



# Collecting evidence of FLEGT-VPA impacts

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**Republic of the Congo country report**



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Leszczynska N, Tsanga R, Goetghebuer T, Newbery J, Almeida B, and Cerutti PO. 2022. *Collecting evidence of FLEGT-VPA impacts: Republic of the Congo country report*. Bogor, Indonesia: CIFOR.

Our great thanks go to a local partner for providing invaluable in-country facilitation and expertise.

Photo Credit: Bruna Almeida/ADE

Caption: Lumber yard of a logging company

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We would like to thank all funding partners who supported this research through their contributions to the CGIAR Fund. For a full list of the 'CGIAR Fund' funding partners please see: <http://www.cgiar.org/our-funders/>

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# Abbreviations

ADE	: Aide à la Décision Economique
ATIBT	: Association Technique Internationale des Bois Tropicaux
CIFOR	: Center for International Forestry Research
CS	: Civil society
DG INTPA	: Directorate-General for International Partnerships
EC	: European Commission
EFI	: European Forest Institute
EU	: European Union
FAO	: Food and Agriculture Organization of the United Nations
FGD	: Focus group discussion
FLEGT	: Forest Law Enforcement, Governance and Trade
FMP	: Forest management plan
FPIC	: Free, prior and informed consent
FSC	: Forest Stewardship Council
GDP	: Gross domestic product
IO	: Independent observer
KII	: Key informant interview
LC & IP	: Local Communities and Indigenous Peoples
LDF	: Local development fund
MEF	: Ministère de l'économie forestière
NGO	: Non-governmental organization
OIE	: World Organization for Protecting Animal
OIM	: Office of the Independent Monitor
OLB	: Origine et Légalité des Bois (Timber Origin and Legality)
PFD	: Permanent forest domain
REDD+	: Réduction des émissions dues à la déforestation et à la dégradation des forêts
SIVL	: Système informatisé de vérification de la légalité
SMEs	: Small and medium-sized enterprises
TLAS	: Timber legality assurance system
ToC	: Theory of Change
VPA	: Voluntary partnership agreement



# 1 Introduction

The objective of this study, a collaboration between the Centre for International Forestry Research (CIFOR) and *Aide à la Décision Economique* (ADE), financed by the Directorate-General for International Partnerships (DG INTPA), is to identify potential qualitative and quantitative evidence of impacts of the Forest Law Enforcement Governance and Trade-Voluntary Partnership Agreement (FLEGT-VPA) process so far across a sample of four countries – Guyana, Honduras, Côte d’Ivoire and the Republic of the Congo. Results are placed within the global European Union-FLEGT (EU-FLEGT) Monitoring and Evaluation (M&E) indicator database, which includes results from three previous impact assessments in Cameroon, Ghana, and Indonesia, as well as relevant variables from secondary data sources.

A major, broader objective is to continue building a resource base on a long-term complex process which touches upon political, institutional and technical issues, with socio-economic and environmental impacts spanning from very localized to global geographies. By covering four countries at different stages of VPA implementation in addition to the three previous ones, this study will also present findings and lessons at a global level (in a separate summary report), combining results to outline a bigger picture of VPA process impacts where possible. This is also possible because the methodology (see Section 2) used in Cameroon, Ghana, and Indonesia (2019)<sup>1</sup> is the same as that used in these more recent assessments. This provides us with seven countries covered in total, and a real opportunity for in-depth comparative analysis and insight into global-level impacts and specific changes related to negotiation or implementation phases.

The methodology used is designed to be replicable over time and applicable to other VPA countries. FLEGT-VPA impact evidence at a more global level has the potential to provide clearer insights with the inclusion of more VPA countries in the future; and the current evidence could be used as a baseline scenario should future assessment be repeated in the same countries.

When collecting data, we take into account the fact that countries are at various stages of the VPA negotiation and implementation process. Guyana and Côte d’Ivoire’s VPAs are still in the negotiation phase, while Honduras’ has just been ratified (30 June 2021) and the Republic of the Congo’s has been implemented since 2013. Therefore, the questionnaire was designed to collect information on the current situation, and, through recall questions, on the situation prior to VPA implementation for the Republic of the Congo and on the situation prior to VPA negotiation for Honduras, Guyana and Côte d’Ivoire. This results in indicator values being collected that establish a baseline situation (prior to VPA implementation) for all countries. Furthermore, it also captures perceived changes in various forest sector related domains and the VPA contribution to these perceived changes (due to either VPA implementation or VPA negotiation). While we do not expect VPA negotiations to have made an impact in all the dimensions covered, nor for them to be as important as VPA implementation impacts, it is still relevant to estimate any changes the typically long negotiating phase has brought about, particularly as stakeholders begin to understand the specificities of the VPA process itself.

This report briefly outlines the methodology used, then describes the VPA process and forest context in the Republic of the Congo, and finally presents evidence of VPA impacts. These results are presented following the general VPA Theory of Change (ToC) logic. This general VPA ToC (Figure 1) details the causal relationship that lead to the expected VPA impacts (far right-hand side) resulting from the expected outcomes (centre and left-hand side).

The CIFOR-ADE team was in the Republic of the Congo on 16–29 May 2021 to collect data. This country report is an intermediary deliverable designed to feed the final synthesis report of the seven countries.

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1 <https://www.cifor.org/knowledge/publication/7566>



# 2 Methodology

## Key takeaways

- A thorough desk review was undertaken for each country, identifying available impact evidence from the VPA negotiation phase.
- The sample of respondents was representative of the main VPA stakeholders in the country.
- The survey enabled a quantitative assessment of the perceived changes in expected VPA impact fields and the VPA contribution to these changes.
- Focus group discussions (FGDs) allowed respondents to provide more qualitative details on their perceptions, and to share their personal experiences on some topics.
- Positive feedback was received from respondents on the data collection methodology.

To measure the impact of a VPA, a combined qualitative and quantitative methodology was developed and then rolled out across each of the four countries, with slight contextual modifications for each. The methodology is designed to be replicable over time and applicable to other VPA countries (in any VPA phase).

The final data collection tool has been developed and then deployed in **three main stages**:

1. defining the different themes according to the general VPA ToC
2. review of the existing literature
3. interviews with key stakeholders

## 2.1 Main themes of the study

The **first** stage involves identifying the most relevant themes to cover in the study. ADE and CIFOR together identified five main themes that correspond to the six expected impacts, as displayed in the general

VPA ToC<sup>2</sup> (see Figure 1). Note that causal links are not as linear as they appear in the figure, and most result boxes are interlinked. However, to better outline the causal relationship and to structure the report, we have assigned a colour to each impact dimension and coloured the related outcome boxes accordingly. First, we describe the impact in the governance and institution dimension, which can be regarded as a prerequisite for other subsequent impacts (as shown in Figure 1).

A mapping of the indicators collected through the perception survey, the general VPA ToC and the respective list of indicators is available in Annex I.

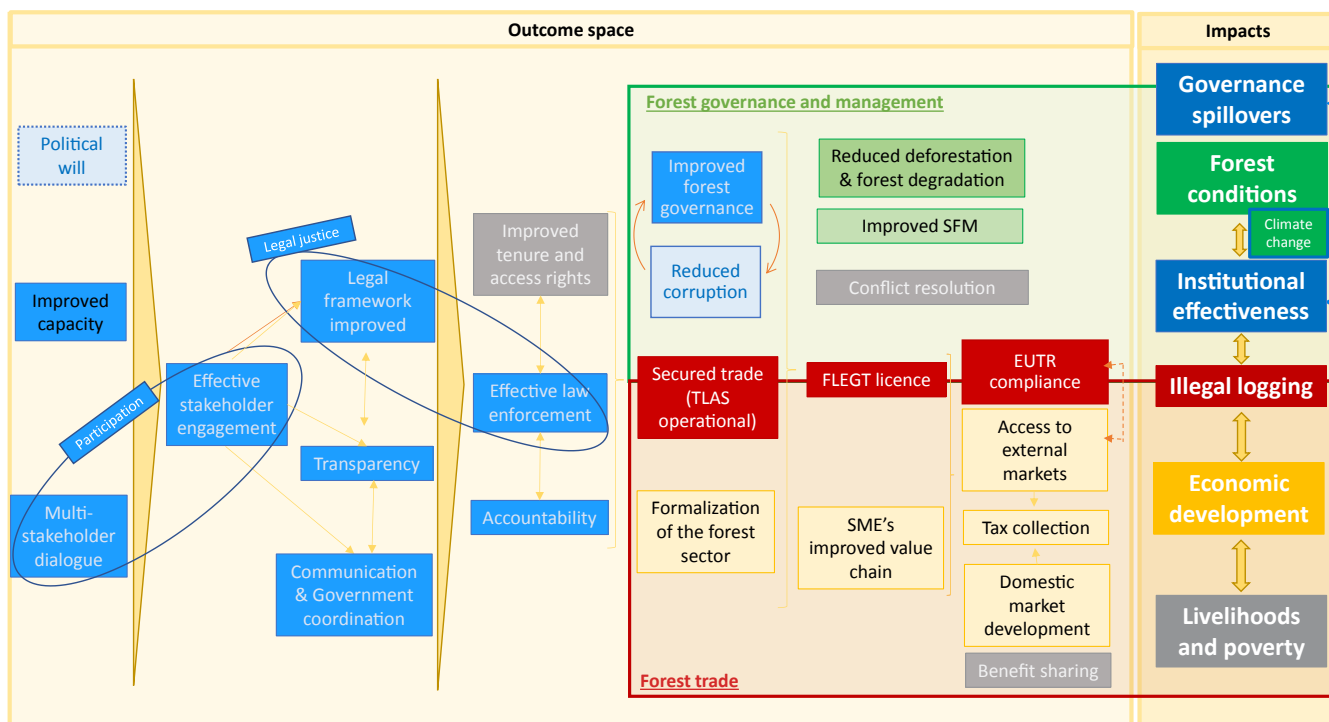
## 2.2 Desk review

The **second** stage is a thorough desk review per country. Stakeholders were consulted to ensure the most relevant literature was identified and processed (in particular, literature focusing on impacts within the five main themes). An exhaustive list of the reviewed literature is available in the Bibliography. Note that this desk review<sup>3</sup> is a living stand-alone document that can be further amended by adding relevant references when available.

The thorough desk review allows us to identify prevailing hypotheses on impacts. This helps to formulate questions for the survey, and then build indicators that will be used for the data analysis. The desk review also ensures that the questionnaire can be tailored to differing country contexts and verifies that the questions are in line with the impacts that the VPA would be expected to bring about in each country. This ultimately helps us to compare VPA impact expectations, as identified in the desk review, with actual VPA progress and possible unintended impacts recognized through the primary in-country data collection.

<sup>2</sup> This general ToC has been constructed based on the available ToCs for each of the 16 VPA countries (EFI documentation).

<sup>3</sup> See Footnote 1.



**Figure 1. General VPA ToC**

Note: For the synthesis report summarizing findings from seven VPA countries (Cameroon, Ghana, Indonesia, Republic of Congo, Côte d'Ivoire, Guyana and Honduras), the ToC has been slightly updated.

The review includes the following categories of documents:

- VPA annexes and documentation
- EU FLEGT Facility and FAO-EU FLEGT reports (publicly accessible)
- EU-Republic of the Congo annual joint implementation reports
- Legislative documents related to forest regulation
- Selected academic papers based on specific literature recommendations from academic experts and CIFOR/EU country offices for each VPA country
- A previous evaluation conducted in 2020 by An Bollen for FERN about the VPA process in the country

One important takeaway from the desk review is that the available literature doesn't propose baseline measures in most of the impact dimensions. In general, baseline values – i.e. indicator values before the VPA implementation starting date – aren't publicly available in the literature or simply weren't considered at the beginning of the process to assess a change. Hence the need for first-hand data to be collected.

Moreover, in 2017, Republic of the Congo stakeholders and the EU delegation drafted a five-year monitoring and evaluation framework for the 2018–2022 period, serving as a basis for VPA impact monitoring. This framework includes four suggested baseline studies, which were expected to start in 2018. However, at the time of this assignment, the VPA impact monitoring

activities had not yet started as efforts remained focused on the deployment of the timber legality assurance system (TLAS) (EFI 2019).

## 2.3 Field mission

The **third** stage involves deploying the questionnaire in-country. Prior to the mission, the questionnaire was reviewed and revised, where needed, by local experts in order to tailor it to the relevant country context. In addition, a sample of respondents was selected from public administration, the formal and informal private sectors, civil society, and from local forest communities and Indigenous Peoples. Some representatives from international institutions (such as the EU Delegation, FAO-EU FLEGT and EFI), consultants and academics were also invited and constitute the last category ("Other").

### 2.3.1 Sample selection

Through the expertise and contacts of the CIFOR/ADE research teams as well as FAO-EU FLEGT and EFI, key experts and long-standing stakeholders in the forest sector were identified and invited to participate in the survey. The objective was to reach 100 relevant respondents weighted into five categories: public sector; private sector (industrial and formal/informal SMEs); civil society; Local Communities

and Indigenous Peoples (LC & IP); and an “other” category of consultants, researchers and donor representatives. In each one, we made every effort to include representatives of different associations, NGOs and departments within ministries in order to capture as much diversity as possible. This expert sample is large enough to compute statistics and reflect a range of different points of view regarding the VPA process and possible impacts.

If selected respondents were not available, we made sure that they were replaced by someone who had similar levels of expertise. We also offered the possibility to answer the questionnaire online or have a discussion via Skype in order to receive qualitative input.

A full respondent breakdown can be found in Section 2.3.

### 2.3.2 Individual survey

CIFOR’s ethical review applied to all interview sessions. The agreement reminded respondents about the anonymous and confidential treatment of the information provided in the survey. Respondents were also reminded that they could stop answering at any time during the survey if they were at all uncomfortable about answering the questions. Lastly, by signing the consent form, respondents agreed to their responses being (anonymously) used in this assessment.

The questionnaire took two to three hours to answer, depending on the levels of discussion and the number of participants.

A 15-minute introductory PowerPoint© presentation was shown to all participants. It stated the aim and scope of the assessment; outlined the types of questions and answers that participants would find displayed on the tablets; and features a couple of slides with practical examples to illustrate the concept of ‘impact’ and to agree on the meaning assigned to the various possible answers.

Agreeing on the meaning of the scale is very important because various participants from the same group of respondents – or from different groups – may have a different understanding of responding in a ‘very positive’ or ‘very negative’ way to a question and impact area. Agreeing on the scale and on the meaning of various steps along the scale (e.g. ‘weak,’ ‘very weak,’ ‘strong,’ ‘very strong’) provides the interviewing team and the respondents’ group with a common language to be adopted while filling in the questionnaire.

Such common language also allows for more meaningful cross-country comparisons, as a ‘very weak’ impact in the case of Country A, for example, can be compared with the same ‘very weak’ impact from the same question(s) in Country B or C.

The answers – entered directly into the tablet – were designed to be individually completed using a Computer-Assisted Personal Interviewing in a Group (CAPI-G®<sup>4</sup>) approach. These individual sections were constructed using close-ended, multiple-choice or Likert scale questions (0–5, 0–3, 0–100%) to capture respondents’ personal opinions, thereby allowing **quantitative analysis**.

Questions were mostly designed to understand change trajectories, capturing the respondents’ opinions on the current situation within the different impact themes; their perceptions of the situation prior to VPA ratification or before the start of VPA negotiations start (recall); and their opinions on the feasible contribution of the VPA to any perceived change, if any. Other questions were statement assessments, which asked respondents to select their level of agreement with a statement, using a scale of 1–5, or to select which statement they most agreed with.

### 2.3.3 Focus group discussions

The individual questionnaire was broken up by pauses at the end of each theme, during which participants could provide more detail about the opinions that formed their responses in the previous section, ideally with **qualitative measures of change** and specific examples. This anecdotal evidence allowed us to better explain findings contained in this report, and questions were tailored to the group’s subject-matter expertise. Where feasible, participants belonged to similar (professional) categories, thereby ensuring that they felt free to talk and share their experiences/visions.

Data collection was bolstered by having two types of input: (i) numerical – directly into the tablet – the results of which could be accessed daily; and (ii) qualitative – with examples from detailed and anonymous notes taken during these focus group discussions. Analysis could therefore draw on two information sources, while being able to relate results back to existing literature in order to better understand any continuity or divergence.

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4 This data collection approach has been designed by ADE and proven in previous studies to be efficient and reliable.

Feedback on the interview experience was also regularly sought from participants. Verbal feedback reported from respondents indicated that they enjoyed the two-pronged approach, which allowed them to think about VPA evolution from numerous angles before engaging in often lively discussion with peers. They also commented that questions were easier to complete due to icons associated with the different answers. Quantitative answers also had a high response rate (as opposed to many “don’t know” answers), validating the expert pool of respondents and the relevance of the questions.

### 2.3.4 Additional KIs

Some key domestic and international experts knowledgeable on the forest sector and VPA process in the Republic of the Congo could not be present in the interview sessions, or their presence was not deemed pertinent to the group discussions. However, these experts were invited to individual interviews where all the themes were addressed to collect qualitative inputs. When relevant, the online version of the questionnaire was sent to these participants, sometimes even after the field mission.

## 2.4 Sample description of respondents

### Key takeaways

- 88% of respondents were male and 12% were female, which is consistent with the actual gender balance in the Congolese forest sector.
- The expert pool identified and interviewed for the study was highly relevant, with respondents averaging 15.6 years of experience in the forest sector and having detailed knowledge of the sectors covered in the survey (e.g. civil society, public and private sectors).
- The sample across respondent categories was balanced: public administration (31%); private sector, including SMEs and industrial operators (30%); and civil society (29%).
- “LC & IP” and “civil society” categories have been combined, given the small sample size and the links between the two groups of actors.
- Respondents had a high level of involvement in FLEGT-VPA activities (93%), with most being involved in the TLAS process, law enforcement and capacity building in the FLEGT-VPA context.

