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Proposal for a

**COUNCIL DECISION**

**on the conclusion of a Voluntary Partnership Agreement between the European Union and the Central African Republic on forest law enforcement, governance and trade in timber and derived products to the European Union (FLEGT)**

## EXPLANATORY MEMORANDUM

The Action Plan on Forest Law Enforcement, Governance and Trade (FLEGT)<sup>1</sup>, endorsed by the Council in 2003<sup>2</sup>, proposes a set of measures that include support for timber-producing countries, multilateral collaboration to tackle trade in illegal timber, support for private-sector initiatives and also measures to discourage investment in activities that encourage illegal logging. The cornerstone of the Action Plan is the establishment of FLEGT partnerships between the EU and timber-producing countries aimed at stopping illegal logging. In 2005 the Council adopted Regulation (EC) No 2173/2005<sup>3</sup> which establishes a licensing scheme and a mechanism to verify the legality of timber imports into the EU.

In December 2005 the Council authorised the Commission to negotiate partnership agreements with timber-producing countries in order to implement the EU Forest Law Enforcement, Governance and Trade Action Plan, and in particular to encourage trade in verified legal timber imports into the EU from such partner countries<sup>4</sup>. The Agreement with the Central African Republic is the fourth such agreement to be negotiated, following the agreements with Ghana, Congo and Cameroon.

The Commission entered into negotiations with the Central African Republic in October 2009. Negotiations proceeded over 14 months and involved four face-to-face sessions and 18 technical working level meetings. Throughout the negotiations the Commission has been assisted in this task by Member States. The Commission has kept the Council updated on progress with reports to the Working Party on Forests, and to EU Heads of Mission and representatives in the Central African Republic. After each negotiating session, the parties held public meetings to keep stakeholders informed of progress. In addition, the Central African Republic adopted a participatory approach by involving civil society and the private sector in the drafting of the Agreement.

The Agreement addresses all elements of the Council negotiating directives. In particular, the Agreement establishes the framework, institutions and systems of the FLEGT licensing scheme. It sets out the supply chain controls, legal compliance framework and independent audit requirements for the system. These elements are set out in the annexes to the Agreement and provide a detailed description of the structures that will underpin the assurance of legality afforded by the issuing of a FLEGT licence. The Central African Republic has developed its applicable legislation by consulting the stakeholder. It includes laws and regulations on the granting of logging rights and the registration of undertakings, forest management, environmental and labour legislation, taxation, social obligations such as involvement of local communities, indigenous people and civil society, other obligations laid down in legislation concerning the transport and marketing of timber, and export requirements.

The Agreement goes beyond the limited product coverage proposed in Annex II to Regulation (EC) No 2173/2005 on the FLEGT scheme: it covers all timber and exported timber products. The Central African Republic is thus committed to establishing a system that will provide assurance to the EU that all timber products from the Central African Republic are legally produced and so contribute positively to the Central African Republic's growth.

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<sup>1</sup> COM(2003) 251.

<sup>2</sup> OJ C 268, 7.11.2003, p. 1.

<sup>3</sup> OJ L 347, 30.12.2005, p. 1.

<sup>4</sup> Restricted Council document 15102/05.

The Agreement makes provision for import controls at the EU's borders as provided for in Regulation (EC) No 2173/2005 on the FLEGT scheme and Regulation (EC) No 1024/2008 laying down detailed measures for its implementation. The Agreement includes a description of the Central African Republic's FLEGT licence, which uses the format prescribed in the above-mentioned Implementing Regulation.

The Agreement establishes a mechanism for dialogue and cooperation with the EU on the FLEGT scheme, by means of the Joint Agreement Implementation Committee. It also establishes principles of stakeholder participation, social safeguards and transparency, and the monitoring of and reporting on the Agreement's implementation.

The Agreement sets out a time frame and the procedures for entry into force of the Agreement and for applying the licensing scheme. Since the Central African Republic will adapt its regulatory and information management system, introduce more comprehensive supply chain controls and establish independent verification of legal compliance, it will take several years to develop and test the new systems and to build capacity on the part of the government, civil society and the private sector for the tasks envisaged. The FLEGT licensing scheme is expected to be fully operational by 2014. The licensing scheme will be assessed against the criteria laid down in the Agreement before the EU begins accepting FLEGT licences.

Proposal for a

## COUNCIL DECISION

**on the conclusion of a Voluntary Partnership Agreement between the European Union and the Central African Republic on forest law enforcement, governance and trade in timber and derived products to the European Union (FLEGT)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraphs of Article 207(3) and (4), in conjunction with Article 218(6)(a)(v) and Article 218(7) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament<sup>5</sup>,

Whereas:

- (1) In May 2003 the European Commission adopted a Communication to the European Parliament and to the Council entitled 'Forest Law Enforcement, Governance and Trade (FLEGT): Proposal for an EU Action Plan'<sup>6</sup> which called for measures to address illegal logging through the development of voluntary partnership agreements with timber-producing countries. Council conclusions on that Action Plan were adopted in October 2003<sup>7</sup> and Parliament adopted a resolution on the subject on 11 July 2005<sup>8</sup>.
- (2) In accordance with Council Decision 2011/XXX of [...] <sup>9</sup>, the Voluntary Partnership Agreement between the European Union and the Central African Republic on forest law enforcement, governance and trade in timber and derived products to the European Union was signed on [...], subject to its conclusion.
- (3) The Agreement should be concluded.

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<sup>5</sup> OJ C [...], [...], p. [...].

<sup>6</sup> COM(2003) 251.

<sup>7</sup> OJ C 268, 7.11.2003, p. 1.

<sup>8</sup> OJ C 157E, 6.7.2006, p. 482.

<sup>9</sup> OJ L [...], [...], p. [...].

HAS ADOPTED THIS DECISION:

*Article 1*

The Agreement between the European Union and the Central African Republic on forest law enforcement, governance and trade in timber and derived products to the European Union is hereby concluded.

The text of the Agreement is attached to this Decision.

*Article 2*

The President of the Council is hereby authorised to designate the person empowered on behalf of the European Union to make the notification provided for in Article 30 of the Agreement, in order to express the consent of the European Union to be bound.

*Article 3*

The European Union shall be represented by representatives of the Commission in the Joint Agreement Implementation Committee set up in accordance with Article 19 of the Agreement.

The Member States may participate in meetings of the Joint Agreement Implementation Committee as members of the European Union delegation.

*Article 4*

For the purpose of amending the annexes to the Agreement in accordance with Article 26 of the Agreement, the Commission is authorised, in accordance with the procedure laid down in Article 11(3) of Regulation (EC) No 2173/2005, to approve any such amendments on behalf of the European Union.

*Article 5*

This Decision shall enter into force on the date of its adoption.

*Article 6*

This Decision shall be published in the Official Journal of the European Union.

Done at Brussels, [...]

*For the Council  
The President  
[...]*

**VOLUNTARY PARTNERSHIP AGREEMENT BETWEEN THE EUROPEAN UNION  
AND THE CENTRAL AFRICAN REPUBLIC ON FOREST LAW ENFORCEMENT,  
GOVERNANCE AND TRADE IN TIMBER AND DERIVED PRODUCTS TO THE  
EUROPEAN UNION (FLEGT)**

THE EUROPEAN UNION, hereinafter ‘the Union’, of the one part,

and

THE CENTRAL AFRICAN REPUBLIC, hereinafter ‘the CAR’, of the other part,

hereinafter referred to jointly as ‘the Parties’,

HAVING REGARD TO the close cooperation relations between the Union and the CAR, particularly the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, on the one hand, and the European Community and its Member States, on the other, signed in Cotonou (Benin) on 23 June 2000<sup>10</sup>, revised in Luxembourg on 25 June 2005, hereinafter referred to as the ‘Cotonou Agreement’;

HAVING REGARD TO Council Regulation (EC) No 2173/2005 of 20 December 2005 on the establishment of a FLEGT licensing scheme for imports of timber into the European Community<sup>11</sup>;

CONSIDERING the communication from the Commission to the Council and the European Parliament on an EU Action Plan for Forest Law Enforcement, Governance and Trade (FLEGT)<sup>12</sup> as a first step towards tackling the urgent issue of illegal logging and associated trade;

REFERRING to the Ministers' Yaoundé Declaration of 16 October 2003 on Forest Law Enforcement and Governance;

REFERRING to the 1992 Non-Legally Binding Authoritative Statement of Principles for a Global Consensus on the management, conservation and sustainable logging of all types of forests, and the recent adoption by the United Nations General Assembly of the Non-Legally Binding Instrument on all types of forest<sup>13</sup>;

AWARE of the importance of the sustainable forest management principles set out in the 1992 Rio de Janeiro Declaration on Environment and Development in the context of the sustainable management of forests, and in particular of Principle 10 concerning the importance of public awareness and participation in environmental issues and of Principle 22 concerning the vital role of indigenous peoples and other local communities in environmental management and development;

REFERRING to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and, in particular, the requirement that CITES export permits issued by the Parties for specimens of species listed in Annex I, II or III be granted only under certain conditions, including that these specimens were not obtained in contravention of the laws of that State for the protection of fauna and flora;

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<sup>10</sup> OJ L 317, 15.12.2000, p 3.

<sup>11</sup> OJ L 347, 30.12.2005, p 1.

<sup>12</sup> COM(2003) 251 final, 21.5.2003.

<sup>13</sup> A/RES 62/98, 31.12.2008.

RESOLVED to seek to minimise any adverse impacts on indigenous and local communities and poor people which may arise as a direct consequence of implementing this Agreement;

REAFFIRMING the importance attached by the Parties to development objectives agreed at international level and to the UN Millennium Development Goals;

REAFFIRMING the importance attached by the Parties to the principles and rules which govern the multilateral exchange systems, in particular the rights and obligations laid down in the 1994 General Agreement on Tariffs and Trade (GATT) and in the other multilateral agreements in Annex IA of the Marrakesh Agreement of 15 April 1994 establishing the World Trade Organisation (WTO), and the need to apply them in a transparent and non-discriminatory manner;

CONSIDERING the CAR's desire to work for the sustainable management of its forest resources, in accordance with the partnership objectives of the Congo Basin Forest Partnership of which it is a member, founded in January 2003 following the World Summit on Sustainable Development held in Johannesburg in 2002, with the September 2003 Fora on Water, Forests, Hunting and Fisheries, with international agreements and treaties, in particular the Treaty on the Conservation and Sustainable Management of Forest Ecosystems in Central Africa and to establish the Central African Forests Commission (COMIFAC) of 5 February 2005, and with the provisions of Law 008.22 of 17 October 2008 on the Forestry Code in the CAR;

CONSIDERING that the Central African Republic's system for verifying the legality of timber and derived products applies to all exports, and not only those destined for the Union,

HEREBY AGREES AS FOLLOWS:

## *Article one*

### *Objective*

In accordance with the common commitment of the Parties to sustainably manage all types of forest, the objective of this Agreement is to provide a legal framework aimed at ensuring that all imports into the European Union from the CAR of the timber and derived products covered by this Agreement have been legally produced or acquired and, this being so, to promote the trade in said timber and derived products.

This Agreement also provides a basis for dialogue and cooperation between the Parties aimed at facilitating and promoting its integral implementation and at strengthening the enforcement of forest regulations and governance.

## *Article 2*

### *Definitions*

For the purposes of this Agreement, the following definitions shall apply:

- a) ‘Import into the Union’: the release for free circulation of timber and derived products into the Union within the meaning of Article 79 of Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code<sup>14</sup>, and which cannot be qualified as ‘goods of a non-commercial nature’ as defined in point 6 of Article 1 of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Regulation (EEC) No 2193/92 establishing the Community Customs Code<sup>15</sup>;
- b) ‘Export’: the physical leaving or taking out of the territory of the CAR timber and derived products produced or acquired in the CAR, with the exception of timber and derived products in transit through the territory of the CAR under the control of the customs authorities of the CAR;
- c) ‘Timber and derived products’: the products listed in Annex I;
- d) ‘HS code’: a four- or six-digit code as set out in the nomenclature of the Harmonised Commodity Description and Coding System established by the International Convention on the Harmonised Commodity Description and Coding System of the World Customs Organisation, in conformity with the combined nomenclatures of the European Union and the Economic and Monetary Community of Central Africa (CEMAC);
- e) ‘FLEGT licence’: a licence that refers to the shipment of legally produced timber or derived products;
- f) ‘Licensing authority’: the authority designated by the CAR to issue and validate FLEGT licences;
- g) ‘Competent authorities’: the authorities designated by the Member States of the European Union to receive, accept and verify FLEGT licences;

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<sup>14</sup> OJ L 302, 19.10.1992, p 38.

<sup>15</sup> OJ L 253, 11.10.1993, p 1.

- h) ‘Shipment’: a quantity of timber and derived products covered by a FLEGT licence that is sent by a consignor and which is presented for release for free circulation at a customs office in the Union;
- i) ‘Timber that is legally produced or acquired’: harvested or imported timber and derived products, produced in accordance with the legislation specified in Annex II.

### *Article 3*

#### *FLEGT licensing scheme*

1. A Forest Law Enforcement, Governance and Trade Licensing Scheme (hereinafter referred to as the ‘FLEGT licensing scheme’) is hereby established between the Parties to this Agreement. This scheme establishes a set of procedures and requirements aimed at verifying and attesting, by means of FLEGT licences, that timber and derived products shipped to the Union have been legally produced or acquired. In accordance with Council Regulation (EC) No 2173/2005, the Union shall accept such shipments from the CAR for import into the Union only if they are covered by FLEGT licences.
2. The FLEGT licensing scheme shall apply to the timber and derived products listed in Annex I.
3. The Parties agree to take all measures necessary to implement the FLEGT licensing scheme, in accordance with the provisions of Article 12 of this Agreement.

### *Article 4*

#### *Licensing authority*

1. The CAR shall designate the FLEGT licensing authority and notify its contact details to the European Commission. Both Parties shall make this information available to the public.
2. The licensing authority shall verify that timber and derived products have been legally produced or acquired, in accordance with the legislation given in Annex II. It shall issue FLEGT licences covering shipments of timber and derived products that are legally produced or acquired in the CAR and destined for export to the Union and, where appropriate, the necessary documentation for timber and derived products in transit through the territory of the CAR under the control of the customs authorities of the CAR.
3. The licensing authority may not issue FLEGT licences for any timber and derived products that are composed of, or include, timber and derived products imported into the CAR from a third country in a form prohibited for export under the laws of the country concerned, or for which there is proof that this timber or these derived products have been produced or acquired in violation of the laws of the country where the trees were harvested.
4. The licensing authority shall maintain and make publicly available its procedures for issuing FLEGT licences. It shall also retain the records of all shipments covered by FLEGT licences and, in accordance with national data protection legislation, shall provide these records for the purposes of an independent audit, whilst preserving the confidentiality of the information on exporters’ industrial patent rights.

## *Article 5*

### *Competent authorities of the Union*

1. The European Commission shall inform the CAR of the contact details of the competent authorities designated by the Member States of the Union and their respective territorial areas of competence.
2. The competent authorities shall verify that each shipment is the subject of a valid FLEGT licence prior to releasing that shipment for free circulation in the Union. This release for free circulation may be suspended and the shipment held if there is any doubt as to the validity of the FLEGT licence. The procedures governing the release for free circulation in the Union of shipments covered by a FLEGT licence are described in Annex III.
3. The competent authorities shall maintain and publish annually a record of FLEGT licences received.
4. According to national legislation on data protection, the competent authorities shall grant the persons or bodies designated by the CAR as independent auditors access to the relevant documents and data.
5. The Union's competent authorities shall refrain from undertaking the action described in Article 5(2) with regard to timber and derived products from species listed in the Appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) insofar as these products are covered by the examination procedures laid down in Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein<sup>16</sup>. The FLEGT licensing scheme nevertheless provides an assurance that the products in question have been legally harvested.

## *Article 6*

### *FLEGT licences*

1. FLEGT licences shall be issued by the licensing authority as a means of attesting that timber and derived products have been legally produced or acquired.
2. FLEGT licences shall be provided on a form written in French.
3. The Parties may, by agreement, establish electronic systems for the issuing, transmission and receipt of FLEGT licences.
4. The procedure for issuing FLEGT licences and the technical specifications are laid out in Annex IV.

## *Article 7*

### *Definition of legally produced wood*

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<sup>16</sup> OJ L 302, 19.10.1992, p 1.

For the purposes of this Agreement, a definition of timber that is legally produced or acquired is given in Annex II. This Annex sets out the CAR's national regulations that must be complied with for timber and derived products to be given a FLEGT licence. It also includes documentation containing the criteria, indicators and verifiers serving to prove compliance with the regulations, known as the 'legality matrix'.

#### *Article 8*

##### *Verifying the legality of the timber produced or acquired*

1. The CAR shall establish one or more systems for verifying that timber and derived products intended for shipment have been legally produced or acquired and that only shipments verified as such are exported to the Union. The system or systems for verifying legality shall include compliance checks in order to provide an assurance that the timber and derived products destined for export to the Union have been legally produced or acquired, and that FLEGT licences have not been issued for shipments of timber and derived products that have not been legally produced or acquired, or that are of unknown origin. The system or systems shall also include procedures to ensure that timber of illegal or unknown origin does not enter the supply chain.
2. The system or systems for verifying that shipments of timber and derived products have been legally produced or acquired is/are described in Annex V.

#### *Article 9*

##### *Consultation on the validity of FLEGT licences*

1. In the event of doubt about the validity of a FLEGT licence, the competent authority in question may ask the licensing authority for additional information.
2. If the licensing authority fails to reply within 21 calendar days of the date of receipt of the request, the competent authority shall proceed pursuant to the national legislation in force and shall not accept the licence. If it emerges from the additional information that the information appearing on the licence does not correspond to the shipment, the competent authority shall act pursuant to the national legislation in force and shall not accept the licence.
3. In the event of disagreement or persistent difficulties in consultations regarding FLEGT licences, the case may be submitted to the Joint Implementation Committee.

#### *Article 10*

##### *Independent auditor*

1. The CAR shall engage the services of an independent auditor, in consultation with the Union, for the purposes of the tasks listed in Annex VI.
2. The independent auditor shall be a body with no conflict of interest resulting from an organisational or commercial relationship with the Union or with the CAR's forestry sector

regulatory authorities, its licensing authority or any body given the responsibility of verifying the legality of timber production, or any operator exercising a commercial activity in its forestry sector.

3. The independent auditor shall operate in accordance with a documented management structure, and with published policies, methods and procedures that correspond to internationally accepted best practices.
4. The independent auditor shall refer complaints arising from its work to the Joint Implementation Committee.
5. The independent auditor shall regularly produce the full and summary reports noted in Annex VI.
6. The Parties shall facilitate the work of the independent auditor, ensuring in particular that it has access to the territory of each Party to the information necessary for the performance of its functions. In accordance with their respective national legislation on data protection, the Parties may nonetheless refrain from disclosing information that they are not permitted to communicate.

#### *Article 11*

##### *Irregularities*

The Parties shall inform each other of their suspicions or observations with regard to any circumvention of, or irregularity in, the FLEGT licensing scheme, in particular regarding:

- a) a circumvention of trade, particularly via the redirection of trade from the CAR to the Union via a third country when there is reason to believe that this is done with the intention of avoiding licensing;
- b) FLEGT licences being issued for timber and derived products that include imports of suspect sources from third countries; or
- c) fraud in the obtaining or use of FLEGT licences.

#### *Article 12*

##### *Date of introduction of the FLEGT licensing scheme*

1. The Parties shall notify each other through the Joint Implementation Committee when they feel they have made the necessary preparations for the FLEGT licensing scheme to become fully operational.
2. The Parties shall, through the Joint Implementation Committee, commission an independent evaluation of the FLEGT licensing scheme on the basis of the criteria set out in Annex VII. The evaluation shall determine whether the legality assurance system underpinning the FLEGT licensing scheme as described in Annex V adequately fulfils its functions and whether the systems in place for receiving, verifying and accepting licences, as set out in Article 5 and Annex III, are in place in the Union.

3. On the basis of the recommendations of the Joint Implementation Committee, the two Parties shall agree on a date on which the FLEGT licensing scheme should commence full operations.
4. The two Parties shall consider the recommendation and notify each other in writing of their approval of the recommendation.

### *Article 13*

#### *Application of the legality assurance system to timber and derived products not exported to the Union*

The CAR shall use the legality assurance system or systems described in Annex V for timber and derived products exported to markets outside of the Union.

### *Article 14*

#### *Schedule for implementation of this Agreement*

1. The Parties agree to the implementation schedule set out in Annex VIII.
2. Through the Joint Implementation Committee, the Parties shall evaluate progress made in implementation with reference to the schedule set out in Annex VIII.

### *Article 15*

#### *Supporting measures*

1. The Parties have identified the areas referred to in Annex IX as those in which there is a need for additional technical and financial resources in order to implement this Agreement.
2. The provision of such additional resources shall be subject to the normal procedures of the Union and its Member States for programming aid to the CAR and to the budgetary procedures of the CAR itself.
3. The Parties shall envisage the need for a joint arrangement whereby the financing and technical contributions of the European Commission and the Member States of the Union are coordinated to support these processes.
4. The CAR shall ensure that capacity building for the implementation of this Agreement is included in national planning instruments, such as the poverty reduction strategies.
5. The Parties shall ensure that activities associated with implementation of this Agreement are coordinated with the relevant development programmes and initiatives, current or future.
6. The provision of these resources shall be subject to the procedures governing Union aid, as set out in the Cotonou Agreement, and to those governing the bilateral aid given to the CAR by each of the Union's Member States.

## *Article 16*

### *Stakeholder involvement in the implementation of this Agreement*

1. The CAR shall involve the stakeholders in implementation of this Agreement, in accordance with the guidelines of the Central Africa Forests Commission on the involvement of non-governmental organisations, local communities and indigenous peoples.
2. The Union shall hold regular consultations with the European stakeholders on the implementation of this Agreement, bearing in mind its obligations under the 1998 Aarhus Convention on access to information, public participation in the decision-making process and access to justice in environmental matters.

## *Article 17*

### *Social safeguards*

1. In order to minimise possible adverse impact, the Parties agree to develop a better understanding of the livelihoods of potentially affected local and indigenous communities, including those engaged in illegal logging.
2. The Parties shall monitor the impact of this Agreement on those communities, taking reasonable and appropriate steps to mitigate any adverse impact. The Parties may agree additional measures to counter any such adverse impact.

## *Article 18*

### *Market incentives*

Bearing in mind its international obligations, the Union shall strive to promote favourable access to its market for the timber and derived products covered by this Agreement. Such efforts shall include:

- a) the encouragement of public and private procurement policies that recognise efforts to ensure a supply of legally harvested forest products; and
- b) the promotion of FLEGT-licensed timber and derived products on the Union's market.

## *Article 19*

### *Joint Implementation Committee*

1. The Parties shall establish a Joint Implementation Committee to facilitate the monitoring and review of this Agreement.
2. Each Party shall appoint its representatives to the Joint Implementation Committee. The Committee shall take its decisions by a consensus.
3. The Joint Implementation Committee shall facilitate dialogue and an effective and regular exchange of information between the Parties in order to optimise the functioning of this

Agreement, and may consider any issues relating to its effective operation. The detailed functions of the Joint Implementation Committee are given in Annex X.

4. The Joint Implementation Committee:
  - a) shall meet at least once a year on a date agreed by the Parties;
  - b) shall produce the agenda and terms of reference for joint actions on a collegiate basis;
  - c) shall establish its own rules of procedure;
  - d) shall preside over its meetings either in turns, by representatives of each Party, or by a co-chair arrangement;
  - e) shall ensure that its work is as transparent as possible and that information concerning its work and its decisions is accessible to the public;
  - f) may establish working groups or other subsidiary bodies for areas of work requiring specific expertise.
5. The Joint Implementation Committee shall publish an annual report. Details regarding the content of this report can be found in Annex XI.
6. In the period between signing of this Agreement and its entry into force, a joint consultation and review mechanism shall be established in order to facilitate the implementation of this Agreement.

#### *Article 20*

##### *Communication on implementation of this Agreement*

1. The representatives of the Parties responsible for official communications concerning implementation of this Agreement are:
  - a) for the CAR: the Minister for Water, Forests, Hunting and Fisheries;
  - b) for the European Union: the Head of the EU Delegation in the CAR.
2. The Parties shall provide each other with the necessary information to implement this Agreement.

#### *Article 21*

##### *Reporting and public disclosure*

1. Provision of information to the public is a key element in strengthening governance under this Agreement. Publishing information facilitates the implementation and monitoring of the system by making it more transparent. The provision of information also enables better accountability and greater responsibility on the part of the different actors involved. The information to be disclosed and made public is listed in Annex XI.
2. Each Party shall consider the most appropriate mechanisms (media, documents, Internet, workshops, annual reports) by which to disseminate the information to the public. In particular, the Parties shall endeavour to make reliable and relevant information available to the different stakeholders involved in the forestry sector in real time. These mechanisms are described in Annex XI.

## *Article 22*

### *Confidential information*

1. Each Party undertakes, within the limits of its laws, not to disclose confidential information exchanged under this Agreement. Neither Party shall disclose to the public, nor permit its authorities to disclose, information exchanged under this Agreement that constitutes a trade secret or confidential commercial information.
2. Subject to paragraph 1, the following information shall not be considered confidential:
  - a) the number of FLEGT licences issued by the CAR and received by the Union and the volume of timber and derived products exported from the CAR and received by the Union;
  - b) the names and addresses of licence holders and importers.

## *Article 23*

### *Territorial application*

This Agreement shall apply to the territory in which the Treaty on the functioning of the European Union is applied under the conditions laid down in that Treaty, on the one hand, and to the territory of the CAR, on the other.

## *Article 24*

### *Settlement of disputes*

1. The Parties shall endeavour to resolve any dispute concerning the application or interpretation of this Agreement by means of prompt consultations.
2. If a dispute has not been settled by consultation within three months from the date of the initial consultation request, each Party may submit the dispute to the Joint Implementation Committee, which shall endeavour to resolve it. The Committee shall obtain all information relevant to an in-depth examination of the situation with a view to finding an acceptable solution. To this end, it is required to examine all possible ways of maintaining the good functioning of this Agreement.
3. In the event that the Joint Implementation Committee cannot resolve the dispute, the Parties may:
  - a) jointly seek the good offices of, or request mediation by, a third Party;
  - b) go to arbitration. In the event that it is not possible to resolve the dispute in accordance with paragraph 3(a), either Party may notify the other of the appointment of an arbitrator; the other Party must then appoint a second arbitrator within 30 calendar days of the appointment of the first arbitrator. The Parties shall jointly appoint a third arbitrator within two months of the appointment of the second arbitrator. The arbitrators' decisions shall be taken by a majority vote within six months of the appointment of the third arbitrator. The arbitrators' decisions shall be binding on the Parties, and shall be without appeal.
4. The Joint Implementation Committee shall establish the methods of arbitration.

## *Article 25*

### *Suspension*

1. Either Party may suspend the application of this Agreement. The decision to suspend and the reasons for that decision shall be notified to the other Party in writing.
2. The conditions of this Agreement shall cease to apply 30 calendar days after such notice is given.
3. Application of this Agreement shall resume 30 calendar days after the Party that has suspended it informs the other Party that the reasons for the suspension no longer apply.

## *Article 26*

### *Amendments*

1. Either Party wishing to amend this Agreement shall submit the proposal at least three months before the next meeting of the Joint Implementation Committee. The Committee shall discuss the proposal and, if consensus is reached, make a recommendation. Each Party shall consider the recommendation and, if it agrees, approve it in accordance with its own procedures.
2. Any amendment thus approved by both Parties shall enter into force on the first day of the month following the date on which the Parties notify each other of the completion of the procedures necessary for this purpose.
3. The Joint Implementation Committee may adopt amendments to the Annexes to this Agreement.
4. Notification of any amendment shall be sent to the joint depositaries for this Agreement.

## *Article 27*

### *Annexes*

The Annexes shall form an integral part of this Agreement.

## *Article 28*

### *Duration and extension*

This Agreement shall remain in force for a period of six (6) years and shall be extended for consecutive periods of six years (6 years) unless a Party renounces the extension by notifying the other Party in writing at least one (1) year prior to the expiry of this Agreement.

## *Article 29*

### *Termination*

Notwithstanding Article 28, either Party may terminate this Agreement by notifying the other Party. This Agreement shall cease to apply twelve months after said notification.

### *Article 30*

#### *Entry into force*

1. This Agreement shall enter into force on the first day of the month following that in which the Parties notify each other in writing of the completion of the procedures necessary for this purpose.
2. Notification shall be sent to the Secretary-General of the Council of the European Union and to the Office of the CAR's Prime Minister, who shall be the joint depositaries for this Agreement.

### *Article 31*

#### *Authentic texts*

This Agreement shall be drawn up in duplicate in the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, each of these texts being authentic. In case of divergence of interpretation, the French version shall prevail.

## ANNEX I

### **LIST OF PRODUCTS COVERED BY THE VOLUNTARY PARTNERSHIP AGREEMENT (VPA)**

**4401:** Fuel wood, in logs, in billets, in twigs, in faggots or in similar forms; wood in chips or particles; sawdust and wood waste and scrap, whether or not agglomerated in logs, briquettes, pellets or similar forms.

**4403:** Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared.

**4404:** Hoopwood; Split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise; wooden sticks, roughly trimmed but not turned, bent or otherwise worked, suitable for the manufacture of walking sticks, umbrellas, tool handles etc.; chipwood and the like.

**4406:** Railway or tramway sleepers (cross-ties) of wood.

**4407:** Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6 mm.

**4408:** Sheets for veneering (including those obtained by slicing laminated wood), for plywood or for other similar laminated wood and other wood sawn lengthwise, sliced or peeled, whether or not planed, sanded, spliced or end-jointed, of a thickness not exceeding 6 mm.

**4409:** Wood (including strips, friezes for parquet flooring, not assembled, continuously shaped (tongued, grooved, v-jointed, beaded or the like) along any edge or face, planed, sanded or finger-jointed or not.

**4410:** Particle board, oriented strand board (OSB) and similar board (for example, waferboard) of wood or other ligneous materials, whether or not agglomerated with resins or other organic binding substances.

**4411:** Fibreboard of wood or other ligneous materials, whether or not bonded with resins or other organic substances.

**4412:** Plywood, veneered panels and similar laminated wood.

**441400:** Wooden frames for paintings, photographs, mirrors or similar objects.

**4415:** Packing cases, boxes, crates, drums and similar packings, of wood; cable-drums of wood; pallets, box pallets and other load boards, of wood; pallet collars of wood.

**441600:** Casks, barrels, vats, tubs and other cooper's products and parts thereof, of wood, including staves.

**441700:** Tools, tool bodies, tool handles, broom or brush bodies and handles, in wood; boot or shoe lasts and trees, of wood.

**4418:** Builders' joinery and carpentry of wood, including cellular wood panels, assembled flooring panels, shingles and shakes.

**441900:** Tableware and kitchenware of wood.

**9403 30:** Wooden furniture of a kind used in offices.

**9403 40:** Wooden furniture of a kind used in kitchens.

**9403 50:** Wooden furniture of a kind used in the bedroom.

**9403 60:** Other wooden furniture.

## ANNEX II

### DEFINITION OF LEGALLY PRODUCED WOOD

#### Introduction

This definition is given in the form of a ‘legality matrix’ comprising indicators grouped around 10 main themes:

1. The company has a legal existence;
2. Legal access rights to forest resources in its area of operation;
3. Compliance with environmental legislation;
4. Rights of workers, local and indigenous communities;
5. Legislation on forest logging;
6. Processing of forest products;
7. General and forest taxation;
8. The transport and traceability of timber forest products is in accordance with the regulations;
9. Compliance with contractual obligations;
10. Relations with sub-contractors in activities other than timber production.

The different logging concessions in the Central African Republic that are concerned by this definition are the following:

- exploitation and land-use permits (PEAs) that are allocated to companies legally established in the Central African Republic for industrial logging in accordance with a land-use plan;
- logging authorisations for areas of reforestation also known as ‘plantations’.

In addition, the Central African Republic’s Forest Code also establishes other logging concessions:

- artisanal permits, which are permits for an area of ten (10) ha or less, intended for award to private individuals of CAR nationality or local communities;
- community forests of no more than five thousand (5 000) ha, which will need to be covered by a management agreement between the Ministry responsible for forests and an organised village and/or indigenous community.

Exploitation and land-use permits (PEAs), artisanal permits and community forests are allocated in production forests within the State’s permanent forest domain, located in the south-west of the country. Plantations may be situated throughout the whole country.

Since the enactment of the new Forest Code, namely Law No 08.022 of 17 October 2008 on the Central African Republic’s Forest Code, timber exported by the CAR has been primarily from PEAs. To this must be added timber originating under operating licences for old teak plantations.

Given the practical difficulties in implementing and monitoring community forests and artisanal permits, these concessions are not yet operational in the Central African Republic. In 2010, there are no concessions relating to community forests or artisanal permits.

Consequently, the legality matrix used under this Agreement applies only to concessions that are currently operational, namely PEAs and plantations. The legality definition will be completed to take account of community forests and artisanal permits under the conditions given in Annex V on the legality assurance system, paragraphs 1.2 and 2.1.

The desire to negotiate a VPA along participatory lines entails respect for all those involved in the discussions. Three groups were thus formed, namely the public sector, the private sector and civil society.

In order to best build a gradual understanding of the FLEGT process and best formulate proposals for negotiating it, two different kinds of consultations were held on the matrix, namely, consultation by group and a joint consultation of the three groups together. Consultation by group took place internally within the different actors. The joint consultation enabled a comparison of the positions of each group in order to find a national position to serve as a basis for the team negotiating with the European Union.

Given that the legality matrix needs to provide operational support to the process of issuing FLEGT licences, the CAR and the European Union agreed on the need to test the applicability and relevance of the draft legality matrix on the ground before implementing it in the context of the VPA. During the negotiations, an international organisation called 'The Forest Trust' was therefore appointed by the European Forest Institute (EFI) to conduct field tests involving Central African Republic representatives.

Given that the wood coming from teak plantations is currently exported to the European market in the form of logs, it was essential to consider these plantation products in the legality matrix. The regulations governing plantations are less developed. This matrix was produced on the basis of existing regulatory texts. Other texts will subsequently be produced to improve the regulations governing plantations. The legality definition will then, consequently, be updated.

#### **Clarification regarding the matrix indicators**

Some indicators have no regulatory reference. These indicators are included subject to the publication and content of the necessary references. For this reason, the references that need to be created are given in the Annex on supporting measures for Agreement implementation (Annex IX). The regulatory texts that will finally be adopted may entail amendments to the way in which these indicators are currently drafted.

Some indicators apply to all shipments, whatever the origin of the timber. Others apply only to shipments coming from PEAs or shipments coming from permits to log State reforested areas (State plantations) or to shipments coming from authorisations to log in a private domain (community or private plantations). The last column 'Concessions concerned' specifies the concession (that a shipment has come from) the indicator in the line applies to: all, PEA, plantations (covering reforested area authorisations, so-called State plantations, and private reforested authorisations for communities and individuals, so-called private plantations).

