



The big unanswered question: what is the added value of Forest Europe creating a legally binding agreement on forests in Europe?

Open letter to Forest Europe signatory countries and observers, September 2010

NGOs are concerned that a Forest Europe¹ working group is pushing ahead with creating a Legally Binding Agreement (LBA) despite the fact that key questions have not been considered. The biggest among these unanswered questions is: what value would such a new agreement add to the protection of the forests in Europe? NGOs think the answer is “none” and are also concerned that the process has been very poor.

In May 2008, an Expert Level meeting of Forest Europe commissioned a review to provide the basis for decisions on the strategic direction of Forest Europe’s future work. However, before the outcomes of the review had even been discussed, a working group was set up to explore the added value of and the options for an LBA. The process continued on a negative track when a second working group was convened to prepare for a decision on a possible LBA. Neither the first nor the second working group included key questions in their discussions such as what Forest Europe has achieved so far, why current legal instruments haven’t worked and what the best options are to ensure increased forest protection.

As well as these problems with the process, NGOs are concerned that Forest Europe starts from the assumption that “Europe’s forests are in a comparatively good state”. In fact, forests in Europe are in a dire state. They are too intensively managed; in the European Economic Area for example, only five per cent of forest cover is ‘natural’ or undisturbed by human activity. Of all continents, Europe has the lowest percentage of old-growth forests. Unsustainable forest management methods and measures to increase the efficiency of timber production have led to negative changes in tree composition and structure which have accelerated biodiversity loss and reduced forest resilience to fires, storms and climate change. Growing demand for woody biomass for energy production will also put additional pressure on forests.

Forest Europe continues to push for sustainable forest management (SFM) and it is expected that this would be a key part of any LBA. Research shows that despite claims that SFM promotes biological diversity, this is rarely the case. Parties in favour of the LBA claim that a legal instrument could encourage implementation of SFM and play a role in bridging the gap between possible conflicts of interest related to forest use. However, measures addressing ecological concerns have to date always been inadequate and conflicts of interest have not been resolved. The Forest Europe proposal gives no indication that the past failures to address these conflicts would not be repeated with a new LBA.

No national or EU policies have to date been able to protect forests in Europe from degradation, on the contrary, the recent EU Bioenergy Policy for example, is leading to further incoherence and increased conflicts of interest by creating a demand for bio-energy that cannot be met by forests in Europe without further degradation. Whilst EU institutions and Member States are still struggling to improve

¹ Forest Europe (the Ministerial Conference on the Protection of Forests in Europe) is a high level political initiative promoting sustainable management of the continent’s forests. It has 46 member countries and the European Union.

coherence and forest protection and don't show sufficient political will to change the current untenable situation, now is not the time to try to come up with an LBA that would mainly promote SFM without leading to any real sustainability on the ground. Most of the existing forestry practices in Europe, even when certified as SFM, continue to lead to a deterioration of forest biodiversity, whilst ecosystem based forest management practices that focus on ecological restoration as well as multiple forest use received little policy support.

NGOs believe furthermore that the organisation Forest Europe has now been weakened because it focuses too narrowly on the promotion of the concept of SFM without addressing its practical shortcomings, and lacks clear objectives and targets.

The NGOs therefore call on Forest Europe to:

- **Drop the push for an LBA, which will not lead to improved forest protection.**
- **Develop clear objectives and targets to ensure forests in Europe are improving in quantity and quality.**
- **Carry out an assessment of why current international laws and policies, e.g. the CBD and the IPF Proposals for Action have failed to ensure forest protection in Europe.**
- **Analyse why current national instruments, including National Forest Programmes, have failed to ensure sufficient forest protection and identify and implement new ways to strengthen forest protection.**
- **Develop an action plan that would close the gap between SFM theory and its application in practice with the objective of ensuring that forest management methods deliver good forest management, increase forest resilience and guarantee sufficient protection of forests.**

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BirdLife International

FERN

Friends of Siberian Forests, Russia

Friends of the Earth Europe

Friends of the Earth Czech Republic – Hnutí Duha, Czech Republic

Friends of the Earth Germany – Bund, Germany

Friends of the Earth Netherlands – Milieudefensie, Netherlands

Friends of the Earth Switzerland – Pro Natura, Switzerland

Friends of the Earth International

Global Witness, UK

Greenpeace International

Natuurpunt, Belgium

Pro Regenwald, Germany

Robin Wood, Germany

Terra, Italy

The Woodland League, Ireland