

**AFRICA FOREST LAW ENFORCEMENT AND GOVERNANCE
(AFLEG)**

Ministerial Conference 13-16 October, 2003

MINISTERIAL DECLARATION

Yaoundé, Cameroon

October 16, 2003

We, the representatives of the Governments from Africa, countries from other continents, and the European Commission, participating in this AFLEG Ministerial Conference in Yaoundé;

1. Underlining that these countries include both the countries of Africa with sovereign responsibility for their forests and countries that make up the importer and donor communities, with all of these countries representing the social, economic and environmental concerns of their citizens;
2. Recognizing the biodiversity of Africa's forest eco-systems and that these forests are essential for the livelihoods of African people, especially the poor;
3. Deeply aware of the social, economic and environmental importance of African forests and conscious of the responsibility to both present and future generations;
4. Emphasising the fundamental role of government to provide effective governance, including laws, policies and institutional capacity to enforce those laws in order to eliminate illegal logging, associated trade and corruption in the forest sector;
5. Concerned about the need to achieve good governance in managing forest resources as one of the sustainable solutions to the problem of law enforcement;
6. Recognizing the importance of existing subregional, regional and international organisations and agreements, including the New Partnership for Africa's Development (NEPAD) and, inter alia, Conference of the Ministers of Central African Forests (COMIFAC), African Timber Organization (ATO), Economic Community of West African States (ECOWAS), Southern African Development Community (SADC), Interstate Committee to Fight Drought in the Sahel (CILSS), the Brazzaville Process (CEFDHAC);
7. Further recognizing the actions already undertaken in certain African countries in reforming the forest sector;
8. Cognisant of the complex nature of the social factors, particularly poverty, compounded by the severe economic crisis of recent years and the implementation of economic reforms that have contributed to the weakening of the capacity of governments to implement and monitor forestry programmes and enforce forest laws;
9. Profoundly concerned with the serious threats to African forests and the multiple obstacles to forest law enforcement, which inevitably lead to the degradation of forests and the unsustainable exploitation of wildlife;

10. Recognizing the right of local populations to participate in forest resource management for their socio-economic and cultural development;
11. Conscious of the important contribution that civil society can make in the formulation of forest laws and policies in partnership with governments;
12. Convinced of the urgent need to develop and build the capacity of governments and civil society institutions to address forest law enforcement and governance in effective partnerships;
13. Considering that effective law enforcement requires that information on legislation, policies and their implementation be transparently available;
14. Further considering that law enforcement institutions should effectively operate in the field and that governments should internalize independent and rigorous monitoring of those operations ;
15. Noting that in many African countries , some laws relating to forests are inadequately adapted to present conditions and in some cases are unfavourable to the interests of the poor;
16. And further noting that trade and the way it is managed by countries can have a positive or negative impact on sustainable forest management;
17. Underscoring with concern that conflicts have had disastrous impacts on many forest areas and that logging has been a source of funding for conflicts that have resulted in the destruction of both traditional and modern forest management, thus rendering law enforcement difficult;
18. Aware that the ability to enforce forest laws is dependent on many factors outside the forest sector;
19. Convinced that all countries that export and import forest products have a shared responsibility to eliminate the illegal exploitation of forest resources and associated trade;
20. Underscoring the urgent need for reinforced and efficient national, regional and international cooperation aimed at eradicating illegal exploitation and associated trade in forest and wildlife resources;

HEREBY REAFFIRM AND DECLARE OUR INTENTION TO:

1. Work together to strengthen the institutional reforms already started in the forest sector by African countries, notably good governance programmes and the strengthening of the technical capacity of the forest sector;
2. Review bilateral and multilateral relationships with a view to finding ways to facilitate the mobilisation and the provision of financial resources for and related to forest law enforcement and governance;
3. Review, with appropriate partners, the effect of structural adjustment and other economic reform programmes on forest law enforcement and governance with a view to strengthening forest institutions, including collaborating with regional organizations;

