East Asia and Pacific

Forest Law Enforcement and Governance (FLEG)

Follow-up to the September 2001 Bali Ministerial Declaration

Meeting of the Task Force & Advisory Group

27 - 29 January 2003
Jakarta, Indonesia

http://www.worldbank.or.id/fleg-eap
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The most important part of the entire meeting: outcomes from 3 days of concerted effort,
discussion and brainstorming, from which emerged the way forward, in a tangible,
step-by-step manner.

These were actions prioritised by the participants themselves, for first actions to
be implemented before the Ministerial meeting later in 2003.

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Although only 5% of the world’s forests are located in Southeast Asia, the region accounts for nearly 25% of the global forest loss over the past decade. (FAO FRA 2000). Even more so than in other parts of the world, Southeast Asia’s forests are subject to non-sustainable forest management, conversion to monoculture plantations, fires, small scale agricultural encroachment, infrastructure development, mining, wildlife poaching and illegal logging. The root causes of illegal logging are deep, complex and extremely varied; a disturbingly immediate reality that is the focus of the Southeast Asia FLEG approach.

To tackle this alarming scenario head-on, a groundbreaking Asean initiative brought together Ministers from East Asia, Europe and North America to Bali in September 2001, following a series of pre-ministerial technical meetings earlier in the year. The participants reached consensus on the urgent need to combat illegal logging and forest crimes in the region through strengthened national and regional efforts. Broad definitions of the issues involved, including illegal logging, arson and wildlife, were also discussed and agreed upon. Recognition of the different responsibilities of producer and consumer countries in combating these challenges called for a set of actions to be undertaken and reported on regularly. The Bali Declaration emerged as an outcome of this historic meeting.

The Bali Declaration represents a dramatic break from all previous global discussions on sustainable forest management, as government leaders frankly addressed the sensitive issue of criminal activity – a key catalyst 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 needed for implementation at the national and regional level.

The Declaration mandates that it is essential for the 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 the Bali meeting.” This requires the establishment of a “regional task force on forest law enforcement and governance to advance the objectives of the Declaration.”

In May 2002, a preliminary meeting was called, also in Bali, at the behest of the Government of Indonesia. The regional Task Force and Advisory Group were established at this meeting, which went on to address issues around the scope of the regional Task Force and the operational modalities involved. The need to advance the objectives of the Bali Declaration through dialogue was reiterated, as was the pressing requirement to translate the objectives into actions of consequence.

The first working meeting of the FLEG Task Force and Advisory Group was held in Jakarta, Indonesia, from January 27-29, 2003. The meeting was attended by 70 participants representing a broad range of countries and organizations actively involved in furthering the FLEG initiative. These included 23 members of the Advisory Group, drawn from NGOs and the private sector; 38 government representatives from 11 countries, comprising the Task Force; and 10 Observers from international organizations.

This meeting marked a series of firsts: for three days, participants exchanged information, brainstormed, deliberated, and worked together to produce detailed plans for first actions to be undertaken by the regional Task Force. These would culminate in the initial steps taken towards actualizing the ambitious intentions to curb illegal logging set forth in the Bali Declaration.
The greatest challenge participants faced was to translate, through a consultative process, the ambitious mandate of the Declaration into tangible and deliverable actions on the ground. Achieving this goal would help foster effective regional and international cooperation, enabling the Task Force and Advisory Group to address the main objectives of the meeting, namely, a) information sharing, b) learning and networking, and c) planning specific FLEG initiatives. These, in turn, would deliver those important first actions so central to the furtherance of the Declaration. Without these actions, the Declaration would remain just another piece of paper.

The meeting was structured around a series of plenaries and breakout sessions to maximize the available time. Members of the Advisory Group and Observers were invited to attend Task Force breakout sessions.

Bapak Made Subadia Gelgel, Director General of Forest Protection and Conservation from the Ministry of Forestry, Indonesia, formally opened the meeting with a welcome address on behalf of Minister Prakosa. This was followed by a short address by Allan Thornton, a member of the Advisory Group from the Environmental Investigation Agency (EIA), who lauded this opportunity to take concrete measures against illegal logging. He suggested that more needed to be done, especially in consumer countries, to ameliorate the problem. Tom Walton of the World Bank welcomed the delegates, and emphasized the fact that this meeting was no less important than the first, from which the Bali Declaration emerged. This meeting would be where the real work of setting the Declaration in motion would begin. The keynote address was then delivered by Bapak Wahjudi Wardjo, Secretary General, Ministry of Forestry, who stressed the importance of information sharing and developing effective mechanisms to counter illegal logging.

In this session, chaired by Bapak Bambang Murdionario, participants were invited to make voluntary presentations in order to start the mechanism of regional information sharing and to update each other on country-specific issues. Future plans for FLEG activities at a national level and possible areas of effective regional collaboration were discussed, as were specific initiatives to be undertaken by the Task Force and Advisory Group. The outcomes of this session were presented in the Advisory Group’s itemized list of seven recommendations, and the Task Force’s prioritization of the 10 most important first actions (see Conclusion section).

Bapak Ginting moderated this session, which provided participants with much food for thought through presentations exposing relevant issues and concerns connected with the FLEG initiative. Apart from providing a platform for progress review, collaboration and consultation, the session also highlighted the intrinsic value of cross-sectoral synergies. As a case in point, the Lusaka Agreement, which deals with wildlife, offered relevant parallels on trans-boundary enforcement issues and was seen by participants as being a relevant working model for the FLEG initiative.

Bapak Wandojo introduced this session with the objective of consensually prioritizing specific first actions from the Bali Declaration and preparing detailed action plans for their implementation, clearly identifying the what, when, who and how.

Equally important was the recognition that national-level actions are a national responsibility, and that regional-level actions are a collaborative, regional responsibility.

The step-by-step planning process of this session required participants to first determine what exactly needed to be done to implement the priorities identified. Then, they worked on the delivery mechanisms that would achieve those actions.
During this breakout session, the working groups took on issues that had emerged from priorities identified in previous sessions. These fell into two broad categories; one on strategy, analysis and information sharing, and the other on exchange of trade, customs and research data.

To conclude the breakout session, presentations were made by the Task Force on their Action Planning schedules. These included plans for a Clearinghouse Mechanism for transparent reporting on matters of forest governance; a format for Information Sharing/Reviewing Progress; implementation of Research on Timber Supply & Demand; and the Proposed FLEG Strategy.

The Advisory Group made presentations in response to specific queries from the Task Force and put forward its observations on the FLEG process. The task Force was able to achieve all of the anticipated objectives of this session, which were: 1) to develop action plans for first priorities from the Bali Declaration for immediate implementation, and 2) to determine the delivery mechanism for each of these actions.

Did the meeting achieve what it set out to accomplish? The answer would have to be a resounding “YES” on all counts. The Task Force identified 4 specific actions and planned the delivery mechanisms for each of them. This included naming the persons responsible, indicating timeframes for delivery, and appointing temporary “Chairs” to coordinate activities among the various countries.

Action 1: To develop a clearinghouse mechanism for transparent reporting for all matters on forest governance. Temporary Chair: Pak Christanto, Ministry of Forestry, Indonesia

Action 2: To develop and compile a format to share information on progress made at the national and regional levels on FLEG implementation. Temporary Chair: Hugh Speechly, UK

Action 3: To develop the overall strategic framework for FLEG implementation at the national and regional levels. Temporary Chair: Neria Agra Andin, the Philippines

Action 4: To carry out research on timber supply and demand. Temporary Chair: Luca Tacconi, CIFOR

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, and the mechanism of interaction with the Advisory Group.

In addition, 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
Conclusion

FLEG has taken the first important steps in walking the talk, making concrete moves towards combating illegal logging and other forest crimes - complex issues which should not be oversimplified. First actions have now been identified, persons responsible named and dates committed.

As a first attempt at working together in a participatory, collaborative manner, this meeting has empowered participants to own these decisions. This was essentially the kick-off to what should develop into an effective, ongoing initiative, one that is global in consequence, with the power to move the Declaration from the general and abstract to the specific and tangible. As each of these actions is implemented, it is hoped that the FLEG initiative will gather momentum, moving that much closer to fulfilling the mandate of the Bali Declaration.

Advisory Group Recommendations

1. National commitments: need to monitor them, hence develop indicators, benchmarks and time frames
2. Regional enforcement initiative: 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 a website, this may include:
   - List of concessions, jurisdiction, location, quotas, and duration
   - Lists of protected areas and their boundaries
   - List of legally authorized mills
6. Corruption: develop mechanisms to assess progress in addressing corruption: scorecards, independent monitoring, lessons learned
7. Harmonization of custom codes by species, and verification by species

Task Force Prioritization

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

1. Criteria and indicators for Bali Declaration FLEG achievements
2. Format for 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 processes 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
Planned as a ‘working document’, this Proceedings Report provides not only the processes and outcomes of the EAP FLEG January 2003 Task Force/Advisory Group Meeting, but also comprehensive background information in the annexes to serve as your personal reference source. Also included is a listing of key related resources. This Report is organized in three, largely self-explanatory sections:

The first, Before the Meeting, explains the background and preparations leading up to January gathering. The second, The Meeting, is the largest section, and takes you through how the meeting was structured and what outcomes the process delivered. The last section, What Next?, is a recap of next steps based on the deliberations that took place, and serves as a roadmap for future actions.

You will find that throughout the report, information has been arranged with ease of reading in mind. The narrative captures the main points and outcomes in each section, and provides details of the process. Specific session information, including powerpoint presentations, are provided in annexes, so as not to interrupt the flow of the process. For enhanced accessibility, annex sections are color-coded, with cross-references in the narrative. Finally, the layout with its margin allows for you to jot down your personal notes where relevant.

The attachments to this document, presented in the annexes, are extremely important, as they provide the details of the deliberations from each session, including the outcomes of workgroups. These present the framework for first actions to be implemented, and are therefore worthy of thorough attention. They were not included in the text, as they might have lost the nature of the process if summarized. They are presented here exactly as they were presented at the meeting.
On 13 September 2001, Ministers from East Asian Nations and other regions made an unprecedented and historic declaration committing their countries to combat illegal logging, the associated illegal trade and other forest crimes. The Bali Declaration represents the first-ever international commitment by governments to combat corruption in the forestry sector. (Full text of the Bali Declaration: Annex I page 31)

The Bali Declaration recognizes that national responsibilities in both producing and consuming countries are at the core of FLEG. It also acknowledges that bilateral and international cooperation presents opportunities and benefits in providing a platform where forest law enforcement and protection initiatives can be synergized to bring about the most effective results.

In order to advance the Declaration’s objectives - the urgent implementation of significant indicative actions developed at the meeting - the Ministers undertook to create a regional Task Force on Forest Law Enforcement and Governance (FLEG). They also invited representatives from NGOs, industry, civil society and other relevant stakeholders present at the conference to consider forming an Advisory Group to the regional Task Force.

A decision was taken to meet again at the Ministerial level in 2003 to review progress on first actions in implementing these commitments, in cooperation with relevant international partners. Precisely how a regional process would move forward was not determined; Indonesia then offered to encourage further discussions, with the facilitation of the World Bank, to define a more precise and operational agenda.

The Government of Indonesia took the initiative to follow-up on the Declaration and called for a preliminary meeting of the Task Force, held at the International Convention Center in Bali, Indonesia, on May 19, 2002. The Advisory Group convened in a parallel meeting on May 18 and 19, 2002. Both meetings were sponsored by the U.S. Department of State and facilitated by the World Bank.

The meeting established the regional Task Force and the Advisory Group and made a step forward in clarifying the framework of Forest Law Enforcement and Governance in the region, the scope for a regional Task Force, and the need to continue the dialogue and consultation process to advance the objectives of the Bali Declaration.

As the logical next stage in this consultative planning process, a meeting of the Task Force and the Advisory Group was scheduled for January 2003.

An objective of this meeting was to produce a clearer, more broadly supported operational strategy for the FLEG Task Force, which would help identify leverage points to address illegal logging, determine priorities and establish a realistic action plan and delivery mechanism, including arrangements and resources, to operate and deliver outcomes. The level of involvement, whether a simple platform for enhanced regional dialogue or a more operational contribution to FLEG objectives, would depend on how participating countries defined the role of the Task Force.

Focusing on the concrete results needed at the international level, rather than on organizational arrangements, the process would develop initiatives that could help form an effective and meaningful program of regional cooperation.

More thorough consultations among countries may be required, following this meeting, to produce a detailed program of actions that can actually be implemented. Depending on the
progress made, further consultations may address each of the Bali Declaration priorities (see section below on the meeting).

Invitations issued by the Director General of the Ministry of Forestry, Indonesia, were sent to Task Force delegates and Observers from participating countries, and to Allan Thornton, in his capacity as lead contact for the Advisory Group (Annex II).

The invitation indicated that, as on previous occasions, the format and direction of the meeting were open to inputs from all stakeholders. Additionally, participants were charged with the ambitious task of developing and executing concrete and coordinated approaches to achieve the objectives of the FLEG Bali Declaration.

The objectives of the EAP FLEG January 2003 Task Force/Advisory Group Meeting were specifically: (1) Information Sharing: each country would present its own national FLEG activities, plans and requirements for regional support; (2) Learn and Network: to understand developments in key FLEG areas and connect to other related processes; and (3) Action Planning: to progress in planning what specifically the Task Force is going to do, how and when.

An outline of the proposed agenda was attached and feedback invited. Participants were also requested to indicate what their country saw as priorities for implementation of the Bali Declaration. The Declaration’s Annex: Indicative List of Action for the Implementation of the Declaration, and specifically Section II on Regional and Inter-regional actions, were attached for ease of reference (Annex II, page 33).

This preliminary announcement was circulated to the focal points of all the countries associated with the FLEG process. The invitation requested that Task Force participants attending be from management or decision-making levels. Names, designations and contact details of the two representatives from each country nominated to attend the meeting were also requested.

Similar invitations were sent to the Advisory Group and Observers. The parallel Advisory Group meeting was organized by the Environmental Investigation Agency (EIA), so that the Task Force could benefit from the presence of civil society and the private sector during plenary sessions.

Invitations were also extended to other potential partners that were not yet involved, in the hope that they would agree to support the Asia FLEG process.

A briefing note accompanied all invitation letters (Annex II, page 36).

All the countries invited responded favorably. The USA, the Secretariat of the Pacific Community (SPC), the Forest Integrity Network (FIN), which is part of Transparency International, and Malaysia were unable to attend.
The EAP FLEG January 2003 Task Force/Advisory Group meeting was essentially a collaborative, interactive and dynamic process, enabling initiatives to emerge with priorities being identified through a participatory, consensual approach. Most importantly, the final outcomes evolved from the synergies developed during each of the sessions and not on the basis of pre-determined priorities or a shopping-list approach.

What did we want this meeting to achieve? Ideally, to help leaders take the Bali commitment further towards implementation, the Task Force now needed to analyze, in detail, the options for implementation of the vision expressed in the Declaration.

The challenge here was to make real progress on these good intentions and determine, through a consultative process, how the Task Force and Advisory Group could contribute to these initiatives. Focusing on concrete results at the international level, rather than on organizational arrangements, the process would ideally develop initiatives for an effective and meaningful program of regional cooperation to address the primary objectives of a) information sharing b) learning and networking and c) planning specific FLEG initiatives.

The proposed Agenda was finalized by participants soon after arrival, following initial discussions. However, due to the dynamic and evolving nature of the meeting, the Agenda adapted itself to emerging priorities, reflecting the changes as they occurred (Annex III, page 41).

Since the objective of this meeting was to plan practical actions for implementation, countries needed to first share information and connect with other initiatives. In order to enable this process, the meeting was structured around a series of plenary and breakout sessions. The first session would be instrumental in consolidating a common understanding of the issues emerging from the Bali Declaration. Subsequent sessions would be used to develop regional action plans, and the Task Force would then need to define a means to deliver on these. As a result, the meeting was structured as follows:

**DAY 1**

- **Opening Plenary** of the Task Force and Advisory Group, with welcome remarks by Director General of Forest Protection and Nature Conservation, Ministry of Forestry, Indonesia; an address by the Advisory Group and the World Bank, followed by a keynote address from the Minister of Forestry, Indonesia (Annex IV, page 43).

- **Meeting Overview** to establish objectives and expected outcomes of EAP FLEG Jan/03 (Annex IV, page 36).

- **Information Sharing** with country presentations by the Task Force on progress made and problems encountered, and presentations by the Advisory Group, both followed by Q & A sessions (Annex V, page 48).


**DAY 2**

- **Learn and Network** plenary session, with presentations from Advisory Group, Task Force and Observers, to connect with other action-oriented processes and agencies involved with FLEG (Annex VII, page 119).
THE MEETING

• **Action Planning** breakout session with Task Force work groups, to decide on first actions for implementation, clearly defining exactly what, by whom and when (Annex IX, page 150).

DAY 3

• **Action Planning** breakout session (continued).
• **Final Plenary** where outcomes were presented, along with a wrap-up of EAP FLEG Jan/03 (Annex IX, page 150).

Participants were invited to arrive on Saturday, providing the opportunity to meet and exchange ideas informally on Sunday. What started out as a general discussion fast developed into an animated semi-work session, with an overview of the Bali Declaration, defining the two “pillars” of activities:

- Information Sharing and Progress Review of **national-level** activities by the Task Force; and
- Planning & Implementation of Action Plans at the **regional level**

This meeting, therefore, needed to develop a format to share information and develop appropriate action plans for the implementation of priorities identified during the course of the deliberations.

Motivation was high, and the participants already present started to work on some of the tasks described in the information note, which were originally planned for the following days. An initial informal discussion quickly established the outline of an information-sharing format. This was further developed and fine-tuned into four comprehensive matrices, which would later be used as possible samples in working group sessions:

⇒ Information Sharing at national level
⇒ Information Sharing at regional level
⇒ Action Plan to sustain gains
⇒ Action Plan to address gaps

In view of the voluntary, participatory nature of the FLEG Task Force, participants were also asked to indicate who would be making the country presentations, in order that this information could be incorporated into the agenda.
The EAP FLEG Jan/03 meeting was formally opened on January 27, 2003 by Bapak Made Subadia Gelgel, Director General of Forest Protection and Conservation from the Ministry of Forestry, Indonesia, with a welcome address on behalf of Minister Prakosa.

This was followed by a short address by Allan Thornton of EIA, who said that this first substantive FLEG meeting of all stakeholders was an unprecedented opportunity to take concrete measures to suppress illegal logging. Briefly touching on the MoUs signed between Indonesia and the UK and Indonesia and China, he stated that these were among the first such steps and reiterated EIA’s commitment to the FLEG process. The EIA ethos, he explained, was built around the fact that “we have the responsibility of being located in major consumer countries” where more could and should be done, especially in the area of technical assistance, to help conserve forests for future generations. “We must dream the dream,” he went on to say, “despite daunting problems.”

Tom Walton of the World Bank welcomed the delegates by saying, “I am pleased to see the turnout here today, because this is really YOUR show. The World Bank is only here to facilitate; you are the ones who will really be driving this meeting.” He went on to reiterate the purpose of the meeting and its expected outputs, adding, “I’d like to stress that this FLEG gathering is as important as the original Ministerial meeting of 2001, which provided the original mandate. Your challenge is not a small one: to make meaningful, tangible progress by determining, through a consultative process, what concrete first actions can be implemented within the next six months, in order to report back to the Ministerial meeting scheduled for 2003.”

The keynote address was then delivered by Bapak Wahjudi Wardjo, Secretary General, Ministry of Forestry, on behalf of the Minister, who could not be present due to a Cabinet meeting. Bapak Wahjudi stressed the importance of the FLEG initiative in combating illegal crime, saying, “What tangible breakthroughs are we hoping to achieve at the end of these three days? First and foremost, FLEG is a forum to develop the mechanisms that will enable us to share information on each country at a regional level. We hope that the continued sharing of a great deal of information will begin here.”

While country presentations were planned as a plenary, to optimize on available time, the Advisory Group decided to meet separately to make greater progress on their discussions. However, Observers and Advisory Group representatives were invited to attend the country presentations.

The Meeting Overview to the FLEG Task Force was presented by Mario Boccucci (World Bank, Jakarta).

After reiterating the key aspects of the Bali Declaration and briefly revisiting the outcome of the May 2002 meeting of the Preliminary Task Force, Mario focused on the objectives of EAP FLEG Jan/03, the expected outcomes from this meeting, and the overall process (see box).
**BACKGROUND (Box*)**

**Bali Declaration**

- **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 crimes.

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-up
- 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 2003 to review progress on first actions to implement Declaration.

**May 2002, Bali**

Preliminary Task Force Meeting

- Advisory Group Meeting: Regional framework of Forest Law Enforcement and Governance clarified
- Scope of Regional Task Force and Advisory Group agreed

**FLEG 2003, Jakarta**

- **Objectives:**
  - To share information on progress on FLEG
  - To learn and network on FLEG
  - To plan specific FLEG initiatives for implementation before Ministerial Meeting in 2003

- **Process:**
  - 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
  - Specific FLEG initiatives: 4 main priority areas
    - Data/information exchange
    - Trade and customs
    - Bilateral Issues
    - Research
  - Breakout group sessions:
    - Discuss and agree on objectives of the Task Force, and on priority actions.
    - Develop activities for each priority action area
    - Discuss working modalities of the Task Force: how it will operate, implement, coordinate, obtain funding etc.
    - Discuss an information sharing mechanism for national and regional activities.

**Ministerial Meeting, 2003 (?)**
INTRODUCTION

The purpose of this session was to start the mechanism of regional information sharing, build up a common level of understanding across countries and outline Task Force and Advisory Group expectations before they convened in separate planning sessions.

Countries were invited to make voluntary presentations, which focused on the following:

- Progress since Bali Declaration: overview of the issues in own countries: what has worked, what has not and what’s next
- Future plans for national activities
- How a regional approach can support national initiatives; specific first actions expected from the Task Force and Advisory Group

PROCEEDINGS

The session was chaired by Bapak Bambang Murdiono, who took charge of the proceedings and invited the Task Force to make their presentations.

The following presentations were made by participants from 11 countries:

- **Indonesia** - Progress of Law Enforcement in Combating Illegal Logging in Indonesia
- **Philippines** - The Philippines Forestry Sector
- **United Kingdom** - Controlling Illegal Logging, Actions by The United Kingdom
- **Papua New Guinea** - PNG Situation
- **Laos** - Forest Law Enforcement and Governance in Lao PDR
- **Vietnam** - FLEG Activities in Vietnam after Bali Declaration
- **Thailand** -
- **Cambodia** - The Progress on Forestry Reform in Cambodia
- **China** - Improvement of Chinese Law in Forestry Sector after Bali Declaration and Migratory Bird Activity
- **New Zealand** - New Zealand Participation in FLEG, Implication of FLEG for NZ, Information about NZ, and NZ land cover
- **Japan** - Japan’s Contribution

Hard copies of all presentations were distributed to the delegates (Annex V page 48).

A brief Q&A session followed the country presentations:

RI asked of RP, how and who to approach for **long term investment**.

RP response: the **security** of tenure, with **regulations** in place, is important to attract investment, as otherwise potential investors hesitate to put up the money.

RI also addressed a question to PNG regarding the appropriate area of **collaborative research**. RI proposed:

a) **supply** and demand b) **trade**. PNG responded with the following:
- Scientific research collaboration
- Joint efforts to prevent smuggling/encroachment in concession areas/price differentials.

RP suggested that collaborative research could cover:
- **Forest resource assessment**
- **Appropriate financial management**
Harmonization of legislation to support social environment

RP also proposed that there should be a **Master Plan for Forestry** based on data for the last 12 years and projections for the next 12 years – a 25-year window – and invited FLEG to develop an appropriate strategy for undertaking this study.

UK raised the question of the **definition of legality**, which has to be both verifiable and acceptable to all stakeholders, as there are varied perceptions of illegality due to contradictions in existing legislations. Sample surveys need to be conducted to record different stakeholders’ perceptions and while it may not be possible to arrive at a common definition of legality, the important issues would become clear. UK noted that the Philippines presentation focused on domestic efforts to control illegal logging. As a net importer of timber, the UK put forward the consideration that some imports might still be illegal and asked if there was any proposed action to control the situation.

Answers from RP covered identifying ‘hot spots’, seeking help from international institutions, and putting agreements in place between individual producers/suppliers. Finally, **national intervention** is required to curb import of illegal timber.

RI suggested an **exchange of data** between producers and consumers at the customs level on a continuous basis.

UK observed that ITTO already collects, collates, compares and analyses trade and production statistics. RP said ITTO help could be sought to set up MIS.

The meeting reconvened after lunch for presentations from Laos, Vietnam, Thailand, Cambodia, China and New Zealand. An Embassy official made the presentation on behalf of Japan, which highlighted its membership in AFP (Asia Forest Partnership).

This was followed by a Q&A session:

- **RI** asked Japan if **AFP** was the only initiative of its kind and if there were any similar ones in other regions. Response: this is the first such partnership for Japan in Asia, but it is also involved in an African initiative.
- **RI** asked Thailand regarding Thai policy on the ban of import of illegal timber- are any **statistics** available on the **amount of illegal imports**? Response: most imports come from neighboring countries and Thai domestic consumption is 4 million cubic meters annually.
- **RI** asked NZ about its annual supply of wood and whether export is in the form of logs or finished products. Response: NZ’s annual production is 20 million cu. mts., of which **99% is from planted forests** 9 million cu. mts. are log exports to Japan/Korea/Taiwan/China.
- **Mario** asked Vietnam and New Zealand if they had identified the first actions of the post-Bali Declaration. Response: Vietnam stated that **information sharing** with other countries, both **producer and consumer**, is its priority.
- **NZ** said there is the need for a multi-pronged approach covering:
  - **assessment** of forest resources using available high technology systems
  - regional **agreements** between producers and consumers
  - progressive development of **legislation**
  - issues of land **tenure/property rights**
  - **coupling** of sovereign law with regional agreements

All participants from the Task Force and Advisory Group met again in plenary at the end of the day, which opened with the Advisory Group’s recommendations to the Task Force (Annex VI, page 110), after which the Task Force wrapped up the session, selecting a member to present its conclusions with a presentation illustrating the outcomes of its deliberations (Annex VI, page 111).

In closing, matrices developed in the pre-meeting session the previous day were presented to Task Force members for further discussion and possible completion during the forthcoming Action Planning session.
A final Q&A session concluded the day. Some important points were raised in this segment:

- timber tracking systems are needed
- harmonization of customs codes required to achieve this, possibly linked to CITES mechanism
- customs codes for tree species have to be developed - otherwise it is difficult to monitor and regulate trade, especially of high-value exports
- need to develop operational mechanisms - how to obtain national commitment to do so
- closure of markets to illegally produced timber could help obtain national commitment from producing countries
- definition of legal/illegal logging, which could be country-specific
- information sharing matrix produced for the Task Force not appropriate for consumer countries
- need to define time-lines in the matrix

OUTCOMES

Day 1 was very productive; countries made presentations to update on progress, what has worked/what has not, and outlined plans for the future. The Task Force and Advisory Group also indicated how a regional approach could support the implementation of first actions.

The Advisory Group held further discussions and developed a list of 7 items (see below) as recommendations, which were presented to the plenary.

The Task Force group led the wrap-up session, highlighting a list of 10 prioritized first actions.

<table>
<thead>
<tr>
<th><strong>Advisory Group Recommendations</strong></th>
<th><strong>Task Force Prioritization</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. National commitments: need to monitor them, hence develop indicators and benchmarks, and time frames</td>
<td>Countries highlighted particular issues they would like considered as first actions:</td>
</tr>
<tr>
<td>2. Regional enforcement initiative: member countries appoint contact person to liaise with enforcement agencies</td>
<td>1. Criteria and indicators for Bali Declaration FLEG achievements</td>
</tr>
<tr>
<td>3. Develop definitions of legal/illegal, country specific, consultation with civil society etc., proof of legality, address contradictions</td>
<td>2. Format for information sharing on national programs/regulations (draft discussed/being developed)</td>
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<td>4. New laws in consuming countries</td>
<td>3. Preparation of FLEG strategy-national and regional level</td>
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<td>5. Develop clearinghouse mechanism for transparent reporting for all matters of forest governance, eg. web site:</td>
<td>4. Research collaboration specifically on supply/demand</td>
</tr>
<tr>
<td></td>
<td>- List of concessions, jurisdiction, location, quotas, and duration</td>
</tr>
<tr>
<td></td>
<td>- Lists of protected areas and their boundaries</td>
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<tr>
<td></td>
<td>- List of legally authorized mills</td>
</tr>
<tr>
<td>6. Corruption: develop mechanisms to assess progress in addressing corruption: scorecards, independent monitoring, lessons learned</td>
<td>5. Share learning from national processes to define legality</td>
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<td>7. Harmonization of custom codes by species, and verification by species.</td>
<td>6. Exchange of customs data on trading of forestry products (MIS)</td>
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<td></td>
<td>7. Benchmark for Forest Resource Assessment</td>
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<td></td>
<td>8. Documentation of success stories and lessons learned</td>
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<td></td>
<td>9. Harmonization of legislation at national level</td>
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<td></td>
<td>10. Capacity building</td>
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</tbody>
</table>
INTRODUCTION

The FLEG initiative recognizes the value of consultation and collaboration with diverse stakeholders, and the importance of connecting to other action-oriented processes and agencies involved with the FLEG issues to provide useful examples and lessons learned. There are a large number of organizations, initiatives, NGOs and relevant groups active in the sector and it would not have been possible to have all of them making a presentation at this first meeting. It was, nevertheless, important to make a start in creating a platform for future engagement, as exposure to issues raised through such interaction is conducive to a more informed planning process. Invitations were therefore sent to people and organizations that had played a prominent role in the region or on related initiatives elsewhere. Speakers were requested to highlight concerns and activities that could be connected to FLEG initiatives and interests, with presentations covering a review of action-oriented developments in key FLEG areas.

PROCEEDINGS

The Learn and Network session was moderated by Bapak Ginting, and presentations of up to 15 minutes each were made by participants from the Task Force and Advisory Group, as listed in the Agenda.

ASEAN - Rony Soekoesoemah
ITTO - Jim Bourke
CIFOR - Luca Tacconi
FAO - Benni Sormin
RECOFTC - Karen Edwards and Chun Klai
MoU UK - Indonesia - Hugh Speechly
MoU China - Indonesia - Bambang Murdiono
Asia Forest Partnership (AFP) - Bambang Murdiono
EIA on US Presidential Initiative Against Illegal Logging - Sascha von Bismarck
Chain of Custody (WWF Bali) - Rod Taylor
UK Timber Trade Federation - Andy Ro
Royal Institute of International Affairs (RIIA) - Duncan Brack
Lusaka Agreement - Duncan Brack
(see Annex VII for all presentations)

The presentation on the Lusaka Agreement by RIIA, which was part of the Learn and Network session, was made on Day 3 due to a shortage of time. The agreement, which is primarily about wildlife, offers interesting parallels on trans-boundary enforcement. It was felt that with very minor modifications, the text could be used by a regional enforcement agency for timber trade under Asia-FLEG, thereby fulfilling one more outcome listed in the Bali Declaration. The text of the Lusaka agreement was also made available to the delegates in hard copy. (Annex VII, page 143)

The session ended with a moderated discussion and Q&A.
OUTCOMES

The Learn & Network segment of the meeting provided an opportunity for the group to get acquainted, interested and inspired, thus providing further impetus to the Task Force on planning specific first actions for implementation.

The session also provided an interesting context for the ongoing discussion by emphasizing possible cross-sectoral solutions, as in the Lusaka Agreement. Although primarily about wildlife, the Agreement served as an example of what has worked in a similar situation, and participants immediately saw how this could be adapted to serve the illegal logging sector. Insights such as these are the invaluable contribution of sharing experiences and lessons learned.
INTRODUCTION

The objective of this session was to select specific first priorities from the indicative actions listed in the Bali Declaration and prepare a detailed action plan for implementation, clearly defining the what, when, who and how. The session would also serve as a “practice run” for starting work on all the other initiatives listed in the Declaration, which the Task Force would need to undertake as homework.

The Bali Declaration identifies a total of 50 initiatives for national-level action and a further 20 for regional-level action. Since the Declaration was the result of thorough research by a team of highly qualified technical experts, it provided the basis for initiating the planning process on the action areas and initiatives already identified.

At the national level, the role of the regional Task Force is primarily to share information on progress made on national actions, which are a national responsibility. The Task Force needed to know what has and has not worked nationally so that gaps could be identified, with a view to determining which ones might best be addressed at the regional level.

The Bali Declaration identifies 50 specific FLEG initiatives at the national level, under 8 main areas:

- Political
- Legislative/Judicial
- Decentralization
- Institution and Capacity Building
- Concession Policy
- Conservation and Protected areas
- Public Awareness, Transparency and Participation
- Bilateral Actions

At the regional level, the Task Force should be responsible for the planning and implementation of cooperative actions, with the specific task of prioritizing first actions and developing a detailed plan for implementation.

The Bali Declaration identifies 20 specific FLEG initiatives at the regional level, under 4 main areas:

- Data/Information exchange
- Trade and Customs
- Bilateral Issues
- Research

This is further explained in the schematic on the next page:
The Meeting

EAP FLEG Jan/03 TF/AG Meeting

Regional Level

Actions at National Level

1. Clear roles, responsibilities, and authorities between different levels of government, private sector, and civil society.
2. Support cross-level cooperation in formulation of coherent policies and procedures.
3. Establish a regional information system.
4. Develop and maintain a regional system for processing and sharing information.
5. Develop and maintain a regional system for monitoring and evaluation.
6. Develop and maintain a regional system for education and training.
7. Develop and maintain a regional system for research and development.
8. Develop and maintain a regional system for capacity building.
9. Develop and maintain a regional system for institutional-building.
10. Develop and maintain a regional system for policy-making.

Concession Policy

1. Implement a system for transparent and participatory concession assessment.
2. Develop and implement transparent and participatory concession approval systems.
3. Develop and implement transparent and participatory concession monitoring systems.
4. Develop and implement transparent and participatory concession evaluation systems.
5. Develop and implement transparent and participatory concession revision systems.
6. Develop and implement transparent and participatory concession enforcement systems.
7. Develop and implement transparent and participatory concession dispute resolution systems.
8. Develop and implement transparent and participatory concession compensation systems.
9. Develop and implement transparent and participatory concession review systems.
10. Develop and implement transparent and participatory concession information systems.

Concession and Protected Areas

1. Develop and implement transparent and participatory concession and protected area management systems.
2. Develop and implement transparent and participatory concession and protected area monitoring systems.
3. Develop and implement transparent and participatory concession and protected area evaluation systems.
4. Develop and implement transparent and participatory concession and protected area enforcement systems.
5. Develop and implement transparent and participatory concession and protected area dispute resolution systems.
6. Develop and implement transparent and participatory concession and protected area compensation systems.
7. Develop and implement transparent and participatory concession and protected area review systems.
8. Develop and implement transparent and participatory concession and protected area information systems.

