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*Discussion points delivered by
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The international arrangement on forests after UNFF 5

Mr. Chairman,

Distinguished authorities of Australia and Queensland,

Dear friends from IUFRO,

Ladies and Gentlemen,

It is an honor and a pleasure to attend, on behalf of the United Nations Forum on Forests, the 22nd World Congress of the International Union of Forest Research Organizations. IUFRO is a very dear institution to us, a member of the Collaborative Partnership on Forests and our partner for scientific forestry issues. IUFRO has been active from the start in the international forest dialogue and we look forward to even increase our collaboration in the future.

As I present an overview of the UNFF and the expectations on the future of the International Arrangement on Forests, I wish to briefly touch upon the importance of improving our understanding about these realities.

1. Addressing questions that are relevant to policy issues.

- Close to 1.6 billion people depend to varying degrees on forests for their livelihoods. Our major challenge is how to respond to the growing needs of these people and their communities.

- Forests provide subsistence and income to about 350 million people who live within or near forests. Forest industries provide employment to nearly 100 million people.
- At the same time, millions of hectares of forests are lost every year due to deforestation and forest degradation.
- Forests play an essential role in achieving the internationally agreed development goals, including the Millennium Development Goals. This is highly relevant today.

2. Forest policy supports development

- Science is not diplomacy or policy making. The decision makers want to hear the scientific results, based on evidence from field research projects, such as concrete recommendations aimed at finding solutions to alleviate poverty. How well has the forest research community communicated, through scientific studies, the relevance of the issues encapsulated in the eight inter-connected Millennium Development Goals? Since we need:
- Coherent and predictable forest policies, which would recognize all forest benefits. Supportive policies and enabling environments are instrumental in attracting the private sector and in creating the much needed forest markets and revenues from forest products and services.
- Forests and forest products can be used in support of social development, environmentally sound management and conservation, and economic growth in a sustainable manner, thus contributing to the overall development of the society as a whole. Also, policies that bring stability and expand the capabilities of individuals and communities can diversify their income base and is essential for long-term sustainability.
- We need efficient and effective land tenure systems and access to forest resources - these are crucial for local and indigenous communities and provide an economic incentive for sustainable forest management. When people have control and ownership of forests, then they have greater opportunities to capitalize on forest assets, and even greater incentive to sustain the resources.
- The crucial third basic tenet of sustainable forest management is that of good governance and strong law enforcement. A lack of economic opportunities combined with weak law enforcement often leads to illegal logging deprive the local forest-dependent community of the possibility of sustainable livelihood, pushing forest-dependent people further into extreme poverty.
- We have recently seen that internal conflicts and illegal harvesting of forest resources go hand in hand. Illegally harvested timber is exported to finance violent activities. Such crises are most often beyond the coping ability of national governments, and require intergovernmental support, particularly supporting scientific evidence.

3. The policy process should be holistic, but is still very complicated.

- Achieving the MDGs and other international commitments requires a new, more holistic thinking on the interaction and linkages between people and the precious natural resource base.
- Forests are deeply entwined with other sectors of the society and their management requires coordinated efforts and inter-sectoral approaches.
- There is a need for a broader, more inclusive vision to create mechanisms that would allow interaction between various stakeholder groups and sectors that influence forests and the forest-dependent poor.
- In many countries, national forest programmes provide a framework for a dialogue to address macro-level and cross-sectoral issues critical to sustainable forest management. Poverty Reduction Strategy Papers (PRSPs) are increasingly used as a roadmap for development and, more recently, as a plan for country-level achievement of MDGs. Thus, it is of utmost importance that PRSPs be aligned with the national forest programmes and strategies.

