



Council of the
European Union

Brussels, 16 December 2019
(OR. en)

15151/19

AGRI 621
FORETS 66
ENV 1026
PROCIV 105
JUR 708
DEVGEN 247
RELEX 1173
UD 334
PROBA 57
FAO 61

OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council

On: 16 December 2019

To: Delegations

Subject: Conclusions of the Council and of the Governments of the Member States sitting in the Council on the Communication on Stepping Up EU Action to Protect and Restore the World's Forests
- *Council conclusions (16 December 2019)*

Delegations will find in Annex the Council conclusions on the above-mentioned subject adopted by the Council on 16 December 2019.

**Conclusions of the Council and of the Governments of the Member States sitting in the
Council on the Communication on Stepping Up EU Action to Protect
and Restore the World's Forests**

THE COUNCIL OF THE EUROPEAN UNION AND THE GOVERNMENTS OF THE MEMBER STATES,

RECALLING:

The alarming rates of deforestation and forest degradation as well as the outbreaks of widespread and devastating forest fires;

That the UN Sustainable Development Summit of 2015 reaffirmed the principles of the Rio Declaration on Environment and Development and the UN Sustainable Development Goals, in particular goal 15 and its target 2, which refers to sustainably managing all types of forests, halting deforestation, restoring degraded forests and substantially increasing afforestation and reforestation by 2020;

The existing global agreements, commitments and frameworks contributing to the reduction of deforestation and forest degradation and the restoration of forests such as the Paris Agreement on Climate Change, the global Strategic Plan for Biodiversity 2011-2020 and its Aichi Biodiversity Targets, and the UN Strategic Plan for Forests and its Global Forest Goals;

The importance of supporting the role of forests in conserving and enhancing sinks and reservoirs of greenhouse gases and the role of sustainable forest management in producing sustainable renewable materials and in substituting fossil and carbon-intensive materials as a contribution to the implementation of the Paris Agreement;

The efforts by the EU and its Member States in tackling deforestation and forest degradation under the EU Forest Strategy, the EU 2020 Biodiversity Strategy, the 7th Environment Action Programme, the Commission’s Communication ‘A clean planet for all’, which presents a strategic long-term vision for a prosperous, modern, competitive and climate-neutral EU economy by 2050, the Forest Law Enforcement, Governance and Trade (FLEGT) Action Plan and the EU Timber Regulation¹, as well as other actions such as the Amsterdam Declarations Partnership and the New York Declaration on Forests;

The Council conclusions of 2016 on the evaluation of the FLEGT Action Plan and the review of the EU Timber Regulation²;

The EU and its Member States’ support to developing countries in REDD-plus³ national plans;

The dynamic nature of land-use changes and different national and local circumstances;

The role of sustainable forest management⁴ and forest biodiversity in the maintenance of ecosystem services and functions that contribute to sustainable development, poverty eradication, livelihoods and human well-being, including through the provision of food, feed, water, wood, fibre, fuel, medicine, recreation, as well as the mitigation of and adaptation to climate change, while noting the particular importance of natural forests for biodiversity as well as the importance of good governance, secure and predictable land tenure systems and integrated land-use planning;

¹ Regulation (EU) No 995/2010 of the European Parliament and of the Council of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market

² 10320/1/16 REV 1

³ Reducing emissions from deforestation and forest degradation and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries (REDD-plus)

⁴ Resolution H1 from the Second Ministerial Conference on the Protection of Forests in Europe, 16-17 June 1993, Helsinki, Finland

The global loss and deterioration of forest ecosystems and their services as well as their direct and indirect causes as identified in the Global Assessment Report on Biodiversity and Ecosystem Services of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES)⁵, and the impacts of this decline on human well-being;

The Intergovernmental Panel on Climate Change (IPCC) special report on climate change, desertification, land degradation, sustainable land management, food security and greenhouse gas fluxes in terrestrial ecosystems⁶, which recognises that net emissions from land are mostly due to deforestation, and its suggested options for action;

The Council conclusions of 9 October 2019⁷ expressing deep concern over the IPCC scientific findings, which prove the extreme urgency of strengthening the global response to climate change in the context of sustainable development and efforts to eradicate poverty;

That climate change, biodiversity loss, land degradation and desertification are strongly interconnected;

