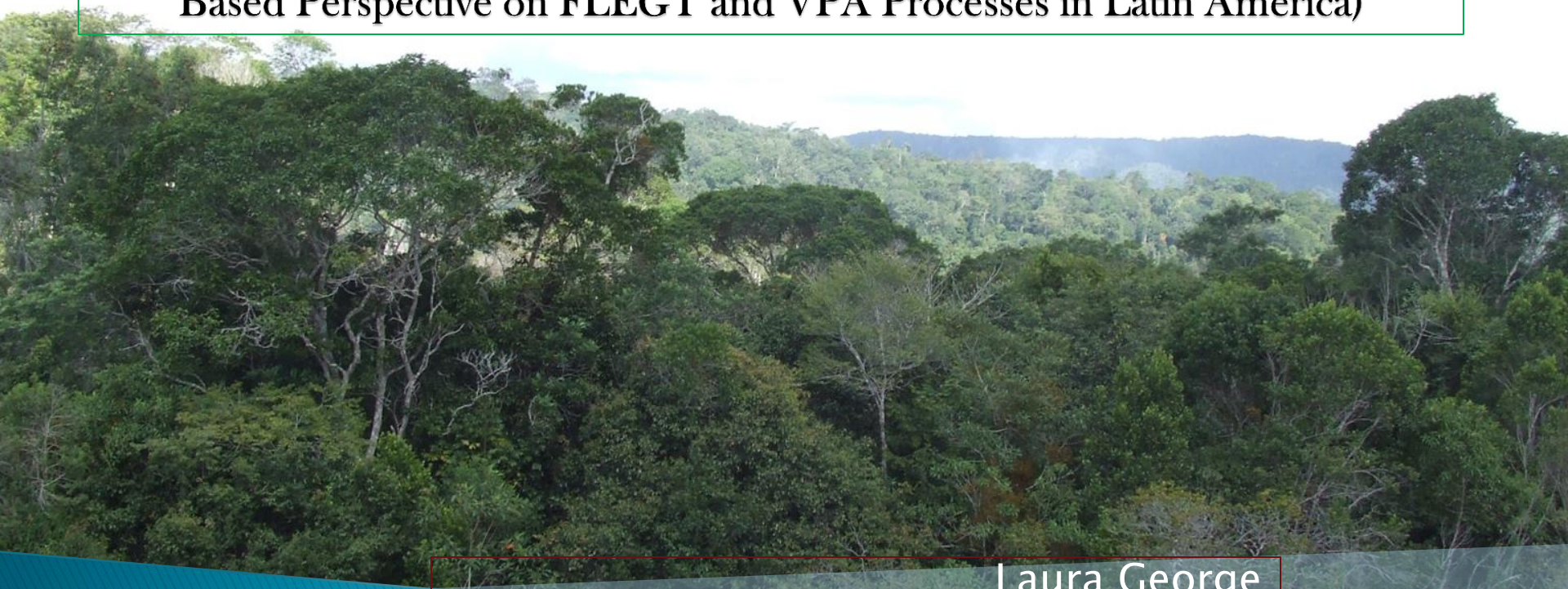


# Status and Challenges of FLEGT VPA Process in Guyana

(Presentation to the workshop on “Opportunities and Lessons for a Rights-Based Perspective on FLEGT and VPA Processes in Latin America”)



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Guyana's indigenous or first peoples also called Amerindians comprises nine distinct peoples who mostly live in the hinterland or interior of Guyana while the non-indigenous people live mostly on the coast.



The 2002 census reports Guyana's population to be less than 800,000 with the indigenous population being about 9.2 % and the only population to be increasing in Guyana. According to official documents, indigenous peoples currently own between 12 - 14%.



# Background on FLEGT VPA in Guyana

June 2009, LCDS launched and steering committee meet within 2 days of the launch

June – August, “nation wide” consultations are held;

November 2009, MOU with Norway;

Guyana intends to engage in formal dialogue with EU on FLEGT VPA

December 2009 Guyana writes to the EU asking for information on EU FLEGT Programme;

28 – 29 September 2010, first exploratory workshop and specific workshop in 2011;

March 2012, Guyana makes policy decision to enter into formal negotiations



# Activities leading up to the first negotiations on FLEGT VPA

- Identified need for Roadmap;
- Establishment of a National Technical Working Group?