Public Awareness, Transparency, and Participation

1. Develop and implement transparent and participatory public awareness and participation systems.
2. Develop and implement transparent and participatory public awareness and participation monitoring systems.
3. Develop and implement transparent and participatory public awareness and participation evaluation systems.
4. Develop and implement transparent and participatory public awareness and participation enforcement systems.
5. Develop and implement transparent and participatory public awareness and participation dispute resolution systems.
6. Develop and implement transparent and participatory public awareness and participation compensation systems.
7. Develop and implement transparent and participatory public awareness and participation review systems.
8. Develop and implement transparent and participatory public awareness and participation information systems.

Regional Network of Monitoring Systems, including Forest Crime

1. Develop and implement a regional network of monitoring systems, including forest crime.
2. Develop and implement a regional network of monitoring systems, including forest crime.
3. Develop and implement a regional network of monitoring systems, including forest crime.
4. Develop and implement a regional network of monitoring systems, including forest crime.
5. Develop and implement a regional network of monitoring systems, including forest crime.
6. Develop and implement a regional network of monitoring systems, including forest crime.
7. Develop and implement a regional network of monitoring systems, including forest crime.
8. Develop and implement a regional network of monitoring systems, including forest crime.

Review Progress and Share Information

1. Review progress and share information on regional and inter-regional actions.
2. Review progress and share information on regional and inter-regional actions.
3. Review progress and share information on regional and inter-regional actions.
4. Review progress and share information on regional and inter-regional actions.
5. Review progress and share information on regional and inter-regional actions.
6. Review progress and share information on regional and inter-regional actions.
7. Review progress and share information on regional and inter-regional actions.
8. Review progress and share information on regional and inter-regional actions.

Plan and Implement Cooperative Actions

1. Plan and implement cooperative actions on forest crime.
2. Plan and implement cooperative actions on forest crime.
3. Plan and implement cooperative actions on forest crime.
4. Plan and implement cooperative actions on forest crime.
5. Plan and implement cooperative actions on forest crime.
6. Plan and implement cooperative actions on forest crime.
7. Plan and implement cooperative actions on forest crime.
8. Plan and implement cooperative actions on forest crime.

Information, Expertise Sharing

1. Share information and expertise on regional and inter-regional actions.
2. Share information and expertise on regional and inter-regional actions.
3. Share information and expertise on regional and inter-regional actions.
4. Share information and expertise on regional and inter-regional actions.
5. Share information and expertise on regional and inter-regional actions.
6. Share information and expertise on regional and inter-regional actions.
7. Share information and expertise on regional and inter-regional actions.
8. Share information and expertise on regional and inter-regional actions.

Trade / Commerce

1. Establish and implement cooperative agreements on trade and commerce.
2. Establish and implement cooperative agreements on trade and commerce.
3. Establish and implement cooperative agreements on trade and commerce.
4. Establish and implement cooperative agreements on trade and commerce.
5. Establish and implement cooperative agreements on trade and commerce.
6. Establish and implement cooperative agreements on trade and commerce.
7. Establish and implement cooperative agreements on trade and commerce.
8. Establish and implement cooperative agreements on trade and commerce.

Bilateral Actions

1. Establish and implement cooperative agreements on bilateral actions.
2. Establish and implement cooperative agreements on bilateral actions.
3. Establish and implement cooperative agreements on bilateral actions.
4. Establish and implement cooperative agreements on bilateral actions.
5. Establish and implement cooperative agreements on bilateral actions.
6. Establish and implement cooperative agreements on bilateral actions.
7. Establish and implement cooperative agreements on bilateral actions.
8. Establish and implement cooperative agreements on bilateral actions.

Research

1. Conduct research on regional and inter-regional actions.
2. Conduct research on regional and inter-regional actions.
3. Conduct research on regional and inter-regional actions.
4. Conduct research on regional and inter-regional actions.
5. Conduct research on regional and inter-regional actions.
6. Conduct research on regional and inter-regional actions.
7. Conduct research on regional and inter-regional actions.
8. Conduct research on regional and inter-regional actions.

Actions at Regional Level

FLEG BALI DECLARATION

SEPTEMBER 2001

Regional Level

Actions at National Level

1. Exchange experience on forest crime, forest law enforcement, and regional and inter-regional actions.
2. Implement and monitor regional and inter-regional actions.
3. Develop and implement regional and inter-regional actions.
4. Develop and implement regional and inter-regional actions.
5. Develop and implement regional and inter-regional actions.
6. Develop and implement regional and inter-regional actions.
7. Develop and implement regional and inter-regional actions.
8. Develop and implement regional and inter-regional actions.

Information, Expertise Sharing

1. Share information and expertise on regional and inter-regional actions.
2. Share information and expertise on regional and inter-regional actions.
3. Share information and expertise on regional and inter-regional actions.
4. Share information and expertise on regional and inter-regional actions.
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6. Share information and expertise on regional and inter-regional actions.
7. Share information and expertise on regional and inter-regional actions.
8. Share information and expertise on regional and inter-regional actions.

Trade / Commerce

1. Establish and implement cooperative agreements on trade and commerce.
2. Establish and implement cooperative agreements on trade and commerce.
3. Establish and implement cooperative agreements on trade and commerce.
4. Establish and implement cooperative agreements on trade and commerce.
5. Establish and implement cooperative agreements on trade and commerce.
6. Establish and implement cooperative agreements on trade and commerce.
7. Establish and implement cooperative agreements on trade and commerce.
8. Establish and implement cooperative agreements on trade and commerce.

Bilateral Actions

1. Establish and implement cooperative agreements on bilateral actions.
2. Establish and implement cooperative agreements on bilateral actions.
3. Establish and implement cooperative agreements on bilateral actions.
4. Establish and implement cooperative agreements on bilateral actions.
5. Establish and implement cooperative agreements on bilateral actions.
6. Establish and implement cooperative agreements on bilateral actions.
7. Establish and implement cooperative agreements on bilateral actions.
8. Establish and implement cooperative agreements on bilateral actions.

Research

1. Conduct research on regional and inter-regional actions.
2. Conduct research on regional and inter-regional actions.
3. Conduct research on regional and inter-regional actions.
4. Conduct research on regional and inter-regional actions.
5. Conduct research on regional and inter-regional actions.
6. Conduct research on regional and inter-regional actions.
7. Conduct research on regional and inter-regional actions.
8. Conduct research on regional and inter-regional actions.

Review Progress and Share Information

1. Review progress and share information on regional and inter-regional actions.
2. Review progress and share information on regional and inter-regional actions.
3. Review progress and share information on regional and inter-regional actions.
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7. Review progress and share information on regional and inter-regional actions.
8. Review progress and share information on regional and inter-regional actions.

Plan and Implement Cooperative Actions

1. Plan and implement cooperative actions on regional and inter-regional actions.
2. Plan and implement cooperative actions on regional and inter-regional actions.
3. Plan and implement cooperative actions on regional and inter-regional actions.
4. Plan and implement cooperative actions on regional and inter-regional actions.
5. Plan and implement cooperative actions on regional and inter-regional actions.
6. Plan and implement cooperative actions on regional and inter-regional actions.
7. Plan and implement cooperative actions on regional and inter-regional actions.
8. Plan and implement cooperative actions on regional and inter-regional actions.
During the first two days of the meeting, the Task Force and Advisory Group identified first actions prioritized from the larger menu of the Bali Declaration (Annex 1). While this was not intended as a proper prioritization exercise in itself, both the Advisory Group and the Task Force brought up a number of issues as important first actions (see below): *(insert in box graphic here of the 7 items and 10 items from PowerPoint presentations)*

All that had gone before, up until this point, had primarily attempted to provide information and align understanding in order to enable participants to develop plans to implement first actions. The next stage in this effort was to move forward with a step-by-step process of actual planning. After this Action Planning session, it would then be entirely up to the participants to move the FLEG process along by delivering on these plans.

As the initial step in this process, participants first had to determine *what* exactly needed to be done to implement the identified priorities. Then, the final steps were to work out *how* those actions would be delivered.

**PROCEEDINGS**

This last and most important session of the entire meeting was where the “real” work was done. Bapak Wandojo opened with a short warm-up, introducing some of the issues that participants, in working groups, would soon be grappling with. He then handed over to Mario Boccucci, who kicked off with a quick run-through of the process thus far, taking participants through the 50 national and 20 regional initiatives listed in the Bali Declaration, from which the Task Force and Advisory Group had prioritized actions for immediate implementation. He emphasized that this was the key session, fundamental to the furthering of these priorities through developing specific action plans for delivery. It was equally important, therefore, to create a common understanding of the delivery mechanisms and recognize the need to continue to develop on the initiatives not included in the prioritization.

The participatory and collaborative nature of the FLEG process, followed throughout, encouraged the contribution and comments of the Advisory Group and Observers. But at the same time, it was important to have some structure in order to arrive at outcomes. Since this session was the essence of the meeting, and also the longest and most complex, the structure is explained in greater detail than for other sessions, as below:

1. Task Force planning the **WHAT**: The groups and how they worked
2. Advisory Group inputs: Recommendations and observations on the FLEG process
3. Task Force planning the **HOW**: Delivery mechanisms and operational structure

The six priorities that emerged from issues identified in previous sessions fell into two broad categories: one on strategy, analysis and information sharing; and the other on exchange of trade, customs and research data.

The Task Force now needed to develop comprehensive action plans to deliver on these priorities. In order to do this, two groups - A and B - were formed, with participants volunteering to join either one or the other depending on their expertise and interests. Each group had a menu of three priorities and was free to decide whether to work on all of them or just concentrate on one or two.

Group A decided to tackle all of the three priorities:
DAY 2: WORKING GROUP SESSION FORMAT

FOREST LAW ENFORCEMENT AND GOVERNANCE (FLEG)
EAST ASIA MINISTERIAL CONFERENCE
Bali, Indonesia
11 - 13 September 2001
MINISTERIAL DECLARATION

National Level Actions:
To do: Review Progress on Information Sharing since September 2001

Regional and Inter-Regional Actions:
To do: Plan and Implement Cooperative Actions

I.1. Political
I.8. Bilateral Actions

II.1. Information / Expertise Sharing
II.2. Trade / Customs
II.3. Bilateral Actions
II.4. Research

Recommendations

AG : 7
Recommendations
See AG Report to TF – Day 1

TF : 10
Recommendations
See TF Wrap-up Session Highlights – Day 1

Prioritization and Selection of Outcomes for Working Groups Exercise

Group A:
- **Group A1.** Establish Clearing House Mechanism
- **Group A2.** Develop Reporting Format for Information Sharing
- Strategy Development

Group B:
Research for Timber Supply and Demand:
- Exchange of Trade Data
- Harmonisation of Customs Codes
- Research on Timber Supply and Demand
THE MEETING

1. Develop the FLEG Strategy (national and regional);
2. Develop a Clearinghouse Mechanism for transparent reporting of all matters of forest governance;
3. Develop a format for Information Sharing of national and regional progress made on implementation of the Bali Declaration and achievement of its objectives.

However, as time was limited, the group decided to further split up into A1 and A2, in order to work on the Clearinghouse Mechanism and Information Sharing in parallel, with the idea of joining together again to work on the FLEG Strategy. In the end, practically all the time was taken up for Clearinghouse and Information Sharing. However, since the Strategy was viewed as a critical issue, a participant from the Philippines offered to work on it, based on inputs and suggestions from other participants.

Group B decided to work on only one of the 3 priorities:

1. Develop formats for exchange of Trade Data;
2. Harmonization of Customs Codes;
3. Implementation of Research on Timber Supply & Demand

To optimize on the time available, Group B decided to work on Research on Timber Supply & Demand.

All working groups had a clear mandate on what had to be delivered by the end of the session. Their goal was to craft a work plan for implementation of the selected priorities specifying: What activities had to be carried out, Who was going to be responsible, How this would be done, and When they would be delivered. Each group was provided with a comprehensive set of background documents to facilitate deliberations. Each group also appointed a chairperson, rapporteur, technical advisor and observer. A moderator/facilitator was on hand, and the use of the “fishbowl” technique allowed non-Task Force participants to contribute their comments and observations during the course of the session.

A lot of hard work went into these animated work group sessions; deliberations started at 3pm on Day 2 and continued until 5pm on Day 3 (Outputs from work groups: Annex IX, page 150).

Once the groups had completed their work, they presented their final Action Plans. All the outputs from these work group sessions are reproduced in Annex IX.

Presentation on Clearinghouse Mechanism (Annex IX page 150)

The floor was first given over to Group A1 to present their action plan on developing a Clearinghouse Mechanism for transparent reporting on matters of forest governance.

The presentation, made by a participant from RP, outlined preconditions for establishing a Clearinghouse. These included establishing a FLEG Secretariat (the Ministry of Forestry, Indonesia, has agreed to act as a temporary Secretariat) and the need for financial and technical support from donor agencies, including assistance in the collection, dissemination and standardization of data collection. The first activity, however, would not require much assistance, as it would involve each country making an inventory of data and information that could be made available based on the format devised at the meeting. The action planning matrix was developed, identifying a total of nine activities to be completed and specifying how, when, and by whom.
Presentation on Format for Information Sharing/Reviewing Progress (Annex IX page 157)

This presentation by Group A2, on designing a format for Information Sharing/Reviewing Progress, was made by a participant from the UK. It was first explained that the objectives of this information sharing were, on the one hand, to understand progress made by countries in the region and the effect and impact of the actions taken; but also to allow adaptive management of the FLEG process by identifying additional actions to address gaps at the national and regional level. The four-step process for sharing information was then highlighted and associated tools and systems were explained. To facilitate understanding, a practical example of the system was presented for one producer country and one consumer country. Finally, the sequence of seven actions required to deliver the information sharing system was presented, along with a timetable.

Presentation on the implementation of Research on Timber Supply & Demand (Annex IX page 164)

The Group B presentation on the implementation of Research on Timber Supply & Demand was made by a participant from Vietnam. It envisaged the setting up of an interim Secretariat (which CIFOR agreed to do in a temporary capacity), and appointing an appropriate contact person from each member country. The work would then progress with the development of a ToR for collection and analysis of data, followed by the compilation and analysis of the data received from each country, which would be elaborated in a report. This exercise would also foster the development of a research network and the identification of existing research activities in each country.

The action plan, in matrix format, identifies five activities to be completed, specifying when and by whom, as well as inputs, costs and other indicators. ToRs for the interim Secretariat and the contact person were also presented.

The UK-TTF representative stated that his organization would undertake to act as a resource for this research activity.

Presentation on Development of FLEG Strategy (Annex IX page 163)

This final presentation was prepared by the Philippines, incorporating suggestions and discussions from other participants. The importance of developing an overall strategic framework for FLEG implementation at the national and regional level was explained. The framework would afford a strategic basis for the preparation of country-specific and regional action plans, and provide a benchmark against which FLEG achievements would be measured. The preliminary work plan to develop the strategy identifies six activities, with relative responsible actors and a tentative schedule.

The Advisory Group held its sessions in parallel, while at the same time having observers attend the Task Force breakout sessions. In order to provide feedback to the Task Force, the Advisory Group made two presentations:

Presentation 1 (Annex VI page 110)

Welcoming the opportunity for dialogue, the Advisory Group presented its initial feedback to the plenary, and focused on answering the four specific questions from the Task Force in the Day 1 wrap-up: prioritization of Task Force activities, framework for regional activities, criteria and indicators for FLEG evaluation and FLEG institutional support mechanisms.
Presentation 2 (Annex VIII page 148)

The Advisory Group made a second presentation post-lunch, offering four cogent observations on the FLEG process, along with specific recommendations to address the issues raised:

- Not all countries have had sufficient seniority of representation
- Insufficient attention within FLEG to root causes of illegal logging
- FLEG member governments should do more to harness market forces in support of the goals of the Bali Declaration
- For FLEG to be an effective mechanism, all actors should be represented

This was followed by a short Q & A session and discussion, which threw up some very important issues:

- Open discussion/Q&A
  - A participant from the UK commented that the Advisory Group had presented a very “solid set” of recommendations, which deserved scrutiny. 
  - Regarding seniority of representation, the participant from Vietnam commented that it was not always possible for senior officials to attend every meeting. However, each participant attending is the appointed representative of his/her department/government.
  - The importance of expanding FLEG membership to include all ASEAN countries, particularly important players like Malaysia, Singapore and Myanmar, was stated by several members.
  - The subject of corruption, which lies at the core of illegal logging activities, also came up for discussion. The issue is very complex, as would be the steps to combat it. CIFOR is currently conducting local studies in this area; initial feedback indicates that there is a lack of capacity to look into the problem. Transparency International has been focusing on the issue of transparency and how it can reduce corruption—“transparency is the key.”

It was now time for the final review of the output, and to wrap-up the proceedings of the past three days. Though enthusiasm was still running high, fatigue was starting to set in. Mario Boccucci took the floor, unperturbed, calling into play his talent as a “natural soprano”.

In summing up, he illustrated just how far this initiative had progressed, from the general intentions stated in the Bali Declaration, through these three days of intensive discussion involving various stakeholders that had yielded specific actions to be delivered within specific timeframes by specific people. While the progress in these three days had been laudable, there is still much that remains to be done. The actions planned at this meeting need to be implemented, and progress reported back for evaluation at the next Ministerial meeting, which in the Bali Declaration was scheduled for later in the year. The Ministerial meeting itself, and preparatory steps, would also need to be planned...there is, indeed, still much to be done.

Even so, the deliberations of the Task Force and the Advisory Group and the valuable interaction that took place between the two at this path-breaking meeting yielded some tangible benchmarks, generating a common sense of agreement in broad as well as in specific areas. Lively discussions addressed key issues beyond just the delivery of first actions, and centered on how to keep the momentum going after the meeting was over.

Participants were unanimous in their belief that a FLEG Secretariat is an absolute requirement to carry this process forward. The Ministry of Forestry, RI, was proposed as host, and has since agreed to act as the temporary FLEG Secretariat. It was deemed essential that each FLEG country appoint one focal contact person to coordinate FLEG activities, and that the Advisory Group also needs to nominate one contact person in each country.

In planning the next meeting, participants felt that efforts must be made at regional and national levels to seek the engagement of new members, particularly other ASEAN countries, including
Malaysia and Singapore. To encourage maximum participation, it was felt that at least three months advance notice is necessary. Senior level representation is necessary, it was also agreed, as is a multi-disciplinary approach that includes not only the Ministry of Forestry, but also other sectors and disciplines.

Questions from the floor covered the area of budgets, funding and administrative matters. At present, no country has budgeted any expenditure for FLEG activities and donor assistance would definitely be required. RI, as acting coordinator, sought feedback on the appointment of focal persons from member countries; meanwhile, those who had attended the meeting would continue to act as focal contact persons. The delegate from Vietnam expressed the possible requirement for translating the minutes/report of proceedings into local languages.

OUTCOMES

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 the Bali declaration to be implemented immediately and 2) to determine the delivery mechanism.

The Task Force identified four specific actions and, for each of these, determined a timeframe for delivery and appointed temporary “Chairs” to help progress activities among the various countries. The action plan frameworks developed at the meeting for each of the four actions, stating specific activities, timeframes, designated persons and additional inputs, are attached in Annex IX.

Action 1: To develop a Clearinghouse Mechanism for transparent reporting for all matters of forest governance. Temporary Chair: Pak 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

Another important outcome of this session 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
In conclusion, Tom Walton (World Bank) congratulated the delegates for participating in a successful meeting, saying that the FLEG initiative had come a long way. He also expressed his admiration for the stamina and creativity of the participants. The continuing rapport between the Task Force and the Advisory Group was a credit to both groups. With regard to the budgeting question, he said it was important to package the results of the meeting and report back to the World Bank in Washington with the hope that it would attract support. FLEG must give itself a formal structure with “arms, legs and a brain” – it would then be in position to approach the World Bank and other donors for some of its funding needs. Tom thanked the Ministry of Forestry, RI, on behalf of all present, for all their help and cooperation in making such tremendous progress.

Allan Thornton took the floor to thank all the participants for their hard work and achievements during these three days of intensive effort and planning. In addition, he reiterated the pledge that Advisory Group participants would continue to work constructively to realize mutual goals of suppressing illegal logging and helping protect natural heritage and biodiversity. He further stated that the Advisory Group would also pursue the introduction of new laws in timber importing countries to ban the import of illegally produced timber.

The FLEG meeting ended with closing remarks from Bapak Boen Poernama, Director General for Forest Planning and Programming Agency. He expressed his appreciation for the fact that the Task Force had set up interim secretariats to implement the action plans developed during the meeting, and congratulated the Advisory Group and Observers for their invaluable recommendations and observations on the FLEG process. He stressed that regional measures, in conjunction with national initiatives, could become a powerful catalyst in strengthening the efficacy, impact and leverage of international processes.
WHAT NEXT?

FLEG has taken the first important steps in addressing the critical issues facing the region’s forests, particularly illegal logging and other forest crimes. First actions have been identified, persons responsible named, and dates committed. But this is just the beginning. The majority of the outcomes listed in the Bali Declaration have not even been touched upon. These need to be tackled without delay. An early decision must also be made on when the next meeting should be held, and the agenda finalized. This is the homework for delegates to take back with them and complete as soon as possible.

As each of these first actions is implemented, the FLEG initiative will continue to gather momentum, moving that much closer to fulfilling the mandate of the Bali Declaration.

NB: In this draft, we have provided pointers of what we have extrapolated from comments at various points during the meeting, which should go into the Next Steps section.

This is intended as a functional status checklist; we would therefore appreciate your feedback on what else you would like to see in here, so please do comment.

Your comments and feedback on the rest of the report are sought as well; please bear in mind that this is the final draft; changes can still be incorporated at this stage.

February–April:
- Recover from FLEG tigue...
- Start-up of first activities on Clearinghouse, Information Sharing, FLEG Strategy Development, Research on Timber Supply and Demand
- Indonesia sets up FLEG Interim Secretariat
- Each Country identifies a focal point

May:
- Secretariat and focal points start enucleating options for next meetings (purpose, where, when), funding, increased engagement with other countries and processes, interaction with the Advisory Group, expansion of priorities for implementation and follow up on first 4 activities
- Possibility for a back-to-back round table at the ITTO meeting to discuss progress and plan continuation of process

June–September:
- The four Work Groups continue and complete activities agreed on for the Clearinghouse, Information Sharing, FLEG Strategy Development, and Research on Timber Supply and Demand
- Secretariat and support work to secure funds, plan and organize meetings, foster greater involvement and participation from other countries and civil society in the region; undertake to capitalize on findings of four Work Groups

October (?):
- Technical meetings on four activities implemented and achievements to date, which should include: Clearinghouse up and running, Information Sharing System established and first report produced, Strategy developed, report on Timber Supply and Demand finalized

December (?):
- Task Force and Advisory Group meeting to discuss progress on implementation and prepare for Ministerial meeting

April 2004 (?):
Ministerial meeting: The Bali Declaration calls for a Ministerial meeting to review progress by the end of 2003. General consensus was that this is too early.
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Bali Declaration

Forest Law Enforcement and Governance
East Asia Ministerial Conference
Bali, Indonesia
11 - 13 September 2001
Ministerial Declaration

1. Countries from the East Asian and other regions participating in this Ministerial Conference:

2. Understanding that forest ecosystems support human, animal and plant life, and provide humanity with a rich endowment of natural, renewable resources;

3. Deeply concerned with the serious global threat posed to this endowment by negative effects on the rule of law by violations of forest law and forest crime, in particular illegal logging and associated illegal trade;

4. Recognizing that illegal logging and associated illegal trade directly threaten ecosystems and biodiversity in forests throughout Asia and the rest of our world;

5. Also recognizing the resulting serious economic and social damage upon our nations, particularly on local communities, the poor and the disadvantaged;

6. Further recognizing that the problem has many complex social, economic, cultural and political causes;

7. Confident of the urgent need for, and importance of good governance to, a lasting solution to the problem of forest crime;

8. Recognizing that all countries, exporting and importing, have a role and responsibility in combating forest crime, in particular the elimination of illegal logging and associated illegal trade;

9. Emphasizing the urgent need for effective cooperation to address these problems simultaneously at the national and sub-national, regional and international levels;

10. Declare that we will:

11. Take immediate action to intensify national efforts, and to strengthen bilateral, regional and multilateral collaboration to address violations of forest law and forest crime, in particular illegal logging, associated illegal trade and corruption, and their negative effects on the rule of law;

12. Develop mechanisms for effective exchange of experience and information;

13. Undertake actions, including cooperation among the law enforcement authorities within and among countries, to prevent the movement of illegal timber;

14. Explore ways in which the export and import of illegally harvested timber can be eliminated, including the possibility of a prior notification system for commercially traded timber;

15. Help raise awareness, through the media and other means, of forest crimes and the threats which forest destruction poses to our future environmental, economic and social well-being;

16. Improve forest-related governance in our countries in order to enforce forest law, inter alia to better enforce property rights and promote the independence of the judiciary;

17. Involve stakeholders, including local communities, in decision-making in the forestry sector, thereby promoting transparency, reducing the potential for corruption, ensuring greater equity, and minimizing the undue influence of privileged groups;

18. Improve economic opportunities for those relying on forest resources to reduce the incentives for illegal logging and indiscriminate forest conversion, in order to contribute to sustainable forest management;

19. Review existing domestic forest policy frameworks and institute appropriate policy reforms, including those relating to granting and monitoring concessions, subsidies, and excess processing capacity, to prevent illegal practices;

20. Give priority to the most vulnerable transboundary areas, which require coordinated and responsible action;

21. Develop and expand at all appropriate levels work on monitoring and assessment of forest resources;

22. Undertake the demarcation, accurate and timely mapping, and precise allocation of forest areas, and make this information available to the public;

23. Strengthen the capacity within and among governments, private sector and civil society to prevent, detect and suppress forest crime.
24. Further, in order to give full effect to the intentions of this Declaration, and to proceed with urgency to explore timely implementation of significant indicative actions developed by technical experts at this meeting, we:

25. Undertake to create a regional task force on forest law enforcement and governance to advance the objectives of this Declaration;

26. Invite the representatives at this conference from NGOs, industry, civil society and other relevant stakeholders to consider forming an advisory group to the regional taskforce;

27. Decide to meet again at the Ministerial level in 2003 to review progress on first actions to implement these commitments, in cooperation with relevant international partners;

28. Request the ASEAN and APEC countries participating in this Conference to inform the next ASEAN and APEC Summits of the outcome of this Ministerial Conference and to invite their support;

29. Pledge to work to see that the issue of forest crime is given significant attention in future international fora, including by the World Summit on Sustainable Development (WSSD) and the United Nations Forum on Forests, and by the member organizations of the Collaborative Partnership on Forests;

30. Request the G-8 countries and other donors to consider further how they can join in the fight against forest crime, including through capacity building efforts;

31. Encourage other regions to consider creating similar regional initiatives to combat forest crime.

Bali, Indonesia
13 September 2001
Annex I

FOREST LAW ENFORCEMENT AND GOVERNANCE
EAST ASIA MINISTERIAL CONFERENCE, BALI, INDONESIA
FROM 11 TO 13 TH SEPTEMBER 2001
Annex to the Ministerial Declaration

Indicative List of Actions for the Implementation of the Declaration

I. ACTIONS AT NATIONAL LEVEL

I.1. Political

I.1.1. High-level expression of political will across sectors

I.2. Legislative/Judicial

I.2.1. Modify and streamline laws and regulations
I.2.2. Determine law enforcement priorities
I.2.3. Develop swift prosecution, judgments and enforcement
I.2.4. Strengthen penalties and sanctions against illegal activities
I.2.5. Rewards for responsible behavior/motivation
I.2.6. Recognized complaints mechanisms w/protection for claimants and due process
I.2.7. Independent monitoring (e.g. single organization, cooperative model, etc.)
I.2.8. Integration of customary law into formal law
I.2.9. Capacity building for legislative, executive and judicial institutions at the local level, including the integration of customary institutions

I.3. Decentralization

I.3.1. Clarify roles, responsibilities, and authorities between different levels of government, private sector, civil society
I.3.2. Improve coherence between different laws
I.3.3. Improve communication between national/local levels to prevent/detect crime
I.3.4. Prosecution and enforcement should remain with competent and capable authorities
I.3.5. Systems that encourage responsible behavior and deter criminal/corrupt behavior (e.g. salaries, codes of conduct, morale building)
I.3.6. Analysis of/rationalization of multiple/conflicting formal and customary norms and laws

I.4. Institution and capacity building

I.4.1. Education of judicial and law enforcement personnel re forest crimes
I.4.2. Improve capacity of forest managers
I.4.3. Support interagency cooperation in formulation of coherent policy and procedures.
I.4.4. Technology

I.4.4.1. Remote sensing, Geographic Information Systems (GIS)
I.4.4.2. Cheap log tracking
I.4.4.3. Complete chain of custody audit and negotiation systems
I.4.4.4. Resource use planning, warning, monitoring, inspection
I.4.5. Knowledge, Experience, Skills

I.4.5.1. Awareness raising and training
I.4.5.2. Local innovations appropriate to circumstances
I.4.5.3. Novel detection and enforcement methods
I.4.5.4. Intelligence gathering and analysis

I.4.6. Rights, Roles, Responsibilities, Rules

I.4.6.1. Codes of conduct
I.4.6.2. Due diligence re financing, investment
I.4.6.3. Capacity building for legislative, executive and judicial institutions at the local level including the integration of customary institutions
I.4.6.4. Research (for additional details see Section II Regional and Inter-regional Actions)

I.5. Concession Policy

I.5.1. Concession Allocation
I.5.1.1. Develop/implement transparent and participatory approach to concession allocation
I.5.1.2. Develop leasing/contractual opportunities for village/individual households to manage forest resources
I.5.1.3. Develop mechanisms for resolving conflicting/overlapping property rights

I.5.2. Concession Management
I.5.2.1. Clear recognition of property rights within approved management plans, including clear identification and agreement of boundaries and demarcation of concession areas, available to all parties
I.5.2.2. Appropriate contractual periods, monitored against performance
I.5.2.3. Raise awareness about community based forest management
I.5.2.4. Institute independent auditing for compliance with terms of concession agreements
I.5.2.5. Protect and develop forest-based livelihood opportunities within concession areas for local communities
I.5.2.6. Build protection for forest-based livelihoods into concession contracts

I.6. Conservation and Protected Areas

I.6.1. Environmental education
I.6.2. Involve local authorities in developing conservation programs that benefit constituents/local communities (e.g. water, tourism).

I.7. Public Awareness, Transparency, and Participation

I.7.1. Consistent provision of accurate, timely information to monitoring organizations Increase public awareness of forest crimes
I.7.2. Increase public awareness of opportunities for purchasing forest products from sustainable and legal sources
I.7.3. Provide alternative livelihood opportunities for communities (e.g. poachers to tourist guides/park rangers)
I.7.4. Registry of business/family interests in timber industry
I.7.5. Publication of government budgets, resources, staffing levels and programmes on forest law enforcement
I.7.6. Publication of data on forest crimes, including success rates on detection, interdiction, prosecution and conviction

I.8. Bilateral Actions

I.8.1. Transboundary cooperation for protected areas
I.8.2. Voluntary agreements for combating trade in illegal timber and forest products

II. REGIONAL AND INTER-REGIONAL ACTIONS

II.1. Information / expertise sharing

II.1.1. Exchange of in-country experts on forest crime, forest law enforcement (law, comparative assessment on actions)
II.1.2. Implementation of comparable systems of criteria and indicators
II.1.3. Comparable timber tracking mechanisms and complete chain of custody audit
   II.1.3.1. Registration of origin and destination (e.g. forest stand to mill)
II.1.4. Development of regional network of monitoring systems, including forest crime monitoring
II.2. Trade/Customs

II.2.1. Harmonized customs commodity codes
II.2.2. Protocols for sharing of export/import data
II.2.3. Complete chain of custody audit and negotiation systems
II.2.4. Initiative for improved and timely trade statistics
II.2.5. Prior notification between importing and exporting countries.

II.3. Bilateral Actions

II.3.1. Voluntary bilateral agreements to cooperate on issues of combating illegal logging and trade (involving a full range of relevant agencies/institutions, e.g. customs, police, marine, trade)
II.3.2. Regain consumer confidence in tropical timber as a commodity
II.3.3. Promote the use of certification schemes that are accessible and cost-effective for smaller forest enterprises (e.g. group certification schemes)

II.4. Research

II.4.1. A research agenda for individual and cooperative work on illegal logging, associated illegal trade and corruption in the forest sector
II.4.2. Systematic comparative analysis of patterns of regulatory systems and extra-sectoral links
II.4.3. Cooperative work on trade statistics and its relation to legal and illegal patterns of movements of forest products
II.4.4. Investment context for and links to illegal and corrupt actions
II.4.5. Survey patterns in forest crime and related corruption
II.4.6. Development of appropriate monitoring tools and their application, policy utilization
II.4.7. Decentralization and patterns related to local government
II.4.8. Private Sector, communities, NGOs and relation to governments
INVITATION

To Task Force

Jakarta, 15 December 2002

Subject: Preliminary announcement of the Meeting of the Asia Task Force on Forest Law Enforcement and Governance (FLEG), Jakarta, Indonesia 27-29 January 2003

Dear,...

Thank you for your understanding on the occasion of the postponement of the Asia FLEG meeting planned for 21-23 October 2002. We now would like to propose to hold the meeting of the Asia FLEG Task Force and of the Advisory Group on 27-29 January 2003 in Jakarta.

The direction and the format of the meeting are open to inputs from all parties, just as they were last time. We still have the ambitious task to develop and execute concrete and coordinated approaches to achieve the objectives of the FLEG Bali Declaration and we hope that this meeting will allow us to make tangible steps in that direction.

The Bali Declaration demands “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 the Bali meeting” and requests the establishment of a “regional task force on forest law enforcement and governance to advance the objectives of the Declaration”

We view the proposed meeting in January as the first opportunity to start making concrete steps in that direction. As such the objectives of the meeting, as we proposed previously, are to (1) Share information: each country on its own national FLEG activities, plans and requirements for regional support; (2) Learn and network: to understand developments in key FLEG areas and connect to other related processes; (3) Plan: to progress in planning what specifically the TF is going to do, how and when.

We attach a preliminary outline of the agenda that we would like to propose, based on the above objectives. This is just a platform we propose to facilitate the design of the meeting and we would be grateful for any comment and suggestion you may have. In particular we would appreciate if you could let us know what your county sees as priorities for implementation of the Bali Declaration. You might find useful to refer to the Declaration’s Annex:: Indicative List of Action for the Implementation of the Declaration, and specifically to Section II on Regional and Inter-regional actions (attached for ease of reference). We hope we’ll be able to receive your inputs on the above so that we can start preparing for the meeting’s discussions and planning sessions.

We are circulating this preliminary announcement to the focal points of all the countries that have been associated with the FLEG process. Ideally those coming to the meeting would be at the highest technical level (management or decision making) involved in FLEG. We would appreciate if you could let us know names, position and address (including email and/or fax) of the 2 representatives you think, at this stage, will be attending the meeting.