## PRINCIPLE 1: THE COMPANY HAS A LEGAL EXISTENCE

*Criterion 1.1: The company is duly registered with the competent authorities, following a valid procedure.*

Indicator	Verifiers	Legislative or regulatory text	Concessions concerned
Indicator 1.1.1: Registration with an economic administration: Ministry of Trade and Industry.	<p>Verifier 1.1.1.1: Ministerial decision authorising forest operations</p> <p>Verifier 1.1.1.2: Professional trader's licence</p>	<p>Ordinance No 83.083 of 31.12.83 (Arts. 7 and 8)</p> <p>Decree No 83.550 of 31.12.83 (Arts. 1 to 7)</p> <p>Law No 08.022 of 17.10.08 on the Forest Code (Art 176)</p>	All (PEA and Plantations)
Indicator 1.1.2: Registration with the tax administration (Ministry of Finances and Budget, General Department of Taxation).	<p>Verifier 1.1.2.1: Valid taxpayer's card</p> <p>Verifier 1.1.2.2: Slip bearing tax registration number (NIF)</p>	<p>Registration Guide</p> <p>General Tax Code v. 2009 (Art. 334)</p> <p>Order No 004/MEFPCI/DFB/CAB/SGF/DGID establishing the requirement to use an NIF (Arts. 1 and 2)</p>	All
Indicator 1.1.3: Registration with the National Social Security Office (CNSS).	Verifier 1.1.3.1: Proof of CNSS registration	Law No 06.035 of 28/12/2006 on the Social Security Code (Art. 31)	All

		Decree No 09.116 of 27.04.2009	
Indicator 1.1.4: Registration with the forest administration following a valid award procedure.	<p>Verifier 1.1.4.1: Report of the PEA award committee under the responsibility of the Ministry responsible for forests</p> <p>Verifier 1.1.4.2: Report of the independent observer under the responsibility of the Ministry responsible for forests</p> <p>Verifier 1.1.4.3: Decree allocating exploitation and land-use permits (PEAs)</p>	<p>Law No 08.022 of 17.10.08 on the Forest Code (Art. 31)</p> <p>Decree 09.118 of 28.04.2009 (Art. 17.6)</p>	PEAs
Indicator 1.1.5: Registration with the judicial administration (Ministry of Justice, Trade Court).	<p>Verifier 1.1.5.1: Trade and Secured Loans Register (RCCM)</p> <p>Verifier 1.1.5.2: Minutes of notarised formation</p> <p>Verifier 1.1.5.3: Clerk to the Trade Court notifies registration number</p>	<p>Ordinance No 83.083 of 31.12.83 (Art. 12)</p> <p>Law No 08.022 of 17.10.08 on the Forest Code (Art. 93)</p>	All
Indicator 1.1.6: Registration with the labour and employment administration (Ministry of Work and Employment, Labour Inspectorate).	<p>Verifier 1.1.6.1: Employer records numbered and signed off by the labour inspector for the administrative district</p>	<p>Law No 09.004 on the Labour Code (Art. 331)</p>	All
Indicator 1.1.7: Registration with the consular chambers: Chamber of Commerce and Industry.	<p>Verifier 1.1.7.1: Consular attestation</p>	<p>Refer to Annex IX: legal reference to be created</p>	All

Indicator 1.1.8: Registration with the Central African Agency for Vocational Training and Employment (ACFPE).	Verifier 1.1.8.1: Numbered and stamped request for employer's registration	Law No 99.008 of 19.05.1999 (Arts. 1 to 7)	All
<b><i>Criterion 1.2: The company is up-to-date with payment of its contributions.</i></b>			
Indicator 1.2.1: Payment of CNSS contributions.	Verifier 1.2.1.1: CNSS certificate or receipt	Copy of contribution payment receipts	All
Indicator 1.2.2: Payment of ACPFE contributions.	Verifier 1.2.2.1: Quarterly declaration of salaries paid  Verifier 1.2.1.2: Proof of payment of employer contributions	Decree 00.068 establishing the system for employer contributions to ACFPE (Arts. 2 and 4)	All
<b><i>Criterion 1.3: The company is not subject to any judicial sentence or administrative sanction leading to the temporary or permanent suspension of its activities.</i></b>			
Indicator 1.3.1: The company's activities have not been suspended following a court ruling.	Verifier 1.3.1.1: Records of court rulings  Verifier 1.3.1.2: Registers of infringements held by the Ministry responsible for forests	Law No 08.022 of 17.10.08 on the Forest Code, (Arts. 209 and 204(2))  Order No 09.020 of 30.04.09 (Arts. 92(2) and 93)	All
Indicator 1.3.2: The company's activities have not been suspended following an administrative sanction.	Verifier 1.3.2.1: Registers of infringements held by the Ministry responsible for forests  Verifier 1.3.2.2: Suspension decision of the Minister for the Environment	Law No 08.022 of 17.10.08 on the Forest Code (Art. 204(2))  Order No 09.020 of 30.04.09 (Art. 92(2) and 93)  Law No 07.018 of 28.12.07 on the Environment Code (Art. 114)	

<b><i>Criterion 1.4: The company complies in case of judicial sentence or administrative sanction.</i></b>			
Indicator 1.4.1: The company is up-to-date with payments of fines and penalties for the noted infringements.	Verifier 1.4.1.1: Receipt for payment of transaction or fine/penalty amount	Law No 08.022 of 17.10.08 on the Forest Code (Arts. 208 to 233)  Law No 07.018 of 28.12.07 on the Environment Code (Arts. 114 to 143)	All
<b>PRINCIPLE 2: LEGAL ACCESS RIGHTS TO FOREST RESOURCES IN ITS AREA OF OPERATION</b>			
<b><i>Criterion 2.1: The company holds the necessary concessions authorising it to log the forest resources</i></b>			
Indicator 2.1.1: All stages (informing the population, tender, application for concession, award committee, including the independent monitor) leading to the allocation of a logging concession have been properly followed by the company, observing the deadlines set by the laws and regulations of the Central African Republic, before and after enactment of Law No 08.022 on the Forest Code.	<p>Verifier 2.1.1.1 Report of the PEA award committee under the responsibility of the Ministry responsible for forests</p> <p>Verifier 2.1.1.2 Report of the independent monitor under the responsibility of the Ministry responsible for forests</p> <p>Verifier 2.1.1.3: Decree on the award of exploitation and land-use permits (PEAs)</p> <p>Verifier 2.1.1.4: Provisional agreement in the three months following the signing of the decree</p> <p>Verifier 2.1.1.5: Final agreement in the three years</p>	<p>Law No 08.022 of 17.10.08 on the Forest Code (Arts. 31, 41 and 48)</p> <p>Decree 09.118 of 28.04.09 (Art. 17(6))</p> <p>Order No 0.19 of 05.07.06 approving national rules for producing land-use plans (Volume 1)</p> <p>Order No 09.026 of 28.07.09 approving national rules for producing land-use plans (Volume 2)</p> <p>Decree No 09.118 (Arts. 13 to 17)</p>	PEAs

	following the signing of the provisional agreement		
Indicator 2.1.2: The company has paid all the costs involved in each stage of the award process.	<p>Verifier 2.1.2.1: Proof of payment of the application's administrative costs</p> <p>Verifier 2.1.2.2: Proof of payment of the pre-recognition fee</p> <p>Verifier 2.1.2.3: Receipt for payment of 3 years' rental within 15 days of notification of award (for permits allocated after 2003)</p>	<p>Decree 09.118 of 28.04.09 (Arts. 22 and 44)</p> <p>Law No 08.022 of 17.10.08 on the Forest Code (Arts. 179 to 189)</p>	PEAs
Indicator 2.1.3: In the case of plantations belonging to a private individual or community, the individual or community has a property title.	Verifier 2.1.3.1: Land title in the name of the individual or community	Law No 08.022 of 17.10.08 on the Forest Code of the CAR (Art. 131)	Private plantations
<b><i>Criterion 2.2: The company has all recurring regulatory authorisations enabling it to exercise its activities.</i></b>			
Indicator 2.2.1: The company has an annual felling authorisation duly issued by the Forests Administration.	<p>Verifier 2.2.1.1: Approval note for PEA management plans with final agreement.</p> <p>Verifier 2.2.1.2: Approval note for PEA annual operational plans with final agreement</p> <p>Verifier 2.2.1.3: Provisional felling agreement signed by the relevant authority</p>	<p>Law No 08.022 of 17.10.08 on the Forest Code (Arts. 107, 109 and 110, Art. 114)</p> <p>Decree 09.118 of 28.04.09 (Art. 17(4))</p>	PEAs

<p>Indicator 2.2.2: In the case of State-owned plantations, the company has authorisation from the Ministry responsible for forests to log a plantation</p>	<p>Verifier 2.2.2.1: Agreement of the Ministry responsible for forests</p> <p>Verifier 2.2.2.2: Exploration authorisation</p> <p>Verifier 2.2.2.3: Exploration report</p> <p>Verifier 2.2.2.4: Simple management plan for plantations of 50 ha or more in compliance with the General Conditions</p>	<p>Law No 08.022 of 17.10.08 on the Forest Code (Arts. 62 and 64)</p> <p>Order No 09.021 of 30.4.09 (Arts. 72 to 75)</p> <p>Refer to Annex IX: General Conditions need to be created</p>	<p>Plantations</p>
<p>Indicator 2.2.3: In the case of plantations belonging to a private individual or community, the individual or community has felling authorisations</p>	<p>Verifier 2.2.3.1: Felling authorisation issued to the operator (owner or contracted operator) by the Ministry</p> <p>Verifier 2.2.3.2: Simple management plan for plantations of 50 ha or more in compliance with the General Conditions</p> <p>Verifier 2.2.3.3: Where appropriate, a contract between the individual or community and logging company.</p>	<p>Law No 08.022 of 17.10.08 on the Forest Code of the CAR (Art. 131)</p> <p>Refer to Annex IX: General Conditions need to be created</p>	<p>Private plantations</p>

<b><i>Criterion 2.3: After award of its logging concession, the company helps to inform all forest-resource management stakeholders in the area in question of this award.</i></b>			
Indicator 2.3.1: The company informs the local and indigenous communities, local authorities and all interested parties of the signing of the provisional agreement and the opening up of the provisional cutting area.	Verifier 2.3.1.1: Reports of awareness raising meetings written by the company and jointly approved by the different stakeholders.	Order No 09.026 of 28.07.09 approving national rules for producing land-use plans (Volume 2)	PEAs
<b>PRINCIPLE 3: COMPLIANCE WITH ENVIRONMENTAL LEGISLATION</b>			
<b><i>Criterion 3.1: The company has conducted all impact assessments in line with the legal requirements.</i></b>			
Indicator 3.1.1: Environmental impact assessments have been conducted.	<p>Verifier 3.1.1.1: Records of environmental impact assessments approved for each production site (PEA + sawmill (including living quarters))</p> <p>Verifier 3.1.1.2: Environmental compliance certificate issued by the competent authority</p>	<p>Law No 07.018 of 28.12.07 on the Environment Code (Art. 87 and Art. 93(2))</p> <p>Refer to Annex IX: implementing regulations need to be created.</p>	PEAs
<b><i>Criterion 3.2: The company is implementing the environmental impact mitigation measures given in the assessments.</i></b>			
Indicator 3.2.1: The measures set out in the approved impact assessments to protect biodiversity are being implemented.	Verifier 3.2.1.1: Monitoring reports of the environmental administration	Law No 07.018 of 28.12.07 on the Environment Code (Art. 87)	PEAs

		Refer to Annex IX: implementing regulations need to be created.	
<b>Criterion 3.3: The company is taking measures to safeguard the quality of the environment at its site, in line with legal provisions.</b>			
Indicator 3.3.1: Waste (as defined in Art. 3 of the CAR's Environment Code and implementing regulations) resulting from the company's activities is treated in line with the legal requirements.	Verifier 3.3.1.1: Monitoring reports from the environmental administration	Law No 07.018 of 28.12.07 on the Environment Code (Arts. 3, 19 and 20, 43 to 45)  Refer to Annex IX: implementing regulations need to be created.	PEAs
Indicator 3.3.2: Legal provisions with regard to air and water pollution are being observed.	Verifier 3.3.2.1: Environmental audit report from the environmental administration	Law No 07.018 of 28.12.07 on the Environment Code (Arts. 15, 102 and 106(2))  Refer to Annex IX: implementing regulations need to be created.	PEAs
<b>PRINCIPLE 4: RIGHTS OF WORKERS, AND LOCAL AND INDIGENOUS COMMUNITIES</b>			
<b>Criterion 4.1: The company helps to inform and educate its workers and fully respects their employment rights.</b>			
Indicator 4.1.1: Freedom of union organisation is guaranteed within the company.	Verifier 4.1.1.1: Briefing note on the guarantee of freedom of union organisation stamped by the relevant authority and displayed  Verifier 4.1.1.2: Minutes of union meetings displayed (if employees are union members)	Law 09.004 of 29.01.09 on the Labour Code (Arts. 12,17, 18, 30, 31, 33)	All

Indicator 4.1.2: Staff delegates, elected in accordance with current legislation, have the necessary skills to fulfil their role.	<p>Verifier 4.1.2.1: Report of the general assembly at which staff delegates were elected, stamped by the labour inspector of the administrative district</p> <p>Verifier 4.1.2.2: Training certificates stamped by the labour inspector of the administrative district</p>	Law 09.004 of 29.01.09 on the Labour Code (Arts. 58, 60, 67)	All
Indicator 4.1.3: The company's employees are informed of documents relating to employment rights.	<p>Verifier 4.1.3.1: Briefing notes displayed</p> <p>Verifier 4.1.3.2: Report of meetings between staff delegates and employees</p> <p>Verifier 4.1.3.3: Internal regulations displayed</p>	<p>Law 09.004 of 29.01.2009 on the Labour Code (Arts. 63 and 129)</p> <p>The collective agreement for logging companies in the Central African Republic (Art. 10(4))</p>	All
<b><i>Criterion 4.2: The company respects workers' rights as defined in current regulations.</i></b>			
Indicator 4.2.1: Relations between the company and its staff are formally established according to the legal requirements.	<p>Verifier 4.2.1.1: Copy of the collective agreement held by the logging company and by the staff delegates</p> <p>Verifier 4.2.1.2: Employer records numbered and signed off by the labour inspector of the administrative district</p>	Law 09.004 on the Labour Code (Arts. 197 to 201 and 331)	All
Indicator 4.2.2: The company's staff are paid in accordance with current regulations for their sector of activity, and without discrimination.	<p>Verifier 4.2.2.1: Pay slips and salary reports</p> <p>Verifier 4.2.2.2: Employment contract signed by all parties</p>	<p>Law 09.004 on the Labour Code (Arts. 221 to 230 and 94 to 99)</p> <p>Collective agreement for logging companies</p>	All

<p>Indicator 4.2.3: Workers' health and safety conditions are in line with current legislation.</p>	<p>Verifier 4.2.3.1: Records of health and safety committee meetings</p> <p>Verifier 4.2.3.2: Provision of staff healthcare and safety equipment</p>	<p>Law No 09.004 on the Labour Code (Arts. 82 to 87)</p> <p>Order 005/MFPRESSFP/CAB/DGTEFP of 11 July 2004 on the establishment and functioning of health and safety committees in the Central African Republic (Arts. 1 to 3; Arts. 9 to 17)</p> <p>Collective agreements for logging companies</p> <p>International Labour Office, C155 Occupational Safety and Health Convention 1981 (Art. 12(a)(b), Art. 16), ratified by the CAR on 05.06.2006</p>	<p>All</p>
<p>Indicator 4.2.4: The working hours applied by the company are in accordance with legal provisions.</p>	<p>Verifier 4.2.4.1: Workers' timekeeping system</p> <p>Verifier 4.2.4.2: Workers' timesheets</p> <p>Verifier 4.2.4.3: Company service notes displayed</p> <p>Verifier 4.2.4.4: Pay slips</p>	<p>Law 09.004 on the Labour Code (Arts. 247 to 251)</p>	<p>All</p>
<p>Indicator 4.2.5: Staff recruitment is in line with the age restrictions established by national legislation and the International Labour Organisation (ILO).</p>	<p>Verifier 4.2.5.1: Employment contracts signed by all parties</p>	<p>Law 09.004 on the Labour Code (Arts. 247 to 249, Art 97)</p> <p>Collective agreements for logging companies</p>	<p>All</p>

<b>Criterion 4.3: The company respects the rights of local and indigenous communities</b>			
<p>Indicator 4.3.1: Local and indigenous communities' customary rights of access to and use of forest concessions are recognised and respected by the company.</p>	<p>Verifier 4.3.1.1: Land-use plan approved by the competent authority (the socio-economic report in particular)</p> <p>Verifier 4.3.1.2: Provisional agreement signed by the competent authority (PEA provisional agreement)</p> <p>Verifier 4.3.1.3: Report of findings of the forest administration, countersigned by the parties</p>	<p>Order No 0.19 of 05.07.06 on approving national rules for producing land-use plans (Volume 1)</p> <p>Order No 09.026 of 28.07.09 on approving national rules for producing land-use plans (Volume 2)</p> <p>Law No 08.022 of 17.10.08 on the Forest Code (Arts. 14 to 22, 107)</p> <p>Decree 09.118 of 28.04.09 (Arts. 17(4 and 5))</p>	<p>PEAs</p>
<p>Indicator 4.3.2: If assets belonging to local or indigenous communities are destroyed by the company, compensation is provided in accordance with current regulations.</p>	<p>Verifier 4.3.2.1: Official report read and approved by the parties</p> <p>Verifier 4.3.2.2: Proof of compensation</p>	<p>Order No 005/Ministry of Rural Development of 09.07.73</p>	<p>PEAs</p>

## **PRINCIPLE 5: TIMBER HARVESTING LEGISLATION**

***Criterion 5.1: The company has been involved in informing all forest-resource management stakeholders AFTER the award of its logging concession in the area in question.***

Indicator 5.1.1: The local communities, local authorities, NGOs, decentralised State structures and other development partners interested in forest resource management in the area in question are informed of the award of the PEA.

Verifier 5.1.1.1: Minutes of awareness-raising meetings written by the company and jointly approved by the stakeholders.

Law No 08.022 of 17.10.08 on the Forest Code (Art. 14)

Order No 09.026 of 28.07.09 approving national rules for producing land-use plans (Volume 2)

PEAs

***Criterion 5.2: The provisional agreement is adhered to.***

Indicator 5.2.1: The company adheres to the provisions of the provisional agreement during its period of validity (3 years).

Verifier 5.2.1.1: Administration's monitoring report

Law No 08.022 of 17.10.08 on the Forest Code (Arts. 102 and 107)

Provisional land-use agreement

Order No 0.19 of 05.07.06 approving national rules for producing land-use plans (Volume 1)

PEAs

***Criterion 5.3: The land-use plan is designed and implemented according to the regulations.***

Indicator 5.3.1: The prior studies have been conducted according to the rules set out by the forest administration.

Verifier 5.3.1.1: Land-use inventory report(s)

Law No 08.022 of 17.10.08 on the Forest Code (Arts. 102 to 105 and Art. 107)

Verifier 5.3.1.2: Socio-economic study report

Provisional land-use agreement - logging

PEAs

<p>Indicator 5.3.2: The land-use plan has been produced according to the rules set out by the forest administration.</p>	<p>Verifier 5.3.2.1: Final exploitation and land-use agreement</p>	<p>Law No 08.022 of 17.10.08 on the Forest Code (Art. 103)</p> <p>Order No 0.19 of 05.07.06 on approving national rules for producing land-use plans (Volume 1)</p> <p>Order No 09.026 of 28.07.09 on approving national rules for producing land-use plans (Volume 2)</p>	<p>PEAs</p>
<p>Indicator 5.3.3: The management plan complies with the regulations.</p>	<p>Verifier 5.3.3.1: Letter officially approving the management plan</p>	<p>Law No 08.022 of 17.10.08 on the Forest Code (Arts. 94, 103 and 114)</p> <p>Order No 0.19 of 05.07.06 on approving national rules for producing land-use plans (Volume 1)</p> <p>Order No 09.026 of 28.07.09 approving national rules for producing land-use plans (Volume 2)</p>	<p>PEAs</p>
<p>Indicator 5.3.4: The annual operating plan (PAO), including maps, complies with the regulations.</p>	<p>Verifier 5.3.4.1: Letter submitting annual operating plan to the office of the Minister for Forests</p> <p>Verifier 5.3.4.2: Letter officially approving the PAO</p>	<p>Order No 0.19 of 05.07.06 on approving national rules for producing land-use plans (Volume 1)</p> <p>Order No 09.026 of 28.07.09 on approving national rules for producing land-use plans (Volume 2)</p> <p>Law No 08.022 of 17.10.08 on the Forest Code (Arts. 94, 103 and 114)</p>	<p>PEAs</p>

<p>Indicator 5.3.5: A plantation or reforested area of 50 ha or more has a simple management plan in line with current regulations.</p>	<p>Verifier 5.3.5.1: Simple management plan for plantations of 50 ha or more, and this is in line with the General Conditions</p> <p>Verifier 5.3.5.2: Letter approving the simple management plan</p>	<p>Art. 64 of Law No 08.022 of 17.10.08 on the Forest Code of the CAR</p> <p>Arts. 72 to 75 of Order No 09.021 of 30.04.09</p> <p>Refer to Annex IX: General Conditions need to be created</p>	<p>Plantations</p>
<p><b><i>Criterion 5.4: The company has clearly defined the different forest sub-divisions and adheres to them.</i></b></p>			
<p>Indicator 5.4.1: The boundaries of the annual cutting area (AAC) or provisional areas anticipated on the maps are concretely mapped out and adhered to, in accordance with the regulations.</p>	<p>Verifier 5.4.1.1: Reports of forestry administration inspection visits</p>	<p>Law No 08.022 of 17.10.08 on the Forest Code (Art. 105)</p> <p>Order No 09.026 of 28.07.09 on approving national rules for producing land-use plans (Volume 2)</p>	<p>PEAs</p>
<p><b><i>Criterion 5.5: The company is building service roads in accordance with current regulations.</i></b></p>			
<p>Indicator 5.5.1: The service road network is planned and created in accordance with current regulations.</p>	<p>Verifier 5.5.1.1: Annual operating plan approved by the forest administration</p> <p>Verifier 5.5.1.2: Plan for the network of service roads for the provisional area</p> <p>Verifier 5.5.1.3: Administrative authorisation to open up access roads (if access roads required outside the AAC)</p> <p>Verifier 5.5.1.4: Reports of forestry administration</p>	<p>Law No 08.022 of 17.10.08 on the Forest Code (Arts. 94, 103 and 114)</p> <p>Provisional logging agreement</p> <p>Final agreement</p>	<p>PEAs</p>

	inspection visits  Verifier 5.5.1.5: Authorisation to open up paths for an AAC		
<b><i>Criterion 5.6: The company chooses the trees to fell according to the rules set out in the Forest Code, the Development Plan and data from the Annual Operating Plan (PAO)</i></b>			
Indicator 5.6.1: The minimum managed diameters (DMA) for final agreements or the minimum administrative logging diameters (DME) for provisional agreements are respected during felling operations.	Verifier 5.6.1.1: Worksite books  Verifier 5.6.1.2: Inspection visit reports	Law No 08.022 of 17.10.08 on the Forest Code (Art. 105)  Final logging agreement  Provisional logging agreement	PEAs
Indicator 5.6.2: The species logged are authorised in the land-use plan, the PAO and the order applying the Forest Code or the Forest Code itself.	Verifier 5.6.2.1: Land-use Plan Verifier 5.6.2.2: Worksite books Verifier 5.6.2.3: 'Timber movement' form Verifier 5.6.2.4: Special authorisation for unauthorised species	Order No 09.021 of 30.04.09 (Art. 53)  Final agreement  Law No 08.022 of 17.10.08 on the Forest Code (Arts. 186 and 190)	PEAs
<b><i>Criterion 5.7: The company adheres to all the provisions of the Forest Code on abandoning waste timber from logging.</i></b>			
Indicator 5.7.1: Timber that is felled and abandoned in the forest is in line with current regulations.	Verifier 5.7.1.1: Worksite books  Verifier 5.7.1.2: Official reports on abandoned timber from the forest administration  Verifier 5.7.1.3: Inspection reports from the forest	Final logging agreement  Provisional logging agreement  Law No 08.022 of 17.10.08 on the Forest	PEAs

	administration	Code (Arts. 201, 202 and 204)	
<b>PRINCIPLE 6: PROCESSING OF FOREST PRODUCTS</b>			
<i><b>Criterion 6.1: The company establishes at least one processing facility in accordance with the provisions of the Forest Code.</b></i>			
Indicator 6.1.1: The company has at least one processing facility in accordance with the regulatory provisions, three years after award of the PEA.	Verifier 6.1.1.1 Processing facility licence	Law No 08.022 of 17.10.08 on the Forest Code (Art. 39)  Provisional exploitation and land-use agreement	PEAs
Indicator 6.1.2: The company has proof that it is respecting the minimum annual processing quota (70%) set by the State.	Verifier 6.1.2.1: 'Timber movement' form or statistics yearbook	Law No 08.022 of 17.10.08 on the Forest Code (Art. 44)	
<i><b>Criterion 6.2: The company ensures the legality of purchased timber or derived products, even when imported.</b></i>			
Indicator 6.2: 1: Logs and timber products imported for processing are registered in line with regulatory provisions.	Verifier 6.2.1.1: Commercial import declaration  Verifier 6.2.1.2: 'Timber movement' form	Reference to be created: refer to Annex IX	PEAs
Indicator 6.2.2: Logs and timber products purchased for processing, including when imported, are of known and legal origin.	Verifier 6.2.2.1: A FLEGT authorisation from the country of origin accompanies the imported products  Verifier 6.2.2.2: Sustainable management certificate	Reference to be created: refer to Annex IX	PEAs

	or certificate of legal origin		
<b>PRINCIPLE 7: GENERAL AND FOREST TAXATION</b>			
<i>Criterion 7.1: The company makes forest tax declarations that are in accordance with its actual activity.</i>			
Indicator 7.1.1: The declaration of timber production is held in line with the regulatory provisions of the Forest Code.	Verifier 7.1.1.1: ‘Timber movement’ form	Law No 08.022 of 17.10.08 on the Forest Code (Art. 190)	All
Indicator 7.1.2: The declaration of timber processing is in accordance with the ‘timber movements’ forms.	Verifier 7.1.2.1: ‘Timber movement’ form	Law No 08.022 of 17.10.08 on the Forest Code (Art. 190)	All
Indicator 7.1.3: Declarations of timber sales and export of products are kept in accordance with the regulatory provisions.	Verifier 7.1.3.1: ‘Timber movement’ form  Verifier 7.1.3.2: Customs declarations  Verifier 7.1.3.3: Commercial export declaration (DEC)	Law No 08.022 of 17.10.08 on the Forest Code (Art. 190)  Finance Law for each financial year  Decree 86.328 of 20.11.86 (Art. 2)	All
Indicator 7.1.4: Tax/customs declarations are made in line with the regulatory provisions.	Verifier 7.1.4.1: Receipt for licence payment	Finance Law for each financial year	All

	<p>Verifier 7.1.4.2: Receipt for IMF (minimum set tax) payment</p> <p>Verifier 7.1.4.3: Receipt for IS/IR (corporation/income tax) payment</p> <p>Verifier 7.1.4.4: Receipt for VAT (value added tax) payment</p>	<p>General Tax Code (Arts. 120, 125, 140, 204, 247, 248 and 257)</p>	
<p><b><i>Criterion 7.2: The company pays all taxes due within the deadline.</i></b></p>			
<p>Indicator 7.2.1: All forest taxes and fees are paid within the stipulated deadlines.</p>	<p>Verifier 7.2.1.1: Receipt for rental tax payment</p> <p>Verifier 7.2.1.2: Receipt for felling tax payment</p> <p>Verifier 7.2.1.3: Receipt for reforestation tax payment</p> <p>Verifier 7.2.1.4: Notification stipulating exceptional measures relating to payment of company taxes and fees</p>	<p>Law No 08.022 of 17.10.08 on the Forest Code (Arts. 179 to 193)</p> <p>Finance Law for each financial year</p>	<p>PEAs</p> <p>All</p> <p>All</p> <p>All</p>
<p>Indicator 7.2.2: All fees and taxes related to timber exports are paid on time.</p>	<p>Verifier 7.2.2.1: Receipt for DS (exit fees) payment</p> <p>Verifier 7.2.2.2: Receipt for IMF (minimum set tax) payment</p> <p>Verifier 7.2.2.3: Receipt for REIF (Ministry of Finance tax on provision of computer tools) payment</p>	<p>Law No 08.022 of 17.10.08 on the Forest Code (Art 198)</p> <p>Finance Law for each financial year</p> <p>Instrument No 1/92-UDEAC-CD-SE1</p> <p>Arts. 12 and 22 of the CEMAC Customs Code</p> <p>Instrument No 1/93-UDEAC-573-CD-SE1</p>	<p>All</p>

		Instrument No 7/93-UDEAC-556-CD-SE1 Instrument No 16/96-UDEAC-556-CD-57 Instrument No 5/89-UDEAC-491	
Indicator 7.2.3: All fees and taxes related to imports of equipment used by the company are paid.	<p>Verifier 7.2.3.1: Receipt DD (import customs duty) payment</p> <p>Verifier 7.2.3.2: Receipt for value added tax (VAT) payment</p> <p>Verifier 7.2.3.3: Receipt for TCI (community integration tax) payment</p> <p>Verifier 7.2.3.4: Receipt for CCI (community integration contribution) payment</p> <p>Verifier 7.2.3.5: Receipt for REIF (tax on provision of financial computer tools) payment</p> <p>Verifier 7.2.3.6: Receipt for OHADA payment (OHADA fee)</p> <p>Verifier 7.2.3.7: Receipt for CMF payment (Central Africa Forests Commission fee)</p>	<p>Finance Law for each financial year</p> <p>Instrument No 1/92-UDEAC-CD-SE1</p> <p>Arts. 12 and 22 of the CEMAC Customs Code</p> <p>Instrument No 1/93-UDEAC-573-CD-SE1</p> <p>Instrument No 7/93-UDEAC-556-CD-SE1</p> <p>Instrument No 16/96-UDEAC-556-CD-57</p> <p>Instrument No 5/89-UDEAC-491</p>	All
Indicator 7.2.4: The company has repatriated the 'free on truck' (FOT) values of products declared for export outside of CEMAC to a local bank within 30 days of the deadline stipulated in the	Verifier 7.2.4.1: Certificate of bank debit order	Law No 08.022 of 17.10.08 on the Forest Code (Art. 200)	All

contract.	Verifier 7.2.4.2: Fund transfer document		
<b>PRINCIPLE 8: THE TRANSPORT AND TRACEABILITY OF TIMBER FOREST PRODUCTS ARE IN ACCORDANCE WITH THE REGULATIONS</b>			
<b><i>Criterion 8.1: The company may have its own means of transport</i></b>			
Indicator 8.1.1: The lorries and other vehicles for transporting timber products are correctly registered and licensed.	<p>Verifier 8.1.1.1: Vehicle registration documents</p> <p>Verifier 8.1.1.2: Technical data sheet</p> <p>Verifier 8.1.1.3: Insurance</p> <p>Verifier 8.1.1.4: Transport licence</p> <p>Verifier 8.1.1.5: Haulier's authorisation</p>	<ul style="list-style-type: none"> <li>- Decree No 88.151 of 25.04.88 (Art. R138, R138(1) and R 134(4))</li> <li>- CIMA Insurance Code (Art 200)</li> <li>- 2009 General Tax Code (Art 204)</li> </ul> <p>When transporting forest products for export, there is an additional reference: Decree No 90.043 of May 1990 organising road transport in the CAR</p>	All
Indicator 8.1.2: Transport documents for timber and derived products for export are in line with current regulations.	<p>Verifier 8.1.2.1: Waybill or route map</p> <p>Verifier 8.1.2.2: Dispatch note, accompanied by: specifications, D15, commercial export declaration, invoice, certificate of origin</p>	<p>Law No 08.022 of 17.10.08 on the Forest Code (Art. 93)</p> <p>CEMAC Customs Code (Arts. 133 and 134)</p>	All

Indicator 8.1.3: The company is implementing measures to apply the ban on the transportation of persons.	<p>Verifier 8.1.3.1: Company's internal regulations</p> <p>Verifier 8.1.3.2: Service note</p>	Decree No 90.043 of May 1990 organising road transport in the CAR	All
<b><i>Criterion 8.2: The company is marking felled trees for monitoring and traceability according to recognised forest regulation methods.</i></b>			
Indicator 8.2.1: The logs and stumps of felled trees are hammered and marked in line with regulatory requirements.	Verifier 8.2.1.1: Inspection visit report from the forestry administration	Law No 08.022 of 17.10.08 on the Forest Code (Arts. 93 and 96)	All
Indicator 8.2.2: In forest depots, logs are hammered and marked according to current regulations.	Verifier 8.2.2.1: Inspection visit report from the forestry administration	Law No 08.022 of 17.10.08 on the Forest Code (Arts. 93 and 96) Interministerial Order No 82 of 13.07.04	All
Indicator 8.2.3: Log transport documents are filled in prior to leaving the worksite.	Verifier 8.2.3.1: Waybill (also known as a delivery note or removal note)	Refer to Annex IX: reference needs to be created for the National Tracking System	All
Indicator 8.2.4: Log and log bundle documents are filled in prior to leaving the log depot or factory.	Verifier 8.2.4.1: Waybill (also known as a delivery note or removal note)	Interministerial Order No 82 of 13.02.04	All
<b>PRINCIPLE 9: RESPECT FOR CONTRACTUAL OBLIGATIONS</b>			

<b><i>Criterion 9.1: The company respects the formal commitments made in the management plan (PG), the annual operating plan (PAO) and/or the provisional agreement for a better contribution to local development.</i></b>			
Indicator 9.1.1: The amounts allocated to community budgets are regularly paid by the company.	<p>Verifier 9.1.1.1: Proof of payment of revenue orders</p> <p>Verifier 9.1.1.2: Administrative authorisation for staggered payment of taxes</p>	Law No 08.022 of 17.10.08 on the Forest Code (Arts. 177 to 192)	PEAs
Indicator 9.1.2: The social actions planned by the company and appearing in the PAO and management plan or in the provisional agreements have been implemented.	<p>Verifier 9.1.2.1: PAO approved by the forest administration (each PAO includes a description of the social activities undertaken the previous year)</p> <p>Verifier 9.1.2.2: Provisional agreement signed by the company and the Ministry responsible for forests</p>	<p>Reference to be created: order approving forest management rules underway, refer to Annex IX.</p> <p>Law No 08.022 of 17.10.08 on the Forest Code (Arts. 50, 51)</p>	PEAs
<b><i>Criterion 9.2: The company observes the additional commitments made to the forest administration with regard to biodiversity conservation in its concession.</i></b>			
Indicator 9.2.1: The commitments made by the company in the management plan, the general conditions, the PAO or the provisional agreement in order to contribute to preventing poaching and illegal logging in its area of intervention are respected.	<p>Verifier 9.2.1.1: Worksite inspection reports from the forest administration</p> <p>Verifier 9.2.1.2: Company reports on information, education and awareness raising campaigns</p>	<p>Reference to be created: order approving forest management rules underway, refer to Annex IX.</p> <p>Law No 08.022 of 17.10.08 on the Forest Code (Art. 90)</p>	PEAs

	<p>Verifier 9.2.1.3: PAO approved by the forest administration</p> <p>Verifier 9.2.1.4: Internal regulations</p>	<p>Wildlife Protection Code</p> <p>Order No 84.045 of 27.07.84 (Arts 34, 111 and 112)</p>	
<b>PRINCIPLE 10: RELATIONS WITH SUB-CONTRACTORS IN ACTIVITIES OTHER THAN TIMBER PRODUCTION</b>			
<i>Criterion 10.1: The company (and, in the case of private plantations, the individual or community) ensures that all its sub-contractors are operating legally.</i>			
<p>Indicator 10.1.1: The company (and, in the case of private plantations, the individual or community) ensures that all its sub-contractors and suppliers are authorised to exercise their activity.</p>	<p>Verifier 10.1.1.1: Accreditation of valid profession</p> <p>Verifier 10.1.1.2: Sub-contracts registered</p>	<p>Code for the Registration of Stamps and Curatorship (Arts 2 and 13)</p>	All
<i>Criterion 10.2: The company is paying its debts to its contractors.</i>			
<p>Indicator 10.2.1: The company (and, in the case of private plantations, the individual or community) is settling payment for the services anticipated in the contract.</p>	<p>Verifier 10.2.1.1: Invoices</p> <p>Verifier 10.2.1.2: Transfer document or cheque or receipt proving payment of the corresponding invoices</p>	<p>Civil Code (Arts 1101 and following)</p>	All

## List of laws, principle regulatory texts, regional and international agreements to be considered in forest legality

The texts noted in the context of this matrix are as follows:

- Orders (83.083 of 31.12.83; 84.045 of 27.7.84);
- Law No 08.022 of 17.10.08 on the Forest code of the Central African Republic and its different implementing regulations: decrees, orders, decisions and service notes;
- Law No 07.018 of 28.12.2007 on the Environment Code;
- Law No 09-004 on the Labour Code;
- The Law on the Civil Code in the CAR;
- The Law on the General Tax Code (including the law on the Code for Registration of Stamps and Trusteeship);
- Finance Law for each financial year;
- Law No 06.035 of 28.12.2006 on the Social Security Code;
- Law No 99.008 of 19.5.1999;
- CIMA Insurance Code;
- CEMAC Customs Code, implementing regulations for CEMAC's Customs Code:
  - Instrument No 1/92-UDEAC-CD-SE1
  - Instrument No 1/93-UDEAC-573-CD-SE1;
  - Instrument No 7/93-UDEAC-556-CD-SE1;
  - Instrument No 16/96-UDEAC-556-CD-57;
  - Instrument No 5/89-UDEAC-491.
- The agreements (collective agreements for logging companies in the CAR, International Labour Office Convention C155 of 1981 on workers' health and safety, final exploitation and land-use agreements, provisional exploitation and land-use agreements);
- Wildlife Protection Code, Order No 84.045 of 27.7.84;
- Code for Registration of Stamps and Trusteeship;
- Civil Code;
- Decrees:
  - Decree No 83.550 of 31.12.83;
  - Decree No 09.116 of 27.4.09;
  - Decree No 09.118 of 28.4.09;
  - Decree No 00.068;
  - Decree No 88.151 of 25.4.88;
  - Decree No 90.043 of May 1990 on road transport;
  - Decree 86.328 of 20.11.86.
- Ministerial and interministerial orders:
  - Order No 004/MEFPCI/DFB/CAB/SGS/DGID;
  - Order No 09.020 of 30.4.09;
  - Order No 019 of 5.7.06 on approving national rules for producing land-use plans (Volume 1);
  - Order No 09.021 of 30.4.09;
  - Order No 005/MFPSSSFP/CAB/DGTEFP of 11.7.04;
  - Interministerial Order No 82 of 13.2.2004;
  - Order 005/Ministry of Rural Development of 9.7.73;
  - Order No 09.026 of 28.7.09 on approving national rules for producing land-use plans (Volume 2);

- Interministerial Order No 82 of 13.2.04;
- Registration Guide

### ANNEX III

## **CONDITIONS GOVERNING THE RELEASE FOR FREE CIRCULATION INTO THE EUROPEAN UNION OF TIMBER AND DERIVED PRODUCTS EXPORTED FROM A PARTNER COUNTRY AND COVERED BY A FLEGT LICENCE**

### General framework

Regulation (EC) No 2173/2005 of 20 December 2005, and its implementing regulation, Regulation (EC) No 1024/2008 of 17 October 2008, laying down detailed measures for the entry onto the European market of timber and derived products covered by a FLEGT licence and coming from the Central African Republic. The procedures laid out in these regulations anticipate a possible adaptation to the national requirements of Member States and, in particular, the possibility that the competent authorities responsible for accepting FLEGT licences during entry onto the European market may be the customs authority or another administration. For this reason, the description of the process anticipates two stages in the verification: (1) documentary control of the licence and (2) a check that the shipment actually complies with the corresponding licence.

