



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

AIDE-MEMOIRE

2nd Joint Monitoring and Review Committee (JMRC), 24 November 2023, Georgetown

Preamble

1. The Joint Monitoring and Review Committee (JMRC) was convened on 24 November 2023 in Georgetown, Guyana. This second meeting of the JMRC of the Guyana-European Union (EU) 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 Mr René van Nes, Ambassador and Head of the EU Delegation to Guyana. A list of participants and observers is present in Annex I.
2. The Technical Committee of the JMRC, hereinafter called the “Technical Committee” convened on 23 November 2023 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. It was attended by other government representatives of Guyana and officials from the EU, and by VPA stakeholder observers. The conclusions of the Technical Committee, are captured in this Aide Mémoire.
3. The Parties committed to making public this Aide Mémoire, the supporting documents and the presentations made.
4. The Parties agreed on the agenda of the meeting and on drafting this Aide Mémoire of the second JMRC.

Adoption of the Joint Communication Toolkit (JCT) and of the Rules of Procedure of the JMRC (RoPs)

5. The FLEGT Secretariat indicated that the National Implementation Working Group (NIWG) reviewed the JCT, including the protocol for handling contentious issues, and no objections were made to the contents. The protocol for managing contentious issues was presented to the Technical Committee.
6. The RoPs were presented to the participants of the Technical Committee.
7. Both Parties presented the next steps required for the formal approval of the RoPs by their respective institutions.

Conclusion 1: The JMRC adopts the Joint Communication Toolkit.

Conclusion 2: The JMRC adopts the Rules of Procedure of the JMRC.

Roadmap to Licensing: status update

8. The VPA Africa-Latin America Facility presented the VPA Roadmap to Licensing, which outlines the implementation process to achieve FLEGT licensing. The roadmap is annexed.
9. Guyana indicated that while the Government of Guyana will provide financial support to implement the VPA, this will need to be complemented by continued financial support from the EU.
10. The EU further stated that while financial support is important, capacity and financial gaps need to be addressed by Guyana and the EU can provide technical support.

Conclusion 3: Guyana will inform the JMRC when it will be ready for the Independent Audit of the Guyana Timber Legality Assurance System (GTLAS) or part(s) of it.

Conclusion 4: Guyana agreed to provide an update on the Joint Implementation Framework (JIF), with the intention of achieving its 2026 timeline.

Status update on the country benchmarking in the framework of the EU Deforestation Regulation (EUDR)

11. The EU indicated that the European Commission Directorate General of Environment has launched a tender for a service provider to conduct the benchmarking based on the criteria referenced in Article 29 of the EUDR.
12. Guyana expressed its interest in being involved in the benchmarking process.
13. The EU suggested that the Parties communicate further via emails if additional clarification would be needed on the EUDR.

Update on the Working Procedures of Arbitration

14. The EU indicated that its legal services are conducting a review of version 2 of the Working Procedures of Arbitration.

Conclusion 5: The EU will share the next version of the Working Procedures of Arbitration with Guyana before the end of 2023.



Conclusion 6: Guyana agreed to provide comments on the next version of the Working Procedures of Arbitration once it is shared by the EU.

Conclusion 7: The Parties endeavour to adopt the Working Procedures of Arbitration at the next JMRC.

Update on the complaints mechanism

15. Guyana presented an update on the VPA Complaints Mechanism. The presentation is annexed.

Conclusion 8: Guyana will complete a first draft of the VPA Complaints Mechanism by the end of 2023.

Involvement of GTLAS Agencies in the VPA process

16. Guyana made multiple attempts to convene the Government Coordination Body (GCB) but without success.
17. Guyana reiterated the importance of the GCB and indicated that the Minister of Natural Resources will convene the next meeting before the end of 2023.
18. The Ministry of Labour made a presentation highlighting its capacity needs (human resources, training for staff and funding for accessing remote operations) to enforce compliance of Forest Sector Operators (FSOs) on aspects related to labour as stipulated by the legality definition of the VPA.
19. The Environmental Protection Agency (EPA) made a presentation highlighting its capacity needs to ensure compliance of FSOs with the VPA. The EPA explained that an independent assessment of its needs to fulfil their requirements as stipulated in the VPA is vital.
20. Guyana indicated that the GTLAS agencies should be able to determine their capacity needs internally. Multiple studies were conducted on different aspects of the VPA, and it would be more relevant to act on subsequent recommendations.
21. The EU stated that they can provide short-term technical assistance but cannot provide long-term staffing.
22. The EU expressed that the JMRC could have benefited from the presence of representatives of Ministry of Finance and the Ministry of Amerindian Affairs.



23. Guyana reassured the EU that the Ministry of Amerindian Affairs is fully supportive of the VPA.

Conclusion 9: Guyana will convene the Government Coordination Body (GCB) by the end of 2023.

Presentation and adoption of the draft Impact Monitoring Framework (IMF)

24. TERO presented the VPA's IMF, including the methodology used, impact areas covered, indicators, and proposed next steps.

25. The stakeholder engagement process used to build the framework was robust and in keeping with the VPA. The approach was to work with a subset of the NIWG to develop the framework, and that subset informed the wider NIWG. The GTLAS agencies and FSOs were also consulted. However, no statistical data analysis on the sample size was conducted.

26. Going forward, stakeholder inputs will be considered in the further revision of the IMF.

Conclusion 10: The JMRC adopts the IMF.

Outcomes of the legal review conducted by EFITAP

27. EFITAP presented the results of the legal review of the VPA regulatory framework completed in September 2023.

Conclusion 11: Once the GFC Board has completed its assessment of the outcomes of the legal review, it will identify the next steps for addressing the recommendations.

