
This information brief has been prepared by European and Liberian members of technical teams that guided negotiations to inform the public about the VPA. *The contents of this brief cannot be taken to reflect the official opinion of the European Union or of the Government of Liberia.*

Further information and detail can be found on:
http://ec.europa.eu/europeaid/what/development-policies/intervention-areas/environment/forestry_intro_en.htm

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FLEGT Voluntary Partnership Agreement Between Liberia and the European Union

Briefing Note

May 2011



Common efforts to ensure and promote legal timber trade and good stewardship of the forest sector



Illegal logging has a devastating impact on some of the world's most valuable remaining forests and the people that live in them and rely on the resources they provide.

The European Union's response to tackle illegal logging is set out in the Forest Law Enforcement, Governance and Trade (FLEGT) Action Plan in 2003. The cornerstone of this policy is the FLEGT Voluntary Partnership Agreement (VPA).

WHAT IS A VPA?

The FLEGT Voluntary Partnership Agreement (VPA) is a bilateral agreement between the European Union (EU) and wood exporting countries, which aims to improve forest governance and ensure that the wood imported into the EU has complied with the legal requirements of the partner country.

Under these agreements exporting countries develop systems to verify the legality of their timber exports to the EU. The EU supports partner countries to establish or improve systems which verify legal compliance.

Although there is no obligation for any country to enter into a VPA with the EU, once agreed they are legally binding on both parties, committing them to trading only in wood products that can be verified as legal.

*Image credit:
Liberia VPA Secretariat
Workshop for technical
managers at the Forestry
Development Authority*

*Cover image credit:
Tim Lewis,
Handcrafted Films
View of part of the forest
estate of Liberia*



The Government of Liberia and the European Union concluded negotiations of the FLEGT Voluntary Partnership Agreement on 9 May 2011 at a ceremony in Liberia.

BACKGROUND

Liberia is home to over half the entire rainforest remaining in West Africa, with almost 45% of the country (4.3 million Ha) covered by forest. During Liberia's prolonged civil war, timber revenues were misappropriated and used to sustain the conflict. In 2003, this led the UN Security Council to impose sanctions on timber imports from Liberia.

Since 2003, Liberia has made significant efforts to reform the forestry sector, increasing access to timber resources and improving transparency. These efforts include a comprehensive review of the regulatory framework, development of a national timber traceability system (LiberFor) to track timber production and payment of revenues, and reform of the Forestry Development Authority (FDA).

In recognition of the progress made, the UN Security Council lifted sanctions in 2006, thus opening the way for Liberia to rebuild its forest sector. Since sanctions were lifted, the Government of Liberia has engaged in further reforms to establish a competitive, transparent forest sector, including negotiating a Voluntary Partnership Agreement with the EU which will strengthen systems of control, establish verification procedures to ensure legal timber harvesting and production.



*Image credit:
Jeff Haskins/BurnessGlobal
Members of the EU and
Liberia negotiation teams
at the VPA initialling
ceremony in Monrovia
on the 9th May 2011*

*Image credit:
Tim Lewis,
Handcrafted Films
View of Monrovia
city centre*



VPA OBJECTIVES AND PRODUCT SCOPE

The Voluntary Partnership Agreement (VPA) aims to strengthen governance and law enforcement in the forestry sector and, through a licensing system, provide the assurance that its timber has been legally produced. It also demonstrates the Government of Liberia's commitment to improving accountability and transparency in the sector. As a result of poor management of forest resources and illegality in the sector in the past, Liberian timber did not have a good reputation in international markets. The VPA is intended to offer clear assurances to international markets that Liberian timber products are from verified legal sources.

The negotiation of the VPA involved a wide range of stakeholders and in its implementation stakeholders will continue to be involved thus making the sector more participatory and transparent. The VPA will help Liberia to develop its capacity in forest management amongst government agencies and forest users including commercial operators and communities. It will introduce stronger monitoring and oversight of forestry activities by an independent auditor.

Although the VPA is a trade agreement with the EU market, its scope is much broader than this. Liberia has decided to apply the same Legality Assurance System (LAS) to timber products destined for ALL international markets and to timber products sold in Liberia as well.

THE VPA PROCESS

The negotiations were launched in March 2009 and have taken over two years to reach conclusion. The process has involved a wide range of Liberian stakeholders, including several Ministries and government agencies, civil society, the private sector, and community representatives. Throughout the negotiations, there have been efforts to involve and inform stakeholders through workshops, consultation events guided by a national communications strategy. These have been coordinated by a Liberian VPA Secretariat established specifically to support the negotiation process.

