

Views of New Zealand on the Proposals for the

Non-Legally Binding Instrument (NLBI) to be negotiated at the Seventh Session of the United Nations Forum on Forests 2007

Purpose of the NLBI

New Zealand considers that for the AHEG to effectively carry out its mandate to present to UNFF7 concrete proposals for a NLBI there needs to be general agreement on the purpose of the NLBI.

A common theme that emerged during UNFF5 and UNFF6 was the urgent need to improve political commitment around forestry issues. The debate so far has focused on whether political commitment is best displayed by parties making further commitments towards implementing sustainable forest management (SFM), which would then generate the required means of implementation, or by enhancing the available means of implementation to generate progress towards SFM.

We consider that improved political commitment will be dependant on a more effective UNFF process, which should be a key focus of the NLBI¹. The UNFF process was reviewed prior to, and at, UNFF5 and New Zealand recalls a number of pertinent conclusions from that review:

- That in the wider International Arrangement on Forests (IAF) proliferating commitments and reporting requirements for progressing SFM have become unmanageable for countries and other actors to implement effectively.
- That the UNFF is not well connected to implementation that is already happening at the regional and national levels.
- That the profile of SFM needs to be improved by highlighting overlaps with cross-sectoral issues, such as poverty alleviation, and by improving collaboration with other SFM related fora, including those at a regional level.

Common structural elements of the NLBI

We note that between all the proposals there appears to be five common structural areas that would make up any NLBI:

- Preamble elements reflecting the context of the instrument;

¹ The UNFF “process” is commented on in more detail later in this submission.

- General principles or goals
- National policies
- Means of Implementation
- Institutional Aspects

General principles or goals

Making tangible progress towards clear goals also generates political commitment. The NLBI should enable the UNFF to be practical and effective enough to help countries to deliver tangible and realistic progress towards the global objectives. New Zealand agrees with the proposals that suggest repeating the Global Objectives agreed to at UNFF6².

Many of the proposals suggest incorporating some general principles in the NLBI. In particular, we note the Australian proposal which suggests including key principles for each of the seven thematic elements of SFM. New Zealand considers that this proposal has merit and considers that the seven thematic elements could be a useful basis for discussion.

Principles would need to be at a high enough level to be sufficiently flexible to enable countries to realistically implement them according to the specific social, environmental and economic circumstances of the country. The principles themselves could serve as a concise statement of the international community's common view on SFM. These principles could draw on the range of existing international guidelines around SFM, such as voluntary Codes of Practice that have been developed.

National policies

We note that the following appear to be common elements amongst the proposals for a NLBI; perhaps these could be a common basis on which to begin discussions:

-
- ² Reverse the loss of forest cover worldwide through sustainable forest management, including protection, restoration, afforestation and reforestation, and increase efforts to prevent forest degradation.
 - Enhance forest-based economic, social and environmental benefits including improving the livelihoods of forest dependent people.
 - Increase significantly the area of protected forests worldwide and other areas of sustainably managed forests, and increase the proportion of forest products from sustainably managed forests.
 - Reverse the decline in official development for sustainable forest management and mobilise significantly increased new and additional financial resources from all sources for the implementation of sustainable forest management.

- The development of national forest programmes, plans of actions or equivalents to achieve the Global Objectives.
- The strengthening of public and private sector partnerships in the implementation of national policies.
- The participation of all relevant stakeholders in the development and implementation of national forest policies.

New Zealand considers that meaningful implementation of an NLBI will require that all parties make pledges towards some key policy actions through their national forest programmes or equivalent mechanisms. New Zealand recognises the competing interests of the countries involved in this dialogue - encompassing different development stages and economic priorities. The key to achieving an agreement on an NBLI will therefore be ensuring sufficient flexibility to enable this range of interests to be met.

Means of Implementation

New Zealand recognises that in order to meet the core agreed Global Objectives, some degree of technical assistance and capacity building will be required.

The NLBI should support technical assistance and capacity building measures for the development and implementation of a national forest programme consistent with the NLBI's policies and objectives. Indeed this was one of the common elements among the NLBI proposals.

New Zealand would be willing to explore the possibility of using the Global Environment Facility (GEF) as a means to provide technical assistance and capacity building in support of NLBI policies. The use of the GEF for such projects would be broadly consistent with its purpose. The incorporation of sustainable forestry management principles within national development plans would also encourage donor funding by sending a message that it is a national priority for the recipient countries.

