



FLEGT

FOREST LAW ENFORCEMENT
GOVERNANCE AND TRADE

The FLEGT VPA negotiation process

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VPA Negotiation

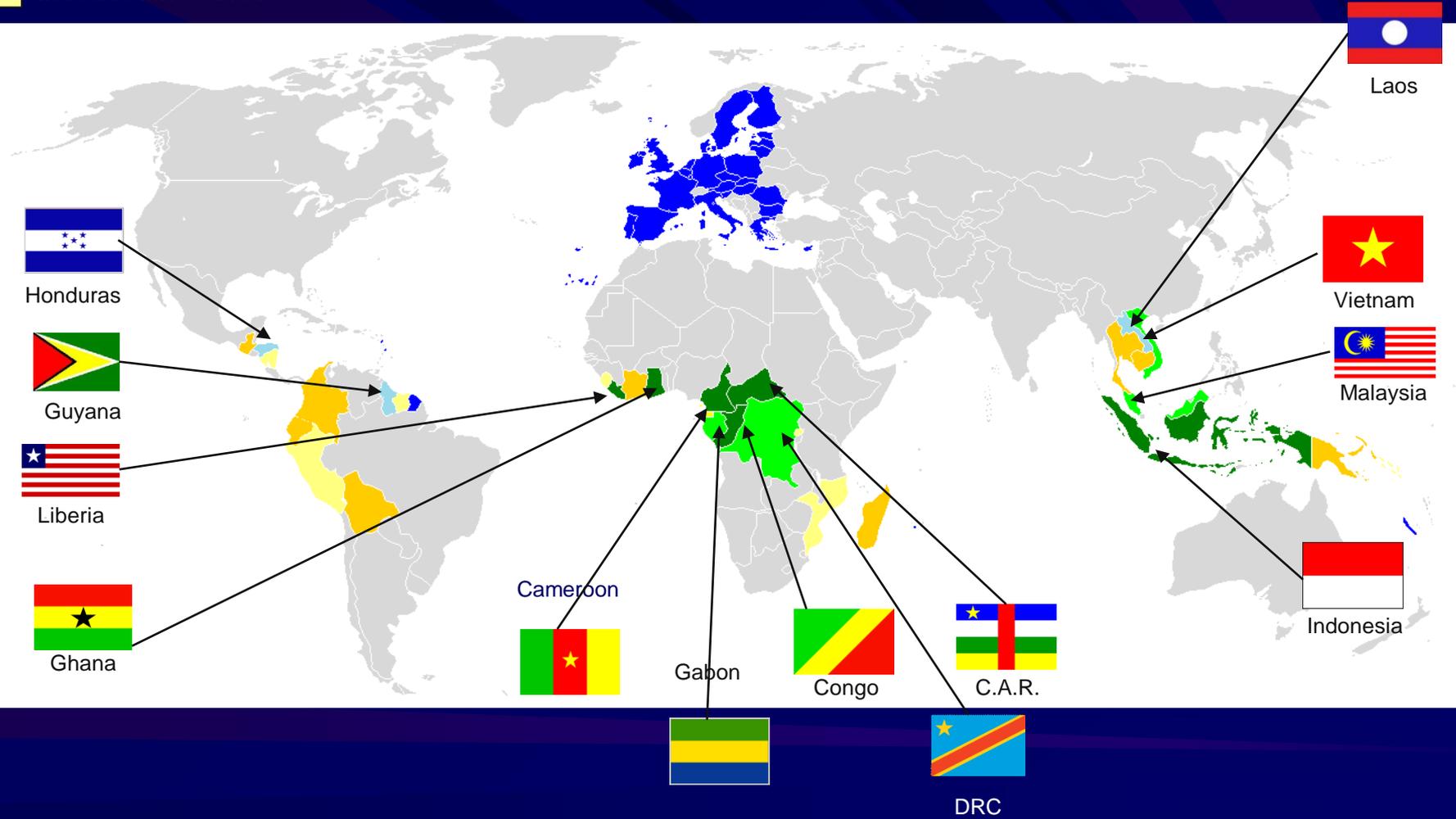
A VPA negotiation means:

- ✓ working on a reciprocal trust relationship
- ✓ discussing with civil society, government, private sector, local government services, judiciary
- ✓ examining governance challenges, developing legality definition, identifying weaknesses in regulatory systems, building a verification system for timber traceability and licensing
- ✓ formal sessions that follow an agreed work plan (Roadmap, flexible and subject to changes)

FLEGT VPA partner countries to date

July 2012

- FLEGT licenses (not yet)
- System development
- Formal negotiations
- Entering into negotiations
- Preparation, in-country consensus building
- Introduction to VPAs



Misunderstandings about the VPA

The VPA is **NOT** a project, nor a quick fix nor the answer to all problems:

It is a process which will strengthen other actions, but not a substitute for:

- Certification of a unit of sustainably managed forest;
- Ongoing policy reforms, it can accompany them
- A mechanism to stop deforestation, nor a REDD mechanism but there are linkages and resources to explore and share

Many different reasons to engage

- Expectations of market access, larger market share, higher prices, new market niches
- Improve the national forest/timber sector and the broader land use strategy
- Reduce opportunities for corruption/illegality, also at regional level
- Increase revenue collection & budget allocations to implement forest/timber laws
- Work on reputation and visibility as a low or no risk country at regional and international level

Building the VPA

- ✓ Negotiation *Roadmap, technical and formal negotiations, stakeholders engagement*
 - ✓ Agreement *Signature and ratification process in EU and partner country*
 - ✓ Implementation *Build capacity and VPA systems, Joint Implementation Committee*
 - ✓ Exports *FLEGT licences; EU border controls; audits*
- **Through stakeholders support and market confidence**

In country consensus building

- Information dissemination
- Stakeholders organize and create structure for discussion
- Country debate and analysis on legality, tracking systems etc.

Bilateral Negotiations

- Negotiations with EC on VPA Annexes and Agreement text
- Negotiations AMONG stakeholder groups in VPA producer country
- Negotiations WITHIN stakeholder groups

Agreement Ratification

- VPA initialed
- VPA Signed and ratified in producer country and EU

System Development

- Tracking systems improved/created
- Licensing system created
- Independent auditor selected
- Joint implementation meetings

LICENSE!

- FLEGT Licenses issued
- Indep Monitor functioning
- timber controlled at EU borders

Stakeholders involvement

- **The VPA is owned by the country and the people who live in it**
- It is an important component of the VPA process which strengthens national ownership and give credibility and transparency to its outcomes
- It needs active participation and contributions from all stakeholders, at Government level, industry, civil society, small holders, etc.
- Feedback and contributions on Legality Definition, TLAS and other VPA components are part of the VPA process

FLEGT entails a substantial investment by partner countries

- Stakeholder process to contribute towards a legality definition and assurance system
- Technical work: enhanced timber control, verification, licensing and monitoring procedures
- Analyse issues on land tenure and use, rights and access
- Resource allocation, efficiency & accountability
- Ensure sustainability of the systems developed in the VPA context

VPA structure

- The body of text (legal articles)

and

- Country detailed specific Annexes (with all the necessary technical elements)

The technical components: annexes

- product coverage
- legality definition & compliance framework
- EU handling of Flegt licenses [EU]
- FLEGT License and procedures [EU]
- Timber Legality Assurance System (TLAS) description
- Principles of Independent audit (of the TLAS)
- Implementation schedule
- Additional Measures
- Assessment criteria for TLAS
- Information disclosure and reporting
- Functions of Joint Implementation (steering) Committee

The EU as negotiator

- The European Commission (Brussels headquarters staff) negotiates with the GoL on behalf of the EU (27 Member States): VPA legal text and technical annexes
- The EU Delegation is the direct communication channel for any request or clarification related to the VPA process
- Member State(s) usually provide support to the process in country. A country based Flegt facilitator is fielded.
- The Facilitator has a neutral position and support both negotiators
- The EU reports back to European Institutions; MS and European stakeholders in general
- The EFI provides technical assistance to the VPA process (governance issues, LD, TLAS) through a team of specialists

What is the time frame for the negotiation ?

negotiation

Conclusion of negotiations

*System fully operational
& independently assessed*

*FLEGT license timber
available in EU market*

xx year(s)?

xx year(s)?





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Thank you