The specificity of forest-related issues in the outermost regions, considering their remoteness, small size, climate, and geographical situation, including insularity and contact with partner countries;

The Council conclusions of 15 April 2019 on progress on the implementation of the EU Forest Strategy and on a new strategic framework for forests⁸, especially regarding the need for a new EU forest strategy post 2020;

That, although the EU has a variety of forest-related policies, the Treaty on the Functioning of the European Union makes no reference to a common EU forest policy, and that the responsibility for forests lies with the Member States, and that all forest-related decisions and policies in the EU must respect the principle of subsidiarity and Member States' competence in this field;

⁵ <https://ipbes.net/global-assessment-report-biodiversity-ecosystem-services>

⁶ <https://www.ipcc.ch/report/srcl/>

⁷ 12796/1/19 REV 1

⁸ 8609/19

That Member States should also reflect on their own land use and forest management;

The new European Consensus on Development⁹, the Commission Communications on the renewed partnership with the countries of Africa, the Caribbean and the Pacific¹⁰, and on a sustainable European future¹¹;

The discussion at the Agriculture and Fisheries Council in October 2019 on stepping up EU action to protect and restore the world's forests;

THE COUNCIL AND THE MEMBER STATES

1. ARE DEEPLY CONCERNED that current policies and action at global level on conservation, restoration and sustainable management of forests do not suffice to halt deforestation and forest degradation, and EMPHASISE that enhanced EU action is needed in order to contribute more effectively to meeting the UN Sustainable Development Goals and targets, in particular target 15.2, as well as other forest-related global goals and targets;
2. WELCOME the Commission's Communication on stepping up EU action to protect and restore the world's forests, ENDORSE the objectives and scope of the Communication, SUPPORT the approach of the Communication consisting of five priority areas and COMMIT to act jointly with the Commission and other actors in implementing the actions proposed in the Communication to these ends;
3. STRESS the importance of addressing the variety of direct and indirect drivers of deforestation and forest degradation, which vary between regions, and ACKNOWLEDGE that particular attention is called for on those drivers, since approximately 80 per cent of global deforestation is currently caused by agricultural expansion, and the pressure for further expansion is likely to increase due to a growing population and changing production and consumption patterns;

⁹ 10108/17

¹⁰ 14770/16

¹¹ 14774/16 and Council conclusions: 10370/17 of 20 June 2017

4. ENCOURAGE the Commission, as a matter of urgency, to prioritise and implement the actions set out in the Communication together with the Member States, industry, organisations and institutions, civil society and partner countries as a part of the European Green Deal;
5. CALL for coherent implementation between the five priority areas of the Communication as well as other relevant EU policies and instruments, as strengthening consistency and coherence in EU policies concerning forests was also identified by the Council¹² as a priority for the post 2020 EU forest strategy;
6. NOTE WITH SATISFACTION the partnership approach as an overarching theme in the Communication, and HIGHLIGHT the need for intensified coordination between the Commission, Member States, industry, civil society, intergovernmental bodies and partner countries;
7. SUPPORT special attention being paid to the protection of primary forests, as they are unique, irreplaceable, of crucial importance for biodiversity and climate protection and heavily affected by deforestation;
8. HIGHLIGHT the importance of gender equality and the empowerment of women and girls, smallholder farmers, local businesses, vulnerable groups such as indigenous peoples and local communities and their respective rights, and RECALL in this regard the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP);
9. HIGHLIGHT the importance of applying clear definitions and concepts, such as deforestation-free production and supply chains, fully taking into consideration existing as well as ongoing work within relevant international processes and instruments;

Reduce the EU consumption footprint on land

10. RECOGNISE the significant role of EU imports of agricultural commodities and the importance of enhanced action with a view to ensuring sustainable and deforestation-free value chains and STRESS the importance of awareness-raising and promotion of deforestation-free consumption in the EU;

