

	A	B	C	D	E	F
1	DATE	AREA OF OUTREACH	TYPE OF COMMENT	COMMENTS	Accepted	Declined (with justification)
2						
3	013	mmunities and Villages	Specific	In relation to Indicator 4.1.2, adequate first-aid facilities are provided; training in First Aid Care should be undertaken at the village level.	While this is taken into consideration, a draft COP for Amerindian Villages is being developed and is expected to Guide Amerindian Villages (involved in Commercial Forestry Operations) on good practices in relation to OSH.	
4				With reference to Indicator 1.1.1, the issue of titling and extension of Amerindian Villages should be satisfactorily addressed at the relevant level. Additionally, Guyana Lands & Survey Commission should be included amongst the other organizations as Information Sources.	Guyana Lands & Survey Commission has been included as a verifier	The process of Amerindian land titling has been addressed within the Amerindian Act.
5				In relation to Indicator 1.1.2 third parties being contracted to work within Amerindian Villages, it was noted that the council has the sole authority to identify and verify who are chainsaw and/or other equipment operators within villages. It was further posited that villagers should be included in the decision making process.	The village council is a body elected by the village and therefore consists of a representation that are villagers. They are therefore included in the decision making process. In addition, Indicator 1.1.3 was added and stipulates that any 3rd party contraction should be formally done (written contract outlining the terms and conditions, signed by the VC on behalf of the Amerindian Village and the Contracting Party). The Amerindian Act also outlines the aspects of decision making within Amerindian Villages.	
6				Indicator 1.2.1, which outlines that Legal title to log source area by other persons is done in accordance with the Amerindian Act was reported as being ambiguous and requires clarity. Provisions under the Amerindian Act as it relates to this Indicator were questioned. Any decision taken should be done at a General Village Meeting level and not at the Village Council Level.	It is expected that the VC should follow the Prescribed procedures of the Amerindian Act for decision making Amerindian Act, Part 4 Sub (55) (1). Note: Indicator 1.2.1 (in draft 2) was removed and included in Indicator 1.1.3 (3rd draft).	
7				In relation to Indicator 2.1.1: the Annual Allowable Cut (AAC) being determined by the AVC, there should be a mechanism for the AAC to be adjusted at any time through the Village Council. The Village Council should also be in possession of the relevant documents supportive of the AAC determined by the AVC.	This indicator was re-worded to indicate that the responsibility of determining the AAC rests with the VC. Based on this indicator, the VC also has the responsibility of adjusting the AAC at any time necessary. A Village Council document outlining the AAC quota (as determined by the VC) was also included as a verifier.	
8				Each Indicator should be directly referenced to the specific section of the applicable National Laws outlined as Source Documents and Information Sources.	A draft of these references has been prepared and seeks to match each indicator with the applicable sections of National Laws and Regulatory Guidelines.	
9				Indicator 4.1.1 - It is imperative for the document to distinguish between child labour and child help with reference to indigenous people passing on their traditional values and teaching their trade to their children at a young age.	This has been taken into consideration with Indicator 4.1.2 (previous 4.1.1 in draft 2) now re-worded to reflect the prohibition of employment of persons below the age of 16 in commercial timber operations ONLY.	

	A	B	C	D	E	F
10	Mar20-21, 2	Workshop with Indigenous Cor	General	The abbreviation FMO should be changed to Amerindian Village Council or Amerindian Village Council and persons authorized by the AVC	In draft 3, the Legality Matrix dealing with Amerindian Villages does not regard Amerindian Villages as FMO but as Amerindian Villages throughout. Note: the definition of FMO was also re-defined to include VILLAGES and therefore acknowledges Amerindian Villages within the context of FMO.	
11				A mechanism should be established within the Legality Definition which guarantees adequate payments and therefore discourages the occurrence of people being underpaid.	Based on Indicator 1.1.3 (Amerindian Matrix), it is expected that any contracts signed between the village and 3rd party should outline the payments/amount to be paid. In addition, in the case that a company (SFA) EMPLOYS ANY 3RD PARTY, such arrangement must also be formally done and approved by the GFC as outlined in a GFC contractual agreement format (proposed) which will also document the agreed payment.	
12				The VPA needs to recognize the customary practices of indigenous people as it relates to the passing on of traditional values and trade to children at an early age. This concept should be reflected in the Legality Definition for the EU FLEGT VPA.	While this is understood, the Legality Definition only considers the aspect of EMPLOYMENT within the context of Commercial forestry operations only. I.e., once commercial forestry operation is being done, no person below the age of 16 should be employed as part of this operation. See labor and labor welfare section of matrices.	
13				Improved familiarity with the applicable National Laws will promote a better understanding of the indicators and will allow for constructive contribution/feedback.	A document was recently drafted to reflect the applicable sections of national laws in relation to the indicators within each matrices. In addition, key regulatory guidelines (e.g. Codes of Practices) were also included as references.	
14				Further, capacity building at the village level is pertinent in relation to the aspects within Principle Two such as record keeping and log tracking system amongst others aspects.	Capacity building is being discussed with the EU as a support mechanism for the VPA. In addition, GFCs Manual of Procedures/WTS (which are publicly available, ) also outlines correct procedures to follow in keeping with the National Log Tracking System.	

