



COMMUNITY
&
FOREST
PLATFORM

POSITION PAPER

OF THE COMMUNITY AND FOREST PLATFORM ON
THE RENEWAL OF VPA-FLEGT BETWEEN CAMEROON
AND THE EUROPEAN UNION



I. INTRODUCTION

As part of the implementation of the FLEGT¹ Action Plan adopted by the European Commission in 2003, the European Union (EU) has embarked on the negotiation and conclusion of Voluntary Partnership Agreements (VPAs) with timber-producing countries. As a result of the negotiation process which formally started in 2007, the Republic of Cameroon and the EU signed a VPA-FLEGT in October 2010, which entered into force in December 2011 as a result of the respective ratifications and notifications by both parties. The Community and Forest Platform (CFP²), main representative of civil society in the discussions on the VPA-FLEGT process was a major player during the negotiation phase of the Agreement and maintains the same momentum in monitoring the implementation of APV-FLEGT. It should be noted that the commitment of Cameroonian civil society through the forest and community platform in the VPA remains mainly motivated by the consideration of this instrument as an opportunity to effectively advance the rights of communities and governance in the forest sector.

After six (6) years of implementation of APV-FLEGT in Cameroon, the effectiveness and genuine efficiency of this Agreement in combating illegal logging and strengthening forest governance are appreciated differently by both parties³. Given this situation coupled with the possibility of non-renewal and even simple denunciation of the Agreement by one of the parties, the CFP, with a view to contributing to the debate on the future of the VPA-FLEGT in Cameroon, analyzed the effectiveness of the implementation of this Agreement⁴.

Considering the appreciable achievements and the huge challenges still to be faced in the dynamics of FLEGT, the CFP platform reaffirms its support for the continuation of the VPA-FLEGT process in Cameroon, while inviting parties to take necessary measures to address these challenges which represent the necessary conditions for the integrated and effective implementation of the VPA-FLEGT between Cameroon and the EU.

¹ FLEGT (Forest Law Enforcement Governance and Trade)

² The Community and Forest Platform (CFP) is a platform of about forty Cameroonian Civil Society Organizations (CSOs) active in the forest sector and related fields and representative of dense and humid forest regions of Cameroon. Previously called the European Community Forest Platform (ECFP), since it was set up in July 2002 with the aim of ensuring that the European Commission's aid has a positive impact on forests and their populations, the new name Community & Forest Platform (CFP) was adopted at the plenary assembly of August 2014, to reflect more the dynamics of intervention of the platform and its membership.

³ Article 27 of the APV-FLEGT between Cameroon and the EU provides that: "With effect from its entry into force, this Agreement shall remain in force for a period of seven years, and shall be renewable by tacit agreement between the Parties for periods of the same length, unless one Party terminates this Agreement by notifying the other Party of its decision at least twelve months before expiry of the period under way"

⁴ This evaluation and the present position paper is in line with that published by the CFP platform in 2015 for its contribution to the revision of the FLEGT action plan.





II. ACHIEVEMENTS TO BE CONSOLIDATED

The FLEGT process has led to important achievements/gains that need to be consolidated in the path of legality and good forest governance in Cameroon, notwithstanding the fact that an effective reinforcement of the security of communities' substantial rights and the effective and optimal stakeholder involvement in forest management decision-making still have to be improved.

- **VPA-FLEGT: tool to improve forest transparency in Cameroon**

The Agreement enshrined the legal obligation to publish forest sector information, thus strengthening the legal framework for the right to information in Cameroon. Annex VII of the VPA also specifies the list of information to be made public.

Through regular assessments of the level of implementation of the requirements of the Agreement on information to be made public by civil society and other actors, the Government of Cameroon has made operational a website dedicated to the publication of the listed information in Annex VII

(<http://apvcameroun.cm/>).

Although the level of publication of information on the VPA site is currently considered satisfactory, it remains the responsibility of the administration on one hand, to finalize the making available of information online and the regular updating of information in the website on the one hand, and making them accessible locally on the other.

