



**Report of the
regional seminar
Emerging legality
requirements in the timber
sector of Suriname**

28-29 November 2013, Paramaribo, Suriname



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The contents of this report can in no way be taken to reflect the views of the European Union or other participating organisations.

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Tropenbos International, July 2014



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Venue: Courtyard by Marriott Hotel.

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Acronyms

CBI	Centre for the Promotion of Imports from Developing Countries
CSM	Chainsaw milling
ETFRN	European Tropical Forest Research Network
EUTR	EU Timber regulation
FLEGT	Forest, Law, Enforcement and Trade
FORIG	Forestry Research Institute of Ghana
FPA	Forest Products Association of Guyana
FSC	Forest Stewardship Council
GFC	Guyana Forestry Commission
HKV	Timber cutting licence (Suriname)
MRV	Measurement Reporting and Verification
MSD	Multi-Stakeholder Dialogue
MTC	Malaysian Timber Council
NIMOS	National Institute for Environment and Development in Suriname
NTC	National Toshiacs Council
NTFP	Non-timber Forest Products
NTWG	National Technical Working Group
PHS	Platform Houtsector Suriname
REDD+	Reducing Emissions for Deforestation and Degradation and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks
RO	Ministry of Regional Development
RPP	Readiness Preparation Proposal
SBB	Foundation for Forest Management and Production Control (Suriname)
SFP	State Forest Permissions (Guyana)
TBI	Tropenbos International
TSA	Timber Sales Agreement (Guyana)
VLC	Verified Legal Certified
VLO	Verified Legal Origin
VPA	Voluntary Partnership Agreement

Introduction

Illegal logging has a devastating impact on forests throughout the world and on the people who live in and depend on these forests. Between €25 and 75 billion in illegal timber is traded every year, with a loss of tax revenue of around €10 billion to the governments concerned. Several initiatives have emerged that put market requirements on the legality verification of timber products, particularly the EU's Forest Law Enforcement, Governance and Trade (FLEGT) Action Plan and the US Lacey Act.

The FLEGT Action Plan supports countries in producing legally verified timber through Voluntary Partnership Agreements (VPAs) and bans illegal timber from the EU market through the EU Timber Regulation. This regulation came into force in March 2013. The Lacey Act of the USA also prohibits the trade in timber which is illegal according to the laws of the country from which it is sourced. In effect since May 2008, the Lacey Act is aimed at individuals and companies that handle plant products, including timber, paper and other forest products, and makes it mandatory to provide import declarations with details of the country of harvest and the species name of the plants contained in the product.

Timber-producing countries in the tropical regions struggle to provide legally verified lumber. Tropenbos International (TBI) is supporting producer countries in finding new ways to assist the forest sector in supplying legal lumber to the market. Through multi-stakeholder dialogue TBI together with its partners, engages stakeholders in developing solutions for legal and sustainable domestic lumber supply in Ghana and Guyana.

Suriname

Suriname is committed to the sustainable management of its forests and to support economic growth in the timber sector. In March 2013 the country got its REDD+ readiness preparation proposal (RPP) approved by the Forest Carbon Partnership Facility of the World Bank. REDD+ promotes the implementation of sustainable forest management and is expected to build in extra safeguards against illegal logging as part of the monitoring process of the areas assigned to the carbon credit schemes. Suriname is currently not engaged in discussions on legal timber trade with the EU, but its timber export trade will be affected by the emerging legality requirements. In order to maintain long term access to and benefits from international markets, actors in the Surinamese timber trade need to build their knowledge and capacity to meet the high international standards. There is an urgent need for awareness raising, information sharing and capacity building in government institutions, private companies and local communities, to be capable of coping with the new developments.

Objectives

This seminar had the following objectives:

1. To create an in-country space for discussion and open exchange of ideas, experiences and research
2. To increase the knowledge of actors in the Surinamese timber sector on emerging legality requirements, specifically on the EU FLEGT Action Plan and the Lacey Act
3. To share TBI's experiences in addressing governance issues in the sector from Guyana and/or Ghana
4. To assess/discuss/identify the possible impacts of legality requirements on the timber trade in Suriname and to develop an understanding on how to address these impacts.

Report

The highlights of the discussions are captured in this section. Chatham House rules were applied at the seminar, therefore speakers are not quoted in this report. The presentations of the seminar are available on the website of Tropenbos International:

<http://www.tropenbos.org/news/suriname+in+good+position+to+address+emerging+tinber+legality+requirements>.

Day 1 – Thursday 28 November

Session 1: Setting the stage: international trade requirements

Moderator: Andrew Sutherland (the IDLGroup)

Presentations:

- Trends in the international timber market (*Ulrich Bick, the Institute for World Forestry*)
- What has been developed to address these trends? (*Adrian Whiteman, FAO*)
- What does this mean for the industry (and other stakeholders)? (*Wim Hup, GWZ*)

Discussion:

Suriname still has a lot of forests: 94% of the country's surface. So, how would you value the control system for forest management in Suriname? And who commits the criminal offense: the importer, exporter or concessionaire?

Requirements in the FLEGT approach concern the legality in the producing countries. Forest managers should follow the laws and regulations within the producing country. If you produce in line with the laws and regulations in the country, there is no problem. Therefore the definition of legality is important. With regard to the EUTR: the first placer on the European market is responsible for verifying the legality of the wood. With regard to the Lacey Act: any person in the supply chain, esp. in the US, is responsible.

The log tracking system of SBB is pretty good compared to other log tracking systems from all over the world. However, this personal observation does not matter. It is the trader, the first placer on the market, who needs to judge under its Due Diligence system whether the system in Suriname is reliable enough.

