

In order to facilitate the analysis of your contribution and enable the administration of numerous responses we would appreciate if you could follow the structure of the document in providing your comments (note that you can limit your comments to the individual sections of the document). Please, provide your contribution within the framework presented below, and send it as an attachment (only by e-mail) to the Commission staff responsible for the preparation of the implementation report, at the following address:

**Agri-forestry@cec.eu.int**

Please, make sure that you provide your name, affiliation and full address. Note that anonymous contributions will not be considered. The deadline for comments is **15. September 2004**.

How to fill in the form: Insert your contribution into the yellow box. The box will expand to accommodate your text. Concise responses will be appreciated.

**Draft Commission Staff Working Document: General Comments**

**Please, inform us whether all important issues in the European forest sector have been included in the document.**

Your comment:

**Do you consider that all the aspects relevant to sustainable forest management are covered in the document, and that this is done in a balanced way?**

Your comment: The Commission Staff Working Document covers a wide range of issues which are relevant to assess the implementation of the EU Forestry Strategy. One of the issues that seems to be lacking is the role the informal sector plays for communities in the proximity to forests. What role do non-timber forest products play for communities in the proximity of forests across the EU? Whilst a smaller issue in the EU than in many other parts of the world, it is nonetheless an issue that we consider deserves recognition and consideration, if not in an assessment of the past implementation of the EU Forestry Strategy but certainly in a forward looking document dealing with future implementation of an EU Forestry Strategy

The document is in our opinion not very balanced as it focuses to a large extent on reporting on and assessing of timber-oriented forestry management practises and forestry aspects. The social and environmental aspects of forests and forests' use do not get equal attention; often they appear almost as an afterthought. Furthermore there is insufficient analysis of the linkages between the different aspects of forest use.

**Do you think that some issues are underrepresented?**

Your comment: Yes. The role of forests in a social context remains poorly assessed.

Furthermore, in many urbanised regions of the EU, the role of forests has changed significantly since the EU Forestry Strategy was first developed. Discussions about the role of forests in an urban context have progressed in recent years. Thus, looking forward, an implementation review of the EU Forestry Strategy ought to identify emerging issues to ensure that the dynamic process of implementation will focus on the relevant issues and correct the heavy timber bias of the original strategy.

Other issues that are not considered in the implementation review are the positive health and recreational benefits that forests provide.

Apart from the 'Forests and Biodiversity' chapter, the importance of intact forests to maintain ecosystem functioning or to provide clean air and water have been considered as an afterthought rather than as integral aspect of sustainable forest use.

## Trends in EU forest policy

**Do you think that all important issues relevant to this section have been included; or do you think that some issues are underrepresented?**

Your comment:

The 'Overview of Action' states that 'Many countries indicate that their national policies are linked to the results of the IPF/IFF ...'. Statements like this are difficult to ascertain for the interested public because by UNFF 4, only eight countries [five of which EU Member States] had regularly submitted national reports on the progress of implementation of the IPF/IFF Proposals for Action. Some EU Member States had never submitted a national report - irregardless of the quality of these reports - to the UNFF. Without such basic information it is difficult to assess whether Member State policies are indeed linked to IPF/IFF Proposals for Action, that arose as the main result from this policy dialogue.

It is commendable that this section on trends in EU Forest Policy does highlight the increasing interconnectedness of the different policy discussions. Whilst the chapter in some instances alludes to the importance of conserving biodiversity not only in protected areas but also as part of timber-oriented forest management, it fails to assess whether and how the EU Forestry Strategy has contributed to the development of national forest programmes and the integration of these programmes with the national biodiversity strategy plans.

Recommendations for a future focus of implementation of the EU Forestry Strategy should include specific measures to promote policy coherence of the various forest related policies, including coherence of National Forest Programmes with national biodiversity action plans [a commitment for signatories to the Convention on Biological Diversity], Natura 2000 and Habitats Directive, inter alia. Promoting such policy coherency is crucial for an EU Forestry Strategy that 'considers that the conservation and enhancement of biodiversity in forests is essential to their sustainable management.'

The issue of illegal logging is underrepresented in this policy overview. Illegal logging has become a dominant issue in forest policy debates in the past years. It is an issue for the EU

both regarding imports of timber and timber products into the EU as well as a problem faced in some of the new Member States, notably the Baltics. It is for example estimated that about 50% of the logging in Estonia is illegal..