	A	B	C	D	E	F
15				Tagging as outlined in the National Log Tracking system should be undertaken whether produce is intended for subsistence or commercial use.		Refer to the National Log Tracking System: Which does not take into consideration the tagging of stumps for subsistence use but the tagging of stumps for commercial purposes. Since the Tagging of stumps for subsistence use is not covered under the National Log Tracking System, it therefore has no legal support for implementation. In addition, it would be impractical, unethical and to some degree against the statutes of the Amerindian Act (for example) to stipulate that tagging should be done on a titled Amerindian Land if an individual wants to cut a tree to build a house/canoe.
16	Jan-14	Region Nine	<b>General</b>	Systems should be put in place which ensures that communities are kept abreast of the development of the VPA and be able to make contributions.		Consultations are on-going countrywide to ensure that key stakeholder groups (inclusive of Amerindian Villages) are kept "in-the-loop" with whats currently happening in relation to the VPA. The FLEGT Secretariat & NTWG carries out these consultations to ensure that as key documents are developed they are sent out to the relevant stakeholders for feedback. In addition, the GFC website plays a strategic role in showcasing the reports of these stakeholder engagements and the changes arising from those engagements. Each stakeholder is also encouraged to provide feedback through email, written letters and enquiries at any nearby forest station. A communication and Consultation strategy is currently being developed as well to improve and expand on current systems.
17			<b>Recommendation</b>	The use of the internet, flyers, DVDs, etc were other methods which were suggested can be used for the transfer of information on the EUFLEGT.	These and other methods of communication/information dissemination are currently being explored under the Communication Strategy	
18	Jan-14	Aishalton	<b>General</b>	the LD must seek to be as practical as possible considering the local situation among the various stakeholder groups.	From the inception of the process, the intention was to build on the current system of operation which considers what is both practical and achievable.	
19				Child labour -"reports of children under the ages of sixteen being employed when they should be in school."		The LD was tailored in such a way to specifically prohibit the employment of persons below the age of 16 in commercial forestry operation only. This was done to facilitate the "passing on" of traditional values to the younger generation within Amerindian Villages.
20			<b>Recommendation</b>	It is Important that the EU and other authorities recognize the Traditional way of life , of our children accompanying us into the forest to assist with chores and , also to learn , our traditional way of coexisting with nature, and that it is NOT considered to be "Child Labour"	To take this into context, the LD was tailored in such a way to specifically prohibit the employment of persons below the age of 16 in <b>commercial forestry operation</b> only. This was done to facilitate the "passing on" of traditional values to the younger generation within Amerindian Villages.	
21				In the Aishalton area it was suggested that persons be trained and will serve as the means by which the information is transferred and feedback is received. These persons should be selected by communities and those in authority. It was also recommended that there are persons who received paralegal training in the region and they may be the best persons to receive this type of training capacity building to be the conduit of this type of information.	There are plans to train capable communities/village representatives. In the interim the letter of invitation sent to communities/villages specifically requestes that the VC selects representatives that are capable of transferring the required information back to the village and facilitate feedback to the NTWG/Secretariat.	
22			<b>General</b>	There is need for more training in sawmill techniques to meet the needs of this market.	discussions are ongoing with the EU in this regard; what support measures can they provide	

	A	B	C	D	E	F
23	Feb-14	Regions Seven and Eight	<b>Recommendation</b>	the suggestions as it relates to communication and feedback included; letters, DVDs (in Patamona), brochures, flyers, posters (done in simple language) as well as the use of the radio systems which most communities have access to.	These and other methods of communication/information dissemination are currently being explored. The COMSTRAT (currently being developed) will include these methods of disseminating information.	
24				It was suggested that the GFC and the miners association work closely to develop a mechanism which will ensure that forest produce originating from mining areas is easier to trace and transport.	A COP for Mining and Agriculture lease has been drafted and is further being developed. The WTS also takes into consideration the harvesting and transport of forest produce from these areas and details the procedures by which this FMO will have to adhere to. Work is still ongoing on the WTS to ensure geo referencing is a part of these operations. GGDMA is a stakeholder constituency group under the VPA and are duly consulted during the development of the LAS.	
25	Jun-14		<b>General</b>	VPA's and other international arrangements are not really for the small scale producers, how does it really affect us? Why do we have to play such an important role?		This is not true. For Example, while it may be true (in some cases) that a small scale producer might not be directly exporting to the EU, chances are that particular producer might be selling to a larger company who might be exporting to the EU. This is one of the reasons why the VPA targets every stakeholder, both small & large.
26			<b>Recommendation</b>	For effective propagation and sharing of / communicating Initiatives of FLEGT and similar project , there is need for (a) Slides , DVDs (b) GFC reps to train persons who will go out and Talk to communities on the subject in appropriate language. (d) Not necessarily money is needed but expertise (e) Use traditional method of dissemination of information via (Youth group, Womens' group, etc) (f) Meetings of this nature must be aired on Radio Paiwomak. (g) NRDDDB should be included on the NTWG.	These and other methods of communication/information dissemination are currently being explored. The COMSTRAT (currently being developed) will include these methods of disseminating information as is relevant.	National Steering Committee on Community Forestry Organization represents the interest of the NRDDDB on the NTWG.
27	Jun-14	Imbaimadi and Jawalla	<b>Specific</b>	1.1.2 Inclusion of villages as Verifiers 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 4.1.2 Inclusion of health personnel in verifier 4.1.3 Inclusion of health personnel in verifier		1.1.2 & 2.1.1 - The VC represents the interest of the Village following the prescribed procedures of the Amerindian Act. (3.1.1)This particular indicator takes into consideration fees/penalties applicable to the <b>GFC (not the VC)</b> and will be accounted for in GFC's accounting database. This being the reason for GFC as the sole verifier. For indicator 4.1.2 & 4.1.3 (draft 2) a new indicator (4.1.4) was added to the 3rd draft of the LD which requires that records of workplace accidents or injuries be kept as a verifier since the presence of a health personnel on-site for every village might be impractical given the amount of resources that would be needed for such a venture.
28						

