Basic information

2010/0217(NLE) NLE - Non-legislative enactments Decision	Procedure completed
EU/Cameroon Voluntary Partnership Agreement: forest law enforcement, governance and trade in timber and derived products to the EU (FLEGT) **Subject** 3.10.11 Forestry policy 6.20.03 Bilateral economic and trade agreements and relations 6.30 Development cooperation **Geographical area** Cameroon	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
INTA International Trade	JADOT Yannick (Verts/ALE)	28/09/2010
	Shadow rapporteur MARTIN David (S&D)	

Committee for opinion	Rapporteur for opinion	Appointed
DEVE Development	JOLY Eva (Verts/ALE)	30/08/2010
ENVI Environment, Public Health and Food Safety	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Transport, Telecommunications and Energy	3072	2011-02-28
Agriculture and Fisheries	3033	2010-09-27

European Commission

Commission DG	Commissioner
Development	PIEBALGS Andris

Key events

Date	Event	Reference	Summary
28/07/2010	Preparatory document	COM(2010)0406	Summary
21/09/2010	Legislative proposal published	12796/2010	Summary
10/11/2010	Committee referral announced in Parliament		
01/12/2010	Vote in committee		Summary
14/12/2010	Committee report tabled for plenary, 1st reading/single reading	A7-0371/2010	
17/01/2011	Debate in Parliament		
19/01/2011	Decision by Parliament	T7-0009/2011	Summary
19/01/2011	Results of vote in Parliament		
28/02/2011	Act adopted by Council after consultation of Parliament		
28/02/2011	End of procedure in Parliament		
06/04/2011	Final act published in Official Journal		

Technical information

Procedure reference	2010/0217(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
Legal basis	Treaty on the Functioning of the European Union TFEU 207-p4 Treaty on the Functioning of the European Union TFEU 218-p7 Treaty on the Functioning of the European Union TFEU 207 Treaty on the Functioning of the European Union TFEU 218-p6a
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	INTA/7/03546

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE450.731	11/10/2010	
Committee opinion	DEVE	PE448.998	26/10/2010	
Committee report tabled for plenary, 1st reading/single reading		A7-0371/2010	14/12/2010	
Text adopted by Parliament, 1st reading/single reading		T7-0009/2011	19/01/2011	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	12796/2010	21/09/2010	Summary
Document attached to the procedure	13187/2010	21/09/2010	Summary

European Commission

Document type	Reference	Date	Summary
Preparatory document	COM(2010)0406	28/07/2010	Summary

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Decision 2011/0201
OJ L 092 06.04.2011, p. 0003 Summary

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.

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

2010/0217(NLE) - 21/09/2010 - Document attached to the procedure

This document outlines the content of the voluntary agreement between the European Union and Cameroon on forest law enforcement, governance and trade in timber and derived products to the EU (FLEGT).

Its main provisions may be summarised as follows:

Objective: The objective of this Agreement (hereinafter the "VPA") is to provide 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. It lays down, in particular, a FLEGT licensing scheme based on controlling the supply chain.

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.

Scope: this Agreement applies to all timber and derived products that come under the FLEGT licence scheme and are listed in the annex. Overall, the agreement covers more than the products in Annex II of Regulation (EC) No 2173/2005 (or the 'FLEGT Regulation') and concerns all forestry products. Cameroon thus undertakes to introduce a system which will provide the EU with the assurance that **all forest products coming from that country are harvested and produced legally**.

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**.

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

2010/0217(NLE) - 21/09/2010 - Legislative proposal

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).

PROPOSED ACT: Council Decision.

BACKGROUND: in May 2003 the European Commission adopted a communication entitled "Forest Law Enforcement, Governance and Trade (FLEGT) – proposal for an EU Action Plan" which called for measures to address illegal logging through the development of voluntary partnership agreements with timber-producing countries.

Council conclusions on that Action Plan were adopted in October 2003 and Parliament adopted a resolution on the subject on 11 July 2005.

