



The Joint Monitoring and Review Committee of the Guyana-EU FLEGT Voluntary Partnership Agreement

AIDE-MEMOIRE

1st Joint Monitoring and Review Committee (JMRC), 29 June 2023, Brussels

Preamble

1. The Joint Monitoring and Review Committee (JMRC) was convened on 29 June 2023 in Brussels, Belgium. This first meeting of the JMRC of the Guyana-European Union Forest Law Enforcement, Governance and Trade (FLEGT) Voluntary Partnership Agreement (VPA) was chaired by the Hon. Vickram Bharrat, Minister of Natural Resources of Guyana, and Ms Jutta Urpilainen, EU Commissioner for International Partnerships. A list of participants is present in Annex I.
2. The Technical Committee of the JMRC convened on the 26 and 27 June between the EU and Guyana (hereinafter called 'the Parties'), was co-chaired by Mr James Singh for Guyana and Head of Cooperation of the EU Delegation to Guyana Mr Joan Nadal Sastre and with the participation of the VPA stakeholder observers. The content and conclusions of these technical sessions are captured in this Aide Mémoire.
3. The Parties committed to making public this Aide Mémoire, the supporting documents and the presentations made at the technical sessions.
4. The Parties agreed on the Agenda of the meeting and on drafting this Aide Mémoire of the first JMRC.

Roadmap towards licensing

5. The VPA Africa-Latin America Facility (ALA) presented the VPA roadmap to licensing, which outlined the implementation process to achieve FLEGT licensing (roadmap annexed).

The Parties concluded that:

6. Implementation priorities could be identified based on this roadmap.
7. They would strive to conduct the Joint Independent Evaluation by the end of 2026.

The Government Coordination Body (GCB)

8. Guyana indicated that the first meeting of the Government Coordination Body GCB was convened in May 2026 and that the Terms of Reference (ToR) were shared with the GCB for final review.
9. Guyana further informed the JMRC that a strategic plan for the GCB was developed with support from the European Forest Institute Technical Assistance Project (EFITAP) support.

10. Guyana indicated that the Ministry of Finance would be a member of the GCB, providing technical and financial support for GTLAS agencies and that subsequent discussions with the Ministry have already begun.

The Joint Communication Toolkit

11. The VPA ALA Facility presented the Joint Communication Toolkit for the JMRC.
12. The VPA ALA Facility would support drafting press releases upon request from the Parties.

The Parties concluded that:

13. The first Annual Report will cover activities implemented from the beginning of the VPA negotiations to December 2023, and subsequent reports will cover calendar years.
14. Guyana will share the Joint Communication Toolkit with the NIWG for review before the JMRC can officially endorse it.

The Joint Implementation Framework (JIF)

15. Guyana presented an updated version of the Joint Implementation Framework (JIF), which was created in 2019 through a multistakeholder process and has undergone two revisions since. The JIF comprises a narrative report which includes the theory of change, a timetable, a work plan and an implementation budget.

The Parties concluded that:

16. The GFC will develop a funding strategy for the financial sustainability of the VPA by the end of 2025.
17. The JIF will be endorsed by the JMRC following the finalisation of the work plan (see following section).

The FLEGT Secretariat's work plan and work plan report

18. The FLEGT Secretariat presented its annual work plan and work plan narrative report.



The Parties concluded that:

19. The EU will send comments on the work plan and work plan narrative report to the FLEGT Secretariat in early July 2023.
20. The Parties will endorse the work plan and narrative work plan report after Guyana addresses the comments.

The JMRC Rules of Procedure (RoP)

21. The EU shared the next iteration of the draft Rules of Procedure (RoP) of the JMRC.
22. The Parties emphasised the importance of the Rules of Procedure (RoP) of the JMRC as an instrument of best practice and good conduct which reflect the fundamental principles of the VPA.
23. Guyana indicated it requires additional time to review the draft Rules of Procedure (RoP) as it received these only shortly before the JMRC was convened.
24. With reference to Article 20 of the draft Rules of Procedure (RoP), Guyana stated that since all stakeholder groups are of equal importance in the VPA, it does not support the creation of a forum specifically for Indigenous Peoples. Guyana further reminded that Indigenous Peoples are already represented on the NIWG and the JMRC.
25. The EU clarified that it does not intend to single out a particular stakeholder group. While the JMRC is a space for discussion between the Parties, the Rules of Procedure (RoP) must be adapted to the EU policy framework in force, which requires stronger involvement with forest peoples. The Rules of Procedure (RoP) are therefore construed to complement this framework while taking into account the local laws and national sovereignty of Guyana.

The Parties concluded that:

26. The next JMRC would be convened after they will have agreed to a final draft of the Rules of Procedure (RoP).
27. Guyana will review the Rules of Procedure (RoP) by early October 2023.



