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'A' ITEM NOTE

From:	General Secretariat of the Council
To:	Council
No. prev. doc.:	10714/1/24 REV1
No. Cion doc.:	16064/23
Subject:	Proposal for a DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Council Decision 89/367/EEC setting up a Standing Forestry Committee - General Approach

I. INTRODUCTION

1. On 22 November 2023, the Commission submitted a proposal for a Decision of the European Parliament and of the Council amending Council Decision 89/367/EEC setting up a Standing Forestry Committee¹.
2. The New EU Forest Strategy for 2030 foresees that, given the multifunctional role of forests and their increasing contribution to the European Green Deal objectives, "a more inclusive and better coordinated EU forest governance structure" would be necessary, "reflecting all the objectives of the new EU Forest Strategy and their interlinkages."

¹ 16064/23

3. The proposal responds to the above need for an updated governance structure and extends the membership and the tasks of the Standing Forestry Committee. It also contains a change of its name to the "Standing Forest and Forestry Expert Group". The membership is proposed to be extended to include the Member States' authorities that are competent for the different policy objectives of the New EU Forest Strategy for 2030 (including climate, forest health, environment, forestry, rural development and bioeconomy).
4. The proposal is not accompanied by an impact assessment, since it is not expected to have any significant economic, social or environmental impact.
5. The Committee of the Regions has decided not to issue an opinion on this proposal. The Economic and Social Committee adopted an opinion on it on 20 March 2024².
6. In the European Parliament, the proposal has been jointly attributed to the AGRI and ENVI committees. The Committees have not started yet the examination of the proposal.

II. STATE OF PLAY IN THE COUNCIL

7. The examination of the proposal has been pursued under the Belgian Presidency in the Working Party on Forestry (hereinafter 'The Working Party'). The Commission presented the proposal to the Working Party on 5 December 2023 and to the Agriculture and Fisheries Council on 11 December 2023.
8. The Presidency has put forward two compromise texts, which were discussed respectively at the Working Party meetings on 21 May and on 6 June 2024, reflecting the discussions held in five Working Party meetings and the subsequent written contributions from delegations.
9. At the Working Party meeting on 6 June 2024, a few more minor changes were made to the compromise text presented by the Presidency (document 9751/01/24 REV 1). At the end of the meeting the Presidency noted the very broad support from delegations on the text as amended during the meeting.

² 8498/24

10. At its meeting on 14 June 2024, the Permanent Representatives Committee endorsed the latest Presidency compromise text and agreed to transmit it to the Council as an "A" agenda item with a view to reaching a general approach. On that occasion, the Commission representative expressed serious concerns related to some of the changes made to the proposal, namely on the name, the composition and the tasks of the expert group, on the requirement for the Commission to provide feedback to the expert group and on the change of the legal format.

CONCLUSIONS

11. The Council (Agriculture and Fisheries) is invited to reach a general approach on the Presidency compromise text set out in the Annex to this note at its meeting on 24 June 2024.
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Draft

DECISION (EU) .../... OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of...

establishing a Standing Committee on Forests and Forestry and repealing Council Decision

89/367/EEC

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43 and Article 192(1) thereof,

Having regard to the proposal from the European Commission,

Having regard to the opinion of the European Economic and Social Committee ³,

Having regard to the opinion of the Committee of the Regions ⁴,

Acting in accordance with the ordinary legislative procedure,

³ [...]

⁴ [...]

Whereas:

- (1) Council Decision 89/367/EEC⁵ established a Standing Forestry Committee, in order to ensure closer and more constant cooperation in the forestry sector between the Member States and the Commission and thereby support forestry measures initiated under the Union's agricultural and the rural development policy.
- (1a) The Standing Forestry Committee has developed over time into a central advisory body on all aspects of forests and forest management. In the past, it also had been given comitology tasks⁶. However, since the basic act giving the Standing Forestry Committee those comitology powers has expired, the body does not have a comitology function anymore. To be consistent with the Council Conclusions on the EU Forest Strategy for 2030⁷, the group should keep its name as a "committee", although at this point it no longer has comitology functions and is de facto an expert group.
- (2) The need for repealing Council Decision 89/367/EEC setting up a Standing Forestry Committee is prompted by further increased societal demands concerning the multiple functions of forests, especially striking the balance between the social, economic, biodiversity and climate-related aspects. The contribution of forests to the objectives set out in the Commission Communication of 11 December 2019 on 'the European Green Deal', including to climate, biodiversity and sustainable bioeconomy necessitates a more inclusive and better coordinated Union forest governance structure that reflects, inter alia, all the objectives of the Commission Communication of 16 July 2021 on the 'New EU Forest Strategy for 2030' and their interlinkages. The Standing Forestry Committee should be the Commission's central coordinating body with the Member States for developing and implementing the EU forest strategies and provide guidance on forest- and forestry-related issues.

