

# FERN CONTRIBUTION TO THE CONSULTATION ON THE GREEN PAPER ON FOREST PROTECTION

July 2010

## **Question 1: Do you think maintaining, balancing and enhancing forest functions should be given more attention?**

It is clear forests in Europe are in a dire state. See FERN's report 'Europe's Forests in Danger, sent separately. Although the principle of 'multifunctionalism' as advocated by the EU, gives - in theory- equal importance to ecological, economic and social considerations, in practice perceived or real economic benefits have always prevailed, leading to a serious loss of biodiversity and hampering the capacity of EU forests to mitigate climate change. Therefore we feel forest protection measures need to be prioritized.

Forests in the European Economic Region (EEA) are intensively managed, with only 5 per cent being undisturbed by human activity<sup>1</sup>. Measures to enable more efficient timber production have led to human-induced changes in tree composition and structure. 87 per cent of European forests are even aged<sup>2</sup>. Thirty per cent of pan-European forests are now dominated by one single tree species<sup>3</sup>, and recent data shows that the rate of increase of the forest area in the EU is slowing down<sup>4</sup>.

Although fellings have been lower than the increment, this does not give any indication of forest health or forest biodiversity. Neither does it reflect the increased fragmentation of EU forests and its consequences for resilience and biodiversity. Even within the EU's flagship biodiversity conservation programme 'Natura 2000', around two-thirds of the forest habitats are in an 'unfavourable-bad' or 'unfavourable-inadequate' status.<sup>5</sup>

There is, therefore, a continued loss of biodiversity in Europe's forests, which will result in a rapid decline in the services forests can provide. Many scientific studies –as referred to in the Green Paper - show that biodiversity conservation improves forest resilience and forests' adaptive capacity. Therefore, protection of biodiversity and climate mitigation and adaptation measures should go hand in hand.

So to conclude, until now, there has been no real balancing of all forest functions. Neither Member State policies nor EU policies have been able to protect EU forests from over-exploitation. This has had detrimental ecological and social impacts on forests and forest communities. Rather than trying to balance forest functions, forest protection should be prioritised.

## **If so, on what level should action be taken, EU, national and/or other?**

As action to date has been insufficient to halt forest biodiversity loss and ensure sufficient forest protection, change is clearly required. There is no regulation at EU level that primarily aims to

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<sup>1</sup> EU policy options for the protection of European forests against harmful impacts. Albert-Ludwigs-University Freiburg & Ecologic Institute Berlin, September 2009.

<sup>2</sup> State of Europe's forests 2007. MCPFE report.

<sup>3</sup> State of Europe's forests 2007. MCPFE report

<sup>4</sup> Informal submission (to the UNFCCC) by Sweden on behalf of the European Community and its Member States on Forest data, Bangkok, September 2009.

<sup>5</sup> Composite report on the Conservation Status of Habitat Types and Species as required under Article 17 of the Habitats Directive. COM(2009)358.

protect forests, resulting in different and diverging forest protection measures, none of which provide sufficient protection, including an ineffective EU Forest Action Plan (FAP) and Forestry Strategy. Action should therefore be taken at both EU and Member State level. These issues are further elaborated under question 3.

### **How should it be done?**

EU and Member State forest policy should prioritise forest protection, increase coherence and ensure sufficient funds are being made available. These issues are further elaborated under question 3.

### **Question 2: To what extent are EU forests and the forest sector ready to address the nature and magnitude of the challenges posed by climate change?**

EU forests are not ready to address the nature and magnitude of the challenges posed by climate change. Maintaining and restoring biodiversity in forests promotes their resilience to human-induced pressures and is therefore an essential ‘insurance policy’ and safeguard against expected climate change impacts.<sup>6</sup> As outlined above, Europe’s forests are in a biodiversity crisis. Climate change is a rapidly increasing stress on Europe’s ecosystems and can exacerbate the effects of other stresses, including habitat fragmentation, conversion, over-exploitation, invasive alien species, and pollution.

