

**Questions, Responses and Comments from consultations held
during the first quarter of 2016 at the national level on the
EUFLEGT VPA**

Location	Questions	Comments	Responses
Anna Regina	What are the criteria for obtaining a license?		An FSO will only be granted a FLEGT License once they meet the legal requirements to conduct operations within the forest sector of Guyana and are fully compliant with the requirements of the legality Assurance System (GTLAS)
Anna Regina	Who covers the cost of transportation?		This will solely be based on the agreement between the buyer and the seller.
Anna Regina		There is a concern for the age of employment in the Amerindian villages.	The age limits are stipulated in law. The NIS and other relevant agencies will seek to sensitize at the national level on the rules and regulations.
Anna Regina		GFC should help loggers to get funding to purchase protective gears	The GFC can and will continue to assist but the logging business is one that needs to consider all the costs. The law stipulates these must be provided and as such they must be considered in the planning stages
Anna Regina	Will there be a difference of how timber from Amerindian Villages can be deemed legal?		Once timber is utilized for commercial purposes, there must be compliance with the Wood Tracking System. The legality definition clearly outlines what are the indicators which each group of stakeholders (FSOs) have to meet. Because the

			sources of timber vary, there will be differences in the requirements for each stakeholder group. However, these requirements have all been consulted on.
Anna Regina	Why Amerindian Village is not considered private property?		Village lands are defined in section 2 of the Amerindian Act as lands owned communally by a Village under title granted to the Village Council. Therefore, each Village Council is responsible for the management of the village's forest resources for the benefit of the village. Whereas, Private land is defined in section 2 of the Forest Act as land that is neither public nor village land. It can be legally held by an individual(s) or body corporate either by registered title, transport, absolute or provisional grant.
Anna Regina	Should loggers tag damaged/split trees?		Yes. All felled trees should be tagged, however, in the comment section of the production register, the FSO can indicate that the log is damaged.
Anna Regina		There should be a special tax system for exporting timber to Europe.	There is already a tax system in place which will continue to apply across the board.

Anna Regina	\Can you fell trees to build camps within the concession without affecting your quota?		Infrastructure can be considered as any road, bridge, culvert or building within a specific concession or leading to a concession area. Log tags issued for infrastructural purposes shall follow the same procedures as those issued under the normal tag issuance system. Tags issued for infrastructural purposes will not affect the quota of the concessionaire, since the produce are intended for construction activities within the concession, or salvaging useable produce.
Parika	Will the Independent Auditor check for documentations from the skilled labour/chain saw operator?		The auditor will check on whatever has been mentioned in the VPA document. The level of skill of the chainsaw operator was not mentioned as something to prove legality of timber from a given source.
Bartica	Why are the sawmillers not using GFC system of measurement?		This is something which needs to be investigated a bit further. If there are any differences in measurements, these will be addressed. The systems in operation are based on standardization.
Bartica		When a letter is sent to GFC, the time it takes to get a response is too long when the issue is urgent.	Efforts have been made to minimize the response times by the GFC. Sometimes there is are other agencies which need to supply information or an investigation needs to be carried out.

Bartica		Information on available markets should be available at all outstations	
Bartica		The FPA does not have a proper representation to highlight loggers challenges in the sector.	
Bartica		Loggers would like to have a payment plan for concession fees.	
Bartica		There is need for more GPS training	
Bartica		Whenever the GFC is conducting meetings in the communities, it is advisable that the forest officer(s) ask each member to share their views.	
Bartica		The documents distributed by the EU FLEGT team should include page numbers.	Agreed, and this will be updated in the next draft.
Bartica	Who pays if the produce is damaged during shipment?		This will depend on the contract agreement between the buyer and the seller and some kind of insurance; this we can provide some clarity on.
Bartica	During exportation, when will payments be made?		This will depend on the contract agreement between the buyer and the seller.

Bartica	How can we get buyers?		<p>After the agreement is signed both countries will hold trade shows and other promotional events.</p> <p>However, the Guyana Forest Products and Development Marketing Council, which is a sister agency of the GFC, currently has a website advertising products and potential buyers both locally and internationally. This will continue to be updated after the VPA is signed and will serve as a good source of this information.</p>
Bartica	What strategy has Guyana put in place to deal with illegal logging?		<p>The entire VPA is designed to deal with illegal logging.</p> <p>One of the central elements of our Guyana Timber Legality and Assurance System (which is part of the VPA) is to control the supply chain and to ensure that the supply chain remains intact. To ensure that the supply chain is managed and controlled the Guyana Forestry Commission has developed a Wood Tracking System which has been independently audited over the last few years and has been found to be very credible. There will be a series of improvements to this system over time such as the real time transfer of data.</p>
Bartica	How can GFC prevent other persons from harvesting within one's concession?		<p>By ensuring that the system is able to detect where the illegal timber is entering the supply chain. If the timber cannot enter the chain then</p>

