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From: General Secretariat of the Council
To: Council

Subject: Way Forward in Forest Monitoring
- Information from Finland on behalf of Austria, Finland, France, Slovenia and Sweden, supported by Croatia, Czechia, Latvia, Lithuania, Portugal, Romania and Slovakia

Delegations will find in the Annex a note from Finland on behalf of Austria, Finland, France, Slovenia and Sweden, supported by Croatia, Czechia, Latvia, Lithuania, Portugal, Romania and Slovakia on the above mentioned subject which will be dealt with under "Any other business" at the Council meeting ("Agriculture and Fisheries") on 23 September 2024.

Way Forward in Forest Monitoring

Information from the Austrian, Finnish, French, Slovenian and Swedish delegations, supported by the Croatian, Czech, Latvian, Lithuanian, Portuguese, Romanian and Slovak delegations.

Setting the scene

The collection of up-to-date forest data and information has been developed in individual EU Member States over decades, and in some countries for even up to 100 years. In November 2023, the Commission proposed an EU Regulation on Forest Monitoring. The ad hoc Council Working Party on Forest Monitoring has gone through the articles and annexes for the first time during the Belgian and Hungarian Presidencies. The aim of this document is to help the Presidency in their next steps.

General principles

In our view, the Commission's proposal has certain merit but needs substantial further work to provide a sound framework in line with the principles of subsidiarity and proportionality. The proposal as presented by the Commission leaves several issues open to interpretation, such as costs, use, feasibility and implementation.

At the Working Party meetings held so far, the Member States have stressed the importance of basing the monitoring on national data and the need to ensure the suitability, quality, accuracy, consistency, security and confidentiality of data. The monitoring obligations shall not apply to data that concerns national security and military sites, and data related to private ownership must be appropriately protected. We also reiterate that specificities and characteristics of individual Member States with large forest areas and regions including outermost regions be taken into account.

The proposal contains a large number of delegated and implementing acts, which increases the level of uncertainty. Many of the delegated and implementing acts are too far-reaching. The delegation of power must be limited to non-essential elements and clearly defined.

The harmonisation of data is important, and EU Member States have for a long time participated in global efforts to develop harmonised data together with international organisations such as the FAO, Forest Europe and ENFIN. Major investments have been made to this end. Rules must respect and build upon those efforts in order to achieve the best possible global synergies and cost-effectiveness.

The existing structures such as National Forest Inventories (NFIs) need to be used as a basis for consistent legislation in order to avoid duplication, unnecessary reporting and disproportionate administrative burden and costs. Moreover, different national definitions must also be noted.

The Commission's proposal in many ways seem to overestimate the capacity of satellite data. This misconception risks causing unrealistic expectations, conclusions and regulatory demands.

Need for added value and cost efficiency

We expressed concerns about the administrative burden and increased costs that the Regulation could bring. The Regulation has to be consistent with other European legislation and other reporting. In the continued work, the indicators to be included in the proposal need to be reconsidered and narrowed down based on the added value, data quality and cost-efficiency, with indicators allowing flexibility and adapted to large forest areas and to the specificities of certain regions such as mountainous regions or outermost regions. Only indicators that have strong added value, high quality and cost-efficiency should be included.

The use of data and the scope of the Regulation could be clarified in the text.

Additional information and related indicators are premature

The indicators in Annex III are premature since they do not represent the existing methodologies and practices in most of the Member States. The potential costs of their implementation have not been included in the Commission's Impact Assessment. Furthermore, the value added of collecting data for these indicators is neither clearly nor sufficiently described. Such additional information along with ten additional indicators in Annex III should therefore not be included in the Regulation. All indicators to be included should be defined in the Regulation itself.

Confidentiality of the location of plots needs to be secured

Confidentiality of the location of sampling plots is fundamental. The Monitoring Regulation should not entail new rules concerning confidentiality related to statistical information, and the collection of forest data ought to be done in line with the current statistical principles.

Member States have major concerns towards the geographically explicit identification system for forest units. Although there has been an extensive discussion on forest units, their function and necessity have not become clear and are therefore not ready to be included in their current form. Member States cannot yet see the advantages of this approach, while severe concerns in terms of the quality of data and issues regarding the privacy for forest holdings persist.

Other definitions need to be clarified and adjusted as well.

Both the European Commission and the Member States must ensure the quality of data. At the moment only Member States are required to carry out quality control.
