progress in implementing the UN Conference on Environment and Development (UNCED) agreements.

UNGASS decided to continue the intergovernmental policy dialogue on forests through the establishment of an ad hoc open-ended Intergovernmental Forum on Forests (IFF), under the aegis of the CSD. In addition, the General Assembly decided that the Forum should also identify the possible elements of, and work towards, consensus on international arrangements and mechanisms, for example, a legally-binding instrument.

The extent of the problem was again highlighted by the United Nations Environment Programme's (UNEP) state of the environment report, "Global Outlook 2000" which noted that: "Deforestation continues at high rates in developing countries, mainly driven by the demand for wood products and the need for land for agriculture and other purposes. Some 65 million hectares of forests were lost between 1990 and 1995, out of a total of 3,500 million hectares..."

The final meeting of the UN Intergovernmental Forum on Forests took place from 31 January to 11 February 2000, ending the most recent incarnation of the global forest policy process. The IFF met four times over two years and greatly resembled its predecessor, the Intergovernmental Panel on Forests.

As with the IPF, the main controversy the IFF was tasked with resolving was whether it should recommend

the commencement of a negotiating process for a new legally-binding instrument on forests. Although this was only discussed officially at two sessions, the controversy over this issue was ever-present and dominant.

The history of efforts to initiate negotiations on a legally-binding instrument on forests goes back to UNCED. At that time, although the G-7 countries and the FAO were in favour, the resistance of developing countries, mainly concerned with intrusions on their national sovereignty, prevented that option from being pursued. The issue arose again under the framework of the IPF, but with a different constellation of opponents and proponents. This time, the G-8 were split, with the EU and Canada strongly in favour of a legally-binding instrument, and the US against. The G-77 were also not united, with countries such as Indonesia and Malaysia in favour and others, such as India and Brazil, strongly opposed. During the IFF, these groupings remained more or less the same.

Despite an intersessional initiative by Costa Rica and Canada, where the notion of a new legally-binding instrument was extensively discussed, the main opponents did not change their views. Indeed, at the start of the last IFF session, the European Union, appearing to sense that it would not be possible to achieve consensus on initiating a negotiating process for a legally-binding instrument, indicated that it was also "open-minded" as to other options.

To avoid complete deadlock at the end of IFF, a compromise was reached at the end of an all-night negotiation on the final day. The result was no new Intergovernmental Negotiating Committee (INC) for forests. Instead, the IFF recommended the creation of a United Nations Forum on Forests (UNFF), under ECOSOC. The main functions of the UNFF are to facilitate and promote the implementation of the IPF/IFF Proposals for Action and to provide a forum for continued policy development and dialogue. This new body would seek to address several needs around which consensus does exist:

- the need to leverage political will at the national level to take action on forests: the UNFF would achieve this by having a high level ministerial segment;
- the need to increase cooperation among existing international organizations working on forests – a collaborative partnership will be established, built on the existing Inter-agency Task Force on Forests. This partnership would receive guidance from the UNFF and report to it;
- the need for scientific and technical inputs into the international forest policy dialogue – the UNFF could

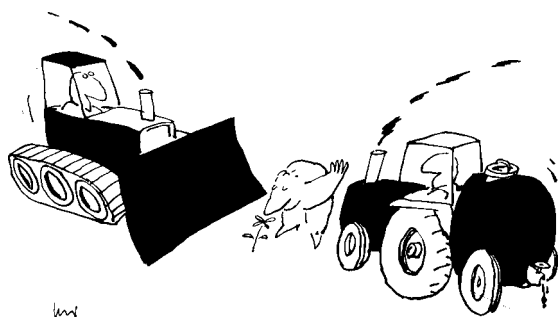
* International environmental lawyer based in Berlin and Senior Associate of Ecologic – Centre for International and European Environmental Research.

- create *ad hoc* expert groups; and
- the need for firmer financial basis for the international forest policy dialogue – the UNFF would be funded out of the regular UN budget.

The compromise agreed as relating to a new legal instrument is that the UNFF would, within five years, “consider with a view to recommending the parameters of a mandate for developing a legal framework on all types of forests.” This is to be done on the basis of a process by which progress will be monitored and assessed at national, regional and global levels, through reporting.

The IPF/IFF process can be credited with achieving some amount of substantive consensus on forest issues, particularly on procedural matters, such as national forest programmes. But on the whole, the Proposals for Action tend not to go much further than what has already been agreed in other fora, such as the Convention on Biological Diversity. Many developing countries were disappointed that no firm commitments were made to establish a global forest fund. In addition, little progress was reached on dealing with illegal trade in forest products.

These limited gains at the substantive level likely argue in favour of postponing the start of an INC (given the large amount of time and resources that would be involved for a questionable result). However, it remains to be seen what the UNFF will accomplish that the IPF and IFF could not. The reasons to be cautiously optimistic are the enhanced political profile, the possibility of independent scientific input, and the possibility of developing a more ambitious work programme that is not limited by having



Courtesy: *Special FOCUS*

only a two-year life span. Strong and creative leadership of this process could well bring out some positive results.

That said, there are two causes for concern. One is the desire to move forests out of the CSD umbrella (which is considered by many government representatives to the IPF/IFF as being too dominated by environmental ministries) so that the UNFF would report directly to ECOSOC. This risks cementing the lack of cooperation between forest and environmental officials that already exists in many countries. Institutional divisions may therefore undermine the holistic approach that the IPF/IFF consistently called for.

The second cause for concern is that those intent on pushing for a legally-binding instrument might be unwilling to support making the UNFF effective, because this

would diminish the strength of their case that a legally-binding instrument is what is needed. Unfortunately, this rationale has been one of the factors that contributed to the lack of real “bite” in any of the existing international processes involving forests. By postponing the decision on whether or not to have a new legally-binding instrument, the tensions that permeated the IPF/IFF may well continue. □

UNEP Policy Paper on Forests

On the 10 February, the United Nations Environment Programme (UNEP) released a policy paper on actions for enhancing the role of the Organisation on forest-related issues, which was presented to Governments at the Intergovernmental Forum on Forests (see above).

The paper is an effort to focus the Programme’s activities on areas in which UNEP has a comparative advantage. It is a “work-in-progress,” designed to be flexible enough to respond to new national and multilateral initiatives, such as the United States proposal,* which combines capacity building components with “debt-for-nature” swaps and the use of economic instruments such as multilateral investment standards. It summarises the actions that the Organisation expects to implement within its Programme and in partnership with other agencies within and outside the UN system. Klaus Töpfer, UNEP’s Executive Director, said that “through this new policy framework, UNEP intends to put into practice a pragmatic approach to policy implementation, make its contribution to international efforts to manage ecosystems in a holistic manner, and improve coordination among international organisations and instruments.”

UNEP will continue its leadership role within the UN’s Inter-Agency Task Force on Forests, where it has taken the lead on several issues, including the underlying causes of deforestation and forest degradation; forest conservation and protected areas; and the needs and requirements of countries with low forest cover. UNEP will also strengthen its partnerships with two Nairobi-based organisations – the UN Centre for Human Settlements (Habitat), in the area of population, land use changes, urbanisation and poverty reduction, and the International Centre for Research in Agro-Forestry (ICRAF), in formulating community-inspired policy options.

The expertise offered through the new institutional arrangement between UNEP and the World Conservation Monitoring Centre (WCMC) will be utilised in the area of harmonising information management requirements under the various biodiversity-related treaties and conventions. This will complement UNEP’s long-standing commitment to promoting synergies among international environmental agreements, and international and regional institutions. (MJ) □

* President Clinton’s 2001 budget submission, “Greening the Globe” initiative.