Current forestry practices have greatly reduced the ability of forests to resist climate change, including by:

- Reduced structure: the structure of forests in the EU has been greatly altered by human economic activities. 87 per cent of European forests (excluding Russian Federation) are even aged.<sup>7</sup>
- Changes in composition: the Green Paper highlights that recent biodiversity monitoring showed that most of the surveyed forests are between 60-80 years old and mainly composed of one to two tree species. Moreover, the EU is currently still financing the creation of plantations with alien and even invasive species, such as in Hungary.
- Increased forest fragmentation: in the EU, the number of forest complexes larger than 500 ha has decreased by more than 30 % in the last decade. To maintain and enhance long-term forest resilience, especially under climate change, it is important to maintain connectivity across forest landscapes by amongst others reducing fragmentation.<sup>8</sup>
- Intensified forestry practices: new policies tend to motivate intensified forestry practices like shorter rotations, whole tree harvesting, etc

The climate crisis and linked to it, the increased demand for bio-energy, is exacerbating these problems. The Renewable Energy Roadmap predicts that to meet the EU 20 per cent renewable

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<sup>6</sup> Thompson, I.; Mackey, B.; McNulty, S.; Mosseler, A. (2009). Forest resilience, biodiversity, and climate change. A synthesis of the biodiversity/resilience/stability relationship in forest ecosystems. Secretariat of the Convention of Biological Diversity, Montreal. Technical Series, n°43.

<sup>7</sup> State of Europe’s forests 2007. MCPFE report

<sup>8</sup> Thompson, I.; Mackey, B.; McNulty, S.; Mosseler, A. (2009). Forest resilience, biodiversity, and climate change. A synthesis of the biodiversity/resilience/stability relationship in forest ecosystems. Secretariat of the Convention of Biological Diversity, Montreal. Technical Series, n°43, 67.

energy target in 2020<sup>9</sup> - biomass use is expected to more than double<sup>10</sup>. The EU renewable energy policy has been adopted without acknowledging the imbalance between projected supply and demand to meet existing material use and extrapolated renewable energy needs. Policy makers also didn't consider the upfront carbon debt of woody biomass. So the current policy is posing a great threat to Europe's forests, counteracting EU's biodiversity and climate policy objectives.

**Do you consider particular regions, certain countries more exposed/vulnerable to the effects of climate change? What sources of information would you base your answer on?**

Different regions are under different pressures from different impacts of climate change. A paper commissioned by DG Agriculture (Impacts of Climate Change on European Forests, and options for adaptation) summarises some of them. It should be noted however that the expected temperature rise the paper bases its data on, is at the very low end of the scale of predicted temperature rises estimated by the IPCC in its latest assessment report. The predicted results therefore are likely to be much more extreme than described in the report commissioned by DG Agriculture.

**Would you see a need for EU-level early action to ensure all forest functions are maintained?**

Yes. It is difficult to understand why the impact of forestry practices of the last decades has not been analysed into more depth in the Green Paper, knowing that intensive forestry practices have reduced forests' ability to cope with the impacts of climate change. One example of EU-level action could and should therefore have been to analyse the impact of current forestry practices on forests' biodiversity and forest resilience.

Another example is the lack of coherence between different EU policies and laws. The renewable energy policy has been adopted without acknowledging the imbalance between projected supply and demand to meet existing material use and extrapolated renewable energy needs. Policy makers also didn't consider the upfront carbon debt of woody biomass. So the current policy is posing a great threat to Europe's forests, counteracting EU's biodiversity and climate policy objectives. This would need to be rectified in the evaluation biomass report at the end of 2011, the renewable energy policy in 2014 and should also have been addressed in the Green Paper.

Therefore there is a clear need for EU level early action to ensure coherence and specifically that EU and Member States' policies ensure that forestry practices in the EU meet EU biodiversity and climate objectives.

**How could the EU contribute to add value to the respective efforts of MS?**

By showing the inconsistencies in their responses and forcing better co-ordination and coherence. See answer to question three

**Question 3: Do you consider that EU and MS policies are sufficient to ensure that the EU contributes to forest protection, including preparing forests for climate change and conserving biodiversity in forests?**

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<sup>9</sup> Directive 2009/28/EC on the promotion of the use of energy from renewable sources.

<sup>10</sup> COM(2006)848

No, clearly not, as already argued above. As described in the Green Paper, one of the roles of the EU in forest policy is: “*adding value to national forest policies and programmes by anticipating global trends and drawing Member States’ attention to emerging challenges*”. Emerging challenges that are of relevance now - and particularly in this debate - are new and increasing demands on forest resources (such as bioenergy), declining biodiversity and the impacts of climate change on forests. The EU has not anticipated these trends, on the contrary, it has sent out wrong signals and has developed contradicting policies. (e.g. adopting the current biomass report).

**First, there is no clear coherent policy at EU level.** The current governance framework for EU forest policy is provided by the Forestry Strategy and the EU FAP. These policies pursue contradictory objectives clearly visible in the EU FAP: pursuing forest protection and improving the long-term competitiveness of the forestry sector. Since the EU FAP neither prioritises nor makes any binding commitments regarding the achievement of either objective, actors and decision makers at Member States’ level are free to pursue them according to their own priorities. Combined with increasing demand and global competition, this is likely to result in deteriorating forestry management standards.

