

**FOREST  
LAW  
ENFORCEMENT,  
GOVERNANCE AND  
TRADE**



**FLEGT 7<sup>th</sup> Annual Coordination Meeting**

**25-27 April 2012**

Final report



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## Executive Summary

This is the report of the 7<sup>th</sup> Forest Law Enforcement, Governance and Trade (FLEGT) related projects meeting, hosted by the European Commission in Brussels, Belgium on 25, 26, and 27 April 2012. Almost 200 people from the European Commission, European Parliament, Member States, Partner countries, International organizations, NGOs and the private sector attended.

The meeting was organised by the European Commission, and aimed to:

- (1) Exchange information about the situation with regard to FLEGT Action Plan implementation, particularly VPA (Voluntary Partnership Agreement) developments and the EU Timber Regulation;
- (2) Share lessons from FLEGT-related projects, and see how project experience can feed into policy development and strategic thinking.

The FLEGT week gathered projects co-financed by the EU and other FLEGT stakeholders in Brussels to share experiences and identify synergies in FLEGT actions. It provided a unique occasion to meet with project beneficiaries from different countries and to encourage international projects to improve coordination at national level. At this meeting particular emphasis was placed on improving coordination between actions, experiences in implementing VPAs and in impact monitoring.

This 7<sup>th</sup> FLEGT annual coordination meeting was considered one of the largest and most successful to date, not only in terms of number of participants, but also for the quality of the discussions; the innovative approaches suggested for improving coordination and exchange of experiences; and the special participation of countries as Honduras and Laos, which took advantage of the meeting to present and announce their main reasons for entering into VPA negotiations. It came at a key time in relation to the EUTR process, and it was clear from the meeting that there are high expectations for the VPA and EUTR processes.

This final report summarizes the conclusions derived from the plenary sessions and debates generated during the three-day meeting. It also provides the results of the meeting evaluation, as well as information on the participants and the contact details of EU delegations' FLEGT focal points. In addition, all presentations made during the meeting are available at <http://capacity4dev.ec.europa.eu/public-flegt/event/flegt-7th-annual-coordination-meeting>.

# 1. Introduction to the FLEGT Week

This three-day meeting was structured around a number of presentations, breakout groups and plenary debates.

The first day was dedicated to a VPA update, and overview of the FLEGT process and the EU Timber Regulation. There was also a keynote address from MEP Elisabeth Köstinger of the EU Parliament, and presentations from representatives of Honduras and Laos.

The second day was comprised of breakout sessions organised around the regions of Africa, Latin America and Asia, the conclusions of which were presented back to the main group on the third day.

The third day was devoted primarily to breakout sessions organised around the thematic issues of transparency and information; the Private sector and demand for FLEGT; independent monitoring; synergies between FLEGT and REDD+; what needs to be improved in the FLEGT Action Plan; and Impact Monitoring. The conclusions of these breakout sessions were then reported back to the main group, and the day ended with a key note address from Director Kristian Schmidt.

## DAY 1

## 2. Update on FLEGT and EU TIMBER REGULATION

Mathieu Bousquet (DG DEVCO) welcomed the audience and laid out the objectives of the conference: the exchanging of views and experiences, and getting to know each other in order to better serve the FLEGT process. He underlined some of the changes in this latest annual meeting: the growing number of participants; the fact that the conference was extended to three days; and the presence of an interactive map where all the FLEGT-related projects are pinned and described. Finally, he mentioned the launching of a new communication tool: the FLEGT group under the e-platform “Capacity4development”.

### 2.1 VPAs update

Mathieu Bousquet took the floor for the presentation “VPAs update”. VPAs are legally-binding agreements designed to improve forest governance by working together to stop illegal logging; they apply to both the timber-producing countries and the 27 Member States of the EU. Basically, a VPA can be defined as a partnership instrument designed to help timber-producing countries set up a Legality Assurance System (LAS); this LAS verifies compliance with the country's forestry legislation, which will reassure European buyers that the timber they purchase is legal. VPAs are voluntary, and so are framed on national laws respecting, and are rooted in the sovereignty of the partner country.

Currently there are six countries (Central Africa Republic, Cameroon, Congo, Ghana, Indonesia and Liberia) that are developing their LASs, and four countries (Democratic Republic of Congo, Gabon, Malaysia, and Vietnam) that are in formal negotiations, while three countries further countries have now requested that formal negotiations begin (Guyana, Honduras and Laos); other countries, such as Bolivia, Colombia, Guatemala, Ivory Coast, and Madagascar, have also indicated their interest in the process.

The VPA is defined as a process composed of 5 phases (see FLEGT VPA Process flowchart), in which the elapsed time between when a country begins negotiations and when the LAS is fully operational varies significantly country by country.

Throughout the VPA process special attention needs to be made to guarantee stakeholder participation and market confidence.

While it has been observed that political momentum grows during the negotiation phase, peaking at the signature of the agreement, experience shows that such momentum decreases once the agreement is signed, making its implementation harder and slower. The need to build up in-country consensus to involve stakeholders in the process and fulfil their expectations is undoubtedly one of the factors that can slow down the process, but not the only one. Therefore setting up a transparent and well-structured process consultation with all the stakeholders, and keeping up political momentum, is essential to move the process to its end.

It is expected that there will be a growing demand for information on VPAs in the near future, partly driven by the entry into force of the EU timber regulation on March 2013, and partly by stakeholders who see the VPA as a tool to address specific challenges (e.g. access to international markets or the opportunity to strengthen the forestry sector).

The main challenge identified for the 2012-2013 period is the delivering of the first FLEGT licences. To help achieve this aim, the European Commission will focus on the implementation of VPAs. Since the EU Timber Regulation enters into force in 3 March 2013, there is also a clear need to increase communication aimed at improving understanding and linkages between VPAs (FLEGT Regulation) and the EU timber regulation.

General overview on the latest information and countries can be viewed online on the [capacity4Dev](#) website.

Follow-up discussion:

- Question as to whether there is a fast track process for new joiners to the VPA process, and whether the EU ever turns down a FLEGT application from a country. The answer was that there is no current fast-track process, but that if the negotiations are too short, they often encounter problems in the development stage. The EU wishes to respond positively to all VPA applications, provided they are convinced that it is a good solution for the country.
- Question on partner countries applying their licensing system to all their exports. The answer

was that most partner countries are looking into this as it reinforces the reforms that are implemented. The EU is working with China, the USA and other markets to encourage the sourcing of legally verified timber.

- Question on the DRC, and why there have been delays in the negotiation process. The answer was that there have been delays in the process due to political turmoil in the country, and that the ball was in the DRC's court to resume the process.
- Question as to whether there is a plan to link REDD to the FLEGT agenda. The answer was that the EU's wish is to synergise the two agendas – that they are complementary and shouldn't compete with each other – but that the partner countries have also to encourage synergies between FLEGT and REDD.

## 2.2 EU Timber Regulation

Svetla Atanasova (DG ENV) took the floor for the presentation “[EU Timber Regulation](#)” (Regulation (EU) No 995/2010).

Ms. Atanasova focused on the obligations the EU Timber Regulation (EUTR) will impose on operators. One of the new elements established by the EUTR will be the use of the Due Diligence System (DDS), consisting of a series of procedures and measures aimed to ensure timber products imported to the EU market are legally harvested. Ms. Atanasova clarified that the definition of legally harvested shall conform with the applicable legislation in the country of harvest, and with timber harvesting laws, including directly related environmental and forest legislation. All operators shall without exception exercise the DDS.

Products covered by FLEGT or CITES licenses are considered to have been legally harvested for the purposes of the EUTR. This means that in importing FLEGT or CITES licensed timber, due diligence is automatically exercised.

On the EU side, Member States will play a fundamental role in the application and enforcement of the EUTR. To this aim, national governments have identified and designated Competent Authorities (CAs) to enforce, check and report on the application of the EUTR.

A list of CAs can be found here: [http://ec.europa.eu/environment/forests/timber\\_regulation.htm](http://ec.europa.eu/environment/forests/timber_regulation.htm)

Ms. Atanasova highlighted that private certification is not a proof of legality, but that it can be used as long as it is credible and reliable. There will be no control at the borders because of the timber regulation. It is the CAs within the Member States where the exporter is established that are responsible for assessing operators on how they exercised due diligence.

Ms. Atanasova concluded by saying that the EUTR is based on risk analysis. It gives an opportunity to analyse the sector's health, based on the quantity of illegal wood that is found by the government. Tropical wood is often linked to images of corruption and bad governance, but FLEGT can be a solution. The VPA is a tool to fight corruption, and the whole system benefits from an independent audit. This will allow the development of a virtuous circle in VPA partner countries.

### Follow-up discussion:

- Question as to whether there is negotiation with China at this level. The answer was that this EU Timber Regulation will also apply to China. There is the feeling that Asian countries are waiting to see how well it works.

- Question on whether the importer will be held responsible for the legality of timber if the administration is not ready. The answer was that if the administration implementing a FLEGT agreement is not ready, and FLEGT certificates are not yet available, the country can bring up reassuring elements relating to its being set up, and this should be communicated to the private sector until FLEGT certificates start to be issued.
- Three questions on: 1) What would be the role of the monitoring organisation? 2) How would "first placing on the market" be defined – is it the import point or the selling point? 3) What was the application to transformed products, for example planks that are used to build music instruments? The answers were: 1) The monitoring organisations are there to help the operators exercise due diligence; 2) The definition of "first placing on the market" is defined in the legislation, but is not always perfectly consistent, as the procedure for adapting the regulation into Member States' laws is complicated; 3) If taken in a narrow sense, the regulation excludes timber that has been transformed (e.g. planks, chip wood); if taken in a wider sense, however, all products are scrutinised. It is therefore a question of political will – the wider interpretation can be chosen to avoid any timber falling outside of the regulation.
- Question on there not being a level playing field on exploitation of forestry resources between different countries, and how these countries can be persuaded to modernise their systems. The answer was that FLEGT VPAs cannot be imposed, but that the team hopes it will encourage all timber exporting countries to reflect on their current governance systems.
- Question about there being confusion on the ground in exporting countries between the VPA and the Timber Regulation, and the idea that from March 2013 a FLEGT license will be needed to export timber to the EU. The EU recognised the existing confusion and confirmed the difference between the Timber Regulation and FLEGT licenses. They called on all partners present to inform stakeholders about the difference to avoid confusion.
- Question on how the responsibilities on importing timber are shared between different customs actors, as some governments are known for their corruption. The answer was that there is no control at the borders – the competent authorities within Member States are responsible for holding the operator to account in regards to due diligence. But this verification will not be shipment-based; it will have to be done from time to time for all shipments from the same supplier.

### **2.3 Keynote address by Vesna Valant on behalf of Commissioner Potocnik**

Vesna Valant then addressed the conference on behalf of Commissioner Potocnik (the full transcript can be found in Annex VIII):

The Commissioner considers FLEGT and REDD to be initiatives of great value; FLEGT covers two topics of importance to him – environment and development – and he is committed to its success. The new timber regulation will generate a high demand for legal proof and the FLEGT license is the easiest way to do it; as such he is happy to see so many countries showing an interest in the VPA process.

### **2.4 Presentation of Honduras sector challenges and opportunities offered by a VPA: Intervention of the Minister of Honduras, José Trinidad Suazo.**

The Forestry Minister for Honduras explained the main reasons why Honduras decided to enter into VPA negotiations with the EU.

The VPA is perceived as an opportunity to get access to a market of high quality standards and better prices. At the end of the process, Honduras expects to guarantee the international market access to

the most disadvantaged populations. On top of that, FLEGT provides the opportunity for tackling illegal logging, and is a step forward for a sustainable management of forests.

From a forest governance perspective, FLEGT can lead to the creation of a better business environment, where good governance and transparency prevails. It achieves harmonisation of legislation and public policy and also improves revenue collection.

Mr. Suazo also pointed out the challenges. They will have to overcome adverse reactions of those affected negatively; it is therefore necessary for commodity prices to remain attractive to cover production costs and the work of producers. The Honduras government stressed their commitment to delivering FLEGT licenses within a reasonable period.

Full presentation is available: [Opportunities offered by a VPA \(Spanish\)](#)

#### Follow-up discussion:

1. Question as to whether there is the possibility to consult Civil Society in Honduras. The answer was that it is true the population has been reluctant to participate in the debate, but representatives of civil society and indigenous groups have taken part in the workshop, and they understand that their participation is fundamental to the process.
2. Question as to whether Mr Suazo believes the VPA negotiations will act as a motor in the region. Nicaragua and Guatemala have reacted so far, but are waiting to see how things go before maybe joining themselves. There is space for convergence between all environment ministers of the region.