On the EU side, the negotiations were led by the European Commission, with active participation of Member States, particularly the UK, which has provided resources to Liberia to support stakeholder involvement in the negotiations.

*Image credit:
Liberia VPA Secretariat
Left and right: Liberian logs
marked to ensure they can
be tracked from stump
to port*



LIBERIA'S LEGALITY DEFINITION

Liberia developed its definition of legal timber through a participatory process of consultations, negotiation and discussions. Representatives of communities, civil society organisations, public agencies and private sector chose and agreed upon the essential legal requirements to underpin the implementation of the VPA. The legality definition forms the basis of Liberia's LAS. It outlines the legislative and regulatory requirements to be systematically verified to ensure that timber products have been legally produced – a requirement for a Liberian FLEGT license. Demonstrating Liberia's commitment to address challenges faced by the sector as a whole, and an almost unanimous decision among Liberian stakeholders, the definition goes beyond the minimum product coverage for a VPA, but covers ALL sources of timber, including timber and timber products from chainsaw milling and community forests.

Liberia's comprehensive definition of legal timber embraces all aspects of timber production, including allocation of harvesting rights, the sharing of benefits, worker rights, and taxes and is framed on eleven principles, which follow the steps of forest management, timber production, processing and export. These are: Legal Eligibility to Operate in the Forestry Sector; Forest resource rights allocation; Social obligations of contractors to local people; Forest management standards for operations and harvesting to ensure sustainability; Environmental obligations; Regulation of timber transport and traceability obligations; Timber processing requirements; Workers rights, health, safety and welfare; on time payments of taxes, fees and other payments; export, and trade requirements; and transparency measures and information disclosure.

LIBERIA'S LEGALITY ASSURANCE SYSTEM

Liberia's LAS will ensure the legality of harvesting, transportation, processing and sale of timber, based on the national legislation and existing governmental controls. In designing the LAS through a multi-stakeholder process, Liberia has framed a system that is both comprehensive and workable. It consists of the following five elements:

1. Legality Definition
2. Verification of compliance with the Legality Definition
3. Chain of Custody, based on the existing LiberFor system
4. FLEGT Licensing, which will apply to all exports irrespective of destination
5. Independent Audit

The LAS will apply to all timber harvested, processed, sold in or exported from Liberia, including timber imported from 3rd countries. It covers production from all types of forest holding and by all operators thus applying to large scale operations as well as the informal chainsaw operations.

*Image credit:
Tim Lewis,
Handcrafted Films*



During negotiations stakeholders identified areas for reform to streamline and clarify legal requirements. These reforms will address such topics as social agreement between communities and operators, community forestry regulations, procedures for auctioning seized and abandoned logs, and the maintenance of a list of people barred from activity in the forest sector because of actions in the past to name a few. The entire list of reform commitments are outlined in an Annex to the VPA.

Liberia faces significant challenges in implementing the LAS and will require international support in order to upgrade systems and capacity. In the initial years, the functions of legality verification and the chain of custody system will be outsourced to an external service provider, overseen by the FDA. In due course, these functions will be transferred to the FDA. The entire LAS will be developed and implemented over the next few years, with the intention that the first FLEGT licenses will be issued in 2014.

VPA IMPLEMENTATION

A Joint Implementation Committee (JIC) with EU and Liberia representatives will oversee the Agreement. It will meet at least twice a year, and its reports will be published. The VPA also establishes an Independent Auditor to ensure proper function and oversight of the LAS by an independent third party. Reports of the Independent Auditor will be submitted to the JIC for review before being made public.

In addition, Liberia will establish a national multi-stakeholder committee to monitor implementation. This forum will draw representatives from government agencies, civil society, industry and communities. It will ensure that the process of stakeholder consultation and involvement, which has been a key feature of negotiating the Agreement, is continued during implementation.

COMMITMENT TO TRANSPARENCY AND INFORMATION EXCHANGE

Liberia is strongly committed to transparency and the forest sector is no exception. The Liberia Extractive Industries Transparency Initiative (LEITI) was the first country to include revenues relating to timber and so this information is already published annually.

