



Timber Tracking Technologies to support Forest Law Enforcement Governance and Trade (FLEGT) Voluntary Partnership Agreements (VPAs)

Workshop on Tacking Technologies for Forest Governance
Kuala Lumpur, 15 – 17 May 2012
Vincent van den Berk, EFI FLEGT-Asia

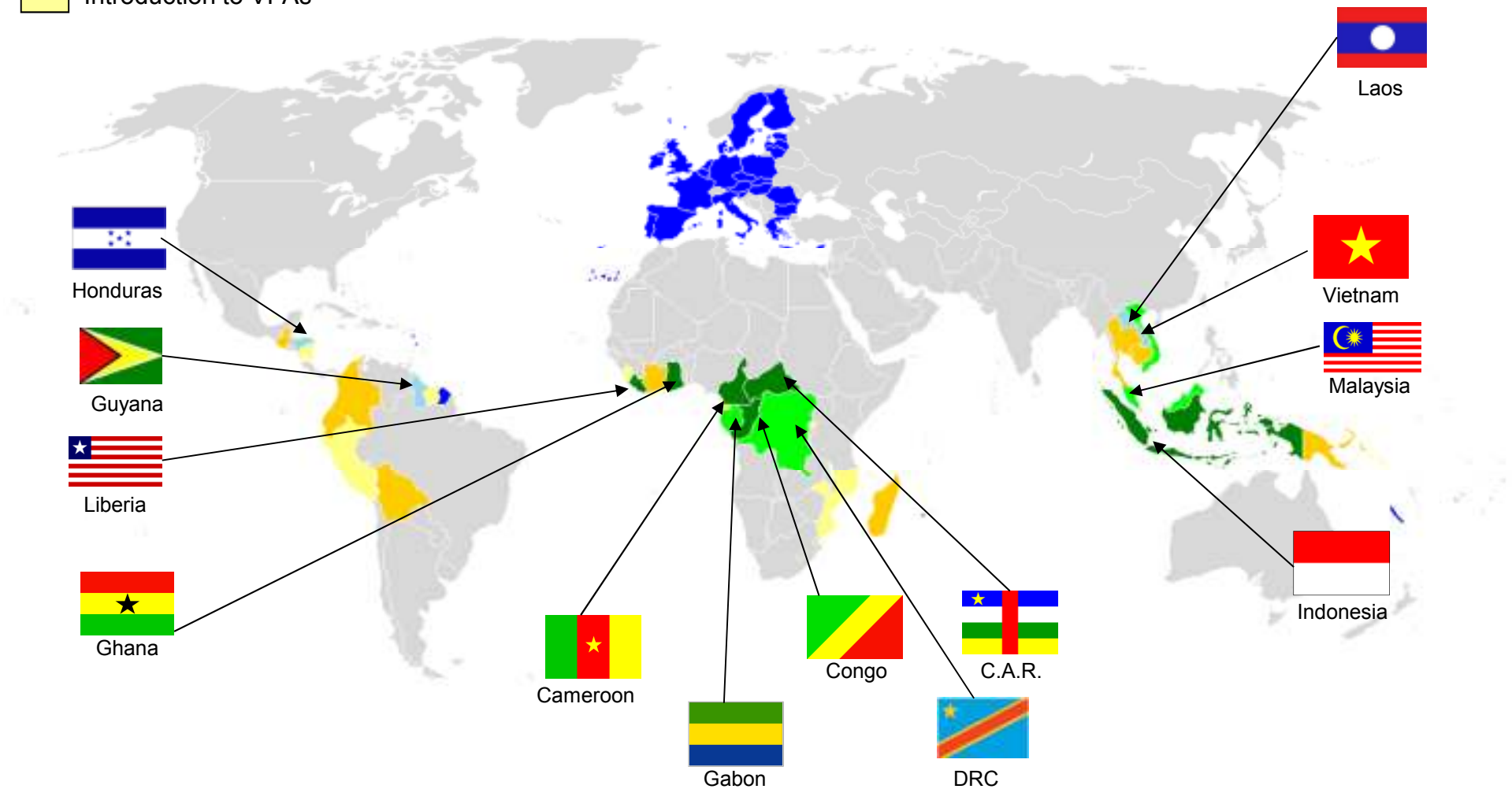
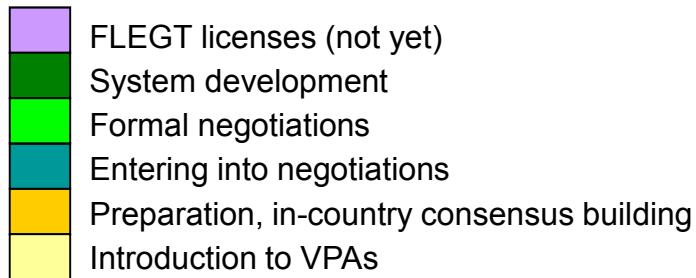


What is a Voluntary Partnership Agreement (VPA)?