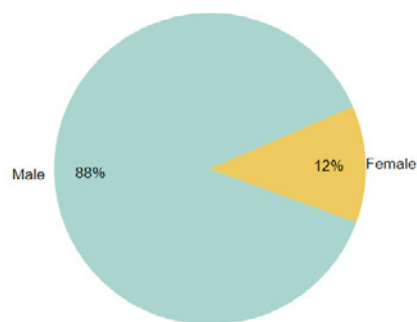


Figure 2. Gender breakdown of respondents (N=91)

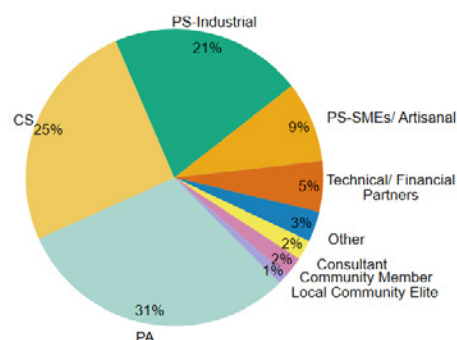


Figure 3. Respondents per associated sector (N=91)

The study purposefully identified experts and long-standing stakeholders in the Congolese forest sector, demonstrated by the average number of years they had been involved in the sector (see Figure 4). We ensured that the main actors from each respondent group were included, making provisions to travel to them or them to us, bringing confidence that the data analysed are both accurate and credible. Respondents were invited to participate in the study through an official invitation sent by the local facilitator, who was also in charge of the follow-up by asking respondents (by e-mails and phone calls) to attend a pre-selected slot (based on sector) at a specific time and date.

To allow a mean comparison test across the group, respondents’ associated sectors have been reduced to five:<sup>5</sup>

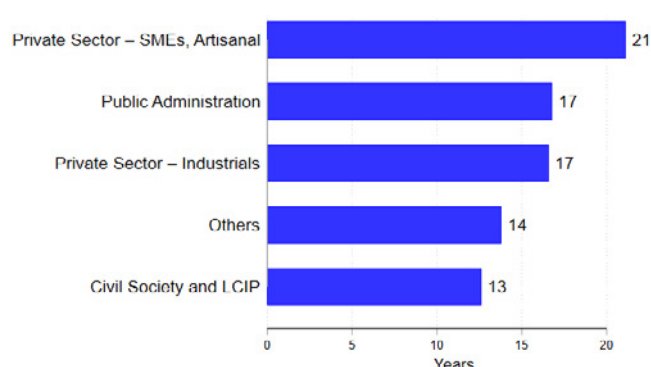
- **Public administration:** 31%
- **Private sector – SMEs, artisanal:** 9%
- **Private sector – industrials:** 21%

<sup>5</sup> The number of responses (N) used for the different analyses is outlined in each figure. Sometimes this number does not correspond to the total number of respondents, since not all respondents replied every time to the totality of the questions.

- **Civil society, Local Communities and Indigenous People (LC & IP)<sup>6</sup>:** 29%
- **Other** (consultants, researcher, financial partners): 11%

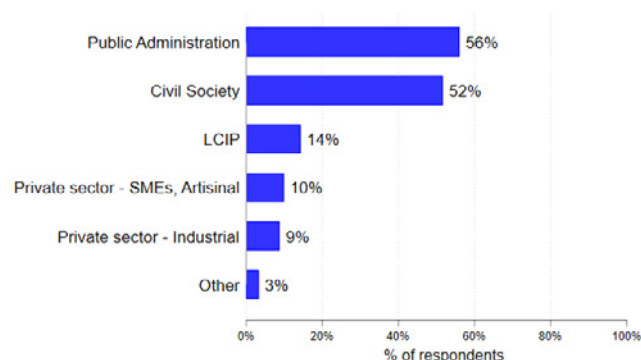
The average number of years of experience in the forest sector is 15.6, ranging from one year to 48 years. Within respondent groups, the SME operators have the most experience, while civil society has the least (12.6 years). The respondents are most knowledgeable about civil society and the public sector.

The three main motivating factors that respondents thought led the Republic of the Congo to engage in the VPA process are: (i) to improve forest management (66%), (ii) to reduce illegal logging (60%), and (iii) to access the European market (43%) (see Figure 6).

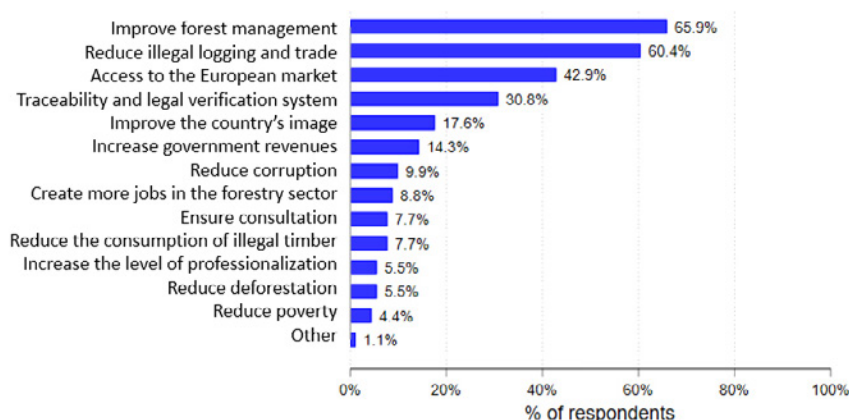


**Figure 4. Average number of years of experience per sector (N=91)**

More than half of the respondents (56%, 53% and 51%, respectively) noted that they are or had been involved in the TLAS process, law enforcement and capacity building in the context of the FLEGT-VPA in the Republic of the Congo. A total of 7% answered that they are not actively involved in any of the aspects of FLEGT-VPA (see Figure 7). Their answers have been considered relevant for the remainder of the survey because “not actively involved” doesn’t mean “not knowledgeable” about the FLEGT-VPA process. For example, while respondents may not have been directly engaged in drafting and implementing TLAS or transparency-related activities, their knowledge of the FLEGT-VPA process and the forest sector more broadly makes them relevant respondents to assess the changes and impacts of those activities.



**Figure 5. Respondents' knowledge of sectors (N=91)**



**Figure 6. Motivating factors leading the Republic of the Congo to engage in the VPA process (multiple responses possible) (N=91)**

<sup>6</sup> We have combined “Local Communities and Indigenous Peoples – LCIP” with “Civil Society,” given the small sample size and the links between the two groups of actors. Civil society reportedly plays the role of advocate for LCIP in the Republic of the Congo. It was outside the scope of this study to assess this relationship, but a focused examination is warranted so that the voices of IPs and LCs are clearly separated from other groups.



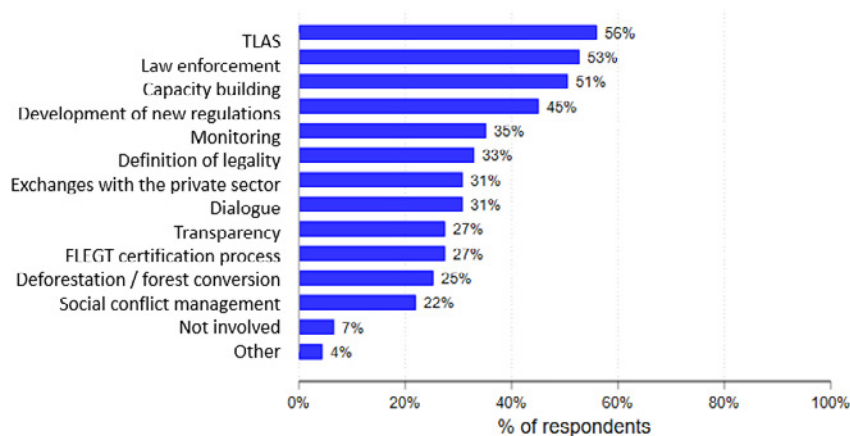


Figure 7. Respondents' degree of involvement in FLEGT-VPA process (multiple responses possible) (N=91)

## 2.5 Key points from field mission

### Key takeaways

- In total, **91 individual respondents** completed the questionnaire, either in Brazzaville, Ouessou, Pokola, Dolisie (including participants from Sibiti as well), Pointe-Noire or online.
- 10 group sessions were convened in the above-mentioned locations (see Annex III for agenda).
- The CIFOR-ADE team was subdivided into two sub-teams: one traveling to remote regions in the country and the other remaining in Brazzaville to ensure that all forest areas of the Republic of the Congo were represented.
- The team met with the EU delegation and the Ministry of Forest Economy (*Ministère de l'économie forestière*) to outline the study's purpose and anticipated milestone dates.

The field team consisted of four experts and was divided in two sub-teams: one travelling to remote regions of the country and the other remaining in Brazzaville, the capital city. The first day was spent together as a group in Brazzaville and included an official briefing of the mission at the Ministry of Forest Economy. A first session also took place with the entire team at the ministry in order to test and refine the data collection tool, further contextualizing questions or easing understanding with prompts, where required. The team was then split into two groups.

### Key points

- **Covid-19 measures were observed as much as possible** (PCR tests, masks, sanitizer and

disinfectant, social distancing, ventilated environment) – the entire team remained healthy during the mission.

- **Covid-19 travel restrictions presented some challenges**, as it was necessary to adjust the agenda to ensure that the team could undertake PCR tests (only available in Brazzaville) before leaving the country.
- **More advanced warning is required**, particularly for those traveling from remote areas. While two weeks' notice was provided, three would have been ideal. However, due to Covid-19, the exact mission dates were set at short notice, leaving little time for the local facilitator to send the invitations to participants.
- **Actors agreed that the VPA process is complex**, with many requirements and a lot of effort needed to fulfil them all. But there was also a **common understanding that significant progress had been made** and that the process is slowly moving toward achieving its objectives.
- **The team faced some challenges in capturing the views of the LC & IP** – due to language barriers, difficulties using tablets etc. – especially in the north of the country. For example, in Pokola, a team member read the questionnaire for an LC & IP member while introducing the respective answers, but even in this case, the respondent could answer only a very limited number of questions as most of them were too technical. LC & IP respondents have also shown difficulties in expressing themselves around other participants during discussions, as hierarchy between classes is still very present in the country.
- **The sample includes only four members of LC & IP**. This reflects the reality of the field, as the LC & IP are not very well represented in the Republic of the Congo, and there are very few people who can

speak for these actors in the context of the VPA process. **Civil society plays the role of advocate for LC & IP in the country** but is mostly present in Brazzaville.

- **Both industrial and artisanal private-sector actors were met** (including Congolese and Asian companies) in the north and south of the country, allowing the team to gain a good understanding of the regional differences in the country.
- **Public administration is well represented in the sample**, with varying degrees of VPA expertise, due to staff hierarchical levels, experience and overall involvement in the process.
- **Most participants showed a lot of interest, were involved in the discussions** and appreciated the exercise. Several participants requested the final report of the study when available. We will seek to undertake restitution sessions in all countries.



# 3 Republic of the Congo's Forest context in brief

In the Republic of the Congo, VPA negotiations started in 2008 and the VPA was ratified in 2013. It has been in the implementation phase since ratification. Law 14-2012 of 4 July 2012 authorized the ratification of the FLEGT-VPA, and decree No. 2012-731 of 4 July 2012 ratified the FLEGT-VPA signed between the two parties on 17 May 2011. Although significant progress has been made in TLAS software development (SIVL), the software's deployment nationwide has been delayed, reportedly due to lack of funding.

Natural forests cover about 66% (22.3 million ha) of the total land area of the Republic of the Congo. Those forests are mainly located in two zones, one in the south covering 4 million ha and the main one in the north covering 16 million ha.

Logging is a major component of the country's economy, accounting for 5% of gross domestic product (GDP). The formal (largely industrial) logging sector is almost exclusively export-oriented, and export revenue from timber is second only to crude oil. Moreover, the private forest sector is the second-largest employer after the government. The informal sector largely feeds the domestic market and is a source of revenue for a significant part of the population (Bollen 2020).

Congolese forests are divided between public and private forest domains. The public forest domain consists of permanent forest and non-permanent forest. The permanent forest includes the private domain of the state, forests of public legal entities and community forests. The public domain covers around 69% (23.5 million ha) of the country's territory and is mainly composed of natural or planted forests. In 2020, it included 60 forest concessions covering 14.3 million ha, and 2.86 million ha reserved for conservation purposes. Plantations covered 72,000 ha (Salva Terra 2019).

There are six sources of wood supply in the Republic of the Congo (NEPCon 2020):

- The permanent forest state domain constitutes the main source of timber in the country. Exploitation rights are allocated to private operators through concessions.
- In the public domain, there are also state-owned forest plantations located in the state's private forests.
- Special permits can be granted to populations that struggle to access wood supplies (allowance to log a limited quantity of timber on the public domain and sell only on the domestic market).
- Natural forests belonging to private entities can be exploited for timber production.
- Private forest plantations
- When infrastructure projects or industrial ventures require deforestation, the resulting timber can be sold legally.

A new Forest Code was promulgated in 2020, incorporating elements from the VPA and aiming to improve forest management in the context of climate change. The rights of LC & IP are explicitly acknowledged, and community forestry is recognized as a form of forest management (ATIBT 2020), although it is premature to assess any result as implementation texts are still required. Moreover, the new legislation foresees two sources that have not yet come into effect at the time of this assessment:

- Domestic exploitation license: intended exclusively for the legal and sustainable supply of quality wood products to the national market. These products are processed semi-industrially and not authorized for export (Article 139).
- Special permit or permit to cut plantation wood: from community forests whose for-profit logging remains subject to obtaining a special permit or permit to cut plantation wood; subject to the exercise of rights of use (Article 20).

# 4 VPA impacts

The section below presents the results and their analysis according to the following steps:

- presentation of quantitative survey data, starting with contribution/impact of VPA negotiations
- outlining any statistically different views between respondent groups
- highlighting evolution of indicators before and after the start of VPA negotiations in 2012
- comparing findings with the literature contained in the desk review
- complementing findings with anecdotal evidence provided during the FGDs.

As mentioned in 2.1, the description of results begins with impacts in the governance and institution dimension as they can be considered a prerequisite for other subsequent impacts.

## 4.1 Governance & institutional effectiveness

This section focuses on two initially expected impacts in the VPA process: *institutional effectiveness* and *governance spillovers* (see Figure 8).

- Improved *institutional effectiveness* in the forest sector will be enhanced by increased *forest governance & management* as well as *reduced corruption*, possibly leading to *spillover* effects as the process might inspire other reform processes.
- To reach better governance results, *improved participation and capacity* at the level of civil society, government and private sector are primary necessary conditions.
- Subsequently, *improved participation and capacity* will also lead to *improved legal justice* (and law enforcement), more *transparency*, and better *communication & government coordination*, thereby enhancing *accountability*.

These different results will be sequentially analysed in this section, using the collected data to construct appropriate indicators for each VPA ToC result box.

### Key takeaways

- **Most respondents (65%) agreed that corruption in the forest sector declined**, and the VPA is considered to have **improved political will to fight corruption**. However, corruption remains high and systemic in the forest sector, undermining the VPA process significantly.
- The VPA is considered to have moderately contributed to **better coherence of the legal and regulatory framework for the forest sector**. **Transparency has increased** since the VPA ratification, and the VPA is considered to have moderately contributed to **making the government more accountable for its forestry actions**. This is in line with the VPA ToC result logic, leading to improved institutional effectiveness and governance spillovers.
- However, **compliance with the law remains an issue**. The main reasons for non-compliance are conflicts of interest blocking law enforcement, an overall high level of corruption, and the insufficient level of sanctions.
- **The VPA contributed to improved stakeholder dialogue and more consultation among the different actors involved in the VPA process**. These are key outcomes, which lead to improved institutional effectiveness.
- **Civil society also has more autonomy, is more effective in its role as independent observer and plays a greater role in controlling legality and identifying irregularities** than before VPA ratification.
- However, the VPA is considered to have only slightly contributed to **improving SMEs' technical capacities to conduct their activities legally**, corroborating the discussions regarding the difficulties faced by small operators.

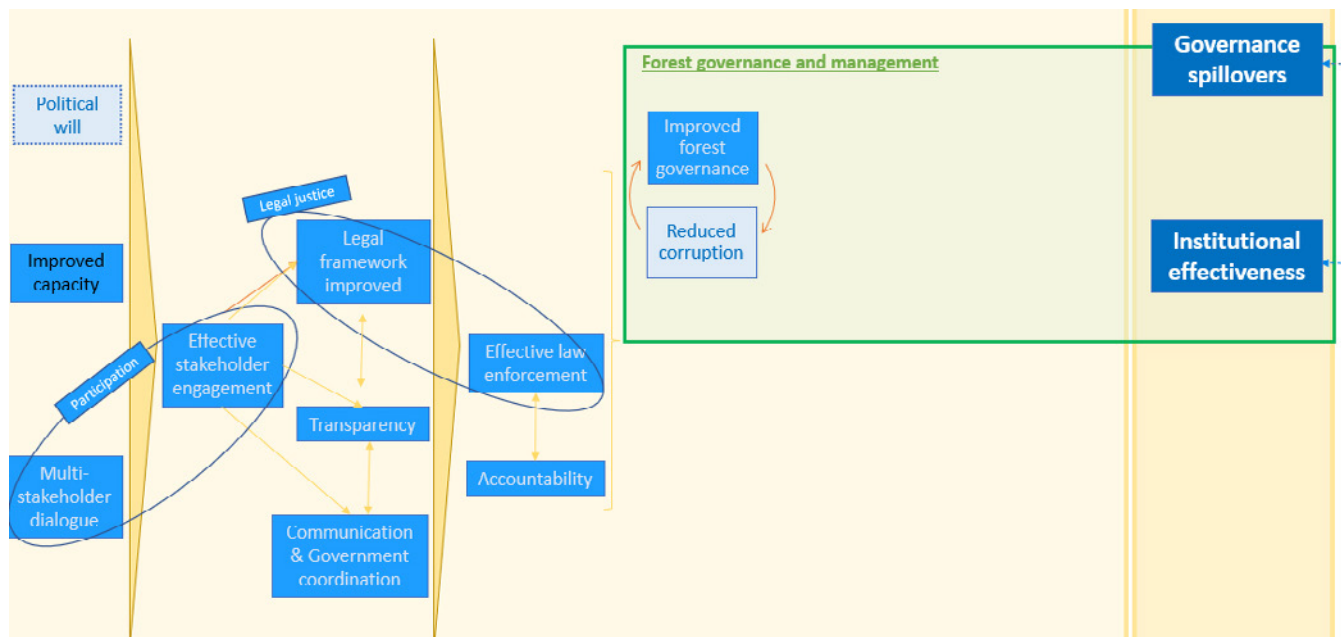


Figure 8. Impact pathways for Governance and Institutional Effectiveness

#### 4.1.1 Forest governance

We first present the FERN forest governance study (2016)<sup>7</sup> in order to validate and/or understand differences in answers five years after the study took place. The questions addressed accountability, government coordination, participation, capacity, transparency and legal framework/justice. These six dimensions of governance are also included on the left-hand side of the VPA ToC illustrated above. The scale ranges from 0 (extremely poor, non-existent) to 5 (very good), which corresponds to a statement matching a potential situation in the Republic of the Congo. From a baseline score assigned by combining respondents' input and setting this against available corroborating data, FERN compared results to the score created for the situation in 2016.