The VPA builds on this commitment by ensuring key forest sector information is put in public domain. The Agreement and its Annexes will be published once the VPA has been ratified, as will reports monitoring implementation of the Agreement, including those of the JIC and the Independent Auditor. In addition, forest licenses, social agreements, maps, production data, company information and other information will be made available to the public either through publication or upon request as outlined in the Freedom of Information Act. These commitments are reflected in a dedicated Annex of the VPA.

During VPA negotiations, Liberia developed and implemented a national communications strategy to strengthen public understanding of the VPA, and in the latter half of 2011 it will develop another national communications strategy to engage the public in VPA implementation, further promoting understanding and support, information-sharing and dialogue.

*Image credit:
Liberia VPA Secretariat
Luis Riera, negotiator for the EU (Director, European Commission) and Florence Chenoweth negotiator for Liberia (and Minister of Agriculture) at close of negotiation session in Brussels*



INDEPENDENT MONITORING

The Agreement introduces independent third party audits that will check the functioning of the entire LAS. These audits aim to ensure the system is being implemented properly and delivering the expected results - that only legally verified timber is being sold on local markets and for export. Third party audits strengthen the credibility, function, and efficiency of the system. The Independent Auditor will provide regular public reports. The terms of reference for this independent auditor are outlined in an Annex of the VPA.

Throughout the VPA negotiations both Liberia and the EU have recognized the important role for civil society in monitoring the forestry sector. The Agreement indicates that civil society will contribute to monitoring the VPA. To this end, it stresses through a dedicated Annex Liberia's commitment to provide access to information that will allow civil society to carry out this role effectively.

SUPPORTING MEASURES

A recent review of the capacity of government services, private sector operators and civil society to fulfill their regulatory and law enforcement functions points to a large gap between intended function and actual capacity. The VPA requires that this capacity is established so as to provide evidence of the legality of timber. For the effective operation of the LAS core regulatory capacity must be built alongside upgrading systems to meet the requirements of international markets for legality assurance.

An annex to the VPA outlines the measures needed to establish both core regulatory functions, and thus application of the national forestry reform law (NRFL 2006) and the additional functions to operate the LAS and issue FLEGT licenses. It includes measures to build capacity of government agencies, private sector operators, communities and civil society. A number of

international partners, including the EU and its Member States are working in Liberia to support development of the forestry sector, and it is hoped that by coordinating this support and securing additional resources Liberia will establish a fully operational LAS over a five year time frame, with FLEGT licenses issued for exports from 2014, and domestic market controls integrated later.

FREQUENTLY ASKED QUESTIONS

THE PROCESS

1. Why has Liberia negotiated the Agreement?

The VPA provides a way to simultaneously address the problems associated with illegal logging, improve forest management, and strengthen market opportunities for Liberia's timber products in European and other markets. It marks the Liberian Government's commitment to law enforcement and transparency. It frames a broad reform agenda and helps to ensure that revenues realized from the timber sector will be distributed fairly.

Next to the desire of the Government to enhance governance and strengthen law enforcement, Liberian exporters have become aware that their customers are increasingly looking for verified legal and certified sustainable timber products. In the US and the EU this trend has recently been strengthened by the adoption of legislation that prohibits the sale of illegally harvested timber. Other consumer markets are expected to follow suit, making legality verification an important part of the global marketing of timber products.

2. Is Liberia the only country to have agreed a VPA?

Four other countries in Africa have agreed VPAs with the EU: Ghana, Cameroon, Congo and Central African Republic. Indonesia ended talks on a VPA with the EU five days before Liberia, on 4th May 2011. Several other countries in Africa and Asia are negotiating VPAs.

Each VPA is different, as it reflects the national legislative framework, the challenges and the different nature of the timber industry in each country, but all the VPAs have the same objectives of improving governance and law enforcement in the forestry sector.

3. Did the process involve other stakeholders, and if yes, who?

The process to negotiate the VPA has taken just over two years and involved a range of stakeholders. The formal structure established in Liberia to negotiate the VPA on behalf of Liberia involved different government agencies, civil society and private sector representatives. The negotiation team received guidance and advice from a VPA Steering Committee, which again included representatives from various Government agencies, civil society, and the private sector. Thus far unique to Liberia was the inclusion of community representatives in this steering committee. Furthermore, the detailed proposals for negotiations were developed by a number of different working groups which included active participation of different stakeholders.

4. What is the relationship between the VPA and REDD in Liberia?

FLEGT and REDD are complementary policy instruments. Implementing a VPA can assist Liberia in meeting REDD policy goals.