National Preparatory Workshop

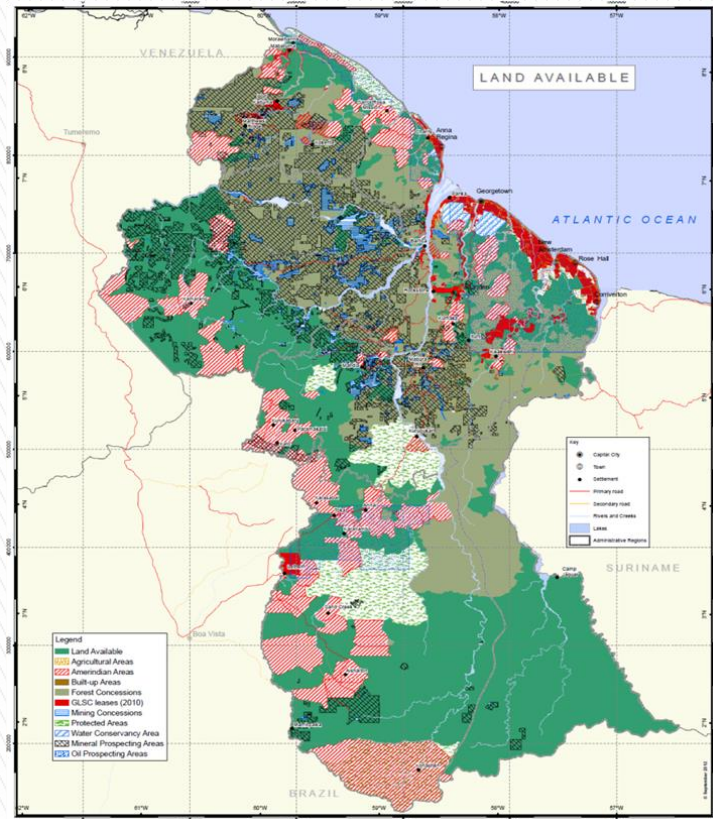
27 – 28 September, 2012

APA is invited to a meeting of a “Constituency Group”  
(October 10, 2012)

Raises concerns on the composition of NTWG and makes recommendations

December 2012, Guyana and EU have their first negotiations;  
January 2013, the Roadmap is presented.