A further policy issue that receives no mention in this overview chapter is the role of forests in urban areas, a policy area of increasing significance within the EU considering increased urbanisation trends.

## Development of national forest programmes

**Do you think that all important issues relevant to this section have been included; or do you think that some issues are underrepresented?**

Your comment: This section remains largely descriptive. We are unable to verify the validity of some of the statements made, though we would certainly express doubts about their validity for all EU-15, and certainly for EU-25. These doubts arise particularly in regard to the claim that 'all programmes provide a holistic approach to sustainable forest management'. Unless national forest programmes in Member States have undergone SUBSTANTIAL changes in the last couple of years, such blanket statements are untenable.

The 1998 Council Conclusions identify national or sub-national forest programmes developed by Member States as a key instrument for implementing international commitments, principles and recommendations. Likewise, the IPF/IFF Proposals for Action identify national forest programmes as the main instrument for the implementation of these Proposals for Action. The chapter on National Forest Programmes does not give any indication whether Member States have indeed used their national forest programmes to e.g. identify policy priorities and components consistent with the IPF/IFF PfAs and other international forest related commitments and obligations nor whether these National Forest Programmes have been developed with meaningful participation of Major Groups and included a systematic assessments of the IPF/IFF Proposals for Action. It is also unclear if the National Forest Programmes are coherent with the National Biodiversity Strategy Plans (see above).

With regard to the international dimension of National Forest Programmes, additional information on the quality with which this dimension is covered would be welcomed. Without additional detail it is not possible to assess whether the reference in National Forest Programmes to the international dimension is meaningful. Conspicuously absent from the list of themes addressed in the international dimension seems to be the issue of consumption and the impacts of unsustainable consumption patterns in EU Member States on forests within as well as outside the EU.

**Do you think that there has been progress in the implementation of the EU Forestry Strategy in this area?**

Your comment: We are unable to assess whether the existence of the EU Forestry Strategy has

been a factor in Member States developing and, to a still limited extent, implementing national forest programmes. The document presented does not allow us to judge what contribution the EU Forestry Strategy has made to the development of these programmes, or whether the development of these programmes was triggered and influenced by other processes. The chapter provides no tangible information on what difference the EU Forestry Strategy has made to national forest programmes of the Member States.

**What do you foresee as the major needs for improvement in this area in the future?**

Your comment: Considering that the 1998 Council Conclusions identify national or sub-national forest programmes as a substantial element of the EU Forestry Strategy, an assessment of whether the existing national forest programmes have indeed been a successful tool for achieving international commitments, principles and recommendations related to forests and forest biological diversity should be a key priority in the future implementation of the EU Forestry Strategy. Considering that in most Member States, national forest programmes are in early stages of implementation or development, identifying best practise as well as lessons learned in the development and implementation of national forest programmes is timely. Especially at this early stage of implementation and development, the identification of best practise could significantly improve the quality of national forest programmes across the EU.

**The EU and the international forest regime**

**Do you think that all important issues relevant to this section have been included; or do you think that some issues are underrepresented?**

Your comment:

**Do you think that there has been progress in the implementation of the EU Forestry Strategy in this area?**

Your comment: In the absence of indicators that would more clearly define 'progress' in this area it is impossible to provide a substantive and substantiated response to this question. If progress is measured as 'number of meetings attended' or 'resolutions adopted' then the answer to this question would in all certainty be that there has been progress. If progress in implementation (i.e. pro-active participation in international processes according to the forestry strategy) was measured e.g. by 'the EU being pro-active to ensure that a number of issues defined as relevant by the IPF/IFF Proposals for Action such as land rights issues or wood consumption and production patterns are essential topics to be addressed in any international forest regime' then the answer is that there has been no progress in implementation.

**What do you foresee as the major needs for improvement in this area in the future?**

Your comment: One of the key areas of improvement needed to move the discussion on an international forest regime is the way that governments report on progress made in the implementation of existing commitments, including the IPF/IFF Proposal for Action, the CBD Work Programme on Forests, numerous Human Rights Conventions . In fact, the chapter in the Commission Staff Working Document on 'The EU and the international forest regime' also provides a case in point: The 'Concluding Remarks' state that ' The concept of National Forest Programmes as inclusive and dynamically evolving frameworks for incorporating international forest-related policy principles into forest management is well established.' Such a statement about the assumed merits of the theoretical concept of NFPs says nothing about the effectiveness of the existing national forest programmes within the EU to achieve the stated objectives, and as mentioned above, we have considerable doubt that the existing National Forest Programmes do fulfil the claims made. Some may, many may not, but the implementation review does not allow the reader to establish whether this is the case or not.

