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1	DATE	Stakeholder type	TYPE OF COMMENT	COMMENTS	Accepted	Declined (with justification)
2				Since the implementation of the VPA and the Legality Assurance System (LAS) contemplated under the VPA will most likely impact and/or affect all stakeholder in the forest sector, it is important that all the elements of the LAS, including the LD, is a product of a consensus as to ensure full appropriation and acceptance.	The Legality definition is a key piece of documentation that has been actively discussed with private, public and semi-autonomous stakeholders through consultations countrywide. In addition, the Wood Tracking System is also deliberated with stakeholders and efforts are continuously being made to ensure these documents are made available to the general public using the Internet (GFC Website) and outreach meetings, GFC forest stations etc. The next round of consultations will also include the 1st draft of the TLAS (annex V).	
3				It is important to ensure that stakeholders involved in shaping the definition have a basic understanding of the aspects and thematic areas the VPA requires a Legality Definition to cover	The NTWG carries out consultations with the mindset that stakeholders do not have any basic knowlegde of forestry operations in Guyana. As such, every presentation is fundamentally prepared to establish the linkages between the VPA and forestry practices in Guyana. Stakeholders are better able to understand the thematic areas of the VPA using this approach and every participant is given continuous oppurunities to provide their inputs in molding the LD and by extension the VPA.	
4				The process of allocation of resources appears to be absent in relation to all permit types. In this regard, there may also be a need to put the validity time and minimum/maximum sizes of different sources within the LD tables as well as the possible inclusion of the renewal process of permit (if and where applicable).	The EFI has also expressed similar views and it has been agreed that 2 - 3 indicators will be added to the respective matrices to reflect the process of land allocation before a title is issued. In the 3rd version of the LD, the max/min sizes of the different sources as well as their time validity has been included in the preamble of each matrix (where applicable). Note: at the 3rd negotiation session with the EU, Guyana has agreed to consider revising the current version of the legality definition to include the allocation process for the issuing of State Forest Authorizations (SFAs).	
5				The possible inclusion of additional sources: Imports and confiscated/ seized timber, for example, are not reflected as possible sources in definition.	At the 3rd negotiation Guyana agreed to address confiscated timber in the VPA. The possible Inclusion of imported timber into the VPA text is currently being discussed the level of the NTWG.	
6				Environmental provisions are one of the EU expectations (outlined in FLEGT Briefing Note # 2) that should be covered with VPA LDs: environmental aspects dealt with by GFC in its daily operational functions appear to be absent from the current LD.		The 3rd draft of the LD has accounted for various environmental provisions (as death with by the GFC in its daily operations). These are; Indicator 2.1.3 (AAC ensuring SFM, safeguarding against over-harvesting), Indicator 2.1.6 (protecting certain species of trees against exploitation), Indicator 2.1.1 (ensuring a 5 year management plan is done which includes an ESIA).
7						

# General Comments

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8				Social and/or community obligations (outlined in FLEGT Briefing Note # 2) that may apply within different forest operations appear to be absent. Note: such obligations may be embedded in regulations, administrative requirements and/or permit conditions.		
9				Requirements that pertain to tenure issues and/or user rights (outlined in FLEGT Briefing Note # 2) also appears to be absent from the current definition.		Indicator 1.2.1, 1.2.2 & 1.2.3 have been included into the 3rd version of the LD to take into consideration; traditional uses of Amerindians, legal rights of other individuals or user groups, and the exemption of legally titled Amerindian lands from approved concessions. These indicators therefore speak to tenure issues and/or user rights.
10				Labour and/or safety provisions (outlined in FLEGT Briefing Note # 2) may warrant some further consideration together with stakeholders: e.g. issues that may typically be of importance in forestry operations could include aspects such as working permits for expatriate workers, payment mechanisms, minimum wage, etc? Also, clarity or more detail could be provided on certain aspects: i.e. what is meant by child labour, what age?	The potential enforcement of a formal labor contract established between the employee and employer is currently being discussed by the GFC & NTWG and if instituted will take into consideration; payment mechanisms, minimum wages and the general terms and conditions of the employment. Also Indicator 4.1.2 has been included in the 3rd draft of the LD and stipulates the prohibition of the employment of persons below the age of 16.	
