



FLEGT 6th Annual Coordination Meeting 12-14 January 2011

Final report



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SUMMARY

This is the report of the 6th Forest Law Enforcement, Governance and Trade (FLEGT) related projects meeting, hosted by the European Commission in Brussels Belgium on 12, 13 and 14 January 2011. The meeting was attended by 138 participants from all over the world (project beneficiaries, Member States and European Commission staff)

The objective of the meeting was twofold: (1) to exchange information about the situation with regard to FLEGT Action Plan implementation, and (2) to share lessons from the FLEGT projects, and see how the project experiences could feed into the policy development and strategic thinking.

The meeting was organised into 5 sessions, with regional breakout groups or thematic breakout groups alternating with plenary sessions. Presentations focused on lessons learnt from past experience, and very rich and informative discussions contributed to moving forward the strategic thinking about FLEGT. This made this meeting a very useful and appreciated one (see evaluation).

This meeting occurred at a turning point for the FLEGT Action Plan that was published in 2003. Indeed, after 7 years of implementation, the FLEGT Action Plan was considered still relevant. Positive developments and successes have taken place, but there are still some areas which deserve more work and need progress. There are also new challenges (such as the emergence of the climate change debate and REDD, new trade patterns) and it was suggested to assess whether, as work progresses and building on good results, more ambitious objectives but also more structure could be set for the Action plan, keeping the flexibility that has allowed the Plan to develop.

Definitive conclusions cannot yet been drawn but collective intelligence is needed so that the Action Plan can mature and grow. Several key issues have been mentioned during the meeting: REDD developments need to be factored in, opening a whole range of issues that should be looked into. Monitoring should be further developed and looked into. Policy coherence for development is also a principle that should guide any future action. Communication is key, and the Commission was asked to communicate better, e.g. to private sector in partner countries and in Europe; to communicate with exporters; to communicate what has been done and about new issues such as processing hubs, new regions, new challenges (e.g. timber trade between China and Russia). Also small and medium enterprises will need to get special attention to ensure successful policy implementation. The Commission was asked to move forward on defining further strategy and priorities, and on more communication and coordination.

This report gives detailed feedback from regional and plenary groups, information that will feed our strategic thinking and priorities setting. In terms of concrete and immediate proposals, coordination of efforts by donor organisations, clarification of linkages, complementarities and potential synergies between FLEGT and REDD actions and related financing, coordination between EU Delegations and Commission headquarters, as well as between project beneficiaries and EU Delegations received common attention. As a follow up of this meeting and in the same spirit, it was proposed to organise one-day seminars at national level on FLEGT with all stakeholders (Delegation, member States, project beneficiaries, civil society, private sector and administrations) to improve coordination, lessons learning and strategic thinking about policy definition and implementation.

Recently selected projects are starting their implementation phase, and this meeting was a good opportunity for them to understand they do not work in isolation but that they fit in a wider panorama. The projects will directly contribute to the FLEGT policy thinking and policy implementation, which makes their work more challenging but also more rewarding. Through its successfully attained objectives, the meeting already much contributed to this end.

1 Introduction

This is the report of the 6th Forest Law Enforcement, Governance and Trade (FLEGT) related projects meeting, which was held in the Centre Borschette, rue Froissart, Belgium on 12, 13 and 14 January 2011.

The objective of the meeting was twofold: (1) to exchange information about the situation with regard to FLEGT Action Plan implementation, and (2) to share lessons from the FLEGT projects, and see how the project experiences could feed into the policy development and strategic thinking.

The meeting was organised into 5 sessions, according to which this report is structured:

- Session 1: Update on FLEGT
- Session 2: Update on Illegal Timber Regulation
- Session 3: Contribution of projects to the FLEGT Action Plan implementation
- Session 4: FLEGT Action Plan impact
- Session 5: FLEGT thematic issues – discussions in breakout groups

Several meetings and information sessions were also organised in the margins of the meeting. Feedback from some of the meetings is enclosed in annex to this report.

The meeting gathered about 140 participants working in more than 40 different countries, including European Commission and Member States staff, EU Delegations staff and representatives from the FLEGT project beneficiaries based in Asia, Africa, South-America as well as from the EU neighbourhood countries.

Discussions were very constructive, participants were enthusiastic and communicating their vision as well as their concerns, making this meeting a real information sharing and strategic discussion event. The success of this event is their success. Let them be thanked, and a special thank you to moderators, presenters and note takers.

2 Session 1 : Update on FLEGT

Mathieu Bousquet, DG EuropeAid Development and Cooperation, and Flip van Helden, DG Environment, presented an update on FLEGT VPAs. Their presentation is available in annex VI. In the follow-up discussion, it was made clear that there is no time limit for FLEGT VPA negotiations. The Commission wants good agreements rather than quick agreements. There is good hope that an agreement will be concluded this year with Indonesia. Lessons learnt from African VPAs might be useful, for example the Cameroonian approach on how to deal with the legality of imports was found very useful by Vietnam, who is importing 80% of its raw material and is looking for options to ensure it imports timber from legal sources. It was also mentioned that when the agreement is concluded, it is important to move quickly into implementation and deliver rapidly and seriously the first licences. In terms of regional cooperation, although the Commission encourages it, it is felt that a “regional VPA” would be hard to negotiate, as the legal framework, the governance challenges, the dynamics of stakeholder consultation are framed in a national context. When several countries will have VPAs

running, one might think of a regional approach. Finally, regarding the links between FLEGT and REDD, the Commission and Member States want to promote more synergies between the two processes, as FLEGT and REDD are closely interlinked and the issues tackled (illegal logging and deforestation) have the same drivers, all related to governance. In this respect, the Commission welcomed the Norwegian initiative to make the link between FLEGT and REDD in the bilateral agreement it has with Guyana on payments for avoided deforestation.

Stina Soewarta, Member of the Cabinet of Commissioner for Andris Piebalgs, welcomed the participants and insisted on the positive feedback of FLEGT processes so far, which are at the crossroads of governance, economic and sustainable growth and partnership with developing countries, all elements which are key in the new development strategy that the Commission is preparing with its Green paper. FLEGT was also mentioned as a good example of policy coherence, as with the illegal timber regulation recently adopted, the European Union will fight against illegal logging within the EU territory, as the VPA partner countries do in the framework of the VPAs. The Commission is committed to continue developing new partnership agreements with interested countries, and to ensure that the agreements which have been negotiated and agreed are carefully followed and enforced. Commissioner Piebalgs is going on 19 January to the European Parliament for a debate about the ratification of Congo and Cameroon VPAs. In response to questions, Ms Soewarta insisted on making sure that implementation of VPAs will continue to associate all stakeholders in an inclusive manner and mentioned the economic benefits for development at national and local level of reduced illegal logging.

Philip Mikos, Head of Unit Sustainable Management of Natural Resources at DG EuropeAid Development and Cooperation, informed that a progress report on FLEGT Action Plan implementation was being prepared, following a proposal made during the FLEGT 5th annual coordination meeting. Results will be presented later during the meeting, but the main message is that the Plan is successful and still relevant and the overall opinion about the Action Plan is to 'continue and expand'. He also presented some of the challenges for 2011. Now the first 4 agreements have been concluded, the last one with Central African Republic in December 2010, it is important to focus on implementation and get the first FLEGT licences. During this implementation process, participation of stakeholders will remain a priority, as it has proved to be during the negotiation process. Indeed, unparalleled to other trade agreements, the VPAs have been developed through a very open process, which has to continue after the end of the negotiations. More agreements are being negotiated or are upcoming, which is a sign of success, but financial support needs to be adapted to this growing demand. Negotiations on the multiannual financial framework 2013-2020 will start in 2011, and it will be important that both the Commission and the Member States devote the needed resources to FLEGT negotiation and implementation. In 2011, negotiation will also take place with a major processing country, Vietnam, which is a new development, as initially VPAs were conceived mainly for timber producing countries. Mr Mikos concluded with two strategic open questions, where more work would be needed in 2011: (1) are VPAs appropriate tools for countries that do not yet export timber, but want to tackle forest governance issues and (2) should the Commission engage in VPA discussions with countries where the governance issues go well beyond the forestry sector, or should Commission wait until governance has improved.

Hugo Schally, Head of Unit International Environmental Issues at DG Environment, continued the panorama. He mentioned the focus on the Mekong strategy, with discussions taking place with Vietnam and Thailand, two processing countries, as well as Laos and Cambodia, two source countries. China is an important driver in timber trade,

both for Asia and Africa, and the Commission will work with China through the bilateral coordination mechanism. The Commission will also intensify the dialogue with countries that are not interested in a VPA but are major players: Brazil and Russia. In Latin America, there are positive contacts with Ecuador, Colombia, which will continue, although there is no formal VPA dialogue. In 2011, a more regionalised process in Central America may take place, but it is important to remember that VPAs are voluntary by nature. Mr Schally also mentioned the importance of the adoption of the EU Timber Regulation, which will enter into application in March 2013. In 2011, priority will be given to the adoption of subsequent legislation, for the private sector to prepare itself and start checking the legality of their sources.

Questions were then raised about the involvement of the private sector, in partner countries, on domestic market, and in Europe. The Commission together with the partner countries will work on the promotion of the FLEGT licenses, particularly for European-based industries and importers, but notes that it is difficult to promote FLEGT-licensed timber before it exists in reality, hence the priority given to implementation of VPAs. Participants called for more financial support to European trade federations, as well as more communication of Commission and Member states on VPAs and on the EU Timber Regulation towards the private sector in Europe.

3 Session 2 : Update on EU Timber Regulation

John Bazill, DG Environment, outlined the key features of the EU Timber Regulation (995/2010) which will come into force in March 2013. His presentation included the scope, practical information related to the implementation of the regulation, the definition of due diligence, clarification on monitoring organisations and the responsibilities of member states regarding the enforcement of the regulation.

Svetla Atanasova, DG Environment, presented information related to the entry into force of the regulation, its application and the associated consultation process.

John Bruneval, DG EuropeAid Development and Cooperation, presented the links between the EU Timber Regulation and the VPAs. The presentation focussed on Article 3 of the regulation which states that FLEGT-licensed timber will be considered in conformity with the regulation. Clarification was provided on the implementation of the regulation through concrete examples of timber trade.

Their presentations are available in annex VI.

In the follow-up discussion, different questions were raised. Regarding the penalties for companies contravening the timber regulation, it was made clear that these are to be determined by the Member States. However, the EU will facilitate a dialogue between the member states to help ensure that penalties do not vary too much. It was also clarified that, in line with other EU legislation, each Member State should enforce the regulation "effectively" but that there is no shared standard of enforcement. Regarding the scope of the products, charcoal is not in the list. As far as recycled products are concerned, it is difficult to define precisely terms such as "waste" and "recycled". Saw dust for example may not be considered a recycled product in the context of the regulation in cases where it is sold for electricity or heat generation, as only products which would be otherwise disposed of are considered as "waste". Modification of the product scope is possible but probably this would be a bit premature at this stage, as we are just finishing an almost two years process to get the regulation adopted. Regarding the documents to be used as

proof of legality, both low risk and high risk countries are concerned. While it is not expected that every shipment should necessarily have legality documentation it is expected that companies placing timber products on the EU market should be able to provide evidence of the legal origin of the consignments upon request, by going back through the supply chain. This might take a couple of weeks. It was also noted that the EU Timber Regulation refers to forest certification schemes as a risk mitigation factor rather than as proof of legality, hence, unlike VPAs, certification does not provide a "green lane" for the EU market. It is assumed that private certification schemes will add the definition of applicable legislation in the regulation and will adjust their standards accordingly. The main difference in the legality definition under FLEGT and under the Regulation is that workers rights are not covered by the new regulation. The main reason is that this topic remains contentious in terms of trade law. Finally, regarding the value of a VPA for a processing country (compared to buying from VPA countries and re-exporting), economies of scale were mentioned. If you are working at a national level (which is the case of a VPA), the cost per unit of legality verification and traceability is likely to be substantially less than on a case by case basis as is otherwise required by the regulation in absence of a FLEGT-license. Countries may also engage in a VPA because the participatory VPA process is an excellent way to improve forest governance.

4 Session 3 : Contribution of projects to the FLEGT Action Plan implementation

Janet Coto Moreno, DG EuropeAid Development and Cooperation, presented the results of the last call for proposals of the ENRTP programme (Environment and Natural Resources Thematic Programme), which finances a significant part of project beneficiaries present in the room. She drew the attention of participants to the contractual responsibilities they have, and encouraged them to interact with project managers and feed them and the Commission staff in general with project results and lessons learnt. Her presentation is available in annex VI.

5 Breakout Sessions : Regional Scope

The participants then broke out in geographical groups to discuss the contribution of each project to the FLEGT Action Plan, the key deliverables and impacts, the lessons learnt for other projects and other regions, the potential for synergies, and the positive experiences of country level coordination.

5.1 Regional Discussion on Africa (in French)

Main discussion points:

1. The projects presented in the breakout group **contribute to the FLEGT Action Plan** in many ways, including :
 - Informing different stakeholders about FLEGT in general and in countries where it is relevant, about the VPA negotiations or the contents of the VPA.
 - Assisting forest companies towards legality certification
 - Building capacities of the local stakeholders (mostly civil society, but also administration and private sector)

- Facilitating / carrying out consultation of different stakeholder groups during negotiations
- Assisting in the legislative analysis during negotiations; field testing legality grids.

Most projects include a significant capacity building element which reflects the local difficulties (lack of capacity and initiative) in the francophone Africa. In the current VPA countries, the negotiation process has been able to open up political space for the different stakeholder groups, but often these groups lack capacity to effectively fill this space.

It was observed that currently most projects (on-going and starting) still focus on supporting the negotiation process; very few projects support the VPA implementation which is already topical in four countries of the Central and West Africa. Several participants reminded that good governance is the key idea behind FLEGT and concrete actions to improve it can be planned and proposed even if a country has not (yet) signed a VPA.

2. Vivid discussion took place on **information exchange and coordination**:

The participants were generally satisfied with the coordination between projects (intra country and between the European NGOs). The annual project coordination meeting was highlighted as an important event to enhance the information exchange and coordination between the European Commission, different projects and other pertinent actors. These meetings were considered important in bringing together projects from different parts of the world, e.g. this year's meeting allowed an independent observation project from Madagascar to exchange with similar projects from Central Africa.

A significant improvement in coordination has been observed since the first annual FLEGT coordination meeting and as a result the project approaches have become more coherent. The participation of "resource persons" to the event was appreciated and a proposal was put forward to invite also other FLEGT related projects financed by Member States and other donors. Everybody seemed to agree that a lot of room for improvement still remains between the different donors and their projects.

There was a consensus on the importance of the multi-stakeholder FLEGT platforms to facilitate information exchange between different stakeholder groups (in particular, reinforcing the link between the private sector and the civil society).

To strengthen the good governance, it was suggested that, at least on the partner country level, the FLEGT process and projects should be better linked with the more general pro-governance projects. Links should also be built between the different forestry and governance programs.

Philippe Mayaux (DG JRC of the EC) informed that to facilitate the coordination between projects regardless of the donor, the Observatory for the Forests of Central Africa (OFAC) is currently compiling a database about the REDD+ related projects in the Central Africa. A similar compilation is planned for forest governance projects and could be available from the OFAC website in about 6 months.

Ralph Ridder (EFI) added that the EFI's FLEGT Facility website also provides a list of FLEGT related projects that are currently supported or have been funded by the EU, its Member States and/or partner organisations.

The role of the EU delegations in assuring good coordination was seen as crucial although the partner country government should ultimately take responsibility of coordinating the different FLEGT related projects and activities in their country. It was pointed out that currently the national administrations in the partner countries are not very well informed of the multitude of projects implemented in their country. To address this point, the project proposals for the ACP FLEGT Programme of the FAO have to be validated by the local government and a kick-off meeting convening the local EU delegation and the relevant stakeholders has to be organised at the start of every project.

An increasing difference was identified between the expertise of the EC Headquarters (accumulating expertise and assisted by EFI) and the competencies in the EU delegations. The lack of resources at the delegations was also highlighted as a limiting factor for their active involvement in the FLEGT process.

It was noted that among the private sector operators there is a discrepancy in the information between Africa and Europe. Africa is currently more informed about the FLEGT AP and the VPAs, while in Europe the Timber Regulation and public procurement policies are the main focus. It would be important to get people on both sides to understand the linkages.

3. The discussion brought out some **general lessons learnt**:

So far, some of the true causes of illegality may not have been much discussed during the VPA negotiations. Considering these issues could help drafting more effective measures to curb illegality (e.g. more laws will necessarily not help if the problem is in their implementation).

The experience from the first VPA countries shows that an open and participative process during VPA negotiations does not automatically guarantee the respect of these principles in the implementation phase. This needs to be acknowledged during negotiations to envisage strategies to keep the space open for the participation of the civil society and private sector.

The European Timber regulation is likely to be an important driver for the private sector interest for and engagement in FLEGT processes. A project aiming at assisting companies towards legality certification has already noted an increased interest of the companies towards the project since the approval of the regulation.

4. **Recommendations**:

To improve the information sharing and coordination:

- Every project financed by EU (directly or indirectly) should contact the EU Delegation in every country in which they operate and keep them regularly informed about the advancement of the project. For this, it would be useful if the EC could send the relevant contacts in each delegation to the projects together with the contract.
- Kick-off meeting with the EC/EU Delegation(s) could be made obligatory for every new project. A transversal activity of coordination could be made obligatory in the new calls for proposals (in the way communication and visibility activities have to be foreseen in all the projects).
- For better overall coordination within the forest/natural resources sector, all stakeholder groups should be consulted as part of the coordination work that

traditionally takes place between the donors (and the local government). EU Delegations should play an active role in opening up the in-country aid coordination mechanisms and dialogue between donors to the civil society and private sector.

- The EU delegation should assure the coordination of the FLEGT activities and projects, yet encouraging the partner country government to take increasing responsibility of the coordination.
- There is a need for a European FLEGT Focal Point at country level (a special envoy or an EU Delegation staff member) to animate and coordinate the process for each country involved (not to do all the work...).
- Within the EU, a clear political decision should be made at the Headquarters level on the roles of the HQ and delegations (and Member States) especially in the VPA implementation phase. The Heads of EU delegations in the VPA countries should be formally informed of the political priority of FLEGT process by their hierarchy. The means should reflect the importance given to the FLEGT process.

5.2 Regional Discussion on Africa (in English)

The focus of discussion was on two issues: firstly on how to improve coordination and communication between different actors and projects, and secondly on lessons learned regarding VPA processes and other issues of the FLEGT Action Plan.

5.2.1 Experiences of country level coordination

There is a strong need to better coordinate and streamline activities, such as implementing joint capacity building activities or communicating implementation calendars and objectives of projects funded by different donors in a country. All subcontractors in the wider FLEGT arena should work together and move away from competition toward cooperation. Better donor and high-level coordination in countries would also facilitate more effective synergies between FLEGT contractors and establish a common understanding of FLEGT within development policy. It was mentioned by FLEGT contractors that increased vision and guidance by the EC or Delegations would facilitate a stronger connection between government and contractors as well as providing great political backstopping for contractors. The Delegations should play a stronger role in pulling FLEGT contractors together a providing guidance, possibly through an annual meeting per country. An example for good practice is the EU Delegation in Indonesia, playing a key role in coordinating activities and organising meetings for subcontractors to exchange experiences and information. In Ghana, there have been collaborative meetings among representatives of projects to improve communication and to develop a common communication strategy. Furthermore, there is a support programme for natural resource governance to enable the exchange between the forestry sector, the mining sector and environment (as a cross-cutting sector) and to facilitate collaboration of the two responsible ministries on governance issues. However, very few contractors have a complete picture of all the interventions that are taking place in-country. The Delegations could play a catalytic role to make sure all contractors have a holistic understanding of the FLEGT process.

