

*NON-LEGALLY BINDING INSTRUMENT
ON ALL TYPES OF FORESTS*

*VOLUNTARY SHARING OF
INFORMATION ON PROGRESS*

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US Report to the United Nations Forum on Forests: “Progress on Implementing the Non-Legally Binding Instrument (NLBI) on All Types of Forests”

The following is a short compilation of some of the significant work taken by the United States between May 2007 and April 2009 relevant to implementing the Non-Legally Binding Instrument on All Types of Forests (NLBI), and progress towards achieving the four Global Objectives on Forests.

The report provides examples that address one or more of the cross-cutting issues and topical thematic clusters of the United Nations Forum on Forests, including work to strengthen: political commitment and financing for sustainable forest management, capacity building and technology transfer, stakeholder participation, enhanced international cooperation, as well as thematic issues such as: forest law enforcement and governance, international trade in forest products, protection of forests, science and research, public awareness and education, private sector and industry, indigenous and local communities, monitoring, assessment and reporting. While some of these actions are likely to contribute to progress on the Global Objectives on Forests, actual assessment of progress at this time may be difficult, given the short time we have had for implementation of the NLBI.

International Actions

- **Country-led Initiative on Forest Finance** – The United States, along with Suriname and the Netherlands, organized a country-led initiative on forest financing, referred to as the “Paramaribo dialogue” held in Paramaribo, Suriname, 8-12 September, 2008. The meeting brought together 227 participants including forest and finance experts and policy-makers worldwide from governments, international organizations, finance institutions, the private sector, foundations, non-governmental organizations and academic institutions. Through a series of plenary and breakout group sessions the participants shared experiences and developed recommendations as a basis for input into subsequent meetings related to forest finance through the United Nations Forum on Forests. http://www.clisuriname.com/smartcms/downloads/pdf/Final_CLI_Co-Chairs_Report.pdf
- **The Montreal Process** -- The United States is a participant in the Montreal Process in which member countries reached a non-binding agreement in 1995 on a framework of Criteria and Indicators (C&I) that provides a common definition of what characterizes sustainable management of temperate and boreal forests. The United States uses the Montreal Process as a common framework for monitoring progress towards sustainable resource management at national, regional, state and local scales and as a basis for its National Reports on Sustainable Forest Management. The US is an active member of the Montreal Process Working Group whose recent work has included revision of legal and institutional indicators for Criteria 7, development of a Strategic Action Plan to guide the work of the group through 2015, and communications with other governments’ C&I processes and relevant regional and international organizations. The United States also sponsored an international workshop in Finland (2008) to enhance the use of C+I processes through multi-lateral organizations and processes. Member countries in the Montreal Process include the United States, Canada, Japan, New Zealand, Australia, Republic of Korea, Chile, Mexico, China, the Russian Federation, Uruguay, and Argentina. These countries encompass over 90 percent of the world’s temperate and boreal forests, and 60 percent of all forests. Japan now hosts the Montreal Process Liaison Office. <http://www.rinya.maff.go.jp/mpci/>