FLEGT aims to enhance the overall governance, transparency and law enforcement of the forest sector in order to make sure that timber production takes place in accordance with the laws and regulations of Liberia. REDD aims to create incentives to halt deforestation. REDD+ refers to policy approaches and positive incentives to reduce emissions from deforestation and degradation (REDD) and to support conservation of existing forest carbon stocks, sustainable forest management and enhancement of forest carbon stocks (+) in developing countries.

A REDD mechanism requires clarity over land and forest ownership and use rights as well as the capacity to prevent indiscriminate and illegal logging. The VPA process has helped to clarify forest related legislation and identify the roles of different government institutions and private sector bodies. It also enables Liberia to address underlying problems with regard to confused and unclear user and tenure rights. In doing so it enhances forest law enforcement and assists in putting the forest sector on a more sustainable footing. One important difference with REDD is that the FLEGT VPA is unlikely to influence land use decisions outside the forest sector.

FLEGT LICENSING AND TRADE

5. What products are covered under the Agreement?

The Agreement covers all products produced in Liberia and this includes logs, sawn timber, wood chips and wooden furniture. A full list is included as Annex I of the Agreement. The LS will cover products destined for all markets whether for Europe, exported elsewhere, or for the domestic market.

6. How important is the EU as an export market for Liberian timber?

The Liberian timber industry is rebuilding following the lifting of timber sanctions in 2006. As such, no reliable trade statistics exist to indicate how significant the EU market will be for Liberian timber exports. In the past, trade with Europe had been significant and in 2010 and 2011 shipments resumed to several European countries.

From 3rd March 2013, the EU Timber Regulation will come into effect, requiring all companies placing timber on the EU market to demonstrate that they have carried out due diligence in ensuring it has been legally harvested. Under the VPA, Liberia will be issue FLEGT licenses which meet this requirement. From EU operators' point of view, this may give timber coming from Liberia a competitive advantage over timber from other places that are not able to provide such credible assurance of legality.

7. Isn't the VPA just another form of trade restriction for the country?

VPAs and the EU Timber Regulation aim to facilitate legitimate trade in timber products and provide a level playing field for all market participants. International timber markets are changing because consumers and companies do not want to be associated with criminal activities that have had grave consequences for the forest environment and people who depend on forests. Public agency and the private sector purchasing policies which require legality verification and sustainability certification is a response to these market signals. Companies that play by the rules do not want to be undercut by those who sell illegally-sourced and cheaper products.

The EU Timber Regulation does not discriminate between timber imported into the EU and that which is produced within the EU. Both are subject to the prohibition of illegally harvested timber and due diligence requirements.

8. Are markets other than Europe changing?

Most major consumer markets have passed or are developing policies or regulations aimed at excluding illegally harvested timber.

The European Union and the United States have prohibited the sale of illegally harvested timber while Japan's Green Purchasing Law requires its government agencies to buy legal timber products. The adoption of the EU Timber Regulation in 2010 was preceded by a 2008 amendment to the US Lacey Act, which made it an offence to market, process or transport illegally harvested timber in the United States. Australia has released draft legislation, the "Illegal Logging Prohibition Bill 2011", which prohibits the importation of regulated timber products that contain illegally logged timber. China, a major importer of timber and exporter of timber products, and also a fast-growing consumer market, is considering a system to verify the legality of its timber imports and exports. A number of other countries are expected to follow suit.

9. If timber exports to Europe will soon require a FLEGT license, what will prevent the Liberian private sector from simply choosing to export to other markets?

All timber exports are included under the system. There is agreement amongst stakeholders that the LAS will offer a mechanism for the Government to enforce law and maintain oversight of the forestry sector. Therefore all timber produced, processed, sold in or exported from Liberia will be covered by the LAS, and all exports complying with the legal requirements will be issued a FLEGT license.

10. Can FLEGT-licensed timber only be exported to the EU?

No. Liberia may export to any market. Liberia will issue FLEGT licenses for all timber exports no matter the destination assuming that they meet the legality definition. Licenses that are issued to exports for EU destinations will be numbered differently to those for non-EU destinations, so that it is easier to reconcile shipments of timber sent by Liberia and received by the EU for reporting purposes under the VPA. In all other respects, the licensing will be the same for exports to EU or non-EU destinations.