Recommendations:

- To establish overarching coordination bodies at national level which also cover REDD-related activities

- To jointly initiate awareness raising activities across a number of projects dealing with the same issues
- To provide a list of projects and information per country, e.g. on the Commission's website, so that one can get an overview on ongoing activities per country
- Sponsor annual FLEGT meetings in-country to bring all FLEGT related practitioners together to develop common implementation strategies
- To improve coordination of activities targeting different ministries in a country so that communication gaps between the ministries will be avoided
- Strengthen communication across countries in Africa about VPA experiences (also between Anglophone and Francophone countries/regions), especially from civil society's point of view

5.2.2 *The FLEGT Action Plan and lessons learned:*

To increase the impact of the FLEGT Action Plan, governance of various issues at national levels is a key challenge in Africa. To date, the export of timber has been the leverage. However, most problems arise from domestic markets, as in the case of Ghana where 80% of the lumber is being produced illegally. Law enforcement will have an impact on these domestic issues.

In the framework of VPA processes, there is the challenge to keep the majority of the private sector, namely the small enterprises, involved. Smaller companies are lacking capacities to respond to the new requirements and only get little support from governments. Like in Liberia, there is sometimes a gap between expectations about how fast a VPA can be implemented in a country -- a different "Government and EU speed". If the speed is too high, circumvention of stakeholder processes is a threat. Amongst political decision-makers and also at lower level of VPA implementation, there is often a lack of technical knowledge what a Legality Assurance System is about. Many aspects of the VPA and its implementation rely on the Government, more specifically on different departments. However, the number of capable people in the departments is limited. One of the key questions is how to increase the number of capable people as grant for success of a VPA and how to strengthen administration.

Recommendations:

- Pay more attention to domestic markets and related governance challenges
- Improve coordination of donors, the government and civil society in a country and to discuss how to get illegally produced domestic timber out of the market
- Involve government at higher level and grant sufficient time in the VPA processes in order to reduce negative impacts of different "VPA speeds"
- Work toward a more realistic view on what governance in the forestry sector can achieve (as it is only a small part of the timber sector)
- Assess ways how to improve universities in partner countries in the framework of capacity building and to establish local training hubs
- Keep in mind long-term systematic corruption as a major challenge

5.3 Regional Discussion on Latin America

5.3.1 Roundtable where each country briefly presented FLEGT activities in his/her own country

Honduras: there are no FLEGT projects per se in Honduras for the moment. EFI did a fact-finding mission in Honduras in October 2010 and interest in FLEGT in the country has been increasing. It might take some time before Honduras decides to formally enter into negotiations with the EU. It should be noted however that the Minister in charge of forests has requested the EU Delegation to organize a FLEGT information-sharing workshop in March 2011 in Honduras. The workshop will be co-organized by the institution in charge of forests, EFI and the EU Delegation. There is an increase in requests for information in the country, mainly by the private sector, and a second information sharing mission should be organized in the coastal area of the country to reach another set of actors.

Colombia: On June 30th 2010 one FLEGT project was finalized and a new one started in November 2010. In Colombia, FLEGT is not well known in general, however several subnational governments (in Spanish: *Cooperaciones Autonomas Regionales* - CARs) have requested the first phase of the project to be extended and would like to get more information about it. There has been a general presentation about FLEGT and 33 autonomous regions showed some interest in the theme. For the moment more information about FLEGT is disseminated in these regions. There have been lots of discussions in Colombia around legality, illegality and sustainability. Colombia does not export much timber to Europe (Close to 0.2 %) but the domestic timber market is quite consequent. Therefore the main idea is to reduce illegality on the domestic market. After 3 and ½ years of work there are actions within and outside forested areas around legality and sustainability themes. Discussions about these themes led to the development of a strategy of controlling timber that will be applied first in four departments with the idea to expand it to the entire country later on. The general idea is to work decentralised and not from the capital city. The general objective is to prepare the country in entering into a VPA in the future. It should be noted that there has been an improvement in the forest sector in the past few years due to the new legislation. The new legislation still contains some deficiencies but it is hoped that it will get better in the next few years. There has also been an improvement in forest policies (the design of the control and monitoring national strategy), and the review of the National Plan for Forest Development which opened the area for the government to commit to work on governance among other important topics related to forest. All this has been used as a platform to develop new forest projects.

Work has been done by WWF-Colombia. WWF, in a project led by OXFAM, is working with local communities along the Chocó-Darien Ecoregion to talk to them about legal and illegal timber to better understand the timber supply-chain and to sensitize communities that everybody is responsible and that everybody can work towards better legality in the timber sector. It has also been noted that it has been difficult to discuss timber legality with local communities when there are other more significant issues, such as the control and access to the land for legal and illegal uses. One important point that was raised was the fact that the forest law was rejected as unconstitutional because local communities had not been involved in the law formulation process. It is important therefore to ensure the participation of all actors in the elaboration of a potential future VPA.

At the moment a strategy is being developed at local level with communities and their leaders in the framework of the Forest and Territory project that is financed by the

European Community and lead by Oxfam. Workshops on illegal logging and tracking systems were organised, where definition of illegality has been done with two Major indigenous councils as an input for the establishment of the *Conversatorio de acción ciudadana* (a process where communities get aware of their legal rights on a special topic). The goal of the workshops was to stress legal and effective actions between communities and regional autonomous environmental corporations around timber and forest products. Also in the same project we have been working on preparing a strategy to deal with the private sector in conjunction with one autonomous environmental corporation. The strategy addresses illegal logging related to companies that export bananas and rely on timber that is used for packing the fruits.

Colombian Amazon (COAMA and Northwest Amazon programmes): The Gaia Foundation is a member of the COAMA (Consolidation of the Amazon) programme, coordinated by Fundación Gaia Amazonas, working with indigenous communities in the Colombian Amazon for about twenty years. During the 1980s the work to reform the Colombian Constitution led to the recognition of indigenous rights – with a new Political Constitution in 1991 and with ratification of the ILO Convention number 169. During the 1990s the COAMA programme accompanied the indigenous communities in the Colombian Amazon to gain legal recognition of their territories (approx. 25 million hectares of Amazon forest are now legally recognised as indigenous territories) and to develop local government, ethno-education and ethno-health programmes built on their cultural norms and values. By the year 2000, the local indigenous governments – known as AATIs (Associations of Traditional Indigenous Authorities in English) – began a process of negotiation with the State to take on the full administration of their territories. They receive State funds to develop and run their health, education and territorial governance programmes. For the Colombian Amazon illegal logging is not the major threat – it is mining. The challenge now is to find an incentive for the State to continue to protect the Colombian Amazon through the recognition of indigenous governance rather than succumb to the pressure to make money out of the Amazon through mining. The Colombian Amazon occupies one-third of the country. Some pressing questions pose themselves, such as the following. How can we prevent this critical Northwest Amazon region from being destroyed by mining? How can the State generate an income from the standing forest, which belongs to and is administered very effectively by the indigenous people? The local indigenous authorities do not want mining. What are the challenges and opportunities offered by FLEGT and REDD for dealing with mining?

Ecuador, Costa Rica, Nicaragua, Honduras, Belize, Dominican Republic (Verifor): the Verifor Project was coordinated by ODI and funded by the EU and its objectives were to combat forest illegality through systems of control. The idea was to strengthen the forest sector and focus on forest governance and not to promote specifically FLEGT and VPA because the region does not export much timber towards the EU and because trade negotiation with the EU in the framework of FLEGT could be interpreted as free-trade agreement negotiations similar to the ones countries in the region were having with the USA. The studies made by Verifor were useful in bringing in each country various forest actors to discuss forest policies reforms. For instance, it was noted that in Costa Rica the costs of legality were much higher than the costs of illegality. As a result, standards for forest management plans were reformulated to make them less expensive. New standards for the control of forest management plans, including for plantations and secondary forests, were also devised. The issue was also raised in various countries to control the controllers. Verifor also worked with funds from the World Bank to work on a strategy of simplification of procedures. Studies in Nicaragua showed that illegal logging in that country was less prevalent as once thought. In Honduras, Verifor collaborated with

Global Witness where they only performed a diagnostic. Finally, Verifor compiled statistics on timber flows within and outside the region. A tool to control CITES trade is available on the CATIE website.

Ecuador, Peru: Traffic works in both countries with their own funds and funds from GTZ and EFI. In Ecuador the private sector requested more information about FLEGT in order to export more towards the EU. For the moment Ecuador exports 150 million USD of timber, of which a fourth goes to the EU. In the past few days the ministry of environment has also expressed interest in a responsible purchase programme. TRAFFIC together with its partners has some seed money to start the process. There is a good basis to improve the forest sector in Ecuador with the new computerized permitting system. In Peru, the government has requested more information about FLEGT.

Brazil: there are several initiatives to improve forest governance in Brazil, one of them being a quite sophisticated deforestation monitoring system based on remote sensing (Real Time Deforestation Detection System - DETER). There have been agreements with neighbouring countries to use that remote sensing system as well. Meanwhile a new system called INDICAR (Imaging and Radar Deforestation Indicator) is being developed to offset some of the shortcomings of the DETER system. Another initiative is the transformation, in 2007, of the permit system from one that is paper-based to a digital one. A third initiative was started with WWF to develop an illegality index (based on remote sensing and forest management planning data). The work is done in collaboration with a satellite company that monitor trucks movements by GPS related to a database that includes data from forest management plans. That project is in its infancy and nobody knows yet who will finance the entire system. In general when FLEGT is mentioned it is only on governance issues, as negotiating a VPA will probably be difficult in Brazil. Work has been done with local governments to develop responsible procurement programs. There is also support to a control system at the borders of Brazil since timber trade between Brazil and Peru and Ecuador is probably quite substantial. The motivation for that action is probably more technical, to integrate monitoring remote sensing systems, than political. It should be noted however that under the OCTA Brazil is supporting other Amazonian countries to monitor deforestation through remote sensing because the Amazon is considered a geopolitical and geostrategic zone. Brazil also wants to share its technological advances in remote sensing with its neighbouring countries to better control and monitor deforestation in the Amazon. Deforestation monitoring by remote sensing has increased transparency and has improved dialogue between civil society and the government. There have been major improvements in areas, such as Para, that were experiencing conflicts before. The problem of legality and illegality in Brazil is probably more related to land tenure than to forests per se. For instance there have been instances of creating false documentations to acquire land illegally. Brazil is probably not interested in FLEGT or VPA but the EU Timber Regulation might lead that country towards some sort of discussions with the EU.

5.3.2 *Would negotiating a treaty be useful for a country? In which cases wouldn't that be useful? What would be more useful for a country? A project? A treaty? When would it be useful for a country to enter into the FLEGT Action Plan?*

- One must be creative. In Peru for instance, reaching a VPA might be the goal since that country does not export much to the EU but rather to the USA and China. But, since Peru is interested in increasing its exports, there needs to be a dialogue with the government because the ITR will impact the country. Linkages between the ITR, FLEGT and the Lacey Act need to be clarified as well.

- It is important to move towards legality and not necessarily towards a VPA. In Colombia for instance, the President talked about governance (in general) in his national development plan. In Colombia there are needs to insert timber in governance talks and to discuss about increasing timber exports.
- One important issue is to know how much it would cost per cubic meter to comply with FLEGT and the requirements of the ITR. An interesting study would be to compare the costs of certification and the costs of FLEGT compliance and to study the impact that FLEGT would have on forest costs.
- In the region, REDD is getting more political interest than FLEGT but in reality REDD is economically less important than FLEGT. So far REDD has not been successful in ensuring carbon payments.
- There is a strong economic interest. Tax collecting agencies are in general strong institutions and a driver for FLEGT might be the potential increase in tax revenues through better control and monitoring of forest activities.

5.3.3 Where are the possible synergies between FLEGT projects?

- A meeting about FLEGT in Latin America would be useful to learn what is being done in other countries. For instance there have been mentions of legality measure indices both by Verifor and Colombian participants, and responsible purchase has been mentioned both in Brazil and in Colombia.
- It would be useful to organize a meeting to train the trainers in FLEGT as there is little capacity in the region for the moment. Training a core group of actors would be very useful.
- A regional meeting would be useful for the region to discuss regional issues such as the importance of the domestic timber markets, land tenure and the usefulness or not of a VPA for Latin American countries.
- Political dialogue needs to be initiated about forest governance so that all actors understand that governance is a matter of all, whereas law enforcement is a matter of state.
- It will be important to include indigenous actors in national and regional dialogues to figure out how to support them so that their voices are heard and that their capacities are strengthened.

5.3.4 Summary

Key areas of common interest

- Generation of legality indices (national and sub-national)
- Responsible consumption
- Legality tracking systems
- Monitoring and audit
- Species and timber type identification key (developed by CATIE) for use by customs and exporters
- Revenue, taxes and fees systems, distribution and tracking
- Simplification of red tape

- Study of costs /benefits and burden of FLEGT to Latin American operators
- Hence: Focused regional FLEGT training to build critical mass information and knowledge

Do Latin American countries need or demand VPAs?

- Differences in views on where and under what circumstances formal FLEGT VPA process useful
- Useful for Ecuador, Bolivia, Colombia which export to EU; query Honduras.
- Some countries that are exporting to China interested in FLEGT, as China may establish its own FLEGT; or in case of Peru see it as useful process to improve its competitiveness more generally in forest sector; or in case of Colombia to help strengthen the integrity of its domestic process and accelerate it.
- More discussion needed on this, as political hooks and drivers may differ (and have implications for issues, stakeholder conditions and expectations).
- Possibly worth opening processes, but before signing looking at costs and benefits of tools and approaches.
- Brazil is developing its own domestic legality process and systems.

Note: Timber trade is still worth more than the REDD finance that is on the table globally.

5.4 Regional discussion on Asia

The meeting was opened and the objectives were explained. After a short introduction round, the persons who represent a project were asked to briefly introduce their project. Following the introduction about a project working with the Chinese Academy of Forestry, working on the development of a legality verification scheme, the discussion moved to the suggestion that it would be good if China and Vietnam could exchange information and learn from each other, especially with respect to timber legality systems and import requirements.

It was also pointed out that more thought needs to be put into the difference between countries that mainly have a domestic production on the one hand, and the more trade based countries on the other hand. It seems to be more difficult to involve civil society and address governance issues in a trade based country. Therefore, the question is whether a VPA negotiation with a trade based country can be called a proper VPA negotiation if the main matter that is dealt with is the chain of custody. If other matters such as civil society involvement and governance issues are not touched upon, it may not be a proper VPA negotiation as such an approach does address underlying governance issues. During the same discussion it was stressed that there could be synergies between the EU Timber Regulation and the Lacey Act.

The next topic was conversion timber and how the inclusion of conversion timber in FLEGT licenses could discredit those. The EC answered that conversion timber could very well be legal as per the FLEGT Action Plan and that the distinction between legality and sustainability should be kept in mind. Others however argued that conversion timber could potentially constitute a political risk to the Action Plan. The conclusion was that more thought needs to be put into conversion timber, how big of an issue it is, how it can be dealt with and whether it will cause problems for FLEGT.

The importance to link FLEGT to REDD was pointed out. It was suggested that the FLEGT approach can be of assistance to REDD.

The inclusion of CITES timber in the EU Timber Regulation was also discussed. It was brought up that as soon as countries become more aware of the rules and regulations around the EU Timber Regulation, they may include more of the timber exported from their countries as CITES timber under Annex III. This could possibly become a problem. However, it was pointed out that CITES timber was included in the EU Timber Regulation as to not to undermine this agreement. Based on this exchange, the suggestion was tabled that there needs to be a close cooperation with CITES authorities in order to make it a more 'robust' tool.

With the EU Timber Regulation coming into force, liability is now on operators on the EU market. This part of the private sector may become risk averse and may refrain from buying timber from high risk sources. At the same time, FLEGT licensed timber from VPA countries will be a relatively easy way to meet the provisions of the EU Timber Regulation. This may strengthen the position of FLEGT licensed timber on the EU market and may also increase the willingness of countries to enter into VPA negotiations.

It was noted that in Indonesia an independent audit is crucial, as it is in all VPAs. In addition to that, the oversight by civil society was thought important. In general it was felt that the FLEGT process in Indonesia has been exemplary with good inputs from civil society. Implementation would be an interesting next challenge once the VPA negotiations would be concluded.

One suggestion was made with regards to the costs of legality verification and licensing for timber exports under VPAs. It was mentioned that a VPA should include capacity building so businesses can get higher value for their products and with that offset the higher costs they may have due to VPA licensing.

There was a short final presentation about the ENPI-FLEG project that operates in Russia and a number of neighbouring countries. See: <http://www.enpi-fleg.org/>. This is the only FLEGT related project in Russia. With the EU Timber Regulation coming, there is high interest and high demand for information in Russia. Therefore it was suggested to increase the awareness raising, capacity building and other activities in Russia as it seems that this very relevant country in terms of illegal logging has been overlooked by the EU. In relation to this, it was also mentioned that the Russia – China timber trade needs to be addressed.

5.4.1 Summary of key discussion points

- There is scope for communication between China and Vietnam. They can learn from each other with respect to timber legality systems and import requirements;
- More thought needs to be put into the difference between the use of the VPA Timber Legality Assurance System for controlling domestic production;
- It is important to clarify the synergies between the EU Timber Regulation and the Lacey Act
- The impact of conversion timber on FLEGT needs to be looked into;
- Linking FLEGT and REDD is important. FLEGT can be of assistance to REDD in a number of ways;

- Look into the risk of including CITES timber from Annex III in the EU Timber Regulation, taking into consideration that CITES Annex III does have not a very 'robust' system of controls;
- With the EU Timber Regulation coming into force, the private sector may become risk averse. This may increase the attractiveness of FLEGT and become a reason for countries to enter into VPAs;
- In Indonesia an independent audit is being complemented by oversight by civil society as well. Overall, the Indonesian VPA process has been good;
- Suggestion to provide capacity building for timber product quality improvement to offset the higher costs for legality verification that traders may have under a VPA;
- Only one FLEGT related project in Russia. This area of increasing political importance due to the large flows of timber into the EU. Therefore Increase awareness raising and capacity building about EU Timber Regulation in Russia and the other ENPI countries;
- The Russia - China timber trade also needs to be addressed.

6 Side events/meetings

During lunch time, several side-events were organised. For more information, please contact the side event organizer (for contact info: see list of participants in annex II)

Development and implementation of timber-tracking methods	Dr Thorsten Hinrichs, Federal Ministry of Food, agriculture, and consumer protection, Germany	Abstract available in Annex IV
Forest governance & FLEGT in Colombia, experience of the CARDER project	Ruben Dario, Colombia	-
FLEGT-REDD governance research agenda	Gert-Jan Nabuurs and Jo Van Brusselen, EFI	Abstract available in Annex IV
Lessons learnt from VPA	Alison Hoare, Chatham House and Tomi Tuomasjukka, EFI	Outputs from this meeting were synthesized into section 8.2 on page 22.
Central Africa	Marc Vandenhoute, FAO	-
West Africa	Robert Simpson, FAO	-

7 Session 4 : FLEGT Action Plan Impact

Sam Lawson, Chatham House, gave a presentation of the report on illegal logging and related trade : indicators of global response. His presentation is available in annex VI and the report is downloadable from Chatham House website.

