



Brussels, 20 January 2025

**Interinstitutional files:**  
**2024/0245 (NLE)**

**WK 12305/2024 REV 2**

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## CONSULTATION

From:	General Secretariat of the Council
To:	Working Party on Forestry
Subject:	Proposal for a Council decision on the termination of the Voluntary Partnership Agreement between the Union and the Republic of Cameroon on forest law enforcement governance and trade in timber and derived products to the Union - revised Presidency text and further revised joint declaration (annex) - deadline to react: 23 January 2025 cob

The Presidency is submitting for consideration by delegations.

- the revised draft Presidency text of the *Council decision on the termination of the Voluntary Partnership Agreement between the European Union and the Republic of Cameroon on forest law enforcement governance and trade in timber and derived products to the Union*; and
- the further revised draft *Joint declaration between the European Union and the Republic of Cameroon concerning the non-renewal in 2025 of the Voluntary Partnership Agreement on forest law enforcement governance and trade in timber and derived products to the European Union (annex to the Council Decision)*.

In comparison to the previous version of the Presidency text (WK 12305 2024 REV 1), the document includes changes only to the Joint Declaration. The changes result from additional contributions from

the Commission and were consulted with the Council Legal Service. The changes are indicated in ***bold*** and ***italics*** (additions) and ~~strikethrough~~ (deletions).

Delegations are hereby invited to consider the revised proposal for a Council decision and the further revised draft Joint declaration, taking into account the drafting changes suggested by the Presidency, and to send their major comments, if any, to the Presidency (magdalena.wolicka-posiadala@klimat.gov.pl;jakub.karaskiewicz@klimat.gov.pl), with a copy to the General Secretariat of the Council (LIFE.3@consilium.europa.eu), **by Thursday, 23 January 2025, close of business.**

In the absence of objections from delegations, the Presidency will invite the Coreper (Part 1) to confirm its agreement with the draft decision and the annexed Joint Declaration as an 'I' item on the agenda of one of its forthcoming meetings, with a view to the adoption of the decision by the Council.

Presidency text

**REVISED DRAFT**

Proposal for a

**COUNCIL DECISION**

**on the termination of the Voluntary Partnership Agreement between the European Union and the Republic of Cameroon on forest law enforcement governance and trade in timber and derived products to the Union**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4) read together with Article 218(6)(a)(v) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament,

Whereas:

- (1) On 21 May 2003, the Commission adopted a Communication to the Council and the European Parliament entitled 'Forest Law Enforcement, Governance and Trade (FLEGT): Proposal for an EU Action Plan' aimed at contributing to the global efforts to tackle illegal logging and its associated trade<sup>1</sup>. The Council adopted its conclusions on the FLEGT action plan on 13 October 2003<sup>2</sup> and the European Parliament adopted its resolution on the subject on 11 July 2005<sup>3</sup>.
- (2) A central element of the action plan was the conclusion of voluntary partnership agreements (VPAs) with timber-producing countries to ensure that timber and timber products exported to the European Union were legally produced and acquired.
- (3) In accordance with Council Decision 2011/200/EU<sup>4</sup>, the VPA between the European Union and the Republic of Cameroon on Forest Law Enforcement, Governance and Trade in timber and derived products to the European Union (FLEGT) was signed on 27 September 2010.

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<sup>1</sup> COM/2003/0251 final.

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

<sup>3</sup> OJ C 157 E, 6.7.2006, p. 482.

<sup>4</sup> OJ L 92/1, 6.4.2011.