## **2.5 Presentation of Laos's sector challenges and opportunities offered by a VPA: Intervention of the Chargé d'affaires at the Embassy of Laos, Bounpheng Saykanya**

(the full transcript can be found in Annex VIII)

Mr Saykanya thanked the EU for accepting Laos's application to FLEGT, saying his government had always considered the preservation and the protection of the forest a priority, while at the same time fostering the trade of all forest products. The Laotian government will take actions to meet the FLEGT criteria by 2020.

## **2.6 Keynote address by MEP Elisabeth Köstinger**

Ms. Köstinger started her presentation by defining the role the European Parliament (EP) has in the adoption of the VPAs. While the European Commission negotiates the VPA agreements, the EP needs to vote and adopt the agreement for it to be ratified by the EU. But "the European Parliament cannot amend VPA agreements by adding or deleting certain parts or paragraphs", Ms Köstinger said, stating the importance of national stakeholders to be part of the process so as to ensure the quality of the agreement and 'adaptation' to the national context.

Ms. Köstinger emphasised the way in which a VPA is implemented by involving all stakeholders in the process. She specially mentioned the VPAs role in respecting the rights of indigenous people.

She also stressed the role VPAs and the EU FLEGT Action Plan play in promoting sustainability and their positive impact on biodiversity, climate protection and CO2 reduction.

"While REDD focuses mainly on reducing rates of deforestation and on the funding needed, FLEGT goes beyond that. FLEGT stands for better governance, raising awareness amongst people concerned and promoting sustainable logging and trading as well. REDD programs should therefore be closely drawn up on the basis of the FLEGT-approach" Ms. Köstinger said

She concluded by stressing the importance of the implementation phase of the VPAs, and reminding the audience that commitments undertaken during the negotiations have to be fulfilled and executed. To this aim, she asked the European Commission to support the VPA partners and National authorities to ensure compliance with the stipulations laid down in the agreements.

Full note is available at: [Capacity4Dev](#)

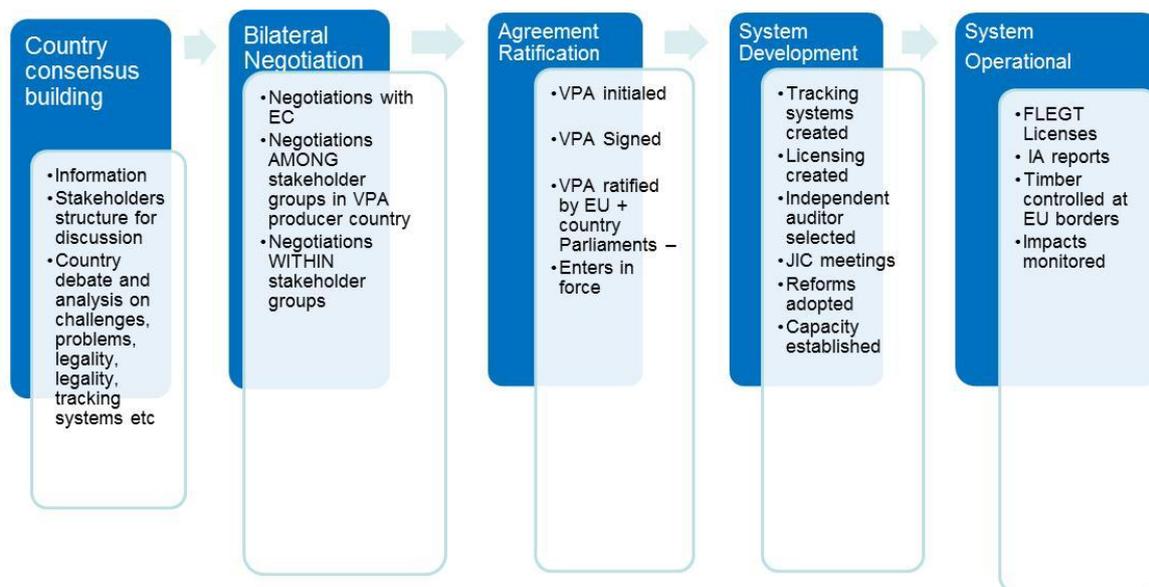
Follow-up discussion:

1. Question as to whether there are plans for the durable financing of FLEGT. The answer was that the EU budget 2014-2020 is currently being discussed, and that FLEGT should be more visible on the agenda.
2. Question as to what the European Parliament can do to support Member States in regards to VPAs, and to raise awareness of FLEGT timber within European markets. The answer was that the European Parliament has little power in this regard – it can only issue recommendations to the Commission, and say 'yes' or 'no' to the agreements; however, they pursue a tight partnership with all actors, and seek to influence when and where they can. They also want to foster the visibility of the VPAs, for example by organising debates during plenary sessions, and collaborating with national parliaments.
3. Question on whether there are on-going negotiations between the EU and USA on this subject. The answer was that the European Parliament is preparing the next steps of an exchange with the USA, and that it is an important issue for the EU in the near future.

## **2.7 Overview of FLEGT processes**

Julia Falconer, from DG DEVCO, made a presentation focusing on the opportunities and challenges afforded by the process of constructing a VPA – "[Overview of FLEGT process](#)"

She explained the different steps involved in building an agreement via the VPA process, and why the timing of inputs is crucial to the process.



**In-country consensus building:** A VPA process starts with in-country consensus building, in which several actions take place at the same time: there is an analysis of the forest sector, identification and position of stakeholders, understanding of what the FLEGT and VPA process means, designation of representatives and the establishment of a multi-stakeholder team.

**Negotiations:** Next comes the negotiation process, requiring a structured development of ideas and reforms framed in a legally binding treaty. To achieve this, structures that inform negotiation are needed, such as national consultations, stakeholder platforms, and steering committees.

**Systems development:** Once negotiations have concluded, work needs to be done on establishing structures, such as the Joint Implementation Committee, to improve and develop systems, to build capacity, and to raise awareness and visibility of the VPA.

**Systems operational:** Finally, once the FLEGT system is operational, work needs to be done to ensure that transparency remains, with the aid of independent audits, monitoring and whistle-blowing. We also need to promote VPA timber within target markets.

Finally, Ms Falconer provided some lessons learnt by the FLEGT team in VPA negotiations to date. Among these were the importance of being savvy in regards to timing and working within the political dynamic (e.g. elections, key players). She also spoke about the need to tailor capacity-building strategies to fit the needs of different stakeholders within very different contexts. She concluded by laying out the division of VPAs among the team, and how interested parties can best track their progress.

**Follow-up discussion:**

1. Question as to how we can integrate other non-timber products originating from the forest into the VPAs. The answer was that in order to intervene correctly, we need to create a bottom-up VPA profile, taking every product into consideration, as we want to have a full understanding of the potential effects the incorporation of other products into the VPA would have on the populations that depend on the forests, but also on the LAS.
2. Question on the specifics of what indicators are required. The answer was that the indicators expected are: the volume of illegal wood imported in the EU; proof of the tax revenues generated by the forest sector and proof that these revenues have been reinvested in the national economy; a clarification of land law; and the setup, within each national parliament, of a

commission that controls the implementation of the VPA.

3. Question on what, in regards to the VPAs, can be done to help governments improve their law enforcement and their legal tools. The answer was that the main focal points within the VPAs are legality, law enforcement, and the fight against corruption.

## 2.8 The link between VPAs and Poverty Reduction

Mary Hobley and Marlene Buchy then gave a presentation on the links between VPAs and poverty reduction: [VPAs and poverty reduction](#). They began by emphasising the importance of forests to the world's poor – 1.3 billion of the world's poorest people are dependent on forests for all or part of their livelihood.

Next, they identified some of the ways in which forest management, and specifically VPAs, can aid poverty reduction, such as providing space for deliberation; building capacity to enable the poor and civil society to have an effective voice; changing the 'rules of the game' via policies and regulation; and building livelihood security for communities dependent on forests via improved rights and the flow of timber revenue.

They concluded by stressing that FLEGT VPAs are not just about illegal logging or carbon benefits – they enable real poverty reduction across a range of aspects that go beyond just income. However, while the VPAs offer opportunities to address poverty, the poverty outcome will depend entirely on the quality of the VPA process that is pursued, including who is at the table (and which issues are addressed, and who is listened to), the content of the VPA, and the importance attached to poverty outcomes within the implementation of the agreement.

Finally, they emphasised that VPAs are exciting, because for the first time in twenty five years, we have the right processes in place to address forestry issues, and the right ingredients for making a difference to poverty, and the security of forest people's livelihoods.

### Follow-up discussion:

Question as to what the scope of the case studies mentioned in the presentation. The answer was that the scope of the case studies was to assess what VPAs can do to fight poverty, not to assess what has already been achieved. There is scope to bring poverty reduction more on to the agenda of future VPA negotiations or renegotiations.

## 2.9 Capacity for Development

The next presentation was on the capacity4dev facility, and the FLEGT group that was launched in 2012: [Coordination & the FLEGT Apps \(DG DEVCO\)](#)

First capacity4dev's function as EuropeAid's knowledge sharing and collaboration platform was explained, including how it supports daily work and cross-learning within the development community by acting as a knowledge hub for development expertise. In this way, capacity4dev can build bridges across thematic expertise silos, and support good practice and innovation exchange within projects, as well as helping to identify specialists in different areas. It helps to combat the current state of affairs, where too much useful information is fragmented and unshared.

Next, the presentation spoke of the FLEGT group on capacity4dev that was launched in 2012. Its objectives are to improve coordination of FLEGT policy implementation; to provide information on

FLEGT events across the world; and to enable easy and decentralised sharing of knowledge. All conference attendees were encouraged to become members, and reminded that the platform's success will depend on their level of participation.

## **DAY 2**

### **3. Breakout Sessions: Regional Scope**

The aim of the breakout sessions was to:

1. Present some project results and frame a discussion on the following:
  - What has been the contribution of each project to FLEGT process in your country? Key deliverables? Impacts? Ways used to influence?
  - What do you think could be useful for other processes?
  - Positive experiences of country level coordination or collaboration. What works? What does not?
  - What would be your recommendations to ensure that FLEGT projects are connecting to and advancing FLEGT processes?
  - Are there important gaps?
2. Gather lessons/experiences from project representatives and EU Delegations, EC and MS staff.

#### **3.1 Regional Discussion on Africa**

##### **Morning session**

The session started with individual presentations of projects related to the FLEGT process, grouped into four thematic areas: domestic and regional market issues; community foresting; support to NGOs and VPA processes; and local calls for proposals by EU delegations. After each presentation there was a round of open discussion focused on the types of projects; the added values; the lessons learned; and how those lessons can best be integrated into the FLEGT process.

The full presentations can be found in the links below:

- **Tropenbos International: supporting the integration of legal and legitimate domestic timber markets into VPA**
- **CIFOR: PRO-FORMAL: Policy and Regulatory Options to recognise and better integrate the domestic timber sector in tropical countries**
- **SGS Société Générale de Surveillance: LiberFor: Monitoring the Liberian Forest Sector**
- **SNV Netherlands Development Organisation: Promotion de la production et de l'exportation légales des bois issus des forêts communautaires (PEL-FC)**

- [FERN: Ensuring a seat at the table: Supporting NGO coalitions to participate in FLEGT VPA processes with the aim of improving forest governance and strengthening local and indigenous people rights](#)
- [Forest Peoples Programme \(FPP\): A strong Seat at the Table: Effective Participation of Forest-Dependent Communities and Civil Society Organisations in FLEGT](#)
- [CARE DANMARK FOND: Governance Initiative for Rights and Accountability in Forest Management \(GIRAF\)](#)

The moderator then opened the floor to questions and discussions addressing the presentation.

The discussion centred on the difficulties of integrating domestic timber markets into the VPA process in African countries, including problems created by political instability and corruption. There was also discussion of supporting the role of forest-based communities and NGOs in the forestry sector. Regarding the forest-based communities, it was noted that there are difficulties for poor communities to exploit the forest due to the trade's high capital requirement, which is often beyond the communities' resources. On the question of which local NGOs to select as representatives in the VPA negotiation processes, the point was made that it is crucial to have a self-selection process among NGOs. Finally, the discussion also covered the difficulties of monitoring the forestry sector, and the need to pursue gap analyses of the legal measures in place in order to better identify issues with capacity in partner countries. A full account of the questions, answers and subsequent discussion can be found at [Annex V](#).

### **Afternoon session**

In the afternoon of the second day, the group discussed the issues that need to be tackled in FLEGT. The discussion opened by talking about the need to share experience between different actors – the example was given of Cameroon, where previously the government and civil society were leading various projects, with almost no coordination between them. It was also noted that a good exchange of information is needed to ensure that all projects complement the VPA process as well as they can; then we can start building useful synergies.