In the follow-up discussion, several questions were raised. The cost of the study, although not specified, is limited and the major efforts consisted in establishing the methodology. A replication of the study, or its expansion to other countries (for example Papua New Guinea, Russia, China, Thailand or others) should be very easy and cost-effective. It was also found very valuable to quantify the results of FLEGT efforts (and

more largely, efforts against illegal logging). Mr Lawson mentioned how difficult it had been to look at the socio-economic effects. He recommended to try to couple the macro-level approach with an organised and systematic micro-level approach with survey of local villages. It would add colour to the picture and would also bring out some of the socio-economic impacts of increase or decrease of illegal logging. It was also noted that the broad messages of the report are very encouraging, although it would be interesting to know what measures contributed mostly to the results, as the governance situation is not always up to good governance standards. The author mentioned, as an example, the importance of measures related to transparency, for example in resources allocation procedures that are important conditions for sustainable better law enforcement.

Julia Falconer, DG EuropeAid Development and Cooperation, then introduced the FLEGT Action Plan progress report, which is part of a series of work that has to be done to monitor and assess the FLEGT Action Plan as a whole. This complements the monitoring of each VPA, which will be done at country level and the global assessment as presented by Sam Lawson before. Together these studies show a comprehensive picture of what has been achieved and what needs to be done.

Catherine Paul, consultant for EFI, then presented the FLEGT Action Plan progress report, which is based on a survey of EC and MS contributions to the FLEGT action plan between 2003 and 2010, as well as on their perceptions of the FLEGT Action Plan. Her presentation is available in annex VI.

John Hudson, consultant for EFI, then presented some elements of interpretation and implications of this report. His presentation is available in annex VI. Mr Hudson calls for more analysis on the purpose and scope of engagement, the geographical scope, the ways of working and financing but also the other changes that happen in the world, as well as a more effective communication.

Some statements made by Mr Hudson were provocative, and part of the follow up interventions challenged those statements. On conflict timber, Mr Hudson suggested that the concept of conflict timber should be forgotten, although the relationship between timber and conflicts should not. Mr Hudson also suggested that the importance of public timber procurement policies will decrease with the implementation of the EU Timber Regulation. With regard to the rather limited involvement of some Member States in the FLEGT Action Plan implementation, Mr Hudson noted the difference between the political support, which is general among Member States, and the financial contribution to the implementation of the Action Plan, which is largely dependent on the size and historical scope of the development programmes among Member States. He called for better communication to show that investment in FLEGT is worth it (as shown by Lawson). With regard to other commodities, mention was made of a 1,5 year study commissioned by DG Environment which will look at the impact of commodities demand on deforestation and come up with policy recommendations. Lessons have also to be learned from non FLEGT countries, such as Brazil. In response to a question related to the usefulness to focus on countries with limited forest areas (but more plantations or mosaic of agriculture-forest – further in the forest transition curve), or on forest rich countries, Mr Hudson called for the Commission to decide (or to set criteria) where to invest in terms of VPA negotiations and implementation, as it will be impossible (and inappropriate) to work in all countries. Difficult decisions have to be made about where to invest time and money. Resources are limited and choices have to be made. Mr Hudson also mentioned that the FLEGT Action Plan is not the only development intervention that can be used. Some participants also commented on the complexity of the issues that have to be factored in, for example the impact of

demographic growth, the land ownership structures, the conflicts with other commodities, or with mining...

8 Session 5 : FLEGT thematic issues – Discussions in breakout groups

Breakout groups were then organised to discuss thematic issues related to the implementation of the FLEGT Action Plan.

8.1 Group one: *FLEGT and REDD, governance issues, how to improve linkages?*

A presentation on REDD was made by Valérie Merckx and is available in annex VI. It was followed by a discussion between members of the group. The main conclusions are presented here :

- In-country coordination at ministerial and services level is key:
 - FLEGT VPA negotiation process can help in facilitating dialogue among different institutions and government services.
 - Possibility to introduce formal conditionalities on FLEGT/REDD in donors/country agreement
- Successful FLEGT VPA implementation is important for a country's reputation and credibility (i.e. also for ensuring future REDD implementation).
- Use FLEGT to address REDD governance issues (legality definition, land tenure, commercial rights, revenue distribution)
- Time is ripe to engage in working on land tenure issues and land reform (where appropriate and at the appropriate level)?
- FLEGT multi-stakeholder dialogues can contribute to REDD consultations.
- REDD is going too fast (availability of money vs. absorption capacity) but also too slow (with regard to implementation and achieving results): FLEGT VPA can help since they are already operational and as they help improving countries' governance structures – without which REDD would not work either.
- There is a need to frame FLEGT REDD links in a broader donor coordination on funding, processes and initiatives.
- It is important to build on and expand achievements and lessons from FLEGT but important not to overestimate the role of FLEGT to support REDD (numerous other drivers than illegal logging and timber production/revenues)
- Initiatives on biodiversity (e.g.: actions on protected areas) can also contribute to REDD objective.

8.2 Group two: *Lessons learnt from VPA – what are the deliverables?*

8.2.1 *Introduction*

This discussion was moderated by Julia Falconer. Alison Hoare and Tomi Tuomasjukka reported on the outcome of an initial discussion in a side event session on the topic of lessons learning. The following notes integrate the synthesis of both the side event and the current breakout session. The discussions went into two broad groups of topics. The first group considered what themes or issues would be helped by lessons learning. The second group concerned the process of lessons learning itself, of how to do it.

A formal learning process has yet to be established. Knowledge is very inherent to the people who are actually involved. Documenting lessons learnt will help the learning process at an institutional level and it helps keeping an institutional memory.

Countries should learn from each other in the implementation stage, but it is not interesting to bring countries together in the stage of negotiation. It should be avoided that the lessons learnt would become interpreted as a set of requirements/expectations to or by stakeholders. It is important that the VPA process be free enough so each process can have its own country-specific evolution. Note e.g. that the criticised thing with REDD is that stakeholders don't have a flexibility of designing an own process. There is a blueprint in the "REDD readiness review" which stifles sovereign initiative. And by all means this should be avoided with VPAs.

8.2.2 *What topics the lessons learning process could cover*

In summary, participants considered it would be useful to emphasize following topics in the process of lessons learning:

- Keeping momentum while shifting from negotiation to implementation
- The role of delegations
- Monitoring
- Links to policy processes
- Links to national accounting cycle

8.2.3 *Process of learning and transferring lessons*

The Methodological challenges are big in terms of "how do we do it and for whom; how to collect lessons; how to make them transferable; system development to transfer". Either we scratch on the surface, or we go in with more methodological approach. That would require a lot of extra effort, e.g. also in terms of social science research

Learnful would be to look into what positive things come out of previous VPA processes, to ensure that similar positive things come out of on-going and future VPA processes, but it could also be useful for policy processes in other sectors. It should also be considered if practices and lessons could be exchanged with other policy processes such as e.g. in the trade and agricultural sector .

We need to keep it practical as the information related to any VPA process is vast. There is a lot of material that is documented but also a lot of material that is not documented.

The scope of lessons learning should therefore be defined, and this could be guided by considering practical questions, such as: “what are the enabling conditions that make it possible to have legal timber”; “which of the actors have been important”; or “why have the signatures been delayed”. Sometimes a process goes fast or slow. It would be useful to find out who the actors are and what could be at the source of any problem.

To record the processes, the pre-negotiations, negotiation and the move towards implementation, can be only recorded by having regular interviews with people. Not all actors may be interested to do so as it may jeopardise the process that they are then engaged into. Key actors will not be able to give views on a public web platform.

8.2.4 *Wrap-up messages from the participants*

Following messages relate to the process of lessons learning:

- Methodological challenges are big in terms of “how do we do it for whom; how to collect lessons; how to make them transferable; system development to transfer lessons”. Either we scratch on the surface, or we go in with more methodological approach. That would require a lot of extra effort, e.g. also in terms of social science research.
- It shouldn't be so that the lessons learnt will become interpreted as a set of requirements/expectations to stakeholders.

Following messages relate to the topics for lessons:

- Give attention to challenges in all the VPA phases: pre-negotiation phase, negotiation phase, phase of moving from negotiation to implementation, and the implementation phase.
- We need to know what is needed for the roll-out of a VPA. Secure funding of the activities could be an issue. It should be mapped what the financing needs are so that donors can also coordinate their activities. And it should be possible to assess progress towards VPA objectives so donors can assess return on investment, and decide on where to put money next. Governments should take ownership of discussions on sustainable funding that would be needed for implementation.
- VPA processes implementation phase may require more time than is currently allocated
- How does the country manage the process and what are the potential problems for implementing the VPAs
- Implementation of legality assurance systems (LAS) will take a lot of time. Give time for having a good system.
- Strategic use of communication by actors. In capacity building there is need for strategic and tactical use of information at all levels (private sector, governmental sector and civil society)
- Responsibilities of different actors in the implementation phase have to be established, with an oversight from the Government, otherwise nothing goes forward.
- Stakeholder involvement is very important and it should not deflate after signing the VPAs. Ways need to be found to keep the momentum of stakeholder engagement. Consider how can it be measured that civil society still finds it useful to engage.

Consider all stakeholder groups! Civil society, government, private sector including SMEs

8.3 Group three : Evolving/new requirements for maximizing the impact of the FLEGT Action Plan. Does the Action plan address all the needs that are seen in the partner countries? What could be done?

8.3.1 Discussion

The breakout session discussions were structured around the following **three questions**:

Question 1. Should the Action Plan (AP) expand beyond legality associated with timber to that associated with conversion of forests to other land uses?

The participants at large thought that legality in itself is not enough; the AP should aim for higher objectives (in the timber sector). Legality can be a first phase, but sustainability should be the ultimate goal. Otherwise there is a risk to see the forests disappear legally due to the increasing needs of timber and agricultural commodities. An opinion was also voiced that the economic sustainability of the sector should be better supported within the AP i.e. how to add value to forests or to timber products.

Yet, it was acknowledged that there are dangers in trying to take on too much (practical problems, partner countries perceptions i.e. suspicions about an EU hidden agenda to increase its control, etc.). Demographics and consumption are underlying reasons of the deforestation as highlighted by a number of participants, but these issues are too wide to bring into the FLEGT AP. Issues such as forest clearing are being taken into account e.g. in the climate change forum; the work should be focused on how to ensure an effective linkage with the FLEGT AP rather than trying to incorporate this issue into the AP itself. Articulation with other programs is more important than simply enlarging the scope of the AP. The focus of the AP should be kept clear focus rather than try to embrace everything in one initiative.

It was suggested to consult the partner countries on what they would want from the FLEGT AP.

It was noted that it is already taking a lot of effort to achieve the current targets. It was even questioned whether the scope was already too wide and ambitious compared to the resources available: seven years has gone by since the approval of the AP, progress has certainly be made but the practical results of the AP are still to be realized (e.g. FLEGT licensing of timber).

Question 2. Where should geographical limits to be placed - which criteria should influence the decisions about which countries are supported and which are not?

Decisions about countries must be shaped by the objective, so greater clarity on it is needed in order to effectively discuss the geographical scope (e.g. stopping illegal logging globally vs. guaranteeing legal timber supply for Europe). Furthermore, the geographical limits of the AP in general and the VPA process are likely to be different. It was noted that the VPAs are only one channel of assistance; other programmes &

initiatives and the AP need to be better articulated with them. For some countries VPA may not even be relevant or feasible (Russia was mentioned as an example), but other mechanisms should be used to improve the situation of their forests.

The participants largely agreed that it was important not to be too descriptive and to keep the door open (at least in principle) to all countries. The EU should try to direct the partner country to the right process according to the situation of the particular country (e.g. perhaps climate change actions more relevant than FLEGT). However, it was admitted that in practice some criteria would be needed. But the choice of geographical limits was seen as a highly political issue.

A question was raised whether, under the Timber regulation, the EU had a (moral) responsibility to assist all the countries who want to trade with us. Or would restricting countries that can voluntarily enter the VPAs breach WTO rules? Should the EU Member States that still face important forest governance problems be considered for a VPA (or similar process)?

Question 3. What does expansion of the AP imply for ways of working – in terms of staffing, sources and instruments of finance and organization (including the roles and responsibilities of the European Commission and Member States)?

This was the most difficult question to answer as the previous questions had not provided conclusive answers about the possible scope of expansion of the AP. Some general recommendations for the future were nevertheless discussed. It was generally agreed that there is a need for a better organisation within the EC itself (clearer articulation between the HQ and the delegations). To overcome the fact that the number of persons who can negotiate VPAs is currently limited, it was proposed to explore whether MS representatives could play this role.

Clearly sufficient financing and staff need to be assured for the AP implementation. To this end, it was suggested that FLEGT should be more strongly linked with REDD+ to benefit from climate financing. Furthermore, it was suggested that European timber associations should be better involved to lobby MS for additional financing; European NGOs could also more actively lobby for this. EFI FLEGT Facility was considered as a useful mechanism to provide necessary technical assistance and capacity building to the process. It was noted that the expansion of the scope of the AP (e.g. to include land use issues) would call for new technical competencies beyond the forest sector.

More generally, it was agreed that effective enforcement of the EU Timber Regulation would be crucial to shift markets towards legality. The MS were considered to have a key role in working on the demand side raising awareness of the general public; promoting legal/sustainable consumption and changing consumption patterns.

A fundamental question overarching the three questions was raised in the beginning of the discussion: What does “maximizing the impact of the plan” really mean? This links back to the presentation by John Hudson the previous day where he highlighted that it is not clear what the AP tries to achieve. The discussions showed that perhaps it would be a time to define clearer what its objectives/targets. Being clearer about the objectives would help achieve them better and articulate between other initiatives. It was admitted though that this could lead to a loss of “freedom” that has characterized the AP thus far (the responsive rather than prescriptive nature of the AP and the FLEGT process has allowed it to grow organically, creating new innovative responses to identified needs).

Clear prescriptions in the AP could also be perceived negatively by the partner countries as breaching their sovereignty.

8.3.2 Wrap-up messages from the participants for maximising the impact of the FLEGT Action Plan:

- Legality in the AP can only be the beginning.
- Linkage with the horticulture and agriculture in the long term.
- More contributions to building capacities in partner countries (e.g. investment into universities) to get people that can in some years contribute to improve the forest management/governance in the country.
- Reinforce and energise the governance and resource management aspect; negotiation process & stakeholder intervention are the key.
- Recognize the limitations of FLEGT with its T(trade) and leverage other initiatives.
- Put producers into contact with the consumers to increase the market for legal/sustainable timber.
- Increase staff at the Commission to allow it to respond to the increasing demands from partner countries.
- Focus where needed into legal reform in VPA countries.
- Continue to be open and transparent (strength of the VPA process) as well as adaptive to changing environment and emerging issues.
- Time to decide what FLEGT is about. Otherwise it is not possible to optimise the use of resources. Objectives and their monitoring are necessary in order to strengthen the management.
- FLEGT is a first step. The process is important. More holistic approach and process is needed on natural resources and environmental services in general. EU should be the promoter at the global level for such a holistic process. Why not to go global with FLEGT to get more funds?
- Within the dialogue with the partner countries there should be more focus on social and environmental situation of the country as well as understanding the logic of the country.
- Linking with other initiatives (REDD+) is important, but we have to understand these other initiatives (e.g. how is REDD implemented?). REDD is already seen as a threat for local communities by many in South American countries (e.g. lack of regulation) and linking too strongly with it could be harmful for FLEGT.
- We need to work to fill the information gap on FLEGT. Space and support is needed for the local communities as well as the private sector to get information and to coordinate the multitude of FLEGT process.
- Try not to tackle all the problems with FLEGT; links with other initiatives are important. If FLEGT is expanded to some new aspects, something existing need to be taken away.
- Put pressure on the EU Member States to contribute more to the AP; each should do something concrete.
- Objectives of the AP need to be defined by the EC and the Member States and in parallel agreement need to be achieved on the financing and staffing.

- Inform industry in partner countries not only on FLEGT but also on Timber regulation.
- Business and trade are partners of the FLEGT process. Strengthen sustainable business aspects of the AP and links with these partners.

8.4 Group four: Monitoring. How to strengthen monitoring capacities? Role of technologies? Cost-efficiency aspects of monitoring?

Session focused on three functions of monitoring:

- i) Independent auditing as obligation from EU side (defined in VPA agreements);
- ii) civil society's role in monitoring and independent observation by third party;
- iii) VPA impact monitoring.

Function 1: Independent Auditing

This audit function is often referred as periodic evaluation, independent monitoring or third party monitoring, etc... in different countries. Thomas Pichet (EFI) and Hugh Speechly (DFID) explained that the role of this technical function is to bring credibility to the legal timber products that FLEGT partner countries export to the EU. This function focuses on the negotiated legality definition, its indicators and verifiers and the overall functioning of the Timber Legality Assurance System. The audit is conducted by a professionally and often ISO certified body with no conflict of interest with other parts of the forest sector. Briefing Note 7 provides details on the requirements. The auditor is recruited through the Joint Implementation Committee (JIC) and reports to the JIC as well. Its findings are made public in whole or in summary by the JIC or its reporting body. Audits in many VPAs are initially performed twice a year.

Antoine de la Rochefordière highlighted SGS activities in the field of outsourced monitoring, tracking and tracing and legality verification (more information can be found on: www.sgs.com/forestry-monitoring).

There is a shortage of good organizations and institutions which have the technical competency to perform this function. The VPA contains a terms of reference for the selection of qualified independent auditors. Requiring those organizations to be ISO certified is an option, but it runs the risk of limiting to a few big companies and excluding others. The challenge is to find organizations which have the technical competence as well as the independence from the system. There is misunderstanding about this function in some countries. For example, in Liberia, people link independent auditing to Global Witness because the term independent monitoring is used for their activities.

Some VPA countries insist that EU should pay for this function, however, EU's role is to kick off this function, but in the long run it should be financed and managed by VPA partner countries.

Function 2: Monitoring and Observation by Civil Society

In many VPA processes civil society networks have developed what may serve as "ears and eyes on the ground". Official monitoring is periodic and limited. Civil Society

Organizations may play a crucial role in local level monitoring. However, there must be a complaint mechanism in place to encourage civil society groups to feed their observations into the Government and FLEGT auditing system.

EIA (Faith Doherty) shared the experience from Indonesia. She said that many companies monitor Indonesia's forest (during the VPA negotiation) but that communities are usually left outside the loop. Therefore, a civil society network has been formed to monitor the VPA process. Within 2 weeks after the Indonesian TLAS was accepted, the network received 72 complaints. It shows that such civil society monitoring works.

Civil Society Organization's role in monitoring should be clearly defined and recognized preferably within the VPA agreement as otherwise, it will affect their legitimacy and access to information as a result of which they may not be able to perform their monitoring function. The transparency of information is important in helping civil society monitoring to function effectively. While such transparency is often built into VPAs, civil society's ability to effectively monitor may also be affected by companies blocking access to concessions, logging roads and mills, and by a lack of logistical capacity (such as 4WD vehicles). It is less clear how such issues might be addressed.

The role of Independent Observation is not to just find infractions as they occur, but to investigate the root causes of the infraction by analyzing information channeled from various sources in a systematic manner and to document governance problems (For more information see: www.rem.org.uk/documents/OIFLEG_%20APV_FLEGT_E.pdf). It is also unclear whether looser civil society arrangements will have the capacity or mandate to fulfil this part of the monitoring function.

This role is carried out by organizations such as REM which usually have a day to day working relationship with the government agencies' monitoring forest officials as well as with the forest sector. As a result they have access to more systematic or confidential data than civil society organizations in their non-official role. This observation reflects the importance of Annex 10 of the VPA agreement which should clearly define the publicly available information so as to allow civil society to have access to basic information on the location, ownership, boundaries and management plans of forest concessions. In addition, it was commented that function 1 (Independent Auditing) and 2 (Monitoring and Observation by Civil Society) are complementary to each other. Function 1 can go and check the complaints resulting from function 2.

