

Ο περί της Διεθνούς Συμφωνίας για την Τροπική Ξυλεία (Κυρωτικός) Νόμος του 2008 εκδίδεται με δημοσίευση στην Επίσημη Εφημερίδα της Κυπριακής Δημοκρατίας σύμφωνα με το Άρθρο 52 του Συντάγματος.

Αριθμός 11(ΙΙΙ) του 2008

ΝΟΜΟΣ ΠΟΥ ΚΥΡΩΝΕΙ ΤΗ ΔΙΕΘΝΗ ΣΥΜΦΩΝΙΑ ΓΙΑ ΤΗΝ ΤΡΟΠΙΚΗ ΞΥΛΕΙΑ,
ΠΟΥ ΕΓΚΡΙΘΗΚΕ ΣΤΙΣ 27 ΙΑΝΟΥΑΡΙΟΥ 2006 ΣΤΗ ΔΙΑΣΚΕΨΗ
ΔΙΑΠΡΑΓΜΑΤΕΥΣΕΩΝ ΠΟΥ ΣΥΣΤΑΘΗΚΕ ΥΠΟ ΤΗΝ ΑΙΓΙΔΑ ΤΗΣ ΔΙΑΣΚΕΨΗΣ
ΤΩΝ ΗΝΩΜΕΝΩΝ ΕΘΝΩΝ ΓΙΑ ΤΟ ΕΜΠΟΡΙΟ ΚΑΙ ΤΗΝ ΑΝΑΠΤΥΞΗ

Η Βουλή των Αντιπροσώπων ψηφίζει ως ακολούθως:

Συνοπτικός
τίτλος.

1. Ο παρών Νόμος θα αναφέρεται ως ο περί της Διεθνούς Συμφωνίας για την Τροπική Ξυλεία (Κυρωτικός) Νόμος του 2008.

Ερμηνεία.

2. Στον παρόντα Νόμο—

«Συμφωνία σημαίνει τη Διεθνή Συμφωνία για την Τροπική Ξυλεία του 2006, η οποία εγκρίθηκε στις 27 Ιανουαρίου 2006 στη Διάσκεψη Διαπραγματεύσεων που συστάθηκε υπό την αιγίδα της Διάσκεψης των Ηνωμένων Εθνών για το Εμπόριο και την Ανάπτυξη, η οποία πραγματοποιήθηκε στη Γενεύη.

Κύρωση
της Συμφωνίας.
Πίνακας.
Μέρος Ι,
Μέρος ΙΙ.

3. Η Συμφωνία, της οποίας το κείμενο στο αγγλικό πρωτότυπο εκτίθεται στο Μέρος Ι του Πίνακα και η ελληνική μετάφρασή του στο Μέρος ΙΙ του Πίνακα, κυρώνεται με τον παρόντα Νόμο:

Νοείται ότι, σε περίπτωση αντίθεσης μεταξύ των δύο κειμένων, υπερισχύει το κείμενο που εκτίθεται στο Μέρος Ι αυτού.

Αρμόδια
Αρχή.

4. Ως αρμόδια αρχή, για σκοπούς εφαρμογής της παρούσας Συμφωνίας, καθορίζεται το Υπουργείο Γεωργίας, Φυσικών Πόρων και Περιβάλλοντος.

ΠΙΝΑΚΑΣ
(Άρθρο 3)
ΜΕΡΟΣ Ι

THE 2006 INTERNATIONAL TROPICAL TIMBER AGREEMENT

PREAMBLE

THE PARTIES TO THIS AGREEMENT,

- (a) RECALLING the Declaration and the Programme of Action on the Establishment of a New International Economic Order, the Integrated Programme for Commodities, the New Partnership for Development, and the Spirit of São Paulo and São Paulo Consensus, as adopted by Unctad XI;
- (b) ALSO RECALLING the International Tropical Timber Agreement, 1983, and the International Tropical Timber Agreement, 1994, and recognizing the work of the International Tropical Timber Organization and its achievements since its inception, including a strategy for achieving international trade in tropical timber from sustainably managed sources;
- (c) FURTHER RECALLING the Johannesburg Declaration and Plan of Implementation as adopted by the World Summit on Sustainable Development in September 2002, the United Nations Forum on Forests established in October 2000 and the associated creation of the Collaborative Partnership on Forests, of which the International Tropical Timber Organization is a member, as well as the Rio Declaration on Environment and Development, the Non-Legally Binding Authoritative Statement of Principles for a Global Consensus on the Management, Conservation and Sustainable Development of All Types of Forests, and the relevant Chapters of Agenda 21 as adopted by the United Nations Conference on Environment and Development in June 1992, the United Nations Framework Convention on Climate Change, the United Nations Convention on Biological Diversity and the United Nations Convention to Combat Desertification;
- (d) RECOGNIZING that States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental policies and have the responsibility to ensure that activities within their jurisdiction and control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction, as set forth in principle 1(a) of the Non-Legally Binding Authoritative Statement of Principles for a Global Consensus on the Management, Conservation and Sustainable Development of All Types of Forests;
- (e) RECOGNIZING the importance of timber and related trade to the economies of timber producer countries;
- (f) ALSO RECOGNIZING the importance of the multiple economic, environmental and social benefits provided by forests, including timber and non-timber forest products and environmental services, in the context of sustainable forest management, at local, national and global levels and the contribution of sustainable forest management to sustainable development and poverty alleviation and the achievement of internationally agreed development goals, including those contained in the Millennium Declaration;
- (g) FURTHER RECOGNIZING the need to promote and apply comparable criteria and indicators for sustainable forest management as important tools for all members to assess, monitor and promote progress toward sustainable management of their forests;
- (h) TAKING INTO ACCOUNT the linkages of the tropical timber trade and the international timber market and wider global economy and the need to take a global perspective in order to improve transparency in the international timber trade;
- (i) REAFFIRMING their commitment to moving as rapidly as possible toward achieving exports of tropical timber and timber products from sustainably managed sources (*ITTO Objective 2000*) and recalling the establishment of the Bali Partnership Fund;
- (j) RECALLING the commitment made by consumer members in January 1994 to maintain or achieve the sustainable management of their forests;
- (k) NOTING the role of good governance, clear land tenure arrangements and cross-sectoral coordination in achieving sustainable forest management and legally sourced timber exports;