¹² Agriculture and Fisheries Council of 14 October 2019

11. REQUEST that the Commission expeditiously undertakes the assessment of additional demand-side regulatory and non-regulatory measures and produces the respective proposals;
12. RECOGNISE in that context the experiences of existing policies and instruments, such as the FLEGT Action Plan, including the EU Timber Regulation, which implements a due diligence approach, and the Council Regulation on Illegal Unreported and Unregulated Fishing (IUU)¹³ and UNDERLINE the need for enhanced implementation of the EU Timber Regulation, and further INVITE the Commission to assess the feasibility of other relevant options such as, but not limited to, application of due diligence, zero-deforestation standard, deforestation-free public procurement procedures, various types of labelling, voluntary industry commitments, bilateral agreements with producing countries, as well as awareness-raising amongst consumers, including on balanced, healthy and nutritious diets and reduced food waste, in terms of sustainable and deforestation-free commodities production and consumption;
13. UNDERLINE the importance of the application of the new sustainability framework and the assessment of its functioning as provided for under the recast Renewable Energy Directive¹⁴, including its bioenergy sustainability criteria, and in that context HIGHLIGHT the importance of its outcome with regard to deforestation, forest degradation and loss of forest biodiversity;
14. CONSIDER the Commission report on development of plant proteins in the EU to be an important basis for future work and CALL for work on ambitiously developing the EU production of protein and strengthening its competitiveness in a non-trade distorting manner;
15. UNDERLINE the need for increased transparency, accountability and clear, accessible information on supply chains as well as on standards and certification schemes to better identify, promote and purchase deforestation-free products in a cost-effective manner without placing disproportionate financial and administrative burdens on producers;

¹³ Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing.

¹⁴ Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources

16. SUPPORT the establishment of a multi-stakeholder platform designed to be interactive and solution-oriented and comprising governments, the private sector, civil society and other relevant stakeholders, including from partner countries, and CONFIRM the willingness of Member States to actively participate in the platform;

Work in partnership with producing countries

17. FULLY SUPPORT the partnership approach with producer countries to combat deforestation and forest degradation and to improve livelihoods by increasing sustainable agriculture production, especially by improving productivity to reduce conversion of forest land and by enhancing sustainable forest management;

18. UNDERLINE that one of the identified strengths of the EU FLEGT Action Plan is its innovative approach bringing demand-side and supply-side measures together in a mutually reinforcing way, REQUEST the Commission to consider in the context of potential supply-side support for producing countries how the experience of preparing and implementing Voluntary Partnership Agreements can be applicable to commodities other than timber;

19. ENCOURAGE producing countries if needed to develop and implement inclusive, ambitious and fair policies to promote action against deforestation and forest degradation, especially from agricultural production, in line with the three pillars of sustainable development and COMMIT to work with partner countries to that effect;

20. REAFFIRM the need for increased support for partner countries, and CALL for enhanced utilisation of existing instruments and partnerships, such as the EU External Investment Plan and its focus on Africa for sustainable investment and jobs, addressing the need for intensified support for sustainable forest management, protection, afforestation, reforestation and restoration, and boosting job creation, as well as methods and approaches, such as agroforestry and planting trees outside forests, supporting sustainable and more efficient and deforestation-free agricultural production;

Strengthen international cooperation

21. SUPPORT the Commission's proposal to intensify international cooperation on sustainable forest management and deforestation-free sustainable agricultural commodity supply chains together with Member States and EMPHASISE that more efforts are needed to reinforce the coherence and effectiveness of international forest policy as well as international cooperation by the EU and its Member States on issues related to deforestation and forest degradation;
22. SUPPORT the application of cross-sectoral integrated approaches and the nexus approach to implementation;
23. UNDERLINE the importance of engaging relevant countries and organisations in bilateral and multilateral dialogues in order to strengthen global action against deforestation and forest degradation, including on sustainable and deforestation-free supply chains;
24. URGE the Commission, the High Representative of the Union for Foreign Affairs and Security Policy and the Member States to jointly intensify the political dialogue with relevant consumer countries with a view to combating deforestation and forest degradation as well as promoting sustainable forest management, forest conservation and restoration;
25. RECALL the importance of providing continuing support for the implementation of REDD-plus, and CALL for clarification of its role in relation to the actions proposed in the Communication;
26. UNDERLINE the importance of enhancing the effective implementation of relevant provisions in EU trade agreements;
27. CALL ON the Commission to better take into account the issue of deforestation and forest degradation in Sustainability Impact Assessments (SIAs), to publish these in advance of concluding the negotiations and to further integrate deforestation and forest degradation in the ex-post assessments;