# JUNE ,2014

	A	B	C	D	E	F
29		<b>Essequibo</b>		<i>indicator 1.2.1</i>		
30		<b>DAY ONE</b>	<b>Specific</b>	The specific sections of the forest act applicable to harvesting in village and private properties should be mentioned in the legality definition.		Note: Indicator 1.2.1 (in draft 2) was removed and aspects are now included in Indicator 1.1.3 (3rd draft). Relevant section of the Amerindian Act will be included in future draft
31				<i>indicator 1.1.2</i>		
32				The indictor should be more specific to indicate if it applies to just long term contracts or long and short term contracts; short term might result from unexpected incidents that will need immediate action before GFC can be contacted for approval.		It is generally understood that these contracts are for a long term basis or cases where there is enough time in which the arrangement can be formally done and approved by the GFC. These contracts must however be in keeping with GFC's contractual agreement outline.
33				<i>indicator 1.2.2</i>		
34				The indicator should be more specific of what the customary rights are as not to give too much power to traditional people who may want to take advantage of such rights.		A definition of traditional rights is presented in the 3rd draft (glossary) of the Legality Definition and is in keeping with the defintion set out in the Amerindian Act. 2006.
35				<i>indicator 1.2.2</i>		
36		Some participants were not in agreement with indicator 1.2.2 as past experience have proved that the customary rights have been taken advantage of by indigenous peoples and have expose stakeholders to harm through setting of trap and use of weapons without warning concessionaires.		While it understood that this scenario is of a sensitive nature, it must be emphasized that the LD recognizes the importance of ensuring that the traditional rights of Amerindians are not prevented. The FMOs are encouraged to have frequent and open communication with neighbouring communities		
37		<b>Kwakwani</b>		In relation to indicator 4.1.6		The Occupational Health and Safety Act 1999 (chap 99:10) Stipulates the level of accidents that should be recorded in the accident register. The Act States "where accident arising out of and in the course of the employment of any worker occurs and causes loss of life to such worker or disables such worker for more than one day from earning full wages at the work at which he was employed at the time of such accidents....."
38			In the SFP section "Records of workplace accidents and injuries are kept" stakeholders are uncertain as to the criteria for determining an accident that should be recorded by the FMO for instance if an employee has a minor cut or contusion should that be recorded?			
39			With reference to the indicator 4.1.2			