- (j) RECOGNIZING the importance of collaboration among members, international organizations, the private sector and civil society, including indigenous and local communities, and other stakeholders in promoting sustainable forest management;
- (m) ALSO RECOGNIZING the importance of such collaboration for improving forest law enforcement and promoting trade from legally harvested timber;
- (n) NOTING THAT enhancing the capacity of forest-dependent indigenous and local communities, including those who are forest owners and managers, can contribute to achieving the objectives of this Agreement;
- (o) ALSO NOTING the need to improve the standard of living and working conditions within the forest sector, taking into account relevant internationally recognized principles on these matters, and relevant International Labour Organization Conventions and instruments;
- (p) NOTING that timber is an energy-efficient, renewable and environmentally friendly raw material compared with competing products;
- (q) RECOGNIZING the need for increased investment in sustainable forest management, including through reinvesting revenues generated from forests, including from timber-related trade;
- (r) ALSO RECOGNIZING the benefits of market prices that reflect the costs of sustainable forest management;
- (s) FURTHER RECOGNIZING the need for enhanced and predictable financial resources from a broad donor community to help achieve the objectives of this Agreement;
- (t) NOTING the special needs of least developed tropical timber producer countries,

HAVE AGREED AS FOLLOWS:

CHAPTER I

OBJECTIVES

Article 1

Objectives

The objectives of the International Tropical Timber Agreement, 2006 (hereinafter referred to as 'this Agreement') are to promote the expansion and diversification of international trade in tropical timber from sustainably managed and legally harvested forests and to promote the sustainable management of tropical timber producing forests by:

- (d) enhancing the capacity of members to implement strategies for achieving exports of tropical timber and timber products from sustainably managed sources;
- (e) promoting improved understanding of the structural conditions in international markets, including long-term trends in consumption and production, factors affecting market access, consumer preferences and prices, and conditions leading to prices which reflect the costs of sustainable forest management;
- (f) promoting and supporting research and development with a view to improving forest management and efficiency of wood utilization and the competitiveness of wood products relative to other materials, as well as increasing the capacity to conserve and enhance other forest values in timber producing tropical forests;
- (g) developing and contributing towards mechanisms for the provision of new and additional financial resources with a view to promoting the adequacy and predictability of funding and expertise needed to enhance the capacity of producer members to attain the objectives of this Agreement;
- (a) providing an effective framework for consultation, international cooperation and policy development among all members with regard to all relevant aspects of the world timber economy;
- (b) providing a forum for consultation to promote non-discriminatory timber trade practices;
- (c) contributing to sustainable development and to poverty alleviation;

- (h) improving market intelligence and encouraging information sharing on the international timber market with a view to ensuring greater transparency and better information on markets and market trends, including the gathering, compilation and dissemination of trade related data, including data related to species being traded;
- (i) promoting increased and further processing of tropical timber from sustainable sources in producer member countries, with a view to promoting their industrialization and thereby increasing their employment opportunities and export earnings;
- (j) encouraging members to support and develop tropical timber reforestation, as well as rehabilitation and restoration of degraded forest land, with due regard for the interests of local communities dependent on forest resources;
- (k) improving marketing and distribution of tropical timber and timber product exports from sustainably managed and legally harvested sources and which are legally traded, including promoting consumer awareness;
- (l) strengthening the capacity of members for the collection, processing and dissemination of statistics on their trade in timber and information on the sustainable management of their tropical forests;
- (m) encouraging members to develop national policies aimed at sustainable utilization and conservation of timber producing forests, and maintaining ecological balance, in the context of the tropical timber trade;
- (n) strengthening the capacity of members to improve forest law enforcement and governance, and address illegal logging and related trade in tropical timber;
- (o) encouraging information sharing for a better understanding of voluntary mechanisms such as, *inter alia*, certification, to promote sustainable management of tropical forests, and assisting members with their efforts in this area;
- (p) promoting access to, and transfer of, technologies and technical cooperation to implement the objectives of this Agreement, including on concessional and preferential terms and conditions, as mutually agreed;
- (q) promoting better understanding of the contribution of non-timber forest products and environmental services to the sustainable management of tropical forests with the aim of enhancing the capacity of members to develop strategies to strengthen such contributions in the context of sustainable forest management, and cooperating with relevant institutions and processes to this end;
- (r) encouraging members to recognize the role of forest-dependent indigenous and local communities in achieving sustainable forest management and develop strategies to enhance the capacity of these communities to sustainably manage tropical timber producing forests; and
- (s) identifying and addressing relevant new and emerging issues.