As outlined in Figure 9, when results are compared, we observe an increase in all indicators since 2016. To explain the increase in **Accountability**, most respondents argue that "channels for reporting infractions and corruption exist, and when used, sometimes result in follow-up action, but it is not always timely or is incomplete." **Legal Justice** has also increased, with "laws being reformed," though "the process is far from complete and generally

not yet implemented." Specific FERN indicators are further highlighted in relevant sections alongside the study indicators.

#### Participation (multi-stakeholder dialogue and effective stakeholder engagement)

*Multi-stakeholder dialogue* is on the left-hand side of the VPA ToC and is part of the *participation* outcome of the VPA process.

**The VPA is considered to have moderately contributed to more consultation of LC & IP in the forest sector's decision making.** Overall, the opinions of different actors involved in the FLEGT-VPA process have increasingly been considered since VPA ratification.

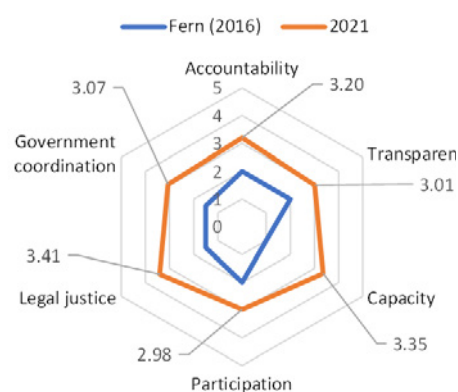


Figure 9. Comparison of FERN indicators for the Republic of the Congo (N=91)

<sup>7</sup> "Do FLEGT VPAs improve governance?", FERN (2016), adapted methodology from the FAO-PROFOR framework for assessing and monitoring forest governance. <https://www.fern.org/publications-insig.ht/do-flegt-vpas-improve-governance-393/>



Figure 10. Extent to which the opinions of CS, LC & IP and SMEs have been considered in the forest sector's decision making over time (N=87)

The VPA is considered to have moderately contributed to greater consideration of civil society's opinions in the forest sector while this effect is only slight for consideration of SME and LC & IP opinions. This is consistent with the literature, which states that stakeholder participation is one of the major achievements of the VPA process. This was an unprecedented success in the Republic of the Congo, where the forest sector used to be fully government-led and controlled (Bollen 2020).

The concept of free, prior and informed consent (FPIC) was retained in the new legislation – thanks to pressure from civil society – which is often mentioned by the study's stakeholders as a great achievement. However, discussions on this topic have highlighted that civil society participation remains fairly artificial with regard to the main organizations and institutions in Brazzaville, and there is no effective representation close to forest areas and LC & IP, undermining the participation of the latter as well.

Participants also mentioned that while industrial operators actively participate in the discussions, SMEs' effective participation remains an issue. During the VPA negotiations, the informal sector and SMEs were not involved in discussions (only industrial operators). Moreover, several private-sector actors (industrial and SMEs/artisanal) agree that they actively participate in the decision-making process but emphasize that the final decision is always taken by the government. For example, their opinions on the new Forest Code had not been considered, namely on the recent increase in taxes and the introduction of "production-sharing contracts." The government recently introduced this regime, which will oblige companies to deliver physical quantities of logs to the state, destined for the domestic market.

With regard to the **FERN participation indicator** (see more above), civil society seems to have the highest



Figure 11. VPA contribution to more consultation of LC & IP (N=89)

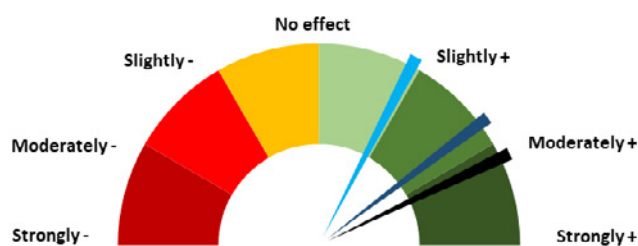


Figure 12. VPA contribution to more consideration of the opinions of SMEs, LC & IP and civil society in the timber sector's decision making (N=89)

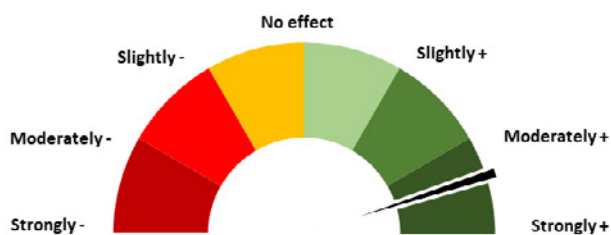
level of participation in the forest sector (3.65) while SMEs have the lowest (2.25). This is consistent with the literature and discussions mentioned above.

### Improved capacity

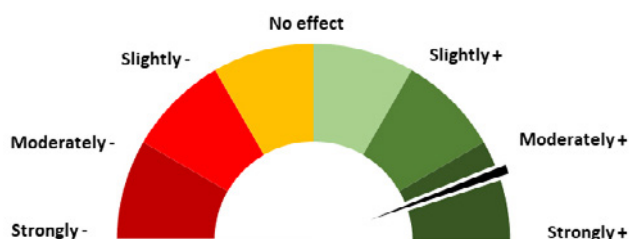
Along with multi-stakeholder dialogue, *capacity building* is an essential element on the left-hand side of the ToC. It refers to the capacity of civil society to play its role as an independent observer, and the capacity of SMEs to comply with laws and regulations.

Both the levels of effectiveness and autonomy of civil society in its role as independent observer are perceived to have increased since VPA ratification: 62.2% and 65.1% of respondents considered that the levels of effectiveness and autonomy are now high or very high, respectively. **The VPA is considered to have moderately contributed to improving civil society's degree of autonomy in its role as an independent observer** in the forest sector. Moreover, respondents have considered that the **VPA also had a moderate role in ensuring that independent observations were carried out more effectively**. With regard to SMEs' capacity, the **VPA is considered to have only slightly contributed to improving SMEs' technical capacities to conduct their activities legally**. This is consistent with discussions that highlighted gaps in the support provided to SMEs during the legality transition and implementation of the VPA. SMEs still struggle with adapting to the new context and respective costs.

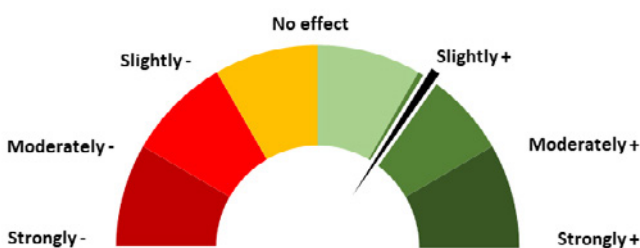




**Figure 13. VPA contribution to more effective independent observation carried out by civil society (N=89)**



**Figure 14. VPA contribution to a greater degree of autonomy of civil society in its role as independent observer (N=87)**



**Figure 15. VPA contribution to improved technical capacity of SMEs to conduct their activities legally (N=88)**

With regard to the **FERN capacity indicator** (see more above), all actors seem to have a similar capacity level (around 3 on a scale of 1 to 5), with SMEs having the lowest rated capacity, which is consistent with the findings mentioned above.

## Legal justice

*Improved legal framework and effective law enforcement* both refer to *legal justice* that can be improved thanks to more participation and capacity of the different stakeholders involved in the VPA process.

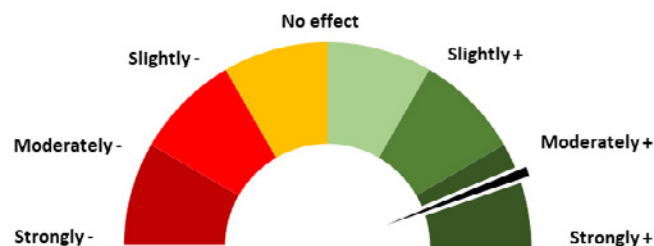
The VPA is considered to have **moderately contributed to better coherence of the legal and regulatory framework** for the forest sector in the Republic of the Congo. Respondents often mentioned the promulgation of the new Forest Code (2020) as one of the main achievements of the VPA process. The drafting of the implementation texts was

still ongoing at the time of research (amid lack of resources, as mentioned in several discussions). The new code includes notable advances but many of these innovations remain ambiguous in the current law and will have to be clearly defined in implementation texts for the concepts to become binding (ATIBT 2020). Participants have highlighted that the preparation of the new Forest Code was already ongoing regardless of the VPA. However, the VPA has encouraged the process that was already under way and pushed the country to continue its efforts, also providing additional capacity building at the administration level.

Moreover, participants mentioned the difficulties in implementing the VPA in the field. The financial needs were not considered at the time of the negotiations, and the Forest Code includes many provisions that are difficult to implement effectively on the ground.

**The role played by civil society in controlling legality and identifying irregularities has evolved positively**, according to respondents: 82.2% consider that civil society has at least a relatively important role today, while only 18.8% considered that this was already the case before VPA ratification. Moreover, **the VPA is considered to have moderately contributed to the greater role of civil society in the identification of irregularities**. Participants mentioned that the public administration today recognizes the independent observation reports, but that these are not always taken into account.

The application of sanctions on actors who do not respect the laws and regulations in the forest sector has increased since VPA ratification: 42.7% of the respondents considered that sanctions are often applied (versus 15.9% of respondents who considered this was the case before VPA ratification). In line with this, **the VPA is considered to have slightly contributed to more enforcement of sanctions** as outlined in the law as well as making these **sanctions more credible** in the forest sector. However, **participants mentioned that sanctions are still not applied systematically in the forest sector, highlighting gaps in law enforcement**.



**Figure 16. VPA contribution to better coherence of the legal and regulatory framework in the forest sector (N=91)**



**Figure 17. VPA contribution to providing civil society with a greater role in controlling legality & irregularities (N=91)**

This is consistent with the literature, which highlights that the country continues to score very low on forest law enforcement. Maximum penalties for illegal logging are dissuasive, but the actual penalties imposed are a fraction of the possible maximum. Monitoring and forest law enforcement remain significantly under-resourced, and there is no formal coordination between forest agencies and other relevant parts of government (Bollen 2020). The adoption of the new Forest Code and the development of implementation texts are expected to produce results in this regard.

**The three main reasons for non-compliance that were highlighted by respondents are conflicts of**



**Figure 18. VPA contribution to more enforcement of sanctions, as outlined in the law (N=88)**

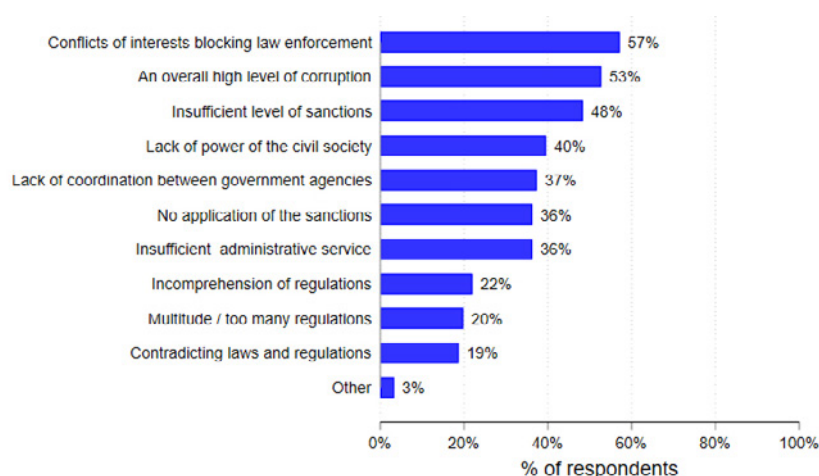
interest that block law enforcement (57%), an overall high level of corruption (53%) and an insufficient level of sanctions (48%). The literature also mentions that one of the causes of non-compliance is **discrepancy between the law and the legality definition**, suggesting the legality matrix should be revised to match the rest of the legal framework (EFI 2018). The revision process is pending until the new Forest Code's implementation texts are finalized.

Moreover, the elaboration and approval of forest management plans remain very slow, hindering companies from complying with the legality definition. Some of the control procedures for the implementation of these plans are too heavy and complex for the forest administration to use them in the field (EFI 2019).

With regard to the FERN legal framework indicator (see more above), the answer "laws are being reformed, but the process is far from complete and generally not implemented" is seen as the most relevant, confirming continued gaps in the forest sector's legal framework.



**Figure 19. VPA contribution to making sanctions more credible in the forest sector (N=86)**



**Figure 20. Causes of non-compliance with the law (multiple responses possible) (N=91)**

## Transparency, communication and accountability

*Improved participation and capacity, as well as legal justice, lead to more transparency and government accountability.*

**The VPA is considered to moderately contribute to improved transparency in the forest sector.** Perceived transparency in the forest sector in the Republic of the Congo has increased since VPA ratification: 83.6% of respondents considered there to be at least a medium level of transparency in the sector today (versus 20.9% of respondents who considered this was the case before VPA ratification). However, the literature mentions that some information is only available on request, and that information on law enforcement remains less transparent. For documents available on request, the slowness of the bureaucratic process, the administrative culture of secrecy, and discretionary powers to grant access can still make it a considerable challenge to obtain information (Bollen 2020).

**The VPA is considered to have moderately contributed to making the government more accountable for its actions in the forest sector.** Participants mentioned that one of the positive impacts of the VPA is the coordination and involvement of other administrations and sectors in the process rather than just the Ministry of Forest Economy.

**The VPA is considered to have moderately contributed to providing information allowing SMEs to conduct their activities legally.** Around 74% of respondents agreed or strongly agreed that the publicly available information on legality requirements is relevant for SMEs to meet the requirements. However, the respondent categories *Private Sector – SMEs and Artisanal* and *Others* disagreed the most with this statement, 43% and 60% respectively, which is in line with the difficulties faced by small operators in the country.

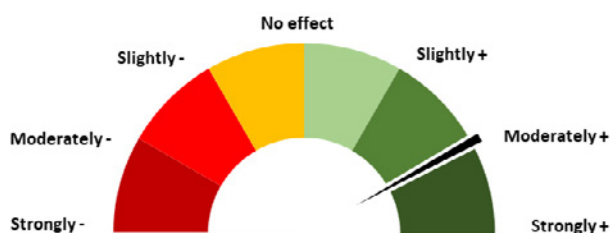


Figure 21. VPA contribution to improving transparency in the forest sector (N=89)



Figure 22. VPA contribution to making the government more accountable for its actions in the forest sector (N=89)

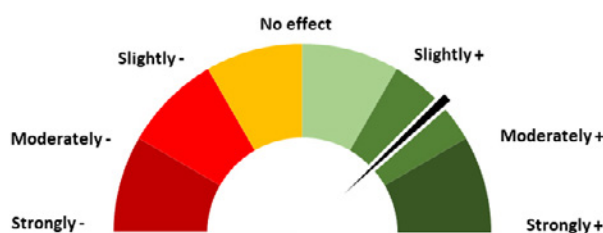


Figure 23. VPA contribution to providing information allowing the SMEs to conduct their activities legally (N=85)

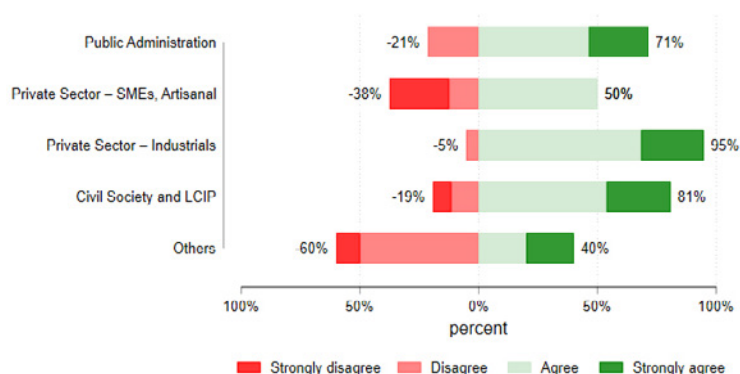


Figure 24. Statement on whether the publicly available information on legality requirements is relevant for SMEs to meet the requirements (N=91)



With regard to the FERN transparency indicator (see more above), the answer “some information is available on request and on an ad-hoc basis” is seen as the most relevant, highlighting some remaining gaps in transparency. Meanwhile, the government coordination indicator reveals that “coordination is good and there is reasonable information sharing but few joined-up priorities and approaches.” Finally, on accountability in the forest sector, the most selected option is that accountability “exists, is acknowledged by authorities and sometimes results in follow-up action, but it is not always timely or is incomplete.”