Similarly questionable statements are also included in the main text of the chapter, for example regarding the impact of bilateral agreements in the framework of the EU Action Plan on FLEGT: Whilst the reader has the impression that bilateral agreements will effectively halt imports of timber not accompanied by a legality certificate into the EU, such bilateral agreements may have a negligible impact on EU imports of illegal timber if key producer countries will not be covered by bilateral agreements. Moreover these partnership agreements can even backfire if they do not build on a proper assessment of existing forest related legislation, followed by an inclusive process to develop national definitions of legality.

More examples could be cited, but these we hope suffice to demonstrate that 'reporting on progress' has to move beyond the mere listing of activities and processes and will have to include shortcomings as well as achievements.

## Forestry and rural development

**Do you think that all important issues relevant to this section have been included; or do you think that some issues are underrepresented?**

Your comment:

**Do you think that there has been progress in the implementation of the EU Forestry Strategy in this area?**

Your comment: Certainly more progress could have been made had the timing of the EU Forestry Strategy implementation review and the development of the Rural Development policy post 2006 been better co-ordinated so as to ensure that the EU Forestry Strategy implementation review findings could have been adequately considered in the development of the EU rural development policy for 2007-2013. It would be desirable to ensure better timing of such major EU policy reviews that relate to forests to further policy coherence.

**What do you foresee as the major needs for improvement in this area in the future?**

Your comment: Using its potential as a co-ordinating platform, the EU Forestry Strategy should help ensure that forestry measures in the rural development policy do indeed 'contribute to biodiversity conservation', climate change mitigation. One first step in ensuring such policy coherence would be an independent assessment of the impact of forestry measures related to the rural development policies on biodiversity, on climate change mitigation, on rural communities. Following on from such an assessment, the promoting of best practise in forestry measures in the rural development policies would be an important priority for future implementation of the EU Forestry Strategy. Considering that the strategic approach to rural development foresees identification of priorities, future implementation of the EU Forestry Strategy should focus on ensuring that forestry measures connected to the rural development policy, including those aimed at biomass energy production, are coherent with national biodiversity action plans, the EU Habitats Directive and Natura 2000, among others. Such an assessment would be in accordance with statements from Member States to improve the integration of environmental objectives in forestry measures in the context of rural development and the potential to learn from best practise (see concluding remarks chapter 6.1.6) and should be one of the priority areas of future implementation of the Eu Forestry Strategy.

**Support for forestry measures in accession countries – the Sapard programme**

**Do you think that all important issues relevant to this section have been included; or do you think that some issues are underrepresented?**

Your comment: The chapter, while mentioning that the focus of the programme was on production-oriented activities and the private forest section in former accession countries, and mentioning some of the problems that arose during the implementation of the programme, fails to elaborate on the relation between measures financed under the programme and other relevant environmental EU legislation, international commitments or programmes. For example, were measures financed under Sapard in compliance with EU biodiversity action plans, with EU commitments under the CBD, etc. What was the relation between measures financed under Sapard and the national forest programmes of the respective countries?

**Do you think that there has been progress in the implementation of the EU Forestry Strategy in this area?**

Your comment:

**What do you foresee as the major needs for improvement in this area in the future?**

Your comment:

## **The EU forestry information and communication system (EFICS)**

**Do you think that all important issues relevant to this section have been included; or do you think that some issues are underrepresented?**

Your comment:

**Do you think that there has been progress in the implementation of the EU Forestry Strategy in this area?**

Your comment:

**What do you foresee as the major needs for improvement in this area in the future?**

Your comment:

## **EU forest monitoring measures**

**Do you think that all important issues relevant to this section have been included; or do you think that some issues are underrepresented?**

Your comment:

**Do you think that there has been progress in the implementation of the EU Forestry Strategy in this area?**

Your comment: We expect there will be progress in this area since DG Environment has developed the Forest Focus Regulation, replacing the Regulations on air pollution and forest fires. Whether this is a result of the implementation of the EU Forestry Strategy is however unclear to us. It looks like they are separate developments.

**What do you foresee as the major needs for improvement in this area in the future?**

Your comment: FERN considers Forest Focus, the regulation combining previous regulations on the protection of the EU's forests against atmospheric pollution and fires a definite improvement over the previous schemes. FERN particularly welcomes the clear reference that the role of forests for the environment extends beyond pollution impacts and forest fires.