Q&A on issues that the NIWG wants to raise with the JMRC

Private sector presentation

28. The GMSA delivered a presentation on the challenges in the local timber industry (presentation annexed).
29. The EU enquired if the private sector conducted a market opportunity analysis.
30. The GMSA clarified that while there was no market opportunity analysis, it is more an issue of better market access than product quality.
31. Guyana enquired what guarantees it can be given that it will not be confronted in the future with new regulatory requirements and shifting goalposts that would affect timber exports to the EU, referring notably to the EU regulation on deforestation (EUDR).
32. The EU responded that European producers would face the same constraints on the EUDR as Guyana and must also adapt to this new market demand. The EUDR does not target any specific country but rather global climate and environmental crises. Guyana is well placed to respond to the requirements of the EUDR, though the benchmarking criteria still need to be defined. Therefore, at this junction, no guarantees can be given.
33. The private sector enquired whether there will be an additional sustainability certificate or if the FLEGT license will be enough to guarantee access to the EU market.
34. The EU stated that compliance with the EUDR requirements would be demonstrated through due diligence by importers. This due diligence must be conducted on both legality and deforestation-free requirements. However, the FLEGT license provides a green lane for legality requirements under the EUDR. Products certified through certification schemes do not, according to the EUDR, provide any green lane, but information emanating from these certification schemes could be used by operators to exercise their due diligence.

Indigenous stakeholder presentation

35. The Indigenous Peoples JMRC representative delivered a presentation on the concerns of Indigenous Peoples.



36. Issues raised by the Indigenous stakeholder observer include establishing a complaints mechanism aligned with the Amerindian Act 6 – 2006 requirements, which will cater for capacity building and socioeconomic rights of Indigenous Peoples and Free Prior and Informed Consent (FPIC).
37. The EU stated that while it is sensitive to the issues of Indigenous Peoples in Guyana, the VPA does not address those beyond its scope and that the VPA Complaints Mechanism should also remain within the parameters of the VPA and the GTLAS.

Exchange on the future of the VPA in relation to the EU regulation on deforestation and discussion on the EUDR WG Modus Operandi

38. The EU enquired whether a EUDR Working Group should be established before the methodology for benchmarking is developed by the European Commission (methodology to be developed by December 2023).
39. Guyana enquired whether it could be involved in the benchmarking process and the Commission's development of this EUDR assessment methodology and if changes could be made after it is developed.
40. The EU responded that while the development of the benchmarking methodology is a Commission internal process, the EU will continue to pay particular attention to the classification of countries with very low deforestation rates and engage in bilateral processes with the EU, such as VPA and Forest Partnership.

The Parties concluded that:

41. They will establish the EUDR Working Group once the EUDR methodology for benchmarking countries is developed.
42. Guyana requests to be involved in developing the EUDR benchmarking process as they are critical to providing information/ a critical source of information.

Update on the VPA complaints mechanism

43. Guyana delivered a presentation on the status of the development and implementation of the VPA complaints mechanism.



The Parties concluded that:

44. The FLEGT Secretariat will prepare a first draft of the VPA Complaints Mechanism by the end of 2023.

Status of JIF funding programs

AFD EU FLEGT Programme

45. AFD delivered a presentation on its EU FLEGT Support programme (presentation is annexed)

The Parties concluded that:

46. Guyana will review the consultancy reports/recommendations under the AFD EU FLEGT programme and determine the next steps.

European Forestry Institute Technical Assistance Project (EFITAP)

47. EFITAP delivered a presentation of its supported activities to date.

The Parties concluded that:

48. EFITAP and AFD/Eticwood will meet with the FLEGT Secretariat and the Parties by the end of July 2023 and regularly after to determine the next steps, including the need for additional support. This meeting will further support discussions of the JIF Donor Coordination Meeting.
49. EFITAP will commence sharing the results of work conducted by the beginning of July 2023.

EUD JIF Action Document

50. The EU delivered a presentation on the status of the JIF Action Document, indicating that the workstream will likely become operational in mid-2024 (presentation annexed).

Technical Cooperation Facility (TCF) support

51. The EU delivered a presentation on the TCF framework contract, indicating that the procurement of TCF support was launched and that technical support would become available in 2023 (presentation annexed).
52. The EU further informed the JMRC that new Support Measures would become available by the end of 2023 and constitute a possible new funding source for the VPA.



The Parties concluded the following:

53. The EU will finalise the JIF Financing Decision by the end of 2023.
54. The EU and Guyana will explore other funding opportunities under the upcoming Support Measures.

Presentation on PEFC

55. The Programme for Endorsement of Forest Certification (PEFC) delivered a presentation on the PEFC licensing scheme (presentation annexed).
56. The FLEGT Secretariat delivered a presentation on work conducted to date in view of achieving the PEFC licensing standard (presentation annexed).