11				Taxes and fiscal obligations: are all relevant obligations defined by the state covered in current LD? For example, the fees, taxes, rents for the logger or for the vendor at the time of felling/ selling/ exporting?	YES. All taxes and fiscal obligations relevant to each FMO is covered within the Legality Definition. These includes; royalties, acreage fees and export tariffs and penalties,	
12				There appears to be unnecessary duplication and/or repetition: as example, aspects relating to processing (i.e. as contained in Annex A & B) are replicated in Annex E. In this regard further consideration may be needed in terms of the logical structure or flow of the tables.	This was recognized and was addressed in the 3rd draft of the LD where a new matrix was developed to account for the transportation of forest produce across the various FMO types. This reduces the redundancy of transportation in each matrix. In addition, the indicators relating to processing of forest produce was removed from all previous matrices and captured into a single matrix; Processing and sale of forest produce. This again reduces redundancy in the previous tables.	
13				There is a need to consider and explain for purposes of clarity and understanding the relationship between all the tables (A to E) as well as the actual content of the tables (what is meant by principle, criterion, indicator, etc including the possible interrelationship shared).	Agreed. An explanation of the terms principle, criterion and indicator can be included in the text of the LD to illustrate the linkages between them.	
14				It may be good to keep in mind that the tables should at some point in the future list regulatory /control requirements that need to be met with clear reference to by who, as well as link to actual legal references. Verifiers should be clear and explanatory as to what is required and how it is to be met; experience has shown that this advances both the understanding and implementation of an LD.	Currently, the NTWG is revising the current version of the LD to include the legal references for each indicator.	Listing regulatory/ control requirements that need to be met with clear reference to by who is still being discussed.

	A	B	C	D	E	F
15				In the current LD, most principles and criteria reflect obligations of the Forest Management Operator (FMO); however, when reading the Tables it appears in some instances that an obligation is rather on the Authorities (and not FMO); this needs clarification in reflecting on the verification process as well as license issuance.	While this has been recognized, efforts were made when developing the 3rd draft of the LD to reflect the obligations of FMO rather than the Authority (as much as possible). It is expected that this effort will continue as the LD progresses.	
16				Guyana may want to reflect on some of the annexes to the Guyana LD, their inclusion and/or purpose which are not clear at present. For example, it is unclear as to the relevance or current inclusion of the IUCN Red List species native to Guyana.	In the 3rd version of the LD, the IUCN Red List Species native to Guyana has been excluded. The product Scope (which is a separate annex in the VPA) was included in the 3rd version of the LD as well. However, the inclusion is currently being discussed for its exclusion as well (within the LD).	
17				A clearer definition or description of the State Forests and other sources of timber.	Preambles have been included in the 3rd draft of the LD to give a brief description of the sources of timber from State forests and those from Privately owned lands as well as Amerindian Villages, Agricultural & Mining areas.	
18				Amerindian and private property is integrated in the legality definition, is it regulated by the same principles? (Table C)	There are many similarities between the two FMOs as a result they are almost regulated by the same principles. However Indigenous stakeholders have made requests to separate from private properties since Amerindian Villages include the aspects of harvesting on non land and customary land. This was taken into consideration resulting in Amerindian Villages having a separate matrix from Private properties (in the 3rd draft of the LD).	
19				If we understood correctly, national forest management rules and regulations do not apply in Amerindians land, except wood tracking. Do Amerindians themselves have rules on environmental, safety and social safeguards that could be integrated and ensure consistency throughout principles?		When carrying out Commercial Forestry Operations, Amerindian Villages MUST comply with the requirements of the Wood Tracking System. However as part of the LD, Amerindian Villages (who wish to do commercial forestry & export to the EU) will be subjected to additional environmental & Social safeguards (as set out in the 3rd draft of the LD) which will have to be met (as part of the VPA). In addition, a COP is being developed for Amerindian Villages and will act as a guide in relation to proper Forest Management.