For the understanding of local actors: FLEGT VPA is being presented as illegal vs legal. If the timber is not legally verified, it could be considered an act of crime: emotions and miscommunications are starting from there. EUTR is EU law, so not voluntary. Even though responsibility is with the importer as the first placer on the EU-market, the problem remains with the producers in the tropical countries. What is voluntary? As soon as you sign a FLEGT VPA (Voluntary Partnership Agreement), the whole voluntary character is gone. Clarification of the initiatives is needed to avoid misunderstandings.

FLEGT VPA provides a framework that needs further discussion: would it be interesting for Suriname to enter into a VPA with the EU? This option should be discussed with all stakeholders within the sector. A Dutch company has assisted one Surinamese company to comply with the legality requirements: what about other companies who would also like to have access to the EU market?

Within the FLEGT Action Plan, the EU supports producing countries to produce legal timber. Any efforts from Australia and US in support of their legislation?

Australian legislation has just passed. Australia has little tropical imports and focuses more on the Pacific region. Australian aid is already providing a lot of assistance, but this aid is limited to the Pacific. The US has provided some assistance, limited to US major timber importers (major trade interest). The EU is the traditional source of support for ACP-countries.

Why were stakeholders not involved in developing the FLEGT Action Plan?

More than a decade ago, there was a lot of discussion about legality and sustainability in Europe which created confusion in the market. The FLEGT Action Plan filled a gap. Overall the private sector in the EU welcomed FLEGT, because it was creating a level playing field. When the FLEGT Action was prepared there was a stakeholder process in Europe as for any regulation in Europe. Every country seconded a timber trading representative to the EU to work on this. The options were: legal tropical imports or no tropical imports. Industry was in favour of the legal option.

FLEGT VPA-negotiations are bilateral. Basic requirement is to establish a definition of legality and the development of a legal framework. Stakeholder consultations are necessary to develop this.

There has been a decline in tropical timber imports into the EU: what is the reason for this?

There are various reasons, but the recent economic recession that hit the EU severely is the main reason for this decline. The EUTR also created some uncertainty about what timber could be sourced. Governments in the EU were not comfortable to procure tropical timber in big projects and reverted to procuring alternatives, e.g. timber from temperate regions and composites. The promotion of locally produced timbers (within the EU) is also better for the national economy. On top of that FSC has also been discredited in the market.

Suriname's export volume to the EU is limited, the majority goes to China for manufacturing. How does the Chinese wood processing sector react? And is China prepared to support Suriname in upgrading its systems?

It is difficult to say something on behalf of the Chinese. Bilateral discussions between EU and China are on-going. Of course you could ask China (the Chinese traders) for technical assistance. But if the timber is destined for the Chinese domestic market, the interest will be less to support (no production requirements for that market).

What does the EU consider 'conflict timber': does it include economic, social and environmental conflicts? In some countries there is social conflict when it comes to indigenous territories and state-owned land.

This is captured in the FLEGT Action Plan (2003). It is very specific: timber is considered conflict timber when timber revenues are used for funding war. E.g. Liberia encountered sanctions because timber trade was used to finance the local war.

The VPA covers three products: logs, sawn wood and plywood. Why is it limited to these?

This is the minimum to be included, individual producing countries can add extra products voluntarily. Example of Ghana: inclusion of all wood products, including timber traded domestically. FLEGT Action Plan is a lot older than EUTR, that's why the latter is broader.

The FLEGT Action Plan has been adopted by the EU: has it been implemented and since when? Is it replacing FSC?

FSC-requirements refer to sustainable forest management. EUTR is asking for verification of legal compliance. FSC can be used in the Due Diligence systems of traders as a proof that the timber has

been produced legally. There are on-going discussions in Europe that FSC would not satisfy EUTR requirements. FSC-standards are being adapted to address this. FSC requirements (sustainability) are much higher than EUTR (legality).

How to proof legal origin in non-VPA-countries? Would it be possible to have requirements below VPA-level?

In non-VPA countries legality verification or sustainability certification has been recognised as the best guarantee for an operator to proof the legality within the framework of the EUTR. Due Diligence needs to be exercised within the supply chains, with or without VPA-processes.

With an FSC-certificate: can you apply to FLEGT to get approval?

FSC is a business to business process, no possibility to apply to FLEGT. FLEGT is not an institution. Operators need to demonstrate evidence that timber comes from a legal source (due diligence).

Is a government (in Suriname SBB) certificate enough for the EUTR?

The GFC-certificate from Guyana is not an official certificate. But it gives some trust to clients, but it is not a document that could replace third party certification. SBB-certificate is a document of origin, but not (yet) accepted on the FLEGT-level.

Session Two: Experiences from Suriname

Moderator: Sietze van Dijk

Presentations

- Private sector views on FLEGT/ EUTR (*Radjen Baldew, ASHU*)
- Private sector views on timber legality requirements (*Benito Chin Ten Fung, PHS*)
- Civil society views on timber legality requirements (*Rudi van Kantén, TBI Suriname*)

Summary of speech of Benito Chin Ten Fung (PHS)

Suriname has 95% forest cover of which 25% is destined for timber production. So far 10% of the total forest has been issued as forest concessions or community forestry. The government has a reasonable vision about the sustainable management of the forest: 75% of the forests has been reserved and protected. Current production is 300,000 m³ per year, coming from 1% of the production forests. The SBB-control system has been developed 15 years ago with support from the FAO. In theory all timber from the forests is already 'verified legal'. Wood is being controlled in the forest, in transport, in the mill and finally in the port. The Surinamese government has decided some 60 years ago that wood is black-listed, together with drugs and weapons. The purpose of this black-list was that one would need a permit to trade in it.