			it becomes pointless to harvest it.
Bartica		Persons are still paying acreage fee for agricultural/mining leases areas which was issued to someone else within their SFP concessions even though they are not harvesting within that area.	
Bartica	Is there anything GFC can do for loggers when sawmillers request a different price?		As advised over the years, develop a contract which stipulates prices, species, volumes etc. this allows for some protection
Bartica	Will the EU come and check our systems?		Under the VPA, both EU and Guyana agreed that the performance and efficiency of the FLEGT licensing scheme will be checked under an Independent Audit. These checks will focus on the agencies as well as the stakeholders.
Bartica	Does forestry has a system in place to ensure sustainable logging?		Yes. The entire logging system of the GFC is based on sustainable logging and this is also evident in the guiding documents used within the sector.

Bartica	Why preference is given to mining and agri. leases when sometimes SFP owners would have been using that same area for a number of years?		The VPA seeks to ensure that other forest users and uses are not prevented. Mining, agriculture etc. are other uses which can also be carried out effectively in spite of the fact that forests are also utilized within the area.
Moruca	What role will the EU play in pricing		The VPA aims at securing markets for our timber and timber products. Hence, the EU cannot dictate prices on our products. The prices will be determined in the agreement between the buyer and the seller.
Moruca		The price mechanism on the forest produce in Guyana creates illegal logging and as such, a standard pricing should be done for timber as it is done for gold on the international level.	
Moruca	How much emphasis will be placed on land titling?		This issue arose in the previous negotiation session between EU and Guyana. The EU recognized that addressing land title and land use issues is a longer term process which could be addressed through other mechanisms such as the creation of a multi-stakeholder coordination mechanism which will allow for the participation of keys agencies and stakeholders in realizing

			workable solutions. The Guyana Lands and Survey Commission for example is currently working on issuing titles to Amerindian Villages under a longer term project.
Moruca	Are there markets for lesser known species?		There are markets for all of Guyana's timber. However, there traditionally has been the use of the more common species and this still prevails.
Moruca	Can GFC help Amerindian communities to have access to funding to purchase machinery?		There are a number of funding opportunities which are available. The GFC is willing to assist in writing proposals for example to source funding.
Moruca	Can rough wood be exported to the EU?		Yes, it is one of the products which can be exported to EU since the product scope covers lumber
Moruca	Can a person export timber from anywhere in the country?		Anyone around the country can obtain an export license however, their products will have to be transported to Georgetown to the central shipping port to be exported since Georgetown is currently the only port for export.

Moruca	What are the direct benefits to Amerindian villages?		Villages currently utilizing felled trees for commercial purposes will now have access to EU markets and be able to obtain a FLEGT license, once they would have met the legal requirements for their forest operations.
Moruca	Will this have an impact on the Low Carbon Development Strategy?		The FLEGT Licensing system falls under the umbrella of the LCDS. It is geared towards eliminating illegal forest operations and sustainable harvesting of forest produces. So it ultimately supports the LCDS.
Mabaruma	What is the penalty for harvesting mangroves away from Coastal areas?		
Mabaruma	Can persons harvest bulletwood?		Yes. But only with special permission from GFC.
Mabaruma	Will Amerindian villages need tags if they move logs out of their villages?		Yes tags will be required provided the logs are for commercial purposes.
Mabaruma	Is there any way Guyana can negotiate prices on the timbers to the EU?		No. That is beyond Guyana's jurisdiction. Price can only be set in the contract agreement between the buyer and seller.

Port Kaituma	What will the NTWG do with the market competition if every region decides to export timber to the EU?		The NTWG ceases to exist once the VPA is signed. If there is greater competition there is usually fluctuations in prices for example which sometimes lead to more effective and efficient means of production to lower production costs.
Port Kaituma	Can Amerindians cut wood from farms which are located outside of titled lands?		Yes. Once these areas are considered traditional lands and the woods are used for subsistence purposes (i.e. building a house in the village, canoe) and not for commercial purposes. If the village would like to use the land for commercial purposes, they must have the relevant permission to do so.

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Springlands Berbice			
	Is it possible for the trees pushed down due to mining to enter into the supply chain, if so what are some of the steps needed to make this happen?		Yes it is possible for trees from mining concessions to enter the supply chain, however for this to happen there must first be a written request to the Commissioner of Forest the Guyana forestry commission before consent is granted.
	How will the GFC be able to track logs that come from a mining concession using the wood tracking system? Many times the logs are cut and removed but the stumps get uprooted and are covered by the backfill? How will forestry trace this log if it's sold and enters the supply chain?		Once the written request has been received and consent is given there will a monitoring inspection done by GFC. As trees are harvested, and prior to them being removed, the GFC is notified and an inspection is done. This inspection will identify where the logs are coming from and hence their legality.

