



1C Fosseway Business Park, Stratford Road  
Moreton-in-Marsh GL56 9NQ, UK  
Phone: 44 1608 652 895 Fax: 44 1608 652878  
jutta@fern.org  
www.fern.org

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## FERN Comments

*on the First Draft for the Preparation of the Commission Staff Working Document in support of the Communication from the Commission to the Council and the European Parliament on the implementation of the EU Forestry Strategy, June 2004*

### Introduction

FERN welcomes the opportunity to respond to the *First Draft for the Preparation of the Commission Staff Working Document in support of the Communication from the Commission to the Council and the European Parliament on the implementation of the EU Forestry Strategy*. We urge the Commission to also allow for input in the subsequent steps of preparing a Communication on the implementation of the EU Forestry Strategy.

### General Comments

The draft *Commission Staff Working Document* provides a very useful overview of measures taken in the framework of the 1998 EU Forestry Strategy. Such a compilation of activities is an important first step in assessing the implementation of the EU Forestry Strategy. FERN believes however, that a comprehensive implementation review will have to move beyond the predominantly descriptive character of the draft *Commission Staff Working Document* and include an analysis of the impact of the various measures listed in the first draft with the view of identifying priorities for future implementation. Such an analysis should also include an assessment of the social impacts of the measures implemented, and is particularly pertinent for forestry measures implemented in the context of rural development (chapter 4.4).

Furthermore, FERN believes that an implementation review must consider the role of the EU Forestry Strategy for the new member states, some of which are home to substantial forest areas and where unsustainable infrastructure development, illegal logging and a lack of biodiversity assessments and mapping are an obvious reality, which runs counter to an EU Forestry Strategy which '*considers that the conservation and enhancement of biodiversity in forests is essential to their sustainable management*'<sup>1</sup>. The draft *Commission Staff Working*

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<sup>1</sup> Council Resolution of 15 December 1998. (1999/C 56/01), Article 11.

FERN promotes the conservation and sustainable management of forests and respect for the rights of forest peoples in the policies and practices of the European Union.

Document indicates that ‘the most important challenge for the new Member States is how to combine the conservation of their rich natural heritage with investments in a dynamic forest industry, using the same primary resource’. A Communication assessing the implementation of the EU Forestry Strategy will have to go one step further and assess how future action taken in the framework of the EU Forestry Strategy can ensure this challenge will not be biased towards unsustainable resource extraction of a highly mechanized forestry industry with negative impacts on the undisturbed forest areas with high conservation value or the rural population but rather ensure the multifunctional role of forests. Last, FERN considers it crucial that the Communication

- spell out clear priorities for future measures at Community level for the implementation of the EU Forestry Strategy. Priority should be given to such measures that promote best practice and conserve and enhance biological diversity in forest use
- reiterate the relevance of EU environmental competence on forest issues and that future implementation of the EU Forestry Strategy will ensure a balanced consideration of the multiple functions of forests
- promote best practice both with regards to development and implementation of national forest programmes and forest management across the Member States.

## Specific Comments

### National Forest Programmes

The 1998 Council Conclusion identifies the implementation of international commitments, principles and recommendations through national or sub-national forest programmes developed by the Member States as a substantial element of the EU Forestry Strategy<sup>2</sup>.

Hence, an implementation review of the Forestry Strategy ought to assess whether National Forest Programmes have indeed been a successful tool for achieving international commitments, principles and recommendations related to forests and forest biological diversity. Recognising that in most Member States National Forest Programmes are in early stages of implementation or development, FERN concurs with the draft *Commission Staff Working Paper* that the framework of the EU Forestry Strategy lends itself to identifying best practice in the development and implementation of National Forest Programmes, especially at this early stage of implementation.