**Second, EU forest policies contradict EU biodiversity and climate policy objectives.** As demonstrated by FERN’s reports in the last few years –see [www.fern.org](http://www.fern.org)–, there are currently not enough safeguards nor incentives in place to ensure that the EU Rural Development Policy contributes to enhanced forest protection and sustainable use. Both in the previous and in the current programming periods, forestry practices as ‘business as usual’ were supported, at the cost of biodiversity conservation and rural development. Afforestation practices with alien and sometimes invasive species are a clear example. The insufficient financial support allocated to Natura 2000 forest areas is also an example of lack of political will at both EU and MS level to prioritise forest protection measures. The current bioenergy policy is another example of policy incoherence, as it is incentivizing increased harvesting levels that might lead to a depletion of the forest carbon storage capacity and increased risk of unsustainable forestry practices.

**Third, there is also a lack of coherence at Member States’ level.** National action plans for different policies (biodiversity, rural development) are not in line with each other and even contradict each other. EU forest policies such as the EU Forestry Strategy and the EU FAP identified the National Forest Programmes (NFP) as one of the elements through which international commitments, principles of sustainable forest management and recommendations should be implemented. Stakeholders have in the past raised questions about how the NFPs have influenced EU policies, and have stressed that there is a need for better consistency between the objectives of relevant EU policies and NFPs, and that there should be regular monitoring of and reporting on the effectiveness of these plans. The mid-term evaluation of the EU FAP recognised the very different approaches of Member States when developing their plans. Notwithstanding the lack of a coherent approach, Member States have so far not been willing to improve coordination of the NFPs. Moreover, one of the key actions of the EU FAP – to foster coordination of the NFPs – has not been properly carried out yet.

In conclusion, existing policies nor at EU nor at Member State level are sufficient for forest protection, in fact they have to date lead to forest depletion and hence existing policies can in no way contribute to preparing forests for climate change or restoring biodiversity.

Recent Council Conclusions from the Environment Council<sup>11</sup> on the Green Paper seem to reinforce this. The Council’s “*call for strengthening of the cooperation and coordination in the EU and*

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<sup>11</sup> Council conclusions on preparing forests for climate change: forest protection and information in the EU. Environment council meeting. Luxemburg 11 June 2010.

*internationally on SFM, including forest protection*” is disappointing. Concepts like ‘multifunctionality’ and SFM are in theory giving equal importance to ecological, economic and social considerations. But it is clear that the reality on the ground is different and that ecological concerns are not adequately addressed.

### **In what areas, if any, do you think further action may be necessary? How might this be organized, under the given policy framework or beyond?**

The role of the EU in ensuring forest protection should be:

- Enhancing forest protection, by setting clear priorities and ensuring all forest related (and sectoral) policies are clear, not contradictory and are leading to forest and biodiversity protection. The Forestry Strategy and the FAP have not been helpful in this regard.
- Researching use and value of NTFPs across Europe as well as the social and economic impact these forest resources have on local rural development and how this can be improved.
- Guaranteeing there is increased coherence at Member States level that obliges them to make sure there is coherence between national action plans and policies that have an impact on forests
- Increasing and streamlining financial support for forest protection measures. The current funding structure needs to be increased and streamlined to ensure that funding is not harming biodiversity and enhancing forest protection. This means that support through Rural Development should be ringfenced for Natura 2000 and related measures and necessary safeguards should be in place to ensure that existing forestry practices do not get support unless they lead to improved protection, increased biodiversity and improved rural development.
- Support for bioenergy should be conditional on a rural development plan that promotes local rural development, is not dependent on biomass imports and contributes to climate change policy objectives and biodiversity objectives. Bio-energy should come from well managed local forests.
- Ensure sufficient means are available for long-term information and monitoring tools

Without these measures taken, any new action plan or policy to enhance forest protection will fail again. As long as Member States are not able to protect and support their forest resource, in terms of biodiversity loss, resilience etc. and as long as Member States don’t look at NTFPs as forest resources as well as timber, also any legally binding agreement – as under discussion at the moment- will do nothing to address these problems.

National governments have in some cases not grasped opportunities to enhance forest protection. Despite the fact that Axis 2 of the Rural Development Policy is the most important EU funding source for Natura 2000 and biodiversity protection,<sup>12</sup> Member States have not allocated sufficient money from this funding source for forest protection, as shown in the latest EC report on the implementation of forestry measures under the Rural Development Regulation.<sup>13</sup> They have just continued with business as usual scenarios. The role of the Member States (and specifically why they have failed to prioritise forest protection) needs to be studied further.