Suriname has a history of forest protection. The good Forest Law of Suriname, the permit system, the low timber production volume, and the strict controls at crucial points in the supply chain create favourable conditions for the verification of legal production of Surinamese timber. PHS supports and facilitates SBB's control. Some 7-8 years ago PHS, together with SBB, has already attempted to introduce FLEGT in Suriname. With the coming into force of the EUTR the whole discussion has become relevant again. Although the system in Suriname is good, in reality we need to overcome some barriers, especially for small operators in Suriname. FLEGT VPA is a bilateral agreement between governments, the implementation of the EUTR has consequences for company to company. It would be good if the Surinamese government would start a FLEGT VPA to overcome the challenges the EUTR poses to small scale operators.

SBB has a good log tracking system, there is a low production and a good legislative and regulatory system. This is a good basis for starting VPA negotiations so that business with Europe can be maintained. Maybe it would be an idea to have the SBB-tracking system independently audited so that through this acknowledged system, small operators can get access to the European market?

FLEGT poses many challenges and barriers to the timber sector, especially to small operators. It would be fair if a stepwise approach would be adopted so that (small) operators can gradually prepare themselves and be supported in the necessary changes and even rewarded for the steps they undertake instead of suffering from not being able to meet the strict regulations of this new initiative.

Discussion:

How can we take advantage of a relatively well organised sector to address the requirements of EUTR and all other initiatives?

The question is of course: are we (in Suriname) so well organised? The sector needs a dialogue to come to effective solutions. This dialogue should not only involve the private sector and government, but also community organisations and other stakeholders. This way we would reach better results.

And what is the level of organisation at the moment? The control by the government is well organised. But not all actors in the private sector are well organised: it is difficult to get everyone around the table (entrance of new players). A dialogue was started eight years ago, but was not continued. Commitment is needed to address this issue with all actors. SBB indicates that discussions will start soon, including all stakeholders.

The Malaysia Timber Council (MTC) and the Indonesian government are in discussion with EU about accepting their certification schemes before signing the VPA. Would it be an option for Suriname as well to design its own certification scheme addressing the legality requirements and have this accepted by the EU?

SBB suggests to conduct a gap analysis on its control system to identify the weaknesses, to check the compliance with the EUTR and identify where adaptations are necessary.

SBB's control system is considered quite tight. Could it be that the stated 5-10% of illegal logging in Suriname is too high?

Even for SBB it is impossible to control up to 100%: every system has its flaws. Illegality is also difficult to assess: it is not recorded. It has been observed that illegal logging occurs more where Lucas mills are located close to communities. SBB is doing its best to minimise illegal logging. However, there will always be people trying to bypass the SBB system, even though there are officers in the field taking action. It would be interesting to have a better insight in the extent of illegal logging.

Before a country can issue FLEGT-licences, a country first needs to negotiate and sign a VPA. This is a long process. How is the political climate in Suriname for starting a VPA? There have been concerns that a VPA is more of a colonial approach from Europe.

The good tracking system already in place in Suriname is a big advantage. Suriname has a history of forest protection and the sector is well organised. So the right ingredients are present to engage in a VPA. It is not so much the question what politicians want to do, but if we want to support local producers to be able to access markets. If there is also a risk to lose access to markets, it's an obligation of the government to do something about that.

How are logs coming from SFPs¹ and Amerindian lands in Guyana distinguished from each other?

In Guyana's tracing system, the different areas have their own unique number placed in the barcode. Based on that number, the product can be traced back.

In Suriname indigenous peoples and Maroons have tenure rights, but legal land rights still need to be addressed. Maroons and indigenous peoples are entitled to community forests where they can harvest trees and NTFPs. These forests belong to the community. The HKV (timber cutting licences) are granted in the name of the captain, but plans are to change that to the whole community in the form of Community Forest Concessions.

How is the participation of indigenous peoples in granting community forest concessions on indigenous lands organised? Does their own indigenous governance system play a role in the monitoring of logging activities? Are royalties paid to government for the timber produced by the communities?

Each village in Suriname, Maroon or indigenous, can apply for a community forest concession. It is the village captain who applies for such a concession. Requests should be submitted to the Ministry of Regional Development (RO). If the land is available and the request is approved by RO, a community forest will be granted to the community. For the local consumption of timber no royalties or fees need to be paid, but for commercial purposes this must be paid to the national forest service (SBB). Benefits of the timber traded are for the community. Community members themselves can decide to work in the forest. The Ministry of RO supports them in how to deal with the government, but they have their own operation in the forest.

Sleeping concessions are not producing. Are they included in the REDD+ Readiness Preparation Proposal (RPP)?

Retraction of sleeping concessions is quite difficult. In the retraction process it needs to be explained why this is necessary. First the concession holder has to be notified. If the concession holder sends a valid response stating why they have not been producing, extra time is granted to allow the concessionaire to overcome the barriers. After three warnings, the concession can be retracted.

Europe is a relatively small market: most timber from Suriname is exported to Asia and to a much lesser extent, the US. What would be the benefit of starting VPA-negotiations with the EU?

Looking at emerging requirements on various markets, it is necessary to have a long-term focus. Suriname has a good reputation in Europe, but there has been a substantial decrease in exports to the EU. Maybe the demand has diminished at this moment, but there are still opportunities and Suriname should prepare itself for these opportunities in the market. Suriname has a history of trading with Europe. Surinamese businesses know the market, clients, language, paying habit, etc.. All the present regulations do not make trading easier for the local companies to export to Europe. EU should take responsibility to ease production for and control of its own market. The financial recession followed by regulations has made trading complicated.

¹ State Forest Permissions (SFPs) are areas valid for two years with a maximum of 8,047 ha.

