

EU FOREST LAW ENFORCEMENT GOVERNANCE AND TRADE

Stakeholder Session on FLEGT in Region Seven –
Imbaimadi and Jawalla

Report

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List of Acronyms

EU	European Union
FLEGT	Forest Law Enforcement Governance and Trade
GFC	Guyana Forestry Commission
GGMC	Guyana Geology and Mines Commission
VPA	Voluntary Partnership Agreement
NTWG	National Technical Working Group
FAO	Food and Agriculture Organization of the United Nations
LCDS	Low Carbon Development Strategy

INTRODUCTION

Illegal logging and its associated trade is responsible for loss of revenue, environmental and social damage worldwide. In recognition of its contribution to this global issue, the EU in 2003 developed its FLEGT Action Plan. An important aspect of this Action Plan is the development of Voluntary Partnership Agreements with timber producing countries with the aim of ensuring that only legally produce timber and timber products are exported to the EU. Under this arrangement a country voluntarily enters into the VPA process and after proceeding through the different phases, the agreement becomes law in the EU and the partner country.

Several countries in West Africa, South East Asia, Central America and South America have signalled their intention to enter into the VPA process with the aim of eventually signing a VPA. In South America, Guyana has been the first country to enter the VPA process. In 2012, after a series of engagements with key internal and external stakeholders, the Government of Guyana made a policy decision to enter the VPA process with the EU and envisaged eventual signing of a VPA in 2015. Since this decision, a series of initial follow up activities were undertaken in Guyana: an assessment of Guyana's Legality Assurance System was completed, the National Technical Working Group was formed to steer the VPA process, stakeholder engagement activities were conducted and the FLEGT Secretariat was established to support the NTWG in advancing the VPA process.

In pursuing this process, Guyana aims to formulate a pragmatic VPA which captures the parameters of strong forest governance, sound environmental principles, legality and wide stakeholder input. Two negotiations have been held, the first was held in 2012 and the second in 2013. Additionally, several aspects of the VPA have since been developed and are in draft form. Two projects; the Scoping of Impacts Assessment and the Communication and Consultation Strategy have commenced and stakeholder engagement activities, an integral component of the VPA process, have continued.

After conclusion of the second negotiation, the National Technical Working Group commenced FLEGT Sessions aimed at updating stakeholders on the proceedings of the Second Negotiation whilst simultaneously eliciting their feedback on the process. This document reports on two such sessions held in two communities in Region Seven; Imbaimadai and Jawalla.

AIMS, PURPOSE AND APPROACH OF THE SESSIONS

Participation

Two one day sessions on FLEGT were held in Imbaimadai and Jawalla on the 23rd and 25th of April, 2014 respectively. Sessions were attended by the host community and neighbouring communities. In Imbaimadai, neighbouring communities, Chinoweing and Wax Creek participated in the sessions. Residents of Kambaru and Omanik also attended this session. The Jawalla meeting was also attended by residents of Quebanang and Phillipai.

The team which conducted the FLEGT session comprised a representative of the Amerindian Peoples' Association, a Forest Officer and a representative from the FLEGT Secretariat.

Letters of invitations and key documentation were sent to the participants prior to the sessions. The respective Village Councils were asked to select five representatives to attend the Sessions.

A complete list of participants is presented in Annex 1.

Session Agenda

The Agenda was structured to contribute to the aim of the session; to update stakeholders on Guyana's VPA progress and initiate a platform for information sharing. Four individual sessions were developed to capture the origin of FLEGT and VPAs, Guyana's FLEGT progress, the Legality Definition and aspect of the Communication and Consultation Strategy.

Plenary, brainstorming, video, PowerPoint Presentations and group work were appropriately utilized to conduct the sessions.

Purpose of the FLEGT Session

The Sessions were purposed towards the achievement of the followings:

1. To introduce and share general information on EU FLEGT
2. To present the following updated documents:
 - a) Legality Definition
 - b) Regulatory Framework
 - c) Product Coverage
3. To outline the progress of Guyana's VPA process especially in relation to negotiations between Guyana and the European Union, the Roadmap for Guyana EU FLEGT VPA process, stakeholder engagements, Scoping of Impacts and the Communication Strategy.

4. To specifically highlight the outcomes of the second negotiation between Guyana and the European Union held in Brussels, Belgium in July, 2013.
5. To provide a platform for stakeholders to raise concerns, seek clarifications and state recommendations and expectations pertaining to Guyana's VPA and its progress thus far.

SUMMARY OF PROCEEDINGS

Opening

The session was opened by the facilitator, Mr. Mc Garrell. He warmly welcomed participants and extended appreciation for their attendance. Further, he highlighted that the visit to the community is part of continued efforts of the National Technical Working Group to meet with stakeholders to gain their input to the VPA process.

