

Basic information

2011/0127(NLE)

NLE - Non-legislative enactments
Decision

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

Subject

3.10.11 Forestry policy
6.20.02 Export/import control, trade defence, trade barriers
6.20.03 Bilateral economic and trade agreements and relations
6.30 Development cooperation

Geographical area



Central African Republic

Procedure completed

Key players

European Parliament	Committee responsible		Rapporteur	Appointed
	INTA International Trade		KÖSTINGER Elisabeth (PPE)	11/10/2011
			Shadow rapporteur MARTIN David (S&D)	
	Committee for opinion		Rapporteur for opinion	Appointed
	DEVE Development		STAES Bart (Verts/ALE)	15/06/2011
	ENVI Environment, Public Health and Food Safety		The committee decided not to give an opinion.	
Council of the European Union	Council configuration		Meetings	Date
	Agriculture and Fisheries		3165	2012-05-14
European Commission	Commission DG		Commissioner	
	Development		PIEBALGS Andris	

Key events

Date	Event	Reference	Summary
20/05/2011	Preparatory document	COM(2011)0282 	Summary
21/10/2011	Legislative proposal published	14034/2011	Summary
13/03/2012	Committee referral announced in Parliament		
27/03/2012	Vote in committee		
29/03/2012	Committee report tabled for plenary, 1st reading/single reading	A7-0082/2012	Summary
19/04/2012	Decision by Parliament	T7-0131/2012	Summary
19/04/2012	Results of vote in Parliament		
14/05/2012	Act adopted by Council after consultation of Parliament		
14/05/2012	End of procedure in Parliament		
19/07/2012	Final act published in Official Journal		

Technical information

Procedure reference	2011/0127(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 218-p6a Treaty on the Functioning of the European Union TFEU 207-p3 Treaty on the Functioning of the European Union TFEU 207-p4 Treaty on the Functioning of the European Union TFEU 218-p7
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	INTA/7/06086


Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE480.602	20/01/2012	
Committee opinion	DEVE	PE480.771	29/02/2012	
Committee report tabled for plenary, 1st reading/single reading		A7-0082/2012	29/03/2012	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0131/2012	19/04/2012	Summary

Council of the EU

Document type	Reference	Date	Summary
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Legislative proposal	14034/2011	21/10/2011	Summary
Document attached to the procedure	14036/2011	21/10/2011	
European Commission			
Document type	Reference	Date	Summary
Preparatory document	COM(2011)0282 	20/05/2011	Summary

Additional information			
Source	Document	Date	
National parliaments	IPEX		
European Commission	EUR-Lex		

Final act			
Decision 2012/0374 OJ L 191 19.07.2012, p. 0102			Summary

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

2011/0127(NLE) - 20/05/2011 - Preparatory document

PURPOSE: to conclude a Voluntary Partnership Agreement between the EU and the Central African Republic 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 Commission published 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.

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 also measures to discourage investment in activities that encourage illegal logging. The cornerstone of the Action Plan is the establishment of FLEGT partnerships between the EU and timber-producing countries aimed at 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 EU. Against this background, the Voluntary Partnership Agreement between the European Union and the Central African Republic (Ghana, Congo and Cameroon) on forest law enforcement, governance and trade in timber and derived products to the European Union needs to be concluded.

IMPACT ASSESSMENT: no impact assessment was undertaken.

LEGAL BASIS: 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 EU.

CONTENT: the proposal aims to conclude the Agreement between the European Union and the Central African Republic on forest law enforcement, governance and trade in timber and derived products to the European Union (FLEGT).

The agreement sets out in particular the framework, the institutions and the system for issuing FLEGT licenses. It also sets out:

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

These elements are set out in the annexes to the Agreement and provide a detailed description of the structures that will underpin the assurance of legality afforded by the issuing of a FLEGT licence. The Central African Republic has developed the legislation applicable by consulting the stakeholder. It includes laws and regulations on the granting of logging rights and the registration of undertakings, forest management, environmental and labour legislation, taxation, social obligations such as involvement of local communities, indigenous people and civil society, other obligations laid down in legislation concerning the transport and marketing of timber, and export requirements.

The Agreement goes beyond the limited product coverage proposed in Annex II to Regulation (EC) No 2173/2005 on the FLEGT scheme: it covers all timber and exported timber products. The Central African Republic is thus committed to establishing a system that will provide assurance to the EU that all timber products from the Central African Republic are legally produced and so contribute positively to the Central African Republic's growth.

