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Request for the inclusion of a supplementary item in the agenda of the seventy-fifth session

Observer status for the Asian Forest Cooperation Organization in the General Assembly

Letter dated 12 August 2020 from the Permanent Representatives of Bhutan, Brunei Darussalam, Cambodia, Indonesia, Kazakhstan, the Lao People's Democratic Republic, Malaysia, Mongolia, Myanmar, the Philippines, the Republic of Korea, Singapore, Thailand, Timor-Leste and Viet Nam to the United Nations addressed to the Secretary-General

Pursuant to rule 14 of the rules of procedure of the General Assembly, we have the honour to jointly request the inclusion in the agenda of the seventy-fifth session of the General Assembly of a supplementary item entitled "Observer status for the Asian Forest Cooperation Organization in the General Assembly".

In accordance with rule 20 of the rules of procedure of the General Assembly, an explanatory memorandum (annex I), a draft resolution (annex II) and the Agreement on the Establishment of the Asian Forest Cooperation Organization (annex III) are enclosed.

We have the honour to request that the present letter and its annexes be circulated as a document of the General Assembly.

(Signed) Doma **Tshering**
Permanent Representative of the
Kingdom of Bhutan to the United Nations

(Signed) Noor Qamar **Sulaiman**
Permanent Representative of
Brunei Darussalam to the United Nations

(Signed) Sovann **Ke**
Permanent Representative of the
Kingdom of Cambodia to the United Nations



(Signed) Dian Triansyah **Djani**
Permanent Representative of the
Republic of Indonesia to the United Nations

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(Signed) Anouparb **Vongnorkeo**
Permanent Representative of the
Lao People's Democratic Republic to the United Nations

(Signed) Syed Mohamad Hasrin **Aidid**
Permanent Representative of
Malaysia to the United Nations

(Signed) Enkhbold **Vorshilov**
Permanent Representative of
Mongolia to the United Nations

(Signed) Hau Do **Suan**
Permanent Representative of the
Republic of the Union of Myanmar to the United Nations

(Signed) Enrique Austria **Manalo**
Permanent Representative of the
Republic of the Philippines to the United Nations

(Signed) Hyun **Cho**
Permanent Representative of the
Republic of Korea to the United Nations

(Signed) Burhan **Gafoor**
Permanent Representative of the
Republic of Singapore to the United Nations

(Signed) Vitavas **Srivihok**
Permanent Representative of
Thailand to the United Nations

(Signed) Maria Helena **Lopes De Jesus Pires**
Permanent Representative of the
Democratic Republic of Timor-Leste to the United Nations

(Signed) **Dang** Dinh Quy
Permanent Representative of the
Socialist Republic of Viet Nam to the United Nations

Annex I

Explanatory memorandum

I. Historical background

1. The establishment of the Asian Forest Cooperation Organization was proposed at the Association of Southeast Asian Nations (ASEAN)-Republic of Korea Commemorative Summit, held in June 2009. The Heads of State and Government of the States members of ASEAN and of the Republic of Korea expressed appreciation for and welcomed the proposal.

2. A number of sessions were organized among the forestry officials of 11 countries over a period of two years to negotiate the text of the Agreement between the Governments of the Member States of ASEAN and the Republic of Korea on Forest Cooperation. The Agreement was formally signed at the fourteenth ASEAN-Republic of Korea Summit on 18 November 2011 and came into effect on 5 August 2012.

II. New dialogue initiative

3. A new dialogue on the establishment of the Asian Forest Cooperation Organization was organized on a multilateral platform, with invitations sent to Bhutan, Kazakhstan, Mongolia and Timor-Leste. The platform covered a wide range of geographically diverse areas, ranging from coastal islands and glaciated mountains to central Asian deserts. The Agreement on the Establishment of the Asian Forest Cooperation Organization was negotiated through six successive dialogues held between 2013 and 2015 among States members and prospective members of ASEAN. The Agreement was adopted on 22 September 2015 by 14 countries: Bhutan, Brunei Darussalam, Cambodia, Indonesia, Kazakhstan, Lao People's Democratic Republic, Mongolia, Myanmar, Philippines, Republic of Korea, Singapore, Thailand, Timor-Leste and Viet Nam. It entered into force on 27 April 2018.

4. The aim of the Asian Forest Cooperation Organization is to strengthen forest cooperation by transforming proven technologies and policies into concrete actions in the area of sustainable forest management, in order to address the impact of climate change.

III. Membership

5. As of July 2020, the following 13 countries had ratified and deposited their instruments and are officially registered as members of the Asian Forest Cooperation Organization:

- Bhutan
- Brunei Darussalam
- Cambodia
- Indonesia
- Kazakhstan
- Lao People's Democratic Republic
- Mongolia
- Myanmar
- Philippines

- Republic of Korea
 - Thailand
 - Timor-Leste
 - Viet Nam
6. The following are observer countries:
- Malaysia
 - Singapore
7. In accordance with article 5 of the Agreement, membership is open to countries geographically located in Asia. The Asian Forest Cooperation Organization is open to engaging with partner countries beyond the region.