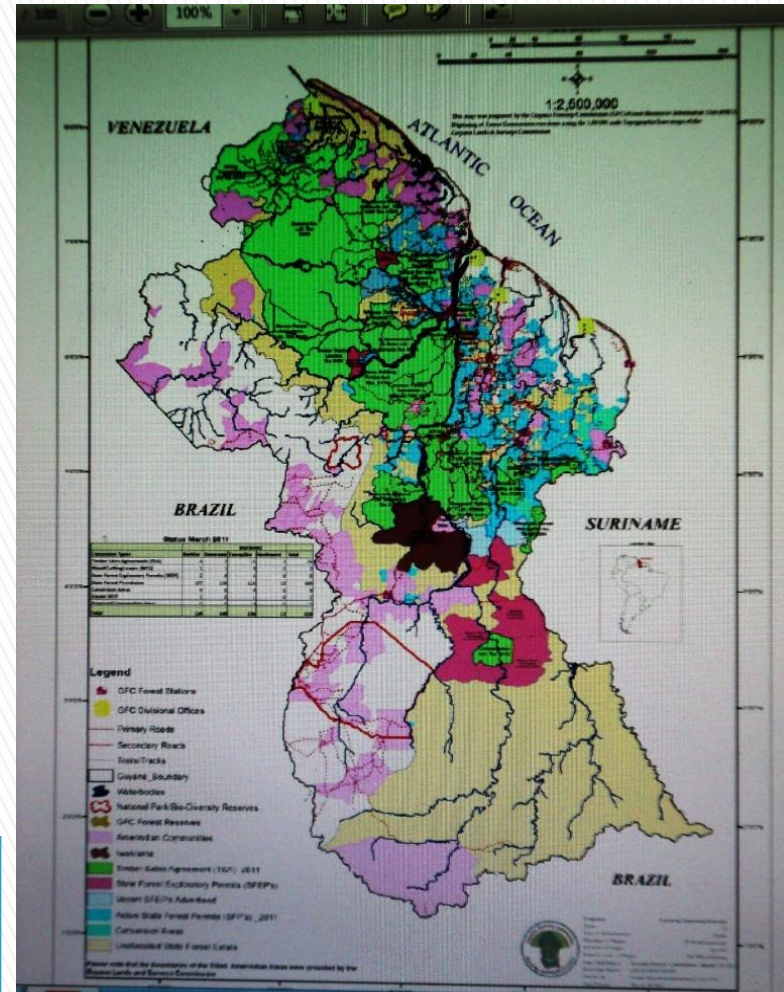
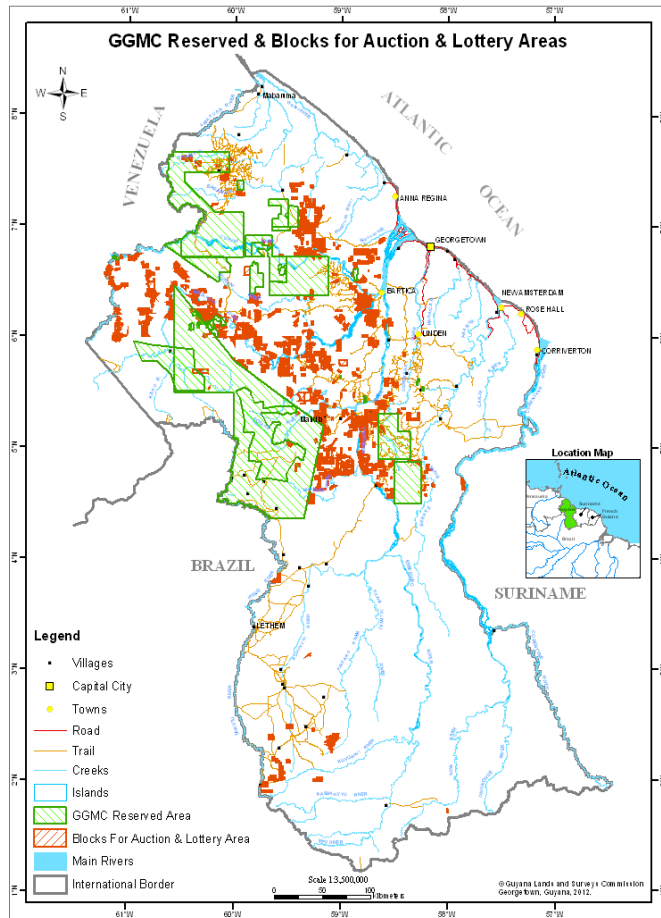
## Concerns raised from the first “Constituency Group” meeting



- ▶ How will land tenure rights of indigenous peoples be addressed under the VPA discussions if we are to truly talk about “legal” timber extraction;
- ▶ There is a lack of broad participation on the FLEGT VPA and must be effectively addressed before going into negotiations;
- ▶ There is great need for awareness raising and capacity building to feed into the mandate of the indigenous representatives, especially the Chair of the National Toshias Council;