### Conservation and Enhancement of Biological Diversity

The 1998 Council Conclusion highlights ‘the importance of sustainable forest management for the conservation and enhancement of biological diversity’<sup>3</sup>. The growing list of endangered forest-dependent species within the EU is an alarming signal that biological diversity is not in all cases conserved and enhanced by forestry practices employed within the EU. In light of these developments it is important that an implementation review of the EU Forestry Strategy assess measures taken in the framework of the strategy and establish

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<sup>2</sup> Council Resolution of 15 December 1998. (1999/C 56/01), Article 2 (d).

<sup>3</sup> Council Resolution of 15 December 1998. (1999/C 56/01), Article 2 (g).

whether they indeed did contribute to the conservation and enhancement of biological diversity, or whether they may have undermined this substantial element expressed in Article 2(g) of the EU Forestry Strategy. Such an assessment should include a recommendation that in future priority be given to such measures that indeed ensure the conservation and enhancement of biological diversity.

## **Community Actions concerning Forests and Forestry**

### **Forest Focus**

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**

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.

### **Forests and Rural Development**

As stated in the draft *Commission Staff Working Paper*, the Rural Development Regulation has been an important vehicle for implementing the EU Forestry Strategy<sup>4</sup>. The draft working paper further states that '*the forestry measures of the rural development programmes are, at the same time, seeking to contribute to global issues such as climate change mitigation and biodiversity conservation*'. However, no assessment appears to have been carried out that would substantiate a claim that these measures also in practice have contributed to biodiversity conservation – of both forested and non-forest ecosystems, or to achieving the social objectives of the rural development regulation. An analysis of the impact of measures implemented in the framework of the EU Forestry Strategy appears thus particularly pertinent for forestry measures implemented in the context of rural development. Whilst the title of the chapter in the draft staff working paper promises an 'analysis of forestry measures' the analysis falls short of assessing whether and how the listed measures do contribute to the

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<sup>4</sup> pg. 11 Commission Staff Working Paper; Council Regulation (EC) No 1257/1999 of 17 May 1999

conservation and enhancement of biological diversity, which in the context of sustainable forest management, the EU Forestry Strategy identifies as a substantial element in Article 2(g). To mention just one example, it is difficult to see how the total landscape destruction in Ireland as a result of widespread Sitka Spruce monoculture plantations has contributed to the conservation and enhancement of biological diversity.

### **Forests and Climate Change**

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 and dedicating just one paragraph to the consequences for biodiversity conservation and forest use that may result from this impact. 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. 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.

### **Forests and Certification**

As indicated in the draft Commission Staff Working Paper, voluntary certification systems have been developed with varying success and the competing schemes have strong support or opposition amongst the different actors. Inevitable conflict has arisen regarding the credibility of certification schemes.

Considering the strongly held views regarding the various schemes, FERN would welcome an evaluation of the impact that the various certification schemes have had in really improving forest management in the field across all three pillars of sustainable forest management.

Considering further that an estimated 50% of tropical timber and an estimated 20% of timber from boreal forests imported into the EU is illegally sourced<sup>5</sup> and that 19 tree species are currently listed on CITES appendices, including numerous species entering the international timber trade, it is crucial that the EU withstand political pressure by third countries to recognize national or regional certification schemes which are not credible.

### **Gaps in the EU Forestry Strategy**

Considering that the EU Forestry Strategy identifies the implementation of international commitments as a substantial element of the strategy, the omission of any reference in the 1998 Forestry Strategy to the world's remaining primary forests is striking. These forests continue to be destroyed at unacceptable rates, and despite a multitude of international commitments to stem the tide of deforestation. An assessment of the implementation of the Forestry Strategy ought to identify this omission in the original strategy as failing to identify measures to protect not only the few remaining tracts of primary forests within the EU but also

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<sup>5</sup> Estimates by Forests Monitor (2002) and Friends of the Earth EWNI 2002, available at [www.fern.org](http://www.fern.org)

areas in third countries that continue to be affected by EU trade and aid relations also undermines the EU fulfilling its international commitments relating to the protection of remaining primary forests.

A further remaining gap in the existing Forestry Strategy is the issue of restoration of already degraded forests. 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.