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COMMUNICATION FROM THE COMMISSION TO THE COUNCIL

**concerning the European Union's participation in the Sixth Ministerial Conference on
the Protection of Forests in Europe (Oslo, 14-16 June 2011)**

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The Sixth Ministerial Conference on the Protection of Forests in Europe will take place between 14-16 June 2011 in Oslo, Norway. Over 40 European States, among them all EU Member States, are expected to attend this Conference, which is organised jointly by Norway and Spain.

The forest policy discussion under the Ministerial Conferences, renamed Forest Europe in 2009, is an inter-governmental, country-led process launched in 1990 with the objective of promoting the sustainable management of Europe's forests. It operates by voluntary commitments of its current 47 signatories. The EU has been a party in the process since its beginning, and, so far, has signed all its resolutions and declarations.

Since 1990, five ministerial conferences have taken place. The First Ministerial Conference, held in 1990 in Strasbourg, was devoted essentially to forest monitoring and protection, and forest research issues. The Second Ministerial Conference, held in 1993 in Helsinki, addressed the sustainable management of forests, conservation of biological diversity in forests, the forest-climate relationship and forestry in the countries of Central and Eastern Europe. The commitments of the Third Ministerial Conference, held in 1998 in Lisbon, focused on socio-economic aspects of the forest sector in Europe and adopted the pan-European criteria and indicators for sustainable forest management. The Fourth Ministerial Conference, held in 2003 in Vienna, concerned integration of sustainable forest management into the broader context of sustainable development, whereas the last Ministerial Conference, in Warsaw in 2007, addressed forests in the context of wood and energy production as well as the links between forests and water resources.

For the past five Ministerial Conferences the Commission, represented by the Commissioner for Agriculture, was authorised by the Council to participate on behalf of the European Union and to sign the ministerial declarations and resolutions alongside the Member States.

The Sixth Ministerial Conference on the Protection of Forests in Europe is expected to adopt two types of decisions:

- (1) Legally binding: on the opening of the negotiations and establishing an International Negotiating Committee having a mandate to develop a legally binding agreement on forests in Europe. The Rules of Procedure which will apply to the International Negotiating Committee will be in the annex to that decision.
- (2) Non-legally binding: on developing new vision, mission, goals and targets for the Forest Europe process, as well as national and European actions to be implemented on a voluntary basis, as it was the case with ministerial declarations and resolutions of the previous ministerial conferences.

The ministerial decisions will be submitted to the Ministers for the adoption by signature.

The relevant Commission services have been actively involved in the preparatory phase of this Conference.

The European Union's participation in the Sixth Ministerial Conference is necessary for the following reasons:

- the Conference relates to the implementation at pan-European level of the international commitments taken previously, not only by the Member States but also by the European Union;
- with the prospect of opening and conducting negotiations that involve third countries towards a legally binding agreement in areas where there is EU competence, the Commission will have to take an active role in order to ensure that Treaty provisions related to external representation of the EU be respected, that the primacy of the EU "Acquis" be taken fully into account and that EU participation in the decision to open negotiations, as well as in the actual negotiations themselves, take place in a close cooperation with Member States.
- as a signatory to the Strasbourg, Helsinki, Lisbon, Vienna and Warsaw ministerial declarations and resolutions, the European Union is directly involved in their follow-up and implementation;
- the subjects of the ministerial decisions to large extent correspond with the Council Resolution of 15 December 1998 on a Forestry Strategy for the European Union and the EU Forest Action Plan¹, as well as with the objectives of EU policies, including: rural development; energy; environment and biodiversity; climate; research and technological development.

As a consequence, the Commission recommends that the Council:

1. decide that the Commission will participate, on behalf of the European Union, in the Sixth Forest Europe Ministerial Conference on the Protection of Forests in Europe to be held between 14-16 June 2011 in Oslo;
2. decide that the Commission will sign on behalf of the EU and alongside the Member States the Oslo Ministerial Decisions. The Commission's signature shall not imply any commitment for joint measures falling outside the scope of European Union competence.

¹ COM(2006) 302 final.

LIST OF RELEVANT DOCUMENTS

ACTS OF THE SIXTH FOREST EUROPE MINISTERIAL CONFERENCE:

- Oslo Ministerial Decisions
- Rules of Procedure for the International Negotiating Committee to prepare a legally binding agreement on forests in Europe

RELATED DOCUMENT:

- Commission Recommendation for a Council Decision on the participation of the European Union in negotiations on a legally binding agreement on forests in Europe
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