- **Global Assessment on Forest Landscape Restoration** -- Rehabilitation and restoration of degraded forest land is receiving increasing attention. This is in part because of growing demand for forest products and bio-energy, as well as interest in the potential to increase carbon, adapt to climate change, contribute to food security, and increase rural livelihoods. Estimates of land available for restoration range from 350 to 850 million hectares, but very little is known about where the restoration potential really is, information that may be increasingly important for both international and national level land-use policy deliberations and decision-making. As a result, The Global Partnership for Forest Landscape Restoration, with the assistance of The World Resources Institute and South Dakota State University, is conducting a geospatial global assessment of the area available for forest landscape restoration. Financial support for this work is provided by the US Forest Service, the Forestry Commission of Great Britain and IUCN.
- **US-China MOU on Combating Illegal Logging and Associated Trade** – The United States is working with China to implement activities under a bilateral memorandum of understanding on combating illegal logging and associated trade that was on which they completed negotiations in December 2007. Under the MOU, among other things, the US and China are cooperating on combating illegal logging and associated trade, promoting transparent timber markets, sharing information on trade in timber and products made from timber, and developing public-private partnerships that are supportive of these efforts. U.S. and Chinese government officials held the second meeting of the Bilateral Forum of the U.S.-China MOU in January 2009 in Beijing, China. During the meeting participants reviewed the progress made by the countries on implementing the MOU over the last six months, and set priorities for cooperative work under the MOU during the first half of 2009. Those priorities include the implementation and improvement of a mechanism for exchanging trade data, commencing discussions on a common understanding of the term “illegal logging” with a view toward facilitating trade in legally harvested timber and timber products, and initiating work on identifying ways to use public-private collaboration to combat illegal logging and associated trade and to support the creation of transparent markets for legally-sourced timber.
http://www.ustr.gov/sites/default/files/US-China%20MOU%20to%20Combat%20Illegal%20Logging_0.pdf
- **US-Indonesia MOU on Combating Illegal Logging and Associated Trade** – The United States and Indonesia concluded this first-of-its-kind MOU in November 2006. Over the period 2007-2008 the MOU's bilateral Working Group was used to consult, exchange trade data and enhance cooperation related to illegal logging and associated trade. The Working Group identified a number of priority areas for expanded cooperation and implemented activities that include law enforcement and prosecutor training, customs training, technical support for Indonesia's Ministry of Forestry and support for regional activities. Recent activities include an expanded scope for the trade data exchange and preparation of a joint report. The Working Group meets three to four times per year.
<http://www.ustr.gov/trade-topics/environment/trade-and-sustainable-management-natural-resources>
- **The U.S.-Peru Trade Promotion Agreement** – The U.S.-Peru Trade Promotion Agreement (TPA) signed in July 2007, includes a groundbreaking Forest Governance Annex that contains commitments to promote forest governance and legal trade in timber products. Commitments include increasing criminal and civil penalties for illegal logging, augmenting enforcement in protected areas, improving oversight of forest concessions, and enhancing public participation in environmental decision-making. Technical cooperation activities are being negotiated under an Environmental Cooperation Agreement. The TPA entered into force in January 2009.
http://www.ustr.gov/Trade_Agreements/Bilateral/Peru_TPA/Section_Index.html
- **UN Crime Commission Resolution** – The United States co-sponsored, with Australia, Indonesia, the Philippines, and Thailand, a resolution in the UN Commission on Crime Prevention and Criminal Justice on "International cooperation in preventing and combating illicit international trafficking in forest products, including timber, wildlife and other forest biological resources." Adopted in April 2007, this resolution is a significant first step in engaging the law enforcement community to address forest and wildlife crimes, in line with one of the Commission's top priorities to promote the role of criminal law in protecting the environment. In its 2008 session, the Commission discussed further measures to counter the adverse environmental, social and economic impact in many countries of trafficking in

timber, wildlife and illegal logging, and the involvement of organized crime in such pursuits. At that session, the United States sponsored a panel discussion on illicit trafficking in wildlife.