There was then a discussion of the role of projects within the FLEGT process – the idea that the changes are implemented by projects, but that perhaps in the longer term these individual projects can be replaced by a unified process. The point was made that all projects need to fit within the same coherent roadmap, and in regards to financing support to all actors. On the financing aspect, participants spoke of the large amount of money that FLEGT can represent to partner governments, and that it should be made clear to both the EU and partner governments that investing small amounts of money in forest governance now will reap large financial dividends in future. The discussion then touched on the key role partner governments need to play, and how the trade element of FLEGT represents the 'carrot' for them and in bringing them on board, and opens up the advantages to all parties – the government can collect extra taxes, the NGOs can address social and environmental issues, and the private sector realises the commercial advantage of EU market access. The key role of trade led for calls among participants to raise awareness of FLEGT further in Europe, and to encourage demand for FLEGT products, in order to further increase this 'carrot'.

Best practice was then discussed; examples were given of the importance of supporting trade unions and private sector organisations, South-South best-practice exchanges, and efforts to harness the power of the media for raising awareness of FLEGT. There was then a discussion of independent observers, where one lesson-learned has been that information communicated by independent observers does not often trigger sanctions, as it requires a high level of quality in the information. It is therefore better to focus more on raising awareness among the administration, police, justice department and security forces, as it takes longer, and requires a lot more effort, to punish an infringement than to prevent it from happening in the first place. Finally, the issue of corruption among officials was mentioned, although a shift in mind-set has been noticed among the youngest agents, and it is hoped this will progress.

### 3.2 Regional Discussion on Latin America

#### Morning session

The breakout session began with six presentations, each lasting ten minutes.

- WWF: Towards enhanced sustainable tropical timber production & trade Brazil
- Corporación Autónoma Regional de Risaralda (CARDER): Posicionamiento de la Gobernanza Forestal en Colombia (FLEGT)
- TRAFFIC International LBG: Supporting the implementation of the EU FLEGT Action Plan in South America
- OXFAM GB LBG: Forests and Ethnic Territories in the Chocó-Darién region of Colombia and Ecuador: Territorial Management and Responsible Management and Trade of Forest Products
- Fundación Natura: Establishment of Legality Assurance Systems Based on Sustainability Certification for Forest Production And Chain of Custody, With Small and Medium Enterprises (SME) In Colombia
- ICF HONDURAS: Proyecto de Modernization del Sector Forestal de Honduras (MOSEF)

The moderator then opened the floor to questions and discussions addressing the presentation.

The presentations centred on creating sustainable forestry systems in Brazil, Colombia, Ecuador and Honduras, and the level of interest in FLEGT in South America. The discussion afterwards drilled-down into governance measures taken at the sub-regional level, and efforts to widen the number of stakeholders. There was a stress placed on the need to reinforce local organisations in the longer term via projects to maintain good practice. The potentially positive link between local organisations and private companies was also covered, including an emphasis on the fact that sustainability comes when local organisations have a control over their territory and forestry resources.

Regarding the private sector, it was noted that SMEs must above all react to the market, and the limitations on progress this can create for them, but also that some are actively now wanting to differentiate themselves via legal certification as it is good business for them. Finally, there was a discussion about how to best share lessons learned among the different groups – one idea that was generally supported was the creation of a capacity development group – and about the need to raise awareness about FLEGT and REDD, and to encourage local participation through them. A full account of the questions, answers and subsequent discussion can be found at [Annex VI](#).

## Afternoon session

In the afternoon of the second day, the group discussed the issues that need to be tackled in FLEGT. The primary topics chosen for discussion were:

1. Mechanisms for exchange and learning? How can we learn more from the other regions? What are the mechanisms to find synergies?
2. Entry points for VPA FLEGT in the Latin American countries to draw the attention of the decision-makers?
3. FLEGT as a tool to improve forestry governance in an AVA, without trade (FLEGT)
4. Capacity development
5. Communication
6. How can we ensure a wide participation in the dialogue on governance?

The discussion focused originally on how different countries and regions can work efficiently together and share best practice – it was agreed that it would be useful to have workshops in Latin America for this purpose, and perhaps specifically a two/three day workshop. The question was asked how this could be funded, and that possibly Traffic or EFI could host it. It was agreed that it is important to share experience of projects on the ground, and the true results – perhaps collecting a selection of the best case studies for everyone to access. There was also the idea of an IT Platform being set up to facilitate the exchange, and a short demonstration was given of *capacity4dev* by way of example.

Next, the discussion moved on to the role of VPAs in FLEGT, and the point was raised that VPAs are just one of the many tools of FLEGT. There was also agreement that public procurement is a way to strengthen entry points and public debate on forest governance, and that the visibility of the forestry trade is not currently high enough. The issue of "market results" was identified as key, taking into account the needs of different actors such as the private sector, local communities and actors using the resources on the ground. The group also examined the issue of classic rights and indigenous laws in relation to forest management, and the need to build their capacity and further involve them in the process.

Finally, the participants examined what had changed since November 2009. In Colombia, it was noted that all actors now meet and discuss issues, including the private sector, which has been a real step forward. Public opinion regarding forests has also changed. Illegality has been identified and is being tackled, but it was pointed out that the issue of sustainability remains, as legal deforestation is by no means synonymous with sustainable deforestation. In Brazil, there is now a greater receptiveness to the importance of forest governance, and the government is committed to cutting CO<sub>2</sub> emissions and improving monitoring, which is exemplified by the fact the government now collects data every month on deforestation.

### 3.3 Regional Discussion on Asia

#### Morning session

The breakout session began with the following presentations:

- World Bank : FLEG and FLEGT processes in ENPI East countries + Russia
- European Forest Institute: Regional Support Program for the EU FLEGT Action Plan in Asia

The presentations centred on effective legal verification systems and FLEGT processes in Indonesia, East Asian countries and Russia, and more generally in Asia and the Pacific. The strengthening on the role of Civil Society Organisations and SMEs was also discussed. In the discussion afterwards, it was stressed that civil society monitoring is needed to allow the VPA process to function in Indonesia, as civil society and indigenous peoples are the largest network available there. Concerns were raised at the lack of money invested by the Indonesian government in the Timber Legality Verification System monitoring, and also whether this system can be effective for all of the Indonesian islands.

Next, there were questions on progress made with major consumers in south-east Asia. It was noted that globally, Asia is where we should really be working due to the size of its timber market, but that there are currently difficulties with engaging with Japan, China, India and others. Finally, there was discussion of the involvement of Russia, whose government doesn't want Russia to receive funding and so be labelled as a developing country. There was also a desire expressed to focus more on the Russia-China trade issue, as it is viewed as a major problem. A full account of the questions, answers and subsequent discussion can be found at [Annex VII](#).

#### Afternoon session

In the afternoon of the second day, the group discussed the issues that need to be tackled in FLEGT.

The primary topics discussed were donors; forestry governance enforcement; information coordination; the situation with China, India and Russia; and regional coordination.

Participants shared their opinion that the Lacey Act is not strong enough on the subject of illegal timber, but that we are still in a position of relative power as European consumers, and that not enough is being done to use this power to pursue VPAs in countries where it is suitable. The incoming EU Trade Regulations has had a positive impact on VPA negotiations – some saw it, for example, as being the direct cause of Vietnam entering into VPA negotiations – and due to the leverage trade currently provides in the EU negotiating position, it was suggested that the EU should open a dialogue with China while this opportunity remains.

In terms of enforcement, the group talked about their frustration regarding the incompetence and corruption of some local governments, as well as structural problems (e.g. in Indonesia and Malaysia). It's also difficult to get illegal logging prioritised in these countries when it is competing with issues such as wildlife conservation, drug trafficking and antiterrorism. Brazil was held up as a good example to follow on enforcement, and that perhaps there could be an exchange of officials between Brazil and the relevant Asian governments to share best practice.

On information sharing, the group debated the extent that FLEGT information should be shared and disseminated in local languages; on the one side, there is the desire to increase knowledge of FLEGT

in more remote areas such as Northern Thailand, and translation into the local language would certainly help with this; on the other hand, it was noted that sub-standard translations can create still more problems due to misunderstandings, and high-quality translations are expensive. Cambodia was cited as an example where sub-standard translations have created problems.

The debate on disseminating information continued in a discussion about the best way to pursue capacity building in Asia, centred upon worries about an estimated 5000 small producers who could be excluded from the EU market due to the high literacy levels necessary and the complex issues involved in meeting the EUTR requirements. The point was made that the message needs to be targeted at specific groups, the majority of whom are uneducated. Positive examples were given, such as working with farmers in Indonesia and of knowledge exchange between local peoples in Thailand. The policy of 'National Window' and its potential was then discussed, and how to include civil society and ensure that they share information and best practice among themselves. The problem was identified that civil society in different parts of Asia has different priorities, as the situation and type of illegal logging in each country is very different.

Finally, in regards to China and India, it was noticed that China is becoming more concerned about ecological issues, and that this is encouraging. It was agreed that we need to engage with China and India on the broader goals of FLEGT by focusing on their buying power. In particular, it was noticed that a solid policy is lacking in regards to India. Concern was also raised that there is a very large illegal timber trade in Russia.

## **DAY 3**

### **4. FLEGT thematic issues - Discussions in breakout groups**

The third day began with the presentation of some global projects:

- [EFI: EU FLEGT Facility](#)
- World Bank: PROFOR
- FAO: FLEGT Programme

Then the participants split into breakout groups again, and each attended two of the six group discussions set out below:

- 4.1 Group one: Transparency and information
- 4.2 Group two: Private sector – working on the demand side of FLEGT
- 4.3 Group three: Independent monitoring
- 4.4 Group four: FLEGT & REDD+
- 4.5 Group five: What needs to be improved in the FLEGT Action Plan
- 4.6 Group six: Impact Monitoring

In the afternoon, the groups came back together, and presented to the conclusions of their discussions to the whole group. The discussions of each group have been summarised below:

#### **4.1 Group one: Transparency and information**

The group heard three presentations, followed by discussion on transparency and information.

The presentations were from:

- Philippe Mayaux, COMIFAC, EC Forest Observatory in Central Africa
- [Hanz-Jurgen Stibig, FAO/JRC, Support to the global forest resource assessment process](#)
- University of Wolverhampton (UK), Strengthening African forest governance

The subsequent discussion began with the use of satellite monitoring systems for forests, and how economical and practical it could be. The presenter responded that it is not too expensive, and could be supported by local taxes; furthermore, he pointed out that satellite data is becoming cheaper and cheaper, and that what is lacking is more capacity at a local level; we must therefore work to increase it, and encourage ownership at the local level.

The participants then moved on to the FAO presentation, and questions were asked about the availability of the data already collected, and whether the project linked to other satellite mapping technologies; the presenter replied that a website containing mapping information would soon be

made available by the FAO. It was also contended that the project would not be effective at the national level, and would only be effective at regional and global levels. The presenter agreed, but pointed out that forest degradation needs to be tackled at the regional and global levels; in terms of the long-term use of the project, the presenter said the information was useful, but now needed to be made understandable and usable for decision makers.

In regards to strengthening African forest governance, the group commented that it was nice to see a lot of input in terms of capacity building in the timber countries, and that it would perhaps be useful for Wolverhampton to work with other European universities pursuing similar aims. It was then mentioned that last year NGOs from several countries – Liberia, Ghana, Cameroon and the DRC – performed a gap analysis on the current levels of forestry transparency in their countries (i.e. the gap between what was foreseen and what has actually been achieved). The aim is to make an action plan for all the relevant actors, and the reports can be found here: [www.foresttransparency.info](http://www.foresttransparency.info).

#### **4.2 Group two: Private sector – working on the demand side of FLEGT**

The group heard two presentations, followed by discussion on transparency and information.

The presentations were from:

- **TTAP/THE FOREST TRUST:** Title: Timber Trade Action Plan for Good Governance in Tropical Forestry & Timber Trade Action Plan for Latin America and China (TTAP2)

• **ATIBT/IFIA:** Renforcement des structures du secteur privé en vue de la mise en œuvre du plan d'action FLEGT dans le Bassin du Congo et en Afrique de l'Ouest

##### Subsequent discussion

In the subsequent discussion, concerns were raised regarding the possible impact of the coming EU Timber Regulation on SMEs, and how we can improve information for them. Someone made the point that if the EUTR stops SMEs trading, it would be an economic disaster for the region. There was also a recurring message that FLEGT negotiations need to be speeded up in Central Africa, as if these countries have to wait for five years to get a FLEGT license, it may not be enough for European operators when the Regulation begins, which could damage Private Sector trade.

The group then moved on to the topic of how to better include the Private Sector in FLEGT, and the Commission was reminded that there are many businesses involved in logging which are not represented in this forum, and that they should also be involved in the process. This moved on to a discussion of efforts to engage the Private Sector in various countries. In Cameroon, for example, there are awareness campaigns in regards to FLEGT; in Colombia, the Private Sector has played an important role, working with the public sector to combat illegal logging; in Laos meanwhile, the timber association has played an instrumental role, and are looking to raise opportunities to directly access the EU market via pushing for a VPA process.