20				What is the hierarchy of decision-making and of legal requirements between Agriculture, Mining and Forest concessions where there are existing rights? (For example, what are the rights and the process for a forest concession holder vis a vis other land users of the same land (once it is a forest concession, can a mineral concession be granted to the same land in the period of the forest concession contract?). If these issues are relevant to Guyana, maybe to discuss with stakeholders to see if it needs to be reflected in LD.		Yes, Once the Land is considered to be STATE LANDS, the law makes provisions for the issuing of concessions on the same. In some cases, Mining & Agricultural leases are from time to time issued on existing logging concessions and vice versa. However this situation is usually avoided on most cases to reduce the possibility of land issues. In cases where the situation of multiple land uses exists, both parties are notified of the arrangements to prevent conflicts from arising. In event that the Agricultural Lease falls within state forest allocated to concession holders, the area is then excluded from such allocated concession. Agriculture, Mining and Forest Concession are not issued on land that is privately owned (e.g. Amerindian Villages with title or transported Lands). These land allocations are widely known throughout Guyana with all land allocation following the regulation of national Laws. They're also actively being discussed at consultations held with relevant stakeholders.

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21				Indicator 1.1.2 - Minimum obligations of the parties? Same comment applies for all references to written agreements/ records	Yes, this is the minimum obligation of both parties. However the 3rd version of the LD (particularly this indicator) now specifies that the agreement between both parties will follow the GFCs' contractual agreement outline (currently being drafted) and will detail the requisite information that must be agreed between the parties. i.e terms and conditions etc.	
22				Criterion 2.1 - As formulated now, the indicators and verifiers don't show the minimum standard for sustainability/environmental considerations, or consultations of local population/communities.		For Large concessions, accompanied by the 5 year management plan is the Environmental Social Impact Assessment which must be carried out prior to the granting of a concession in any area. This ESIA will take into consideration; consultations with surrounding communities or local population and act as a reconnaissance survey of the environmental impacts that are likely to arise from its logging operation. Therefore, indicator 2.1.1 specifies the requirement of the 5 year management. Furthermore, a major part of Guyana's Sustainable Forest Management Initiative is the institution of the Annual Allowable Cut (AAC) which is based on an approved quota cutting cycle and which determines the maximum amount of trees that is allowed to be harvested per ha per month to avoid over harvesting (or surpassing the threshold of sustainability by area size). This is yet another standard for sustainability and is reflected in Indicator 2.1.2. Indicator 2.1.5 also ensures that restricted, protected and keystone species are safeguarded against exploitation. Lastly, by ensuring logs are tagged after harvesting provides a sense of accountability into the harvesting regimes of each stakeholder and helps the GFC to determine whether stakeholders are in compliance with the AAC or in breach (illegal harvesting - no tags). The verifiers establishes a system of credible documentation that can be used to track the harvesting of logs (and their movement through the supply chain) and in some cases (like the AAC and Management plan); guide the FMO in carrying out his operations parallel to SFM.
23				Indicator 2.1.3 - Generally for the indicators, more objective could be put on the objective of the indicator – in this case, there is control that only the approved cut is harvested – and the functioning tags management is the verifier.  The indicator should show the reader that the criterion is complied with. In this criterion, there seems to be no indicator that shows - explicitly - that there is control that only trees included in the AAC are harvested.		Indicator 2.1.4 specifies that there is a mechanism to monitor the issuance and usage of GFC log tracking tags. Tags are therefore issued based on the AAC and their usage are closely monitored to ensure that the FMO does not request additional tags which might be used to cut additional trees above the AAC. Note: the AAC does not regulate specifically what trees are harvested (in terms of species and what volume by species) but serves as the means of establishing the maximum limit any FMO can harvest per cutting cycle. The AAC would therefore not explicitly show this. However the issuance and usage of tags would regulate the FMOs harvesting to ensure he/she is kept within the limits specified by the AAC.
24				Indicator 2.2.3 & 2.2.4 - Proposal to have one indicator for all products, and then differentiate (if needed) according to product in the verification. In that case indicator 2.2.3 and 2.2.4 would merge and have separate verifiers per product.		While this was discussed at the level of the NTWG, stakeholders have signalled their feedback to have these indicators separated by product as opposed to having them merged into one single indicator. The NTWG is also comfortable with this indicator as it is. To further reduce redundancy of the indicators covered under Criterion 2.2 (Indicator 2.2.1 to 2.2.4), a single matrix titled "Legality Matrix for transportation of forest produce (Table F) was created in the 3rd version of the LD to simplify the transportation requirements for all FMO types. These indicators were then removed from the TSA/WCL matrix.