Session Three: Relationship between REDD+ and FLEGT

Moderator: Sam Nketiah. Tropenbos International

Presentations:

- Global links between FLEGT and REDD+ (Marieke Wit, Tropenbos International, ETFRN)
- Ghana REDD+-FLEGT (Emmanuel Marfo, FORIG)
- Guyana REDD+-FLEGT context (Tasreef Khan, GFC)
- Suriname REDD+ context (Cedric Nelom, NIMOS)

Discussion:

Institutionalizing the multi-stakeholder process is something that should be given very serious consideration in all countries- giving the examples it has proven to be very useful. There is an issue when you have temporary institutions and multiple processes running simultaneously on different topics such as REDD+ and FLEGT VPA. In Ghana, civil society haunted the process: was this beneficial to the outcome in the end?

The multi-stakeholder dialogue has proved to be very useful both in terms of structure and culture. In Ghana, the goal of getting involved in a VPA was to achieve good forest governance. Civil society steering the process was good and has set high standards. This is seen as a positive thing. In Ghana, the domestic market is dominated by chainsaw milling, which is illegal. It was said that first must be dealt with illegality in the country. That is why VPA was seen as a measure to support good governance.

There is already discussion on linking FLEGT VPA and REDD+ in terms of agricultural drivers. Doesn't this have the risk of neo-colonialism (Europe dictating how developing countries should produce)? Linking FLEGT VPA and REDD+ in such a fashion could lead to non-desired outcomes.

The intention of applying the FLEGT-approach to agricultural commodities is not coming from neo-colonial thoughts. Research has revealed the high impact of EU's consumption on the world's forest. The EU wants to take its responsibility and reduce this impact. FLEGT also includes supply-side measures: producing countries get support in organising their forest sector.

Guyana's engaging in REDD+ mandated stepping into a FLEGT VPA process. It seems as though the way in which the two have been linked can lead to outcomes that are not necessarily desirable.

With regard to stakeholder consultation, integrating the REDD+ and FLEGT VPA-processes could bring some challenges. In Guyana the stakeholders are starting to get fatigued of too many meetings, too many topics. That is why it was decided to move forward with VPA only when a consultation and communication strategy has been developed, streamlining relevant subjects.

Regarding various requirements of REDD+ and FLEGT VPA: Guyana will be very careful to separate eliminating illegality and promoting sustainability. In defining legality, different indicators will be taken into account and agreed upon by stakeholders. Guyana recognized that REDD+ started addressing land use planning and other areas of governance. RED+ works in Guyana: three REDD+-payments have been received. From these funds capacity was built. If eventually there will be a regular process for REDD+-payments, you will see improvement in various aspects of capacity and forest governance.

Where will Suriname get funding for financing of the REDD+ programme?

The budget for the RPP will come partly from the government and REDD+ will be the market mechanism.

Some argue that the way the REDD+ payments are being set up should be done differently. How much of the money touches the ground (reaches local stakeholders) is another issue.

In Suriname, the land rights of indigenous and tribal communities have not been solved. What is key, is for lands to be recognized in law. In discussing the RPP, this is key.

How much money did Guyana receive under the REDD+-agreement from Norway?

Guyana received US\$ 115 million in 3 payments, used for capacity building in assessing forest cover change and forest carbon monitoring. It has to be noted that the money is paid, but how much money is actually touching the ground is a different issue.

How has the stakeholder consultation enhanced accountability in Ghana? It is recommended that mechanisms should be found to increase the responsiveness and presence of stakeholders in the process. Has anything been done in this regard in Ghana?

Responsiveness and accountability have come up strongly in the consultation process. Ghana has not as yet developed any mechanisms, but there is an effort to harmonize stakeholder processes. Within this context, it is discussed how the essential elements are addressed in practice.

Is there any conflict in implementing the two processes of REDD+ and FLEGT VPA in Guyana?

For the entire process, stakeholder concerns have to be addressed. If there is a conflict, the process will not move forward until concerns have been adequately addressed. The FLEGT VPA process also has to satisfy the EU Commission and stakeholders in Europe. In Guyana a FLEGT VPA roadmap has already been developed.

Day 2 – Friday 29 November

Session 4: Experiences from Guyana

Moderator: Godfrey Marshall (FTCI)

Presentations:

- General introduction on Guyana's VPA (Kenny David, GFC)
- Perspective from the industry on the trends in international timber trade and the FLEGT/VPA-process (Mr. Khalawan, FPA)
- Perspective on the FLEGT process from small-scale producers (Tasleem Drepaul, Community Forestry Associations)
- Amerindian Perspective on the FLEGT process in Guyana (Derrick John, National Toshi Council)
- The multi-stakeholder process in Guyana (Rohini Kerrett, FTCI)

Discussion

Key stakeholders have high expectations of the benefits of the FLEGT VPA in Guyana: how does the GFC manage these expectations?

There is still work to be done to increase the understanding of FLEGT VPA: what it will do for Guyana. We need to understand what the benefits will be and to assess whether these expectations are real. Market access and better pricing are mentioned, but it is uncertain whether this will materialise. The market will be there, but there is no guarantee that Guyanese timber will be accepted. MSD-discussions can be very helpful (discussions with project of Tropenbos International are on-going). National consultations need to be rolled out, a lot more work needs to be done.

In the presentation of the Forest Products Association (FPA) of Guyana, communication was presented as a challenge. Could you reflect on that?

FPA has various groups in its organization. Reaching out to different stakeholder groups is a challenge. FAO-funded project assists to inform stakeholders on what FLEGT VPA is about. A lot of buy-in has been generated through that.

What are the main reasons of the decrease in GY timber exports to the EU?

One of the tangible reasons behind declining exports is the recession. And the sector in itself is still too traditional. Products fit the traditional bills, but the market is changing: we need to adapt. Greenheart was traditionally used in construction works, but that is more and more replaced by concrete.

Is there interest from the side of the Guyanese government to help and promote FSC-certification? If yes: how does the government prevent conflicts with gold mining? Is the forestry sector strong enough to counterbalance that?