Finally, the topic of China's role in West Africa was broached. Over recent years, there has been an increase of Asian business in Africa; it was acknowledged that African producers need to work with Asian companies to the mutual benefit of both.

### 4.3 Group three: Independent monitoring

The group heard three presentations, followed by discussion on transparency and information. The report made back to the group can be found here: [Independent monitoring](#)

The presentations were from:

- IM-FLEG in support of FLEGT in the Congo Basin
- **ONESF**: Veille d'info, interpellation, mobilisation, autour de la gouvernance de l'exploitation et de la commercialisation des ressources forestières
- **AGRECO**: [Programme d'appui à la gouvernance – Mise en place d'un observateur indépendant au contrôle et au suivi des infractions forestières au Cameroun](#)

Much of the subsequent discussion centred on what 'independent monitoring' is, and how it should interact with governments. It was asserted that the role of these monitors has to be subtle – sometimes they need to work outside the administration to observe, and sometimes within the administration to try and bring about change. They also need to manage all this with the people that protect the independent monitors – the media, civil society, donors etc. Their work is about educating and changing mindsets, and it takes time to see the results of this. Another participant commented that in order to achieve this, the independent monitors need to have a position of trust with the government, but at the same time not have too cosy a relationship with them, and must produce high quality evidence and give the public access to it.

There was also discussion of the potential dangers independent monitors face in collaborating with the government, as how long will they then truly be able to maintain their independence? It was noted that in the long-term, funding from donors will be needed to help keep monitors independent from government influence, and the plan is to eventually have national civil society take over.

Examples were then given of the situation in several African countries. In Cameroon, it was noted that one of the missions of the independent monitor is to coach the civil society so that they can progressively take the lead on actions. The ministry was heavily involved in this coaching. In Madagascar, the fact that the independent monitor was created by a ministerial decree means it is to some extent at the mercy of the government; however, it too has close ties to civil society. Finally, on a positive note, it was mentioned that in the DRC, civil society has been involved on the request of the minister himself. The government in the DRC is aware that a good dialogue between all the actors is essential to meeting the FLEGT objectives.

#### **4.4 Group four: FLEGT & REDD+**

There were no presentations in group four, just a discussion led by the moderator. The group's presentation back to the group can be found here: [FLEGT and REDD](#)

The group raised some of the difficulties that REDD had created, including disinformation, and reports that it was hindering VPAs from working properly. It was agreed that more work was needed to convince all actors of the synergies between the two. There was also a discussion of problems arising from the differences between the two projects – for example, REDD was described as a "fast track" imposed from the top, while FLEGT tried to adapt to the local context; similarly REDD has many grants, and consists of projects, while FLEGT is a process based around trade. REDD's broader scope was also identified as potentially being a positive factor, however.

The discussion then centred on how FLEGT and REDD should be tied closer together, as it was noted that FLEGT can be a huge asset to the objectives of REDD. Although it was pointed out that FLEGT provides clearer tangible benefits to local communities (e.g. through sustainable trade) than REDD, whose long-term benefits are seen as more intangible; the long-term incentives available via REDD need to therefore be made clearer to small scale and community producers.

#### **4.5 Group five: What needs to be improved in the FLEGT Action Plan**

The group session was split into seven separate areas where the group felt the FLEGT action plan could be improved. The areas and the discussion relevant to each have been copied below, and the summary presentation fed back to the main group can be viewed here: [What needs to be improved](#)

i. [Support to timber-producing countries: financial and technical assistance](#)

The group suggested better engagement with the private sector and civil society, and harnessing the important role of technology in capacity building – e.g. in communications – although it was agreed that access to new technology can sometimes be a hindrance as well as a benefit. There were also calls for more institutional support and wider political engagement at national level.

ii. [Trade in timber: a\) multilateral agreement involving all major importers and exporters \(idea but not likely\); b\) engage in dialogue; c\) gather lessons from other sectors.](#)

Among the points made, it was noted that China is still a hot issue, and that we must work to tackle illegal logging there; there was also a call for the demand side to be worked on, perhaps with a cohesive agreement between the relevant countries. Concerns were raised that a lot of the illegal timber trade still seemed to be escaping the influence of FLEGT.

iii. [Public procurement: to show that it is possible to prefer legal timber in EU procurement rules](#)

There was mix of opinions on public procurement. On the one hand, some participants felt that green procurement focuses on issues that don't necessarily match those of FLEGT, or that, while they shouldn't be abandoned, the application of them must be examined; on the other hand, others felt

that public procurement policy is very important – that we have more to offer by using green building codes, or that the problem is that public policy makers aren't sufficiently aware of FLEGT in order to take it into account.

iv. Encouraging private sector initiatives

The group expressed concern that the Private Sector is not sufficiently informed of the process to be able to fully participate.

v. Financing and Investment: encourage banks and financing institutions to take social and environmental issues into account

Some examples were given of positive investment practices - e.g forest footprint disclosure, where financial investors encourage companies investing on how to decrease the risk of negative impacts on forests, or two recent amendments to the transparency Directive and accounting Directives, which require companies that are registered on the EU market to publish their account related to forest exploitation. On the other hand, it was pointed out the timber companies are still trying to recover from the 2008 crisis, and that forestry operators are struggling to find investments and loans at just the time they need to invest in new technologies to respond to the requirements of VPAs.

vi. Existing legislative instruments: a) money laundering – identify whether applicable, assist developing countries; b) CITES: encourage listing of tree species where appropriate, work to address weakness.

The group discussion centred on the need to ensure strict enforcement regarding money laundering, and the need to support CITES.

vii. Conflict timber: a) support work to define conflict timber; b) follow up in UN, development cooperation, any relevant reform.

A participant pointed out that the way we define conflict is becoming more complex, and that we need to work within this changing framework.

#### **4.6 Group six: Impact Monitoring**

The group heard a presentation, entitled: [VPA Impact Monitoring](#), and a discussion then ensued on how to monitor the impact of VPAs, which has been summarised below. The summary presentation delivered back to the main conference can be viewed here: [Impact Monitoring](#)

Within the presentation it was confirmed that there was no intention to have one set of agreed indicators to be implemented for all countries. The following options were proposed for priority impact areas:

- i. Institution's effectiveness
- ii. Accountability

- iii. Illegal logging
- iv. Tenure and access
- v. Forests management
- vi. Livelihoods and poverty
- vii. Civil society effectiveness
- viii. Economic development
- ix. Domestic market development

In the following discussion, it was suggested that differentiation is made between proximate, intermediate and ultimate effects, and that the above list tends to mix them up. For example, a proximate impact would be to improve law enforcement, the intermediate impact would be to reduce illegal logging, and the ultimate goal would be to improve forest management and livelihood. It can be difficult to directly attribute the ultimate goals of the VPAs to the actions of the agreements themselves, and this is why it would be helpful to build up evidence in the manner suggested above. Other participants supported this idea, and the group talked of the difficulty of coupling direct cause and effect between actions taken and a change in the indicators. There was also a plea not to ignore negative impact assessments, as they will highlight necessary mitigation action.

The discussion moved on to the idea of at what level we want to measure the impact – for example, perhaps we should think about global indicators at the EU level to see if, with FLEGT, we can reach our high-level goals (in addition to the national indicators). There was also a suggestion that we consider the frequency of follow-up, the number of indicators, who will undertake the follow-up and how much it will cost; to this end, it might be better to have fewer but more precise indicators. This idea was supported by other participants, who suggested we only choose indicators that we currently have the information to measure, so we can provide a more concrete impact assessment.

The interaction between monitoring of FLEGT and REDD was discussed, which was agreed to be complicated, although it was also mentioned that there are clear synergies between the two that need to be exploited. Finally, the issue that different sectors of society signed up to the scheme with different expectations was addressed – for example, for the Private Sector the interest was market access and trade, while for civil societies it was about rights and access, which complicates the measuring of success, as it depends whose perspective you take. It was noted that the market will be monitored to measure the impact of VPAs.

## **5. Key note address by Director Kristian Schmidt**

The groups then reconvened and were addressed by Kristian Schmidt (full transcript in Annex VIII):

The Director reminded us of the history of FLEGT, and the challenging environment we are now operating in, but spoke of the success of six concluded VPAs so far, and the continuing requests for application from other countries. He contended that we have now reached a critical mass in terms of

credibility and pointed out that if all countries involved in the process are counted, we are now covering 30-60% of all timber imports to Europe. The next challenges are to ensure that the concluded agreements are successfully implemented, and also ensuring the successful introduction of the EU Timber Regulation, which will be a test case for the credibility of the FLEGT Action Plan.

#### Subsequent question and answer session

Some points were made regarding the importance of having FLEGT licences issued by the time the EU Timber Regulations come into force – it was agreed that every effort should be made to achieve this. It was also agreed that it should be ensured that FLEGT does not advantage big industry over SMEs, or disadvantage the local economy. Finally, it was noted that more effort needs to be made by Member States in regards to communication.

## **6. Concluding remarks**

Mathieu Bousquet (European Commission, DG Development and Cooperation – EuropeAid) concluded the meeting.

A new ENRTP call for proposals (Thematic Programme on Environment and Sustainable Management of Natural Resources including Energy) was announced. The call for proposals focuses on three areas: climate change mitigation, in particular REDD+; biodiversity; and forest governance and FLEGT. The deadline for submission of the concept notes is 25 September 2012. More information is [available online](#).

Mathieu thanked all those who participated in the meeting for their contributions, and called on those present to continue to keep the larger group informed of the work they were doing; he cited Capacity4dev as a good tool to do this.

## Annex I - Agenda

Wednesday 25 April 2012 - Day one – Room AB-0A

08.30 - 09.30 Coffee and registration

### **Session 1: Update on FLEGT VPAs and EUTR**

*Moderation: Andy Roby, FLEGT Facilitator in Indonesia*

09.30 – 9.45 Welcome & objectives of the meeting – Mathieu Bousquet (DEVCO)

9.45 – 10.30 Introduction of participants

10.30 - 11.00 VPAs update (Mathieu Bousquet, DG DEVCO)

11.00 - 11.30 *coffee break*

11.30 - 11.50 EU timber regulation (Svetla Atanasova, DG ENV)

11.50 - 12.00 Timber Regulation and VPAs (Mathieu Bousquet, DG DEVCO)

12.00 - 13.00 Q & A

13.00 - 14.30 *break for lunch*

*Moderation: Denis Koulagna, Secretary General of the Ministry of forests and Fauna, Cameroon*

14.30 - 14.50 Keynote address by Commissioner Potocnik (to be confirmed)

14.50 - 15.05 Presentation of Honduras sector challenges and opportunities offered by a VPA:  
Intervention of the Minister of Honduras José Trinidad Suazo.

15.05 - 15.20 Presentation of Laos sector challenges and opportunities offered by a VPA:  
Intervention of the Chargé d'affaires at the Embassy of Laos, Bounpheng Saykanya

15.20 - 15.40 Keynote address by MEP Elisabeth Köstinger

15.40 - 16.00 *coffee break*

*Moderation: Melissa Othman, EFI*

16.00 - 16.15 Overview of FLEGT processes, Julia Falconer, DG DEVCO

16.15 – 16:30 VPAs and poverty reduction, Mary Hobley

16.30 – 17.00 Q& A – Debate

17.00 - 17.30 Coordination & the FLEGT Apps, DG DEVCO

17.30 - 17.45 Introductions of day 2: breakout groups

17.45 - 19.30 *drinks reception at Borschette*

Thursday 26 April 2012 - Day two AB-1A and AB-1C

9.00 - 12.30 **Session 2: Regional breakout groups**

**Group 1: Africa**

Room AB-0A (English, French, with simultaneous translation)

*Moderator: Robert Simpson, FAO*

Projects working on Domestic and regional market issues	
Title	Implementing partner
Supporting the integration of legal and legitimate domestic timber markets into Voluntary Partnership Agreements	Tropenbos International
PRO-FORMAL: Policy and Regulatory Options to recognise and better integrate the domestic timber sector in tropical countries	CIFOR
Projects working on Community Forestry	
Title	Implementing partner
Promotion de la production et de l'exportation légales des bois issus des forêts communautaires (PEL-FC)	SNV Netherlands Development Organisation
Projet de Développement d'Alternatives Communautaires à l'Exploitation Forestière Illégale Phase II (DACEFI II)	WWF & Nature+
Projects working on Support to NGOs and VPA process	
Title	Implementing partner
Ensuring a seat at the table: supporting NGO coalitions to participate in FLEGT VPA processes with the aim of improving forest governance and strengthening local and indigenous peoples' rights	FERN
A Strong Seat at the Table: Effective Participation of Forest-Dependent Communities and Civil Society Organisations in FLEGT	Forest Peoples Programme (FPP)
Governance Initiative for Rights & Accountability in Forest Management (GIRAF)	CARE DANMARK FOND
Social justice in forestry	IIED - INTERNATIONAL INSTITUTE FOR ENVIRONMENT AND DEVELOPMENT
Short presentation of the local call for proposals projects :	
Cameroon	
Congo	
Gabon	
DRC	
Liberia	

