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'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee
No. prev. doc.:	13239/21
Subject:	<p>Commission's intention to sign at the 26th UNFCCC Conference of Parties (COP26) the following statements and declaration related to forests on behalf of the EU: Glasgow Declaration on Forests and Land Use, Global Forest Finance Pledge, Joint Statement Supporting the protection and sustainable management of the Congo Basin forest, Forest and Agriculture Commodities and Trade (FACT) Roadmap including a Joint Statement and a Chair's statement.</p> <ul style="list-style-type: none">– Authorisation to the Commission to sign Non-Binding Instruments– Decision to use the written procedure

1. On 20 October 2021, the Commission submitted to the Council an Information Note¹ setting out its intention to sign, at the 26th UNFCCC Conference of the Parties (COP26), on behalf of the EU, the following statements and declarations related to forests:

- the Glasgow Declaration on Forests and Land Use;
- the Global Forest Finance Pledge;
- the Joint Statement Supporting the protection and sustainable management of the Congo Basin Forest;

¹ Included in doc. 13239/21.

- the FACT Roadmap, including a Joint Statement and a Chairs’ statement on specific national commitments.

These statements and declarations are non-binding instruments (NBIs) containing political commitments², the signing of which is subject to the authorisation of the Council.

2. At its informal videoconference on 25 October 2021, the members of the Working Party on Environment heard a presentation by the Commission of the above four declarations and statements, including on the financial amounts laid down in the “Global Forest Finance Pledge” and in the “Joint Statement Supporting the protection and sustainable management of the Congo Basin Forest”, which result from the consultation of the UK with other Parties, in its quality of COP26 Presidency. The amounts mentioned, which will be updated to reflect the contributions, do not entail any financial commitments by the EU, as such specific commitments would depend on the programming exercise under the relevant Union financial instrument. This means that the Council’s approval of these NBIs does not concern a possible financial contribution of the Union.
3. With regard to the texts with square brackets contained in the “FACT Roadmap, including a Joint Statement and a Chairs’ statement on specific national commitments”, mentioning the support or agreement of countries, the Commission indicated that, at the present negotiation stage, and to allow a margin of flexibility for the negotiators, it would be appropriate to keep the square brackets. The Commission should be authorised to accept any of those alternatives texts.

² Based on the Arrangements for Non-Binding Instruments agreed by the Council, the Commission and the EEAS in December 2017 (doc. 15367/17).

4. The Statements and declaration are as follows:

- The Glasgow Declaration on Forests and Land Use intends to emphasise the critical and interdependent role of forests, biodiversity and sustainable land use in fighting climate change, delivering resilient and inclusive growth and halting and reversing forest loss, while reaffirming commitments to the UN Framework Convention on Climate Change and the Paris Agreement, the UN Convention on Biological Diversity, the UN Convention to Combat Desertification, the Sustainable Development Goals and other relevant initiatives;
- The Global Forest Finance Pledge intends to contribute to support forest-related climate action in tropical forests over a five year period between 2021-2025;
- The Joint Statement Supporting the protection and sustainable management of the Congo Basin forest intends to raise the profile of the Congo Basin forests, the second largest forest basin in the world still underfinanced. This will be supported by a specific joint declaration including a pledge;
- The FACT Roadmap, including a Joint Statement on purpose and a Chairs' Statement on specific national commitments is the result of the FACT Dialogue launched by the UK and Indonesia as co-chair over the last months with the aim of bringing together the largest producers and consumers of internationally traded agricultural commodities in order to protect forests and other ecosystems while at the same time promoting trade and development.

5. In view of the above, and in light of the fact that the above four NBIs, in the form of statements and declaration, have to be delivered at the World Leaders Summit of COP26 on 1-2 November 2021, and that no Council meeting is scheduled prior to these dates, the Permanent Representatives Committee is invited:
- to confirm its agreement with the texts of the Glasgow Declaration on Forests and Land Use, as set out in ST 13249/21; the Global Forest Finance Pledge, as set out in ST 13250/21; the Joint Statement Supporting the protection and sustainable management of the Congo Basin Forest, as set out in ST 13251/21; and the FACT Roadmap, including a Joint Statement and a Chairs' statement on specific national commitments, as set out in ST 13252/21, and
 - to decide in accordance with the first subparagraph of Article 12(1) of the Council's Rules of Procedure and Article 1 of Council Decision 2020/430, that the Council uses written procedures:
 - a) for the authorisation to the Commission to sign the above four non-binding instruments as set out in documents ST 13249/21, ST 13250/21, ST 13251/21 and ST 13252/21;
 - b) to agree that if further adjustments to the bracketed text of the non-binding instruments are required, those parts may be adapted accordingly provided that the changes do not affect the substance and intent of the text or the changes consist in agreeing one of the alternative formulations of the draft texts.