CHAPTER II

DEFINITIONS

Article 2

Definitions

For the purposes of this Agreement:

1. 'Tropical timber' means tropical wood for industrial uses, which grows or is produced in the countries situated between the Tropic of Cancer and the Tropic of Capricorn. The term covers logs, sawn wood, veneer sheets and plywood.
2. 'Sustainable forest management' will be understood according to the Organization's relevant policy documents and technical guidelines.
3. 'Member' means a Government, the European Community or any intergovernmental organization referred to in Article 5, which has consented to be bound by this Agreement whether it is in force provisionally or definitively.
4. 'Producer member' means any member situated between the Tropic of Cancer and the Tropic of Capricorn with tropical forest resources and/or a net exporter of tropical timber in volume terms which is listed in Annex A and which becomes a party to this Agreement, or any member with tropical forest resources and/or a net exporter of tropical timber in volume terms which is not so listed and which becomes a party to this Agreement and which the Council, with the consent of that member, declares to be a producer member.

5. 'Consumer member' means any member which is an importer of tropical timber listed in Annex B which becomes a party to this Agreement, or any member which is an importer of tropical timber not so listed which becomes a party to this Agreement and which the Council, with the consent of that member, declares to be a consumer member.
6. 'Organization' means the International Tropical Timber Organization established in accordance with Article 3.
7. 'Council' means the International Tropical Timber Council established in accordance with Article 6.
8. 'Special vote' means a vote requiring at least two thirds of the votes cast by producer members present and voting and at least 60 % of the votes cast by consumer members present and voting, counted separately, on condition that these votes are cast by at least half of the producer members present and voting and at least half of the consumer members present and voting.
9. 'Simple distributed majority vote' means a vote requiring more than half of the votes cast by producer members present and voting and more than half of the votes cast by consumer members present and voting, counted separately.
10. 'Financial biennium' means the period from 1 January of one year to 31 December of the following year.
11. 'Freely convertible currencies' means the euro, the Japanese yen, the pound sterling, the Swiss franc, the United States dollar, and any other currency which has been designated from time to time by a competent international monetary organization as being in fact widely used to make payments for international transactions and widely traded in the principal exchange markets.
12. For purposes of the calculation of the distribution of votes under Article 10, paragraph 2(b), 'tropical forest resources' means natural closed forests and forest plantations located between the Tropic of Cancer and the Tropic of Capricorn.

CHAPTER III

ORGANIZATION AND ADMINISTRATION

Article 3

Headquarters and structure of the International Tropical Timber Organization

1. The International Tropical Timber Organization established by the International Tropical Timber Agreement, 1983

shall continue in being for the purposes of administering the provisions and supervising the operation of this Agreement.

2. The Organization shall function through the Council established under Article 6, the committees and other subsidiary bodies referred to in Article 2b and the Executive Director and staff.

3. The headquarters of the Organization shall at all times be located in the territory of a member.

4. The headquarters of the Organization shall be in Yokohama, unless the Council, by special vote in accordance with Article 12, decides otherwise.

5. Regional offices of the Organization may be established if the Council so decides by special vote in accordance with Article 12.

Article 4

Membership in the organization

There shall be two categories of membership in the Organization, namely:

- (a) Producer; and
- (b) Consumer.

Article 5

Membership by intergovernmental organizations

1. Any reference in this Agreement to 'Governments' shall be construed as including the European Community and other intergovernmental organizations having comparable responsibilities in respect of the negotiation, conclusion and application of international agreements, in particular commodity agreements. Accordingly, any reference in this Agreement to signature, ratification, acceptance or approval, or to notification of provisional application, or to accession shall, in the case of such organizations, be construed as including a reference to signature, ratification, acceptance or approval, or to notification of provisional application, or to accession, by such organizations.

2. In the case of voting on matters within their competence, the European Community and other intergovernmental organizations referred to in paragraph 1 shall vote with a number of votes equal to the total number of votes attributable to their Member States which are parties to the Agreement in accordance with Article 10. In such cases, the Member States of such organizations shall not be entitled to exercise their individual voting rights.