The Agreement makes provision for:

- import controls at the EU's borders as provided for in Regulation (EC) No 2173/2005 on the FLEGT scheme and Regulation (EC) No 1024/2008 laying down detailed measures for its implementation;
- a description of the Central African Republic's FLEGT licence, which uses the format prescribed in the above-mentioned Implementing Regulation;
- a mechanism for dialogue and cooperation with the EU on the FLEGT scheme, by means of the Joint Agreement Implementation Committee;
- principles of stakeholder participation, social safeguards and transparency, and the monitoring of and reporting on the Agreement's implementation;

The Agreement sets out a time frame and the procedures for entry into force of the Agreement and for applying the licensing scheme. Since the Central African Republic will adapt 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 licensing scheme is expected to be fully operational by 2014. The licensing scheme will be assessed against the criteria laid down in the Agreement before the EU begins accepting FLEGT licences.

BUDGETARY IMPLICATIONS: the proposal has no implications for the EU budget.

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

2011/0127(NLE) - 21/10/2011 - Legislative proposal

PURPOSE: to conclude a Voluntary Partnership Agreement between the EU and the Central African Republic 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 Commission published 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. 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 also measures to discourage investment in activities that encourage illegal logging. The cornerstone of the Action Plan is the **establishment of FLEGT partnerships between the EU and timber-producing countries** aimed at 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 EU.

It is against this background that it is proposed to adopt on behalf of the EU the Voluntary Partnership Agreement between the European Union and the Central African Republic (Ghana, [Congo](#) and [Cameroon](#)) on forest law enforcement, governance and trade in timber and derived products to the European Union.

In accordance with a Council Decision, the Agreement was signed, subject to its conclusion. It is now appropriate to conclude the Agreement on behalf of the EU.

IMPACT ASSESSMENT: no impact assessment was undertaken.

LEGAL BASIS: 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 EU. CONTENT: the proposal aims to conclude the Agreement between the European Union and the Central African Republic on forest law enforcement, governance and trade in timber and derived products to the European Union (FLEGT).

The agreement sets out in particularly the **framework, the institutions and the system for issuing FLEGT licenses**.

It also sets out:

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

These elements are set out in the annexes to the Agreement and provide a detailed description of the structures that will underpin the assurance of legality afforded by the issuing of a FLEGT licence. The Central African Republic has developed the legislation applicable by consulting the stakeholder. It includes laws and regulations on the granting of logging rights and the registration of undertakings, forest management, environmental and labour legislation, taxation, social obligations such as involvement of local communities, indigenous people and civil society, other obligations laid down in legislation concerning the transport and marketing of timber, and export requirements.

Scope: the Agreement goes beyond the limited product coverage proposed in Annex II to Regulation (EC) No 2173/2005 on the FLEGT scheme: it covers all timber and exported timber products. The Central African Republic is thus committed to establishing a system that will provide assurance to the EU that all timber products from the Central African Republic are legally produced and so contribute positively to the Central African Republic's growth.

Other provisions: the Agreement makes provision for:

- import controls at the EU's borders as provided for in Regulation (EC) No 2173/2005 on the FLEGT scheme and Regulation (EC) No 1024/2008 laying down detailed measures for its implementation;
- a description of the Central African Republic's FLEGT licence, which uses the format prescribed in the above-mentioned Implementing Regulation;
- a mechanism for dialogue and cooperation with the EU on the FLEGT scheme, by means of the Joint Agreement Implementation Committee;
- principles of stakeholder participation, social safeguards and transparency, and the monitoring of and reporting on the Agreement's implementation.

The Agreement sets out a time frame and the procedures for entry into force of the Agreement and for applying the licensing scheme. Since the Central African Republic will adapt 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 licensing scheme is expected to be fully operational by 2014. The licensing scheme will be assessed against the criteria laid down in the Agreement before the EU begins accepting FLEGT licences.

For the purpose of amending the annexes to the Agreement, the Commission is authorised, in accordance with the procedure laid down in the FLEGT Regulation, to approve any such amendments on behalf of the European Union.

BUDGETARY IMPLICATIONS: the proposal has no implications for the EU budget.

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

2011/0127(NLE) - 29/03/2012 - Committee report tabled for plenary, 1st reading/single reading

The Committee on International Trade unanimously adopted the report drafted by Elisabeth KÖSTINGER (EPP, AT) in which it recommends the European Parliament to give its consent to the conclusion of a Voluntary Partnership Agreement between the European Union and the Central African Republic on forest law enforcement, governance and trade in timber and derived products to the European Union (FLEGT).