4. We need targeted and tailored translations of results.

- The United Nations Forum on Forests was established in 2000 particularly for discussions and policy development on these interlinked forest-related issues and to foster cooperation on such cross-sectoral priorities at all levels. As a high-level body under the UN ECOSOC, which is the main United Nations body for all economic, social and environmental policies, and with universal membership, UNFF pulls together various forest-related international and regional processes, institutions and instruments, as well as stakeholders from civil society.
- The task of the substantive Secretariat of the UNFF is to support the intergovernmental negotiations, and to translate the decisions and the background information into official UN documentation. UNFF Secretariat functions as the Secretariat of the present International Arrangement on Forests – by servicing this UN body and by supporting the collaborative partnership of intergovernmental and international organizations, as a CPF member and as its secretariat.
- CPF was formed to support the work of the UNFF as a voluntary partnership. It receives guidance from the Member States, through the UNFF. By definition, this partnership supports the UNFF and its Member States in the implementation of the decisions made by UNFF and the IPF/IFF proposals for action, including through their technical and financial resources. It also coordinates joint action between the members of the partnership, in a collaborative manner.

5. Increasing mutual understanding of the role of policy making processes.

- At UNFF 5 we faced particularly difficult political and practical problems. There were three major challenges.
- First, how to continue the advancement of the implementation of actions already agreed on by the UNFF, the Intergovernmental Panel on Forests and the Intergovernmental Forum on Forests.
- The second challenge was to assess the performance and effectiveness of the Forum in its first five years, and within five years UNFF to consider with a view to recommending to the ECOSOC and, through it to the General Assembly, the parameters of a mandate for developing a legal framework on all types of forests.
- And the third one was to chart the way forward for the Forum – to consider its future within the institutional position in the UN system, including the specific agenda items that it might address – and its future method of work and structure, including the specific agenda items that it will address.
- UNFF 5 confronted these tasks from within a broad and compelling political context. This context is also framed by the policy decisions and targets set out in the Implementation Plan of the Johannesburg Summit; by the Millennium Development Goals; and by the agreements reached at all the UN conferences since the 1990s that have helped to produce a consensus on the wider UN development agenda.
- There were intense discussions around how to address: means of implementation, working modalities with the incorporation of regional meetings, the parameters of a mandate, the establishment of global goals or targets, and a possible voluntary code or international voluntary guidelines.
- However, different expectations among countries on how, and what is required to strengthen the arrangement might have contributed to the resulting lack of agreement. As such, deliberations on the future arrangement will continue in February 2006, at UNFF6.

6. “Modus”.

- Formal and informal agreements between the Governments can take a number of forms and labeling: treaties, accords, agreements, conventions, protocols and charters with clear legal obligations and rights. In addition, declarations, memoranda of understanding, Modus Vivendi and exchange of notes represent different type of instruments that are less legally-binding in nature.
- There are various ways in which some existing regimes have incorporated or applied non-binding instruments or decisions in order to address certain matters or to facilitate the application or development of the regime in question.
- Many factors cause the international legislators to initiate a negotiating process. Generally, increased public concerns of a problem; greater scientific knowledge about the causes and seriousness of a problem; and broadening understanding and

- consensus among the states and other actors in sharing the burden of addressing the problem increase the likelihood of achieving an agreement.
- As I mentioned before, issues of international concern are often addressed through a legal instrument, however, there is a general need to attempt to strike a balance between cooperation and regulation; to recognize State sovereignty; and to take account of voluntary commitments, the role of stakeholders and the business sector, and the importance of accessible information.
 - These international agreements are developed to modify the behaviours of states, and through them, those of private actors related to specific sectors. Once created, an international agreement will be as effective as the parties commit to make it. Thus, the implementation or compliance of the provisions (and spirit) of the agreement should be paramount, and should be systematically supported by scientific information and then monitored, assessed and reported.
 - There is little doubt that an effective international forest regime would be rather complicated. In addition to issues about the public perception of the problem it would aim to address the state of scientific knowledge and economic implications as well as many other equally important factors. Furthermore, tropical forests often have the greatest biological diversity and some of the most complex problems. International trade in forest products is significant and there are difficult issues relating to illegal logging and trade.
 - The growing concerns for human and intellectual property rights, particularly regarding indigenous people and local communities, tension on rural-urban interface, and local-global priorities present another set of challenges. Furthermore, forests have a multitude of interest groups – often with conflicting demands - regarding the uses of forest goods and services. Balancing their concerns in policy and programming for sustainable forest management even at national level is sometimes complicated enough, and doing so at global level is even much more challenging.
 - In recent years there has been a growing awareness of the link between forest resources, internal conflicts, international peace and security. As a result, the Security Council of the United Nations has begun addressing issues of illegal exploitation of forests and other natural resources and armed conflict in Africa.