IV. Purpose and function

8. The vision of the Asian Forest Cooperation Organization is that of a greener Asia with resilient forests, landscapes and communities. Its missions are to strengthen cooperation among member countries and global and regional players in the forest sector, and to promote action-oriented sustainable forest management practices through policy support, capacity development and inclusive partnerships, in order to address the adverse impacts of climate change.

9. These missions are realized through the implementation of programmes and projects to address environmental degradation in member countries that is compounded by the changing climate. In its plans and actions, the Asian Forest Cooperation Organization adheres to the core values of partnership, member-centrality, transparency, competency, equity and sustainability. Its five-year strategic plan identifies the following priority areas of intervention:

- (a) The initiation of customized restoration and reforestation models;
- (b) Support for research and development in climate change adaptation approaches;
- (c) Systematic management of forest-related disasters;
- (d) The improvement of local livelihoods and the development of community-based small enterprises;
- (e) The strengthening of institutional capabilities, the diversification of resources and the promotion of regional actions.

10. As an outcome, the actions taken by the Asian Forest Cooperation Organization contribute to the achievement of broader global targets, such as the Sustainable Development Goals; the global forest goals; nationally determined contributions under the Paris Agreement adopted under the United Nations Framework Convention on Climate Change; the Aichi Biodiversity Targets under the Convention on Biological Diversity; the land degradation neutrality targets of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa; and the Bonn Challenge.

V. Response to the efforts of global community in the forest sector

11. As noted in the background study prepared for the fourteenth session of the United Nations Forum on Forests, forests are the second largest storehouses of carbon, absorbing and storing about 30 per cent of current levels of carbon emissions in their biomass, soil and wood, and have the potential to store much more. However, forests also account for greenhouse gas emissions as a result of deforestation caused

by forest fires, diseases and pests. By mainly focusing on the forest sector, the Asian Forest Cooperation Organization has unique strengths and potential as an intergovernmental organization, since its member countries are in the Asian region, which includes diverse landscapes, ranging from glaciated high mountains and drylands to one of the world's largest tropical forests.

12. As identified in its strategic plan, the priority intervention areas of the Asian Forest Cooperation Organization are in keeping with efforts by the global community to achieve the Sustainable Development Goals. It implements activities directly linked to the global forest goals set out in the United Nations strategic plan for forests 2017–2030 and translates them into actions on the ground in the Asian region. Reflecting the needs of its member countries, the Asian Forest Cooperation Organization implements projects that protect and restore degraded forests and increases the involvement of local communities in forest-related activities in order to improve their livelihoods and help them to practice sustainable forest management.

13. The Asian Forest Cooperation Organization also implements biodiversity conservation projects, including activities for ecosystem services and for the conservation of genetic resources. It further aims to contribute to global biodiversity goals by taking account of the post-2020 global biodiversity framework.

VI. Programmes and projects

14. Since 2011, under the partnership between ASEAN and the Republic of Korea in the forest sector, the Asian Forest Cooperation Organization has embarked on many capacity-building programmes, subregional projects and individual country-driven projects. Nearly \$32 million has been contributed to areas ranging from policy support interventions to engaging villagers in forest restoration and rehabilitation activities. The objectives of (a) capacity-building programmes; (b) seven subregional projects; and (c) three projects in individual countries, all of which primarily contribute to the achievement of Sustainable Development Goal 15, are highlighted below:

(a) Capacity-building programmes

15. Many training courses have been conducted to strengthen the capacities of diverse stakeholder groups of the member countries of the Asian Forest Cooperation Organization by enhancing knowledge and understanding of forest management and providing better access to relevant information, skills and technology.

16. One highlight includes the establishment of the Regional Education and Training Centre in Myanmar. In 2019, training courses by the Asian Forest Cooperation Organization benefited more than 4,000 people belonging to various stakeholder groups, with a ratio of participating women and men of 47:53. As part of its ongoing programmes, the Organization has provided scholarships to some 19 Masters and doctorate students. In addition, government officials from member countries are invited on an annual basis to work at the secretariat office for 6 to 12 months. Young scientists and researchers are also invited to participate in the Organization's Science and Technology Exchange Partnership Programme every year.

(b) Subregional projects

Mekong Basin countries

17. The aim of a project on the reclamation, rehabilitation and restoration of degraded forest ecosystems in Mekong Basin countries is to strengthen transboundary cooperation on forest ecosystem management models among five Mekong Basin

countries: Cambodia, Lao People's Democratic Republic, Myanmar, Thailand and Viet Nam.

