



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

AIDE-MEMOIRE

3rd Joint Monitoring and Review Committee (JMRC), 07 June 2024, Georgetown

Preamble

1. The Joint Monitoring and Review Committee (JMRC) was convened on 7 June 2024, in Georgetown, Guyana. This third 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, M.P, Minister of Natural Resources of Guyana, and Mr René van Nes, Ambassador and Head of the EU Delegation to Guyana.
2. The Technical Committee of the JMRC, hereinafter called the “Technical Committee”, convened on 4 and 5 June 2024 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 conclusions of the Technical Committee are captured in this Aide Mémoire. A list of participants and observers is present in Annex I.
3. The Parties committed to making this Aide Mémoire public, as well as 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 third JMRC.

Rules of Procedure (RoP) of the JMRC and the Working Procedures of Arbitration (WPoA)

5. The EU presented the adoption process for the Rules of Procedure (RoP) of the JMRC and the Working Procedures of Arbitration (WPoA). After endorsement by the JMRC, both documents will have to go through the internal structures of the EU before adoption by the JMRC. The presentation is annexed.
6. Guyana stated that it was of the view that the JMRC was the final approval mechanism once the VPA was signed, and requested a list of other documents that required further approval beyond the JMRC at the level of the EU Council. The EU agreed to provide same.
7. The EU clarified that both documents will be submitted together for the adoption process.

Conclusion 1: The JMRC endorsed the final draft of the Working Procedures of Arbitration (WPoA).

Conclusion 2: The JMRC agreed to provide a list of VPA documents which require approval at the level of the EU Council.

European Union Regulation on Deforestation-Free Products (EUDR)

8. The EU presented an update on the European Union Regulation on Deforestation-Free Products (EUDR). The presentation is annexed.
9. Guyana reminded that access to EU timber markets was initially premised on legality, and this has now shifted to include sustainability. Guyana is still interested in being a part of the EUDR benchmarking process as it had previously expressed at the 2nd JMRC.
10. The EU explained that it could enter into dialogue with those partner countries that may be categorised as high-risk during the benchmarking process.
11. The EU also explained that the EUDR concerns commodities beyond timber, and it would therefore be important to engage other government agencies, such as the Ministry of Agriculture.
12. The EU mentioned that the benchmarking methodology is currently being developed, and the list of countries/risk category is not yet available. However, it requires an analysis of quantitative and qualitative criteria, taking into account the latest scientific evidence, internationally recognised sources, and information verified on the ground. Due to Guyana's remarkably low deforestation rate, which is among the lowest globally, and because it maintained high levels of forest cover and sustainable forest management practices, Guyana is not expected to be classified in the high-risk category.

Conclusion 3: The EU will continue to update Guyana on developments with the EUDR, including the benchmarking process.

Government Coordination Body (GCB)

13. Guyana indicated that the next Government Coordination Body (GCB) will be scheduled in June 2024.
14. Guyana further emphasised that all the GCB agencies are committed and that the attendance of the Vice President in the next meetings is being explored.
15. Guyana informed the JMRC that a Cabinet Memo which included a recommendation that GTLAS agencies should budget in their Annual Work Plans and Budget measures to support their respective roles and responsibilities in the VPA, was submitted.
16. The EU welcomed the GCB's upcoming meeting, reiterating its importance in supporting the GTLAS agencies. The EU further expressed that the GCB is a means for reaching the VPA goal of FLEGT Licensing, highlighting the importance of its proper functioning and subsequent support for resolving challenges such as the financial sustainability of GTLAS agencies.

Conclusion 4: Guyana will convene a Government Coordination Body (GCB) meeting in June 2024.

Capacity needs of GTLAS agencies

17. Guyana presented the results of a capacity needs assessment of GTLAS agencies. The presentation is annexed.
18. The EU welcomed the needs assessments and enquired how the Government of Guyana plans to mobilise resources to address these needs.
19. The EU recognised the efforts of Guyana, and particularly at the level of the Guyana Forestry Commission (GFC), to implement the VPA. As this is a joint effort, the EU is concerned about the possible disparity between financial support for the implementation by the EU, and the budget allocation of Guyana to GTLAS agencies for the implementation of this bilateral agreement. This may hinder the whole process and might result in not reaching the objective of conducting the joint evaluation by the end of 2026. It is critical to make timely use of available resources.
20. Guyana responded that this assessment will be presented to the Ministries of Natural Resources and Finance to explore potential financial support.

PEFC compatibility with the VPA

21. Guyana announced that the Programme for Endorsement of Forest Certification (PEFC) Council formally endorsed the Guyana National Forest Certification System (GNFCS) in May 2024. The presentation is annexed.
22. Guyana explained that this is a step further in achieving the Low Carbon Development Strategy (LCDS) targets, synergising with both the VPA and the EUDR.
23. The EU congratulated Guyana on the endorsement of the PEFC standard.
24. Guyana indicated it would be very useful to conduct a comparison between the VPA and the PEFC.

Joint Implementation Framework (JIF)

25. Guyana presented an updated version of the VPA Joint Implementation Framework (JIF). The updated JIF is annexed.

Conclusion 5: The Parties endorsed the updated VPA Joint Implementation Framework (JIF).

