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## TEXTS ADOPTED

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### **P9\_TA(2021)0129**

#### **EU/Honduras Voluntary Partnership Agreement**

**European Parliament non-legislative resolution of 27 April 2021 on the draft Council decision on the conclusion of the Voluntary Partnership Agreement between the European Union and the Republic of Honduras on forest law enforcement, governance and trade in timber products to the European Union (12543/2020 – C9-0084/2021 – 2020/0157M(NLE))**

*The European Parliament,*

- having regard to the draft Council Decision on the conclusion of the Voluntary Partnership Agreement between the European Union and the Republic of Honduras on forest law enforcement, governance and trade in timber products to the European Union (12543/2020),
- having regard to the draft Voluntary Partnership Agreement between the European Union and the Republic of Honduras on forest law enforcement, governance and trade in timber products to the European Union (10365/2020),
- having regard to the request for consent submitted by the Council in accordance with the first subparagraphs of Articles 207(3) and 207(4), in conjunction with Article 218(6), second subparagraph, point (a)(v), and with Article 218(7) of the Treaty on the Functioning of the European Union (C9-0084/2021),
- having regard to 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<sup>1</sup> (FLEGT Regulation),
- having regard to Regulation (EU) No 995/2010 of the European Parliament and of the Council of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market<sup>2</sup> (EU Timber Regulation),
- having regard to the Paris Climate Agreement,
- having regard to the UN Sustainable Development Goals,

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<sup>1</sup> OJ L 347, 30.12.2005, p. 1.

<sup>2</sup> OJ L 295, 12.11.2010, p. 23.

- having regard to the European Green Deal (COM(2019)0640) and to its resolution of 15 January 2020 thereon<sup>1</sup>,
  - having regard to its resolution of 16 September 2020 on the EU’s role in protecting and restoring the world’s forests<sup>2</sup>,
  - having regard to its resolution of 22 October 2020 with recommendations to the Commission on an EU legal framework to halt and reverse EU-driven global deforestation<sup>3</sup>,
  - having regard to its resolution of 14 April 2016 on Honduras: situation of human rights defenders<sup>4</sup>,
  - having regard to the ongoing fitness check on the EU rules applicable to illegal logging, notably the EU Timber Regulation and FLEGT Regulation,
  - having regard to the EU Forest Law Enforcement, Governance and Trade (FLEGT) Action Plan of 2003 and the Work Plan for its implementation 2018-2022,
  - having regard to the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America, on the other<sup>5</sup>,
  - having regard to the annual High-Level Policy Dialogue between Honduras and the EU in the forest sector,
  - having regard to the declaration by the High Representative on behalf of the EU of 6 December 2019 on the extension of the mandate of the Mission to Support the Fight Against Corruption and Impunity in Honduras (MACCIH),
  - having regard to its legislative resolution of 27 April 2021 on the draft Council decision<sup>6</sup>,
  - having regard to Rule 105(2) of its Rules of Procedure,
  - having regard to the opinion of the Committee on Development,
  - having regard to the report of the Committee on International Trade (A9-0054/2021),
- A. whereas almost half of the land area in Honduras is covered by forests, half of which is tropical rainforest; whereas there is still a huge resource of unclassified trees and species; whereas Honduras has lost about 12,5 % of its forest area since 2015 due mainly to a pest infestation, most likely caused by climate change, while some forest area has been lost due to fires, deforestation and illegal logging;

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<sup>1</sup> Texts adopted, P9\_TA(2020)0005.

<sup>2</sup> Texts adopted, P9\_TA(2020)0212.

<sup>3</sup> Texts adopted, P9\_TA(2020)0285.

<sup>4</sup> OJ C 58, 15.2.2018, p. 155.

<sup>5</sup> OJ L 346, 15.12.2012, p. 3.

<sup>6</sup> Texts adopted of that date, P9\_TA(2021)0121.

