

Live or let die?

An evaluation of the fifth session of the United Nations Forum on Forests

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Introduction

When it was created in 2000[1], the United Nations Forum on Forests (UNFF) was given a mandate to promote the management, conservation and sustainable development of all types of forests. In order to achieve this, six crucial functions were identified. These included *'facilitating implementation of forest-related agreements and fostering a common understanding on sustainable forest management'* and *'enhancing co-operation and strengthening political commitment for sustainable forest management'*. [2] Above all the UNFF would monitor, assess and report on the progress made in all these areas. The UNFF's fifth meeting, which took place on 16–27 May in New York, was its last mandated meeting. During this meeting, not only would the UNFF be reviewed in the context of its six principle functions, but a new International Forest Arrangement, such as a global forest convention or other possible agreement, would be discussed. This briefing highlights the outcomes – or, rather, lack thereof – of the UNFF and includes some recommendations for the future.

The failure of UNFF5

There can be no doubt that the fifth session of the UNFF was a complete failure. It had been decided by the United Nations Economic and Social Council (ECOSOC) that the UNFF would be reviewed after five years. Furthermore, on the instigation of the EU, all members had also agreed, during UNFF 2, to evaluate UNFF at its fifth session on its 6 main functions. However it was clear even before the start of the fifth session that a review or evaluation would not be possible because of the lack of data. Although an evaluation questionnaire was sent out, because governments had not provide the necessary data, only the EU and 14 other countries (including two EU countries) sent their response back to the UNFF secretariat, thereby ruling out any meaningful evaluation. Negotiations on a new International Forest Arrangement were also a fiasco. No agreement could be reached, and the only outcome of

Box 1: Some background

Although forests featured highly on the agenda of the UN Conference on Environment and Development (UNCED, Rio, 1992), governments were not able to agree upon a legally binding instrument on forests, such as a forest convention. The main forest-related outcomes of the meeting were a set of non-legally-binding 'Forest Principles' and Chapter 11 of Agenda 21: 'Combating Deforestation'.

To follow up on forests after Rio, the UN Commission for Sustainable Development – created to monitor and support the implementation of Agenda 21 – established the two-year Intergovernmental Panel on Forests (IPF) in 1995. At the end of IPF, no conclusion was reached on a forest convention, but the IPF provided governments with a set of over 130 Proposals for Action on Forests (PfAs) whose implementation would help solve the forest crisis. It also established the Intergovernmental Forum on Forests (IFF) for another two years. The IFF, whose main mandate was to monitor and enhance the implementation of the PfAs, resulted in additional PfAs being developed and in the establishment both of a new 'permanent' body called the United Nations Forum on Forests (UNFF) and of an enhanced interagency task force called the Collaborative Partnership on Forests (CPF).

The UNFF was established for a period of five years (2000–2005) as a subsidiary body of the UN Economic and Social Council (ECOSOC). The UNFF worked on the basis of a multi-year programme of work and met annually for two weeks. Each annual meeting was supposed to involve discussion of country experience and lessons learned, inter-sessional work, a CPF meeting, a multi-stakeholder dialogue and, during UNFF 2 and 5, a high ministerial segment.

The creation of the UNFF involved a significant compromise between those who had during the course of the IPF/IFF process pursued a legally binding forest convention and those governments and NGOs, including FERN, whose efforts had been focused on the implementation of existing agreements. From the beginning NGOs have been concerned that the Forum would be nothing more than a talking shop covering up governmental inaction. Five years on, these concerns have proved to be clearly justified.

UNFF 5 was that negotiations would continue in a further session of the – UNFF 6 – to be held in February 2006 in New York.

The failure of UNFF as a process

The failure of UNFF 5 was the culmination of the failed UNFF process as a whole. Any objective review, had there been one, would have concluded that the UNFF had fallen short in all of its six main functions and hence had not even begun to contribute to the fulfilment of its mandate. Below we highlight some of its main failures.

Monitoring and reporting

The UNFF could not discharge one of its main functions, monitoring and reporting, as during its five-year period only 8 of the 191 countries – ie 4% of the membership – had reported to the secretariat about progress made on forest management (or lack thereof).[3] There was a particular lack of response from the highly forested countries in the South; of the eight countries that responded, six were European.[4]

As for the UNFF's other functions, none of them has been fulfilled either: political commitment to sustainable forest management and conservation is at an all-time low; there has been little increase in co-operation; and there is no greater common understanding of sustainable forest management than there was five years ago. A particularly negative development in the UNFF has been a decrease in the input and influence of civil society groups, or 'Major Groups' [5] in UN jargon.

Participation of Major Groups

From UNFF 2 onwards, every session of the UNFF contained a Multi-Stakeholder Dialogue (MSD). In theory, this MSD should have been a forum for dialogue between the various Major Groups with a specific interest in forests. The outcome of these dialogues should then have fed into the discussions in the plenary. However, the MSD process failed completely. During the first sessions there was no dialogue at all, and although things improved slightly in later sessions, the points made during these MSDs were never taken up in the negotiations.