The concern was raised that if different functions of monitoring are going to be defined, it should be clearly communicated through the FLEGT briefing note on monitoring, because it is the only official information source that stakeholders draw reference to. The EC pointed out that the position of the EU is to emphasize function 1 as this was mandatory within the VPA negotiations while encouraging other complementary monitoring functions to come from stakeholder process.

Function 3: Monitoring the Impact of VPAs

The scope of VPAs should be born in mind for the monitoring of broader socio-economic and environmental impacts of VPA. This would include impacts on livelihoods, industry, institutions and incentives for legal forest management and associated markets, as well as long-term impacts on forest resources and their environmental services. For example, if

domestic timber consumption is not taken into account in the VPA agreements, it is difficult to assess the impact of VPAs on issues such as for example deforestation, poverty, timber trade and illegal logging.

The interim goal of VPA is to reduce illegal logging and improve governance, while the long term one is to support sustainable forest management and improve livelihoods. The impact of VPA on forest governance can only be assessed if there is baseline information available. The recently published Chatham House report provided an overview of the broader impacts of the global effort against illegal logging as well as country-specific baseline data in five timber producing countries, four of which are involved in developing VPAs. It was highlighted that more country-specific and in-depth monitoring of FLEGT impacts would be needed and in some cases would have to be backed up by qualitative assessments. REDD+ implementation programs should be able to provide a lot of the baseline data on land use and for monitoring carbon stocks.

It was commended that illegal activities are moving ahead of new control measures. In many instances there seems to be a shift away from large concessions towards small scale operators, however the so called small scale logging is in reality networked and organized, sometimes involves large companies, and constitutes a significant part of illegal activities.

Overall monitoring of the EU level impact is challenging. Institutions with knowledge and experiences (e.g. CIFOR) in broad impact monitoring should be contacted. Producing/partner countries put pressure on EU to promote VPA licensed timber and strengthen monitoring of the markets.

Market monitoring: A number of countries want to know how demands for timber, in particular FLEGT timber, will shift or develop as a result of market and policy changes. In future, timber flows may shift in unexpected ways. Some predict that tropical timber will become a luxury product on the EU market. Other wonder if current timber flow changes towards new markets in especially Asia as well as the growing importance of domestic markets (both in producer countries and the EU) may reduce the EUs long term influence over forest management elsewhere. Thus the impact of FLEGT Action Plan and VPA may change over time, potentially requiring more cooperation with other discerning consumer markets.

It was noted that it is important that the various types of monitoring that are being proposed do not leave important gaps. For example the monitoring of avoidance and diversion in relation to trade in FLEGT licensed timber, does not fit clearly into existing plans. A framework produced by Chatham House in 2007 was noted which tries to provide a checklist to ensure this.

Final comments

The overall observation of the group was that there is still a lot of misunderstanding on the monitoring functions and roles in relation to the FLEGT Action Plan. It was also clear that the differences are maybe not as big as is sometimes felt, even when different VPA partner countries may rely on slightly different 'layers' of monitoring. An exchange between different VPA monitoring systems and experiences could be worthwhile. The group discussion helped to clarify different monitoring functions and

also made let to the conclusion that the various monitoring functions as well as the mandates of participating stakeholders must be clearly defined in the framework of VPA.

8.5 *Synthesis*

A synthesis of the breakout groups work was presented in plenary.

9 Evaluation and conclusion

Mathieu Bousquet, on behalf of the whole Commission team, thanked everybody for their active participation, investment of time and energy, and hoped that with this meeting the joint understanding of FLEGT had improved and that new knowledge may boost activities at all levels. It is important for the Commission to take stock of situation on regular basis, and this annual meeting is important for developing the Commission strategy. Issues that were raised in group 2 (on lessons learnt from VPAs) and in group 3 (on evolving/new requirements for maximising the impacts of VPAs) speak for themselves: we need to think about what we are doing and improve whenever possible. In that regard, it is important to meet together to allow people to express concerns and feedback on Commission strategy.

Mr Bousquet welcomed the strong commitment of all participants: the group energy was very communicative and also raised the energy levels of the Commission team. He hoped that all participants would leave as enthusiastic as Commission team.

This meeting marked a turning point for the FLEGT Action Plan that was born in 2003. At that time, it was a baby with an enormous range of flexibility. As mentioned by group 3, now that the baby has grown, we have seen some successes, but we also face new challenges, and we need to refine our view of the objectives of the Action Plan. The Action plan is now almost a teenager so to speak, and its parents/relatives want to set more ambitious objectives for him but also give more structure and build on good results. Despite the need for more structure, which is acknowledged, flexibility should not be forgotten, as it allows to meet the concerns of those involved in the partner countries and the principle of sovereignty should be respected.

Definitive conclusions cannot be drawn yet but collective intelligence is needed so that the Action Plan can mature and grow. Several key issues have been mentioned during the meeting: REDD developments need to be factored in, and they will open a whole range of issues that should be looked into. Monitoring gives also a huge list of issues to be looked into. Policy coherence for development is also a principle that should guide future actions. Communication is key, and the Commission was asked to communicate better, e.g. to private sector in partner countries and in Europe; to communicate with exporters; to communicate what has been done and about new issues such as processing hubs, new regions, new challenges (e.g. timber trade between China and Russia).

In terms of donor organisation, several proposals were made. Linkages between FLEGT and REDD financing need to be clarified. More coordination between EU Delegations and Commission headquarters needs to be organised; more coordination between projects and EU Delegation also. It was proposed to organise one-day seminars at national level on FLEGT with all stakeholders, and this is certainly a very valuable proposal that some Delegations will make a reality, if they get projects support. Working with civil society to get better coordination is also essential. New projects are starting, and it is felt that

they understand they do not work in isolation but fall into a wider arena, and will directly contribute to the FLEGT policy thinking and policy implementation, which makes their work more of a challenge but also more desired and valued.

Thanking again the participants, and looking forward to get their feedback, Mr Bousquet closed the meeting.

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Annex I Programme

Wednesday 12 January 2011 - Day one – Room AB-0D
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13:00-14:30 Coffee and registration

Session 1: Update on FLEGT

Moderation: John Bazill

14:30-14:45 Welcome & objective of the meeting and lessons from last meeting (Mathieu Bousquet, DG DEVCO)

14:45-15:30 VPAs update (Mathieu Bousquet, DG DEVCO, Flip Van Helden DG ENV).

15:30-15:40 Introduction (Stina Soewarta, member of Commissioner Piebalgs's cabinet)

15:40-16:00 Overview of strategic FLEGT priorities (Philip Mikos, DG DEVCO, and Hugo Schally DG ENV)

16:00 – 16:15 refreshments

Session 2: Update on Illegal Timber Regulation

Moderation: Mathieu Bousquet

16:15-16:45 Illegal timber regulation (John Bazill, Svetla Atanasova, DG ENV).

16:45-17:00 Illegal timber regulation and VPA: articulation and impacts (John Bruneval, DG DEVCO, John Bazill , DG ENV)

17:00-18:00 Questions and answers – Discussion

Thursday 13 January 2011 - Day two – Room AB-0D

Session 2: Contribution of projects to the FLEGT Action Plan implementation

Moderation: Mathieu Bousquet

8:30-9:30 Introduction of new projects and context (Janet Coto Moreno, DG DEVCO, new project beneficiaries). Introduction of breakout groups

9:30-9:45 Coffee

9:45-12:00 Breakouts (rooms to be confirmed)

Regional Groups

Aim: The aim of the session is to gather lessons/experiences from project representatives and EU Delegation, EC and MS staff on:

- What has been the contribution of each project to the FLEGT Action Plan? Key deliverables? Impacts?*
- What do you think could be useful for other regions?*
- Positive experiences of country level coordination. What works? What does not?*

<ul style="list-style-type: none"> - Where are the possible synergies? - What can one learn from each other? 		
Output: A set of meeting notes. Key recommendations to improve value and impact of project		
Room AB-0B	Group one (in French – no translation) <i>Moderation Ralph Ridder</i>	Afrique
Room AB-1C	Group two (in English – no translation) <i>Moderation Bob Simpson</i>	Africa
Room AB-0D	Group three (all languages) America <i>Moderation Penny Davies</i>	Latin
Room AB-0C	Group four (in English – no translation) <i>Moderation Julia Falconer</i>	Asia

12:00-13:00 *Break for lunch*

13:00-15:00 *Side events/meetings*

13:00-15:00 – *Specific meeting on Central Africa VPAs. Organized by FAO and EFI (on invitation - Contact Marc Vandenhoute if interested). French – Room AB 1C*

13:00-15:00 – *Specific meeting on West Africa VPAs. Organized by FAO and EFI. English (on invitation - Contact Lena Yadlapalli if interested) – Room AB 1D*

13:00-15:00 – *Side event - Lessons learnt from VPAs to date: brainstorming in preparation for a Chatham House / EFI workshop. Contact Alison Hoare - Room AB 0B - English*

13:00-14:00 – *Meeting - Development of a strategic research agenda for forest governance and FLEGT. Organized by EFI (contact Tomi Tuomasjukka)- Room AB 0D - English, French, Spanish*

14:00 to 14:30 – *Side event - Development and implementation of timber-tracking methods, Presentation by Germany. Room AB 0D - English, French, Spanish*

14:30 to 15:00 – *Side event on Colombia. Presentation of CARDER project –Room AB 0D - English, French, Spanish*

Session 3: FLEGT Action Plan Impact

Moderation: Julia Falconer

15:00-15:30 Presentation of Chatham House report on Illegal Logging and Related Trade: Indicators of the Global Response (Sam Lawson, Chatham House)

15:30-15:45 Questions and answers

15:45-16:00 *Refreshments*

16:00-17:00 Presentation of FLEGT Action Plan Progress Report (Julia Falconer, DG DEVCO, John Hudson and Catherine Paul, EFI)

17:00-17:45 Discussion

17:45-18:00 Organization of Friday working groups

18:00- 19:30 Drinks reception at Borchette

19:30 Joint dinner (A restaurant will be booked. Please confirm whether you are interested to attend)

Friday 14 January 2011 - Day three – Room AB 0D

Session 4: FLEGT thematic issues

9:00-11:00 Breakouts (rooms to be confirmed AB-0B, AB-0D, AB0C, AB-1D)

Thematic Groups

Aim: *The aim of the session is to work further on specific issues of relevance to the Action Plan:*

Output: *A set of meeting notes. Feedback in plenary*

Group one FLEGT and REDD, governance issues, how to improve linkages? *Moderator : Giuliana Torta*

Group two Lessons learnt from VPA – what are the deliverables? *Moderator: Julia Falconer*

Group three Evolving/new requirements for maximizing the impact of the FLEGT Action Plan. Does the Action plan address all the needs that are seen in the partner countries? What could be done? *Moderator: John Hudson*

Group four Monitoring. How to strengthen the monitoring capacities? Role of technologies? Cost-efficiency aspects of monitoring? *Moderator: Flip van Helden*

11:00-11:15 Refreshments




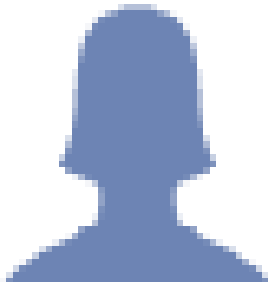









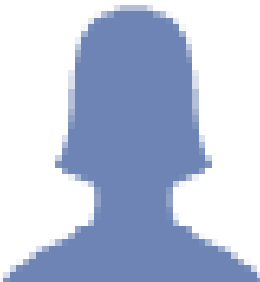


11:15-12:30 Feedback from each breakout group in plenary (room AB 0D)



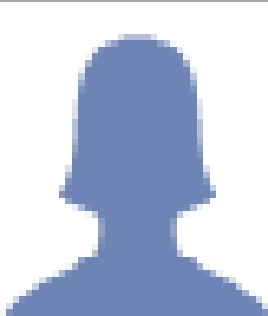









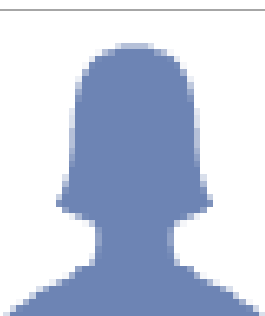



12:30-13:00 Evaluation and conclusion

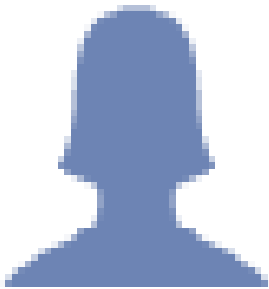

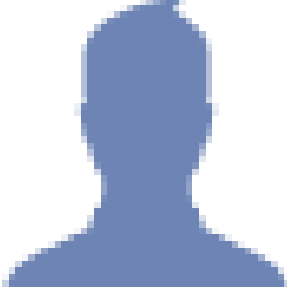



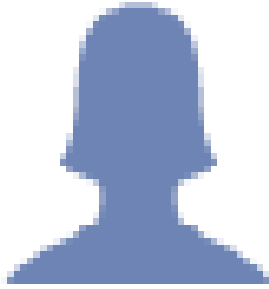



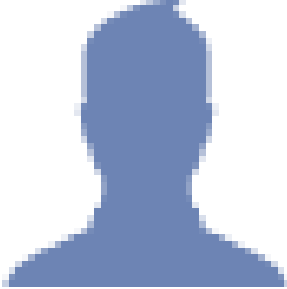





Concluding remarks by Lluís Riera, Director DEVCO I



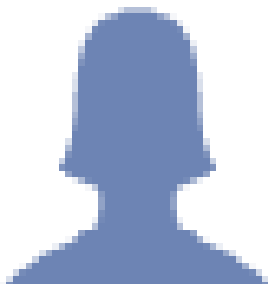













End of the meeting

















Annex II List of Participants




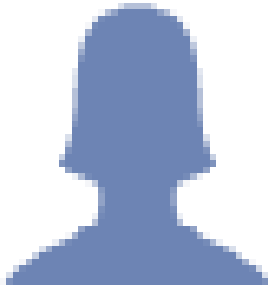


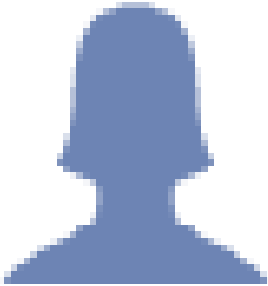







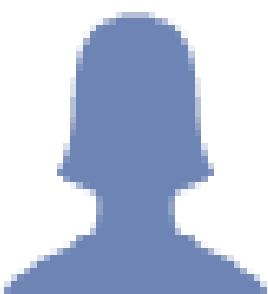

			
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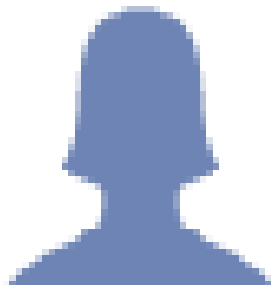
			
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Annex IIb List of Participants by Affiliation

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Timber Trade Action Plan for Latin America and China (TTAP2)	Tropical Forest Trust	Rémi Sournia	r.sournia@tft-forests.org
Programme on Forests (ProFor - II)	Peter Dewees	Nalin Kishor	nkishor@worldbank.org
Strengthening civil society to promote integrated actions and policies to tackle tropical deforestation in Asia-Pacific	EIA	Julian Newman Faith Doherty	juliannewman@eia-international.org anonfaith@hotmail.com
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Developing alternatives for illegal chainsaw lumbering through multi-stakeholder dialogue in Ghana and Guyana	Tropenbos International	Marieke Wit	marieke.wit@tropenbos.org
Renforcement des structures du secteur privé en vue de la mise en œuvre du plan d'action FLEGT dans le Bassin du Congo et en Afrique de l'Ouest	IFIA Interafrican Forest Industries association sarl	Bérénice Castadot	berenicecastadot@ifiasite.com
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Ensuring a seat at the table: supporting NGO coalitions to participate in FLEGT VPA processes with the aim of improving forest governance and strengthening local and indigenous peoples rights	FERN	Iola Leal	iola@fern.org
Innovative timber tracking using genetic and isotope fingerprints	GTZ	Excused. Represented by Susanna Lohri	stefanie.scheliha@giz.de

Forest anticorruption advocacy action: Forest Governance and Integrity Programme: Phase 1. Anticorruption Advocacy, Forest Governance Systems Analysis and Monitoring	Transparency international EV	Manoj Nadkarni	mnadkarni@transparency.org
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Establecimiento de sistemas de garantía de legalidad a partir de la Certificación de Sostenibilidad para la Producción Forestal y para cadena de custodia, con PYMES en Colombia	Fundacion Natura	Luis Mario Cardenas	lcardenas@natura.org.co
Towards enhanced sustainable tropical timber production & trade in Brazil	WWF-Brazil	Estevao do Prado Braga	Estevao@wwf.org.br
Promotion de la production et de l'exportation légales des bois issus des forêts communautaires	SNV- Netherlands Development organisation	Raoul Nguoko	rnguoko@snvworld.org
A strong seat at the table: effective participation of Forest-Dependent Communities and civil society organisations in FLEGT	Forests peoples programme LBG	Janet Pritchard Tom Lomax Stéphanie Vig	jpritchard@clientearth.org tlomax@gmail.com
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Strengthening State and non-state actors in the preparation, negotiation and/or implementation of FLEGT-VPA	Kemitraan bagi pembaruan tata pemerintahan partnership	Laode M. Syarif	laode.muhamad@kemitraan.or.id
Strengthening African forest governance through high level national. Illegal logging meetings and mid level awareness raising and training	University of Wolverhampton	Des. Mahony Gary butler	d.mahony@wlv.ac.uk
Supporting the implementation of the EU FLEGT Action Plan in South America: catalyzing initiatives to control and verify the origin of timber in trade and support related improvements in forest governance	Traffic international LBG	Martha Lucy Mondragon Stephanie von Meibom Ulrich Malessa	mlmondragon@wwf.org.co Stephanie.vonmeibom@traffic.org Ulrich.malessa@traffic.sur.iucn.org
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Annex IV Side events abstracts

Annex IV.1 How to control the origin of wood – development and implementation of fingerprinting methods

Abstract of a presentation at the FLEGT Coordination meeting in Brussels on 13.01.2011 by Thorsten Hinrichs, Federal Ministry of Food, Agriculture and Consumer Protection (BMELV), Germany, e-mail: Thorsten.Hinrichs@bmelv.bund.de

Although instruments have been established against illegal logging and the related trade, there is a lack of practicable control mechanisms to identify the origin of timber and wood products. Such methods of identifying types of wood and timber origins are needed for efficient import controls or corresponding origin testing by industry and the trade.

Now, after 10 years of work, the development of innovative timber tracking systems based on genetic markers and stable isotopes has made great progress: results have been presented and discussed at an International Conference in Eschborn, Germany, in November 2010.

The innovative character of the new methods stems from the fact that characteristics inherent to the timber are used instead of externally applied marks. This eliminates the possibility of falsifying accompanying chain-of-custody-documents and marks and reduces the possibility of laundering timber from illegal harvest. It allows for independent controls at any point of the complex timber trade network.

The combination of both methods, DNA-fingerprints and stable isotopes, has the advantage that a higher cost efficiency, higher spatial resolution and stronger statistical power for the control system can be expected.

In October 2010 preparations for a new project with ITTO started, which aims at implementing a timber tracking system for five important tree species in different countries in the Congo basin. In order to finalise the proposal of the project two workshops will be held with potential partners and stakeholders: one in Hamburg (Germany) from 1st to 3rd of March 2011 and one in Yaoundé (Cameroon) from 22nd to 23rd of March 2011.

