



The Forest policy process in Europe

Towards a Legally Binding Agreement on Forests in Europe

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Oslo Ministerial Conference

- Ministerial Conference on the Protection of Forests in Europe, 14 to 16 June 2011, Oslo Norway.
- Conference hosted by the Norwegian government and co-organized with the Spanish government.
- The ministers responsible for forests adopted two important decisions:
 - Oslo Ministerial Decision: **European Forests 2020**, setting targets for protection and sustainable management of forests;
 - **Oslo Ministerial Mandate** for Negotiating a Legally Binding Agreement on Forests in Europe.



Intergovernmental Negotiating Committee (I)

- The ministers decided to launch the negotiations in:
 - Establishing an **Intergovernmental Negotiating Committee (INC)**;
 - Adopting the **Rules of Procedures**;
 - Establishing the **Bureau** which consists of the Chair of the Committee and representatives of the following countries: AT, CZ, FR, NO, PL, RU, TR and UA; ES as permanent observer;
 - Nominating the **Chair**: Mr. Jan Heino (FI);
 - Requesting the FOREST EUROPE Liaison Unit and inviting UNECE, FAO, UNEP and EFI to **service jointly** the negotiating process.



Intergovernmental Negotiating Committee (II)

- The INC is open to **FOREST EUROPE Signatories** (46).
- **Observer States, Agency and Organisations**, incl. NGOs are invited to participate to the work of the INC.
- **2011-2013 timeline:**
 - The INC will commence its work not later than **31 December 2011**,
 - with the goal to completing its work not later than **30 June 2013**, and
 - will present its results to an **extraordinary FOREST EUROPE ministerial conference** to be organized within six months after the conclusion of the negotiations, for its consideration and possible adoption and opening for signature.



Legally Binding Agreement (I)

- The Committee shall:
 - Base its work on existing **FOREST EUROPE Resolutions and Declarations** and relevant international commitments;
 - Take into account the *Non-paper on a possible legally binding agreement on forests in Europe*;
 - Develop a **holistic legally binding framework agreement** for forests.



Legally Binding Agreement (II)

The Committee shall address *inter alia* the following possible subjects:

- To ensure **sustainable forest management** in Europe and the long-term provision of a broad range of goods and forest ecosystem services;
- To maintain and enhance **forest resources** in Europe, their health, vitality and resilience, and their adaptation to climate change;
- To increase the **resilience of forests** to natural hazards and to protect forest against human-induced threats;
- To enhance the contributions of forests to the **mitigation of climate change**;
- see: www.foresteurope.org



Legally Binding Agreement (III)

- To maintain and enhance the **protective and productive potential** of European forests;
- To halt the loss of **forest biodiversity** in Europe and combat desertification;
- To create and maintain enabling conditions for European forests to contribute to a **green economy, employment** and the development of rural and urban areas;
- To maintain and enhance the **cultural and social functions** of forests in Europe;
- To reduce, with the aim of eliminating, **illegal logging and associated trade** in timber and timber products;



Legally Binding Agreement (IV)

- To improve the **forest knowledge** base through research, education, information sharing and communication;
- To enhance **participation and cooperation** on forests at local, national, regional and global levels.
- The Committee shall consider:
 - The importance of **flexibility**, so that Parties can take decisions adjusted to their specific forest conditions and to provide for addressing changing and emerging needs in the future;
 - **Global discussions** on possible improvement of international arrangements on forests, including those related to the United Nations Conference on Sustainable Development (Rio +20 Conference), with the view to seeking for synergies;



Legally Binding Agreement (V)

- The need to achieve cooperation and coordination and to avoid unnecessary duplication of proposed actions with relevant provisions contained in **other international agreements**;
- The importance of securing the **effective participation of stakeholders**;
- Agreement on **common terms and definitions**, based on the broader involvement of FAO and other organisations with the necessary expertise;
- Efficient organisation and streamlined **secretariat arrangements**;
- The possibility of the agreement being brought under the **United Nations umbrella**;