During UNFF 5, the MSD was supposed to have been integrated into the main sessions, but countries from the South, such as Cuba and Venezuela, made it increasingly clear that Major Groups could not speak during any text negotiations but only at the plenary – and then only after all Member States had spoken. This meant that they could only speak after most delegates had left the room and could not participate at all in the negotiation of texts. This breakdown of relations between governments and Major Groups will continue during UNFF 6 as it has been

decided that Major Groups will not be allowed to take part. Cuba, Venezuela and Argentina stated they did not want to give *sufficient time for negotiations* to listen to the voices of the Major Groups. Major Groups will now only be allowed as observers during the sixth UNFF session next year.

NGOs are dismayed that international forest policy-making has reached such a low point that governments will not even listen to civil society views. NGOs maintain that the retrograde position of governments in the UNFF violates the spirit of Agenda 21 under which it was agreed that Major Groups must be involved in all relevant UN processes.

Strengthening of political commitment

It can be safely said that the UNFF provided an effective shield for those countries that wanted to shy away from revealing the lack of progress they had made. Other countries, though, had simply clearly lost trust in international processes. The political will to implement the agreements made during the IPF/IFF process – or even to implement forest-related agreements made under other international conventions, such as the CBD (Convention on Biological Diversity) or the Human Rights Conventions – is almost completely lacking. Furthermore, the political will to address the direct and underlying causes of the forest crisis is at an all-time low. Rather than creating or enhancing this political will, the UNFF has allowed countries to hide behind a talking shop without addressing any issues or implementing any of the agreements made.

Positive elements?

Were there positive elements to the UNFF process? Yes. The intersessionals, hosted by various governments (sometimes together with Major Groups), are seen by most as a positive element as they have fostered dialogue and created understanding on certain issues. However, despite some useful meetings between sessions, the results and recommendations of these intersessionals have never really been fed into the deliberations of governments at the UNFF sessions. For example, the findings of an expert meeting held in December 2004 on Traditional Forest Related Knowledge (TFRK) were relegated to a side event, to which few governments bothered to turn up. The outputs of the meeting were never considered at the official meeting, which has consequently left indigenous peoples' organisations, who worked hard to prepare 16 detailed country and regional case studies, feeling frustrated by the whole process. Some would also argue that the Collaborative Partnership on Forests (CPF), created at the same time as the UNFF, has improved co-operation

between the different agencies brought under its aegis. To strengthen these elements, however, it is not necessary to continue with the UNFF.

The future

The first question is whether UNFF 6 can achieve something that could not be managed by the delegates at UNFF 5? The answer is probably not.

The second question is whether they can agree on something that will contribute to sustainable forest management on the ground and to a proper implementation of previous agreements? The answer is almost certainly not. The poor performance of the UNFF has made a reality of all the concerns expressed by FERN and other NGOs. It has proved to be an expensive talking shop covering up governmental inaction.

There are now only two serious options on the table: a) a continuation of the UNFF, working towards a forest code, which could lead to a forest convention; or b) closing down the UNFF entirely. There may now be sufficient political will, particularly in Europe, to close down the UNFF, which has been made easier by new UN rules. However, most countries in the South are not likely to choose this position for reasons of convenience.

FERN and other NGOs will call on governments to close down the UNFF at its sixth meeting. They will also call on governments to start working at both national and regional level to implement existing agreements and to work with civil society organisations, indigenous communities and other local actors towards improving forest management and conservation while fully recognising and respecting the rights of indigenous peoples and local communities.

Notes

1 See background in Box 1

2 The UNFF's six designated functions were:

- To facilitate implementation of forest-related agreements and foster a common understanding on sustainable forest management
- To provide for continued policy development and dialogue among governments, international organisations, including Major Groups, as identified in Agenda 21 as well as to address forest issues and emerging areas of concern in a holistic, comprehensive and integrated manner
- To enhance co-operation as well as policy and programme co-ordination on forest-related issues
- To foster international co-operation
- To monitor, assess and report on progress of the above functions and objectives
- To strengthen political commitment to the management, conservation and sustainable development of all types of forests.

3 See also FERN briefing note: Effectiveness of the UNFF: Monitoring and assessing through reporting, April 2004, available at www.fern.org

4 The eight countries that reported to all sessions are: Austria, Finland, Germany, Mexico, New Zealand, Norway, Sweden and the United Kingdom.

5 Major Groups: Non-Governmental Organisations, Indigenous Peoples, Children and Youth, Women, Local Authorities, Workers and Trade Unions, Business and Industry, Scientific and Technological Communities, Farmers and Small Forest Landowners.

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