## 4.1.2 Corruption

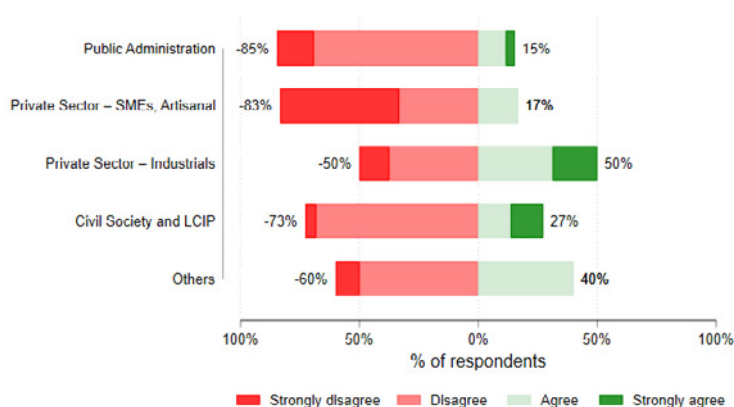
*Participation, capacity, legal justice, transparency and accountability* are five key elements that, when improved, contribute to better governance and therefore reduced corruption.

Here below, different indicators are presented to measure the level of corruption in the forest sector. To fight corruption, political will is an important

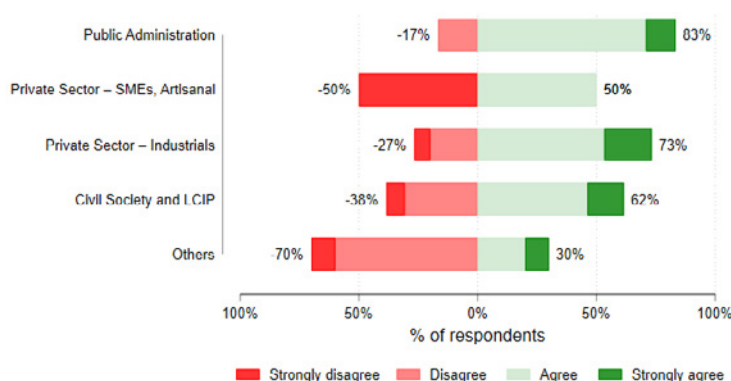
factor that allows civil society to play its role of independent observer. An estimation of bribes and informal taxes is another interesting indicator to proxy the corruption level in the forest sector.

## Level of corruption in the forest sector

**Most respondents considered that bureaucracy linked with the VPA process has not created new opportunities for corruption: 65% of respondents agree or strongly agree that the level of corruption in the forest sector has declined since VPA ratification, which is in line with the results on forest governance.** However, the opinions on this topic are quite diverse, as 70% of respondents in the *Others* and 50% in the *Private Sector – SMEs and Artisanal* categories disagree with this statement. The Republic of the Congo was ranked **165 out of 180** with a score of 19/100<sup>8</sup> (a decrease of seven points since 2012), according to the Corruption Perceptions Index published by Transparency International in 2020. This indicates that corruption is prevalent in the country.



**Figure 25. Statement on whether the bureaucracy linked to the VPA process has created new opportunities for corruption (N=80)**



**Figure 26. Statement on whether the level of corruption in the forest sector has declined since VPA ratification (relative to other sectors) (N=81)**

8 <https://www.transparency.org/en/cpi/2020/index/cog>

Participants seem to agree that corruption is systemic in the forest sector and other sectors in the country, thereby hindering the VPA process significantly. This is consistent with the literature, which highlights that fundamental governance challenges persist and contribute to a slowing-down of the VPA process. Corruption is systemic and the mining, oil and agro-industrial sectors have a strong impact on forests, with property rights not being protected. Even though anti-corruption legislation exists in the Republic of the Congo and includes potentially serious penalties, impunity is widespread (Bollen 2020).

### Political will to fight corruption

Nevertheless, the political will to fight corruption has increased significantly since VPA ratification, with 64% of respondents considering there to be at least a moderate level of political will today (versus 27.2% before VPA ratification). In line with this, the VPA is considered to have moderately contributed to improving political will to fight corruption in the forest sector.

The literature recognizes that efforts have been made to engage anti-corruption agencies in the

coordination mechanisms set up to oversee the VPA, but these have not been successful nor produced significant results (Bollen 2020). Few resources are allocated to the fight against corruption, which blocks the full application of criminal laws and the effectiveness of oversight institutions, such as the Anti-Corruption Commission. The recent creation of the High Authority for Combating Corruption aims to meet this expectation. However, the systematization of impunity, the absence of authorities' accountability, weaknesses in the checks-and-balances mechanisms, and inadequate formal appeal structures stress the urgency of setting up truly independent mechanisms (Climate Analytics 2020).

### Work of independent observation in monitoring political corruption in the forest sector

A total of 73% of respondents agreed or strongly agreed that independent observation is important in reducing corruption in the forest sector. However, we should note that 70% of *Others* disagree or strongly disagree with this statement. According to FGD participants, while independent observation agencies (OIE as well as OIM) are deemed to conduct reliable evaluations, in some instances, their recommendations are not accepted or followed by government institutions.

### Bribes and informal taxes for SMEs

Respondents consider that the costs faced by SMEs in the form of informal taxes are slightly higher today (47.1%) than before the VPA (41.7%). Discussions highlighted the high costs faced by SMEs to comply with VPA demands, potentially forcing operators out of the market or obliging them to pay additional informal taxes. This is also due to the lack

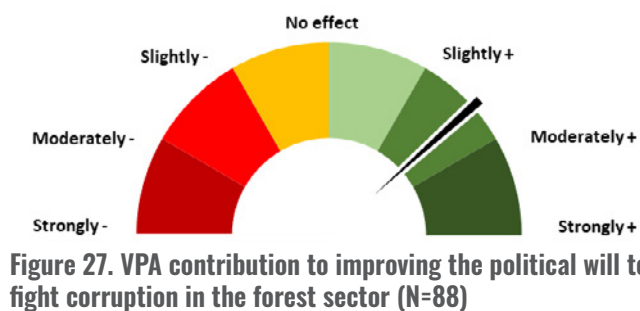


Figure 27. VPA contribution to improving the political will to fight corruption in the forest sector (N=88)

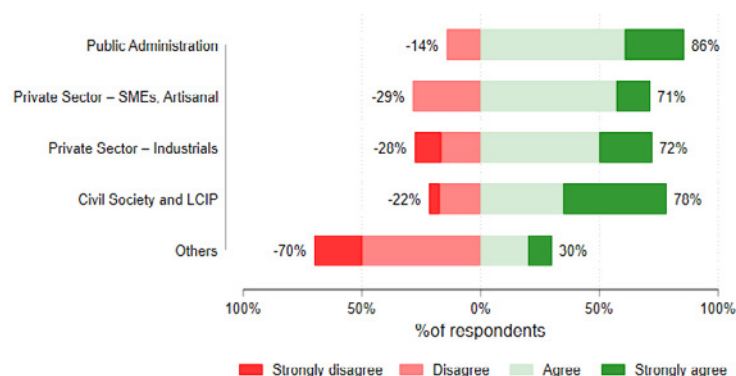
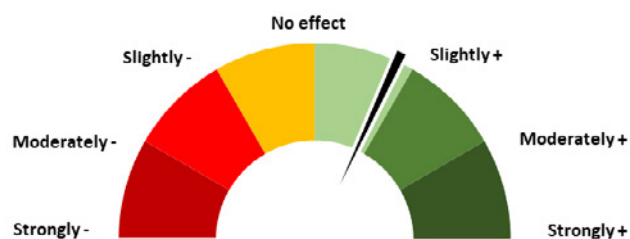


Figure 28. Statement on whether the work of the independent observation contributes more to reducing corruption in the forest sector than before VPA ratification (N=86)



**Figure 29. VPA contribution to reducing the costs faced by SMEs paid as informal taxes (N=57)**

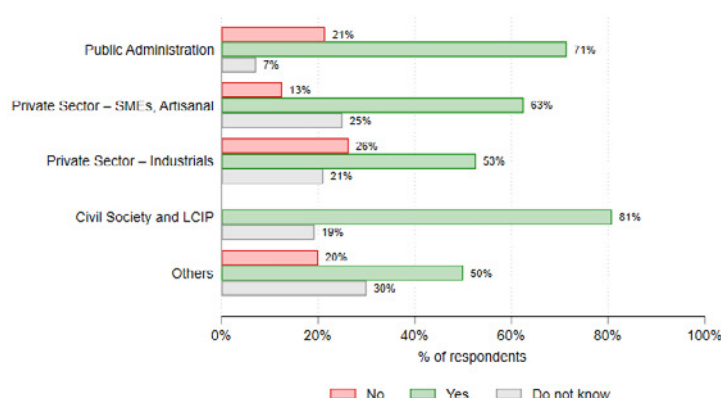
of continuous support provided to these companies, as mentioned in Section 4.1.1. above. However, **the VPA is also considered to have slightly contributed to reducing the costs faced by SMEs through informal taxes.** This may indicate that the situation may be even worse without the VPA, and SMEs would have faced an even stronger increase in taxes. This is in line with the literature suggesting that informal taxes represent around 18% of the selling price for sawn timber when entering the local market (CIFOR 2011).

Note also that only 57 respondents replied to this question, suggesting a lack of general information regarding informal taxes paid by SMEs.

### 4.1.3 Governance spillovers

Other sectors might also benefit from, or be inspired by, new processes developed in the forest sector thanks to FLEGT-VPA, leading to *governance spillovers* in the country, as shown on the right-hand side of the VPA ToC.

**A majority of the respondents (67%) agree that the VPA process has inspired other processes in the country, notably mentioning the REDD+ program and private certification.** 81% of the *Civil Society and LC & IP* category and 71% of *Public Administration* respondents agreed with this statement.



**Figure 30. Statement on whether the VPA process has inspired other processes in the country (N=91)**

## 4.2 Forest conditions

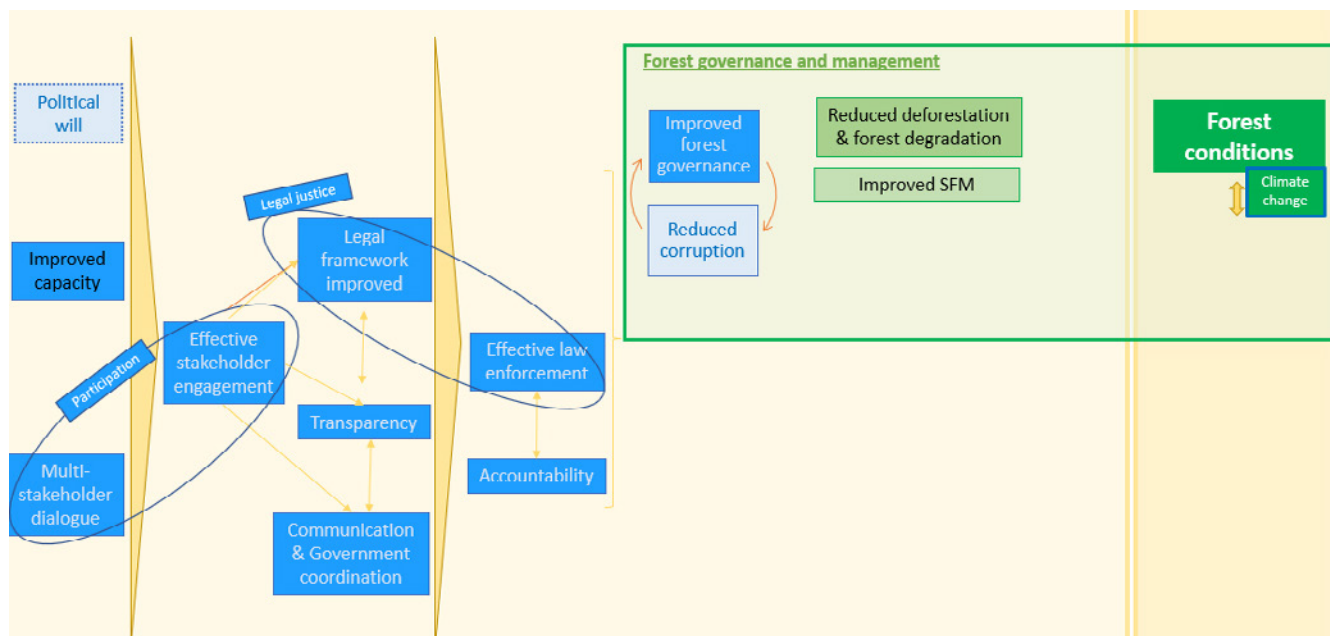


Figure 31. Impact pathways for Forest Conditions

This section focuses on a crucial expected impact of the VPA process: *improved forest conditions* (see Figure 31).

- Forest conditions will improve thanks to *reduced deforestation and forest degradation*, and due to more *sustainable forest management (SFM)*.
- All three are positively impacted by *improved forest governance* and *reduced corruption* in the forest sector.
- *Improved participation* and *capacity* and *improved legal justice* are required to achieve *improved forest governance* and *reduced corruption*, as described in the previous section.

These expected results are sequentially analysed in this section, using the collected data to construct relevant indicators.

### 4.2.1 Reduced deforestation and forest degradation

The VPA is considered to have slightly contributed to **reduced deforestation** in the Republic of the Congo. This is not consistent with the literature, which identifies a general increase in recent years due to drivers such as forest clearance for large-scale agriculture, urban development and unsustainable logging (Bollen 2020). However, respondents might have been focusing on deforestation in logging concessions, indicating a decrease in deforestation in this sector.

### Key takeaways

- The VPA is considered to have slightly contributed to the **reduction of deforestation** in the Republic of the Congo, although the literature indicates a general increase in recent years.
- **Forest management plans are at least partially implemented today**, according to 94.2% of respondents, with the VPA considered to have moderately contributed to this change. The VPA has also moderately contributed to a **better integration of multiple forest functions** in the legal framework. This is in line with the result logic of the VPA ToC, which may indicate improved forest conditions in the country.
- The VPA has slightly contributed to an **increase in the number of hectares exploited through a private certification system**. Certification, especially in the north of the country, is very common and it was an ongoing process before VPA ratification.
- **All actors today are more aware of the consequences of poor governance in the forest sector than before VPA ratification**. Around 57% of respondents agreed that SMEs have reduced their environmental impact since VPA ratification. These are key outcomes (see left-hand side of the VAP ToC) leading to improved forest conditions.



Figure 32. VPA contribution to reduced deforestation (N=89)

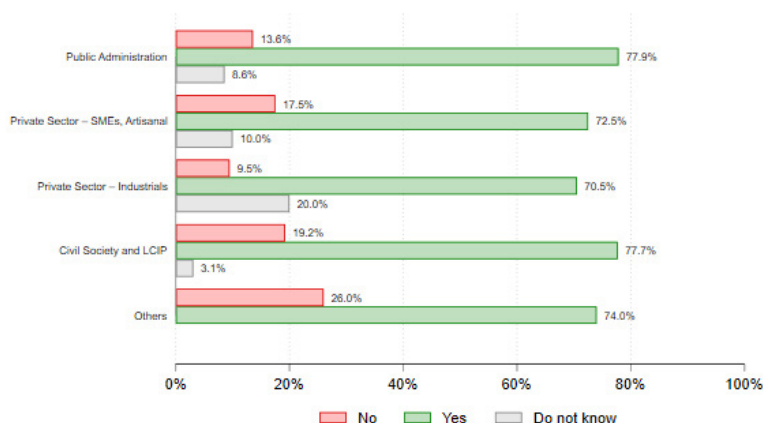


Figure 33. Actors' awareness of the consequences of poor governance in the forest sector (N=91)

All actors today are more aware of the consequences of poor governance in the forest sector than before VPA ratification

The lower level of awareness among artisanal operators (72.5%) is consistent with the fact that **only 54% of the respondents agree or strongly agree with the reduction of SMEs' environmental impact since VPA ratification**, with 78% of *Others* disagreeing with the statement. This is in line with discussions highlighting that awareness regarding conservation and forest management has indeed improved in recent years due to the VPA process.

#### 4.2.2 Sustainable forest management (SFM)

A strong increase in the implementation of forest management plans before and after VPA is perceived **by respondents**: 94.2% indicated that the plans are at least partially implemented today, versus 36.3% who considered this the case before VPA ratification. In line with this, **the VPA is considered to have moderately contributed to the better implementation of forest management plans in the Republic of the Congo**. The VPA has also **moderately contributed to a better integration of multiple forest functions**.

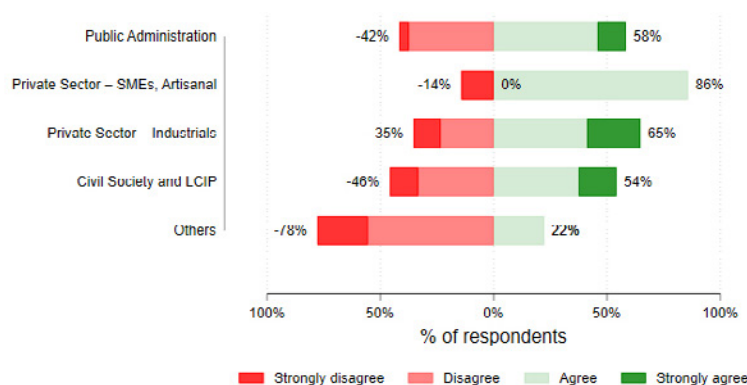


Figure 34. Statement on the reduction of the environmental impact of SMEs since VPA ratification (N=81)

Discussions highlighted the progress made by companies in the south of the country in implementing forest management plans. However, this is also considered a burden, since companies (instead of the government) oversee the plans and need to make a lot of investment before starting their activity.

Moreover, participants consider that **the VPA has slightly contributed to an increase in the number of hectares exploited through a private certification system**. This is consistent with discussions that highlighted that certification – especially for companies operating in the north of the country – was already well developed before the start of the VPA process. For these companies, the implementation of certain principles (environmental and social objectives) was already under way, and it was therefore easier for them to adapt to VPA requirements. Participants also consider that the VPA might bring the generalization of these principles to non-certified companies. Indeed, during discussions, industrial private-sector actors in the south of the country mentioned that they are currently focusing on and targeting private certification, even if this can be a long process. The Republic of the Congo today has about 2.9 million ha of FSC-certified forests, which corresponds to five concessions, all in the north. Some of these concessions hold other private certifications, including chain-of-custody ones (such as OLB, LegalSource and others).