The parallel Advisory Group meeting is being organized by Environmental Investigation Agency (EIA), so that the Task Force will also benefit from the presence, during plenary sessions, of civil society and private sector. We would also like to extend the invitation to countries in the region that are not involved yet and hope that they will agree to support the Asia FLEG process.

This meeting, just like our previous one, will be sponsored by the US Department of State and is being organized with the support of the World Bank. The sponsor will cover all costs related to the attendance of two representatives per country. We will circulate soon a note on logistic and administrative arrangements (we will be making hotel bookings from this side once we receive confirmation of attendance. We can also help with travel bookings would you require this).

We would be grateful if you could confirm whether you agree with the proposal of having a Asia FLEG Task Force meeting on 27-29 January 2003, as well as any comment you might have, on any issue related to the meeting. Please send your reply to the Ministry of Forestry: Ms. Sri Murniningtyas, M.Sc (email nininghp@cbn.net.id,or fax. ++62 21 5720210) and the World Bank Office in Jakarta: Mr Mario Boccucci (Email: mboccucci@worldbank.org or fax: + +62 21 5299 3111). I hope we will receive sufficient support from the countries so that we can proceed with the final arrangements.

Sincerely,

Bambang Murdiono
Director, Bureau of Int’l Cooperation and Investment

c. Minister of Forestry of the Republic of Indonesia
INVITATION

To Advisory Group

Jakarta, 13 January 2003

Subject: Meeting of the Asia Task Force and Advisory Group on Forest Law Enforcement and Governance (FLEG), Jakarta, Indonesia 27-29 January 2003

Dear ..........

Thank you for your understanding on the occasion of the postponement of the Asia FLEG meeting planned for 21-23 October 2002. We now would like to confirm to you, as the lead contact of the Advisory Group, our proposal to hold the meeting of the Asia FLEG Task Force and of the Advisory Group on 27-29 January 2003 in Jakarta at the Hotel Mandarin (Phone 62-21-39838888).

The direction and the format of the meeting are open to inputs from all parties, just as they were last time. We still have the ambitious task to develop and execute concrete and coordinated approaches to achieve the objectives of the FLEG Bali Declaration and we hope that this meeting will allow us to make tangible steps in that direction.

The Bali Declaration demands “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 the Bali meeting” and requests “the establishment of a "regional task force on forest law enforcement and governance to advance the objectives of the Declaration”

We view the proposed meeting as a great opportunity to start making concrete steps in that direction. As such the objectives of the meeting, as we proposed previously, are to (1) Share information: each country on its own national FLEG activities, plans and requirements for regional support; (2) Learn and network: to understand developments in key FLEG areas and connect to other related processes; (3) Plan: to progress in planning what specifically the TF is going to do, how and when.

We attach a preliminary outline of the agenda that we would like to propose, based on the above objectives. This is just a platform we propose to facilitate the design of the meeting and we would be grateful for any comment and suggestion you may have. We have asked TF representatives from the various countries if the could let us know what they see as priorities for implementation of the Bali Declaration. In particular with reference to the Declaration’s Annex:: Indicative List of Action for the Implementation of the Declaration, and specifically to Section II on Regional and Inter-regional actions (attached for ease of reference). We hope we’ll be able to receive inputs on the above so that we can start preparing for the meeting’s discussions and planning sessions. We would welcome any input and suggestion you may have from your side.

We are circulating this announcement to the focal points of all the countries that have been associated with the FLEG process (as shown in the list in the attached Briefing Notes). We will inform you, as soon as we receive confirmations, about name and position of those who will attend the TF meeting. We will circulate soon a note on logistic and administrative arrangements, but please refer directly to Ms. Delly Nurzaman (Email: Dnurzaman@worldbank.org) at the World Bank Office in Jakarta for Hotel bookings and other travel arrangements.

We would be grateful for any comment you might have, on any issue related to the meeting. Please send your reply to the Ministry of Forestry: Ms Sri Murniningtyas (Email: pininghp@cbn.net.id, phone 62-215701114, fax 5720210) and the World Bank Office in Jakarta: Mr Mario Boccucci (Email: mboccucci@worldbank.org, phone 62-21-52993000, fax 52993111). I would also like to take this opportunity to thank you for all your efforts in organizing the participation of NGOs and the private sector to the Advisory Group and I look forward working with you to make this meeting a tangible step towards the achievement of the objectives of the Bali Declaration.

Sincerely,

WAHJUDI WARDOJO
Secretary General
Ministry of Forestry

cc. Minister of Forestry of the Republic of Indonesia
INVITATION

To Observers

Jakarta,

Subject: Preliminary announcement of the Meeting of the Asia Task Force and Advisory Group on Forest Law Enforcement and Governance (FLEG), Jakarta, Indonesia 27-29 January 2003

Dear Mr

Thank you for your understanding on the occasion of the postponement of the Asia FLEG meeting planned for 21-23 October 2002. We now would like to confirm our proposal to hold the meeting of the Asia FLEG Task Force and of the Advisory Group on 27-29 January 2003 in Jakarta at the Hotel Mandarin.

We would like to invite your organization to be present at this meeting as an observer, and also to make a brief presentation on activities of relevance to FLEG. We also anticipate that the specific expertise of your organisation’s representative will be useful in some of the Task Force planning session where we plan to have a small panel of experts.

The direction and the format of the meeting are open to inputs from all parties, just as they were last time. We still have the ambitious task to develop and execute concrete and coordinated approaches to achieve the objectives of the FLEG Bali Declaration and we hope that this meeting will allow us to make tangible steps in that direction.

The Bali Declaration demands “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 the Bali meeting” and requests “the establishment of a ‘regional task force on forest law enforcement and governance to advance the objectives of the Declaration’”

We view the proposed meeting in January as a great opportunity to start making concrete steps in that direction. As such the objectives of the meeting, as we proposed previously, are to (1) Share information: each country on its own national FLEG activities, plans and requirements for regional support; (2) Learn and network: to understand developments in key FLEG areas and connect to other related processes; (3) Plan: to progress in planning what specifically the TF is going to do, how and when.

We attach a preliminary outline of the agenda that we would like to propose, based on the above objectives, which will give you an idea of how best we can benefit from your presence at the meeting. This is just a platform we propose to facilitate the design of the meeting and we would be grateful for any comment and suggestion you may have. We have asked TF representatives from the various countries if they could let us know what they see as priorities for implementation of the Bali Declaration. In particular with reference to the Declaration’s Annex:: Indicative List of Action for the Implementation of the Declaration, and specifically to Section II on Regional and Inter-regional actions (attached for ease of reference). We hope we’ll be able to receive inputs on the above so that we can start preparing for the meeting’s discussions and planning sessions. We would welcome any input and suggestion you may have from your side and we will be in touch during the next few days to fine-tune the details of your participation.

We are circulating this announcement to the focal points of all the countries that have been associated with the FLEG process (as shown in the list in the attached briefing note). We have pointed out that those coming to the meeting (tentatively 2 representatives per country) should be at the highest technical level (management or decision making) involved in FLEG. We will inform you, as soon as we receive confirmations, about name and position of those who will attend the TF meeting. We will circulate soon a note on logistic and administrative arrangements but please refer directly to Ibu Delly Nurzaman (Dnurzaman@worldbank.org) at the World Bank Office for Hotel bookings and other travel arrangements.

We would be grateful for any comment you might have, on any issue related to the meeting. Please send your reply to the Ministry of Forestry: Ms. Sri Murniningtyas, M.Sc (email niningshp@cbn.net.id or fax. ++62 21 5720210) and the World Bank Office in Jakarta: Mr. Mario Boccucci (Email: mboccucci@worldbank.org). I would also like to take this opportunity to thank you for your interest on the Asia FLEG process and I look forward working with you to make this meeting a tangible step towards the achievement of the objectives of the Bali Declaration.

Sincerely,

Bambang Murdiono
Director, Bureau of Int’l Cooperation and Investment
BACKGROUND

On 13 September 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 crimes. The declaration represents the first ever international commitment by governments to combat corruption in the forestry sector. The full text of the Declaration is attached in Annex I.

Key aspects of the Bali Declaration are the recognition that illegal logging is a world wide problem, the emphasis on national role and responsibilities, the broad definition of the issues (illegal logging, arson, wildlife, etc.), the value of consultation and collaboration with diverse stakeholders and commitment to communicate on follow-up.

In order to give full effect to the intentions of the Declaration, to advance its objectives and to proceed with urgency to explore timely implementation of significant indicative actions developed at the meeting, the Ministers undertook to create a regional task force on forest law enforcement and governance. The Ministers also invited the representatives at the conference from NGOs, industry, civil society and other relevant stakeholders to consider forming an advisory group to the regional task force.

The Ministers decided to meet again at the Ministerial level in 2003 to review progress on first actions to implement these commitments, in cooperation with relevant international partners. Precisely how a regional process would move forward was not determined and Indonesia then offered to encourage further discussions, with the facilitation of the World Bank, to define a more precise and operational agenda.

The Government of Indonesia took the initiative to follow-up to the Declaration and called for a preliminary meeting of the Task Force. The meeting was held at the Bali International Convention Center in Bali, Indonesia, on Sunday, 19 May 2002. The Advisory Group convened in a parallel meeting on 18 and 19 May 2002. The meeting was sponsored by the US Department of State and facilitated by the World Bank.

The Task Force Group Meeting was attended by 22 country delegates, four participants from the World Bank and a participant from European Union’s Forest Liaison Bureau in Indonesia. Ten countries were represented at this meeting, namely: Cambodia, Canada, Indonesia, Japan, New Zealand, Papua New Guinea, Philippines, UK, USA and Vietnam. Invitations were also sent to China, Lao PDR, Malaysia and Thailand. The minutes of the meeting and a complete list of participants is given as Annex 2.

The meeting established the regional Task Force and the Advisory Group and made a step forward in clarifying the framework of Forest Law Enforcement and Governance in the region, the scope for a regional Task Force, and the need to continue the dialogue and consultation process to advance the objectives of the Bali Declaration.

OBJECTIVES OF THE MEETING

In order to help leaders take the Bali commitment further toward implementation, the Task Force needs to analyze in detail the options for implementation of the vision expressed in the Declaration.

The challenge now is to make meaningful and tangible progress on these very good intentions and to determine, through a consultative process, how the Task Force and Advisory Group can contribute to these initiatives. Focusing on the concrete results needed at the international level, rather than on organizational arrangements, the process will develop initiatives that could help form an effective and meaningful program of regional cooperation.

This consultative planning process can start at this meeting, aiming at developing a clearer and broadly supported operational strategy for the FLEG Task Force. This should help identify leverage points to address illegal logging from a regional angle, determine priorities and establish a realistic action plan and a mechanism (arrangements and resources) to operate and deliver outcomes. The level of involvement (be that a simple platform for enhanced regional dialogue or a more operational contribution to the FLEG objective) will depend on how participating countries define the role of the Task Force.

As such, we propose as the objectives of this meeting:

1. To share information on progress on FLEG
2. To learn and network on FLEG
3. To plan specific FLEG initiatives
In order to achieve these objectives we propose that the meeting unfolds through three steps with plenary and closed sessions as described below:

**STEP NO 1: SHARE INFORMATION ON FLEG**

We propose this to be a plenary session of the TF and AG. The Purpose of this session is: (1) to start the mechanism on regional information sharing; (2) to build up a level of common understanding across countries which will be necessary in the TF planning session; and (3) to outline TF and AG respective expectations, before the two groups convene in separate planning sessions. Presentations will be followed by a brief moderated discussion.

During this session countries may share information on:

1. **country progress on FLEG since the Bali Declaration (what has worked and what has not);**
2. **future plans for national activities;**
3. **how a regional approach can support national initiatives and specifically what actions are expected from the Task Force and the Advisory Group.**

Countries may follow the outline here below, which has been developed from the Bali Declaration, to report on their progress and plans. We recommend that countries make their report available prior to the start of the meeting, as time allocated for presentations is 10 minutes.

- Legislation and regulations
- Institutional arrangements
- Timber production and consumption (and relative imbalance)
- Enforcement operations
- Forest cover changes monitoring
- Case tracking systems
- Transparency
- Corruption
- Community participation
- Land tenure
- Decentralisation
- Forest and forest products valuation
- Bilateral/regional/multilateral agreements and conventions

We recommend that the verbal presentations cover only highlights on what has worked, what has not and what next (nationally and regionally) and specifically introduce regional issues. Subsequent discussions will also rely on the more detailed accounts provided in the written reports, which should be made available as early as possible prior to the meeting.

**STEP NO. 2: LEARN AND NETWORK ON FLEG**

We propose this to be a plenary session. Its purpose is: (1) to review action oriented developments in key FLEG areas (CoC, Certification, Investigation, Enforcement Operations, Data and Information exchange, etc) and (2) start connecting to other related processes (ASEAN, ITTO, FAO/APFC, Interpol, etc). Exposure to these issues will also be conducive to a more informed planning session. This session will also provide an opportunity to present more thoroughly issues that had just been outlined during the previous session.

During this plenary session there will be brief presentations from selected speakers on specific topics and processes followed by a brief moderated discussion. Attached a list of topics and processes, the list is not comprehensive and only a few issues will be dealt with during this meeting. Alternatively there could be one independent speaker presenting a summary of the various relevant actions and processes, followed by a moderated discussions.

- ASEAN (ASOF and AMOF process on IL, Forest Industries Club, etc)
- EU on FLEG
- MoU UK-Indonesia (Joint Presentation UK & MoF)
- MoU China-Indonesia
- Asia Forest Partnership Japan-Indonesia (Joint Presentation)
STEP NO. 3. PLAN SPECIFIC ASIA FLEG INITIATIVES

We propose this to be a closed session (TF and AG will convene separately), with a final plenary session to share results. The following outline is a guidance for the TF, though the AG may wish to follow a similar approach. The purpose of this session is to progress on the planning of "what" specifically the TF is going to do, "how" and "when". The AG may also be convening in parallel. The two groups will wrap-up in plenary at the end of their respective sessions, to discuss their deliberations and establish a common understanding on next steps.

This session is the crucial part of the meeting, the one where we should be making some tangible progress. The key question is: how do we translate the list good intentions of the Bali Declaration into priorities that can be implemented (and monitored)? Is this really what the TF will do - implement? Or is the TF just going to be about more meetings? This might not be simply a rhetorical question. Countries have indicated that they would like to do things, they are prepared to share their data, and generally undertake some regional action. So the next question is exactly what? There is a fairly large menu of options along 4 main groups of priorities generally identified in the Bali Declaration: (1) data/information exchange; (2) trade and customs; (3) bilateral issues; (4) research. How far can we proceed with the planning at the TF meeting? It depends on the extent to which participants can and want to engage with operational planning.

During this session the TF group will have 4 sub-sessions:

(1) to discuss and agree on the general objectives of the TF and priority areas. This session will be moderated and should be relatively brief, as there is nothing new to discuss as objectives and priorities have already been identified in the Bali Declaration. It is nevertheless important to re-establish the general setting for the TF so that priority planning can take place in the following session. Nevertheless during this session a more specific definition of these priorities could be drafted;

(2) to develop activities for each priority. There will be 4 break-out groups (one for each priority) with one moderator each. The 4 groups will reconvene in plenary at the end of the session;

(3) to discuss the working modalities: how the TF is going to operate, implement, coordinate, membership, funding etc. Moderated session;

(4) to discuss an information sharing mechanism for national and regional activities;

Here below more details on these 4 sessions:

Task Force Planning Sessions (closed)

The entry point for planning is the Bali Declaration and the attached Annex 1 with the indicative list of actions at National and Regional Level. The document provides an initial framework which should first be revisited to check its coherence and completeness and then developed into a detailed plan of action.

We propose that the planning session progress through 4 main sub-sessions:

(1) On FLEG General Objectives and Priorities:

to discuss and agree on the general objectives of the TF and priority areas. The Bali Declaration already identifies 4 priorities and these will have to be revisited and agreed in order to have a starting point for the
following planning session. The 4 Priorities are:

i) Information/expertise sharing
ii) Trade/customs
iii) Bilateral actions
iv) Research

It should be noted that the priority “Research” includes activities that relate to the first 3 priorities and as such should be discussed in that context. The group should also discuss whether there are other priorities that should be considered at this stage.

This session will be moderated and should be relatively short (90 minutes) as objectives and priorities have already been identified in the Bali Declaration. It is nevertheless important to re-establish the general setting for the TF so that priority planning can take place in the following session in the context of an agreed and understood strategic framework;

(2) On FLEG Action Plan:

to develop activities for each priority. There will 4 break-out groups (one for each priority) with one moderator each. The 4 groups will reconvene in plenary at the end of the session.

i) Information/expertise sharing
ii) Trade/customs
iii) Bilateral actions
iv) Research

For the first 3 priorities the options for planning may cover:

- workshops,
- training,
- meetings,
- research
- specific initiatives (such as a GIS and DB clearing house, international awareness campaign).

The output of this planning session may range from a detailed plan of activities including specific ToR and completed planning matrices to a more simple plan on the next proper planning sessions.

This session will be moderated and could also be assisted a panel of experts that will provide expert advise to the TF discussion when required. The panel could also draft the planning documents resulting from the discussion.

(3) On TF working modalities:

Once a plan of action has been prepared the TF should determine how it is going to organize itself in order to carry out the programme. Some of the key questions are: how is the TF going to operate, implement, coordinate, finance?

Initially the TF can operate under very loose arrangements. Its initial specific goals will probably not require specific institutional arrangements, in particular if they are mostly nationally executed activities.

The TF should operate in transparent and flexible manner with the view of maximizing tangible outputs, providing general coordination. These arrangements can be tested and adapted during the implementations of agreed actions. It will be largely an informal network whose purpose is to increase information sharing and involve a wide range of stakeholders in the work of the TF.

It will be important to identify a focal person from each country to coordinate the activities and keep everybody informed during the process. Indonesia could act as the secretariat until next meeting. The TF should also explore the issue of new participating countries.

We propose that these issues should be discussed during a moderated session.
(4) On TF information sharing mechanism:

The Task Force will not have mandatory reporting but simply sharing of information. The Bali declaration identifies a number of activities at national level (74 in the annex and various in the main text) and at regional level (30 in the annex and various in the main text). The group will have to agree on a format for reporting and on the modalities. The report developed by Indonesia may be used as an example.

INDICATIVE LIST OF PARTICIPATING COUNTRIES:

Based on countries that have been so far associated to the Asia FLEG Bali process

1. Australia
2. Cambodia
3. Canada
4. China
5. Indonesia
6. Japan
7. Laos
8. New Zealand
9. Philippines
10. Papua New Guinea
11. Thailand
12. United Kingdom
13. United States
14. Vietnam
15. European Union
AGENDA

Monday, 27 January 2003

09:00 - 09:45 : OPENING SESSION
- Welcome Remarks By Director General of Forest Protection and Nature Conservation, Ministry of Forestry - Indonesia
- Advisory Group Remarks
- World Bank Remarks
- Keynote Address By Minister of Forestry - Indonesia

09:45 - 10:15 : Coffee Break

10:15 - 17:30 : TASK FORCE PRESENTATIONS
10:15 - 10:45 : Introduction
- Overview
- Purpose
- Expected Outputs
- Process

10:45 - 11:45 : Country Presentations
11:45 - 12:15 : Questions And Answers
12:15 - 13:15 : Lunch Break
13:15 - 14:45 : Country Presentations
14:45 - 15:15 : Questions And Answers

15:15 - 15:45 : Coffee Break

15:45 - 17:30 : Wrap-up

17:30 - 18:30 : TF and AG WRAP-UP OF PRESENTATIONS
- TF Presentation
- Questions and Answers
- AG Presentation
- Questions and Answers
- Wrap-up of the Day

19:30 - 21:00 : DINNER BUFFET

Tuesday, 28 January 2003

09:30 - 13:00 : LEARN AND NETWORK
09:30 - 09:45 : Introduction
- Purpose
- Expected Outputs
- Process

09:45 - 10:00 : ASEAN
10:00 - 10:15 : ITTO
10:15 - 10:30 : CIFOR
10:30 - 10:45 : FAO
10:30 - 10:45 : RECOFTC

10:45 - 11:15 : Coffee Break

11:15 - 11:40 : MoU UK - Indonesia
11:40 - 11:55 : MoU China - Indonesia
11:55 - 12:10 : Asia Forest Partnership (AFP)
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<th>Time</th>
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<tr>
<td>12:10 - 12:25</td>
<td>EIA on US Presidential Initiative Against Illegal Logging</td>
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<td>12:25 - 12:40</td>
<td>UK Timber Trade Federation</td>
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<td>12:40 - 13:00</td>
<td>Royal Institute of International Affairs (RIIA)</td>
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<td>13:00 - 14:00</td>
<td>Lunch Break</td>
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<td>14:00 - 17:00</td>
<td>PLANNING SESSION</td>
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<td>- Introduction (15 Minutes)</td>
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<td>· Wrap-up to AG</td>
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<td>- Define Objectives and Outputs</td>
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<td>· Information/Expertise Sharing</td>
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<td>· Wrap-up to AG</td>
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<td>- Select Outputs and Develop Action Plan</td>
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<td>- Develop Task Force Set-up and Working Modalities</td>
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<td>- Wrap-up Session</td>
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**Wednesday, 29 January 2003**

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<td>PLANNING SESSION (Continued)</td>
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<td>10:30 - 11:00</td>
<td>Coffee Break</td>
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<td>11:00 - 13:00</td>
<td>PLANNING SESSION (Continued)</td>
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<td>13:00 - 14:00</td>
<td>Lunch Break</td>
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<td>14:00 - 18:00</td>
<td>TF and AG WRAP-UP OF MEETING</td>
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<td>- Task Force Presentation of Planning Session Outcomes</td>
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<td>- Questions and Answers</td>
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<td>- Advisory Group Presentation</td>
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<td>18:00 - 19:00</td>
<td>Wrap-up</td>
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<td>- Conclusion</td>
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OPENING SPEECHES

WELCOME REMARK
BY Ir. Made Subadia Gelgel
BY THE DIRECTOR GENERAL OF FOREST PROTECTION AND
NATURE CONSERVATION, MINISTRY OF FORESTRY INDONESIA

Excellencies,
Ladies and Gentlemen,

It is a great honor for me to make an address this important event. I believe that you all have made a considerable
effort to attend this meeting. Therefore, I would like to give you a warm welcome to the meeting of Asia-Pacific Task
Force on Forest Law Enforcement and Governance (FLEG). I also would like to thank the World Bank and others for
organizing this meeting.

Bali Declaration of September 2001 has recommended a creation of a regional task force on forest law enforcement
and governance. Then, in collaboration with the World Bank, in May 2002, Indonesia was hosting a meeting to
prepare the establishment of such Task Force. During the May meeting, we have identified producer countries’
measures, consumer countries’ measures, and possible regional measures.

During this meeting, we will discuss thoroughly those measures, especially regional measures to produce strategic
steps in Asia Pacific region. We will also establish regional task force on forest law enforcement and governance as
well as advisory group that consist of NGOs, private sectors, academia, researchers, association groups on timber
and donor agencies. Regional task force will serve as a forum for all Asia Pacific Countries to exchange and
enhance their knowledge and experiences in forestry matters. I hope we will also produce the regional action plan
that serve to promote closer co-operation amongst us in solving forestry problems. I am pleased to see that
producer and consumer countries of timber sit together here to formulate such co-operation.

I would urge delegates to use this opportunity to take the best advantage and to play active and effective roles as a
group member, providing support, advice and the information required to enable the Forum to function effectively.

Ladies and Gentlemen,

The present situation of forest in Indonesia is increasingly disheartening. The most recent data show that more than
43 million hectares of forest have degraded. Forest management in the past was focused very much on economic
short-term gains and insufficiently addressed social/cultural and environmental issues. Stakeholders involved in
forestry sectors should support the practice of Sustainable Forest Management that are ecologically oriented,
community based, decentralized, scientific, transparent and righteousness.

Hereby, I would like to acknowledge co-operative efforts made by East Asian countries and other interested
countries. I am looking forward the other countries to enrich our discussion so that our works and activities for this
region will be more meaningful and comprehensive and in turn, we could enhance this region’s dynamic growth
and development.

Ladies and Gentlemen,

Problems in forestry sector are multi-dimensional and across nation borders. There are links between countries.
More attention is needed to address the problem simultaneously at sub national, national and global levels.

Illegal logging is a problem that has caused an extensive deforestation. Solving this problem is now high priority in
our national agenda. Possibilities to log illegally arise due to many complex causes rooted deeply in the social,
economic, cultural and political structures of our societies. Illegal logging is a multi-dimensional problem that
requires inter-departmental co-operation. Even, the Bali Declaration recognized that illegal logging is a worldwide
problem, emphasis each nation to commit in combating it and to communicate on the follow-up.

Combating illegal logging is not only the responsibility of government and but also communities. Commitments of
all parties, from government officials to local communities are very crucial to strengthen forest law enforcement in
combating illegal logging and associated illegal trade, also other forest crimes.

Since there is a relationship between supply and demand between countries, we need international measures and
cooperation to address this national problem.
OPENING SPEECHES

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BY THE DIRECTOR GENERAL OF FOREST PROTECTION AND NATURE CONSERVATION, MINISTRY OF FORESTRY INDONESIA

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Combating illegal logging is not only the responsibility of government and but also communities. Commitments of all parties, from government officials to local communities are very crucial to strengthen forest law enforcement in combating illegal logging and associated illegal trade, also other forest crimes.

Since there is a relationship between supply and demand between countries, we need international measures and cooperation to address this national problem.
Ladies and Gentlemen,

Many actions related to forest law enforcement, especially in combating illegal logging are being conducted. There are several constraints in its implementation, including mechanism in the international trade of illegal timbers and timber products. To combat illegal logging, we need international supports especially from Asia-Pacific Region that can discourage the import of illegal wood.

Closer cooperation between producer and consumer countries will be more meaningful in combating illegal logging. This cooperation should include international wood industries based primarily in East Asia. Several wood users have already organized themselves committed to support sustainable forest management, as reflected by their purchasing policies.

Ladies and Gentlemen,

I have presented in brief the most important issues and necessary actions to halt further deforestation of Indonesian forests. I do hope that the establishment of regional task force on FLEG could accelerate the achievement of sustainable forest management in Asia Pacific Region. I also would like to take this opportunity to wish you all an enjoyable stay in Jakarta and have a very successful meeting.

DIRECTOR GENERAL OF FOREST PROTECTION AND NATURE CONSERVATION

I MADE SUBADIA
WELCOME ADDRESS
BY TOM WALTON
WORLD BANK, JAKARTA, INDONESIA

First, let me say how pleased I am to see the turnout here today, because this is really YOUR show. The World Bank is only here to facilitate; you are the ones who will really be driving this meeting.

Since by now you are all familiar with the Bali Declaration, I would just like to say a few quick words here, revisiting the mandate and the Declaration, the objectives of FLEG in general and of this meeting in particular.

There is no doubt that illegal logging is a worldwide problem; the issues are complex and varied...and there are no quick fixes or instant snake-oil cures. The unchecked exponential growth of forest crimes is of grave concern, and remedial measures are imperative. The context has global, regional and national implications. Coordinated action, therefore, needs to be taken at all three levels, in order ameliorate the problem of illegal logging and the associated illegal trade.

In the regional context, a pathbreaking Asean initiative took shape in 2001, in Bali.

On September 13, 2001, Ministers from East Asian nations and other regions gathered together, with the intent to form a regional coalition to address the issues of illegal logging and forest crimes. National and regional roles and responsibilities were explored. Broad definitions of the issues involved, including illegal logging, arson and wildlife, were discussed and agreed upon. Precisely how a regional process would move forward was not determined, and Indonesia then offered to encourage further discussions, with the facilitation of the World Bank, and define a more precise and operational agenda. The Bali Declaration emerged from this historic meeting.

As a next step, the Preliminary Meeting of the Task Force was held in May 2002, also in Bali, to establish the regional Task Force (Governments) and the Advisory Group (NGOs and private sector). This meeting attempted to clarify the framework of Forest Law Enforcement and Governance in the region, the scope for a regional Task Force, and the need to continue the dialogue and consultation process to advance the objectives of the Bali Declaration.

We are all aware that the Bali Declaration is an initiative with a specific mandate, focusing on effective remedial measures in tackling forest crimes issues, through you, the regional Task Force and Advisory Group.

It is now time for the next step: FLEG 2003.

I’d like to stress that this FLEG gathering is as important as the original Ministerial meeting of 2001, which provided the original mandate. Your challenge is not a small one: to make meaningful, tangible progress by determining through a consultative process, what concrete first actions can be implemented within the next six months, in order to report back to the Ministerial meeting scheduled for 2003.

Because the outcomes developed at this meeting, including action planning and delivery mechanisms, are what will actually become the blueprint for tangible and measurable implementation in the months and years ahead.

Without these, the Bali Declaration would be just another piece of paper.

The opportunity to power this initiative, to turn the mandate into a reality, lies with you. How effective you will be over the next three days, will largely determine whether FLEG walks, or runs.
KEYNOTE ADDRESS
BY MINISTER OF FORESTRY, INDONESIA

Distinguished delegates and observers,
Honorable guests,
Ladies and gentlemen,

Let me start by welcoming you all, to the Asia Pacific Task Force on Forest Law Enforcement and Governance. Please accept my apologies for the postponement of this meeting from October 2002, due to the Bali bombings. We have here today delegates from member countries, advisory groups and civil society in the spirit of promoting forest law enforcement and governance. I should like to take this opportunity to greatly appreciate the US Government, the World Bank, and other parties for having facilitated this initiative, since the first landmark meeting in Bali. It is a great pleasure, and indeed an honor, to see you all here.

As you are aware, this meeting is part of a path-breaking initiative, the Bali Declaration of September 2001. Prompted by the urgent need to combat illegal logging and forest crime, the Bali Declaration was a breakthrough, the first ever international commitment by a group of governments to address this burning issue on a strong footing. The second meeting, held in May 2002, was attended by 22 delegates from 10 countries, and representatives from the World Bank and the European Union. This, then, is the third time we meet, with the intention of building upon the foundation laid at the two earlier meetings. This is a crucial meeting, as the decisions taken here will then need to be implemented by the member countries, in order to report back to the Ministerial Meeting, scheduled for later this year to review progress.

Distinguished delegates, ladies and gentlemen,

What tangible breakthroughs are we hoping to achieve at the end of these three days? First and foremost, FLEG is a forum to develop the mechanisms that will enable us to share information on each country at a regional level. We hope that the continued sharing of a great deal of information will begin here. Secondly, the group will consensually decide on the specific functions to be undertaken by the regional Task Force, to help implement concrete measures in combating forest crime, particularly illegal logging and the associated illegal timber trade, particularly at the regional level. Then, we come to the final process, which is of course the most difficult: the planning process; and that is, to go beyond the Bali Declaration and leave here three days from now with next steps clearly defined.

Distinguished delegates, ladies and gentlemen,

I would like to take this opportunity to share with you the efforts made in Indonesia, to combat illegal logging at the national level. Before the Bali meeting, in April 2001 the President of the Republic of Indonesia launched the Presidential Instruction concerning “Eliminating Illegal Logging and Illegal Timber Trade”. This includes concrete repressive measures at the policy, institutional capacity building and operational levels. You may see the detailed report in your copy of the Indonesian Country Report. In the field, a joint operation between the Ministry of Forestry and the National Police as well as the Indonesian Navy have been carried out since August 2002. To support the operations, a cooperation between the Ministry of Forestry and law enforcement agencies has been promoted. Beginning September 2002, a one-star active general from the National Police Headquarter and a high-ranking official from the Office of the Attorney General have been appointed as Special Advisers to the Minister of Forestry who have direct access to the Chief of National Police, the Attorney General and myself. Another measure taken in mid January recently, the Chief of the Army Commander and myself have come to an agreement to jointly carry out a special repressive operation to combat illegal logging in some selected areas. It was acknowledged that some military officers were behind illegal logging practices and have emboldened the illegal loggers to carry on and expand their activities. The Army Commander promised to crack down on them.

Since the Bali meeting, Indonesia have made some progress in promoting law enforcement and governance with the international community. To name a few:

• MoU between the Government of Indonesia and the Government of UK on Illegal Timber Trade
• FLEGT with EU
• Asian Forest Partnership Initiatives
• MoU between the Government of Indonesia and the Government of People’s Republic of China on Illegal timber Trade
• MoU between the Government of Norway and Indonesia to Improve Forest Lawmaking and Law Enforcement to Combat Illegal Logging.
These initiatives are now at the action plan preparation stage. The MoU between UK and Indonesia on the illegal Timber Trade is now in final draft stage of the detailed action plan. Meanwhile the Asian Forest Partnership, GoI-China and GoI-Norway are in first-draft stage.

Regional cooperation could be developed through three entry points, the first being collaboration on the exchange and sharing of data, knowledge, information and experience. This would strengthen national action on issues in producer countries (governance, forest policy, forest management, enforcement operations) and consumer countries (legal timber identification, incentives, closing markets). Another entry point is collaborative research, which will provide the benefit of conducting integrated and comprehensive research on topics that require large budgets. I believe the findings of such research would have national, regional and international impact. The third entry point—enhanced regional dialog—is fundamental to raising international commitment and common understanding at the bilateral, regional and multilateral levels in the spirit of combating forest crime.

Distinguished guests, ladies and gentlemen,

The economic impact of illegal logging is amply clear to us. The World Bank estimates total losses from illegal logging in Indonesia are a US $ 600 million per year which is equal to four times of the annual GoI budget for forestry sector! Combating illegal logging or any form of forest crime is a battle too vast to be fought alone. The political commitment supports, inputs and contributions from producing and consuming countries, the advisory group, NGOs and other concerned entities is invaluable, and fundamental to the success of the program against forest crime. You have my entire political commitment towards this initiative. But none of this is enough. What is required now is the real ammunition from you, as the Regional group, to drive this initiative forward, to prepare a battle plan, to develop the way forward on what we should do, and how.

Before I conclude my remarks, I request (or perhaps I should demand instead of request) to all representatives here to conclude the meeting with the statement that all member countries, advisory groups and civil society will not receive or import illegally cut timber and associated products. I believe, if materialized, this statement will definitely have tremendous impacts to help combating forest crimes. Otherwise, we all here are doing business as usual. At the end of these 3 days, we need concrete regional measures that can be implemented to combat illegal logging and the associated illegal timber trade, which operates through a worldwide network. Results are essential in order to retain our commitment and to get support from other parties.

Finally, I wish you all every success in your deliberations and I look forward to three days from now, when you would have come up with a workable action plan. With this, I declare the Meeting of the Asia Task Force on FLEG officially opened. May God the Almighty bless us. Thank you.

MINISTER OF FORESTRY,

MUHAMMAD PRAKOSA
I. INTRODUCTION

Indonesian forestlands, covering area of 120.35 million hectare or about 63 % of land territory, is one of world’s most extensive tropical forests. However, improper management of this precious resource in the past, coupled with lengthen economic recession and decentralization process, has made forestry development become a very complex task. Extensive timber harvesting has led the forest to lose its natural recovery capability.