	A	B	C	D	E	F
40			<b>Specific</b>	“The FMO does not employ child labour”. Stakeholders indicated that the cultural heritage of our country where on holidays, weekend and school breaks children are taught the traditional trade of forest operations. This should be considered and shared with the EU which they may not know of or understand. We should have discussions before accepting this indicator as is custom in many other countries that have signed international conventions.		Indicator 4.1.2 (3rd draft) for SFAs was re-worded to place the emphasis on prohibiting anyone (who is below the age of 16) from being employed.
41			<b>General</b>	In addition, stakeholders also indicated that the legality definition should indicate the acceptable type of document accepted for verification by the governing body whether it would be scanned, photo copied or original	Original documentation will be required for verification purposes since scanned or photocopied documentation can be tampered with easily.	
42				In relation to documentation, stakeholders inquired whether provision will be made in the legality definition in instances where documents are genuinely lost or destroyed by fire.		It is FMO's responsibility to ensure the safe keeping of his/her documents which are imperative to the functioning of his/her operation. Special cases will be dealt with accordingly.
43			<b>Specific</b>	Principle 1 of the TSA/WCI matrix should be re-worded to read "THE FMO HAS LEGAL RIGHTS TO HARVEST AND OTHER PARTIES' LEGAL AND CUSTOMARY TENURE RIGHTS ARE RESPECTED"		Indicator 1.2.2 was already included (3rd draft) to ensure that "traditional uses and customary rights of Amerindian Peoples are not prevented by the FMO"
44			<b>Matrices</b>	An indicator 1.1.2 should be added to ensure that any amerindian community located fully or partly with a concession (inclusive of any customary land) should have • given their free, prior and informed consent to the grant of the concession; and • entered into a formal written agreement with the FMO for benefit sharing in relation to the exploitation of concession area. The following verifiers should also be added: Community maps of traditional lands 1969 Land Commissions Report Minutes of consultation meetings held with the affected communities in relation to the proposed concession (including a full list of attendees). Resolution signed by the Toshao, with the express authority of the community (in a full community meeting), confirming the community's consent to the proposed concession. Written agreement signed by the Toshao, and minutes of meetings evidencing that the agreement has been discussed, negotiated with and consented to by the community.		Indicator 1.2.1 (3rd draft) was added to ensure that there are no legally titled Amerindian lands on an area which has been earmarked for approval by the GFC to be issued as a forest concession . This would therefore ensure that; 1) the legal rights and use rights granted under the Amerindian Act is respected and 2) that there is compliance by both the FMO and any contractors with national laws relevant to other parties Tenure and Use rights. Therefore FPIC would not be considered once the area is not legally held by an amerindian village (not in accordance with the provisions of the Amerindian Act). Any area without a legal title (Amerindian Village) or transport (Private Property) is still considered apart of STATE OWNED LANDS. Furthermore, a benefit sharing agreement will not be possible since the FMO will not be harvesting from a titled Amerindian Village but from an area granted under the provisions of the Forest Act and which such area has been verified by the GFC as not being occupied by any titled amerindian villages. Subsequently, the proposed verifiers would not be included within the LD as well.
45					An indicator 1.1.4 should be added to ensure that "If there is any dispute over the concession agreement (including any claim by an Amerindian community that the concession has been granted on their customary lands without the community's free, prior and informed consent), that dispute has been finally resolved (by full and final settlement or a final Court decision) in favour of the FMO." The following verifiers should also be added: No claim in relation to the concession has been filed with the courts of Guyana or, if a claim has been filed, it has been discontinued, settled, or finally resolved in favour of the FMO. No dispute over the concession agreement has been notified to the independent complaint mechanism established in consultation with communities.	Although this change was not reflected in the 3rd draft of the LD discussions are still on-going as it relates to its possible inclusion.

February, 2015

# ian People's Association

	A	B	C	D	E	F
46			TSA/WCL & SFA	Criterion 1.2 should be re-worded to read "There is compliance by both the FMO and any contractors with national and international laws relevant to other parties' tenure and use rights"		From the inception of this process, it has been heavily stressed that the VPA is country specific and will therefore be tailored in such a way to reflect applicable sections of NATIONAL LAWS.
47				An indicator 1.2.1 should be added to read "The FMO has complied with: • the terms and conditions of consent granted by an Amerindian community; and the terms and conditions of the benefit sharing agreement entered into with any Amerindian community in respect of the concession. New verifier should be added. These should ; Written consent by affected Amerindian community. Written benefit sharing agreement with community. Proof of payment of any sums owed under the benefit sharing agreement, and any other documents evidencing compliance. Written resolution of community confirming compliance with the terms of consent and the benefit sharing agreement within the previous 12 months.		Indicator 1.2.1 (3rd draft) was added to ensure that there are no legally titled Amerindian lands on an area which has been earmarked for approval by the GFC to be issued as a forest concession . This would therefore ensure that; 1) the legal rights and use rights granted under the Amerindian Act is respected and 2) that there is compliance by both the FMO and any contractors with national laws relevant to other parties Tenure and Use rights. A benefit sharing agreement will not be possible since the FMO will not be harvesting from a titled Amerindian Village but from an area granted under the provisions of the Forest Act and which such area has been verified by the GFC as not being occupied by any titled amerindian villages. Subsequently, the proposed verifiers would not be included within the LD as well.
48				Indicator 1.2.2 should be removed.		This indicator would not be removed since it ensures " compliance by both the FMO and any contractors with national laws relevant to other parties' tenure and use rights"
49				Indicator 3.1.1 should be re-worded to read "There is a mechanism in place to ensure that royalties, acreage fees and penalties are collected and any outstanding royalties, acreage fees and penalties (including any royalties owed to Amerindian communities as customary owners)are accounted for in accordance with the GFC's accounting system. "		
50				Indicator 4.1.2 should be re-worded to read "The FMO does not employ anyone under the age of 16"		
51			Indicator 4.1.8 should be added "All workers employed (including under subcontracts) are employed under formal written labour contracts.deposited with Village Council on the basis of customary law"	With reference to this comment, an Indicator 1.1.2 (within the 3rd draft of the LD) was added and stipulates that if the FMO has contracted a 3rd party, such arrangement must be formally done and approved by the GFC using defined terms and conditions as outlined in the GFC's proposed contractual agreement (which is being drafted). This in essence will ensure that all workers employed will be secured under formal written contracts.	A company is mandated by law to ensure employer-employee confidentiality resulting in the employer being unable to provide such contract to the VC . The VC can however request a copy of the contract from the EMPLOYEE (whom may be a member of the village) who is given possession of such at the point signing with the employer.	
52			General	A definition of customary lands INSTEAD of customary rights should be included in the LD and should read "Customary Land Customary lands are any or all lands and territories which any indigenous community have traditionally owned, occupied or otherwise used or acquired, including but not limited to the claims of those indigenous communities as set out in Guyana Amerindian Lands Commission Report of 1969(the "Report"), as well as any other lands which are currently identifiable by existing communities (wheter or not the communities lands are referred to in the report)"	As in the case of Traditional use, there is also no legal abstract within any of the National Laws (inclusive of the Amerindian Act) which defines what is customary land. It can therefore not be included in LD since it does not have any legal support/relevance to national laws.	
53				A definition for traditional use INSTEAD of Traditional rights should be included and should read "The use of resources by communities in relation totraditional beliefs, cultural practices and livelihoods, including trade among Amerindian communities and between such communities and external third parties which does not exceed a specified limit (limit to be agreed on through consultation with communities within 12 months of the signing of the VPA and to be set out in a Traditional Use Regulations)"	There is no legal abstract within any of the National Laws (inclusive of the Amerindian Act) which defines traditional use. Traditional rights was however defined in the Amerindian Act of 2009 and the same was adopted into the LD.	
54				The definition of legally harvested should be re-worded to read "In accordance withthis document"		
55				The definition of legal rights to harvest should be re-worded to read " As set out in Matrices A-D in this document."	Although this point was not reflected in the 3rd draft of the LD discussions are still on-going as it relates to its possible inclusion.	