Conclusions

The Parties concluded that:

1. Implementation priorities could be identified based on this roadmap.
2. They would strive to conduct the Joint Independent Evaluation by the end of 2026.
3. The first Annual Report will cover activities implemented from the beginning of the VPA negotiations to December 2023, and subsequent reports will cover calendar years.
4. Guyana will share the Joint Communication Toolkit with the NIWG for review before the JMRC can officially endorse it.
5. The GFC will develop a funding strategy for the financial sustainability of the VPA by the end of 2025.
6. The JIF will be endorsed by the JMRC following the finalisation of the work plan (see following section).



7. The EU will send comments on the work plan and work plan narrative report to the FLEGT Secretariat in early July 2023.
8. The Parties will endorse the work plan and narrative work plan report after Guyana addresses the comments.
9. The next JMRC would be convened after they will have agreed to a final draft of the Rules of Procedure (RoP).
10. Guyana will review the Rules of Procedure (RoP) by early October 2023.
11. Guyana and the EU will establish the EUDR Working Group once the EUDR methodology for benchmarking countries is developed.
12. Guyana requests to be involved in developing the EUDR benchmarking process as they are critical to providing information/ a critical source of information.
13. The FLEGT Secretariat will prepare a first draft of the VPA Complaints Mechanism by the end of 2023
14. Guyana will review the consultancy reports/recommendations under the AFD EU FLEGT programme and determine the next steps.
15. EFITAP and AFD/Eticwood will meet with the FLEGT Secretariat and the Parties by the end of July 2023 and regularly after to determine the next steps, including the need for additional support. This meeting will further support discussions of the JIF Donor Coordination Meeting.
16. EFITAP will commence sharing the results of work conducted by the beginning of July 2023.
17. The EU will finalise the JIF Financing Decision by the end of 2023.
18. The EU and Guyana will explore other funding opportunities under the upcoming TCF.

Statements

1. Guyana requests to be involved in developing the EUDR benchmarking process as they are critical to providing information/ a critical source of information.

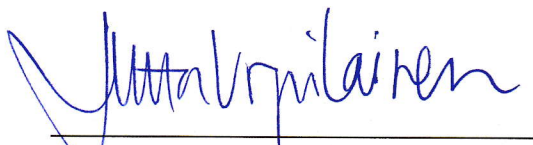


Annexes to this Aide-Mémoire :

1. List of participants
2. VPA Roadmap to licensing
3. Updated Joint Implementation Framework (JIF)
4. JIF work plan and narrative work plan report
5. Draft Rules of Procedure (RoP)
6. Private sector presentation
7. Indigenous Peoples presentation
8. FLEGT Secretariat presentation on VPA Complaints Mechanism
9. AFD EU FLEGT Programme presentation
10. EFITAP presentation
11. EU presentation
12. PEFC presentation
13. FLEGT Secretariat presentation on PEFC

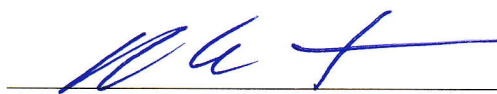
For the European Union

For Guyana



Mrs Jutta Urpilainen

EU Commissioner for International Partnerships



Hon. Vickram Bharrat

Minister of Natural Resources



Annexe I

List of participants

A) Guyana team

1. Hon. Vickram Bharrat, Minister of Natural Resources
2. Mr James Singh, GFC Management Consultant
3. Mr Kenny David, Head of the FLEGT Secretariat
4. Mr. Khemchan Persaud, FLEGT Secretariat

A) European Union team

1. Ms Jutta Urpilainen, EU Commissioner for International Partnerships
2. Ms Miriam Ferran, Deputy Director General, Directorate-General for International Partnerships
3. Mr Patrice Moussy, Head of Sector, Directorate-General for International Partnerships of the European Commission
4. Ms Magdalini Topouzidou, Directorate-General for International Partnerships of the European Commission
5. Mr Joan Nadal-Sastre, Head of Cooperation, EU Delegation
6. Ms Layla El Khadraoui, Programme Manager, EU Delegation

B) Support team

1. Sebastiaan De Smedt, Forest Governance and Timber Legality Assurance Expert, European Forest Institute
2. Anna Correia de Sá, EU FLEGT Facilitator and Forest Partnership Advisor, Particip

C) GTLAS Agencies

1. Guyana Forestry Commission (GFC)
2. Ministry of Labour
3. Environmental Protection Agency (EPA)

D) List of Indigenous Peoples Organisations

1. National Amerindian Development Foundation (NDAF)
2. National Toshias' Council (NTC)



F) List of Private Sector Organisations

1. Forest Producers Association (FPA)
2. Small Loggers Association
3. Guyana Manufacturing and Services Association (GMSA)

List of other Annexes available via <https://euflegt.gov.gy/flegt-vpa/committees/jmrc/> :

1. VPA Roadmap to licensing
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4. Draft Rules of Procedure (RoP)
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7. FLEGT Secretariat presentation on VPA Complaints Mechanism
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9. EFITAP presentation
10. EU presentation
11. PEFC presentation
12. FLEGT Secretariat presentation on PEFC