Coordination of all future activities and the development of an open access database will be provided by an international facility “Identification of Timber Species and Origins”, which is currently established at Bioversity International located in Kuala Lumpur/Malaysia.

Countries and organisations are invited to participate in these projects!

Annex IV.2 Forest governance research agenda

Background

Gert-Jan Nabuurs presented the concept of the Forest Governance Research Agenda of which the development is being initiated by the European Forest Institute. The aim and process were described, as well as the first topical set up. The European Forest Institute is developing this agenda in support of improving the scientific basis for the work in its EU FLEGT and EU REDD Facilities.

Introduction

There are currently two global policy processes that are expected to have positive impacts on forest governance in particularly developing countries. The first process relates to activities on forest law enforcement, governance and trade (FLEGT) and the various policy approaches that are being implemented to prevent uptake of illegally logged wood or derived products. The second process concerns the reduction of carbon emissions from forest degradation or deforestation, the objective of the UN climate convention's on-going REDD debate.

In 2003 the European Commission (EC) published its EU FLEGT (European Union Forest Law Enforcement, Governance and Trade) Action Plan aimed at tackling illegal logging and the trade in associated products. For the first time the plan explicitly recognized the EU as a major consumer of wood products from regions where levels of illegality and poor governance in the forest sector are most serious, potentially providing valuable markets for illegal wood. A cornerstone of this plan is the negotiation and implementation of so-called Voluntary Partnership Agreements (VPAs), bilateral agreement between the EU and timber product exporting partner countries to trade only in legal wood, through the development of Legality Assurance Systems. Interest in entering VPA negotiations is expected to increase due to the recent passing of the EU Timber Regulation by the European Parliament.

Within the framework of the UN convention on climate change (UNFCCC), REDD+ is designed to reduce emissions from deforestation and forest degradation in developing countries. The success of REDD+ will rely on strong forest governance, which VPAs can help provide. FLEGT VPA and REDD+ are amongst the most promising tools that put pressure to achieve the goal of good forest governance. Without proper forest governance structures in place, the forests cannot be appropriately managed and/or protected.

Implementation and further development of both the EU FLEGT Action plan and of a UNFCCC REDD+ programme is related to various policy and governance issues, in which there are knowledge gaps. A part of the gaps are being filled by short assessment by different actors like EFI's EU FLEGT and EU REDD Facilities, Chatham House etc. However, some of the gaps are so substantially large and also fundamentally important that they require answers that need to be provided through scientific research. There is not, however, a clear understanding of all the existing gaps in the knowledge, nor is there any systematic assessment of their urgency and connections to the Action Plan. The need for formulating a formal research agenda related to FLEGT issues has been identified clearly.

This forms the basis for the European Forest Institute, with support from the European Commission, for the development of a Forest Governance Research Agenda. This implies that we look at what has been done already, what needs to be done, and where are the priorities.

Aim

The aim is to develop a strategic research agenda that addresses the knowledge gaps that relate to the implementation of good forest governance. The research agenda targets development of research capacity both within Europe, as well as with countries that are engaged in FLEGT and/or REDD+ activities. The agenda will have global forest aspects, but will concentrate on developing countries.

Once ready, the agenda will assist donors of scientific research (e.g. European and national research funding and development agencies) where to focus research priorities within forest governance.

The wider research community will be guided by highlighting policy relevant research priorities. The research agenda serves the wider research community who will be involved in implementing the agenda. The aim is to give the research agenda a strong basis through wide consultation of stakeholders.

Initial set up

Initial brainstorming (internal meetings at EFI as well as during FLEGT Project Coordination meeting) has resulted into a first set of topics that have been prioritized up to now. Advisory group and stakeholder consultation may yet add to this picture.

- i. **Policies and institutions**
 - Interactions with and impacts of FLEGT with other policies
 - FLEGT VPA and local governance effectiveness
- ii. **Monitoring, Reporting and Verification**
 - Nature and extent of IL, DD
 - Legality assurance systems
- iii. **Markets and Trade**
 - FLEGT AP impacts on wood commodities markets & trade
- iv. **Socio-economics**
 - Macro-economic effects and impacts
 - Local socio-economic and community effects in VPAC
 - Land allocation, registration, tenure rights, transparency of related decisions
- v. **Organisations, process and networks**
 - Participatory processes
 - Learning of lessons

Discussion

The presentation was followed by a discussion that focused on a chart with a wide range of topics (in addition to the ‘priority topics’) that could be under consideration of the research agenda. A summary of topics brought up by side event participants for addition to the chart, is presented here below. This will help defining an initial set of topics for the stakeholder consultation.

- **Nature and extent of illegal logging** (and extended crime), **degradation and deforestation** should be included more clearly: In all VPA countries there is a lack of the nature of illegal logging. The problem still is not understood well enough. Desk based studies are never going to be sufficient. The research agenda would allow to learn lessons. You can’t analyze the drivers unless you know the extent of illegal logging
- Look who is involved in the **commodity chain** and who are current **winners or losers** and who will be winning or losing from VPA implementation. This would need to be understood at national level
- **Monitoring** will heavily rely on **remote sensing**, however there seem to be serious deficiencies in that system

- Forest governance is a broad term. Probably we need to **differentiate between different levels and aspects of governance**, e.g. as political governance, market governance and administrative governance. Governance is about how an institution can implement a law and how do stakeholders do or do not apply that law. Political governance is how agreements are reached. Market governance: property rights and other rules that allow markets to work all-right. This complexity exists only in the forestry sector. When we want to make an agenda of FLEGT and REDD, then other levels of governance also have to be considered (national, other sectoral governance, all in respect to forest governance).
- Consider **adverse effects between policies**. E.g. if a national governance improves then agricultural sector may expand, which in turn is detrimental for forest cover.
- The **quality of information** in many target countries is very limited. More field work is needed. Certifiers can only tell how much hectares they have, but they don't have much detail on governance etc. Anything that can **improve existing information** would be very useful.
- The **intra- and extra-trade flows**, i.e. those within and those leaving a country are very useful to investigate.
- The signed agreements with governments need requirements for **transparency of government information**. When you can't get that information then you cannot get the studies done. This message has to be conveyed to negotiators because they have to really bear in mind that transparency is a requirement itself for success. The **Århus convention** on transparency of governmental information on the environment was referred to.
- It was suggested to change the central area "monitoring of governance mechanism" to "**Monitoring, Reporting and Verification**" as it is accepted terminology in the context of REDD.
- It was suggested to consider the term "**governance for forest**" rather than "forest governance". The best possible system within the forest sector could be nullified by some infrastructure policy that puts pressure to the forest. And we have to see beyond what the systems in the forest sector are.
- **Comparison of legality definitions** between countries.
- In the policy and institutions pillar, the work in **policy reform processes** could be added as a topic: NFPs and national policies: how are they made, how are they reformed in the different countries. In case it is really about FLEGT and REDD, then also drivers of deforestation and degradation have to be considered as well beside the drivers of illegal logging.
- (not just FLEGT but) Also **REDD will impact on commodities and trade, and socio-economic context**. That should be looked into.

Annex V Evaluation

Summary

This evaluation report is the result of 44 evaluation fiches that were filled in by participants (24 from project beneficiaries, 12 from EU Delegations, EC or MS, and 8 “other” participants).

The evaluation is **very positive**, 97% of participants feeling that they are satisfied or very satisfied overall, and 85% that the meeting responded completely or largely to their objectives. Overall, the general feeling is that the meeting consisted in useful informative presentations in plenary, active and productive sessions in working groups and face-to-face discussions while breaking.

Participants appreciated very much the possibilities to exchange, network and get more information about what others are doing, lessons learnt from their experience. Breakout groups, particularly the geographical groups were highly appreciated in that regard, as well as the breaks and cocktail & dinner, and the side events.

Plenary sessions were generally considered useful. Updates in VPA (80% satisfied or very satisfied), on ITR (70%) and on the FLEGT action plan implementation (88%) were positively received, as well as the debates on FLEGT & REDD (80%) and on the Action Plan (82%). The feeling about the presentation on new projects is more mixed, but a detailed analysis reveals that participants from newly selected projects were much more enthusiastic than representatives from ongoing older projects.

Some participants would have liked to go deeper in some technical issues (for example domestic markets, legality assurance systems, role of private sectors), and have proposed to extend the duration of the meeting. It was also recommended to improve time keeping and moderation (particularly moderation of the first day), to devote more time to geographical breakout groups, to be more focused on substance and to stimulate debates through more provocative questions.

Simultaneous translation and logistics were appreciated, although some proposals were made to improve organisation and logistics (provide lunches, room, dinner). Some welcomed the info pack but others called for all documents to be sent electronically only. Surprisingly nobody but one commented on the handbook.

Finally the organising team was congratulated for the good work, and it was recommended to replicate this kind of meeting, every year and/or in VPA countries, associating all stakeholders.

Detailed results of the evaluation

Quantitative assessment

Table 1. Detailed results of the evaluation – qualitative assessment: scale from 1 (not satisfied at all) to 5 (very satisfied)

	1	2	3	4	5
Overall satisfaction with the meeting	-	-	3%	51%	46%
<i>Overall satisfied</i>					97%
Did it respond to my objectives?	-	-	15%	50%	35%
<i>Overall satisfied</i>					85%
Wednesday afternoon : EC update on FLEGT	-	3%	17%	46%	34%
<i>Overall satisfied</i>					80%
Wednesday afternoon : EC update on EUTR	3%	-	27%	27%	43%
<i>Overall satisfied</i>					70%
Thursday morning : ENRTP and new projects	-	19%	29%	33%	
<i>Overall satisfied</i>					52%
Thursday morning : Geographical breakout groups	-	2%	18%	47%	33%
<i>Overall satisfied</i>					80%
Thursday lunch time : Side events	-	9%	14%	45%	32%
<i>Overall satisfied</i>					87%
Thursday afternoon : FLEGT Action Plan	-	-	12%	40%	48%
<i>Overall satisfied</i>					88%
Friday morning : thematic breakout groups	-	10%	5%	40%	45%
<i>Overall satisfied</i>					85%

Qualitative assessment

It is based on quotes from evaluation fiches:

Most useful part of the meeting?

- The whole meeting (2)
- Informative presentations in plenary, active and productive sessions in working groups and face-to-face discussions while breaking
- Topics developed :
 - o Progress report and debate on the FLEGT AP implementation (8)
 - o Discussion on the FLEGT AP was very suggesting, informed and acknowledged in a challenging way the need to better define what FLEGT wants to achieve (reduce illegal logging vs. reduce deforestation). This is possibly a key issue to continue discussing, not assuming that by simply linking to other initiatives (such as REDD) we might be meeting the goals of the FLEGT initiative.
 - o Update on ITR by the EC, Q&A (6)
 - o FLEGT & REDD (6)
 - o Update on FLEGT VPAs by EC (4)
 - o Development of timber tracking methods
- Contacts, information sharing and networking
 - o Learning from other experiences and people (5)
 - o Networking (4)
 - o Lessons learnt from VPAs in other countries (2)

- Getting to know which organisations are working in the same area than our organisation
- Project information (available at breakout sessions)
- Side meetings for focused discussion on particular issues
- Exchange of experience and networking is the big outcome : don't expect major outcomes from the working groups
- Sessions on geographical areas (6), as it allows to identify areas of joint work
- Breakout groups (4)
- Great combination of plenary/small group sessions

Issues that were not addressed?

- Future of the action Plan (2)
- Not enough time to project implementation organisations to present their work, outcomes challenges and difficulties on FLEGT VPAs
- An update on illegal logging in the countries with a VPA (do not forget objective of FLEGT AP)
- Domestic market issues
- How will the private sector adapt itself under a lack of financial resources ?
- Technical aspects of FLEGT implementation
- Legality assurance systems
- Relationships with private forest certification schemes
- Recognition of the FLEGT process on the European markets
- Implications for EU Member States

How to improve the meeting?

- Better manage timing and structure
 - Not enough time was allowed for discussion after presentations
 - Time management (3)
 - Timekeeping could be improved
 - Round-table presentation too extensive. Maybe introduce projects instead?
 - Probably an extra day is needed (2), to go more in-depth with VPA experiences
- Be more focused
 - Presentations and discussion topics were of rather general nature, despite the high level of available knowledge and expertise.
 - Allow more time for work in small break-out groups on more specific thematic subjects, while ensuring enough varied participation (private sector, NGOs, administrations).
 - More information and concrete cases on REDD-FLEGT would be useful (2).
 - Focus REDD-FLEGT session on how to make links effective (and skip introduction, as audience already informed)
 - An overview of the envisaged outcomes of the process in the longer term would be useful to understand the options and define the issues.
- Improve moderation
 - First afternoon, when EC chairs and presents at the same time, better to ask an external moderator

- Devote more time for geographical sessions and for information on projects
 - o More time for geographical breakout groups
 - o Look into possibilities for groups to mix : Africa + Asia + Latin America to see what works, what does not
- Use more websites
 - o Electronic copies of presentations (2), would save paper
 - o More exchange of information between projects through online information sharing. Use of FLEGT website to follow up
- Confusion with room location for side events

Comments related to simultaneous translation

- 92% found it useful, 8% did not need it
- High quality, excellent (5)

Comments related to invitation, logistics, organisation

- Positive appreciation
 - o Very good, well organised (10)
 - o High energy, lots of enthusiasm
 - o Well coordinated
 - o Very efficient
 - o Manner and tone of EC moderation was appreciated (2), it allowed partners feel comfortable to intervene
 - o Great that it was back-to-back with training
- Choose an appropriate timing
 - o Better to organise anytime in the year except first months of the year because time for audit and reporting
 - o Better to have the meeting in the middle of the year (2)
- Improve logistics
 - o Dinner useful but not well planned (2) and delayed.
 - o Layout and lighting of the room not appropriate (2)
 - o Format excellent and info-pack well conceived (good if all presentations are in)
 - o Replace folders by computer sticks and websites
 - o You should provide food (2)
 - o Good cocktail for networking
 - o Better coffee ?

Recommendations

- Positive appreciation, repetition of this event welcome
 - o Meeting very useful, make it every year. (2)
 - o Necessary and productive event, continue them in the future (2)
- Replicate this kind of event and get it more focused or more open
 - o Decentralise this meeting in some VPA countries for information sharing among stakeholders.
 - o Involve real beneficiaries (forest communities, forest dwellers, government agents and private sector)

- Direct the next meeting towards more specific issues by allowing more sharing of experiences: presentation of projects, synthesis of the problems and possible actions to respond
 - Invite other types of stakeholders (such as European importers federations) or create a specific meeting for them.
- Improve the quality of the meeting
 - Assume higher baseline knowledge
 - Ask more probing questions for deeper and more provocative discussion
 - Use staff experienced in managing seminars & meetings to maximise utilisation of time, effectiveness of meeting, and maintaining enthusiasm and energy.

Annex VI Powerpoint presentations

This annex contains handout notes of the following presentations:

- Mathieu Bousquet, DG DEVCO, Flip Van Helden DG ENV, European Commission: *VPA update*
- John Bazill, Svetla Atanosova, DG ENV, European Commission: *EU 'Timber' Regulation*
- John Bruneval, DG DEVCO, John Bazill, DG ENV, European Commission: *Articulation between the Timber Regulation and FLEGT VPAs*
- Janet Coto Moreno, DG DEVCO, European Commission: *Introduction of new projects and context*
- *Presentations from Side events/meetings:*

Jo Van Brusselen, EFI: *Development of a strategic research agenda for forest governance and FLEGT.*

Thorsten Hinrichs, Federal Ministry of Food, Agriculture and Consumer Protection (BMELV), GIZ: *How to control the origin of wood – development and implementation of fingerprinting methods*

Ruben Dario Moreno Orjuela, CARDER: *FLEGT en Colombia: Alacances de una Iniciativa de la Unión Europea*


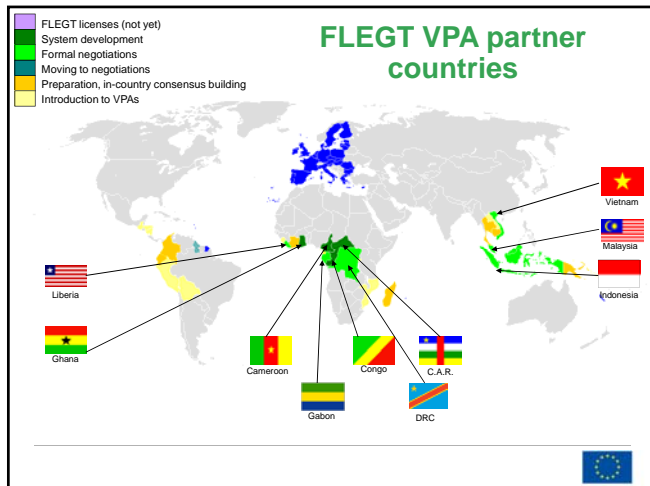
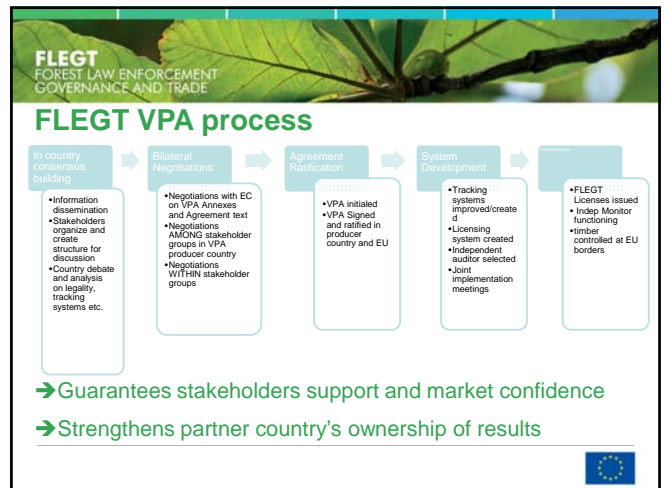
- Sam Lawson, Chatham House: Presentation of Chatham House report on Illegal Logging and Related Trade: *Illegal Logging and Related Trade: Indicators of the Global Response*
- John Hudson and Catherine Paul, EFI Consultants: *FLEGT AP Progress Report - Brief overview of survey results, Interpretation and implications*

FLEGT
FOREST LAW ENFORCEMENT
GOVERNANCE AND TRADE

VPA Update

6th FLEGT annual coordination meeting

European Commission


FLEGT
FOREST LAW ENFORCEMENT
GOVERNANCE AND TRADE

VPAs concluded

Country	Opening	End	Notes
Ghana	20 Nov 2009	End 2011	
Congo	17 May 2010	End 2012	
Cameroon	6 Sept 2010	July 2012	
C.A.R.	May 2011 ?	Jan 2014	

Development and Challenges

- CAR : negotiations concluded 21 December 2010
- Ratification process : entry into force of Lisbon Treaty. Parliament ascent for ratification
- Implementation : has started but more slowly than expected – how to keep political momentum :
 - ✓ complexity of LAS development
 - ✓ Priority goes to the establishment of the traceability system & Other actions receive less priority
 - ✓ Funding issue – how to avoid moving from a political dialogue to a classical development project dialogue ?
 - ✓ Private sector and civil society less proactive
- Development of synergies with REDD



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GOVERNANCE AND TRADE

VPAs in negotiation 1

Country	Opening	Notes
Indonesia	Jan 2011	Development and Challenges: Indonesia : LAS/SVLK developed. Discussion on text ongoing. Conclusion of negotiations expected April 2011
Malaysia	?	Malaysia: internal negotiation process between the three Malaysian States.
Liberia	Feb. 2011	Liberia: next negotiation session in February, conclusion expected 2011.