### 4.3 Illegal logging

This section focuses on one of the main and most obvious expected impacts of the VPA process: the reduction of *illegal logging* and trade (see Figure 38).

- *Illegal logging* is expected to decrease especially when the VPA is implemented, as soon as *TLAS* is developed and operationalized. This ensures that timber logging and trade are traceable, while illegal forest activities can be condemned and punished, thanks to improved *legal justice* and *forest governance*.
- A fully operationalized *TLAS* leads to the *FLEGT license*. Furthermore, a well-enforced *EU Timber Regulation* is also contributing to a reduction in illegal timber logging and trade. But when the *TLAS* is not fully operational yet, the effect on illegal logging is expected to be limited.
- However, (marginally) reduced illegal practices can be observed thanks to *improved forest governance*, mainly due to enhanced stakeholder knowledge fostered by higher *participation* and *improved capacity*.

In this section, illegal logging approximations are presented, both in State and non-State forests as well as in the export and domestic markets. These expected results are sequentially analysed in this section, using the collected data to construct relevant indicators.

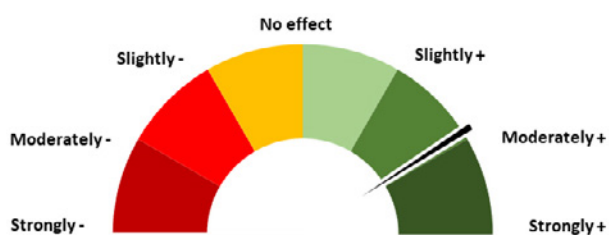


Figure 35. VPA contribution to better implementation of forest management plans in the country (N=88)



Figure 36. VPA contribution to better integration of multiple forest functions (N=86)



Figure 37. VPA contribution to increase in the number of hectares exploited through a private certification system (N=86)



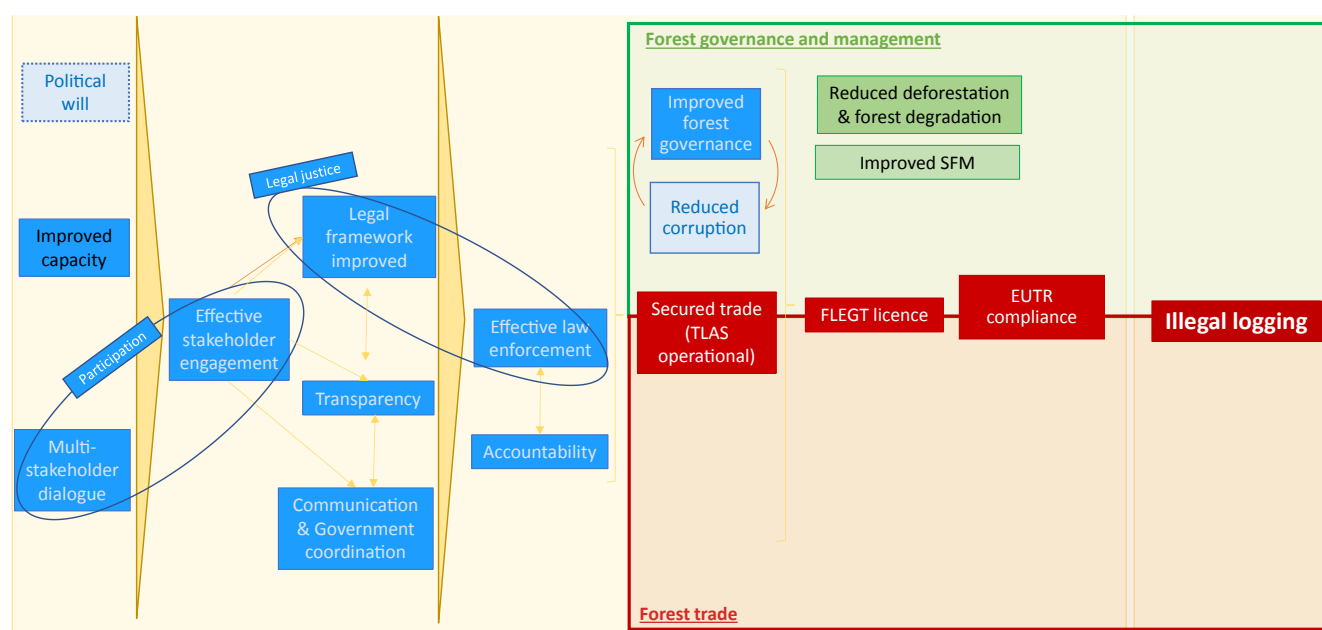
## Key takeaways

- Most respondents estimate that **illegal logging (in volume) has decreased in permanent and non-permanent domains**. However, 38% of the *Private Sector – SMEs/Artisanal* actors thought that illegal logging had strongly increased in permanent forest domains.
- The VPA was considered to have moderately contributed to an **increase in the amount of timber exploited with a legally obtained permit**. Private Sector – SMEs and Artisanal actors' responses indicate lower amounts than others, highlighting the problems of SMEs to comply with legality requirements and to obtain legality permits.
- The VPA has moderately contributed to a **reduction of illegal timber on the export market**. However, this effect is only slight for the **domestic market**. The volume of commercialized legal timber is considered higher on the export market (73.4%) than on the domestic market (61.5%).
- **SME operators, which mostly supply the domestic market, face more difficulties complying with VPA requirements**, while industrial operators focus on the export market and have more capacity to convert to legal practices.
- Although not fully operational, the **TLAS process** has increased awareness of the importance of a more efficient system, boosted the capacities and possibilities for civil society, and improved collaboration and coordination between different actors.

### 4.3.1 Illegal logging estimates

The majority of respondents estimated that illegal logging (in volume) has decreased or strongly decreased in permanent (PFDs) and non-permanent forest domains (nPFDs), respectively, since VPA ratification. However, there are differences between groups: *Public Administration* and *Civil Society* are more positive regarding the decrease in illegal logging in PFD, compared with the *Private Sector* (both

industrial and SMEs/artisanal), and **38% of artisanal respondents estimated that illegal logging strongly increased in PFDs**. In line with this, focus group discussions highlighted the increase in illegal logging due to illegal sawing by the local population in some concessions, mainly in the south, as a result of the high population density and scarce forest resources. **The VPA was considered to have only slightly contributed to a decrease in illegal logging in PFDs and nPFDs.**



**Figure 38. Impact pathways for Illegal Logging**



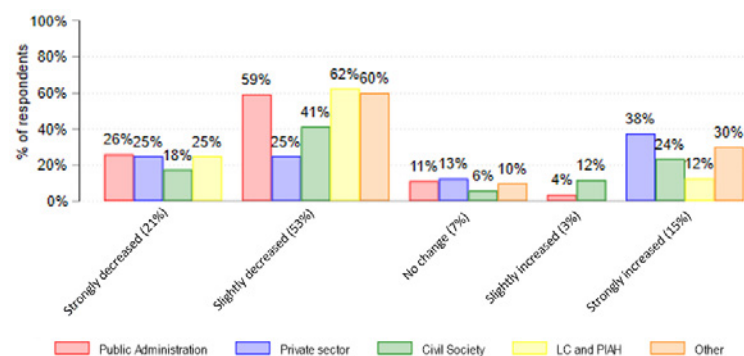


Figure 39 - Illegal logging in PFDs since VPA ratification (N=86)

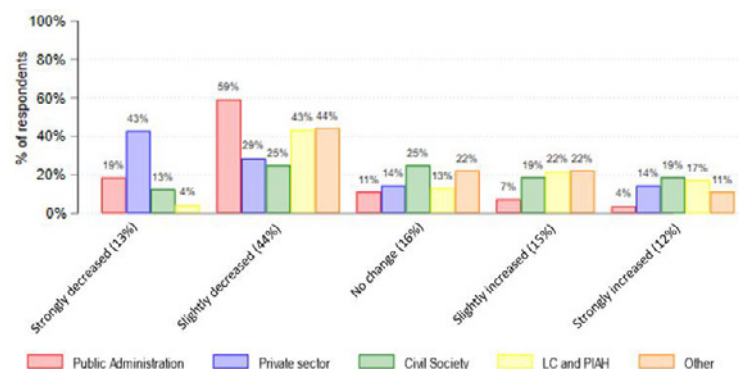


Figure 40. Illegal logging in nPFDs since VPA ratification (N=82)

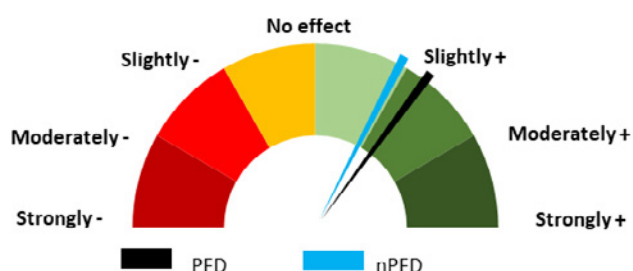


Figure 41. VPA contribution to the reduction of illegal logging in PFDs and nPFDs (N=78)

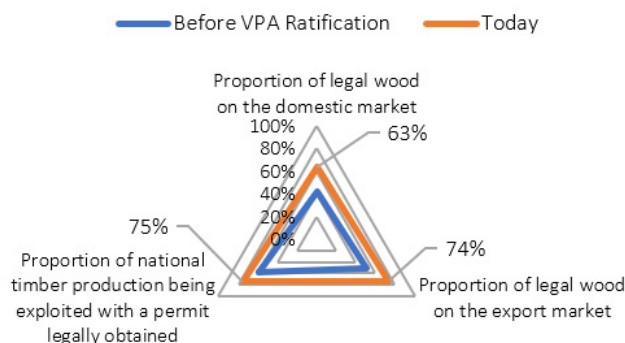


Figure 42. Evolution of legal wood (findings) (N=67)

Overall, the proportion of legal wood is considered to have increased since VPA ratification. The VPA was considered to have moderately contributed to an increase in the amount of timber exploited with a legally obtained permit. Around 74.3% of total timber was said to have been harvested with a legally obtained permit, compared with 60.3% before VPA ratification. *Private Sector – SMEs and Artisanal actors*’ responses indicate lower amounts than those of the other actors, both before and after VPA ratification, highlighting the problems of SMEs to comply with legality requirements and to obtain the permits. During discussions, SME operators highlighted the increased difficulties in obtaining permits: Since the centralization of the forest administration in Brazzaville and the requirements for permits, operators are obliged to travel to the capital in order to submit their application. This is unfeasible for some, so they either abandon the timber sector or operate without a permit.

The VPA was considered to slightly contribute to the reduction of illegal timber on the domestic market of the Republic of the Congo. Whereas the share was said to be 41.1% before VPA ratification, participants considered that today 61.5% of the total wood commercialized on the domestic market is legal. During discussions, the lack of law enforcement was mentioned as the key reason for the persistently high level of illegal timber on the domestic market. **The VPA is considered to moderately contribute to the reduction of illegal timber on the export market.** The commercialized legal timber seems to be higher on the export market (73.4% versus 50.1% before VPA ratification) than on the domestic market.

This is consistent with discussions that highlighted the difficulties of SME operators to comply with VPA requirements, considering they mostly supply the domestic market in the Republic of the Congo, while industrial operators focus on the export market and have more capacity to convert to legal practices. The continuing difficulties in deploying the TLAS and delivering FLEGT licenses are mentioned as the main reasons that may explain the remaining levels of illegal timber on the export market.

The literature often cites differences between the southern and northern parts of the country with regard to forest management. However, discussions have clarified that the situation is much more

complex than the literature suggests. Southern concessions have been exploited long before any harvesting took place in the north of the country, where the forest remains quite intact (while some southern concessions are already in the fifth harvesting cycle). The south of the country also suffers from a much higher population density, which puts pressure on the concessions – some operators have mentioned conflicts with people who extract timber illegally from their concessions.

### 4.3.2 Secured TLAS

The main results from the TLAS process included awareness of the importance of a more efficient system (e.g. to improve traceability) (60%), increased capacities and possibilities for civil society (54%), and improved collaboration and coordination between different actors (53%). The Republic of the Congo has achieved an important milestone by installing the software for managing data on the traceability and legality of timber products (SIVL) at the data centre of the Ministry of Finance, Budget and Public Portfolio (EFI 2017). However, discussions highlighted that the lack of financial resources undermines deployment of the TLAS, for which the software is ready but not yet operational. Participants said this deployment will be key to law enforcement and that this should become effective rapidly, before the software becomes obsolete.

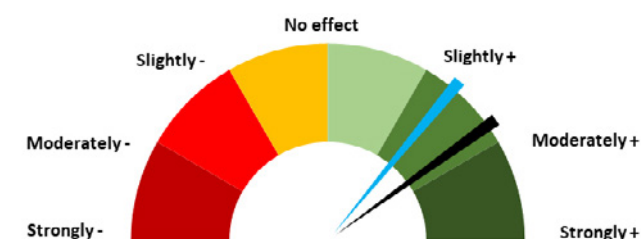


Figure 43. VPA contribution to the reduction in illegal logging in the domestic and export markets (N=88)

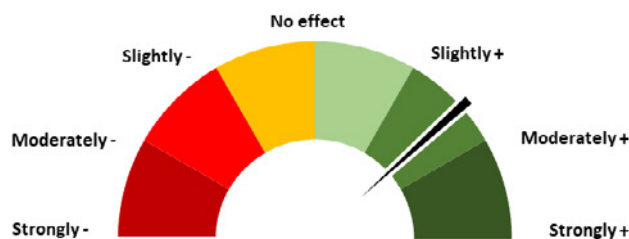


Figure 44. VPA contribution to the increased amount of timber exploited with a legally obtained permit (N=89)

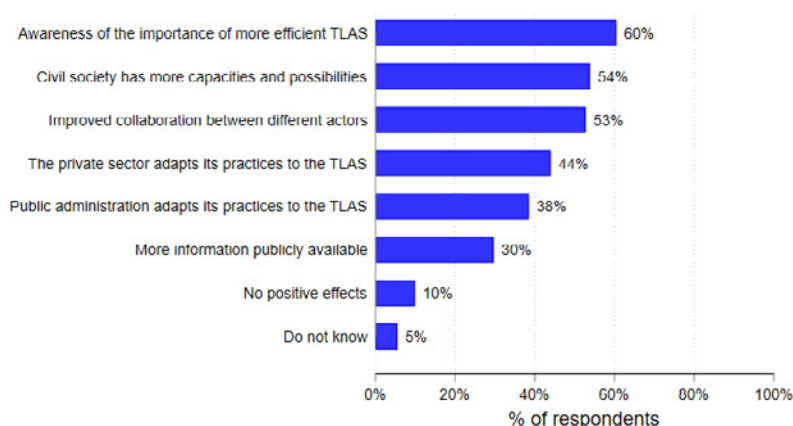


Figure 45. Results from the process of TLAS development (multiple responses possible) (N=91)

## 4.4 Economic development

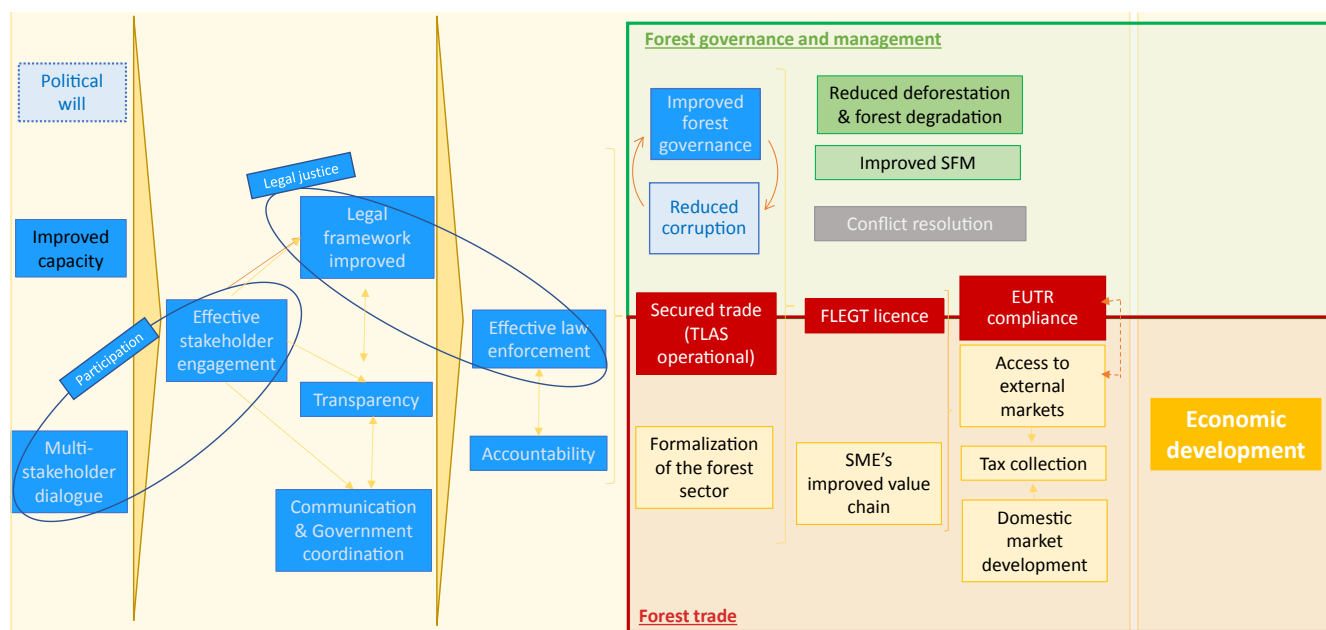


Figure 46. Impact pathways for Economic Development

This section focuses on a less-direct expected impact of the VPA process: *economic development* (see Figure 46).