This process established in the European Union aims to strengthen the controls put in place by the Central African Republic and verify that the FLEGT licences presented on entry into Europe are indeed those that were duly issued and registered by the CAR's licensing authority, and that they cover the shipments that the CAR's authorities intended them to. The competent authorities do not have a mandate to question the CAR's legality assurance system and the validity of licence award, these issues being considered, as necessary, by the Joint Implementation Committee.

#### *Article one Processing licences*

1. The FLEGT licence (hereinafter the 'licence') shall be submitted to the competent authority of the Member State in which the shipment<sup>17</sup> covered by that licence is declared for release for free circulation<sup>18</sup>.
2. Once a licence has been accepted, the competent authorities indicated in paragraph 1 shall inform the customs authorities, in accordance with current national procedures.

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<sup>17</sup> Shipment is understood as meaning a quantity of timber or derived products as given in Annexes II and III of Regulation (EC) No 2173/2005, accompanied by a FLEGT licence, that is sent by a consignor or a shipper on departure from a partner country and which is presented for release for free circulation at a customs office in the European Union.

<sup>18</sup> Release for free circulation is a customs procedure of the European Union. Release for free circulation involves: (1) the collection of any import duties due; (2) the collection, as appropriate, of other charges, according to the relevant provisions in force in this regard; (3) the application of commercial policy measures, and prohibitions and restrictions, if these have not been applied at an earlier stage (in fact, it is within these measures that the presence of a FLEGT licence will be verified); (4) the completion of other formalities laid down in respect of the importation of goods. Release for free circulation confers the customs status of Community goods on a non-Community product.

*Article 2*  
*Documentary control of licences*

1. Paper-based licences shall conform to the format set out in Annex IV.
2. A licence submitted on a date past its expiry date shall be considered null and void.
3. The licence may not include any deletions or alterations, unless these have been validated by the licensing authority.
4. The extension of the validity of a licence shall not be accepted unless that extension has been validated by the licensing authority.
5. A duplicate or replacement licence shall not be accepted unless it has been issued and validated by the licensing authority.

*Article 3*  
*Request for additional information*

1. In case of doubt concerning a FLEGT licence, a duplicate or replacement, the competent authority may request additional information from the licensing authority.
2. A copy of the licence, duplicate or replacement in question may be forwarded together with the request.

*Article 4*  
*Physical verification*

1. Checks shall be conducted by the competent authorities, as appropriate, to ensure that the shipment actually complies with the corresponding licence.
2. If the competent authorities consider it necessary to further verify the shipment, checks may be carried out to establish whether the shipment in question conforms to the information provided in the licence and to the records relating to the licence in question which are held by the licensing authority.
3. Where the volume or weight of the timber products contained in the shipment presented for release for free circulation does not deviate by more than 10% from the volume or weight indicated in the corresponding licence, the shipment shall be considered as conforming to the information provided in the licence insofar as volume or weight is concerned.
4. The costs entailed in these checks shall be the responsibility of the importer, unless the national legislation of the Member States in question states otherwise.

*Article 5*  
*Prior verification*

A licence lodged prior to the arrival of the shipment it accompanies may be accepted if it satisfies all the requirements stated in Annex IV to this Agreement and if it is not considered necessary to undertake additional checks in accordance with Articles 3 and 4.

*Article 6*  
*Release for free circulation*

1. Reference shall be made, in Box 44 of the Single Administrative Document on which the customs declaration for release for free circulation appears, to the number of the licence covering the timber and derived products subject to this declaration.

Where the customs declaration is made via an electronic procedure, the reference shall be provided in the appropriate box.

2. The timber and derived products shall only be released for free circulation when the procedure described in this Annex has been completed.

## ANNEX IV

### CONDITIONS GOVERNING THE ISSUING OF AND TECHNICAL SPECIFICATIONS FOR FLEGT LICENCES

#### SECTION 1: FORMALITIES RELATING TO FLEGT LICENCE APPLICATIONS

##### *Article 1*

Any timber company from the CAR that would like to export the products of its logging, processing or business activities to the European Union is required to have a FLEGT licence for each shipment of timber products and for each destination in the European Union. The FLEGT licence is a way of ensuring that timber and derived products have been legally produced.

##### *Article 2*

A licence is issued following written request, in hard copy format, sent to the licensing authority. The licence application must enable all the information noted in Appendix I to Annex 4 of the Voluntary Partnership Agreement to be complete. The licence application must be submitted on a standard template that will be circulated by the forest administration.

##### *Article 3*

The licensing authority is a body appointed by the Minister for Forests and under his authority. The body is attached to the Minister's office but is not a delegated function. It is a full structure in its own right.

The composition and powers of this licensing authority shall be defined by an order from the Minister of Forests, to be issued during the Agreement implementation stage.

##### *Article 4*

The application must state in its subject line 'FLEGT licence application'.

It must include the name of the concession, the number of the concession given on the forest register, the date of the application and the applicant's signature. The applicant must expressly indicate if he wishes to receive the FLEGT licence in Douala.

For logs, the applicant must also indicate the forest management unit (UFG).

The application must clearly define the nature, origin, volume and destination of the product in question.

This application must be supported by the following customs documentation:

- specification document from the body responsible for securing export revenue (BIVAC);
- commercial export declaration (DEC);
- EUR.1 form;

- customs clearance receipt (exit fees, minimum set tax, fee for equipment in financial computer tools).

The FLEGT licence application form shall be defined during the development of the legality assurance system (LAS) and then communicated by the licensing authority to interested parties, in particular exporters, and published.

#### *Article 5*

The application references shall be held in the files of the applicant company and must be the same as those submitted to the office of the licensing authority.

#### *Article 6*

Applications submitted by companies shall be recorded by the licensing authority, which shall, in return, send acknowledgement of receipt.

#### *Article 7*

Documents submitted by the applicant company (application form correctly filled in and customs documents noted in Article 4) shall be passed on to the Central Inspectorate for Water and Forests (ICEF), which shall verify the legality of the shipment for which the licensing application has been made and issue an opinion with regard to its compliance. The verification procedures to be followed are described in Annex 5. ICEF verification is compulsory.

#### *Article 8*

With reference to the ICEF recommendation, the licensing authority then issues:

- when the authorisation is sent to Douala, notification of prior acceptance within a reduced overall timeframe, around two working days from receipt of application, if the shipment in question is verified to be legal, according to the procedure described in Annex V;
- when the authorisation is sent to Bangui, the licence within a reduced overall timeframe, around two working days from receipt of the application, if the shipment in question is verified to be legal, according to the procedure described in Annex V;

The procedure followed in case of non-compliance is set out in Annex V.

The verification results are communicated to the company and filed by the Forestry Data Centre (CDF) along with copies of the licences issued. A record is kept to this effect by the licensing authority.

The formalities for FLEGT licence applications shall be scrutinised during the development of the legality assurance system (LAS) and then communicated by the licensing authority to interested parties, in particular potential exporters, and published.

## **SECTION 2: REQUIREMENTS RELATING TO FLEGT LICENCES**

#### *Article 9*

A FLEGT licence may be in paper or electronic form.

The licence shall provide the information specified in Appendix 1, in accordance with the notes for guidance set out in Appendix 2.

#### *Article 10*

The FLEGT licence shall be valid from the day it is issued.

The period of validity of the FLEGT licence shall be six (6) months. The date of expiry shall be indicated on the licence.

After its expiry, the FLEGT licence shall be considered as void. In the case of duly noted 'force majeure', a new application shall be made to the FLEGT licensing authority.

In the event that the timber products in question have been destroyed, a FLEGT licence shall cease to be valid and shall be returned to the licensing authority.

#### *Article 11*

Licences in paper form shall comply with the format set out in Appendix 1.

#### *Article 12*

- The paper to be used shall weigh 120 grams/m<sup>2</sup>.
- The paper size shall be 21/29 cm (A4).
- The colour of the paper used for the form shall be as follows:
  - white for Form No 1, the 'original';
  - yellow for Form No 2, the 'copy for the European customs authority';
  - green for Form No 3, the 'copy for the Central African Republic's customs authority';
  - blue for Form No 4, the 'copy for the licensing authority'.

#### *Article 13*

- Licences shall be completed in typescript or by computerised means. They shall be signed by hand.
- The stamps of the licensing authority shall be applied by means of a metal stamp, preferably made of steel. However, an embossing press combined with letters or figures obtained by means of perforation may be substituted for the licensing authority stamp. The licensing authority shall use any tamper-proof method to record the quantity allocated in such a way as to make it impossible to insert figures or references.
- The form may not contain any deletions or alterations, unless they have been authenticated by the stamp and signature of the licensing authority.
- Licences shall be printed and completed in French.

#### *Article 14*

- The licence shall be drawn up in four copies, two of which shall be issued to the applicant.
- Once filled in, initialled, signed and dated by the licensing authority:
  - the first copy, marked ‘Original’, shall be given to the applicant for submission to the competent authorities of the European Union’s Member State in which the shipment covered by that licence is declared for release for free circulation.
  - the second copy, marked ‘Copy for the European customs authority’, shall be given to the applicant for submission to the customs authority of the Member State of the European Union in which the shipment covered by the licence is declared for release for free circulation;
  - the third copy, marked ‘Copy for the CAR customs authority’, shall be given to the CAR customs authority.
  - the fourth copy, marked ‘Copy for the licensing authority’, shall be filed with the CDF by the licensing authority.

### **SECTION 3: FLEGT LICENCE LOST, STOLEN OR DESTROYED**

#### *Article 15*

- In the event of loss, theft or destruction of the ‘original’ and/or the ‘copy for the European customs authority’, the licence holder or his authorised representative may apply to the licensing authority for a replacement on the basis of the document(s) in his possession or submitted during the FLEGT licence application.
- In the event of loss, theft or destruction of the ‘copy for the CAR customs authority’, the licence holder or his authorised representative may apply to the licensing authority for a replacement.
- The licensing authority shall issue the replacement(s) within 24 hours of receipt of the request from the licence holder.
- The replacements shall contain all the information and entries appearing on the licence they replace, including the licence number.
- The replacement document(s) shall bear the endorsement ‘duplicate’.
- If the replacement document is lost, stolen or destroyed, no further replacement documents can be issued.
- If the lost or stolen licence is retrieved, it shall be null and void and must be returned to the licensing authority.

### **SECTION 4: DOUBTS REGARDING THE VALIDITY OF A FLEGT LICENCE**

#### *Article 16*

- Where there is doubt regarding the validity of the licence or a replacement, the competent authorities may ask for additional information from the licensing authority.

- If considered necessary, the licensing authority may ask the competent authority to send a copy of the licence or the replacement in question.
- If the licensing authority considers it necessary, it shall withdraw the licence and issue a corrected copy bearing the endorsement ‘duplicate’, authenticated with its seal, and forward this to the competent authority.
- If the validity of the licence is confirmed, the licensing authority shall notify the competent authority forthwith, preferably by electronic means, and return the copies of the licence. The copies returned shall bear the endorsement ‘Validated on...’, validated/authenticated by stamp.
- In the event that the licence in question is not valid, the licensing authority shall notify the competent authority, preferably by electronic means.

### **APPENDICES**

1. Licence form
2. Explanatory notes

## Appendix 1

### *Format of the FLEGT licence*

<b>ORIGINAL</b>	<b>1</b>	1 Issuing authority	<b><u>2 Country of origin: CENTRAL AFRICAN REPUBLIC</u></b>	
		Name	Nature of concession:.....	
			Operator:.....	
			Concession Nos.:.....	
		Address	Forest Management Unit (UFG):.....	
			Contract No:.....	
			E101 No:.....	
		3 FLEGT licence number	4 Date of expiry	
		5 Country of export	7 Means of transport	
		6 ISO Code		
	8 License holder (name and address)			
	9 Trade name of timber or derived products	10 HS headings		
<b>1</b>				
	11 Common or scientific name(s)	12 Countries of harvest	13 ISO Codes	
	14 Volume(s) (m <sup>3</sup> )	15 Net weight (kg)	16 Number of units	
	17 Distinguishing marks			
	18 Signature and stamp of issuing authority			
	Place and date			

2 1 Issuing authority

2 Country of origin: CENTRAL AFRICAN REPUBLIC

Name

Nature of concession:.....

Operator:.....

Address

Concession Nos.:.....

Forest Management Unit (UFG):.....

Contract No.:.....

E101 No.:.....

3 FLEGT licence number

4 Date of expiry

5 Country of export

7 Means of transport

6 ISO Code

8 License holder (name and address)

Trade name of timber or derived products

10 HS headings

2

11 Common or scientific name(s)

12 Countries of harvest

13 ISO Codes

14 Volume(s) (m<sup>3</sup>)

15 Net weight (kg)

16 Number of units

17 Distinctive signs:

18 Signature and stamp of issuing authority

Place and date

**COPY FOR THE CAR CUSTOMS AUTHORITY**

**3** 1 Issuing authority

**2 Country of origin: CENTRAL AFRICAN REPUBLIC**

Name

Nature of concession:.....

Address

Operator:.....

Concession Nos:.....

Forest Management Unit (UFG):.....

Contract No:.....

E101 No:.....

3 FLEGT licence number

4 Date of expiry

5 Country of export

7 Means of transport

6 ISO Code

8 License holder (name and address)

9 Trade name of timber or derived products

10 HS headings

**3**

11 Common or scientific name(s)

12 Countries of harvest

13 ISO Codes

14 Volume(s) (m<sup>3</sup>)

15 Net weight (kg)

16 Number of units

17 Distinctive signs:

18 Signature and stamp of issuing authority

Place and date

4 1 Issuing authority

2 Country of origin: CENTRAL AFRICAN REPUBLIC

Name

Nature of concession:.....

Operator:.....

Concession Nos.:.....

Address

Forest Management Unit (UFG):.....

Contract No.:.....

E101 No.:.....

3 FLEGT licence number

4 Date of expiry

5 Country of export

7 Means of transport

6 ISO Code

8 License holder (name and address)

9 Trade name of timber or derived products

10 HS headings

4

11 Common or scientific name(s)

12 Countries of harvest

13 ISO Codes

14 Volume(s) (m<sup>3</sup>)

15 Net weight (kg)

16 Number of units

17 Distinctive signs:

18 Signature and stamp of issuing authority

Place and date



## Appendix 2

### *Explanatory notes*

#### General details

- Fill in the forms in capital letters.
- Where indicated, ISO codes refer to the two-letter country code, in accordance with international standards.

Box 1	Licensing body	Indicate the name and address of the licensing authority
Box 2	Country of origin: Central African Republic	(Nature of concession, Operator, Concession Nos., Forest Management Unit, Contract No, E101 N°)
Box 3	FLEGT licence number	Indicating the number of issue.
Box 4	Date of expiry	Period of validity of the licence.
Box 5	Country of export	This refers to the partner country from where the timber products were exported to the EU.
Box 6	ISO Code	Indicate the two-letter code for the partner country noted in Box 5.
Box 7	Means of transport	Indicate means of transport from the point of export.
Box 8	Licence holder	Indicate the name and address of the exporter.
Box 9	Commercial designation of timber and derived products	Give the trade name of the timber product(s).
Box 10	HS heading	Give the four to six-digit commodity code established pursuant to the harmonised commodity description and coding system.
Box 11	Common or scientific names	Give the common or scientific names of the categories of timber used in the product. Where more than one category is used in a composite product, use a separate line for each category. Optional in the case of composite product or compounds that contain several unidentifiable categories.
Box 12	Country of harvest	Give the countries where the categories of timber referred to in Box 10 were harvested. For a composite product, give all the sources of timber used. Optional in the case of composite products or compounds that contain several unidentifiable categories.
Box 13	ISO Codes	Give the ISO code of the countries referred to in Box 12. Optional, in the case of composite products or

		compounds that contain several unidentifiable categories (e.g. particle board).
Box 14	Volume(s) (m <sup>3</sup> )	Give the overall volume in m <sup>3</sup> . Optional, unless the information referred to in Box 15 has been omitted.
Box 15	Net weight	Give the overall weight in kg. This is the net mass of the timber products without immediate containers or any packaging, other than struts, braces and labels, etc. Optional, unless the information referred to in Box 14 has been omitted.
Box 16	Number of units	Give the number of units when this is the best way of quantifying a manufactured product. Optional.
Box 17	Distinguishing marks	Indicate any distinguishing marks where appropriate e.g. lot number or bill of lading number. Optional.
Box 18	Signature and stamp of licensing body	The box shall be signed by the authorised official and stamped with the official stamp of the licensing authority, also indicating place and date.

## ANNEX V

### LEGALITY ASSURANCE SYSTEM (LAS)

#### **I- INTRODUCTION**

##### **1.1 - Background**

###### *a) - Presentation of the sector*

The Central African Republic covers a total area of 623 000 km<sup>2</sup>, and comprises different ecosystems, including 54 000 km<sup>2</sup> of equatorial forest found in two blocks: the forest mass in the south-west, covering 3 800 000 ha and the forest mass in the south-east, covering 1 600 000 ha. Only the forest mass in the south-west is currently under industrial exploitation.

Eleven (11) logging companies are currently operating there with an average annual production of approx. 600 000 m<sup>3</sup> of logs and 200 000 m<sup>3</sup> of sawn timber (source: MEFCP statistical yearbook).

The main destinations for the CAR's timber are: Europe, Asia, America and Africa.

###### *b) - The structures currently responsible for control*

The control structures that currently carry out control functions in the different ministerial departments, both at central and decentralised level, are given below.

- The Ministry for Water, Forests, Hunting and Fisheries

*At central level:* documentary verification is undertaken on a daily basis, whilst field checks are of variable frequency (quarterly or six-monthly).

- the General Directorate for Water, Forests, Hunting and Fisheries (DGEFCP), through two departments: the forest logging and industry department (DEIF) and the forest inventory and land-use department (DIAF);
- the Central Inspectorate for Water and Forests (ICEF);
- the Forestry Data Centre (CDF);
- the mobile intervention and verification brigade (BMIV), made up of the following ministerial elements:
  - Ministry for Water, Forests, Hunting and Fisheries
  - Ministry of Finances
  - Ministry of National Defence (police);
- the Department for Legal Affairs and Litigation (DAJC).

*At decentralised level:* the frequency of decentralised controls is not as regulated. Checks may be quarterly or six-monthly. Border post controls are undertaken on a daily basis, however, every time a loaded lorry passes.

- the General Directorate for Regional Services, through the regional water and forests departments, the prefectural-level inspectorates and the border inspectorates;
- the Ministry for the Environment and Ecology;

- the General Directorate for the Environment;
- the Central Inspectorate for the Environment and Ecology.
- the Ministry of Finances and Budgets:
  - General Inspectorate of Finances;
  - General Directorate for Customs;
  - General Directorate for Taxes.
- the Ministry of Trade and Industry:
  - Central Inspectorate for Trade;
  - General Directorate for Trade and Competition;
  - decentralised department of the Ministry of Trade through the ‘One Stop Shop’ (*guichet unique*).
- the Ministry of the Civil Service, Social Security and Youth Employment:
  - Central Inspectorate for Labour;
  - Labour inspection unit of the administrative district;
  - Department for recovery and litigation within the National Social Security Office (CNSS).
  - General Directorate of ACFPE.
- the Ministry of Agriculture and Rural Development;
- the Ministry of Justice:
  - judicial inspection unit;
  - President of the Trade Court;
  - Clerk to the Trade Court.
- the Ministry for the Civil Service and Regional Administration:
  - traffic police.

*c) - Identifying areas for improvement*

Implementation of the LAS requires improvements in the following areas:

- **Legal framework:** several regulatory texts, above all laws on different codes (Environment Code, December 2007; Forest Code, 2008) exist in the Central African Republic to improve its forest sector governance. Nonetheless, analysis and preparation work for the Agreement has shown that the CAR’s forestry regulations need further additions.
- **Institutional framework:**

The Ministry for Water and Forests, which is primarily responsible for management, suffers from a number of problems in terms of implementing its policies efficiently. These difficulties explain the irregularity of the controls:

- human resources are currently insufficient and lacking in qualifications;
- material resources: a lack of appropriate equipment for verification work, logistical needs in terms of data gathering, processing and management, and the working environment;
- financial resources: the Central African Republic is experiencing financial difficulties due to the enormous needs. The CAS-DF, which is one of the

sector's financial support mechanisms, is useful but insufficient to cover these needs and respond to the challenges of forest governance. Moreover, it is sometimes called on to respond to unplanned needs outside of the forest sector.

#### Independent monitoring

Civil society is organised in a platform but skills and resources are currently limited, preventing it from undertaking independent monitoring.

#### Independent audit

The Central African Republic does not currently have an external audit system or one that would cast an 'independent' eye over its forest system.

Annex IX to this Agreement proposes, in particular, additional measures to remedy a number of these observations.

### **1.2 - Coverage of the legality assurance system**

The products covered by the LAS are given in Annex I to the Agreement.

The LAS applies to all current sources of timber and derived products open to export. In 2010, this relates to:

- exploitation and land-use permits (PEAs);
- plantations (also known as 'reforestation areas').

Timber in transit and imported timber are covered by the LAS. Imported timber is also used for timber and derived products exported to markets outside of the European Union. In contrast, the LAS does not apply to timber from:

- community forests; or
- artisanal logging permits.

In fact, to date, and although these provisions are anticipated in the Forestry Code, there are not yet any community forests or artisanal logging permits in the CAR. These sources are therefore not considered in the LAS. Timber and derived products could soon be coming from community forests or artisanal logging permits, however, and could be exported to Europe in the future. They will then be taken into account in the LAS.

The domestic consumer market for timber is not covered by the LAS described in this Agreement. Local activities that supply national consumption of timber and derived products are properly monitored, according to provisions external to this Agreement. The LAS described in this Agreement guarantees that exported products do not include products coming from the domestic market.

## **2 - DEFINITION OF LEGALITY AND VERIFICATION OF THE LEGALITY OF TIMBER**

### **2.1 - Legality matrices**

The CAR has legislation (Forestry Code, Environment Code, CEMAC Customs Code, General Tax Code, Labour Code and social laws, etc.) and implementing regulations, the provisions of which concerning forest activities have been broken down into principles,

criteria and indicators in two legality matrices (PEAs and plantations) given in Annex II to the Agreement.

Some of the indicators in this matrices have no legal reference at the date of signing this Agreement. Appropriate legal or regulatory references (in particular those referred to in Annex IX to this Agreement) will be created during the Agreement implementation phase and prior to the CAR issuing its first FLEGT licence. The matrices and, more generally, the LAS, will be updated in line with regulatory changes. The annexes to the Agreement will be amended as a consequence of any decision of the Joint Implementation Committee, in accordance with Article 26 of the Agreement.

No community forests or artisanal permits have been approved in the CAR. The matrices relating to community forests and artisanal permits will be developed when the is implemented Agreement and prior to the first allocations of these concessions.

## **2.2 - Verification of the legality matrices**

Verification of legality is done by a number of centralised and decentralised ministerial bodies, which may be supported in their tasks by an independent civil society monitor. These ministerial bodies are the following:

- the General Directorate for Water, Forests, Hunting and Fisheries (DGEFCP) through two departments: the forest logging and industry department (DEIF) and the forest inventory and land-use department (DIAF), which carry out a variety of checks at central level;
- the General Directorate for Regional Services (DGSR), through the regional departments (DR), the prefectural-level inspectorates and the border inspectorates, carried out a variety of checks at regional level;
- the CDF collects, centralises and processes data, within a database management system (SGBD);
- the Central Inspectorate for Water and Forests (ICEF) supervises and guarantees the proper functioning of legality assurance;
- the mobile intervention and verification brigade (BMIV) carries out spontaneous verification missions;
- the Department for Legal Affairs and Disputes within the Ministry for Water and Forests verifies the register of infringements and transaction payments;
- the regional Departments of Labour verify compliance with employment and social protection rules;
- the General Directorate for Taxes ensures tax registration (NIF) and regular payment of taxes;
- the General Directorate for Urban Planning and Housing is involved through the issuing of land titles (relating to plantations);
- the President of the Trade Court verifies that the company has not been convicted by any court;
- the Clerks to the Trade Court verify that the company is properly registered;
- the Department for Collection, Control and Disputes (of the National Social Security Fund (CNSS)) verifies the payment of social contributions;
- the Department of Studies, Planning and Employment verifies that staff files are up-to-date.

The independent civil society monitor: this is formed of several CAR NGOs that make up the civil society platform for forest governance. This monitor supports the ministerial departments involved in verification.

The following table describes the methods for verifying the legality of timber and derived products.

Explanation of table:

1<sup>st</sup> column: legality matrix indicators that must be fulfilled before a shipment can be considered legal and a licence issued.

2<sup>nd</sup> column: verifiers showing that the indicator has indeed been fulfilled.

3<sup>rd</sup> and 4<sup>th</sup> columns: departments and structures responsible for verifying the indicator.

5<sup>th</sup> column: verification methodology to be confirmed during the Agreement implementation phase.

6<sup>th</sup> column: bodies responsible for checking verification and methodology.

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
1.1.1	Registration with the economic administration: Ministry of Trade and Industry	1.1.1.1.: Ministerial decision giving authorisation for logging operations  1.1.1.2. Professional trader's licence	Ministry of Trade and Industry	General Directorate for Trade, Competition and Consumption/Department for Competition/Competition and Anti-Fraud Service;  Decentralised department of the Ministry of Trade through the 'One Stop Shop' (' <i>guichet unique</i> ')  Department for Domestic Trade	<b><u>Methodology:</u></b>  <b><u>1- Check commercial authorisation</u></b>  Commercial authorisation is issued once only; traditionally it is verified at the same time as the professional trader's card.  <b><u>2- Check renewal of the Professional Trader's Card</u></b>  1- Renewal of the trader's card must be undertaken during the first half of the year (from 1 January to 30 June)  2- Verification of renewal is thus done each year systematically through visits to all commercial establishments from 1 July onwards  3- Should this not be renewed, the DGCCC sends notification to the trader  4- Official report drawn up once the trader's opinion has been heard and  5- Fine notified (letter signed by Minister of Trade)	<b><u>Body responsible:</u></b>  Central Inspectorate for Trade  Central Inspectorate for Water and Forests (ICEF)  <b><u>Methodology:</u></b>  <b><u>Cent. Insp. Ministry of Trade</u></b>  1- Receives summary report from the Department of Trade and provides documentary check  2- Checks a sample group and produces an official report  3- Sends information on samples checked to CDF c/o ICEF  <b><u>ICEF</u></b>  1- Checks that CDF inputs information into the SGBD

**Frequency:**

1.1.1.1: once only

1.1.1.2: annual

**Back-up of result:**

**1.1.1.1.:**

1- Entry in the database of the decentralised department of the Ministry of Trade, through the 'One Stop Shop'

2- CDF informs SGBD

**1.1.1.2.:**

1- Official report (hard copy) produced for the General Directorate of Trade and filed

2- CDF informs SGBD

**Flows:**

**Flow 1: Registration (commercial authorisation)**

1- Department of Domestic Trade sends quarterly list (electronic and paper versions) of new companies or activities registered that affect the forest/timber sector to the CDF (formality through the One Stop Shop)

2- CDF informs SGBD

3- Paper-based version of list sent to ICEF

**Frequency:**

1.1.1.1: once only

1.1.1.2: annual

**Back-up of result:**

**Cent. Insp. Ministry of Trade**

1- Produces an official report (PV)

**ICEF:**

1- SGBD informed of results of check

**Flows:**

1- From Central Inspectorate for Trade to CDF c/o the Central Inspectorate for Water and Forests

2- From ICEF to the FLEGT licensing authority (form for transferring verification result to be defined)

					<p><b>Flow 2: Renewal of registration</b></p> <p><b>DGCC:</b></p> <p>Annual report on the situation of all forest-timber sector companies sent to the Central Inspectorate for Trade, with copy to CDF c/o ICEF (form for information exchange to be developed)</p> <p><b>CDF:</b></p> <p>1- Receives summary report</p> <p>2- Informs SGBD</p>
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
1.1.2	Registration with the tax administration (Ministry of Finances and Budget, General Department of Taxation)	1.1.2.1 Valid taxpayer's card	Ministry for Water, Forests, Hunting and Fisheries	Forestry Data Centre (CDF)	<b>Methodology:</b>	<b>Body responsible:</b> Central Inspectorate for Water and Forests

		Ministry of Finances and Budgets	Tax Registration Department (Department of Studies, Tax Legislation, Registration and Disputes)	<p>1- Tax Registration Department (Department of Studies, Tax Legislation, Registration and Disputes) sends quarterly list (electronic and paper versions) of new companies or activities registered that affect the forest-timber sector to the CDF c/o ICEF, with the following information: name of the company or individual, tax registration number (NIF) and date of registration (information exchange form to be developed)</p> <p>2- CDF receives list</p> <p>3- SGBD informed</p> <p><b>Frequency:</b> once only for a given company</p> <p><b>Back-up of result:</b></p> <p>1- CDF informs SGBD</p> <p>2- Files (paper copy) of the list</p> <p><b>Flows:</b> Paper copy of list sent to ICEF</p>	<p><b>Methodology:</b></p> <p>1- Receive list sent by the CDF</p> <p>2- Verify company compliance</p> <p>3- SGBD informed of each company's results</p> <p><b>Frequency:</b> once only for a given company</p> <p><b>Back-up of result:</b></p> <p>1- SGBD informed of results of verification check</p> <p><b>Flows:</b> ICEF to the FLEGT licensing authority</p>
	1.1.2.2.: Slip bearing tax registration number (NIF)				

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
1.1.3	Registration with the National Social Security Office (CNSS).	1.1.3.1:  Proof of CNSS registration	Ministry of Labour	Department for Collection, Control and Disputes/Collections Section	<p><b><u>Methodology:</u></b></p> <p>1- Registration request submitted to the One Stop Shop (Department for Collection, Control and Disputes/Registration Section)</p> <p>2- File sent to the National Social Security Office (CNSS) to verify previous registrations and allocate registration number</p> <p>3- Visit to company premises to check veracity of declaration: actual start-up date, number of staff and wage bill</p> <p>4- Produce rectification report in the event of false declaration</p> <p>NB: currently, 48 hours after registration with the Tax Dept., the CNSS automatically opens an employer file, gathering information directly from the Tax Department.</p> <p><b><u>Frequency:</u></b> on each registration</p> <p><b><u>Back-up of result:</u></b></p> <p><b><u>Ministry of Labour</u></b></p>	<p><b><u>Body responsible:</u></b> ICEF</p> <p><b><u>Methodology:</u></b></p> <p>1- Receive list sent by CDF</p> <p>2- Verify company compliance</p> <p>3- SGBD informed of each company's results</p> <p><b><u>Frequency:</u></b> once only for a given company</p> <p><b><u>Back-up of result:</u></b></p>

				<p>1- Enters on the database of the One Stop Shop (digital)</p> <p>2- Opens an employer file (paper version)</p> <p>3- Registers the employer file (paper version)</p> <p>4- Backs up on a punched card at CNSS (digital)</p> <p><b>In the event of false declaration:</b></p> <p>1- Rectification report (paper format)</p> <p>2- Control report from collections department</p> <p><b><u>Ministry of Forests/CDF</u></b></p> <p>1- Files (paper copy) list of companies and their situations</p> <p>2- SGBD informed</p> <p><b><u>Flows:</u></b></p> <p>1- Quarterly list of registered employers sent with their registration number to the CDF c/o ICEF (electronic and paper) for inputting into SGBD (information exchange procedures to be developed)</p> <p>2 - CDF sends a copy of the list of the situation of each company to ICEF</p>	<p>SGBD informed</p> <p><b><u>Flows:</u></b></p> <p>From ICEF to the FLEGT licensing authority</p>
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
1.1.4	Registration with the forest administration following a valid award procedure	<p>1.1.4.1: Report of the PEA award committee under the responsibility of the Ministry responsible for forests</p> <p>1.1.4.2: Report of the independent monitor under the responsibility of the Ministry responsible for forests</p> <p>1.1.4.3: Decree allocating exploitation and land-use permits (PEAs)</p>	Ministry responsible for forests	General Directorate for Water, Forests, Hunting and Fisheries (DGEFCP)	<p><b><u>Methodology:</u></b></p> <p><b>For companies in existence in 2010</b></p> <p>1- Verification in the forest ledger for each PEA</p> <p>2- Report produced with the key information: (PEA No, award date, beneficiary)</p> <p>3- Report sent to CDF c/o ICEF with paper copies of the decrees approving the award (form to be developed)</p> <p><b>For new companies</b></p> <p>1- Key data sent as received along with a paper copy of the decree to CDF c/o ICEF and to ICEF</p> <p><b><u>Frequency:</u></b> once only for a given company</p> <p><b><u>Back-up of result:</u></b></p> <p>1- Input key data into SGBD</p> <p>2- Digitise decree and include in SGBD</p> <p>3- File in paper format</p> <p>4- Update information</p>	<p><b><u>Body responsible:</u></b> Central Inspectorate for Water, Forests, Hunting and Fishing</p> <p><b><u>Methodology:</u></b></p> <p>1- Receive report sent by the DGEF</p> <p>2- Check the validity of information for all PEAs</p> <p>3- SGBD informed of verification check</p> <p><b><u>Frequency:</u></b> once only for a given company</p> <p><b><u>Back-up of result:</u></b></p> <p>SGBD informed</p>

**Flows:** DGEF to CDF and ICEF

**Flows:** ICEF to the FLEGT licensing authority

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
1.1.5	Registration with the judicial administration (Ministry of Justice, Trade Court)	<p>1.1.5.1: Trade and Secured Loans Register (RCCM)</p> <p>1.1.5.2. Minutes of notarised formation</p> <p>1.1.5.3: Notification of registration number by the Clerk to the Trade Court</p>	Ministry of Justice	Clerk to the Trade Court and President of the Trade Court	<p><b>Methodology:</b></p> <p>1- Regular checks of the register and registration documents, calling the interested party to the Trade Court should it be suspended</p> <p>2- Verification of document</p> <p><b>Frequency:</b> as necessary: change in capital, demerger, change of manager, additional activities, etc.,</p> <p><b>Back-up of result:</b></p> <p>Registration in the ‘national file’ SGBD informed</p> <p><b>Flows:</b></p> <p>1- Quarterly list sent of companies registered and results of verifications conducted over the course of the year (the procedure for information exchange has to be developed)</p> <p>2- CDF informs SGBD</p>	<p><b>Body responsible:</b> Clerk to the Trade Court and President of the Trade Court/ICEF</p> <p><b>Methodology:</b></p> <p>1- Regular checks of the register and registration documents, calling the interested Party to the Trade Court should it be suspended</p> <p>2- Verification of document</p> <p><b>Frequency:</b> as necessary: change in capital, demerger, change of manager, additional activities, etc.</p> <p><b>Back-up of result:</b></p> <p>Registration in the ‘national file’ SGBD informed of results of verification check</p> <p><b>Flows:</b></p> <p>ICEF to the FLEGT licensing authority</p>