7. Risks and trade-offs.

- When considering the modalities of the future options, we should understand how the current arrangement could be made stronger in terms of its mandate, working method and programme of work. We should know more about all the policy implications and the functionality of “soft laws” options. This approach may carry an inherent risk of limited or non-compliance by states because of the very nature of informality. A potential advantage of a soft law approach is that it could evolve into a more legally-binding instrument as information, experience and political consensus of states increase.

- A legal framework with a “framework-protocol” model has become the most common environmental treaty prototype in the past decades. This option allows an incremental approach in treaty-making from general agreement to more specific and concrete obligations in gradual steps. However, such an approach often implies a very long and drawn out negotiation process.
- We should keep in mind that the existing forest related conventions were developed with specific objectives that do not reflect most of the priorities necessary to achieve sustainable forest management. Approaches to sustainable forest management and the decision making processes have been piecemeal and fragmentary with many gaps and overlaps. A new international understanding should overcome this shortcoming. In so doing, it would also complement the existing obligations and enhance their forest-related objectives.
- As we know, most of the challenges to sustainable forest management come from major issues outside the forest sector that impact negatively on forests. Well-known examples include insufficient and sometimes wrong government policies related to incentives in the agriculture sector, economic development incentives, export and trade, and national economic self-sufficiency.
- Strong inter-sectoral coordination is still missing. Often forest issues are seen as diminutive and poorly articulated in defining national and international development agendas. A new framework would give forest policy issues a higher level profile and allow for the improved cross-sectoral policy coherence that is needed to address the above issues. A new framework would be the catalytic instrument to also attract more resources to implement national forest programmes and other policies.
- Before establishing the UNFF, the sector struggled under the lack of effective global institutional structure. Now, with the high-level United Nations functional commission on forests, we should complement the arrangement with a broad-based international agreement, with a new framework offering the foundation for coherent and effective forest policy guidance at the global level. To date, voluntary efforts towards sustainable forest management have not met our collective expectations.
- The plethora of very progressive and useful recommendations that have come out of the IPF, the IFF and the UNFF do not have the mechanisms needed to assure and guide their successful implementation nor ways to monitor progress sufficiently. The new international agreement could provide an opportunity for more effective and consistent collaboration among international institutions. It would also ensure that nations and other partners in the accord are result-oriented, so recommendations are acted upon.
- The new international understanding on forests would be an alternative for addressing the shortcomings of the status quo. Should the forests have the same authoritative stature and political respect as the other related international agreements and conventions? An international agreement would provide a regulatory framework and the monitoring and compliance features that are so

needed. When the framework is agreed to, there would be reduction in the negative impacts on forests and a reduction in the consequent negative impacts on the billions of people who depend on them.

- However, a legal framework is not the only option available for achieving sustainable forest management. Other options would be to strengthen the forest-related components of existing legally binding instruments or to rely on a new voluntary instrument. It seems obvious that these approaches would not provide an as comprehensive approach to resolving global forest issues as an authoritative framework on forests. The new agreement should effectively focus the public eye on the key sustainable forest management issues and thereby put political pressure on governments to move away from unsustainable practices.

To conclude,

The principal objective of an international forest agreement would be to ensure that all of the world's forests are sustainably managed for their many goods and services. It would provide the basis for a common understanding of sustainable forest management concepts and establish an effective framework for monitoring and compliance.

With these few words I also wish you all a productive World Congress and enjoyable stay here in Brisbane. The UNFF family will be looking forward to the results of your deliberations.

I thank you for your attention!