Mr. Jan Heino
Chair of the Intergovernmental Negotiating Committee
for a Legally Binding Agreement on Forests in Europe

Dear Mr. Heino,

Referring to your letter of 4 October, 2012, regarding your kind request to EFI to provide advice and information on the relevant issues raised in the paragraph 19 of the Report of the Second Session of the Intergovernmental Negotiating Committee (INC), I would like to bring the following aspects for your consideration, and possible further deliberations of the INC3.

Although the paragraph 19 is referring to the analysis to bring the Agreement under the UN umbrella the Committee also requested an analysis of the option of the Agreement remaining outside the UN system. Currently, EFI’s role and contribution as specified by the Oslo Ministerial Mandate include the services only to the Negotiating Committee during the INC process. The next phase comprising the Secretariat arrangements would require the discussions and decisions by EFI’s governing bodies, the Council and the Board.

I would like to emphasize as well that comprehensive, even indicative *ex ante* analysis of the option outside UN system, including administrative and cost implications, is hardly feasible at this stage without knowledge of the scope, substance and compliance/monitoring mechanisms of the LBA implementation. Currently, EFI has no experience nor in-house expertise to carry out an in depth analysis of the option entirely outside the UN system.

However, as EFI is committed to service the negotiating process in good spirit and collaboration with FAO and LUM, I can confirm that EFI will openly explore the possibilities and further collaboration as part of the possible combined solution under UN umbrella. EFI could have a specified scientific role in addressing compliance/monitoring issues provided that INC will mandate it and COP will ensure the necessary financial resources for senior policy analyst including necessary assistance and travels.
I remain at your disposal for further deliberations.

Best regards,

Risto Päivinen
Director
European Forest Institute