	<p>Is GFC staff compliment able to monitor every piece of lumber that comes out of Guyana?</p>		<p>Yes, currently GFC is able to maintain rapid monitoring checks of all forest produce to be exported from Guyana. The GFC System of checks and balance are strategic and allows for robust checks. There is also random checks which allows for an effectiveness of monitoring forest produce harvested.</p>
	<p>If someone cuts trees within your concession and you are unaware, when GFC goes into your forest and finds that tree untagged, who will have to answer to that breach?</p>		<p>The licensed holder of that concessions is responsible for all breaches which occur in his concession/area. Concessionaires are reminded that they are responsible for monitoring their concessions. However, on a case-by-case, assessments will be done and informed decisions made.</p>
<p>Canje Berbice</p>			
	<p>Many laws are quoted in the Legality definition, much of which we as stakeholders do not understand. How does forestry plan to make sure that the legality definition is better understood before the process ends?</p>		<p>The legality definition has been divided into the various sections according to stakeholders /Forest Sector Operator types. This makes it easier for the stakeholders to understand. In addition, there has been and continues to be numerous consultation/awareness sessions to educate stakeholders about what is contained within the LD. Additionally, funds are made available under “Calls for Proposals” for various stakeholders groups to be able to organize capacity building sessions as they deem necessary.</p>
	<p>Many of Guyana’s forest is inaccessible and sometimes very hard for communication with persons in the backdam, will FLEGT be supporting Guyana in purchasing the right equipment to ensure better communication?</p>		<p>Yes, FLEGT is exploring the possibility of having information available form remote areas in a faster manner so that access to head office is easier. The GFC stations will be better equipped thereby allowing for an easier flow of information.</p>

<p>Imbambadai</p>	<p>Can someone who is mining export the trees that are pushed for the purpose of mining, if they have the capability to do so?</p>		<p>Yes miners are allowed to export once the relevant application is made to the Guyana forestry commission and approval has been granted.</p>
		<p>The Database that will be used to monitor the FLEGT license progress should be able to be viewed by the public, that way all stakeholders will be able to keep track of the market and its trend in Guyana.</p>	<p>There will be a lot of information which will be made publicly available under the VPA which will allow for transparency throughout the process.</p>
		<p>There should clear definition of the Amerindian's right when it comes to subsistence use, so that everyone knows their rights. It should be placed in the Amerindian act, Forest Act and Mining Act respectively.</p>	
	<p>During nature disaster (like a storms) many trees fall that can be cut and utilized, will those trees have to be tagged?</p>		<p>Once trees are cut and removed from the forest for commercial purpose, they would have to be tagged, regardless of whether they have been felled naturally or unnaturally. The chain of supply will have to be followed once the produce is being removed from the forest for commercial purpose. If they remain in the forest the Wood tracking system will not be applied.</p>
	<p>Many trees are pushed for the purpose of mining, miners do not have surface rights and are not allowed to remove the useable portion of the tree, if someone else wants to purchase that wood and use for commercial purpose can that happen? If that happens</p>		<p>Once the concessionaire has no interest in the forest produce, neither the mining operator, the operator will give the person the directive to go the GFC and seek the relevant permission to remove the forest produce. Note that the two persons first having access is the timber are the concessionaire and the mining permit holder.</p>

	what can be done for the trees to be tagged and to enter the supply chain?		
	Can a miner apply to have an export license?		Yes a miner can apply for an export license.
	The document states that the age requirement to work on a concession is fifteen (15) but the law states that the legal age is sixteen (16).		This will need to be verified
	What are the systems that are in place to verify the age of a lot of the minors that are working in the interior?		The Ministry of Social Protection is authorized in this regard and will form part of the verification system under the VPA. They are part of the GTLAS.
	Is the discrimination clause only applicable to sickness?		Will need to be verified
		The preamble for every section should have the part of the respective act that is quoted there or it should be a part of the glossary.	
		The entire document should be numbered to help the reader navigate the document easier.	
		GGMC and forestry alike should implement measures where reforestation should be mandatory for every class of mining activity.	
	What penalties are there to stop someone from logging on a mining claim		Once permission is granted to do mining it will not be an issue. If illegal logging is happening then the GFC has the mandate the address this issue.
Kato	Would farming be stopped under FLEGT?		No, farming will not be stopped under FLEGT.