	A	B	C	D	E	F
56	<b>Amerind</b>	<b>SFPs</b>	Indicator 3.1.1. There is a mechanism in place to ensure that royalties, acreage fees and penalties are collected and any outstanding royalties, acreage fees and penalties (including any royalties owed to Amerindian communities as customary owners) are accounted for in accordance with the GFC's accounting system		It must be clearly noted that a formal definition of Customary lands is not covered in the Amerindian Act; or any other piece of legislation and therefore cannot be part of the LD. There is simply no basis for this. The LD is based on the national legal framework of the country in which it operates.	
57			Indicator 4.1.2 The FMO does not employ <i>anyone under age 16</i>	This has been taken on board and currently forms part of the 3rd LD		
58			Indicator 4.1.8 All workers employed (including under subcontracts) are employed under formal written labour contracts, deposited with the Village Council on the basis of customary law		Contracts should be in place to protect workers and deposited with the VC; however, there are no customary laws documented anywhere and these cannot be arbitrarily determined. The current labour laws will be used as the basis for the indicator. Additionally, the confidentiality between employers and employees will prevent the company from giving such contracts to the VC.	
59		<b>Amerindian Matrix</b>	Indicator 1.1.1 The FMO is an Amerindian community, who is undertaking forestry on customary land (whether untitled or titled) of that community.		There is no legal basis for customary lands and therefore this cannot be considered as part of the LD; indicators must have a legal reference.	
60			Indicator 1.1.2 In relation to harvest on non-land, there is no conflict between indigenous communities and concessionaire(s) over ownership and/or access to any area where harvesting is taking place.	Agreed but the indicator now clearly qualifies "non land" and there must be a system set up to track the forest produce. See indicator 1.1.2 of new LD (Amerindian Matrix)		
61			1.1.3 If the Amerindian community has contracted a third party (includes concession activities relating to harvesting and extracting of forest produce), such arrangement must be formally done.	Agreed		
62			1.1.4 If the land is untitled, customary land the Amerindian community has not contracted a third party to engage in timber harvesting and extraction.	Agreed		
63			1.2.1 The Amerindian community does not harvest more than the amount allowed for external trade under traditional use (as set out in the Traditional Use Regulation from time to time).	Agreed; see indicator 1.2.1 of 3rd LD		
64		1.2.2 Harvesting within the log source area is done in accordance with the applicable sections of the Forest Act.	While this is generally agreed with, there is need for further clarification of the type of harvestin ( see indicator 1.2.2 of the 3rd LD)			
65		<b>Agri and Mining Leases</b>	1.1.2 If the concession agreement is located fully or partly within the customary lands of an Amerindian people (whether titled or untitled), the Amerindian people concerned have: <ul style="list-style-type: none"> <li>• given their free, prior and informed consent to the grant of the concession; and</li> <li>• entered into a formal written agreement with the FMO for benefit sharing in relation to the exploitation of concession area.</li> </ul>		Again since customary lands are adequately dealt with in the Amerindian Act, this will not be allowed. Amerindian Villages who have applied for extensions of their titled lands, and have been considered; these lands are excised from any concession which may occupy the said lands.	