**Group 2: Latin America**

Room AB-1C Group two (in Spanish, English)

*Moderator: Tomi Tomasjuokka, EFI*

Title	Implementing partner
Towards enhanced sustainable tropical timber production & trade in Brazil	World Wide Fund for Nature (WWF) Brasil

Posicionamiento de la Gobernanza Forestal en Colombia (FLEGT)	Corporación Autónoma Regional de Risaralda (CARDER)
Supporting the implementation of the EU FLEGT Action Plan in South America: Catalyzing initiatives to control and verify the origin of timber in trade and support related improvements in forest governance.	TRAFFIC International LBG
Bosques y Territorios Étnicos en el Chocó-Darién Columbo-Ecuatoriano: Protección Territorial, Manejo y Comercialización Responsable de Productos Forestales	OXFAM GB LBG
Establecimiento de sistemas de garantía de legalidad a partir de la Certificación de Sostenibilidad para la Producción Forestal y para cadena de custodia, con PYMES en Colombia	Fundación Natura

### Group 3: Asia/Pacific

Room AB-4C Group three (in English)

*Moderator : Alex Hinrichs, EFI*

Title	Implementing partner
Forest Governance and Integrity Programme: Phase 1 Anticorruption Advocacy, Forest Governance Systems Analysis and Monitoring	TRANSPARENCY INTERNATIONAL
Strengthening civil society to promote integrated actions and policies to tackle tropical deforestation in Asia-Pacific	EIA - ENVIRONMENTAL INVESTIGATION AGENCY
Strengthening Indonesia's Independent Forestry Monitoring Network to ensure a credible timber legality verification system and effective VPA implementation	TELAPAK PERS PERKUMPULAN
Strengthening Civil Society Organizations and Small and Medium Timber Industries in VPA Preparation and SVLK Implementation	LEMBAGA EKOLABEL INDONESIA LIMITEDPARTNERSHIP
EU-ASIA FLEGT Support Programme	European Forest Institute
ENPI FLEG	World Bank

12.30 - 14.00 *break for lunch*

14.00 - 17.15 **Issues that need to be tackled in FLEGT (within regional groups) - Space open for discussions**

Room AB-0A Group one (English, French, with simultaneous translation)

*Moderator : Clare Brogan, IDL*

Africa

Room AB-1C Group two (in Spanish, English, with simultaneous translation)

*Moderator : Jussi Viitanen, EFI*

Latin America

Room AB-4C Group three (in English)

*Moderator : Hugh Speechly*

Asia/Pacific

17.15 - 17.30 Organization of Friday working groups

Friday 27 April 2012 - Day three

8.30 – 9.15 Presentation of global projects, Room AB-0A

*Moderator : Mathieu Bousquet, DEVCO*

Title	Implementing partner
Programme on Forests (ProFor I and II)	THE WORLD BANK GROUP
EU FLEGT Facility	European Forest Institute
EU FAO FLEGT support programme	FAO

9.15 - 13.00 **Session 3: Thematic Groups**9.15 - 11.00 **Session 3.1****Group 1 : Transparency and information, Room AB-0A***Moderator : Christophe van Orshoven, EFI*

Group 1. Transparency and Information	
Title	Implementing partner
Consolidation et extension de l'Observatoire des Forêts d'Afrique Centrale (CEOFAC)	JRC JOINT RESEARCH CENTRE
Strengthening African forest governance - through high level national 'Illegal logging' meetings and mid level awareness raising and training	University of Wolverhampton
Support to the Global Forest Resources Assessment Process (with FAO).	FAO / JRC JOINT RESEARCH CENTRE

**Group 2 : private sector – working on the demand side of FLEGT – Room AB-0B***Moderator : Anke Schulmeister, WWF*

Group 2. Private Sector. Working on the demand side of FLEGT	
Title	Implementing partner
1) Timber Trade Action Plan for Good Governance in Tropical Forestry & Timber Trade Action Plan for Latin America and China (TTAP2)	TTAP / The Forest Trust LBG
Renforcement des structures du secteur privé en vue de la mise en œuvre du plan d'action FLEGT dans le Bassin du Congo et en Afrique de l'Ouest	IFIA/ATIBT

**Group 3 : Independent monitoring – Room AB-1B***Moderator : Clare Brogan, IDL*

Group 3. Independent Monitoring	
Title	Implementing partner

1) Capacity building in the Congo Basin and implementation of Independent Monitoring of Forest Law Enforcement and Governance (IM-FLEG) in the Republic of Congo 2) Observation Indépendante de l'application de la Loi Forestière et de la Gouvernance (OIFLEG) en appui aux APV FLEGT dans le Bassin du Congo	FORESTS MONITOR LTD
Veille et Interpellation autour de la Gouvernance de l'exploitation , et de la commercialisation des ressources forestières	OSF
Programme d'appui à la gouvernance - Mise en place d'un observateur independant au contrôle et au suivi des infractions forestieres au Cameroun	AGRECO

11.00 - 11.15 *coffee break*

11.15 - 13.00 **Session 3.2**

**Group 4 : FLEGT & REDD+**

**Room AB-0A**

*Moderator : Clare Brogan, IDL*

**Group 5 : What needs to be improved in the FLEGT Action Plan**

**Room AB-0B**

*Moderator : Duncan Brack, CH*

**Group 6 : Impact Monitoring**

**Room AB-1B**

*Moderator : Paolo Cerutti, Cifor*

13.00 - 14.00 *break for lunch*

*Plenary – room AB 0A*

*Moderator : Penny Davies, Dfid*

14.00 – 14:15 Key note address by Director Kristian Schmidt

14.15 - 15.30 Feedback from each breakout group in plenary (room AB 0A)

15.30 - 16.00 *coffee break*

16.00 - 17.30 Evaluation and conclusion - Concluding remarks by DG DEVCO and ENV

*End of the meeting*

## Annex II - List of participants

List of participants	Institution/Project	e-mail
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## Annex IV – Evaluation

### Summary

About 100 participants provided partial or complete feedback on the 7<sup>th</sup> annual coordination meeting. Globally, **99% were very satisfied (51%) or satisfied (48%)** with the meeting, and 91% found it responded to their own objectives.

The first day of the meeting was in general appreciated (between 80 and 90%), in particular by the participants who are quite new to FLEGT and found the introduction and updates very useful. The regional breakout groups were appreciated, particularly in Asia and Latin America, the feedback from Africa group being less positive, maybe because of the size of the group, the number of projects and the diversity of people attending. Latin America and Asia groups would have liked to get more participants representing communities or private operators. Friday thematic breakout groups also received positive feedback although more time should have been devoted to it for most of the participants. The feedback from breakout groups and wrap up session was also found very valuable.

The meeting was also found very useful for offering the possibility to meet and network in the margins of the meeting. This annual coordination meeting is becoming a very important meeting for participants, where they can interact and coordinate with others, get lessons from other projects and get updates on FLEGT policies. A number of participants see even the need to interact more, including with stakeholders that are not project beneficiaries such as administrations and private operators in developing countries and in Europe. On the other hand, by inviting more stakeholders, the meeting may become too big to be manageable and to respond to one of the key objectives of a number of participants : how can projects exchange lessons, coordinate better and add more value to FLEGT processes. A trade-off will need to be found for the next editions of the FLEGT Annual coordination meetings.

In the following table and feedback, answers have been grouped according to the origin of the participant : (1) European Commission, EU Delegation or Member State, (2) Project beneficiary, (3) other (including administrations, EFl, technical assistants, facilitators...).

More detailed feedback is provided in the rest of this section.

## Detailed results of the evaluation

	Category	Very negative			Very positive
Overall satisfaction with the meeting	EU & MS			36%	64%
	Projects		3%	50%	47%
	Other			53%	47%
	<b>Total</b>		<b>1%</b>	<b>48%</b>	<b>51%</b>
Did it respond to my objectives?	EU & MS		14%	57%	29%
	Projects		11%	40%	49%
	Other			53%	47%
	<b>Total</b>		<b>9%</b>	<b>47%</b>	<b>44%</b>
Wednesday morning : EC update on FLEGT & VPA	EU & MS			54%	46%
	Projects		3%	44%	53%
	Other		21%	29%	50%
	<b>Total</b>		<b>7%</b>	<b>43%</b>	<b>50%</b>
Wednesday afternoon : Keynote speeches	EU & MS		23%	46%	31%
	Projects	7%	10%	57%	27%
	Other		14%	50%	36%
	<b>Total</b>	<b>4%</b>	<b>14%</b>	<b>53%</b>	<b>30%</b>
Wednesday afternoon : New FLEGT “apps”	EU & MS			64%	36%
	Projects		7%	63%	30%
	Other		8%	54%	38%
	<b>Total</b>		<b>6%</b>	<b>61%</b>	<b>33%</b>
Thursday breakout groups	Africa	3%	17%	41%	38%
	Asia			50%	50%
	Latin America		8%	46%	46%
	<b>Total regional</b>	<b>2%</b>	<b>11%</b>	<b>44%</b>	<b>43%</b>

Friday morning presentation	global project	2%	14%	<b>60%</b>	24%
Friday morning breakout groups	Transparency and information	11%	17%	44%	28%
	Private sector			46%	54%
	Independent monitoring		19%	62%	19%
	FLEGT & REDD	5%	5%	80%	10%
	FLEGT Action Plan		23%	23%	54%
	Impact monitoring		29%	64%	7%
	<b>Total thematic</b>	<b>3%</b>	<b>15%</b>	<b>55%</b>	<b>27%</b>
Friday afternoon : wrap up and conclusions	EU & MS		17%	50%	33%
	Projects		10%	55%	35%
	Other		9%	46%	45%
	<b>Total</b>		<b>12%</b>	<b>52%</b>	<b>37%</b>

*What part of the meeting was most useful to you?*

*EC, EUD & MS :*

Breakout groups (3)

Interventions from people working in the field (2)

Private sector working group (2)

Final conclusions (2)

Informal meetings

Clarification on EUTR and VPAs

Discussions

*Project beneficiaries :*

Thematic working groups (9)

Geographic working groups (9)

Exchange about projects (6)

Final conclusions and feedback from breakout groups (4)

VPA update (4)

Extra time after meeting for discussions/informal contacts (3)

Evolution of FLEGT (3)

Project presentation (3)

Background information on first day (3)

Capacity4dev

Involvement of EU countries in FLEGT implementation towards consumers and industrials

How civil society and government can work together during VPA implementation

FLEGT and REDD

Independent monitoring

Other :

Regional breakout groups (3)

Networking (3)

Introduction day (2)

Thematic working groups

Update on EUTR

All

*Are there issues of importance to you that were not addressed?*

EC, EUD & MS :

Transparency issues should have better dealt with

EU engagement with large forest rich countries & BRICs (Brazil, Russia, India and China)

Invite more representatives from BRICs

More on EUTR

Project beneficiaries :

Private certification systems and FLEGT

ENRTP Call for proposals

Transparency at national level

Capacity building

Other :

What happens when VPAs are not yet in place

---

*How could we improve the meeting?*

EC, EUD & MS :

Very good meeting, congratulations

Project beneficiaries :

Invest in case studies about winners and losers in VPA (2)

Keep the meeting 3 days long

Think about a session between donors and NGOs in the margins of the meeting

More presentations of linkages FLEGT and REDD and other processes

Get a specific introductory module on REDD in the thematic group

Meeting too intense, not enough debates

Other :

More discussion on challenges and room for improvement in VPA

Try to focus on main issues and propose examples of solutions

More time in the Africa group for discussion after project presentation

Organize a speed dating approach

---

Simultaneous translation was found useful by 40 participants, 3 did not use it. The following comments about translation were made :

Demander aux intervenants de parler moins vite (2)

Parfaite ! Excellent

Very good

Briliant people

Other comments related to invitation, logistics, simultaneous translation, organisation ...?

EC, EUD & MS :

Good organisation (2)

Avoid Seafood Fair week to allow for cheaper prices at hotels

Merci pour tout, repas et cafés !

Project beneficiaries :

Perfect! (2)

Very well organized, excellent facilitation (2)

Muchas gracias y felicitaciones (2)

Qualité de la facilitation

Meeting was stimulating and constructive

Provide list of hotels to all participants

Efficace

Magnifique

Très bon buffet

Two days might be sufficient

Other :

Good opportunity for networking

Très bien

Well done, ladies and gentlemen!