11. What is the connection between VPAs and the EU Timber Regulation?

The EU Timber Regulation prohibits the sale of illegally harvested timber and timber products. It obliges traders who first supply timber or timber products in the EU to exercise due diligence to minimise the risk of buying and selling illegal timber.

The Liberia FLEGT license will provide assurance to EU buyers of legal compliance and will meet the due diligence obligations of the EU timber regulation.

12. Will FLEGT-licensed timber attract a price premium in the European market?

Buyers' response to FLEGT-licensed products is difficult to determine, as none is yet available on the international market. However, while significantly higher prices are not expected, the combination of government timber procurement policies in markets of importance to Liberia and the EU Timber Regulation are expected to increase demand for FLEGT licensed timber products.

Government procurement contracts represent between 5% and 25% of total timber consumption, depending on the country. Procurement policies in several EU member states stipulate that timber purchases by central government agencies must at least be verified legal and the European Commission has encouraged European Member States to accept FLEGT licenses as proof of legality in public procurement.

ASSURING LEGALITY**13. What is the basis for defining legality in the VPA?**

The legality definition is based entirely on existing Liberian legislation. The definition was developed through a participatory process, by a working group that included representatives from government, civil society, communities and industry, supported by a legal consultant. In developing the definition, areas were identified where greater clarity or further regulation is required. These legal reforms will be taken forwards during VPA implementation.

14. What will change in the legality assurance system?

The LAS builds on the existing national wood tracking system, LiberFor, which has been operating in Liberia since 2008. – The LAS broadens the regulatory control to cover timber processing and processing companies, plantations producing timber products, and additional forest use permit areas. It also introduces additional verification and data reconciliation procedures to ensure timber production has complied with the relevant legislation. In addition, its design and content were the result of stakeholder participation, where components of the system actually address concerns and perspectives of communities and the private sector. Operators that harvest, process, transport, import or export timber in Liberia will work under the new system; their participation in the development of the system will greatly contribute to their further support and understanding of the system. As part of VPA implementation, operators will be trained in the new requirements.

A major change that stakeholders will notice is that for all timber products exported from Liberia, once the system is fully operational, operators will provide more evidence of legal compliance and will apply for a FLEGT license rather than the current export permit.

15. What happens if someone does not comply with the legality definition?

The LAS is based on Liberia's law; failure to comply with the legality definition will be dealt with as prescribed in law. Detailed guidance will be developed setting out how non-compliance will be handled. The main principle is that all non-compliances detected will be referred to the relevant government agencies and dealt with in the manner described in legislation. There are no new laws or penalties for timber that does not comply with the legality definition, although any timber that does not comply will not be eligible for a FLEGT license, so once the system is fully operational, it cannot be exported or sold in Liberia.

16. What happens to illegal timber?

Any illegal timber detected by the LAS will be dealt with under existing procedures and laws set out in Liberian legislation. Illegal timber cannot be issued a FLEGT License which means that it cannot be exported to any destination or sold on the Liberian market.

If an importer attempts to bring timber into the EU with a suspected false FLEGT License, the Liberian authorities will be contacted to confirm the situation. If the timber is found to be illegal, the legislation in the European Member State where its import was attempted will determine what happens to the timber. The Liberian authorities will be responsible for investigating the source of the timber and how a fake or invalid FLEGT License came into circulation.

17. Under the VPA, all timber harvested in Liberia for export to the EU will be verified legal, but what happens if timber from other countries is processed in Liberia and exported to the EU?

Any timber that is imported into Liberia for processing will need to provide evidence of legality, and will be included in the Legality Assurance System. It can then be issued with a Liberian FLEGT License. Timber coming from other countries, that cannot provide evidence of legality, cannot be entered into the LAS and cannot be processed in or exported from Liberia. Detailed guidance will be developed by Liberia, in cooperation with concerned other governments on what sources or types of evidence will be accepted by Liberia as proof of legality.

18. What happens to timber coming from another FLEGT-licensed country to Liberia? Will the FLEGT license be from Liberia or the previous country?

Timber that is imported into Liberia with a valid FLEGT License from a 3rd country is judged to have met the criteria for the Liberian legality definition and will be entered into the Liberian LAS. If this timber is later exported from Liberia, it will be eligible for a Liberian FLEGT License.

19. Does the VPA address the issue of illegal wood in the domestic market?

Liberia has decided to include the domestic market under the VPA. However, this will require significant further consultations with stakeholders as to how this can be carried out in practice and further regulation on chain saw logging, in particular. The domestic market will therefore be phased in later, after the LAS has already been established for exports.