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
1.1.6	<p>Registration with the labour and employment administration.</p> <p>(Ministry for Labour and Employment, Labour Inspectorate)</p>	1.1.6.1: Employer records numbered and signed off by the labour inspector for the administrative district	Ministry of Labour	<p>Labour inspectorate of the administrative district</p> <p>General Directorate for Labour and Social Security</p>	<p><b><u>Methodology:</u></b></p> <p>Employer register signed off annually</p> <p><b><u>Frequency:</u></b> once only for a given company but updated annually</p> <p><b><u>Back-up of result:</u></b></p> <p>Annual report sent to the Department for Labour and Social Security (DTPS)</p>	<p><b><u>Body responsible:</u></b> Department of Labour and Social Security / Ministry responsible for forests</p> <p><b><u>Methodology:</u></b></p> <p><b>Ministry of Labour</b></p> <p>1-Examines activity reports of the Regional Labour and Social Security Inspector</p> <p>2- Summarises the general situation of each company for the past year and sends to CDF c/o ICEF, according to a procedure to be developed</p> <p><b>Ministry responsible for forests</b></p> <p>1- CDF receives documents</p> <p>2- Informs SGBD</p> <p>3- Sends hard copy to ICEF</p> <p>4- Checks that ICEF has input it</p> <p><b><u>Frequency:</u></b> once only for a given company but updated annually</p> <p><b><u>Back-up of result:</u></b></p> <p><b>Ministry of Labour</b></p> <p>Annual report sent to the General Directorate for Labour and Social Security (DGTPS)</p> <p><b>Ministry responsible for forests</b></p>

						<p>1- CDF informs SGBD</p> <p>2- CDF files paper copy</p> <p>3- ICEF informs SGBD of the results of CDF's inputting</p> <p><b>Flows:</b></p> <p>Inspectorate to DTPS</p>	<p><b>Flows:</b></p> <p>DTPS to DGTPS and to CDF/ICEF</p> <p>ICEF to the FLEGT licensing authority</p>
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
1.1.7	Registration with the consular chambers: Chamber of Commerce and Industry	1.1.7.1: Consular attestation	<p>Ministry responsible for forests</p> <p>Ministry of Trade</p>	<p>Forestry Data Centre (CDF)</p> <p>Company registration section (Chamber of Commerce) through the 'One Stop Shop'</p>	<p><b>Methodology:</b></p> <p>1- Company registration section (Chamber of Commerce) to send quarterly copies of the consular attestations (ACs) and the list of companies registered by the company registration section (Chamber of Commerce) to the CDF c/o ICEF, through the 'One Stop Shop'</p> <p>2- Received by CDF</p> <p>3- SGBD informed</p> <p>4- Verification of company compliance</p> <p>5- Each company's results input into SGBD</p> <p>6- SGBD updated quarterly</p>	<p><b>Body responsible:</b> Central Inspectorate for Water and Forests</p> <p><b>Methodology:</b></p> <p>Inform SGBD of the results of the verification check</p>

					<p><b>Frequency:</b> once only for a given company</p> <p><b>Back-up of result:</b></p> <p>CDF informs SGBD</p> <p>File (paper copy)</p> <p><b>Flows:</b></p> <p>Send copy of ACs to ICEF</p>	<p><b>Frequency:</b> once only for a given company</p> <p><b>Back-up of result:</b></p> <p>SGBD updated</p> <p><b>Flows:</b></p> <p>ICEF to the FLEGT licensing authority</p>
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
1.1.8	Registration with the Central African Agency for Vocational Training and Employment (ACFPE).	1.1.8.1: Numbered and stamped request for employer's registration	Ministry of Labour	<p>General Directorate of ACPFE: Department of Financial Affairs (dispute monitoring section)</p> <p>Regional Labour Inspectorate</p>	<p><b>Methodology:</b></p> <p>-</p> <p>Regular verification by ACPFE is undertaken at the same time as the verifications of the relevant regional Labour Inspectorate and according to the same procedures</p> <p>The following is proposed:</p> <p>1- List of new companies or activities registered that affect the forest-timber sector sent quarterly to CDF (electronic and paper versions)</p> <p>2- CDF receives list</p>	<p><b>Body responsible:</b></p> <p>Department for Labour and Social Security / General Directorate of ACPFE</p> <p><b>Methodology</b></p> <p><b>Ministry of Labour</b></p> <p>1-Examines activity reports of the Regional Labour and Social Security Inspector</p>

					<p>3- SGBD informed</p> <p><b>Frequency:</b> once only for a given company</p> <p><b>Back-up of result:</b></p> <p>CDF informs SGBD</p> <p>File (paper copy)</p> <p><b>Flows:</b></p> <p>Paper copy of list sent to ICEF</p>	<p>2- Summarises the general situation of each company for the past year and send to CDF c/o ICEF, according to a procedure to be developed</p> <p><b>Ministry responsible for forests</b></p> <p>1- CDF receives documents</p> <p>2- Informs SGBD</p> <p>3- Sends hard copy to ICEF</p> <p>4- Checks that ICEF has input it</p> <p><b>Frequency:</b> once only for a given company</p> <p><b>Back-up of result:</b></p> <p>SGBD informed of results of verification check</p> <p><b>Flows:</b></p> <p>ICEF to the FLEGT licensing authority</p>
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
1.2.1	Payment of CNSS contributions	1.2.1.1: CNSS certification or receipt	Ministry of Labour	Collections Section of the Department for Collection, Control and Disputes (DRCC)	<p><b>Methodology:</b></p> <p>1- Update employer file at end of period</p> <p><b>Periods:</b></p>	<p><b>Body responsible:</b> Department for Collection, Control and Disputes/Collections Section/ Central Inspectorate for Water and Forests</p>

Large employers (20 staff or more) pay contributions monthly and have one month to declare the previous month

Small employers (less than 20 staff) pay contributions quarterly and have 15 days to pay

2- Send follow-up letter to offenders specifying the fine to be paid (10% of total amount)

3- Triggering of a legal procedure 10 days after the follow-up, in the event of non-payment

4- Produce a quarterly report

**Frequency:** quarterly

**Back-up of result:**

Follow-up report (PV) (paper format)

Filing by the CDF

**Flows:**

**Methodology:**

**Department for Collection, Control and Disputes**

Regular verification in case of suspicion or complaint

Produces a control report (PV)

**ICEF**

1- Receives list sent by CDF

2- Verifies the compliance of CDF's inputting, and the status of each employer

3- Informs SGBD of the results

**Frequency:** quarterly

**DRCC:** as necessary

**ICEF:** monthly

**Back-up of result:**

**DRCC:** Control report

**ICEF:** SGBD informed

**Flows:**

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
					List of companies and their situation sent quarterly to CDF c/o ICEF (paper format on a form to be developed) in order to inform SGBD; the CDF informs SGBD, sends a paper copy to ICEF and files the document (paper format)	DRCC sends control reports to ICEF, which sends them on to CDF for inputting  ICEF presents the situation of each company to the licensing authority
1.2.2	Payment of ACPFE contributions	1.2.2.1: Quarterly declaration of salaries paid	Ministry of Labour	Department of Studies, Planning and Employment (DEPE)  ACFPE  Administrative and Financial Department (DAF)  Regional Inspectorate for the relevant administrative district	<b><u>Methodology:</u></b>  1- Check work contracts and ACFPE stamp to ensure compliance with the minimum wage for each socio-professional category 2- Verification of staff files 3- Quarterly verification of pay slips 4- Write mission report  5- Produce quarterly report giving the situation of each company, according to a procedure to be developed 6- Send quarterly report to CDF c/o ICEF	<b><u>Body responsible:</u></b>  Department for Labour and Social Security  ICEF  <b><u>Methodology:</u></b> <b>Ministry of Labour</b>  1- Receives information on staff declaration from DAF 2- Verifies stamp 3- Sends request to DAF via the collections section for payment of the employer contribution 4- Annual report with copy to CDF c/o ICEF

		1.2.1.2: Proof of payment of employers' contributions			<p><b><u>Frequency:</u></b></p> <p>quarterly</p> <p><b><u>Back-up of result:</u></b></p> <p>Mission reports</p> <p>Quarterly Reports</p> <p><b><u>Flows:</u></b></p> <p>DEPE/DAF to CDF c/o ICEF</p>	<p><b><u>Frequency:</u></b></p> <p>- annual, for the last 4 quarters (Ministry of Labour)</p> <p>- quarterly - Ministry responsible for forests (ICEF)</p> <p><b><u>Back-up of result:</u></b></p> <p>Annual Reports</p> <p>SGBD informed</p> <p><b><u>Flows:</u></b></p> <p>DGTPS to ICEF</p> <p>ICEF to the licensing authority</p>
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
1.3.1	The company's activities have not been suspended following a court ruling.	1.3.1.1: Records of court rulings	Ministry of Justice  Ministry responsible for forests	The clerks  Department for Legal Affairs and Litigation of the Ministry responsible for forests (DAJC).	<p><b><u>Methodology:</u></b></p> <p><b><u>Clerks:</u></b></p> <p>1- Enter infringements committed on the register of each regional court</p> <p>2- Produce a report (paper format according to a template to be developed) for each infringement and an annual report</p>	<p><b><u>Body responsible:</u></b></p> <p>Ministry of Justice: High Court (TGI)</p> <p>MEFCP: General Directorate for Support Services (DGSA)</p> <p><b><u>Methodology:</u></b></p>

1.3.1.2.: Registers of infringements held by the Ministry responsible for forests

Ministry responsible for forests

Regional Department for Water and Forests (DR)

3- Send report(s) and a copy of the record of the judgment to the Regional Department for Water and Forests (DR) of the administrative district, for the Prefectural Courts, according to a procedure to be developed.

4- Send report and a copy of the record of the judgment to the DAFC with copy to CDF c/o ICEF either through the DREF or through the court clerks in Bangui

**DAJC:**

1- Enters on the infringements register (document to be established as it is not kept at the moment)

**CDF:**

1- Informs database

File report

**Frequency:**

on each suspension

**Back-up of result:**

**Clerks:**

Enter on the register of regional court judgments

Produce a report filed in paper format

**DAJC:**

**High Court:**

1- Checks that the register of judgments is properly maintained

2- Produces an annual report, a copy of which is sent to CDF c/o ICEF

**DGSA:**

Checks the infringements register is properly maintained

**ICEF:**

Checks CDF has informed SGBD

**Frequency:**

annually

**Back-up of result:**

**ICEF:**

Informs SGBD of results of control

					<p>Keeps an infringements register</p> <p><b>CDF:</b></p> <p>Informs SGBD</p> <p>Files a paper copy of the report and record of the judgment</p> <p><b>Flows:</b></p> <p><b>Prefectural-level courts:</b></p> <p>1- Report from clerks to the court to the DREF</p> <p>2- Send report to the DAJC with copy to CDF c/o ICEF</p> <p><b>Bangui Courts:</b></p> <p>1- Report from clerks to the court to DAJC with copy to CDF c/o ICEF</p>	<p><b>Flows:</b></p> <p>ICEF to the licensing authority</p>
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
1.3.2	The company's activities have not been suspended following an administrative sanction.	<p>1.3.2.1: Registers of infringements held by the Ministry responsible for forests</p> <p>1.3.2.2: Suspension decision of the Minister for the Environment</p>	Ministry responsible for forests	Department for Legal Affairs and Litigation of the Ministry responsible for forests (DAJC).	<p><b>Methodology:</b></p> <p><b>1.3.2.1:</b> idem 1.3.1</p> <p><b>1.3.2.2:</b></p> <p>1- DAJC updates the infringements register</p> <p>2- Write report</p> <p>3- Send report and decision to CDF c/o ICEF</p>	<p><b>Body responsible:</b></p> <p>ICEF</p> <p><b>Methodology:</b></p> <p><b>DGSA:</b></p> <p>Checks the infringements register is properly maintained</p>

					<p><b>Frequency:</b> at each suspension</p> <p><b>Back-up of results:</b></p> <p><b>DAJC:</b></p> <p>Keeps an infringements register</p> <p><b>CDF:</b></p> <p>Informs SGBD</p> <p>Files report and suspension decision in paper format</p> <p><b>Flows:</b></p> <p>DAJC to CDF c/o ICEF</p>	<p><b>ICEF:</b></p> <p>Checks CDF has informed SGBD</p> <p><b>Frequency: annual</b></p> <p><b>Back-up of results:</b></p> <p><b>ICEF:</b></p> <p>SGBD informed of results of check</p> <p><b>Flows:</b></p> <p>ICEF to the FLEGT licensing authority</p>
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
1.4.1	The company is up-to-date with payments of fines and penalties incurred for infringements	1.4.1.1: Receipt for payment of transaction or fine/penalty amount	Ministry responsible for forests	DGEF, the mobile intervention and verification brigade (BMIV)	<p><b>Methodology:</b></p> <p>1- Prior verification of the infringements register before each regular visit of the BMIV and the General Directorate of Water and Forests</p> <p>2- Visit of the accounting services</p> <p>3- Writing of report</p>	<p><b>Body responsible:</b></p> <p>Central Inspectorate for Water, Forests, Hunting and Fishing</p> <p><b>Methodology:</b></p>

				<p>4- Send report to ICEF in 2 copies, one of which is sent directly to the CDF</p> <p><b><u>Frequency:</u></b> quarterly</p> <p><b><u>Back-up of result:</u></b></p> <p>Visit report in paper and digital formats filed at the CDF and DGEF</p> <p>Inform SGBD</p> <p><b><u>Flows:</u></b></p> <p>DGEF to CDF c/o ICEF and to this latter</p>	<p>Check CDF has informed SGBD and SGBD informed of the result</p> <p><b><u>Frequency:</u></b> six-monthly</p> <p><b><u>Back-up of result:</u></b></p> <p>Inform SGBD</p> <p><b><u>Flows:</u></b></p> <p>ICEF to the FLEGT licensing authority</p>
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
2.1.1	<p>All stages (informing population, tender, request for concession, award committee, including the independent monitor) leading to the award of a forest logging concession have been properly followed by the company, observing the deadlines set by the laws and regulations of the Central African Republic, before and after enactment of Law No 08.022 on the Forestry Code.</p>	<p>2.1.1.1: Report of the PEA award committee under the responsibility of the Ministry responsible for forests</p> <p>2.1.1.2: Report of the independent monitor under the responsibility of the Ministry responsible for forests</p> <p>2.1.1.3.: Decree allocating exploitation and land-use permits (PEAs)</p> <p>2.1.1.4: Provisional agreement in the three months following the signing of the decree</p> <p>2.1.1.5: Final agreement in the three years following signing of the provisional agreement</p>	<p>Ministry responsible for forests</p>	<p>General Directorate for Water and Forests (DGEFCP)</p>	<p><b>Methodology:</b></p> <p>1- Verify the existence of the award decree in the MEFCP's archives for all licences already allocated and date of award</p> <p>2- Verify the existence of the contractual document (final and/or provisional agreement depending on the date of award)</p> <p>3- Produce a report with the key information: (PEA No, award date, beneficiary, nature of contractual document and date of signing)</p> <p>4- Send report to ICEF and to CDF c/o the former, with copies in paper format of the award decree and the contractual document(s)</p>	<p><b>Body responsible:</b> Central Inspectorate for Water, Forests, Hunting and Fishing</p> <p><b>Methodology:</b></p> <p>1- Receive report sent by DGEF</p> <p>2- Check the validity of information for all PEAs</p> <p>3- Inform SGBD of the verification check</p>

					<p><b>Frequency:</b> once only for a given PEA</p> <p><b>Back-up of result:</b></p> <p>Input key data into SGBD</p> <p>Digitisation and inclusion of decree in SGBD</p> <p>Filing in paper format</p> <p>Updating of information at time of each new award or return to State domain</p> <p><b>Flows:</b></p> <p>DGEF to ICEF</p>	<p><b>Frequency:</b> once only for a given PEA</p> <p><b>Back-up of result:</b></p> <p>Inform SGBD</p> <p><b>Flows:</b></p> <p>From ICEF to the FLEGT licensing authority</p>
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
2.1.2	The company has paid all the costs involved in each stage of the award process.	<p>2.1.2.1: Proof of payment of the application's costs</p> <p>2.1.2.2: Proof of payment of the pre-recognition fee</p>	Ministry responsible for forests	General Directorate for Water and Forests (DGEFCP)	<p><b>Methodology:</b></p> <p>1- Verify the existence of receipts for the costs of the files, of the pre-recognition fee and 3 years' rent (company established after 2003) in the MEFCP's archives</p>	<p><b>Body responsible:</b> Central Inspectorate for Water, Forests, Hunting and Fishing</p> <p><b>Methodology:</b></p>

		<p>2.1.2.3: Receipt for payment of 3 years' rental within 15 days of notification of award (for licences allocated after 2003)</p>			<p>2- Produce a report with the key information: PEA number, award date, beneficiary, number of receipts and amounts paid</p> <p>3- Send report to CDF under the ICEF's responsibility and to this latter, with paper copies of receipts</p> <p><b>Frequency:</b> once only for a given award</p> <p><b>Back-up of result:</b></p> <p>Input into the SGBD</p> <p>Digitisation and inclusion of decree in SGBD</p> <p>Filing in paper format</p> <p>Updating of information at time of each new award or return to domain</p> <p><b>Flows:</b> DGEF to ICEF</p>	<p>1- Receive report sent by DGEF</p> <p>2- Check the validity of information for all PEAs</p> <p>3- Inform SGBD of the verification check</p> <p><b>Frequency:</b> once only for a given award</p> <p><b>Back-up of result:</b></p> <p>Inform SGBD</p> <p><b>Flows:</b> From ICEF to the FLEGT licensing authority</p>
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
2.1.3	In the case of plantations belonging to a private individual or community, the individual or community has a property title.	2.1.3.1: Land title in the name of the individual or community	Ministry of Planning (land register)  Ministry of Finances and Budgets	General Directorate of Planning  General Directorate for Taxes and Domains (DGID)	<p><b><u>Methodology:</u></b> Verify the existence of a record of the land ownership title</p> <p><b><u>Frequency:</u></b> once only</p> <p><b><u>Back-up of results:</u></b> Input into the SGBD</p> <p><b><u>Flows:</u></b> From the General Directorate for Planning to the General Directorate for Taxes and Domains  From the General Directorate for Taxes to DGEF  From DGEF to ICEF</p>	<p><b><u>Body responsible:</u></b> Central Planning Inspectorate</p> <p>Inform the SGBD</p> <p><b><u>Flows:</u></b> From the Central Planning Inspectorate to ICEF and from ICEF to the licensing authority</p>

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification structures (5)	Bodies responsible for verification and methodology control (6)
2.2.1	The company has an annual felling authorisation duly issued by the Forests Administration.	<p>2.2.1.1: Approval note for management plan for PEAs with a final agreement.</p> <p>2.2.1.2: Approval note for annual operating plan for PEAs with a final agreement</p> <p>2.2.1.3: Provisional felling agreement signed by the relevant authority</p>	Ministry responsible for forests	General Directorate for Water and Forests (DGEFCP)	<p><b><u>Methodology:</u></b></p> <p><b>PEA with a final agreement</b></p> <p>1- Documentary examination, by a committee established to this effect, of the management plan and PAO submitted by the company in the context of the MEFCP's rating system</p> <p>2- Letter of PAO approval, if submission satisfactory</p> <p><b>PEA with a provisional logging agreement</b></p> <p>Verification already undertaken in 2.1.1</p> <p><b><u>Frequency:</u></b></p> <p>annual for PAO and five-yearly for PG</p> <p><b><u>Back-up of result:</u></b></p> <p>DGEF files PAO approval letter in the SGBD and in the archives in paper format</p> <p><b><u>Flows:</u></b></p>	<p><b><u>Body responsible:</u></b></p> <p>ICEF</p> <p><b><u>Methodology:</u></b></p> <p>Verify the existence of the approval letter for the PG and PAO and minutes of the meeting</p> <p><b><u>Frequency:</u></b></p> <p>annual for PAO and five-yearly for PG</p> <p><b><u>Back-up of result:</u></b></p> <p>Inform the SGBD that the point has been verified</p> <p><b><u>Flows:</u></b></p>

					1- Approval letter sent by DGEF to the company, ICEF, PARPAF ( <i>projet d'appui à la réalisation des plans d'aménagements forestiers</i> ), DGSR and meeting minutes with rating to CDF c/o ICEF and to the latter	From ICEF to the FLEGT licensing authority
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification structures (5)	Bodies responsible for verification and methodology control (6)
2.2.2	In the case of plantations belonging to the State, the company has authorisation from the Ministry responsible for forests to log a plantation	2.2.2.1: Agreement of the Minister for Forests 2.2.2.2: Exploration authorisation 2.2.2.3: Exploration report 2.2.2.4: Simple management plan for plantations of 50 ha or more, in line with the General Conditions	Ministry responsible for forests	General Directorate for Water and Forests (DGEFCP)	<p><b>Methodology</b></p> <p><b>2.2.2.1 to 2.2.2.3:</b></p> <p>Request sent to the Minister for Forests</p> <p>Exploration authorisation given by DGEF</p> <p>Exploration undertaken by the company or individual and submission of report to DGEF</p> <p>Documentary and field verification by DGET and granting of ministerial agreement</p> <p><b>Frequency:</b> on each request</p> <p><b>Back up</b></p> <p>Filing, in paper format (DGEF and CDF) and electronic format (CDF), of the request, the exploration authorisation and the ministerial agreement</p> <p><b>Flows:</b></p> <p>From applicant to DGEF</p> <p>From DGEF to applicant and ICEF (CDF)</p>	<p><b>Body responsible:</b></p> <p>ICEF</p> <p><b>Methodology:</b> Verify the existence of the exploration report and ministerial agreement</p> <p><b>Frequency:</b> quarterly</p> <p><b>Result backup:</b></p> <p>Inform the SGBD that the point has been verified</p> <p><b>Flows:</b> From ICEF to the FLEGT licensing authority</p>



IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
2.2.3	In the case of plantations belonging to a private individual or community, the individual or community has felling authorisations	<p>2.2.3.1: Felling authorisation issued to the operator (owner or contracted operator) by the Ministry</p> <p>2.2.3.2: Simple management plan for plantations of 50 ha or more, in line with the General Conditions</p> <p>2.2.3.3: Where appropriate, a contract between the individual or community and operating company.</p>	Ministry responsible for forests	General Directorate for Water and Forests (DGEFCP)	<p><b><u>Methodology</u></b></p> <p><b>2.2.3.1:</b></p> <p>Request sent to the Minister for Forests</p> <p>Exploration authorisation given by DGEF</p> <p>Exploration undertaken by the company or individual and submission of report to DGEF</p> <p>Documentary and field verification by DGET and granting of felling authorisation</p> <p><b><u>Frequency:</u></b> on each request</p> <p><b><u>Back up</u></b></p> <p>Filing, in paper format (DGEF and CDF) and digital format (CDF), of the request, the exploration authorisation and the felling authorisation</p> <p><b><u>Flows:</u></b></p> <p>From applicant to DGEF</p> <p>From DGEF to applicant and ICEF (CDF)</p>	<p><b><u>Body responsible:</u></b> ICEF</p> <p><b><u>Methodology:</u></b> Verify the existence of the exploration report and felling authorisation</p> <p><b><u>Frequency:</u></b> quarterly</p> <p><b><u>Back-up of result:</u></b></p> <p>Inform the SGBD that the point has been verified</p> <p><b><u>Flows:</u></b></p> <p>From ICEF to the FLEGT licensing authority</p>

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification structures (5)	Bodies responsible for verification and methodology control (6)
2.3.1	The company informs the local and indigenous communities, local authorities and all interested parties of the signing of the provisional agreement and the opening up of the provisional cutting area.	2.3.1.1: Reports of awareness-raising meetings written by the company and jointly approved with the different stakeholders.	Ministry responsible for forests	General Directorate for Regional Services (DGSR)/Regional Director (DR)	<p><b><u>Methodology:</u></b> Regular verification of the existence of minutes by the regional departments</p> <p><b><u>Frequency:</u></b> annual</p> <p><b><u>Back-up of result:</u></b> Write mission report Send report to DGSR DGSR sends report to DGEF and CDF</p> <p><b><u>Flows:</u></b> From regional departments to DGSR From DGSR to DGEF and CDF (ICEF)</p>	<p><b><u>Body responsible:</u></b> Director General for Regional Services (DGSR)</p> <p><b><u>Methodology:</u></b> Verify the existence of the report</p> <p><b><u>Frequency:</u></b> annual</p> <p><b><u>Back-up of result:</u></b> Inform SGBD</p> <p><b><u>Flows:</u></b> From ICEF to the licensing authority</p>

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
3.1.1	Environmental impact assessments have been conducted.	<p>3.1.1.1: Reports of environmental impact assessments approved for each production site (PEA + sawmill, including living quarters)</p> <p>3.1.1.2: Environmental compliance certificate issued by the competent authority</p>	<p>Ministry of the Environment and Ecology</p> <p>Ministry responsible for forests</p>	General Directorate for the Environment (DGE)	<p><b>Methodology:</b></p> <p>1- Documentary examination of the environmental impact assessment (EIA) submitted by the company</p> <p>2- On-site verification</p> <p>3- Letter approving the EIA, if satisfactory verification</p> <p><b>Frequency:</b> five-yearly</p> <p><b>Back-up of result:</b></p> <p>DGE files approval letter and EIA in the SGBD and in paper format in the archives</p> <p><b>Flows:</b> Letter of approval sent to company with copy to CDF and ICEF</p>	<p><b>Body responsible:</b></p> <p>Department for Environmental Surveillance (DSE) / ICEF</p> <p><b>Methodology:</b></p> <p><b>DSE:</b></p> <p>1- If any suspicion, verifies some points of the documentary examination and on-site verification</p> <p>2- Produces and sends a report with copy to ICEF</p> <p><b>ICEF:</b></p> <p>Verifies the existence of the letter approving the EIA</p> <p><b>Frequency:</b> five-yearly</p> <p><b>Back-up of result:</b></p> <p>DSE: Files control report</p> <p>ICEF: Informs the database of the verification check</p> <p><b>Flows:</b> From ICEF to the FLEGT licensing authority</p>

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verifiication structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
3.2.1	The measures aimed at protecting the biodiversity resources, given in the approved impact assessments, are implemented.	3.2.1.1: Monitoring reports from the environmental administration	Ministry of the Environment and Ecology	Department for Environmental Surveillance (DSE)	<p><b><u>Methodology:</u></b></p> <p>1- On-site evaluation of implementation of measures contained in EIA</p> <p>2- Evaluation report and letter of compliance, if evaluation satisfactory</p> <p>3- Inform SGBD of verification results</p> <p><b><u>Frequency:</u></b> ongoing (depending on the nature of the EIA measures)</p> <p><b><u>Back-up of result:</u></b></p> <p>File evaluation report and letter in the DSE archives</p> <p><b><u>Flows:</u></b></p> <p>Letter of approval sent to company with copy to ICEF and CDF</p>	<p><b><u>Body responsible:</u></b></p> <p>ICEF</p> <p><b><u>Methodology:</u></b></p> <p>Verify the existence of the report and letter</p> <p><b><u>Frequency:</u></b> ongoing (depending on the nature of the EIA measures)</p> <p><b><u>Back-up of result:</u></b></p> <p>Inform database of the results of the verification control</p> <p><b><u>Flows:</u></b></p> <p>From ICEF to the FLEGT licensing authority</p>

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
3.3.1	Waste (as defined in Art. 3 of the CAR's Environment Code and implementing regulations) resulting from the company's activities is treated in line with the legal requirements.	3.3.1.1: Monitoring reports from the environmental administration	Ministry of the Environment and Ecology (DGE)	Department for Environmental Monitoring	<p><b>Methodology:</b></p> <p>1- On-site evaluation of the existence of a waste treatment system</p> <p>2- Evaluation report and letter of compliance, if evaluation satisfactory</p> <p>3- Inform SGBD of results of verification</p> <p><b>Frequency:</b> six-monthly</p> <p><b>Back-up of result:</b></p> <p>File report and letter in the DSE archives</p> <p><b>Flows:</b></p> <p>Letter of approval sent to company with copy to ICEF and CDF</p>	<p><b>Body responsible:</b></p> <p>DGE</p> <p><b>Methodology:</b></p> <p>Verify the existence of the report and letter</p> <p><b>Frequency:</b> six-monthly</p> <p><b>Back-up of result:</b></p> <p>Inform database of results of the verification check</p> <p><b>Flows:</b></p> <p>From ICEF to the FLEGT licensing authority</p>

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
3.3.2	Legal provisions with regard to air and water pollution are being observed.	3.3.2.1: Audit report from the environmental administration.	Ministry of the Environment and Ecology	Department for Environmental Monitoring (DSE)	<p><b>Methodology:</b></p> <p>1- On-site evaluation of the existence of a system for dealing with water and air pollution</p> <p>2- Evaluation report and letter of compliance, if evaluation</p>	<p><b>Body responsible:</b></p> <p>DGE</p> <p><b>Methodology:</b></p> <p>Verify the existence of the report and letter</p>

					<p>satisfactory</p> <p>3- Inform SGBD of verification results</p> <p><b>Frequency:</b> annual</p> <p><b>Back-up of result:</b></p> <p>File report and letter in the DSE archives</p> <p><b>Flows:</b></p> <p>1- Letter of approval sent to company with copy to ICEF and CDF</p>	<p><b>Frequency:</b> annual</p> <p><b>Back-up of result:</b></p> <p>Inform database of results of the verification check</p> <p><b>Flows:</b></p> <p>From ICEF to the FLEGT licensing authority</p>
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
4.1.1	Freedom of union organisation is guaranteed within the company.	4.1.1.1: Briefing note on guarantee of freedom of unionisation stamped by the competent authority and displayed	<p>Ministry of Labour</p> <p>Ministry responsible for forests</p>	<p>Labour inspectorate of the relevant administrative district</p> <p>BMIV</p>	<p><b>Methodology:</b></p> <p>1- Regular on-site verification at least once per year or in case of suspicion or complaint</p> <p>2- Check the worker register</p> <p>3- Meet with staff and employer</p>	<p><b>Body responsible:</b></p> <p>Department of Labour and Employment (DTE)</p> <p>The Central Inspectorate for Water and Forests</p> <p><b>Methodology:</b></p> <p><b>DTE:</b></p>

		<p>4.1.1.2: Minutes of union meetings (if employees are union members).</p>			<p>4- Stamp and/or annotate register</p> <p>5- Produce a report</p> <p><b>NB: The mobile brigade (BMIV) may carry out the same verification and send the results directly to ICEF (this is valid for 4.1 and 4.2)</b></p> <p><b>Frequency:</b> annual</p> <p><b>Back-up of result:</b> Mission report filed with the district inspectorate Annual report filed with the district inspectorate</p> <p><b>Flows:</b> Mission report sent to company Annual reports sent to Department of Labour</p>	<p>Receives the annual reports from each regional inspectorate</p> <p>Examines the reports and sends a summary to the General Directorate for Labour and Employment</p> <p>Sends a summary for the forest-timber sector companies to CDF c/o ICEF (to be developed)</p> <p>May conduct an unscheduled check of the verification conducted by the inspectorates and write a report, a copy of which is sent to CDF c/o ICEF</p> <p><b>ICEF</b> Checks that the CDF informs the SGBD every year</p> <p>Checks company compliance</p> <p><b>Frequency:</b> annual</p> <p><b>Back-up of result:</b> CDF informs SGBD of the verification results ICEF informs SGBD of verification check</p> <p><b>Flows:</b> DTE to CDF ICEF to the FLEGT licensing authority</p>
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
4.1.2	Staff delegates, elected in accordance with current legislation, have the necessary skills to fulfil their role	<p>4.1.2.1: Report of the general assembly at which staff delegates were elected, stamped by the labour inspector</p> <p>4.1.2.2: Training certificates stamped by the labour inspector</p>	Ministry of Labour	Labour inspectorate of the relevant administrative district	<p><b><u>Methodology:</u></b></p> <p>1- Regular on-site verification at least once per year or in case of suspicion or complaint</p> <p>2- Meeting with staff delegates</p> <p>3- Produce a report</p> <p><b><u>Frequency:</u></b> annual</p> <p><b><u>Back-up of result:</u></b></p> <p>Mission report filed with the district inspectorate</p> <p>Annual report filed with the district inspectorate</p> <p><b><u>Flows:</u></b></p>	<p><b><u>Body responsible:</u></b></p> <p>Department of Labour and Employment ICEF</p> <p><b><u>Methodology:</u></b></p> <p><b><u>DTE:</u></b></p> <p>Receives the annual reports from each regional inspectorate</p> <p>Examines the reports and sends a summary to the General Directorate for Labour and Employment</p> <p>Sends a summary for forest-timber companies to CDF c/o ICEF</p> <p>May conduct an unscheduled check of the verification conducted by the inspectorates and write a report, a copy of which is sent to CDF c/o ICEF</p> <p><b><u>ICEF</u></b></p> <p>Checks that the CDF informs the SGBD annually</p> <p>Checks company compliance</p> <p><b><u>Frequency:</u></b> annual</p> <p><b><u>Back-up of result:</u></b></p> <p>CDF inputs SGBD of verification results</p> <p>ICEF informs SGBD of verification check</p> <p><b><u>Flows:</u></b></p>

					Mission report sent to company Annual reports sent to Department of Labour	DTE to CDF ICEF to the FLEGT licensing authority
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
4.1.3	The company's employees are informed of documents relating to employment rights.	4.1.3.1: Briefing notes displayed  4.1.3.2: Report of meetings between staff delegates and employees  4.1.3.3: Internal regulations displayed	Ministry of Labour	Labour inspectorate of the relevant administrative district	<p><b>Methodology:</b></p> <p>1- Regular on-site verification at least once per year</p> <p>2- Check that the elements required by law are displayed</p> <p>3- Produce a report</p> <p><b>Frequency:</b> annual</p>	<p><b>Body responsible:</b> Department of Labour and Employment (DTE)</p> <p>ICEF</p> <p><b>Methodology:</b></p> <p><b>DTE:</b></p> <p>Receives the annual reports from each regional inspectorate</p> <p>Examines the reports and sends a summary to the General Directorate for Labour and Employment</p> <p>Sends a summary for forest-timber companies to CDF c/o ICEF</p> <p>May conduct an unscheduled check of the verification conducted by the inspectorates and write a report, a copy of which is sent to CDF c/o ICEF</p> <p><b>ICEF</b></p> <p>Checks that the CDF informs the SGBD every year</p> <p>Checks company compliance</p> <p><b>Frequency:</b> annual</p>

					<p><b>Back-up of result:</b></p> <p>Mission report filed with the district inspectorate</p> <p>Annual report filed with the district inspectorate</p> <p><b>Flows:</b></p> <p>Mission report sent to company</p> <p>Annual reports sent to Department of Labour</p>	<p><b>Back-up of result:</b></p> <p>CDF informs SGBD of verification results</p> <p>ICEF informs SGBD of verification check</p> <p><b>Flows:</b></p> <p>DTE to CDF</p> <p>ICEF to the FLEGT licensing authority</p>
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
4.2.1	Relations between the company and its staff are formally established according to the legal requirements.	<p>4.2.1.1: Copy of the collective agreement held by the logging company and by the staff delegates</p> <p>4.2.1.2: Employer's records numbered and signed off by the labour inspector</p>	Ministry of Labour	Labour inspectorate of the relevant administrative district	<p><b>Methodology:</b></p> <p>1- Regular on-site verification at least once per year</p> <p>2- Check the employer register and files for each employee</p> <p>3- Produce a report</p>	<p><b>Body responsible:</b></p> <p>Department of Labour and Employment</p> <p>ICEF</p> <p><b>Methodology:</b></p> <p><b>DTE</b></p> <p>Receives the annual reports from each regional inspectorate</p> <p>Examines the reports and sends a summary to the General Directorate for Labour and Employment</p> <p>Sends a summary for forest-timber companies to CDF c/o ICEF</p> <p>May conduct an unscheduled check of the verification conducted by the inspectorates and write a report, a copy of which is sent to CDF c/o ICEF</p>

