

FOREST EUROPE EXPERT LEVEL MEETING
5–6 December 2018, Bratislava, Slovakia

Summary of key decisions

The FOREST EUROPE Expert Level Meeting (ELM) took place in Bratislava, the Slovak Republic on 5–6 December 2018. The meeting was attended by 57 delegates representing 33 signatory countries and the European Union, 17 representatives of 11 observer organisations and the Liaison Unit Bratislava (LUB). ELM was co-chaired by Mr. Boris Greguška (Slovakia) and Mr. Aljoscha Requardt (Germany).

The main purpose of the ELM was to take decision on further procedural steps to implement the Madrid Ministerial Decision signed by European ministers responsible for forests at the FOREST EUROPE Extraordinary Ministerial Conference held on 21 October 2015, in Madrid.

Agenda item 1. Opening of the meeting

Mr. Boris Greguška opened the ELM. He informed the signatories and observers about the objectives 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 a welcome speech. He also welcomed guests of the meeting - Ms. Olga Algayerova, Executive Secretary of the UNECE, and Ms. Yuriko Shoji, Deputy Regional Representative of the FAO Regional Office for Europe and Central Asia who provided introductory speeches.

Agenda item 2. Adoption of the agenda

The agenda was adopted without any amendments.

Agenda item 3. Implementation of the Madrid Extraordinary Ministerial Decision

The chair introduced the agenda item referring to the Co-Chairs Summary of the Roundtable Meeting on a Legally Binding Agreement on Forest in Europe held on 19-20 September 2018 in Bratislava.

UNECE and FAO provided technical information covering procedural options A, B and C for a follow-up of the Madrid Extraordinary Ministerial Decision as requested by the Roundtable Meeting on a Legally Binding Agreement held on 19-20 September 2018.

Participants discussed options for procedural follow-up of the Madrid Ministerial Decision. ELM decided to follow the procedural option C *“New mandate and restart of negotiation under the UN system”*.

ELM discussed a Draft Ministerial Decision elaborated by the GCC taking into account possible pathways described under procedural option “C”. ELM adopt the text of a Draft of the Ministerial Decision on Resuming the Negotiations on a Legally Binding Agreement on Forests in Europe (the Draft Ministerial Decision) (Annex I).

Participants exchanged views agreed on further procedural steps that should lead to endorsement of the Draft Ministerial Decision by ministers responsible for forests of the FOREST EUROPE signatories. ELM confirmed the understanding that UNECE leads the convening and servicing jointly of the negotiations with the support of FAO in accordance with paragraph 9 of the Draft Ministerial Decision.

The Draft Ministerial Decision will be submitted by the Slovak minister (through diplomatic channels) to the ministers responsible for forests of the FOREST EUROPE signatories with a cover letter in order to endorse the Draft Ministerial Decision. The written procedure will take the form of a silent

procedure with a deadline for possible reactions. The time frame between having sent the letter and the deadline for possible reaction will be 3 months.

After the decision is endorsed, the Slovak minister transmits the decision to the respective organizations to facilitate further negotiations of a legally binding agreement and informs the signatories (*see para 10 of the Draft Ministerial Decision*).

Agenda item 4. Progress in implementation of the FOREST EUROPE Work Programme 2016-2020

The ELM took note of the information on Work Programme implementation and progress made. Overview of the implementation of all Work Programme actions as well as further steps is available at https://foresteurope.org/wp-content/uploads/2017/08/ELM_2018_4_WP-progress-implementation.pdf.

ELM requested secretariat to continue in work on improving criteria and indicators definitions and format of reporting.

To achieve synergies and avoid duplicities between the work on guidelines on green jobs in the forest sector conducted under FOREST EUROPE and UNECE/FAO, ELM decided to make efforts to achieve a joint product. The ELM was informed that UNECE/FAO Forestry and Timber Section will send the draft developed by them to LUB as soon as possible to enable LUB to amend the UNECE/FAO draft based on the draft guidelines elaborated earlier by FOREST EUROPE and subsequently consult the amended draft by the FOREST EUROPE Expert Group on Green Jobs. The merged draft shall bear the logos of UNECE, FAO and FOREST EUROPE and contain a statement that it is the joint product of these entities.

Agenda item 5. Any other business

No additional items were discussed.

Agenda item 6. Closure of the meeting

DRAFT Ministerial Decision on Resuming the Negotiations on a Legally Binding Agreement on Forests in Europe

Adopted by the FOREST EUROPE Expert Level Meeting in Bratislava on 6 December 2018 for consideration by the ministers responsible for forests of FOREST EUROPE signatories through a written procedure in 2019.

RECALLING the Oslo Ministerial Mandate for Negotiating a legally binding agreement on forests in Europe, June 2011, establishing the Intergovernmental Negotiating Committee to develop a legally binding agreement on forests in Europe (INC),

ACKNOWLEDGING the work of the Intergovernmental Negotiating Committee in 2012 and 2013 and taking note of the outcome as contained in the report of the fourth resumed and final session of the Intergovernmental Negotiating Committee as presented at the Extraordinary Ministerial Conference in Madrid in 2015,

TAKING INTO ACCOUNT the Madrid Ministerial Decision from 21 October 2015 to explore possible ways to find common ground on a legally binding agreement on forests in Europe at the latest by 2020,

NOTING the results of the Round Table Meeting on a legally binding agreement on forest in Europe in Bratislava on 19-20 September 2018.

As representatives of the signatories of FOREST EUROPE, we:

1. ARE READY to resume the negotiations on a legally binding agreement on forests in Europe.
2. AGREE that further negotiations on a legally binding agreement on forests in Europe take place and be finalized under the auspices of the UN system.
3. RECOGNIZE that the Draft Negotiating Text for a legally binding agreement on forests in Europe (DNT) shall serve as the basis for further negotiations, and UNDERSCORE that the aim of the negotiations should be to reach agreement on paragraphs of the DNT not agreed *ad ref* while considering that DNT paragraphs agreed *ad ref* shall not be re-opened, unless needed to reflect recent policy developments, such as the Paris Agreement, the 2030 Agenda and its Sustainable Development Goals, the United Nations Strategic Plan for Forests, and their corresponding terminology.
4. DECIDE that all countries and the European Union listed in the Annex 1 of this decision, based on the Annex 2 of the Oslo mandate are entitled to participate as full parties in the negotiating process and the ultimate legally binding agreement on forests in Europe.
5. NOTE that observers of the FOREST EUROPE process should be invited to participate as observers in the negotiations.
6. EMPHASIZE that the negotiations are to be conducted with due urgency and in a time and cost-efficient manner with a view to their successful conclusion as early as possible.
7. ACKNOWLEDGE that the funding of the negotiation process will have to be provided from extra-budgetary resources.
8. CALL UPON negotiating partners to provide voluntary financial contributions for enabling a successful negotiating process.
9. INVITE the UNECE, with the support of FAO, to convene and service jointly further negotiations on a legally binding agreement on forests in Europe by setting up a negotiating process in an appropriate format based on the parameters contained in this decision.
10. INVITE the Minister of the Slovak Republic to send this decision on behalf of FOREST EUROPE signatories to UNECE and FAO to facilitate further negotiations of a legally binding agreement on forests in Europe.
11. INVITE the UNECE and FAO to act on this decision with due urgency.