



Draft Oslo decision on opening negotiations on a legally binding agreement on forests in Europe

Draft, 8 November, 2010

1. RECALLING the Declarations of the Ministerial Conferences in Strasbourg 1990, Helsinki 1993, Lisbon 1998, Vienna 2003 and Warsaw 2007, which identified issues of transboundary nature and common concern with regard to forests and recognised the need for strengthening cooperation between the states of the entire European continent/region in the field of sustainable management of their forests;
2. REITERATING commitments to work towards addressing global environmental challenges and contributing to the achievement of the Non-Legally Binding Agreement on all types of forests, as well as global objectives such as: the Millennium Development Goals, the Four Global Objectives on Forests, the Aichi Target of the Convention on Biological Diversity¹ and the climate change commitments;
3. TAKING INTO ACCOUNT the work undertaken by other international forums on forest related policies, including the Rio Conventions and the United Nations Forum on Forests as well as regional organisations and initiatives;
4. TAKING NOTE of the recent findings of *THE STATE OF EUROPE'S FOREST 2011* report²;
5. RECOGNISING that climate change is one of the gravest threats faced by society and AWARE that urgent action is required to minimise the risks from storms, floods, fire, drought, pests and diseases in order to maintain a sustainable environment and productivity of European forests;
6. CONVINCED of the need to maintain and enhance environmental, economic, cultural and social forest functions based on sustainable forest management in order to secure the provision of a broad range of forest goods and ecosystem services;
7. REAFFIRMING that sustainable forest management means the stewardship and use of forests and forest lands in a way, and at a rate, that maintains their biodiversity, productivity, regeneration capacity, vitality and their potential to fulfil, now and in the future, relevant ecological, economic and social functions, at local, national, and global levels, and that does not cause damage to other ecosystems;

¹ Targets of the Strategic plan for biodiversity for the period 2011-2020, adopted by the COP 10 of the CBD

² This para is a place-holder and should be refined when key messages from the new report in relation to pressures on forests are ready.

8. **RECOGNISING** that forests contribute to climate mitigation, renewable raw material, energy supply and water protection and other ecosystem services as well as protect society and societal infrastructures against natural hazards;
9. **RECOGNISING** the importance of economic functions of forests and their potential in fostering a green economy and for generating and maintaining jobs and income, contributing to rural development and enabling the long term economic viability and competitiveness of forestry and forest-based industries;
10. **BEING CONCERNED** about the negative impacts of illegal logging and related trade on society, the environment and markets, and **CONVINCED** about the need to further strengthen efforts to improve forest law enforcement and governance;
11. **RECOGNISING** the need for adequate and accessible forest information at all levels of decision making, such as forest inventories, monitoring, assessing and reporting on implementation of sustainable forest management as well as science-based knowledge;
12. **SEEKING** the best way to enhance the role of European forests in contributing to solving the challenges posed by climate change, desertification and other environmental challenges, and to maintain the ability of Europe's forests to contribute to the quality and well-being of people's lives;
13. **STRESSING** the importance of national circumstances, national sovereignty over natural resources and national responsibilities in implementing sustainable forest management bearing in mind the forest ownership structure in Europe and **UNDERLINING** the added value of European cooperation and joint actions for enhancing progress in sustainable management of forest and of sharing forest-related information;
14. **SEEKING** the best way to achieve the common vision for Europe's forests as well as the goals and European 2015 Targets on Forests, as established by this Ministerial Conference³;
15. **CONVINCED** about the need to take effective measures to improve coherence in forest policy development and implementation with appropriate participation of stakeholders;
16. **HAVING TAKEN NOTE** of the External Review of the FOREST EUROPE process carried out in 2008/2009 and **WELCOMING** the outcomes of the Working Group on exploring the potential added value of, and possible options for, a legally binding agreement on forests in the pan-European region, and the Working Group on preparing options for a decision on a possible legally binding agreement on forests in Europe⁴;
17. **BEING AWARE** that the challenges faced by forests in a rapidly changing environment cannot be addressed through forest policy measures alone and **SEEKING** the best framework to strengthen relationships and synergies in the work of the forest sector with other sectors and institutions for greater coherence in forest-related policy-making;
18. **HAVING CONSIDERED** that a legally binding agreement on forests in Europe will be an important tool for addressing concerns on securing forests resources, maintaining forests health, vitality and resilience;
19. **CONVINCED** that a legally binding agreement on forests in Europe is necessary to reinforce and strengthen implementation of sustainable forest management and does contribute to bio-based green economy and human well-being while addressing the three pillars of sustainable forest management in a balanced way, and to provide a long-term stable framework for coherent policy development and cooperation within the forest sector and other sectors and major groups;