Institutional aspects

Description of IAF

New Zealand acknowledges that other fora exist in the broader IAF, each with their own niche. The UNFF, with universal UN membership and as the only forum solely focussed on SFM for all types of forests, provides the best opportunity for international political overview of sustainable forestry issues. The UNFF addresses a wide range of policy issues and interests for member countries and is a high-level political forum, engaging in dialogue between

member countries on issues of policy and implementation of national forest policy with the ability to make recommendations to other UN bodies.

The FAO Forestry Department (FAO) and the International Tropical Timber Organisation (ITTO), have extensive technical knowledge, playing a key role in providing information and analysis, and developing policy and technical guideline at various levels. Both organisations also provide, or facilitate, technical assistance to countries to implement SFM, therefore also reinforcing the goals of the UNFF. The CBD specialises in biodiversity issues, while in a similar vein, the UNFCCC has its own field of expertise. Criteria and Indicators (C&I) are also becoming increasingly significant in the monitoring, assessment and reporting processes of countries. Countries can draw on the expertise of a variety of other international and regional bodies to support their implementation of national policies.

The work undertaken in the wider IAF all contributes to global progress toward SFM; however, this work is often fragmented and much duplication occurs. The NLBI could provide a clear description of the roles of the various organisations, processes and initiatives that make up the IAF. This could in turn provide the necessary clarity needed to improve collaboration and cooperation in order to progress SFM globally.

The UNFF “process”

We believe the key to increasing political commitment for SFM is to reach agreement on the details of a process that will be practical and effective to enable countries to deliver tangible and realistic progress towards the global objectives.

This process encompasses:

- The global UNFF forum
- The regional dimension
- The work programme
- Reporting
- Collaboration in the IAF

Global UNFF forum

New Zealand considers that the strength of the global UNFF is in its role as a high-level political forum engaging on key priority issues of policy and implementation of national forest policy with the ability to make recommendations to other UN bodies.

Each session of the global forum should focus on a limited number of priority issues and refrain from negotiating resolution text, unless political decisions on an issue were deemed necessary to facilitate progress.

The regional dimension

One of the perceived failures of the UNFF has been its failure to interface with the vast array of regional and national level activities aimed at implementing SFM.

We support the idea of biennial sessions of the global forum so that, in alternate years the various regional bodies and other interested parties³ could consider relevant work programme issues and make recommendations to the next session of the global forum. We believe member countries are best placed to decide the appropriate fora that are important to them.

For example, New Zealand and other Asia-Pacific Forestry Commission member countries recently endorsed the concept of creating a two-way link to the UNFF, although further guidance from UNFF was sought about how this could occur. At that meeting, a number of Pacific Island countries were supportive of the Secretariat for the Pacific Community (SPC) playing a role in ensuring their voice is heard at the global UNFF forum.

New Zealand considers that the NLBI needs to provide clarity around how the regional links should be implemented. Details would need to be explored about how UNFF funding could be utilised, how advisory links would be established, how to facilitate increased participation in regional fora, and specifics around links to the work programme of the UNFF and the choice of fora.

The work programme

New Zealand supports a work programme structure that follows the biennial cycle of the global and regional meetings, and is more focussed on a smaller number of key priority issues. Input from member countries, CPF members, regional fora, and major groups could form the basis for the work programme.

Reporting

The purpose, objectives, and desired outcome of the reporting should be clearly understood by parties before any requirements are put in the NLBI.

Reporting requirements should not be too burdensome on countries, and consideration should be given to both existing reporting processes and

³ Such as CPF members, C&I processes and major groups..

harmonising reporting processes with other international fora to avoid unnecessary duplication.

New Zealand supports the move towards the use of the seven thematic elements as a way of translating complex reporting into a commonly understood language. There is an opportunity to reflect on what role the regional linkage could play in further streamlining reporting requirements in the IAF.

Collaboration in the IAF

New Zealand supports collaboration between international organisations with the view to reducing effort, avoiding duplication and making the best use of expertise. Enhancing international and regional cooperation in the achievement of the agreed objectives was also a common element among the NLBI proposals.

New Zealand would like to see the role of the CPF addressed in the NLBI, including whether and how it could be strengthened. Cooperation should not take place outside the mandates of each respective organisation.

12 October 2006