⁵ Council Decision 89/367/EEC of 29 May 1989 setting up a Standing Forestry Committee, OJ L 165, 15.6.1989, p. 14, ELI: <http://data.europa.eu/eli/dec/1989/367/oj>).

⁶ Regulation No 2152/2003 of the European Parliament and of the Council of 17 November 2003 concerning monitoring of forests and environmental interactions in the Community, OJ L 234, 11.12.2003, p. 1.

⁷ 13984/21

- (3) In 2019 the Commission established the Working Group on Forest and Nature as a temporary subgroup of the Coordination group for Biodiversity and Nature. The main objective of that Working Group was to provide advice and expertise to the Commission to help implement and evaluate, in relation to forest ecosystems and their management, the European Green Deal, the EU Biodiversity Strategy for 2030, the new EU Forest Strategy 2030 and related actions and the post 2020 UN Convention for Biological diversity framework. The experience and expertise of the Standing Forestry Committee and the Commission's Working Group on Forest and Nature on issues concerning forests and forestry arising from various Union policies are important for the wider contribution of forests and forestry to key Union objectives and initiatives, such as the European Green Deal and the new EU Forest Strategy for 2030, and to promoting coherence and synergies between the Union and Member States' policies relevant to forests and forestry.
- (4) There is a rising trend of fragmentation in forest-related EU policies. The most effective way of achieving a more inclusive and better coordinated Union forest governance structure is to broaden the scope and clarify the tasks and the composition of the Standing Forestry Committee. The Standing Forestry Committee should also be renamed as the Standing Committee on Forests and Forestry, in order to reflect those modifications. At the request of the Commission or of a Member State, it should address any issue or aspect concerning forests and forestry arising from various Union policies. Therefore Member States nominate representatives from the authorities that are competent for the specific policy objectives.
- (5) Since Council Decision 89/367/EEC needs to be substantially modified, it should be repealed and replaced by this Decision for reasons of legal certainty, clarity and transparency.

HAVE ADOPTED THIS DECISION:

Article 1

Establishment

In order to ensure a close cooperation and foster multidisciplinary exchange between the Member States and the Commission on forests and forestry in relation to all forest-relevant Union policy areas, and notably in order to strengthen its advisory role, an expert group called the Standing Committee on Forests and Forestry, is hereby established.

Article 2

Tasks

1. The Committee advises the Commission on any issue or aspect concerning forests and forestry arising from Union policies either at the initiative of the Commission or at the request of one or more Member States.
2. In particular, the Committee's tasks shall be:
 - (a) to assist the Commission in the preparation and implementation of relevant legislative proposals, strategies, guidelines or other Union policy initiatives that have forests or forestry as the main subject, or that have a significant impact on forests and forestry in the EU;
 - (b) to provide the Commission with advice and expertise, either on the initiative of the Commission or at the request of a Member State, with a view to supporting the wider contribution of forests and forestry to related Union objectives and initiatives and to assess the interplay between those objectives and initiatives, as well as their cumulative impacts on forests and forestry, thereby promoting coherence and synergies between Union policies relevant to forests and forestry;

- (c) to promote cooperation between the Commission and the Member States and among the Member States on forests and forestry, including in support of measures and interventions under the common agricultural policy;
 - (d) to foster the exchange of knowledge, experience and good practices, as well as the exchange of views on emerging issues and initiatives relevant to forests and forestry, including from the wider forest-based sector.
 - (e) to seek and cooperate on synergies between national and EU policies related to forests and forestry, also taking into account international developments;
 - (f) to formulate opinions on relevant forestry or forest-related legislative proposals, guidelines, strategies or other Union policy initiatives. The Commission considers agreed opinions of the Committee when progressing forest-related policy objectives, and provides feedback on how they considered the opinion.
3. The European Parliament and the Council, acting on a legislative proposal from the Commission, may assign other tasks to the Committee in connection with Union policies affecting forests and forestry.’;
4. [...]

Article 3

Composition

1. The Committee shall be composed of representatives of the Member States.
2. Member States shall nominate their representatives, related to forests and forestry. Member States involve their authorities responsible for different policy areas in the preparation of the Committee’s meetings, depending on the agenda.

- 2a. The Commission involves their Directorates-General and agencies responsible for different policy areas in the preparation of the Committee's meetings, depending on the agenda.
3. The Committee shall be chaired by a representative of the Commission.

Article 4

Meetings

The Committee shall meet regularly over the course of the year in order to fulfil the tasks specified in Article 2. This is to be specified in the Rules of Procedure of the Committee.

Article 5

Secretariat

The Committee's secretariat shall be provided by the Commission.

Article 6

Rules of Procedure

The Committee shall adopt its own rules of procedure.

Article 7

Repeal

Decision 89/367/EEC is repealed. References to the repealed Decision shall be construed as references to this Decision.

Article 8

Entry into force

This Decision shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Done at....,

For the European Parliament
The President

For the Council
The President