http://vienna.usmission.gov/aboutus_unaffairs3.html

- **World Bank** – The Forest Carbon Partnership Facility (FCPF) and the Forest Investment Program (FIP) (2008-2009) – During 2008 and early 2009, the United States actively participated in the design and development of two new global forest funds to be managed by the World Bank. The FCPF was established in 2008 with a target of \$150 million for the Readiness Fund (\$350 million overall), and the United States has pledged an initial contribution of \$5 million in 2009. The FIP, one of the targeted programs under the Strategic Climate Fund, is still in its design phase and is slated to be formally established during 2009.
<http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/ENVIRONMENT/EXTCARBONFINANCE/0,,contentMDK:21631703~menuPK:5216269~pagePK:64168445~piPK:64168309~theSitePK:4125853,00.html>
- **International Tropical Timber Organization** – The United States continues to provide support for ITTO, including through voluntary contributions that fund capacity building projects and policy activities to promote the conservation and sustainable management of tropical forests, and production and exports of tropical timber and timber products from sustainably managed sources. The United States has worked with other ITTO members to develop, fund and implement thematic work program areas, including to assist ITTO producer members in meeting obligations under the Convention on International Trade in Threatened and Endangered Species of Wild Flora and Fauna (CITES), and to build capacity for improved tropical forest law enforcement, governance and trade. The United States has ratified the new International Tropical Timber Agreement that is currently pending entry into force.
<http://www.itto.int/>
- **FAO / NFP Facility** – The US provided continuing support to the National Forest Programme Facility in 2007 and 2008, and expects to be able to contribute in 2009. The United States also provided technical support to a wide-range of FAO Forest programs including those the Global Forest Resource Assessment and Guidelines for International Cooperation on Fire Management.
<http://www.fao.org/forestry/home/en/> and <http://www.nfp-facility.org/home/en/>
- **UNFF Trust Fund** – The US continued to serve as the major donor to the UNFF Trust fund, providing \$500,000 for 2008-2009 – 79% of total contributions. Since 2000, the United States has provided over \$6 million to the Trust Fund – more than 73% of total contributions.
<http://daccessdds.un.org/doc/UNDOC/GEN/N09/236/11/PDF/N0923611.pdf?OpenElement>
- **Tropical Forest Conservation Act** – Under the 1998 Tropical Forest Conservation Act (TFCA), the United States has concluded debt-for-nature agreements with 12 countries in Africa, Asia and Latin America to relieve official debt to the United States. These agreements will generate \$188 million over 10-25 years to help conserve more than 20 million hectares (50 million acres) of important tropical forests. TFCA grants are helping to conserve tropical forests in Botswana, Jamaica, Belize, Guatemala, Peru, Philippines, Panama, and Colombia.
http://www.usaid.gov/our_work/environment/forestry/tfca.html
- **US Foreign Development Assistance for SFM** - In 2007, the United States Agency for International Development (USAID) spent nearly \$100 million in support of SFM and forest conservation programs and projects throughout the developing world. Exact figures for 2008 are still being gathered, but the overall level for 2008 is expected to be about the same as 2007. Many of these USAID-funded SFM programs are carried out in cooperation with the US Forest Service. Some of the major activities focused on conservation and sustainable use of forests in the Congo Basin, Liberia, Madagascar and Senegal; improving forest governance in Nepal and the Philippines; strengthening forest management and conserving orangutan habitat in Indonesia; regional activities to strengthen wildlife law enforcement and combat illegal logging in Southeast Asia; supporting payments for ecosystem services policy implementation in Vietnam and neighboring countries; strengthening national parks in Colombia, supporting SFM initiatives in Bolivia and Guatemala; and forestry sector reform in Peru. Complete information on all of USAID's forests and biodiversity programs for 2007 can be found at:
http://www.usaid.gov/our_work/environment/biodiversity/2007_biodiversity_conservation_report.html