4. Identify, promote and finance better alternative economic opportunities for communities dependent on forest resources so as to reduce illegal activities and lessen the pressure on forest ecosystems;
5. Invite cooperation between law enforcement agencies within countries and internationally to eliminate the movement of illegal forest products;
6. Strengthen the capacity of all relevant institutions and groups, including through cross-sectoral coordination, provision of training, technology for forest law enforcement, with adequate means, reasonable salaries and working conditions for staff.
7. Involve stakeholders, including local communities in decision-making in the forestry sector, thereby promoting transparency, reducing the potential for corruption, facilitating greater equity and minimizing the undue influence of privileged groups;
8. Encourage and promote the participation of the rural population in the management of forest wildlife resources for their socio-economic and cultural development;
9. Promote the production and dissemination of transparent and readily available information in a form accessible to the public on parks, protected areas, concessions and other forested areas;
10. Raise awareness in the media, of the harmful impacts of illegal logging and associated trade to our social, economic and environmental well being;
11. Take steps to ensure the effective and equitable application of the progressive and wide-ranging changes made by many African countries to forest laws in recent years;
12. Consider the legitimate interests of all parts of society when developing forest legislation, including addressing traditional and customary laws and practices, including inter alia sustainable bushmeat hunting;
13. Emphasize the importance of existing legal frameworks and the compatibility of laws with neighbouring states, taking into account traditional and customary forest laws;
14. Work to advance the implementation of the AFLEG objectives within the NEPAD process, as well as COMIFAC, ATO and other similar organizations;
15. Bring to the attention of Heads of State and, as appropriate, the international community, information on threats to sustainable forest management resulting from the use of forest products and their revenues in advancing conflict;
16. Address issues of illegality in the forest sector and the re-establishment of good governance in post-conflict situations;
17. Adapt policies in the rural sector, particularly national land allocation policies, and work with other agencies to ensure that these policies are consistent with achieving forest law enforcement and governance objectives;
18. Analyse land-use laws and policies and take measures to ensure that property and usufruct rights, including traditional forest-related knowledge, are fully respected;
19. Consider the roles, both positive and negative, of trade regulatory bodies in relation to illegal logging and associated trade;

20. Explore the ways and means of demonstrating legality and sustainability of forest products to encourage consumer market confidence and thereby enhance legitimate trade for a greater financial return to producing countries;
21. Establish and strengthen laws and regulations for hunting and bushmeat trade in and around forest industry concessions and across borders, including support for independent monitors;
22. Develop mechanisms to finance support for forest law enforcement and governance initiatives in low -forest cover areas in order to address issues of fuel wood, fodder, non-wood forest products including the sustainable management of wildlife.;
23. Work together at regional and sub-regional level where possible through existing structures and institutions;
24. Work in collaboration with other related initiatives such as the EU FLEGT Action Plan and the United States President's Initiative against Illegal Logging;
25. Integrate forest law enforcement and governance into national forest programmes;
26. Undertake to work through sub-regional, as well as regional, task forces on forest law enforcement and governance;
27. Invite representatives from the private sector and NGOs to form advisory groups to help guide the sub-regional task forces;
28. Invite the World Bank to finance, within six months, a meeting of regional representatives of the AFLEG process, on the margins of a forest-related meeting and decide on the next steps for the follow - up implementation process;
29. Review the implementation of the actions associated with these commitments by the end of the year 2006;
30. Associate our countries with this Ministerial Declaration and its associated actions and invite other countries of Africa and other regions of the world to join in this Ministerial Declaration of Intent.

INDICATIVE LIST OF ACTIONS:

National level implementation

- Identify national actions through consultative processes;
- Integrate those actions within national forest programmes;
- Seek government and stakeholder support for implementation of the Declaration.

Legislation and policy reform

- Consolidate and/or harmonize to improve policies and fragmented legislation to promote good governance;
- Make information on existing legislation accessible in appropriate forms for stakeholders including communities and the private sector.

