

# Position paper

## Towards a robust EU Forest Monitoring Law that works for forests and forest managers

Brussels, February 2024

### Summary of key asks

1. **Mandate Member States for the development of national integrated long-term plans and quantified targets to achieve forest protection and restoration goals.** This needs to be conducted in a participatory process and following the set of indicators provided in the FML.
2. **Keep the proposed list of indicators and expand it, making the FML a 'one-stop-shop' for all forest monitoring needs of related policies.** The FML needs to provide a strong basis for the wider policy framework (forest, nature, renewable energy) to be implemented more effectively, and provide a lever to finance the achievement of forest policy objectives. Forest indicators are needed to monitor:
  - Location of primary and old-growth forests, for their strict protection.
  - Climate-related risks, to anticipate and mitigate negative impacts.
  - Economic health of the sector, including employment.
  - Different uses of harvested wood products, related to the cascading use principle.
  - Ecosystem health and biodiversity indicators, including those which contribute to forest and soil resilience.
  - Measurements of forest contributions to ecosystem services, such as carbon sequestered in trees and soils, water retention against floods, and sustainable provision of natural resources.
3. **Support the implementation of the cascading use principle with data on uses of wood,** making a more sustainable use of limited wood resources.

## Introduction

ECOS welcomes the proposal for an EU regulation on a monitoring framework for resilient European forests (or Forest Monitoring Law, FML). The diagnostic is clear: EU forests are in a poor ecological state and face increasing risks from climate-related hazards and unsustainable forestry practices. The EU already lost 97% of its old-growth and primary forests.<sup>1</sup> Only 14% of forest in Europe is in favourable conservation status, 37% of our native tree species are at risk of extinction.<sup>2</sup> We are rapidly losing the diversity in our forests, with more than 70% of our forests are even-aged and 33% have only one tree species.<sup>3</sup> Robust monitoring and long-term planning can better support national and subnational forest management functions to address these risks and bring forests back onto a restoration path.

The EU is well placed to provide the blueprint for monitoring and long-term planning tools to assess and prevent transnational forest risks and losses. Building on existing tools and national capacities, the FML can help fill gaps in the current frameworks by providing additional resources and guidance for data collection and analysis, as well as facilitate data exchange and harmonised reporting. The EU added value of the FML is clear, by providing levers and a common framework for preventive action and cooperation among national actors, forest management on the ground be more efficient and achieve forest policy goals of ecosystem protection, restoration, and sustainable use of its resources.

The Commission's proposal presents a solid basis for this new framework, but we call for policymakers to strengthen some aspects, in particular the monitoring indicators.

## Key asks and justification

### 1. Mandatory integrated national long-term forest plans

Article 13 of the proposal includes a voluntary measure encouraging Member States to develop integrated long-term forest plans. **This form of national forest planning is at present largely absent in many of the EU Member States, and we strongly encourage this measure to be mandatory.** Long-term planning is an essential tool for defining objectives related to forest restoration, resilience and forest-related socio-economic needs. Plans should identify possible threats and set out measures and a governance process to achieve goals and address risks. Integrated planning provides an opportunity to shed light onto societal needs and expectations towards forests, including the various functions they provide as ecosystems. It further ensures that the different policy objectives and requirements are considered altogether and addressed coherently.

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1. Maes J, Teller A, Erhard M, Conde S, Vallecillo S, Barredo JI, Paracchini ML, Abdul Malak D, Trombetti M, Vigiak O, Zulian G. Mapping and assessment of ecosystems and their services: An EU wide ecosystem assessment in support of the EU biodiversity strategy. EUR. 2020.
  2. Rivers, M. et. al. European Red List of Trees. 2019.
  3. Forest Europe. State of Europe's Forests. 2020.

As part of their integrated long-term forest plans and related monitoring, Member States should be required to set national targets and thresholds to ensure that progress is assessed against a set baseline and benchmark. The process should be based on the indicators provided by the FML and any other indicator identified as relevant by the Member States for achieving their national objectives. The plans should bear a common basis of information to allow for cooperation in addressing cross-border forest management issues.

Governments should lead the development of these plans ensuring broad stakeholder participation, including forest managers, academia, civil society, industry and the interested public. The plans as well as the results from their implementation should be made public, allowing review and improvement of monitoring processes and of their effectiveness. Long-term planning is an exercise during which Member States can share experiences with each other, and where the facilitation via EU programmes will continue to have significant added value.

