



AMERINDIAN PEOPLES ASSOCIATION

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The Commissioner
Guyana Forestry Commission
Kingston
Georgetown

Re: Concern about EU FLEGT VPA negotiations

Dear Commissioner,

The Amerindian Peoples Association (APA) wishes to formally register our concerns regarding the ongoing Government of Guyana's VPA negotiations with the European Union. As you are aware, the APA has been attending the "Stakeholder Group Consultations" and has raised several concerns in relation to the process in these meetings. We wish to reiterate some of these below as some of the concerns we would like to have addressed:

- The workshops referred to in the "Aide Memoire" are described as "extensive consultations" but we do not consider these to be so. This is because they were done in short time periods, in very general cluster groups and through the use of very technical language. In other words they were rushed. We urge a slowing of the pace of these negotiations.
- Prior to the start of the formal negotiations in December, the APA had attended three awareness workshops in Georgetown but was never involved in the establishment of the National Technical Working Group that is supposed to have resulted from these workshops. We consider this a breach in transparency and inclusivity and question the legitimacy of such a group, especially when it comes to representation of indigenous peoples in Guyana at this highest level of negotiations. The National Toshias Council (NTC) has been identified as the group to represent indigenous issues. Given that this body has limited outreach to communities, we feel that others with similar or more outreach and experience such as the APA can also contribute to advising on indigenous issues and therefore should have been part of the NTWG.
- A workshop on "Workshop with Indigenous Group Stakeholders on EUFLEGT" was held on 21 and 22 March, 2013 by the GFC as a result of recommendations made by the APA. The aim of this workshop was to give indigenous representatives an opportunity to talk about their experiences with the existing forest regulations and how these function in their communities. Several persons reported that they were unsure about how and when to make their comments because they found it difficult to relate to the topics that were presented, this workshop being the first of its kind they were experiencing. Despite this, the workgroup discussions saw some degree of participation and it is expected that the recommendations and comments emanating from these discussions will be captured in the report which was to be compiled within a month and circulated to participants. Unfortunately this is not yet available.

- There are several documents that are being used to support the negotiations that are not the result of “extensive consultations.” For example, the Roadmap for the VPA Process was drafted without the input of indigenous communities yet it was presented as a final document with an expectation that it would be supported. The process of consultation needs to be examined more closely for inclusivity and adequate time allocation.
- A draft Legality Definition document is being circulated for comments by the public by May 31 but it would be very difficult for indigenous communities to meet this deadline for several reasons. First, many do not understand FLEGT or what the FLEGT VPA process is about. It is important for them to understand the context within which it is being developed so that they can make their inputs. Second, the document is very technical and if disseminated in its current form will be of little use towards providing an understanding of the intended message. This violates one of the requirements of user friendly documents to enable community input. Therefore, we are calling on the GFC to extend the deadline for submission of comments and to have more user friendly documents.
- In the process of identifying what legal timber is, it is expected that the development of the VPA “must recognize the operational structure of multiple land users and stakeholders”. The experience of the indigenous population is that our rights as a people are being subjected to the rights of other stakeholders. Hence, it is vital that the legality definition under the VPA recognises the rights of the indigenous peoples in Guyana to their traditional lands as a distinct people and not as mere stakeholders. Since the Amerindian Act fails to recognise such rights, a reform of national legislation may be required.
- In discussions with communities and many indigenous leaders, the APA has found that they are already struggling with information about the LCDS, REDD+ and GRIF and what they mean. Adding FLEGT to this complexity of acronyms and not being able to effectively identify what implications it may have will further add to the burden of things to learn if time and good efforts are not part of the equation.

Mr. Commissioner, the APA commends efforts to support the protection of the forests while developing the country. At the same time, the APA also recognises the importance of ensuring effective participation to support good governance, transparency and inclusiveness. To this effect, Mr. Commissioner, we would like to call for a slowing down of the VPA negotiation process until truly extensive and effective consultations have been done throughout Guyana. We look forward to a dialogue with the Guyana Forestry Commission.

Yours respectfully

Jeanne Sharon Atkinson

JSA

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 Jeanne Sharon Atkinson
 President APA

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 EU Negotiating Team to Guyana, Brussels
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