

Terms of Reference for an MCPFE Working Group on preparing options for a decision on a possible legally binding agreement on forests in Europe

adopted by the Expert Level Meeting, 24-25 November, 2009, Oslo, Norway

1. Purpose and scope

In the context of considerations on the future direction of the MCPFE process the Working Group will carry out technical work in preparation for the upcoming 6th Ministerial Conference, with regard to the issue of a possible legally binding agreement on forests in the pan-European region, as one of the possible option.

The work will be carried out under the auspices of the MCPFE and build on the findings and recommendations of the open-ended MCPFE Working Group on exploring the potential added value of, and possible options for a legally binding agreement on forests in the pan-European region, and on the findings of the External Review of the MCPFE process.

The Working Group should prepare a solid basis for consideration and decision by ministers at the next (6th) Ministerial Conference on a legally binding agreement on forests in Europe.

2. Tasks and expected output:

- Clarify the issues, as recommended by the open-ended MCPFE Working Group on exploring the potential added value of and possible options for a legally binding agreement on forests in the pan- European region, to continue working on.
- Develop a comprehensive document (non paper), which sets out options for a legally binding agreement on forests in Europe. The document will include objectives, commitments, institutional arrangements, negotiations process, as well as options on how an instrument could take advantage of already existing MCPFE commitments and arrangements.
- Present the findings, in particular the comprehensive document on elements of a possible LBA, in due time prior to the 6th Ministerial Conference.

3. Composition of the Working Group

The Working Group is open-ended according to MCPFE existing practices, consisting of the MCPFE signatories and observer countries and organisations.

The Liaison Unit Oslo (LUO) will participate in the meetings of the Group to provide support to the Co-Chairpersons and to assist the Group as required to enable timely completion of the work. .

4. Co-Chairpersons

The Working Group will be led by two Co-Chairpersons, Mr. Ingwald Gschwandlt, Austria and Mr. Knut Oistad, Norway.

The Co-Chairpersons will guide the process and moderate the Group sessions. In preparing for sessions and follow up the Co-Chairpersons will work closely with the LUO and with the MCPFE signatories.

A Friends of the Co-Chairs group will be established to support the Co-Chairpersons in planning and facilitating the working group sessions. The Friends of the Co-Chairs is an open group and the Co-Chairpersons will invite experts from the signatories and organizations for this work, on the basis of expertise needed.

Before the first meeting of the Working Group, the Co-Chairpersons shall invite signatories and observers to provide comments and views on the possible content of a possible legally binding agreement on forests in the pan-European region.

Based on background of the MCPFE working group on exploring the potential added value of and possible options for a legally binding agreement on forests in the pan-European region and the comments and views received, the Co-Chairpersons will provide a first draft of a document on options on elements for a possible legally binding agreement on forests in the pan-European region as a starting point for the deliberations of the Working Group.

The Co-Chairpersons will present the final outcome of the Working Group to the Expert Level Meeting (ELM) in advance to the 6th Ministerial Conference, and to allow time for national level consultations.

5. Process and working methods

The Working Group will deliver results at the latest by December 2010.

There will be three meetings of the Working Group. The Chairpersons of the Working Group should report to the ELMs on progress and should seek necessary guidance from the ELM, if appropriate.

The Co-Chairpersons, with the support of the Liaison Unit Oslo and Friends of the Co-Chairs, will decide on frequency, timing, duration and agenda of the Group's meetings. The Liaison Unit Oslo will provide facilitation and support to the Group.

6. Completion of work

The work of the Working Group will be deemed completed when the final report is submitted to the ELM in due time prior to the 6th Ministerial Conference.