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Voluntary Partnership Agreement
Forest Law Enforcement, Governance and Trade



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Latest news

Share your thoughts with us

It is becoming apparent that 2014 will be a critical year for the forest community.

Legislative reform at the Ministry of Forest Economy and Sustainable Development (MEFDD) continues with the revision of the Forest Law and the development of related forest policy. The revised forest policy is due to be finalised by the end of March and the revision of the Forest Law is expected to be presented in May.

The first forest management plans for the south of the country are scheduled to be drafted during 2014. The 2014 Independent Observer Roadmap has been unveiled. China is said that it is committed to helping combat illegal logging. For example, during the second half of the year, it intends to update its guide for

Chinese companies conducting forestry operations abroad.

I hope that you will enjoy reading this issue of the newsletter.



Aurélien Després TATY,
MEFDD Communications and Extension Director

The new FLEGT Facilitator



Bruno Portier has taken the position of FLEGT Facilitator, from Germain Djontu who finished his posting in the Republic of Congo. Bruno met with us and discussed his role as facilitator.

1) Was does your role as FLEGT facilitator in the Republic of Congo entail?

The FLEGT Facilitator mainly helps implement the VPA in cooperation and synergy with all stakeholder groups. I facilitate consultation with and dialogue between the VPA signatories, the Republic of Congo and the EU. I also work to ensure that civil society and private sector organisations stay involved in the process. My key tasks include preparing, planning and facilitating VPA implementation meetings, in particular those of the Joint Implementation Committee and the Joint Working Group.

2) Who are your main partners?

The main partners who support my work are MEFDD and the Ministry of Economy, Finance, Planning, Public Expenditure and Integration (MEFPPPI) on the Congolese side, and the European Union Delegation in Brazzaville. I mainly work with a broad range of forest sector stakeholders in the Republic of Congo including companies, project developers, NGOs, civil society organisations and the FLEGT independent observer (OI-FLEGT).

3) Is this your first experience in Africa?

I come with extensive experience in Africa. I worked in several African countries for 11 years, including five years in Benin on a reforestation project supported by the African Development Bank, three years in Niger with FAO and three and a half years in Burkina Faso. I have carried out several short missions in other African countries. I also worked in Vietnam for one year.

Bruno Portier can be contacted by telephone at 06 609 8350 or by email at bruno.portier@theidlgroup.com



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Legislative reform

Stakeholders undertake to complete the work that they have started

The legislative reforms needed to support the VPA are expected to remain centre stage in 2014. The technical assistants recruited by the French development agency AFD to revise the Forest Law are working according to the following timeframe.

December 2013: The Ministry of Forest Economy and Sustainable Development (MEFDD) established a monitoring committee (Comité de Suivi) to revise the Forest Law.

End of January 2014: At the first committee meeting, members reviewed the consultants' assessment of the version of the Forest Law drafted by the authorities in April 2013.

End of February 2014: The consultants, who had 10 days to incorporate the committee's comments and suggestions, presented the first Forest Law draft to the monitoring committee.

March 2014: Technical assistants to integrate these comments and produce a second draft for review by the monitoring committee.

March-April 2014: Departmental consultation workshops to be held.

Mid-April 2014: The monitoring committee to review the third draft which will incorporate input from departmental workshops.

May 2014: The revised version of the Forest Law to be presented to an extended audience of the monitoring committee and a broad range of stakeholders at a national workshop. Comments and observations gathered to be fed into a finalised version, the final draft, to be reviewed during a session of Parliament in June 2014.

AFD technical assistance also plans to finalise the implementing regulations for the Republic of the Congo's Forest Law, as provided by Annex 10 of the VPA.

The Forests and Economic Diversification Project (PFDE) also intends to provide technical assistance to support the development of the implementing regulations.

Revision of the Forest Law and development of forest policy are being carried out simultaneously. The steering committee in charge reviewed a first draft of the Forest Law 27–28 February 2014. The final version is to be presented during a national validation workshop on 19–20 March 2014.

