

Jan Heino, Chair of the INC for a LBA on Forests in Europe

***The results of the work of the Intergovernmental Negotiating Committee for a Legally Binding Agreement on Forests in Europe***

Your Excellency, Madame Isabel García Tejerina, Minister of Agriculture, Food and the Environment of Spain, Your Excellency, Mister Lúbmír Jahnátek, Minister of Agriculture and Rural Development of the Slovak Republic, Excellences, distinguished delegates, dear colleagues.

Thank you for the opportunity to speak at this meeting. I'm honoured to report to you on the work that has been done by the Intergovernmental Negotiating Committee.

As you recall the Oslo Mandate was agreed in 2011 at the previous FOREST EUROPE Ministerial Conference hosted by the Government of Norway. That decision was made unanimously by you, Excellences, and driven by your strong commitment. Indeed, you had the strong commitment to work towards creating a tool that could help enhance the role of European forests in contributing to solving challenges posed by climate change, desertification, and other environmental risks, halting loss of biodiversity, while responding to the growing needs for renewable materials and at the same time contributing to the quality of life of our societies.

These challenges, which had driven to the agreement in Oslo are still valid today. Valid are also the intentions of the Oslo Mandate which set the LBA not as a goal on its own, but as a tool to achieve better results on the ground.

Allow me now in my capacity as Chair of the Intergovernmental Negotiating Committee, the INC, to present my report to you in the spirit of stock taking, thereby contributing to your decision on the future work.

The main documents and the results achieved by the Committee are included in the final report that can be found on the committee's web site since late 2013. In the report you can find the main procedural decision of the Committee, and I quote: "The Intergovernmental Negotiating Committee decided to transmit the text of the draft legally binding agreement to the Extraordinary FOREST EUROPE Ministerial Conference for consideration and for appropriate actions." Unquote.

But the Committee achieved much more than this. Negotiating such tools is normally a complex and lengthy process. The INC worked very hard and in a good faith to achieve a consensus. An enormous progress was made during 2 years – a relatively short time frame on the scale of multilateral intergovernmental negotiations. Such progress would not have been possible without the continued commitment of all.

Still, I need to recognise in particular the tireless, most valuable work performed by the INC Bureau members all through the negotiations. I want to cordially thank Austria, the Czech Republic, France, Norway, Poland, the Russian Federation, Turkey and Ukraine, as well as Spain as permanent observer, for providing such eminent and committed colleagues as bureau members to assist the committee. My personal thanks goes, in the same order as their countries, to the following dear colleagues: Ingwald Gschwandtl, Katerina Ventrubova and Tomáš Krejzar, Jacques Andrieu, Knut Öistad, Piotr Jakubowicz-

Paschalis, Alexandra Orekhovica and Ivan Sovetnikov, Tamer Otrakcier, Lyubov Polyakova and Jose Maria Solano.

The INC was provided with very professional and most helpful secretariat services by the Food and Agriculture Organisation of the UN, the European Forest Institute and the Liaison Unit Madrid of the Ministerial Conference on the Protection of Forests in Europe..

My thanks also goes to the numerous individuals who have put an enormous amount of time and effort in making this process productive and efficient. There are several colleagues that would deserve to be mentioned for their input into the INC work, but allow me to mention just one key person, Miss Malgorzata Buszko-Briggs, the Secretary of the Committee, whose tireless work has been an inspiration to all of us.

I would humbly invite you to express your appreciation for these great contributions by giving a really big hand to all of them!

Finally, I would like to recognise the much needed contributions given to the Trust Fund, or given as in-kind support. Countries' generosity enabled the work of the committee and helped our sessions run smoothly, in comfortable surroundings, with good technical equipment and professional interpretation. I recognize the support given to the Committee by the following countries: Austria, Finland, France, Germany, Hungary, Ireland, Norway, Poland, the Russian Federation, Sweden and Turkey.

### ***Results of the INC***

Ladies and Gentlemen! As prescribed by the Oslo Mandate the Committee had four sessions, two of which also had resumed segments. Close to 40 member countries participated actively in the negotiations. There were several countries from other regions observing our work as well as numerous civil society organizations, and altogether some 25 international organizations.

Allow me to present to you the main components of the Draft Negotiating Text. The Preamble gives a holistic introduction to the rest of the text. Further, the Committee agreed upon terms and definitions, including what we mean by "forest" and "sustainable forest management" and other core concepts. That was one good achievement by the negotiators. Also, the Committee successfully agreed upon the Objective and Principles of the future Forest Convention.

All core elements linked to sustainable forest management, forests and forestry were agreed upon. Perhaps the most substantive accomplishment was the elaboration of Articles 4 – 10, and partially Article 11. Those articles contain the most substantive technical issues related to forests and forestry. We have every reason to be proud of this outcome: At least for a forester it is most satisfying to see that countries with so different forests and forest policies were able to agree on criteria for sustainable forest management as a legally binding guiding framework for policy development on forests and their management, and to agree upon the necessity of forest programmes, just to mention two of the general provisions.

The Committee also reached consensus upon far reaching articles on forest resources, forest health and vitality, forest biodiversity, productive, protective and socio-economic functions of forests and an essential part of monitoring and reporting. I encourage you to welcome these results and the content of the technical provisions of the Draft Negotiating Text.

But let me report to you also what has not been agreed. Issues like compliance, voting rights, participation of observers as well as the institutional arrangements of the future LBA proved to be too complex and in

spite of all the efforts and the true commitment from all, no solution was found within the timeframe given to the INC. Therefore, these issues remained open in the draft text.

### ***Concluding remarks: Future of the Draft Negotiating Text***

Excellences, distinguished delegates, according to the proposed decision to be taken today by you, the Draft Negotiating Text as contained in the report of the fourth resumed and final session of the INC should (quote) “serve as a basis for potential further consideration of a Legally Binding Agreement” (unquote).

Further, and I quote again, “at an appropriate time and at latest by 2020 possible ways to find common ground on the Legally Binding Agreement will be explored.” Unquote. Taking into account the agreed technical part of the agreement, I strongly believe that the pending items will be possible to solve in consensus manner in the future, at the appropriate time and under your wise guidance, because an European forest Legally Binding Agreement could have far reaching implications.

Above all, a convention on forests in Europe would provide a stable and long-term framework to address all three pillars of sustainable forest management in a balanced manner across Europe. An LBA would provide for countries a systematic approach for forest policy development.

Further, a convention would give more visibility to and raise the profile of the forest sector and make it stronger among other sectoral policies and instruments. A convention would be a platform for addressing also new and emerging challenges and developing responses to them. Let us hope that not too long a time elapses before a new Ministerial Mandate is created with the task to find common ground on a Forest Convention in Europe.

Allow me to conclude my report by mentioning that the international agenda, including the development of the Sustainable Development Goals, and the upcoming negotiations of a new legally binding agreement to limit global warming to below 2 °C at the United Nations Framework Convention on Climate Change, will form the overall broad international policy framework for our future forest debates. As I said at the beginning, the Oslo Mandate intended to develop a Legally Binding Agreement not as a goal on its own, but as a tool, for furthering implementation of these and other ambitious future international agendas.

One more general reason to look ahead is that we should plan for future generations. It reminds me of the most encouraging comment I received when chairing the INC. My then 5 year old granddaughter asked me why I am still working and travelling so much. I said something about making forests better. As a devoted outdoor kid she gave an instant response, and I quote “Grand pa, if it is about helping the forests then you have to continue as long as it takes”.

Let me build on the spirit of the Ministerial Decision which opens a door for continuing this work and wish you the best for the future to continue your work towards a forest convention. With this I conclude my report and thank you for your attention.