	A	B	C	D	E	F
66				4.1.1 The FMO does not employ anyone under age 16 with no exceptions.	Agreed; see corresponding indicator in 3rd LD	
67						
68						
69		Indigenous Organizations	TSA/WCL	(1.1.1) This indicator should make reference too FPIC and the Land Commissions report of 1969 should be consulted/used before issuing any concession. A benefit sharing agreement between the concessionaire and the village should also be established and should be reflected as an indicator as it relates tenure rights. These comments are the same for the matrices; SFA, Private Properties and Agriculture & Mining Leases.		Indicator 1.2.1 (3rd draft) was added to ensure that there are no legally titled Amerindian lands on an area which has been earmarked for approval by the GFC to be issued as a forest concession . This would therefore ensure that; 1) the legal rights and use rights granted under the Amerindian Act is respected and 2) that there is compliance by both the FMO and any contractors with national laws relevant to other parties Tenure and Use rights. Therefore FPIC would not be considered once the area is not legally held by an amerindian village (not in accordance with the provisions of the Amerindian Act). Any area without a legal title (Amerindian Village) or transport (Private Property) is still considered apart of STATE OWNED LANDS. Furthermore, a benefit sharing agreement will not be possible since the FMO will not be harvesting from a titled Amerindian Village but from an area granted under the provisions of the Forest Act and which such area has been verified by the GFC as not being occupied by any titled amerindian villages. Subsequently, the proposed verifiers would not be included within the LD as well. Furthermore, the Forest Act stipulates the process to which a concession is issued on STATE OWN LANDS.
70		Civil Society and Private Sector		(1.1.1) An Environmental permit should be included within this indicator since one is needed in some areas to carry out harvesting. The ENV permit can be used as a verifier as well rather than the concession agreement only.		All TSAs (post 1996) requires that an ESIA be carried out before a concession agreement is issued and would therefore account for the inclusion of environmental requirements within the FMP before harvesting is carried out. Indicator 2.1.1 has been included in the LD to account for this FMP requirement. For sawmilling activities, an EIA has to be carried out.
71		Civil Society and Private Sector		(1.1.2) There is a request for the GFC Contractual Agreement outline Version 1 of 2015 be made available to stakeholders. This indicator also suggests that subletting is deemed legal. Is there a document which makes provision for the aspects of subletting?. There is need to review and confirm subletting to ensure its part of a law and there is no contradictions with LD and the Law	A GFC Contractual Agreement outline Version 1 of 2015 is currently being developed and WILL be made available to stakeholders once finalized.	
72		Civil Society and Private Sector		(1.2.1) Extensions of titled amerindian villages should be included here since concessions may have been granted on these extensions. Its inclusion should be based on if harvesting of timber on these extensions is illegal?		Concessions are not granted on titled extensions. Commercial Harvesting on these titled extensions by the Amerindian village is legal.
73		Civil Society and Private Sector		(1.2.3) The Protected Areas Act & Heritage ACT (under national heritage site listing) should be included as a verifier.	Agreed.	
74		Civil Society and Private Sector		(2.1.1) This indicator should be re-worded to read "Approved 3-5 years Forest management plan exist or special conditions prevailing as instituted by the GFC in keeping with the GFC ACT"	Currently being discussed.	
75		Governmental Agencies		(2.1.3) The citation of the COP for Timber harvesting should be standard throughout the document.	Agreed.	
76		Civil Society and Private Sector		(2.1.5) The verifier should include GEO-referencing,	The GFC is currently working to update its WTS to include GEOreferencing. In addition, concessionaires are being requested (through a phase in approach) to take GPS coordinates at the tree before harvesting takes place and such coodinates must be included on a new production register with their corresponding GFC tag# after harvesting.	
77		Indigenous Organizations		(4.1.3) Instead of using the COP for the aspect of forced labor, consider the possible use of a formal labour contract (outlining agreements to statutory payments) between employer and employee.	A formal labor contract will be discussed with the Ministry of Labor for the possibility oif its inclusion in the LD.	
78		Governmental Agencies		(4.1.6) This indicator is absent in the Labor and labor welfare section of the SFA Matrix.		Currently being discussed.
79		Civil Society and Private Sector	(4.1.7) Chaps should not be included in the COP list. Who monitors the usage and if in breach what is the compensation/fine?.		Currently being discussed.	
80		Civil Society and Private Sector	SFA	(2.1.1) The verifier of this indicator should include the Forest Concession Agreement ( for SFA) instead of FMP.	Agreed.	