States members of the Association of Southeast Asian Nations

18. A project to build capacity to improve the assessment of forest resources and enhance the involvement of local communities in addressing the impact of climate change was implemented by organizing regional and national workshops, promoting capacity-building programmes, providing equipment and data support and raising awareness among the local communities in implementing countries.

Cambodia and Viet Nam

19. The aims of a project to promote forest rehabilitation in Cambodia and Viet Nam through demonstration models and by improving the seed supply system were to initiate a seed distribution system; establish a tree seed laboratory and demonstration model of forest rehabilitation; improve seed sources and seedling production capacity; and assess the impact of forest rehabilitation on the environment and climate change in Cambodia and Viet Nam.

Indonesia, the Philippines and Thailand

20. The aims of a project to facilitate the participatory planning of community-based forest management using geographic information systems and remote sensing technologies in forest resource management in the Philippines, Indonesia and Thailand are to streamline existing planning guidelines and procedures in order to develop community-level forest management, improve the planning capacities of target beneficiaries and the certainty of forest ownership using workable plans and increase the number of forest technicians capable of providing assistance in preparing such plans.

Thailand and Viet Nam

21. The aims of a project on developing highly valuable species in Thailand and Viet Nam in a way that ensures sustainable forest management and the improvement of livelihoods for local communities are to assess and select the most suitable and highly valuable species, including non-timber forest products in target provinces; develop appropriate techniques and marketing and policy recommendations for developing, processing and trading in the identified species; devise demonstration models on the development of the identified species; and improve the knowledge, techniques and skills of local people through training and the exchange and dissemination of information.

Brunei Darussalam, Indonesia, the Philippines and Singapore

22. The aim of a project to build capacity for a landscape approach supporting sustainable natural resources management in Brunei Darussalam, Indonesia, the Philippines and Singapore is to strengthen transboundary cooperation in that regard.

Malaysia and Thailand

23. The aims of a project on the domestication of endangered, endemic and threatened plant species in disturbed terrestrial ecosystems in Malaysia and Thailand are to domesticate species listed under the Red List of Threatened Animals and Plants which are endemic to the implementing countries; strengthen cooperation on biodiversity conservation, domestication techniques and technology transfer; exchange knowledge and lessons learned on the best practices for rehabilitation;

promote biodiversity conservation through the domestication of endangered, endemic and threatened species; and share expertise and capacity development.

(c) Projects in individual countries

24. A project on village-based forest rehabilitation in the Lao People's Democratic Republic is being implemented to increase forest cover by restoring degraded forest areas; strengthen the capabilities of government agencies, local authorities and villagers; and pursue a national forest rehabilitation policy. The project contributes to local people's livelihoods through the income generated from their participation in the restoration and management activities.

25. Activities carried out under a project to rehabilitate and develop the mangrove forest ecosystem in Thai Binh Province, Viet Nam, include the planting and protection of mangrove forests in order to sustainably rehabilitate and develop mangrove forest ecosystems and the encouragement of local communities to engage in the project activities.

26. The aim of a project to establish a forest genetics research centre for the restoration of major timber species in Cambodia is to produce genetically improved seeds in Cambodia through a long-term tree-breeding plan.

27. Nine new projects have been approved to start in 2020, on:

- (a) Registration of small-scale private forest plantations in Cambodia;
- (b) Improvement of the Caribbean pine (*Pinus caribaea Morelet*) for plantation on degraded land in the mountainous regions of northern Viet Nam;
- (c) Development of sustainable community-based enterprises in order to improve rural livelihoods in Bhutan;
- (d) Development of agroforestry models for the promotion of reforestation in various regions of Timor-Leste;
- (e) Integrated pest and disease management in teak plantations in Bago Region, Myanmar;
- (f) Development of a model forest for improving the livelihoods of forest-dependent communities through community-based enterprises and forest conservation in Myanmar;
- (g) Promotion of vertical integration in the wood-processing industry through grass-roots organizations in community-based forest management areas in the Philippines;
- (h) Innovative capacity-building solutions for the management of tropical forests and the conservation of biodiversity to support the achievement of the Sustainable Development Goals in Indonesia;
- (i) Conservation and development of the biodiversity resources of forest ecosystems at Cat Tien National Park, Viet Nam.

VII. Institutional arrangements

28. The certified copy of the Agreement was registered with the Secretariat of the United Nations under registration number 55833 on 13 June 2019, in accordance with Article 102 of the Charter of the United Nations.¹

¹ Available at <https://treaties.un.org/doc/Publication/UNTS/No%20Volume/55833/Part/I-55833-0800000280554538.pdf>.

