

**Voluntary Partnership Agreement on Forest Law Enforcement, Governance  
and Trade (VPA-FLEGT) between Viet Nam and the European Union**

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**SECOND MEETING OF THE JOINT PREPARATION COMMITTEE (JPC-2)**

**AIDE MEMOIRE**

**Ha Noi, 8 March, 2019**

**Introduction**

1. The second meeting of the Joint Preparation Committee (JPC-2) to oversee implementation of the Voluntary Partnership Agreement on FLEGT between Viet Nam and the European Union (EU) took place in Ha Noi on 8 March, 2019. The JPC meeting was co-chaired by Dr Ha Cong Tuan, Vice Minister of the Ministry of Agriculture and Rural Development (MARD), and Mr Bruno Angelet, Ambassador – Head of the European Union Delegation to Viet Nam.
2. On the Viet Nam side, the meeting was attended by representatives from the Ministry of Foreign Affairs, Ministry of Justice, Ministry of Industry and Trade, the General Department of Customs, the Ministry of Agriculture and Rural Development and the Vietnam Administration of Forestry (VNFOREST). On the EU side, the meeting was attended by representatives of the EU Delegation and the Directorate General on Environment of the European Commission, together with representatives of Member States in Viet Nam and the EU FLEGT Facility. Participants also included representatives from the Viet Nam Timber and Forest Products Association, the Centre for Education and Development, and the Centre for Sustainable Rural Development. The list of participants is attached as Annex 1 to this Aide Memoire.
3. The JPC meeting was preceded by a Joint Expert Meeting (JEM) held on 6-7 March 2019, and by a meeting of the Multi-Stakeholder Core Group held on 5 March 2019.

**Overall Progress**

4. The parties reviewed the progress which has been made on initial implementation of the Agreement since the first meeting of the Joint Preparation Committee (in November 2017) according to the Strategic Tasks and Milestones in the Joint Implementation Framework (JIF).
5. It was noted that good progress has been maintained towards ratification of the VPA. Following the signing of the Agreement which took place in Brussels in October 2018, both parties have made important steps for fulfilment of the ratification process. It is expected that ratification by the Government of Viet Nam, and by the European Parliament and Council, will be approved within Quarter II, with entry-into-force of the Agreement in Quarter III of

2019. The EU recalled the important role of the European Parliament will continue in the implementation phase.

### **Establishment of the Joint Implementation Committee**

6. The parties agreed that, following ratification and entry-into-force of the Agreement, the parties will work towards establishing the Joint Implementation Committee (JIC) by the end of 2019. Preparatory steps for this will include finalizing the Rules of Procedure for the JIC, and detailed arbitration procedures for the Agreement, both of which will be presented to the first meeting of the JIC. It was also agreed that the First Annual Report of the JIC, which will cover the calendar-year from January to December 2019, will be prepared by the end of Quarter II 2020.

### **Preparation of legal documents for implementation of VNTLAS**

7. The parties reviewed the status of the activities and schedule for preparation of legal documents and establishment of the Viet Nam Timber Legality Assurance System (VNTLAS) and FLEGT Licensing Scheme. This will include preparation of a Government-level Decree on VNTLAS in line with the new Law on Forestry which came into effect in January 2019 and the commitments made in the VPA. The VNTLAS Decree is scheduled to be prepared during 2019 and will be submitted for approval by the end of the year (see Annex 2).
8. Both parties agreed that the process of developing the VNTLAS Decree should be open and transparent, with effective stakeholder consultations and technical support. It was also agreed that both parties should maintain close communication with each other on preparation of the VNTLAS Decree, to ensure the best possible outcome and quality of the Decree, in accordance with the jointly agreed Roadmap in Annex 2.

### **Multi-Stakeholder Implementation Core Group**

9. The JPC received a presentation on the activities of the Multi-Stakeholder Core Group, made by the current Co-Chair of the Core Group – the Viet Nam Timber and Forest Products Association. Since its establishment in October 2017, the Core Group has held five meetings, and it currently has 34 member organisations. Suggestions were made in the presentation on ways to enhance the effectiveness of the Core Group activities and the co-chair arrangements.
10. Four issues were raised by the Core Group for consideration by the JPC: (i) mechanisms for the Core Group to participate in preparation of the VNTLAS legal documents; (ii) a proposal to the JPC to endorse an assignment to prepare a framework for VPA-FLEGT monitoring and evaluation; (iii) a proposal to organize a “Vietnam FLEGT Day” on the occasion of the

60<sup>th</sup> anniversary of Viet Nam forestry sector in 2019; and (iv) a proposal to the EU to strengthen communications on the VPA for the enterprise community in the EU.

