

Roundtable Meeting on a Legally Binding Agreement on Forests in Europe

19–20 September 2018, Bratislava, Slovakia

CO-CHAIRS SUMMARY

The FOREST EUROPE Roundtable Meeting on a legally binding agreement on forest in Europe took place in Bratislava, the Slovak Republic on 19–20 September 2018. The meeting was attended by 58 delegates representing 30 signatory countries and the European Union, 1 representative of 1 observer country, and 17 representatives of 13 observer organisations and the Liaison Unit Bratislava (LUB). The Roundtable Meeting on a legally binding agreement on forests in Europe (RTM LBA) was co-chaired by Mr. Boris Greguška (Slovakia) and Mr. Aljoscha Requardt (Germany). The discussion forum (agenda point 4) was facilitated by Mr. Piotr Borkowski (EUSTAFOR).

The RTM LBA was organized to follow-up on the Ministerial Decision from the Extraordinary Ministerial Conference held in Madrid in 2015, and in line with the decision taken by the Expert Level Meeting held on 28-29 November 2017, in Bratislava, Slovakia.

The purpose of the RTM LBA was to exchange views and collect ideas on all options for the procedural follow up of the Madrid Extraordinary Ministerial Decision.

Agenda item 1. Opening of the meeting

Mr. Boris Greguška opened the Roundtable Meeting and informed the signatories and observers about the purpose of the meeting. He welcomed the Secretary General of the Office of the Ministry of Agriculture and Rural Development of the Slovak Republic, Mr. Jaroslav Regec who delivered the welcome speech.

Agenda item 2. Adoption of the draft agenda

The agenda was adopted without any amendments.

Agenda item 3. Summary of previous development on a legally binding agreement on forests in Europe

To summarize the most important milestones of the LBA process, a brief presentation was delivered by Silje Trollstøl - representative of Norway. The presentation followed the *Background Document for FOREST EUROPE Roundtable Meeting on Legally Binding Agreement on Forests in Europe* prepared by the Liaison Unit Bratislava.

Agenda item 4. Discussion forum

Delegations presented their views and positions towards a possible LBA and procedural options for the follow-up of the Madrid Extraordinary Ministerial Decision. In order to facilitate discussion on institutional options for negotiations, adoption and providing a secretariat for the agreement including possible roadmaps, the *Explanatory Note on possible procedural pathways to follow up of the Madrid Extraordinary Ministerial Decision* was prepared by the General Coordinating Committee and circulated among signatories and observers prior to the RTM LBA.

The discussion was divided into two blocks, as outlined by the guiding questions presented in the above-mentioned Background Document: block 1 – general positions / views towards a LBA; block 2 – procedural follow-up of the Madrid Extraordinary Ministerial Decision.

The moderator summarized discussions of block 1 and block 2 as follows:

1. Participants widely shared the opinion that a legally binding agreement on forests in Europe would have an added value. They confirmed their willingness to discuss again the opportunities for a LBA under certain pre-conditions, among others related to options how to further conduct negotiations, broad participation of negotiating parties, willingness to compromise.
2. In general, there was a view that the DNT is still a good basis for possible further negotiations but could be updated to reflect recent policy developments, such as the Paris Agreement, the 2030 Agenda and its Sustainable Development Goals, UNSPF, and their corresponding terminology. However, re-opening of paragraphs agreed “ad ref” was not recommended, unless needed to reflect the recent policy developments.
3. Of the outstanding issues of the DNT, the institutional arrangement of a LBA was considered a priority issue. The prevailing view among participants was that a LBA should be under the UN system, while one observer country expressed a different view. A secretariat serviced jointly by FAO and UNECE was supported.
4. Several delegates pointed out that the participation of observers, monitoring and reporting, conference of the parties, right to vote, secretariat, compliance, settlement of disputes, final clauses of the DNT (e.g. entry into force, depositary) and financial issues related to a LBA are important and require further consideration and solution.
5. If and when consensus is reached to continue negotiations on a LBA, an analysis could be carried out either by an appointed rapporteur or by using another appropriate format to collect proposals for updates to the draft negotiating text, in the light of international policy developments over the last few years. The outcome of this exercise could then be used for the purpose of negotiations.
6. When discussing the options presented in the Explanatory Note, it was recommended that until the Expert Level Meeting all procedural options should formally be maintained. The widely preferred option was option C – “New mandate and restart of negotiations under the UN system”. The meeting invited UNECE and FAO to summarize and present to FOREST EUROPE, before the next ELM, information previously prepared for the INC and covering options “A” and “B”, and to prepare similar information for option “C”. In this material, specific issues raised during the discussions, including conducting the negotiations under the aegis of FAO, UNECE or a joint body, the possible financial implications as well as options for using the existing DNT would be addressed. Option “A” was also considered, though further details, such as the role of a diplomatic conference still need to be clarified. Option “B” was considered as not feasible.
7. There was a general preference for a step-by-step approach. A ministerial decision (which could either be taken at a ministerial conference or through another appropriate procedure) was considered as the appropriate step after the Expert Level Meeting. On this basis, a country or a group of countries, specifying certain conditions, could send an invitation to the UN secretariat and/or specialized agency to facilitate further negotiations. However, it should be noted that the UN body and/or specialized agency would need a mandate from their respective governing bodies to take such an action.

Agenda item 5. Any other business

No items discussed.

Agenda item 6. Conclusions

The co-chairs concluded that moderator’s summary was incorporated to the co-chairs summary without amendments. The co-chairs summary of RTM LBA will be submitted to the next Expert Level Meeting and also shared with all FOREST EUROPE signatories and observers.

Agenda item 7. Closure of the meeting

The co-chairs thanked the participants, the Liaison Unit and the moderator and closed the meeting.