Deforestation and degradation of Indonesia’s tropical forests have been at an alarming rate. Based on interpretation of most recent land-sat imagery indicated that deforestation rate is estimated to have been 1.6 million hectares per year for the past ten years, and even about 2.1 million hectares for the past three years. The situation is resulted from many factors, among others illegal logging, forest and land fires, and forests conversion for other purposes.

Since 1998, illegal logging is believed to have the biggest share in forest degradation. The increase of illegal logging and its associated timber trade are the consequence of imbalance between wood supply and demand for forest industries, impact of economic crisis to the local communities, and inadequate forest law enforcement. As identified, illegal logging is not a sole problem but it interacts with other practices in relation to forest management at all levels. The measures undertaken, therefore, shall be an integrated one and supported by all parties including consumer countries.

Attempts are being made by the Ministry of Forestry and in cooperation with other parties to combat illegal logging and its associated timber trade by formulating strategic measures including strengthening of forest law enforcement and forestry crime, empowering local community, and restructuring of forestry sector. The measures undertaken are in line with the five forestry priority issues, namely (1) Combating Illegal Logging; (2) Controlling Forest Fire; (3) Restructuring Forest-Based Industries; (4) Forest Rehabilitation and Conservation; and (5) Decentralization of the Forestry Sector. Moreover, social forestry which is believed as an appropriate tool to generate income and improve social welfare of the community live within and surrounding the forest, will essentially be embodied in the implementation of the measures taken.

In strengthening the government commitment toward combating illegal logging and its associated timber trade, just recently, Minister of Forestry and National Army Chief Commander had come to an agreement to jointly execute the operations to combat illegal logging practices in several selected areas including national parks.

II. PROBLEMS

Main problems posed to Indonesia’s efforts in combating illegal logging, among others are as follows:

1. The increase of illegal timber industries and the extensive illegal wood market.
2. Inconsistency and inequality on forest law enforcement, besides most likely there are some players in justice process at all levels.
3. Lack of capability of forest law enforcement officers at all levels.
4. Limited equipment and facilities for forest law enforcement (including mobility, communication and weapons).
5. “Emotional reformation” of local government and communities at all levels toward forest resources management.
6. Poverty and lack of access to forest resources of communities reside in the forests and in the vicinity.
7. Limited legal job opportunities and livelihood for limited educated labor of the local communities.
8. The expansion of forestry illegal practices to become organized crime and apparent roles of educated players.

III. STRATEGIC MEASURES

1. FORESTRY SECTOR RestructURING

    INSTITUTIONAL STRENGTHENING
Strengthening of Forestry Decentralization

Strengthening of forestry decentralization is gradually undertaken as states in Government Regulation No. 34 of 2002 where five out of six authorities have been delegated to local government. The authority in granting permit on timber utilization is being regulated jointly by Central and Local Governments due to its strategic roles in achieving sustainable forest management.

Improving equipment, facilities, and human resources capabilities

Forestry Police Officer (POLHUT) and Civil Servant Investigator (PPNS) are being increased in number gradually to strengthen the current number, respectively of 8,381 officers and 1,299 investigators. Ideally, to enforce forest law optimally, the numbers should be increased to 15,000 of POLHUT and 1,500 of PPNS.

The equipment and facilities will be improved gradually by procuring, especially satellite communication apparatus, geo-positioning system (GPS), database and GIS development, and operation equipment. In addition, operations on forest protection will be strengthened both at field, provincial and national levels. However, to be effective, support and assistance of donors and other parties are invited and welcome.

Government Regulation Revitalization

The government has conducted revitalization on government regulation as a follow up of the enactment of Act No. 41 of 1999. One out of eleven government regulations drafted that had been issued is Government Regulation No. 34 of 2002 concerning Forest Land Use, Management Plan Preparation, Forest and Forestland Utilization. This regulation arranges the authority of district, provincial and central governments, as well as monitoring and evaluation of practices implemented toward sustainable forest management. Another issued government regulation is No. 63 of 2002 concerning Urban Forest. It is expected that other three regulations will be issued soon, namely those concerning Forest Protection, Forest Planning, and Local “Adat” Forests.

Besides government regulations, at more technical levels, to achieve sustainable forest management some ministerial decrees have been issued and drafted. The decrees are about standards, criteria and indicators considering current situation.

Awareness Campaign and Dissemination

Campaign in combating illegal logging and associated timber trade are conducted using various media including printed and electronic, and involving all stakeholders and foreign donors. Cooperation is being established with national and international institution, NGOs and local governments. The activities are also conducted by integrated “Flying Teams” to some operation main targets, such as Kalimantan and Sumatra.

Moreover, working group on Land Conflict Settlement had been established in November 2001. The working group is aimed at identifying forestland use conflicts, drafting land tenure issues and the need of special task force to resolve a particular problem.

2. FOREST AND NATURAL RESOURCES RATIONALIZATION

Concession Policy

Currently, the government is assessing forest concession holders, both natural forest and plantation forest that conducted by twelve Independent Assessor Institutions. In turn, the results may be considered to push a better implementation on forest management. Until December 2002, 27 concessions have been assessed and the target for 2003 is 358 concessions. Due to breaking regulations, especially area manipulation fifteen forests plantation concession holder had been revoked in 2002.

In order to minimize illegally log export, the government issued Moratorium on Log Export and “Ramin” Wood Trading in 2001 under Minister of Forestry Decree No. 127/Kpts-V/2001. In addition, a moratorium on natural forest conversion for other purposes had been declared.

In the meeting on August 2002, private sectors, Minister of Forestry, and Minister of Industry and Trade agreed to establish a special board to minimize illegal logging and associated timber trade. The board, called Forestry Industry Revitalization Board (BRIK), was formalized under Joint Ministerial Decree of Minister of Industry and Trade and Minister of Forestry on December 13, 2002 No. 803/MPP/Kep/12/2002 and No. 10267/Kpts-II/2002.
Protected/Conservation Areas Policy

To strengthen legal aspect of conservation areas, the government has prepared various regulations including boundary-marking arrangement corresponding to forestland gazettement. To date, some conservation areas have been gazetted and some more are in the process. In strengthening management of conservation areas, some activities including boundary marking, management plan preparation, habitat rehabilitation, and facilities and equipment improvement had been conducted in 9 selected national parks. Currently, more detail assessment on national park management is being conducted to promote collaborative management, in which roles of stakeholders are being considered. However, to some extent, several national parks have been managed collaboratively, namely Bunaken, Kayan Mentarang, and Komodo.

Forestry Fee Collection Policy

Considering current forest management practices and improper reforestation fund utilization, and in line with Act No. 41 of 1999, the government issued Government Regulation No. 35 of 2002 concerning Reforestation Fund. This regulation arranges the procedures and the portion of reforestation fund to allocated for District, Provincial and Central Governments. Therefore, local government does not have any reason to exploit forest resources in their areas for the purposes of increasing local income. The 60% of collected reforestation fund allocated for local government is aimed at promoting rehabilitation activities of degraded forestlands.

3. FOREST MANAGEMENT IMPROVEMENT

Social Forestry

In order to empower local community, the government promotes community involvement in managing forest resources in a special program, namely social forestry. Social forestry which is believed as an appropriate tool to generate income and improve social welfare of the community live within and surrounding the forest, will essentially be embodied in the implementation of the measures taken.

The main target of social forestry program with forestland rehabilitation as the main activity is local community residing in and near the forests. Besides improving local community welfare, the program is expected to increase people awareness toward forest resources, which in turn, will ensure sustainable forest management.

Strengthening Forest Management Institutions at Field Level

To strengthen forest management, especially conservation areas, the government had improved the status of some Nature Conservation and National Park Offices. The status improvement will lead to a better funding, facilities, and human resources. Therefore, it could be expected that conservation areas will be more effectively and efficiently planned, managed and protected.

Implementing Reduce Impact Logging

Based on research conducted on logging impacts, the use of logging equipment has lead to forest ecological damage that may not be recovered. Therefore, the government issued several regulations to minimize the impacts such as reduced impact logging. The regulation, beside consists of logging methods and mechanism, orders the concession holders to use more environmental friendly logging equipment.

Forest Resource Inventory

Presently, the government monitors forest cover changes periodically using satellite imagery and develops Geographic Information System. The system developed is Forest Canopy Density (FCD) involving Indonesia, Malaysia and Thailand. In addition, Global Monitoring System is under development in cooperation with Wageningen University, The Netherlands. The interpreted data is further analyzed to identify areas of high danger to illegal logging and forest fire.

4. LAW ENFORCEMENT EFFORTS

Law Enforcement Operations

Forest law enforcement is conducted through some modes, namely functional operations, WANALAGA (in cooperation with Indonesian Police), and WANABAHARI (in cooperation with Indonesian Navy). Furthermore, just recently, Minister of Forestry and National Army Chief Commander had come to an agreement to jointly execute the operations to combat illegal logging practices in several selected areas including national parks.
The prominent results of operations conducted in 2002, among others are:

a) Wanabahari operations succeed to confiscate five boats loading logs without legal documents;
b) Wanalaga operations resulted in some 971 cases of forestry illegal practices involving 1.075 suspects and logs of 36.463 m³;
c) Functional operations confiscated 7 orangutans, 14 paradise bird of various species, 10 Bali Mynah, and 2,655 Kg of Javan pangolin scales equals to US$ 173,000 to be smuggled.
d) Joint operation with National Army succeed to push out hundreds of encroachers from Cikepuh Nature Reserve, West Java.

Strengthening Cooperation

As identified, illegal logging is a complex problem and requires integrated approach supported by all stakeholders to be eradicated. Many attempts had been undertaken including cooperation with security institutions, local governments, and NGOs. In order to promote transparent of Justice process, local NGO’s alliance are being involved. Moreover, cooperation with other related ministries and private sector is established to implement more efficient timber utilization for industrial purposes. Some encouraging bilateral cooperation is also established, among others with the United Kingdom and People’s Republic of China.

In order to minimized illegal timber export, Minister of Industry and Trade issued ministerial decree No. 32/MPP/Kep/1/2003 dated January 12, 2003 that requires all forest product exporters to be listed by The Ministry under recommendation of Forestry Industry Revitalization Board.

IV. ACTION PLAN FOR 2003

Some measures will be undertaken by the Ministry of Forestry in 2003 to eradicate forestry crime, among others are:

1. Strengthening forestry sector restructuring;
2. Improving law enforcement toward forestry crime;
3. Empowering local communities.

Forestry sector restructuring will be continued by among others evaluating natural and plantation forest concessions, assessing local government regulations that are in contrary with existing laws and government regulations, and encouraging supported regulations on forestry.

In 2003, Ministry of Forestry will strengthen the efforts in combating illegal logging and its associated timber trade including in the form of functional and integrated operations. A special unit with more authority will be proposed to be formalized by Presidential Decree. Cooperation with all parties, in particular developed and consumer countries, such as Japan and European Union, will also be strengthened.

V. RECOMMENDATIONS

Ministry of Forestry proposes to establish a regional cooperation in the form of Task Force on Forest Law Enforcement and Trade.

Bilateral cooperation between producer and consumer countries need to be established to eradicate illegal timber trade.

Bilateral and multi-lateral cooperation with donor institutions to improve facilities and to provide funds required in implementing programs to combat illegal logging and associated timber trade.

VI. CLOSURE

1. Regional cooperation, both as producer and consumer countries, need to be concreted in the form of Task Force on Forest Law Enforcement and Trade, and so more detail action plan may be developed.
2. Cooperation in multilateral level involving Donor Forum on Forestry should be realized.
3. National cooperation program with all stakeholders including law enforcement institutions. Local government and NGOs to combat illegal logging and associated timber trade must be strengthened.
INTRODUCTION

- Indonesia is a Mega-Biodiversity country with 120.35 million hectare of forestlands or about 63% of its land territory
- Degraded at the rate of 1.6 mill. ha per year, due to, among others: natural forest conversion, illegal logging, forest fire and encroachment.

INTRODUCTION (contd)

- The most pressing factor of the degradation is Illegal Logging, mainly due to wood supply - demand imbalance, extended economic crisis, and poor law enforcement.
- To combat illegal logging need integrated approach supported by all stakeholders, including international communities.
- Some measures undertaken, including: forest law enforcement, community empowerment, and forestry sector restructuring.

PROBLEMS

- Illegal wood industry and market;
- Poor law enforcement;
- Lack of forest law enforcement officer;
- Lack of equipment;
- Emotional reformation toward forest management;
- Poverty and lack of forest resources access;
- Limited job opportunity for local community;
- The illegal practices become organized crime.

STRATEGIC MEASURES

FORESTRY AND NATURAL RESOURCES RATIONALIZATION

- Forest concession policy
- Protected/conservation areas policy
- Forest resources fee collection

IMPROVING FOREST MANAGEMENT

- Promoting Social Forestry
- Strengthening local forest management institution
- Implementing Reduce Impact Logging
- Improving Indonesian selective cutting practice
- Conducting forest resources inventory
Indonesia (contd.)

**INFORMATION SHARING**

**STRATEGIC MEASURES (contd)**

**LAW ENFORCEMENT**
- Operations
- Strengthening cooperation

**ACTION PLAN FOR 2003**
- Strengthening forestry sector restructuring;
- Reinforcing forest law enforcement and field operations;
- Empowering local communities.

**FIVE PRIORITY ON FORESTRY POLICIES**
- Combating Illegal Logging
- Controlling Forest And Land Fire
- Forest Industry Restructuring
- Forest Resources Rehabilitation And Conservation
- Strengthening Forestry Sector Decentralization

**RECOMMENDATIONS**
- Regional cooperation in the form of Forest Law Enforcement and Governance Task Force
- Bilateral cooperation between producer and consumer countries
- Cooperation with donor countries and institutions

**CLOSURE**
- Concrete regional cooperation
- Cooperation with donor countries and institutions
- Cooperation with law enforcement institution, local government, and NGOs.
FOREST LAW ENFORCEMENT AND GOVERNANCE: THE PHILIPPINE EXPERIENCE
By: Asst. Director Neria Agra Andin
Forest Management Bureau, Department of Environment and Natural Resources
And
For. Nelson V. Gorospe
Head, Operations Management Staff
Natural Resources Management Program/Philippine EcoGovernance Program
Department of Environment and Natural Resources

1. SITUATIONER

The situation of the Philippine Forestry Sector is presented in Powerpoint Format and is an attachment of this paper.

2. SPECIFIC RESPONSES TO THE BALI MINISTERIAL CONFERENCE ON FLEG DECLARATION

NATIONAL LEVEL INTERVENTIONS

LEGISLATIONS

Chain Saw Act
Republic Act No. 9175 regulates the ownership, possession, sale, importation and use of chain saws. It is geared towards eliminating illegal logging and other forms of forest destruction which are being facilitated with the use of chain/power saws. It authorizes the DENR to issue permits to posses or use a chain saw for the felling and/or cutting of trees, timber and other forest products. It requires owners or possessions of chain saw to register trees to the Department. It also provides corresponding penalties of fines and/or imprisonment for the unauthorized possession, use, sale and importation, including the defacement of serial numbers of chainsaws.

Review of the Proposed Sustainable Forest Management Act
The proposed Sustainable Forest Management Act (SFMA) seeks to amend the Forestry Code of 1975 (Presidential Decree No. 705). Among its salient features are: 1) putting in place the three modes of forest resource disposition as provided for in the 1987 Constitution - production sharing, joint venture and co-production agreements; 2) institutionalization of the community-based forest management program as the primary strategy for forest management; and 3) increasing the penalty for illegal logging and other illegal forms of forest resource destruction.

PUBLIC AWARENESS, TRANSPARENCY AND PARTICIPATION

Philippine EcoGovernance (EcoGov) Program
The Philippine Environmental Governance (EcoGov) Program is a United States Agency for International Development (USAID)-assisted project with the Department of Environment and Natural Resources (DENR) as the implementing agency. It supports the Government’s goal of revitalizing the economy by fostering improved management of natural resources - through good ecogovernance - that provides key inputs to the long-term economic development of the country.

EcoGov Program implementation is anchored on the principles of Transparency, Accountability and Participatory Decision Making (TAP). The Program aims to strengthen the ability of local government units (LGUs) to address critical threats to coastal and forest resources, and assess and implement integrated solid waste management (ISWM). It seeks to assist decision makers and implementers in making sound decisions and taking appropriate actions that are consistent with the principles of good governance. It is convinced that it will be in strategic decisions and action areas where good governance and technical solutions will converge and make a difference. It is also in these areas where EcoGov could help improve the “legitimacy and credibility” of the decision making processes.

Under the Program, both the DENR and the LGUs are provided with assistance such as policy analysis and technical advice, hands-on training, on-site technical assistance and sponsorship of inter-active assemblies so that they will adopt sound policies, allocate resources and take actions in addressing critical environmental threats. They are expected to share ownership of these improved policies and implement the changes needed to achieve good ecogovernance. With improved governance policies, sustainability could be achieved as
these institutions are capacitated and given the incentives to manage coastal/forest resources as well as solid wastes.

In addition, the Program will assist coalitions, federations/consortia, community groups, media, networks and relevant resource institutions (sectors that demand for better policies/services) to:

- Disseminate existing policies and best practices in the governance of coastal resources, forests and forest lands and solid wastes;
- Advocate changes in policies and practices of the “suppliers” of policies/services;
- Intensify public awareness;
- Articulate and express their demands for better environmental services; and
- Hold policy and decision makers accountable to their mandates and work plans.

A Code of Conduct for Good Environmental Governance was recently adopted by the DENR where officials and employees commit to, among others, perform their duties with the principal objective of developing, protecting and judicious utilization of the natural wealth of the country with the highest degree of integrity, efficiency, urgency, equal opportunity, service, professional competence, transparency and public accountability.

An activity of the Program is to disseminate lessons learned and success stories in the 13-year implementation of the recently-concluded Natural Resources Management Program, another USAID-assisted project of the DENR. These include experiences in CBFM implementation, Forest Land Use Planning and Co-Management Schemes between DENR and LGUs.

CONCESSION POLICY

Community Based Forest Management

The Community-Based Forest Management (CBFM) remains the principal strategy in the management of forestland in the Philippines. Its salient features include:

- A unified tenure instrument (CBFM Agreement) providing comprehensive resource user rights including the provision of transferability of tenure and a right to contract with other parties to access developmental capital, technology, markets, or other needs;
- A shift of DENR focus from being primarily a regulatory agency, to an institution providing services to communities and local government units.
- A program for decentralization, devolution, and deregulation of forest land management; and,
- DENR-LGU partnership in CBFM program implementation.

To date, the CBFM Strategy has covered approximately 5 Million hectares of public forestlands in the country. Lessons from implementation provides that legal recognition of community-based rights gives the best and most secure guarantee of local control over forest ecosystems, i.e. that beneficiary Peoples Organizations (POs) have demonstrated positive and/or high impact on forest protection. Under PO management, CBFM areas have been protected from timber poaching, encroachment and degradation. Being the managers on the ground, these communities have day-to-day control over the territory, and are the most effective forest protection force.

DECENTRALIZATION

Adopt-a-Mountain Program

President Gloria Macapagal Arroyo issued proclamation declaring 2002 as the “International Year of the Mountain” and June as the Month of the Mountain. One of the tangible outputs of the Proclamation is the Adopt-a-Mountain Program where the DENR and the religious sector committed to jointly undertake to speed up reforestation of denuded and degraded mountain ecosystems. DENR intends to release for adoption by religious organizations of 186 mountains covering a total area of 74,300 hectares under the CBFMA to be directly supervised by the DENR field units in partnership with the religious Non-Government Organizations (NGOs). The program aims to establish and maintain both production and protection forests.

The Objectives of the Program are:
PHILIPPINES (contd.)

INFORMATION SHARING

- To accelerate the revegetation/re-greening of the country’s denuded/degraded mountains and range lands for improved water yield capacity and timber production.
- To effectively promote the protection of the remaining and/or available natural forest as source of potential endemic species for educational and scientific research purposes.
- To promote volunteerism among the people in the rehabilitation and protection of forest lands.
- To promote the Bayanihan spirit and self-reliance among marginalized sectors towards improvement of ecosystem.
- To contribute to the Lets Go Green activities of the Government.

The Adopt-a-Mountain sites are prioritized based on population density, dependency on wood as fuel wood, and water scarcity.

INSTITUTION AND CAPACITY BUILDING

National Law Enforcement Committee - Sub Committee on Environment and Natural Resources

The National Law Enforcement Committee (NALEC) is a formal grouping of government law enforcement agencies that institutes inter-agency cooperation in the enforcement of laws and policies. Under the NALEC is a Sub-Committee on Environment and Natural Resources (SCENR) that was formed to focus on the enforcement of environment and natural resources regulations. The Sub-Committee is chaired by the DENR.

For CY 2002, the following were the significant accomplishments of the respective member agencies:

1. DENR
   a. Strengthened 221 Multi-Sectoral Forest Protection Committees.
   b. Created Regional Strike Forces and conducted 1,686 surveillance operations against illegal logging.
   c. Deputized 494 Environment and Natural Resources Officers.
   d. Maintained 263 checkpoints in strategic location nationwide.
   e. Confiscated 11,117.75 cubic meters of illegally sourced forest products with an estimated value of P20 million pesos.
   f. Closure of illegal sawmills and wood processing plants.
   g. Filed 236 forestry-related cases in court for violation of forestry laws, rules and regulations.
   h. Organized/Mobilized 168 Community fire brigades.
   i. Signed the ASEAN Minister meeting in Haze and the World Land and Forest Fire Hazard 2002 conference and exhibition held in Malaysia.

2. Land Management Bureau, DENR
   Illegal Titling
   The DENR through its Land Management Bureau (LMB) Investigated 892 cases that were identified as spurious titles and 333 cases were filed at the Office of the Solicitor General. Some of these illegal titles are found within classified forestlands and have contributed to the illegal conversion of forest areas into other land uses.

3. Protected Areas and Wildlife Bureau, DENR
   Protected Area
   - Strengthened Protected Area Management based in 168 protected areas.
   - Issuance of DENR Administrative Order No. 2002-02 setting the guidelines in the establishment and management of community-based programs inside the protected area.

   Biodiversity Conservation
   - Implemented the Wet Land Conservation Program and Cave Management Program.
   - Drafted the Implementing Rules and Regulations (IRR) of Republic Act No. 9072 otherwise known as the National Cave and Cave Resources Management Protection Act.
Philippines (contd.)

Wildlife Conservation
- Drafted the IRR of RA No. 9147 otherwise known as the Wildlife Resources Conservation and Protection Act.

Coastal and Marine Resources Protection
- Issued DENR Administrative Order No. 2002-08 establishing the Coastal and Marine Management Office (CMMO) as the National Coordinating Office for all Coastal and Marine Environment activities.

4. Philippine Navy, Armed Forces of the Philippines
A total of 699.38 cubic meters of assorted forest products were apprehended during the year with an estimated value of P10,550,937.00 Two Hundred Sixty One (261) incidents of illegal transport of forest products were monitored and nine (9) vessels were apprehended violating forestry laws.

5. Philippine National Police-Maritime Group, Department of the Interior and Local Government
The Philippine National Police-Maritime Group was able to confiscate/apprehend:
- 64,064.66 board feet of assorted forest products worth P1,836,531.00
- 5 heads of Palawan peacock
- 5 heads of wild rodent (Beaver)
- 1 wild cat
- 13 heads of Philippine Cockatoo
- 1 green parrot
- 3 units of chainsaws

6. Philippine Coast Guard, Department of Transportation and Communication
The Philippine Coast Guard under the Department of Transportation and Communication made 57 apprehensions connected to the enforcement for ENR laws and regulations. The agency confiscated the following illegal forest products, wildlife species and mineral resources:

Forest Products
- 170,264 bd. ft. of sawn lumber in 2 container vans worth P5,401,500.00
- 45,000 bd. ft. of 163 pieces of Lumber Flitches worth P1,597,800.00
- 750 sacks of tan bark worth P210,000.00
- One (1) 20 footer van with lumber and rattan poles worth P200,000.00
- 302.8 cu.m. of assorted logs worth P165,500.00
- 400 sacks of charcoal worth P50,000.00
- 8 containers of wood tiles worth P20,000.00
- 500 bd. ft. Kalantas (regulated premium species) worth P15,000.00
- 11 sacks Almaciga resins worth P15,000.00

Endangered Wildlife
- 173 heads Mynah (Kiyaw)
- 50 heads Parrot
- 9 heads Horn Bill
- 24 heads Squirrel
- 2 heads Musang (Wild Cat)

Mineral Ores
11,585 sacks white/brown pebbles worth P3,475,500.00

7. Philippine National Police- Regional Offices, DILG
Regional reports from the PNP Regional Offices reported a total 8,233 operations conducted on illegal logging for the year 2002. 1,093 persons were apprehended violating forestry laws and a total volume of 2,783.283.81 board feet of forest products were apprehended with an estimated value of P54,815,394.74 and turned over to DENR for proper disposition of the case. The PNP apprehended 11,495 pieces of...
Establishment of the Environment Desk at the Philippine National Police

The Coastal Law Enforcement Alliance in Region 7 (CLEAR 7) was formed in Central Philippines to package and pilot an integrated coastal law enforcement strategy through multi-sectoral and multi-agency cooperation. CLEAR 7 was organized through the efforts of the USAID-assisted Coastal Resource Management Project (CRMP), a DENR project. Its membership includes the Philippine National Police, Philippine Coast Guard, National Bureau of Investigation, Philippine Association of Fish Wardens, International Marinelife Alliance-Philippines, Environmental Alliance Center, Provincial and Municipal Local Government Units and national government agencies.

The Philippine National Police unit in Central Philippines then created an Environment Desk to assist other national government agencies including the DENR and Local Government Units in the enforcement of environment and natural resources laws aside from the coastal environment. This assistance comes primarily in effecting arrests, searches, seizures and custodial investigations that are essentials of effective law enforcement.

With the success of the endeavor, the National PNP has adopted this concept for implementation on a national scale this year. Police Environment Desks are to be created at the regional, provincial and city/municipal levels. The concept shall be carried out in four (4) phases: Phase 1 – General Preparation and Training of Police Environment Desk Officers; Phase 2 – Conduct of Community Interactions for Joint Planning Activities; Phase 3 – Actual Operation and Establishment of Sustaining Mechanisms; and Phase 4 – Monitoring & Evaluation, Assessment and Documentation.

Memorandum of Agreement between DENR and Department of Interior and Local Government - Bureau of Fire Protection

The DENR and the Department of the Interior and Local Government (DILG) recently signed a memorandum wherein the Bureau of Fire Protection has committed to assist the DENR increase its capacity to prevent the occurrence of forest fire and to suppress forest fires. The agreement involves the conduct of joint training activities.

Application and Institutionalization of C & I for SFM

The Philippines has already developed a set of Criteria & Indicators for Sustainable Forest Management. The C & I provides benchmarks and standards in forest management and a system for tracking the progress towards the promotion and achievement of sustainable forest management. The next step is to develop action programs that institutionalizes C & I in the country including the realignment of policies, systems and procedures for SFM, and increasing/improving support services for implementation. In the long run, C & I will also be used to certify areas employing sustainable management practices. Based on international trends in forest certification, the certified products should have an edge in the world market where premium is the practice SFM practices.

LOCAL LEVEL INITIATIVES

National policies are being implemented on the ground level by the field offices of the DENR. These field offices are provided the authority to enter into institutional arrangements with other national government agencies, Local Government Units, Civil Society, communities and other stakeholders.

DECENTRALIZATION

Increased Participation of LGU in Forest Management

The adoption of implementing mechanisms and procedures (Joint DENR-DILG Memorandum Circular on Devolved and Other Forest Management Functions) for the active involvement of the LGU has propelled an increased participation of this sector of the government in forest management. LGU participation are either made through devolution of some forest management functions, or through partnership or Co-management which is enforced through Memorandum of Agreement between the National Government (DENR) and the Local Government Units. As envisioned, the DENR, in coordination with the DILG, shall enhance the capaci-
ties of the LGUs in the various aspects of forest management until such time that the task of the management of devolved functions shall be performed by the LGUs with the role of DENR reduced to mere assistance and coordination. The participation of others sectors, especially of LGUs would facilitate and increase investments in the management of forest areas in the country. Following are the examples of Partnership/Co-management arrangements in the Philippines;

**DENR-Nueva Vizcaya LGU Co-Management of Lower Magat Reforestation Project.**

The MOA between the DENR and Nueva Vizcaya provincial government in region 02, the 24,251 hectares Lower Magat Reforestation Project has been placed under a system of co-management by the two institutions. This is the first Co-management model in the Philippines for the protection, development, and management of watershed area. As the basic strategy, the LGU issues MOA to participating groups or communities for 25 years, renewable for another 25 years to specified areas with limited agricultural productions and forest resources harvesting rights.

**Barobbo, Watershed Project, Masoc, Bayombong, Nueva Vizcaya**

A totally devolved watershed to the provincial government through Memorandum of Agreement, the basic strategy being employed by the LGU is the conversion of 190 household squatters in a ‘land managers'. The MOA was also issued to participating groups with limited agricultural cultivations and forest resources harvesting rights. As basic requirements, a master and development plan was prepared and individual participants were required to develop their farm plans.

**DENR-Ma. Aurora, Aurora**

A MOA between DENR and Aurora State College of Technology (ASCOT) on the joint management of the proclaimed Bazal-Baubo Watershed Forest Reserve was signed last August, 1998. The MOA indicates a co-management effort for organizing and mobilizing the Protected Area Management Boards (PAMB); assisting in the preparation and validation of Integrated Protected Areas Plan (IPAP) and the gradual transfer of responsibilities and accountabilities in the protection, development and management of the proclaimed Bazal-baubo watershed, consistent with R.A. 7586 (NIPAS Law).

The impacts gained in the adoption/implementation of co-management that are common to all models include;

- Reduced incidence of forest fires, squatting, migration and forest product poaching,
- Self-reliant communities acting as forest guards and fire suppressors
- Increased livelihood opportunities of participating communities.
- Natural regeneration.

**Adoption of Forest Land Use Planning System by LGUs**

A number of provinces and municipalities in the Philippines have undergone the Forest Land Use Planning as a component of their Comprehensive Land Use Plans. FLUP provides a framework to harmonize the conflicting interest of all sectors in the management of forestlands, taking into consideration the on-site and off-site values/impacts of management interventions. Through FLUP, LGUs and other sectors were able to identify areas for investment as well as areas needing immediate concern for allocation, protection and management.

EcoGovernance Program has adopted the FLUP process as the best entry point to promote institutional partnership with the local government units, communities and other stakeholders in the management of forestland, emphasizing long-term protection, conservation and overall management.

**Creation of Watershed Management Councils by LGUs**

Under the Local Government Code (RA 7160), watersheds that supply the water requirements of communities have been devolved from the DENR to the LGUs. Some LGUs have organized watershed management councils where proposed local laws (ordinances) to implement national policies are crafted and discussed. All stakeholders are usually represented in these councils.
INFORMATION SHARING

Philippines (contd.)

INSTITUTION AND CAPACITY BUILDING

**Revitalization/Strengthening of the MFPCs**

The organization of Multi-Sectoral Forest Protection Councils (MFPCs) in different parts of the country was effected primarily through the Monitoring and Enforcement component (MEC) of the World Bank-assisted ENR Sectoral Adjustment Loan (SECAL) Program. Represented in the MFPCs are national government agencies, LGUs, Non-Government Organizations, PO Federations, religious sector, mass media and other stakeholders. MFPC members were deputized as environment and natural resources officers who could effect arrests of violators of forestry laws and apprehend/confiscate illegal forest products and conveyances.

The MFPCs were responsible for law enforcement activities that have resulted in the apprehension/confiscation of large volumes of illegal forest products and the neutralization of “hot spots” or illegal logging areas.

The DENR field offices are presently revitalizing or strengthening the MFPCs as part of its strategy of participatory approach to forest law enforcement and governance as well as environmental volunteerism.

**Military and Police Assistance in Surveillance, Forest Protection and Law Enforcement**

Most DENR field offices have entered into Memorandum of Agreements (MOAs) with their counterparts in the Armed Forces of the Philippines and the Philippine National Police for collaborative efforts in forest protection and law enforcement activities. Under some of these agreements, Army helicopters may be used for surveillance activities with the DENR paying for the cost of gasoline. In far-flung areas where DENR presence is minimal, information as to the occurrence of illegal forest activities is being relayed by the military and police. Checkpoints jointly manned by DENR and military/police personnel along identified transport routes of illegal forest products have been established.

**Training POs on Forest Fire Protection and Pest and Diseases Surveillance & Control**

With the onset of the El Niño phenomenon, the Department conducted training for People’s Organization on Fire Prevention especially in the Mindanao area where the phenomenon is expected to have the hardest impact. These People’s Organizations are community-beneficiaries of the Community-Based Forest Management Program.

To further capacitate the People’s Organizations as forest managers, informal training on Pest and Diseases Surveillance where the participants are taught how to recognize the occurrence of tree infestation. They are requested to bring wood sample or specimen of the diseased tree for analysis in the DENR laboratory.

CONSERVATION AND PROTECTED AREAS

**Organization Participation of PAMBs and Their Active Participation in Forest Protection**

As provided for in the National Integrated Protected Areas System Act (Republic Act No. 7586), Protected Area Management Boards (PAMBs) are organized for every protected area that has been established by law. The PAMB is responsible in the formulation of policies as regards the management of these Protected Areas which includes forest protection. The more recently established protected areas are:

1. Mt. Kitanglad Protected Area (established through R.A. No. 8978 enacted on 09 November 2000)
2. Batanes Group of Islands (established through R.A. No. 8991 enacted on 05 January 2001)
3. Sagay Marine Reserve (established through R.A. No. 9106 enacted on 14 April 2001)
4. Northern Sierra Madre National Park (established through R.A. No. 9125 enacted on 22 April 2001)

**CONCESSION POLICY**

**Technical Support to Indigenous Peoples in Ancestral Domain Areas**

The Indigenous Peoples Right Act provides members of the Indigenous Peoples with rights over resources found within their recognized ancestral domains. Most of those areas covered by Certificates of Ancestral Domain Claims as well as those that are being claimed as ancestral domains are within classified forestlands.

Some local DENR field offices are providing technical assistance to the IPs in coming up with management plans over their ancestral domains. These plans consider indigenous cultures and technologies in the preparation of development and management activities over their forest resources.
3. GAPS
   a. Lack of sustainability of programs after project life
   b. Lack of long-term forest policy
   c. Financial support

4. RECOMMENDATIONS
   a. Phase out plan for Forest Management projects that will ensure continuity of efforts after project life
   b. Immediate enactment of the proposed Sustainable Forest Management Act (SFMA)
   c. Institutionalization of Market Based Instruments (MBIs) that will create incentives for sustainable forest management activities e.g. users fee.

5. STRATEGIES
   a. Continuous training for program participants and monitoring
   b. Create a strong lobby for SFMA
   c. Draft policies that may be promulgated administratively that will put in place MBIs
INFORMATION SHARING

Philippines (contd.)

