

Dear Prime Minister Janez Janša,  
Dear Minister Jean-Yves Le Drian,

CC :

*President of the European Commission Ursula von der Leyen*  
*Executive Vice-President Frans Timmermans*  
*Executive Vice-President Valdis Dombrovskis*  
*High Representative/Vice-President Josep Borrell Fontelles*  
*Commissioner Jutta Urpilainen*  
*Commissioner Virginijus Sinkevičius*  
*President of the European Parliament David Sassoli*

## **Re: NGOs are alarmed at the EU for possibly abandoning the fight against illegal logging and failing forested countries**

We are a group of environmental and human rights NGOs that work to advance forest governance and forest peoples' rights globally. We are writing to you to convey our concerns regarding the preliminary findings of the Forest Law Enforcement, Governance and Trade (FLEGT) and EU Timber Regulations Fitness Check which the Directorate General for the Environment at the European Commission presented to EU stakeholders this year.

We are extremely worried that the 'Fitness Check' may propose to repeal the FLEGT Regulation and its Voluntary Partnership Agreements (VPAs). This would represent a major blow to governments and civil society stakeholders both in the EU and partner countries who have worked tirelessly to improve forest management and laws and fight illegal logging and the associated trade in Africa, Asia, and South America. We are concerned that there has not been adequate communication and consultation with partner countries about any proposed changes to FLEGT and VPAs. We call on the European Commission (EC) to urgently publish the FLEGT Fitness Check to allow scrutiny of the evaluation.

The FLEGT Regulation and VPAs constitute the EU's flagship tool to curb illegal logging and boost the trade in legally sourced timber. VPAs address the underlying problems of governance and law enforcement by placing key decision-making powers in the hands of stakeholders in the producer countries and by establishing incentives, through trade preferences and the provision of capacity-building assistance. In many countries, national VPA processes have triggered legal reforms, resulting in new laws which include strong sustainability elements.

Despite the challenges in their implementation, VPAs have had many positive impacts, and provide a model that could be applied to agricultural commodities. For this reason, we believe it is critical that the FLEGT Regulation, together with the VPAs that underpin it, are maintained, and strengthened—as a key contributor to the EU's actions on deforestation. Furthermore, by ensuring forests are managed inclusively and transparently, FLEGT also contributes to the European Green Deal's objectives and to the Paris Agreement goals. We call on the EC to provide an analysis of the likely impacts on affected countries of ending the FLEGT action plan (if this is not included in the FLEGT Fitness Check).

Our position is summarised in the [following statement](#) signed by over 40 NGOs from across the world.

We are also concerned about a recently leaked version of a European Commission staff working document on a new regulation on deforestation, including timber. That document suggests that the regulation would not cover several important products and would not be put in place until 2025. It would also not cover risk areas like wetlands and savannahs or include respect for customary tenure as a binding criterion for placing products on the EU market.

Furthermore, the leaked staff working document hints that the continued existence of the FLEGT/VPAs system would be inconsistent with a new EU law that goes beyond legality to include sustainability criteria applicable to timber and other forest-risk commodities. However, there appears to have been little, if any, consideration as to how the existing FLEGT/VPA system could be updated to resolve the identified weaknesses and incorporate the new sustainability criteria (as is proposed for the EU Timber Regulation). Nor does there appear to be any alternative mechanism conceived to replace VPAs to facilitate the engagement and capacity building with producing countries that will be necessary to support the improvement of local legal frameworks in line with the new EU sustainability criteria. Instead, the document suggests that existing VPAs will remain in place even though they may be inconsistent with EU's legal requirements for timber, subject to a potential political deal to minimise the political damage in VPA countries. From both a policy and diplomatic perspective, this approach risks alienating VPA countries rather than increasing political will, incentives, and capacities in producing countries to undertake needed legal reforms, in an inclusive and democratic manner, towards higher standards.

The future of the world's forests must remain high on the EU's diplomatic agenda. Existing and successful instruments such as the FLEGT Regulation and VPAs must be maintained and strengthened to achieve the European Green Deal objectives at home and abroad.

We would welcome your views on all these issues and the opportunity to discuss the future of FLEGT and the EUTR in the context of the proposed new regulation on deforestation with your services.

Yours sincerely,

The signatory NGOs:

- *Amerindian Peoples Association, Guyana*
- *Brainforest, Gabon*
- *Centre d'Actions pour le Développement (CAD), Republic of Congo*
- *Centre for International Development and Training (CIDT)*
- *Centre pour l'Information Environnementale et le Développement Durable (CIEDD), Central African Republic*
- *Cercle d'Appui à la Gestion Durable des Forêts (CAGDF), Republic of Congo*
- *Cercle pour la défense de l'environnement (CEDEN), Democratic Republic of Congo*
- *Civic Response, Ghana*
- *ClientEarth*
- *Commission Episcopale Justice et Paix, Republic of Congo*
- *Centre de Recherche et d'Appui au Développement (CRAD), Central African Republic*
- *EcoCare, Ghana*
- *Environmental Investigation Agency (EIA)*
- *Earthsight*
- *Femme et Environnement « BATA-GBAKO » du Réseau Femmes Africaines pour le Développement Durable, Central African Republic*
- *Fern*