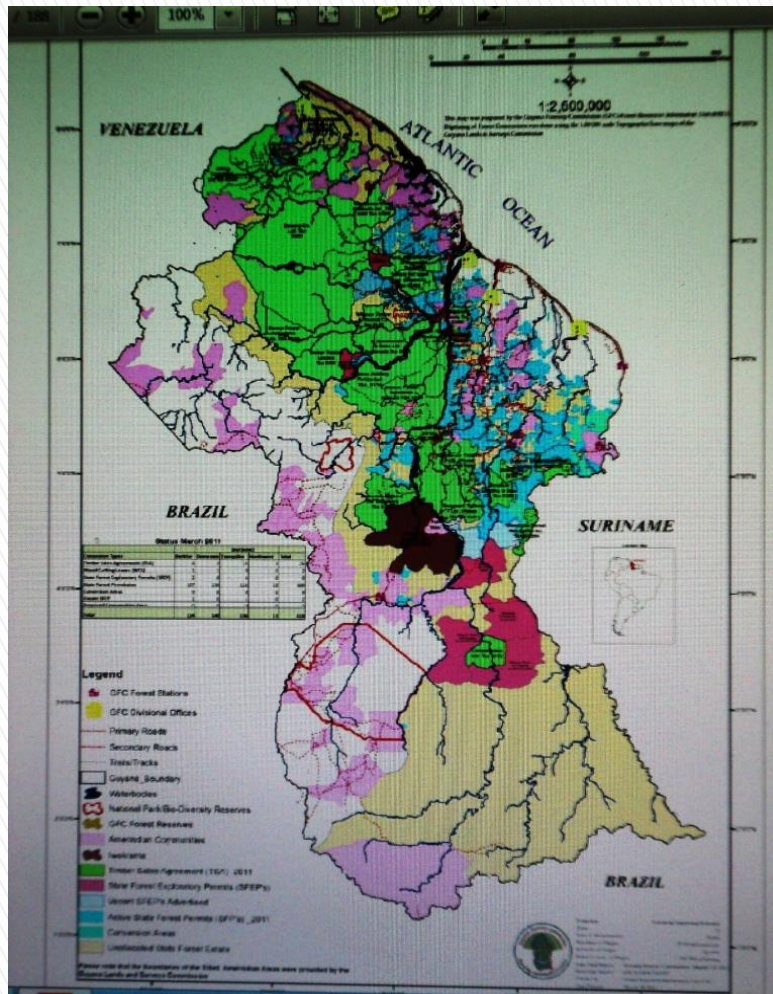
Map of Guyana showing how land is allocated.

# Maps taken from the National Land Use Plan 2013 Document





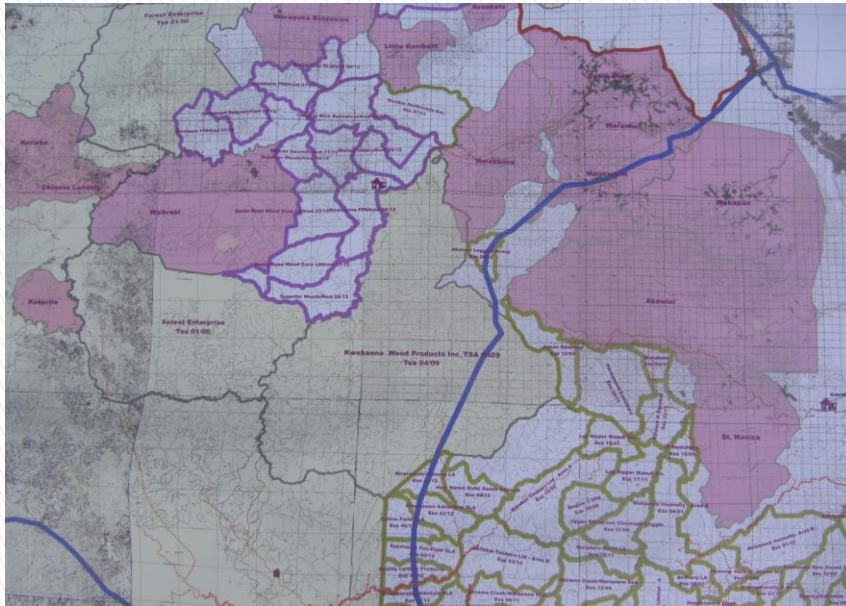
# Further concerns and recommendations made at the “Constituency Group” meeting