Too many academics

Recommendations:

EC, EUD & MS :

- Use of videoconferencing to get more people onboard?
- Invite other FLEGT stakeholders (community organisation, local CSO, local wood traders)
- Invite members of industry and commerce, and trade departments of development countries
- Showcase successful Private public partnerships
- More short movies (like EIA or EFI ones in Asia group)
- Elaborate a roadmap of 'things to do' in response to issues raised
- Involve more the administrations and private sector

Project beneficiaries :

- Adopt a specific strategy for Latin America (4)
- Get economic operators to participate (3)
- Bring in representatives from community organisations and forest dependant people (3)
- Exploiter au mieux capacity4dev pour la coordination
- Organiser des consultations au niveau national
- Plus de temps pour la présentation des projets et la discussion, etc.
- Address implementation challenges
- Envoyer les présentations
- Impulsar America Latina para conseguir AVAS FLEGT
- Mas ejemplos de America Latina
- It is starting to get too large and impersonal
- A more balanced meeting; it is too focused on VPA
- Faire venir plus de représentants des Etats membres
- Good to insert budget lines in projects for producer countries staff to attend

Other :

A renouveler (2)

Leave more time for breaks and networking

More Asia and Latin America

More action points and planning together

## Annex V – Questions and Answers from the Africa Regional breakout group

### Questions and answers for SGS, SNV, Tropenbos, Proformal, FERN, FPP and CARE:

#### SGS Société Générale de Surveillance:

1. Can you explain what you mean by “auto funding”, as you said you achieved in Liberia?

Regarding auto funding in Liberia, the program is financed by the operators via the taxes that are perceived during the control process; SGS perceives a percentage. It's the same in DRC, we will have a ministerial order enforced; the sales of barcodes (that are needed to tag the timber in the traceability chain) will generate funding; each barcode will be sold 10USD. If during the control, timber is found without barcode tag, there will be a fine of 40USD. It then depends on volume of timber exported.
2. What is your approach to state structures? In DRC, we have a somewhat parallel approach, what about you? How do you manage the integration and the handover of the project? Do you guarantee a follow-up?

Regarding the handover, we work with DCVI and internal agents that will get the same training as DCVI agents. It's also a 5 year program that includes capacity building, so that the administration is able to manage the program by itself once SGS pulls out
3. How do you manage the question of legal flows, like the conversion of titles?

Regarding the management of legal flows in the traceability program, since there is no VPA agreement, our program just focuses on the traceability and on verifying if the wood transport is justified by the requested documents.
4. You're a private supplier performing a public service; is the IT system you're providing open or protected by copyrights?

Regarding copyrights, we work with a partner who supplies the IT access and who owns the source codes. About copyrights, the platform belongs to the supplier, the configuration and all the data belongs to the country. But we can always consider working with another supplier and transfer all the copyrights to the country.
5. You have a contract but you accept donor funding to carry out your work and this allows you to develop the system. Even if it's a contract, it is aid, and government should pay aid back. As long as project runs, you collaborate. But will you at some point leave it completely in the hands of local people? You said that timber found without barcode tag would be charged a fine of 40USD to be tagged. What if that timber comes from an illegal source? Isn't there a risk of legitimate it? Is the method used in Liberia the same as for Cameroon? What happens to the IT software at the end? Who owns it?

All our projects started on funding, either from EU or World Bank. When we talked about transfer, you must distinguish the project itself from the system. The system is transferred in the beginning because the payment allows funding the license. Our partner already developed a program and the license is paid only once and for all and is not transferrable. The License belongs to the country once paid. Liberia and DRC have paid it already. In Cameroon, we only run a pilot project; there is no national license at this stage.

Auto funding is used for the monitoring costs, the people who run the system. Government gets taxes and SGS takes a commission as a private operator.

If timber origin is unsure or unknown, it doesn't get a FLEGT, so there is no problem.

The concept applied in Cameroon is the same as in Liberia. The property is transferred at the end of project. However, we are only running a pilot version of the project for now, so it is not in question.

SNV – Netherlands Development Organisation:

1. *I have a question about the financing of your project; I have the impression everything is charged on the community, without regards to the limits of those communities. You didn't mention the communal forests, why is that?*

The VPA agreement for Cameroon foresees that all timber will be (domestic market and export). The Community forests are part of the sources that must observe FLEGT. We did not mention communal forests only because our project is solely focused on Community forests. There are others organizations that work with communal forests.

It's true that Community forests managed by communities are a minority. At the beginning, we had in Cameroon a lot of projects focused on the access to the resource but few were focused on its management. The production of timber requires a high capital. One portable sawmill costs 32000€, plus all indirect costs. How do you expect a poor community to exploit the forest if they don't have the capital? But if you consider the non-wood products, in some communities they have generated more profit than timber trade, for they request less capital.

About the implementation of the VPA agreement, it is true that we lack the necessary means to implement a traceability system. The management capacities are lacking. The education and economic level in the communities is weak and need reinforcement and external support. We also need to take more into consideration all the non-wood products that can be exploited in the forest.

2. *Community forests in Cameroon give mixed results: do you think external help will give results or is it the CF system that is not adapted and maybe needs to be re-thought so that Communities can manage its forests independently?*

We think that the Community Forest such as described in the law was a very simple process, but the new regulations have made it too complex and too heavy for the local communities. When one sees the list of needed documents and adds up the informal price for each document, plus the different VPA prerequisites, it is just too much and too expensive for the communities (for example the environment impact study costs 30000€ and must be repeated every 5 years).

What we should do is consider the forest as a whole and include the entire non-wood product in the analysis, and cut down on the legal demands. Otherwise the communities will have no other choice but reach out to an external support. It is a complex process but we need some reinforcement of the capacities.

Tropenbos International:

1. *Does your study offer options to chainsaw miller in order to work legally?*

Chainsaw milling is indeed illegal. The multi-stakeholder dialogue resulted in a policy proposal to supply domestic market with alternatives. Government has been positive about it, but the proposal needs to be clarified as we don't know precisely what to propose in there. We are doing some pilots on how to officialise artisanal milling by linking the artisans to actors who have official access to the forest. We are aware that it is a huge issue for the country and we keep working at it within our multi-stakeholder dialogue.

2. What are the key challenges you foresee in the implementation of the process and what advices and suggestions do you plan to give to the governments for the implementations?

The key challenges in Ghana are many: first, the resources. Timber domestic production cuts 2,5Mio m<sup>3</sup>/ year, and rumors has it that it would be maybe the double. In 15 years, there will be no forest anymore to supply the domestic market if we don't act. Then there is the political willingness to address the problem: it is clear that the problem is huge and government is willing to act but often barriers block the changes: political situation, corruption, etc. I suggest Ghana should think about the role its forests need to play for the country and take actions accordingly; also, Ghana should invest in a proper monitoring system. There are so many people involved in the chainsaw milling business, and to control that you need a proper monitoring system and to develop a suitable traceability system.

CIFOR Pro-formal:

1. What methodology did you use to produce the informal tax chart you showed before? Are you satisfied with the technology used? Will it be reusable? How do you justify the fact that those data do not reflect the data produced by Transparency International?

The whole method is in the publication. For the corruption, the method had to be modified because it is a sensitive subject and we had to use qualitative rather than quantitative data. But in some regions, it is easy to get a lot of data, and this allows us to measure the evolution over time. So we can follow how informal taxes evolve from one event to another. I didn't know transparency international had published something about the same subject, but maybe I got it wrong? In any case, we can discuss it over coffee.

FERN:

1. Will FERN start to work more at the procedural level? It is necessary to go further and foresee exactly how things are going to happen, and look at specific measures, because the implementation side looks fuzzy.

Procedural rights are an important topic for us. It's fine to have rights, but one must also know them and know how to use them. In the case of Congo, it is crucial to set up watching mechanisms such as an independent observer. In the context of other VPAs, we need to make sure that the existing mechanisms are reliable.

2. You insisted on the participation of communities and NGOs in the process. How do you choose these communities and NGOs? You said about Ghana that the government issues legal certificates. To us, all that comes from the government is legal. In what circumstances can a certificate issue by a government be illegal?

It has to be the local civil society who is in charge, not the international community and not FERN. So FERN does not decide what happens in the Republic of Congo – NGOs must ask us and ask you for support. Your specific question is rather a question for REDD, as we don't have expertise in monitoring at that level, but they have, and that's why we must work together as we do now, to support the local NGOs and make them more effective. About REM, it is part of the Gabon meeting, and that's why the discussions have to continue. On how do you choose NGOs, it is crucial to have a process of self-selection among the NGOs; in countries without a clear structure for communities to participate in the decision making process, it is hard to find ways to get effective communities on board, and requires careful thinking.

Forest Peoples Programme (FPP):

1. *You insisted on the participation of communities and NGOs in the process. How do you choose these communities and NGOs? You said about Ghana that the government issues legal certificates. To us, all that comes from the government is legal. In what circumstances can a certificate issue by a government be illegal?*

In Ghana, we work with a coalition of 35 NGOs across the country and with forest communities. Our members work with them to bring issues to national level, so they can bring up their own issues instead of going through third parties such as steering committee VPA representatives. On legality of certifications, the strategy adopted is that when we have info about illegal permits, illegal forestry, illegal trade etc., we expose it to the ministry, and we try to expose it as far as possible. We also address the government. It has happened that the Parliament calls the minister to give explanations about the issuing of illegal permits. It's not perfect but exposition can give results.

2. *You mentioned the local communities several times. What is currently their level of commitment and intervention into the management of the community forests?*

On the level of involvement of Community Forests in Ghana, the forests are owned and managed by Communities. But in practice, managing the forest is difficult and takes a lot of resources and the forests are often managed by the government or by third parties. Based on this evidence, we promote managing by the communities at a local level, we run a lot of pilot projects to demonstrate that Communities can manage their forest by themselves to influence Forest and Wildlife policies. If it works, we can start to advocate for stronger policies in favor of the forest communities.

#### CARE DANMARK FOND

1. *Have you been dealing with civil society and helping have a dialogue on what within the legal framework directly applies to the definition of legality and FLEGT and try to make sure the boundaries are properly set, and do you run gap analysis to address the problems in such a way that in reinforces the capacities of the country you are looking at?*

Indonesia, Cameroon and Ghana would be the three VPA we are involved with. In the case of Ghana, the VPA process was very effective on that question. The working group that engaged on definition of legality definitions tried to define not only the legal instruments, but also a baseline, and the basis for moving forward was strong. It's a work in progress but the gap analysis is there and the process for engagement to get this into the VPA process is strong in Ghana, and it's moving forward. In Cameroon, the team mainly explored the legal instruments involved and thought about a baseline. They looked at legitimacy in particular – what do people believe in, what do they recognize? They worked to try to get closer to that. It is an ongoing process; another workshop on the subject is coming up.

## Annex VI – Questions and Answers from the Latin America Regional breakout group

### Questions and answers for WWF, CARDER, TRAFFIC, OXFAM, Fundación Natura and ICF Honduras

#### WWF:

1. *I would like to have explanations on what measures you take at the sub regional level.*  
We have been building a partnership with the government and we want to expand it. In Sao Paulo, we work with the government. We support the police with the help of national documents. We are part of a technical support group. The aim is to support this system and in Sao Paulo and at the borders, lorries are stopped. The depots include registers and anyone who wants to buy legal wood gets special documents. We have been helping this process. We also work with unions at the level of timber depots so that everybody knows how to buy “legal”. There are better provisions to help companies go in the right direction. We have legal and illegal timber in the country.
2. *What about the legislation?*  
There are specific and legal measures: A national system comprised of documents as evidence for the sourcing of products. So, you need these documents to sell wood. In Sao Paulo, we’ve managed to create a programme called Legal Wood Programme, run by the local government. Sao Paulo is one of the areas with the strongest regulations in terms of wood.
3. *The position of WWF in Brazil: it’s not a real legal engagement. Brazil was not very much interested.*  
The WWF believes that you need legality from the production stage. We believe that the market regulation will help. In Brazil, we have benefitted from this, but out of Brazil, it’s more complex. We have a problem of sovereignty. In Brazil, we’ve had good result and it can be broadened, internationally. In principle, when the project comes to us, we look at how we can handle it. There will be subsidy from the Minister of foreign affairs. They are little by little accepting to participate in the project. But the area is enormous. It’s difficult to monitor such a big area. But we are working on it.