29. The principal bodies of the Asian Forest Cooperation Organization are the Assembly and the secretariat.

(a) The Assembly, the highest decision-making body of the Asian Forest Cooperation Organization, is comprised of all the member countries and meets annually to approve programmes and budgets and exercise such functions as are necessary for the achievement of the objectives of the Asian Forest Cooperation Organization. The Assembly adopted its rules of procedure in decision 1-I-18R of 13 November 2018.

(b) The secretariat, which is headed by an Executive Director who is appointed by the Assembly, provides administrative support to the Asian Forest Cooperation Organization and decides on the implementation of decisions taken by the Assembly. The secretariat is based in Seoul.

VIII. Observer status for the Asian Forest Cooperation Organization in the General Assembly

30. The Asian Forest Cooperation Organization and its member countries fully adhere to the purposes and principles of the Charter of the United Nations.

31. Since the initial phase of the establishment of its preparatory secretariat in 2011, the Asian Forest Cooperation Organization has actively engaged with relevant United Nations entities and other international partners to contribute to global commitments on the environment made by member countries and enshrined in the Sustainable Development Goals through various policy dialogues and platforms, such as the United Nations Forum on Forests, the United Nations Framework Convention on Climate Change, the Convention on Biological Diversity and the Convention to Combat Desertification, as follows:

(a) The Asian Forest Cooperation Organization and its activities have been promoted at the Conference of the Parties to the United Nations Convention to Combat Desertification since 2011. In 2019, the secretariat of the Convention to Combat Desertification organized a workshop with the Asian Forest Cooperation Organization to strengthen the linkage between forest restoration and land degradation neutrality. They brought together national agencies with a focus on the forest sector and the land management sector to share their experience and information on ongoing actions at the country level. During the fourteenth session of the Conference of the Parties to the United Nations Convention to Combat Desertification the Asian Forest Cooperation Organization was accredited as an intergovernmental organization observer (ICCD/COP(14)/15/Add.1). The Organization has also actively participated in relevant online events of the Convention to Combat Desertification, including a virtual global panel discussion in June 2020 on the topic “Is poverty necessary to mitigate climate change?”;

(b) At the eleventh session of the Conference of the Parties to the United Nations Convention to Combat Desertification in 2012, it was observed that the Asian Forest Cooperation Organization might be a platform that could contribute to forest landscape restoration. The Organization showcased its activities and forest cooperation model at the twelfth session of the Conference of the Parties in 2014;

(c) During the tenth session of the United Nations Forum on Forests in 2013, the Asian Forest Cooperation Organization shared its activities and plans and called upon the international community to strengthen cooperation;

(d) The Asian Forest Cooperation Organization has provided a platform for sharing the impact of climate change on South-East Asian forests and of land use and land cover change, in accordance with the assessment report of the Intergovernmental

Panel on Climate Change entitled *Climate Change 2014: Impacts, Adaptation, and Vulnerability*;

(e) The Asian Forest Cooperation Organization directly supported the Food and Agriculture Organization of the United Nations (FAO) in planning and organizing the Asia-Pacific Forestry Week 2019, one of the largest and most important gatherings of the forest sector in the Asia-Pacific region. A staff member of the Asian Forest Cooperation Organization was sent to the FAO Regional Office for Asia and the Pacific in Bangkok to work with the FAO team to design the plenary sessions of the Asia-Pacific Forestry Week and facilitate coordination between FAO and the Republic of Korea, which was the host country for the Asia-Pacific Forestry Week in 2019;

(f) The Asian Forest Cooperation Organization collaborated with FAO in different capacities at various international events. It provided human resources personnel for the FAO executive forest policy courses and engaged in the Asia-Pacific Forestry Commission as a member of the executive committee and in the second Asia-Pacific Urban Forest Meeting as an exhibitor. It also led and organized one of the five thematic streams of the Asia-Pacific Forestry Weeks organized by FAO in 2016 and 2019;

(g) The Asian Forest Cooperation Organization participated in the World Forestry Congress 2015, at which it exhibited its forest cooperation model and promoted its activities;

(h) The Asian Forest Cooperation Organization participated in the Coronavirus Disease (COVID-19) Forestry Webinar Week on the theme “Building back better: COVID-19 pandemic recovery contributions from the forest sector” in June 2020, organized by FAO;

(i) The Asian Forest Cooperation Organization has hosted a series of ASEAN-Republic of Korea special ministerial meetings on forestry since 2012. In 2019, it organized the Asian Forest Cooperation Organization ministerial meeting, which brought together the forest sector ministers of the Organization’s member countries;

(j) The Asian Forest Cooperation Organization organized the Asia-Pacific Forestry Week in 2015 on the theme “Mobilizing forest and people together for a greener Asia”, bringing together not only the Organization’s member countries, but also other international organizations involved in the forest sector, such as the Center for International Forestry Research, the Regional Community Forestry Training Centre, FAO and ASEAN;