Following from this, we believe that the expanded scope of Forest Focus, which goes beyond mere monitoring the impact of air pollution and fires and allows for the development of new activities covering biological diversity and soil protection and that the new regulation does take into account the Aarhus Convention on access to information which will enable public access to data, are significant steps towards a holistic approach to forest use and protection. FERN sees room for the expansion and further development of the EU Forest Focus Framework Regulation pilot studies to ensure comparable Member State monitoring against EU biodiversity targets.

## Forests and biodiversity

**Do you think that all important issues relevant to this section have been included; or do you think that some issues are underrepresented?**

Your comment: FERN commends the comparatively analytical nature of this chapter in comparison to others. Whilst more analysis can always be done, this chapter does highlight both activities undertaken as well as obstacles. The chapter expands on the fact that forest biodiversity continues to be dwindling, despite EU and national biodiversity action plans.

The crucial issue of forest restoration has not been covered in the chapter on forests and biodiversity, though this is a reflection of one of the remaining gaps in the existing Forestry Strategy. The mere existence of such degraded forests throughout the EU is a clear indication that in these cases forest management has not been able to contribute to the conservation and enhancement of biological diversity. In light of the degradation of significant forested areas across the EU it is crucial that an EU Forestry Strategy addresses the need for forest restoration and ensures that activities undertaken in the framework of the strategy will not exacerbate the existing degradation by promoting the very measures that lead to the degradation in the first place

**Do you think that there has been progress in the implementation of the EU Forestry Strategy in this area?**

Your comment: The set of priorities and targets to effectively halt biodiversity decline by 2010, which are included in the 'Message from Malahide' are a clear indication that progress to ensure forest biodiversity conservation and restoration has been lacking.

**What do you foresee as the major needs for improvement in this area in the future?**

Your comment: The Natura 2000 network provides a significant step towards maintaining and restoring forest biodiversity within the EU. However, the establishment of the network has been sluggish and as a result, many forests with high conservation value in the old Member States have been logged during the long preparation process. With a view to future priorities in implementation of the EU Forestry Strategy, measures should be taken to ensure such losses will not be repeated in the new Member States. The Communication on the

implementation of the Forestry Strategy should thus identify the designation process of SACs both in old and new Member States as a priority. Further priority should be given to the designation of ecological corridors (c.f. Article 3.3 and 10 of the Habitats Directive) and to highlighting the need to ensure adequate funding for the implementation of the network.

A meaningful review of the EU Biodiversity Strategy will also have to consider the adequacy of the EU Forestry Strategy to contribute to maintaining and restoring forest biodiversity, and where necessary recommend improvements to ensure policy coherence and ensure the disturbing trend of loss of forest biodiversity within the EU will be halted.

## Forests and climate change

**Do you think that all important issues relevant to this section have been included; or do you think that some issues are underrepresented?**

Your comment: Climate Change is predicted to have a significant impact on the composition and the functioning of forest ecosystems. It is disappointing to read the draft Commission Staff Working Paper continue the trend of virtually ignoring the issue. A mere paragraph is dedicated to this aspect, whilst carbon accounting aspects related to the Kyoto Protocol are covered in large detail. But even here, FERN expresses its disappointment about the one-sidedness of the draft which fails to mention the significant remaining scientific uncertainties related to the accounting of biological carbon storage. The chapter also fails to elaborate on the significant dangers of ill-advised climate mitigation and biomass energy production programmes and projects for biodiversity conservation.

It is indicative for the onesidedness of this chapter that due to the processing industries having expressed concern over wood supply and 'the effects of inter-actions between the requirements of RES policy and the needs of EU wood-processing industries', the Commission has set up a working group together with these industries. FERN does not recall a similar working group to discuss the concerns raised by European NGOs over the inadequacy of carbon sinks accounting as a means to slowing climate change. One issue that has in this context of conflicting resource demands also been ignored is a consideration of the social and environmental impacts of the 'wood supply needs' be they from RES policies or the wood processing industries. These considerations are also of relevance in the climate context given that intact forests contain significantly larger carbon stores than short rotation or degraded forests and plantations.