THE PHILIPPINE FORESTRY SECTOR

OUR VISION

A forest that creates wealth for our nation as the cradle of life, built upon the ideals of our ancestors, nurtured by our people’s aspirations for a just, humane and progressive society, and blessed by God Almighty.

OUR MISSION

A responsive government forest service organization of competent professionals capable of providing quality leadership and assistance in the sustainable management of forest resources.

LAND CLASSIFICATION (2003)
Total Area - 30 million hectares

MANAGEMENT AREAS

Tenurial Instrument  N.o.  Area (has.)
CBFMA (includes CADC)  4,956  5,708,396
IFMA  192  939,854
SIFMA  1,021  28,419
PLA  407  116,938
TLA  16  691,024
Total  6,592  7,486,631

LAND USE STATUS (1997)
Forest Area = 5.4 M hectares

MANAGEMENT AREAS
(Total: 7,486,631 has.)
### Annex V

#### Philippines (contd.)

#### INFORMATION SHARING

#### 6.80% 9.05% 8.25% 7.46% 4.19% 1.21% 2.74% 3.29% 14.86% 4.19% 14.01% 1.68% 12.27% 0.30% 9.70%

#### 10 11

#### AREAS COVERED BY EXISTING TLAs (Total: 5,708,396 has.)

#### SUMMARY OF COMMUNITY-BASED FOREST MANAGEMENT AGREEMENTS

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#### AREAS COVERED BY EXISTING TLAs (Total: 691,024 has.)

#### SUMMARY OF COMMUNITY-BASED FOREST MANAGEMENT AGREEMENTS

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#### AREAS COVERED BY EXISTING TLAs (Total: 118,938 has.)

#### SUMMARY OF IDENTIFIED WATERSHEDS

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#### SUMMARY OF PRIORITY WATERSHEDS

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Annex V

POLICY THRUSTS/STRATEGIC DIRECTIONS AND PROGRAMS/ACTIVITIES

1. Addressing poverty through creation of forest-based economic opportunities and jobs
   - Forest land-use planning (FLUP) and allocation
   - Placing all forest lands under definite management entities (community, corporate, LGU, NGA/DENR)
   - Support to CBFM organizations
   - Promoting CBFM-corporate partnerships in forestry enterprises
   - Promoting agroforestry practices
   - Develop capital markets for forestry

9.70% 24.91% 6.54% 0.65% 2.05% 0.05% 2.75% 24.57%

Priority Watersheds
(Total: 2,768,137 has.)

SUMMARY OF PROCLAIMED WATERSHED FOREST RESERVES

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20.97% 24.91% 6.00% 0.19% 4.54% 24.91% 11.57% 0.15%

18. POlICY THRUSTS/STRATEGIC DIRECTIONS AND PROGRAMS/ACTIVITIES

2. Providing for food, health and shelter needs
   - Installation of the Integrated Watershed Management Framework
   - Characterization and planning of key watersheds
   - Establishment of forest botanical gardens for medicinal & food plants
   - Addressing the issue of protection of IPR for host communities
   - Forest plantations development
   - Grazing lands improvement and management
   - Improvement of silvicultural systems for natural and plantation forests (production forests)
   - Forest products development
   - Non-timber forest products development

POLICY THRUSTS/STRATEGIC DIRECTIONS AND PROGRAMS/ACTIVITIES

3. Addressing global warming and climate change mitigation
   - Forest plantations establishment
   - Forest fire management
   - Forest protection

4. Forests for the conservation of cultural, historical and recreational values
   - Mapping, registration and protection of forests with cultural/historical values
   - Mapping and appraisal of forests with unique scenic values
   - Documentation and promotion of IKSP

6. Improving forestry education and providing effective forestry extension services
   - Village foresters project
   - Forestry extension services project(s)
   - Information resources management project, e.g., FSIS
POLICY THRUSTS/STRATEGIC DIRECTIONS AND PROGRAMS/ACTIVITIES

- Cross-cutting concerns

- Developing the Philippines Criteria and Indicators (P/C&I) for SFM, including forest/timber certification systems
- R&D
- Planning and decision models
- Forestry M&E systems
- Policy and Institutional Reforms

MANDATES

Per E.O. 192, it is the mandate of the Bureau to advise and recommend to the Secretary on matters pertaining to:

- Effective protection, development, occupancy, management, and conservation of forest lands and watersheds;
- Advise the regional offices in the implementation of the above policies/programs

MANDATES

- Undertake studies on forestry economics and forest-based industries, including supply and demand trends, and in identifying investment opportunities and constraints in various areas; and
- Perform other functions as may be assigned by the Secretary/law.

ORGANIZATIONAL STRUCTURE

BUDGET ALLOCATIONS

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INFORMATION SHARING

Philippines (contd.)

LOCAL INITIATIVES

1. Community Livelihood Assistance Special Program (CLASP)
2. Philippine Forest Heritage Museum
3. CLONAL Forestry Program
4. Documentary Film on Forest Development in the Philippines (BIYAYA)

FORESTRY SECTOR PROJECT

- Loan No.: PH-P135
- Loan Amount: ¥ 9,294 (§ 75M)
- Signing Date: August 19, 1993
- Effectivity Date: December 16, 1993
- Closing Date: Dec. 16, 2003
- Target Area: 80,000 has.

INTERNATIONAL COMMITMENTS

1. Rio de Janeiro Declaration on Environment and Development (1992); Agenda 21;
5. Convention on Biological Diversity
6. ASEAN Agreement on the Conservation of Nature and Natural Resources (1985)
8. ASEAN Senior Officials in Forestry (ASOF)
9. Senior Officials Meeting - ASEAN Ministers of Agriculture and Forestry (SOM - AMAF)
10. Ministerial Declaration on Forest Law Enforcement and Governance
11. Transboundary Agreement on Haze Pollution
13. Convention on Biological Diversity
16. ASEAN Agreement on the Conservation of Nature and Natural Resources (1985)

SPECIAL FORESTRY PROJECTS

1. Forestry Sector Project [ADB]
2. Southern Philippines Irrigation Sector Project - Watershed Management Sub-Component (SPISP-WMIS) [ADB]
3. Watershed Resources and Development Program (Watershed Management & Improvement Component) [WB-DANIDA]
5. Natural Resources Management Program II (Forest Resources Management Component) [USAID]
6. Developing Tropical Forest Resources through Community-Based Forest Management [ITTO]
7. Forestry Statistics Information System [ITTO]
8. Criteria & Indicators for SFM in the Philippines [ITTO]
9. Forest Resources Assessment Project [FAO]
10. Review of Masterplan for Forestry Development [FAO]
11. Philippine Model Forest Approach to SFM [FAO]
12. International Year of Mountains [FAO]

INTERNATIONAL COMMITMENTS

1. Rio de Janeiro Declaration on Environment and Development (1992); Agenda 21;
5. Convention on Biological Diversity
6. ASEAN Agreement on the Conservation of Nature and Natural Resources (1985)
8. ASEAN Senior Officials in Forestry (ASOF)
9. Senior Officials Meeting - ASEAN Ministers of Agriculture and Forestry (SOM - AMAF)
10. Ministerial Declaration on Forest Law Enforcement and Governance
11. Transboundary Agreement on Haze Pollution
13. Convention on Biological Diversity
16. ASEAN Agreement on the Conservation of Nature and Natural Resources (1985)
PHILIPPINES (contd.)

WATERSHED RESOURCES DEVELOPMENT PROJECT
(WATERSHED MANAGEMENT & IMPROVEMENT COMPONENT)

- Funding Agency: World Bank
- Project Cost: PhP 127 M
- Project Duration: 5 years
- Implementation Period: January 2002 - December 2005

SOUTHERN PHILIPPINES IRRIGATION SECTOR PROJECT
- WATERSHED MANAGEMENT SUB-COMPONENT (SPISP-WMS)

- Funding Agency: Asian Development Bank (ADB)
- Project Cost: PhP 150M
- Project Duration: 2002-2005 (5 years)
- Start Date: November 2000
- Actual Implementation: January 2002
- End Date: December 2005

COMMUNITY FORESTRY PROJECT: QUIRINO

- Funded by the German Agency for Technical Cooperation and German Agency for Financial Cooperation
- Funds breakdown:
  
<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>GTZ (DM 1.483 M)</td>
<td>(German Agency for Technical Cooperation)</td>
</tr>
<tr>
<td>KFW (DM 0.830 M)</td>
<td>(German Bank for Reconstruction)</td>
</tr>
<tr>
<td>GOP-DENR</td>
<td>PhP 15.0 M</td>
</tr>
<tr>
<td>GOP-LGU</td>
<td>PhP 11.0 M</td>
</tr>
<tr>
<td>GOP-POs</td>
<td>PhP 10.0 M</td>
</tr>
</tbody>
</table>

NATURAL RESOURCES MANAGEMENT PROGRAM II (FOREST RESOURCES MANAGEMENT COMPONENT)

- Project Type: CBFM
- Amount Grant: $15,858,291
- Fund Source: USAID
- GOP Counterpart: $3,517,800
- Signing Date: April 1995
- Closing Date: Dec. 30, 2002
- Target: 500,000 has.

DEVELOPING TROPICAL FOREST RESOURCES THROUGH COMMUNITY-BASED FOREST MANAGEMENT (ITTO - CBFM PROJECT)

- Funding Agency: ITTO
- Project Cost: $957,135
- Project Duration: 3 years
- Implementation Period: Extension
  1st: July 15, 2001 - December 31, 2001
  2nd: December 31, 2001 - June 30, 2002

CY 2003-2004 OBJECTIVES:

1. Development, adoption and institutionalization of the Philippine C & I for SFM
2. Completion of the National Forest Resource Assessment
3. DENR-NCIP working relationship on forests and forestry defined and in place
4. Forest fire management policy and practices in place
5. Forest Management Information System in place and operational
6. Forest planning institutionalized in the barangay development planning process;
7. One model community with well-organized and capable village foresters established per region
8. Enactment of the Sustainable Forest Management Bill
9. Philippine Forestry Master Plan reviewed and amended
10. CBFM Strategic Plan reviewed and updated
11. FMB reorganized
12. FMB infrastructure Development Completed
<table>
<thead>
<tr>
<th>NATIONAL INITIATIVES</th>
<th>ISSUES ADDRESSED</th>
<th>BALI DECLARATION</th>
<th>RESULT/IMPACT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enactment of Chainsaw Act</td>
<td>Legislation and regulations; Enforcement operations</td>
<td>Political; Legislative/Judicial (1.1, 1.2)</td>
<td>Eliminating Illegal logging and other forms of forest destruction being facilitated by use of chainsaws</td>
</tr>
<tr>
<td>Review of the Proposed Sustainable Forest Management Act</td>
<td>Legislation and regulations; Enforcement operations</td>
<td>Political; Legislative/Judicial, Decentralisation, Institution &amp; capacity building, Concession policy, Conservation &amp; protected areas, Public awareness, transparency &amp; participation; Bilateral actions (1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.8)</td>
<td>Once approved, SFMA will provide security of tenure for long term investment in forestry activities, institutionalize CBFM, and increased penalties for forestry law violations</td>
</tr>
<tr>
<td>Philippine Environmental Governance (EcoGovernance) Project</td>
<td>Institutional arrangements; Transparency; Decentralisation; Community participation; Bilateral agreement</td>
<td>Decentralisation, Institution &amp; capacity building, Concession policy, Conservation &amp; protected areas, Public awareness, transparency &amp; participation; Bilateral actions (1.3, 1.4, 1.5, 1.6, 1.7, 1.8)</td>
<td>Empower LGUs and communities in performing devolved forest management functions; Institutionalization of TAP in governance</td>
</tr>
<tr>
<td>Community-Based Forest Management</td>
<td>Community participation; Timber production and consumption; Enforcement operations, Land tenure</td>
<td>Decentralisation, Institution &amp; capacity building, Concession policy, Conservation &amp; protected areas, Public awareness, transparency &amp; participation; (1.3, 1.4, 1.5, 1.6, 1.7)</td>
<td>Protection of forest resources from illegal activities within the areas covered by CBFMAS that contributes to sustainability of forest management practices</td>
</tr>
<tr>
<td>Adopt a Mountain Program</td>
<td>Institutional arrangements; Community participation</td>
<td>Decentralisation, Institution &amp; capacity building, Concession policy, Conservation &amp; protected areas, Public awareness, transparency &amp; participation; (1.3, 1.4, 1.5, 1.6, 1.7)</td>
<td>Initiative is expected to increase the rate of forest rehabilitation and the protection and maintenance of rehabilitated areas</td>
</tr>
<tr>
<td>National Law Enforcement Committee - Subcommittee on Environment and Natural Resources</td>
<td>Institutional arrangements, Enforcement operations, Transparency, Corruption</td>
<td>Institution &amp; capacity building, Conservation &amp; protected areas, Public awareness, transparency &amp; participation; (1.4, 1.6, 1.7)</td>
<td>Maximum participation of other government agencies in forest law enforcement activities. Also minimizes connivance between violators and enforcers</td>
</tr>
<tr>
<td>NATIONAL INITIATIVES</td>
<td>ISSUES ADDRESSED</td>
<td>BALI DECLARATION</td>
<td>RESULT/IMPACT</td>
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<tr>
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<tr>
<td>Creation of Environment Desk in the Phil. National Police</td>
<td>Institutional arrangements; Enforcement operations; Transparency, Corruption</td>
<td>Institution &amp; capacity building, Conservation &amp; protected areas, Public awareness, transparency &amp; participation; (1.4, 1.6, 1.7)</td>
<td>Participation of the police agency in forest law enforcement activities especially in the apprehension of illegal forest products and in the arrest of armed violators.</td>
</tr>
<tr>
<td>Arrangements with Fire Protection Bureau</td>
<td>Institutional arrangements</td>
<td>Institution &amp; capacity building, Conservation &amp; protected areas (1.4, 1.6)</td>
<td>Forest protection through decreased occurrence of forest fires</td>
</tr>
<tr>
<td>Participation of LGUs in Forest Management</td>
<td>Decentralisation; Institutional arrangements; Community participation, Land Tenure</td>
<td>Decentralisation, Institution &amp; capacity building, Conservation &amp; protected areas, Public awareness, Transparency &amp; Participation (1.3, 1.4, 1.6, 1.7)</td>
<td>Institutionalized devolution of forest management functions; enhance LGU capacity in various aspects of forest management</td>
</tr>
<tr>
<td>LGU adoption of Forest Land Use Planning</td>
<td>Decentralisation; Institutional arrangements; Community participation, Land Tenure</td>
<td>Decentralisation, Institution &amp; capacity building, Conservation &amp; protected areas, Public awareness, Transparency &amp; Participation (1.3, 1.4, 1.6, 1.7)</td>
<td>Framework to harmonize conflicting sectoral interests that takes into consideration on-site and off-site effects; Identification of potential areas for investment and those needing immediate action</td>
</tr>
<tr>
<td>Creation of Watershed Management Councils by LGUs</td>
<td>Decentralisation; Institutional arrangements; Community participation</td>
<td>Decentralisation, Institution &amp; capacity building, Conservation &amp; protected areas, Public awareness, Transparency &amp; Participation (1.3, 1.4, 1.6, 1.7)</td>
<td>Venue for discussion of concerns of stakeholders including cooperation among different LGU levels in forest management</td>
</tr>
<tr>
<td>Revitalization and Strengthening of Multi-Sectoral Forest Protection Councils</td>
<td>Institutional arrangements; Enforcement operations; Community participation</td>
<td>Decentralisation, Institution &amp; capacity building, Conservation &amp; protected areas, Public awareness, Transparency &amp; participation (1.3, 1.4, 1.6, 1.7)</td>
<td>Involvement of almost all sectors in forest law enforcement is a deterrent for would-be violators; Easier to detect illegal activities</td>
</tr>
<tr>
<td>Military and Police Assistance in surveillance, forest protection and law enforcement</td>
<td>Institutional arrangements; Enforcement operations</td>
<td>Decentralisation, Institution &amp; capacity building, Conservation &amp; protected areas, Public awareness, transparency &amp; participation (1.3, 1.4, 1.6, 1.7)</td>
<td>Tapping military and police resources enhances government’s capability to enforce forestry laws</td>
</tr>
<tr>
<td>NATIONAL INITIATIVES</td>
<td>ISSUES ADDRESSED</td>
<td>BALI DECLARATION</td>
<td>RESULT/IMPACT</td>
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<tr>
<td>Training POs on Forest Fire Prevention and Pest &amp; Diseases Surveillance and Control</td>
<td>Community participation</td>
<td>Decentralisation, Institution &amp; capacity building, Conservation &amp; protected areas, Public awareness, transparency &amp; participation (1.3, 1.4, 1.6, 1.7)</td>
<td>Enhanced capacity of Peoples’ Organizations in forest management</td>
</tr>
<tr>
<td>Organization and Active Participation of Protected Area Management Boards in Forest Protection</td>
<td>Institutional arrangements; Enforcement operations</td>
<td>Decentralisation, Institution &amp; capacity building, Conservation &amp; protected areas, Public awareness, transparency &amp; participation (1.3, 1.4, 1.6, 1.7)</td>
<td>Venue for discussion of stakeholders’ concerns including identification &amp; delineation of management zones within the Pas</td>
</tr>
<tr>
<td>Technical support to IPs in Management of Ancestral Domains</td>
<td>Community participation; Land tenure; Institutional arrangements; Enforcement Operations</td>
<td>Institution &amp; capacity building, Concession policy, Conservation &amp; protected areas, Public awareness, transparency &amp; participation (1.4, 1.5, 1.6, 1.7)</td>
<td>Puts ancestral domain areas under effective management</td>
</tr>
<tr>
<td>Criteria &amp; Indicators for SFM</td>
<td>All issues addressed</td>
<td>Political; Legislative/Judicial, Decentralisation, Institution &amp; capacity building, Concession policy, Conservation &amp; protected areas, Public awareness, transparency &amp; participation; Bilateral actions (1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.8)</td>
<td>Full adoption and implementation of the C &amp; I will ensure sustainable forest management in the country</td>
</tr>
<tr>
<td>GAPS</td>
<td>RECOMMENDED ACTION</td>
<td></td>
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<td>-------------------------------------------</td>
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<td></td>
<td></td>
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<tr>
<td>Sustainability of projects after project life</td>
<td>Continue training programs/IEC and monitoring &amp; evaluation activity through regular budgets</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Long term forestry policy</td>
<td>Enactment of the SFMA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Financial support</td>
<td>Resource sharing with LGUs &amp; assistance from donor institutions</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
CONTROLLING ILLEGAL LOGGING

Actions by the UK

OUR AIM: TACKLING THE UNDERLYING CAUSES

- To facilitate reforms to address failures that sustain illegal logging and associated trade:
  - policy
  - governance
  - market
- by both national and international institutions
- and addressing both supply and demand

THE UK’S APPROACH

- Better understanding of illegal logging and trade
- Effective communication of this understanding
- Build broad-based constituencies
- Promote policy coherence
- Help develop tools and systems
- Learn from bilateral agreements
- Support regional policy processes

ASSUMPTIONS

- Widespread problem - but only a few big players
- No single solution
- The UK is part of the problem - and must be part of the solution
- All major consumers must take action

WHAT IS THE UK DOING?

1. Supply side
   - Supporting policy reform, governance and enforcement in timber producing countries
2. Demand side
   - Amended EU legislation
   - Reform of government’s timber procurement policy
3. Regional policy
   - Professional and material support to FLEGT and other processes

DEMAND SIDE ACTIONS

- UK Government Timber Procurement Policy
  - Procure wood products only from legal and sustainable sources
- EU Regulation
  - Deny access to the single market of wood products from illegal logging

GOVERNMENT TIMBER PROCUREMENT POLICY

- Variants
  - “Legal and sustainable” is base requirement
  - “Legal and progressing towards sustainable” is acceptable
  - “Legal” is acceptable, if others not available
- Formation of “Central Point of Expertise on Timber”
  - Determine detailed criteria for variants
  - Evaluate certification systems
  - Evaluate other evidence
  - Train and educate suppliers and buyers
  - Report progress
### INFORMATION SHARING

#### United Kingdom (contd.)

<table>
<thead>
<tr>
<th>EU REGULATION</th>
<th>REQUIREMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>- To bar entry to the Single Market of wood originating from illegal logging.</td>
<td>- EU/UK</td>
</tr>
<tr>
<td>- Possible variants:</td>
<td>- Passage of regulation</td>
</tr>
<tr>
<td>- Bilateral agreements to allow entry only to wood products identified as legal</td>
<td>- Capacity of enforcement agencies</td>
</tr>
<tr>
<td>- Ban on entry to any timber products identified as illegal</td>
<td>- Education of suppliers and buyers</td>
</tr>
<tr>
<td></td>
<td>- Producers</td>
</tr>
<tr>
<td></td>
<td>- Definition of legality</td>
</tr>
<tr>
<td></td>
<td>- Verification of legality</td>
</tr>
<tr>
<td></td>
<td>- Tracking and chain of custody</td>
</tr>
<tr>
<td></td>
<td>- Clear documentary evidence</td>
</tr>
<tr>
<td></td>
<td>- Other consuming countries</td>
</tr>
</tbody>
</table>
1. GENERAL

Forestry is a very important economic sector within the PNG economy. It contributes about 4% of the total workforce of PNG. Many existing timber companies have scaled down their operation in view of high cost of operation coupled with low prices of PNG logs on the international market now. Most of the natural forest areas which are easily accessible have been logged out or are currently in operation. Majority of the forest resources that are remaining are located in the hinterland where there is no access.

The mission statement of the PNG Forest Authority is “to promote the management and wise utilization of the forest resources of Papua New Guinea as a renewable asset for the well being of the present and future generation”.

2. LEGISLATION AND REGULATIONS

Following the commission of enquiry into the forestry sector in 1989 sweeping changes were made throughout the forestry sector to better regulate forest exploitation and to manage forest resources on a sustainable basis. The significant regulatory and administrative changes includes the following:

- National Forestry Policy of 1991
- New Forestry Act gazetted in 1991
- Adoption of the Natural Forest Development Guidelines
- Establishment of a PNG Logging Code of Practice in 1996
- New Forestry Regulation
- Adoption of all Provincial Forest Plan
- Adoption of the National Forest Plans

The Policy, the legislation and the other supporting documents focus on strengthening the following areas and are:

a). Acquisition of forest resources by the PNGFA, through the Forest Management Agreement (FMA) which require adequate consideration with customary resource owners.

b). The Allocation of forest management rights to forestry companies, through timber permits in a competitive and transparent manner with operation conditions based on sustainable principles.

c). Appropriate monitoring of logging to ensure that all aspects of the Policy and the Regulation are adhered to.

d). Appropriate measures to be taken to ensure reforestation programmes are undertaken by forest companies, state and other stakeholders.

e). Undertake research activities to support operational aspects of the management and utilization of their forest resources.

g). Providing advice to the government and potential investors on forest resource utilization options and to arrange wood supplies to underpin viable domestic processing.

3. INSTITUTIONAL ARRANGEMENTS AND DECENTRALIZATION

The current Forestry Act provides that all relevant stakeholders must participate in the harvesting and management of the national forest resource. Forestry functions in many way are decentralized, wherein the respective Provincial Forest Management Committees established under the provision of the Forestry Act make decisions relating to the management of the forest resources. There are three (3) key arms of the forestry administration, namely:

a. The National Forest Board

The prime role of the Board is to advise the Minister for Forests on forest policy and legislation and give directions to the National Forest Service through the Managing Director consistent with the objectives of achieving sustainable forest management. Some of the functions and powers of the Board have been delegated to the Managing Director to ensure smooth flow of operations at project and industry levels. The Board is made up of major stakeholders of the forestry sector namely National and Provincial Governments, Landowners, NGOs, Chamber of Commerce and Industries and National Women’s Council.
b. Provincial Forest Management Committees

These committees were established for each province and again comprise of major stakeholders. Its role is to provide a forum for consultation and coordination on forest management between National Forest Board on matters regarding forestry related activities in the respective provinces.

c. National Forest Service

The NFS is the operational or implementing arm of the PNG Forest Authority, which is headed by the Managing Director and comprises of various Divisions and Directorates.

4. LAND TENURE

Unlike many countries throughout the world 97% of the land mass in Papua New Guinea is customary owned. Hence, development of any sort including forestry are undertaken prior to obtaining consent of the landowners.

Forestry projects are development after the landowners transfer their timber rights to the State through a Forest Management Agreement.

5. FOREST AND FOREST PRODUCT VALUATION

PNG has one of the significant tropical forest in the world with most of the resource still intact. About 36 million of land (77%) under forest cover. The forest range from montane forest in the highlands to lowlands mix forest and mangrove near the coast. What is lacking at the moment is the execution of a National Forest Inventory, which would ensure an accurate knowledge base to plan for sustainable forest management.

The timber industry in PNG is log export oriented with about 1,500,000 m3 export to the Asian market and about 40,000 m3 is exported in processed form (plywood, sawntimber, chip).

6. COMMUNITY PARTICIPANTS

Major timber companies in PNG are foreign owned, however there are some degree of landowner participation in the developing of their forest resource.

However, most of the small-scale operations especially sawmilling are operated and owned by the landowners. These small scale operations have mostly been supported by NGOs and the European Union through the Eco-Forestry Programme.

7. ENFORCEMENT OPERATION

Allocation of timber areas to developers is strictly through established procedures. Monitoring of logging operations are undertaken by the Government with the guidance of the PNG logging Code of Practice.

In the export of logs, a Swiss Surveillance company (SGS (PNG) Ltd is making spot check at logs export points.

8. CORRUPTION

The main forest crime or corruption were discovered during the Barnett Inquiry in 1989 into Forestry and Forest Industry wherein there were loop holes in the legislation which enables timber companies and others to undertake unlawful activities.

In recent years, and currently, there are illegal harvest and smuggling of eaglewood along the PNG Indonesia borderer including East and West Sepik province. As a corrective measurer Government Agencies have been informed and a 10% FOB on eaglewood exported is also being enforced recently.
9. **BILATERAL/REGIONAL/MULTILATERAL AGREEMENTS AND CONVENTIONS**

a. **International Tropical Timber Agreement 1994**

PNG is a member of the International Tropical Timber Council and supports its key policies on sustainable management of tropical forests. PNG is committed to achieving sustainable management of tropical forests and participates in the Council’s deliberations and decisions concerning tropical forest use and management.

The ITTO contributes significant financial and technical assistance to many projects in PNG and it is anticipated that during this planned period ITTO assistance will be sought in the formulation of national criteria and indicators, reduced impact logging standards, development of non timber forest products, management of mangrove forests and forest law enforcement and governance.

The PNG ITTO Committee will diligently prepare and submit proposals for projects consistent with ITTC decisions for further assistance.

b. **United Nations Forum on Forests (UNFF)**

PNG is a participant in the deliberations of the IPF, IFF and now the UNFF. The UNFF was established after UNCED or Earth Summit in 1992 in Rio Janerio, Brazil. The IPF deliberated on many issues, which relate to sustainable management of all types of forests. About 150 recommendations have been made for international, national and other groups to take action. PNG Embassy in New York is the focal point of contact for UNFF matters. However, PNGFA has been participating actively in the debates on the key issues.

Bilateral and other donor support is necessary to implement many of the decisions of UNFF.

c. **European Union**

Under the Lome IV Convention, the European Union supports the Asia Pacific and Caribbean Countries (ACP). PNG was a signatory to the Lome IV Convention as a member of the ACP. PNG therefore benefits from EU funding in both the agriculture and forestry sectors.

The islands Regional Environment and Community Development Project was major aid assistance for the forestry and conservation sector. This project was for K5 million for a period of five years, 1995-2000.

A second phase was recommended by a review team. Hence the PNG Eco-Forestry Project resulted from the recommendations of the review team.

The PNGEFP for five years commencing from 2001 for Euro 7.5 million or K21.1 million. The funding is under the 8th EDF as per the Cotonou Agreement which superceded.

d. **FAO**

The United Nations through FAO and UNDP have played a major role in the forestry sector in PNG. Many projects under forestry, environment and conservation have been funded by the United Nations through its various bodies including FAO, UNDP, GEF and UNESCO. PNG is also a member of the Asia-Pacific Forestry Commission of FAO which promotes regional strategies for sustainable forest management.

e. **South Pacific Heads of Forestry**

This is a forum for Heads of Forestry in the Pacific Countries to deliberate on forestry and environment issues affecting the region. PNG actively participates in the forum and will be hosting the next meeting in 2004. Some issues of common interest will be climate changes resulting in rising sea levels which affect many communities on the islands, fuel wood and conservation of biodiversity.

f. **Forest Research Institute Collaboration, South Pacific**

PNG has always extended assistance to many of the Pacific Island States in manpower training and development. In the forestry sector many students have been trained in Bulolo and the University of Technology in Lae. During this planned period it is anticipated that the doors of the PNG Forest Research Institute will be opened for the Pacific Island countries to train their forest scientists in research.
PNG (contd.)

1 General
2 Legislation and Regulations
3 Institutional Arrangements & Decentralization
   - The National Forest Board
   - Provincial Forest Management Committee
   - National Forest Service

INFORMATION SHARING

- Corruption
- Bilateral/Regional/Multilateral Agreements and Conventions
  - International Tropical Timber Agreement 1994
  - United Nations Forum on Forests (UNFF)
  - European Union
  - FAO
  - South Pacific Heads of Forestry
  - Forest Research Institute Collaboration, South Pacific

PNG SITUATION (contd)

4 Land Tenure
5 Forest and Forest Product Valuation
6 Community Participants
7 Enforcement Operations
1. INTRODUCTION

The Lao economy is among the least developed in the world and is heavily dependent on natural resources which provide a livelihood for the bulk of the population. Rural people, who comprise about 80% of the population of 5.3 million, are generally highly dependent on forests especially as sources of food, raw materials, traditional medicines and revenue. In many areas, villagers obtain half of their income and also protein from NTFPs and it is often the poorest, who are most dependent on NTFPs and for who forests act as a safety net. Timber royalties are an important source of government revenue and timber exports account for a large share of foreign exchange earnings. In 1989, wood products accounted for around 40% of the official exports while forestry accounted for about 15% of Gross domestic product. Moreover, some 80% of domestic energy consumption is wood-derived, while the forest also provides a host of minor products, foodstuffs and medicine, which are often exported.

The Lao PDR has one of the highest proportions of forest cover in Asia. Recent forest cover change studies carried out by the Forest Inventory and Planning Division (FIPD) indicate that Lao forest cover is decreasing. Current forest cover is estimated at about 47% (NAFRI). Annual deforestation rate has been estimated at 0.8 – 1.2 percent a year in the 1990s. A wide range of factors contribute to deforestation and forest degradation, sometimes in combination with one another. Direct causes include improper logging practices, shifting cultivation, land conversion for agriculture and infrastructure, and exploitative utilization of NTFPs.

However, the Government of Lao has laid down the forest recovery program. The program has a target of achieving 70 percent forest cover by 2020 through sustainable management of the existing forest and replanting. The program is being implemented through a number of projects such as: The Sustainable Forestry and Rural Development, Pilot Project on Forest Certification, Lao-ADB Plantation Project etc. The former aims at (1) improving the policy and regulatory frameworks enabling effective forest management throughout the country, including development of guidelines, procedures, instructions and human resource capacity to implement them; (2) bringing country’s priority forest areas under participatory, sustainable management (3) developing control and monitoring system and (4) improving villagers’ well-being and livelihoods. GOL has been promoting tree plantation establishment with tree-fold objectives including rehabilitation of degraded land. With this, GOL has set up financial and institutional schemes for promotion of tree planting.

2. FOREST MANAGEMENT

Based on the Lao Forest Law of 1996, forest is classified into 5 types, namely: (1) Protection Forest, (2) Conservation forest, (3) Production Forest; (4) Rehabilitation Forest and (5) Degraded Forest or Denuded Land. Production forest is the main wood supply source for domestic consumption and export. Throughout the country, production forest is comprised of about 2.3 million hectares or about 10% of the total land area. All of these forest types are managed using a system including forest inventory, collection of forest statistics, forest classification and demarcation of forest area, formulation of management plans, laying down rules, allocation of forest and land use, technical guidance as well as monitoring.

Despite these efforts, many forestry workshops and meetings have assessed that current forest management systems do not allow comprehensive, timely and reliable management of sectoral performance, which would facilitate corrective action and improve accountability and good governance. For example, (i) forestry officials do not have sufficient capacity to systematically detect major encroachment or unauthorized forest operations, (ii) information is collected mainly through ad hoc assessments using e.g. satellite imagery or a combination of remote sensing information and field checks and (iii) Monitoring mandates are not clearly defined and monitoring of compliance, i.e. law enforcement, is under-resourced.

In response to these issues, GOL undertook a series of actions and programs including: (1) establishment of National Biodiversity Conservation Areas; to date 20 NBCAs (in 1993 and 1996) and Corridor areas (in 2001) have been designated covering more than 3 million ha, 12% of the total area of Laos; (2) Initiation of land and forest allocation at village level in 1996, whereby villages are given the rights and responsibilities for use and conservation of village
INFORMATION SHARING

Lao PDR (contd.)

For forests; (3) Promulgation of forestry law and related law; (4) implementation of pilot projects in order to find suitable methods of forest management.

3. FORESTRY LAW ENFORCEMENT

The National Assembly passed the Forestry Law in 1996. In order to provide a comprehensive framework for forest management and good governance, the forestry law has been interpreted into regulations, guidelines and other legal documents. Since the National Forestry Congress in 1989 the GOL has taken a number of important steps to promote forestry law enforcement. A Tropical Forest Action Plan was prepared in 1991, a number of major projects and governments programs have been launched and completed and Forest Law and selected implementing regulations have been introduced. National criteria and indicators (C&I) for sustainable forest management were developed in 1999-2000, making Lao PDR one of the forerunners in this respect in Southeast Asia. However, they still need to be approved by GOL. A Code of Forest Management Practice, other environmental guidelines and related effective forest condition and compliance monitoring systems to guide implementation of the forest operation are being developed. At the forestry donor round table meeting in September 2000, the Ministry of Agriculture and Forestry (MAF) presented its Forestry Vision for 2020, which recognized the need to reverse the negative forestry trends, e.g. through strengthening the legislative framework for sustainable forest management and improving forest law enforcement. As a follow-up to the Round Table Process, the GOL initiated the formulation of a Forestry Strategy 2020 (FS2020) process in mid-2001 and expected its completion in 2003.

4. PEOPLE PARTICIPATION IN FOREST MANAGEMENT AND LAW ENFORCEMENT

In the context of forest management in Lao PDR, the GOL is committed to adopting policies to support village participation in forest management and law enforcement. In December 2001, MAF agreed initially on the main principles for village participation in the sustainable management of production forests, which have yet to be formally endorsed. On 22 May 2002, the PMO issued Decree No. 59 on sustainable management of production forests incorporating these principles. The Decree also stipulates participation of local people in all aspect of forest management and law enforcement. In March 2000, the Government committed itself to a broad-reaching program of decentralization, with rights and responsibilities being defined for various levels. Prime Ministerial Order No. 1 specifies that decentralization will focus on promoting the provincial level of government as the strategic planning level, the district level as the planning and budgeting level, and the village as the implementing level for their own development. The above approach is intended to support bottom-up participatory planning and management of natural resources including forest, with the major focus on the village and district levels.