Guyana used to have two FSC-certified concessions (Barama and Iwokrama). FSC-certificates have been suspended for various reasons. Now there are two concessions VLO certified and one VLC. GFC is stimulating certification but not specifying a standard. The forest sector is not powerful enough to stand up against mining. Gold mining is bringing in more revenue to the economy, so it has priority in Parliament, etc. The dialogue process and the new Ministry of Natural Resources, combining forestry and mining, might bring solutions.

How has the EU chainsaw milling project supported communities in Guyana?

A lot of skills have been built in the communities in various fields. Capacity has been built in timber-related alternative livelihoods: value adding, furniture, crafts from ntfps, sewing, etc. And stakeholders are also taken to the next level through linking them with markets and preparing business plans to approach financial institutions for support. The project's focus with regard to community development is to facilitate communities in developing alternative livelihoods.

Who initiated the National Tshaos Council (NTC) and how is it organised? NTC is part of the NTWG², as well as another indigenous group: how strong is the voice of the indigenous groups in the NTWG?

The NTC is composed of representatives from each indigenous community. Meetings are held on an annual basis. Every year the NTC elects a new council.

Indigenous groups in Suriname regard themselves as right holders, in Guyana they are referred to as stakeholders. How do indigenous peoples see themselves in Guyana?

Indigenous communities have entitled lands in Guyana: they are right holders. Indigenous groups are also involved in logging: stakeholder in the process.

More clarification is needed on the MSD in Guyana: how does it fit the VPA?

Guyana has a history in participation of stakeholders, but a multi-stakeholder dialogue (MSD) is not part of the culture in Guyana. Institutionalising dialogue in Guyana is one of the project's activities. Managing stakeholder engagement and power issues in the MSD are points of attention. Main strategy has been capacity building of stakeholders at the community, regional and national level. Through the collaboration of the project with Ghana, the Guyanese counterparts have the opportunity to learn from their experiences, e.g. through exchange visits and trainings. The Guyanese stakeholders also encounter capacity issues, e.g. with regard to the skills of negotiation

² The National Technical Working Group (NTWG) of the FLEGT VPA process in Guyana includes representatives from the public sector, the private sector and indigenous groups and monitors the VPA negotiations and participate in VPA consultations.

and conflict management. It is important to improve knowledge of stakeholders through sound information so that stakeholders come well-informed to the table. There have been consultations with communities to prepare them for the dialogue.

GFC is recognizing the MSD-platform which is a first step in institutionalization the whole process. GFC has decided to be involved in the dialogue: consensus from the platform will reassure donors that decisions are informed by all stakeholders.

In Region 7 and 1 there is a lot of gold mining happening. How involved are the indigenous communities in the chainsaw milling project?

There have been regional MSD-meetings in Region 9, 6, 2, and 10 (in 2010). Stakeholders recognise the conflicts between mining and forestry. At the national MSD it will be explored how to resolve these issues. There is a need for a national land use policy.

How are overlapping claims of community land with concessions addressed (case of 2 communities that have proposed land titling which is overlapping a TSA)?

NTC and Ministry of Amerindian Affairs are investigating the issue and look for solutions in consultation with GFC. Reaching out to Amerindian communities and making them aware of the process is a priority.

Good communication is challenging: some stakeholders have expressed the need for slowing down the FLEGT VPA process. 2015 is highly ambitious to address all these huge issues.

Session Five: Experiences from Ghana, Jamaica and Belize

Moderator: James Parker (Tropenbos International Ghana)

Presentations

- Ghana
 - The FLEGT/VPA-process in Ghana (*Alex Boadu, Forestry Commission*)
 - Perspectives from civil society & addressing domestic timber market issues (*Sam Nketiah, TBI Ghana*)
- Belize: *Boris Arevalo, Friends for Conservation and Development*
- Jamaica: *Rainee Oliphant, Forestry Department of Jamaica*

Discussion

At which stage were the Parliamentary bodies involved in Ghana?

Stakeholder discussions brought on board the Parliamentary Commission on lands and forest. Before we came out with a country position there had already been a lot of interaction with this commission.

How did Ghana approach the removal of logs prior to mining activities and how is this recognised under the VPA today?

Salvage permits are part of the allocation of areas for timber harvesting. Salvage permits under the Ghana law can be given out to mining operations and other infrastructural developments (roads and dams). If these permits are granted within the framework of the law, it can be included in the system.

In Jamaica policy has been developed through extensive stakeholder consultation. To what extent was the final document reflective of original positions? Sometimes stakeholder consultation is a symbolic thing to satisfy donors. At the end of the day there is a filtering that takes out important concerns of less powerful stakeholders.

No specific analysis of the process has been done, but by own observation, most recommendations were taken into account. The majority of the concerns of stakeholders was addressed in the policy document. The Jamaican system stimulates consultation: the wider your consultation has been, the better off you are.

Is it possible for loggers to add their production data in the web-based wood tracking system of Ghana?

Loggers can be allowed to put information into the system. The system is being tested, including this aspect: Should the industry submit information itself or should this be restricted to the FC? And how to deal with companies that lack IT-infrastructure? By the end of December 2013 this should be clarified. Industry players have capacity to put information on the system, but some need support.

Some stakeholders were engaged, some informed in the Ghana process. How do you identify that?

In Ghana there has been a lot of stakeholder engagement in the VPA-process. Baseline data was collected on who should be consulted, what platforms should be used and at what point of time. The VPA was looking at people with a direct interest in forest and who would be affected most by VPA measures. Cabinet was informed on what happened with regard to stakeholder consultation. Stakeholder involvement in the policy development process needs to be demonstrated before policy approval by Cabinet.

What have been the techniques to get the message across to local communities in Ghana?