Discussion on the status of ongoing and upcoming JIF funding programmes: progress since last JMRC, challenges, and next steps

Agence Française de Développement (AFD) EU FLEGT Programme

28. AFD presented a budgeted overview of the AFD EU FLEGT programme and progress to date on the different components. The presentation is annexed.



29. AFD clarified that the Terms of Reference (ToR) for the support to the FLEGT Secretariat and for communication and outreach was not yet completed. Once completed, the procurement process will be launched by the end of 2023 and can take up to three months. The draft ToR will be shared by the end of November 2023.
30. The EU suggested that AFD includes awareness raising for the private sector and Indigenous Peoples as part of the support being provided to the FLEGT Secretariat. This avoids multiple procurement processes.
31. The Parties expressed their concern with the ongoing delays and slow delivery of the programmes.

Conclusion 12: The Parties agree to have a discussion on the AFD support measures by the end of November 2023. To inform this discussion, AFD agreed to share more details on the awareness-raising activities.

EFITAP

32. EFITAP presented an update on its JIF support project, which comprises six outcomes aligned with the JIF Strategic Tasks. The presentation is annexed.
33. The next steps for EFITAP following the end of its extension may be linked to the upcoming FGMC 2 programme.
34. The EU expressed the importance for all implementing partners to coordinate activities linked to the JIF and suggested convening on this in Q1 2024.

Conclusion 13: The Parties agree to coordinate different support measures with all implementing partners in Q1 2024.

Technical Cooperation Facility (TCF) Technical Assistance

35. DAI delivered a presentation on the status of its capacity building project, including the workplan, timeline, deliverables, challenges and next steps. The presentation is annexed.
36. The EU expressed the importance for the documentation for the training to be made available in time for the implementation of this project, in keeping with the timeline for each deliverable.
37. Guyana emphasized that the sawmill training needed the intervention of skilled experts providing practical training to our sawmilling stakeholders.



Conclusion 14: Guyana will provide an update on the adoption of the revised Manual of Procedures, Control Procedures for Health and Safety, Timber Grading Procedures and Standards for Sawmills and Lumberyards, by the end of November 2023.

JIF Action Document

38. The EU presented an update on the JIF Action Document, indicating that it was adopted in November 2023. The next step will be to contract a pillar-assessed organisation for the implementation of the programme. It was explained that this programme will cover needs identified in the JIF. The Inter-American Institute for Cooperation on Agriculture (IICA) was proposed as an implementing partner. Contracting is anticipated by April 2024.

Conclusion 15: The Parties will start discussing the details of the JIF Action Document over the coming months.

Update on the Programme for the Endorsement of Forestry Certification (PEFC) workstream

39. Guyana presented an update on the PEFC programme. The presentation is annexed.

40. The PEFC secretariat explored synergies with FLEGT including through collaboration on stakeholder engagement. It also supplements PEFC processes with FLEGT documentation. The PEFC standard also builds on the legality definition of the VPA and the development process of the standard captured lessons learnt from the VPA negotiation process. Additionally, the PEFC standard is taking into consideration the development of the EUDR.

41. The first companies are expected to achieve PEFC certification by May 2024. It is expected that there will be local presence of certification bodies.

Agreements and closing

42. The Parties thanked participants.

43. The Technical Committee was adjourned at 14:41 hours.



Conclusions

Conclusion 1: The JMRC adopts the Joint Communication Toolkit.

Conclusion 2: The JMRC adopts the Rules of Procedure of the JMRC.

Conclusion 3: Guyana will inform the JMRC when it will be ready for the Independent Audit of the GTLAS system or part(s) of it.

Conclusion 4: Guyana agreed to provide an update on the JIF, with the concern of achieving its 2026 timeline.

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Annexes

List of annexes available on the FLEGT website using the following link: <https://euflegt.gov.gy/flegt-vpa/committees/jmrc/>

1. Agenda
2. List of participants
3. Joint Communication Toolkit
4. Adopted Rules of Procedure (RoP)
5. VPA Roadmap to licensing
6. Presentation on VPA Complaints Mechanism
7. Presentation on VPA Impact Monitoring framework
8. Presentation of AFD EU FLEGT Programme
9. Presentation on EFITAP
10. Presentation on TCF capacity building programme
11. Presentation on PEFC
12. Joint Implementation Framework (JIF)
13. JIF work plan and narrative work plan report

For the European Union



His Excellency René van Nes

Ambassador of the Delegation of the European Union to Guyana

For the Cooperative Republic of Guyana



Hon. Vickram Bharrat

Minister of Natural Resources



Annex I

List of participants

- A) Guyana representatives
 - 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
- B) European Union representatives
 - 1. H.E. René van Nes, Ambassador of the EU Delegation to Guyana
 - 2. Mr Joan Nadal Sastre, Head of Cooperation, EU Delegation to Guyana
 - 3. Mr Patrice Moussy, Directorate-General for International Partnerships of the European Commission
 - 4. Ms Magdalini Topouzidou, Directorate-General for International Partnerships of the European Commission
 - 5. Ms Layla El Khadraoui, Programme Manager, EU Delegation to Guyana
- C) 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
- D) GTLAS Agencies
 - 1. Guyana Forestry Commission (GFC)
 - 2. Ministry of Labour (MoL)
 - 3. Environmental Protection Agency (EPA)
 - 4. Office of the President (OP)
 - 5. National Plant Protection Organisation (NPPO)
 - 6. Guyana Lands and Surveys Commission (GLSC)
- E) List of Indigenous Peoples Organisations
 - 1. Amerindian Peoples Association (APA)
 - 2. National Tshaos' Council (NTC)
- F) List of Private Sector Organisations
 - 1. Forest Producers Association (FPA)
 - 2. Small Loggers Association (SLA)
 - 3. Guyana Manufacturing and Services Association (GMSA)