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25		<b>Timber Sales Agreement</b>	<b>Specific Comments</b>	Criterion 2.3 & Indicators 2.3.1 & 2.3.2 - How does this link to annex E, which deals specifically with processing and sale? Are these the only two aspects to be included, or is it covered also by table E? - Delete	While revising the 2nd version of the LD, it was recognized that these indicators were repetitive within the matrix that dealt with processing and sale of forest produce (now table G in the 3rd version of the LD). As a result, these indicators were removed from the previous matrices and were kept in TABLE G which simplifies the requirements for processing and sale of forest produce for all FMOs. Also, sawmilling & processing and timber dealers licence are not the only two aspects covered but also now includes sawpit licences as well.	
26				Principle 3 - Trade & Export requirements (on face value) appear not to be included - presumably this is linked with table E & F in respect of this source which needs to be clearly stated /explained in the intro under point 5 above. The principle will need further detail.	Yes - Trade and export requirements of all FMOs (wishing to export or trade or process for sale) is covered under table G & H of the 3rd version of the LD. Principle 3 by definition only includes those fees, penalties and royalties which have to be paid PRIOR to export. This being the reason for the inclusion of a separate matrix for Export. However, maybe there is need to show this separation. The principle can read " THE FMO HAS PAID DUE ACREAGE FEES, ROYALTIES AND PENALTIES before export". This will have to be discussed at the level of the NTWG before such changes can be made.	
27				Criterion 3.1 - As mentioned in previous comments, an exact measure needs to be developed to define legality, and responsible authorities identified.	It is agreed that the responsible authorities can be identified within the LD (specifically in the relevant principles). This however is currently being discussed at the NTWG level. In addition, in an effort to exact/define legality, the 3rd version of the LD is under review to specifically "tie" each indicator with a corresponding legal support. I.e. referencing each indicator with the sections of applicable national laws.	
28				Indicator 3.3.1 - For the verification that proceeds the emission of FLEGT licenses, the authorities will need to control that payments have been done by companies, correct, rather than to control that there is a mechanism? The mechanism would be a pre-requisite for verification.	EFI has made this point at the last technical mission in April, 2015 and has suggested that the indicator should be re-worded. E.g. To read "The FMO has paid due royalties, acreage fees and penalties and any outstanding royalties, acreage fees and penalties are accounted for in accordance with the GFC's accounting system." Based on this example the authorities will need to control that payments have been done by companies. This however is being discussed at the level of the NWTG.	
29				Principle 4 (Verifiers) - To only rely on company records is not recommended, needs further development.	Agreed. This was taken into consideration while revising the 2nd version of the LD. The 3rd version of the LD now takes into consideration; Interviews with employees and discussions with company (employers) so as to ascertain a balanced report.	

	A	B	C	D	E	F
30				Criterion 4.1 - Where are social welfare and community issues covered?	Community issues are covered within the indicators of criterion 1.2 (3rd ver. Of LD); these include: 1) traditional uses and customary rights of Amerindian peoples are not prevented by the FMO and 2) Legal rights of other individuals or user groups are not prevented by the FMO. To avoid land conflicts with Amerindian Villages, the GFC also ensures that there are no legally titled amerindian lands on an area earmarked for a forest concession allocation (indicator 1.2.1). Social welfare issues are covered under criterion 4.1 of the 3rd version of the LD. These include; freedom to join or organise a trade union, prohibition of employing persons below the age of 16, forced labor, First aid facilities, PPEs, OSH policies and records of accidents. Other social welfare issues such as the inclusion of minimum wage into the LD is being discussed at the NTWG level.	
31				Criterion 4.1 - This is also a wording that seems to give flexibility in the level of compliance. "The FMO complies with" is stricter, in our understanding.	The current wording which is similar to that of the indicators of the credible Independent Forest Monitoring Audit was agreed at the level of the NTWG. Potential changes to the wording is being discussed.	
32				Criterion 4.1 - How does "labour & labour welfare" in this criterion link up to safety aspects under Forest operations and/or processing - are both covered?		It is the intention that criterion 4.1 (which deals with labour & labour welfare) covers safety aspects under both forest operations and/or processing. However, a section dealing with labor & labour welfare can be included in the specific matrix which deals with processing and sale of forest produce. This potential inclusion is being discussed.