Participants were encouraged to actively participate, voice their opinions and seek clarification throughout the session. It was emphasized that their contribution will lend to the robustness of the VPA and the VPA process.

Outline of Sessions

Session One: An Introduction to FLEGT and VPAs

A PowerPoint presentation and a Video were delivered and shown respectively. The Video, a FERN production obtained from www.youtube.com, gave a general perspective on FLEGT and its benefits.

Session Two: Guyana's FLEGT VPA process

This session was conducted via PowerPoint presentation and gave an insight into Guyana's VPA progress.

Session Three: Draft Legality Definition for the FLEGT VPA

Session Three was conducted via PowerPoint presentation and working group. Within the working groups, participants were asked to review the Draft Legality Definition with particular attention to the Legality Matrix for Private Property with the aim of highlighting possible additions and/or omissions to the document.

The PowerPoint presentation introduced the role of the Legality Definition in the VPA process and explained its arrangement; specific Legality Matrix for the different operator types.

Session Four: Multi-stakeholder participation in FLEGT VPA process

- Communication

Session Four was conducted primarily via plenary and a PowerPoint presentation. Participants were given the opportunity to state how the communication aspect of the VPA process can be effective. The brief presentation outlined the importance of communication to the VPA process and highlighted popular methods of communications.

DISCUSSIONS

A range of questions were asked, issues raised and concerns highlighted during the two sessions, some of which were beyond the scope of FLEGT and VPAs. Owing to inexperience in the forestry sector and keenness to gain a better understanding of VPAs in the local context, several clarifications related to current forestry procedure were sought. Further, enquiries related to the effects of the VPA on traditional rights and traditional lands were raised.

There was some amount of misconception about FLEGT and its intention, particularly about FLEGT being a vehicle to increase exploitation of the forest to subsequently trade with the EU. This was viewed as being contrary to the vision of the Low Carbon Development Strategy, which was seen as a conservation tool, rather than a medium for sustainable development of the country and utilization of the forest.

There was some amount of caution by some participants to contribute to the Legality Definition, signalling that although information on FLEGT was received, better understanding of the document and consensus from the community are needed before inputs can be presented.

In both communities, several references were made to previous meetings held, not aimed towards eliciting their input, but rather to inform them of decisions that were already made.

Issues, questions and recommendations as recorded during the sessions are outlined below.

- It was highlighted that miners and loggers disrupts the farms of some residents and such issues are not experienced by untitled Amerindian Communities only, but faced by titled villages, such as Kaikan and Arrau. It was opined that perhaps loggers and miners are being supported in these ventures by other sources.
- It was indicated that some communities are untitled and therefore it would not be of much worth to indicate whether or not such communities are in agreement with the VPA. Participants were reminded that the VPA is an inclusive process that includes stakeholder groups who may be affected by the VPA and the process.
- The issue of miners not being present at the meeting was raised. It was pointed out that a recent publication cited mining as the main cause of the country's deforestation and this

underscores the importance of miner's attendance at these meetings. Further, mining does not only result in the loss of trees, but also negatively affects other flora and fauna within the forests such as birds and medicinal plants. An explanation of the current VPA stakeholder group's structure followed this point. It was highlighted that within this structure, miners belong to a stakeholder group, similar to indigenous communities and FLEGT Sessions are accordingly held with the relevant stakeholder groups.

- Participants questioned whether foreign companies can be allotted areas beyond the community's land because communities are not desirous of foreign companies being granted areas near or within communities to destroy the forest. It was explained that the VPA is not primarily aimed at encouraging foreign companies to come into Guyana but is aimed at improving forest governance to ensure that forest products exported to the EU are legally produced. Consequently, it was stated that the question also alludes to foreign companies which may have agreement with the government, not related to the VPA.
- Persons sought to clarify how communities would benefit from FLEGT and whether financial incentive, as in the case of the LCDS, can be gained. Participants were informed that the benefits to be accrued from the FLEGT VPA would not be provided under a mechanism similar to the LCDS. However, communities can benefit indirectly and through capacity building.
- A resident referenced a previous meeting where persons visited the community, distributed documents which were already signed and on their return to Georgetown misrepresented that stakeholders were in agreement with the conditions as outlined in the documents. It was alluded that the current meeting has similar characteristics, since it was read that two negotiations have already concluded. It was pointed out that the VPA is still in its developmental stage, specifically in the Negotiation phase, with expected signing of the VPA in 2015. It was also mentioned that this was the first of many meetings and there would be other meetings in the future.
- One resident expressed puzzlement because FLEGT VPA seems to contradict the objectives of the LCDS. On one hand, the LCDS provides incentives to keep the trees standing and on the other hand, other countries (EU) are encouraging the trade of timber. Participants questioned, should other communities decide to commence logging in their community, how would this venture complement the LCDS. It was further highlighted that implementing such a programme would further contribute to climate change.
- It was asked how the law would affect Amerindians as it relates to the utilization of forest resource outside titled land to erect a house or for other forest use. Since there has been no recommended change to laws relevant to the FLEGT VPA, participants were informed that unless this changes, the condition as set out in the present laws remains.