VPA Complaints Mechanism

26. Guyana presented an update on the VPA Complaints Mechanism and explained that the development process engaged several organisations, including Conservation International and PEFC. The presentation is annexed. The result of these consultations is to have the complaints mechanism housed under the Ministry of Natural Resources that caters for Forest Sector Operators (FSOs).
27. Guyana indicated that the draft VPA Complaints Mechanism was shared with the GFC, National Implementation Working Group (NIWG) and now the JMRC, for review. However, it was explained that some IT support will be required to operationalise the mechanism. EFITAP has proposed supporting this activity.
28. The EU indicated that the VPA is explicit in that the VPA Complaints Mechanism should be available to all stakeholders, including CSOs, and this should be catered for.
29. Guyana responded that other stakeholders, such as Civil Society Organisations (CSOs), can use other complaints mechanisms to submit grievances.

VPA Annual Report

30. Guyana indicated its preference to maintain separate reporting for the VPA and the Forest Partnership since the VPA is specific to a trade agreement.

Conclusion 6: The Parties agreed that the VPA Annual Report covering the period of commencement of negotiations up to 2023 will be presented at the next JMRC for endorsement.

Press Release

31. The Parties reviewed the communication messages for the 3rd JMRC and endorsed these messages.

Programmes supporting EU-Guyana collaboration on forests

32. Presentations on the different VPA forest support programmes were made, including the AFD EU FLEGT programme, DAI Technical Assistance, IICA support to the JIF and EFITAP. The presentations are annexed.
33. Guyana indicated to the AFD its requirement to be included in the selection process of service providers.
34. The EU expressed concerns about the significant delays in the DAI Technical Assistance. Further changes in the work plan may jeopardise the availability of the experts.

Agreements and closing

35. Guyana and the EU thanked participants.

36. The Technical Committee of the JMRC was adjourned at 15:00 hours.

Conclusions

Conclusion 1: The JMRC endorses the final draft of the Working Procedures of Arbitration (WPoA).

Conclusion 2: The JMRC agreed to provide a list of VPA documents which require approval at the level of the EU Council.

Conclusion 3: The EU will continue to update Guyana on developments in the EUDR, including the benchmarking process.

Conclusion 4: Guyana will convene a Government Coordination Body (GCB) meeting in June 2024.

Conclusion 5: The Parties endorsed the updated VPA Joint Implementation Framework (JIF).

Conclusion 6: The Parties agreed that the VPA Annual Report covering the period of commencement of negotiations up to 2023 will be presented at the next JMRC for endorsement

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. Final draft of the Working Procedures of Arbitration (WPoA)
4. Presentation on the adoption process of the Rules of Procedure of the JMRC (RoP) and the Working Procedures of Arbitration (WPoA)
5. Presentation on the EUDR
6. Presentation on the capacity needs assessment of GTLAS agencies
7. Presentation on the PEFC workstream
8. Updated Joint Implementation Framework (JIF)
9. Presentation on VPA Complaints Mechanism
10. Presentation of AFD EU FLEGT Programme
11. Presentation on DAI Technical Assistance project
12. Presentation on IICA programme
13. Presentation on EFITAP support

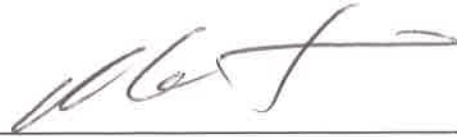
For the European Union

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His Excellency René van Nes

Ambassador of the Delegation of the
European Union to Guyana

For Guyana

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Hon. Vickram Bharrat

Minister of Natural Resources

Acronyms

AFD	Agence Française de Développement (EN : French Development Agency)
ALA	Africa-Latin America Facility
CSO	Civil Society Organisation
EFITAP	European Forest Institute Technical Assistance Project
EPA	Environmental Protection Agency
EU	European Union
EUDR	European Union Regulation on Deforestation-Free Products
FGVP	Forest Governance and Value-chains Programme
FLEGT	Forest Law Enforcement, Governance and Trade
FPA	Forest Products Association
FSO	Forest Sector Operator
GCB	Government Coordination Body
GFC	Guyana Forestry Commission
GGMC	Guyana Geology and Mines Commission
GLSC	Guyana Lands and Surveys Commission
GMSA	Guyana Manufacturing and Services Association
GNFCS	Guyana National Forest Certification Standard
GRA	Guyana Revenue Authority
GTLAS	Guyana Timber Legality Assurance System
IICA	Inter-American Institute for Cooperation on Agriculture
JIF	Joint Implementation Framework
JMRC	Joint Monitoring and Review Committee
LCDS	Low Carbon Development Strategy [2030]
MOF	Ministry of Finance
MNR	Ministry of Natural Resources
MOL	Ministry of Labour
MOPW	Ministry of Public Works
NIWG	National Implementation Working Group
NPPO	National Plant Protection Organisation
NTC	National Toshihos Council
PEFC	Programme for the Endorsement of Forest Certification
SLA	Small Loggers Association
VPA	Voluntary Partnership Agreement
WCMC	Wildlife Conservation and Management Commission