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GOVERNANCE AND TRADE

VPAs in negotiation 2

Country	Opening	Notes
Gabon	24 September	Gabon: Opening Sept. 2010. Expected conclusion dec.2011. Strong stakeholder consultation process setup. National traceability system – not much to build on; markets coverage; small permits vs concessions; logs vs processed timber
DRC	24 October	DRC: Opening Oct 2010. 1st negotiation session Feb 2011. Preparatory work on legality with stakeholders; stakeholder process. National traceability system and control strategy implemented; Challenges of artisanal timber; decentralisation; East Africa markets and conflict area
Vietnam	29 November	Vietnam: Aim at concluding by mid 2012. Challenge to adapt to a processing hub. 80% imports from 26 countries. Stakeholder process to be designed (ongoing study)






VPAs preparation – in country consensus building

Development and Challenges

Guyana: Formal request to start dialogue. Linked to Norway REDD fund. Meetings in June and September 2010. Stakeholder consultation process and in-country consensus building. More in January 2011

Mekong:

- ASEM meeting in May 2010, strong interest from all countries of the Mekong region. Laos and Cambodia timber producing countries, Vietnam and Thailand timber processing countries.
- Several information meetings to understand better VPAs implications (LAS, stakeholder processes, adapted tool to address governance challenges ?)

VPAs preparation – information

Development and Challenges


More demand is coming for information on VPAs. Partly driven by the illegal timber regulation, partly driven by group of stakeholders who see the VPA as a tool to address some specific challenges.

Latin America:

Several EFI information missions. More projects on FLEGT coming from that region at the last call for proposals. Strong interest from groups of stakeholders in Ecuador, Bolivia, Peru, Honduras, Colombia

West Africa:

Formal interest from Sierra Leone and Cote d'Ivoire




Challenges

Implementation

Delivering first licenses

Negotiation

VPAs for processing hubs. The case of Vietnam. If successful, can it be replicated to other processing hubs?


In-country consensus building

How to ensure that the preparation to the VPA leaves time enough for consensus building when private operators may want a quick-fix solutions for meeting compliance with illegal timber regulation


Preparation

How to ensure VPAs are tailored made to address specific challenges ?

How can your projects help meeting those challenges in the countries you work?

Thank you






EU “Timber” Regulation

“Regulation (EU) No 995/2010 of the European Parliament and of the Council of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market”

Directorate General “Environment”
European Commission

1



PRESENTATION OUTLINE

- Main features of the EU Timber Regulation
- Timeline and future steps

2



KEY FEATURES

1. Prohibition on the first placing of illegal timber and timber products on the EU market
 - Applies both to EU and imported timber
 - Not a border measure (unlike FLEGT Regulation)

3



KEY FEATURES

2. Obligation of “due diligence” for the operators i.e. first placing timber and timber products on the EU market – to take measures to verify the legality of timber or timber products traded
3. Basic traceability for internal traders i.e. other than “operators” – to keep records on suppliers and customers

4



DEFINITION OF LEGALITY

- Definition of legality - legislation applicable in country of harvest:
 - Legal rights to harvest
 - Taxes and fees linked to harvesting
 - Compliance with timber harvesting laws, including directly related environmental and forest legislation
 - Respect for third parties tenure/use rights
 - Relevant trade and customs rules
- Note: FLEGT & CITES timber is considered in compliance with the EU Timber Regulation - has a “green lane”

5



PRODUCT SCOPE

- Timber and a wide range of timber products, listed using Customs codes in the Annex
 - recycled products are exempted

6



WHAT IS DUE DILIGENCE?

■ Elements:

- **Information:** having access to information on e.g. country of harvest, species, quantity, legal compliance
- **Risk assessment:** on the basis of risk assessment criteria, e.g. assurance of legal compliance, prevalence of illegal harvesting of a species or practices in a country, complexity of the supply chain, sanctions by the UN Security Council or Council of EU on timber trade
- **Risk mitigation:** adequate and proportionate measures and procedures to minimise the risk, e.g. additional documents, third-party verification

- Operators can either use existing / set up their own systems or make use of the system of a monitoring organisation



MONITORING ORGANIZATIONS

■ Monitoring organizations (MO)

- MO maintain and evaluate a due diligence system and grant operators the right to use it
- MO should ensure that operators correctly apply the due diligence system
- MO shall be legally established within the EU and will be subject to checks

■ Recognised by the European Commission

■ An option for operators

8



CHECKS ON MO

- Checks by Competent authorities at regular intervals & when in possession of relevant information, including substantiated concerns from third parties
- Competent authorities provide reports to the European Commission
- If MO no longer fulfils the functions or does not comply with the requirements, the European Commission can withdraw its recognition

9



CHECKS ON OPERATORS

■ Checks on operators – by the competent authorities (CA):

- Planned, following a risk-based approach; when in possession of relevant information, including substantiated concerns from third parties
- Checks may include: examination of due diligence system, documentation & records, spot checks, incl. field audits
- Follow-up to shortcomings: remedial actions; immediate interim measures (seizure; prohibition of trade); penalties (see next slide)

10



PENALTIES

- EU Member States are responsible for laying down effective, proportionate and dissuasive penalties and enforcing the Regulation
- Penalties may include:
 - Fines, proportionate to environmental damage, value of timber concerned, tax losses & economic detriment;
 - Seizure of products concerned;
 - Immediate suspension of authorization to trade.

11



NEXT STEPS TIMELINE





ENTRY INTO FORCE AND APPLICATION

- The Regulation was published in the Official Journal of the EU and entered into force on 2nd December 2010
- It will become applicable as from 3 March 2013
- Implementing legislation to be drafted in this period. Also Member States have to designate competent authorities, lay down penalties etc.

13



FURTHER STEPS

- Delegated Acts
 - ↪ procedural rules for recognition of monitoring organisations - by 3 March 2012
 - ↪ amendment of product scope; further risk criteria
- Detailed rules by 3 June 2012
 - risk assessment & risk mitigation measures;
 - frequency and nature of checks on MO



DELEGATED ACTS vs. IMPLEMENTING ACTS

- Difference in the nature and scope of the powers conferred on the Commission:
 - "quasi-legislative" powers under Art. 290 TFEU to adopt delegated acts
 - purely executive powers under Art. 291 TFEU to adopt implementing acts
- Different adoption procedures
 - autonomy of the Commission for delegated acts
 - The rules and general principles are laid down in a legislative act



CONSULTATION PROCESS

- External study
- Stakeholder meetings
- Expert meetings to consult the delegated act
- FLEGT Committee will assist the Commission in adopting detailed rules

Consultation process already started. Inputs from all interested parties welcome.



IMPLEMENTATION

- Legally binding on all 27 Member States
- Enforcement and sanctions by the member States
- Reporting
 - A progress report every 2 years based on reports from MS
 - Report on effectiveness (5 years after entry into force and every 6 years thereafter)
 - ✓ Prohibition
 - ✓ Product scope (printed papers Chapter 49)



"EU TR"

Applicable in all 27 Member states from 3rd March 2013



"With this, we are sending a signal to the world that the EU will no longer serve as a market for illegally harvested timber."

European Environment Commissioner Janez Potocnik

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Thank you!

European Commission
DG ENV.E.2 - Environmental Agreements & Trade

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Website:

http://ec.europa.eu/environment/forests/illegal_logging.htm



Articulation between the Timber Regulation and FLEGT VPAs


12 January 2011

European Commission





Article 4 of the Regulation: obligations of operators

- *The placing on the market of illegally harvested timber [...] shall be prohibited*
- *Operators shall exercise due diligence when placing timber or timber products on the market*


Article 6: Due diligence systems

- *Article 6 paragraph 1. (b): the due diligence system [...] shall contain [...] risk assessment procedures enabling the operator to analyse and evaluate the risk of illegally harvested timber [...]*






Article 6: Due diligence systems and information to take into account

- *assurance of compliance with applicable legislation, [...]*
- *prevalence of illegal harvesting of specific tree species,*
- *prevalence or illegal harvesting or practices in the country [...],*
- *sanctions imposed [...] on timber imports or exports,*
- *complexity of the supply chain.*

- Article 3 of the Regulation: *Timber products [...] which originate in [FLEGT] partner countries [...] shall be considered to have been legally harvested for the purposes of this regulation.*


➔ **This is why the FLEGT licences make the difference: no risk to place illegal timber on the EU market.**

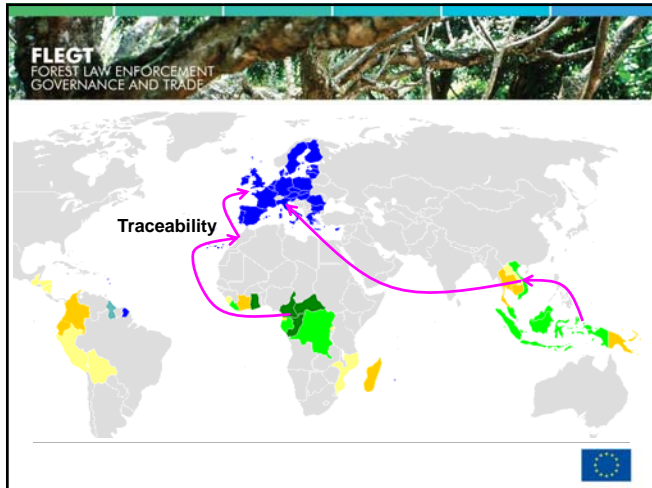



Consequence for trade

The demand for FLEGT timber will increase:

- 1- Demand from European operators
- 2- Demand from processing countries, including FLEGT countries, which export to the EU and which look for verified legal sources of raw material.





FLEGT

Forest Law Enforcement, Governance and Trade

Results of the Restricted Call for Proposals

EuropeAid/128320/C/ACT/Multi



1

Thematic Programme for
Environment and sustainable
management of natural resources,
including energy

ENRTP

- ENRTP Strategy Paper 2007-2010 adopted in 2007

- € 537.6 million for 2007-2010

- Complements and add value to geographic instruments (national and regional programmes)



2

ENRTP priorities (5)

for this Call...

1. Assisting developing countries to make better progress on integrating environmental sustainability (the neglected 7th MDG) in decision making and thus underpin achievement of all the Millennium Development Goals by building capacity, supporting the involvement of civil society and developing innovative approaches;
2. Promoting implementation of Community initiatives and agreed commitments (including those under Multilateral Environmental Agreements) on environment and sustainable management of natural resources, including resource efficiency, energy at international and regional level and across national boundaries;
5. Promoting EU energy policies abroad, in particular sustainable energy options in partner countries and regions by support for policy development and through innovative funding mechanisms.



3

The Call for proposals ...

Published: 31/07/2009 (14 lots)

Financial envelope: ≈ 131 000 000 €

- Lot 4: Forest Law Enforcement, Governance and Trade (FLEGT)

≈ EUR 18 000 000 € (min 500 000 € and max 2 000 000 €)

- Type of actions eligible for financing (lot 4):

1. Support to the participation of civil society organisations, indigenous people organisations and other non state actors in national processes for FLEGT Voluntary Partnership Agreement (VPA) preparation, negotiation and/or implementation.
2. Support to the implementation of the EU FLEGT Action Plan through private sector initiatives which promote the production of and trade in forest products from legal and sustainable sources and prevention of the entry of illegally harvested timber into supply chains inter alia through business to business links, support for the development of policies and practices in financial institutions, private sector procurement policies.



4

Evaluation and selection (1/2)...

Restricted Call: 2 phases: Concept Notes (CN) and Full Applications (FA)

Deadline for CN: 01/10/2009

CN received: 31

Evaluation of the CN:

- Relevance of the action (40) - minimum of 30
- Design of the action (10)

(>35 out of 50)

Preselected for FA: 20



5

Evaluation and selection (2/2)...

Letter inviting to submit the Full Application

Evaluation criteria:

1. Financial and operational capacity of the applicant (20)
2. Relevance of the action (30)
3. Effectiveness and feasibility of the action (20)
4. Sustainability of the action (15)
5. Budget and cost-effectiveness of the action (15)

Selected: 11 (letter of 30/07/2010) (>83.5 points)



6

3. Effectiveness and feasibility of the action (20)

3.1 Are the activities proposed appropriate, practical, and consistent with the objectives and expected results? (5)

3.2 Is the action plan clear and feasible? (5)

* The action plan in section 1.5 is good but there is no inception or exit phase. This is vital for maximum lessons learned

3.3 Does the proposal contain objectively verifiable indicators for the outcome of the action? (including due monitoring and/or evaluation measures) (5)

* Objectively verifiable indicators for the proposal in the logical framework are poor at the result level and are in fact activities
... of a poor standard (...) vague, un-quantified (...) almost impossible to verify.

3.4 Is the partners' level of involvement and participation in the action satisfactory? (5)
NB: If there are no partners the score will be 1.



7

5. Budget and cost-effectiveness of the action (15)

5.1 Are the activities appropriately reflected in the budget? (10)

*Overall the budget is very high for the activities as shown by the category budget

5.2 Is the ratio between the estimated costs and the expected results satisfactory? (5)

*Le ratio cout résultat est élevé. Par ailleurs, de nombreuses lignes budgétaires ont un cout exorbitant (perdiem, voyages, véhicules, services financiers, etc) sans aucun rapport avec la partie narrative du projet.



8

APPLICANT	Nationality	Action title	Action location	Delegation in charge
1. FORESTS MONITOR LTD	GB - Royaume-Uni	Observation indépendante de l'application de la loi forestière et de la Gouvernance (COPLEG) en appui aux APN FLEGT dans le Bassin du Congo	CM - CF, RCE - GA - CO - CO	Congo (Brazzaville) (CO)
2. FUNDACION NATURA	CO - Colombie	Établissement de systèmes de gestion de forêts à partir de la Certification de Durabilité pour la Production Forestière y compris un cadre de contrôle, non FLEGT en Colombie	CO - Colombie	Colombie (CO)
3. WWF-BRASIL	BR - Brésil	Towards enhanced sustainable tropical timber production in Brazil	BR - Brésil	Brésil (BR)
4. SNV - NETHERLANDS DEVELOPMENT ORGANISATION	NL - Pays-Bas	Promotion de la production et de l'exportation légales des bois tropicaux et des produits forestiers	CM - Cameroun	Cameroun (CM)
5. MINISTRE DES EAUX, FORÊTS, CHASSE ET PÊCHE	CF - République centrafricaine	Configuration et pilotage d'un système central de gestion de l'information des opérations forestières et de la traçabilité des produits du bois exportés en RCA, en RDC et en Cote d'Ivoire	CM - CF - RCE	Cameroun (CM)
6. FOREST PEOPLES PROGRAMMABLES	GB - Royaume-Uni	A Strong Start at the Table: Effective Participation of Forest-Dependent Communities and Civil Society Organisations in FLEGT	GH - CO - LR - GA - CO - CAC	Congo (Brazzaville) (CO)
7. STICHTING TROPENBOS INTERNATIONAL	NL - Pays-Bas	Supporte the integration of local and legitimate domestic timber markets into Voluntary Partnership Agreements	GY - CAS - GH	Ghana (GH)
8. CORPORACION AUTONOMA REGIONAL DE RESERVA	CO - Colombie	Plan de manejo de la Gobernanza Forestal en Colombia (FLEGT)	CO - Colombie	Colombie (CO)
9. KEMETRAANBAU PERSERIKATAN PATA PEMERINTAHAN PARTNERSHIP	ID - Indonésie	Strengthening state and non-state actors in the preparation, negotiation and implementation of FLEGT-VPA	ID - Indonésie	Indonésie (ID)
10. UNIVERSITY OF WOLVERHAMPTON	GB - Royaume-Uni	Strengthening African forest governance through high level national 'flagship' meetings and multi-level awareness raising and training	LR - CM - CAS - GH - CO	Cameroun (CM)
11. TRAFFIC INTERNATIONAL LBO	GB - Royaume-Uni	Supporting the implementation of the EU FLEGT Action Plan in South America. Guidance, training and technical support related to timber in trade and support related improvements in forest governance.	BM - PE - RCE - BR - CO	Brésil (BR)



9

Contract

Special Conditions (7 articles) and annexes

- Annex I: Description of the Action
- Annex II: General Conditions applicable to European Union- financed grant contracts for external Actions
- Annex III: Budget for the Action
- Annex IV: Contract-award procedures
- Annex V: Standard request for payment and financial identification form
- Annex VI: Model narrative and financial report
- Annex VII: Model report of factual findings and terms of reference for an expenditure verification of an EU financed grant contract for external actions
- Annex VIII: Model financial guarantee



10

Special attention to be paid to ...

- Procurement (annexe IV)
- Eligible costs (art.14 of the GC)
- Accounts and Technical and Financial checks (art.16 of the GC)
- Reporting (art.2 of the GC)
- Modifications (art.9 of the GC)



11

Good luck with the implementation of your project and...

Do not forget to read the contract ☺



12

 Bundesministerium für Ernährung, Landwirtschaft und Verbraucherschutz 

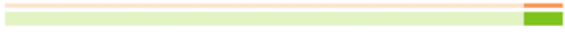
How to control the origin of wood –

development and implementation of fingerprinting methods

FLEGT-week, Brussels

Thorsten Hinrichs
Germany (BMELV)

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2 

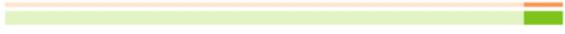
Combatting illegal logging

Producer countries: Law enforcing measures

Consumer countries: Support
Legal acts
Research


Missing: practicable control tools

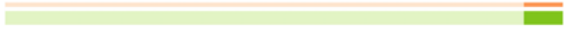
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Methods to control the origin

- Paper-based documentation
- Marking of the timber:
 - Paint, labels, radio frequency identification (RFID)
- Checking of the timber itself:
 - Wood anatomical identification (species)
 - Fingerprinting:
 - genetic fingerprints (DNA)
 - stable isotopes


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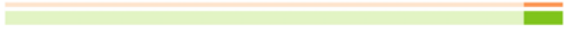
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Fingerprinting methods

Genetic fingerprints:
Differences in the genome of trees can be observed with DNA-markers.

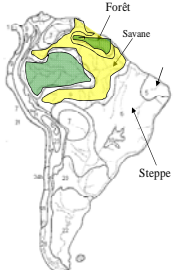
Stable isotopes:
Elements (e.g. hydrogen, oxygen, carbon) have natural variants, which differ in regions. Trees absorb these elements.


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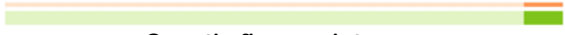
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Genetic fingerprints

The genetic composition of tree populations shows a spatial pattern
→ caused by extinction and re-colonisation in the past (glacial) times.




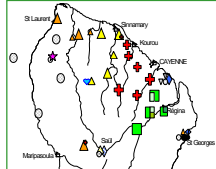
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6 


Genetic fingerprints:

The genetic pattern of tree populations can be identified for a given origin.

Spatial genetic pattern for *Vouacapoua americana* in French Guyana:





© Dutech et al. (2003) Evolution 57


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7


Isotopic fingerprints:



Regional level: Carbon as a climate and Strontium as a geological parameter differentiate a closer region.



Country level: Hydrogen and Oxygen ratios which depend on the water / rainfall cycle differentiate a wide region.



Local level: Sulfur and Nitrogen as geological parameter reflect the local soil

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What do we need?

- Adapt methods to each species (Identify best markers and relevant isotops)
- Reference map based on samples
- Facilities and trained staff
- Coordination!