#### Corporación Autónoma Regional de Risaralda (CARDER):

1. *Are there efforts to widen the number of stakeholders? WWF, natives, etc. ? “Pacto de Madera legal”: there are numerous bridges between Brazil and Colombia, but it could be a good thing if it existed in other countries.*  
How is the *Pacto* built: WWF, the government and many other stakeholders. The project tries to identify opportunities to improve. We discuss with all the actors. We have the opportunity to discuss with local populations.
2. *What is the interest of the private sector? Are there collaborations? What are the difficulties in the field? How is the issue of certification envisaged?*  
The role of the local people: Colombia is a particular country in terms of environment: there are 2 or 3 authorities, plus the municipalities. It means that it is an important coordination exercise. In the project, we identified roads as important elements. We check lorries and count the wood. We need to build a system that will be useful for the country. We don’t have modern

equipment to work with. A monitoring system requires protocols to check wood on roads, in deposits. As far as the forestry system is concerned, the big producers are in the certification process, which is a good thing. In Colombia, we have 4 certification initiatives. We are building a general system.

3. *It is important to understand the process. Is there a communication plan?*

Yes. We support it, we systemise all the lessons learned. We systematise the process to explain how we moved from monitoring the origin of the wood.

TRAFFIC International LBG:

1. *Who are the main parties: NGOs? The private sector?*

You answered the question: in the first stage, WWF is the main partner. We contemplate a meeting with the EC. We are currently in the 1<sup>st</sup> contacts. The high level Minister meeting will guide us in our plan. We still have a lot of work ahead of us.

2. *In Peru, the regional approach is very interesting. In terms of synergies: you could perhaps collaborate with the Andean Community: you may possibly be complementary. We collaborate with Traffic, WWF; there are possible synergies there too. Meeting the CAL is another possibility.*

Thank you for the suggestions. I insisted a lot on the high level meetings, but it is not the only approach. We also have to generate actions with the communities. We don't want to work only at political level. The decision-makers are not enough informed.

3. *Two concerns: will there be comparative analyses for the four countries, and how will you handle the bi-national issues to better manage the border regions?*

We have to measure what happens in all the countries and see if there aren't existing actions. We want to adhere to existing initiatives. Colombia-Venezuela e.g. and other country combinations already have existing organs and we are going to use them. We are planning actions in Malaysia and we want to include the World Bank Indicators recognizing that there are differences in the countries. We have a component with Europe, not a big project in terms of private sector. We want to inform them on South America. We want to develop the correct messaging and take this opportunity to promote VPAs

4. *I want to give you some messages. You want to explain what FLEGT means in these four countries. Be prudent in your communication to avoid confusion. We send FE missions to disseminate what FLEGT means. So you should coordinate with the latter to avoid problems. The interactive map is an important tool. It can be used in upcoming projects. It's very easy to use it and see what is going on. It could help from a coordination point of view. How to influence people, decision-makers has to be reflected in the budget. All these activities are important. What strategy do you have in terms of sustainability? You can ask the government to increase the budget. It shouldn't be too expensive. Last thing: we are carrying out a study covering many countries. The objective is to know where the flows come from and go to. We have a report on that.*

This supports the plan that we are developing. We are visiting EU Delegations in all the countries. We do need synergies.

OXFAM GB LBG:

1. I would like to complement what was said: with the forest guards that we set up, 200 people carry out the control. This is something specific that we could share with other projects.

2. Now that the project is ending, what are the means at our disposal not to lose what has been achieved? How do you intend to go on with what has been built through the project?

We are currently systematising: drawing lessons, etc. The project is linked to other projects. We are going to capitalise on this. Another important aspect is reinforcing local organisations. They will become the local government partners to maintain what has been learned through the project. These organisations will play this role and generate discussions. Sustainability comes from what they are doing, it shows their added value: the control on their territory and on wood. In this case, a link has been created with private companies. There are discussions between the private sector and local organisations. It is a good example, good lessons learned. It also generated agreements between Afro communities and local governments. They are also working with the private sector and the education sector (universities).

3. Would it be possible to replicate the progress of Afro communities? Afro community organisations should be present not only via WWF.

We worked on building the stakeholders' capacities, but afterwards, they signed the agreements and worked on their own. It was an enriching experience to see how they managed to sign agreements. We had worked for 5 years with them. We only helped them in the capacity-building process. There are other projects in the region. The projects should be sustainable because, one day, we won't be there anymore. Another aspect: there is another important interest for these local populations. Thanks to these types of experiences, they will continue the dialogue with the authorities. It's better if they have a say in the process. Next time, they are the ones who will come here to talk about their experience with you. Transmission is essential.

Fundación Natura:

1. What is perception of the private sector in terms of forest governance? SMEs work in illegality because they cannot work differently.

The market is a real issue. We have to bear this in mind. Some companies would like to differentiate themselves through certification. 5 or 6 now have this certification. That is an image factor, an engagement in terms of sustainability. It's a very particular market. They want to be certified because it means business. There is an interest, but we have a lack of impact to actually get them involved.

2. You are not using the small-scale indicators?

We know that in reality, we'll have to go to a smaller scale approach.

3. What is the verification system like?

The 5 certified businesses are supported by the auditors. They all use the same system. It's not linked to the government. No, nothing national exists.

4. Internal market certification?

Relevant information: there is e.g. a movement around the whole market in Colombia, backed by big companies. They require within their policies that SMEs move towards certification. In the internal market, very few are certified. When they are trading externally, there are SMEs that send samples to, for example, Panama. Very often, they want the necessary certification within a week. They do not always know that a whole process is involved here.

ICF HONDURAS:

1. I want to stress that it is an opportunity. One of the main problems is the gap in terms of capacities. Finding out about FLEGT and how to manage multi stakeholder process is not easy. Demand for such trainings will increase. This programme at the University of Wolverhampton is a programme that has been created as a platform to learn. We have been supporting it for some years with grants. It is a good opportunity.

2. We want to exchange programmes on this and include the university in forestry governance. There is a demand. All the universities will need it in Latin America in the future.

We try to coordinate a meeting with universities. It's not easy. We will have a reflexion in June on what is happening with the environment authority. It could be a good idea to see how you can support us.

3. I have some experience with GAL in terms of territorial governance. We want to expand. The curricula have a Latin American approach. We could put a group on the Website.

Good idea. A group for capacity development is a good idea. Within FLEGT, we are interested in training. As far as indigenous issues are concerned: we should be more effective and see what are your experiences. The capacity building subgroup is important. For 8 or 9 years, we discussed forestry law. This law, created a new level of institutionality. This has helped creating an advisory council. They support forestry governance in Honduras.

We intend to contextualise the project designed three years ago. In the project document, they refer to forestry governance. We think about putting an addendum to adapt it to the new context and FLEGT issue. I would like to mention that one of the problems related to illegal timber is the change in land use. Ownership: in Honduras, we are working through the natural resource programme. The FAO has been involved in and supported Honduras in its strategy to fight illegal logging and foster legal logging. There are many obstacles that we need to avoid. There were workshops organised in Honduras. We organise FLEGT workshops and the US also participates. We were supported by EFI; they made a presentation to civil society. There are many projects under way in the EU with the participation of the private sector, civil society and state institutions. This allowed disseminating the idea and the government continues to disseminate information on illegal logging. Now, in these workshops, they are disseminating FLEGT issues. In Honduras, there is a committee where we can also talk about FLEGT issues. That is the backdrop. It's interesting to be able to work with the potential partners in the sector. We want to work more with the private sector. These are specific groups. There are sensitive issues in Honduras. Last year, e.g., only one government institution was present. That's the picture of the difficulties we are faced with. Indigenous groups are standing in the way of developing it. The process is quite complex. There are many challenges to overcome.

4. Conflicts between interest groups are fundamental issues. Modernising involves talking about that. What are the mechanisms to put forward?

We said that there are different groups: environmentalists, individuals and all the levels: regional, national etc.

5. I want to stress the importance of community management. What is the process in Honduras?

The Law of 1974; there has also been a lot of support from the Germans for the idea of "community forestry". In the new law, priority is given to local communities in terms of management. We have 1,000,000 hectares of forest that have signed agreements and we

continue to progress. The exploitation is for the local communities; 50% of the tax revenue is invested in the community (extension of electricity e.g.).

6. *You mentioned law. It's a cooperative approach. Do you think this participative approach can be reactivated?*

Absolutely, the idea is exactly that: a consultation process. We are making a real effort to give the people relevant information. This dissemination of the FLEGT process is essential. We are still studying the results. We want to reach a consensus in Honduras in the drawing of the new law. The process requires a lot of consultation. It's necessary if we want people to accept things.

7. *In the presentation, you talked about awareness-raising to bring about FLEGT. Are there differences in the approaches between REDD and FLEGT?*

The idea is that when we encourage local participation, we look at two areas. Before, the state of Honduras was the owner of the woods. Local people didn't get any profit. There was no management at that stage. With the new law, the priority in terms of access to natural resources is local. The communities now know they get a direct impact. They know that money is going to be invested locally. Local people are involved in the decision-making. There is transparency, people have to monitor things. We think that this link with the communities is good for the country generally speaking. Now, we want to manage forestry at local level so they can start fighting for their own rights. It's a long-term process. The Honduran culture will have to change. Exploitation of forest will create long-term wealth for the country.

## **Annex VII – Presentation Summaries, and Questions and Answers from the Asia Regional breakout group**

### **Presentation Summaries and Questions and answers for TELEPAK, LEMBAGA, EIA, EFI , and World Bank**

TELEPAK PERS PERKUMPULAN - Strengthening Indonesia's Independent Forestry Monitoring Network to ensure a credible legality verification system and effective VPA implementation:

#### Summary

Telapak is an organization based in the province of West Papua. The overall objectives are: a) Effective Implementation of FLEGT VPA with robust and credible timber legality verification system in Indonesia; b) Improved forest governance in Indonesia resulting in reduction of forest loss and benefits for local livelihoods. Regarding the specific objectives, Indonesian civil society plays a central role in development and implementation of policies related to forest governance. The main target groups are the civil society and indigenous people organizations in Indonesia. Their main area of work is the independent forest monitoring. Telapak is based also in other locations in Asia such as South Sulawesi, East Kalimantan, Riau, North Sumatra and Jakarta. Their main local partner is Forest Watch Indonesia (FWI).

#### Questions + Answers and discussion

Regarding implementation of VPAs, without a role of civil society monitoring nothing is going to happen. This is not due to a lack of will, but to a lack of capacity. The biggest network is civil society and indigenous people. The suggestion is to let the SVLK (Timber Legality Verification System) grow, and to ensure that the programs being implemented can continue beyond their 3 year timespans. The real issue is informing people about SVLK at the sub-national level.

1. Will there be funding from the Indonesian Government for the multi stakeholder monitoring and evaluation committee due to be set up and to promote the dissemination of information to society?

Telapak is looking for the funding, they don't get the money from their government so as to maintain their independent status. Telapak is working to improve the dissemination of information, particularly at the district level. Who and how to pay for independent monitoring of VPAs is an important and pretty open question. We are certainly aware that it is an important issue. Perhaps the logical solution would be to raise revenue from the licensing itself as we need the civil society to provide the credibility for the system. The Indonesian government is putting very little money into the monitoring of SVLK; they perceive that the job is already done and anticipate that it will happen on its own. This is a very questionable approach and should be of concern. The topic needs more research and investigation. The first issue is the institutional setting for a body that does independent monitoring. How to channel money into such a body? The second issue is the sustainable source of funding. In Indonesia we have a specific issue from the EU perspective.

2. Is there any progress on report detailing outreach for trade and how SVLK is going to be implemented? With the promotion of SVLK internationally, are there any issues with this, certain sectors are involved that perhaps are discrediting it?

The approach has been to try and involve the big logging companies in supporting SVLK to improve conditions. It's a delicate balance though. The EU must be stringent in evaluating this

SVLK scheme. No easy solution, feedback from the market is an important method of evaluation. There is a lack of understanding at the moment with where FLEGT stands. International NGOs are very useful in this process of evaluation. It is more or less impossible, however, for NGOs to secure funding from the EC now and into the future.

LEMBAGA EKOLABEL INDONESIA LIMITED PARTNERSHIP: Strengthening Civil Society Organizations and Small and Medium Industries in VPA Preparation and SVLK implementation.

#### Summary

The objective is the promotion of EU initiatives on trade legal timbers through strengthening roles of local civil society organization and small medium timber industries. The main area of work is domestic and regional market issues. The main targets groups are Community forest managers and NGOs. The objectives are the following: a) increasing awareness of target groups on FLEGT VPA issues; b) improving skills and knowledge of target groups on implementing standards of timber verification; c) facilitating community forest management units and small-medium timber industries to be ready for SVLK verification; d) broadening public awareness on government policy of timber legality and FLEGT VPA to support its implementation ; e) enhancing capacity of local government to better coordination with other sector to implement policy of timber legality verification. What needs to be done by LEI and partners: 1) improving coordination among CSO, local government and private sector 2) by others; capacity improvement of local government dealing with timber administration from village level to district level, facilitating local government to formulate supporting necessary regulation for implementation of SVLK, replication in other location by other project; 3) necessary to coordinate EU grantee in order to synergize with complementary issues under other EU supported projects.