LEGALITY AND SUSTAINABILITY, INDEPENDENT CERTIFICATION**20 How does the VPA address issues of sustainable forest management?**

Sustainable Forest Management is a clear objective of the Government of Liberia. The VPA LAS reinforces this objective by strengthening and broadening oversight of forest management and harvesting operations. As part of the LAS, the legality definition requirements for compliance have emphasized through stakeholder consultations, social and environmental safeguards, workers rights, social agreement obligations to name a few that are built into Liberia's legislation to ensure sustainability in forest management. The VPA will ensure these are actually put into practice. Therefore, to obtain a FLEGT license and so be able to export or sell the timber, operators must comply with all relevant regulations including requirements for forest management plans, the Liberia Code of Harvesting Practices and social and environmental protection legislation as well as enforcement of social agreements securing local benefits from forest production. Furthermore, the LAS should make it easier for operators in Liberia to obtain sustainable forest management (SFM) certification (such as FSC, PEFC) as the legal requirements, stakeholder obligations, social and environmental safeguards as well as chain of custody requirements will largely be met. However, it is important to note that FLEGT licenses apply to timber from all sources of land use – including trees from agriculture lands and areas designated for change in land use (for farming, infrastructure, etc). Thus while at a national level the LAS will promote sustainable forest management securing the practical application of policy and law, there may be some FLEGT licensed product that comes from sources where long term forest management is not the land use objective (such as rubber wood plantations, for example). The FLEGT license will always provide assurance that all the legal requirements for the harvesting of timber are complied with.

21. Is independently certified wood accepted as legal under the Liberian VPA?

The Government will assess which independent certification schemes are coherent with the Liberian system. The process for doing this will be developed as part of the implementation of the legality assurance system. Operators who meet the requirements of an approved independent certification scheme will be able to submit this certificate to the Legality Verification Department as evidence that they are complying with the Liberian legality definition.

COMMUNITY IMPACT**22. What does the VPA say about the rights of communities that depend on the forest?**

The rights of communities are strongly articulated in Liberian forest law, both in the national forest law as well as in community forest rights law, the challenge is with implementation. In the development of the legality definition, in particular reflecting community perspectives, Liberia integrated a number of elements to address issues affecting local communities such as how communities participate in forest allocation processes, clarifying social agreement requirements and negotiation processes, and ensuring social agreement obligations are being met. For example, Principle 3 of Liberia's Legality Definition on 'Benefit Sharing and Social Obligations' focuses on ensuring that government and contract holders comply with their obligations to affected communities. These include provisions to ensure that Social Agreements are agreed and implemented and that fees owed to communities are paid.

In developing the Legality Definition, stakeholders agreed that there are a number of weaknesses in the current regulations and these will be addressed through reforms and development of guidance. In particular, it was agreed to revise guidance on Social Agreements.

23. What provision does the VPA make for social safeguards?

Under the terms of the Agreement, Liberia and the EU have committed to monitoring how various stakeholder groups will be affected by implementation of the Agreement and to taking reasonable steps to address these impacts where they are found to be negative. It is important to note, that representatives of affected communities, NGOs and the private sector have been actively engaged in the negotiation process and so the expectation is that the impacts of VPA implementation will be largely positive.

IMPLEMENTATION

24. When will the implementation of the VPA start, and when will the first FLEGT licenses be issued?

The Agreement will come into effect after it has been ratified by both parties. In the interim period, preparatory work will be carried out to support implementation of the VPA.

FLEGT Licenses will be issued when all of the systems have been developed and are operational. Once these elements have been put into place, the EU and Liberia will commission an evaluation of the system against the set of criteria contained in Annex VI of the VPA to ensure that it provides a credible guarantee of legality. When the system is found to provide this guarantee, FLEGT Licensing can commence.

It is in the interest of both Liberia and the EU to try and get the FLEGT licensing system implemented as soon as possible. According to the plan that has been developed as part of the VPA, Liberia is expecting that the system can be fully operational and issuing licenses by 2014. From that point, only FLEGT-licensed timber will be exported from Liberia. The licensing system for the domestic market will be phased in later.

