

# **EAP - FLEG**

**East Asia Pacific - Forest Law Enforcement and Governance**

**Presentation**

**for**

**ASIA-PACIFIC FORESTRY COMMISSION**

**TWENTIETH SESSION**

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**by**

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**INDONESIA**

# **EAP-FLEG**

**East Asia Pacific - Forest Law Enforcement and Governance**

**1<sup>st</sup> Ministerial Meeting, Bali – September 2001**

**Preliminary TF/AG Meeting, Bali – May 2002**

**1<sup>st</sup> TF/AG Meeting, Jakarta – January 2003**

**What Next ?**

**1<sup>st</sup> Ministerial Meeting,  
Sept. 01**

**Preliminary TF/AG  
Meeting, May. 02**

**1<sup>st</sup> TF/AG Meeting,  
Jan. 03**

**What Next ?**

**September 13, 2001**

Ministers from East Asian Nations and other regions made an unprecedented and historic declaration committing their countries to combat illegal logging, associated illegal trade, and other forest crime

**Background**

**Key Aspects of the  
Bali Declaration**

**1<sup>st</sup> Ministerial Meeting,  
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Meeting, May. 02**

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Jan. 03**

**What Next ?**

## **Background**

The Declaration represents a dramatic break from all previous global discussion on sustainable forest management, as government leaders frankly addressed the sensitive issue of criminal activity—a key factor contributing to forest degradation and loss.

Without ignoring the many other important challenges facing the forestry sector, the Declaration is singular in recognizing the need to strengthen forest law enforcement and gain the commitment of regional leaders. It further identifies a comprehensive set of 70 actions for implementation at the national and regional level.

The Declaration mandates that it is essential for countries involved, ‘to give full effect to the intentions of the declaration, and to proceed with urgency to explore timely implementation of significant indicative actions developed by technical experts at Bali meeting.’ This requires the establishment of a “regional task force on forest law enforcement and governance to advance the objectives of the Declaration.”



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**What Next ?**

### **Key Aspects of the Bali Declaration:**

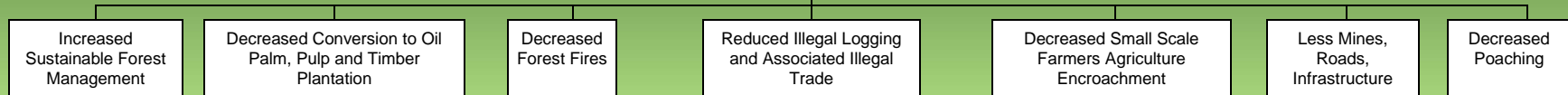
- The recognition that illegal logging is a worldwide problem
- Emphasis on national roles and responsibilities
- Broad definition of issues (illegal logging, arson, wildlife)
- The value of consultation and collaboration with diverse stakeholders
- Commitment to communicate on follow-ups
- Task Force on Forest Law Enforcement and Governance created
- Advisory Group created, comprising NGOs, Industry, Civil society, other relevant stakeholders
- Decision to hold next Ministerial meeting in 2004 to review progress on first actions to implement Declaration

**Outline...**



# Outline of Issues for the FLEG Regional Task Force

## Sustainable Forest Management



### PRODUCER COUNTRIES' MEASURES

#### Improve Governance

- Legislative and Judicial Reform
- Decentralization
- Strengthen institutions, institutional arrangement and Capacity Building
- Public Awareness, Transparency and Participation
- Improve Knowledge and Knowledge management

#### Rationalise Forest and Natural Resource Policy

- Concession and plantation Policy
- Protected Area
- Taxation
- Incentive
- Regulation of Industry
- Agricultural Policies

#### Improve Forest Management

- Conservation and Protected Areas
- Reduce Impact Logging
- Silviculture System Planning
- Resource Assessment

#### Strengthen Forest Law Enforcement Operations

- **Detection**
- Inspection
- Patrolling
- Investigation
- **Suppression**
- Seizure
- Arrest
- Prosecution
- Conviction

### CONSUMER COUNTRIES' MEASURES

#### Improve Identification of Legal Timber

- Permits, licenses and customs codes
- Legality identification
- Monitoring and verification of legality licensing