(k) The Asian Forest Cooperation Organization participated in the Forests Asia Summit 2014 and the 2016 Asia-Pacific Rainforest Summit in close partnership with the Center for International Forestry Research, which had organized the Summits, and continues to explore collaboration on relevant international research related to forests. Participants at the Forests Asia Summit 2014 addressed themes related to the landscape approach, which integrates the land-based sectors of forestry, agriculture, fisheries, livestock, mining and urban land use. The 2016 Asia-Pacific Rainforest Summit brought together stakeholders from Governments and business and research communities, catalysing practical climate change efforts, including to reduce emissions resulting from deforestation and forest degradation;

(l) Since 2012, the Asian Forest Cooperation Organization has partnered with the International Tropical Timber Organization to organize workshops on the sharing of practices in payment for environmental services; sustainable mangrove ecosystems; and the development of technical guidelines for forest landscape restoration for the tropical region.

32. If granted observer status in the General Assembly, the Asian Forest Cooperation Organization will maintain effective coordination and build communication channels with its member countries and the international community in order to work together on issues such as climate change adaptation and mitigation and forestry-related environmental challenges.

33. If it were an observer to the General Assembly, taking into consideration the principles of inclusive partnership and leaving no one behind, the Asian Forest Cooperation Organization will actively engage in forest cooperation at the global and regional levels to further the achievement of the Sustainable Development Goals by building sustainable solutions to the future challenges in member countries and the region.

34. A strong network and continuous collaboration among international organizations, with consideration for the common interests of the United Nations, will contribute to reversing the loss of forest cover and strengthening the role of forests in the achievement of broader global goals. By taking part in global forums, such as the United Nations Forum on Forests, the Asian Forest Cooperation Organization will make efforts to translate global policy discussions into tangible regional actions in such international policy discourses, while reflecting the priorities and issues faced by Asian countries.

35. The Asian Forest Cooperation Organization will also contribute by providing valuable insights and best practices on the ground with regard to climate change mitigation through the forest sector, which is directly linked to various cross-sectoral areas, in particular those of community livelihood, watershed management and life on land. The Organization would also initiate actions to contribute to the achievement of the global forest goals and the United Nations Decade on Ecosystem Restoration (2021–2030).

36. Through the General Assembly, the Asian Forest Cooperation Organization is eager to share cooperation models and best practices with regard to diverse types of forests, thereby improving the sustainable management of global forest resources.

Annex II

Draft resolution

Observer status for the Asian Forest Cooperation Organization in the General Assembly

The General Assembly,

Wishing to promote cooperation between the United Nations and the Asian Forest Cooperation Organization,

1. *Decides* to invite the Asian Forest Cooperation Organization to participate in the sessions and the work of the General Assembly in the capacity of observer;
2. *Requests* the Secretary-General to take the action necessary to implement the present resolution.

Annex III

**AGREEMENT ON THE ESTABLISHMENT OF THE ASIAN
FOREST COOPERATION ORGANIZATION (AFoCO)**

Preamble

The Parties to this Agreement,

RECALLING the forest-related decisions adopted at the United Nations Conference on Environment and Development in 1992, the World Summit on Sustainable Development in 2002, and the United Nations Conference on Sustainable Development in 2012 (Rio+20), as well as the provisions of the United Nations Convention to Combat Desertification in States Experiencing Serious Drought and/or Desertification/Land Degradation, opened for signature on 14 October 1994, the Ramsar Convention on Wetlands of International Importance Especially as Waterfowl Habitat which was opened for signature on 2 February 1971, the Convention on Biological Diversity and the United Nations Framework Convention on Climate Change which was opened for signature on 4 June 1992;

ALSO RECALLING the proposals for action of the Intergovernmental Panel on Forests and the Intergovernmental Forum on Forests and the Resolutions and Decisions of the United Nations Forum on Forests as well as the Non-legally Binding Instrument on All Types of Forests;

WELCOMING the Sustainable Development Goals, as guided by the United Nations Conference on Sustainable Development in 2012 (Rio+20), to be integrated into the United Nations post-2015 development agenda;

CONSIDERING the urgent need for closer cooperation on forests among the Parties in Asia to contribute to the expansion of forestlands, the advanced study of forests, forestry and forest rehabilitation as well as to strengthen the capacities of the Parties in coping with global climate change issues;

RECOGNIZING that all Parties play significant roles in restoring and rehabilitating degraded lands, promoting sustainable forest management and combating desertification/land degradation, and the progress in that respect depends on the effective implementation of national forestry action programs;

ACKNOWLEDGING the great potential of the Green Growth initiatives, the past achievements and future potential of reforestation and forest rehabilitation, the progress made in the development of sustainable forest management practices and the potential for the improvement of forest governance in Asia;

FURTHER RECALLING the proposal by the Republic of Korea to establish the Asian Forest Cooperation Organization at the ASEAN-ROK Commemorative Summit on 1-2 June 2009, held on Jeju Island, Republic of Korea;