28. RECOMMEND proposing, for all new relevant comprehensive EU trade agreements, specific provisions on sustainable forest management, and sustainable and deforestation-free agricultural commodities with the aim of helping to avoid deforestation or forest degradation and promoting responsible business conduct and STRESS the importance of including commitment to effective implementation of the Paris Agreement on Climate Change in EU's Free Trade Agreements;
29. UNDERLINE the need to strengthen the effective implementation of all international decisions and provisions contributing to the protection and sustainable use of the world's forests and their biodiversity, especially the Convention on Biological Diversity (CBD), the United Nations Framework Convention on Climate Change (UNFCCC) and its Paris Agreement, the United Nations Convention to Combat Desertification (UNCCD) and the United Nations Strategic Plan on Forests;
30. Taking into account the advantages of outermost regions, UNDERLINE the need to strengthen international cooperation, to foster the existing cooperation and research for the conservation, restoration and sustainable management of this unique heritage for Europe and the world and to address the specific regional challenges, included those linked to Amazonia;
31. RECOGNISE the experiences of private sector initiatives for sustainable supply chains and ENCOURAGE the private sector to adopt and where appropriate expand voluntary action and internationally recognised responsible business practices aimed at addressing deforestation and forest degradation;
32. CALL FOR the enhanced implementation of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)¹⁵, which also promotes the conservation of endangered forest species by controlling their trade and therefore plays an important role in the fight against deforestation and forest degradation;

¹⁵ Convention on International Trade in Endangered Species of Wild Fauna and Flora
https://ec.europa.eu/environment/cites/trafficking_en.htm

Redirect finance to sustainable land-use practices

33. HIGHLIGHT the importance of mobilising adequate funding from all relevant sources to step up action to protect and restore the world's forests through sustainable agriculture, sustainable forest management including forest protection, afforestation, reforestation and restoration, sustainable renewable energy as well as integrated land uses as a means to combat deforestation and forest degradation;
34. NOTE the progress made on developing the Sustainable Finance Action Plan;
35. ACKNOWLEDGE the important role some financial institutions already have in enabling the development of investments and business practices on sustainable forest management, afforestation, reforestation, restoration and forest protection, ENCOURAGE financial institutions to develop tools and collection of data to make their portfolio's more transparent regarding the conversion of forests and other ecosystems into other land uses;
36. INVITE the private sector to increase transparency in corporate reporting on social and environmental responsibilities;

Support information, research and innovation

37. STRESS the need to improve monitoring and availability of reliable data and information by using the latest technology and digital tools and building on existing monitoring schemes, and EMPHASISE the need for capacity-building in developing countries for forest monitoring and planning as well as in preparing greenhouse gas inventories, especially for land-use sectors;
38. CALL for action to strengthen and build on the existing data systems, such as those provided by Eurostat, the EU Member States, the Food and Agriculture Organization of the United Nations (FAO), the International Tropical Timber Organisation (ITTO) and the United Nations Economic Commission for Europe (UNECE), in particular through their annual Joint Forest Sector Questionnaire, as well as other sources, and to share EU import data by building an EU customs partnership, so as to increase transparency along the supply chains;

39. WELCOME the objective to set up an EU observatory, REQUEST that the Commission develop the content of the EU observatory in coherence with and without duplication of the existing monitoring tools and mechanisms already available and INVITE the Commission to consider its feasibility, including the financial and administrative implications of an early alert mechanism in order to notify consumers, public authorities and companies sourcing commodities from areas at risk of deforestation;
40. ENCOURAGE Member States, through national and EU programmes, to contribute to research, development and innovation related to integrated land-use planning, sustainable forest management including afforestation, reforestation, protection, conservation, restoration, as well as agroforestry and sustainable agriculture production;

Follow-up

41. AGREE that Member States contribute to the actions of the Communication, and CALL UPON the Commission to include the follow-up actions proposed in the Communication in its Work Programme (2019-2024);
42. INVITE the Commission, in close coordination with Member States, to develop a roadmap for the joint follow-up by the Commission and Member States on the actions proposed in the Communication, in particular by setting clear targets by the first semester of 2020 to be achieved in terms of work with and support to partner countries;
43. REQUEST the Commission to report on the follow-up of the Communication, its actions and on the progress made in putting into practice the Communication and the recommendations of the Council on a regular basis to the Council;
44. INVITE the private sector and civil society to also contribute to the putting into practice of the actions of the Communication.