5. CHALLENGES

- implementing decrees, regulations and other instructions at the field level.
- promoting peoples participation in forestry management and law enforcement
- following-up forest management activities and forest law monitoring by forest authorities;
- establishing management information systems on forest management operations.
- improving monitoring capacity to make monitoring and law enforcement more effective.

6. NEW INITIATIVES

Formulation the Forestry Strategy 2020

GOL has decided to formulate the Forestry Strategy 2020 (FS 2020), a comprehensive set of policy and programs based on a thorough review of the sector including new resource data. The process is fully participatory and coordinated with other important initiatives including the Poverty Reduction Strategy and the Biodiversity Strategy. FS2020, which is considered equivalent to a National Forestry Program as well as promoting forestry law enforcement.

Issuing Prime ministry’s Decree No: 59

Prime minister’s Decree on Management of Production Forest was issued in 2002 giving a clear framework for establishment of production forest. From the decree, all relevant stakeholders at the ministerial level need to interpret into implementing. It is also at the Ministry of Agriculture and Forestry who is responsible for forest management, the Decree is being interpreted into regulation of forest management. The regulation will also be
implemented at the filed level throughout the country. All of these efforts are considered as a method of promotion of forestry law enforcement as well.

**Establishing the Sustainable Forestry and Rural Development Project**

Establishing the Sustainable forestry and Rural Development Project with cooperation of the World Bank is an approach to strengthen forestry law enforcement and good governance.

**Law enforcement combined with institutional strengthening and human resource development**

Capacity building is essential for the law enforcement at all levels in addition to establishment of legal framework. Needs of training and institutional improvement is highlighted in all programs of the government including: SF2020, long term and short term plans and forestry projects.

**Strengthening of International Cooperation**

Lao forestry sector has been benefited from international assistance both technical and financial. Through the cooperation, assistance are expected to be identified and continued and strengthened.
**INFORMATION SHARING**

### Lao PDR (contd.)

### FOREST LAW ENFORCEMENT AND GOVERNANCE IN LAO PDR

#### INTRODUCTION

1. The importance of Forest on socio-economic development in Laos
   - 80% of the population are generally highly dependent on forests
   - 80% of domestic energy consumption, material construction, food and etc are derived from the forest
   - 40% of the official export is wood and forest product
   - 15% of Gross domestic product is derived from the forest

### FOREST LAW ENFORCEMENT AND GOVERNANCE IN LAO PDR

#### FOREST MANAGEMENT

2. Forest management System
   2.1 Legal Framework System: Forestry Law; forestry regulations; guidelines and other legal instructions and documents
   2.2 Technical Management System: inventory; collection of forest statistics; forest classification and demarcation; management planning; monitoring and control system
   2.3 Institutional System of Forest management
   - At the central level: MAF, DOF, NAFRI, NAFES, STEA and other relevant ministries
   - At the provincial level: PAFO, FS, PAFES, PSTEA
   - At the District level: DAFO, FU, DALES
   - At the village level: Village Administration, Village Forestry, Villagers

#### GOVERNMENT EFFORTS TOWARDS FOREST MANAGEMENT

3. Government Efforts Towards Forest Management
   - Establishment of 20 NBCAs
   - Bringing country’s priority forest areas under participatory, sustainable management
   - Improving the policy and regulatory frameworks enabling effective forest management
   - Initiation of land and forest allocation at village level
   - Promulgation of forestry law and related law for use and conservation of village forest
   - Implementation of pilot projects
   - Developing control and monitoring system and improving villagers’ well-being and livelihoods.

### FOREST LAW ENFORCEMENT

4. Development policy and Legal Framework
   - A Tropical Forest Action Plan was prepared in 1991,
   - National Criteria and Indicators (C&I) for Sustainable Forest Management,
   - A Code of Forest Management Practice
   - FS2020
   - Other Forest Management Regulation and Instruments

5. Promulgation of Forestry Law and regulations

6. Implementation forest monitoring and control at the field level

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**Annex V**

EAP FLEG Jan/03 TF/AG Meeting
PEOPLE PARTICIPATION IN FOREST MANAGEMENT AND LAW ENFORCEMENT

1. The GOL is committed to adopting policies to support village participation in forest management and law enforcement (the main principles for village participation in the sustainable management of production forests and Decree No. 59 on sustainable management of production forests incorporating these principles).

2. The Government committed itself to a broad-reaching program of decentralization (Prime-Ministerial Order No. 1).

NEW INITIATIVES TOWARD LAW ENFORCEMENT

1. Formulation of the Forestry Strategy 2020
2. Issuing Prime ministry’s Decree No: 59
3. Establishing the Sustainable Forestry and Rural Development Project
4. Law enforcement combined with institutional strengthening and human resource development
5. Strengthening of International Cooperation

CHALLENGES

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- establishing management information systems on forest management operations.
- improving monitoring capacity to make monitoring and law enforcement more effective.
Vietnam Country Report
Task Force and Advisory Group Meeting
Ministry of Agriculture and Rural Development, Vietnam

Meeting Participants: Mr. Dao Xuan Truong, FPD
Mr. Bui Van Phu, DFD
Mr. Tran Kim Long, ICD

FLEG Activities in Vietnam After Bali Declaration

I. Situation (Forestry and Resources)
   • Total forest area: 10.9 million ha, counts for 33.2% of total land area of the country, of which, 9.4 million ha are natural forests and 1.5 million ha are planted forests.
   • Average forest area per capital is 0.14 ha.
   • Total forest volume:
     - 751.5 million m3 of timber
     - 8.4 billion bamboos plants
   • Bare land area: 8.3 million ha
   • Forests are classified into 3 categories, based on use purpose.
     - Special use forest
     - Protection forest
     - Production forest

II. Activities and Results After Bali Declaration (Gains)

1) Development and Amendment of Legislative Regulations
   • Amendment of Decree 77/CP of the Government Prime Minister on punishment of administrative violations in the field of forest and forest products management.
   • Development of a Draft Guidelines Circular on Decree 11/2002/ND-CP.
   • Development and issuance of Guidelines Circular on Implementation of Decision 08/2001/QD-TTg of the Government Prime Minister on Issuance of Regulations for Special Use Forest, Protection Forest and Production Forest That are Originated from Natural Forests.

2) Forest Protection and Management.
   • Deployment of 4,000 forest guards from districts to commune level. This was made in order to protect forests at grassroots level and to guide local people to develop village based regulations on forest protection and development.
   • Forest fire prevention and management:
     - Conduct of 397 training courses with total participants of 177,998.
     - Establishment of Steering Committees from central to local levels.
     - Establishment of 14,893 frontier groups.
Vietnam (contd.)

3) Nature Conservation
- CITES Office in Vietnam approved and issued/granted 648 international CITES permits, 5 of which for science research purpose.
- CITES permits and certificates issued complied strictly with national and international regulations.

4) Inspection and Control Activities
- Establishment of an inter-sectoral inspection and control group to implement its mission in the Highland provinces.
- Resolution of 37,320 Forest Law violence cases, in which are related to forest damages, illegal logging, violence against forest fire regulations and 1,336 cases to illegal trading, transportation of forest products. In addition, there are cases of illegal trading and transportation of wild animals.
- Confiscation of 21,770 m³ of round timbers.

5) Education and Raising Awareness
- Coordination with public communication agencies to disseminate Law and regulations on forest protection and management.
- Development information education campaign/advocacy material and conduct of forums for school children to participate in forest protection and management.

6) Establishment of Mobil Patrolling Teams
- Establishment of 57 mobil patrolling teams (5-15 persons each) in 57 provinces/61 cities and provinces. These teams are specialized in forest protection to carry out inspection, control and support to prevention from illegal actions to forests.

7) Participatory Approach in Forestry Projects
- Promotion of participation of local people in forestry projects.
- Participation of local people in Five Million Ha Reforestation Program and Comprehensive Poverty Reduction and Growth Strategy.

8) International Cooperation
- Strengthening of regional and international cooperation in order to implement FLEG related activities.
- Coordination with International NGOs to carry out conservation projects, training courses on forest protection and management, capacity building to implement forest management related international conventions and national regulations.

III. SHORTCOMINGS/CONSTRAINTS (THREATS)
- Implementation progress of forest and forest land allocation to households, individuals, organizations is still slow and faces a lot of difficulties.
  - Causes: Conflict policy (mission in transition from MARD to GDLA), forest and forest land areas are in remote areas.
  - Effect: Management and protection of forest resource and business production in forest and forest land.
- Forest fires are still alarming and disasters, which are very difficult to overcome.
  - Causes: Inadequate resources fire management/control and low acknowledgement of local people on forests;
  - Effective: More than 5,000 ha of forests were lost, causing landscape and ecological environment loss.
- Illegal trading of wild animals have been to some extent prevented, but many cases were still happened.
  - Causes: Market consumption demands, ineffective custom regulations; inadequate management methods.
  - Effective: Run out of wild animal resources.
IV. SOLUTIONS AND RECOMMENDATIONS

A) Strategies (TO SUSTAIN GAINS)

- Institutionalization of proposed solutions from the last FLEG meeting.
- Promotion of forest and forest land allocation process so that forest and forest land recipients could take initiative to organize their production independently.
- Enforcement of mobil patrolling teams in localities in order to have sufficient and appropriate quality force to carry out their tasks.
- Creation of socio-economic environment for rural and mountainous people participating in investment projects for their increased incomes and reduction of pressures to forests.
- Education and raising awareness to people living in and around forests on rights and obligations to forests, participation in the implementation of Forest Law through public communications agencies.
- Support to future next FLEG meeting to develop guidelines, FLEG regional and national strategy and action plans/specific projects.

B) Strategies (TO ADDRESS THREATS)

- Formulation of coordination mechanism among related ministries on implementation of forest and forest land allocation.
- Enforcement of human resource and provision of adequate forest fire equipment; education and raising awareness on forest fire prevention and fights.
- Strengthening of inspections and controls; harmonization of regulations with related institutions e.g. with customs, police, v.v.
## Situation (FORESTRY AND RESOURCES)
- Total forest area: 10.9 million ha, counts for 33.2% of total land area; 9.4 mill ha natural forests and 1.5 mill. ha planted forests.
- Average forest area per capital is 0.14 ha.
- Total forest volume: 751.5 million m³ of timber and 8.4 billion bamboos plants.
- Forests are classified into 3 categories, based on use purpose: Special use forest, Protection forest and Production forest.

## Activities and Results after Bali Declaration (GAINS)

### 1) Development and Amendment of Legislative Regulations
- 4 Decrees of the Government Prime Minister (1 developed, 2 amended and 1 drafted guidelines circular on implementation of decree).
- 3 Decisions (1 developed and 2 guidelines circulars on implementation of decisions).
- 1 Directives of MARD.

### 2) Forest Protection and Management
- Deployment of 4,000 forest guards from districts to commune level.
- Forest fire prevention and management:

### 3) Nature Conservation
- CITES Office in Vietnam approved and issued/granted 648 international CITES permits.
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- Establishment of an inter-sectoral inspection and control group to implement its mission in the Highland provinces.
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### 5) Education and Raising Awareness
- Coordination with public communication agencies to disseminate Law and regulations on forest protection and management.
- Development information education campaign/advocacy material and conduct of forums for school children.
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INFORMATION SHARING

Vietnam (contd.)

SOLUTION & RECOMMENDATION

A) Strategies (TO SUSTAIN GAINS) - (contd)

- Support to future next FLEG meeting to develop guidelines, FLEG regional and national strategy and action plans-specific projects.

B) Strategies (TO ADDRESS THREATS) - (contd)

- Formulation of coordination mechanism among related ministries on implementation of forest and forest land allocation.
- Enforcement of human resource and provision of adequate forest fire equipment; education and raising awareness on forest fire prevention and fights.
- Strengthening of inspections and controls; harmonization of regulations with related institutions e.g. with customs, police, v.v.
1. The Policy of Thai government has been recently on Forest activity in two departments;
   a. Royal Forest Dept with responsible on Forest Economics area around 15% of total country area.
   b. National Park Wildlife and Plant conservation Department with responsible on Natural Resources in the Conservation area.

Now the new organization has not yet be finalized on the overlapped area.

2. By the declaration of logging ban in 1989 the forest concession have been stopped all activities. Only wood from Plantation are consumable the rubber wood industries with the area of 2.0 mil ha and Forest plantation with area around 300,000 ha composed of teak and fast growing species. The responsibility of Forest activities must be pending on the government decision on various reason.

3. The Chainsaw act has been just declared in 2002 to control and facilitated the chainsaw. All chainsaw must be registered by Forest authority on the owner, sale, user and maintenance.

4. The Programme of Forest Certification has been verified on Teak plantation by smart wood in the area belong to Forest Industry Organization with area on 5,428 ha and now on going with Rubber plantation and also the C& I process has been finished on Public consultation at national level.

5. Ladies and Gentleman, I agree FLEG on basis on legal logging trade the chain of custody should be done at the origin of Forest area or Plantation to approach the certification requirement.
THE PROGRESS ON FORESTRY REFORM IN CAMBODIA
THE ASIA TASK FORCE MEETING OF F.L.E.G
27 - 29 January 2003
JAKARTA, INDONESIA

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I. CAMBODIA- FORESTRY IN GENERAL
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   2.1. The Statement of National Forestry Policy
   2.2. New Forestry Law
   2.3. Various Sub-decrees and Regulations
   2.4. Monitoring and Reporting on Forest Crimes
   2.5. Forest Concession Management System Reform
   2.6. Natural Resources Conservation
   2.7. Reforestation and Community Forestry
   2.8. Institutional Capacity Building
III. FUTURE ACTIVITIES
IV. CONCLUSION
V. PICTURES

CAMBODIA- FORESTRY IN GENERAL
• Total land area: 181,035 km²
• Total forest cover (1997): 10.60 Million Ha or 58% of total land area
  - Forest concession: 37%
  - Protected area: 31%
• Forest cover change rate (1967-1997): 0.48% per annum
• Population:
  - Overall population (1998): 11.437 Millions
  - Annual growth rate: 2.49%
  - Population Density: 64/km²
  - Population distribution: 15.70% Urban, 84.30% Rural
  - Total households: 2,188 Millions
  - Household using fuelwood: 95.30% (90% Firewood & 5.3% Charcoal
• Forest area per capita: 0.90 Ha

CAMBODIA- FOREST COVER

PREVIOUS ACTIVITIES AND ACHIEVEMENT
2.1. THE STATEMENT ON NATIONAL FORESTRY POLICY
   • Forest Resource Conservation
     - To reclassify and re-manage the major part of remaining natural forest stands in consistent to their ecosystems protection and biodiversity conservation functions.
     - To promote conservation and protection strategies such as protected forests, watershed management, genetic and wildlife resources conservation, eco-tourism, and special management areas with a maximum participation of the local community.
     - To strictly implement the Code of Practice as regulatory framework for the sustainable management of forest resources and forest concessions.
     - To conduct extension, education, and public awareness campaigns on Forest Multi-functions at all levels of the Nation Wide.

PREVIOUS ACTIVITIES AND ACHIEVEMENT
2.1. THE STATEMENT ON NATIONAL FORESTRY POLICY (contd)
   • Good Governance
     - To enhance capacity building, institutional strengthening, and research programs at all levels.
     - To conduct, training and public awareness campaigns, with particular regard to the participation of local people within conservation and sustainable forest management.
     - To establish a Forest Administration in which necessary step of devolution and decision-making power can take place, in which functional procedures for multi-institutional collaborations are grounded.
     - To encourage, implement and coordinate multi-stakeholder processes that enable the harmonization of the different perceptions, and purposes at local, regional, and international levels in Sustainable Management of Forest resources.
     - To promote transparent information for the forestry sector.

PREVIOUS ACTIVITIES AND ACHIEVEMENT
2.1. THE STATEMENT ON NATIONAL FORESTRY POLICY (contd)
   • Socio-Economic Development
     - To promote socio-economic value resulted from the forest ecosystems and biodiversity conservation functions.
     - To promote the substitution of timber supply from natural forest stands by timber plantations through encouraging private investment and public participation.
     - To optimize the use, processing and marketing system for forest products deriving from plantation forest in order to support domestic demand, or export markets.

INFORMATION SHARING
2.1. THE STATEMENT ON NATIONAL FORESTRY POLICY (contd)

PREVIOUS ACTIVITIES AND ACHIEVEMENT

• Sub-decree Nº 05/07-02-00 of the Royal Government on curbing forest crimes.
• Decision Nº 50/02-07-99 of the Royal Government on the elimination of sawnwood factories and mills.
• Declaration Nº 06/27-09-99 of the Royal Government on the elimination of anarchy in land encroachment.
• Declaration Nº 01/25-01-99 of the Royal Government on poverty reduction.
• Order Nº 02/06-01-99 of the Royal Government on the elimination of mixed wild animals.
• Sub-decree Nº 05/07-02-00 of the Royal Government on forest concessions management.

2.2. NEW FORESTRY LAW (contd)

PREVIOUS ACTIVITIES AND ACHIEVEMENT

• Concerning to the reforestation and rehabilitation of the forest resources, this law recognized and ensures the right of tradition, religion and for their living without paying royalties.
• Concerning to the forests classification, this law forces to establish a National Committee on National Forestry Policy, which enables to reduce the pressure on natural forests through the participation of private sector and local communities.
• Concerning to the sustainable forest management, this law forces to establish a National Committee on National Forestry Policy, which plays the role to examine and develop Forestry Policy.

2.2. NEW FORESTRY LAW

The Forestry Law has adopted and declared into force since August 31, 2002. A range of related key dispositions is as below:

• The aims of this law are to ensure the sustainable forest management for the environmental, socio-economic benefits and biodiversity and cultural heritage conservation. For each decision related to the main activities, in which will cause the impacts to the forest ecosystem, this law forces to examine the social environmental impact assessment (SEA) and to ensure the public participation in decision making generally in the process Forest Management and Conservation.
• Concerning to the strengthening of the forestry institution, this law forces to reform the structure of forestry administration in single line which composed: central, inspectorate, cantonment, division and triage levels, which characterizes a decentralized structure and devolution in forestry management and administration.
• Concerning to the sustainable forest management, this law forces to establish a National Committee on National Forestry Policy, which plays the role to examine and develop Forestry Policy. The management of state forest has to pursue the national forestry policy and the long-term National Forest Management plan.

2.4. MONITORING AND REPORTING ON FOREST CRIMES

Description | 1999 | 2000 | 2001 | 2002
---|---|---|---|---
Suppressed | 443 cases | 826 cases | 675 cases | 767 cases
Impounded logs | 20,638 m$^3$ | 7,278 m$^3$ | 7,929 m$^3$ | 1,938 m$^3$
Mixed wild animals | 304 anms. & 1,048 kgs. | 1,405 anms. & 233 kgs. | 1,903 kgs. & 2,539 kgs.
Dismantled & destroyed sawmills & others | 1,730 locs. | 834 locs. | 961 locs. | 702 locs.
Dismantled & Destroyed equip. | 301 units | 266 units | 217 units | 219 units
Fined perpetrators | $135,700 | $692,300 | $15,500 | $69,300
### Cambodia (contd.)

#### PREVIOUS ACTIVITIES AND ACHIEVEMENT

**2.5. FOREST CONCESSION MANAGEMENT SYSTEM REFORM**

- **Cancellation of Forest Concession Investment Contracts**
  
  To ensure the sustainability of forest resources, and follow up the forest concession performance review, since 1999 to 2002, RGC has cancelled 15 concession forest agreements of 22 locations with a total area of 3,001,470 ha.

- **Concession Forest Management Planning**
  
  - The remaining 14 concession forest companies occupying a total area of 3,874,029 ha., have their obligation to prepare the concession Forest Management Plans in consistent with international standards and to renew the Forest Concession Agreement.
  
  - By 2002, there were only 13 forest concession companies which submitted the Strategic Forest Concession Management Plans and Environmental and Social Impact Assessments to the DFW for examination and approval.
  
  - For the evaluation of FCMP in consistent with international standards, RGC (DFW) has promoted a Control Pilot project for three years (2000-2003) which will spend US$ 5 million of loan from World Bank in contribution with national counterpart budget.

- **Defining Village and Agricultural Lands out of the Concession Forest Area**
  
  In order to avoid the conflicts of interest between local communities and concessionaires, in 2001 the RGC set up a commission defining village and agricultural lands within concession forest.
  
  As the result, a deduction of a total area of 751,968 ha has been cut off for village and agricultural lands from concession forests.

- **Public Disclosure of Forest Concession Management Plans**
  
  In order to promote the transparency in decision making on Forest Concession Management Plan, the meeting on "Procedure for Public Disclosure on Forest Concession Management" has been held on 17 Oct. 2002 at DFW to define a schedule and procedure for implementing.

**2.6. NATURAL RESOURCE CONSERVATION**

- **Biodiversity conservation is one of the priority policy of the second-mandate RGC which has been paid a strong attention.**
  
  - Many protection forest reserves have been created by the RGC such as:
    - Protection Forest for watershed and biodiversity conservation in central Cardamom region with the area of 401,313 ha.
    - Protection Forest for genetic resources and wildlife conservation in Mundulkiri (429,438 ha.) and Preahvihea (360,027 ha.).
    - Biodiversity conservation area within concession forest in Mundulkiri, Kratie (305,044 ha.).

- **Various activities and projects on biodiversity and wildlife conservation have been implemented such as: Tiger Conservation, Elephant Conservation, Crane Conservation, Mountainous Crocodile Conservation etc.**

- **The law on Wildlife conservation is under the process of developing, in order to have a legal basis in wildlife and biodiversity conservation.**

**2.7. REFORESTATION AND COMMUNITY FORESTRY**

- **In 2002, reforestation was carried out in 979 ha, and people planted more than 1,268,841 trees during Arbor Day and religious ceremonies in their villages.**

- **In cooperation with CSIRO of Australia, 16 growing plots of Acacia and Eucalyptus trees have been created.**

- **Established 11 seed source management areas with 16 of forest tree species (supported by DANIDA, Denmark).**

- **140 community forestry are established in 15 provinces (27,348 families and 65,308 Ha) supported by international organizations and NGOs.**

**2.8. INSTITUTIONAL CAPACITY BUILDING**

- **A Forestry and Wildlife Training Centre has been established under the support of JICA, Japan.**

- **Many activities on forest research have been implemented in cooperation with FORSPA, APAFRI, ASEAN-KOREAN, FFPRI (Japan), ITTO which focusing on the rehabilitation of logging over forest, the research on Change of Water Circulation in Mekong Basin Region, on reduce logging impact, on Non-wood forest product.**

- **Cambodian-German Project provided advisory services on sustainable forest management to the DFW and helped training officials of the DFW and to reinforce the public awareness in local communities on forestry.**
### Information Sharing

#### Cambodia (contd.)

#### Future Activities

- To strengthen implementation of Forestry Law and Regulations in Forest Management and to intensify the Forest Law enforcement.
- To publicize the new Forestry Law at National and Local level, in order to enhance the consciousness of the law and to provide awareness to local community and other stakeholders.
- To reinforce developing the regulations and legal framework under new forestry law.

#### Future Activities

- To reinforce the reform of Forestry Administration in single line as stated in the law in order to ensure the efficiency of the forest management, good governance, and law enforcement.
- To strengthen implementation of Codes of Practice for Forest Harvesting in all forest concession.

#### Future Activities

- To enhance the forest concession management and control pilot project for review and evaluate new forest concession management plans.
- To strengthen the cooperation programs with neighboring countries to prevent cross-border forest crimes.
- To improve the forestry extension program and increase public awareness in order to encourage the local people to participate in the management, protection, conservation, and development of forest resources.
- To extent the cooperation with various international agencies and organizations in order to improve and strengthen the capacity building of national forestry sector.

#### Conclusion

- Under the wise leadership of Prime Minister Hun Sen with the active participation of all national institutions and supported by concerned international communities, the policy reform process of the forestry sector has been satisfactorily achieved, especially in cracking down the forest crime.
- However, the forestry sector still have a long way to reach the goal in sustainable forest management. Moreover, technical assistance, as well as financial support is also important to achieve the forest policy reform.

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**Finding forest crime on map before flying investigated**

**Checking the stump cut illegally by forest concession with CTA of Forest Crime Monitoring and Reporting Project**

**Land encroachment for agriculture crops**

**Checking a log landing of forest concession with Global Witness and all concerned parties**

**Checking the stump cut illegally by forest concession with CTA of Forest Crime Monitoring and Reporting Project**
Illegal sawtimbers were impounded and filed to the court.

Electric sawing machines were confiscated.

World Bank Delegations and Global Witness investigated a harvesting coupe of forest concession.

A evaluation mission team of Forest Crime Monitoring and Reporting Project investigated on public disclosures between forest concession and local people.

Illegal log raft was confiscated and filed to the court.

Electric sawing machines were confiscated.
Illegal log transportation trucks were confiscated

Illegal wood sawing machine was destroyed and seized

Illegal sawmill was burned

Yellow vine powder handicraft was destroyed and burned up

Illegal camphor oil handicraft workshop was dismantled and destroyed

Illegal charcoal kilns were dismantled and destroyed

Illegal log transportation trucks were confiscated

Illegal wood sawing machine was destroyed and seized

Illegal sawmill was burned

Illegal charcoal kilns were dismantled and destroyed

Fish cat was confiscated

Illegal wild products were confiscated
Wild hunters were arrested

A forester was hit by army in a mission

Illegal forest land encroachment for agricultural crops

A forester was injured by dropped a motorcycle during shooting by someone in mission

Wild birds confiscated were released in native habitat

Illegal wild animals confiscated were released in native habitat

Illegal forest land encroachment for agricultural crops

Wild hunter was arrested
Ladies and gentlemen,

Good morning,

I am very honored to talk here today. My speech mainly consists of three parts: Firstly, the improvement of Chinese Law made by Chinese Government after the Bali Declaration came into effect. Secondly, the efforts endeavored by Chinese Government in strengthening the enforcement of forest law.

Last, I’d like to make a brief introduction to our latest “Migratory Bird Activity”.

First, I will talk about the improvement of law. The Chinese Government persists all along that forest resources shall be exploited in a sustainable way and it attached much attention to the protection of bio-diversity. In the past enactment of legislation, China put the protection of forest resources into its law system. For example, there are a series of articles of protecting forest resources in the first version of Chinese Criminal Law. In the year of 1984, a special law for forest resources protection, the Forest Law, was approved. And in 1998, it was amended for the first time. In the following years, a series of relevant laws and regulations were formulated.

Furthermore, we have noticed that among the four amendments of current Criminal Law, two of which are related to forest resources protection. According to the Second Amendment of Criminal Law in Sept. 2001, forestland was put into the scope of protection, and Article 342 of the above-mentioned law is of the imputation of illegal possession of forestland. Our next task is to establish the standard of registration for judicial organs in order to make it practical and to guarantee effective enforcement of law. Based on the fourth amendment of Criminal Law passed on Dec. 28, 2002, the following imputations were added: illegal purchase, transportation, sales of precious trees rare vegetation and their products. Besides, the original definition of illegal logging and destroying precious trees were extended (Article 334); 2) we modified the connotation of purchasing illegal logging and revoked the original unreasonable restricting conditions, thus broadened the scope of the said imputation (Article 345).

In addition to those mentioned legal measures for protecting forest resources, Chinese government have also taken the following measures actively: making the policies more favorable to forestry, implementing six magnificent projects of forestry successively in 2001 and 2002 with a total investment at the point to hundreds of billion RMB.

The second aspect is about the situation of forest law enforcement. The executive force of forestry, mainly forest public security organs, have been strengthening their activities and they handle hundreds of thousands of cases every year.

In China, Forestry Public Security is an armed organization with administrative and judicial power, which means it has been entrusted the power of administrative punishment of illegal activities in forestry sector and the power of criminal jurisdiction over forestry and wild animals conservation. The organization takes the grand task of and is responsible for protecting forest and wild animals.

Reviewing the record of the cases solved in 2001 and 2002, we found that the total number of cases in 2001 increased by 6.2% over that in 2000, while the number in 2002 is 7.1% lower than that of 2001. Generally speaking, various illegal activity which destroy forest resources have been controlled effectively and the situation s becoming better. Seeing from the categories of cases, the number of cases, especially illegal logging, has remained steady and reduced a little. But the number of arson cases and wild animal smuggling cases has risen. Those problems have drawn our caution and we will take effective actions, and we are willing to cooperate with relevant countries to eliminate illegal logging and associated illegal trade.

Lastly, I will give you some information about our latest activity, that is, the Migratory Bird Activity. We did that because we have realized the serious situation of illegal hunting and purchase, transportation, sale of wild animals especially migratory birds, which are deteriorating in recently. It began on Dec 15 and ended on Dec. 24, 2002. This action covered 14 provinces within the courses of migration. We paid much attention to Dongting Lake in Hunan Province and Poyang Lake in Jiangxi Province. In the ten days’ activity, over ten thousand wild birds were rescued every day. It was broadcasted in CCTV and reported in central media of China in series. It also attracted the attention of leaders of central government. This activity exerted far-reaching influence on our society. It has not
only cracked down on the perpetrators but also awoken the mass’s consciousness of protecting wildlife. Just as the vice minister Bai Jingfu of Ministry of Public Security said, protection of the wild animals equals to the protection of humankind.

To sum up, Chinese government has made great efforts in combating illegal logging and other forestry crimes all along and will continue to make arduous efforts in eliminating forestry crimes.

That’s all, thank you for your time and attention.
INTRODUCTION

Thank you to the Government of Indonesia and the Ministry of Forestry for organising and hosting this meeting. Our thanks also to the World Bank for their support of the FLEG initiatives.

While New Zealand was not represented at the Bali meeting in 2001, it attended the May 2002 meeting of the FLEG Task Force and welcomes the opportunity to attend this current meeting and contribute to the discussion.

In this report we cover the key post-Bali topics provided in the agenda that are relevant to New Zealand. As a relative new attendee to the discussion we would also take the opportunity to discuss a little of the longer term evolution of forestry and forestry administration and governance in New Zealand as well as aspects where New Zealand feels it can usefully contribute to the FLEG process regionally.

NEW ZEALAND CONSIDERS THAT IT CAN PARTICIPATE USEFULLY IN A NUMBER OF WAYS

From its past experience in the development of forestry, dating from a history of exploitative use of its indigenous forests, through development of policies and technical understanding about conservation and management of forests, to its contemporary reliance on planted forests.

From our technical developments in forestry such as the use of geographic information system (GIS) technology and reporting on some of the policy measures and other non-government initiatives that reflect efforts towards better forest management standards in timber trade and consumption.

IMPLICATIONS OF FLEG FOR NEW ZEALAND

• New Zealand is a small but active regional player. We have an interest as a consumer nation through timber imports as well as a growing economic reliance with trade based on planted forests. Regional and global trends affect us as it does other Asian and Pacific nations. We consider the discussions on FLEG in the region to be a vital development in efforts to establish a sound basis for good forestry management practices and related standards in timber trade.

• We recognise some New Zealand contrasts to many Asian nations. For example New Zealand has moved away from economic reliance on resources from indigenous forests. We also do not have the same pressure for agricultural land, land tenure issues and needs for forest-dependent communities that affect forests and forest management in many countries in the region. Nevertheless, New Zealand has been through a history of exploitative use of indigenous forest and though many years of change and development in forestry practices and administration.

• Government administration of natural resources has also been through substantive change, moving to establish policies and laws related to sustainable management of these resources, including forests. New Zealand has been able to set aside a substantial area of indigenous forest in government-managed conservation estate while most commercial planted forestry is under private management.

• There are other more recent changes in New Zealand that relate to FLEG. Non-government initiatives include work by the forest sector to develop certification standards related to good forest management under the principles of the Forest Stewardship Council (FSC). The timber industry and marketers have agreed standards for imported timbers. The Government is considering how it might strengthen standards for its own procurement of timber products.

INFORMATION ABOUT NEW ZEALAND

• Information on New Zealand Lands and Forest and Forestry
Land area

New Zealand lies in the southern Pacific Ocean, 1,600 km east of Australia. It is made up of the North and South Islands and a number of smaller islands, with a total land area of 27 million hectares.

Forest History

In the relatively short time of human influence, and particularly during the last 200 years, New Zealand’s forest cover has changed rapidly.

About 75% of New Zealand was forested before the first human settlers arrived. Polynesian inhabitants cleared large areas, a process that continued after European settlers arrived in the mid-19th century and into the 20th century. Over time the forest area was extensively cleared and modified through trade in forest products, expanding agriculture and settlement, and the establishment of human-introduced animals and plants.

During this time it was realised that the relatively slow-growing indigenous forests could not meet future timber demand. Development of planted forests, using introduced faster growing species, coupled with better conservation management of indigenous forests, programs of forest assessment and research continued over a number of decades. During these years the area of government and private planted forests expanded. There was a declining cut of indigenous forests coupled with increased cut from the maturing planted forests and growing market acceptance of planted forest timber. Further change occurred after the 1970’s as public concern over indigenous forest logging increased leading to substantial reductions in the area of timber harvest from indigenous forests.

Eventually in 1987 there were major changes in the Government’s administration of forestry. Two significant outcomes from this were:

- the Government retained ownership and management over approximately 4.9 million hectares of Crown indigenous forests managed as conservation forest with no timber production.
- The progressive sale to private interests of Government’s commercial planted production forests.
Today, forests cover approximately 8.2 million hectares, or 30.6%, of New Zealand’s land area. Of this, 6.3 million hectares (23.5%) are indigenous and 1.8 million hectares (6.7%) are planted forests. The balance is predominantly regenerating shrubland.

**Forest Industry**

There are two unique factors characterising New Zealand’s production forestry sector.

- Over 99% of all harvested wood comes from planted exotic production forests (also referred to as plantations or planted forests), with only 0.3% (by volume) from natural indigenous forests.
- The production forestry sector is predominantly privately owned, with 91% of plantations and 100 percent of processing facilities in private ownership.

Most timber production (over 99% by volume and by value) comes from New Zealand’s planted forest estate. Management of private plantations is generally left to the private sector owners and managers, but is subject to legislation that covers sustainable resource use.

The New Zealand plantation forest industry is characterised by the:

- dominance (89% by area as at April-01) of one tree species, radiata pine;
- high levels of overseas ownership or control in forest growing and wood processing;
- rising importance of small-scale forest ownership;
- relatively low share of on-shore processing and value-adding (for the year ended March 2002 only 65% of the harvest volume was processed beyond the grading of logs);
- pivotal nature of the sawmilling industry that, in addition to processing around 7.5 million cubic metres of wood per year, on-supplies about 3 million cubic metres of residues per year to the pulp and paper and panel sectors.

New Zealand’s planted forest area is expanding. The provisional estimate of new planting in winter 2001 (May - August 2001) is 30,300 hectares. The average annual area of new planting for the five years from 1997 to 2001 was 59,500 hectares.