It is against this background that it is now necessary to conclude, on behalf of the Union, the current 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).

IMPACT ASSESSMENT: no impact assessment was carried out.

LEGAL BASIS: first paragraphs of Article 207(3) and (4), in conjunction with Article 218(6)(a)(v) and Article 218(7) of the Treaty on the Functioning of the European Union.

CONTENT: with this proposed decision, the voluntary partnership agreement between the Union and Cameroon on Forest Law Enforcement, Governance and Trade (FLEGT) to the European Union is approved on behalf of the Union.

Measures are provided for in regard to the participation of European Commission representatives as members of the Union's delegation in the Joint Implementation Council meetings and in meetings of the Agreement's Joint Monitoring Committee.

The annexes to the agreement may be amended by the European Commission on behalf of the EU.

BUDGETARY IMPLICATION: this proposal has no implications for the EU budget.

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

2010/0217(NLE) - 28/07/2010 - Preparatory document

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).

PROPOSED ACT: Council Decision.

BACKGROUND: in May 2003 the European Commission published an EU Action Plan for Forest Law Enforcement, Governance and Trade (FLEGT) which called for measures to address illegal logging through the development of voluntary partnership agreements with timber-producing countries. Council conclusions on that Action Plan were adopted in October 2003 and 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 2005 the Council adopted Regulation (EC) No 2173/2005 which establishes a licensing scheme and a mechanism to verify the legality of timber imports into the European Union.

It is against this background that the 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.

IMPACT ASSESSMENT: no impact assessment was carried out.

LEGAL BASIS: first paragraphs of Article 207(3) and (4), in conjunction with Article 218(6)(a)(v) and Article 218(7) of the Treaty on the Functioning of the European Union.

CONTENT: the partnership agreement with Cameroon is the third of its kind to be negotiated, after agreements with Ghana and the Republic of Congo.

The Agreement addresses all the elements contained in the Council negotiating directives. In particular, the Agreement **establishes the framework, institutions and systems for the FLEGT licensing scheme**.

It outlines:

- the supply chain controls,
- legal compliance framework;
- independent audit requirements for the system.

These are set out in annexes to the Agreement which provide a detailed description of the structures that will underpin the assurance of legality offered by the issuance of a FLEGT licence.

Cameroon developed its definition of the applicable legislation by means of extensive stakeholder consultations. It includes laws and regulations granting rights to harvest, forest management, environmental, business and labour legislation, fiscal requirements, respect for tenure and use rights of nearby communities and other social obligations laid down in forest laws, as well as regulations governing commercial activity and export trade requirements.

The Agreement goes beyond the limited product coverage proposed in Annex II to Regulation (EC) No 2173/2005 (‘the FLEGT Regulation’) to cover trade in all timber products and, in doing so, **commits Cameroon to building a system that will provide assurance to the European Union that all forest products from Cameroon are legally harvested and produced** and contributing positively and sustainably to Cameroon’s growth.

The agreement also:

- provides for controls on imports at the European Union’s borders, as established by the FLEGT Regulation and the associated Implementing Regulation (EC) No 1024/2008;
- includes a description of the Cameroon FLEGT licence which adopts the format laid down in the Implementing Regulation;
- establishes the mechanism for dialogue and cooperation on FLEGT with the European Union, in the form of the Joint Implementation Council and a consultative body known as the Joint Monitoring Committee;
- establishes the principles of stakeholder participation, social safeguards and transparency for monitoring impacts and reporting.

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 licence scheme will be assessed against defined criteria before the EU begins accepting FLEGT licences. The steps and process for this are defined in the Agreement and its annexes.

BUDGETARY IMPLICATION: this proposal has no implications for the EU budget.

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

2010/0217(NLE) - 19/01/2011 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 650 votes to 14, with 8 abstentions, a legislative resolution in which its gives its consent to 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).

It should be noted that the Parliament expressed its position on the conclusion of this Agreement in a joint resolution adopted on the same day (see RSP/2010/3015).