- The country's economic development is expected to improve through better access to external markets, the development of the domestic market, and more efficient tax collection.
- Domestic and external market opportunities can be created through an increase in legal timber produced, locally traded and exported (to the EU). This can be achieved, in the long run, through the completion of a VPA process.
- An increase in legal timber trade, together with better governance and less corruption in the forest sector, would normally lead to more efficient tax collection.
- As prerequisites for a more formalized timber market and for an improved timber value chain at SME level – also contributing to better forest sector governance – there must be better informed and capacitated stakeholders, while contributing to improved legal justice and more accountability.

The following section sequentially describes indicators for the development and benefits of the VPA process relating to the export and domestic markets for legal timber, as well as the perceived efficiency of tax collection in the forest sector.

### Key takeaways

- A large majority of respondents (96%) agree that being involved in the VPA process provides a positive image for the country and that it helps to be considered as a reliable business partner.
- There seems to be political will to give as much priority to the development of the forest sector as there is for other sectors, such as mining, to contribute to the overall development of the country, according to 60% of respondents.
- The VPA has had only a very slight effect in improving access to the export market for SMEs, which remain limited in their capacity to meet export market demands and therefore to benefit from increased export opportunities. 76% of respondents agree that the legal exploitation of wood is too constraining for SMEs, both technically and financially.
- Most respondents consider that the number of SMEs had slightly decreased since VPA ratification and that the VPA had a slight effect in helping to squeeze these SMEs out of business.
- 75% of respondents agree that the private sector in the Republic of the Congo is better organised than before VPA ratification and that the VPA has moderately contributed to a stronger recognition of SME associations.

Almost all actors agreed or strongly agreed (96%) that **being involved in the VPA process provides a positive image for the country and that it helps to be considered as a reliable business partner**, as it is a signal of improved governance effort or at least a sign that there is the will to improve governance. 60% of respondents also agreed or strongly agreed that **there is political will to give as much priority to the development of the forest sector as to other sectors**, such as mining, to contribute to the overall development of the country. 50% of the *Others* disagreed with this statement, though.

#### 4.4.1 Export market opportunities

##### Timber trade trends

**The share of wood exported that originated from SMEs – based on total volumes exported – has increased slightly since VPA ratification. 43.3% of respondents considered the share of SME-produced timber on the export market to be at least 10% today, versus 38.6% of respondents who considered this to be the share already before VPA ratification. This is in line with the VPA being considered as having only a very slight effect in improving access to the export market for SMEs.**

This is consistent with the literature, which indicates that industrial forestry firms export the quasi-totality of their production, while SMEs concentrate on the local market. The difficulties that SMEs face to access the international market make some of them turn to intermediaries (brokers, transit agents and international traders). This can cause problems with legality verification, as the responsibility for controlling these intermediaries is not clearly set out in the law (NEPCon 2020).

Moreover, **the majority of respondents considered that the number of SMEs had slightly decreased since VPA ratification and that the VPA had a slight effect in helping to squeeze these SMEs out of business.** This is consistent with the literature, suggesting that the VPA may lead to a decrease in the number of SMEs because of the complex procedures and often substantial costs associated with legality requirements.

Participants also mentioned that during the VPA process, some export-focused companies decided not to make the necessary investments for compliance with the new legality demands and have exited the market, some even voluntarily. This is seen both as a positive impact of the VPA – by pushing non-

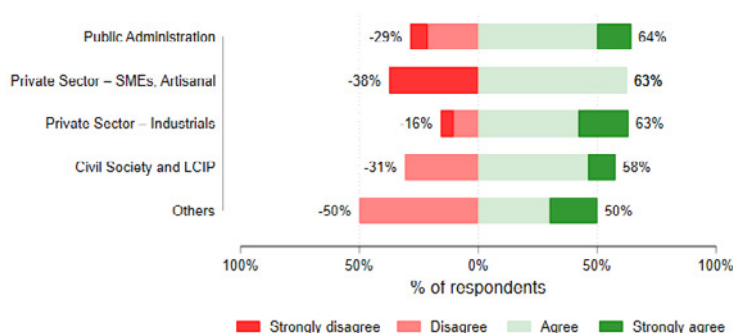


Figure 47. Statement on whether being involved in a VPA process provides a positive image of the country (N=91)

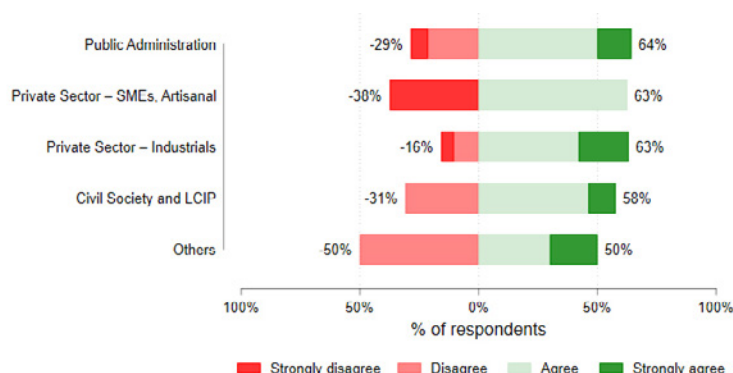


Figure 48. Statement on whether political will exists to give as much priority to the development of the forest sector as to other sectors (N=91)

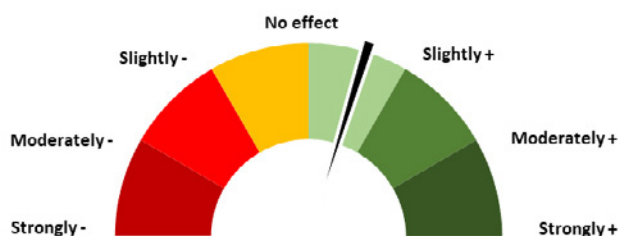


Figure 49. VPA contribution to improving access to the export market for SMEs (N=75)



Figure 50. VPA contribution to squeezing SMEs out of business (N=82)

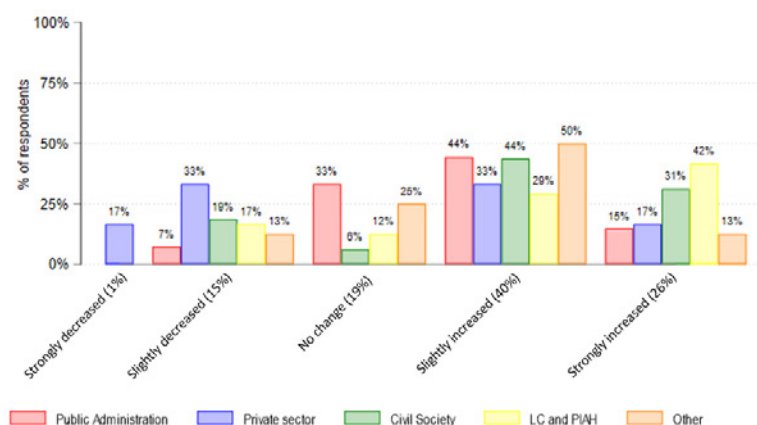


Figure 51. Evolution of the number of SMEs (N=81)

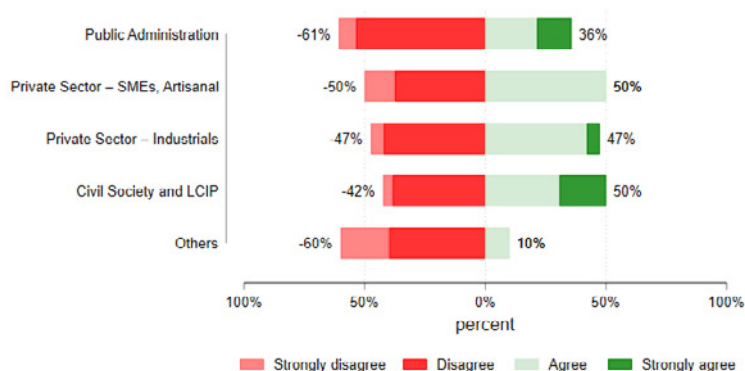


Figure 52. Statement on whether the SMEs in the forest sector provide better quality timber than before VPA ratification (N=91)

compliant firms out of the market – and a negative one, by resulting in job losses. Operators predicted that more and more companies won't survive as the legislation becomes stricter. According to some FGD participants, this might be one of the reasons why the country is slower with the VPA process and doesn't yet have VPA licenses today. This is further impacted by the oil crisis, which left the country fully dependent on the forest sector and preferring to avoid the closure of more companies.

Most respondents agreed or strongly agreed (41%) that **SMEs in the forest sector provide better quality timber than before VPA ratification**. However, 43%

of the *Private Sector – SMEs and Artisanal* respondents and 37% of the *Public Administration* respondents disagreed with this statement.

#### 4.4.2 Domestic market development

##### Demand and awareness of legal wood on the domestic market

Discussions highlighted the existence of illegal timber on the domestic market in the Republic of the Congo and stressed that there is no real demand for legal timber (even if this is available, it is often too expensive for local purchasers). Moreover,



private-sector operators highlighted the challenges in competing with illegal loggers when supplying the domestic market, especially in the south of the country. While most of the southern industrial operators supply the Asian markets, most of the Congolese SMEs are also located in the south, leaving this region with a large number of operators and people who are competing for a scarce product. However, in the north, only a few large companies operate in areas with a very low population density.

Southern operators mentioned their commitment to improving logging practices and highlighted that this is a slow process, given the difficulties they face from competition with informal loggers who place illegal timber on the domestic market and set lower supply prices. During discussions, operators seemed to agree that artisanal sawing takes up a major share of the domestic market and the VPA has not been able to address this issue. Most respondents attribute this to the lack of law enforcement, as well as corruption, which is still rife in the sector. In line with this, most respondents agreed or strongly agreed (76%) that **the legal exploitation of wood is too constraining for SMEs, both technically and financially**. 40% of Others disagreed or strongly disagreed with this statement.

## Private-sector organization and formalization (associations)

**The VPA has slightly contributed to less disruption in the timber sector, and about 75% of respondents agreed or strongly agreed that the private sector in the Republic of the Congo is better organized than before VPA ratification.** This is consistent with the literature, which suggests that VPA implementation will lead to better organization of the market and that private-sector actors are positively responding to the expected changes, improving their organization in preparation for conditions that will become reality once FLEGT licenses can be issued. **The VPA is also considered to have moderately contributed to better recognition of SME associations in the forest sector.**

There seems to be consensus in discussions with private-sector operators, who highlight the VPA role in structuring their sector, which today is better organized and actively participates in the VPA process. However, this is not the case for SMEs and artisanal operators, which remain poorly structured and underrepresented.

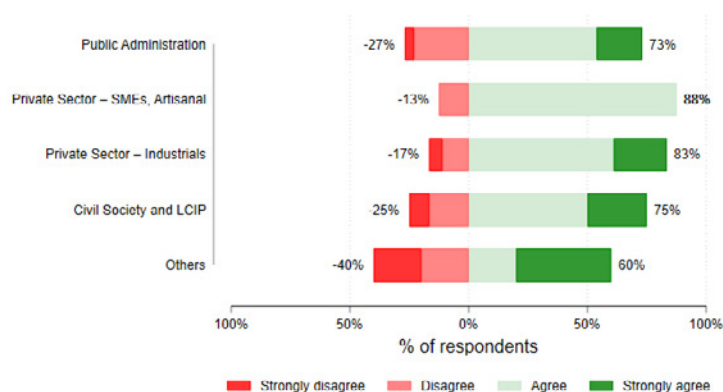


Figure 53. Statement on whether the legal exploitation of wood is too constraining for SMEs (technically and financially) (N=86)

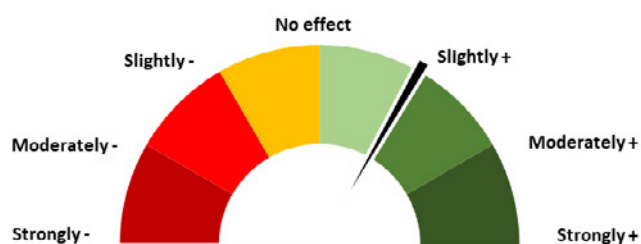


Figure 54. VPA contribution to less disruption in the timber sector (N=89)

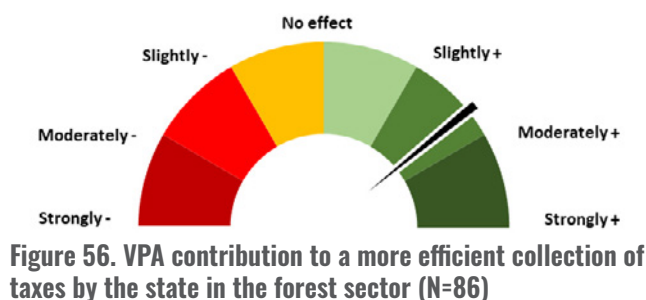


Figure 55. VPA contribution to better recognition of SME associations in the forest sector (N=88)

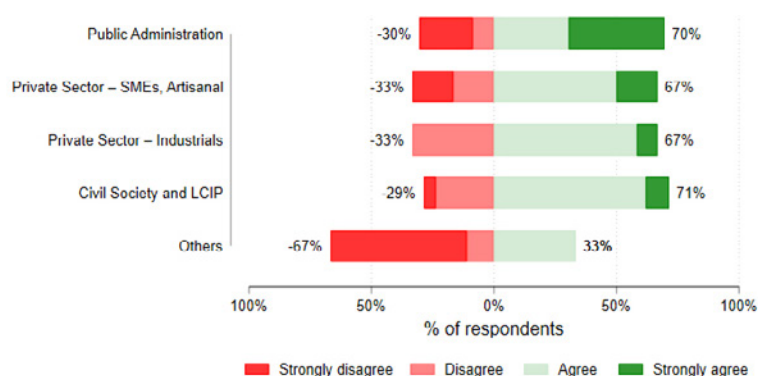
The private forest sector in the Republic of the Congo is organized into two professional associations: UNICONGO and UNIBOIS. UNICONGO represents industrial operators with foreign capital and is not limited to the forest sector. UNIBOIS exclusively represents forest operators from the southern region of the Republic of the Congo, including industrial and semi-industrial firms, SMEs, brokers and traders, as well as wood transporters.

#### 4.4.3 Tax collection efficiency

**The amount of taxes effectively collected in the forest sector in the country, as provided by law, has increased since VPA ratification.** 57.8% of respondents considered that more than half of the amount owed is effectively collected by the government (versus 22.3% who considered this was the case before VPA ratification). **The VPA is thought to have moderately contributed to this increase in tax collection and its efficiency.**



**65% of respondents agreed or strongly agreed that obtaining the FLEGT certificate of legality will introduce new formal and informal taxes, with Others disagreeing the most (67%).** This is in line with discussions that highlighted the rise in taxes in the forest sector in past years, affecting not only SMEs but also industrial operators. However, it remains unclear whether the rise in taxes would have occurred anyway, in the absence of the VPA, as participants mentioned that these are also due to the oil crisis and the high reliance on the forest sector for tax collection.



**Figure 57. Statement on whether obtaining a certificate of legality (FLEGT) will introduce new formal and informal taxes (N=71)**



## 4.5 Livelihoods and poverty

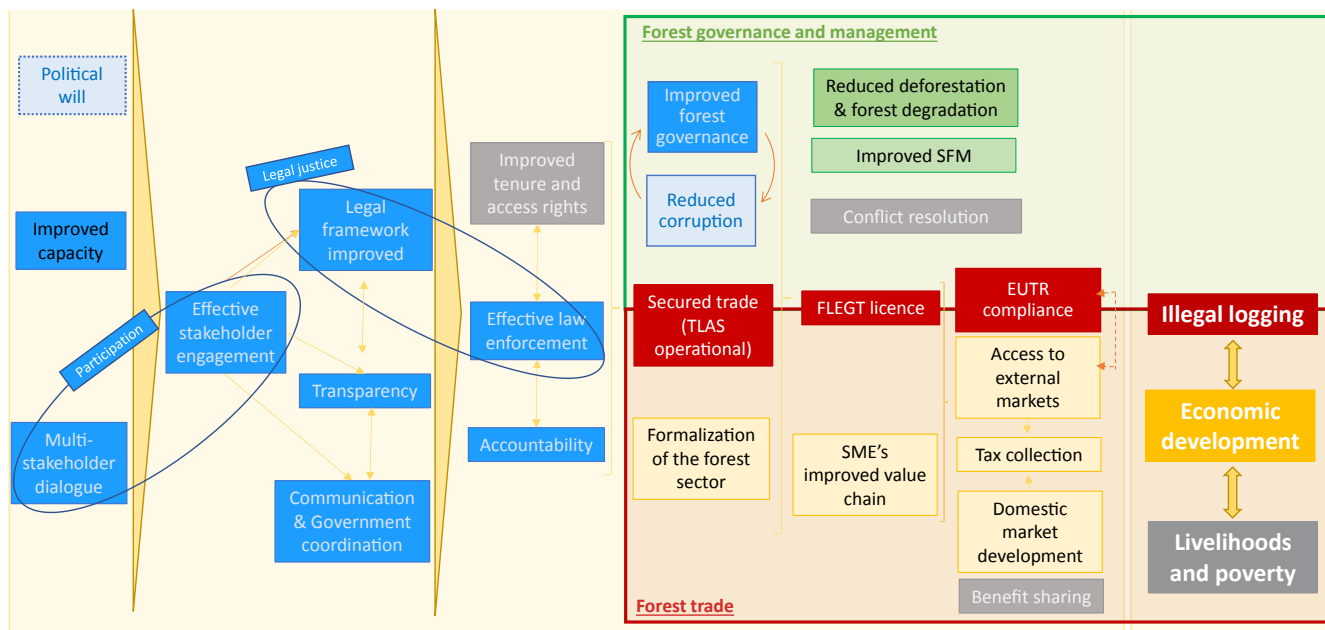


Figure 58. Impact pathways for Livelihoods and Poverty

This section focuses on the last expected impact of the VPA process: *livelihoods and poverty* (see Figure 58).