ALSO ACKNOWLEDGING the achievements and outcomes of the dialogue for the establishment of the Asian Forest Cooperation Organization carried out under the Agreement between the Governments of the Member States of the Association of the Southeast Asian Nations and the Republic of Korea on Forest Cooperation (hereinafter referred to as the "AFoCo Agreement"), which entered into force on 5 August 2012; and

ALSO WELCOMING the decision of the Third Session of the Governing Council of the AFoCo Agreement to invite the ASEAN Member States, Bhutan, Kazakhstan, Mongolia, Timor-Leste, and the Republic of Korea to the dialogue for the establishment of the Asian Forest Cooperation Organization,

HAVE AGREED on the following:

Article 1

Definition of Terms

For the purposes of this Agreement:

- a) “Agreement” means the Agreement on the Establishment of the Asian Forest Cooperation Organization (AFoCO);
- b) “Organization” means the Asian Forest Cooperation Organization (hereinafter referred to as the “AFoCO”) established under this Agreement;
- c) “Assembly” means the highest decision-making organ of the Organization comprising representatives appointed by the Parties to this Agreement;
- d) “Executive Director” means the chief administrative officer of the Organization who is appointed by the Assembly;
- e) “Secretariat” means the body which shall provide administrative support to the Organization as well as carry out the activities guided by the Assembly;
- f) “Signatory Country” means a country which has signed this Agreement, and yet to deposit the instrument of ratification, acceptance, or approval of it;
- g) “Party” means a Signatory Country, which has deposited an instrument of ratification, acceptance, or approval and for which this Agreement has entered into force, or a country acceded to this Agreement;
- h) “Observer” means a country or an organization which has been granted the Observer status by the Assembly;
- i) “Representative” means a senior forestry official nominated by a Party to the Agreement to represent the Party in the Assembly;
- j) “Host Country” means the country where the headquarters of the Organization is located; and
- k) “Operational Expenditure” means the costs for the functioning of the Assembly, Secretariat and subsidiary bodies of the Organization.

Article 2

Establishment

1. The Organization is hereby established as an intergovernmental organization in accordance with the provisions of this Agreement.
2. The Headquarters of the Organization, including the Secretariat, shall be located in the Republic of Korea. A separate “Headquarters Agreement” shall be concluded between the Government of the Republic of Korea and the Organization.

Article 3

Objectives

1. The Organization shall be established to strengthen regional forest cooperation by transforming proven technology and policies into concrete actions in the context of sustainable forest management to address the impact of climate change.

2. The Organization shall promote and undertake action-oriented forest cooperation programs in Asia on:

- a) sustainable forest management, biodiversity conservation, maintenance and enhancement of ecosystem services, as well as reforestation and forest rehabilitation;
- b) climate change mitigation and adaptation activities and supporting the initiatives under REDD+(Reducing Emissions from Deforestation and Forest Degradation, and the role of forest conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries);
- c) reduction of deforestation, forest degradation, desertification and land degradation, and mitigation of the impacts of forest-related disasters;
- d) capacity building of stakeholders through research and development, sharing of experiences and the transfer of technology, as well as education and exchange programs; and
- e) partnerships between the Parties and with other entities to carry out cooperative activities by building upon the current initiatives of other forest-related international agreements and organizations.

Article 4

Legal Capacity

The Organization shall have legal personality and shall have the capacity, as may be necessary for the exercise of its functions and the fulfillment of its purposes, in particular:

- a) to enter into agreements and contracts;
- b) to acquire and dispose of movable and immovable property; and
- c) to institute, and defend in, legal proceedings.

Article 5

Membership

1. The Signatory Countries shall become Parties to this Agreement after they have deposited an instrument of ratification, acceptance, or approval. The Parties to this Agreement shall be the members of the Organization.
2. A non-Signatory Country intending to become a new member of the Organization shall, prior to its accession to this Agreement, seek an approval of its membership by the Assembly.
3. The membership in the Organization is open to a country which is geographically located in Asia.

Article 6

Observers

1. Observer status may be granted by the Assembly to:
 - a) Signatory Countries which have not deposited instruments of ratification, acceptance or approval;
 - b) Other Asian countries which have submitted an application to be an Observer; and
 - c) International organizations and non-governmental organizations acting in the field of forestry.
2. Matters related to the participation of Observers to the activities of the Organization may be decided by the Assembly in accordance with the internal regulations of the Organization.

Article 7

Organs and Subsidiary Bodies

1. The principal organs of the Organization shall be the Assembly and a Secretariat.
2. Subsidiary bodies may be established upon approval by the Assembly in accordance with Article 8 of this Agreement.