³ Reference to vision, goals and targets, to be discussed at the ELM in December 2010.

⁴ Reports from both WGs on LBA, 2009 and 2010.

AS REPRESENTATIVES OF THE SIGNATORIES:

20. DECIDE to take further international action consisting of the elaboration of a legally binding agreement on forests in Europe with the view to achieving the balanced and stable continuity of all economic, environmental, cultural and social forest functions in Europe at all levels and contribute to the achievement of international commitments;
21. DECIDE to open negotiations and establish a Negotiating Committee with a mandate to prepare a legally binding agreement on forests in Europe;
22. DECIDE that the Negotiating Committee, taking into account previous Resolutions and Declarations of FOREST EUROPE and all relevant international commitments relating to forests, will use *The Non-paper on a possible legally binding agreement on forests in Europe*, as a reference for negotiations, and is to develop a comprehensive and suitable instrument to forests, including, inter alia, provisions:⁵
 - i. to design the best possible way for securing the long-term provision of a broad range of goods and forest ecosystem services in Europe,
 - ii. to maintain and enhance forest resources in Europe, their health, vitality and resilience, and their adaptation to climate change,
 - iii. to protect forests against natural hazards and human-induced threats,
 - iv. to enhance the contributions of forests to the mitigation of climate change,
 - v. to maintain and enhance the productive potential of European forests,
 - vi. to halt the loss of forest biodiversity in Europe,
 - vii. to create enabling conditions for European forests to contribute to a green economy, employment and the development of rural and urban areas,
 - viii. to maintain and enhance cultural functions of forests in Europe,
 - ix. to reduce, with the aim of eliminating, illegal logging and associated trade in timber and timber products,
 - x. to improve the forest knowledge base through research, information sharing and communication and enhance cooperation and participation on forests at local, national, regional and global levels.
23. DECIDE that the Negotiating Committee in its deliberations on the instrument that it develops should consider the following:
 - i. The important of flexibility, so that Parties can take implementation decisions at the national level, allowing discretion where appropriate;
 - ii. The need to achieve cooperation and coordination and to avoid unnecessary duplication of proposed actions with relevant provisions contained in other international agreements;
 - iii. The importance of securing the effective participation of stakeholders;
 - iv. Efficient organisation and streamlined Secretariat arrangements;
24. DECIDE that the participation in the Negotiating Committee shall be open to all FOREST EUROPE Signatories and that the Negotiating Committee shall work in accordance with the Rules of Procedure contained in the Annex to this Decision;
25. DECIDE that observer States and organisations of FOREST EUROPE may become observers to the Negotiation Committee, in accordance with the Rules of Procedure of the Negotiating Committee;

⁵ Following bullets are based on the goals from "The non-paper on a possible legally binding agreement on forests in Europe", 1 October, 2010.

26. DECIDE to establish a secretariat for servicing the negotiations and to secure the financial resources needed for the effective operation of the Negotiating Committee;
27. INVITE the UNECE, FAO, EFI, UNEP and signatories and other partners and interested organisations to support the work of the Secretariat and the negotiation process and INVITE stakeholders to take active part in negotiations;
28. DECIDE that a bureau for the Negotiating Committee should be established according to the Rules of Procedure;
29. DECIDE that the Negotiating Committee shall 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 a FOREST EUROPE Ministerial Conference to be organised within six months after the conclusion of the negotiations, for its consideration and adoption;
30. FURTHER DECIDE that the first meeting of the Negotiating Committee will take place on xxxx;
31. CONFIRM that the FOREST EUROPE process as a mechanism to foster European cooperation shall continue until decided otherwise.