



# FLEGT Briefing Notes

FOREST LAW ENFORCEMENT, GOVERNANCE AND TRADE

## Bilateral, regional and multilateral approaches

### 1. Agreements between trading partners

Illegal logging and trade in illegal timber can be tackled by improved enforcement actions in timber-producing countries, by voluntary measures to ensure sourcing of legal timber and through instruments that prevent trade in illegal timber. For these trade-related instruments to be effective, agreements between trading partners are required.

The FLEGT Action Plan proposes the establishment of bilateral and/or regional agreements, and, over the longer term, a multilateral framework for international collaboration.



The titles of the eight briefing notes in this series are:

1. What is FLEGT?
2. What does FLEGT mean for Member States?
3. What is legal timber?
4. Why the focus on legality, not sustainability?
5. **Bilateral, regional and multilateral approaches**
6. Verification of legality
7. Voluntary Partnership Agreements
8. What are the WTO implications?

### 2. Bilateral approaches

The FLEGT Action Plan proposes bilateral Voluntary Partnership Agreements (see **Briefing note 7**) between the EU, as a single market with a common border, and individual timber-producing countries (although regional agreements are also envisaged). These Agreements include provision for a scheme under which the legality of timber exported to the EU from producing Partner Countries would be verified and each verified shipment would be accompanied by an export licence.

A bilateral approach highlights both partners' commitment and sends a clear signal to the market that government action is being taken to eradicate illegal timber from international trade. However, the effectiveness of such an approach might be limited by trans-shipping through, or further processing of products in, a third country. For this reason, Agreements formed with a group of similar producing countries in one region may be more effective.

### 3. Regional approaches

The FLEGT Action Plan recognises that Partnership Agreements between the EU and regional groupings of similar timber-producing countries might overcome some potential disadvantages of bilateral agreements. The European Commission hopes to build on



P. v. Gardingen/FRP

bilateral agreements, where possible, and establish regional Voluntary Partnership Agreements with regions where illegal logging presents a challenge to several countries. Where appropriate, the EU would also promote inter-regional FLEGT approaches in regional trade negotiations.

Effective regional initiatives require a common understanding between participating countries about the problems of illegal logging, and a joint commitment to finding solutions. They also need institutions that are capable of providing a focus for coordinating regional actions, holding discussions, and ultimately forming agreements with other countries or regions.

## 4. Multilateral approaches

In the long term, a multilateral agreement may be the most effective means of addressing trade in illegal timber. A multilateral agreement would address the problem of evasion of bilateral or regional agreements, and would also provide an international basis for defining the legal management of forests. In addition, given the EU's influence in world timber markets – important but not dominant – any meas-

ure targeting trade flows that include other major importing countries is likely to be the most effective option.

The Action Plan envisages exploring with other major timber consumers ways of working towards a more comprehensive framework to address international trade in illegal timber. Initial dialogue has already been established with Japan and the United States. In future this might be widened to include other major timber-producing and consuming countries. Ultimately, it may be appropriate to transform this step-by-step approach into a global process or multilateral agreement.

Existing multilateral environmental agreements can potentially provide lessons for a multilateral approach to illegal logging. The Convention on International Trade in Endangered Species (CITES) and the Convention on Biological Diversity (CBD), as well as numerous agreements in other sectors, can offer useful practical examples of multilateral approaches to the environment and trade.

However, because of concerns about sovereignty and disguised protectionism, progress on a multilateral agreement on trade in illegal timber is likely to be slow.



William Hawthorne/FRP