- *Improved livelihoods and less poverty* are directly linked to the potential impact on *economic development*, mainly through the potential increase in job opportunities and improvement of working conditions in the forest sector.
- Furthermore, on the one hand, increased *legal timber* business and *improved governance* leading to more efficient *tax collection* would entail a better redistribution of taxes and benefit sharing, improving livelihoods.
- On the other hand, an improved *legal framework and law enforcement* (legal justice) in the forest sector would contribute to greater consideration of *property rights*, particularly those of LC & IP, as well as more inclusion of women, youth and marginalized groups. This, in turn, would contribute to the development of *conflict resolution* mechanisms, thus improving people's living conditions.

### Key takeaways

- **Most respondents in all groups considered that the number of jobs (both formal and informal) in the forest sector has slightly increased since VPA ratification.** Employment opportunities for LC & IP have slightly increased since VPA ratification, contributing to economic development and improved livelihood impacts. However, 29% of *Private Sector – SMEs/Artisanal* respondents considered there to be a strong decrease in employment opportunities for LC & IP, highlighting that the issue of inclusion in the job market still remains.
- 64% of respondents agreed or strongly agreed that the **curriculums of educational institutions now better integrate the themes of legality and sustainable forest management than before VPA ratification.** However, 50% of the *Private Sector – Industrial* actors disagreed with this statement as they face difficulties in finding skilled and trained labor.
- 53.9% of respondents considered that **only a small share – or none at all – of the planned taxes are redistributed to LC & IP**, undermining improvements in livelihoods and poverty.
- The VPA is considered to have moderately contributed to **increased consideration of the rights of LC & IP**, while it has only slightly contributed to **more recognition of the property rights of these communities.** These are key outcomes (see left-hand side of the ToC) that are in line with an improved legal framework, leading to the expected impact of improved livelihoods and reduced poverty.
- The VPA is considered to have a slight effect in contributing to **better consideration of women, youth and marginalized groups in questions related to forest management and logging.**

#### 4.5.1 Job opportunities and working conditions in the forest sector

Most respondents in all groups considered that the number of jobs (both formal and informal) in the forest sector has slightly increased since VPA ratification, mainly because new types of jobs have been created. However, participants often mentioned that the VPA was not welcomed by the informal sector as it led to many operators losing their jobs because they could not comply with the legality requirements.

The majority of the actors also agreed that **employment opportunities for LC & IP have slightly increased since VPA ratification**. SMEs seem to be the actor that disagreed most with this statement, as 29% considered that there was a strong decrease in such employment opportunities.

Participants highlighted that even though the VPA has brought the subject of the integration of LC & IP to the table, companies do the bare minimum to comply with the requirements. Private-sector operators also mentioned the challenges faced in integrating LC & IP in the labour market, both culturally and technically (e.g. expertise not adapted).

#### Improved working conditions

When confronted with the statement that forest sector workers have access to more secure jobs today than before VPA ratification, only 57% of respondents agreed or strongly agreed. *Others* and *Private Sector – SMEs and Artisanal* disagreed the most with this statement.

**The VPA is considered to have had only a slight effect in helping to improve working conditions in the forest sector.** Moreover, only 57% of respondents agreed or strongly agreed that forest sector workers are better organized than before VPA ratification. These results are in line with discussions that highlighted the existing weaknesses in the job market in the Republic of the Congo, often characterized by precarious conditions and general instability (e.g. no contract, high risk of dismissal, no access to social security benefits).

Participants also mentioned situations of racial segregation in the workplace. Participants in group discussions agreed that the VPA has very little impact on this issue and that a revision of labour legislation in the country is urgent as there are too

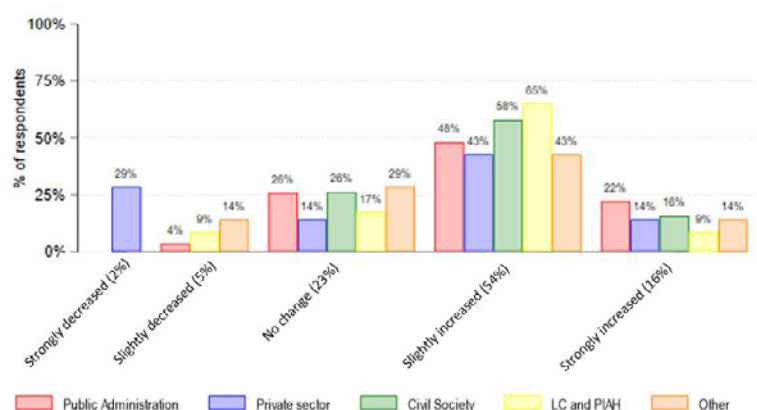


Figure 59. Evolution of the employment opportunities for LC & IP since VPA ratification (N=83)

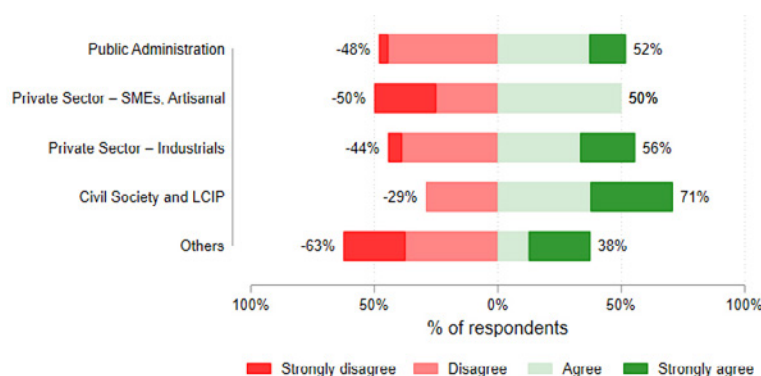
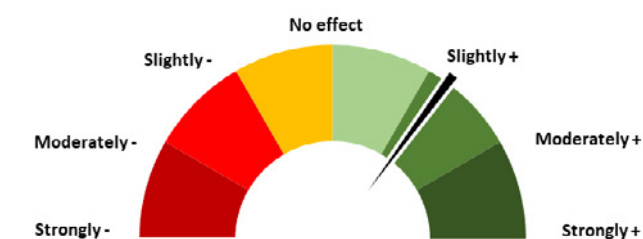


Figure 60. Statement on whether forest sector workers have access to more secure jobs than before VPA ratification (N=85)

many instances of unfair dismissal and no protection of workers, with very little oversight by the State. This is consistent with the literature suggesting that non-certified transformation enterprises generally do not apply hygiene and health requirements, putting workers at risk when using woodworking machines. Government inspections are also scarce and fail to force transformation units to implement the existing regulation on working conditions (NEPCon 2020).

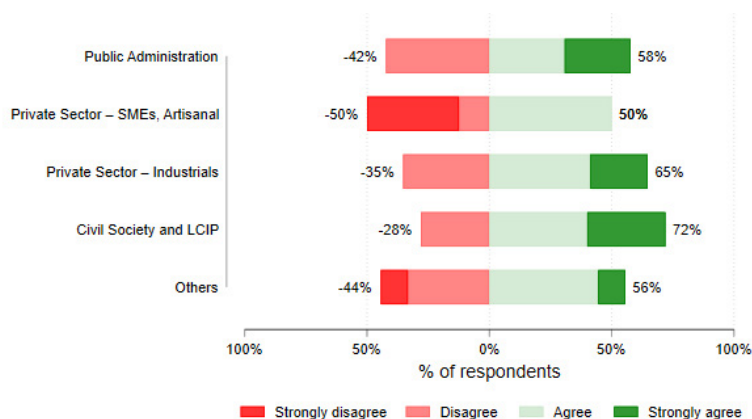


**Figure 61. VPA contribution to improving working conditions in the forest sector (N=89)**

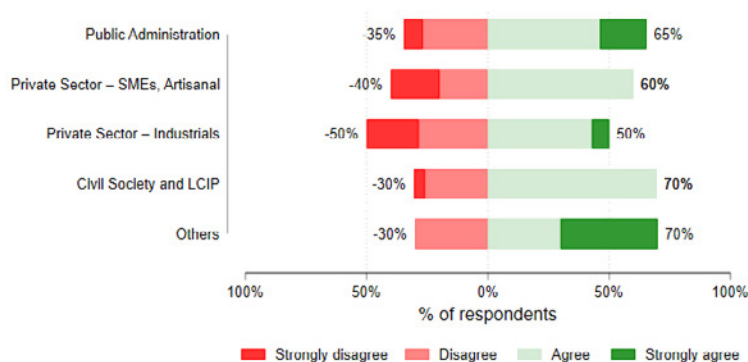
## Improved curriculums and expertise of workers

**64% of respondents agreed or strongly agreed that the curriculums of institutions now better integrate the themes of legality and sustainable forest management than before VPA ratification.** However, 50% of the *Private Sector – Industrial actors* disagreed with this statement.

Moreover, only 56% of respondents agreed or strongly agreed that forest sector workers have greater expertise than before VPA ratification. Once again, 63% of the *Private Sector – Industrial actors* did not agree with this statement. This is line with discussions highlighting the difficulties faced by these actors in finding skilled and trained labour. The participants have indicated that the operators end up establishing in-house training and formation mechanisms in order to meet the required labour demand, resulting in additional costs faced by the private sector operators.



**Figure 62. Statement on whether forest sector workers are better organized than before VPA ratification (N=85)**



**Figure 63. Statement on whether the curriculums of institutions better integrate the themes of legality and sustainable forest management than before VPA ratification (N=78)**

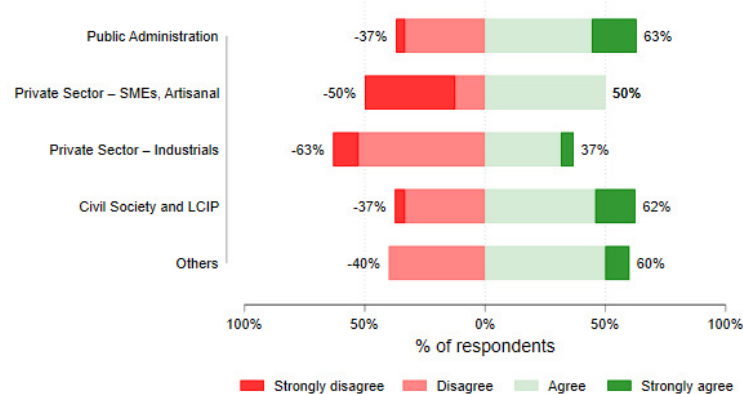


Figure 64. Statement on whether forest sector workers have greater expertise than before VPA ratification (N=88)

#### 4.5.2 Tax redistribution and well-being of local communities / benefit sharing

The distribution of taxes to LC & IP as planned in the law has increased very marginally. However, more than half of respondents (53.9%) considered that only a small share – or none at all – of the planned taxes is redistributed to the LC & IP today. In line with this, the VPA was considered to have made a very slight contribution to improved redistribution of taxes to LC & IP.

This is in line with discussions mentioning that the taxes paid by companies and collected by the State are not effectively redistributed to the LC & IP (as planned by the law). Participants agreed that the VPA has been important in promoting the improved payment of these taxes by companies, but the benefits are not yet tangible at the level of the LC & IP.

This is consistent with the literature suggesting that the funds management has been a source of conflict, has been badly managed, and has lacked transparency. LC & IP have not been well supported and lack the capacity to properly develop and implement community projects (Bollen 2019). Reports from civil society organizations find that the benefit-sharing mechanisms are not sufficiently implemented, and they advocate for better implementation of existing mechanisms (Climate Analytics 2020).

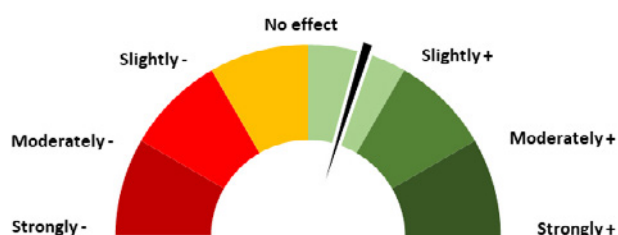


Figure 65. VPA contribution to improved redistribution of taxes to LC & IP (N=89)

#### 4.5.3 General rights and property rights (land tenure) of local communities

The VPA is considered to have moderately contributed to an increase in consideration of the general rights of LC & IP, while it has only slightly contributed to more recognition of their property rights. This is consistent with the literature, which mentions that even though the new 2020 Forest Code explicitly acknowledges the rights of LC & IP, and that community forestry is recognized as a form of forest management, there have not yet been any tangible results on the property rights of local communities due to the absence of implementation texts (ATIBT 2020).

Discussions indicate that the legality restrictions are very severe for LC & IP (e.g. ban on hunting, which is the only means of subsistence for some communities). Participants also mentioned other discrepancies, such as the lack of compensation and indemnities provided to LC & IP when, for example, their agricultural fields are destroyed by animals. In the case of hunting a protected animal, these actors can be imprisoned. The VPA does not seem to have placed any emphasis on this. Even though the new Forest Code includes provisions regarding the rights of LC & IP, as well as the recognition of community forestry as a form of forest management, there are no tangible results due

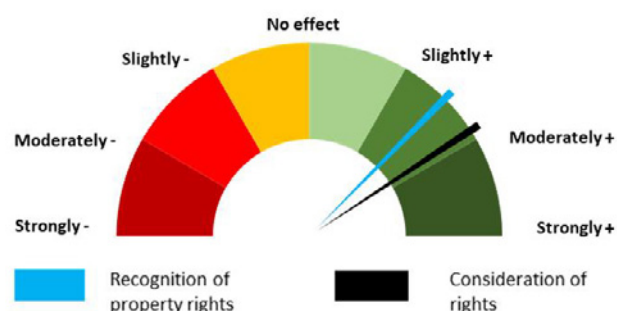


Figure 66. VPA contribution to more consideration and recognition of the rights of LC & IP (N=77)

to the absence of implementation texts. The VPA seems not to have been able to provide more protection to LC & IP, but participants agree that it has still motivated discussions on this topic.

#### 4.5.4 Inclusion of women, youth and marginalized groups

**Most respondents considered that employment opportunities for women, youth and marginalized groups in the forest sector have slightly increased since VPA ratification.** However, 35% and 12% of the *Public Administration* respondents considered that there has been no change or even a slight decrease in opportunities, respectively. **The VPA is considered to have had a slight effect in contributing to greater consideration of women, youth and marginalized groups in relation to forest management and logging.**

Participants agree that women are consulted and invited to meetings, but the effective consideration of their opinions remains an issue. Women rarely express themselves in these meetings and if they do, their opinions are seldom taken into account. The best method has proven to be bilateral contact through NGOs, using local languages. Discussions have also highlighted the importance of the role of women, who are often in charge of the family and responsible for the provision of food, thereby pursuing agricultural activities that can have an impact on forests. However, the VPA remains too technical and there is not enough tailored communication in the field. Participants considered that it would be extremely necessary to invest in awareness building since women can have a real impact on the conservation of forests.

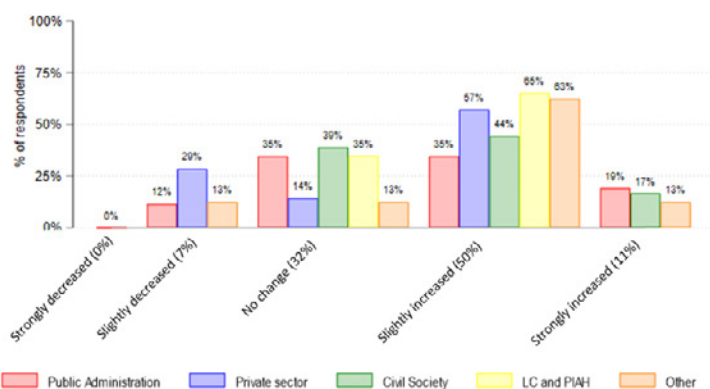


Figure 67. Evolution of employment opportunities for women, youth and marginalized groups in the forest sector (N=82)



Figure 68. VPA contribution to greater consideration of the status of women, youth and marginalized groups in relation to forest management and logging (N=87)



# 5 Summary of impacts

Figure 64 summarises the four impact dimensions excluding livelihoods and poverty, with all available indicators showing a **change between the periods before and after the start of the VPA implementation**, on average. In addition to this measure of change, we identify the **level of VPA contribution to such change**.

The average improvements are highest for governance & institutional effectiveness (97%) and forest conditions (79%), and lower for illegal logging (27%) and economic development (6%). This is in line with the chain of causality of the VPA-ToC, assuming that the latter dimensions are impacted

at a later stage of the VPA process. **Importantly, the contributions of the VPA negotiations per dimension are high, according to the respondents:** 60% for governance and institutional effectiveness, 52% for forest conditions, 47% for illegal logging and 22% for economic development.

Even though a decrease was reported in the case of the indicators A.11 and A.16, this does not mean the VPA negotiations contributed negatively to the development, but rather that the decline could have been even stronger if the negotiations had not taken place.