						<p><b>ICEF</b></p> <p>Checks that the CDF informs the SGBD annually</p> <p>Checks company compliance</p> <p><b>Frequency:</b> annual</p> <p><b>Back-up of result:</b></p> <p>CDF informs SGBD of verification results</p> <p>ICEF informs SGBD of verification check</p> <p><b>Flows:</b></p> <p>DTE to CDF</p> <p>ICEF to the FLEGT licensing authority</p>
					<p><b>Frequency:</b> annual</p> <p><b>Back-up of result:</b></p> <p>Mission report filed with the district inspectorate</p> <p>Annual report filed with the district inspectorate</p> <p><b>Flows:</b></p> <p>Mission report sent to company</p> <p>Annual reports sent to Department of Labour</p>	

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
4.2.2	The company's staff are paid in accordance with current regulations for their sector of activities and without discrimination	<p>4.2.2.1: - Pay slips and salary reports</p> <p>4.2.2.2: - Employment contract signed by all parties</p>	Ministry of Labour	Labour inspectorate of the relevant administrative district	<p><b>Methodology:</b></p> <p>1- Regular on-site verification at least once per year</p> <p>2- Compare work contracts and pay slips with the collective agreement for forest operators</p> <p>3- Produce a report</p>	<p><b>Body responsible:</b></p> <p>Department of Labour and Employment (DTE)</p> <p>ICEF</p> <p><b>Methodology:</b></p> <p><b>DTE:</b></p> <p>Receives the annual reports from each regional inspectorate</p>

						<p>Examines the reports and sends a summary to the General Directorate for Labour and Employment</p> <p>Sends a summary for forest-timber companies to CDF c/o ICEF</p> <p>May conduct an unscheduled check of the verification conducted by the inspectorates and write a report, a copy of which is sent to CDF c/o ICEF</p> <p><b>ICEF:</b></p> <p>Checks that the CDF informs the SGBD annually</p> <p>Checks company compliance</p> <p><b>Frequency:</b> annual</p> <p><b>Back-up of result:</b></p> <p>CDF informs SGBD of verification results</p> <p>ICEF informs SGBD of verification check</p> <p><b>Flows:</b></p> <p>DTE to CDF</p> <p>ICEF to the FLEGT licensing authority</p>
					<p><b>Frequency:</b> annual</p> <p><b>Back-up of result:</b></p> <p>Mission report filed with the district inspectorate</p> <p>Annual report filed with the district inspectorate</p> <p><b>Flows:</b></p> <p>Mission report sent to company</p> <p>Annual reports sent to Department of Labour</p>	

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
4.2.3	Health and safety conditions for workers are in accordance with current legislation	4.2.3.1: Reports of health and safety committee meetings  4.2.3.2: List of staff health and safety equipment	Ministry of Labour	Labour inspectorate of the relevant administrative district	<p><b><u>Methodology:</u></b></p> <p>1- Regular on-site verification at least once per year</p> <p>2- Check equipment and health and safety measures in place on sites and in the forest</p> <p>3- Produce a report</p> <p><b><u>Frequency:</u></b> annual</p> <p><b><u>Back-up of result:</u></b></p> <p>Mission report filed with the district inspectorate</p> <p>Annual report filed with the district inspectorate</p>	<p><b><u>Body responsible:</u></b></p> <p>Department of Labour and Employment/ICEF</p> <p><b><u>Methodology:</u></b></p> <p><b>DTE</b></p> <p>Receives the annual reports from each regional inspectorate</p> <p>Examines the reports and sends a summary to the General Directorate for Labour and Employment</p> <p>Sends a summary for the forest-timber companies to CDF c/o ICEF</p> <p>May conduct an unscheduled check of the verification conducted by the inspectorates and write a report, a copy of which is sent to CDF c/o ICEF</p> <p><b>ICEF</b></p> <p>Checks that the CDF informs the SGBD annually</p> <p>Checks company compliance</p> <p><b><u>Frequency:</u></b> annual</p> <p><b><u>Back-up of result:</u></b></p> <p>CDF informs SGBD of verification results</p> <p>ICEF informs SGBD of verification check</p>

					<b>Flows:</b> Mission report sent to company Monthly reports sent to the Department of Labour	<b>Flows:</b> DTE to CDF ICEF to the FLEGT licensing authority
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
4.2.4	The working hours applied by the company are in accordance with legal provisions	4.2.4.1: Workers' timekeeping system  4.2.4.2: Workers' timekeeping cards  4.2.4.3.: Company service notes displayed  4.2.4.4: Pay slips	Ministry of Labour	Labour inspectorate of the relevant administrative district	<b>Methodology:</b>  1- Regular on-site verification at least once per year  2- Check the content and display of the company's internal regulations and related system  3- Produce a report  <b>Frequency:</b> annual  <b>Back-up of result:</b>	<b>Body responsible:</b> Department of Labour and Employment ICEF  <b>Methodology:</b> <b>DTE</b> Receives the annual reports from each regional inspectorate  Examines the reports and sends a summary to the General Directorate for Labour and Employment  Sends a summary for forest-timber companies to CDF c/o ICEF  May conduct an unscheduled check of the verification conducted by the inspectorates and write a report, a copy of which is sent to CDF c/o ICEF  <b>ICEF:</b> Checks that the CDF informs the SGBD annually  Checks company compliance  <b>Frequency:</b> annual  <b>Back-up of result:</b>

					<p>Mission report filed with the district inspectorate</p> <p>Annual report filed with the district inspectorate</p> <p><b>Flows:</b></p> <p>Mission report sent to company</p> <p>Annual reports sent to Department of Labour</p>	<p>CDF informs SGBD of verification results</p> <p>ICEF informs SGBD of verification check</p> <p><b>Flows:</b></p> <p>DTE to CDF</p> <p>ICEF to the FLEGT licensing authority</p>
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification structures (5)	Bodies responsible for checking verification and methodology (6)
4.2.5	Staff recruitment is in line with the age restrictions established by national legislation and the International Labour Organisation (ILO)	4.2.5.1: Employment contracts signed by all Parties	Ministry of Labour	Labour inspectorate of the relevant administrative district	<p><b>Methodology:</b></p> <p>1- Regular on-site verification at least once per year</p> <p>2- Verify staff files</p> <p>3- Produce a report</p>	<p><b>Body responsible:</b></p> <p>Department of Labour and Employment</p> <p>ICEF</p> <p><b>Methodology:</b></p> <p><b>DTE:</b></p> <p>Receives the annual reports from each regional inspectorate</p> <p>Examines the reports and sends a summary to the General Directorate for Labour and Employment</p> <p>Sends a summary for the forest-timber companies to CDF c/o ICEF</p> <p>May conduct an unscheduled check of the verification conducted by the inspectorates and write a report, a copy of which is sent to CDF c/o ICEF</p> <p><b>ICEF</b></p>

					<p>Checks that the CDF informs the SGBD annually</p> <p>Checks company compliance</p> <p><b>Frequency:</b> annual</p> <p><b>Back-up of result:</b></p> <p>Mission report filed with the district inspectorate</p> <p>Annual report filed with the district inspectorate</p> <p><b>Flows:</b></p> <p>Mission report sent to company</p> <p>Annual reports sent to Department of Labour</p>	<p>Checks that the CDF informs the SGBD annually</p> <p>Checks company compliance</p> <p><b>Frequency:</b> annual</p> <p><b>Back-up of result:</b></p> <p>CDF informs SGBD of verification results</p> <p>ICEF informs SGBD of verification check</p> <p><b>Flows:</b></p> <p>DTE to CDF</p> <p>ICEF to the FLEGT licensing authority</p>
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
4.3.1	Local and indigenous communities' customary rights of access and use in forest concessions are recognised and respected by the company	<p>4.3.1.1: Land-use plan approved by the relevant authority (the socio-economic report in particular)</p> <p>4.3.1.2: Provisional agreement signed by the relevant authority (PEA under provisional agreement)</p> <p>4.3.1.3: Report of findings of the forest administration, countersigned by the parties</p>	Ministry responsible for forests	<p>General Directorate for Regional Services</p> <p>Regional departments</p>	<p><b><u>Methodology:</u></b></p> <p>1- Regular verification at the company's offices by the Regional Department for Forests for the administrative district</p> <p>2- Production of a quarterly verification report to be sent to the General Directorate for Regional Services in Bangui</p> <p><b><u>Frequency:</u></b> at least once per year</p> <p><b><u>Back-up of result:</u></b> Mission reports filed with the</p>	<p><b><u>Body responsible:</u></b> General Directorate for Regional Services ICEF to DGSR</p> <p><b><u>Methodology:</u></b> <b>DGSR</b> Receives the annual reports from each regional department</p> <p>Examines the reports and sends a summary to CDF c/o ICEF</p> <p>May conduct an unscheduled check of the verification conducted by the regional departments and write a report, a copy of which is sent to CDF c/o ICEF</p> <p><b>ICEF</b> verifies that CDF is informing the SGBD annually Checks company compliance</p> <p><b><u>Frequency:</u></b> annual</p> <p><b><u>Back-up of result:</u></b> CDF informs SGBD of verification results ICEF informs SGBD of verification check</p>

					relevant regional department	
					<b>Flows:</b> Mission report sent to company Annual reports sent to General Directorate for Regional Services	<b>Flows:</b> DGSR to CDF ICEF to the FLEGT licensing authority

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
4.3.2	If assets belonging to local or indigenous communities are destroyed by the company, compensation is provided in accordance with current regulations	4.3.2.1: Official reports of findings (PVC) read and approved by the parties  4.3.2.2: Proof of compensation	Ministry responsible for forests	Regional department	<b>Methodology:</b>  1- Regular verification at the company's offices by the Regional Department for Forests for the administrative district  2- Production of a quarterly verification report to be sent to the General Directorate for Regional Services in Bangui  <b>Frequency:</b> at least once per year <b>Back-up of result:</b> Mission reports filed with the	<b>Body responsible:</b> General Directorate for Regional Services (DGSR) ICEF <b>Methodology:</b> <b>DGSR</b> Receives the annual reports from each regional department Examines the reports and sends a summary to CDF c/o ICEF May conduct an unscheduled check of the verification conducted by the regional departments and write a report, a copy of which is sent to CDF c/o ICEF <b>ICEF</b> Checks that the CDF informs the SGBD annually Checks company compliance <b>Frequency:</b> annual <b>Back-up of result:</b> CDF informs SGBD of verification results

					relevant regional department	ICEF informs SGBD of verification check
					<b>Flows:</b> Mission report sent to company Annual reports sent to General Directorate for Regional Services	<b>Flows:</b> DGSR to CDF ICEF to the FLEGT licensing authority

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
5.1.1	The local communities, local authorities, NGOs, decentralised State structures and other development partners interested in forest resource management in the area in question are informed of the award of the PEA.	5.1.1.1: Minutes of sensitisation meetings written by the company and jointly approved by the stakeholders.	Ministry responsible for forests	DGEF	<p><b>Methodology:</b></p> <p>Send information report signed by the stakeholders, including a company representative, to CDF</p> <p>Inform database (digital copy)</p> <p><b>Frequency:</b> once only for a given PEA award</p> <p><b>Back-up of result:</b></p> <p>Update database. File hard copy</p> <p><b>Flows:</b></p> <p>Send a copy to ICEF and CDF</p>	<p><b>Body responsible:</b></p> <p>ICEF</p> <p><b>Methodology:</b></p> <p>Verify that SGBD updated</p> <p><b>Frequency:</b> once only for a given PEA award</p> <p><b>Back-up of result:</b></p> <p>Inform SGBD of the results of the inputting check for this document</p> <p><b>Flows:</b></p> <p>ICEF to the FLEGT licensing authority</p>

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
5.2.1	The company respects the stipulations of the provisional agreement during its period of validity (3 years)	5.2.1.1: Administration's monitoring report	Ministry responsible for forests	Regional Department for the area, DGEF, BMIV ( <i>brigade mobile d'intervention et de verification</i> )	<p><b>Methodology</b></p> <p>1- Regular verification by the Regional Department for the administrative district, the BMIV and the General Directorate for Water and Forests</p> <p>2- Visit forest office and worksite</p> <p>3- Verify operations compliance</p> <p>4- Produce a report</p> <p><b>Frequency:</b> quarterly</p> <p><b>Back-up of result:</b></p> <p><b>DR:</b> control report sent to DGSR with copy to ICEF</p> <p><b>BMIV:</b> control report sent to firm with copy to ICEF</p> <p><b>DGEF:</b> control report sent to DG with copy to ICEF</p>	<p><b>Body responsible:</b></p> <p>ICEF</p> <p><b>Methodology:</b></p> <p>Check CDF has informed SGBD and SGBD informed of verification check</p> <p>Verification check of the different bodies on the basis of a sample</p> <p><b>Frequency:</b> six-monthly</p> <p><b>Back-up of result:</b></p> <p>Inform SGBD</p> <p>Control report (PV)</p>

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
5.3.1	The prior studies have been conducted according to the rules set out by the forest administration.	5.3.1.1: Inventory report(s) Land-use report(s)  5.3.1.2: Report(s) of the socio-economic assessment(s)	Ministry responsible for forests	DGEF	<p><b>Methodology:</b> DGEF verifies and validates on the basis of an evaluation matrix to be developed Minutes of the evaluation meeting</p> <p><b>Frequency:</b> for each land-use period or at each revision</p> <p><b>Back-up:</b> in the SGBD</p> <p><b>Flows:</b> From the assessment committee to DGEF From DGEF to ICEF and CDF</p>	<p><b>Body responsible:</b> ICEF</p> <p><b>Methodology:</b> Verification of existence of minutes</p> <p><b>Frequency:</b> for each land-use period or at each revision</p> <p><b>Back-up:</b> inform SGBD</p> <p><b>Flows:</b> ICEF to the FLEGT licensing authority</p>

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
5.3.2	The land-use plan has been produced according to the rules set out by the forest administration.	5.3.2.1: Final exploitation and land-use agreement	Ministry responsible for forests	Department for Inventory and Forest Planning (DIAF) and BMIV, DR	<p><b>Methodology:</b> DGEF verifies and validates on the basis of an evaluation matrix to be developed Minutes of the evaluation meeting</p>	<p><b>Body responsible:</b> General Directorate for Ministry for Water, Forests, Hunting and Fisheries</p> <p><b>Methodology:</b> Verification of existence of minutes</p>

					<p><b>Frequency:</b> for each land-use period or at each revision</p> <p><b>Back-up of result:</b> back-up in the SGBD</p> <p><b>Flows:</b> From the assessment committee to DGEF From DGEF to ICEF and CDF</p>	<p><b>Frequency:</b> for each land-use period or at each revision</p> <p><b>Back-up of result:</b> SGBD informed</p> <p><b>Flows:</b> ICEF to the FLEGT licensing authority</p>
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
5.3.3	The management plan (PG) complies with the regulations.	5.3.3.1: Letter officially approving the PG	Minister for Forests	DGEF	<p><b>Methodology:</b></p> <p>1- Documentary examination, by a committee established to this effect, of the management plan submitted by the company in the context of the MEFCP's rating system (cf. annexed document)</p> <p>2- Letter of PG approval, if submission satisfactory</p> <p><b>Frequency:</b> five-yearly</p> <p><b>Back-up of result:</b> DGEF files PG letter of approval in the SGBD and in paper format in the archives</p> <p><b>Flows:</b> 1- DGEF sends approval letter to the company, ICEF/CDF, PARPAF, DGSR and meeting minutes with</p>	<p><b>Body responsible:</b> ICEF</p> <p><b>Methodology:</b> Verification of the existence of the approval letter for the PG and minutes of the meeting</p> <p><b>Frequency:</b> five-yearly</p> <p><b>Back-up of result:</b> Inform the SGBD that the point has been verified</p> <p><b>Flows:</b> From ICEF to the FLEGT licensing authority</p>

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
5.3.4	The annual operating plan, including maps, complies with the regulations.	5.3.4.1: Letter of submission of annual operating plan (PAO) to the office of the Minister for Forests.  5.3.4.2: Letter officially approving the PAO	Minister for Forests	DGEF	<p><b><u>Methodology:</u></b></p> <p>1- Documentary examination, by a committee established to this effect, of the PAO submitted by the company in the context of the MEFCP's rating system</p> <p>2- Letter of PAO approval, if submission satisfactory</p> <p><b><u>Frequency:</u></b> annual</p> <p><b><u>Back-up of result:</u></b></p> <p>DGEF files PAO approval letter in the SGBD and in the archives in paper format</p> <p><b><u>Flows:</u></b></p> <p>1- DGEF sends approval letter to the company, IC EFCEP/CDF, PARPAF, DGSR and meeting minutes with rating to IC</p>	<p><b><u>Body responsible:</u></b></p> <p>ICEF</p> <p><b><u>Methodology:</u></b></p> <p>Verification of the existence of the approval letter for the PAO and minutes of the meeting</p> <p><b><u>Frequency:</u></b> annual</p> <p><b><u>Back-up of result:</u></b></p> <p>Inform the SGBD that the point has been verified</p> <p><b><u>Flows:</u></b></p> <p>From ICEF to the FLEGT licensing authority</p>

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
5.3.5	A plantation or reforested area of 50 ha or more has a simple management plan in line with current regulations.	5.3.5.1: Simple management plan for plantations of 50 ha or more, in line with the General Conditions 5.3.5.2: Letter approving the simple management plan	Ministry responsible for forests	General Directorate for Water and Forests (DGEFCP)	<b>Methodology:</b> <i>There are currently no exploitable plantations of 50 ha or more and so the verification methodology will be developed during the Agreement implementation phase.</i>	

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
5.4.1	The boundaries of the annual cutting area or provisional areas anticipated on the maps are concretely mapped out and respected, in accordance with the regulations.	5.4.1.1: Inspection visit reports from the forestry administration	Minister for Forests	Regional department, DGEFCP, BMIV	<b>Methodology:</b> 1- Verification by the applicable regional department, at the time of the harvest inventory, of the conformity of the actual boundaries with the rules specified in volume 3 of the land-use regulations. 2- Verification of conformity of boundaries with the approved maps for the PAO 3- Verification by the regional department, DGEF, BMIV, at the time of logging, of compliance with the boundaries set during the harvest inventory. 4- Production of verification reports	<b>Body responsible:</b> ICEF  <b>Methodology:</b> Check CDF has informed SGBD and that SGBD is informed of verification check  Check the different bodies' verification on the basis of a sample

					<p><b>Frequency:</b> annual</p> <p><b>Back-up of result:</b> Verification reports written</p> <p><b>Flows:</b> Copy of report sent to ICEF and CDF</p>	<p><b>Frequency:</b> annual</p> <p><b>Back-up of result:</b> SGBD informed Paper filing by the CDF</p> <p><b>Flows:</b> ICEF to CDF and ICEF to the FLEGT licensing authority</p>
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
5.5.1	The service road network is planned and created in accordance with current regulations.	<p>5.5.1.1: Annual operating plan approved by the forest administration</p> <p>5.5.1.2: Plan for the network of service roads for the provisional area</p> <p>5.5.1.3: Administrative authorisation to clear access roads (if access roads needed outside the AAC)</p> <p>5.5.1.4: Inspection reports from the forest administration</p>	Ministry responsible for forests	DGEF	<p><b>Methodology:</b></p> <p>1- Documentary verification of the road map and the administrative authorisation for opening up roads in the PAO submitted by the company in the context of the MEFCP's rating system</p> <p>2- Letter of PAO approval, if submission satisfactory</p> <p><b>Frequency:</b> annual for each PAO</p> <p><b>Back-up of result:</b> DGEF files the letter of approval and the PAO in the SGBD and in hard copy.</p>	<p><b>Body responsible:</b> ICEF</p> <p><b>Methodology:</b> Verification of the existence of the approval letter for the PAO and minutes of the meeting</p> <p><b>Frequency:</b> annual for each PAO</p> <p><b>Back-up of result:</b> Inform the SGBD that state that the point has been verified</p>

		5.5.1.5: Authorisation to open up tracks for an AAC			<p><b>Flows:</b></p> <p>1- DGEF sends an approval letter to the company, to the IC EFCP/CDF, DGSR, along with the meeting minutes and the rating to the IC</p>	<p><b>Flows:</b></p> <p>From ICEF to the FLEGT licensing authority</p>
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
5.6.1	The minimum managed diameters (DMA) for final agreements or the minimum administrative maturity diameters (DME) for provisional agreements are respected during felling operations.	<p>5.6.1.1: Worksite books</p> <p>5.6.1.2: Inspection visit reports</p>	Ministry responsible for forests	Regional department, DGEFCP, BMIV	<p><b>Methodology:</b></p> <p>Check worksite record book and site visit</p> <p><b>Frequency:</b> quarterly for the regional departments and six-monthly for the BMIV</p> <p><b>Back-up of result:</b></p> <p>Regular monitoring reports</p> <p><b>Flows:</b></p> <p><b>DR:</b> control report sent to DGSR with copy to ICEF</p>	<p><b>Body responsible:</b></p> <p>ICEF DSGR</p> <p><b>Methodology:</b></p> <p>Check CDF has informed SGBD and SGBD informed of verification result</p> <p>Check the different bodies' verification on the basis of a sample</p> <p><b>Frequency:</b> six-monthly</p> <p><b>Back-up of result:</b></p> <p>Inform SGBD Control report (PV)</p> <p><b>Flows:</b></p> <p>ICEF to the FLEGT licensing authority</p>

					<b>BMIV:</b> control report sent to firm with copy to ICEF <b>DGEF:</b> control report sent to DG with copy to ICEF	Send control report to CDF
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<b>IND</b>	<b>Indicators (1)</b>	<b>Verifiers (2)</b>	<b>Departments (3)</b>	<b>Verification structures (4)</b>	<b>Verification methodology (5)</b>	<b>Bodies responsible for checking verification and methodology (6)</b>
5.6.2	The species logged are authorised in the land-use plan, the PAO or the implementing regulations of the Forestry Code.	5.6.2.1: Land-use Plan 5.6.2.2: Worksite books 5.6.2.3: 'Timber movement' form 5.6.2.4: Special authorisation for unauthorised species	Ministry responsible for forests	Regional department, DGEFCP, BMIV	<p><b>Methodology:</b></p> 1- Regular verification by the Regional Department, BMIV and DGEFCP 2- Visit forest office and worksite 3- Compare the list of species logged with those authorised in the land-use plan, the PAO and the list of species protected by the implementing regulations of the Forestry Code. 4- Produce a report	<p><b>Body responsible:</b></p> ICEF
					<p><b>Frequency:</b> quarterly</p> <p><b>Back-up of result:</b></p> <p><b>DR:</b> control report sent to DGSR with copy to ICEF</p> <p><b>BMIV:</b> control report sent to firm with copy to ICEF</p> <p><b>DGEF:</b> Control report sent to DG with copy to ICEF</p> <p><b>ICEF:</b> copy of each report and original sent to CDF to inform SGBD and file</p>	<p><b>Methodology:</b></p> Check CDF has informed SGBD and SGBD is informed of verification result Check the different bodies' verification on the basis of a sample
						<p><b>Frequency:</b> six-monthly</p> <p><b>Back-up of result:</b></p> Inform SGBD Control report (PV)

					<p><b>Flows:</b></p> <p>Receipt of verification reports from the three previous bodies</p> <p>Send to ICEF/CDF for SGBD information</p>	<p><b>Flows:</b></p> <p>ICEF to the FLEGT licensing authority</p> <p>Send control report to CDF</p>
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
5.7.1	Timber that is felled and abandoned in the forest is in line with current regulations.	<p>5.7.1.1: Worksite books</p> <p>5.7.1.2: Report on the findings of abandoned wood by the forest administration</p> <p>5.7.1.3: Control reports from forestry administration</p>	Ministry responsible for forests	Regional department for the administrative district, DGEF, BMIV	<p><b>Methodology:</b></p> <p>1- Regular verification by the Regional Department for the administrative district, the BMIV and the General Directorate for Water and Forests</p> <p>2- Visit forest office and worksite</p> <p>3- Verification in the worksite record book of the haulage of felled trees within regulatory deadlines (6 months)</p> <p>4- Visit to forest depots in case of doubt or suspicion</p> <p>5- Produce a report</p> <p><b>Frequency:</b> quarterly</p> <p><b>Back-up of result:</b></p> <p><b>DR:</b> control report sent to DGSR with copy to ICEF</p> <p><b>BMIV:</b> control report sent to firm with copy to ICEF</p>	<p><b>Body responsible:</b></p> <p>ICEF</p> <p><b>Methodology:</b></p> <p>Check CDF has updated SGBD and SGBD informed of verification result</p> <p>Check the different bodies' verification on the basis of a sample</p> <p><b>Frequency:</b> six-monthly</p> <p><b>Back-up of result:</b></p> <p>Inform SGBD</p> <p>Control report (PV)</p>

					<p><b>DGEF:</b> control report sent to DG with copy to ICEF</p> <p>ICEF: Copy of each report and original sent to CDF to inform SGBD and file</p> <p><b>Flows:</b></p> <p>Receipt of verification reports from the three previous bodies</p> <p>Send to ICEF/CDF for SGBD information</p>	<p><b>Flows:</b></p> <p>ICEF to the FLEGT licensing authority</p> <p>Send control report to CDF</p>
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
6.1.1	The company has at least one processing facility in accordance with the regulatory provisions, three years after award of the PEA.	6.1.1.1: Processing facility licence	Ministry responsible for forests	DGEFCP	<p><b>Methodology:</b></p> <p>1- Verify the existence of at least three 'processing facility' timber movement forms at the end of the fourth month (no more than three years after award of PEA)</p> <p>2- Produce a report to send to the ICEF and CDF</p> <p><b>Frequency:</b> just once for a given PEA</p> <p><b>Back-up of result:</b></p> <p>1- Produce a report to send to the ICEF with copy to CDF</p> <p>2- CDF informs SGBD</p>	<p><b>Body responsible:</b></p> <p>ICEF</p> <p><b>Methodology:</b></p> <p>On-site investigation</p> <p>Produce a control report with copy to CDF for filing</p> <p>Inform SGBD</p> <p><b>Frequency:</b> just once for a given PEA</p> <p><b>Back-up of result:</b></p> <p>Control report</p> <p>Inform SGBD</p>

					3- File report <b>Flows:</b> DGEF to ICEF and CDF	<b>Flows:</b> ICEF to CDF and to the FLEGT licensing authority
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
6.1.2	The company has proof that it is respecting the minimum annual processing quota (70%) set by the State.	6.1.2.1: 'Timber movement' form or statistics yearbook	Ministry responsible for forests	Forestry Data Centre (CDF)	<p><b>Methodology:</b></p> <p>1- Ongoing information of volumes felled and volumes processed from the CDF</p> <p>2- Verification of this verifier can be undertaken annually, automatically by the SGBD by comparing, to begin with and for each company, the volume of target species processed with the volume of same species felled</p> <p>3- The list of species could gradually change over time and could be updated at a frequency of around every 5 years (deadline to be decided by the Ministry responsible for forests)</p> <p>4- Verification each year of the compliance of companies and produce a report, by 30 January, to be sent to the ICEF/CDF with filing of hard copy</p> <p><b>Frequency:</b> annual</p> <p><b>Back-up of result:</b></p>	<p><b>Body responsible:</b></p> <p>General Directorate for Ministry for Water, Forests, Hunting and Fisheries</p> <p><b>Methodology:</b></p> <p>Verification each year, no later than 30 January for the previous year, of the compliance of companies in the SGBD after consideration of the CDF's report</p> <p><b>Frequency:</b> annual</p> <p><b>Back-up of result:</b></p>

					<p>1- Inform SGBD</p> <p>2- CDF writes annual report noting the situation of each company's PEAs</p> <p><b>Flows:</b></p> <p>1- Send logging companies' operating data to CDF in electronic format</p> <p>2- Send annual reports to ICEF</p>	<p>Inform the SGBD that the point has been verified</p> <p><b>Flows:</b></p> <p>From ICEF to the FLEGT licensing authority</p>
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
6.2.1	Logs and timber products imported for processing are registered in line with regulatory provisions	<p>6.2.1.1: Commercial import declaration</p> <p>6.2.1.2: 'Timber movement' form</p>	<p>Customs Office and BARC (Central African Road Haulage Office)</p> <p>Department for Forest Logging and Industry (DEIF), Mobile Intervention and Verification Brigade (BMIV)</p>	<p>Ministry of Finances</p> <p>Minister for Forests</p>	<p><b>Methodology:</b></p> <p>1- Verification of timber-based products at point of entry by Central African Republic's customs and Ministry for Water and Forests</p> <p>2- Allocation of a code and inclusion in the SYDONIA database for customs and the SGBD for the Ministry for Water and Forests</p> <p><b>Frequency:</b> on each import</p> <p><b>Back-up of result:</b></p> <p>Inform SGBD</p>	<p><b>Body responsible:</b></p> <p>General Directorate for Customs and Indirect Taxes (DGDDII)</p> <p>General Directorate for Water, Forests, Hunting and Fisheries</p> <p><b>Methodology:</b></p> <p>Monthly verification of the volumes imported and reconciliation of data, bearing in mind the exporting company's own production</p> <p>Produce a control report to be filed at the CDF</p> <p>Send explanatory request to company</p> <p><b>Frequency:</b> monthly</p> <p><b>Back-up of result:</b></p> <p>Inform SGBD</p>

					<b>Flows:</b> Border posts to CDF c/o ICEF	<b>Flows:</b> ICEF to company (request for explanation) ICEF to CDF (control report) From ICEF to the FLEGT licensing authority
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	<u>Verification methodology (5)</u>	<u>Bodies responsible for checking verification and methodology (6)</u>
6.2.2	Purchases of logs and timber products for processing, including imported, are of a known and legal origin.	6.2.2.1: FLEGT licence from country of origin accompanies imported products  6.2.2.2: Sustainable management certificate or certificate of legal origin	Ministry of Finances and Budgets	General Directorate for Customs and Indirect Taxes (DGDDI)	<b>Methodology:</b>  1- Verification of timber-based products at point of entry by Central African Republic's customs and Ministry for Water and Forests  2- Allocation of a code and inclusion in SYDONIA for customs and the SGBD for the Ministry for Water and Forests   <b>Frequency:</b> on each import <b>Back-up of result:</b> Inform SGBD  <b>Flows:</b> Border posts to CDF c/o ICEF	<b>Body responsible:</b> General Directorate for Customs and Indirect Taxes (DGDDI), General Directorate for Water, Forests, Hunting and Fisheries  <b>Methodology:</b> Monthly verification of the volumes imported and reconciliation of data, bearing in mind the exporting company's own production  Produce a control report to be filed at the CDF  Send explanatory request to company  <b>Frequency:</b> monthly <b>Back-up of result:</b> Inform SGBD  <b>Flows:</b> ICEF to company (request for explanation) ICEF to CDF (control report)



IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
7.1.1	The declaration on timber production is held in line with the regulatory provisions of the Forestry Code.	7.1.1.1: 'Timber movement' form	Ministry responsible for forests	Forestry Data Centre (CDF)	<p><b>Methodology:</b></p> <p>1- Receive monthly timber movement forms sent by each company</p> <p>2- Verify form and content</p> <p>3- Inform SGBD and automatic reconciliation with SGBD data sent by the company at a frequency to be established.</p> <p>4- Exchange views in order to clear up any inconsistencies</p> <p><b>Frequency:</b> monthly</p> <p><b>Back-up of result:</b></p> <p>Filing of timber movement forms by the CDF</p> <p>Inform SGBD</p> <p><b>Flows:</b></p> <p>Company to CDF</p> <p>CDF Company</p>	<p><b>Body responsible:</b></p> <p>General Directorate for Water, Forests, Hunting and Fisheries</p> <p><b>Methodology:</b></p> <p>1- Verify monthly data inputting and of the conformity of its data with that of the SGBD</p> <p>2- Inform SGBD of verification check results in this regard</p> <p><b>Frequency:</b> monthly</p> <p><b>Back-up of result:</b></p> <p>Inform SGBD</p> <p><b>Flows:</b></p> <p>ICEF to the monitoring body</p>

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
7.1.2	The declaration on timber processing is in line with the 'timber movement' forms.	7.1.2.1: 'Timber movement' form	Ministry responsible for forests	DGEFCP	<p><b>Methodology:</b> Verification of production data in relation to the 'timber movement' forms declared</p> <p><b>Frequency:</b> once a year for a given processing facility</p> <p><b>Back-up of result:</b> 1- Produce a report to send to ICEF with copy to CDF 2- CDF informs SGBD 3- Filing of report</p> <p><b>Flows:</b> DGEF to ICEF and CDF</p>	<p><b>Body responsible:</b> ICEF</p> <p><b>Methodology:</b> Documentary investigation of DGEF reports Production of a control report with copy to CDF for filing Inform SGBD</p> <p><b>Frequency:</b> once a year for a given processing unit</p> <p><b>Result backup:</b> Control report Inform SGBD</p> <p><b>Flows:</b> ICEF to CDF and to the FLEGT licensing authority</p>

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
7.1.3	Declarations on timber sales and export of products are produced in line with the regulatory provisions.	7.1.3.1: 'Timber movement' form  7.1.3.2: Customs declaration	Ministry of Finances and Budgets	Regional Customs Department	<p><b>Methodology:</b> <b>7.1.3.2.:</b> 1- Movement through customs with customs documents (customs declaration); arranged</p>	<p><b>Body responsible:</b> General Directorate for Customs and Indirect Taxes (DGDDI)/ Department for Investigations, Prosecutions and Fraud/A posteriori Control Department)</p>

		7.1.3.3: Commercial export declaration (DEC)	Ministry of Trade	<p>General Directorate for Customs</p> <p>General Directorate for Trade</p> <p>Department for Customs Legislation/Exemptions and Franchises Department</p>	<p>2- Study of form, to judge admissibility</p> <p>3- If admissible, input into database</p> <p>4- Documentary verification of content and form (basic, in-depth, integral - including vehicle)</p> <p>5- Issuing of release warrant for export or transit</p> <p><b>7.1.3.3:</b> 1- Comparison of the DEC's proforma invoice with the final invoice for the E 101 declaration</p> <p>2- Verification with the General Directorate for Trade in case of doubt</p> <p><b>Frequency:</b> at each declaration</p> <p><b>Back-up of result:</b></p> <p>Local customs database (electronic and paper format) / SYDONIA (central level) / Manual filing</p> <p>Inform SGBD</p> <p><b>Continual flows:</b></p> <p>1- From company to customs</p> <p>2- From customs to company</p> <p>3- From customs to the Ministry responsible for forests according to a procedure to be developed</p> <p>Figures sent to the Statistics</p>	<p><b>Methodology:</b></p> <p><i>A posteriori</i> documentary check of the form of the documents and their content</p> <p><b>Frequency:</b> in case of suspicion</p> <p><b>Back-up of result:</b></p> <p><b>Customs:</b> Production of official report (on site, findings on non-compliance, input)</p> <p>Entry in disputes ledger</p> <p>Inform SGBD</p> <p><b>Flows:</b></p> <p>1- From customs to the Ministry responsible for forests (CDF c/o ICEF) according to a procedure to be developed</p> <p>2- From ICEF to the FLEGT licensing authority</p>
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Department

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
7.1.4	Tax/customs declarations are made in line with the regulatory provisions.	<p>7.1.4.1: Receipt for licence payment</p> <p>7.1.4.2: Receipt for IMF (minimum set tax) payment</p> <p>7.1.4.3: Receipt for IS/IR (corporation/income tax) payment</p> <p>7.1.4.4: Receipt for value added tax (VAT) payment</p>	Ministry of Finances	Revenue Stamps Department	<p><b><u>Methodology:</u></b></p> <p><b>7.1.4.1:</b></p> <p>1- Observance of customs clearance procedures and entry on the NIF register</p> <p>2- On-site visit</p> <p>3- Declaration (verbal or in writing) of turnover by the company accounts department to the Financial Department of the company in Bangui</p> <p>4- Check turnover in the Financial Department of the company in Bangui</p> <p>5- Allocation of a quota, prorata or not, of turnover</p> <p><b><u>Frequency:</u></b></p> <p><b>7.1.4.1:</b> for each financial year</p> <p><b>7.1.4.2:</b> annual</p> <p><b><u>Back-up of result:</u></b></p>	<p><b><u>Body responsible:</u></b></p> <p>DGEFCP &amp; DGID (General Directorate for Taxes and Domains)</p> <p><b><u>Methodology:</u></b></p> <p>Observance of customs clearance procedures and entry on the NIF register</p> <p><b><u>Frequency:</u></b></p> <p>Idem</p> <p><b><u>Back-up of result:</u></b></p>

					<p>1- Entry in tax identification system (SYSTEMIF)</p> <p>2- Manual filing of documents at customs</p> <p>3- Entry into SGBD</p> <p><b>Continual flows:</b></p> <p>1- From company to taxes: declaration</p> <p>2- From taxes to CDF c/o ICEF</p>	<p>1- Entry in tax identification system (SYSTEMIF)</p> <p>2- Manual filing at tax department</p> <p>3- Entry into SGBD</p> <p><b>Flows:</b></p> <p>1- From taxes to CDF c/o ICEF</p> <p>2- From ICEF to the FLEGT licensing authority</p>
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
7.2.1	All forest taxes and fees are paid within the stipulated deadlines.	<p>7.2.1.1.: Receipt for payment of rental tax</p> <p>7.2.1.2: Receipt for payment of felling tax</p>	<p>Ministry of Finances</p> <p>Ministry responsible for forests</p>	<p>DGEFCP</p> <p>DGID (General Directorate for Taxes and Domains)</p>	<p><b>Methodology:</b></p> <p>1- Documentary verification (felling, rental and reforestation taxes) by the Ministry of Forests and physical verification (reforestation tax) by the structure delegated by the administration (BIVAC) for export production</p> <p>2- Production of revenue orders by the administration for each beneficiary (State, communes, CAS-DF) and for a given tax (rental, felling, reforestation), after company declaration, with the exception of rental.</p>	<p><b>Body responsible:</b></p> <p>Central Inspectorate for Water, Forests, Hunting and Fishing</p> <p>Central Inspectorate for Finances</p>

7.2.1.3: Receipt for payment of reforestation tax

7.2.1.4: Notification stipulating exceptional measures relating to payment of company taxes and fees

**Declaration deadlines:**

**Felling and reforestation tax:**

Currently: monthly production and dispatch (within 21 days for the previous month) of timber movement forms

In the context of the national tracking system (NTS): constant exchange of operating data between companies and the forest administration, according to a procedure to be defined, hence a shortening of this deadline.