- ✓ Legally binding treaty to improve forest governance
- ✓ Aimed at working together to stop illegal logging
- ✓ Applies EU wide (all 27 Member States) – partner country
- ✓ **A system to verify legal compliance**, confirmed through a licence
- ✓ EU customs block entry of non licensed timber from country
- ✓ Independent Audit of systems
- ✓ Clarity in legal requirements
- ✓ Publication of information on forests, holdings, community agreements, revenues and benefit sharing
- ✓ Reforms linked to market access
- ✓ But **Voluntary**, framed on national law respecting and rooted in sovereignty of partner country

FLEGT VPA partner countries

April 2012





Central in the VPA:

Timber Legality Assurance System, TLAS

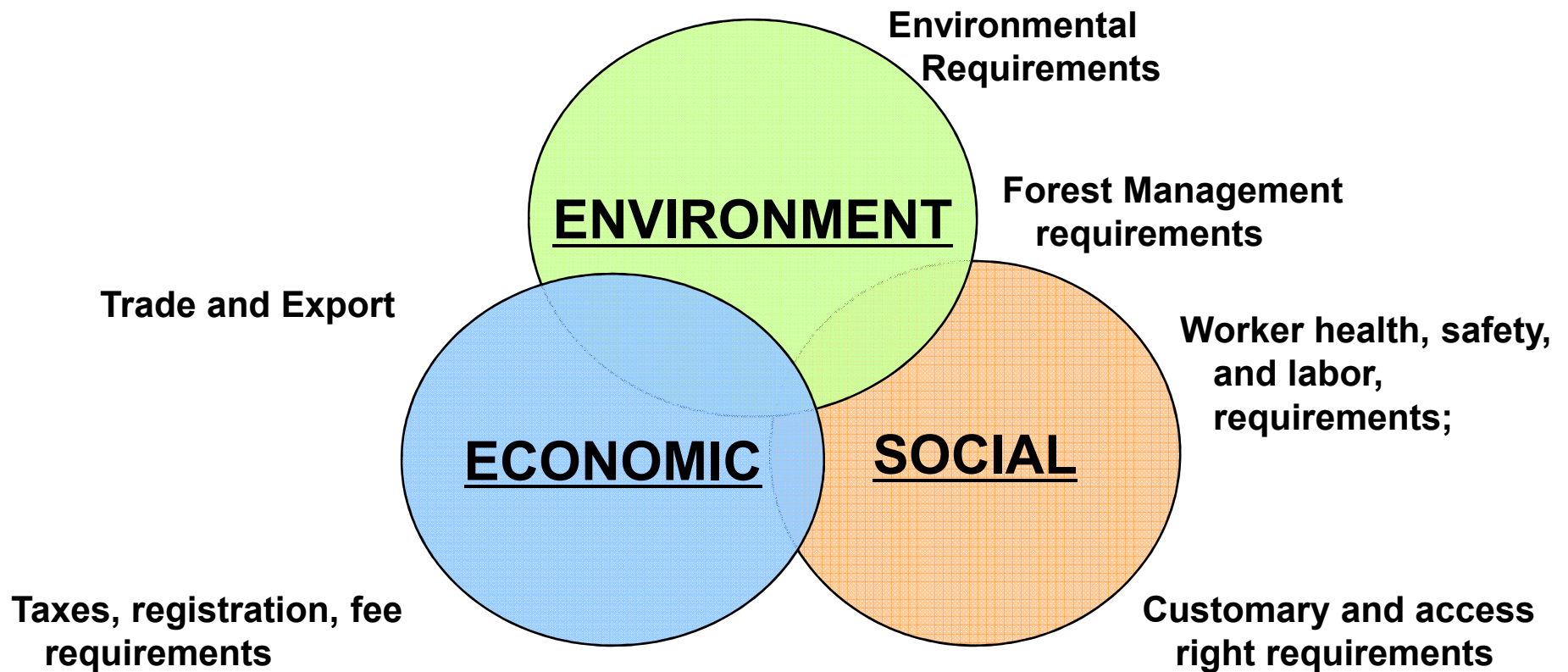
1. Legality Definition
2. Control of the supply chain
3. Verification (supply chain and Legality Definition)
4. Independent monitoring of the entire system



1. The legality definition, what is a legal timber?

- Based on existing regulations/legislation
- Makes clear and visible what is legal timber
- Identifies what will be **routinely** verified to demonstrate timber is legal
- Ability to focus attention where current legislative enforcement challenges exist
- Based on a consultative process including stakeholder preparation of LD dialogue to define priorities.