In the Ghana-process a strong coalition of civil society organisations was present. This coalition trained its own staff to reach out to local communities, to do consultations and bring back findings and concerns expressed. These findings and concerns were further discussed and consensus positions distilled and brought into the VPA-consultations.

To what extent were locally elected bodies used in stakeholder consultations? These bodies are mandated by the people and should be used in a stakeholder process, but in most cases they are by-passed and we use other local institutions.

In Ghana most of community level engagement ensured that elected representatives were present (as individuals). Highest level of engagement was with Parliament Commission of lands and natural resources. Engaging them means engaging the other elected bodies as well. Jamaica is different from Ghana. Parish councils and government bodies are involved in the process as well. Special interest groups, e.g. Maroons were specifically invited.

The transboundary issue of forest management in Belize was highlighted (also relevant to Guyana and Suriname). Have there been exchange visits between Belize and Guatemala?

The situation between Guatemala and Belize is a sensitive issue. There have been interaction at three different levels between government bodies of Belize and Guatemala. Involvement of central and local governments of both countries is essential for addressing the problem of illegal logging. Organisation has been working more with the National Security Ministry, and the Ministry of Foreign Affairs than with the forest department.

Session Six: Resources available to support initiatives in the sector

Moderator: Rudi van Kantén, Tropenbos International

Presentations:

- Introduction to the EU FAO FLEGT Programme (*Claus Eckelmann, FAO*)
- Introduction of planned activities of IDH (Sustainable Trade Initiative) and CBI (Centre for the Promotion of imports from developing countries) in Suriname (*Hans Stout & Tim van Eldick, IDH & Eva Smulders, CBI*)

Discussion

Why does the IDH only finance 30% of total costs of FSC-certification?

This is the approach of IDH: organising Public Private Partnership (PPP) in which every partner brings in its own financing. If you would finance more, involvement of the company who is supposed to continue the process after the project stops, could be less. Additional components like training can be supported separately, outside the PPP-arrangement. IDH has tried to make an appointment with the SBB, but this did not work out. SBB can also apply to the programme for financial assistance to improve its system, build capacity, etc.

CBI provides business support to local organisations. What does that mean?

CBI focuses on capacity building, so no direct financial support to companies. Provisions for training are being made so that the company acquires skills necessary to improve its business.

When can we expect the call for proposals of the EU FAO FLEGT Programme?

There are two rounds of proposals per year: usually around May and December. Organisations have 4-8 weeks to submit a proposal, but it is always good to already start thinking of developing a proposal now and build your alliances. FAO will do an eligibility check of the applicants. It is a competitive process: 8 international consultants are hired to support FAO in evaluating the proposals. FAO informs applicants on why they did not succeed with the purpose to improve the next proposal. Total amount of money is limited: proposals are ranked. Previously the programme was limited to ACP-countries, now it also includes Latin America, which makes the competition larger.

Session Seven: Panel Discussion

Moderator: Jerrel Pinas

Reflection on the impact of the legal trade requirements on the sector in Suriname. What can be learned from other countries? Panel discussion was organised along three questions:

1. How suitable is Guyana's approach to synergising the FLEGT Action Plan with REDD+ to Suriname?
2. Looking at the examples of other countries: what can Suriname learn with regard to the involvement of civil society in stakeholder consultations?
3. What are the options for the timber sector in Suriname addressing the emerging requirements for transparency and accountability (after having heard the legality requirements, examples from other countries and keeping in mind the current level of capacity)?

1. How suitable is Guyana's approach to synergising the FLEGT Action Plan with REDD+ to Suriname?

Is there a connection between REDD+ and FLEGT VPA? And how suitable is Guyana's approach to Suriname?

- Guyana recognizes the connection between the FLEGT VPA and REDD+ process. A number of the objectives (such as reduction of forest degradation and deforestation) and actions required under REDD+ are also required under the FLEGT VPA process. Since there are quite some similarities between Guyana and Suriname, Guyana's approach is, at least to some extent, suitable for Suriname.
- Initiatives are very country-specific. Since there are similarities between Suriname and Guyana it would be good to look at the process in Guyana. It is good to be aware how the process evolves in Guyana to learn from it and make use of opportunities for interaction.
- There are some elements in the approach of Guyana that Suriname can use. In Guyana, the indigenous peoples have land rights. In Suriname indigenous peoples and Maroons are still waiting for land rights. We need to first address that before we can move forward. We can learn from the Guyana approach how they have addressed some challenges in the process.
- In Guyana there are two main types of land ownership: private (indigenous communities) and state owned. Conversion of Amerindian forest will have national impact, through the national MRV-system which is used to determine REDD+-achievements. But indigenous communities have the option to join the REDD+-programme or not (however, no opt-in mechanism in place yet). Some communities have volunteered to join the programme and manage the forest in a sustainable way. One Amerindian community opted to start a community MRV-system (Rupununi) in support of the national MRV-system (pilot at the community level).

Should land rights be clarified before starting the REDD+ and/or FLEGT VPA process?

The discussion showed that there are two positions:

1. Land right issues should be clarified before starting REDD+ and/or FLEGT VPA process
2. Land right issues can be clarified during or parallel to the REDD+ and/or FLEGT VPA process

Ad 1:

- "No rights, no REDD+" is the general standpoint of indigenous peoples in the world who are fighting for their land rights. Community forests grant indigenous peoples user rights to the land. You cannot compare that with land rights. A community permit is temporary, indigenous peoples want long-term security with actual land rights for sustainable development. In Indonesia it has been shown that the only way to work on REDD+ is to engage local people and to use REDD+ as an instrument to develop local communities. The granting of rights is a political decision, but there is no need to wait long.
- Land rights in the Guiana shield compare with land tenure issues in Ghana. Land rights are a governance issue, so to effectively implement the initiatives, you need to address land right issues. Without land rights there is no need to discuss benefit sharing of REDD+-payments. It is not right to use the complexity of the issue as an argument for not addressing it. The MSD can be of help in building consensus in making decisions.
- There is a synergy between REDD+ and VPA: VPA can help clarify legal issues for the REDD+-process. In Ghana there is a discussion on who owns carbon rights. Should one use existing tree tenure arrangements: who owns the tree, owns the carbon rights? That would be unfair: these arrangements are biased towards governments and traditional authorities. Forestry Commission interprets the law to take revenue to support management costs. If you do not involve communities, which are affected most, will be minimal. A multi-stakeholder platform is necessary

to clarify this. Policy is stipulating how benefits are going to be shared. Do not rush into REDD+ but address land rights issues first. This is fundamental to the success of REDD+.