- B. whereas Honduras passed its Climate Change Law in 2014 and the following year became the first state to publish its first nationally determined contribution (NDC) in the framework of the Paris Agreement, of which one commitment is to restore one million hectares of forests;
- C. whereas the share of the forest sector in Honduras' economy has decreased over the years, having accounted for around 3,6 % of gross national product (GNP) in the last 16 years, owing to stricter requirements on the legality of timber in Honduras' export markets and to forest destruction; whereas the Voluntary Partnership Agreement (VPA) process, which emphasises legality and good governance, is helping the forest sector to increase its share, provide decent rural jobs and generate income for Hondurans;
- D. whereas the volume of timber traded between Honduras and the EU is currently modest and accounts for less than 2 % of Honduras' timber exports, with the US being the biggest trading partner and with increasing exports to neighbouring countries El Salvador and Nicaragua; whereas the VPA could open up more opportunities for Honduras to export to the EU and new markets;
- E. whereas Honduras is a lower-middle income country according to a classification by the World Bank; whereas it is the second poorest country in Latin America and the third poorest in the Western Hemisphere; whereas Honduras needs to overcome many challenges in order to fight poverty, inequality, corruption, violence and impunity, which remain persistent concerns, and improve the well-being of its citizens, as well as the situation of women's rights, not least given the recent backlash against sexual and reproductive health and rights;
- F. Notes that the Government of Honduras has made positive commitments and initiated legislation to protect human rights defenders; regrets the abuses, violence, arbitrary detentions, threats and killings of human, indigenous and land rights defenders and environmental activists; whereas Honduras is not a signatory to the Escazú Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean, which is the first ever environmental agreement to contain specific provisions on environmental and human rights defenders;
- G. whereas the mandate of the Mission to Support the Fight against Corruption and Impunity in Honduras (MACCIH) ended in January 2020 and was not renewed; whereas the EU and its Member States had called on the Government of Honduras to renew this mandate in order to strengthen the rule of law in the country;
- H. whereas the EU-Central America Association Agreement was concluded in 2012, with the trade pillar having been provisionally applied since 1 August 2013;
- I. whereas in 2013, Honduras became the first Latin American country to start negotiations with the EU on a FLEGT VPA, resulting in the initialling of a draft agreement in 2018;
- J. whereas the objective of the VPA is to ensure that all shipments of timber and timber products from Honduras destined for the EU market will comply with a Honduran Timber Legality Assurance System (TLAS) and thereby qualify for FLEGT licence; whereas domestic timber and timber destined for other export markets will also need to comply with TLAS and will be subject to the issuance of an H-Legal Certificate;

- K. whereas the TLAS is based on a legality definition, supply chain controls, verification of compliance, FLEGT licensing and an independent audit;
- L. whereas the agreement covers the five obligatory timber products under the FLEGT Regulation – logs, sawn timber, railway sleepers, plywood and veneer – and a number of other timber products;
- M. whereas the purpose and expected benefits of FLEGT VPAs go beyond the facilitation of trade in legal timber, as they are also designed to bring about systemic changes in forest governance, law enforcement, including labour law and indigenous peoples’ rights, transparency and the inclusion of various stakeholders in the political decision-making process, in particular civil society organisations (CSOs) and indigenous communities, as well as support for economic integration and respect for international sustainable development goals; whereas the negotiations leading to the conclusion of this VPA have created a space for cooperation among different stakeholders to discuss environmental, human rights, social and economic issues; whereas Honduras shall ensure that the implementation and monitoring of the VPA involves the relevant stakeholders, irrespective of their gender, age, location, religion or beliefs, ethnic origin, race, language or disability and the participation of the private sector, civil society, local communities, indigenous and Afro-descendant peoples of Honduras and others dependent on forests<sup>1</sup>;
- N. whereas the VPA provides for a Joint Implementation Committee which is responsible for its implementation and monitoring;
- O. whereas the EU provided support for the negotiation process via three bilateral programmes under its development assistance;
- P. whereas general elections will take place in Honduras by the end of 2021;
- Q. whereas Honduras has ratified the International Labour Organization (ILO) Convention No 169 on Indigenous and Tribal Peoples, but has not fully implemented it and has not introduced in its legislation the key principle of free, prior and informed consent stemming from the UN Declaration on the Rights of Indigenous Peoples;
1. Welcomes the conclusion of negotiations on the VPA between the EU and Honduras, which will ensure that only legally logged timber is imported into the EU from Honduras, promote sustainable forest management practices and sustainable trade in legally produced timber, and improve forest governance, law enforcement (including labour and occupational, health and safety obligations), human rights, transparency, accountability and institutional resilience in Honduras, bearing in mind that forests are important to the Honduran economy and that the problem of deforestation in the country should be addressed more effectively; calls for the swift ratification of the VPA by both sides so it can enter into force in 2021 and pave the way for the subsequent important steps in terms of implementation, including the setting up of licensing;
  2. Expresses its solidarity with Honduras, which recently suffered two hurricanes that brought severe consequences in addition to the COVID-19 pandemic, which has also hit the country very hard; stresses the need to tackle urgently and on a global scale the root