**Rental:** payment during January each year on the basis of the area in use; the amount per hectare of the tax is set each year by the Finance Law

3- Payment by the company within the given deadlines either to the Public Treasury (State) or to the Bank of Central African States (BEAC) (communes) or to the CAS DF (*compte d'affectation special pour le développement forestier*)

**Frequency:**

Rental: yearly

Reforesting and felling: quarterly

**Back-up of result:**

**Methodology:**

**Central Inspectorate for Finances**

1- *A posteriori* documentary control of the form of the documents and their content

**ICEF**

1- Regular verification of declarations (six-monthly) and production of a report according to a procedure to be developed

2- Verification of monthly data inputting and of the conformity of its data with that of the SGBD

3- Inform SGBD of verification control results in this regard

**Frequency:**

**Central Inspectorate for Finances**

Ongoing, in case of suspicion

**ICEF**

Rental: yearly

Reforesting and felling: quarterly

**Back-up of result:**

					<p>1- Order to collect revenue filed with DGEFCP</p> <p>2- Registration in the tax identification system (SYSTEMIF)</p> <p>3- Entry in the SGBD</p> <p><b>Flows:</b></p> <p>1- Company to DGEFCP: timber movement forms in electronic or paper format</p> <p>2- DGEFCP to DGID, communes, CAS-DF: order to collect in paper format</p> <p>3- From Treasury, the BEAC and the CAS-DF to CDF c/o ICEF according to a procedure to be developed</p>	<p>Registration in the tax identification system (SYSTEMIF)</p> <p>Inform SGBD</p> <p>Manual filing</p> <p><b>Flows:</b></p> <p>From IC Finances to CDF c/o ICEF</p> <p>ICEF to the monitoring body</p>
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
7.2.2	All fees and taxes linked to timber exports are paid on time.	<p>7.2.2.1: Receipt for DS (exit fee) payment</p> <p>7.2.2.2.: Receipt for IMF (minimum set tax) payment</p> <p>7.2.2.3: Receipt for REIF (Ministry of Finance tax on provision of computer tools) payment</p>	<p>Ministry of Finances</p> <p>Ministry responsible for forests</p>	<p>Regional Customs Department</p> <p>Secure export revenues structure</p> <p>General Directorate for Taxes and Domains (DGID)</p>	<p><b><u>Methodology:</u></b></p> <p>Verification by the main cash office of the transit centre in Bangui or by the regional customs departments in the provinces:</p> <p>1- Physical check on-site by customs (mandated structure: BIVAC) after each receipt of the company's specifications</p> <p>2- Establish specifications (mandated structure: BIVAC), issue other necessary documents: certificate of verification, DEC, etc.</p> <p>3- Customs declaration</p> <p>4- Examination and 'good for dispatch' stamp</p> <p>5- Exchange of information with ICEF/CDF according to a procedure to be defined</p> <p>6- CDF informs SGBD</p> <p><b><u>Frequency:</u></b> on each export</p> <p><b><u>Back-up of result:</u></b></p> <p>Inputting into SYDONIA</p>	<p><b><u>Body responsible:</u></b></p> <p>General Directorate for Customs and Indirect Taxes (DGDDII)</p> <p>Central Inspectorate for Water, Forests, Hunting and Fishing (ICEF)</p> <p><b><u>Methodology:</u></b></p> <p>DGDDI: Systematic <i>a posteriori</i> verification of the declaration</p> <p>ICEF: Check CDF has informed SGBD</p> <p><b><u>Frequency:</u></b> ongoing</p> <p><b><u>Back-up of result:</u></b></p> <p>Inputting into SYDONIA</p>

					<p>Filing of declaration documents in paper format</p> <p><b>Flows:</b></p> <p>From main cash office and regional departments to ICEF/CDF</p>	<p>Production of activity reports and official reports</p> <p><b>Flows:</b></p> <p>DGDDI to ICEF/CDF according to a procedure to be established</p> <p>ICEF to the FLEGT licensing authority</p>
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
7.2.3	All fees and taxes linked to imports of equipment used by the company (other products) are paid before the 'good for dispatch'.	<p>7.2.3.1: Receipt for customs duties (import) payments</p> <p>7.2.3.2: Receipt for value added tax (VAT) payment</p> <p>7.2.3.3: Receipt for TCI (community integration tax) payment</p> <p>7.2.3.4: Receipt or CCI (community integration contribution) payment</p> <p>7.2.3.5: Receipt for REIF (tax on provision of financial computer tools) payment</p>	<p>Ministry of Finances</p> <p>Ministry responsible for forests</p>	<p>Main cash office of the transit centre and regional department</p> <p>DGID</p> <p>DGEFCP</p>	<p><b>Methodology:</b></p> <p>1- Customs declaration</p> <p>2- Consideration of file</p> <p>3- Where appropriate, physical verification depending on channel</p> <p>4- 'Good for dispatch' stamp (BAE)</p> <p>5- Exchange of information with ICEF/CDF according to a procedure to be defined</p> <p>6- CDF informs SGBD</p> <p><b>Frequency:</b> at each declaration</p> <p><b>Back-up of result:</b></p> <p>Inputting into SYDONIA</p> <p>Filing in paper format of declaration documents</p>	<p><b>Body responsible:</b></p> <p>DGDDI</p> <p>Central Inspectorate for Water, Forests, Hunting and Fishing</p> <p><b>Methodology:</b></p> <p>Systematic <i>a posteriori</i> verification of the declaration</p> <p><b>Frequency:</b> ongoing</p> <p><b>Back-up of result:</b></p> <p>Inputting into SYDONIA</p> <p>Production of activity reports and official reports</p>

	7.2.3.6: Receipt for OHADA payment (OHADA fee)					
	7.2.3.7 Receipt for CMF payment (Central Africa Forests Commission fee)				<b>Flows:</b> From main cash office and regional departments to ICEF/CDF	<b>Flows:</b> DGDDI to ICEF/CDF according to a procedure to be established ICEF to the FLEGT licensing authority

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
7.2.4	The company has repatriated the 'free on truck' (FOT) values of products declared for export outside of CEMAC to a local bank within 30 days of the deadline stipulated in the contract.	7.2.4.1: Certificate of bank debit order  7.2.4.2: Funds transfer document	Ministry of Finances  Ministry responsible for forests	Unit responsible for monitoring repatriation of export revenues (CCCRRE)  ICEF/CDF	<b>Methodology:</b> 1- Send export documents (FOT values) and proof of repatriation to the CCCRRE (unit responsible for monitoring repatriation of export revenues)  2- Gather information on customs and taxes declarations  3- Verify capital repatriated to the banks and reconcile with customs and tax information (the repatriation must be undertaken within a maximum of 30 days following payment deadline)  4- Produce an annual situation report for each company and send to CDF c/o ICEF via a procedure to be established  <b>Frequency:</b> annual	<b>Body responsible:</b> ICEF  <b>Methodology:</b>  Check CDF has informed SGBD  <b>Frequency:</b> annual

					<p><b><u>Back-up of result:</u></b></p> <p>1- Control reports relating to each mission filed with the joint tax-customs unit</p> <p>2- Annual report with copy to CDF c/o ICEF</p> <p>3- CDF to inform SGBD</p> <p><b><u>Flows:</u></b></p> <p>Company sends tax declaration (DSF) to tax/customs unit.</p> <p>Tax/customs unit sends annual report to CDF c/o ICEF</p>	<p><b><u>Back-up of result:</u></b></p> <p>SGBD informed of control results</p> <p><b><u>Flows:</u></b></p> <p>ICEF to the FLEGT licensing authority</p>
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
8.1.1	The lorries and other vehicles for transporting timber products are correctly registered and licensed.	8.1.1.1: Vehicle registration documents 8.1.1.2: Technical data sheet 8.1.1.3.: Insurance 8.1.1.4: Transport licence 8.1.1.5: If forest produce is being transported for export: haulage authorisation	Ministry of Defence Ministry of the Interior  Ministry of Finances and Budgets	Traffic Police/Border Police/Customs	<p><b>Methodology:</b></p> <p>Presentation of documents during road formalities</p> <p><b>Frequency:</b> at each checkpoint for a given load (lorry)</p> <p><b>Back-up of result:</b></p> <p>Official report in paper form if an infringement is noted</p> <p>Reports according to a procedure to be established</p> <p><b>Flows:</b></p> <p>Procedure for exchanging information to be developed after consultation between the departments in question</p>	<p><b>Body responsible:</b></p> <p>Traffic Police/Border Police/Customs</p> <p>Verification of control is undertaken by the same bodies at different geographical points (different checkpoints)</p> <p><b>Methodology:</b> Idem</p> <p><b>Frequency:</b> at each checkpoint for a given load (lorry)</p> <p><b>Back-up of result:</b></p> <p>Official report in paper form if an infringement is noted</p> <p>Reports according to a procedure to be established</p> <p><b>Flows:</b></p> <p>Procedure for exchanging information to be developed after consultation between the departments in question</p>

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
8.1.2	Transport documents for timber and derived products for export are in line with current regulations.	8.1.2.1.: Waybill or route map  8.1.2.2: Dispatch note, accompanied by: specifications, D15, commercial export declaration, invoice, certificate of origin	Ministry of Transport  Ministry responsible for forests  Ministry of Trade  Ministry of Finances	Traffic Police/Border Police/Customs/BARC/Water and Forests	<p><b><u>Methodology:</u></b></p> <p>Presentation of documents during forest and customs formalities prior to departure and during road and border formalities</p> <p><b><u>Frequency:</u></b> at departure and at each checkpoint for a given load (lorry)</p> <p><b><u>Back-up of result:</u></b></p> <p>Official report in paper form if an infringement is noted</p> <p><b><u>Flows:</u></b></p> <p>Verification by Water and Forests Department staff: send monthly report to ICEF</p> <p>Other department staff: procedure for exchanging information to be developed after consultation between the departments in question</p>	<p><b><u>Body responsible:</u></b></p> <p>Traffic Police/Border Police/Customs/BARC (Central African Road Haulage Office) / Water and Forests</p> <p><b><u>Methodology:</u></b></p> <p>Presentation of documents during forest and customs formalities prior to departure and during road and border formalities</p> <p><b><u>Frequency:</u></b> at departure and at each checkpoint for a given load (lorry)</p> <p><b><u>Result backup:</u></b></p> <p>Official report in paper form if an infringement is noted</p> <p><b><u>Flows:</u></b></p> <p>Verification by Water and Forests Department staff: send monthly report to ICEF</p> <p>Other department staff: procedure for exchanging information to be developed after consultation between the departments in question</p>

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
8.1.3	The company is implementing measures to apply the ban on the transportation of persons.	8.1.3.1.: Company's internal regulations  8.1.3.2: Service note	Ministry responsible for forests	Regional department for the administrative district, DGEF, BMIV	<p><b>Methodology:</b></p> <p>1- Verify a ban on transporting people in the internal regulations</p> <p>2- Verify a service note specifying this ban displayed and noted on lorries used for transporting wood</p> <p>3- Produce a report</p> <p>4- Send copy of report to CDF to inform SGBD and file</p> <p><b>Frequency:</b> annual</p> <p><b>Back-up of result:</b></p> <p>Verification report filed and SGBD informed</p> <p><b>Flows:</b> Reports to ICEF/CDF</p>	<p><b>Body responsible:</b></p> <p>ICEF</p> <p><b>Methodology:</b></p> <p>Verification control has been conducted</p> <p>Inform SGBD</p> <p><b>Frequency:</b> annual</p> <p><b>Back-up of result:</b></p> <p>Inform SGBD</p> <p><b>Flows:</b> ICEF to the FLEGT licensing authority</p>

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
8.2.1	The logs and stumps of felled trees are hammered and marked in line with regulatory requirements.	8.2.1.1.: Inspection visit report from the forestry administration	Ministry responsible for forests	Regional department (DR), DGEFCP, BMIV	<p><b>Methodology:</b></p> <p>1- Regular verification by the Regional Department, BMIV and DGEFCP</p> <p>2- Visit to worksite office and log yards</p>	<p><b>Body responsible:</b></p> <p>ICEF</p> <p><b>Methodology:</b></p>

					<p>3- Verify marking of logs and stumps</p> <p>4- Produce a report</p> <p><b>Frequency:</b> quarterly</p> <p><b>Back-up of result:</b></p> <p><b>DR:</b> control report sent to DGSR with copy to ICEF <b>BMIV:</b> control report sent to firm with copy to ICEF</p> <p><b>DGEF:</b> control report sent to DG with certified copy to ICEF/CDF</p>	<p>Check CDF has informed SGBD and SGBD informed of verification result</p> <p>Check different bodies' verification on the basis of a sample</p> <p><b>Frequency:</b> quarterly</p> <p><b>Back-up of result:</b></p>
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
8.2.2	In forest depots, logs are hammered and marked according to current regulations.	8.2.2.1.: Inspection visit report from the forestry administration	Ministry responsible for forests	Regional department for the administrative district DGEFCP BMIV	<p><b>Methodology:</b></p> <p>Verification of compliance with national tracking system (NTS)</p> <p>1- Regular verification by the Regional Department, BMIV and DGEFCP</p> <p>2. Office visit to log yards</p> <p>3- Verify marking of logs</p> <p>4- Produce a report</p> <p><b>ICEF/CDF:</b> documentary examination, inform SGBD and filing</p> <p><b>Flows:</b></p> <p>Receipt of verification reports from the three previous bodies</p>	<p><b>Body responsible:</b></p> <p><b>Methodology:</b></p> <p>Inform SGBD</p> <p>Control report (PV)</p> <p><b>Flows:</b></p> <p>ICEF to the FLEGT licensing authority</p> <p>Send official report to ICEF/CDF</p>

					Send to ICEF/CDF for SGBD information	
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
8.2.3	Log transport documents are filled in prior to leaving the worksite.	8.2.3.1: Waybill (also known as a delivery note or removal note)	Ministry responsible for forests	Regional department	<p><b><u>Methodology:</u></b></p> <p>NB: in 2010 this control was not systematic, indeed virtually absent. The DGEF must develop a procedure to this end</p> <p><b><u>Frequency:</u></b></p> <p><b><u>Back-up of result:</u></b></p> <p><b><u>Flows:</u></b></p>	<p><b><u>Body responsible:</u></b></p> <p>Central Inspectorate for Water, Forests, Hunting and Fishing</p> <p><b><u>Methodology</u></b></p> <p><b><u>Back-up of result:</u></b></p> <p><b><u>Flows:</u></b></p>

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
8.2.4	Log and log bundle documents are filled in prior to leaving the log depot or factory.	8.2.4.1: Waybill (also known as a delivery note or removal note)	Ministry of Forests/ Ministry of Finances		<p><b><u>Methodology:</u></b></p> <p>1- Physical on-site check by customs (BIVAC) after each receipt of company specifications</p> <p>2- Specifications established by the mandated structure (BIVAC), other necessary documents issued: certificate of verification, DEC, etc.</p> <p><b><u>Frequency:</u></b> at each declaration</p> <p><b><u>Back-up of result:</u></b></p>	<p><b><u>Body responsible:</u></b></p> <p>General Directorate for Customs and Indirect Taxes (DGDDI)</p> <p>ICEF</p> <p><b><u>Methodology:</u></b></p> <p>DGDDI: verification control by customs after customs declaration</p> <p>ICEF</p> <p><b><u>Frequency:</u></b> at each declaration</p> <p><b><u>Back-up of result:</u></b></p>

					<p>1- Specifications in the database by the mandated structure (BIVAC)</p> <p>2- Manual filing</p> <p>3- Inform SGBD</p> <p><b>Flows:</b></p> <p>1- Company to mandated structure (BIVAC)</p> <p>2- Mandated structure (BIVAC) to CDF c/o ICEF according to a procedure to be developed</p>	<p>1- Inputting into SYDONIA</p> <p>2- Manual filing</p> <p>3- Inform SGBD</p> <p><b>Flows:</b></p> <p>1- DGDDI to CDF c/o ICEF according to a procedure to be developed</p> <p>2- ICEF to the FLEGT licensing authority</p>
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IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
9.1.1	The amounts allocated to community budgets are regularly paid by the company.	9.1.1.1: Receipt proving payment of revenue orders  9.1.1.2: Administrative authorisation for staggered payment of taxes	Ministry responsible for forests	Central Inspectorate/Administration and Finances (MEFCP)	<p><b><u>Methodology:</u></b></p> <p>DGEF to send a copy of revenue orders to CDF</p> <p>Systematic dispatch of a copy of payment receipts to CDF c/o ICEF for filing and SGBD information</p> <p><b><u>Frequency:</u></b> monthly</p> <p><b><u>Back-up of result:</u></b></p> <p>Filing of revenue orders and copies of receipts by CDF once SGBD informed</p> <p><b><u>Flows:</u></b></p> <p>DGEF to CDF</p> <p>Company to ICEF/CDF</p>	<p><b><u>Body responsible:</u></b></p> <p>ICEF</p> <p><b><u>Methodology:</u></b></p> <p>Verify that CDF has input the information</p> <p>Verify compliance of receipts with corresponding revenue orders</p> <p>Input control results</p> <p><b><u>Frequency:</u></b> monthly</p> <p><b><u>Back-up of result:</u></b></p> <p>Inform SGBD</p> <p><b><u>Flows:</u></b></p> <p>ICEF to the FLEGT licensing authority</p>

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
9.1.2	The social actions planned by the company and appearing in the PAO and PG or in the provisional agreements have been implemented.	<p>9.1.2.1: PAO approved by the forest administration (each PAO comprises a description of the social activities undertaken the previous year)</p> <p>9.1.2.2: Provisional agreement signed by the company and the Ministry responsible for forests</p>	Ministry responsible for forests	General Directorate for Water and Forests	<p><b><u>Methodology:</u></b></p> <p>1- Documentary examination, by a committee established to this effect, of the management plan and PAO submitted by the company in the context of the MEFCP's rating system</p> <p>2- Assess company's social report</p> <p>3- Letter of approval, if submission satisfactory</p> <p><b><u>Frequency:</u></b> annual</p> <p><b><u>Back-up of result:</u></b></p> <p>DGEF files PAO approval letter in the SGBD and in the archives in paper format</p> <p><b><u>Flows:</u></b></p> <p>1- Approval letter sent by DGEF to the company, ICEF/CDF, DGSR and meeting minutes with rating to ICEF</p>	<p><b><u>Body responsible:</u></b></p> <p>Central Inspectorate for Water, Forests, Hunting and Fishing (ICEF)</p> <p><b><u>Methodology:</u></b></p> <p>Verify the existence of an approval letter for the PG and PAO and minutes of the meeting:</p> <p><b><u>Frequency:</u></b> annual</p> <p><b><u>Back-up of result:</u></b></p> <p>Inform the SGBD that the point has been verified</p> <p><b><u>Flows:</u></b></p> <p>From ICEF to the FLEGT licensing authority</p>

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
9.2.1	<p>The commitments made by the company in the PG, the terms and conditions, the PAO or the provisional agreement to contribute to preventing poaching and illegal forest logging in its area of intervention are respected.</p>	<p>9.2.1.1: Worksite inspection reports from the administration</p> <p>9.2.1.2: Company reports on information, education and awareness raising campaigns</p> <p>9.2.1.3: PAO approved by the forest administration</p> <p>9.2.1.4: Internal regulations</p>	<p>Ministry responsible for forests</p>	<p>General Directorate for Water and Forests (DGEFCP)</p> <p>Regional department</p>	<p><b><u>Methodology:</u></b></p> <p>Verification of this point was not conducted in 2010; it is important that it is included in a verification procedures manual to be developed by the DGEF</p> <p><b><u>Frequency:</u></b></p> <p><b><u>Back-up of result:</u></b></p> <p><b><u>Flows:</u></b></p>	<p><b><u>Body responsible:</u></b></p> <p>Central Inspectorate for Water, Forests, Hunting and Fishing (ICEF)</p> <p><b><u>Methodology:</u></b></p> <p><b><u>Frequency:</u></b></p> <p><b><u>Back-up of result:</u></b></p> <p><b><u>Flows:</u></b></p>

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
10.1.1	The company (and, in the case of private plantations, the individual or community) ensures that all its sub-contractors and suppliers are authorised to exercise their activity.	10.1.1.1: Accreditation of valid profession  10.1.1.2: Sub-contracts registered	Ministry of Trade  Ministry responsible for forests	Formalities section ('One Stop Shop')  Forestry Data Centre (CDF)	<p><b>Methodology:</b></p> <p>1- Each company sends a list of its sub-contractors to the CDF.</p> <p>2- Their authorisation is checked with the Ministry of Trade ('One Stop Shop')</p> <p>Inform SGBD</p> <p><b>Frequency:</b> ongoing, according to changes in each supplier's list</p> <p><b>Back-up of result:</b></p> <p>Inform SGBD</p> <p><b>Flows:</b></p> <p>Company to CDF</p> <p>CDF to Min. of Trade ('One Stop Shop')</p> <p>Min. of Trade to CDF</p>	<p><b>Body responsible:</b></p> <p>ICEF</p> <p><b>Methodology:</b></p> <p>Verify data input</p> <p>Inform SGBD of control results in this regard</p> <p><b>Frequency:</b> after each updating by the CDF</p> <p><b>Back-up of result:</b></p> <p>Inform SGBD</p> <p><b>Flows:</b></p> <p>ICEF to the FLEGT licensing authority</p>

IND	Indicators (1)	Verifiers (2)	Departments (3)	Verification structures (4)	Verification methodology (5)	Bodies responsible for checking verification and methodology (6)
10.2.1	The company (and, in the case of private plantations, the individual or community) is duly paying for the services anticipated in the contract.	10.2.1.1: Invoices  10.2.1.2: Transfer document or cheque or receipt proving payment of the corresponding invoices	Ministry responsible for forests	Department for Legal Affairs and Litigation of the Ministry responsible for forests (DAJC).	<p><b>Methodology:</b></p> <p>1- Court clerks to verify no disputes underway in relation to payment for services</p> <p>2- Produce a report and entry on the infringements register, as appropriate</p> <p>3- Report sent to ICEF/CDF</p> <p><b>Frequency:</b> annual</p> <p><b>Back-up of result:</b></p> <p>Annual Report</p> <p>Registration in the infringements register held by the Ministry responsible for forests</p> <p>Inform SGBD</p> <p><b>Flows:</b></p> <p>Court clerks to DAJC</p> <p>DAJC to ICEF/CDF</p>	<p><b>Body responsible:</b></p> <p>ICEF</p> <p><b>Methodology:</b></p> <p>Check the infringements register is properly maintained</p> <p>Check information in SGBD</p> <p><b>Frequency:</b> annual</p> <p><b>Back-up of result:</b></p> <p>Inform SGBD of the results of this point of control</p> <p><b>Flows:</b></p> <p>ICEF to the FLEGT licensing authority</p>

### **2.3- Recognition of forest certification mechanisms**

There are currently no companies with private forest certification in the CAR.

The LAS will need to take into account coordination between private certification systems and the LAS and promote synergies, particularly in order to avoid unnecessary checks. In this context, recognition of private certificates of legality and sustainable management will be provided by the Ministry responsible for forests, subject to a check of the audit results of private certification by ICEF. The private certification audit results will need to be sent to ICEF. A regulatory text will be implemented by the Ministry responsible for forests in order to clarify the information flows relating to certification.

### **2.4- Cases of non-compliance with legal requirements**

In the context of the LAS, non-compliance will be handled in accordance with the legal and regulatory provisions in force in the CAR.

In the context of issuing FLEGT licences, a procedures manual for handling non-compliances and sanctions, aimed at strengthening the control system, will be developed during the Agreement implementation period, prior to the issuing of the first FLEGT licence by the CAR.

## **3- WOOD TRACKING SYSTEM AND CONTROL OF THE SUPPLY CHAIN**

### **3.1- Operational demands of traceability**

There is currently no national tracking system. Nonetheless, there are systems that have been developed internally by each logging company. Export transport documents are stipulated by law; however, at national level and on the worksites, there is no regulatory text in force in 2010. Consequently, during the implementation period and prior to issuing of the first licence, a regulatory text will need to specify the provisions relating to the national tracking system and the transport of timber and derived products.

The traceability chain will be managed by a national tracking system (NTS) to be established, the data of which will be centrally held in the database management system (SGBD), managed by the Forestry Data Centre (which reports institutionally to ICEF), and fed by the logging companies and the secure customs revenues structure (currently BIVAC). A national numbering system will be adopted in order to classify each product.

A number of bodies will participate in the tracking system. These bodies are:

- the companies responsible for all activities, from harvest inventory to exporting the rough and processed timber;
- the Ministry for Water and Forests, which provides verification and verification checks for logging and processing along the whole supply chain through its centralised departments (DGEF, DGSR, ICEF and the CDF and BMIV);
- the secure customs revenues structure (currently BIVAC), which checks specifications, identifies species and establishes volumes. It also issues the commercial import declaration for timber imported for processing;
- the Ministry of Trade, which is responsible for countersigning the commercial import declaration (DIC) for timber imported for processing and the commercial export declaration (DEC);

- the Ministry of Finances, through its centralised and decentralised customs departments, which check customs clearance, issue receipts for fees and taxes received and register timber in transit;
- border inspectors from the Ministry for Water and Forests who check transport documents.

### ***3.1.1 Case of timber and derived products coming from PEAs and plantations***

The following table gives the principles and requirements of the traceability chain for timber and derived products coming from PEAs. The specific requirements for forest plantations are also specified.

The following table gives the requirements of the traceability chain:

- 1<sup>st</sup> column: describes the stages in the supply chain,
- 2<sup>nd</sup> column: describes the responsibilities and activities of each actor,
- 3<sup>rd</sup> column: describes the necessary data and its collection methods,
- 4<sup>th</sup> column: specifies the verification structures and methodology used by each structure to validate or reconcile the data.
- These principles and requirements may be adjusted during implementation of the Agreement, without these adjustments damaging the quality of the traceability chain.

## INVENTORY

Supply stage or chain	Responsibility and activities	Necessary data and its collection method	Verification	
			Validation	Reconciliation
<b>HARVEST INVENTORY</b>	<p><b><u>Body responsible:</u></b> COMPANY</p> <p><b><u>Activities:</u></b></p> <ul style="list-style-type: none"> <li>- Marking out of cutting area</li> <li>- Opening up of forest paths</li> <li>- Measuring of trees</li> <li>- Positioning and mapping of trees</li> <li>- Numbering and marking of trees</li> </ul> <p><b><u>NB: For plantations:</u></b></p> <p>a) a simple management plan must be produced for plantations of more than 50 ha;</p> <p>b) a prospecting report and simplified map (location on a topographical map) must be submitted to the DIAF for plantations of less than 50 ha;</p> <p>c) the following information must, however, be provided for plantations of more than 50 ha: i) age of tree population, ii) average height of tree population, iii) GPS location, iv) area, v) simplified map with plot shown on the ground, vi) number</p>	<p><b><u>Declaration document:</u></b></p> <p>Annual Operating Plan (PAO)</p> <p><b><u>Data:</u></b></p> <ul style="list-style-type: none"> <li>- Permit Number</li> <li>- Number of Forest Management Unit (UFG), exploitation and land-use permit (PEA) or plantation</li> <li>- Number of annual cutting area (AAC)</li> <li>- Inventory number</li> <li>- Species name</li> <li>- DMA (minimum diameter defined in the land-use plan)</li> <li>- UTM (Universal Transverse Mercator) positioning.</li> </ul> <p><b><u>Flows:</u></b></p> <p>Inform SGBD (electronic format to be included in volume 3 of the land-use regulations)</p>	<p><b><u>Methodology:</u></b></p> <p>Coordination of the six bodies below is provided by ICEF:</p> <p><b>1. Department for Forestry Inventory and Land-use (DIAF):</b> Conformity of inventoried data in relation to previous PAO. Verification of AAC maps.</p> <p><b>2. Regional department:</b> Verification of road networks and cartography of the resource. Sends reports to DGSR.</p> <p><b>3. General Directorate for Regional Services (DGSR):</b> Verification of regional departments' activities. Harvesting information sent to DGEF.</p> <p><b>4. Department for Forest Logging and Industry (DEIF):</b> Verification of road networks and cartography of the resource Sends data to CDF.</p> <p><b>5. General Directorate for Water and Forests (DGEF):</b> Verification and validation of reports from DGSR, DIAF and DEIF Sends data to CDF Sends reports to ICEF.</p> <p><b>6. Forestry Data Centre (CDF):</b> Compilation of data at MEFCP level.</p>	

	of standing trees, vii) class of circumference or diameter;			
	d) the systematic marking of standing timber is not compulsory;			
	e) the DIAF issues a logging permit.			

## LOGGING OPERATIONS

Supply stage or chain	Responsibility and activities	Necessary data and its collection method	Verification	
			Validation	Reconciliation
<b>FELLING</b>	<p><b><u>Body responsible:</u></b> COMPANY</p> <p><b><u>Activities:</u></b></p> <ul style="list-style-type: none"> <li>– Selection and cutting of trees.</li> <li>– Hammering of felling number on stump and roots.</li> <li>– Copying of inventory numbers onto stumps.</li> <li>– Stump marking.</li> <li>– Data registration and storage.</li> </ul> <p><b>NB: For plantations of more than 50 ha:</b></p>	<p><b><u>Declaration document:</u></b></p> <p>Worksite record (paper and/or electronic)</p> <p>Timber movement form</p> <p><b><u>Data:</u></b></p> <ul style="list-style-type: none"> <li>– Permit number</li> <li>– UFG (PEA or plantation) number</li> <li>– AAC number</li> <li>– Inventory number</li> <li>– Felling number</li> <li>– Species</li> <li>– Size and volume of the tree felled</li> </ul>	<p><b><u>Methodology:</u></b></p> <p><b>Regional Department for Water and Forests:</b></p> <p>Verification:</p> <p>Worksite record</p> <p>Evacuation slips</p> <p>On-site verification of:</p> <ul style="list-style-type: none"> <li>– positions of felled trees, boundaries of AAC</li> <li>– DMA</li> </ul> <p>Verification reports sent to DGSR.</p> <p><b>Joint Control Brigade (BMC):</b></p>	<p><b>CDF:</b></p> <p>In charge of supervising reconciliation in SGBD between i) information available from harvest inventories and ii) information available on felling (logging).</p> <p>The information to be reconciled at this stage must, as a minimum, include:</p> <p><b>1. For each tree felled:</b></p> <p>a) the inventory number declared on the land-use plan in relation to this same number declared on the worksite record;</p>

	<p>Cutting is undertaken by area.</p> <p>All logs are marked.</p> <p>Use of a worksite record.</p>	<ul style="list-style-type: none"> <li>- As an attachment, the updated map of the logging area</li> <li>- DMA</li> <li>- UTM positioning</li> </ul> <p><b>Flows:</b></p> <p>Company submits worksite records and timber movement declarations to DGEFCP</p> <p>Company sends logging data to CDF to input into SGBD.</p>	<p>Verification checks</p> <ul style="list-style-type: none"> <li>- Worksite record</li> <li>- Evacuation slips</li> <li>- Respect for boundaries of AACs</li> <li>- Respect for DMA</li> <li>- Marking of UFG, plantation and AAC boundaries</li> </ul> <p>List of infringements</p> <p>Reports sent to litigation department</p> <p>Control reports sent to ICEF.</p> <p><b>NB: For verification in plantations:</b></p> <p>DGEF reconciles volumes felled with volumes declared on the inventory by the logger for a particular plot. No individual traceability up to stump.</p>	<p>b) the position of the declared tree on the land-use plan in relation to this same felled tree declared on the worksite record;</p> <p>c) the species of tree declared on the land-use plan in relation to the species of felled tree.</p> <p><b>2. By management unit: i) AACs of PEAs and ii) forest plantations:</b></p> <p>a) the number of harvestable trees per species declared on the harvest inventory in relation to the number of trees per species felled;</p> <p>b) the volume per species declared on the harvest inventory in relation to the volume per species felled;</p> <p>c) the inventory numbers of the trees felled and declared on the worksite records in relation to all the numbers of harvestable trees declared on the harvest inventory.</p>
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Supply stage or chain	Responsibility and activities	Necessary data and its collection method	Verification	
			Validation	Reconciliation
HAULAGE AND PREPARATION AT FOREST DEPOT	<p><b><u>Body responsible:</u></b> COMPANY</p> <p><b><u>Activities:</u></b></p> <ul style="list-style-type: none"> <li>- Initial sorting</li> <li>- First calculation of cubic volume of logs</li> <li>- Marking and numbering of logs</li> <li>- Sectioning of logs for transport</li> <li>- Copying of inventory numbers onto sheets.</li> </ul>	<p><b><u>Declaration document:</u></b></p> <ul style="list-style-type: none"> <li>- Daily haulage list</li> <li>- Haulage sheets</li> <li>- Forest depot record (Worksite record)</li> <li>- Inter-forest transport note</li> <li>- Data:</li> <li>- Permit number</li> <li>- UFG (PEA or plantation) number</li> <li>- AAC number</li> <li>- Species</li> <li>- Number of standing trees</li> <li>- Felling number</li> <li>- Number of log sections</li> <li>- Description of forest marking hatchet</li> <li>- Dimensions and volume of logs</li> </ul> <p><b><u>Flows:</u></b></p>	<p><b><u>Methodology:</u></b></p> <p><b>DEIF and Regional Department for Water and Forests:</b></p> <p>Verification:</p> <ul style="list-style-type: none"> <li>- Worksite record</li> <li>- Evacuation slips</li> <li>- DMA.</li> </ul> <p>Transmission of verification reports to DGEFCP.</p>	<p><b>CDF:</b></p> <p>Responsible for supervising reconciliation in SGBD between i) information available from production data and ii) information gathered upstream in the sector.</p> <p>The information to be reconciled at this stage must, as a minimum, include:</p> <p><b>1. For each tree felled:</b></p> <ul style="list-style-type: none"> <li>a) the numbers of the sections (secondary logs) in relation to the number of the primary sawn log declared on the worksite record;</li> <li>b) the species of the sections in relation to the species of the primary sawn log declared on the worksite record;</li> <li>c) the cumulative length of the sections in relation to the total length of the primary sawn log;</li> <li>d) the diameter of each section in relation to the diameter of the primary log;</li> <li>e) the logging data appearing on the</li> </ul>