Domestic Actions

- **2010 National Report on Sustainable Forests** – Efforts are underway to produce the 2010 National Report on Sustainable Forests which describes the state of forests in the United States, using the Montreal Process as indicators of national progress toward the goal of sustainable forest management (SFM). Its goal is to provide information that will improve public dialog and decision-making, and to establish a baseline for future measurement of progress towards SFM in the United States. While the report presents data primarily at a national or regional scale, it also provides a valuable context for related efforts to use the C+I to measure progress at other geographic and/or political scales such as ecoregions, States, watersheds, and communities. Extensive public comment has been received on the draft report which is currently available at:
<http://www.fs.fed.us/research/sustain/2010SustainabilityReport/>
- **Roundtable on Sustainable Forests** – The Roundtable on Sustainable Forests is an open and inclusive process committed to the goal of [sustainable forest management](#) on public and private lands in the United States. Roundtable participants include public and private organizations and individuals committed to better decision-making through shared learning and increased understanding. In addition to fostering dialogue on sustainable forests, one of the Roundtable's primary activities to date has been the implementation of an internationally agreed upon set of [criteria and indicators](#) for the purpose of developing a shared understanding of current forest conditions and a baseline against which to mark future progress toward sustainability. Roundtable efforts have focused on stimulating stakeholder dialogue on the meaning of the *2003 National Report*, the development of new forest indicators, global challenges to sustaining forests, and preparing for the *2010 National Report*.
<http://www.sustainableforests.net/>
- **Amendment of the Lacey Act** -- The Lacey Act combats trafficking in “illegal” wildlife, fish, and plants. The 2008 Farm Bill (the Food, Conservation, and Energy Act of 2008), effective May 22, 2008, amended the Lacey Act by expanding its protection to a broader range of plants and plant products. The Lacey Act of 1900 was signed into law by President William McKinley and was the first federal law protecting wildlife. At the turn of the century, illegal commercial hunting threatened many game species in the United States and the law prohibited the transportation of illegally captured or prohibited animals across state lines. Today it is also used to prevent the importation or spread of potentially dangerous non-native species. The Lacey Act has been amended several times; most significantly in 1969, 1981, 1989 and 2008. The Lacey Act now makes it unlawful to import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce any plant in violation of the laws of the United States, a State, an Indian tribe, or any foreign law that protects plants, and also makes it unlawful to import certain plants and plant products without an import declaration.
http://www.aphis.usda.gov/plant_health/lacey_act/index.shtml
- **Omnibus Public Land Management Act of 2009** -- President Obama recently signed the Omnibus Public Land Management Act of 2009, capping nearly two years of congressional negotiations leading to the most sweeping new land conservation measures in a generation. This new law designates more than 2 million acres of public lands as wilderness in nine states and establishes three new national park units, a new national monument, three new national conservation areas, more than 1,000 miles of national wild and scenic rivers, and four new national trails. It enlarges the boundaries of more than a dozen existing national park units and establishes 10 new national heritage areas. It also authorizes numerous land exchanges and conveyances to help local western communities, addresses water resource and supply issues, and launches programs to study the effects of climate change on natural resources. The measure includes some contentious measures, including language to codify the 26-million-acre National Landscape Conservation System and allow construction of a road through Alaska's Izembek National Wildlife Refuge. Obama said the provision that designates part of Rocky Mountain National Park as wilderness has been 35 years in the making. Secretary of Interior Ken Salazar emphasized the importance of providing protections for natural resources even during the economic crisis. "We are in a time of deep uncertainty and economic pain," he said. "But for Americans, moments of crisis are opportunities to rebuild, renew and restore the places we cherish."
http://www.fs.fed.us/fstoday/090403/02National_News/obama_signs.html

- **American Recovery and Reinvestment Act of 2009** -- The America Recovery and Reinvestment Act ("The Stimulus Package") was signed into law by President Obama on February 17th, 2009 with an aim of creating private sector jobs during difficult economic times. Federal funding to the forest sector has begun, with projects to be completed within two to three years. Projects will provide employment opportunities to reinvigorate local economies through work that includes removal of brush from overgrown forests; watershed and stream restoration; small dam reconstruction; construction of modern timber bridges, road, culvert and stream channel repair; road and trail maintenance, stewardship of city parks and urban forests; and maintenance and of recreation sites and facilities. More than one billion dollars of investment is planned, with approximately 20% of the funds allocated to the U.S. Forest Service targeted for work on state and privately owned forests, including reduction of wildfire risk to communities through fuels reduction projects and forest health treatments. Such projects create critical jobs in rural areas, where removal of biomass can be used for wood products and bioenergy, creating additional jobs. http://www.fs.fed.us/ecosystemservices/Farm_Bill/index.shtml
- **Secure Rural Schools and Community Self Determination Act** -- In October 2008, the US Congress reauthorized the Secure Rural Schools and Community Self-Determination Act enabling the Forest Service to continue working with state, county and tribal governments and local stakeholders to implement projects on-the-ground to protect, restore and enhance forest ecosystems and watersheds. This work began in 2000 and empowered local citizens to work with the US Forest Service in reviewing, recommending and implementing more than 5100 restoration projects. The committees were an experiment in bringing together diverse interests to collaboratively restore valuable wildlife and fisheries habitat, and protect and enhance natural ecosystems thus improving the quality of life in nearby human communities. The experiment was tremendously successful for its benefits to natural resources and for building highly effective working relationships among stakeholders. Reauthorization of the Act extends the program for another four years and more than doubles the geographic area and number of citizens involved in stewardship of public lands. <http://www.fs.fed.us/srs/>
- **Markets for Ecosystem Services** -- The Food, Conservation, and Energy Act of 2008 takes a first step towards facilitating landowner participation in emerging markets for ecosystem services. Section 2709 of the conservation title of the Farm Bill requires the Secretary of Agriculture, in consultation with other agencies and interests, to "establish technical guidelines that measure the environmental services benefits from conservation and land management activities." These guidelines will be used in the development of measurement and reporting protocols and registries, as well as a verification process and guidelines for reported conservation and land management activities. A new Office of Ecosystem Services and Markets (OESM) will be established in the Office of the Secretary, USDA, to provide administrative and technical assistance to the Secretary on these matters. http://www.fs.fed.us/ecosystemservices/Farm_Bill/index.shtml
- **The Forest Legacy Program** -- The Forest Legacy Program is the only Federal grant program focused on the permanent protection of important private forestland. Private forest landowners are facing increasing real estate prices, property taxes, and development pressure, resulting in conversion of forests to other land uses. The strength of this program is the cooperation between States, partners, and private landowners—all working together to protect environmentally and economically important forests that are threatened by conversion to other uses such as agriculture or urban development. The Forest Legacy Program focuses on conserving working forests – those that provide clean water, forest products, fish and wildlife habitat, and recreational opportunities and promotes voluntary land conservation through use of the principle of "willing buyer, willing seller." Most Forest Legacy Program projects are conserved through conservation easements, allowing landowners to keep their forestlands while protecting them from future development. In 2008, the Forest Service selected 35 projects out of 82 State proposals that totaled \$192 million, and awarded \$54 million in grants to permanently protect thirty-five working forests across thirty-two states. Examples of recent projects include: a forest vital for wildlife and cultural resources in Georgia; a rare pine barren ecosystem in New Hampshire; and a valley in Montana with abundant recreation opportunities, rare fish and wildlife, and local economic benefits. <http://www.fs.fed.us/spf/coop/programs/loa/flp.shtml>
- **State Forestry Participation and Investments** -- The responsibility to protect and manage forests is a challenge due to urban development, forest land fragmentation and parcelization, and other pressures

