

SPECIAL REPORT: UNFF2 ends in failure. Any hope left for UNFF3?

A report by the Forest Peoples Programme and Fern

How long can one give an organisation the benefit of the doubt? At the end of UNFF1 (June 2001), Non-governmental Organisations (NGOs) and Indigenous Peoples Organisations (IPOs) decided that the real test for the UNFF would be in 2002 when the Forum would meet for the second time to address substantive issues instead of process and operational questions. Now, after UNFF2 has concluded with virtually no outcome and many backward steps, NGOs and indigenous peoples face a dilemma about further engagement with this backward looking Forum. Many will probably decide to walk out. Also many government delegates did not hide their disappointment and could only list one positive point: the fact that there was an outcome, after an historic low in the first week after which nobody expected anything anymore.

What exactly was the failure?

1. No output, except for a weak Ministerial Declaration.

After two weeks of negotiations, UNFF2 failed to produce any new, concrete or significant steps forward and its main output - the ministerial message to the WSSD - is extremely weak and not worthy of a world summit. The statement mainly reiterates government commitments made ten years ago at Rio. Moreover, the message contains worrying elements that may mean bad news for forest peoples. The need to increase "enforcement" of forest and protected areas laws is stressed without any cautionary note - despite repeated concerns raised by IPOs and the Forest Peoples Programme (FPP) that often laws deny the rights of local people and that consequently such statements must be qualified to ensure that laws are consistent with human rights instruments those same countries have ratified. The only other positive outcome of UNFF 2 that could be mentioned is the start of the Collaborative Partnership on Forests, which did operate in a participatory manner.

2. No serious discussion on content

To some extent it was all due to poor organisation and lack of

serious discussion on implementation. The agenda for UNFF2 was crammed tight with too many process issues including the development of terms of reference for three expert groups: one on monitoring and reporting, one on finance and one on the dreaded legal framework on forests. This process issue displaced agenda items as delegates failed to agree on modalities for the expert groups, which slowed discussion for the whole two weeks. And even this issue could not be solved in two weeks: in the end the delegates did not even manage to decide on Terms of Reference for these working groups. This decision has been moved forward to UNFF 3.

The UNFF was also fragmented as different groups dealt with separate and different issues ranging from expert groups to budgetary decisions. This fragmentation was due to the fact that the whole session was split into two working groups, with one dealing with the ministerial message and modality issues, and the other discussing the four substantive agenda items:

- (i) deforestation and forest degradation
- (ii) conservation and fragile ecosystems
- (iii) forest rehabilitation and promotion of "planted forests"
- (iv) low forest cover countries.

Most delegates chose to work on the ministerial message and so the discussion on the real issues in front of the Forum were not given adequate collective attention. At the same time, members of government delegations and NGOs were overstretched to follow and make inputs to the multiple agenda items.

3. No discussions on implementation of the IPF Proposals for Action.

Although this is the first mandate of the UNFF, with the exception of a few countries – such as Costa Rica, South Africa, Pakistan and the EU- none of the delegates seriously addressed lessons learned and successes and failures in the implementation of the IPF Proposals for Action. Some of the discussions were bizarre. At one stage, New Zealand claimed that felling natural forest to establish plantations could not be construed as "deforestation" or "forest conversion" and that the assertion in the Secretary General's paper, which reports

that half of all plantations have been established at the expense of natural forests, was not objective! Thankfully, the intervention was roundly rejected.

4. Three step backwards in participation of Major Groups

One of the reasons for failure to decide on Terms of Reference for the 3 expert groups was the disagreement among delegates on the composition of the groups. The EU pushed hard for compact groups with a balanced composition involving governments, CPF members and major groups. The G77 strongly opposed this and China, India and Brazil challenged any guaranteed participation for major groups, arguing instead for a loose "open ended" groups involving an unlimited number of government participants! Participation of Major Groups had already a bad start due to increased red tape and the exclusion of all participants for the first two full days. Later in the process China and others also introduced rigid language binding all expert group activities and major group participation to rigid ECOSOC rules - a step **backwards** from the UNFF founding resolution. Even more disturbing is the evidence that all through the discussions any reference to indigenous peoples and other **major groups** was systematically deleted or rephrased by G77 or later removed during the compilation of second draft texts by the UNFF Bureau.

5. Flawed and ineffective Multi-Stakeholder Dialogue

Prior to UNFF2, a number of NGOs had volunteered to promote a genuinely participatory process for the Multi-Stakeholder Dialogue (MSD) and had formally requested co-Chairing by a 'Major Group' representative to ensure that issues raised by NGOs and IPOs during MSD would be brought to the plenary. The suggestion was rebuffed, sharpening NGO and IPO concerns that MSD was really a cul-de-sac that would absorb their efforts to no purpose. In the event, NGO fears proved well founded. The dialogue that took place on the 6th March was not organised in an inclusive and balanced manner, and many NGOs were not even sure that the dialogue was going ahead until the day before. Indigenous Peoples made a strong intervention on the need to respect rights, revise ECOSOC accreditation rules to enable accreditation, establish a fund for IP participation and the need to establish clear linkages with the new UN Permanent Forum on Indigenous Issues. A staggering six other, made by forest owners, governments and NGOs, interventions also called for revision of ECOSOC rules to improve participation of major groups. Therefore a storm of protest broke out when the chair's summary of the MSD failed to report the call for revised accreditation procedures. Although the final statement does include a reference to problematic accreditation following EU and NGO protests, it unashamedly leaves out key Indigenous Peoples issues and concerns. Also government delegates agree the MSD was a total flop and that things **must** be done better next year and in a more open and participatory way. Some government, like the UK, have shown interest in working with NGOs to try and get it right next year.

6. The only real positive note: Side Events

The only useful aspect of the whole two-week fiasco was the side events that revealed creative thinking, suggested solutions to forest problems and enabled a real exchange of lessons learned involving **both** successes and remaining difficulties. These talked about legal obstacles, vested interest of oligarchies and corruption in an open and frank manner as well as the value of community-based forest management with peasant and indigenous organisations presenting their stories from Nicaragua, Honduras and Guatemala.

Conclusion

NGOs and IPOs as well as many government delegates agree that the second session has been a dismal failure. Overall, the session suffered multiple problems: it was poorly organised, the multi-stakeholder dialogue was a shambles and the delegates failed to deal in a rigorous and serious way with the issues on the table. In the end, the papers on the agenda items produced nothing of substance except waffle and preambles rounded off by what looks worryingly like more proposals for action - now renamed "implementation points!". It seems the new Forum cannot stop itself generating yet more proposals for action... To some extent this is not surprising. Many delegates had been worried even before the UNFF started that the Forum could do little else but generate more proposals for action that nobody needs. Their worries have been vindicated. Now action by governments is needed to stop wasting time on this process. The EU provided a ray of light when it got the UNFF to agree to adopt criteria for the effectiveness of the new international arrangement on forests. It is clear that the cost effectiveness of this meeting was way below zero.