33				Indicator 4.1.1 - Principle 4 has many indicators. Are these the ones raised by stakeholders as those with most risk of illegality/incompliance? With fewer indicators, more indepth verification could be opted for.		Based on inspection reports by the GFC and on feedback received by stakeholders, these indicators represent the major risks of incompliance with national labor laws and regulatory guidelines of the GFC.
34			<b>General Comment</b>	The preamble of SFP - This paragraph needs clarification. It raises questions – supposing that the reader doesn't know the n=context - such as: are these permissions given only on stateland or also on private lands? What is the idea behind giving out small concessions? Who has priority access to these permits? How is the risk of abuse of small permits by large actors controlled (to circumvent requirements on inventory, FMP) etc?	This comment will be taken into consideration when revising the current version of the LD and will seek to specifically review the preamble of SFPs to further answer these questions. In addition to the implementation of the New Forest Act 2009, the procedures for land allocation under which the GFC operates provides valid answers to these questions as well.	
35				Criterion 1.2 - Are the indicators under this criterion equally relevant here as for the large concessions? Is there any need for adaptation?	Yes - This indicator is equally relevant for SFPs, as it is for TSAs.	

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36		<b>SFP</b>	<b>Specific Comments</b>	Indicator 2.1.3 - In the verifier "field visit report", does it have 100% coverage? How about its frequency?		A field visit report is based on a field inspection which is done as regularly as possible as the GFC suspects a breach in its Log tracking system, its Code of Practice for Timber Harvesting or Contractual Agreement etc. The field inspection in some cases target a representative sample of the "illegal produce" or in other instances; 100% verification of the consortment of produce listed on the removal permit. The frequency of verification exercises are also affected by the logistical capacity of the GFC (e.g. Availability of Vehicles), weather and the availability of the FMO or his representative to locate the stumps. To improve the verification of this indicator, additional verifiers were added (3rd Ver. of the LD) for support. These include; desk auditing of removal permits, and production register from the FMO.
37				Indicator 2.2.3 - Suggest deleting Indicator 2.2.4 and merging same with Indicator 2.2.3 which would read "Transportation of Plywood and veneer is accompanied by relevant GFC approved documents."		While this was discussed at the level of the NTWG, stakeholders have signalled their feedback to have these indicators separated by product as opposed to having them merged into one single indicator. The NTWG is also comfortable with this indicator as it is. To further reduce redundancy of the indicators covered under Criterion 2.2 (Indicator 2.2.1 to 2.2.4), a single matrix titled "Legality Matrix for transportation of forest produce (Table F) was created in the 3rd version of the LD to simplify the transportation requirements for all FMO types. These indicators were then removed from the SFP matrix.
38		<b>Private Properties</b>	<b>Specific Comment</b>	Principle 2 - The application of national rules and Amerindian rules needs further clarification, especially in the indicators in principle 2	This point has been acknowledge and discussions are on going on the same.	
39			<b>General Comment</b>	There are differences in legislative requirements for Amerindian villages and other private properties, so these should be separate.	Agreed. This separation is reflected in the 3rd version of the LD with the addition of a separate matrix targeting private properties (table D)	
40				Principle 1 - Instead of "the FMO has legal...", it should be "The Village council has legal..."	Agreed. However Indigenous NGOs and Amerindian stakeholders requested the use of "Amerindian Village" instead of FMO. The use of Amerindian Village is now reflected in the 3rd version of the LD throughout the matrix for Amerindian Villages.	
41				Criterion 2.1 - As mentioned previously – relevant environmental/forest management standards are not explicit. Of particular importance is community welfare – is there any requirements regarding use/control of funds disbursed/paid to the village leads?	With regards to environmental/forest management standards, this point has been acknowledged and discussions are on going on the same.	As it relates to community welfare, the Amerindian Act 2007 sets out the procedures by which the Amerindian Village Council is established and whom carries out the affairs of the village on behalf of the village. The control of funds/use of such is controlled solely by arrangements established between the village and its leads (Village Council). These are private arrangements and the GFC therefore has no jurisdiction with regards to monitoring/controlling these affairs.
42				Indicator 2.1.1 - Is there control that logs emanating from the Amerindian lands actually is of that origin (and not transported there from somewhere else?)		In the case of commercial harvesting on Amerindian Village lands, Field Inspections will be carried out by the GFC to ensure that produce listed on the removal declaration corresponds to the produce harvested within the log source area. This will ensure control of logs emanating from the Amerindian lands, verifying its legal origin. In addition, Indicator 1.2.2 of the Amerindian Matrix was reworded to ensure that all commercial harvesting is done in accordance with the National Wood Tracking System which will be supported through the issuance and usage of tags subjected to further field monitoring.