**Indigenous Forests**

New Zealand’s 6.3 million hectares of indigenous forest are located mainly in the mountain lands of both islands. The Crown is the major indigenous forest owner. Through the Department of Conservation it manages about 77% of the indigenous forest estate for conservation, heritage and recreational purposes. There is no timber production from this conservation estate.
There are also tight restrictions on harvesting from the 23% privately owned portion of the indigenous forest estate under the sustainable forest management requirements of the Forests Act 1949.

Indigenous forests are a key part of New Zealand’s environment and help protect the many values of our natural ecosystems. Having a large planted forest resource has provided New Zealand with the opportunity to protect or sustainably manage its remaining Crown and privately owned indigenous forests.

**Timber Production and Trade**

In the year ended March 2002:

- an estimated 20.7 million cubic metres of wood were harvested from New Zealand’s planted forests; Only 0.3% (59,000 cubic metres per year) of New Zealand’s total forest production is harvested from privately owned indigenous forests.
- log exports accounted for 7.4 million cubic meters, while the roundwood equivalent of 6.9 million cubic metres was exported in processed forms,
- timber and timber products imports comprising logs, poles, sleepers and sawn timber, wood pulp, panel products, paper and paperboard and, furniture and furniture parts totalled 1.6 million m³ roundwood equivalent (RWE), or about 8% of domestic timber production.
- about 90% (RWE) of the imports were paper and paperboard being predominately sourced from Australia (53%).
- 42% by volume of the sawn timber imported being softwoods and the balance hardwoods. Of the imported softwoods, 84% was Western Red Cedar from Canada.
- New Zealand’s timber imports are largely sourced from North America and Australia. New Zealand also imports significant quantities of sawn timber (hardwoods) from Fiji, Papua New Guinea and Indonesia.

**LEGISLATION AND REGULATIONS**

Current New Zealand legislation relating to controls and management of forests includes the following.

- The Conservation Act 1987 administered by the central government Department of Conservation (DoC). The key roles for DoC are management of the protected natural forest estate that includes both the well established reserve and national park systems, and the addition of other protected areas through the 1987 reforms. DoC also manages historic sites, marine reserves, the endangered species program, including efforts to control invasive weeds and pests, recovery of critical ecosystems and habitats, encouraging private landowners to protect conservation values on their lands and work with Mori on protecting their cultural values.
- The Resource Management Act 1991 (RMA). The RMA promotes sustainable management of natural and physical resources, controlling the effects of activities on land, air and water. The RMA is administered by local governments through district and regional plans. The Act follows a process of plan preparation, public participation and submissions, and implementation through regional and district councils. Restrictions on natural forest management for timber harvest can be imposed by restrictive rules arising from this process.
- The indigenous forest provisions of the Forests Act 1949, as amended in 1993, apply to about 1.3 million hectares of private natural forests. This Act promotes sustainable forest management by allowing a limited cut at a level that also provides for management of natural (non-timber) values. The Act also requires that mills commercially milling indigenous timber to be registered and imposes restrictions on milling and allowable exports. It includes enforcement provisions. The Act is administered by the central government Ministry of Agriculture and Forestry.

**NON-GOVERNMENT FOREST MANAGEMENT POLICY INITIATIVES**

There have been parallel non-government and sector initiatives promoting sustainable practices in planted forests. These include the 1991 New Zealand Forest Accord, 1993 New Zealand Forest Code of Practice and 1994 Commercial Forestry & Resource Management Act 1991 Guide. Currently the forest industry and environmental groups are developing a Forest Stewardship Council Standard for New Zealand forests.

The New Zealand Forest Accord 1991 is an agreement between non-government forest industry and environmental organisation representatives. It recognises the important heritage values of natural forests and the need for their conservation, maintenance, and enhancement. The Accord recognises the role of commercial planted forests and
the need for protection and conservation of natural forest. In particular, the accord recognises the principle that existing areas of natural forest should be maintained and enhanced. It sets protocols and defined limits establishment of planted forest on natural forest areas.

**ENFORCEMENT PROVISIONS**

Standards of forest harvesting and management are enforced under the RMA through rules set out for production forest under local government council-administered regional and district plans. Rules set environmental standards to ensure water, soil or landscape protection, and for conservation for specific reasons which may restrict the area or methods of forest management harvest or associated road development. Prosecution for illegal logging from the Crown Conservation Estate is through the Conservation Act. Prosecution for illegal commercial production based on timber taken from any indigenous forests is through the Forests Act.

**FOREST COVER CHANGES MONITORING**

New Zealand has been developing over a number of years a process of forest mapping based on modern satellite imagery and a computer-based Geographic Information System (GIS). Earlier forest monitoring systems relied on aerial photography and drafted maps. The goal of the current system is to provide national coverage of all forests based on type and extent and for further development to provide other features such as forest condition. The development of such GIS systems have proved very useful in a variety of forest assessments and land cover monitoring, both for use in New Zealand and for international resource reporting.

**NEW ZEALAND PARTICIPATION IN BILATERAL/REGIONAL/MULTILATERAL AGREEMENTS AND CONVENTIONS**

New Zealand also has a strong interest regionally contributing to discussions and taking an active role in a number of post-UNCED international discussions relating to sustainable forest management such as the Montreal Process, UNFF program of work and the International Tropical Timber Organisation (ITTO). It also participates in similar discussions implicating forests and forestry but relating to broader issues of social, economic and environmental sustainability, such as the World Summit on Sustainable Development (WSSD) and Convention on Biological Diversity (CBD). New Zealand also participates in regional forestry discussions such as the meetings of Asia-Pacific Forestry Commission (APFC).

New Zealand has also participated in global discussions related to technical issues of forest resource assessment such as the Forest Resource Assessment (FRA) of 2000 and how these data contribute to better understanding of the status, variability and changes in forests.

New Zealand is a party to the United Framework Convention on Climate Change (UNFCCC). It has also signed, and now ratified, the Kyoto Protocol, putting in place domestic policies to address how forests will contribute to our responsibilities under the Protocol.

**GOVERNMENT POLICY AND SECTOR INITIATIVES**

The New Zealand Government has identified that measures may be needed to strengthen timber provisions of its procurement policy; working together with the initiatives of timber importers and environmental groups. This is in conjunction with the Government's active participation in international discussion about sustainable management in forestry.

The New Zealand Imported Tropical Timber Group (ITTG), with representatives from timber importers, timber retailers and environmental NGOs was formed in 1991. The ITTG has established a task force to actively seek sources of sustainably managed tropical timber. Also, through its membership, and a Charter of Understanding, the ITTG is promoting a number of key goals related to timber imports:

- to ensure that all tropical timber imported into New Zealand is sourced from certified sustainably managed forests;
- to agree on certification procedures that provide purchasers with a reliable assurance of the sourcing of the product from sustainably managed forests;
- to seek understanding of and common ground between members of the Group on the key issues underpinning both the tropical timber trade and management of tropical forests;
**New Zealand (contd.)**

**Forest Certification**

Over 600,000 hectares (about one third) of New Zealand’s planted forest area has Forest Stewardship Council (FSC) certification, with another 17% under evaluation. In addition about 600 hectares of private production indigenous forest has FSC certification with an additional 12,000 hectares under evaluation.

In May 2001, a New Zealand National Initiative to develop forestry management performance standards for third-party audit and certification was launched. This was organised by Greenpeace New Zealand, New Zealand Forest Industries Council, New Zealand Forest Owners Association, Royal Forest & Bird Society and WWF New Zealand and involved industry and non-industry stakeholders from economic, social, environmental and Maori groups. Industry representation came from both the plantation and indigenous forestry sectors.

**UNFF Intersessional Meeting on Planted Forests**

There is still much to be learned and discussed regarding the role of planted forests. New Zealand is hosting the United Nations Forum on Forests (UNFF) Intersessional Experts Meeting (March 2003, Wellington) on planted forests. This discussion will aim to better understanding concerning the role planted forests in the region and beyond. Both as alternative supply and as means to counter forest loss.

**CONCLUSION**

We understand the pressures that forests face because New Zealand has experienced similar issues in its relatively short history. Natural forest cover has shrunk from about 53% in 1840 to about 23% in 1976, because of our past exploitative use for forestry products and the clearance of land for agricultural purposes. Fortunately for New Zealand this process has been halted. But it has taken many decades to introduce policies, to set in place legislation, to change management practices and to give effect to the political will to set a sustainable development course. We recognise that the model New Zealand has chosen will not be suited to other countries - each faces its own unique set of circumstances and pressures, however, the consequences of not acting are well known. In the case of New Zealand we recognised early enough that the path we were taking was not sustainable, and were perhaps fortunate to be in a position to consider future land use and forest management options to avoid exhausting a finite resource.
FLEG MEETING - JANUARY 2003

This presentation will cover:
• New Zealand participation in FLEG
• Implications of FLEG for NZ
• Information about NZ

NEW ZEALAND PARTICIPATION IN FLEG:
• Experience from development of NZ forestry
• Technical experiences and political measures

IMPLICATIONS OF FLEG FOR NZ:
• NZ a small but active regional player
• NZ Contrasts
• Change in Government administration
• Recent Initiatives

LAND USE IN NEW ZEALAND

Total land area of New Zealand: 27 million hectares

NZ LEGISLATION AND REGULATIONS:
• Conservation Act 1987
• Resource Management Act 1991 (RMA)

LEGEND
INFORMATION

SHARING

New Zealand (contd.)

RECENT INITIATIVES

• New Zealand Accord 1991
• NZ Imported Tropical Timber Group
• Forest Certification

NZ PARTICIPATION INTERNATIONALLY

• Discussions on Sustainable Forest Management
• WSSD, CBD and APFC
• International Reporting under Montreal Process, CBD
• Climate Change

ACCURACY ASSESSMENT

• Completed by Forest Research
• 17,061 sample points
• 2m spatial resolution ortho-photos used to determine actual land cover
• Systematic sample on 1.3km x 1.3km grid
INFORMATION SHARING

New Zealand (contd.)

1. NZ LAND COVER DATABASE
   - Current area 6.25 million hectares of Indigenous Forest and 22 000 ha of Mangrove = 23% of NZ’s land area
   - Scrubland area 2.64 m ha = 10% of NZ land area
   - Area of shrubland is expanding especially in Northland and East Coast
   - (Indigenous Forest and Scrub = 33% of NZ’s land area)

2. APPLICATIONS
   - Assessment of “Total Wooded Land”
   - “Wooded Land”
     - South is = 36%
     - NZ = 39%

3. NEW DEVELOPMENTS
   - Land Cover Database 2
   - Repeat to monitor trends after 5 years
   - “Parent classes” retained
   - Increased “thematic depth”
JAPAN’S CONTRIBUTION ON FLEG

Presentation by
Takeo KAMINAGA
Secretary for Forestry
Embassy of Japan in Indonesia

JAPAN’S CONTRIBUTION
1. Active participation and contribution to the International dialogue (G8 Summit, UNFF and WSSD)
2. Launching Asia Forest Partnership (AFP)
3. Contribution through ITTO
4. Domestic Initiatives

INTERNATIONAL DIALOGUE (G8 COUNTRIES’ COMMITMENT 1)
• The communique (Okinawa Summit, July 2001)
  “We will also examine how best we can combat illegal logging, including export and procurement practices.”

INTERNATIONAL DIALOGUE
(UNFF AND WSSD)
• UNFF (Ministerial Declaration and Message to WSSD)
• WSSD (Plan of Implementation)
  “Take immediate action on domestic forest law enforcement and illegal international trade in forest products, including in forest biological resources, with the support of the international community, and provide human and institutional capacity-building related to the enforcement of national legislation in those areas.”

ASIA FOREST PARTNERSHIP (AFP)
<OBJECTIVES>
To promote SFM in Asia region. Urgent issues:
• Good governance and forest law enforcement
• Developing capacity for effective forest management
• Control of illegal logging
• Control of Forest Fire
• Rehabilitation and reforestation of degraded lands

INTERNATIONAL DIALOGUE (G8 COUNTRIES’ COMMITMENT 1)
• G8 Action Programme on Forests (Final Report) (Kananaskis Summit, June 2002)
  G8 members are committed to Combat illegal logging and the use of illegally harvested timber and related products. In this respect,
  • increase capacity building and technology transfer to address the elimination of illegal logging;
  • take actions to eliminate the export and import of illegally harvested timber and related products; and
  • support ongoing processes on forest law enforcement and governance.

ASIA FOREST PARTNERSHIP (AFP)
<PARTNERS>
• Government: (14)
  Australia, Cambodia, China, Finland, France, Indonesia, Japan, Republic of Korea, Malaysia, Switzerland, Thailand, UK, US, EC
• Intergovernmental Organizations: (8)
  ADB, APO, CIFOR, FAO, ITTO, UNFF, ESCAP, UNU
• Civil society: (1)
  The Nature Conservancy (TNC)
ITTO
- Projects
  - Enhancement of tropical forest management for the control of illegal logging
  - Development and implementation of guidelines to control illegal logging for SFM in Indonesia, etc.
- Decisions
  - “Forest law enforcement in the context of sustainable timber production and trade”
  - “The potential role of phased approach to certification in tropical timber producer countries as a tool to promote sustainable forest management”

DOMESTIC INITIATIVES
- Amend the Forest and Forestry Law and start the new NFP to promote SFM
- Establish the Committee for combating illegal logging (forestry industry associations, consumer groups, environmental NGOs, etc.)
- Declaration by Wood Industry Association to tackle the illegal logging and illegal trade

ADDITIONAL PARTNERS ARE WELCOME TO JOIN AFP!

Thank you for your kind attention!
AG REPORT TO TASK FORCE
DAY 1

1 National commitments: need to monitor them, hence develop indicators and benchmarks, and time frames
2 Regional enforcement initiative: member countries appoint contact person to liaise with enforcement agencies
3 Develop definitions of legal/illegal, country specific, consultation with civil society etc, proof of legality, address contradictions
4 New laws in consuming countries

AG Report to Task Force
Day 1 (contd)

5 Develop clearing house mechanism for transparent reporting for all matters of forest governance, eg web site:
   • List of concessions, jurisdiction, location, quotas, and duration,
   • Lists of protected areas and their boundaries
   • List of legally authorized mills

6 Corruption: develop mechanisms to assess progress to address corruption: scorecards, independent monitoring, lessons learnt
7 Harmonization of custom codes by species, and verification by species
WRAP-UP OF DAY 1

Task Force

FOLLOW-TO THE SEPTEMBER 2001 BALI MINISTRIAL DECLARATION
TASK FORCE AND ADVISORY GROUP MEETING

WRAP UP SESSION HIGHLIGHT

Purpose of this session:
• To start the mechanism on Regional information sharing on National progress and issues on FLEG
• To build up common understanding across countries which will be necessary in the TF planning session

WRAP UP SESSION HIGHLIGHT (contd)

Process of this session:
Voluntary country presentations:
Philippines Thailand
Indonesia Cambodia
UK China
PNG New Zealand
Laos Japan
Vietnam

WRAP UP SESSION HIGHLIGHT (contd)

Process of this session:
• Overview of issues in own countries: what has worked, what has not and what’s next
• Two Question & Answer sessions after TF country presentations
• Wrap-up session at end of the TF plenary session
• Task Force and Advisory Group will meet again in the plenary at the end of the day, to share expectations

WRAP UP SESSION HIGHLIGHT (contd)

Outcomes of this session:
• Sharing information on forestry issues underpinning FLEG as in BD:
  – Legislation & regulations
  – Institutional arrangements
  – Timber production and consumption (and relative imbalance)
  – Enforcement operations
  – Forest cover changes monitoring
  – Case tracking systems

WRAP UP SESSION HIGHLIGHT (contd)

Outcomes of this session:
• Country presentations updating the forum on progress made in Law Enforcement and future plans
• First elements for Regional actions to implement the Bali Declaration also emerged
WRAP-UP OF DAY 1

WRAP UP SESSION HIGHLIGHT

First Element for Regional action:
Countries highlighted particular issues they would like considered as first actions:
- Criteria and indicators for Bali Declaration FLEG achievements
- Format for information sharing on national programs/regulations (draft discussed/being developed)
- Preparation of FLEG strategy - National and Regional level
- Research collaboration specifically on supply/demand

WRAP UP SESSION HIGHLIGHT (contd)

Where are we at the end of Day 1:
- Tentative format on how to develop the framework as a tool to report on national activities
- Will be developed over the next 2 days, to be translated into action plan for National and Regional levels

WRAP UP SESSION HIGHLIGHT

First Element for Regional action:
Countries highlighted particular issues they would like considered as first actions (contd):
- Share learning from the National process in defining legality
- Exchange of customs data on trading of forestry products (MIS)
- Benchmark for Forest Resource Assessment
- Documentation of success stories and lessons learnt
- Harmonization of legislation at National level
- Capacity building

WRAP UP SESSION HIGHLIGHT (contd)

Where are we at the end of Day 1:
- Any inputs from Advisory Group/observers welcome
  - Help in prioritization of the Regional initiatives
  - Crafting the framework of Regional FLEG strategy
  - Recommendation of C & I for FLEG evaluation
  - FLEG institutional support mechanisms (Training/MIS/R&D/Bilateral and Multilateral cooperation)
## I. A. INFORMATION SHARING MATRIX

A. National Information sharing Matrices

<table>
<thead>
<tr>
<th>Country Name : ………………………….</th>
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*: See Annex to Ministerial Declaration

**: Link to FLEG Objectives and Priorities (See Briefing notes – TF and AG meeting)

To be translated to the national and Regional FLEG Strategy and Specific action Plan

### Issues

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### Bali Dec. *

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<tr>
<th>Yes</th>
<th>National Initiative / What Happens</th>
<th>Outcomes</th>
<th>Strategy to Sustain ** (What is Next)</th>
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### Gain (What is Working)

Example from Philippines
**B. National Information sharing Matrices**

**Country Name: .............................................**

<table>
<thead>
<tr>
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To be translated to the national and Regional FLEG Strategy and Specific action Plan
### I.B. REGIONAL INFORMATION SHARING MATRIX

i. Consolidation of National Information sharing Matrices

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LEARN AND NETWORK

ASEAN

ASEAN COOPERATION IN FORESTRY

MANDATE AND POLICY FRAMEWORK

ASEAN VISION 2020

“... to enhance food security and international competitiveness of food, agriculture and forest products to make ASEAN a leading producer of these products and to promote the forestry sector as a model in forest management, conservation and sustainable development.”

Sixth ASEAN Summit, Ha Noi, December 1998

MANDATE AND POLICY FRAMEWORK

2.4. Enhance food security and global competitiveness of ASEAN’s food, agriculture and forestry products.

ASEAN would strive to provide adequate levels of food supply and food accessibility within ASEAN during instances of food shortages to ensure food security and at the same time, enhance the competitiveness of its food, agriculture and forestry sectors through developing appropriate technologies to increase productivity and by promoting intra- and extra-ASEAN trade and greater private sector investment in the food, agriculture and forestry sectors.

2.4.2 Develop and Adopt Existing and New Technologies.

- Conduct collaborative research to develop new/improved technologies in food, agriculture and forestry production, post-harvest and processing activities and sharing of research results and available technology;
- Constrain R&D in critical areas to reduce the cost of inputs for food, agriculture and forestry production; and
- Strengthen programmes in food, agriculture and agro-forestry technology transfer, training and extension to increase productivity.

2.4.3 Enhance the Marketability of ASEAN Food, Agriculture and Forestry Products/Commodities.

- Develop, harmonise and adopt quality standards and regulations for food, agriculture and forestry products;
- Promote diversification of forest products; and
- Promote and implement training programmes and share and exchange expertise in the field of food, agriculture and forestry.

2.4.4 Enhance Private Sector Involvement.

- Conduct a study to identify high-impact investment opportunities in key areas under the food, agriculture and forestry sectors in ASEAN and to provide essential information for investment decisions on these opportunities; and
- Establish networking and strategic alliances with the private sector to promote investment and joint venture opportunities in ASEAN.

2.4.5 Enhance ASEAN Cooperation and Joint Approaches in International and Regional Issues.

- Strengthen ASEAN’s cooperation and joint approaches in addressing issues and problems affecting trade in the region’s food, agriculture and forestry products including environment and labour issues; and
- Seek closer cooperation and negotiate, through relevant ASEAN bodies, with trading partners on market access for ASEAN products.

2.4.6 Promote Capacity Building and Human Resources Development.

- Promote and implement training programmes in the field of food, agriculture and forestry, including the exchange of experts.
Mande and Policy Framework

Priority areas of cooperation:

1. Strengthening Food Security in the Region
2. Facilitation and promotion of intra- and extra-ASEAN Trade in Food, Agriculture and Forest Products
3. Technology generation and transfer to increase productivity and develop agribusiness and silvobusiness
4. Agricultural Rural Community and Human Resources Development
5. Private Sector Involvement and Investment
6. Management and Conservation of Natural Resources for Sustainable Development
7. Strengthening ASEAN Cooperation and Joint Approaches in Addressing International and Regional Issues

Cooperation Programmes / Activities

- Forestry Trade Issues
  - CEPT Scheme for AFTA for Forest Products
- ASEAN Cooperation in Forest Products Promotion
  - National Focal Point Working Group on Forest Products Promotion
  - ASEAN Forest Products Industry Club
- Development of Herbal and Medicinal Plants in ASEAN
  - Database on ASEAN Herbal and Medicinal Plants
- Cooperation in Research & Development for Forest Products
  - Exchange/Sharing of Information
  - Training Programmes

ASEAN Organization Structure on Food, Agriculture & Forestry Cooperation

Role of the ASEAN Secretariat on Forestry Cooperation

- Provide support for the institutional bodies (AMAF, ASOF and the working groups)
- Act as a resource base
- Provide advice and information
- Coordinate the implementation of regional activities and programs
- Service the meetings of the ASEAN forestry bodies
- Ensure coordination among activities of other sectoral bodies to promote synergy and avoid duplication; and
- Promote coordination among ASEAN bodies and its programs and those of dialogue partners and other international organizations in terms of resource mobilization, program implementation and institutional linkages

INSTITUTIONAL ARRANGEMENTS

- ASEAN Ministerial Meeting on Forestry (AMAF)
- ASEAN Senior Officials on Forestry Meeting (ASOF)
- Expert/Working Groups
- Forestry Unit within the ASEAN Secretariat

Annual Meetings held and on some occasions Special Sessions
FUTURE PROSPECTS

- Promote ASEAN’s stature to coordinate regional efforts in forestry issues & matters, and as a voice to be heard in international fora
- Improve networking with relevant organizations to mobilize resources and coordinate programs at the regional level; diversify resources mobilization from the traditional dialogue partners
- Demand greater role in international development assistance
- Identify and prioritize regional issues for implementation

THANK YOU
ITTO AND FLEG:
NOTES ON ITTO’S ACTIVITIES IN THE AREA OF
FOREST LAW ENFORCEMENT GOVERNANCE AND TRADE
By I. J. Bourke, ITTO, Yokohama, Japan.

1. The International Tropical Timber Organization (ITTO) is an intergovernmental organization which was created by the International Tropical Timber Agreement (1983), and currently operates under the ITTA, 1994.

2. ITTO brings together tropical timber producers and consumers as equal partners in decision-making and currently has 57 member governments. ITTO membership represents: 90% of world tropical timber trade, 77% of the world’s tropical forests.

3. ITTO’s mandate is to promote sustainable development through trade, conservation and best-practice forest management. Illegal logging acts as a direct impediment to SFM, which is one of ITTO’s main objectives. Another aim of ITTO is to bring more transparency to trade. ITTO collects data on tropical timber trade flow volumes and production. While discrepancies between import and export data can suggest illegal trade, production data irregularities can indicate illegal logging.

4. Many of ITTO’s activities are related to SFM and to sustainable trade. Many also have elements or linkages to ensuring legal production and trade eg. Criteria and Indicators (C&I), certification, forest auditing, collection and publication of tropical timber statistics and statistical system development.

5. Specific actions that are on forest law enforcement in this region include:

   - In 2000, the Indonesian Government requested assistance from ITTO in identifying ways in which ITTO could support the formulation of plans and programs to achieve sustainable forest management, with particular emphasis on actions to curb illegal logging. The report of the “Indonesia Mission” was published in November 2001 and contains a number of recommendations on actions to combat illegal logging in the country.

   - Discussions have taken place in the ITTO Council (ITTC) on the subject of forest law enforcement and illegal logging and the associated illegal trade.

   - ITTO has a project entitled “Development and Implementation of Guidelines to Control Illegal logging for Sustainable Forest Management in Indonesia”. The executing agents are Government of Indonesia and WWF – Indonesia. This work encompasses a pilot study on ways to control illegal logging in production and protected areas in Riau and West Kalimantan. The outputs are to be used to develop guidelines for overcoming illegal logging nationally. Work will involve analysis, training in law enforcement of forest staff, and the development of improved policies to combat illegal activities.

   - Work is underway under ITTC Decision 6(XXXI), 2001 “Forest Law Enforcement in the Context of Sustainable Timber Production and Trade”. This involves:

       a) if requested by member countries, to carry out case studies on illegal logging and trade. Currently a study is underway in Peru, and one under discussion with the Government of Indonesia.

       b) Investigating trade statistics reporting systems in selected countries to identify problems and recommend actions to strengthen these systems and to deal with apparent instances of illegal trade. Under this, country level studies are being conducted in order to clarify the reasons for the major discrepancies that exist between export and import data on tropical timber and timber products reported by some trading partners. This work will be conducted by local consultants. Presently work is commencing in the PR China, Indonesia, Malaysia, and United Kingdom.

          Discussions are being held on work in Brazil, Japan, Thailand and USA. The work will:

          - Review individual products for which substantial discrepancies have been discovered, including analysis of individual customs records/reports.

          - Research the effects of different measurement standards and reporting formats (e.g. scaling systems, notation systems, reporting periods, etc.).

          - Research mis-classification by product and within product codes (e.g. sawnwood-mouldings, coniferous, non-coniferous).
- Research possible “triangular” trade, where the destination on bill of lading and/or customs report differs from actual destination.
- Identify possible transfer pricing through analysis of average unit values for shipments and other relevant data.
- Compare conversion factors (weight/area/pieces ’/volume).
- Identify areas for further research.

6. Cooperation:
ITTO believes that it is very valuable for all processes and organizations involved in addressing forest law enforcement issues to share information and experiences, and to work together on addressing this important subject.

ITTO information and documents are available at
FLEG RESEARCH AT CIFOR

ON GOING ACTIVITIES
- Relationships between law enforcement and livelihoods
- Current global situation re illegal logging and trade, and options for international cooperation
- WWF/TNC Alliance to combat illegal logging
- China’s timber imports and impacts
- Financial legislation and money laundering
- Legislation and SFM

RELATIONSHIP BETWEEN LAW ENFORCEMENT AND LIVELIHOODS
- Global review, funded by DFID
- Four case studies in Central America, Africa, Indonesia, and Canada
- Goal is to assess opportunities and threats for livelihoods arising from law enforcement
- Preliminary draft to be presented at AFLEG
- Final draft in July

GLOBAL SITUATION RE-ILLEGAL LOGGING AND TRADE AND OPTIONS FOR INTERNATIONAL COOPERATIONS
- Review funded by Japan, part of AFP
- Collate global data on illegal logging and trade
- Relationships between SFM, illegal logging, and trade regulations
- Review on going and proposed policy initiatives
- What actions for international cooperation to reduce trade in illegal timber products?

WWF/TNC ALLIANCE TO COMBAT ILLEGAL LOGGING
- develop and apply monitoring and evaluation framework
- build capacity of Indonesian partners
- sharing of lessons learned

CHINA’S TIMBER IMPORTS AND IMPACTS
- import trends and environmental and livelihood impacts
- supply and demand trends affecting imports
- financial flows driving regional timber trends, regulatory frameworks affecting finance and new due diligence procedures
- opportunities for low-income producers in E. Asia and barriers to participation
- strategic leverage points to transform forest trade

FINANCIAL LEGISLATION AND MONEY LAUNDERING
- Review of legislation re money laundering in US and Europe, implications for illegal logging
- Indonesia possible case study of implications of money laundering legislation
LEGISLATION AND SFM

- Comparative study of Brazil and Finland
- First in a new series on Forest Law Enforcement, Governance, and Trade
FAO’S RELATED PROGRAMMES AND ACTIVITIES ON FLEG

by
BENNY SORMIN
January 2003

8 MAIN POINTS:

1 ILLEGAL LOGGING AS KEY AGENDA
2 CODE OF PRACTICE ON FOREST HARVESTING AND RIL
3 FOREST CRIME MONITORING AND REPORTING PROJECT IN CAMBODIA
4 REGIONAL MODEL FOREST PROJECT
5 ADAPTIVE COLLABORATIVE MANAGEMENT

8 MAIN POINTS (contd)

6 NATIONAL FOREST PROGRAMME (NFP) FACILITY
7 MEETING ON POLICY OPTIONS FOR IMPROVING FOREST LAW COMPLIANCE
8 CORPORATE CODES OF CONDUCT

ILLEGAL LOGGING AND TRADE

HAS BEEN A KEY AGENDA ITEM OF THE 19 SESSION OF THE 19TH SESSION OF ASIA PACIFIC FORESTRY COMMISSION HELD IN AUGUST 2002 IN MONGOLIA

FOREST CRIME MONITORING AND REPORTING PROJECT IN CAMBODIA

AS PIONEERING EFFORT TO CURTAIL FOREST CRIME IN CAMBODIA

CODE OF PRACTICE ON

FOREST HARVESTING IN ASIA-PACIFIC;
WAS PREPARED BY APFC WORKING GROUP ON SFM;
AND ADOPTED VARIOUS PARTIES/FORA

REGIONAL MODEL FOREST PROJECT

PROMOTES IMPROVED FOREST GOVERNANCE THROUGH PARTNERSHIPS OF STAKEHOLDERS
ADAPTIVE COLLABORATIVE MANAGEMENT

IMPROVED FOREST GOVERNANCE THROUGH PARTICIPATORY ASSESSMENT AND ADJUSTMENT

STUDY ON CORPORATE CODE OF CONDUCT

EXPLORES WAYS OF INCREASING THE CONTRIBUTION OF CORPORATE ENTITIES TO GOVERNANCE IN FORESTRY SECTOR

NATIONAL FOREST PROGRAMME (NFP) FACILITY KEY ELEMENTS:
SUPPORTING GOOD FOREST GOVERNANCE, PARTICIPATORY PROCESS, AND IMPROVED TRANSPARENCY

THANKYOU
INITIATIVE ON GOOD FOREST GOVERNANCE (GFG) IN ASIA: WHO, WHY, AND WHAT?

FLEG Meeting, Jakarta, 27-29 Jan 2003

8 MAIN POINTS:
1. ILLEGAL LOGGING AS KEY AGENDA
2. CODE OF PRACTICE ON FOREST HARVESTING AND RIL
3. FOREST CRIME MONITORING AND REPORTING PROJECT IN CAMBODIA
4. REGIONAL MODEL FOREST PROJECT
5. ADAPTIVE COLLABORATIVE MANAGEMENT

8 MAIN POINTS (contd)
6. NATIONAL FOREST PROGRAMME (NFP) FACILITY
7. MEETING ON POLICY OPTIONS FOR IMPROVING FOREST LAW COMPLIANCE
8. CORPORATE CODES OF CONDUCT

WHO EXACTLY ARE WE?
Lourdes Des Amos, Tagpuan, KASAPI, Philippines; Ashok Babu, Vasundhara, India; Lies Baharuni, Perhutani, Indonesia; Ly Chou Beang, Reforestation Office Department of Forestry and Wildlife, Cambodia; Bhola Bhattarai, FECOFUN, Nepal; Jose Andres A. Canivet, Environmental Legal Assistance Center, Philippines; Apuara Chappain, FECOFUN, Nepal; Michael Dougherty, RECOFTC, Thailand; Karen Edwards, RECOFTC, Thailand; Tan Jingzheng, Sichuan Agricultural University, Sichuan, China; Bhin Prasad Shrestha, FECOFUN, Nepal; Michael Dougherty, RECOFTC, Thailand; Karen Edwards, RECOFTC, Thailand; Tan Jingzheng, Sichuan Agricultural University, Sichuan, China; Chu K. Lai, International Centre for Research in Agroforestry, Philippines; Pearnakak Akanubnhon, RECOFTC, Thailand; Hein Maikler, Ford Foundation, Beijing, China; Bambang Soeharijanto, Perhutani, Indonesia; Antonio T. Sumbalan, Provincial Government, Bukidnon Province, Philippines; Susetiyaningsih, Perhutani, Indonesia; Zou Ting, College of Rural Development, China Agricultural University, Beijing, China; Gan Tingyu, Sichuan Academy of Social Sciences, Sichuan, China; Vilayhak Somsoulivong, National Agriculture and Forestry Extension Agency, Laos; Somkit Vankham, Northern Community Forestry Federation, Thailand; Michael Victor, RECOFTC, Thailand; Lu Xing, Rural Development Research Center Yunnan Institute of Geography, Yunnan, China; Zhao Yanqiao, Center for Community Development Studies, Yunnan, China; Wu Yusong, Center for Community Development Studies, Yunnan, China

WHO ARE WE?
Partners from 9 countries in Asia – China, Cambodia, Indonesia, Laos, Philippines, Thailand, Vietnam, India, Nepal
Representatives from communities, forest user groups/federations, NGOs, government agencies, legal action groups, universities, international organizations
People with a shared vision of good forest governance

WHO EXACTLY ARE WE? (contd)
Bharat Kumar Pokharel, Ministry of Forests and Soil Conservation, Nepal; Sushil Saigal, Resource Unit for Participatory Forestry (RUFOR), Winrock International India; Mom Sakin, NGO Forum/Community Representative, Kratie District, Kratie Province, Cambodia; Drs. H. Arifin Setiainiharja, Indonesia; Bhim Prasad Shrestha, FECOFUN, Nepal; Narayan Kaji Shrestha, WATCH, Nepal; Bambang Soeharijanto, Perhutani, Indonesia; Antonio T. Sumbalan, Provincial Government, Bukidnon Province, Philippines; Susetiyaningsih, Perhutani, Indonesia; Zou Ting, College of Rural Development, China Agricultural University, Beijing, China; Gan Tingyu, Sichuan Academy of Social Sciences, Sichuan, China; Vilayhak Somsoulivong, National Agriculture and Forestry Extension Agency, Laos; Somkit Vankham, Northern Community Forestry Federation, Thailand; Michael Victor, RECOFTC, Thailand; Lu Xing, Rural Development Research Center Yunnan Institute of Geography, Yunnan, China; Zhao Yanqiao, Center for Community Development Studies, Yunnan, China; Wu Yusong, Center for Community Development Studies, Yunnan, China

WHY AN INITIATIVE ON GFG
• Disconnect between community forestry discourse and the wider forestry sector and political processes
• Realization that civil society – particularly communities – are not accepted as key actors in forest governance
• International/national agreements & processes lack opportunities and mechanisms for meaningful civil society participation
• Need for understanding of the practice of GFG at different levels, based on field realities

LEARN AND NETWORK
RECOFTC
### WHY AN INITIATIVE ON GFG (contd)

- Two year initiative to test:
  - the feasibility of concerted and collaborative work on GFG in Asia
  - whether there is a need to establish a regional GFG association or alliance
- Support from the Ford Foundation
- RECOFTC hosting interim secretariat for initiative
  - facilitating/supporting work with partners in 9 countries

### WHAT IS GFG TO US?

- Multi-level, multi-stakeholder processes by which authority over forest resources is exercised for the common good
- Embraces the principles of:
  - Subsidiarity (decisions made at the most appropriate levels)
  - Transparency and access to relevant information for all key actors
  - Mutual accountability, equity and access to justice
  - Recognition of property rights beyond the state

### WHAT ARE WE DOING?

- Learning about the practice of GFG through assessment, diagnosis and action-oriented field processes
- Linking with relevant international/national processes such as WSSD, FLEG and national policy dialogue
- Supporting participatory action research on:
  - decentralization and devolution processes
  - forest user federations
- Facilitating sharing of information and experiences
  - RECOFTC webpage ([www.recoftc.org/forgov.html](http://www.recoftc.org/forgov.html))
  - GFG listserv

### LINKING WITH FLEG

- Convergence with Bali Declaration, particularly:
  - #12: develop effective exchange of experience and information
  - #16: improve governance to enforce forest law, property rights and justice
  - #17: promote multi-stakeholder decision-making, transparency and equity; and reduce undue influence of privileged groups

### QUESTION TO FLEG

- Is concern for ‘governance’ only focused on illegal logging and law enforcement, or does it extend to broader concerns related to good forest governance and sustainable forest management?
- How can the GFG initiative link with new partners from the private, legal and other sectors?
MoU UK - Indonesia

THE INDONESIA - UK
MEMORANDUM OF UNDERSTANDING

Signed in April 2002

AIM

- to reduce, and eventually eliminate, illegal logging and associated trade between the two countries
- a voluntary, bilateral agreement aimed at turning the words and commitments from FLEG Bali into actions and results

CATALYSTS FOR CHANGE

- Recognition of problem by Indonesia
- Consensus building in the UK:
  - government departments
  - NGOs
  - private sector
- Reformist ministers in both countries
- Political will created at Bali
- NGO pressure

KEY ACTIONS

- Establish a verifiable definition of legality
- Independent verification of legal compliance
- Legislative and related reforms
- Technical & financial capacity building
- Involvement of civil society
- Joint collection and exchange of data
- Collaboration of enforcement agencies
- Working with industry

IMPLEMENTATION

- Development of an Action Plan
  - Specifies actions as basis for planning and resource allocation
- Primary actions:
  - Consultations surrounding definition of legality
  - System for verification of legality and CoC
- Partnership agreement:
  - Consultations with all stakeholders
  - Actions with agreed outcomes, timescales and budgets
  - Assigned responsibility and accountability
  - Shared learning

PROGRESS

- In Indonesia
  - MoU team in place (Ministry and DFID)
  - Recruitment of consultants for legal definition underway
  - Partnership with TNC for verification and CoC work
- In UK/EU
  - Government procurement planning
  - EU regulation
  - Participation in international fora
  - TTF visit to Indonesia

PROBLEMS

- No action until 2003 – DFID absence
- Lack of understanding by mid-ranking ministry officials of the complementary nature of a ‘suite’ of activities
- Poor long term action- & budget-planning
- Reluctance by ministry to consult civil society
1. ASIA FOREST PARTNERSHIP (AFP)

- The AFP was initiated by the Government of Japan and Indonesia pursuant to the Bali Declaration on FLEG and in conjunction with the World Summit on Sustainable Development (WSSD) held in Johannesburg last year.
- The objective of AFP is to enhance regional cooperation to promote SFM in Asia by addressing the following urgent issues:
  - Good governance and forest law enforcement;
  - Developing capacity for effective forest management;
  - Control of illegal logging;
  - Control of forest fire;
  - Rehabilitation and reforestation of degraded lands.