Key aspects arising from the workshop on identifying gaps in the Forest Law held in January 2014

Logging

- ⇒ Adhere to the principle of involving **local communities** in natural resource management
- ⇒ Urgent need to draw up a **National Land Use Plan**
- ⇒ Confirm what is meant by 'use right', in particular who, how, etc.
- ⇒ Establish a **small-scale logging permit** in accordance with simple management plan to clarify domestic market supply
- ⇒ Improve approach to **deforestation and conversion** for improved enforcement and regulation
- ⇒ Issue of whether **certification should be compulsory** remains unresolved
- ⇒ Processing: no decisions have been made on **quotas and how to use them**.

Governance

- ⇒ Special section on legality and traceability (FLEGT), which should refer to a dedicated organisation
- ⇒ Refusal to provide an organisation chart for MEFDD
- ⇒ Include community and communal forests
- ⇒ Safety nets are required to prevent poor governance practices in government departments
- ⇒ Review the tax system



Source: Chairing committee for the workshop on identifying gaps in the Forest Law, held in Brazzaville, 23–24 January 2014

Supporting the legality of forestry companies

CLFT – Overview of the project Development and National Validation of the Procedures Manual for Producing Verifying Documents for FLEGT Legality Tables

As part of the implementation of the Voluntary Partnership Agreement (VPA), MEFD is expected to receive EU FAO FLEGT Programme funding to **develop and validate a procedures manual for producing verifying documents for FLEGT legality tables**. The beneficiary will be the Forest Legality and Traceability Unit (Cellule de la Légalité Forestière et de la Traçabilité, CLFT) which has the authority to verify legality of forestry companies.

The manual informs forestry company managers and owners of what is required for their companies to be awarded legality certificates. The manual is expected to help logging companies objectively and diligently meet the criteria described in legality table indicators and verifiers. CLFT began developing the manual in March 2014



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with consultations with government departments involved in VPA implementation. CLFT plans to produce a first draft after consultations. Departmental workshops with forestry companies are planned to take place in July and August 2014. The final version of the manual is due to be presented at a national validation workshop chaired by the Chief Executive Officer for MEFD.

Forest management

The main objective of the project Supporting Sustainable Management of Congo's Forests (PAGEF) is to extend the management process happening in northern Congo to the centre and south of the country. After signing a memorandum of understanding with MEFD and accessing support from the National Forest and Wildlife Resource Inventory and Management Centre (CNIAF), PAGEF and all Management and Processing Agreement (Convention d'Aménagement et de Transformation, CAT) beneficiaries in the south embarked on an extensive management effort. Since the project began in 2009, multi-resource inventories have been carried out over more than 2.5 million hectares. Initial inventory reports, mapping study reports and socio-economic and environmental assessment reports were finalised. Initial management plans for the south of the country are planned to be produced this year. Management of productive forests aims primarily to promote timber product harvesting in a balanced and sustainable way through reduced-impact logging in perennial forests. This preserves forests' ecological and social functions. Management is a legal requirement and a necessity for obtaining FLEGT certificates.



Crédit photo : Nicolas Guyot

Other planned support

Forestry companies are also expected to access technical assistance which aims to help companies conform to legality tables established by the Congo–EU FLEGT VPA. This technical assistance is supported by the French development agency AFD as part of its project Supporting FLEGT Implementation in the Republic of the Congo.

Activities are due to begin in the first half of 2014, including:

- ⇒ technical assistance beginning with an assessment of company non-conformities according to legality tables;
- ⇒ each forestry company signing a commitment charter by which it agrees to implement a corrective action plan determined during the initial assessment, within a given timeframe;
- ⇒ a technical assistance team helping the companies implement the corrective action plan technically, but not financially; and
- ⇒ the companies being reassessed annually to check their willingness to implement the corrective action plan and their adherence to the agreed timeframe.