- **VPA-FLEGT: Tool to promote the participation of communities and civil society in the forest management process in Cameroon**

The involvement of communities and civil society in the forest management process has been enhanced by the VPA-FLEGT process, in particular, the forest reform process, the development of the VPA monitoring framework, forestry monitoring activities through the External Independent Observation and in the monitoring bodies for the implementation of the Agreement, (National Monitoring Committee).

Although this participation still has to be improved, it has to be acknowledged that it opened up the discussion on strong concerns about the rights of local and indigenous communities, the legality of forestry activities and governance.

- **VPA-FLEGT: important lever which has made it possible to take better account of the rights of communities**

In the overall dynamic of advocating the restoration of the share of the Annual Forest Royalty (AFR⁵) given directly to indigenous communities, presentations and discussions initiated by CFP on the issue within the National Monitoring Committee of the VPA served as a framework for advocacy within the Committee (Parliament, Prime Minister's Office, and Administration in charge of Finance). The recent reallocation of a portion of the AFR (6.75%) by the 2017 Finance Law can be considered as some progress made and an opening for further advocacy for the complete restoration of the 10% of the AFR directly to the communities.

The concerns of communities which manage forests, on the complexity and high costs of conducting Environmental Impact Studies for forests of this nature, raised by CFP and the representative of the community forests and indigenous populations at the CNS led to the dynamics of revising the regulatory framework on environmental assessments that now place community forests under the Environmental Impact Notices.

⁵ The Finance Law and implementation instruments for the 2015 and 2016 financial years removed the 10% of the AFR allocated to the indigenous communities.



III. CHALLENGES TO OVERCOME

In order to ensure the effective implementation of the VPA-FLEGT, the CFP platform strongly recommends that the parties to the Agreement take necessary steps to address the following main challenges:

- **Effectiveness and operationality of SIGIF II**

Repeated delays in the development and operationalization of the key assurance tool for verifying legality suggest that the problem goes beyond mere technical capacity and is hampered by possible political bottlenecks.

In view of this situation, the parties to the Agreement should take firm measures to ensure the effective finalization of SIGIF II (**Computerized Second Generation Forest Information Management System**) while ensuring that the system is reliable, efficient and effective.

- **Strengthening the securing of substantive rights of indigenous and local communities**

The effective securing of substantial community rights is a key area of interest of the platform in its commitment to the FLEGT process. In this respect, an important step was marked by the inclusion of legal reform related to the forestry sector (forest, land, mines, etc.) in the timetable for the implementation of the Agreement with relevant actions representing real opportunities for advancing the rights of communities.

However, these reforms are carried out in an inharmonious manner and weak connection with the demands on the taking into account of the rights of the communities, enshrined in the international legal instruments duly ratified by Cameroon.

The Government and Parliament of Cameroon should thus ensure greater coherence between the various legal reform processes underway and ensure the effective internalisation of the relevant provisions of the international legal instruments on the rights of communities and governance.

- **Taking into account gender specificity in the implementation of VPA-FLEGT**

The role of women is paramount in the management of forest resources in Cameroon. Provisions for taking into account their specificities in forest management are effective in some forest management processes and decision-making bodies at local level.

Gender mainstreaming throughout the VPA implementation process is needed in improving forest governance.

- **Forest conversion timber**

The Government of Cameroon has succeeded in incorporating into the VPA implementation agenda the issue of conversion timber following the advocacy of civil society. In addition, the evaluation of the FLEGT Action Plan formally recognizes forest conversion as a new challenge to be addressed by FLEGT⁶. However, appropriate solutions are still needed to overcome remedy this situation.

In order to ensure the credibility of the VPA in the context of development projects leading to conversions of forest lands in Cameroon, the Cameroonian side should, among other things, ensure transparency and legality in the allocation and exploitation processes of timber, and also put in place integrated and coherent land-use mechanisms. The European side, for its part, will have to

.....
⁶ TERA, 2016. *Evaluation of FLEGT Action Plan 2004-2014. Final Report, Volume I, April 2017.*





take appropriate measures to ensure that the credibility of the VPA-FLEGT is not undermined by the problem of timber resulting from forest conversion.