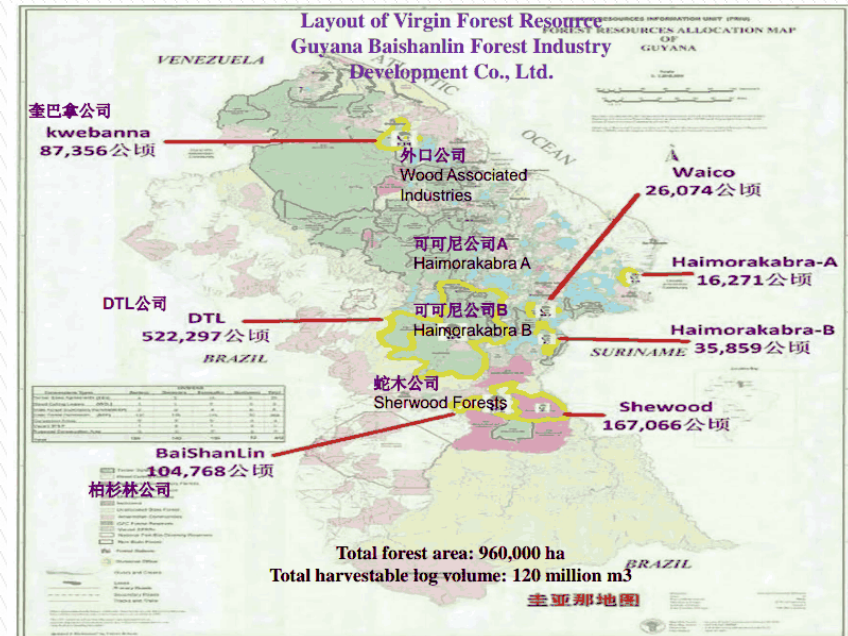
- ▶ National legislation does not recognise traditionally used lands of indigenous peoples and there will need to be reform of legislation;
- ▶ Reform of legislation must incorporate conventions ratified by the government;
- ▶ Effective and independent mechanism must be in place to address land conflict;
- ▶ There needs to be an independent secretariat;
- ▶ A workshop must be convened specifically for communities to raise awareness (this was done)
- ▶ The APA would like to be given an opportunity to meet with the EU negotiating team



# More examples of conflicts in land occupation – What is legal timber?



Land occupation and resulting conflict.



Logging concessions of a mega Chinese company

# Challenges in Guyana as it relates to the EU FLEGT VPA

- ▶ While the Government claims that there are three indigenous organisations that sit on the NTWG there are lots of questions concerning genuine representation from past and current experiences;
- ▶ There has been insistent positions from the government through the Guyana Forestry Commission that we have to work within existing legislation and not to reinvent the wheel;
- ▶ While the communities through the APA has been calling for a slowing down of the process until indigenous peoples fully understand the concepts involved in a VPA, GFC is adamant that they have undertaken numerous consultations already and negotiations must not be stalled
- ▶ Even though the APA participates in the “Constituency Group” meetings, this group has no power to ensure that crucial rights of indigenous peoples will be strongly considered under the pillars of sustainability of the VPA;
- ▶ The NTWG is dominated by the private sector; Reports of the NTWG discussions have not been made public.
- ▶ The opposition parties who hold the majority seats in parliament have not been included in the discussions as negotiations are ongoing;
- ▶ The government of Guyana continues to insist that we have the best laws and there is no need to reform legislation while there is huge land grab and ensuing conflict by logging and mining interests;
- ▶ Judgement in courts have ruled that once the community received their title paper after a concessionaire, then the rights of the concessionaire are upheld over the community;
- ▶ Political climate in Guyana does not support genuine and needed critique and conveniently hides behind the ‘sovereignty’ cover;
- ▶ Crime and drug trade are all supported by corruption and an almost non-existent civil society;



## Recommendations for an effective VPA in Guyana as had been formally communicated to the Government of Guyana and copied to members of the EU negotiating team members.

- ▶ Definition of legality must take into account stronger commitments to recognise legitimate land tenure rights in line with international human rights obligations and where necessary, allow for reform of policies and legislation to ensure the rights of Guyanese are protected;
- ▶ The negotiations process must be slowed down until the nation, especially indigenous communities, is fully informed and are involved in deciding how it moves forward;
- ▶ Some of the issues to be tackled include independence of the secretariat, independent chairmanship, inclusive definition of legality, export controls, and effective measures to address corruption.
- ▶ Indigenous communities need adequate time for full engagement and feedback to ensure their concerns and recommendations are recognised and acted upon throughout the negotiations. This is only right in the application of the principles of Free, Prior and Informed Consent and resulting in a strong VPA.

# Thank You!