**Do you think that there has been progress in the implementation of the EU Forestry Strategy in this area?**

Your comment: No. Efforts to focus on the impacts of climate change on forests remain negligible as do considerations of alternatives to the scientifically flawed approach of carbon sinks accounting to slow climate change. As can be seen from the focus of this chapter in the Commission Staff Working Document, the shortcomings of the carbon accounting approach that equates biological and fossil carbon, as enshrined in the Kyoto Protocol are not

challenged: Although these were clearly expressed in the ECCP working group on forest-related sinks, the text only highlights those activities and recommendations that endorsed the flawed carbon accounting approach without any mention of the significant scientific dispute about the appropriateness of the approach.

**What do you foresee as the major needs for improvement in this area in the future?**

Your comment: A forestry strategy which will continue to ignore the impact of climate change on forests - as aptly stated in the draft paper - while repeating the mantra that the only place to ensure forests are protected also for climate mitigation considerations is through an accounting framework which is plagued with irreconcilable inconsistencies, will fall short of ensuring forests can fulfill their multifunctional role. The most significant improvement in this area thus is the discussion about instruments that acknowledge the linkages maintaining and restoring intact forests and buffering the extremes of climate change without reliance on a market-based accounting scheme to provide funding for forest conservation and restoration.

Another area that needs improvement is the discussion about environmental and social impacts of biomass energy production. It is essential that EU policies promoting biomass energy production do fully consider the EU environmental policies, including national biodiversity action plans, Habitat Directives and Natura 2000.

## **Forest-based and related industries**

**Do you think that all important issues relevant to this section have been included; or do you think that some issues are underrepresented?**

Your comment:

**Do you think that there has been progress in the implementation of the EU Forestry Strategy in this area?**

Your comment:

**What do you foresee as the major needs for improvement in this area in the future?**

Your comment:

## **Forest Certification**

**Do you think that all important issues relevant to this section have been included; or do you think that some issues are underrepresented?**

Your comment: The EU has no clear position on forest certification and is inconsistent in its position towards it. The EU Ecolabel criteria for wood products do not demand independent third part certification as required by the IPF/IFF Proposals for Action, and which the EU also adopted. Furthermore the EU's GSP used a definition of 'sustainability' not supported by any certification scheme. It is important that the EU follows the assessment developed by the World Bank, in its forest policy, for credible forest certification schemes.

**Do you think that there has been progress in the implementation of the EU Forestry Strategy in this area?**

Your comment: No, the debate on what constitutes a credible certification scheme is ongoing.

**What do you foresee as the major needs for improvement in this area in the future?**

Your comment: A clear process to come to a proper assessment of the different schemes.

### **Forestry within the EU research policy**

**Do you think that all important issues relevant to this section have been included; or do you think that some issues are underrepresented?**

Your comment:

**Do you think that there has been progress in the implementation of the EU Forestry Strategy in this area?**

Your comment:

**What do you foresee as the major needs for improvement in this area in the future?**

Your comment:

### **EU development cooperation in the field of forests**

**Do you think that all important issues relevant to this section have been included; or do you think that some issues are underrepresented?**

Your comment: Not all important issues relevant to this section have been included but it was not the mandate of the Forestry Strategy. See below.

**Do you think that there has been progress in the implementation of the EU Forestry Strategy in this area?**

Your comment: This was not the mandate of the EU Forestry Strategy but of the Communication by DG Development on Forests, as stated in the Council Conclusions. This Communication was meant to be followed by a strategy, of which a draft was discussed two years ago, but no final version has ever appeared.

**What do you foresee as the major needs for improvement in this area in the future?**

Your comment: A mandatory assessment for all EC Country and Regional Strategy Papers on the benefits forests provide for a large part of the population in Southern countries who depend fully or partly on forest resources.

## **Co-ordination, communication & co-operation**

**Do you think that all important issues relevant to this section have been included; or do you think that some issues are underrepresented?**

Your comment:

**Do you think that there has been progress in the implementation of the EU Forestry Strategy in this area?**

Your comment:

**What do you foresee as the major needs for improvement in this area in the future?**

Your comment:

## **Emerging issues**

**What do you foresee as the major needs to be addressed in the context of the EU Forestry Strategy in the future?**

Your comment: To develop, in an inclusive process, a vision for the use of Europe's forests to the benefit of all Europeans.

**Contact:**

Name: FERN  
Jutta Kill *Compulsory*

Address: 1c Fosseway Business Centre  
Stratford Road *Compulsory*

E-mail address: jutta@fern.org *Compulsory*

I am answering as an individual member of the public:    yes     no  *Compulsory*

**If not:**

Affiliation: FERN