### **Question 4: How could the practical implementation of SFM be updated in order to upkeep the productive and protective functions of forests and**

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<sup>12</sup> Communication on the mid-term assessment of implementing the EC biodiversity action plan. COM(2008)864.

<sup>13</sup> European Commission (2009). Report on implementation of forestry measures under the rural development regulation 1698/2005 for the period 2007-2013.

## **overall viability of forestry, as well as enhance the resilience of EU forests in view of climate change and biodiversity loss?**

While discussions about what constitutes ‘sustainable’ forest management have come a long way and have evolved beyond merely equating the production of sustained yield of timber with the sustainable use of forests, forest management practices on the ground and the continued decline of forest biodiversity across the EU show the gap between general agreement on concept and principles, and actual implementation. Current forestry practices across the EU, even despite a large area of EU forests being certified as ‘sustainably managed’, have led to a decline in forest biodiversity and to social conflicts in some areas. Therefore the concept as well as the implementation of SFM is insufficient to ensure resilience of EU forests in view of climate change and biodiversity loss.

In a report on the forestry measures during the previous rural development programming period, the Court of Auditors commented on the EU’s forestry strategy and its implementation, saying that the concept of SFM was vague and that, being based on intentions and aims, it could be contradictory. It appears to have been particularly difficult to obtain an appropriate balance between the economic, ecological and social aims. Interested parties identify the balance in different ways depending on their own interests and conflicts between these stakeholders exist.

Existing forestry practices are a main cause of biodiversity loss and hence, despite MS stating they use SFM and despite the fact that large areas of Europe are certified as well managed, forests continue to lose biodiversity. Priority therefore needs to be given to ensure that SFM is being redefined and properly implemented rather than just preached. This would probably have serious implications for the volume of timber that can be harvested.

## **What steps are required to ensure that the gene pool in forest reproductive material can be successfully conserved in its diversity and adapted to climate change**

Practices such as replanting with selected breeds replacing practices such as natural regeneration have had an impact on the gene pool in forests. Protection of natural old-growth forests should be an important component of successful preservation of forest genetic resources. It is evident that old-growth forests can serve as potential reservoirs of genetic diversity for the dominant tree species<sup>14</sup>. Moreover, complex, genetically diverse old-growth forests themselves provide high-value carbon sinks and may continue to do so for centuries in all forest biomes, unless disturbed<sup>15</sup>. Therefore protection of old-growths is a necessary condition of long-term strategy aimed at conservation of forest genetic resources under changing climatic conditions.

## **Question 5: Taking into account the various relevant policy levels, is available forest information today sufficient to assess with sufficient accuracy and consistency:**

- **The health and condition of EU forests?**

No

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14 Mosseler, A., Major, J., E., Rajora, O., P. 2003. Old-growth red spruce forests as reservoirs of genetic diversity and reproductive fitness. *Theoretical and Applied Genetics* 106: 931-937

15 Luysaert, S., E.-D. Schulze, A. Börner, A. Knohl, D. Hessenmöller, B.E. Law, P. Ciais and J. Grace. 2008. Old-growth forests as global carbon sinks. *Nature* 455: 213-215.

- **Their productive potential?**

No

- **Their carbon balance?**

No

- **Their protective functions (soils, water, weather regulation, biodiversity)?**

No

- **The provision of services to society and their social function?**

No

- **Overall viability of forestry?**

No

For none of these issues is sufficient and accurate information available today. As the Green Paper points out, there is a need for more harmonised, reliable and comprehensive information. There is currently not even sufficient information available for the EU to meet its reporting obligations under the CBD and the UNFCCC. The Kyoto Protocol requires greenhouse gas emissions/removals via LULUCF activities to be provided for five different carbon pools: above-ground biomass, below-ground biomass, deadwood, litter and soils, all of which display a natural variability in terms of carbon flows. A recent report by Ecofys<sup>16</sup> shows that the EU's LULUCF reporting is seriously deficient, with not all countries reporting for the same years or according to the same baseline assumptions. Even the most basic definitions, like what constitutes a forest area, still differ among Member States. If Ireland's definition were used, European forested area would be roughly 5 per cent less whereas if the Luxembourg definition were applied, it would be about 3 per cent more.<sup>17</sup>

### **If it is insufficient, how should forest information be improved?**

The establishment of Forest Focus and the plans of DG ENV at that time to use the Forest Focus Regulation to present these data were dealt a serious blow when the then new DG of DG ENV decided to kill off the Forest Unit. Since then there has been nothing to replace it. To improve information, an improved Forest Focus Programme would have to be set up in line with the plans DG Environment had at that time. This would require Member States, as a start, to report to the Commission in a unified way on biodiversity and carbon. Existing monitoring systems would need to be linked and co-ordinated and provide coherent information across all different Member States.