However, Members call on the Commission to regularly report to the Parliament on progress in the implementation of existing Voluntary Partnership Agreements (VPAs) and in negotiating and implementing new VPAs.

Members consider that both the Central African Republic government and the European Commission will need to devote sufficient attention to effective and timely VPA enforcement, including capacity building, participation of local communities, safeguards for indigenous populations as well as to general awareness-raising on the VPA among the various stakeholders.

Moreover, they stress the need for possible future delegation of powers to fully take into account the Parliament's prerogatives under the regime of Delegated Acts (Article 290 TFEU).

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

2011/0127(NLE) - 19/04/2012 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a legislative resolution on the draft Council decision on the conclusion of a Voluntary Partnership Agreement between the European Union and the Central African Republic on forest law enforcement, governance and trade in timber and derived products to the European Union (FLEGT).

Parliament gives its consent to conclusion of the Agreement.

In general terms, Parliament calls on the Commission to report regularly to Parliament on progress in the implementation of existing Voluntary Partnership Agreements (VPAs) and in negotiating and implementing new VPAs.

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

2011/0127(NLE) - 14/05/2012 - Final act

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

NON-LEGISLATIVE ACT: Council Decision 2012/374/EU on the conclusion of a Voluntary Partnership Agreement between the European Union and the Central African Republic 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 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.

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 also measures to discourage investment in activities that encourage illegal logging. The cornerstone of the Action Plan is the **establishment of FLEGT partnerships between the EU and timber-producing countries** aimed at 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 EU.

Against this background, the Voluntary Partnership Agreement between the European Union and the Central African Republic (Ghana, [Congo](#) and [Cameroon](#)) on forest law enforcement, governance and trade in timber and derived products to the European Union is now approved on behalf of the EU.

In accordance with Council Decision 2011/790/EU, the Voluntary Partnership Agreement between the European Union and the Central African Republic on forest law enforcement, governance and trade in timber and derived products to the European Union was signed on 28 November 2011, subject to its conclusion. It is now necessary to conclude this Agreement on behalf of the European Union.

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

The Agreement sets out in particular the **framework, the institutions and the system for issuing FLEGT licenses**. It also sets out:

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

These elements are set out in the annexes to the Agreement and provide a detailed description of the structures that will underpin the assurance of legality afforded by the issuing of a FLEGT licence.

The Central African Republic has developed the legislation applicable by consulting the stakeholder. It includes laws and regulations on the granting of logging rights and the registration of undertakings, forest management, environmental and labour legislation, taxation, social obligations such as involvement of local communities, indigenous people and civil society, other obligations laid down in legislation concerning the transport and marketing of timber, and export requirements.

Scope: the Agreement goes beyond the limited product coverage proposed in Annex II to Regulation (EC) No 2173/2005 on the FLEGT scheme: it covers all timber and exported timber products. **The Central African Republic is thus committed to establishing a system that will provide assurance to the EU that all timber products from the Central African Republic are legally produced** and so contribute positively to the Central African Republic's growth.

Other provisions: the Agreement makes provision for:

- import controls at the EU's borders as provided for in Regulation (EC) No 2173/2005 on the FLEGT scheme and Regulation (EC) No 1024/2008 laying down detailed measures for its implementation;

- a description of the Central African Republic's FLEGT licence, which uses the format prescribed in the above-mentioned Implementing Regulation;
- a mechanism for dialogue and cooperation with the EU on the FLEGT scheme, by means of the Joint Agreement Implementation Committee;
- principles of stakeholder participation, social safeguards and transparency, and the monitoring of and reporting on the Agreement's implementation.

Implementation time frame: the Agreement sets out a time frame and the procedures for entry into force of the Agreement and for applying the licensing scheme. 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.

Institutional process: the European Union shall be represented by representatives of the Commission in the Joint Agreement Implementation Committee. The Member States may participate in meetings of the Joint Agreement Implementation Committee as members of the European Union delegation.

Amending annexes: for the purpose of amending the annexes to the Agreement, the Commission is authorised, in accordance with the procedure laid down in the FLEGT Regulation on licensing scheme for imports of timber into the European Community, to approve any such amendments on behalf of the European Union.

ENTRY INTO FORCE: the Decision shall enter into force on 14.05.2012. The Agreement shall enter into force as soon as the necessary procedures have been completed.