Definition Based on Principles of Sustainability





Example of Legality Definition

	Reference of the legislation or regulations	Articles	Type of permit
Principle 1: The company legally exists in Congo			
Criterion 1.1: The company is properly registered with the competent authorities			
Indicator 1.1.1: The company is properly registered with the economic, fiscal and judicial authorities			
Verifier 1.1.1.1. Trading licence	- decree No 2008-446 of 15 November 2008	1, 3 and 9	CAT, CTI, PS
Verifier 1.1.1.2. Business, credit and real estate register	- law 19-2005 of 24 November 2005	18 and 40	CAT, CTI
Indicator 1.1.2: The company is properly registered with the social security and employment authorities.			
Verifier 1.1.2.1. Certificate of registration with the national social security fund (CNSS)	- law No 004/86 of 25 February 1986 - law 19-2005 of 24 November 2005	172 18 and 40	CAT, CTI CAT, CTI
Verifier 1.1.2.2. Declaration of existence	- law 45/75 of 15 March 1975 - order No 3020/IGT/LS of 29 September 1953	181 1, paragraph 2	CAT, CTI CAT, CTI





Legality Definition Development

National consultation process consisting of multiple stakeholders and interests

- Promotes a multi stakeholder debate and analysis resulting in a more realistic and operational Definition
- Process helps identify gaps and inconsistencies that may exist in legislation → could lead to a **reform process**
- Should integrate stakeholders affected by forestry legislation and operations
- **Multi stakeholder process brings more credibility in the markets**

2. The supply chain control system

routinely ensures the integrity of timber product flows from the stump **or** the point of import to the point of export using **traceability technologies**, preventing unverified timber products from entering the supply chain.



Principles of a supply chain control system 1/2

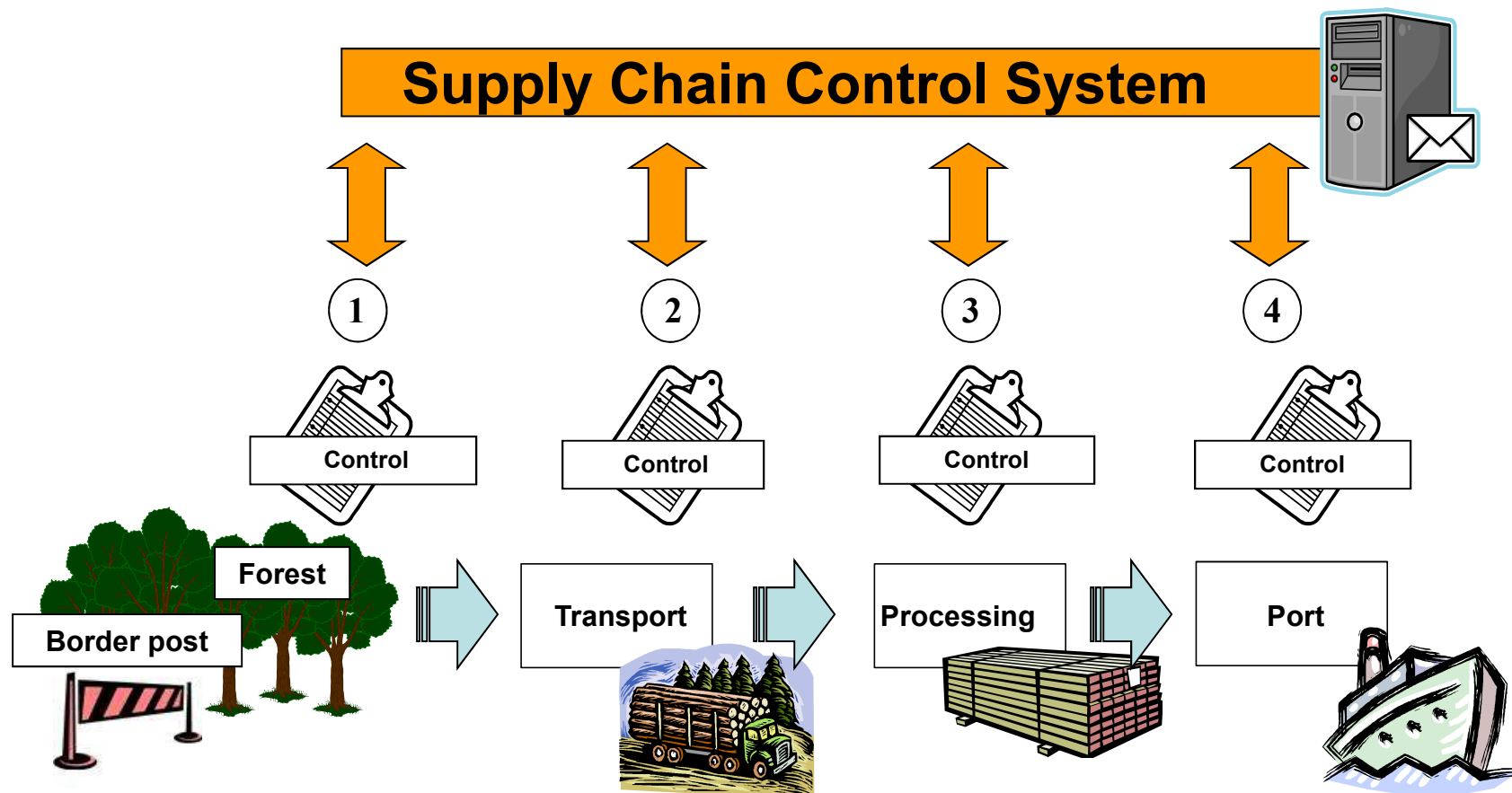
- **for timber producing countries:** mapping of the forest resource (back to stump traceability)
- **for processing and transit countries:** documented imported timber. Origin of each log/bundle of timber products identified
- Border controls including physical and documentary verifications
- Verification at different steps of the supply (including verification of transport and change of ownership)