- Perhaps due to a misunderstanding of the intention of the VPA and perceived links to other previous unrelated meeting, there was vocal advocacy against any commencement of logging by communities or movement of communities. Similarly, it was questioned whether the FLEGT VPA is promoting commercial logging in communities. It was then reiterated that the VPA does not intend to influence communities to commence logging operations. It was further emphasized that the VPA process is a consultative one which seeks to encourage participation from all relevant stakeholder. Consequently, even though some stakeholder may not be directly involved in logging, they may be affected by the VPA and their input, in this regard, is an important element in the process.
- A question related to the synergy between the commencement of a mining and logging operation was raised. It was enquired whether it was possible for a person to, with the intention of logging, apply for an area held by a miner. It was further asked, if under such circumstance, preference would be given to loggers to utilize the forest prior to miners.
- The price for forest produce was raised, in particular, the existence of a price structure for different species. In response, it was related that the prices for forest produce are agreed to, between producer and consumer (buyer). It was further explained that royalties are paid to Guyana Forestry Commission on forest produce from State Lands.
- There was the perception that the VPA was already signed since two negotiations had concluded. Under this premise, participants questions why they were not consulted prior to the session.
- Participants sought to understand how logging was undertaken prior to this process, which addresses illegal logging, and whether current logging operations are undertaken illegally. This notion was appropriately clarified.
- The NTWG's composition and process of nomination thereof was questioned, particularly members who represent the interest of indigenous people. The composition of the NTWG was reiterated and reference was made to the rationale for this composition.
- After being apprised of APA's FLEGT VPA project, participants expressed satisfaction that a video with information on FLEGT will be created in the community's language and disseminated to community. It was affirmed that some persons may not be able to read the document in its current form and as such, the provision of this information in a video format can go a long way in fostering a better understanding of FLEGT and what it seeks to do.
- The need for more education on the legal governance of forestry was highlighted. It was remarked that this may serve to facilitate the contribution of informed input to the process

by communities. Simultaneously, the training will also help communities to improve governance at the local level, village council.

- It was remarked that although mechanisms are in place, a satellite survey has shown that large area of forests was degraded and as such, it seems as though the LCDS, which complements FLEGT VPA, is under threat and may therefore negatively impact indigenous people since financial incentives may be hampered.
- It was asked whether lands engaging the Court's attention or under review for extension would be given as logging concessions under the VPA. A participant recollected a particular case whereby embattled land currently engaging the Court's attention, was given to miners. Fear was expressed that this may also happen under FLEGT VPA and it was recommended that rights to logging should not be granted for lands which are engaging the attention of the court. It was related that GFC does not allocate lands under review for extension, providing that official communication to this effect has been received.
- In an effort to enhance the effectiveness of sessions, it was recommended that sessions have a longer duration to ensure that key concepts are imparted and reinforced. Further, the use of an interpreter or bilingual personnel to convey FLEGT concepts was highlighted as a measure to enhance communication and participation. Communities also requested a one month notice of sessions to ensure the required perusal of relevant documentation. In relation to the cluster based approach, participants favoured participation from the entire host community in these sessions and urged the team not to limit participation to five representatives.
- The preferred methods/mediums of communicated as discussed were outlined as follows:
 - a) Jawalla – Skype, email
 - b) Phillipai - Radio set
 - c) Quebanang - Workshops, radio
 - d) Wax Creek – Radio Set
 - e) Imbaimadai –Emails, telephone, Radio
 - f) Chinoweing – Radio
- The team was promised additional feedback on the Legality Definition after consensus and discussion at the community level. However initial feedback was given on the Legality Matrix for Amerindian Villages/ Reservation and other Private Property as outlined below.