at the state and local level where land-use decisions are made. For example, forests that once covered more than ninety percent of Maryland's landscape now only cover forty-one percent; and the responsibility for what is left is shared with counties, landowners, and others. The State of Maryland's Strategic Forest Lands Assessment (SFLA), completed in 2003, provides information and geographic information system (GIS) tools to strategically identify important forests and support land management planning and land use decisions needed to protect forests and the State's natural lands, referred to as green infrastructure. Since then, Maryland's Department of Natural Resources have adapted the Montreal Process Criteria and Indicators to do state-level assessments, and to prioritize state investments and funding for forest and conservation programs. The assessment data, indicators, and computer tools are being used for county planning, watershed planning, landowner outreach, and have increased technology transfer, coordination and cooperation among state agencies, and tracking of important changes such as forest loss affecting critical watersheds including the Chesapeake Bay. <http://www.dnr.state.md.us/forests/planning/sfla/index.htm>

- **Interagency Coordination to Improve Water Quality** – In September of 2007, the Environmental Protection Agency (EPA) and Forest Service agreed on new steps designed to improve water quality on National Forests and Grasslands. More than 60 million Americans get their water from sources on the National Forests in addition to municipal water supplies. In addition to significantly contributing to public water supplies, forested watersheds play an important role in supporting aquatic species and biodiversity and provide recreational opportunities to millions of visitors each year. Data shows that approximately eight percent of all water quality impairments nationally are located on National Forest System lands. Leading causes of these impairments include elevated temperatures, excess sediment, and habitat modification. This agreement identifies areas in which the Forest Service and EPA will increase coordination of activities and cooperation with states, territories and tribes to address water quality impairments on National Forest System lands and accelerate attainment of water quality standards. http://www.fs.fed.us/biology/resources/pubs/mou_moa/epa_moa_impaired_waters_2007.pdf
- **Ecological Restoration on National Forest System Lands** – The U.S. Forest Service has conducted restoration-related activities for decades, and the concept of restoration is threaded throughout a number of programs and collaborative efforts such as the National Fire Plan, [2008 Planning Rule](#), [Woody Biomass Utilization Strategy](#), the agency's Strategic Framework for Climate Change, and new policy being developed to assist with restoration after events such as Hurricane Katrina. In September 2008, an interim directive provided an overarching policy for Forest Service employees, partners, cooperators, and other stakeholders to more effectively communicate restoration needs and objectives at the local, regional, and national level. The policy aims to re-establish and maintain ecological processes and function in the national forests and grasslands to increase their resilience and capacity to provide goods and services such as clean water, clean air and wildlife habitat, particularly under changing and uncertain future environmental conditions, such as those driven by [climate change](#) and increasing human uses. The Forest Service will consult with Indian Tribes and seek public comment in developing a final directive. This new and overarching policy applies to National Forest System lands only. <http://www.fs.fed.us/restoration/>