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Successful Examples

- Meranti (*Shorea* sp.) in South-East-Asia (2004 – 2008)
- Mahogany (*Swietenia macrophylla*) in Latin-America (2008 – 2010)
- Sapelli (*Entandrophragma cylindricum*) and Iroko (*Milicia excelsia*) in Cameroon (2009 – 2010; co-financed by EU)
- Merbau (*Intsia* sp.) in South-East Asia (started 2009, ongoing)

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New project with ITTO

Practical Implementation in the Congo-Basin

- 5 important timber species
- Establish timber tracking system in Africa
- Reference data ⇒ database
- Facilities for DNA and isotops with trained staff in producer-countries
- Blueprint for other areas

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Status of ITTO-Project

- German initiative, International network
- Pre-Project running
- Main Project to start 2011
- Duration: 3 years
- additional donors welcome:

⇒ Project could be expanded to other regions and species

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NEW: International Coordination

- Project funded by Germany (BMELV)
- International Facility „Identification of Timber Species and Origins“
- established at Bioversity International in Kuala Lumpur / Malaysia

⇒ www.bioversityinternational.org

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Objectives

- (1) Coordination of research
- (2) Networking among research and implementing institutes
- (3) International standard setting (voluntary)
- (4) International open access database

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(3) International standard setting

- Develop internationally accepted guidelines (sampling, methods, data analysis)
- Setup of accreditation system for labs
- Organise ring tests at involved labs
- Oversee storage and distribution of standard material

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(4) International open access database

- Coordinate development and maintenance of online database
- Georeferenced data on genetic structure and stable isotops
- Priority timber species
- Agreement for data input and use

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Organisation

- International Coordinator (full time)
 - Steering committee (relevant international organisations)
 - Duration 1.11.2010 -31.12.2013 (may be extended)
- ⇒ Active participation of countries and organisations necessary

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Bundesministerium für
Ernährung, Landwirtschaft
und Verbraucherschutz



... now it's up to you: Comments?



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13.01.2011

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 EUROPEAN FOREST INSTITUTE

Governance Research Agenda FLEGT-REDD+

FLEGT 6th Annual Coordination meeting
Brussels, 2011/01/13

www.efi.int



Background Rationale

- EU wants to rely on robust science for policy making


↓

- So : Stir-up and steer research activities on Governance in context of FLEGT and REDD+

↓

- Assess knowledge gaps, research needs and priorities, their urgency and their relation to FLEGT Action Plan

www.efi.int



Purpose and Target Audience

Purpose

- Assist in programming of research funding mechanisms
- Stimulate development of research capacity

Target Audience

- EU and National Research funding agencies
- Development Agencies
- Research community

www.efi.int



Research Agenda Characteristics

- Comprehensive and policy relevant
- Prioritized and time bound
- Strategic
- Stakeholder consultation
- High degree of acceptance and ownership

www.efi.int



Advisory Group

Proposed Composition – members yet to be invited

- EFI (chair: Gert-Jan Nabuurs)
- CIFOR
- Chatham House
- EU Member states – 2 with high imports of tropical timber (UK, NL)
- European Commission – DG Development and DG Environment
- Link to Forest Technology Platform
- Link to EFI Board/SAB

www.efi.int

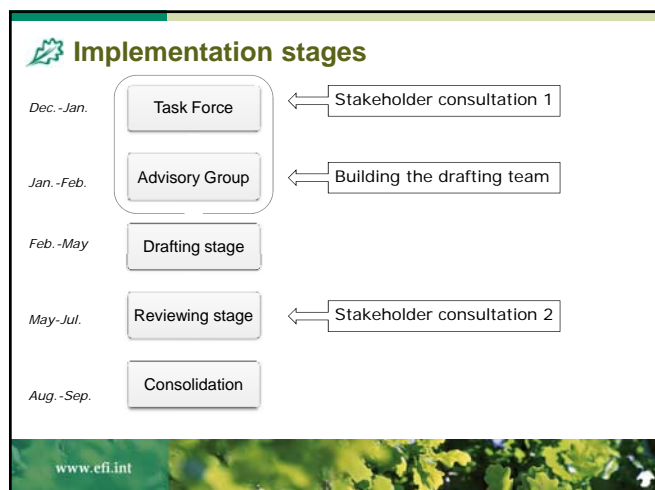


Stakeholders

- European Commission
- EU Member States
- The European forest research community
- NGOs
- Timber importers
- VPA partner
- Timber exporters
- EU FLEGT Facility expert team

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Annex VI

Gobernanza Forestal
Proyecto Bosques FLEGT, Colombia




FLEGT EN COLOMBIA

ALCANCES DE UNA INICIATIVA DE LA UNIÓN EUROPEA



Bruselas, enero 13 de 2011



Gobernanza Forestal
Proyecto Bosques FLEGT, Colombia



PROYECTO BOSQUES FLEGT / COLOMBIA

EJECUTOR: CORPORACIÓN AUTÓNOMA REGIONAL DE RISARALDA – CORDER

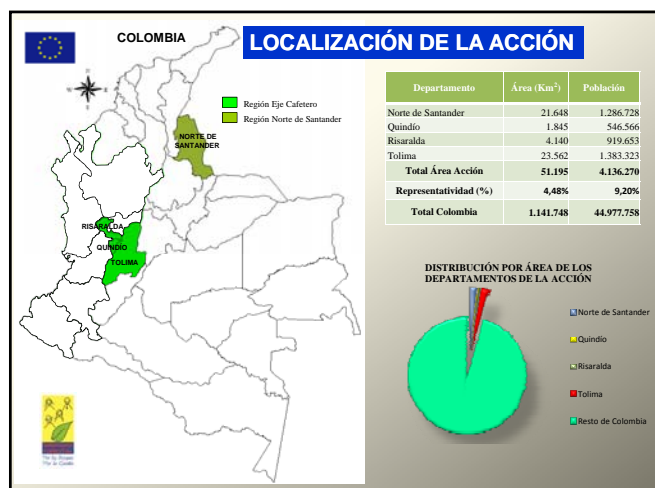
SOCIOS: CRQ - CORPONOR – CORTOLIMA - GOBERNACION NORTE DE SANTANDER - FDQ – ALDEA GLOBAL – ALMA MATER

DURACIÓN: Tres años y medio (enero 2007 / junio 2010)


VALOR: 1.707.546 €

COBERTURA: Departamentos de Norte de Santander, Quindío, Risaralda y Tolima

BENEFICIARIOS: Multiactores (Instituciones, públicos y privados y sociedad civil)

Gobernanza Forestal
Proyecto Bosques FLEGT, Colombia

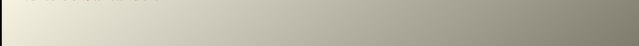


OBJETIVO GENERAL


Contribuir al manejo forestal sostenible y al incremento de la producción y comercialización de los recursos forestales de pequeños y medianos productores en los departamentos de Risaralda, Quindío, Tolima y Norte de Santander.

Objetivos Específicos

- ✓ Mejorar las condiciones de legalidad en el manejo forestal y el comercio de los productos maderables y no maderables.
- ✓ Generar alternativas productivas legales y rentables para mejorar las condiciones de vida de la población rural en las regiones del Eje Cafetero y Norte de Santander.



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Proyecto Bosques FLEGT, Colombia



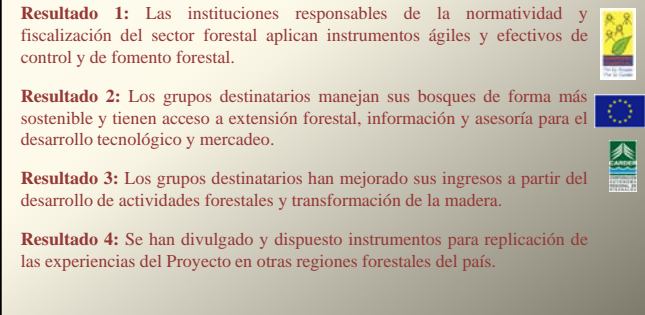
RESULTADOS

Resultado 1: Las instituciones responsables de la normatividad y fiscalización del sector forestal aplican instrumentos ágiles y efectivos de control y de fomento forestal.


Resultado 2: Los grupos destinatarios manejan sus bosques de forma más sostenible y tienen acceso a extensión forestal, información y asesoría para el desarrollo tecnológico y mercadeo.

Resultado 3: Los grupos destinatarios han mejorado sus ingresos a partir del desarrollo de actividades forestales y transformación de la madera.

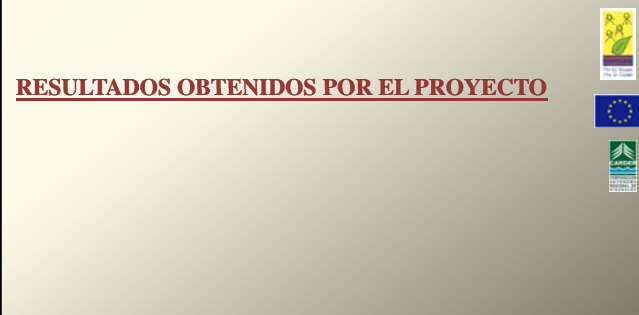
Resultado 4: Se han divulgado y dispuesto instrumentos para replicación de las experiencias del Proyecto en otras regiones forestales del país.




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Proyecto Bosques FLEGT, Colombia



RESULTADOS OBTENIDOS POR EL PROYECTO







LA INSTITUCIONALIDAD



CORPORACIONES AUTÓNOMAS REGIONALES EJECUTORAS

- Las CAR realizan una mirada hacia su interior, para mejorar la coordinación intrainstitucional
- Estandarización de procesos (simplificar y después estandarizar)
- Propuesta de trabajo para el bosque y no a expensas del bosque
- Se trabaja pensando más en un proceso que en un Proyecto.
- Las autoridades ambientales, ejecutoras de la Acción, tienen la gobernabilidad sobre algunas acciones administrativas, técnicas y jurídicas en sus jurisdicciones
- El monitoreo y acompañamiento externo y puntual brindó importantes insumos y actualizó al Proyecto en dinámicas internacionales



COORDINACIÓN INTERINSTITUCIONAL

- Atacar la ilegalidad forestal necesita apoyos de otras entidades y de otras jurisdicciones
- La coordinación se concreta en torno a aspectos de Prevención, Seguimiento, Control y Vigilancia Forestal
- Se crearon Comités Departamentales y Municipales de Control y Vigilancia Forestal con entidades gubernamentales, el sector privado y organizaciones sociales.



LO SOCIAL

- Se aclara que la ilegalidad forestal no es sólo responsabilidad de las CAR sino de la sociedad en general.
- La ilegalidad forestal tiene muchas formas y variantes, que van más allá de cosechar y movilizar más de lo autorizado por las CAR
- Los dueños de los bosques y los aprovechadores reconocieron la importancia de disminuir la ilegalidad mediante el Control Social
- Acercamiento de la comunidad con Normas claras y construidas con metodología participativa
- Seguimiento a lo largo de la cadena forestal, para mejorar la rentabilidad de las operaciones forestales



LO SOCIAL

- Construcción de una red invisible de cooperación entre los actores de la cadena forestal para establecer alianzas y aprendizajes
- Participación de actores para la construcción colectiva de dos Normas para el manejo forestal de Bosques sucesionales y Guadua
 - ✓ La construcción colectiva es un hito, que señala el camino para acercar a las autoridades ambientales a los dueños del bosque en la definición de marcos regulatorios concertados
 - ✓ Se pasó a una visión que supera lo punitivo de la norma, a la educación y prevención, teniendo en cuenta que la Gobernanza Forestal implica un equilibrio entre el Gobierno y la Sociedad Civil


LO TÉCNICO


- La administración forestal en las CAR no se puede limitar al interior del bosque, debe tener en cuenta aspectos por fuera del bosque.
- El trabajo de las CAR no termina con la expedición del Salvoconducto, debe abordarse a lo largo de la cadena forestal, terminando con un comprador responsable de los productos forestales legales y sostenibles
- Todavía falta consolidar un sistema de información forestal, que permita identificar tendencias y buscar soluciones
- Se requiere de un sistema de un Sistema de Aseguramiento a la Legalidad Forestal

LO TÉCNICO



- Se visualiza que se requiere de gradualidad para lograr el manejo forestal sostenible
 - ✓ Mejorar el modelo de administración forestal
 - ✓ Reflexionar sobre Legalidad vs Sostenibilidad y Legalidad vs Legitimidad
 - ✓ La gobernanza forestal es el soporte para lograr el Manejo Forestal Sostenible
 - ✓ La tenencia de la tierra cubierta por bosques es fundamental en un proceso de gobernanza forestal
- Visibilización y posicionamiento de la ilegalidad forestal, lo que condujo a la necesidad de definir estrategias para reducirla
- Se construyó una propuesta de Aproximación Metodológica para calcular un Índice de Ilegalidad Forestal







LO TÉCNICO

- La Certificación Forestal Voluntaria se orientó a apoyar a pequeños propietarios.
 - El proceso de CFV implica la organización interna de las unidades de manejo forestal y de las empresas forestales
- Implementación de un Modelo de Extensión Forestal
 - Implementación de un Diplomado de Extensión Forestal virtual



LO COMERCIAL

- Contando con el apoyo de actores del sector comercial es posible enfrentar la ilegalidad forestal
- El Proyecto se enfocó en el pequeño propietario, empresario, artesano y lo apoyó para la identificación y acceso a mercados
 - Se crearon alianzas comerciales- productivas estratégicas entre los beneficiarios
- Los productos certificados internacionalmente, deben encontrar nichos de mercado que reconozcan el proceso seguido para obtener la certificación



LO COMERCIAL

- Se crean y fortalecen dos Centros de Soluciones Forestales
- El Proyecto logró que los beneficiarios entendieran que mas allá de la pasión por su trabajo y arte, deben conocer el mercado
 - Se brindó apoyo en el mejoramiento de diseño de productos
 - Se les apoyó para que asuman riesgos en el proceso de mercadeo y superen sus “zonas de seguridad”



LO COLECTIVO

- Los actores valoran o miden el tiempo en relojes diferentes lo que ocasiona desconfianza derivada de la desinformación
- El acercamiento aumenta el nivel de confianza entre los actores (CAR y Propietarios, empresarios) y en las normas construidas colectivamente se reglamentan aspectos para facilitar algunos trámites.
- El Pacto Intersectorial por la Madera Legal en Colombia y los Acuerdos Departamentales reflejan la voluntad y compromiso del sector público, privado, de ONG para apoyar la producción y el comercio forestal legal
- Suscripción de Acuerdos de Voluntades para el desarrollo del Sistema de Extensión Forestal en los cuatro departamentos donde se ejecutó el Proyecto


ACCIONES EMBLEMÁTICAS DEL PROYECTO BOSQUES FLEGT / COLOMBIA

- Pacto Intersectorial por la Madera Legal en Colombia
- Participación en campaña “Elija Madera Legal Compre Responsable”
- Estrategia Nacional de Prevención, Seguimiento, Control y Vigilancia Forestal
- Certificación Forestal Voluntaria de pequeños productores forestales
- Posicionamiento de la Gobernanza Forestal
- Propuesta Metodológica para calcular un Índice de Ilegalidad Forestal (movilización de productos forestales)
- Fortalecimiento del Control y Vigilancia Forestal

ACCIONES EMBLEMÁTICAS DEL PROYECTO BOSQUES FLEGT / COLOMBIA

- Construcción colectiva de dos normas para el manejo de bosques sucesionales y para guaduales naturales.
- Operación de dos Centros de Soluciones Forestales
- Entrega de maquinaria – equipos y herramientas a beneficiarios del Proyecto, que permitieron mejorar sus condiciones de vida (Ingresos, generación de empleo, calidad de productos)
- Puesta en marcha del Sistema Piloto de Extensión Forestal



Gobernanza Forestal
Proyecto Bosques FLEG, Colombia

PACTO INTERSECTORIAL POR LA MADERA LEGAL EN COLOMBIA

Generalidades

Veintitrés (23) organizaciones firmaron el Pacto Intersectorial, entre ellas gremios industriales, sectores Público, Productivo (usuarios de la madera) y el sector del Transporte y organizaciones de Consumidores y Sociedad Civil

-ASOCIACIÓN COLOMBIANA DE CAMIONEROS –ACC	- ASOCARS
-CÁMARA ASOMINEROS –ANDI	- ANDI
-CONFEDERACIÓN COLOMBIANA DE CONSUMIDORES	- CAMACOL
-CECODES	- CARDER
-CORPONOR	- CORTOLIMA
-CRQ	- FEDEGAN
-FEDERACIÓN COLOMBIANA DE MUNICIPIOS	- COLFECAR
-FEDERACIÓN NACIONAL DE DEPARTAMENTOS	- FEDEGUADUA
-FEDEMADERAS	- FENALCARBÓN
-WWF COLOMBIA	- GTCFV
-ICA	- MAVDT
-POLICÍA NACIONAL	





Gobernanza Forestal
Proyecto Bosques FLEG, Colombia

PACTO INTERSECTORIAL POR LA MADERA LEGAL EN COLOMBIA

OBJETIVO:

Asegurar que la madera extraída, transportada, transformada, comercializada y utilizada provenga exclusivamente de fuentes legales. El Pacto por la Madera Legal es voluntario y contribuirá a la implementación de la política ambiental nacional, al desarrollo sostenible y al mejoramiento en la gobernanza forestal


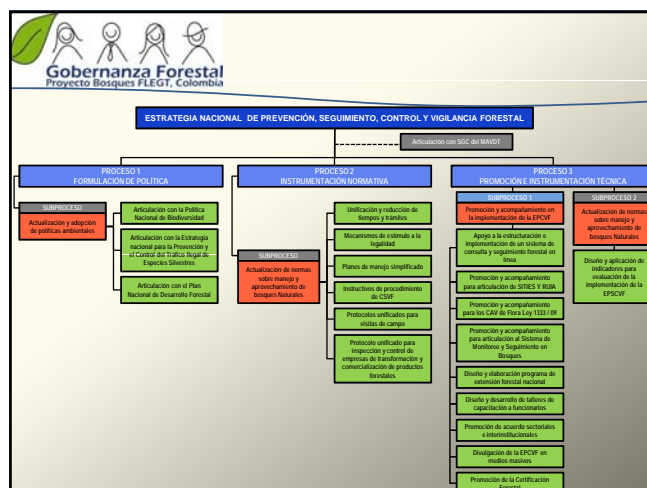



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ESTRATEGIA NACIONAL DE PREVENCIÓN SEGUIMIENTO, CONTROL Y VIGILANCIA FORESTAL

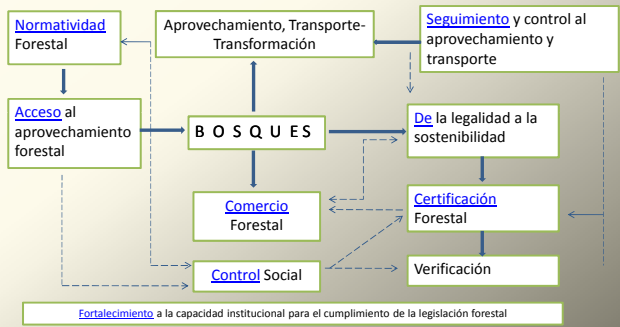
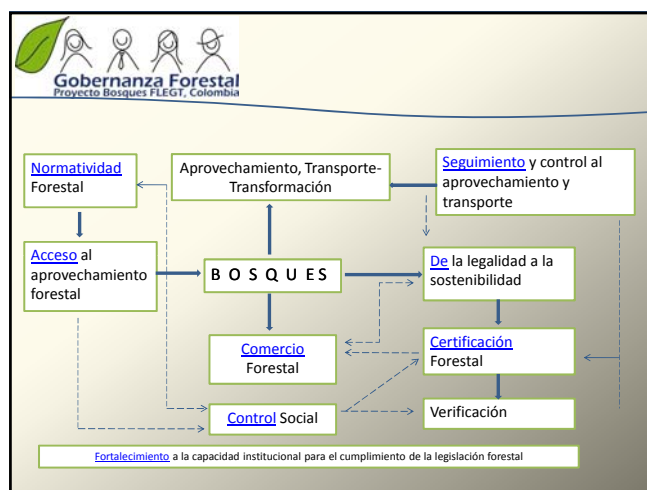
OBJETIVOS:

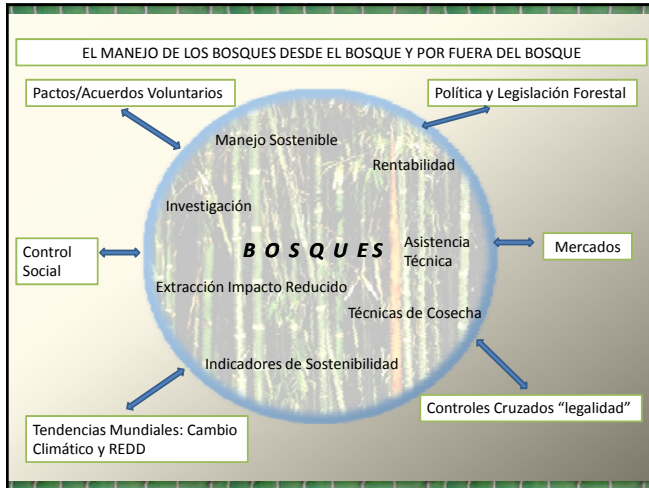
- Establecer e implementar un conjunto integrado de lineamientos y acciones.
- Articular de manera armónica los componentes preventivo, jurídico-administrativo y operativo del proceso.
- Prevención, seguimiento, control y vigilancia del manejo y aprovechamiento de los recursos forestales, maderables y no maderables.
- Soportar la gestión coordinada de las autoridades ambientales y demás organismos competentes del Estado y la participación activa de los diversos actores de la cadena productiva forestal y la sociedad civil

Gobernanza Forestal
Proyecto Bosques FLEG, Colombia

ENFOQUE CONCEPTUAL DEL PROYECTO







Gobernanza Forestal
Proyecto Bosques FLEGT, Colombia

GRACIAS

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 Corporación Autónoma Regional de Risaralda – CARDER
 Pereira

CHATHAM HOUSE

www.chathamhouse.org.uk

Illegal Logging and Related Trade: Indicators of the Global Response


Sam Lawson
Chatham House Associate Fellow

Measuring the Response: Methodology

- 5 producers: Brazil, Cameroon, Ghana, Indonesia, Malaysia (40%)
- 5 consumers: UK, US, France, Japan, Netherlands
- 2 processors: Vietnam, China (cons+proc= 50%)

Heading	Indicators / Information Sources
Awareness / Attention	media (qual/quant)
Government	policies, enf data, survey
Private sector	certif/verif, survey
Levels of illegal logging & trade	wood balance, survey, trade data discs import-source analysis

- Development and roll-out of methodology 2006-2009
- Methodology and results reviewed by independent experts

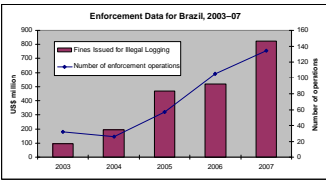
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Government Response – Producer countries

ENFORCEMENT DATA


- Evidence of improvements in enforcement in all five countries
- Eg Brazil – fines x8

Enforcement Data for Brazil, 2003–07




Year	Fines issued for illegal logging (US\$ million)	Number of operations
2003	100	20
2004	200	30
2005	400	60
2006	500	100
2007	800	140

- Problem is follow-up – e.g. only ¼ of IL cases successfully prosecuted in Indonesia

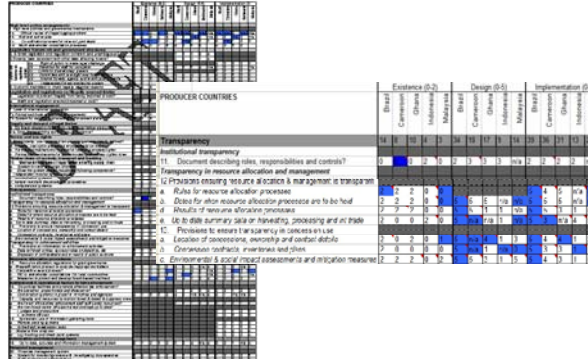
3


Producer Country policy assessment: 11 major areas

- High level policy arrangements
- Legislative framework and government structure
- International engagement
- Policies and measures concerning supply and demand of legal timber
- Tenure and use rights
- Timber chain of custody, transport and tracking
- Transparency requirements
- Resource allocation procedures
- Institutional & operational factors in law enforcement
- Information and data management
- Financial management


4


Producer country policy assessment results summary



5

Policy assessment template examples: transparency & enforcement



6

Government Response – Producer countries

POLICY ASSESSMENT

Colours range from green = relatively good to red = poor

	Brazil	Cameroon	Ghana	Indonesia	Malaysia
High-level policy	Green	Green	Green	Green	Green
Legislative framework	Green	Green	Green	Green	Green
Checks & balances	Green	Green	Green	Green	Green
International trade cooperation*	Green	Green	Green	Green	Green
Supply and demand	Green	Green	Green	Green	Green
Tenure and use rights*	Green	Green	Green	Green	Green
Timber chain of custody	Green	Green	Green	Green	Green
Transparency	Green	Green	Green	Green	Green
Resource allocation*	Green	Green	Green	Green	Green
Law enforcement	Green	Green	Green	Green	Green
Information management	Green	Green	Green	Green	Green
Financial management	Green	Green	Green	Green	Green

*owing to the nature of the scoring method, result for international cooperation gives a more negative impression and those for tenure and resource allocation more positive impressions than they should

- Improvements have been made in all countries.
- But** still very weak in many areas.
- Brazil best of five, Indo worst; Brazil has had major overhaul of laws
- Timber tracking systems poor
- Inst & op factors in law enforcement also poor across all ctries (eg sufficient penalties, techs for detecting IL)
- Transparency poor in Indo & Mal
- But** Addtl improvements underway in all countries

Government Response – Cons/Proc countries

- Numerous actions taken by all seven countries over last decade

Consumers

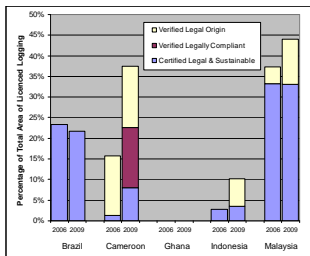
- UK scores best overall and was often first to take certain steps
- US slow to begin with but was first to ban handling of stolen wood
- Japan receives lowest overall score, but has taken some actions

Processing countries

- All relevant agencies now engaged & coordinating
- China MoU with Burma
- US-China MoU, EU negs with Viet/China
- But** both have been unable to act against shipments of illegal timber in past

Private sector response

Producer countries: voluntary cert/verif

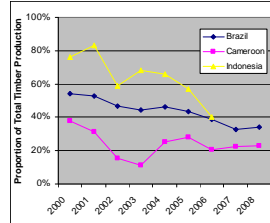


- Area of verified fst inc rapidly in Cam, Indo, Mal
- Growth accelerating – legality demands and rules important driver (inc Lacey in US).
- BUT**
- Often only verifying licensed source, not full legal compliance
- Growth stalled in Brazil
- No verif/certif in Ghana – rapid shift to less sens mkts

Cons/Proc countries: voluntary cert/verif

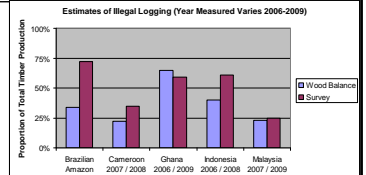
- No. of co's handling cert/verif wood growing rapidly in all
- Strongest in US, UK; France and Japan lagging

Levels of illegal logging



- Wood balance analysis suggests IL reduced by 50-75% by volume in Brazil, Cameroon and Indonesia
- Majority of experts agree has been improvement; also suggest improvements in Malaysia and Ghana
- Smuggling of illegal logs Indo-China reduced 92%

- Some consistency between survey & wood balance estimates of IL
- Survey ests higher as capture more types of illegality

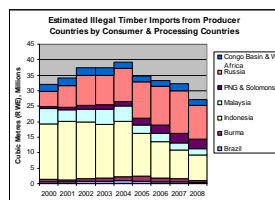


Imports of illegal wood – import source analysis

- Complex modelling, incorporating variations in source country illegality & effects of demand-side measures

CONCLUSIONS

- Overall IL wood imps falling since 2004, dropped 30% by 2008
- Imports of IL wood now falling in all seven countries
- Illegally sourced imports also falling per capita in all countries and as % in all except US
- US biggest consumer (of 5 countries) by vol/vol (\$4 bill), Japan biggest per capita and by % of total imports (9%)
- More than half of imps by consuming countries are now of processed products arriving via third countries



Impact, causes, cost of reduced illegal logging

IMPACTS – in Brazil, Cameroon and Indo over 10 yrs:

- 17 million hectares of forest** are estimated to have been protected from degradation
- at least **1.2 billion tonnes of CO2 emissions** avoided
- Alternatively, if the trees saved were legally logged this could bring in **US\$6.5 billion in additional revenues.**

CAUSES

- ALL – increased enforcement, NGO campaigning, consumer ctry actions
- Cameroon – independent monitor; Indo – improved general governance

COST

- Less than \$3 per tonne CO₂
- OR \$6 in extra revenues for every \$1 invested

Conclusions & Recommendations

- Not a reason for complacency!
- Illegal logging still major problem – estimated 100 million m³ per year, or enough logs to create a line running 10x round the world



Producer countries

- Greater effort needed on areas of problem which are more difficult to detect and tackle and have seen less improvement, e.g.
 - domestic markets
 - illegal harvesting by licensed companies
 - illegal issuance of licences to clear forest
- will require a more profound overhaul of regulations

Conclusions

Consumer countries

- Japan needs to follow US and EU and prohibit handling of illegal wood
- Important such laws implemented & enforced – requires cooperation with source countries (which VPAs shows has broader positive effect on policy)

Processing countries

- China needs to take more concrete action
- Prohibit illegal wood use; implement govt procurement policy; require evidence of legality for timber imports (e.g. recognise FLEGT legality licenses)

Illegal logging & REDD

- ensure REDD agenda supports efforts to tackle IL and improve forest governance, not distract from them (as may be case at present)



FLEGT AP Progress Report Brief overview of survey results Interpretation and implications

John HUDSON, Catherine PAUL

13 January 2011

1

Content

- Report objectives and methodology
- Key points from the questionnaire responses
- Reasons for progress to date
- What is it we are trying to achieve?
- Global trends and implications
- What should change?

2

Report objectives

- Build a comprehensive picture of activities undertaken and first achievements (2003-2010 period)
- Identify key changes in the global context and trends with implications for FLEGT
- Support the ongoing reflection on the optimal strategy for continued implementation of the FLEGT Action Plan

3

Methodology

- Survey of MS and EC (Sept-Nov. 2010)
 - two-part questionnaire:
 - Part 1: focus on actions undertaken 2003-2010
 - Part 2: perception of achievements, evolution of context, plans for the future
 - 24 replies received
- Processing and systematic analysis of replies
 - simple (quantitative) data description
 - qualitative analysis of contents of open answers
- Chronological list of key documents

4

Report structure

- Part I: Survey results – Focus on actions undertaken (seven areas of the AP)
- Part II: Survey results – Focus on:
 - Perception of achievements so far, strengths and weaknesses
 - Evolution of the context
 - Plans for the future
- Part III: Conclusions and questions for consideration

5

Overview of survey results

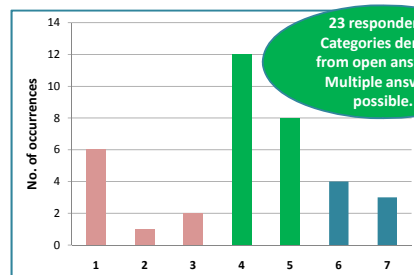
6

Area #1 – Support to timber-producing countries

- EC + 8 MS actively involved in support to VPA preparation, negotiation and implementation
- Support so far focused on 9 partner countries:
 - Africa: CM, CF, CD, CG, GA, GH, LR
 - Asia: ID, MY
- Beyond 2010: support envisaged for additional countries and regions – with a few more MS involved

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Area #2: Expected impacts of EU TR



1 = Neg. impact (costs/volumes). 2 = Neg. impact (competitiveness). 3 = Trade diversion. 4 = Pos. impact for VPAs. 5 = Pos. impact ('cleaning up' the market). 6 = Hard to predict. 7 = No significant impact.

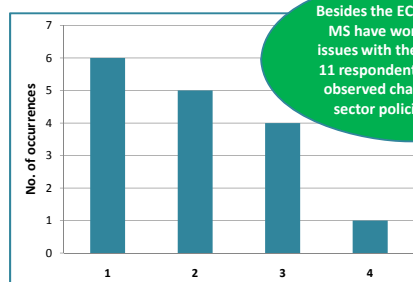
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Area # 3: Government TPPs

- 11 MS have a TPP in place (+ 1 MS is about to adopt one)
- Only 2 MS declare not to have the intention of adopting a TPP
- Focus of TPP: sustainability (majority of cases), legal origin, in a few cases legal compliance
- 8 of the 12 TPPs with criteria already defined give specific recognition to FLEGT-licensed timber

9

Area #4 – Private sector response



1 = Voluntary codes of conduct. 2 = Increased adoption of standards. 3 = New chain-of-custody initiatives. 4 = Wider acceptance of EU TR principles.

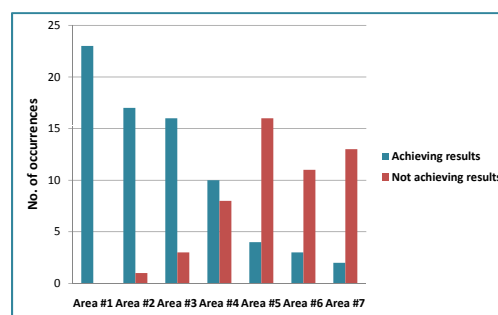
10

Areas #5, 6, 7

- Only 3 respondent MS and the EC have worked with banks/financial institutions on due diligence in forest sector investment
- The possible use of money laundering and other existing legislation was investigated by the EC and a few MS – Mixed results
- 5 MS and the EC have supported actions related to conflict timber – Mixed results

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Overall assessment



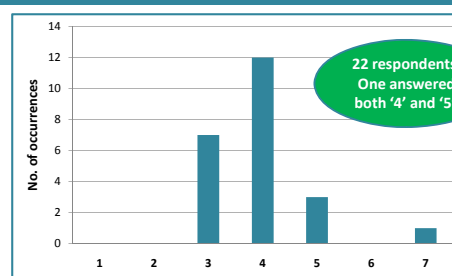
12

Areas achieving results / Observable outputs and outcomes

- Adoption of EU Timber Regulation
- Signature of VPAs
- Timber procurement policies
- Private sector initiatives e.g. voluntary codes of conduct
- Raised awareness
- National stakeholder dialogues

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Overall level of achievement of AP



1 = Fully implemented, good results. 2 = Fully implemented, needs modifications. 3 = Partly implemented, good results. 4 = Partly implemented, good results expected. 5 = Partly implemented, needs modifications. 6 = New policy required. 7 = Unsatisfactory

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Changes & trends with implications

- REDD / Climate mitigation
- US Lacey Act Amendment / EU Timber Reg.
- Emerging wood processing centres
- Increased demand for land
- Financial crisis / Global recession
- Growth of domestic demand for timber

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Interpretation and implications

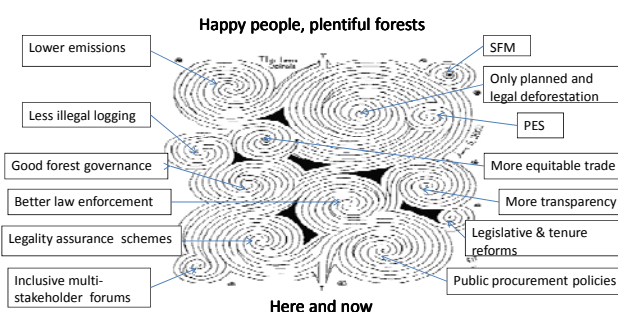
16

Seven reasons for progress

1. Focus on legality to support sovereignty
2. Private sector and market leverage
3. Linking supply *and* demand measures
4. Money follows, it does not lead
5. Formal legal status of agreements
6. Patient multi-stakeholder processes
7. Effective coalitions of interest

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The Forest Maze



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What is FLEGT?

No, it's an Action Plan

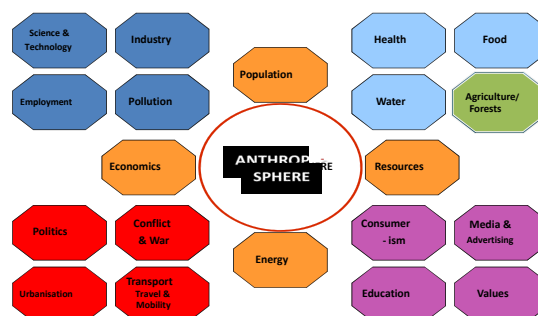
Is it a strategy?



Is it a policy?

19

Part of a complex system...



20

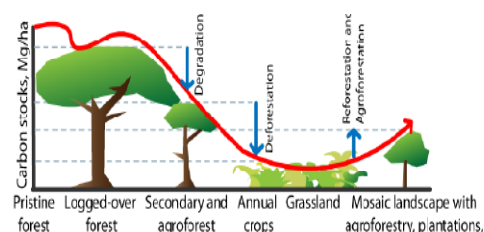
But this needs to be explained...



"I THINK YOU SHOULD BE MORE EXPLICIT HERE IN STEP TWO."

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The forest transition curve



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What should change?

- Purpose and scope of engagement
- Geographical scope
- Ways of working and financing
- Positioning and communicating

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Purpose and scope of engagement:1

- Purpose should be better governance
- Entry point should be legality
- Focus should be timber, but explore agricultural commodities derived from forest land
- National multi-stakeholder processes
- Long-term support for implementation

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Purpose and scope of engagement:2

- Invest in informal alliances and relationships
- Ease off on public procurement policies
- Put more effort into revenue capture and benefit sharing and less on investment finance due diligence
- Forget about 'conflict timber'

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Geographical scope: 1

- Focus on bigger developing countries with lots of forests, governance problems and trade with EU (don't be too purist)
- Don't invest development money in neighbourhood countries
- Continue search for best ways to work with processing countries

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Geographical scope: 2

- Recognise that the important REDD+ countries are those with greatest governance problems
- Do a good job in a smaller number of countries rather than a mediocre job in many

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Ways of working and financing

- More scope for active involvement of MS
- Basis for innovation exists
- Tools are available
- Presence of mind and incentive to use them has been lacking
- Political attention now given to forests has changed that

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Positioning and communicating

- The governance argument is won
- FLEGT and REDD+ are complementary, not in opposition or competition
- Support to forest governance should continue while REDD+ is sorted out
- Coherence at the national level is the greatest priority

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FOREST LAW ENFORCEMENT, GOVERNANCE AND TRADE



Report prepared by
European Forest Institute, EU FLEGT Facility and
European Commission, DG DEVCO, Unit Policies for sustainable natural resources management