		<p>Company submits worksite records and timber movement declarations to DGEFCP</p> <p>Company sends logging data to CDF to input into database.</p>	<p>worksite record in relation to the AAC's validity dates.</p>
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Supply stage or chain	Responsibility and activities	Necessary data and its collection method	Verification	
			Validation	Reconciliation
<p><b>PREPARATION AND EXPORT OF LOGS</b></p>	<p><b>Body responsible:</b> COMPANY</p> <p><b>Activities:</b></p> <ul style="list-style-type: none"> <li>- Sorting of sectioned logs</li> <li>- Storage by species by contract or without contract</li> <li>- Sawing</li> <li>- Calculation of volume of sections (diameter, length, volume)</li> <li>- Marking and numbering of sections.</li> </ul> <p><b>Body responsible:</b> Service commissioned by the administration.</p>	<p><b>Declaration document:</b></p> <ul style="list-style-type: none"> <li>- Depot register</li> <li>- Entry list</li> <li>- Preparation record</li> <li>- Specifications</li> </ul> <p><b>Data</b></p> <ul style="list-style-type: none"> <li>- PEA or plantation number</li> <li>- Felling number</li> <li>- Sizes of logs</li> <li>- Species</li> <li>- Number of log sections</li> <li>- Contract number</li> </ul>	<p><b>Methodology:</b></p> <p><b>DEIF and Regional Department for Water and Forests:</b></p> <p>Verification:</p> <ul style="list-style-type: none"> <li>- DMA</li> <li>- List of authorised species</li> </ul> <p>List of infringements, if necessary</p> <p>Verification reports sent to DGEFC</p> <p><b>Joint Control Brigade (BMC):</b></p> <p>Label check</p> <p>List of infringements, if necessary</p> <p>Control reports sent to ICEF</p>	<p><b>CDF:</b></p> <p>Responsible for supervising reconciliation in SGBD between i) information available from timber movement forms and ii) information gathered upstream in the sector.</p> <p>The information to be reconciled at this stage must, as a minimum, include:</p> <p><b>1. For each log:</b></p> <ul style="list-style-type: none"> <li>a) the log number declared in the worksite record in relation to the log number declared in the entry list for the log depot;</li> <li>b) the species of log declared in the worksite record in relation to the species of log declared in the entry list for the log depot;</li> <li>c) the dimensions of the log declared in the worksite record in</li> </ul>

	<p><b><u>Activities:</u></b></p> <p>Placing of labels/bar codes.</p>	<ul style="list-style-type: none"> <li>- Client name</li> <li>- Label</li> </ul> <p><b><u>Flows:</u></b></p> <p>Company sends timber movement forms to CDF</p> <p>DGEFCP issues revenue orders and sends reports to CDF</p> <p>BMC's report sent to ICEF</p>	<p><b>DGEFCP</b></p> <p>Verification of production data.</p>	<p>relation to the dimensions of the log declared in the entry list for the log depot.</p> <p><b><u>2. For each lorry load:</u></b></p> <ul style="list-style-type: none"> <li>a) the numbers of logs declared on the inter-forest transport note in relation to the numbers of logs declared in the worksite records;</li> <li>b) the species of logs declared on the inter-forest transport note in relation to the species of logs declared in the worksite records;</li> <li>c) the dimensions of the logs declared on the inter-forest transport note in relation to the dimensions of the logs declared in the worksite records;</li> <li>d) the dates of the inter-forest transport notes in relation to the dates on the worksite entry list.</li> </ul> <p><b><u>3. For each monthly movement form:</u></b></p> <ul style="list-style-type: none"> <li>a) the volumes by species declared on the form, in relation to the volumes declared in the worksite records for the same period.</li> </ul> <p><b><u>4. For each DGEFCP order to collect revenue:</u></b></p> <ul style="list-style-type: none"> <li>a) the amounts due per species calculated by the SGBD in relation to the corresponding</li> </ul>
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				amounts given on the DGEFCP's revenue orders.
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Supply stage or chain	Responsibility and activities	Necessary data and its collection method	Verification	
			Validation	Reconciliation
<p align="center"><b>PREPARING FOR LOG (LOG SECTION) PROCESSING</b></p>	<p><b>Body responsible:</b> COMPANY</p> <p><b>Activities:</b></p> <ul style="list-style-type: none"> <li>- Sectioning.</li> <li>- Measuring, calculating volume of sections.</li> <li>- Marking and numbering of sections.</li> <li>- Inputting section species.</li> </ul>	<p><b>Declaration document:</b></p> <p>Stock form for the 'sawmill/factory' depot</p> <p><b>Data:</b></p> <ul style="list-style-type: none"> <li>- Species</li> <li>- Numbers of log sections</li> <li>- Dimensions and volumes of log sections</li> </ul> <p><b>Flows:</b></p> <p>Preparation report sent to CDF.</p>	<p><b>Methodology:</b></p> <p><b>Regional Department for Water and Forests:</b></p> <p>Verification of stock lists</p>	<p><b>CDF:</b></p> <p>Responsible for supervising reconciliation in SGBD between i) information available from processing data and ii) information gathered upstream in the sector.</p> <p>The information to be reconciled at this stage must, as a minimum, include:</p> <p><b>1. For each log:</b></p> <ul style="list-style-type: none"> <li>a) the characteristics (number, species, dimensions) appearing on the log depot stock list in relation to the same characteristics on the depot entry list;</li> <li>b) the species of the sections in relation to the species of the primary sawn log declared on the stock list;</li> <li>c) the cumulative length of the sections in relation to the total length of the primary sawn log.</li> </ul> <p><b>2. By month:</b></p> <ul style="list-style-type: none"> <li>a) Volumes per species entering the depot in relation to volumes per</li> </ul>

				species entering production.
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## PROCESSING

Supply stage or chain	Responsibility and activities	Necessary data and its collection method	Verification	
			Validation	Reconciliation
<b>LOG SECTION PROCESSING FOR EXPORT</b>	<p><b><u>Body responsible:</u></b> COMPANY</p> <p><b><u>Activities:</u></b></p> <p><i>On entering the processing plant</i></p> <p>Inputting of sawn log/section numbers.</p> <p>Inputting of volumes of sawn logs/sections entering the factory by number and species.</p> <p><i>On exiting the processing plant</i></p> <p>Measurement and calculation of volumes of bundles of sawn timber (or other processed product).</p> <p>Numbering of bundles by contract .</p> <p>Calculation of sawn timber yield.</p> <p><b><u>Body responsible:</u></b> Service commissioned by the administration.</p> <p><b><u>Activities:</u></b></p>	<p><b><u>Declaration document:</u></b></p> <ul style="list-style-type: none"> <li>- Production report:</li> <li>- Factory entry form (processing plant)</li> <li>- Log consumption sheet for sawing or other processing</li> <li>- Cut depot stock list.</li> </ul> <p><b><u>Data:</u></b></p> <ul style="list-style-type: none"> <li>- Numbers of log sections</li> <li>- Species</li> <li>- Volume of sawn logs = volume of log sections</li> <li>- Sawn timber yield</li> <li>- Bundle numbers</li> <li>- Number of bundles</li> <li>- Dimensions of items and volumes of bundles</li> <li>- Company name</li> </ul>	<p><b><u>Methodology:</u></b></p> <p><b>Department for Forest Logging and Industry (DEIF) / Regional Department for Water and Forests:</b> verification</p> <ul style="list-style-type: none"> <li>- Cut timber depot stock list</li> <li>- Specifications for export</li> <li>- Labels</li> <li>- Processing rate</li> </ul> <p><b>BMC:</b> Verification check</p> <ul style="list-style-type: none"> <li>- Cut timber depot stock list</li> <li>- Specifications</li> <li>- Labelling by the service commissioned by the administration:</li> <li>- Processing rate</li> </ul>	<p><b>CDF:</b></p> <p>Responsible for supervising reconciliation in SGBD between i) information available from timber movement forms and ii) previous stages upstream in the sector.</p> <p>The information to be reconciled at this stage must, as a minimum, include:</p> <p><b><u>1. For each processed log section:</u></b></p> <p>a) the characteristics (number, species, dimensions) of processed sections (factory entry list) in relation to the same information on the depot stock list;</p> <p><b><u>2. For each kind of processed product, by species, monthly:</u></b></p> <p>a) the volumes of log sections entering production in relation to the volumes of processed products (material yield);</p> <p>b) the volumes of processed</p>

	Marking of processed products (labelling).	<ul style="list-style-type: none"> <li>Place of storage of stocks of processed products</li> </ul> <p><b>Flows:</b></p> <p>Company sends sawn timber movement forms to DGEFCP</p> <p>BMC, DR and DEIF reports sent to ICEF.</p>	<p>List of infringements, if necessary</p> <p><b>ICEF:</b></p> <p>Check SGBD</p>	products by species declared on the sawn timber movement forms in relation to the stock lists.
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Supply stage or chain	Responsibility and activities	Necessary data and its collection method	Verification	
			Validation	Reconciliation
<b>PROCESSING FOR THE LOCAL MARKET</b>	<p><b>Body responsible:</b> COMPANY</p> <p><b>Activities:</b></p> <p><i>On entering the production line:</i></p> <p>Inputting of log section numbers</p> <p>Inputting of log section volumes by species.</p> <p><i>On exiting the production line:</i></p> <p>Calculation of volume and measurements of sawn timber bundles</p> <p>Numbering of bundles</p>	<p><b>Declaration document:</b></p> <p>Local market production report</p> <p>Transport note for timber destined for the local market.</p> <p><b>Data:</b></p> <ul style="list-style-type: none"> <li>Numbers of log sections, species and volume on entering the production line</li> <li>Numbers of bundles, volumes on exiting the production line.</li> </ul> <p><b>Flows:</b></p> <p>Sent by the company:</p> <ul style="list-style-type: none"> <li>Local market production report to DGEF</li> <li>Data registration and gathering forms.</li> </ul>	<p><b>Methodology:</b></p> <p><b>Department for Forest Logging and Industry (DEIF) / Regional Department for Water and Forests:</b></p> <p>Verification of sales slips.</p> <p><b>BMC:</b></p> <p>Checks verification of sales slips.</p> <p>Checks sales invoices.</p> <p><b>ICEF:</b></p>	<p><b>CDF:</b></p> <p>Responsible for supervising reconciliation in SGBD between information available from the local sales declarations and stages upstream in the sector.</p> <p>The information to be reconciled at this stage must, as a minimum, include:</p> <p><b>1. For each type of processed product intended for local consumption, monthly:</b></p> <p>a) the volumes of log sections entering local production in relation to the volumes of products processed for the local market (material yields);</p>

	<p>Storage place on site:</p> <p>Indicate depot in Bangui or another town.</p> <p>Calculation of sawn timber yield.</p>		<p>Checks SGBD.</p>	<p>b) the volumes declared in the local market production reports in relation to the transport notes for timber destined for the local market.</p>
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## EXPORT

Supply stage or chain	Responsibility and activities	Necessary data and its collection method	Verification	
			Validation	Reconciliation
<b>EXPORT OF LOGS, SAWN TIMBER AND OTHER PRODUCTS</b>	<p><b><u>Body responsible:</u></b> COMPANY</p> <p><b><u>Activities:</u></b></p> <ul style="list-style-type: none"> <li>– Preparation of product specifications.</li> <li>– Commercial export declaration (DEC).</li> <li>– Draw up consignment note (bearing label number from the service commissioned by the administration)</li> <li>– Draw up certificate of origin and phytosanitary certificate</li> <li>– Request FLEGT licence.</li> </ul> <p><b><u>Body responsible:</u></b></p> <p>Service commissioned by the administration</p> <p><b><u>Activities:</u></b></p> <p>Place labels/bar codes</p>	<p><b><u>Declaration document:</u></b></p> <ul style="list-style-type: none"> <li>– Specifications</li> <li>– Sales invoice</li> <li>– DEC</li> <li>– EUR 1</li> <li>– BAE ('Good for dispatch' stamp)</li> <li>– Waybill</li> <li>– Prior favourable recommendation</li> <li>– FLEGT licence</li> </ul> <p><b><u>Data:</u></b></p> <ul style="list-style-type: none"> <li>– Species</li> <li>– Number of log sections or bundles</li> <li>– Volume per species for logs</li> <li>– Volume of product for sawing and other</li> <li>– Numbers of labels</li> </ul>	<p><b><u>Methodology:</u></b></p> <p><b>Department for Forest Logging and Industry (DEIF):</b> verification</p> <ul style="list-style-type: none"> <li>– Timber movement forms already submitted</li> <li>– Dispatch note for export timber</li> <li>– Consistency between export notes and worksite records</li> </ul> <p><b>Regional Department for Water and Forests and Border Inspectors:</b></p> <ul style="list-style-type: none"> <li>– Verification at borders</li> <li>– Verification of certificate of origin and phytosanitary certificate</li> <li>– Physical and documentary checks</li> <li>– Registration</li> </ul> <p><b>Joint brigade:</b></p> <ul style="list-style-type: none"> <li>– Checks customs documents:</li> <li>– Reconciliation of harvesting and export data with worksite record.</li> </ul>	<p><b>The Central Inspectorate for Water and Forests - CDF:</b></p> <p>Responsible for supervising reconciliation in SGBD between information available from timber movement forms, exports and the information gathered in previous stages of the chain.</p> <p>The information to be reconciled at this stage must, as a minimum, include:</p> <p><b><u>1. For each log:</u></b></p> <p>a) the characteristics (number, species, dimensions) appearing on the specification in relation to the same characteristics on i) the depot entry list, ii) the worksite records for the corresponding period and iii) the inter-forest transport notes.</p> <p><b><u>2. For each load:</u></b></p> <p>a) the information on the load available at the Ministry of Finances in relation to the information also available on this same load at the Ministry of</p>

		<ul style="list-style-type: none"> <li>- Name of export company</li> <li>- Client name</li> <li>- Client contract number</li> <li>- Place of loading</li> <li>- Destination</li> <li>- Amounts taxed</li> </ul> <p><b>Flows:</b></p> <ul style="list-style-type: none"> <li>- Company sends timber movement forms to DGEF</li> <li>- DGEFCP issues revenue orders and sends reports to CDF.</li> <li>- DEC</li> <li>- Processing of FLEGT licence request and responses</li> </ul>	<ul style="list-style-type: none"> <li>- Worksite record and timber movement declarations.</li> <li>- Check values of volumes declared.</li> </ul> <p><b>ICEF:</b></p> <ul style="list-style-type: none"> <li>- Reconciliation of data from other departments</li> <li>- Checks SGBD</li> <li>- Confirms conformity to FLEGT licensing authority.</li> </ul> <p><b>ICEF:</b></p> <ul style="list-style-type: none"> <li>- Checks specifications</li> <li>- Payment of taxes related to export of timber.</li> </ul> <p><b>Service commissioned by the administration:</b></p> <ul style="list-style-type: none"> <li>- Checks specification</li> <li>- Inspection: identification of species, measuring, determination of volume according to ATIBT standards</li> <li>- Placing of two plastic labels (blue and red) with specific company code for each log section.</li> </ul> <p><b>Load check by the on-site service commissioned by the administration:</b></p> <ul style="list-style-type: none"> <li>- Issues load check forms</li> </ul>	<p>Forests.</p> <p><b>FLEGT licensing authority</b></p> <p>Responsible for supervising the reconciliation between the information declared i) in the FLEGT licensing request, ii) the provisional licence and iii) the physical checks conducted at the border, iv) the physical checks conducted in Douala.</p>
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			<ul style="list-style-type: none"> <li>- Hand back file to driver with the DEC, two check forms from the service commissioned by the administration, the specification, customs documents.</li> </ul> <p><b>Border check by the service commissioned by the administration</b> (physical and documentary check):</p> <ul style="list-style-type: none"> <li>- Verification of the private operator's check form and specification</li> <li>- Checks DEC export documents, customs documents</li> <li>- Removes the strip from one of the labels on the log or bundle</li> <li>- Sends back the check form and strips to the secure revenues structure (BIVAC) at Berberati for reconciliation</li> <li>- Records label information in a register</li> <li>- Check by private operator at Douala port:</li> <li>- Removes strip from the 2nd label</li> <li>- Sends back the Douala arrival report to the secure revenues structure (BIVAC) at Berberati</li> <li>- Certificate of export verification (AVE).</li> </ul> <p><b>FLEGT licensing authority</b></p> <ul style="list-style-type: none"> <li>- Issues FLEGT licences</li> </ul>	
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## IMPORT AND TRANSIT

Supply stage or chain	Responsibility and activities	Necessary data and its collection method	Verification	
			Validation	Reconciliation
<b>IMPORT OF WOOD FOR PROCESSING</b>	<p><b><u>Body responsible:</u></b> COMPANY</p> <p><b><u>Activities:</u></b></p> <ul style="list-style-type: none"> <li>– Timber import request</li> <li>– Order</li> <li>– Invoice</li> <li>– Nature of product</li> <li>– Customs clearance</li> </ul>	<p><b><u>Declaration document:</u></b></p> <ul style="list-style-type: none"> <li>– Commercial import declaration (DIC)</li> <li>– Legality compliance authorisation from country of origin</li> <li>– MEFCP’s authorisation to import timber for processing.</li> </ul> <p><b><u>Data:</u></b></p> <ul style="list-style-type: none"> <li>– Company name</li> <li>– Number of log sections</li> <li>– Species</li> <li>– Volumes</li> <li>– Labels/Barcodes</li> <li>– Log identifying number</li> </ul> <p><b><u>Flows:</u></b></p> <ul style="list-style-type: none"> <li>– Company sends DIC to Ministry of Trade</li> <li>– Min. of Trade sends copy of DIC to customs and MEFCP</li> <li>– MEFCP issues authorisation to company</li> </ul>	<p><b><u>Methodology:</u></b></p> <p><b>Min. of Trade:</b></p> <ul style="list-style-type: none"> <li>– Issues DICs</li> </ul> <p><b>Service commissioned by the administration:</b></p> <ul style="list-style-type: none"> <li>– Inspects products to be imported, in country of origin</li> <li>– Checks values declared</li> <li>– Issues import verification certificates</li> </ul> <p><b>Customs:</b></p> <ul style="list-style-type: none"> <li>– Checks customs clearance</li> <li>– Issues receipts for fees and taxes received</li> <li>– Sends data to Ministry for Water and Forests.</li> </ul> <p><b>FLEGT licensing authority:</b></p> <ul style="list-style-type: none"> <li>– Checks legality of product imported.</li> </ul> <p><b>MEFCP:</b></p> <ul style="list-style-type: none"> <li>– Issues authorisation to import timber</li> </ul>	<p><b>ICEF/ CDF:</b></p> <p>Responsible for supervising reconciliation in SGBD between information available from timber movement forms and the information gathered by customs.</p> <p>The information to be reconciled at this stage must, as a minimum, include:</p> <p><b><u>1. For each load:</u></b></p> <p>a) the information provided to customs at the border in relation to the information contained in the depot entry register.</p>

		<ul style="list-style-type: none"> <li>- Sends to CDF</li> <li>- Company sends production report to DGEFCP.</li> </ul>	for processing.	
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Supply stage or chain	Responsibility and activities	Necessary data and its collection method	Verification	
			Validation	Reconciliation
<b>MOVEMENT OF TIMBER  AROUND  THE CENTRAL AFRICAN REPUBLIC</b>	<p><b><u>Body responsible:</u></b> CUSTOMS</p> <p><b><u>Activities:</u></b></p> <ul style="list-style-type: none"> <li>- Customs registration on entry (D15)</li> <li>- Inputs into SYDONIA database</li> <li>- Records exit.</li> </ul>	<p><b><u>Declaration document:</u></b></p> <ul style="list-style-type: none"> <li>- D15</li> </ul> <p><b><u>Data:</u></b></p> <ul style="list-style-type: none"> <li>- Number</li> <li>- Species</li> <li>- Number of logs or bundles</li> <li>- Gross and total weight</li> <li>- Commercial name</li> <li>- Price</li> <li>- Volume</li> </ul> <p><b><u>Flows:</u></b></p> <p>Report sent to CDF on products in transit.</p>	<p><b><u>Methodology:</u></b></p> <p><b>Customs:</b> Registration.</p> <p><b>Border inspection:</b> Registration.</p>	<p><b>CUSTOMS:</b></p> <p><b>CDF:</b></p> <p>Responsible for supervising reconciliation in SGBD between information available on products entering and leaving the CAR's territory. The information to be reconciled at this stage must, as a minimum, include:</p> <p><b><u>1. For each load:</u></b></p> <p>information collected on entering the country (lorry registration number, origin of timber, species, volume, log registration numbers, date, time, place) in relation to the same information collected on leaving the country.</p>

### ***3.1.2 Physical tracking system and method for checking volume consistency***

A unique alphanumerical national identification system for all forestry companies, from the moment of harvest inventory, will be established during the Agreement implementation phase and prior to issuing of the first FLEGT licence by the CAR.

The national tracking system (NTS) enables the following to be reconciled:

- the units (standing trees, logs, log sections, bundles of processed products) at the different stages in the control chain,
- the volumes produced by unit at the different stages in the chain (PEA, UFG, AAC, etc.).

For processed products, a system for reconciling data on entering and exiting the production line at the processing facilities will be put in place during the Agreement implementation phase and prior to issuing of the first FLEGT licence by the CAR. This system will also take into account volumes entering and exiting the factory (including the factory log depot). The table given in 3.1.1 shows the points where reconciliation of volumes will take place.

### ***3.1.3 Method of product identification***

The current identification method is that of two-colour labels (blue and red). A bar code method will be developed in the context of Agreement implementation, prior to the issuing of the first FLEGT licence by the CAR.

### ***3.1.4 Monitoring and approval of tasks delegated to operators***

The inspection of all wood for export is delegated to a private operator, currently BIVAC Export. The activities of this operator are audited by the administration. In the context of Agreement implementation, it is envisaged that the contractual relationship with a private export timber inspection operator will be updated.

In the context of the legality assurance system, the company responsible for inspecting timber for export will send the results of its checks to the ICEF, which will inform the licensing authority. Methods for passing on the information will be defined during the Agreement implementation phase and prior to issuing of the first FLEGT licence by the CAR.

### ***3.1.5 Cases of non-compliance in the supply chain***

The different non-compliances will be handled in accordance with the legal and regulatory provisions in force in the CAR.

In the case of a non-compliance that gives rise to tax adjustments, these will be undertaken by the finance administration on the basis of the inspection report from the company in charge of export timber inspection or the border inspectors and decentralised departments of the forestry administration.

In the context of issuing FLEGT licences, a procedures manual on managing non-compliances and sanctions for strengthening the control system will be developed during the Agreement implementation period, prior to the issuing of the first FLEGT licence by the CAR.

## 3.2 - Checking supply chain requirements

### *a) Inspections*

The different levels of responsibility, the frequency and methods used for supply chain control are defined in the national tracking system noted in the table, in point 3.1.1.

Data exchange between the operators and the database management system (housed at and managed by the Forestry Data Centre) must be carried out in line with a frequency to be established.

Verification of supply chain requirements shall be conducted for every FLEGT licensing request, taking into account the reports and records of the departments involved.

### *b) Management and analysis of data verification*

Management and analysis of supply chain data shall be done with the aid of a centralised database management system (SGBD) within the Forestry Data Centre (CDF). This management involves:

- developing information management software adapted to the traceability requirements;
- an Internet connection giving network access to all actors involved, under guaranteed secure conditions.

Data management will be defined during the Agreement implementation phase and prior to issuing of the first FLEGT licence by the CAR.

#### 4 - ISSUING FLEGT LICENCES

The FLEGT licensing authority is a body appointed by the Minister for Forests and attached to his office. It is therefore a separate structure that operates independently but reports back to the Minister for Water and Forests.

Issuing of a FLEGT licence to an operator wishing to export their products is subject to a written application sent in hard copy to the licensing authority. This application must provide all the information and references referred to in Appendix I of Annex IV of the Voluntary Partnership Agreement. The licence will be issued in a model format to be produced and circulated by the forest administration during the Agreement implementation phase and prior to issuing of the first FLEGT licence by the CAR.

Once the licensing authority receives an application, it asks the Central Inspectorate for Water and Forests and the Forestry Data Centre for verification of the legality of the company and of the products for export via the database management system. Data is fed into the system by all of the departments involved and responsible for assuring and controlling all aspects related to the legality of companies and their operations. These departments will be supported in their work by civil society organisations, who will provide independent monitoring of the system. Its proper functioning will be regularly evaluated by an external auditor whose functions are described in Section 5 of this document.

On the basis of information provided by the CDF, the Central Inspectorate will respond favourably to the licensing authority if the company and the declared products comply with the LAS requirements.

There are then two possibilities: the licence may be issued in Bangui or in Douala. In fact, some consignments, notably cargoes of logs, are not known until the point of embarkation, that is, Douala. In this case, the operator does not know what the cargo is on departure from the CAR. The products leave the CAR on several lorries that will form a single shipment in Douala. The Central African Republic has designed a specific mechanism for this case. When making the application, the operator has to indicate whether the licence should be issued in Bangui or Douala.

##### When the licence is issued in Douala

In this case, an official document setting out the prior favourable opinion is given to the company by the licensing authority. This document is produced for each lorry transporting all or part of the cargo so that each of the lorries in question can be checked at the border. It is issued in the CAR (Bangui or other places to be established, e.g. Berberati) by the licensing authority. A copy of the favourable opinion is sent to the licensing authority in Douala, which is a local office of the licensing authority.

Once the opinion has been issued, the licensing authority retains all documents justifying the decision whether or not to issue the FLEGT licence. These documents are filed for a period of at least five years.

With the official document confirming the favourable opinion issued by the licensing authority, the operator can send the products in question to the port of Douala for export. The products are inspected once more at Douala by the FLEGT licensing authority, which checks for consistency between the favourable opinion received from the licensing authority and the products arriving in Douala. This department sends the results of its verification electronically to the licensing authority, which sends back its final opinion by the same means. On receipt of this opinion, and having reconciled the volume

prior to embarkation, the licensing authority issues a signed authorisation. The following diagram describes the procedure for requesting and issuing FLEGT licences.

#### When the licence is issued in Bangui

If the products leave via a port other than Douala, legality assurance is carried out (c.f. Stages 1 to 7 of the diagram below) and the licence is issued in Bangui (instead of Stage 8 in the diagram below). Inspection bodies working under the Central Inspectorate for Water and Forests will be based at the country's exit points in order to check the compliance of the cargo with the FLEGT licence and to report back on its compliance to the licensing authority.

In the case of a refusal due to non-compliance with the LAS requirements, an unfavourable opinion will be sent to the company within a reasonable timeframe.

Information on numbers of licences, by type and destination of the products, will be published regularly. This information will be made public, in accordance with the provisions of Annex X. Annex IV describes the procedures for issuing FLEGT licences and their technical specifications in more detail.

**Figure 1: Diagram showing the procedure for issuing FLEGT licences and data flows between the control and verification departments**





### **Diagram showing the procedure for issuing FLEGT licences at Douala**

Arrow No	Description	Place
a, b and e	Exchanges of information and data between ICEF (CDF/SGBD) and the departments involved in legality assurance and traceability and forestry companies.	Bangui and provinces
c and d	Exchanges of information between ICEF and CDF: ICEF sends the data available to it; CDF feeds and manages the SGBD and sends the contents to ICEF for each FLEGT licence application.	Bangui
1	Based on the specification, the company sends an application for a commercial export declaration (DEC) to the body in charge of tax assessment (BIVAC).	Bangui
2	DEC issued to forestry company, DEC validated by Ministry of Trade.	Bangui
3	Customs declaration by the company.	Bangui
4	Customs clearance receipt issued (exit fee + min. fixed tax + fee for finance computer tools) by customs.	Bangui
5	FLEGT licence application made by logging company using the form.	Bangui
6	The FLEGT licensing authority asks ICEF for verification of cargo compliance.	Bangui
7	ICEF recommendation to FLEGT licensing authority.	Bangui
8	Notification of favourable opinion to company.	Bangui or other (Berberati, at the border)
9	Favourable opinion sent to the Douala department of the licensing authority.	Bangui to Douala
10	Licensing department in Douala sends the results of the physical and documentary verification to the licensing authority.	Douala to Bangui
11	Order to issue FLEGT licence given to licensing department in Douala.	Bangui to Douala
12	FLEGT licence issued by the licensing department (Douala branch).	Douala
13	Licensing department sends copies of licence to the licensing authority.	Douala to Bangui
14	Licensing authority sends copy of licence to ICEF for filing.	Bangui

## **5- INDEPENDENT AUDIT OF LEGALITY ASSURANCE SYSTEM**

The aim of the Independent System Audit (ISA) is to assure all stakeholders of the reliability and credibility of the FLEGT licences issued in the CAR.

The functions of the independent audit are to:

- (1) regularly assess the implementation of all aspects of the legality assurance system (LAS), in particular:
  - adherence to the principles and criteria of the legality matrix;
  - the effectiveness of supply chain verification;
  - the effectiveness of verifications and verification checks;
  - the reliability of the system for issuing FLEGT licences
  - the complaints management mechanism (registration of stakeholders' grievances concerning: (i) LAS implementation and (ii) independent audit activities);
  - the synergy between all elements of the LAS;
  - the synergy between all actors concerned and involved in the process (communication flows, filing, procedures, etc.);
- (2) assess the adequacy of the data management systems supporting the LAS;
- (3) identify weaknesses and failings in the system (proposing corrective action is the responsibility of the Joint Committee);
- (4) verify, where appropriate, the implementation of any corrective action decided by the Joint Committee following identification of weaknesses and failings, and assess their effectiveness;
- (5) verify the use of FLEGT licences when timber products coming from the Central African Republic are released for free circulation within the European Union;
- (6) draft and submit a report to the Joint Committee following each audit.

Annex VI to this Agreement describes the independent auditor's terms of reference.

## ANNEX VI

### **TERMS OF REFERENCE FOR THE INDEPENDENT SYSTEM AUDIT (ISA)**

#### **I. - BACKGROUND AND JUSTIFICATION**

The aim of the Independent Legality Assurance System Audit (ISA) is to provide an assurance to all stakeholders with regard to the reliability and credibility of the FLEGT licences issued in the Central African Republic.

#### **II. - MISSIONS**

The ISA has the following general tasks:

- (1) to regularly assess the good implementation of all aspects of the legality assurance system (LAS), in particular:
  - respect for the principles and criteria of the legality matrix;
  - the effectiveness of supply chain verification;
  - the effectiveness of verifications and verification checks;
  - the reliability of the system for issuing FLEGT licences;
  - the complaints management mechanism (registration of stakeholders' grievances concerning i) LAS implementation and ii) independent audit activities);
  - the synergy between all elements of the LAS;
  - the synergy between all actors concerned and involved in the process (communication flows, filing, procedures, etc.);
- (2) to assess the adequacy of the data management systems supporting the LAS;
- (3) to identify weaknesses and failings in the system (proposing corrective actions is the responsibility of the Joint Committee);
- (4) to verify, where appropriate, the implementation of the corrective actions decided by the Joint Committee following identified weaknesses and failings, and assess their effectiveness;
- (5) to verify the use of FLEGT licences when timber products coming from the Central African Republic are released for free circulation within the European Union;
- (6) to draft and submit a report to the Joint Committee following each audit.

#### **III. - REQUIRED QUALIFICATIONS**

The ISA shall be a body independent of the CAR's administration, the Central African Republic's private sector, local NGOs and the European Union.

It may be a research department, a consortium of research departments, a practice or organisation internationally renowned for its experience and credibility in audit missions.

The structure must comprise a multidisciplinary team of experts specialising in audit and with a good knowledge of the way in which forest operations are undertaken, logging companies, and the procedures for exporting timber from countries of the Central African sub-region. The structure must also have an efficient internal control system in place.

Commercial service providers under contract to the CAR government for the supply of other management and forest resource control services or any activity that will, or is likely to, create a conflict of interests for the provider are not admissible for audit activities.

The ISA recruitment criteria are the following:

- proven expertise in the forest sector in the Central African sub-region;
- good knowledge of forest, fiscal, environmental, social and commercial legislation in the countries of the Central African sub-region. A knowledge of forest legislation in the CAR would be an asset;
- at least ten (10) years' experience in evaluating forest management and verifying the control chain in countries of the Central African sub-region;
- the capacity to produce audit reports in accordance with international standards;
- independence and credibility.

#### **IV. - METHODOLOGY**

The ISA shall cover the whole process leading up to the issuing of a FLEGT licence, according to a procedures manual to be developed and submitted to the Joint Committee for approval within three (3) months of its recruitment.

The ISA methodology must cover all the points given in Section II relating to missions.

The ISA must work according to a documented evidence-based procedure. For this, all documents required for issuing a FLEGT licence must be verified on the basis of multiple cross-referenced sources, where possible on the basis of samples and field-based verification activities in order to complete and cross-check the information coming from the documentary checks. The ISA may undertake investigations into complaints or observations received by the Joint Implementation Committee.

At the start of Agreement implementation, the frequency of ISA interventions will be three (3) times a year in the first year, twice (2) a year in the second and third years, then once a year from the fourth year onwards. The ISA may undertake additional audits at the request of the Joint Committee.

A detailed schedule approved by the Joint Committee, to include mission dates and dates for the submission of the corresponding reports, shall be supplied to the ISA prior to the start of its mandate.

## V. - SOURCES OF INFORMATION

The ISA will need free access to all information and sources it judges relevant. The Parties shall facilitate this access to information.

The main sources of the ISA's information with regard to actors involved in the FLEGT licensing scheme are as follows:

- the licensing authority (Ministry for Water and Forests);
- the Central Inspectorate for Water and Forests, where the final checks are made prior to issuing the FLEGT licence;
- the Forestry Data Centre, where the FLEGT licences and export data for each logging company are filed;
- the secure export revenues company (currently BIVAC);
- the administrative structures involved in verifying respect for the legality indicators:
  - Ministry for Water and Forests;
  - Ministry of Commerce;
  - Ministry of Finances;
  - Ministry of Public Service, Social Security and Labour
  - Ministry of Justice;
  - Ministry of the Environment and Ecology;
  - Ministry of Public Health;
  - Ministry of Agriculture;
  - Ministry of Transport;
- logging companies, beneficiaries of artisanal permits, community forests under logging and operators or owners of forestry plantations;
- all departments involved in the different checks: the General Directorate for Water and Forests, the Department for Forest Logging and Industry, the Department for Forest Inventory and Land-use, the Regional Department for Water and Forests, the Mobile Intervention and Verification Brigade, the Central African Republic's customs departments, the tax departments, the Department for the Living Environment and Environmental Planning within the Ministry of the Environment, the Labour Inspectorate, the phytosanitary departments, the Central African Road Haulage Office (BARC), the Ministry of Trade departments, the Ministry of Justice departments;
- the competent authorities of the European Union;
- the *Société d'exploitation des parcs à bois du Cameroun / SEPBC* (Douala);
- members of civil society (NGOs);
- the people living near the PEAs and other logging permits;
- development or support project staff involved in forestry development;
- all other sources judged relevant.

Complaints from stakeholders in the scheme for issuing FLEGT licences can be sent to the Joint Committee. This committee may make them available to the ISA. These complaints may thus also be a source of ISA information.

Access to information shall initially be obtained by means of control reports, infringement reports resulting from controls, and verification reports on respect for legality indicators that shall be provided to the ISA.

The ISA shall travel to the field, at its convenience, to obtain all information it judges relevant.

The ISA must also consult the main databases such as those of the CDF, and Central African Republic's customs authority.

## **VI. - REPORTS**

ISA reports shall contain all relevant information that drew the attention of the auditors.

A framework for audit reports shall be provided by the ISA in the context of procedures documented and approved by the Joint Committee.

After each audit, the ISA shall produce, within three (3) weeks, a provisional report in French in eight (8) copies: four (4) copies are to be sent to the Ministry responsible for forests, and four (4) to the European party, in addition to the electronic copy sent to both Parties.

The report must present an analysis of all the system's elements, verifying that all requirements relating to the legality assurance system are observed by all system components.

Comments from both Parties with regard to the provisional report, including complaints relating to the way in which the auditor is fulfilling its mission, shall be analysed by the Joint Committee and then sent to the ISA to produce the final report. The final report shall contain a response from the ISA to the comments made by the Joint Committee.

The ISA shall systematically produce a summary report to be made public. This report shall summarise the final report and cover the main results, weaknesses and failings identified, and the concerns of the stakeholders.

As appropriate, at the request of the Joint Committee, the ISA shall also produce a specific additional report when serious infringements, or serious weaknesses in the LAS, are identified.