INC1, Vienna 27.2.-2.3.2012

- 36 countries participated
- 16 observers and one observer country
- Minister Brekk set the stage, opening remarks by the EU and the Russian Federation
- The committee welcomed the Chair, the Bureau and the Rules of Procedure
- Productive guidance for a first draft LBA
- UNECE and UNEP were not in a position to serve the negotiations; FAO, EFI and LUM stay



Statements & general direction

- Rich debate and lively interaction
- Possible main components of the LBA
- Roadmap of the Negotiation Process
- The resource issue for the INC process discussed; contributions by AT, NO, FI, FR, D and TR



Roadmap (1)

- **Secretariat work:** finalizing INC1 documents, drafting etc.
- **Bureau Meetings:**
 - Rome, Italy 26-27 April and 23-24 May, 2012
 - drafting of the LBA using existing guidance produced by INC1 and all other available material referred to by INC1
 - first draft in English to be circulated by 1 June 2012
- **Second Session of the Committee:**
 - 3-7 September 2012
 - Bonn, Germany



Roadmap (2): INC2

- 1. First reading of the draft text
- 2. Detailed consideration of the amended draft negotiating text
- 3. Consideration of possibility of bringing agreement under the UN umbrella (24.g.)
- 4. Consideration of organization and streamlined secretariat arrangements (24.f.)



Roadmap (3) INC2 agenda

- Draft Agenda for INC2 decided by INC1:
 - Adoption of the Agenda
 - Consideration of the draft negotiation text
 - Road map for the negotiation proces
 - Other matters
 - Report of the session
 - Closure of the session



ANNEX C: annotated table of contents (1)

- Non-Paper: a solid point of departure for a first draft negotiating text of the LBA
- Common understanding: the LBA will be a framework agreement
- option to elaborate thematically/geographically specific Protocols



ANNEX C: annotated table of contents (2)

- **Preamble** should be concise, focused and short
- should explain why LBA exists
- clarify specific situation of European forests and forestry
- include key references
- further clarify risks and challenges
- highlight opportunities
- balance risks and opportunities, emphasize multifunctionality etc. etc.



ANNEX C: annotated table of contents (3)

- **Definitions/ Use of Terms:** to the extent possible and useful, use is to be made of the terms and definitions previously used; inter-sessional work is welcome
- purpose of LBA to be spelled out
- the "objective" text example in the Non-paper good starting point



ANNEX C: annotated table of contents (4)

- **Objectives:** one building block
- objectives should set out firm commitments
- objectives are to be based on and consistent with existing commitments (esp. para 17 and 23 Oslo Mandate and Oslo Ministerial Decision European Forests 2020)
- the examples of goals contained in the Non-Paper are a good starting point
- Targets are possibly not to be considered to be part of the LBA text



ANNEX C: annotated table of contents (5)

- **Principles:** are to be understood as principles to be applied in order to achieve the objectives set out in the LBA;
- the first draft negotiating text of the LBA could contain a separate section on principles but not necessarily;
- the section on principles in the Non-Paper chapter V “General Provisions” is a good starting point.



ANNEX C: annotated table of contents (6)

- **Commitments:** the chapter contains key obligations and commitments of the LBA, to be developed guided by in particular paras 23 and 24 of the Oslo Mandate;
- this section needs to be consistently derived from objectives stated in the LBA;
- Monitoring, evaluation and reporting as part of the implementation provisions should be addressed, make clear the difference to “compliance”.



ANNEX C: annotated table of contents (7)

- **Rules, bodies & other procedures**
- Conference of the Parties: key elements for CoP, depending on type of LBA
- **Secretariat**: obligations and commitments of the secretariat; well-functioning and cost-efficient arrangements should be ensured;
- The secretariat arrangements will depend on further guidance in particular on the possibility of the agreement to be brought under the UN umbrella



Thank you for your attention

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