### **Are efforts towards harmonised data collection on forests sufficient?**

No, see above. One of the roles of the EU in forest policy, as described in the Green Paper, is “*adding value to national forest policies and programmes by monitoring and possibly reporting on the state of EU forests*”. It can be questioned how the state of EU forests can be monitored without harmonised and reliable information tools. Since Forest Focus expired in 2006, there is no formal EU

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<sup>16</sup> Sectoral Emission Reduction Potentials and Economic Costs for Climate Change (SERPEC-CC): Land use, land use change and forestry (Ecofys, October 2009).

<sup>17</sup> European Court of Auditors Special Report No 9/2004 on Forestry Measures within Rural Development Policy.

legislation or funding source providing for continuous and obligatory forest monitoring. Working towards a European Forest Monitoring system was identified as one of the key actions of the EU FAP but no real progress has been made. The mid-term evaluation of the EU FAP is clear<sup>18</sup>:

*An EU forest monitoring system has not been developed as anticipated. This is mentioned by several Member States as a shortcoming compared to the expectations raised when preparing the FAP ... Since the Forest Focus regulation expired in 2006, there have been no financial means for ensuring sustained maintenance of forest monitoring. .. The impact of the FAP on elaboration of a European forest monitoring system is modest.*

The Freiburg University and Ecologic Institute are also clear about the consequences of the lack of a harmonised and long-term monitoring system:

*The current institutional arrangement increases the risk of inconsistent and fragmentary forest-related data and does not provide for a credible, knowledge-based implementation and development of forest protection policies in Europe<sup>19</sup>.*

This lack of common EU-wide monitoring also seriously jeopardizes the EU's joint commitments to global environmental conventions on climate and biodiversity. This is also quite clearly spelled out in the report of the University of Freiburg and the Ecologic institute:

*As a consequence of the fragmented European monitoring arrangement, the knowledge base of the harmful impacts of abiotic and biotic and/or of anthropogenic origin that can threaten forests by reducing the quality and quantity of forest ecosystem services and goods available to European society is inconsistent or even lacking on a European scale. Thus it is not easy or perhaps even impossible to describe and evaluate e.g. the effects of various forest management paradigms applied across the EU on carbon storage or forest biodiversity, given the available data. In a nutshell, there appears to be a significant amount of discrepancy between the actual state of forest monitoring and current and future forest (protection) policy and information needs within the EU.*

There is not even an EU wide definition of a forest, as described above. It should further be emphasized that efforts to improve harmonised data collection should not only focus on carbon specifically. These data should include data on biodiversity, forest use (including NTFPs, social use, health impacts) and (economic or subsistence) income derived from forests, including using historical data etc.

## **What can the EU do to further develop and/or enhance forest information systems?**

See above.

## **Question 6: Would you like to make further comments on the questions set out in the Green paper or raise any other issues concerning forest protection and information in EU?**

The paper omits some important issues:

- There is a lack of analysis of the impacts of forestry practices during the last decades on issues such as forest composition and structure, biodiversity and the greenhouse gas

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<sup>18</sup> Pelli, P. Et all (2009). Mid-term evaluation of the implementation of the EU Forest Action Plan. A study for DG Agriculture and Rural Development (AGRI-2008-EVAL-07).

<sup>19</sup> EU policy options for the protection of European forests against harmful impacts. Albert-Ludwigs-University Freiburg & Ecologic Institute Berlin, September 2009

balance. There is no acknowledgement that intensive forestry practices may reduce forests' ability to cope with the impacts of climate change.

- Even though protection of biodiversity is taken up in the questions above (question 3 and 4), this angle is not sufficiently being dealt with in the Green Paper while it is very clear from scientific evidence that biodiversity conservation improves forest resilience and adaptive capacity.
- The issue of consumption and the impacts of unsustainable consumption patterns in EU Member States on forests have not been dealt with.
- Urban forests: this issue is not sufficiently being dealt with in the Green Paper. The chapter on socio-economic functions heavily focuses on provision of jobs and income and thereby the balance in the Green Paper is in favour of the forest industry.
- NTFPs are not being given the prominence they should have been given. NTFPs are an important forest resource that could be harvested more easily without causing much damage to forest resilience and biodiversity and are a forest resource that provide clear (as yet un-quantified) benefits to rural populations.

As an input for this contribution, FERN has also produced a report "Forest in danger: failures of EU policy and what needs to change". This report has been submitted separately as is available at [ww.fern.org](http://ww.fern.org).

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