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NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Draft Council Conclusions on Special Report No 13/2015 from the European Court of Auditors entitled: "EU support to timber-producing countries under the FLEGT action plan"
- Adoption

1. On 26 October 2015, the General Secretariat of the Council received the European Court of Auditors' (ECA) Special Report No 13/2015 entitled "EU support to timber producing countries under the FLEGT action plan"¹.
2. On 2 December 2015, the Committee of Permanent Representatives (Part 2) mandated the Working Party on Forestry to examine the special report in accordance with the Council conclusions on improving the examination of special reports drawn up by Court of Auditors².

¹ This special report is available on the Court's website: <http://eca.europa.eu>.

² Doc. 7515/00 FIN 127 + COR 1.

3. The Working Party on Forestry examined the report on 10 December 2015, 12 January and 17 February 2016. In the light of that examination the Presidency drew up draft Council conclusions. At its meeting of 17 February 2016, the Working Party reached an agreement on the text of draft Council conclusions, as set out in Annex to this Note.

4. In view of the above, the Permanent Representatives Committee is invited to confirm the consensus reached by the Working Party and to recommend to the "Agriculture and Fisheries" Council to adopt, at its forthcoming session on 14 March, the conclusions set out in the Annex to this note.

Draft Council conclusions

on Special Report No 13/2015 of the European Court of Auditors entitled “EU support to timber-producing countries under the FLEGT action plan”

The COUNCIL OF THE EUROPEAN UNION

- (1) WELCOMES Special Report No 13/2015 of the European Court of Auditors entitled “EU support to timber-producing countries under the FLEGT Action Plan” and TAKES NOTE of the Report's observations and recommendations;
- (2) NOTES that the report recognises that the EU support to FLEGT was based on a sound assessment of the illegal logging problem, its drivers and possible measures to be taken and that the action plan was conceived in an innovative way. Further UNDERLINES that the implementation of the FLEGT Action Plan is based on a coordinated EU response, drawing on the different strengths and capacities of the Commission and EU Member States, and STRESSES that the efficiency and effectiveness of FLEGT support programmes of several Member States and the implementation of the overall EU policy in that field are mutually supportive;
- (3) NOTES that the existing coordinated support to timber-producing countries by the EU and its Member States is a key element of the FLEGT Action Plan, and that this support is essential for implementation of 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, particularly through the conclusion and implementation of FLEGT Voluntary Partnership Agreements (VPA) between the EU and timber producing countries;

- (4) EMPHASISES that VPAs strengthen the capacities of governments and businesses to effectively regulate, manage and operate in forests in compliance with national legal requirements and ultimately require high standards for the legality assurance systems which need to be met before FLEGT licensing can start;
- (5) ACKNOWLEDGES that the Commission and EU Member States have managed FLEGT support to timber- producing countries in a challenging environment, taking into account the complexity of addressing illegal logging and promoting good forest governance and law enforcement in a diversity of countries, the varying roles of partner countries in the global timber market and the need for consistency with REDD+ programs and projects;
- (6) UNDERLINES that in terms of overall conditions for legal and sustainable timber harvesting, much has been achieved in partner countries, such as participation, transparency and democratic processes, clarification of the legislative environments and the concept of “legality” of the timber harvest, as well as clarification of land tenure or capacity building, including for third party controls;
- (7) ASKS the Commission to pursue its efforts to further improve synergies, efficiency and effectiveness in the delivery of support to timber- producing countries;
- (8) NOTES that the Commission has recently reported³ on the implementation and application of the EU Timber Regulation (EUTR) and is currently completing a broader evaluation of the FLEGT Action Plan;
- (9) AGREES on the need to step up efforts to implement and apply the EUTR, ensuring a level playing field throughout the internal market;

³ doc. 6303/16 and 6311/16

- (10) BELIEVES that the findings and the recommendations in the special report and their possible follow-up should be addressed in an integrated manner on the basis of the review of the implementation of the EUTR and any possible follow-up to the FLEGT Action Plan evaluation, also taking into account any relevant developments regarding forest governance at the multilateral level, including the International Arrangement on Forests;
- (11) OFFERS full support to the Commission when addressing the concerns raised by the Court following the ongoing general evaluation of the FLEGT Action Plan;
- (12) CALLS UPON the Commission to pay particular attention to the Court's recommendation to improve planning for and reporting of the various components of the FLEGT Action Plan to reflect clear objectives, priorities, deadlines, and to also pay attention to the associated budgetary resources for the support to timber-producing countries, duly taking into account the mutual supportiveness with programmes of Member States.
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