- Discussing land rights parallel to REDD+ and/or the FLEGT VPA process will not be efficient. FLEGT VPA and especially REDD+ have agreed to respect the rights of indigenous and tribal peoples. Even though you move on, finally the land rights need to be addressed.

Ad 2:

- Land rights are important and complex and need to be dealt with in both the FLEGT VPA and the REDD+ process. It is critical to engage local communities and speak about REDD+. It can be recommended to work on solving land right issues and REDD+ simultaneously, because although it is essential to fight for land rights, securing the forest is equally important. People are not necessarily saying 'no' to REDD+, but the REDD+ process needs to align with existing mechanisms and systems.
- Addressing indigenous land rights in Guyana was already in process before REDD+ (included in the Constitution). Concept of land for indigenous peoples is different than for other groups. In Suriname it will take decades to address the issue of land rights in relation to indigenous and Maroon communities. It would be good if in the meantime tenure rights of these groups would be respected. FAO has a specific programme on tenure rights: advise to look into this.
- FLEGT is about legality, REDD+ about carbon. Clarification of land rights can be done parallel to these processes, depending on how the communities accept to go forward. If communities express their willingness to solve this issue, there should be no problem in starting the processes.
- Fighting for your rights to own your land is a valid struggle, but should be separated from reaching agreement on a FLEGT VPA or REDD+, i.e. on trade and governance. Issues of securing the forest should first be guaranteed, waiting for rights could mean that the forest might not be there anymore.
- We need to be practical to arrive at a win-win situation. Some communities are starting to suffer from increased market requirements. There is a need for action: parties need to be open and cooperative. Discussion about land rights need to arrive at a compromise, comfortable for all to support. Maybe an interim agreement could be reached about future titled land being not directly included in the REDD+-scheme?
- In principle Maroon and indigenous peoples should urge governments to engage in both initiatives: both initiatives are asking to respect local community and indigenous peoples rights.
- In Belize indigenous people also fight for their land rights. The reason for their existence comes from their relationship with and dependence from the land. In Belize it is difficult to reach a compromise. Belize is ready to present its RPP, but issues with indigenous peoples have not been resolved yet.

2. Looking at the examples of other countries: what can Suriname learn with regard to the involvement of civil society in stakeholder consultations?

How to organise effective representation of stakeholder groups?

- Effective representation is important if we assume that multi-stakeholder participation affects the success of these REDD+ and FLEGT VPA processes. Who is actually going to help this process to succeed? In Ghana forest fringe communities play an important role. De facto they can make policies work or fail. For responsiveness and accountability civil society is very important, but anyone can claim to be civil society. Most important is that whoever chooses to represent society or forest fringe communities should be responsive: issues tabled reflect the concerns of the groups and are fed back to this constituency.
- It has proven to be a challenge in the MSD in Guyana to get true representation in the process. Capacity needs to be built especially of groups on the ground. Some stakeholders are stronger than others and need more support, also in representation.

- Some stakeholders do not necessarily have a constituency, but need to be involved because they bring a service to the process, have a particular role to play. For example researchers and accountability organisations (transparency). Start with engaging all actors and then filter it down (this will prevent relevant stakeholders having to catch up on the process at a later stage). In Ghana civil society got in at a later stage. In Guyana civil society is just starting to be involved in the FLEGT VPA-process.
- One should be reluctant to involve too many stakeholders, but it is important to have the relevant stakeholders at the table and not to forget the stakeholders who have weaker voices. Special attention should go to these groups. Large involvement vs strategic involvement.

Tips for effective stakeholder consultations and how to move beyond the workshop approach:

- Information about issues is important: stakeholders need to be informed about the issues so that they can meaningfully contribute. Feedback to constituencies is important: if you are representing a group, you need to provide feedback to them and get input.
- Translation of information to people in a way that they understand the issues so that they can make informed contributions.
- Make use of existing systems to transfer communications; do not set up new structures.
- Plan consultations well: have a clear planning and road map so that the progress of the process can be monitored.
- Experience with consultations in Suriname shows that they are very open. Policy discussions are public meetings open to everybody. Be clear in what people's role and responsibilities are going to be. A lot of potential for misunderstanding, especially with regard to FLEGT VPA. Governments sometimes overreach: mix-up of role of government (setting the framework) and private sector (implementation: identification of capacity needs, etc.).
- Make clear from the beginning what is up for negotiation and what is not. Stakeholders should understand how the process will evolve to avoid that expectations cannot be met.
- Participation is a process, not a one-off event. It relies on trust and depends on perception: authorities might feel that everyone has been consulted, but people might feel anyway that they are not consulted.
- All stakeholders should accept that full compliance with everyone's needs will never be reached and at some point a consensus decision needs to be made.
- The following four C's are important in every process: Communication (give information to all stakeholders), Consultation (have consultation with the relevant stakeholders), Cooperation (getting the cooperation of the relevant stakeholders is necessary for the process to succeed) and Coordination (clearly determine who will be doing what in the process).
- Experience from Ghana shows that it is important that the participation of civil society is coordinated. Sometimes public officials cannot be blamed if certain stakeholders are not participating. It could also be that civil society is not pushing enough. In Ghana, Forest Watch Ghana pushed for recognition and for legitimacy to represent civil society.
- It is important to identify who should be consulted, and who should be informed. This needs to be assessed and planned. Who is civil society and where to draw the line? Resources should be allocated to do the consultations. Good record keeping of stakeholder engagement is important for the government to demonstrate that it is consulting.