11. The parties highly appreciated the contribution of the activities of the Multi-Stakeholder Core Group. It was stressed that the Core Group is an important initiative, and is a good model for stakeholder engagement with representation from both domestic and international organisations. Both parties expressed their expectation that the Core Group should to continue to be proactive in the process of VPA implementation, including providing inputs to the formulation of the VNTLAS and in VPA monitoring and evaluation in future.

### **Preparation of Framework for VPA Monitoring and Evaluation**

12. The parties reviewed and agreed to continue working on the Terms of Reference for an assignment to prepare a Framework for VPA Monitoring and Evaluation. This Framework will elaborate the approach to VPA Impact Monitoring, as well as other elements of VPA monitoring and evaluation, and will be prepared through a process of consultation in order to ensure that it meets the expectations of the Government, the EU and other stakeholder groups that will be involved in monitoring VPA implementation. The Framework will be prepared during 2019 with guidance from the Joint Expert Meeting (JEM) and the Multi-Stakeholder Core Group.

### **VPA information and communication activities**

13. The parties agreed on the importance of strengthening information and communication activities around VPA implementation, and that the two sides should work closely on this to ensure that effective information is provided for all stakeholder groups. This will include a new project that will begin in Quarter II of 2019, which will prepare a communications strategy and will provide coordinated support for communication activities and for implementation of the provisions for public disclosure of information according to VPA Annex VIII.

### **Indicative schedule for ratification of the Agreement and Annual Roadmap**

14. The parties agreed on an indicative Roadmap of priority actions in 2019 including steps for ratification of the Agreement, establishment of the Joint Implementation Committee, and preparation of the VNTLAS legal documents (Annex 2 to this Aide Memoire).

### **Date of the next meeting**

The first meeting of the Joint Implementation Committee is scheduled for November 2019.

## Annex 1. List of participations at JPC-2

No.	Name	Position and Institution
<b>VIET NAM REPRESENTATIVES</b>		
1	H.E. Dr. Ha Cong Tuan	Standing Vice Minister, Ministry of Agriculture and Rural Development (MARD)
2	Mr Nguyen Quoc Tri	Director General, Vietnam Administration of Forestry (VNFOREST)
3	Mr. Pham Van Dien	Deputy Director General, VNFOREST
4	Mr Tran Kim Long	Director, Department of International Cooperation, Ministry of Agriculture and Rural Development
5	Mr Do Trong Kim	Vice Director, Forest Protection Department, VNFOREST
6	Ms Ha Thi Mung	Director, Department of Science, Technology and International Cooperation, VNFOREST
7	Ms Nguyen Tuong Van	Deputy Director, Department of Science, Technology and International Cooperation, VNFOREST
8	Mr Tran Hieu Minh	Deputy Director, Department of Science, Technology and International cooperation, VNFOREST
9	Ms Ha Thi Tuyet Nga	Director, CITES Management Authority, VNFOREST
10	Ms Phan Thanh Hanh	Director, Legal and Inspection Department, VNFOREST
11	Mr Nguyen Van Dien	Vice Director, Department of Forest Development and Production, VNFOREST
12	Mr Tran Ngoc Quan	Vice Director, Department of EU and US Markets, Ministry of Industry and Trade
13	Mr Pham Tuan Long	Head of Office, Department of Import and Export, Ministry of Industry and Trade
14	Ms Dang Mai Chi	Officer, Department of Legislation and International Conventions, Ministry of Foreign Affairs
14	Ms Nguyen Thi Ngung	Officer, Department of International Legal Affairs, Ministry of Justice
16	Mr Vu Le Quang	Vice Director, Department of Customs Supervision and Management, General Department of Customs, Ministry of Finance
17	Ms Pham Lan Trang	Officer, Department of Customs Supervision and Management, General Department of Customs, Ministry of Finance
18	Mr Dang Quang Huy	Officer, Department of International Cooperation, MARD
19	Mr Luu Tien Dat	Officer, Department of Science, Technology and International Cooperation, VNFOREST