#### Incentives for legal Timber/Products

- Tariff preferences

#### Close Markets to Illegal Timber

- Government procurement policy
- Enforcement powers and capacities
- Sanctioning illegal timber
- Sanctioning products not identified as legal

### REGIONAL MEASURES

#### Information/expertise sharing

Collaboration, Exchange and sharing of Data, Knowledge, Information, Experience To strengthen national actions on issues in producer countries (Governance, Forest Policy, Forest Management, Enforcement Operation) and consumer countries (Legal timber identification, Incentives, Closing Markets)

#### Trade / Customs

Harmonized customs commodity codes, protocols for sharing of export/import data, Complete chain of custody audit and negotiation system, Initiative for improved and timely trade statistics, Prior notification between importing and exporting countries

#### Bilateral Actions

Enhanced Regional Dialogue to strengthen Bilateral, Regional, and Multilateral Frameworks and facilitate producer and consumer countries measures

#### Research

Collaboration on Research to strengthen national actions on issues in producer countries (Governance, Forest Policy, Forest Management, Enforcement Operation) and consumer countries (Legal timber identification, Incentives, Closing Markets)

Review Progress and Share Information

Plan and Implement Cooperative Actions

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What Next ?

### **Outcomes of Preliminary Task Force and Advisory Group Meeting;**

- Regional framework of Forest Law Enforcement and Governance clarified
- Regional Task Force and Advisory Group established
- Scope and function of Task Force and Advisory Group determined

# Framework to Develop Regional FLEG Strategy, Priorities, Action Plan and Delivery Mechanism

## Things That Need To Be Done

### PRODUCER COUNTRIES' MEASURES

Improve Governance

Rationalise Forest and Natural Resource Policy

Improve Forest Management

Strengthen Forest Law Enforcement Operations  
-Detection  
-Suppression

### CONSUMER COUNTRIES' MEASURES

Improve Identification of Legal Timber (Detection)

Incentives for Legal Timber/Product (Prevention)

Closing Markets to Illegal Timber (Prevention & Suppression)

### REGIONAL MEASURES

Information / Expertise Sharing

Trade / Customs

Bilateral Actions

Research

## First action for implementation of the Bali Commitments

Data and Experience Exchange

Analytical Studies

Workshops

Etc.

### Producer Countries

- Government
- NGOs
- Civil Society
- Private Sector
- University
- Media
- Etc.

### Consumer Countries

- Government
- NGOs
- Civil Society
- Private Sector
- University
- Media
- Etc.

### Regional Organizations

- ASEAN
- APEC
- Etc.

### International Organization and Multilateral Frameworks

- WB
- FAO
- EU
- INTERPOL
- CIFOR
- UNFF
- CPF
- ITTO
- Etc.

### Multinational Corporations and Industrial Associations

- IKEA
- Home Depot
- AssiDoman
- Weyerhaeuser
- International Paper
- AF&PA
- ICFPA
- Etc.

### International Media

- The Economist
- The Far Eastern Economic Review
- BBC World
- CNN Asia
- Nature
- Science
- International Herald Tribune
- Etc.

### - What Exactly ?

- When ?
- Where ?
- By Whom ?
- Funds ?

### How ?

Task Force

Advisory Group

## Agents Already Doing Something

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What Next ?

### **Objectives:**

- ***To share information on progress on FLEG***
- ***To learn and Network on FLEG***
- To Plan specific FLEG initiatives for implementation before Ministerial meeting 2003
- Outcomes

### ***Information Sharing***

- Country presentations: progress since Bali Declaration; what works, what doesn't
- Future plans for national activities
- How Region can support National initiatives; specific actions expected from the Task Force and Advisory Group

### ***Learn and network***

- Plenary session
- Presentations: Review of Action-oriented developments in key FLEG areas;
- Moderated discussion and Q&A; wrap-up session

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What Next ?