	Are other countries having consultations on FLEGT with their indigenous peoples?		Yes other countries have been involved in consultations with the indigenous people about FLEGT. The process of FLEGT is a multi-stakeholder one and therefore everybody has to be involved; there are no shortcuts.
	Why is the European Union the only one taking steps to stop illegal Logging , will other nations not a part of the Union also take this step?		The European Union after recognizing the devastating effects of illegal logging decided they will become involved in curbing these effects. Other nations have also started developing similar systems such as the US and Australia.
	Is illegal logging high in Guyana?		The reports indicate that illegal logging is very minimal within Guyana.
	In far areas such as ours we cannot send logs and other huge forest produce, will the EU consider the addition of things like furniture and medicinal plants?		Consultations on the addition of furniture to the product scope have already started, more products can be added to the list in the future.
Jawalla			
		Amerindians communities would like to know the results of the Norwegian audits. (Update on the findings of the audits)	
Kamarang		It will be very wise if the forestry could have training for Amerindians in areas such as the RIL and use of the GPS. Many young people after leaving school have nothing to do. It will be useful for them to have these training so that they are able to get jobs easily. Many of them end up in the mining because the communities are not able to get involved in logging, but with the skills they will be	

		able to seek further employment.	
		GFC should look at sponsoring a few persons from the communities to do forestry so that they can return to the communities and teach the people much of what is being done in the proper manner.	
	For villages who have not received their titled lands. How will this affect the legal definition for FLEGT licensing since they will not be able to satisfy legality of the area according to the law.		Efforts have been made and will continue to be made to ensure that villages have their titles to the areas which will allow the timber to be legal.
	Is it possible for most of the training material being used for these sessions be converted to the various tribes' native language so they can be better understood by the people?	Mr Limuel Thomas a retired teacher from the community does translations, we would like to suggest forestry make contact with him for help in this.	It is possible for the documents to be translated, however the difficulty lies in getting the most suitable person to do the conversion. But forestry will do a follow up in this regard.
	Will there be a high compliance when it comes to the FLEGT Licensing since laws exist in this country but are not upheld in most cases.		The entire agreement are based on the laws you see presented here. These laws will have to be complied with or the VPA will not work.
		There is greater need for agencies under the department of the Natural Resources and Environment to do more collaborative outreach programs. So that the stakeholders of the various sectors could have	

		<p>their concerns raised, have updates on developments in the sectors and have clarity on the various laws especially where they might be conflicting.</p>	
Kaikan		<p>FLEGT is a very positive step towards the marketing for the future, there should be a mechanism for traditional lands and monitoring of the mining areas that affect out people.</p> <p>It is the responsibility of the Amerindian NGOs to be apart of the national stakeholders consultation.</p> <p>The Amerindians need to have their input into the system.</p> <p>Traditional farming is being practiced</p>	
		<p>Many miners do not respect the traditional use rights of the communities. How can the forestry commission help to ensure that mining doesn't impede the traditional activities of the Amerindian?</p>	
	<p>Isn't climate change and FLEGT in contradiction to each other.one is saying to cut while the other is saying to preserve</p>		<p>They are not opposed to each other, they in fact support each other. Climate change does not say don't cut not any of the other agreements Guyana are signatories to. However, sustainable utilization, which Guyana practices, must be followed.</p>
		<p>The GFC must be commended and FLEGT initiative for making the Amerindian people aware of the process to date, we greatly appreciate this effort.</p>	

		We have learned a lot about many areas of forestry we never knew before this process. We will be able to pass on our knowledge for many of our generations who may at some point get involved in logging.	
	Even though we are not involved in logging ,can GFC provide training in GPS reading		This can be review
		GGMC should not be allowed in areas where there is conflict, especially where the matter is before the court. Mining activities should not be allowed to continue on those lands.	
	Is it possible for the materials being presented on FLEGT be translated to akawaio for easier understanding for the communities?		Yes it is possible for the materials to be translated into the local dialect. This can be done through DFID's call for project proposals, where any project that is FLEGT related will be able to receive funding.
	Many of the Amerindians are unaware of procedures regarding directional felling and inventory, how can the GFC help if we need to learn these procedures?		There is a training on Reduced Impact Logging being done by the forestry training center in- cooperated and which also encompass other areas such as inventory, skid trail planning ,tree marking etc. This training is accessible to anyone
	Will trees that are used for medicinal purpose be considered under FLEGT as part of the Product Scope?		Other products can be added to the product scope at a later time, there is a possibility for it to be added to the list. Note that FLEGT is about trade in timber products.
	Mining activities affect		This will be communicated to the

our livelihood greatly, especially in discoloring our streams and removal of forest and breaking of the land. Just as FLEGT is doing consultation, can the mining officers be a part of the consultations so that they can address many of our concerns?

GGMC.