3. What are the options for the timber sector in Suriname addressing the emerging requirements for transparency and accountability (after having heard the legality requirements, examples from other countries and keeping in mind the current level of capacity)?

- Options for the timber sector are very clear: it needs to address the requirements, either through a FLEGT VPA agreement or through voluntary certification, using available financial opportunities. The EUTR is already in effect since March 2013. The level of capacity in the

country is adequate: several companies have been certified, SBB-staff is also skilled to address the issues of the EUTR. Many institutions and organisations are present to support the Surinamese forest sector technically and financially.

- In Suriname 4-5 companies have already been certified to maintain their exports to Europe. Other companies that are not exporting to the EU, but might be willing to do so in the future need to be informed about the possibilities to acquire a certificate. There is enough local capacity available to get those companies involved.
- An important issue is that of community forests: rules and regulations for community forests need to be clarified, including NTFPs. Ministry of Regional Development is in the process to prepare regulations with regard to community forestry.

Dr. Rudi van Kantén, Programme Director of Tropenbos International Suriname, wrapped up the session and thanked the participants, the local and international organizations and everyone else involved in the 2-day seminar and the fieldtrip for their contributions.

Programme

General facilitator: Jerrel Pinas

Day 1 – Thursday 28 November

- **08h30 – 09h15 Arrival and registration**
- **09h15 – 10h00 Welcome & Introduction**
 - Introduction from the Facilitator
 - Welcome from Tropenbos International
 - Welcome from SBB Director

10h00 – 10h30 *Break*

- **10h30 – 12h00 Session One: Setting the stage: international trade requirements**
Moderator: Andrew Sutherland (theIDLGroup)
 - Trends in the international timber market (*Ulrich Bick, the Institute for World Forestry*);
 - What has been developed to address these trends? (*Adrian Whiteman, FAO*);
 - What does this mean for the industry (and other stakeholders)? (*Wim Hup, GWZ*)

Discussion

12h00 – 13h00 *Lunch*

- **13h00 – 14h30 Session Two: Experiences from Suriname**
Moderator: Sietze van Dijk
 - Government (SBB): Developments in the sector, policy developments, opportunities and challenges.
 - Private sector: Export market – composition, trends, outlook – reaction to incoming legislation.
 - *Rajen Baldew, ASHU*
 - *Benito Chin Ten Fung/Alexander Gesser, PHS*
 - Civil Society (*Rudi van Kantten, TBI Suriname*)

Discussion

14h30 – 15h00 *Break*

- **15h00 – 16h30 Session Three: Relationship between REDD+ and FLEGT**
Moderator: Sam Nketiah. Tropenbos International
 - Global links between FLEGT and REDD+ (*Marieke Wit, Tropenbos International, ETRFN*)
 - Ghana REDD+-FLEGT (*Emmanuel Marfo, FORIG*)
 - Guyana REDD+-FLEGT context (*Tasreef Khan, GFC*)
 - Suriname REDD+ context (*Cedric Nelom, NIMOS*)

Discussion

- **17h00 – 19h00 Reception – Marriott Courtyard Hotel**

Day 2 – Friday 29 November

- **08h30 – 08h45 Arrival**
- **08h45 – 09h00 Recap of day 1 – (Facilitator)**

- **09h00 – 10h30 Session Four: Experiences from Guyana**

Moderator: Godfrey Marshall (FTCI)

- General introduction on Guyana's VPA (*Kenny David, GFC*)
- Perspective from the industry on the trends in international timber trade and the FLEGT/VPA-process (*Mr. Khalawan, FPA*)
- Perspective on the FLEGT process from small-scale producers (*Tasleem Drepaul, Community Forestry Associations*) Amerindian Perspective on the FLEGT process in Guyana (*Derrick John, National Tashao Council*)
- The multi-stakeholder process in Guyana (*Rohini Kerrett, FTCI*)

Discussion

10h30 – 11h00 Coffee

- **11h00 – 12h30 Session Five: Experiences from Ghana, Jamaica and Belize**

Moderator: James Parker (Tropenbos International Ghana)

- Ghana
 - *The FLEGT/VPA-process in Ghana (Alex Boadu, Forestry Commission)*
 - *Perspectives from civil society & addressing domestic timber market issues (Sam Nketiah, TBI Ghana)*
- Belize
 - *(Boris Arevalo , Friends for Conservation and Development)*
- Jamaica
 - *(Rainee Oliphant, Forestry Department of Jamaica)*

Discussion

12h30 – 13h30 Lunch

- **13h30 – 14h30 Session Six: Resources available to support initiatives in the sector**

Moderator: Rudi van Kanten, Tropenbos International

- Introduction to The EU FAO FLEGT Programme (*Claus Eckelmann, FAO*)
- Introduction of planned activities of IDH (Sustainable Trade Initiative) and CBI (Centre for the Promotion of imports from developing countries) in Suriname (*Hans Stout & Tim van Eldick, IDH & Eva Smulders, CBI*)

Discussion

- **14h30 – 16h20 Session Seven: Panel Discussion**

Moderator: Jerrel Pinas

Reflection on the impact of the legal trade requirements on the sector in Suriname. What can it learn from other countries?

- Panel session 1 (45 min.)
 - Coffee (20 min.)
 - Panel session 2 (45 min.)
- **16h20 – 16h35 Wrap up, evaluation and closure of the meeting**

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