- (4) In accordance with Council Decision 2011/201/EU<sup>5</sup>, the VPA was concluded on behalf of the European Union and following its conclusion by the Republic of Cameroon it entered into force on 1 December 2011 for a period of seven years, tacitly renewable unless a party notifies its intention not to renew the agreement within 12 months before the expiry of the period in question.
- (5) The Republic of Cameroon has not been able to fulfil its obligations under the VPA, namely in relation to the establishment of the FLEGT licensing scheme aimed at verifying and attesting by means of a FLEGT license that timber and derived products exported to the European Union are legally produced or acquired. Given the Republic of Cameroon has not fulfilled the obligations under the VPA, the Commission believes the VPA no longer fulfils the 'relevance' requirement in recital 81 of the EU Deforestation Regulation.
- (6) It is therefore appropriate that the VPA with the Republic of Cameroon ceases to apply. It should either not be renewed beyond 30 November 2025 or terminated as soon as possible thereafter.
- (7) Article 27 of the VPA would have allowed for the non-renewal of the VPA as of 1 December 2025 if notification of the decision not to renew would have been made by any of the parties prior to 1 December 2024. Due to time constraints, the Union can no longer avail itself of the possibility of notifying a non-renewal beyond 30 November 2025 pursuant to Article 27 of the VPA.
- (8) Under Article 28 of the VPA, either Party may denounce the agreement by notifying the other Party. In this case the agreement shall cease to apply 12 months after the date of such notification.
- (9) Article 54(b) of the Vienna Convention on the Law of Treaties allows for the termination of international agreements at any time by consent of all the parties. Termination of the VPA could thus be done, pursuant to that provision, by the conclusion of a Joint Declaration between the European Union and the Republic of Cameroon, in which both parties jointly agree to terminate the VPA on 30 November 2025. In this case the agreement shall no longer be in force as of 1 December 2025.
- (10) The termination of the VPA pursuant to either of the above actions should be approved on behalf of the European Union.
- (11) In accordance with the Treaties, the Commission should make the notification of the European Union's decision to terminate the Agreement.

HAS ADOPTED THIS DECISION:

#### *Article 1*

The termination of the VPA between the European Union and the Republic of Cameroon on forest law enforcement, governance and trade in timber and derived products to the European Union that entered into force on 1 December 2011 is hereby approved on behalf of the European Union. The VPA shall cease to apply at the latest 12 months after the date of notification to the Republic of Cameroon.

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<sup>5</sup> OJ L92/3, 6.4.2011.

*Article 2*

The Joint Declaration between the European Union and the Republic of Cameroon concerning the non-renewal in 2025 of the Voluntary Partnership Agreement on forest law enforcement governance and trade in timber and derived products to the Union is hereby approved on behalf of the Union. The text of the Joint Declaration is attached to this Decision (Annex I).

*Article 3*

The Commission shall proceed, on behalf of the European Union, to make the notifications required to that effect to the Republic of Cameroon.

*Article 3*

This Decision shall enter into force on the day after its publication in the Official Journal of the European Union.

Done at Brussels,

*For the Council  
The President*

**FURTHER REVISED DRAFT****Joint Declaration****between the European Union and the Republic of Cameroon****concerning the non-renewal in 2025 of the Voluntary Partnership Agreement on forest law enforcement governance and trade in timber and derived products to the European Union**

Acknowledging the intention notified by the European Union to terminate the Voluntary Partnership Agreement on forest law enforcement governance and trade (FLEGT) in timber and derived products to the Union ("the VPA"), both Parties hereby jointly agree, in accordance with Article 54(b) of the Vienna Convention on the Law of Treaties, to terminate the VPA on 30 November 2025. Consequently, the VPA between the European Union and the Republic of Cameroon shall not be renewed beyond 30 November 2025 and shall no longer be in force **as of 1 December 2025**.

**Option 1**

~~This Joint Declaration is binding on the Parties and will enter into force at the moment of its signature.~~

**Option 2**

~~[Alternative text depending on Cameroon constitutional requirement: "This Joint Declaration is binding on the Parties and shall enter into force after exchange of the instruments of acceptance by both Parties.~~

~~The acceptance instruments shall be deposited with the Secretary General of the Council of the European Union and to Cameroon's Minister for Foreign Affairs, who are the joint depositaries of the VPA Agreement"]~~

***This Joint Declaration is binding on the Parties and shall enter into force once the two Parties have notified each other of the finalisation of their respective domestic procedures necessary for that purpose, and at the latest by the 30<sup>th</sup> of November 2025.***

This Joint Declaration is drawn up in duplicate in the Bulgarian, Czech, Croatian, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Gaelic, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, each of these texts being authentic.

Done in xx, date

Signature for the Republic of Cameroon

Signature for the European Union