Indicators	Proposed Changes	Remarks
1.1.2	Inclusion of villages as Verifiers	
1.2.		This must not be changed
2.1.1	Inclusion of Logger in Verifiers	
2.2	Inclusion of village council in verifier	
3.1.1	Inclusion of village council in verifier	
4.1.1		Work from Monday to Friday
4.1.2	Inclusion of health personnel in verifier	
4.1.3	Inclusion of health personnel in verifier	
4.1.4	Inclusion of Contractor in Verifier	

CONCLUSION

Being initial meetings on FLEGT in these non commercial forestry communities, the sessions were focussed more on information sharing, aimed at allowing participants to grasp the concept of VPA whilst sharing information about Guyana’s forestry sector.

It was realized that the development and publication of information on FLEGT in local languages by the Amerindian Peoples’ Association is extremely important in fostering a better understanding of FLEGT, VPA and what it aims to achieve. This will serve to strengthen stakeholder’s participation in the VPA process.

Owing to the lack of regularized commercial logging activities in the area, participants had some difficulty grasping the concept of FLEGT and VPA and it was essential to share key information on the forest sector in this regard.

NEXT STEPS

- Publication of Awareness Sessions report - After approval from the National Technical Working Group, the report will be published. Reports will also be sent to communities.
- Discussion at the National Technical Working Group Level – These discussions will analyse the outcome of the Awareness Sessions and inform future activities.
- Follow-up with participants who had requested further information.

List of Participants

No.	Name	Community
1	Gershom Hunter	Omanaik
2	Shannon Hunter	Omanaik
3	Radica Hunter	Omanaik
4	Delph Hunter	Omanaik
5	Ottis Clement	Omanaik
6	Maxaima hunter	Omanaik
7	Eugeine Toney	Omanaik
8	Seon George	Wax Creek
9	Ravel Williams	Wax Creek
10	Ransford Abraham	Wax Creek
11	Ram Toney	Chinoweing
12	Albert Williams	Wax Creek
13	Carmelita James	Wax Creek
14	Elma Austin	Chinoweing
15	Ian George	Wax Creek
16	Cicely Joseph	Kambaru
17	Celine Thomas	Omanaik
18	Miceal Jhonny	Omanaik
19	Junior Matthew	Wax Creek
20	Davin John	Chinoweing
21	Henritta Morris	Chinoweing
22	Lyra George	Chinoweing
23	Melesia John	Chinoweing
24	Sherry Austin	Chinoweing
25	Deon Austin	Chinoweing
26	Dobson John	Chinoweing
27	Pritchard George	Chinoweing
28	Valentia Krammes	Omanaik
29	Clara Abrams	Imbaimadai
30	Orin Andrew	Wax Creek
31	Precival Austin	Chinoweing
32	Patrica George	Wax Creek
33	Cathy Joseph	Kambaru
34	Ulrica George	Chinoweing

35	Olga Williams	Chinoweing
36	Candida Joseph	Chinoweing
37	Raymond Cornelius	Imbaimadai
38	Nallis Williams	Wax Creek
39	Sandra Abrams	Omanaik
40	Joyann Hunter	Omanaik
41	Veinessa Hunter	Omanaik
42	Ingrid Austin	Omanaik
43	Evanie Williams	Wax Creek
44	Yvette George	Wax Creek
45	Vedia Williams	Wax Creek
46	Veronica Williams	Wax Creek
47	Rynette Austin	Imbaimadai
48	Glenon Edmund	Kambaru
49	James John	Kambaru

JAWALLA

No.	Name	Community
1	Lita John	Jowalla
2	W. Williams	Jawalla
3	Milissa Jerry	Jawalla
4	Harold Browne	Jawalla
5	Oswald Henry	Phillipai
6	Lyra Joseph	Phillipai
7	Allencia James	Phillipai
8	Omega Williams	Jawalla
9	Jerry Richmond	Quebanang
10	Elroy Melville	Quebanang
11	Collinson Danny	Quebanang
12	Gerren Donald	Phillipai
13	Ramesh Thomas	Quebanang
14	Cleveland Rueben	Quebanang
15	Philberta Toney	Phillipai
16	Marisa John	Phillipai
17	Rita Hunter	Jawalla
18	Celia Williams	Jawalla
19	Chrispin David	Quebanang

20	Trevon John	Jawalla
21	Rory Charlie	Quebanang
22	Christopher Robinson	Jawalla
23	Savory Robinson	Jawalla
24	Martin John	Jawalla
25	Leela Henry	Jawalla
26	Ophelia Jordan	Jawalla
27	Franisca John	Jawalla
28	Karla Isaacs	Jawalla
29	Sandy Williams	Jawalla
30	A. Hunter	Jawalla
31	C. Lovell	Kukui
32	T. Lovell	Jawalla
33	I. John	Jawalla
34	P. James	Jawalla
35	A. Williams	Jawalla
36	M. James	Jawalla
37	Kent Sinclair	Jawalla
38	Leah Richmond	Quebanang