#### Questions + Answers and discussion

The work is very complex if we want to promote SVLK on the local level. One of the key interest of Indonesian NGOs which work with the government is promoting community based forest management. The big constraint is promoting something before it actually exists. The important thing is to create a demand for legal timber. We have to develop a strategy on how to communicate the FLEGT license timber. We are going to have a discussion with partner countries on the type of promotion they would like. There is a discussion that needs to take place with the partner countries on this matter. Who is civil society in Indonesia? Do we give a voice to local people? About the implementation of VPA, will the verification system be effective for all Indonesian islands?

EIA – ENVIRONMENTAL INVESTIGATION AGENCY: Strengthening civil society to promote integrated actions and policies to tackle tropical deforestation in Asia-Pacific

#### Summary

The documentary gives the story how VPA has been achieved in Indonesia; it focused on Indonesia though the role of Laos, Malaysia and Vietnam, which helped Indonesia in achieving a VPA. The

documentary tells that civil society groups are empowered by being trained to document and collect evidence of forest crimes. It also points out that it is important to help civil society and create reports that can influence policy makers and help to take action to stop illegal logging.

#### EUROPEAN FOREST INSTITUTE: Regional Support Program for the EU FLEGT Action Plan in Asia

##### Summary

The objectives are the following: improve forest governance, and contribute to poverty eradication and sustainable development of natural resources. The locations are all DCI countries in Asia. The program officially started in November 2008. The budget is largely covered by the European Commission, the United Kingdom and Germany.

How useful and supportive is the EFI FLEGT Asia Regional Program to the FLEGT Processes in Asia?

- Regional and national studies (including Baseline Studies to identify stakeholders, timber trade flows, timber legality assurance situation, etc.), continuous awareness raising and capacity building, resulted in an increased FLEGT understanding and triggered national and regional FLEGT implementation activities.
- Supported the EU in opening up of FLEGT VPA negotiations and dialogues with key timber producing and processing countries in all ASEAN countries.
- The creation of a strong FLEGT regional network with well-established institutions, and with Civil Society, Industry and projects implemented by EU member states.

What needs to be done to make the EFI FLEGT Asia Regional Support Program Stronger?

- Stimulate coherent messaging, approaches and incentives to like-minded countries in the Asia-Pacific. The presentation points out that good contacts with organizations in countries such as Australia, New Zealand and U.S. have already been established. Over the past few years there has been an enormous expansion of consensus to support FLEGT.
- Develop further cooperation and coordination with partner organizations working on FLEGT objectives.
- Stronger EU engagement in FLEGT target countries and with organizations like ASEAN, APEC and SAARC. The delegations are becoming smaller.
- Start FLEGT work in India and step up activities in China, including linkages between China and Africa is definitely an area where we need to start to work.
- More FLEGT facilitators and “lynch-pin” personalities.
- Outreach on practical and realistically achievable industry approaches to increase regional and global trade in legal forest products and address good forest governance in the Asia region compliant with new legality requirements. The main concern is how to add value to the industries.
- A short comment has added at the end of the presentation. The European Forest Institute is trying to get China to start to promote license timber as well. Chinese have a massive export power. It's very important to focus on China because it's the big issue. If China moves, the rest will move as well.

## Questions + Answers and discussion

A desire to stress the importance of the 2013 timber regulation, and it working in order to be a proper motivator for the VPAs to work. Also, the steps needed to be taken by the trade must be enforced, as there's no reason for the trade to react otherwise, especially if the law is poorly formulated. More clarity needs to be created surrounding this issue. In the work of the last 3 years, we missed the opportunity to work with Papua New Guinea (PNG). We were ambivalent about working with them however, as it is so complicated. With PNG not being part of the Asian region, this program cannot focus on them. It should however be part of this approach due to the importance of this region. Regarding Russia, Japan and the USA, we are interested in working with them. With whom we should work together to get the Russian Far East into these regional efforts is an important question.

1. Two questions about the presentation: a) Do you see any possible further step we can make? b) Any progress in major consumer nations in the Asia Pacific region?

We cannot work with Japan even though we aim to start to have an intensive dialogue. Members from the EP have invited us to explain about other market developments, for instance in the USA. We had a big seminar in Tokyo. Not much has happened in the last few years otherwise however. In reality it's very complicated in Japan. I hope something beautiful will happen in South Korea, but we haven't started yet. There certainly is interest in South Korea. We actively engage in information sharing with Australia and New Zealand.

2. Do you work closely with Asian FLEGT? A local call has just been published in Cambodia on Forestry and Land.

ASEAN has two initiatives related to FLEGT. One is FLEG, a policy working group, more on a political level. The second is a working group on forest certification. It will meet in Laos in May – we are supporting this working group. The contact with ASEAN secretariat is quite good, they are very cooperative.

3. Question regarding law breaking in Asia, particularly import and export laws between China and SE Asian countries. Countries are breaking their own laws and timber is being sold. What is the role of EFI in these situations? Is it possible to publish relevant ASEAN regional meetings? It could be useful for strategy, a list of what is going on in the region.

We have to make a distinction between the discussions with government and the EC, and the reality of trade. They want to make money, there's no real other driver. We're talking about VPA negotiations but not with China. A good strategy has been adopted in the Asia region considering budget allocated. However, we should discuss the balance of support given to Asia as a region from Europe, given the scale of illegal logging. Globally, Asia is really where we should be working. There should be much more support for this work, we need to stop talking about governance as we're only making a few efforts.

4. You mentioned India that it is necessary to start the FLEGT process there but you said that it is very difficult in India, why so?

The problem in India is largely because it's an end market. It's of a completely different nature and it might take a lifetime to understand, let alone to answer.

The statement on importance of Asia must be framed regarding it's relation to Africa and with respect to the access to development resources and trade. This statement must be balanced.

## World Bank: FLEG AND FLEGT processes in ENPI East countries + Russia

### Summary

The program is FLEG, not FLEGT, and is funded by the EU. The program is being implemented by the World Bank. We're working in seven countries. The overall objective is to contribute to legal and sustainable forest management and utilization practices, a strengthened rule of law, and improved local livelihoods, focusing on environmental sustainability, human rights aspects and gender equity. The specific purpose is to improve forest governance arrangements through the main priorities of the ENA FLEG Ministerial Declaration. One of the target groups is multi-stakeholders that are interested in forest, mainly government stakeholders. The program is focusing on trying to look at policies targeting the poor within legislation; regarding local partnerships, in each country we have national program advisory committed.

Results: increased awareness and commitment of key stakeholders on FLEG; effective national and regional FLEG action processes in place; increased national ownership and capacity; improved regional and sub-regional collaboration and knowledge sharing; effective engagement of key trading partners; continuation of the formal official Europe-North Asia FLEG process; sustainable forest management practices implemented

FLEG's contribution to the FLEGT process: a transboundary timber flow regional workshop; forest certification support; policy and legislative dialogue; EU FLEG regulation and its impacts on enterprises and trade; Russia – EU bilateral dialogue; professional training; raising public awareness, which is key in terms of impact.

What needs to be done next: continue the processes begun; bring about a behavior change, public awareness, and certification; increase regional cooperation e.g. China-Russia; roll-out the use of ICT; support the EU Timber Trade Regulation + Lacey Act; real community forestry; keep FLEG & FLEGT on the international agenda.

### Questions + Answers and discussion

1. Where will the EU/Russia dialogue (that happened last November) be going?

From the Russian side it's still on the table. Russia doesn't need any funding itself and it doesn't want to be labeled as a developing country. The bank in Russia is now negotiating a new Forestry loan, specifically concerned with forest fires. However, the loan amount that the bank is providing is a small proportion of the total amount of funding. There are also political aspects involved in this process. There are a lot of opportunities but we have to be careful on how to do it.

2. Do you have the possibility to develop a FLEGT strategy that fits into an Asian regional approach? Are you looking into the new program with a specific target such as the Russian far East?

We would like to target some specific work on the Russia-China trade issue because it is such a huge problem. We would further explore the possibility to try to do some work on this issue. It is on the agenda. There's a lot of forest know how that we can also apply to Russian forests.

## **Annex VIII – Full transcript of the speeches**

### **2.3 Keynote address by Vesna Valant on behalf of Commissioner Potocnik**

Vesna Valant then addressed the conference on behalf of Commissioner Potocnik:

'It is a pleasure and an honor to address you on behalf of Commissioner Potocnik today. I am impressed by the wealth of all your experiences gathered here. Thank you for being all here, I hope you will make the most of this conference. We consider FLEGT and REDD as initiatives of great value. Notably because FLEGT covers two topics of importance to us: environment and development. We are happy to hear that we can welcome two new countries in the VPA programme, namely Liberia and the CAR<sup>1</sup>. Congratulations! We are also happy to hear that other countries, like Guyana, Laos and Honduras, have shown interest towards the VPA program. I am glad that delegates from Laos and Honduras are here to give a speech today and I look forward to hearing them.'

The Rio Conference will start in 8 weeks from now and its agenda is quite crucial. Its outcome is still unknown, but what we know is that we want to play a key role in it. The EU wants to foster a green economy and the use of renewable resources. In parallel, the EU works to create a stable environment for all actors. The new timber regulation will generate a high demand for legal proof. The FLEGT license is the easiest way to do it, and we look forward to the first shipment. We know the timber regulation raises concerns, but the EU is ready to open the dialogue on those concerns. I repeat our commitment to make FLEGT a success, and you all being here is an appreciated proof of interest. Let's make it a success and leave this conference energised and full of projects! Thank you.'

### **2.5 Presentation of Laos's sector challenges and opportunities offered by a VPA: Intervention of the Chargé d'affaires at the Embassy of Laos, Bounpheng Saykanya**

'Mr. Chairman, Excellences, Ladies and Gentlemen, I sincerely thank the EU for its invitation and apologise in the name of the Ambassador, who could not come today. On behalf of my government, I would like to thank the EU for accepting Laos's application to FLEGT. Our government has always considered the preservation and the protection of the forest a priority, while fostering the trade of all forest products. Laos analyzed the FLEGT program and found it useful and profitable for the protection of the forest sector. This is why Laos contacted the EU to signify its interest in the FLEGT. The EU reacted positively to Laos's application and declared it was open to negotiations to start the program. The Laotian government will take actions to meet the FLEGT criteria by 2020. It will also take actions to fight the illegal trade and to protect the forest sector. Now is a good time to think about the protection of our natural resources. It is an honor to be here and to announce that Laos accepts to start the negotiations for a bilateral agreement. Thank you for inviting us to this enriching conference. We wish lots of success to FLEGT!'

## **5. Key note address by Director Kristian Schmidt**

The groups then reconvened and were addressed by Kristian Schmidt:

"10 years ago, I was working for the Commissioner in charge of Development when we announced an action on illegal logging in Johannesburg. At the time, the concept was simple for launching FLEGT: European consumers should be able to buy garden furniture without feeling guilty. All products made of tropical wood had to contribute to the development in its country of origin. 10 years later, this concept is still relevant and new and all the tools are being used rightly. Governance,

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<sup>1</sup> The Liberian and Central African Republic VPAs were ratified on the EU side at the time of the meeting

fight against corruption, trade, etc. I'm also responsible for Rio+20 and the preparation is quite challenging. We are meeting at a time where Europe is under the pressure of austerity. But it is not just a question of money. We are mobilizing regulated market forces to produce development objectives. It is quite rare to leverage resources from the private sector from the market force to achieve the development objectives. There is also this week a governance and human right issue that goes well beyond this: the Charles Taylor trial, which was not only about blood diamonds, but also about timber. It is a reminder of why we are doing all this. We have seen very Positive development of the action plan with the conclusion of 6 VPAs. I welcome & salute these agreements; they now need to be implemented. We are receiving more and more requests for application from many countries (Vietnam, Laos, Honduras, Guyana etc.) this growing demand is appreciated; it shows that we reached critical mass in terms of credibility. With those countries, we are now covering 30-60% of all imports to Europe. It will only be a success if the VPAs deliver in issuing licenses and make it work. This only works with Member states on our side and I thank them for their support. We need more support but we are already grateful. The big next milestone is the enforcement of the EU timber regulation. We are aware it is a test case for our credibility and that having importers prefer licensed timber is an essential condition in making this work. This regulation must be implemented in all Europe. Secondly, as we sign VPAs, there is a question of communication to the private sector operators that has been raised. The sector needs to hear and know about FLEGT, VPAS and timber regulation. Hopefully, with the work we continue to do together, after March 2013, we can all go in our local supermarket, buy FLEGT furniture for our gardens and be sure that it supporting human rights, sustainable forestry and sustainable market and environment worldwide. If we can achieve that, it will be quite a result. Thank you.

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