US Report Summary by Reporting Cluster (Matrix below provided by UNFF Secretariat)

International Actions

- Country-led Initiative on Forest Finance (1A, 1B, 1E)
- The Montreal Process (1A,1C, 1E, 2H)
- Global Assessment of Forest Landscape Restoration (1A-C; 2C, 2D, 2H)
- US-China MOU on Combating Illegal Logging and Associated Trade (1A, 1E, 2A, 2B)
- US-Indonesia MOU on Combating Illegal Logging and Associated Trade (1A, 1E, 2A, 2B)
- US-Peru Trade Promotion Agreement (1A, 1E, 2A, 2B)
- UN Crime Commission Resolution (1A, 1E, 2A, 2B)
- World Bank (1B,1C,1E)
- International Tropical Timber Organization (1B, 1C, 1D, 1E; 2A-H)
- FAO/ NFP Facility (1A-E; 2A-H)
- UNFF Trust Fund ((1A, 1B, 1D, 1E)
- Tropical Forest Conservation Act (1A, 1B, 1C; 2C)
- US Foreign Development Assistance (1A-E; 2A-H)

Domestic Actions

- 2010 National Report on Sustainable Forests (1A,1D; 2D, 2E, 2H)
- Roundtable on Sustainable Forests (1A, 1C, 1D, 2D, 2E)
- Amendment of the Lacey Act (1A, 1E; 2A, 2B, 2C)
- Omnibus Public Land Management Act (1A, 1D, 2C)
- American Recovery and Reinvestment Act (1A, 1B, 2F, 2G, 2H)
- Secure Rural Schools and Community Self Determination Act (1A-D;2C-H)
- Markets for Ecosystem Services (1A, 1B; 2C, 2F)
- The Forest Legacy Program (1A-D;2C, 2E, 2F)
- State Forestry Investments (1A, 1B, 2C, 2D, 2E, 2F, 2G, 2H)
- Interagency Coordination to Improve Water Quality (1A; 2A, 2C-H)
- Ecological Restoration on National Forest System Lands (1A, 1D; 2C-H)

1. Cross-cutting Thematic Clusters		
Ref. Number	Cluster	NLBI Element
1A	A. Strengthening Political Commitment for SFM	6a, 6c, 6d, 6k, 6l, 7a, 7c
1B	B. Financing SFM	6h, 6i, 6m, 7a, 7b, 7c, 7d, 7e
1C	C. Capacity Building and Technology Transfer	6e, 6s, 6v, 7f, 7i, 7j, 7k, 7l, 7m
1D	D. Stakeholder Participation	6h, 6m, 6v, 6w, 6x, 6y, 7k
1E	E. Enhanced International Cooperation	7i, 7n, 7q, 7r, 7s
2. Topical Thematic Clusters		
2A	A. Forest Law Enforcement and Governance	6n, 7h, 7i, 7j
2B	B. International Trade in Forest Products	6j, 6x, 7g, 7h, 7i,7j,
2C	C. Protection of Forests	6o, 6p, 6q
2D	D. Science and Research	6r, 6s, 7n, 7o, 7p
2E	E. Public Awareness and Education	6t, 6u, 6v, 7j
2F	F. Private Sector and Industry	6e, 6h, 6i, 6m, 6w, 6x, 7a, 7f, 7k, 7m
2G	G. Indigenous and Local Communities	6f, 6h, 6s, 6v, 6y, 7k
2H	H. Monitoring, assessment and reporting	6b, 6g, 8, 9