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<sup>1</sup> Pursuant to Article 16 of the VPA.

causes of such extreme weather phenomena and zoonosis, which are linked to climate change, deforestation and biodiversity loss;

3. Greatly appreciates the fact that Honduras managed to ensure the involvement of its government institutions, civil society, private sector, indigenous and Afro-descendant peoples, academia and communities in the VPA drafting process, who accepted this offer and provided their contributions; welcomes the fact that all of these sectors of society agreed to sit around the same negotiating table, thereby ensuring a feeling of inclusiveness and the possibility to contribute;
4. Recognises that the full implementation of the VPA will be a long-term process which will require the adoption of a whole set of legislation and adequate administrative capacity and expertise for its implementation and enforcement; recalls that FLEGT licencing can only begin once Honduras has demonstrated the readiness of its TLAS;
5. Stresses that the implementation stage requires genuine and continued consultations and substantial multistakeholder involvement, including the meaningful participation of CSOs and local and indigenous communities in decision-making so as to guarantee the principle of free, prior and informed consent; recalls the need to enhance transparency and ensure the effective public disclosure of information and the timely sharing of documents with local and indigenous peoples; calls on the Commission, the EU Delegation to Honduras and the Member States to ensure and provide substantial capacity-building and logistical and technical support in the framework of present and future development cooperation instruments in order to enable Honduras to fulfil the commitments for the implementation of the TLAS and related measures;
6. Welcomes the recent adoption of the Honduran VPA implementation action plan and calls on the Government of Honduras to follow a concrete, time-bound and measurable approach;
7. Is alarmed at the fact that more than 20 activists for environmental protection and the rights of indigenous peoples have been killed since the initialling of the VPA in July 2018; believes that the success of the VPA will depend to a large extent on the creation of a safe and enabling environment for the protection of environmental activists and human right defenders and whistleblowers, ensuring effective remedies for human rights violations and combating impunity; stresses, in this respect, that the ratification of the Escazú Agreement would be a significant step in the right direction; urges the Government of Honduras to take steps to this end;
8. Believes that the fight against corruption needs to be constant; welcomes the fact that transparency has proven useful in the process to concluding the VPA and should be fully ensured in the forthcoming implementation process; stresses that the success of the FLEGT also depends on tackling fraud and corruption throughout the timber supply chain; calls, to this effect, for the EU to strengthen the scope and enforcement of the EU Timber Regulation in order to tackle corruption risks in the EU's timber supply chain, including through more regular and systematic controls and investigations at EU ports; notes Honduras' efforts hitherto in making advances towards greater transparency and urges the Government of Honduras to provide incentives in the various stages of the forest value chain so as to increase transparency and ensure inclusion of the most vulnerable operators, such as young people and women from indigenous communities, people of African descent and small farmers; urges the Government of Honduras,

furthermore, to work to stop widespread corruption and address other factors fuelling illegal logging and forest degradation, with particular regard to customs, the Honduras Forest Authority and the ministries dealing with forests and land rights, and other authorities that will play a pivotal role in the implementation and enforcement of the VPA; stresses the need to end impunity in the forest sector by ensuring that infractions are prosecuted;