## **VII. - RECRUITMENT PROCEDURES AND INSTITUTIONAL SET-UP**

The ISA shall be recruited via a competitive procedure from amongst national and/or international candidates following a call for tenders by the Ministry of Forests for a three-year (3-year) period, renewable once only, and subject to the formal approval of the Joint Committee.

The call for tenders shall be published in national and international publications and on Internet sites.

The service provision agreement signed between the ISA and the Minister for Forests shall include:

### **For the government:**

- non-interference in ISA activities;
- access to public and private information related to the legality assurance system, in accordance with national legislation;

- access to the forest domain and timber transport, storage, processing and export facilities necessary for the legality assurance system;
- payment of invoices corresponding to the ISA's services to be made whatever the conclusions of the audit.

The CAR government shall administratively facilitate the ISA's movements around the CAR's territory and ensure its safe conduct during trips within the national territory.

**For the provider:**

- a quality service provision in accordance with the terms of reference;
- guarantees relating to the protection and use of confidential information of a commercial nature.

The activities to be undertaken by the ISA shall also be specified in this contract, along with payment methods and the respective responsibilities of the signatories to the contract.

## ANNEX VII

### ASSESSMENT CRITERIA

#### FOR THE OPERATIONAL LEGALITY ASSURANCE SYSTEM IN THE CENTRAL AFRICAN REPUBLIC

The Voluntary Partnership Agreement (APV-FLEGT) between the European Union (EU) and the Central African Republic (CAR) provides for the development and implementation of a Legality Assurance System (LAS) to ensure that all timber and derived products specified in the Agreement and exported from the CAR to the EU have been legally produced. The LAS must comprise the following elements: a **definition of legally produced timber** that states the laws and texts that must be complied with for a licence to be issued; **supply chain controls** to track timber from the forest to the point of export; **verification** of compliance with all elements of the legality definition and control of the supply chain; **licensing procedures** and issuing of FLEGT licences; and finally, **independent auditing** to ensure that the system is working as planned.

European expectations with regard to the LAS are given in a series of briefing notes prepared by a group of experts from the European Commission (EC)<sup>19</sup>.

#### ASSESSMENT CRITERIA

The LAS will be subject to an independent technical evaluation before the licensing scheme becomes fully operational. The Terms of Reference will be jointly agreed between the interested Parties and the Joint Implementation Committee. These assessment criteria describe what the LAS is expected to produce and will provide the basis for the Terms of Reference for the evaluation. The evaluation will aim to:

- (1) review the system description with special focus on any revisions made after the FLEGT-VPA was signed; and
- (ii) examine the functioning of the system in practice.

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<sup>19</sup> [http://ec.europa.eu/development/policies/9interventionareas/environment/forest/forestry\\_intro\\_en.cfm](http://ec.europa.eu/development/policies/9interventionareas/environment/forest/forestry_intro_en.cfm)

## PART I. LEGALITY DEFINITION

*Legally produced timber needs to be defined on the basis of the existing laws and regulations of the CAR. The definition used must be unambiguous, objectively verifiable and operationally workable.*

*In addition, it must, as a minimum, include the laws which cover the following thematic areas:*

**Harvesting rights:** granting of legal rights to harvest the timber within legally gazetted boundaries.

**Forestry operations:** compliance with legal requirements regarding forest management, including compliance with relevant environmental and employment legislation.

**Fees and taxes:** compliance with legal requirements concerning taxes and fees directly related to timber harvesting and harvesting rights.

**Other users:** respect for other parties' legal tenure or rights of use over land and resources that may be affected by timber harvesting rights, where such other rights exist.

**Trade and customs:** compliance with legal requirements for trade and customs procedures.

- a) Are references to the legislative or regulatory texts that underpin each element of the definition clearly identified?
- b) Are criteria and indicators that can be used to test compliance with each element or principle of the definition specified?
- c) Are the criteria/indicators clear, objective and operationally workable?
- d) Do the indicators and criteria clearly identify the roles and responsibilities of the various actors and does verification assess the actions of all relevant actors?
- e) Does the legality definition include the main areas of existing law outlined above? If not, why were certain areas of law left out of the definition?
- f) Did the parties concerned consider all the main areas of applicable law in the country (including or not the thematic areas presented above)?
- g) Does the legality assurance system incorporate the main legal provisions identified during prior discussions between the various stakeholders involved, in particular those noted in the annex on additional measures?
- h) Have the legality definition and the legality enforcement matrix been amended since the FLEGT-VPA was concluded? Have indicators and criteria been defined to ensure verification of these changes?

## PART 2: CONTROL OF THE SUPPLY CHAIN

*Systems to control the supply chain must provide credible assurance that timber products can be traced throughout the supply chain from harvesting or point of import to point of export. It will not always be necessary to maintain physical traceability for a log, log load or*

*timber product from the point of export back to the forest of origin, but it is always needed between the forest and the first point of mixing (e.g. a timber terminal or a processing facility).*

**2.1 Use rights:** there is clear delineation of areas where forest resource rights have been allocated and the holders of those rights have been identified.

- a) Does the control system ensure that only timber originating from a forest area with valid and permissible use rights enters the supply chain?
- b) Does the control system ensure that companies carrying out harvesting operations have been issued with appropriate use rights for the forest areas concerned?
- c) Are the procedures for issuing use rights and information on issued use rights and their holders available in the public domain?

**2.2 Systems for supply chain control:** there are effective mechanisms for tracing timber throughout the supply chain from point of harvest to point of export.

*The approach for identifying timber may vary, ranging from the use of labels for individual items to reliance on documentation accompanying a load or batch. The selected method should reflect the type and value of timber and the risk of contamination with illegal or unverified timber.*

- a) Are all the supply chain alternatives identified and described in the control system?
- b) Are all stages in the supply chain identified and described in the control system?
- c) Are methods defined and documented to (a) identify the product's origin and (b) prevent mixing with timber from unknown sources in the subsequent stages of the supply chain?
  - timber in the forest,
  - transport,
  - interim storage,
  - arrival at the primary processing facility,
  - processing facilities,
  - interim storage,
  - transport,
  - arrival at point of export.
- d) Which organisations are responsible for monitoring the timber flows? Do they have adequate human and other resources to carry out the control activities?

**2.3 Quantities:** there are robust and effective mechanisms for measuring and recording the quantities of timber or timber products at each stage of the supply chain, including reliable and accurate pre-harvest estimates of the volume of standing timber in each cutting area.

Does the control system produce quantitative data on inputs and outputs at the following stages of the supply chain?

- standing timber,
  - logs in the forest,
  - transported and stored timber,
  - arrival at the factory,
  - between production lines/processing facilities,
  - exit from production lines/processing facilities,
  - exit from factory,
  - arrival at point of export.
- a) Which organisations are responsible for feeding the quantitative data into the control system and are the corresponding procedures documented? What is the relevance of the data that is checked?
  - b) Does the control system enable quantitative data to be recorded and reconciled quickly with prior and subsequent stages in the supply chain?
  - c) Are the staff in charge of control system management adequately trained?
  - d) What information is made publicly available on supply chain control? How can interested parties access this information?

**2.4 Mixing legally verified timber with other approved timber:** if mixing of logs or timber from verified legal sources with logs or timber from other sources is allowed, there are sufficient controls in place to exclude timber from unknown sources or timber which was harvested without legal harvesting rights.

- a) Does the control system allow verified timber to be mixed with other approved timber (e.g. with imported timber or timber originating from a forest area with clear legal harvesting rights but still not covered by the full verification process as described in this Agreement)?
- b) What control measures are applied in these cases? For example, do controls ensure that verified declared output does not exceed total verified input at each stage?
- c) Does the control system enable watertight segregation of verified timber from other timber of illegal origin or timber harvested without legal logging rights?

**2.5 Imported timber products:** there are adequate controls to ensure that imported timber and derived products have been legally imported.

- a) How is the legality of imports of timber and derived products demonstrated (does the system ensure that the timber was legally imported)?

- b) How is the traceability of timber and derived products ensured? Are these timber and derived products identified throughout the whole supply chain?
- c) What evidence is required to demonstrate that imported products originate from trees harvested legally in a third country?
- d) Where imported timber is used, can the country of origin be identified on the FLEGT licence, including that of components in composite products?

### **PART 3: VERIFICATION**

*Verification provides adequate checks to ensure the legality of timber. It must be sufficiently robust and effective to ensure that any non-compliance with requirements, either in the forest or within the supply chain, is identified and corrective action taken in good time.*

#### **3.1. Organisation**

Verification is carried out by a government, a third-party organisation or some combination of these. This body will have adequate resources, management systems and skilled and trained personnel, as well as robust and effective mechanisms to monitor conflicts of interest.

- a) Has the government appointed a body or bodies to undertake the verification tasks? Is the mandate (including associated responsibilities) clear and in the public domain?
- b) Does the verification body have adequate resources to verify the legality definition and systems for monitoring the timber supply chain?
- c) Does the verification body have a fully documented management system that:
  - has sufficient resources to undertake on-site checks as often as required to ensure the credibility of the system?
  - ensures that its staff have the necessary skills and experience to implement effective verification?
  - applies internal control/supervision?
  - includes mechanisms to monitor conflicts of interest?
  - ensures the transparency of the system?
  - defines and applies verification methodology?

#### **3.2. Verification against the legality definition**

There is a clear definition setting out what has to be verified. The verification methodology is documented and ensures that the process is systematic, transparent, evidence-based, carried out at regular intervals and covers everything included within the definition.

- a) Does the verification methodology cover all elements of the legality definition and include tests of compliance with all specified indicators?
- b) Does verification require:

- checks of documentation, operating records and field operations (including spot checks)?
  - collection of information from external interested parties?
  - recording of verification activities that allows checking by internal auditors and the independent auditor?
- c) Are institutional roles and responsibilities clearly defined and applied?
- d) are the results of verification against the legality definition made publicly available? How can interested parties access this information?

### 3.3 Verification of supply chain control systems

There is a clear scope setting out what has to be verified, which covers the entire supply chain from harvesting to export. The verification methodology is documented and ensures that the process is systematic, transparent, evidence-based, carried out at regular intervals and covers everything included within the scope, and includes regular and timely reconciliation of data between each stage in the chain.

- a) Are institutional roles and responsibilities clearly defined and applied?
- b) Does the verification methodology fully cover checks on supply chain controls? Is this clearly spelt out in the verification methodology?
- c) Is there a clear distinction in the legality assurance system between products coming from sources (forest concessions) included in the legality definition and those coming from sources not included?
- d) What evidence is there to demonstrate enforcement of supply chain control verification?
- e) Data reconciliation:

Which organisation is responsible for data reconciliation? Does it have adequate human and other resources to carry out the data management activities?

Are there methods to assess consistency between standing timber and timber entering the factory, and then at export point?

Are there methods to assess consistency between inputs of raw materials and outputs of processed products at sawmills and other plants?

Is reliable reconciliation by individual item or by batch of timber products possible throughout the supply chain?

What information systems and technologies are applied for data recording and for data storage and reconciliation? Are there robust systems in place for making the data secure?

Are the verification results on supply chain control made publicly available? How can interested parties access this information?

### 3.4. Non-compliance

There is an effective and functioning mechanism for requiring and enforcing appropriate corrective action when infringements are identified.

- a) Does the verification system define the above requirement?

- b) Is there available documentation specifying the methods for handling non-compliances?
- c) Have mechanisms been developed for handling non-compliances? Are these applied in practice?
- d) Are there adequate records available on the infringements identified and corrective actions taken? Is the effectiveness of corrective actions evaluated? Is monitoring of corrective actions provided?
- e) What information on identified infringements goes into the public domain?

#### **PART 4: AUTHORISATION**

*Each shipment is accompanied by a FLEGT licence. The CAR is responsible for issuing licences.*

##### **4.1. Organisation**

- a) What body is assigned responsibility for issuing FLEGT licences?
- b) Are the roles of the licensing authority and its personnel clearly defined and publicly available?
- c) Are the required skills defined and internal controls established for the licensing authority staff?
- d) Does the licensing authority have adequate resources to carry out its task?

##### **4.2 Issuing licences**

- a) Does the licensing authority have documented procedures for issuing licences? Are these publicly available, including any fees payable?
- b) Is there documented proof that these procedures are properly applied in practice?
- c) Are there adequate records available on licences issued and refused? Do the records clearly show the evidence on which the issuing of licences is based?

##### **4.3. Licences issued**

- a) Is the licensing based on individual shipments?
- b) Has the legality of an export shipment been demonstrated through government verification and traceability systems?
- c) Are the requirements for issuing licences clearly specified and available to the exporter and other parties concerned?
- d) What information on issued licences goes into the public domain?

## **PART 5: INDEPENDENT SYSTEM AUDIT**

*The Independent System Audit (ISA) is a function that is independent of the CAR's forest sector regulatory bodies. It aims to provide credibility to the FLEGT licensing scheme by checking that all aspects of the CAR's LAS are operating as intended.*

### **5.1. Institutional arrangements**

#### **5.1.1 Designation of the authority**

The CAR has formally authorised the ISA function and allows it to operate in an effective and transparent way.

#### **5.1.2 Independence from other elements of the LAS**

There is a clear separation between organisations and individuals that are involved in management or regulation of the forest resource and those involved in the independent audit.

- a) Does the government have documented independence requirements for the ISA?
- b) Do provisions state that organisations or individuals with a commercial interest or an institutional role in the CAR's forest sector are not eligible to perform the role of ISA?

#### **5.1.3 Appointment of the independent auditor**

The independent auditor is appointed through a transparent mechanism and there are clear and publicly available rules regarding its actions.

- a) Has the government made the Terms of Reference for the independent auditor publicly available?
- b) Has the government documented the procedures for appointing the independent auditor and made them publicly available?

#### **5.1.4 Establishing a complaints mechanism**

There is a mechanism for handling complaints and disputes arising from the independent audit. This mechanism makes it possible to deal with any complaint relating to the operation of the licensing scheme.

- a) Is there a documented complaints mechanism in place that is available to all interested parties?
- b) Is it clear how complaints are received, documented, referred to a higher level (where necessary) and responded to?

## **5.2 The independent auditor**

### **5.2.1 *Organisational and technical requirements***

The independent auditor is independent of the other components of the Legality Assurance System and operates in accordance with a documented management structure, policies and procedures that meet internationally accepted best practice.

- a) Does the independent auditor operate in accordance with a documented management system that meets the requirements of ISO Guides 62, 65 or similar standards?

### **5.2.2 *Audit methodology***

The methodology of the independent audit is evidence-based and verifications are carried out at specific and frequent intervals.

- a) Does the methodology specify that all findings are based on objective evidence concerning the functioning of the LAS?
- b) Does the methodology specify the maximum intervals at which each element of the LAS will be verified?

### **5.2.3 *Scope of the audit***

The independent auditor operates according to Terms of Reference that clearly specify what has to be audited and that cover all agreed requirements for the issuing of FLEGT licences.

- a) Does the methodology of the independent audit cover all elements of the LAS and specify the main tests of effectiveness?

### **5.2.4 *Reporting requirements***

The independent auditor sends regular reports on LAS integrity to the Joint Implementation Committee, including failings and an assessment of the corrective measures taken.

- a) Do the independent auditor's Terms of Reference specify the reporting requirements and reporting intervals?

## ANNEX VIII

### INDICATIVE SCHEDULE FOR IMPLEMENTATION OF THE AGREEMENT

		2011				2012	2013		2014-2017
		1 <sup>st</sup> Q	2 <sup>nd</sup> Q	3 <sup>rd</sup> Q	4 <sup>th</sup> Q				
ACTIVITIES	SECONDARY ACTIVITIES	PREPARATORY PHASE						OPERATIONAL PHASE	
<b>I. AWARENESS RAISING AND GENERAL INFORMATION</b>	1- Produce and evaluate a communications plan								
	2- Implement the communications plan								
	3- Develop and update the website								
<b>II. INSTITUTIONAL FRAMEWORK</b>	1- Transpose/officially recognise the responsibilities (as described in this Agreement) of the different verification and verification control structures and update the MEFCP's organic text								
	2- Establish and run the joint consultation mechanism								
	3- Establish the Joint Implementation and Monitoring Committee								
	4- Establish and run the National Agreement Implementation and Monitoring Committee								
	5- Establish a Permanent Technical Secretariat (STP)								
<b>III. CAPACITY BUILDING</b>	1- Train the actors in relation to elements of the VPA								
	2- Produce a training and capacity building plan for the different verification and verification control structures, along with civil society and the private sector								
	3- Implement the training plan								
	4- Establish equipment and logistical needs								
	5- Acquire equipment and logistical tools								
	6- Make offices available (STP, ICEF, BMIV, CDF, licensing authority)								

	7- Establish the Customs Conciliation and Expertise Commission (CCED) and train staff								
<b>IV. REFORM OF THE LEGAL FRAMEWORK</b>	1- Develop regulations according to the legality definition in Annex II of the Agreement								
	2- Improve the legal framework relating to the domestic timber market								
	3- Improve the legal framework relating to forests (community, communal and private forests) and plantations								
	4- Procedure for ratifying the Agreement								
	5- Produce a non-compliance management manual								
	6- Develop legal measures to improve governance (organic text, monitoring, national tracking system, etc.)								
<b>V. ESTABLISHING THE NATIONAL TRACKING SYSTEM (NTS)</b>	1- Finalise procedures relating to the NTS (methods, controls, verifications, etc.), including TERE mission.								
	2- Implement the planned national tracking system (NTS)								
	3- Establish links between the databases of the main structures involved								
	4- Design then establish database links with CEMAC countries								
	5- Acquire materials and equipment (identifiers, identifier readers, computers)								
	6- Roll out the system at national level: establish and equip checkpoints along the supply chains, including border posts (infrastructure, computers, Internet links, etc.)								
	7- Strengthen the capacity of the actors (MEFCP and other departments involved, private sector and civil society)								
	8- Train staff involved (ICEF, CDF, BMIV and other ministries), private sector and civil society								



<b>STRATEGY</b>	current markets								
	2- Position and promote FLEGT products coming from the CAR on the targeted markets								
<b>X. MONITORING THE IMPACTS OF THE VPA</b>	1- Define and monitor social indicators								
	2- Establish a system for monitoring confiscated timber								
	3- Establish a system for monitoring socio-economic and environmental impacts								
	4- Assess the socio-economic impact midway through VPA implementation								
	5- Monitor and assess forest sector revenues								
<b>XI. SEEKING ADDITIONAL FINANCING</b>	1- Develop a fundraising strategy								

## ANNEX IX

### AGREEMENT IMPLEMENTATION

#### SUPPORTING MEASURES

##### I. LEGAL AND REGULATORY TEXTS

###### I.1 Laws relating to the definition of legal timber

Bearing in mind the definition of legally produced timber given in Annex II, some legal and regulatory references will need to be completed/revised before the FLEGT licensing scheme comes into full operation. Of these texts, the following can be mentioned:

- a) Ministry for Water and Forests:
  - Volume 3 of the forest land-use/management standards;
  - Revision of the law on the PEA award committee, involving civil society;
  - Laws regulating plantation forests (terms and conditions relating to plantations of more than 50 hectares; definition of contractual relations between an individual/community and a logging company; other relevant areas);
  - Law regulating licensing authority information on certain aspects of forestry and environmental management;
  - Non-compliance management manual;
  - Law regulating the use of non-compliant timber.
- b) Ministry of the Environment and Ecology:
  - Implementing regulations for the Environment Code;
  - Laws on measuring environmental impact.
- c) Ministry of Agriculture:
  - Updated Law on compensation for crops;
  - Rural code (use rights, land law).
- d) Ministry of Transport:
  - Law governing the transportation of timber.
- e) Ministry for Trade and Industry:
  - Law on registering companies with the local chambers.
- f) Ministry of Finances and Budgets:
  - Law on imported timber and timber in transit.
- g) Ministry of the Interior:
  - Law on decentralisation;
  - Law on local governments.

## **I.2 Laws on the LAS**

Laws establishing the national tracking system:

- Organic Law on the Ministry responsible for forests, adapted according to the provisions taken in the context of FLEGT (clarification of the roles of ICEF, CDF, BMIV and DR/IPs, for verifying and checking verification of legality, along with the STP and Joint Committee);
- Order appointing the FLEGT licensing authority;
- Laws governing the local timber market;
- Law detailing the verification procedures anticipated in the LAS in the case of companies that have a private certification system.

## **I.3 Laws on Agreement monitoring**

- Organic Law on the Ministry responsible for forests, adapted according to the provisions taken in the context of FLEGT;
- Law on the Joint Committee;
- Order appointing the Permanent Technical Secretariat: this will be a CAR body bringing together representatives of the public administration, the private sector and civil society;
- Law on the participation of stakeholders and their role in Agreement implementation;
- Law instituting consideration within the LAS of independent monitoring undertaken by civil society.

## **II. STRENGTHENING THE HUMAN CAPACITY OF THE DIFFERENT INSTITUTIONS**

### **a. ICERF, licensing authority and other structures**

The FLEGT Agreement is a new process that will have many requirements in terms of its implementation. It will therefore be necessary to build the capacity of the administration.

The Central African Republic has decided to have the whole legality assurance system (LAS) verified by the Central Inspectorate for Water and Forests (ICEF). The whole operations database will need to be centralised within a database management system (SGBD) that will be held by the Forestry Data Centre (CDF). In addition, well before signing the Voluntary Partnership Agreement (VPA), the government decided to implement a Mobile Intervention and Verification Brigade (BMIV).

However, given that the organic law on the Ministry for Water and Forests, Hunting and Fisheries (MEFCP) sets out responsibilities for both its centralised and decentralised departments, there are, in the first place, sometimes overlaps in the current control system between the MEFCP's centralised and decentralised departments and, in the second, the different decentralised departments do not function properly.

Bearing in mind the legality assurance system described in this Agreement, it will be necessary to specify, complete and amend the roles of the different actors in the organic law on the MEFCP, and to redefine the interactions between the different decentralised departments, along with the information flows between these different departments and the SGBD, which will be centralised within the Ministry responsible for forests.

To this end, ICEF (in charge of data centralisation) will need to build its capacities through specific information management training. This training will also need to be extended to other centralised and decentralised departments involved in forestry management. This relates specifically to the CDF, FLEGT licensing authority and regional directors, plus prefectural and border inspectors.

These departments will need to be trained on the data inputting software and the information exchange and transmission procedures at central level.

#### **b. NGOs and civil society**

NGOs and civil society are stakeholders in the process. Civil society's independent monitoring is the mechanism by which it can contribute effectively to implementation of the Agreement. The purpose of civil society's independent monitoring is to improve the State's systems for implementing forestry law, with the aim of good governance. It will need to document the information gathered and make it available to the FLEGT licensing authority and the Joint Implementation Committee.

To this end, in order to ensure the proper involvement of these NGOs in implementing the Agreement, their capacity will also need to be developed. They will need to follow training on civil society independent monitoring, particularly data gathering and report writing.

#### **c. Training from private companies (for example, for optimum understanding and deployment of the LAS)**

#### **d. Customs Conciliation and Expertise Commission (CCED)**

#### **e. Training of NTS actors**

In order to ensure the proper involvement of all stakeholders in the national tracking system, there will be ongoing grassroots training.

### **III. BUILDING MATERIAL CAPACITY**

The dispersed nature of the different structures involved in legality assurance control makes the work of verification difficult and, in the long term, risks causing delays in the issuing of licences.

The structures that will be involved in Agreement implementation are so large that if there are no premises to house them their efficient functioning may be at risk, thus causing problems. It will therefore be essential to make additional offices available (STP, ICEF, DGEF, DIAF, DEIF, DR/IPs, CDF, BMIV, FLEGT licensing authority) in order to be able to group together all the services and thus improve coordination. Several possible options will be studied (building, renovation, renting).

Moreover, ICEF, DGEF, DIAF, DEIF, CDF and the decentralised departments will need adequate logistical resources (vehicles, computers, Internet communications, office equipment, etc.) to carry out their tasks. A study will determine actual needs.

The current tracking system is not able to collect all information linked to the timber supply chain. One option chosen by the Central African Republic is to develop a draft NTS in

accordance with Annex V to the Agreement. This draft, the costs of which have yet to be established, will need to provide for sufficient logistical resources (vehicles, computers, Internet communications, office equipment, etc.) to enable the CDF to gather and centralise all information on timber.

#### **IV. COMMUNICATION**

Communication is an essential tool for implementation of the Agreement. Sufficient communication will be necessary to keep the grassroots communities and the actors involved in the LAS informed. This will require:

- writing a communications plan for the various VPA-FLEGT actors;
- developing company communications/participation procedures in relation to the local and indigenous populations;
- developing and updating the website of the Ministry responsible for forests;
- informing parliamentary members: parliament is a decision-making institution involved in adopting laws on forest management. Given their position in their constituency and the role they play with their electorate, MPs will need to be informed of the importance of the Agreement;
- informing logging companies: the companies will be kept abreast of developments in implementing the Agreement and the procedures and methods they will be required to apply.

#### **V. STATISTICAL MONITORING OF THE DOMESTIC TIMBER MARKET**

The domestic timber market in the CAR will need to observe FLEGT requirements. In order to gather information on the domestic timber market and link with forest management generally, the creation of an inter-ministerial committee responsible for monitoring and updating all statistics related to the domestic timber market is envisaged.

#### **VI. MEASURES CONCERNING THE PROMOTION, INDUSTRIALISATION AND MARKETING OF TIMBER AND DERIVED PRODUCTS**

CAR timber and derived products covered by the Agreement may also include what are known as secondary tree species, which do not yet have potential outlets. The CAR is required by this Agreement to encourage the private sector to conduct a more thorough and diversified processing that is of interest to the European market.

To this end, the CAR will take restrictive measures on the export of logs by implementing Article 44 of the CAR's Forestry Code.

On the other hand, this promotion requires the total openness of European operators and their interest in CAR timber and derived products from all species.

Among the envisaged measures, a number of actions could be considered.

1. Undertaking an inventory of the timber sector in the CAR;
2. Analysing the dynamics and requirements;

3. Preparing a plan for the assessment, industrial development and more advanced processing of timber;
4. Preparing processing rules;
5. Preparing incentives for the use of timber (quality standards, promotion of new products);
6. Typifying and promoting lesser known species;
7. Encouraging technology transfer for industrialisation.

## **VII. CROSS-CUTTING MEASURES**

The implementation of activities in the context of the CAR's FLEGT-VPA relies primarily on two cross-cutting measures:

1. In terms of organisation, it will be a question of finalising a detailed and updated plan of tasks related to Agreement implementation in order to translate the eleven (11) activities anticipated in the implementation schedule into action.
2. In terms of financing, it will be a matter of mobilising the appropriate financial resources, relying in particular on task planning. It will be possible to use special forest development taxes (CAS-DF) to finance these activities and these could come from funds arising out of the REDD process.

## **ANNEX X**

### **FUNCTIONS OF THE JOINT IMPLEMENTATION COMMITTEE**

The Joint Implementation Committee is responsible for managing the Voluntary Partnership Agreement (VPA) and providing monitoring and evaluation of its implementation. It will, in particular, carry out the following tasks.

#### **Agreement management**

- Commission an independent assessment of the FLEGT licensing scheme, in accordance with Article 12 of the Agreement, and recommend a date on which the scheme should enter into full force.
- Facilitate a dialogue and exchange of information between the two Parties, in accordance with Article 19 of the Agreement, examine any subject introduced by either of the two Parties and identify the follow-up to be given.
- Play the role of mediator and seek to resolve conflicts or disputes in accordance with Article 24 of the Agreement.
- Adopt amendments relating to the annexes to this Agreement, in accordance with Article 26.
- Monitor the social, economic and environmental effects of Agreement implementation on potentially affected populations.

#### **Monitoring and assessment of Agreement implementation**

- Provide monitoring of the general state of progress of Agreement implementation and evaluate the progress made in relation to the schedule given in the relevant annex, in accordance with Article 14 of this Agreement.
- Identify and analyse possible difficulties encountered during Agreement implementation.
- Publish an annual report on Agreement implementation, in accordance with Article 19 of the Agreement.
- Receive and examine complaints relating to implementation of the Agreement and the FLEGT licensing scheme.
- Identify, examine, propose and, where appropriate, take measures aimed at improving the good execution of the Agreement, in particular on the basis of the observations of the independent auditor.
- Examine and monitor complaints referred by the ISA.

#### **Independent system audit (ISA), in accordance with Annex VI to the Agreement**

- Approve the procedures manual developed and submitted by the ISA and approve the audit report framework proposed by the ISA in the context of the documented procedures.
- Agree the auditor's schedule of work and recommend additional audits as appropriate.
- Send the auditor possible complaints received regarding the FLEGT licensing scheme.
- Examine all reports produced by the auditor.
- Examine the independent auditor's provisional reports and comment, as appropriate.
- Request a specific additional report from the auditor in case of need.

- Examine complaints relating to the work of the independent auditor, in accordance with Article 10 of the Agreement.
- Approve the renewal of the ISA contract, as appropriate.

**Participation of actors involved in Agreement implementation**

- Provide monitoring of the awareness raising and training of actors from the structures involved in the legality assurance system (LAS) described in Annex V.
- Provide monitoring of the procedures for LAS non-compliance for actors from structures involved in the LAS.
- Monitor and define the appropriate measures to ensure the involvement of all stakeholders in Agreement implementation.

## ANNEX XI

### **PUBLISHING INFORMATION**

Publishing information encourages transparency and ensures a good understanding of the FLEGT licensing scheme on the part of all actors, enabling them to ensure good governance in terms of forestry management.

It enables the different actors to understand the whole process leading up to the issuing of a FLEGT licence. The more information all actors have on the basic reasons underlying the FLEGT, its implementation, its monitoring and verification, the more an understanding of the process will be shared, internalised and sufficiently owned, in order to facilitate the implementation of the Agreement by all stakeholders. The method for producing the information shall be active publication or access. The information shall be published as rapidly as possible in order to retain all the relevance of its publication.

#### **1. CONTENT OF THE REPORT OF THE JOINT IMPLEMENTATION COMMITTEE**

The annual report of the Joint Implementation Committee shall include, in particular:

- the quantities of timber and derived products exported to the European Union under the FLEGT licensing scheme, by customs code and by recipient Member State of the EU;
- the number of FLEGT licences issued by the Central African Republic;
- progress in achieving the objectives and actions to be conducted within a deadline determined in the Agreement and, generally, the different subjects related to Agreement implementation;
- actions aimed at preventing any possible export of timber and derived products of illegal origin to markets other than the European Union or sale thereof on the national market;
- the quantities of timber and derived products imported to the Central African Republic or having transited the Central African Republic;
- action taken to prevent imports of timber and derived products of illegal origin in order to maintain the integrity of the FLEGT licensing scheme;
- cases of non-compliance with the FLEGT licensing scheme in the Central African Republic and action taken to resolve these cases;
- the quantities of timber and derived products imported into the European Union under the FLEGT licensing scheme, by relevant customs code and by recipient Member State of the EU;
- the number of CAR FLEGT licences received by the European Union;
- the number of times timber from the CAR has arrived at European customs without a licence and the quantities of timber and derived products involved;
- the structure and functioning of the Joint Committee.

#### **2. INFORMATION ON THE MEANS AND CHANNELS FOR PUBLISHING INFORMATION**

The information will be published by the Joint Implementation Committee and by both Parties, for information relevant to them. Information related to logging and timber movements will be available from the Forestry Data Centre (CDF) of the Ministry for Water, Forests, Hunting and Fisheries (MEFCP); an interconnection will enable the departments involved in forestry activities (MEFCP, finances, employment, agriculture, trade, justice) to

be linked to the CDF database while the General Directorate for the Official Journal will publish all laws and regulatory texts online.

Depending on the target audience, and on whether it is located in urban or rural areas, and whether it is predominantly literate or not, the information will be published through the following modern means and channels:

- ***Active channels***

- State and private national and international press;
- Local and community radio;
- Conferences and discussion meetings;
- Seminars and dissemination workshops;
- Distribution of documentary films;
- Production and distribution of radio/TV broadcasts;
- Production of shows, etc.;
- In addition, in the context of the communications plan, public information sessions will be held and will be an opportunity to distribute this information to stakeholders, particularly people on the ground and communities without access to the Internet and/or written press.

- ***Passive channels***

- Internet sites of the Ministry for Water, Forests, Hunting and Fisheries;
- Official Journal;
- Library of the Ministry for Water, Forests, Hunting and Fisheries;
- Statistical yearbook for the Forest and Hunting sector of the MEFCP;
- Annual reports of the forest administration, which can be consulted in the central or decentralised departments at provincial level.

Based on both active and passive channels, the published information will include data from the following areas.

### **3. LEGAL INFORMATION**

- International conventions and agreements signed and ratified by the CAR with regard to the protection of flora and fauna (CITES, etc.), the protection of human and peoples' rights (UN Declaration on the Rights of Indigenous Peoples, 61/295, the African Charter on Human and Peoples' Rights, etc.), work and employment etc.;
- The FLEGT Voluntary Partnership Agreement (body of text and its annexes);
- Permit award decree;
- Permit cancellation decree;
- Forestry Code and all related regulatory texts;
- Environment Code and all related regulatory texts;
- Water Code and all related regulatory texts;
- Employment Code and implementing regulations relating to the forest sector;
- Finance Law for each year;
- General Tax Code;
- Investment Charters;
- National COMIFAC Convergence Plan;
- Poverty reduction strategy document;
- Order creating the validation commission for forest land-use management documents (PG and PAO).

The regulatory texts to be adopted during the implementation phase will also be made public.

#### **4. INFORMATION ON THE PROCEDURES FOR ALLOCATING CONCESSIONS**

- ***Exploitation and land-use permits (PEAs)***
  - Tender procedures manual for the PEA award process;
  - Notice of calls for tenders relating to permit allocations;
  - Notice of calls for tenders relating to the recruitment of the independent monitor in the PEA award process;
  - Minutes of the Joint Commission for Allocating Exploitation and Land-use Permits (PEAs);
  - Order establishing the Joint Commission for Allocating Exploitation and Land-use Permits;
  - List of bidders for exploitation and land-use permits;
  - Report of the independent monitor on the PEA award procedure;
  - List of valid concessions with names of beneficiary people and/or companies;
  - Minutes of meetings related to respect for local and indigenous communities' customary rights of access and use in forest concessions.
- ***Plantation forests***
  - Notices of calls for tenders to run State plantations;
  - List of bidders to run plantations;
  - Authorisations to run plantations;
  - Environmental conformity certificate;
  - List of State plantations.

#### **5. INFORMATION ON FOREST PLANNING**

- ***Exploitation and land-use plan***
  - Environmental assessment reports (EIES, environmental audits);
  - Land-use planning document;
  - List and total areas of concessions under development;
  - List and total areas of concessions awaiting development;
  - National standards for producing land-use plans (Volumes 1, 2 and 3).
- ***Plantation***
  - Notice of call for tenders for environmental impact studies;
  - Environmental assessment report;
  - Simple management plan.

#### **6. INFORMATION ON PRODUCTION**

- Total annual production of timber and derived products in all PEAs under exploitation;
- Total annual production of timber and derived products in all plantations under exploitation;
- Annual volume of timber and derived products for processing at national level, by species, concession and company;

- List of destination countries and volumes exported by species, concession and company;
- Annual volumes of timber seized;
- Annual volumes of timber having transited through the CAR and their origin;
- Volumes on the Central African Republic's market.

#### **7. INFORMATION ON PROCESSING**

- List of approved operational processing companies;
- Location of processing facilities;

#### **8. INFORMATION ON THE LEGALITY ASSURANCE SYSTEM**

- FLEGT licensing scheme;
- Report of the civil society independent monitor
- Information on forest activity and social clauses in the management plans (information and maps);
- Information and maps on forest activity and social clauses in the annual operational plans;
- Official report in the case of destruction of assets belonging to local or indigenous communities by the company;
- Proof of compensation by the incriminated company;
- Inspection visit report from the forestry administration;
- Cases of non-compliance with the FLEGT licensing scheme in the Central African Republic and actions taken to resolve these cases;

#### **9. INFORMATION ON THE INDEPENDENT AUDIT**

- Regular summary audit reports;
- Procedure for challenging the audit.

#### **10. INFORMATION ON THE PAYMENT OF FOREST TAXES AND FEES**

- Annual rent;
- Felling taxes;
- Reforestation taxes;
- Exit fees.

#### **11. INFORMATION ON THE INSTITUTIONAL SET-UP**

- Structure and functioning of the Joint Implementation Committee;
- Structure and functioning of the National Monitoring and Implementation Committee;
- Permanent Technical Secretariat.