

# FLEGT VPA PROCESS

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## Scoping

- **In some cases specific studies can be useful to facilitate an informed decision eg**
  - **Details of forest product trade flows**
  - **Stakeholder mapping**
  - **Impact assessment**
- **On EU side identification of potential lead Member State that will work with the Commission (where possible)**

## Outline

- **Information**
- **Scoping**
- **Decision to open negotiations**
- **Negotiation**
- **Signature and ratification**
- **Implementation**
- **FLEGT Licensing system operational**

## Information

- **“V” of VPA**
- **Usually informal expression of interest from country**
- **Briefing meetings EUDel, DEVCO or ENV, EFI; EFI Briefing Notes, EU NGOs, private sector**
- **Describe process but try to avoid being too prescriptive on content**
- **Information to as many stakeholder groups as possible, not just govt.**

## Decision to open negotiations

- **Different forms**
  - **Meeting and joint press release: Minister and Commissioner**
  - **Letter to Head of Delegation**
  - **Memorandum of Understanding**
- **ENV or DEVCO lead**

## Negotiation

- **Different levels**
  - **Senior Officials Meeting**
  - **Technical Working Group**
  - **Joint Expert Meetings**
- **Mainly in partner country but some sessions should take place in Brussels**

## Negotiation

- **Negotiation team: partner country**
  - **EU can encourage but ultimately the composition of the team is up to the govt**
  - **Aim for a team including representatives of different Ministries concerned, NGOs, private sector federations. In Liberia community representatives were also nominated.**
  - **Structures for reporting and consensus building between stakeholder groups**
  - **Good facilitators invaluable**

## Negotiation

- **Negotiation team: EU**
  - **European Commission has a formal Council to mandate to negotiate for the EU**
  - **Member States invited in-country and in Brussels, generally one or two take a more detailed interest**
  - **Commission reports on progress to Council WG on Forests**
  - **Ad-hoc FLEGT group for more detailed coordn**
  - **EFI experts provide technical advice**
  - **No NGOs or private sector in EU team!**





## Negotiation

- **Key issues can include**
  - **Definition of legal timber**
  - **Description future Timber Legality Assurance System**
  - **Structures for reporting, independent monitoring and governance of the VPA**
  - **Indication of reforms that will be made**
  - **Soft references to development cooperation**
  - **EU market incentives often sought...**

## Negotiation

- **Key issues can include**
  - **Definition of legal timber**
  - **Description future Timber Legality Assurance System**
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  - **Indication of reforms that will be made**
  - **Soft references to development cooperation**

## Signature and ratification

- **Trade legal base: signature and ratification only done at EU level – no MS ratification**
- **Initialling**
- **Legal scrubbing**
- **Commission proposal for signature**
- **Approval by Council and signature (photo op)**
- **European Parliament consent**
- **Ratification**
- **Publication in OJ**
- **Interim body for coordination EU- partner country**



## Implementation

- **Often a loss of momentum after negotiations**
- **EU or MS programming of cooperation can lag behind**
- **Try to keep momentum and focus on implementation**
- **Development of IT systems has proved difficult**
- **Some technical assistance possible from EFI FLEGT Facility**
- **Greater role of Delegation vis a vis HQ**

The logo for FLEGT, consisting of the letters 'FLEGT' in a bold, white, sans-serif font.

FOREST LAW ENFORCEMENT  
GOVERNANCE AND TRADE

## Implementation

- **Work also underway on EU side to have procedures in place and penalties established**
- **Electronic FLEGT licenses**
- **Independent Market Monitor**



## **FLEGT Licensing Scheme Operational**

- **Independent assessment of Timber Legality Assurance System (ToRs in VPA)**
- **Assuming report positive – decision to go “live” in Joint Implementation Cttee with proposed date**
- **EU side: FLEGT Regulation Annexes must be amended through a formal procedure**
- **Annual reports**



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## Recap

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