EU/Cameroon Voluntary Partnership Agreement: forest law enforcement, governance and trade in timber and derived products to the EU (FLEGT)

2010/0217(NLE) - 28/02/2011 - Final act

PURPOSE: to conclude a Voluntary Partnership Agreement between the EU and Cameroon on forest law enforcement, governance and trade in timber and derived products to the EU (FLEGT).

NON-LEGISLATIVE ACT: Council Decision 2011/201/EU on the conclusion of a Voluntary Partnership Agreement between the European Union and the Republic of Cameroon on forest law enforcement, governance and trade in timber and derived products to the European Union (FLEGT).

BACKGROUND: in May 2003, the European Commission adopted an Action Plan on "Forest Law Enforcement, Governance and Trade (FLEGT) in which it called for measures to address illegal logging through the adoption of voluntary partnership agreements with timber-producing countries. Council conclusions on that Action Plan were adopted in October 2003 and the European Parliament adopted a resolution on the subject on 11 July 2005.

The Action Plan proposes a set of measures that include support for timber-producing countries, multilateral collaboration to tackle trade in illegal timber, support for private sector initiatives and measures to stop investment in activities that encourage illegal logging. The cornerstone of the Action Plan is the **establishment of FLEGT partnerships between the European Union and timber-producing countries** with the aim of stopping illegal logging.

In accordance with Council Decision 2011/200/EU, the Voluntary Partnership Agreement between the European Union and the Republic of Cameroon on forest law enforcement, governance and trade in timber and derived products to the European Union (FLEGT) was signed on 27 September 2010, subject to its conclusion.

It is now appropriate for the Agreement to be concluded.

CONTENT: by this Decision, the Voluntary Partnership Agreement between the European Union and the Republic of Cameroon on forest law enforcement, governance and trade in timber and derived products to the European Union (FLEGT) is hereby approved on behalf of the Union.

In particular, the Agreement **establishes the framework, institutions and systems for the FLEGT licensing scheme.**

The main elements of this Agreement are as follows:

Scope: this Agreement provides a legal framework aimed at ensuring that all imports into the Union from Cameroon of timber and derived products covered by this Agreement have been legally produced or acquired.

The Parties are required:

- to promote trade in timber and derived products;
- to establish a basis for dialogue and cooperation;
- to promote the development of the forest industries in Cameroon and to thereby improve the competitiveness of the sector;
- to create and encourage economic opportunities for resident local communities and local enterprises;
- to strengthen the capacities of actors in Cameroon by encouraging the creation of a favourable climate for investment in the sustainable management of forests.

In particular, the Agreement provides for:

- a **FLEGT licensing scheme** with a set of procedures and requirements aimed at verifying and attesting, by means of FLEGT licences, that timber and derived products shipped to the Union have been legally produced or acquired. The Union shall accept such shipments from Cameroon for import into the Union only if they are covered by those FLEGT licences;
- a **licensing authority**: licensing authorities must be established as well as control authorities in the EU responsible for checking imports coming into the European Union;
- the drawing up of the Cameroon **FLEGT licence** in the same format as that in the EU;
- a **dialogue and cooperation mechanism** with the EU on the FLEGT scheme, in the form of a Joint Implementation Council and a consultative structure called the Joint Monitoring Committee;
- **supporting measures**: including development measures such as i) local development support; ii) promotion of forestry sector industrialisation; iii) capacity building. The provision of additional resources shall be subject to the procedures governing Union aid, as set out in the Cotonou Agreement, and to those governing the bilateral aid given to Cameroon by each of the Member States of the Union;
- **market-related incentives** including the encouragement of public and private procurement policies that recognise efforts to ensure a supply of legally harvested forest produce;
- **participation of the stakeholders,** the introduction of social safeguards, transparency, monitoring of effects and the drawing up of enforcement reports;
- a **schedule for implementation** and procedures for the Agreement's entry into force. The Agreement will have an initial duration of seven years and shall be renewable by tacit agreement;
- a **simplified procedure for amending the annexes**.

The Agreement sets out a time frame and the procedures for entry into force of the Agreement and for implementing the licensing scheme. Since Cameroon will upgrade and redesign its regulatory and information management system, introduce more comprehensive supply chain controls and establish independent verification of legal compliance, it will take several years to develop and test the new systems and to build capacity on the part of the government, civil society and the private sector for the tasks envisaged. The FLEGT licence scheme is expected to be fully operational by the **beginning of 2012**. The Agreement shall remain in force for a period of 7 years, and shall be renewable by tacit agreement between the Parties for periods of the same length, unless one Party terminates this Agreement by notifying the other Party of its decision at least 12 months before expiry of the period under way.

ENTRY INTO FORCE: this Decision shall enter into force on 28 February 2011.