COOPERATION AGREEMENT

BETWEEN

THE GOVERNMENT
OF THE REPUBLIC OF CONGO

AND

THE NON-GOVERNMENTAL ORGANISATION
THE FOREST STEWARDSHIP COUNCIL

The Republic of Congo, hereinafter "the Government", represented by the Ministry for Forestry and Sustainable Development, on the one hand,
and
The Forest Stewardship Council, hereinafter "FSC", represented by its Director General, on the other.

WHEREAS

Since 2000, the Congo has adopted a new forestry policy based on sustainable forest management. This policy ensures on-going production of forest resources, while providing for the conservation of forest eco-systems.

As part of the implementation of this policy, a programme of sustainable management of forestry concessions has been introduced in 2011. Management plans have been drawn up and are used as a basis for evaluating sustainable forest management. Management plans implementation has resulted in forest certification, become a market reality.

Indeed, for the last few years, the international timber market has been requiring that timber products come from sustainably managed sources. FSC Forestry certification standards have been developed for this purpose. They are used for assessing compliance with legislation governing forestry and the sustainability of timber production activities.

Four (04) forestry concessions, covering an area of two million five hundred thousand hectares of forest, have been certified by FSC, i.e. almost 50% of all the certified forestry concessions in the Congo Basin.

Moreover, the Ministry of Forest Economy and Sustainable Development of Republic of Congo, sets the objective for 2016 to have all forestry concessions with a management plan and to have 50% of forestry concessions certified.

This being the case, and to strengthen the collaboration between FSC and Congo Basin countries, FSC has decided to appoint a representative for Congo Basin, based in Brazzaville.

This notwithstanding, the parties hereby agree as follows:

ARTICLE 1: PURPOSE OF THE AGREEMENT

The purpose of this agreement is to provide a framework for cooperation between the two (2) parties and to contribute to the promotion of sustainable management of Congolese forests, and to facilitate international market access for FSC certified woods.

ARTICLE 2: AREAS OF COOPERATION

The parties to this agreement agree to cooperate in the following areas of activity:

- promoting FSC certified timber and timber derivatives on national and international markets;
- promoting certification schemes for forest management and Chain of Custody on the basis of FSC certification schemes;
- informing stakeholders about international, regional and sub-regional markets for woods and forest certification, especially FSC certification;
- revising/adapting FSC certification standards and auditing procedures;
- building the capacities of stakeholders, especially in the field of forest certification;
- mobilising funding from various donors in order to implement joint projects.

ARTICLE 3: ACHIEVEMENTS BY THE PARTIES

The parties share joint achievements. The parties cannot transfer or publish of the project to a third party, achievements issued from this cooperation, unless agreed otherwise by the parties.

The parties are responsible of joint achievements.

ARTICLE 4: OBLIGATIONS OF THE PARTIES

The Republic of Congo undertakes to facilitate FSC's activities administratively.

The FSC undertakes to:

- comply with the laws and regulations of the Republic of Congo;
- realize certification activities in compliance with FSC Principles and Criteria;
- adapt its certification standards to socio-economic realities of the Republic of Congo;
- promote the training and employment of Congolese Officers by certification accredited bodies within the frame of certification audits.

ARTICLE 5: SETTLEMENT OF DISPUTES

Any dispute arising from the interpretation or application of this agreement shall be settled out of court. If this is not possible, the matter shall be referred to the competent courts in the Republic of Congo, the "Tribunal de Grande Instance de Brazzaville".

The applicable law is the Congolese law.

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ARTICLE 6: DURATION

This agreement is concluded for a period of five (5) years, renewable by tacit agreement.

ARTICLE 7: AMENDMENT

This agreement will be amended by mutual consent of both Parties in writing.

ARTICLE 7: TERMINATION

Either party shall be entitled to terminate this agreement unilaterally. However, the other contracting party shall be given three (3) months' notice.

If the agreement is terminated, the parties shall make all necessary arrangements to duly complete any current initiatives.

This Agreement is established in two original copies, in two languages: French and English.

Done at Brazzaville, the 24 AVR. 2015

For the Forest Stewardship Council,

The Director General,

Kim CARSTENSEN

For the Republic of Congo,

The Minister of Forest Economy
and Sustainable Development,

Henri DJOMBO