	A	B	C	D	E	F
81		Governmental Agencies	Amerindian Villages	(1.1.1) This indicator should be re-worded to read "The Amerindian village that is undertaking commercial forestry operation has legal title for the forest land of which such commercial activities are taking place."	Agreed.	
82		Indigenous Organizations		(1.2.1) Apart from the Village Council determining the amount allowed for external trade of forest produce, there is need for more consultation by the GFC to the VC regarding AAC planning.	A COP is being developed for Amerindian Villages and will act as a guide in relation to proper Forest Mangement.	
83		Civil Society and Private Sector		(1.2.1) An agreement by the VC should be made to which compliance with the indicator is determined.	Agreed. However there will be need to engage VCs in this regard.	
84		Governmental Agencies		(1.1.4) This indicator should be re-worded to read "The village or any 3 <sup>rd</sup> party contracted by the village cannot engage in commercial timber harvesting and extraction on untitled forest land."		Indicator 1.1.1 already stipulates that commercial harvesting can ONLY take place on titled Amerindian lands (not on customary land which is absent of such a title).
85				(3.1.1) There is need to clarify what are the exact fees amerindian villages have to pay as it relates to commercial harvesting of forestry produce.	Amerindian villages undertaking commercial forestry operations do not pay any Royalties relating to the harvesting of trees. However, in the event that the village proceeds to export, that village will have to pay the Export tariff applicable for the export of forest produce and will also have to apply for an export licence. Also any penalties resulting from a breach of the Forest Act or any regulatory measures established under the Forest Act will also have to be paid by the Amerindian village to the GFC. This is reflected in Indicator 3.1.1 of the Amerindian Village Matrix.	
86				(4.1.3) & (4.1.5) These indicators should be revised against the OSH ACT as the COP governs SFAs and TSAs & WCLs in the same context.		A COP for Amerindian Villages is currently being drafted with the objective of guiding the Forest Management operation of Amerindian Villages undertaking commercial forestry. This COP will draw on the principles outlined in the OSH ACT, similar to the context of other COPs which govern SFAs and TSAs & WCLs.
87						
88		Governmental Agencies	Private Property Owners	(1.1.1) This indicator should be re-worded to read "The private property owner that is undertaking commercial forestry operation has legal title for the forest land of which such commercial activities are taking place."	Agreed.	
89		Governmental Agencies		(1.2.2) The verifier for this indicator should be standarzied throughtout the LD. Is it Monitoring reports by the GFC or Inspection Reports by the GFC	Agreed.	
90		Governmental Agencies		(4.1.3) & (4.1.5) These indicators should be revised against the OSH ACT as the COP governs SFAs and TSAs & WCLs in the same context.		Currently being discussed.
91		Governmental Agencies				
92		Indigenous Organizations	Transportation Of Forest Produce	(1.1.1) Verify the spelling of "Transshipment" and if found to be incorrect, make changes throughout the document.	Agreed.	
93		Civil Society and Private Sector		(1.1.1) Indicator should be re-worded to read "Transportation of logs and roundwood by the FMO is accompanied by GFC approved removal documents." (The verifier for this indicator and indicator 1.1.2 should include trucking bill or transfer note)		Currently being discussed.
94		Governmental Agencies	Agricultural Lease and Mining Properties	(1.1.1) There is need to clarify whether it is State Forest Agreement or Authorization. Also if it is Mineral Licence or Mineral Permit.	Clarifications are on-going in relation to these terms.	
95		Civil Society and Private Sector		(4.1.5) Do mining operations require to follow the prerequisites of OSH within the COP for SFAs?? Since mining blocks are very smaller compared to Agriculture leases.	No. However, a draft Cop for mining and agriculture operations undertaking commercial forestry operation has been developed by the GFC and is currently being discussed prior to implementation through a phase in approach. This COP stipulates guidelines for the compliance with OSH prerequisites.	
96				<b>GENERAL COMMENTS</b>	<b>Accepted</b>	<b>Decline (with justification)</b>
97				The second to last paragraph on deforestation (page 3) should be summarised.	Agreed. In addition, statistics relating to the potential inclusion of export of forest produce to the EU is currently being discussed.	

	A	B	C	D	E	F
98			<b>Indigenous Organizations</b>	On page 2 of the document, Reservation should be changed to Village and this change should be reflected throughout the document. On page 5, the period of consultations between varying versions of the LD should be stated. Verify/revise the definition of Amerindian Village Council.	"Reservation" in the LD will be change to Amerindian village throughout the document. The Amerinian Act 2006 stipulates the legal definition for Amerindian Village council. However, this particular definition of AVC in the LD will be verified against the definition of AVC in the Amerindian Act to ensure consistency.	The Joint Implementation Roadmap already states the time period for carrying out consultations. After each round of consultation, the LD will be updated to reflect stakeholders input (based on what is practical and achievable). The possibility of formally including the the period of consultations between varying versions of the LD is still be discussed.
99				A definition of customary land should be included in the Glossary.		It must be clearly noted that a formal definition of Customary lands is not covered in the Amerindian Act; or any other piece of legislation and therefore cannot be part of the LD. There is simply no basis for this. The LD is based on the national legal framework of the country in which it operates.
100				On page 2, there should be paragraph explaining the most recent Institutional framework for the forest. The year of commencement of the VPA should be included in the 1st para on page 5.	Agreed.	
101				"tables" should be referred to as matrices throughout the document. The last sentence of the 1st para on page 8 is redundant.	Agreed.	
102				ANNEX 2 should be referred to as "ANNEX 2 - Guyana VPA Products List" throughout the document.		The the product scope is an Annex that is jointly agreed on between the EU and Guyana, and will therefore remain as "Annex 2: EU - Guyana VPA Product List" in the current LD. In addition, all efforts will be made to standardise the name of this Annex throughout the document.
103				The Glossary should be after the list of acronyms on page 4 and outlining only definitions specific to the LD	Agreed.	
104				The Definition for Legally harvested should read "Raw material harvested in compliance with the LD		Currently being discussed.
105				The NTWG should be re-defined with the omission of the word democratically and the selection process should be stated.	Agreed. The NTWG was established through a participatory process of selection.	
106				Definition for the removal documentations should be verified against a legal source to ensure they are defined correctly. E.g. See the forest act 2009 definition for removal permit.	Removal documentation will be verified, however against the GFC Manual of Procedures for Forest Monitoring operations.	
107				Traditional rights in the glossary should be replaced with a definition of traditional use.		Currently being discussed and will be reviewed against the Amerindian Act which sets the Legal foundation for elements relating to Traditional/customary.
108			Under Annex 4 within the LD, there should be an inclusion of the revised treaty of Chaguaramas and UNDRIP. The dates for ratification of (CITES) , (ITTA) should be verified.		Currently being discussed. NOTE: The UNDRIP is a Declaration adopted in 2007 by the UN General Assembly, which is not subject to ratification and thus it is not a legally-binding instrument. Although Guyana was apart of the affirmative vote of 144 states in the United Nations General Assembly (making it a SIGNATORY) this does not mean that it has RATIFIED the declaration.	
109			<b>Environmental Agencies</b>	There should be a paragraph in the background of the LD detailing the amount of export going to the EU.	Agreed.	
110				Due to the change of SFP to SFA, all actual documentation e.g. contracts should be renamed to reflect this new title.		This is currently being discussed.
111				The section dealing with labor and labor welfare should be standard for all FMO as much as possible. E.g. it is not included for Sale and processing of forest produce or Transportation.	This is currently being discussed.	
112				On page 10, ensure that the area size of SFA (8093 as stated in the LD) (as well as TSAs & WCLS) are in conformity with the Forest Act 2009 (8097 as stated). There is need to reference sizes to the NFPS, 2011	Agreed.	
113				The word customary should be replaced with traditional throughout the document.	Agreed.	
114				The OSH ACT should be the guiding document for the labor and labor welfare section of the Amerindian Matrix and the Private property matrix		While inclusion of the OSH is being considered for private properties, a COP is being developed for Amerindian Villages and will act as a guide in relation to proper Forest Mangement (inclusive of OSH)
115				The words "State Lands" should be standard throughout the document in terms of capitalization.	Agreed.	
116				Within the preamble for Mining Leases, the types different types of Mineral Properties; ML, PPMS and Claims and others should be specified	Agreed.	