Capacity building

- Build capacity of government services for sustainable forest management, especially forest law enforcement and governance, including police, customs and the judiciary;
- Build capacity of forest services for forest law enforcement and governance;
- Build capacity of civil society to participate in forest law enforcement and governance;
- Undertake measures to train and motivate staff for effective forest law enforcement and governance

Information

- Review status of information management systems related to AFLEG;
- Establish publicly accessible centralised data bases;
- Improve access to information through strengthening local, national and regional mechanisms for sharing and exchanging information on forest management and forest revenue generation.

Law enforcement and monitoring

- Seek collective responsibility in forest law enforcement and governance at local, national, regional and international levels;
- Integrate the concern for sustainable development of wildlife resources and non-timber forest products in AFLEG;
- Improve conditions of service of field staff and of enforcement services to ensure forest law enforcement and governance;
- Develop monitoring and auditing capacity of forest and legal authorities;
- Encourage independent monitoring;
- Encourage decentralised law enforcement and empower people and local governing bodies for forest law enforcement and governance;
- Encourage initiatives that will lead to harmonization and implementation, in a concerted manner, of legislation in respect of management of transboundary forest resources, as well as combating forest fires.

Wildlife resources

- Take immediate action to monitor bushmeat and wildlife trade across borders, including support for independent monitors;
- Develop a baseline of data on the sustainability of harvest and extent and nature of illegal bushmeat and other wildlife trade;
- Establish and strengthen regulations to manage bushmeat and other wildlife trade in forest industry concessions and cross borders;
- Mobilize support from government, non-government and multi-lateral agencies to monitor, exchange information and sustainably manage wildlife resources, including the development of alternative protein sources and control illegal hunting and bushmeat trade in Africa.

Forest Management practices

- Develop and implement appropriate management plans for all forests;
- Encourage cooperation in the management of transboundary forest resources, including wildlife, as a means to curb illegal activity;
- To ensure accountability and transparency in forest management by identifying those who contravene local and national forest law and applying appropriate penalties;
- Develop participatory forest management practices to enhance forest law enforcement and governance;

- Promote and support alternative livelihood initiatives for poverty alleviation in forest communities;
- Ensure the different perspectives of men and women are taken into account in rules governing forest management;
- Ensure that institutions responsible for forest management receive adequate support and resources in post-conflict reconstruction so that the resumption of trade in forest products does not refuel conflict;

Financing

- Review economic reforms, including structural adjustment, to ensure that forest law enforcement and governance capacity is not jeopardised and is integrated into the priorities of poverty reduction strategy programs (PRSPs);
- Seek commitment from the respective Government that a proportion of the gains from improved forest law enforcement and governance are reinvested in the sector, including through national forest funds;
- Reinforce support for AFLEG actions from development partners;
- Implement market-based instruments, including certification, and rationalize the fiscal regime in the forest sector so as to provide better incentives for good governance, sustainable forest management and value added processing;
- Explore new mechanisms for securing finance for sustainable forest management, including for forest law enforcement and governance, through mechanisms such as Clean Development Mechanism under the Kyoto Protocol, debt for conservation, and other innovative funding mechanisms.

Markets and trade

- Develop partnership agreements between trading partners, consumer and producer countries and enterprises, to strengthen forest law enforcement and governance;
- Develop regional cooperation agreements to address cross-border trade issues (including bushmeat);
- Develop mechanisms to inform financial institutions on forest law enforcement and governance.

Thus, this declaration is accepted by acclamation by the countries present.

Yaoundé, Cameroon

16 October 2003

Annex 1

The following countries were present:

Angola , Belgium, Benin , Botswana, Burkina Faso, Burundi, Central African Republic, Cameroon, Canada , Republic of Congo, Cote D'Ivoire , Democratic Republic of Congo, Ethiopia, European Commission, France, Gabon, The Gambia , Germany, Ghana, Guinea , Guinea-Bissau, Italy, Kenya, Lesotho, Madagascar, Mauritius, Mozambique, Namibia, Niger, Nigeria , Senegal, Seychelles, South Africa , Switzerland, Togo, Uganda, United Kingdom, United States , Zambia , Zimbabwe