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43		<b>Amerindian Villages &amp; P</b>	<b>Specific Comment</b>	Indicator 2.1.1 - How is this related to the quota allowed for commercial usage? How is the AAC related to the tags?		Amerindian villages are privately owned Lands by the Amerindian people and has a corresponding legal title. The Annual Allowable Cut normally established for the purposes of sustainable forest management differs on Amerindian Village lands since the AAC regulates harvesting on State Owned Lands only. The GFC therefore has no jurisdiction to regulate harvesting on privately owned lands. The GFC can only guide these villages towards the implementation of the AAC for their own personal system of forest management. The AAC was nevertheless still included in this matrix as an effort to further concrete the importance of "regulated" harvesting for the purpose of SFM across the wider stakeholder spectrum. Stakeholders have also expressed their interest in having a COP for Amerindian Villages which will detail guidelines for forest management in the "amerindian village" setting and will include aspects such as AAC, felling etc. Normally, the amount of tags issued will be reflective of the AAC and the reducing balance of the AAC as harvesting progresses over time. Note: Harvesting and subsequent transport of logs MUST be accompanied by GFC tags (for that particular area). Tags will therefore be issued in moderation as stakeholders harvest towards meeting the AAC after which no additional tags will be issued once reaching this point.		
44						Indicator 2.1.3 - Verifier "Field inspection reports", are there field inspections in Amerindian lands?		Currently, commercial harvesting of forest produce is done primarily on State Owned Lands. As such field inspections are carried out in these cases. However, with the advent of commercial harvesting on Amerindian Lands, the GFC will proceed to carrying out Field inspections on these areas as well since its imperative for the verification of the indicator.
45						Criterion 2.2 - Specify the applicable national laws, regulations, guidelines and Code of Practice relevant to transportation of timber and timber products. And are these different for Amerindian lands?		The Applicable National Law Includes the Forest Act 2009, applicable regulations and guidelines includes the Wood Tracking System of Guyana & The GFC Manual of Procedures. The transportation of timber and requisite documentation for the same is regulated by similar operational procedures across every stakeholder grouping involved in Commercial Forestry, whether on State Owned Lands or Privately Owned Lands.
46						Indicator 4.1.1 - Child labour is excluded here but included in the other matrices. Is it intended?		This takes into account the customary practice of Amerindians to have their children assist them. (As recommended by stakeholders). It was deliberately excluded in this case.
47		<b>B</b>	<b>Comment</b>	Monitoring of salvage timber? In addition to agriculture and mining, is infrastructure investment (such as hydro power) also a source of production of salvage timber?		For the purpose of clarity (and for stakeholder's understanding), the NTWG is comfortable with the title "monitoring Agriculture and Mining leases" as opposed to "monitoring salvaged timber". Secondly, ONLY agriculture and mining is considered with no consideration being given for infrastructural investment (such as hydro power) as a source of production of salvage timber. This is so because agriculture and mining has a larger potential for lending itself to commercial logging (impacting the supply chain) and which is oftentimes a reality in Guyana's context as opposed to infrastructural investments in the forest which doesn't seem to impact the current supply chain of timber in anyway. However, this point has been noted.		
48						Clarification – to understand context- Can a concession period then be interrupted due to a agriculture lease? Is there compensation? How does this affect the Forest management plan and the willingness to invest?		



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49		Agriculture and Mining	General	What environmental standards do they comply with? Prior to the allocation of the salvage timber permit, or of the agricultural/mining lease is there any kind of environmental analysis? For example regarding keystone/CITES/IUCN listed species?		The Guyana Geology and Mines Commission as well as the EPA and the Ministry of Agriculture enforces their regulations with regards to environmental protection when carrying out mining & Agriculture. However, currently, as it relates to logging, there is no environmental standards which the FMO has to comply with. On the other hand, the GFC has drafted a COP for Timber Harvesting on Agriculture and Mining Lands and is seeking to implement this COP to maintain a degree of environmental protection parallel to SFM within these areas. <b>Please provide information on environmental Analysis</b>
50				We propose renaming the legality matrix to "salvage timber" – since the matrix aims to control the timber, not the other usage of the lands. The approval process of salvage timber permits, including consultations, would be important.		For the purpose of clarity (and for stakeholder's understanding), the NTWG is comfortable with the title "legality matrix for Agriculture and Mining leases" as opposed to "legality matrix for salvaged timber". It must also be noted that the control of timber is indicative of the log source area it originates. Nevertheless, this point has been noted and is subject to further discussions at the level of the NTWG before any potential changes can be done.