	A	B	C	D	E	F
117			<b>Government</b>	The legality matrix for Agricultural and Mining leases should be renamed to read "Legality Matrix for Agricultural Leases and Mineral Properties"	Agreed.	
118				On page 18, there is need to have proper capitalization of the removal documents.	Agreed.	
119				Each matrix should be started on a new page.	Agreed.	
120				The definition for keystone species should be referenced.		The COP for timber harvesting developed by the GFC specifies the definition for Keystone species.
121				The state lands act should be included in the regulatory framework for the LD.		Currently being discussed.
122				For ANNEX 4 within the LD, the date of the convention should be used instead of the date of ratification.	Agreed.	
123			<b>Civil Society and Private Sector</b>	Is the reference year for the COPs 2013/2014? If 2013, change throughout the document	The reference year is 2014. This will be standardized throughout the document.	
124				In the preamble for Amerindian Villages, a COP for Amerindian Villages should be drafted and included in the Preamble as well.	The COP for Amerindian Village is currently being developed and will be included in the preamble once its implemented.	
125				For Indicator 1.1.2 for Amerindian Villages, how do we account for traceability since the WTS doesn't make reference to the scenario of non-land.	The WTS is scheduled for updating to ensure consistency with the LD. It is expected that once updated, the WTS will speak of aspects relating to Georeferencing before harvesting and harvesting on non-land etc.	
126				For indicator 1.1.4 for Amerindian Villages,if commercial harvesting is wanted, a mechanism for making the area an SFA should be instituted		Amerindian Villages are NOT STATE LANDS as the village is governed by a LEGAL TITLE. SFA can only be granted on STATE OWNED LANDS. Any allocation done otherwise will be in contravention of the Forest Act 2009 and out of the norm for land allocation by the GFC.
127				For indicator 2.1.1 for Amerindian Villages, COP should be the guideline for determining certain aspects of Commercial Forestry Operations e.g. determining the AAC.		A COP is being developed for Amerindian Villages and will act as a guide in relation to proper Forest Mangement, inclusive of guidelines relating to the determination of AAC.
128				For Indicator 2.1.3 (Amerindian Villages), The WTS should be reviewed to cater for areas disturbed after logging e.g after Mining and Agriculture	The WTS is scheduled for updating to ensure consistency with the LD. It is expected that once updated, the WTS will speak of aspects relating to Georeferencing before harvesting, pre-harvest inventory (in mining and agriculture areas) and harvesting on non-land etc.	
129				Indicator 1.1.3 and 1.1.4 for Transportation Matrix is not currently covered under any GFC Document.	This is currently being discussed for inclusion into an updated WTS document.	
130				Veneer and Plywood isn't mention in the Matrix for Processing and Sale of Forest Produce.	The inclusion of Veneer and plywood into the processing and sale of forest produce matrix is currently being discussed.	
131				In the preamble for export of Forest produce, Cross-cutting of logs for loading purposes or after loading/grading should be considered		Currently being discussed.
132				In ANNEX 3 of the LD Bulletwood is not included. Why? A list of Heritage trees should also be included.	Bulletwood's omission is a typographical error and will be included in 4th draft of the LD.	A list of heritage species is currently being discussed.