9. Urges the Government of Honduras to renew the mandate for the Mission to Support the Fight against Corruption and Impunity in Honduras (MACCIH), which ended in January 2020;
10. Welcomes the fact that Honduras is the first VPA country that had indigenous peoples as a separate interest group at the negotiating table, and the brave participation of indigenous peoples' groups, with their particular insights and contributions; calls for the rapid inclusion of free, prior and informed consent in the legality definition and for the adoption of the relevant laws in Honduras;
11. Recognises that the process of negotiating a VPA can allow sectors to identify shared goals and priorities to work towards sustainable forest management, as well as offer an important opportunity for societies to allow for participative management of their forests at local, community and regional levels and even up to national or federal level;
12. Is aware of the fact that the crucial land tenure rights and rights of indigenous communities in Honduras need clarification and that concrete safeguards are needed on land tenure for local and indigenous communities; recalls that access to, use of and control over land has been a major source of social conflicts, violence and human rights abuses in Honduras; recalls, in particular, that according to the Office of the UN High Commissioner for Human Rights, approximately 80 % of privately held land in Honduras is either untitled or improperly titled, while it may take years to resolve title disputes, owing to the weakness of the judicial system; urges the Government of Honduras to allocate more resources to and strengthen the coordination of the public institutions involved;
13. Emphasises the importance of land use in forest governance and that a strategic vision in forest governance linked to climate change issues is needed; calls on the Government of Honduras to ensure close coordination between the existing different initiatives in the forest sector, such as Reducing Emissions from Deforestation and Forest Degradation in Developing Countries (REDD+), the FLEGT VPA and NDCs;
14. Calls on the Government of Honduras to strengthen vigilance and forest fire protection zones on privately owned lands; calls for supply chain management to be rolled out in the animal husbandry, coffee and palm oil sectors, as this is essential to address the root causes of deforestation;
15. Believes that the successful negotiations of this VPA demonstrate the importance of the Union's Delegations to third countries;
16. Calls for gender analysis to be mainstreamed into all activities and projects linked to the implementation of the FLEGT VPA; calls for quantitative and qualitative gender-disaggregated analysis of land tenure, ownership of assets and financial inclusion in

sectors impacted by trade; calls on the Commission to support these endeavours with technical and human resources;

17. Expresses its deep concern over the amendment of abortion laws in Honduras and some EU Member States;
18. Stresses the importance of forest jobs and rural employment in the economy of Honduras, which should be taken into account for the implementation of the VPA; sees the VPA as a tool to promote decent work; calls on the Commission and the Honduran authorities to conduct an exhaustive impact assessment of the VPA on the workers and small producers of the sector who could be affected by increased logging controls; calls on the Commission to promote and support programmes for the workers and producers affected to enable them to remain competitive in the sector;
19. Asks the Commission to report to Parliament regularly on the implementation of the agreement, including on the work of the Joint Implementation Committee, and invites the Commission to actively engage with Parliament, in particular by inviting it to send a delegation to participate in the work of the Joint Implementation Committee;
20. Calls on the Member States to fully comply with, implement and enforce the EU Timber Regulation; calls on the Commission to consider improving the FLEGT Regulation as regards FLEGT licensing during the next review exercise in order to enable it to respond quickly to cases of significant infringements of VPA commitments;
21. Stresses that countries all over the world which either have or aim to have regulated import markets for legal timber would benefit from cooperating and, where possible, endorsing each other's rules and systems, such as the EU's FLEGT and VPAs; emphasises that international standards would be more effective and promote long-term legal security for business and consumers;
22. Underlines that VPAs provide an important legal framework for both the EU and its partner countries, made possible by the good cooperation and engagement of the countries concerned; supports the Commission in finding additional potential partners for future VPAs under FLEGT;
23. Believes that the EU has a very important and responsible role to play and obligation to abide by in improving both the supply and the demand side of timber in order to reject illegally produced timber and assist exporting countries in their efforts to combat illegal logging and corruption, which results in the destruction of their forests, climate change and human rights violations; stresses the need to complement this work with a forthcoming due diligence and forest-risk commodity specific EU due diligence regulation; notes the importance of Honduras as a globally significant producer of coffee;
24. Highlights that VPAs are part and parcel of the EU's efforts to achieve the targets set by the Paris Agreement and the UN 2030 Agenda, notably the Sustainable Development Goals; invites the Commission and the Member States to fully integrate the FLEGT agenda into the new strategic framework of the European Green Deal by encouraging its promotion at global and regional level and further strengthening international cooperation between producing and importing countries;

25. Calls for the EU to ensure policy coherence for sustainable development between the VPA and all its policies, including in the fields of trade, development, agriculture and the environment, while ensuring the complementarity of the VPA with EU commitments to environmental and climate protection;
26. Instructs its President to forward this resolution to the Council, the Commission and the governments and parliaments of the Member States and of the Republic of Honduras.