Governance  
Sustainability  
Legality
EU FLEGT Action Plan
The EU FLEGT AP aims to reduce illegal logging by strengthening sustainable and legal forest management, improving governance and promoting trade in legally produced timber.
Voluntary Partnership Agreement - different trade agreement?
Purpose:
Timber and timber products exported to the EU come from legal sources.

Timber-producing country agrees to control and license its timber exports as legal.

EU agrees to accept only licensed imports from that country.

Legality is assured through an agreed timber legality assurance system.
15 VPA countries globally
Six implementing countries

Informing | Preparing to negotiate | Negotiating | Implementing | FLEG licensing
---|---|---|---|---
Cameroon | | | | |
Central African Republic | | | | |
Ghana | | | | |
Indonesia | | | | |
Liberia | | | | |
Republic of the Congo | | | | |
Nine negotiating countries

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More regulatory approaches
Regulations that prevent the sale of illegally harvested timber

- EU Timber Regulation (EU TR)
- Lacey Act Amendment
- Australian Illegal Logging Prohibition Act
Main obligations

1. Prohibits the placing on the market of illegally harvested timber and products
2. Requires traders to exercise 'due diligence'
3. Traders must keep records of their suppliers and customers
Regulatory approaches versus private sector initiatives - commonalities and differences between these approaches
Regulatory approaches

• Legally binding
• Cover the whole forest sector
• Government responsible

Private sector initiatives

• Voluntary
• Operator/concession specific
• Private sector responsible
Complementary instruments

- Private sector approaches are complementary to the regulatory approaches
- Both concepts require legality standards and robust control of timber flows/supply chains
Complementary instruments

• Legal compliance as a basic prerequisite for demonstrating sustainability

• Challenging when laws are not very clear, or poorly formulated
VPAs and private voluntary certification schemes both aim to promote sustainable forest management, but use different approaches.
Legal framework and legality definition
Legality definition

• Clearly states the aspects of a country's law for which the timber legality assurance system will systematically seek evidence of compliance

• A legality definition brings clarity, and so makes identifying legal timber clearer.
Why clarity matters

• Clarity is an important aspect of good forest governance as it enables stakeholders to understand rights, responsibilities and obligations.
  – In Indonesia: more than 900 laws and regulations apply in some way to the forest sector
  – The laws are confusing and at times incoherent
The scope of a legality definition will therefore go beyond forest law and may include aspects of laws on tax, trade, employment, social security, biodiversity conservation, freedom of information and customary law.
THANKS
for your attention

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