Principles of a supply chain control system 2/2

- Prevent mixing with unverified timber
- Collect and reconciliation of information at different steps of the supply chain through an information system
- Monitoring of recovery rates at mill sites (input/output)
- Unique timber product marking and numbering systems
- Accessible to a third-party monitoring body

Description of supply chain control systems



3. The verification system

ensures the enforcement of the supply chain control system and the compliance of operators with each element of the Legality Definition

Verification at different steps of the chain is based on documented procedures and involved different people/administrations for cross-checking



Timber Legality Assurance System Verification

Organisation:

Carried out by one or several organisations which have adequate resources, management systems and skilled and trained personnel

Verification of legality:

There is a clear scope setting out what has to be verified in the forest and at processing units.

Documented verification methodology including both documentary and field verifications.



Timber Legality Assurance System Verification

Verification of systems to control the supply chain:

There is a clear scope setting out what has to be verified (where?, when?, how?) covering the entire supply chain from harvesting or import to export for both timber products and documented methodology.

Non-compliance:

There is an effective and functioning mechanism based on the national law enforcement systems for requiring and enforcing appropriate corrective actions where non-compliances are identified.

Endorsement of voluntary certification schemes:

Certification standards must be compliant with TLAS standards. Complementary verification measures must be envisaged in case the scope of certification schemes does not entirely covers TLAS.



EUFLEGT.EFI.INT

THE FOREST LAW ENFORCEMENT
GOVERNANCE AND TRADE TEAM
OF THE EUROPEAN FOREST INSTITUTE

WWW.EUFLEGT.EFI.INT

TLAS verification functions can be organized through different configurations, involving government agencies and the private sector



4. Independent Monitoring

Third-party organization appointed by Governments

- monitor the implementation of the Timber Legality Assurance System, identify possible system weaknesses, suggest improvements
- Report the monitoring results to the Government branch in charge
- Make available to the general public a report on its findings

A third-party monitoring organisation is

- A non-political, national or international conformity assessment body that monitors full implementation of the Timber Legality Assurance System according to specific terms of references.



Search ID: mlyn447

739

© Original Artist
Reproduction rights obtainable from
www.CartoonStock.com



For more information, please consult

<http://ec.europa.eu/environment/forests/flegt.htm>

http://ec.europa.eu/environment/cites/home_en.htm

http://ec.europa.eu/environment/forests/illegal_logging.htm



Or contact us
EUROPEAN FOREST INSTITUTE
- FLEGT Asia Regional Office -



c/o Embassy of Finland
• 5th Floor, Wisma Chinese Chamber
258, Jalan Ampang
50450 Kuala Lumpur,
Malaysia

Telephone: +603-4251 1886
Facsimile: +603-4251 1245
Email: Vincent.vandenberk@efi.int

www.euflegt.efi.int

www.euflegt.efi.int/portal/the_facility/flegt_asia/