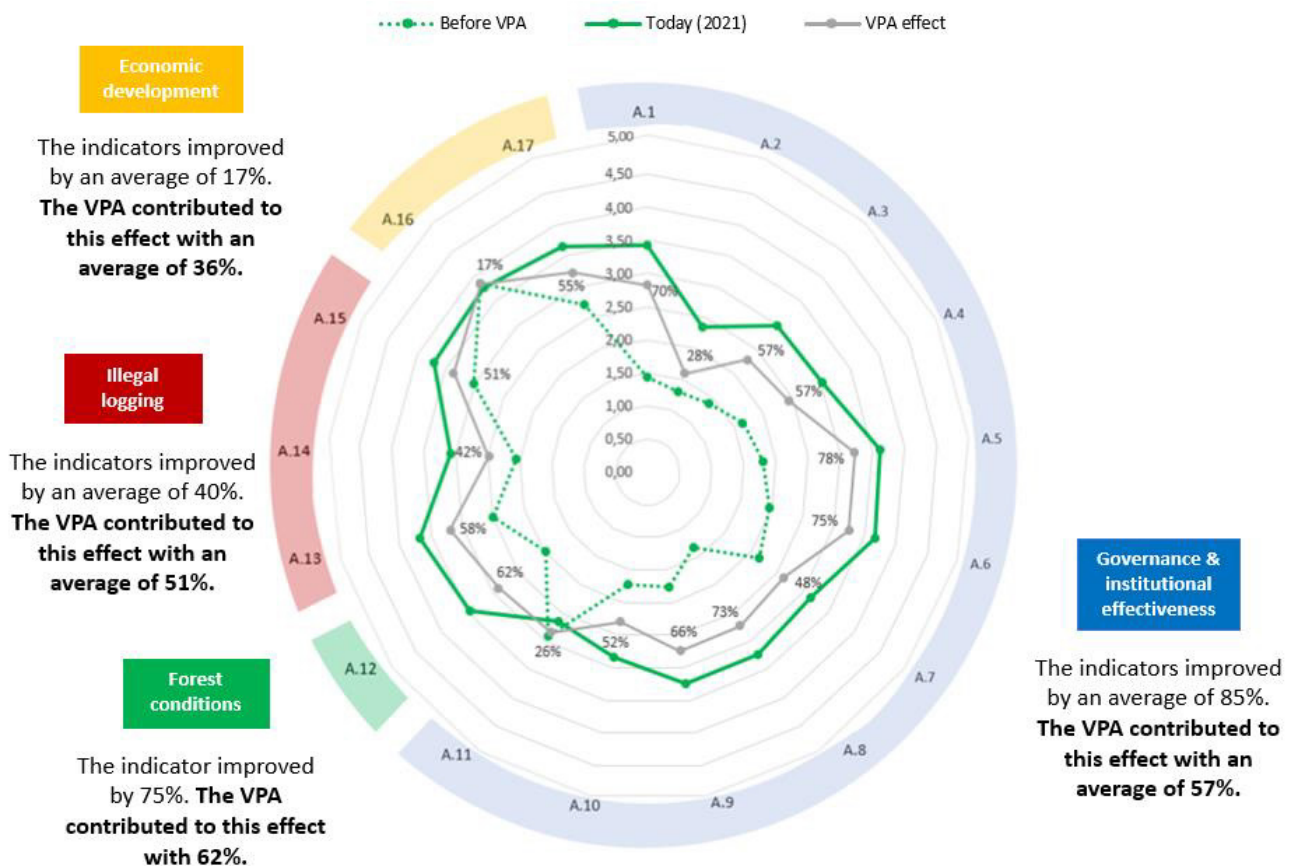
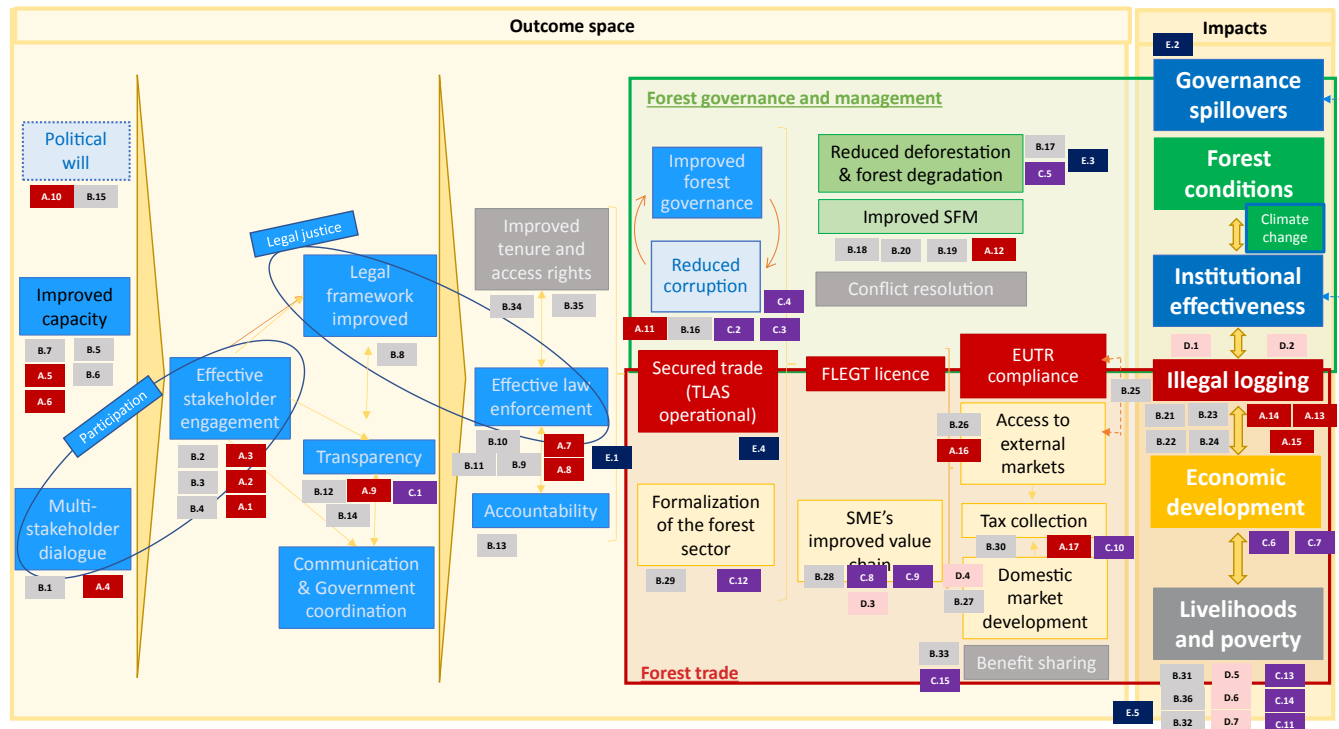


Figure 64. Measurements of change between “before” and “after” VPA negotiations, with the estimated VPA contribution to these changes (scale from 0 to 5)

# Annexes

## Annex I. Theory of change mapping & indicators



### A. VPA Impact - Change indicators (before and after VPA ratification/negotiation)

- A.1** Level of consideration of CS opinions in forest sector decision making
- A.2** Level of consideration of SME opinions in forest sector decision making
- A.3** Level of consideration of LC & IP opinions in forest sector decision making
- A.4** Level of LC & IP consultation in forest sector decision making
- A.5** Level of CS's effectiveness as independent observer
- A.6** Level of CS's autonomy as independent observer
- A.7** Level of sanction enforcement
- A.8** Level of importance of CS's role as independent observer to criticize irregularities in the forest sector
- A.9** Level of transparency
- A.10** Level of political will to fight corruption
- A.11** Share of SME costs paid as informal taxes
- A.12** Level of implementation of forest management plans in the country
- A.13** Proportion of legal wood in the export market
- A.14** Proportion of legal wood in the domestic market
- A.15** Proportion of national timber production exploited with a legally obtained permit
- A.16** Share of SME business in export market
- A.17** Level of efficiency of tax collection

## **B. VPA Impact - Contribution indicators**

<b>B.1</b>	<b>VPA C° to more consultation of LC &amp; IP</b>
<b>B.2</b>	<b>VPA C° to greater consideration of LC &amp; IP opinions</b>
<b>B.3</b>	<b>VPA C° to greater consideration of CS opinions</b>
<b>B.4</b>	<b>VPA C° to greater consideration of SME opinions</b>
<b>B.5</b>	<b>VPA C° to more effective CS independent observation</b>
<b>B.6</b>	<b>VPA C° to greater autonomy of civil society in its role as an independent observer</b>
<b>B.7</b>	<b>VPA C° to improving the technical capacity of SMEs to conduct their activities legally</b>
<b>B.8</b>	<b>VPA C° to better coherence of the legal and regulatory framework</b>
<b>B.9</b>	<b>VPA C° to providing CS with a greater role in controlling legality and identifying irregularities</b>
<b>B.10</b>	<b>VPA C° to better enforcement of sanctions</b>
<b>B.11</b>	<b>VPA C° to making sanctions more credible</b>
<b>B.12</b>	<b>VPA C° to improving transparency in the forest sector</b>
<b>B.13</b>	<b>VPA C° to making the government more accountable</b>
<b>B.14</b>	<b>VPA C° to providing information allowing SMEs to conduct their activities legally</b>
<b>B.15</b>	<b>VPA C° to improving political will to fight corruption</b>
<b>B.16</b>	<b>VPA C° to reducing share of SME costs paid as informal taxes (bribes)</b>
<b>B.17</b>	<b>VPA C° to decreasing deforestation</b>
<b>B.18</b>	<b>VPA C° to better implementation of forest management plans</b>
<b>B.19</b>	<b>VPA C° to better integration of multiple forest functions and ecosystem services</b>
<b>B.20</b>	<b>VPA C° to increase in privately certified areas</b>
<b>B.21</b>	<b>VPA C° to reducing illegal logging Type 1</b>
<b>B.22</b>	<b>VPA C° to reducing illegal logging Type 2</b>
<b>B.23</b>	<b>VPA C° to reducing share of illegal logging in export market</b>
<b>B.24</b>	<b>VPA C° to reducing share of illegal logging in domestic market</b>
<b>B.25</b>	<b>VPA C° to increasing production exploited with a legally obtained permit</b>
<b>B.26</b>	<b>VPA C° to improving SME access to the export market</b>
<b>B.27</b>	<b>VPA C° to squeezing some SMEs out of business</b>
<b>B.28</b>	<b>VPA C° to less market disruption</b>
<b>B.29</b>	<b>VPA C° to better recognition of SME associations</b>
<b>B.30</b>	<b>VPA C° to more efficient tax collection</b>
<b>B.31</b>	<b>VPA C° to changing the labour market in the forest sector</b>
<b>B.32</b>	<b>VPA C° to improving working conditions in the forest sector</b>
<b>B.33</b>	<b>VPA C° to better redistribution of taxes to LC &amp; IP</b>
<b>B.34</b>	<b>VPA C° to better consideration of LC &amp; IP rights</b>

- B.35** VPA C° to better recognition of LC & IP's property rights
- B.36** VPA C° to greater consideration of women, youth and marginalized groups' opinions

### **C. VPA Impact - Statement indicators**

- C.1** Publicly available information on legality requirements is relevant for SMEs to meet the requirements
- C.2** Bureaucracy linked to the VPA process has created new opportunities for corruption
- C.3** The level of corruption in the forest sector has decreased since VPA ratification (relative to other sectors)
- C.4** The work of independent observation contributes more to reducing corruption in the forest sector than before VPA ratification
- C.5** Reduction in the environmental impact of SMEs since VPA ratification
- C.6** VPA process provides a positive image of the country and helps to be considered as a reliable business partner
- C.7** Political will exists to give as much priority to the development of the forest sector as the other sectors
- C.8** SMEs in the forest sector provide better quality timber than before VPA ratification
- C.9** Legal exploitation of wood is too constraining for SMEs (technically and financially)
- C.10** Obtaining a certificate of legality (FLEGT) introduces new formal and informal taxes
- C.11** Forest sector workers have access to more secure jobs than before VPA ratification
- C.12** Forest sector workers are better organized than before VPA ratification
- C.13** The curriculums of educational institutions better integrate the themes of legality and sustainable forest management than before VPA ratification
- C.14** Forest sector workers have more expertise than before VPA ratification
- C.15** Tax revenues from the timber sector contribute more to improving the wellbeing of LC & IP than before VPA ratification

### **D. VPA Impact - Evolution indicators (since VPA ratification/negotiation)**

- D.1** Illegal logging evolution Type 1
- D.2** Illegal logging evolution Type 2
- D.3** Evolution of the number of SMEs
- D.4** Evolution of the demand for legal wood in the domestic market
- D.5** Evolution of job opportunities in the forest sector
- D.6** Evolution of job opportunities for LC & IP in the forest sector
- D.7** Evolution of job opportunities for women, youth, and marginalized groups in the forest sector

### **E. VPA Impact – Other indicators**

- E.1** Causes of non-compliance with the law
- E.2** Statement on whether the VPA process has inspired other processes in the country
- E.3** Actors' awareness of the consequences of poor governance in the forest sector
- E.4** Effects produced by the process of TLAS development
- E.5** Reasons for job increase in the forest sector

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## Annex III. Field mission agenda

### Day 1: Sunday, 16 May

Arrival of CIFOR and ADE facilitator teams in Brazzaville.

Meet to trial the data collection tools (individual and FGD), testing skip patterns, prompts, logic of content and time that it takes. This involved the CIFOR team members and local facilitator, wherever possible, to ensure correct terminology.

Finalization of logistics, ensuring open communication with traveling participants, sufficient refreshments, stationery, tablets, etc.

### Day 2: Monday, 17 May

AM	Official visit to the Ministry of Forest Economy, debrief and objectives of the mission with DIRCAB
AM	Participants arrive, introduction to the study, consent forms read and signed, tablet provided to each participant
AM	Interviews undertaken by participants
PM	Visit to the EU Delegation in Brazzaville
PM	Debrief by facilitators, preparation for second session of day
PM	End-of-day debrief, data quality checks, data downloaded from server

### Day 3: Tuesday, 18 May

Field Team	Brazzaville Team
Team travel to Ouessou	Survey session at the Ministry of Forest Economy with public administration participants

### Day 4: Wednesday, 19 May

Field Team	Brazzaville Team
AM Participants arrive in Ouessou, introduction to the study, consent forms read and signed, tablet provided to each participant	Meeting with VPA focal point representatives at the Ministry of Forest Economy
AM Interviews undertaken by participants	
PM Team travel to Pokola	
PM Notes editing and clarification of outstanding statements on focus group sessions	

### Day 5: Thursday, 20 May

Field Team	Brazzaville Team
AM Participants arrive in Pokola, introduction to the study, consent forms read and signed, tablet provided to each participant	Survey session at the Ministry of Forest Economy with civil society participants
AM Interviews undertaken by participants	Individual meeting with Lambert Mambiala
PM Team travel back to Ouessou	
PM Notes editing and clarification of outstanding statements on focus group sessions	

Day 6: Friday, 21 May	
Field Team	Brazzaville Team
Team travels back to Brazzaville	<ul style="list-style-type: none"> <li>• Survey session at the Ministry of Forest Economy with private-sector participants</li> <li>• Official mission follow-up meeting with DIRCAB</li> <li>• Demonstration of SIVL portal by SIVL team</li> </ul>
Day 7: Saturday, 22 May	
AM	Team debrief before the departure of some members
AM	Data quality checks and data downloaded from server
AM	Key points of the mission and planning of the next sessions
AM	Notes editing and clarification of outstanding statements on focus group sessions
PM	Team travel
Day 8: Monday, 24 May	
Team travels to Dolisie	
Day 9: Tuesday, 25 May	
AM	Participants arrive in Dolisie, introduction to the study, consent forms read and signed, tablet provided to each participant
AM	Interviews undertaken by participants
PM	Team travels to Pointe Noire
PM	Debrief by facilitators, notes editing and clarification of outstanding statements on focus group sessions
Day 10: Wednesday, 26 May	
AM	Participants arrive in Pointe Noire, introduction to the study, consent forms read and signed, tablet provided to each participant
AM	Interviews undertaken by participants
PM	Debrief by facilitators, notes editing and clarification of outstanding statements on focus group sessions
Day 11: Thursday, 27 May	
AM	Participants arrive in Pointe Noire, introduction to the study, consent forms read and signed, tablet provided to each participant
AM	Interviews undertaken by participants
PM	Debrief by facilitators, notes editing and clarification of outstanding statements on focus group sessions
PM	Team travels back to Brazzaville

### Day 12: Friday, 28 May

AM	Debrief of the mission in the Ministry of Forest Economy, with the <i>Cabinet Director of the Minister</i>
PM	Individual KII - WWF
PM	Notes editing and clarification of outstanding statements on focus group sessions, data upload

### Day 13: Saturday, 29 May

Team travel
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This Republic of Congo report is part of a series of seven country level studies (Cameroon, Côte d'Ivoire, Ghana, Guyana, Honduras, Indonesia and Republic of Congo) which intend to gather qualitative and quantitative evidence of the impacts of the Forest Law Enforcement Governance and Trade – Voluntary Partnership Agreement (FLEGT-VPA) process to date. This initiative was financed by the European Union and results are placed within the global European Union-FLEGT (EU-FLEGT) Monitoring and Evaluation (M&E) indicator database. The analysis is structured along five key thematic areas (with indicators clustered into governance and institutional effectiveness, illegal logging, forest conditions, economic development, and livelihoods and poverty). The methodology used is designed to be replicable over time as well as applicable to other countries. Each country assessment provides a baseline for future studies in the same country, that would help to measure progress (or regress) between two points in time. More countries can also be added over time to increase the overall sample and help to derive lessons based on more evidence. By covering seven countries that are in different stages of the VPA process – from negotiation to implementation to issuance of FLEGT licences – findings allow for global lessons to be learned across different geographies and time. These lessons and global findings are presented in a separate synthesis report, which combines results to outline a bigger picture of VPA process impacts where possible.

In total, 91 respondents were interviewed in Republic of Congo, which started its negotiation phase in June 2008 and started implementation of the VPA in March 2013.

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Financed by the European Union and led by the Center for International Forestry Research (CIFOR), GML is a five-year project implemented across Sub-Saharan Africa that aims to address key knowledge, technical and policy gaps related to the global impacts of the FLEGT Action Plan, as well as forest and land governance, trade in informal and legal timber products, deforestation-related commodity-based agribusiness, woodfuel and ultimately sustainable forest and land-use management and improvement of livelihoods.

#### Center for International Forestry Research (CIFOR)

CIFOR advances human well-being, equity and environmental integrity by conducting innovative research, developing partners' capacity, and actively engaging in dialogue with all stakeholders to inform policies and practices that affect forests and people. CIFOR is a CGIAR Research Center, and leads the CGIAR Research Program on Forests, Trees and Agroforestry (FTA). Our headquarters are in Bogor, Indonesia, with offices in Nairobi, Kenya; Yaounde, Cameroon; Lima, Peru and Bonn, Germany.