Timber exporters in Congo are receiving additional requests for information from their EU trade partners since the EU Timber Regulation went into effect in March 2013. Timber exporters in Congo are experiencing several challenges as EU operators change their practices to comply with the new requirements. In response, the Government of Congo initiated a month-long study in March 2014 to examine the main difficulties forest companies are encountering related to the EU Timber Regulation. Under the Forest Economic Diversification Project, Congo hired two consultants to research and propose practical solutions that will assist forest industries in responding to requests for information from their partners who must comply with the EU regulation. For more information on the EU Timber Regulation, visit http://ec.europa.eu/environment/eutr2013/index_fr.htm.

For more information, please contact Baptiste Marquant (marquantb@afd.fr) or Erwan Morand (erwan.morand@pfde.cg).



Independent Observer

Launching the third stage of the Independent Observer project

Independent monitoring in the Republic of the Congo began in 2006. Led by two international NGOs, Resources Extraction Monitoring (REM) and Forests Monitor (FM), between 2007 and 2009, independent monitoring was carried out between 2010 and 2013 in cooperation with the Cercle d'Appui à la Gestion Durable des Forêts (CAGDF), an NGO of Congo. Since 2013, CAGDF is managing independent monitoring with financial support from the European Union and the French development agency AFD.

Reminder about OI-FLEG objectives

- ⇒ Contribute to improving Forest Law implementation
- ⇒ Strengthen civil society's investigative capacity and publish reliable and factual information on the forest sector in the Republic of the Congo
- ⇒ Make the information collected available to relevant

Priorities in 2014

The third phase of the project Independent Observation of Forest Legality Enforcement and Governance to Support the Legality Assurance System in the Republic of the Congo (OI-APV-FLEGT) was launched on 7 February 2014 following the signing of a memorandum of understanding between CAGDF and MEFD. CAGDF was granted a permanent

mission order so that it can operate more easily in the field.

Priority will be given to the following activities in 2014:

- ⇒ Conduct three information gathering missions at MEFD central and local services;
- ⇒ Conduct 10 field missions among logging companies;
- ⇒ Submit 10 mission reports to the General Directorate of Forest Economy (DGEF) and CLFT;
- ⇒ Publish 10 field mission reports on the internet and in hard copy following validation by the editorial committee with representatives from government, civil society and donors;
- ⇒ Update the OI-FLEG database on the FTI FLEGT website;
- ⇒ Contribute to the revision of Forest Law No. 16- 2000 dated 20 November 2000 and participate in associated sessions.



Launching the third stage of the OI project, Feb. 2014
Brazzaville

Latest news: China's involvement in combating illegal logging in producing countries

China is pursuing efforts to combat illegal logging and related trade. To this end, it has conducted many activities both nationally and internationally. In 2009, China and the European Union signed an agreement formalising their dialogue by forming the Bilateral Coordination Mechanism (BCM) on Forest Law Enforcement and Governance. Within the context of the BCM, China has been taking practical steps to stop illegal logging.

Several discussion sessions have been held. In October 2013, an ad hoc meeting took place to promote understanding and sharing of experiences on VPA and timber legality assurance systems in producing countries and to share experiences among China and the countries that have signed a VPA, including the Republic of the Congo, Cameroon, Central African Republic, Ghana, Indonesia and Liberia. In 2009, to better inform and regulate logging activities of Chinese companies operating outside of China, the national forest bureau and China's Ministry of Trade produced a 'Guide to sustain-

able logging and conversion of overseas forest resources for Chinese companies'. The guide provides practical help to Chinese companies to conduct their foreign operations in compliance with the laws of timber-producing countries.

In 2014, China intends to continue working on the guide and produce a finalised version during the second half of the year.



International workshop on VPAs, Beijing 29-30 Oct. 2013

Share Your Thoughts With Us

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