## 2. A one-stop-shop for forest monitoring

The European Commission's impact assessment for this proposal is very clear in identifying the links between the FML and related legislation. The EU policy framework related to forests, nature protection and restoration and renewable energy already contains provisions for the collection and use of critical information. Unfortunately, the experience has shown that there has been a lack of implementation of certain provisions due to data gaps. **The effective implementation of this wider legal framework and achieving related EU objectives hinge upon a robust EU forest monitoring framework, which centralises the indicators needed to provide this data.** In short, the FML should become the one-stop-shop for the effective implementation of this wider policy framework.

The FML should cover all the indicators that have been included in the Commission's proposal, as well as several others.

Some of the indicators which we identify as relevant in other legislation and which must be maintained or expanded within the FML are, for instance (non-exhaustive):

- **Renewable Energy Directive:** location of old-growth and primary forests for the enforcement of sustainability criteria; indicators on the cascading use of harvested wood products.
- **Nature Restoration Law:** above and below ground carbon stock; forest/stand structure to support resilience assessments; deadwood as an indicator of biodiversity and carbon storage; forest connectivity; abundance of common bird species.
- **Habitats and Birds Directive:** location of protected forests.
- **Deforestation Regulation:** forest naturalness; location of harvests.
- **Invasive Alien Species Regulation:** presence of invasive alien species

We believe other indicators are also needed, which are currently entirely missing:

- **Forest disturbances caused by factors other than fires** (related to EU Adaptation Strategy).
- **Soil health and biodiversity**, e.g. metabarcoding (related to the Soil Monitoring and Resilience Directive).
- **Forest hydrology**, such as via the normalised water index or a green water indicator.
- **Employment in the forest sector.**
- **Applied silvicultural regimes.**
- Whether the forest is **certified under a voluntary scheme** or not.

**The FML needs to increase data availability for the state of forests and their ecosystem services,** to help attract interest, public awareness, and new sources of finance for forest restoration. The EU should strengthen its own financing for forest restoration, as the benefits from these ecosystems are enormous and significant for the well-being of the European and global community, and for the many species which depend on forests. Forests provide significant benefits for EU citizens and economies, investment is therefore also key for the maintenance of their economic potential.

We consider that systems for the payment of ecosystem services (PES) can only be successful provided they are holistic in addressing each facet of forest health. PES systems must be based on accurate and robust data, and linked to effective activity-based monitoring, tracking progress in the implementation of ecological forest management practices. We are concerned that single-issue PES systems, e.g. forest carbon credits, perversely incentivise the creation of single-species forests with low levels of resilience (monocultures).<sup>4</sup> PES systems may be considered only if biodiversity and resilience are among the necessary conditions for projects to qualify. Carbon neutrality claims by polluting companies should not be allowed based on forest carbon removals, who may instead claim contributions to forest ecosystem services protection and restoration where PES demonstrably provide additionality.

### **3. Support the implementation of the cascading use principle**

**The FML should provide data which helps track the use of finite wood resources among its various applications, to inform its prioritisation between sectors.** The need for a cascading use of wood resources has been repeatedly recognised in EU policies (including the EU Forest Strategy for 2030 and Renewable Energy Directive III). Our forests are an economic resource, that we cannot take for granted. By monitoring wood flows we can better implement the cascading use principle and ensure consistency with these policies.

The cascading use principle warrants that wood should be used in long-lasting material applications, then reused or recycled, and only burned for bioenergy as a last resort. Unfortunately, this is not the case in the EU and in fact wood incineration rates have been rising.<sup>5</sup>

According to data from the JRC,<sup>6</sup> approximately 40% of wood is sent directly to incineration without any prior material application, with potentially higher volumes as some wood burning goes unreported<sup>i</sup>. This means that we are felling more trees than needed and placing more pressure on our forests. To promote ecological forestry and preservation of our forest health, we encourage proper monitoring, to ensure the material use of forest biomass over its energy use.

Considering the long timeframes over which forests grow, a rational use of wood, prioritising uses in long-lasting material applications over shorter-lived uses, especially moving away from burning wood for energy. Cascading use can thus contribute to conserving forest resources and biodiversity, addressing the contribution of harvests to the twin climate and biodiversity crises.

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4. ECOS. Greenwashing, certified? How to ensure new laws and standards do not rubberstamp dubious climate neutrality claims. 2023

5. JRC. Biomass production, supply, uses and flows in the European Union. 2023.

6. JRC. Sankey diagrams of woody biomass flows in the EU 2021 release. 2021.