- ***Movement of timber trade to less demanding markets for legality and forest governance***

Demand and significant changes in illegal drivers, may among other factors, induce the movement of illegal logging activities and associated trade in timber and timber products⁷. For example, China is now one of the main importers of tropical timber. Between 2009 and 2014, some 2,586,282 m³ of forest products were exported from Cameroon to China - including logs, sawn timber and others - accounting for about 85% of these exports on average per year⁸. However, there is currently no binding mechanism to ensure the legality of timber and derived products between China and producing countries.

The Cameroon side should ensure strict compliance with Article 9 (3) of VPA-FLEGT in the context of trade with China and other countries outside the EU, which requires verification of the legality of timber and derived products exported to markets outside the EU, sold on domestic markets imported timber and derived products. The EU should also provide, in addition to the existing bilateral cooperation mechanism between the EU and China on the FLEG, the establishment of effective instruments against illegal logging and trade with China.

- ***Paradigm shift in the perception and acceptance by the administration of the participation of communities and civil society in forest management***

FLEGT has undoubtedly enabled communities and civil society to have a place around the discussion table on issues related to forest management. However, it still struggles to ensure that such participation actually influences the process of making certain decisions.

The content of the participation promoted by the administration remains limited to information, consultation, involvement, and to some extent collaboration. Nevertheless, the range of effective influence of decision-making remains difficult to reach. Positions that are contradictory to those of the administration, although legitimate, are sometimes subject to recriminations and reticence. Indeed, the fact for civil society and communities to participate during discussions remains an undeniable achievement of FLEGT. However, the inclusion in the final decisions of the proposals of this category of actors is the guarantee of an effective participation capable of meeting their expectations.

- ***Intersectoral coordination***

The implementation of the VPA by the Cameroonian side has a problem of intersectoral coordination at both central and local levels. As a consequence of this poor coherence, several problems persist, such as overlapping exploitation titles of natural resources, poor harmony in the conduct of reform processes in the various productive sectors (mines, forests, land, etc.).

The Government of Cameroon should ensure the establishment of mechanisms to ensure effective State coordination of the FLEGT process.

Adopted during the workshop of the CFP platform of 24 January 2017 in Mbalmayo

⁷ Daniela Kleinschmit, Stephanie Mansourian, Christoph Wildburger & Andre Purret (eds.), 2016. *Illegal Logging and Related Timber Trade – Dimensions, Drivers, Impacts and Responses. A Global Scientific Rapid Response Assessment Report. IUFRO World Series Volume 35.* Vienna. 148 p.

⁸ Kamkuimo Patrice and James Mayers. 2015. *Status and issues of Chinese investments in forest land in Cameroon. Country briefing, IIED, June 2015.*





IV. LIST OF SIGNATORY ORGANIZATIONS:

AAFEBEN, ADD, ADEBAGO, ADEBAKA, ABAGUENI, ABAWOMI, AFDECDH, AJESH, APED, APRIATE, ASBAK, ASTRADHE, BACUDA, CADER, CAFER, CAFT, CAJAD, Cam-Eco, CARFAD, CeDLA, CED, CEFAID, CENDEP, CERUT, CEPFILDIEFE, CEW, CRADIF, COMINSUD, FCTV, FAJOID, FODER, GDA, NATURE CAMEROON, OCBB, ONED, OKANI, PAPEL, PERAD, PLANET Survey, RO-CAME, RUDEC, SAILD

Community & Forest Platform, (CFP)

E-mail : plateformecfp@gmail.com

Blog CFP: <https://plateformecfp.wordpress.com>

Coordination CFP : Centre for Environnement and Development (CED)

167, Rue 115 Etoa-Méki / BP 3430 Yaoundé

Tel.: +237 243 621 833 ; +237 699 807 666



European Union



UKaid
from the British people

This document was produced thanks to the financial support of the EU through the framework of the project “Tackling deforestation through linking FLEGT and REDD +” (LFR project) implemented by fern and partners (FODER in Cameroon SDI in Liberia, FGDH and Azur Développement in Congo and Civil Response in Ghana).

However, the content and opinions expressed in this document are those of the Community and Forest Platform (CFP) and do not necessarily reflect the official policies and opinions of the EU and DFID as well as the technical partners of the project.