20	Mr Thanh Xuan Phuong	Vice Head of Section, Forest Protection Department, VNFOREST
21	Mr Cao Xuan Thanh	Head of Office, Vietnam Timber and Forest Products Association
22	Ms To Kim Lien	Director, Centre for Education and Development
23	Ms Vu Thi Bich Hop	Chairperson, Centre for Sustainable Rural Development
<b>EU REPRESENTATIVES</b>		
24	H.E. Ambassador Bruno Angelet	Head of Delegation, Delegation of the European Union to Vietnam
25	Mr Tom Corrie	Deputy Head of Cooperation, Delegation of the European Union to Vietnam
26	Ms Gordana Topic	Policy Officer, International Forest Issues, Global Multilateral Cooperation, Directorate-General for Environment, European Commission
27	Mr Hoang Thanh	Programme Manager, Cooperation Section, Delegation of the European Union to Vietnam
28	Mr Tim Dawson	FLEGT VPA Expert, EU FLEGT Facility, European Forest Institute (EFI)
29	Ms Le Thi Thu Huong	Programme Officer, Development Cooperation, Embassy of Finland
30	Ms Kirsten Hegener	Director, Programme on Conservation and Sustainable Use of Forest Biodiversity and Ecosystem Services in Vietnam, GIZ (on behalf of German Embassy to Vietnam)
31	Ms Anja Barth	Program Coordinator, Programme on Conservation and Sustainable Use of Forest Biodiversity and Ecosystem Services in Vietnam, GIZ
32	Ms Hoang My Lan	Program Officer, Programme on Conservation and Sustainable Use of Forest Biodiversity and Ecosystem Services in Vietnam, GIZ
<b>SUPPORT TEAM</b>		
33	Mr. Edwin Shanks	VPA Facilitator
34	Mr. Duong Quoc Hung	FLEGT Assistant
35	Mrs. Luong Thi Phuong	Officer, Standing Office for FLEGT and Lacey Act, VNFOREST
36	Mrs. Pham Minh Thu	Officer, Standing Office for FLEGT and Lacey Act, VNFOREST

## Annex 2. Roadmap for 2019

Time	Actions
<b>Quarter I 2019</b>	
March 2019	Expected approval for ratification of Agreement by Government of Vietnam
12 March 2019	Plenary vote by European Union to endorse the Agreement
Mid-March 2019	MARD to establish Drafting Board and Editorial Board to prepare VNTLAS Decree, and draft outline of the VNTLAS Decree
End of March 2019	Finalize Terms of Reference and recruitment of consultants to support preparation of VNTLAS Decree – EFI, GIZ-DFID, including consultant to assess the existing legislation of VN compared to VPA
End of March 2019	Finalize Terms of Reference for assignment to prepare Framework for VPA-FLEGT monitoring and evaluation
End of March 2019	VN and EU to exchange comments on draft Rules of Procedure for Joint Implementation Committee
<b>Quarter II 2019</b>	
End of May – Early June 2019	Expected approval for ratification of Agreement by EU Council (by end May or early June)
April 2019	EU to share written comments on draft outline of VNTLAS Decree
June 2019	First draft VNTLAS Decree prepared (May) and uploading first draft Decree on the Government and MARD web portals for consultation
May 2019	EU to share written comments on first draft VNTLAS Decree before it is uploaded for
End of April	EU to share draft arbitration procedures with VN
	Organize 2 consultation workshops on the draft VNTLAS Decree
<b>Quarter III 2019</b>	
	Expected date for entry into force of the Agreement (on first day of the month after the parties have notified each other on ratification)
	Organize 1 consultation workshop on the draft VNTLAS Decree
<b>Quarter IV 2019</b>	

<b>Time</b>	<b>Actions</b>
	Expected date for establishment of the Joint Implementation Committee (within three months after ratification of the Agreement)
November 2019	Organize the first meeting of JIC
September 2019	EU to share written comments on second draft VNTLAS Decree
October 2019	Complete dossier on VNTLAS Decree and submit to Ministry of Justice for appraisal
November 2019	Finalize the dossier on VNTLAS Decree and submit to Government to consult with Government members on draft Decree
December 2019	Finalize the VNTLAS Decree and submit to the Government for approval
<b>Quarter I 2020</b>	
	Work on drafting first Annual Report of JIC will begin in Quarter I of 2020, to be completed by around May 2020