25. How will proper verification of forest activities be ensured?

As the LAS will broaden and strengthen verification and control of existing systems, new structures will be created to ensure proper implementation. Liberia will put in place a verification body within the Forestry Development Authority called the Liberia Verification Department (LVD). This department will ensure that all legal requirements are fully complied with by contract holders prior to issuance of a FLEGT license. In addition, a Liberia Licensing Department (LLD) will be created as the authority to issue licenses for each timber consignment leaving Liberia. The LAS will be routinely checked by an independent auditor to ensure function, efficiency, strengthening further control and credibility of the system.

26. Who pays for the Legality Assurance System of the VPA?

In addition to budgetary support from the Government, Liberia will seek support from development partners to help build capacities and upgrade control systems.

MONITORING AND FOLLOW UP

27. How will the implementation of the Agreement be monitored?

The VPA establishes a Joint Implementation Committee (JIC) to allow the two parties to jointly monitor and review VPA implementation. Liberia and the EU each nominate their own representatives to the JIC. The JIC will ensure effective implementation of the Agreement by means of dialogue and exchange of information. The JIC will report annually on progress, trade volume with respect to FLEGT licensed product, and complaints arising there from. In addition, the VPA puts in place an independent auditor to audit the effectiveness of the FLEGT License scheme as well as the Legality Assurance System which serves as the foundation of the VPA.

28. Who will do independent monitoring and how often will it be carried out?

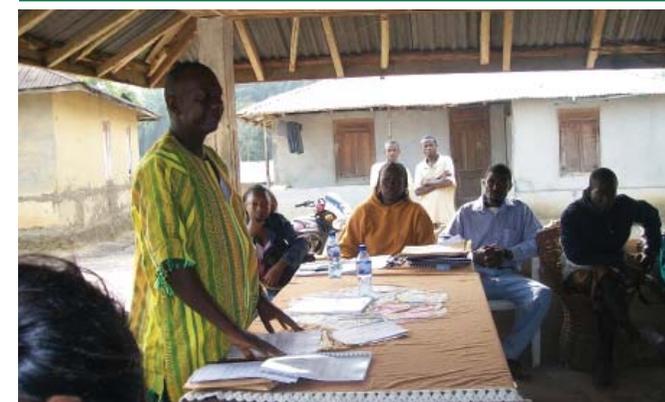
In addition to the monitoring of VPA implementation by the JIC, and of the LAS by an Independent Auditor, the VPA also encourages monitoring of forest governance by independent observers, particularly civil society.

In order to ensure efficient and sustainable forest management, independent monitoring of the forestry sector will be encouraged. Reports produced by independent monitors may be shared with the LVD, the national stakeholder committee, the independent auditor, and/or the JIC.

29. How are stakeholders involved in the VPA following implementation?

Liberia will establish a National Stakeholder Committee for Monitoring Implementation of the VPA to ensure stakeholder involvement throughout implementation. The committee will be served by representatives from government agencies, private sector, civil society and communities. As was done during negotiation of the VPA with the multi-stakeholder Steering Committee that provided strategic direction and oversight, stakeholders will continue to be engaged through a new National Stakeholder Committee structure.

*Image credit:
Liberia VPA Secretariat
Presenting the legality
definition at a community
consultation event*



30. How will the public be updated on progress and challenges with VPA implementation?

The JIC will establish reporting and review mechanisms. These will include details on the quantities of timber products exported to the EU under the licensing scheme, actions taken to prevent illegally- produced timber products being exported to non-EU markets or traded on the domestic market, and progress in the achievement of the time-bound actions in the Agreement.

Liberia and the EU agreed to maximise the transparency of information with respect to VPA implementation and performance. In practice this means that the proceedings of the JIC, as well as the annual report outlining progress, and the results of monitoring and evaluation processes will be made public.

In addition, Liberia is developing a national communication strategy to ensure the public at large is informed about the VPA. This will build from and complement the transparency measures outlined in the Agreement to ensure forest related information is made available to the public.

31. How can I get a copy of the Agreement?

The text of the agreement, including annexes, will be publicly available following ratification by the two parties. It will be published in the official journal of the European Union and will also be available on the Commission's website and that of the Government of Liberia.

32. What is the duration of the Agreement?

The Agreement will last as long as Liberia and the EU remain committed to adhering to the terms of the agreement and as long as there is no breach that may be injurious to either of the parties.

*Image credit:
Jeff Haskins/BurnessGlobal
Marking logs for tracking
in the electronic traceability
system in River Cess,
Liberia*