51			Specific Comments	Criterion 1.1 - This should be reworded to "THE FMO HOLDS LEGAL LOGGING RIGHTS TO THE Salvage Area". This wording should apply to the entire matrix.		Currently being discussed at the NTWG level.
52				Indicator 1.1.1 - Shouldn't this indicator also have a salvage permit from the GFC? Also, agriculture is not mentioned in the indicator.	The 3rd version of the LD now includes Agriculture within Indicator 1.1.1	The mining permit or agriculture lease gives the holder the legal right to the area and thus does not require an additional permit to utilize the produce thereon. Furthermore, for the purpose of commercial harvesting on these lands, the FMO HAS to make a written request to the GFC to harvest the specified produce after which upon granting of the approval to harvest the FMO is issued with proper documentation e.g. removal documents & tags to harvest and transport.
53				Criterion 2.1 - This should be reworded to "THERE IS COMPLIANCE BY THE FMO WITH APPLICABLE NATIONAL LAWS, REGULATIONS AND GUIDELINES RELEVANT TO LOGGING OPERATIONS in salvage areas"		Currently being discussed at the NTWG level.
54		Processing and Sale	General Comment	This split makes it easier to see how the different matrixes are applied. An introductory paragraph would be helpful here too. Previous comments apply here as well, such as the need to, in the next step, identify the specific licences that will be controlled, by whom, regularity, legal references etc, what are the social and environmental considerations?	In the 3rd version of the LD, an introductory paragraph was added. Specific licences were identified as well. Legal references are being detailed and will be reflected in the next draft of the LD.	The social and environmental considerations are currently being discussed at the level of the NTWG.
55			Specific Comments	Principle 1 - In addition, to prove legality, information of the legality of the business per se would be needed – that it is registered, taxes and fees paid, subcontracting is regulated.	Agreed	
56				Criterion 1.1 - Now, the FMO changes (in previous matrixes the FMO was a concessionaire/harvest permit holder) . Could it be better to choose another word to refer to processors/sellers?	Agreed. FMO is still being used but the term has been widened to include the other stakeholders who may fall into this category	
57				Criterion 2.1 - An indicator regarding imports would be necessary to cover all possible origins of timber.		This is currently being considered and discussed at the NTWG level. It is expected that the VPA TEXT will cover the aspect of Imports.
58			Indicator 2.2.1 - Phrasing of indicator - example. If we understand this correctly, it is not the existence of the record per se that proves legality, but that the recovery rate meets the norms. I. e. n"“The recovery rate is within established norms”	This particular indicator was removed in totality and replaced with Indicator 2.1.3 which seeks to better define/determine legality.		
59		General Comment	An introductory paragraph would be helpful.	Agreed. This is reflected in changes made within the 3rd version of the LD.		

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60		<b>Export of Forest Produce</b>	<b>Specific Comments</b>	Indicator 2.1.1 - Information that allows traceability also needs to be included		The permit number (as stated in the indicator 1.1.2 in the 3rd ver. Of the LD) will allow for traceability of the timber to the log source area. The permit will contain tag numbers, concession # and species etc to aid in log tracing.
61				Indicator 2.1.2 - Delete. Same comment as above – could be easier to have a general indicator for all products and make separation per product in the verifiers – if needed. If specified on product level, all product types of the VPA should be covered.	This was accepted and is reflected in Indicator 1.1.2 of the 3rd version of the LD. The term "timber" was used to account for both logs and lumber in accordance with the Forest Act 2009.	
62				Indicator 1.1.1 -Is this different to a FLEGT license?		This refers specifically to a Timber Dealers or Sawmill Licence. This is a prerequisite for exporting forest produce. The Format of the FLEGT Licence is slightly different in context to these licence for export.
63				Indicator 1.1.3 - Is this a verification in addition to FLEGT verification, or part of it?		Part of it.