**Objectives:**

- To share information on progress on FLEG
- To learn and Network on FLEG
- ***To Plan specific FLEG initiatives for implementation before Ministerial meeting 2003***
- **Outcomes**

***Specific FLEG initiatives: 4 main priority areas***

1. Data/information exchange
2. Trade and Customs
3. Bilateral issues
4. Research

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What Next ?

The Task Force was able to achieve all of the anticipated objectives of the session, which were

1. To develop an action plan for first priorities from Bali declaration to be implemented immediately, and
2. to determine the delivery mechanism

The Task Force identified 4 specific actions, and for each of these, determined a timeframe for delivery and appointed temporary “Chairs” to help progress activities amongst the various countries.

Action 1 : To develop a Clearinghouse Mechanism for transparent reporting for all matters of forest governance;

temporary Chair: Christanto, Ministry of Forestry – Indonesia

Action 2 : To develop and compile a format to share information on progress on FLEG implementation at country and regional level;

temporary Chair: Hugh Speechly – UK

Action 3 : To develop the overall strategic framework for FLEG implementation at national and regional level;

temporary Chair: Neria Agra Andin – Philippines

Action 4 : To carry out research on timber supply and demand;

temporary Chair: Luca Tacconi – CIFOR Indonesia

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What Next ?

Another important outcome of this session of planning the **What**, was that the Task Force gained a clear understanding of the in-depth planning work that needs to be done for the other preliminary actions mentioned in the Bali Declaration.

The Task Force also agreed on **How** to ensure progress of the FLEG process and delivery of first actions:

- Indonesia has been appointed as the temporary FLEG Task Force Secretariat
- Each country will appoint one focal contact person
- With this basic functional structure, the task force will follow up on the progress on implementation of the four initial activities. It will also undertake to address all the other issues identified at the meeting: the Ministerial meeting, the Task Force meeting, funds, engagement of other key countries, adequate representation from member countries, mechanism of interaction with the Advisory Group

**The Advisory Group agreed to:**

- Seek more participation from civil society and the industrial sector in FLEG countries
- Nominate one contact person for each country

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What Next ?

### **Advisory Group Recommendations:**

1. National commitment: need to monitor them, hence develop indicators, benchmarks and timeframes
2. Regional enforcement initiatives: member countries appoint contact person to liaise with enforcement agencies
3. Develop definitions of legal/illegal, country-specific, consultation with civil society, proof of legality, and address any contradictions
4. New laws in consuming countries
5. Develop clearinghouse mechanism for transparent reporting for all matters of forest governance.

For example, on website, this may include:

- List of concessions, jurisdiction, location, quotas, and duration
- List of protected areas and their boundaries
- List of legally authorized mills

6. Corruption: develop mechanism to assess progress in addressing corruption: scorecards, independent monitoring, lessons learned
7. Harmonization of custom codes by species, and verification by species

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What Next ?

## Task Force Prioritization

Countries highlighted particular issues they would like considered as first action:

1. Criteria and indicators for Bali Declaration FLEG achievements
2. Format information sharing on national programs/regulations (draft discussed/being developed)
3. Preparation of FLEG strategy – national and regional level
4. Research collaboration specifically on supply/demand
5. Share learning from national process to define legality
6. Exchange of customs data on trading of forestry products (MIS)
7. Benchmark for forest resource assessment
8. Documentation of success stories and lessons learned
9. Harmonization of legislation at national level
10. Capacity building

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What Next ?

## Where are we now?

We are at the point where we realize that continued commitment from FLEG-associated countries is essential to the success of FLEG. One thing is certain; for more effective partnerships under FLEG, we will need stronger commitment and greater participation.

Director General of Forest Protection and Nature Conservation, Ministry of Forestry, Indonesia, has taken a step forward by sending a letter and a brief note on FLEG serial meetings as a reminder for response.

Thus, the Asia-pacific Forestry Commission Twentieth Session provides an opportunity for us to start some reflection on how to:

- Track progress on the 4 actions decided by the Task Force at the January 2003 meeting
- Evaluate the progress on appointing focal persons from FLEG-associated countries
- Engage in constructive interaction with the Advisory Group
- Plan the next TF/AG meeting
- Plan the next Ministerial meeting



**Thank you**