Article 8

The Assembly

1. The Assembly shall be comprised of the Representatives of all Parties.
2. Each Party shall appoint one (1) Representative to the Assembly. The Assembly shall elect its President and Vice-President on the rotating basis for a period of one year term.
3. The Assembly shall have an annual meeting and, if necessary, special sessions. A special session shall be convened by the President at the request of a simple majority of the Parties.
4. The Assembly shall, at its first meeting, adopt the internal regulations of the Organization.
5. The Assembly shall, at its first meeting, elect and appoint the Executive Director of the Secretariat.
6. The Assembly shall:
 - a) adopt and, if necessary, amend the internal regulations of the Organization;
 - b) appoint the Executive Director of the Secretariat;
 - c) approve the establishment of subsidiary bodies that are necessary for the achievement of the objectives of the Organization;
 - d) approve the program and budget for the activities of the Organization;
 - e) review reports submitted by the Executive Director and the subsidiary
 1. bodies of the Organization and provide guidance to them;
 - f) promote and strengthen relationships with other relevant organizations while avoiding duplication of efforts;
 - g) deliberate and adopt amendments to the Agreement proposed by any Party/Parties in accordance with Article 20 of this Agreement;
 - h) approve applications for observer status;
 - i) approve the membership of a non-Signatory Country; and
 - j) exercise such other functions as necessary for the achievement of the objectives of the Organization.
7. The Assembly shall decide on the proposed amendments to the Agreement and approve the membership of new Parties by consensus.
8. The Assembly shall make every effort to reach decisions by consensus. If a decision cannot be reached by consensus for matters other than those mentioned in Paragraph 7, a flexible formula shall be determined by the Assembly to reach a decision.

Article 9

The Secretariat

1. Upon entry into force of the Agreement, the Secretariat shall be formed. The Secretariat shall be headed by an Executive Director. The Executive Director shall hold the office for a term of two (2) years, and renewable for not more than one (1) term.
2. Subject to internal regulations of the Organization, the Executive Director shall appoint the staff members of the Secretariat. Non-staff personnel shall also be appointed by the Executive Director, on specific terms and assigned duties that are necessary towards achieving the objectives of the Organization.
3. Subject to guidance by the Assembly, the Executive Director shall enter into administrative and contractual arrangements on behalf of the Organization for the implementation of the activities of the Organization.
4. The Secretariat shall:
 - a) prepare and propose, the internal regulations of the Secretariat for consideration by the Assembly;
 - b) make arrangements for sessions of the Assembly and other subsidiary bodies of the Organization and provide the necessary services;
 - c) manage the budget and implement the programs approved by the Assembly;
 - d) report to the Assembly on the budget and progress of the implementation of the programs on a regular basis;
 - e) coordinate its activities with other relevant bodies and entities;
 - f) make appropriate arrangements for forest-related cooperation and enter into agreements or contracts with relevant national, regional or international organizations, non-governmental organizations, foundations and associations, both public and private which are in line with the programs, projects, and work plans approved by the Assembly;
 - g) facilitate preparation, evaluation and recommendation of proposals which are to be considered by the Assembly; and
 - h) perform other secretariat functions as may be decided by the Assembly.
5. The Republic of Korea, as the Host Country, shall provide secretariat support and the necessary assistance for the period between the dates of the entry into force of this Agreement and the establishment of the Secretariat to ensure the smooth and effective operationalization of the Organization, in accordance with its domestic laws and regulations and within its budgetary capacities.

Article 10

Official Language

The official language of the Organization shall be English.

Article 11

Organization Symbol

The Organization shall have a flag and an emblem to be decided upon by the Assembly.

Article 12

Budget and Finance

1. The funds necessary to achieve the objectives of the Organization shall consist of mandatory and voluntary contributions.
2. Mandatory contributions shall be provided in the form of in-kind contributions and/or cash. The Republic of Korea shall contribute eighty percent (80%) of the annual Operational Expenditures, whereas the other Parties shall each contribute one percent (1%) of the annual Operational Expenditures or a fixed amount of not less than thirty thousand US dollars (USD 30,000). The remaining contributions shall be provided by other sources. The amount of mandatory contributions by each Party may be subject to periodic review by the Assembly.
3. In-kind contributions refer to non-monetary contributions, the value of which can be attributed to the costs of attending official meetings or events, hosting official meetings or events and other activities as may be determined and approved by the Assembly.
4. Parties may make additional voluntary contributions to the Organization.
5. The Assembly shall adopt the financial rules and regulations, including rules governing the mandatory contributions of the Parties, which shall specify the conditions for the management of the funds.
6. The funds shall be subject to an independent external audit on an annual basis. The audited financial statements shall be made available to Parties as soon as possible after the end of each financial year, but not later than six (6) months after that date.

Article 13

Privileges and Immunities of the Organization

1. The Organization shall enjoy such privileges and immunities for the proper functioning of the Organization, as agreed in the Headquarters Agreement between the Organization and the Host Country.
2. The Organization may conclude agreements with concerned Parties other than the Host Country in order to secure appropriate privileges and immunities in the territories of those Parties.

Article 14

Protection of Intellectual Property Rights

1. The intellectual property rights in respect of any research and technological development, or products or services development:
 - a) carried out jointly by the Parties, or research results obtained through the joint activity effort of the Parties, shall be jointly owned by such Parties in accordance with terms mutually agreed upon on a case to case basis; and
 - b) implemented solely and separately by a Party, or the research results obtained through the sole and separate effort of an individual Party, shall be owned by the Party concerned.
2. The use of the name, logo and/or official emblem of the Organization on any publication, document and/or paper not related to the Organization is prohibited without the prior approval of the Assembly.

Article 15

Settlement of Disputes

Any difference or dispute concerning the interpretation, implementation and/or application of this Agreement shall be settled amicably through mutual consultation and/or negotiation between the Parties concerned through diplomatic channels.

Article 16

Ratification, Acceptance and Approval

This Agreement shall be subject to ratification, acceptance or approval by the Signatory Countries.

Article 17

Accession

Subject to Paragraph 2 and 3 of Article 5, this Agreement shall be open for accession by any non-Signatory Country.

Article 18

Depositary

Instruments of ratification, acceptance or approval of, or accession to this Agreement shall be deposited with Government of the Republic of Korea, which shall promptly furnish a certified copy thereof, to each Party to this Agreement. The function of Depositary shall be delegated to the Executive Director of the Secretariat after he/she has been elected and appointed.

Article 19

Entry into Force

1. This Agreement shall enter into force on the thirtieth (30th) day after the date of deposit of the fifth (5th) instrument of ratification, acceptance or approval including that of the Republic of Korea.
2. For any country that ratifies, accepts, approves or accedes to this Agreement after the date of its entry into force, the Agreement shall take effect on the thirtieth (30th) day after the date of deposit of its respective instrument.

Article 20

Amendments

1. Any Party may propose amendments to this Agreement by notifying the Secretariat in writing. Proposed amendments shall be communicated by the Secretariat to all Parties at least sixty (60) days prior to their deliberation by the Assembly. Amendments to the Agreement shall be adopted in accordance with Paragraph 7 of Article 8 of this Agreement.
2. Amendments shall enter into force on the thirtieth (30th) day after the date of deposit of the fifth (5th) instrument of ratification, acceptance or approval of the amendments. For other Parties which ratify, accept, or approve the amendments after they have entered into force, the amendments shall come into effect on the thirtieth (30th) day after the date of deposit of their respective instrument.

Article 21 Withdrawal

1. Any Party may withdraw from this Agreement by giving a written notification to the Secretariat which shall immediately communicate the notification to all Parties. Such withdrawal shall take effect sixty (60) days after the date of the receipt of such notification by the Secretariat.
2. Notwithstanding the effective date of withdrawal, the withdrawing Party shall complete the payment of any previously assessed financial dues it owes to the Organization before the effective date of withdrawal.

Article 22 Termination

1. This Agreement may be terminated through a unanimous decision by the Assembly.
2. The termination of this Agreement under Paragraph 1 shall take effect after twelve (12) months following the decision for termination, unless otherwise decided unanimously by the Assembly.
3. The termination of this Agreement shall not affect the implementation of any ongoing projects or programs and activities, which have been agreed upon before the date of termination of the Agreement, and not fully executed at the time of termination of this Agreement, unless otherwise agreed unanimously by the Assembly.

ANNEX : List of Participating Countries to the Dialogue for the Establishment of Asian Forest Cooperation Organization

Kingdom of Bhutan

Brunei Darussalam

Kingdom of Cambodia

Republic of Indonesia

Republic of Kazakhstan

Republic of Korea

People's Democratic Republic of Lao

Malaysia

Mongolia

Republic of the Union of Myanmar

Republic of the Philippines

Republic of Singapore

Kingdom of Thailand

Democratic Republic of Timor-Leste

Socialist Republic of Viet Nam

IN WITNESS WHEREOF, the undersigned, duly authorized thereto by their respective Governments, have signed this Agreement.

Done in the English language.

For the Government of the Kingdom of Bhutan

For the Government of Brunei Darussalam

For the Government of the Kingdom of Cambodia

For the Government of the Republic of Indonesia

For the Government of the Republic of Kazakhstan

For the Government of the Republic of Korea

For the Government of the Lao People's Democratic Republic

For the Government of Mongolia

For the Government of the Republic of the Union of Myanmar

For the Government of the Republic of the Philippines

For the Government of the Republic of Singapore

For the Government of the Kingdom of Thailand

For the Government of the Democratic Republic of Timor-Leste

For the Government of the Socialist Republic of Viet Nam