2. ASIA FOREST PARTNERSHIP (AFP) (contd)

- The objective of AFP is to enhance regional cooperation to promote SFM in Asia by addressing the following urgent issues:
  - Different nature of problems in each country should, however, be taken into account in setting the priority of activities.
  - The 1st Meeting of AFP was held on November 11, 2002, in Tokyo. It was attended by over a hundred participants representing 13 countries, civil societies, and int’l organizations.
  - On the issue of illegal logging, the Meeting recognized the need of "market-forces" to buy only legal forest products. Timber tracking is therefore required, and networking between all parties concerned is extremely important.

3. ASIA FOREST PARTNERSHIP (AFP) (contd)

- Recognizing the rapid deforestation of tropical natural forests, the EU has committed to take strong measures to keep the endowment in existence.
- The European Union (EU) is currently developing Action Plan on FLEGT. The Action Plan is focused on activities to combat illegal logging and associated illegal trade and to strengthen int’l cooperation to stop violations of forest laws.

4. ASIA FOREST PARTNERSHIP (AFP) (contd)

- The 1st Meeting of AFP was held on November 11, 2002, in Tokyo. It was attended by over a hundred participants representing 13 countries, civil societies, and int’l organizations.
- On the issue of illegal logging, the Meeting recognized the need of "market-forces" to buy only legal forest products. Timber tracking is therefore required, and networking between all parties concerned is extremely important.

5. THE EU FLEG ACTION PLAN

- The Action Plan includes:
  - Identification of illegal wood production and verification of wood legality;
  - Development of collaborative action between customs and other enforcement bodies in producing and importing countries;
  - Improvement of standards relating to investment and loans for wood production and public procurement.

6. THE EU FLEG ACTION PLAN (contd)

- The Action Plan includes:
  - Identification of illegal wood production and verification of wood legality;
  - Development of collaborative action between customs and other enforcement bodies in producing and importing countries;
  - Improvement of standards relating to investment and loans for wood production and public procurement.

7. MOU BETWEEN INDONESIA - UK

- The Government of Indonesia and Government of United Kingdom have signed a Memorandum of Understanding on Cooperation to Improve Forest Law Enforcement and Governance and to Combat Illegal Logging and the International Trade in Illegally Logged Timber and Wood Products.
- The MOU marks the agreement of both governments to work together to reduce and eventually eliminate illegal logging and the international trade in illegally logged timber and wood products between the two countries, through development and implementation of regulatory and policy reform and related action.
MOU BETWEEN INDONESIA - UK (contd)

- Under this MOU, both governments encourage the involvement of civil society in the effort to curb illegal logging and trade, particularly in monitoring the implementation of compliance verification.
- In August 2002, an Action Plan was drafted to identify the specific sets of activities. It is expected that by February 2003, Indonesia and UK will start to implement the program.

MOU BETWEEN INDONESIA - PEOPLE’S REPUBLIC OF CHINA

- MOU between the People’s Republic of China and Republic of Indonesia on Cooperation in Combating Illegal trade of forest Products has been signed on December 18, 2002 in Beijing, China.
- Both governments are now working out the Action Plan to identify the specific set of activities, including an Immediate Action Plan to prevent the smuggling of the Merbau species from Papua to China.

RECOMMENDATION

1. Asia-Pacific regional networking on FLEG could be developed and be linked with the on-going AFP initiative.
2. The regional Task Force on FLEG could make use of the networking for their communication and exchange of information on the progress of implementation.
3. The regional networking will also provide an effective venue for communication between producers and consumers countries.

THANKYOU
TECHNOLOGIES FOR "WOOD TRACKING" "VERIFYING AND MONITORING" THE CHAIN OF CUSTODY AND LEGAL COMPLIANCE IN THE TIMBER INDUSTRY

1. USER OF WOOD TRACKING SYSTEMS

- Foresters (forest management)
- Government (collection of royalties and export duties)
- Timber companies (to prevent log theft)
- Timber purchasers and importers (to ensure legality of purchased products)
- Consumers (to avoid financing illegal logging)

2. TECHNOLOGIES FOR "WOOD TRACKING" "VERIFYING AND MONITORING" THE CHAIN OF CUSTODY AND LEGAL COMPLIANCE IN THE TIMBER INDUSTRY

3. TWO BROAD USES

- Verifying wood sources
- Quality control and financial discipline all along the supply chain.

4. CHAIN OF CUSTODY

5. CHAIN OF CUSTODY SYSTEM

- Requires a SYSTEM using the appropriate TECHNOLOGY
- Main elements of the system:
  - Collecting and comparing data on quantities
  - Critical control points
  - Training and managing people

6. QUANTITIES

- Within an organisation
  - Inventory versus logs transported
  - Purchased material versus products sold
- Between organisations
  - Product sold versus raw material purchased
- Computerised databases and easy transfer of electronic information increasingly important

7. CRITICAL CONTROL POINTS

- Identification
  - eg labels, paint, tags
- Segregation
  - eg separate trucks, storage areas, processing lines
- Documentation
  - eg transport documents, cutting permits, production records, data bases
LEARN AND NETWORK

WWF (contd.)

PEOPLE

- Avoiding accidental mistakes
  - Robust system
  - Good training
  - Motivating working conditions
- Avoiding deliberate mistakes - corruption
  - Robust system
  - Decent pay and conditions
  - Adequate monitoring

TOOLS FOR CHECKING LEGAL COMPLIANCE WITHIN THE FOREST PRODUCTS TRADE

- Forest certification and certificates of legal origin
- Outsourced forest sector monitoring
- Ethical procurement policies and codes of conduct
- Supplier warranties

WHICH LAW ARE OF CONCERN?

Legality of wood products could cover many things:
- Many subjects beyond forestry – laws relating to taxes, labour, health, corporations, transport, customs, pollution and money laundering
- Many ingredients beyond wood – paints, lacquers and packaging
- Many phases of production – harvesting, hauling, milling, shipping, manufacturing, and trading
- The process by which harvesting rights were obtained – adherence to planning laws, impact assessment requirements, tendering procedures, contractual “fairness” provisions.

AFFORDABLE AND PRACTICAL SYSTEMS

- Focus on the laws or activities that most concern stakeholders (e.g. the circumstances under which wood is harvested).
- Where the law is clouded - note flaws in the relevant laws and clearly state the basis on which verification is assessed and the rationale for this interpretation
- Concentrate routine enquiries on what can be readily verified (e.g. existence of a valid permit) while investigating forms of illegality that are harder to pinpoint (e.g. fraudulent transfer-pricing schemes) if and when a suspicion is raised.
- Stepwise approaches – start with simple checklists and progressively add complexity as experience is gained.

KEEPING WATCH ON THE FOREST PRODUCTS TRADE

Watchdog groups use many means to expose illegality, e.g.
- remote-sensing to detect changes in forest cover or new access roads;
- on-the-ground investigations
- mobilising local populations to do their own monitoring.
These activities can strengthen government or trade-based legal-compliance verification systems by -
- highlighting jurisdictions, places, or actors that should be treated with suspicion.
- exposing bogus or easily manipulated systems.

CHALLENGE OF DEFINING LEGALITY

- Drawing the line between a significant offence and a minor transgression.
- Ambiguous or impractical requirements.
- Conflicts with laws from other sectors and levels of government or at odds with administrative procedures.
- Conflicts between unwritten customary law and formal laws.

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UK TIMBER TRADE FEDERATION

The UK is the third biggest net importer of timber in the world after China and Japan.

- The TTF is a UK Trade Association of 400 companies representing 87% of the importing industry.
- Companies are Agents, Importers, Merchants.
- Trade in Softwood, Hardwood and Panel Products.
- TTF traders’ main customers are the Construction, Joinery and DIY Industries.
- TTF is NOT involved in marketing or pricing of timber – this is handled by individual companies and is expressly forbidden by the UK Competition Act.

A1. WHY IS THE UK TIMBER TRADE CONCERNED ABOUT ILLEGAL LOGGING

- Drivers include employee/board conscience and NGO pressure.
- UK Government Timber Procurement Policy will require legal timber.
- UK Central Govt. purchases about 20% of UK timber.
- UK Local Govt. and other agencies probably purchase another 20%.
- Total UK Govt. purchasing power may be as much as 4 million m3 p.a.
- Commitment to the Indonesia/UK MoU.
- Most traders are concerned about legal sources of timber but are unsure what to do about it.

CORPORATE RESPONSIBILITY

- every company accepts that it has duties to society.
- timber traders responsibility to society stopped at the port of entry.
- This is no longer true (e.g. Cabinet Office and Queen’s Gallery).
- Regulations can help convey societies new expectations of timber traders but...
- the fight against illegal logging needs to mobilise market forces.
- The Bali Declaration is heavy on regulating markets - in the short term it may be quicker and more cost effective to encourage companies to adopt more responsible trading practices.
- Asia FLEG needs to unlock the huge potential of responsible purchasing power from traders.

STRUCTURE

A. Introduction – why we are here
B. What we’ve done
   1. Purchasing Policy (supplier agreements/assessments)
   2. Code of Conduct
C. Future work
   1. Services for Members
   2. Ideas for Indonesia
   3. What we need from the task force

WHY ARE WE REALLY HERE?

Private Sector

Government

Civil Society

Wealth Generation

LEARN AND NETWORK
**B1. CODE OF CONDUCT**

- Commits ALL Members of the TTF
- Includes basic environmental principles
- Has a complaints procedure with penalties and sanctions
- Policy is being updated to include independent auditing and to be consistent with government purchasing policy

**UK TIMBER TRADERS COMMITMENT ON ILLEGAL LOGGING**

"Members are committed to sourcing their timber and timber products from legal and well-managed forests. Members unreservedly condemn illegal logging practices and commit themselves to working with suppliers and other stakeholders towards their complete elimination"

Independent certification is the most useful tool in providing assurances of legal and well-managed forests

**B2. RESPONSIBLE PURCHASING**

**TIMBER PURCHASING POLICY**

Each company is committed to gathering evidence about forest management at the source of timber. They will seek information from suppliers on the following issues:

- Commitment to continuous improvement in environmental performance.
- Clearest practicable information on the sources of raw material used in the manufacture of wood products.

The information received will form part of purchasing decisions and will be made available on request to interested parties.

**PROBLEMS UK TRADE FACES WITH SUPPLIER ASSESSMENT**

- Quality of information
- Understanding the information
- Independent verification for credibility
- Time/money
- expertise required for a proper assessment

**C1. SERVICES FOR MEMBERS**

- Guidelines for traders – Cameroon, Brazil, Russia, Indonesia?
- Awareness raising
  - Seminar on illegal logging
  - Information on illegal logging
  - Putting our members in touch with service providers and sources of information
- Promoting the Code of Conduct
- Representing the trade in the various FLEG processes

**C2. WHAT COULD THE UK TIMBER TRADE DO FOR INDONESIA (1)**

- We want to be able to secure supplies of independently verified legal and preferably sustainable timber from Indonesia
- What is the leverage of UK trade?
  - Which regions
  - Which companies
- Who else has leverage and how can we influence their purchasing policies – new coalitions?

**WORLD MARKET SHARE OF INDONESIA PLYWOOD (2001)**

- **Japan**: 36%
- **Middle East**: 15%
- **US**: 12%
- **South Korea**: 11%
- **Continental Europe**: 8%
- **Taiwan**: 5%
- **UK/Ireland**: 4%
- **China**: 4%
- **The Rest**: 5%
**LEARN AND NETWORK**

**UK Timber Trade Fed.**

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**WHAT COULD THE UK TIMBER TRADE DO FOR INDONESIA (2)**

- TTF could initiate a UK timber buyers group specifically for Indonesia to focus UK leverage in Indonesia in consultation with civil society
- Engaging better with local organisations; service providers, producer groups, civil society
- Talk with other trade associations in the region to develop joint commitments on illegal logging
- Develop common information collection protocols so that individual traders can undertake their own grading based on credible expert information.

**HOW THE TASK FORCE CAN HELP (IN PARTNERSHIP WITH THE PRIVATE SECTOR AND CIVIL SOCIETY)**

- Innovative financing models and mechanisms that enable trade to engage in preferential buying from progressive suppliers e.g. TFT and TFF
- Build capacity for third party supplier assessments
- Provide a clear working definition of legality
  - that relates to forest management
  - updated progressively
  - and does not automatically put the majority of forest companies out of business (Pareto’s 80:20 principle applies)
- Common protocols for supplier assessments for the region
- Publish credible assessments of timber companies
- Support buyer and producer groups sharing commitments to trade only in legal and sustainable timber

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**FINAL REMARKS**

- Forest industry and trade needs to be more engaged in the FLEG process – it may leverage some quick results for the task force without the need for cumbersome and expensive controls
- UK government procurement policy requires legal timber this year – countries that can provide a credible working definition might expand UK market share for their timber
- The UK Timber Trade wants this FLEG process to work
# CONTROLLING IMPORTS OF ILLEGAL TIMBER

## OPTION FOR EUROPE

**DUNCAN BRACK**  
Head, Sustainable Development Programme, RIIA  
East Asia FLEG Task Force  
Jakarta, 27–29 January 2003

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## WHY CONTROL IMPORTS?

- View it as providing assistance to domestic (producer country) activities – shutting out products of criminal activity from international markets through mobilising the resources of consumer country law enforcement agencies
- Just one set of actions amongst several necessary …
- … but are activities that EU and member states can undertake directly themselves

## EXISTING LAW: STOLEN GOODS, ETC

- Illegal material should not be on sale
- Laws on theft, receiving stolen goods, fraud, forgery, bribery, money laundering … vary between EU member states; money laundering laws getting tougher and may be most effective
- Main problems: proof of crime very difficult to obtain, co-operation with foreign agencies often poor
- CITES of some use: export and import permit system can be effective …
- … but prone to fraud, theft and corruption – no external check – and can’t extend to all timber in trade (though can list more species on Appendix III)

## CONTROLLING SOURCES OF INVESTMENT

- EU sources of investment for forestry industry: export credit agencies (ECAs), private banks and investment funds, marine insurers
- Very little or no scrutiny of possible links between investments/loans and illegal behaviour

Actions:
- Regulate ECAs more carefully
- Encourage banks etc. to exercise due diligence
- Investigate marine insurance laws and contracts

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## PROMOTING LEGAL PRODUCTS

Means of expanding market share for legal products:
- Certification (if chain of custody is controlled)
- Government procurement (UK, Germany …)
- Voluntary industry initiatives – e.g. UK Timber Trade Federation
- Main advantage: no new laws needed (though could include in EU procurement directive)
- Problems: can’t close off all markets

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## NEW APPROACH 1: BILATERAL AGREEMENTS

- Agreement with producer country/countries to establish robust system for identifying legality
- Capacity-building assistance necessary
- Note voluntary agreement – no imposition of controls
- Model: UK–Indonesia MoU
- EU should begin negotiations
- Need criteria which agreements must meet (e.g. both EU and producer country must be satisfied that system in place for legality verification)

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## NEW APPROACH 2: LICENSING SYSTEM

- Establish system of identification of legal material in producer country
- – for most producer countries, needs independent auditing of chain of custody
- Award licence to exports of products identified as legal
- Imports into the EU require a licence of legality (note needs new legislation)
- Several precedents: CITES, Basel Convention, Kimberley Process
LEARN AND NETWORK

Annex VII

NEW APPROACH 2: LICENSING SYSTEM

Issues to consider:
• Need for clarity of legislation in producer country
• Robust design of legality verification system
• Role for NGOs, local communities, etc., in monitoring and highlighting any abuse
• Costs of implementation – need for capacity-building in producer countries (though also note benefits, e.g. access to government procurement)
• Licensing system cannot remain on bilateral basis – needs to cover major exporters as quickly as possible

NEW APPROACH 3: GENERAL PROHIBITION ON ILLEGAL TIMBER

• Need backstop approaches for countries not covered by a licensing system, and for products diverted through third countries
• Use model of US Lacey Act, which makes it illegal to import (and export, transport, sell, receive, acquire or purchase) any fish or wildlife produced in violation of any foreign law (not currently timber)
• Gives authorities power to confiscate illegal goods even if importers did not know they were illegal
• Many practical difficulties – but makes action against illegal imports easier

EU COMMUNICATION ON FLEGT

• Currently under consideration
• Possible elements include: development co-operation; corporate responsibility; statement on financing; general prohibition on imports of illegal timber; licensing system with co-operating countries
• Likely to be finalised in February/March – then goes for discussion by Council (member state representatives)
• Likely to see MoUs negotiated between EU and producer countries

www.illegal-logging.info
WHY CONTROL IMPORTS?

- The Lusaka Agreement on Co-operative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora
- Aim: to reduce and ultimately eliminate illegal trade in wildlife
- Adopted 8 September 1994, entered into force 10 December 1996, after fourth ratification
- Parties: Congo-Brazzaville, Kenya, Lesotho, Tanzania, Uganda, Zambia
- Other signatories: Ethiopia, South Africa, Swaziland
- Governing council of ministers or alternates

LUSAKA AGREEMENT TASK FORCE (1)

- Established 1 June 1999
- Director, Intelligence Officer and Field Officers, seconded from national enforcement agencies, plus support staff
- Work with designated National Bureaux
- Established database, intelligence-gathering and communications systems
- Initial operations involved supplying intelligence to National Bureaux
- Also carry out training exercises for wildlife law enforcement officers

PROBLEMS

- LATF slower to set up than hoped; funding from donors slow to emerge
- Initial funding entirely from parties and in-kind grants (e.g. HQ at KWS) – now provide core funding
- Donor funding (countries, NGOs, UNEP) now available, used for special operations, training and equipment
- Problems with disagreement amongst southern African countries over ivory trade – Botswana, Namibia and Zimbabwe did not participate in negotiations

LUSAKA AGREEMENT TASK FORCE (2)

- Now conduct frequent cross-border operations
- LATF staff enjoy status equivalent to diplomatic immunity – e.g. exemption from visa requirements and entry restrictions, immunity from arrest and detention, etc.
- Field officers retain national enforcement authority, so can make arrests in own countries
- Referred to as ‘African Interpol for wildlife’, but in fact powers exceed those of Interpol
- Successes: include seizure of six tonnes of ivory smuggled from Zambia to Singapore, June 2002

MODEL FOR ILLEGAL LOGGING?

Relevant characteristics:

- Coordination mechanism for countries in region
- Means to gather intelligence
- Ability to conduct cross-border operations
- Text of agreement could be copied almost word for word
LUSAKA AGREEMENT ON CO-OPERATIVE ENFORCEMENT
OPERATIONS DIRECTED AT ILLEGAL TRADE IN WILD FAUNA AND
FLORA
Adopted at Lusaka on 8 September 1994.

Preamble

THE PARTIES TO THIS AGREEMENT,

Conscious that the conservation of wild fauna and flora is essential to the overall maintenance of Africa's biological diversity and that wild fauna and flora are essential to the sustainable development of Africa,

Conscious also of the need to reduce and ultimately eliminate illegal trade in wild fauna and flora,

Recognising that the intense poaching that has resulted in severe depletion of certain wildlife populations in African States has been caused by illegal trade, and that poaching will not be curtailed until such illegal trade is eliminated,

Noting that illegal trade in wild fauna and flora has been made more sophisticated through the use of superior technology in transboundary transactions and should be addressed through commensurate national, regional and international measures,


Affirming that States are responsible for the conservation of their wild fauna and flora,

Recognising the need for co-operation among States in law enforcement to reduce and ultimately eliminate illegal trade in wild fauna and flora,

Recognising also that sharing of information, training, experience and expertise among States is vital for effective law enforcement to reduce and ultimately eliminate illegal trade in wild fauna and flora,

Desirous of establishing close co-operation among themselves in order to reduce and ultimately eliminate illegal trade in wild fauna and flora,

HAVE AGREED AS FOLLOWS:

Article 1
Definitions

For the purposes of this Agreement:

"Agreement area" means the area comprised of the land, marine and coastal areas within the limits of national jurisdiction of the Parties to this Agreement and shall include their air space and internal waters.

"Biological diversity" means the variability among living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems, and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems.

"Conservation" means the management of human use of organisms or ecosystems to ensure such use is sustainable; it also includes protection, maintenance, rehabilitation, restoration and enhancement.

"Country of original export" means the country where the specimens originated and from whose territory they depart or have departed.

"Country of re-export" means the country from whose territory specimens depart or have departed and that is not the country of origin of the specimens.

"Field Officer" means a member of a Government organisation, department or institution who is employed as a law enforcement officer with national law enforcement jurisdiction, and who is seconded to the Task Force.
"Governing Council" means the Governing Council established under Article 7 of this Agreement.

"Illegal trade" means any cross-border transaction, or any action in furtherance thereof, in violation of national laws of a Party to this Agreement for the protection of wild fauna and flora.

"National Bureau" means a governmental entity with the competence encompassing law enforcement, designated or established by a Party to this Agreement under Article 6.

"Party" means a State for which this Agreement has entered into force.

"Specimen" means any animal or plant, alive or dead, as well as any derivative thereof, of any species of wild fauna and flora.

"Task Force" means the Task Force established under Article 5 of this Agreement.

"Wild fauna and flora" means wild species of animals and plants subject to the respective national laws of the Parties governing conservation, protection and trade.

Article 2

Objective

The objective of this Agreement is to reduce and ultimately eliminate illegal trade in wild fauna and flora and to establish a permanent Task Force for this purpose.

Article 3

Geographical Scope

This Agreement shall apply to the Agreement area as defined in Article 1.

Article 4

Obligations of the Parties

1. The Parties shall, individually and/or jointly, take appropriate measures in accordance with this Agreement to investigate and prosecute cases of illegal trade.

2. Each Party shall co-operate with one another and with the Task Force to ensure the effective implementation of this Agreement.

3. Each Party shall provide the Task Force on a regular basis with relevant information and scientific data relating to illegal trade.

4. Each Party shall provide the Task Force with technical assistance relating to its operations, as needed by the Task Force.

5. Each Party shall accord to the Director, Field Officers and the Intelligence Officer of the Task Force while engaged in carrying out the functions of the Task Force in accordance with paragraph 9 of Article 5, the relevant privileges and immunities, including those specified under paragraph 11 of Article 5.

6. Each Party shall protect information designated as confidential that becomes available to any of the Parties in connection with the implementation of this Agreement. Such information shall be used exclusively for the purposes of implementing this Agreement.

7. Each Party shall encourage public awareness campaigns aimed at enlisting public support for the objective of this Agreement, and the said campaigns shall be so designed as to encourage public reporting of illegal trade.

8. Each Party shall adopt and enforce such legislative and administrative measures as may be necessary for the purposes of giving effect to this Agreement.

9. Each Party shall return to the country of original export or country of re-export any specimen of species of wild fauna and flora confiscated in the course of illegal trade, provided that:
   (a) the country of original export of the specimen(s) can be determined; or
   (b) the country of re-export is able to show evidence that the specimen(s) re-exported were imported by that country in accordance with the provisions of the Convention on International Trade in Endangered Species of Wild Fauna and Flora governing import and re-export; and
   (c) the costs of returning such specimens of wild fauna and flora are borne by the country receiving the specimen(s), unless there is an alternative offer to bear costs to which both the Party returning the specimen(s) and the Party receiving the specimen(s) agree.
10. Each Party shall pay its contribution to the budget of the Task Force as determined by the Governing Council.
11. Each Party shall report to the Governing Council on implementation of its obligations under this Agreement at intervals as determined by the Governing Council.

Article 5
Task Force

1. A Task Force is hereby established to be known as the Task Force for Co-operative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora.
2. The Task Force shall be composed of a Director, Field Officers and an Intelligence Officer and such other staff as may be decided by the Governing Council.
3. The Task Force shall include at least one Field Officer seconded by each Party and approved by the Governing Council. Each Field Officer shall be appointed to serve for a term of three years, or such other term as may be determined by the Governing Council. Upon the recommendation of the Director made in consultation with the Party concerned, the Governing Council may shorten or increase the term of other Field Officers.
4. The Director shall be appointed by the Governing Council from among the Field Officers.
5. The Director and other Field Officers shall retain their national law enforcement authority during their time of service with the Task Force.
6. The appointment of the Director, other Field Officers and the Intelligence Officer, as well as their terms of service, shall be decided in accordance with rules established by the Governing Council. The terms and conditions of service of other support staff as deemed necessary for the functioning of the Task Force shall also be decided by the Governing Council.
7. The Director shall be the Chief Executive Officer of the Task Force and shall be accountable to the Governing Council and responsible for:

(a) appointing other support staff as deemed necessary for the functioning of the Task Force;
(b) commanding and coordinating the work of the Task Force;
(c) preparing budgets annually or as required by the Governing Council;
(d) implementing policies and decisions agreed by the Governing Council;
(e) providing reports annually and as required by the Governing Council;
(f) arranging for and servicing meetings of the Governing Council; and
(g) performing such other functions as may be determined by the Governing Council.
8. The Task Force shall possess international legal personality. It shall have in the territory of each Party the legal capacity required for the performance of its functions under this Agreement. The Task Force shall in the exercise of its legal personality be represented by the Director.
9. The functions of the Task Force shall be:

(a) to facilitate co-operative activities among the National Bureaus in carrying out investigations pertaining to illegal trade;
(b) to investigate violations of national laws pertaining to illegal trade, at the request of the National Bureaus or with the consent of the Parties concerned, and to present to them evidence gathered during such investigations;
(c) to collect, process and disseminate information on activities that pertain to illegal trade, including establishing and maintaining databases;
(d) to provide, upon request of the Parties concerned, available information related to the return to the country of original export, or country of re-export, of confiscated wild fauna and flora; and
(e) to perform such other functions as may be determined by the Governing Council.
10. In carrying out its functions, the Task Force, when necessary and appropriate, may use undercover operations, subject to the consent of the Parties concerned and under conditions agreed with the said Parties.
11. For the purposes of paragraph 9 of this Article, the Director, other Field Officers and the Intelligence Officer of the Task Force shall enjoy, in connection with their official duties and strictly within the limits of their official capacities, the following privileges and immunities:

(a) immunity from arrest, detention, search and seizure, and legal process of any kind in respect of words spoken or written and all acts performed by them; they shall continue to be so immune after the completion of their functions as officials of the Task Force;
(b) inviolability of all official papers, documents and equipment;
(c) exemption from all visa requirements and entry restrictions;
(d) protection of free communication to and from the headquarters of the Task Force;
(a) exemption from currency or exchange restrictions as is accorded representatives of foreign governments on
temporary official missions; and
(f) such other privileges and immunities as may be determined by the Governing Council.

12. Privileges and immunities are granted to the Director, other Field Officers and the Intelligence Officer in the
interests of the Task Force and not for the personal benefit of the individuals themselves. The Governing
Council shall have the right and the duty to waive the immunity of any official in any case where, in the opinion
of the Governing Council, the immunity would impede the course of justice and it can be waived without
prejudice to the interests of the Task Force.

13. The Task Force shall not undertake or be involved in any intervention, or activities of a political, military,
religious or racial character.

Article 6
National Bureau

1. To facilitate the implementation of this Agreement, each Party shall:
(a) designate or establish a governmental entity as its National Bureau;
(b) inform the Depositary, within two months of the date of the entry into force of the Agreement for this Party,
    the entity it has designated or established as its National Bureau; and
(c) inform the Depositary within one month of any decision to change the designation or establishment of its
    National Bureau.

2. For the purposes of this Agreement, the functions of the National Bureaus shall be to:
(a) provide to and receive from the Task Force information on illegal trade; and
(b) coordinate with the Task Force on investigations that involve illegal trade.

Article 7
Governing Council

1. A Governing Council consisting of the Parties to this Agreement is hereby established to be known as the

2. Each Party shall send a delegation to the meetings of the Governing Council and shall be represented on the
Governing Council by a Minister or alternate who shall be the head of the delegation. Because of the technical
nature of the Task Force, Parties should endeavour to include the following in their delegations:
(a) high ranking officials dealing with wildlife law enforcement affairs;
(b) officials whose normal duties are connected with the activities of the Task Force; and
(c) specialists in the subjects on the agenda.

3. The first meeting of the Governing Council shall be convened by the Executive Director of the United Nations
Environment Programme not later than three months after the entry into force of this Agreement. Thereafter,
ordinary meetings of the Governing Council shall be held at regular intervals to be determined by the Council
at its first meeting.

4. Meetings of the Governing Council will normally be held at the Seat of the Task Force unless the Council
decides otherwise.

5. Extraordinary meetings of the Governing Council shall be held at such times as may be determined by the
Council, or at the written request of any Party, provided that such request is supported by at least one third of
the Parties within two months of the request being communicated to them by the Director of the Task Force.

6. At its first meeting, the Governing Council shall:
(a) by consensus elect its Chairperson and adopt rules of procedure, including decision-making procedures,
    which may include specified majorities required for adoption of particular decisions;
(b) decide the Seat of the Task Force;
(c) consider and approve the appointment of the Director, other Field Officers and the Intelligence Officer and
decide upon their terms and conditions of service as well as the terms and conditions of service of the
supporting staff;
Lusaka Agreement

(d) adopt terms of reference and financial and administrative rules of the Task Force; and
(e) consider and approve an initial budget to establish and operate the Task Force and agree upon the contributions of each Party to the budget.

7. At ordinary meetings the Governing Council shall approve a budget for the Task Force and agree upon the contributions of each Party to the budget.

8. The Governing Council shall determine the general policies of the Task Force and, for this purpose, shall:
(a) consider the reports submitted by the Director; and
(b) upon expiry, termination or renewal of their terms of service, consider and approve the appointment of the Director, other Field Officers and the Intelligence Officer.

9. The Governing Council shall:
(a) keep under review the implementation of this Agreement;
(b) consider and undertake any additional action that may be deemed necessary for the achievement of the objective of this Agreement in the light of experience gained in its operation; and
(c) consider and adopt, as required, in accordance with Article 11, amendments to this Agreement.

Article 8
Financial Provisions

1. There shall be a budget for the Task Force.
2. The financial management of the Task Force shall be governed by the financial rules adopted by the Governing Council.
3. The Governing Council shall determine the mode of payment and currencies of contributions by the Parties to the budget of the Task Force. Other resources of the Task Force may include extra budgetary resources such as grants, donations, funds for projects and programmes and technical assistance.
4. The Parties undertake to pay annually their agreed contributions to the budget of the Task Force by a specified date as determined by the Governing Council.
5. The Unit of Account in which the budget will be prepared shall be determined by the Governing Council.

Article 9
Seat

1. The Seat of the Task Force shall be determined by the Governing Council pursuant to an offer made by a Party.
2. The Government of the Party in whose territory the Seat of the Task Force shall be located and the Director acting on behalf of the Task Force shall conclude a headquarters agreement relating to the legal capacity of the Task Force and the privileges and immunities of the Task Force, Director, other Field Officers and the Intelligence Officer, which privileges and immunities shall not be less than those accorded to diplomatic missions and their personnel in the host country, and including those privileges and immunities stipulated in paragraph 11 of Article 5.
3. The Government aforementioned shall assist the Task Force in the acquisition of affordable accommodation for its use.

Article 10
Settlement of Disputes

1. Any dispute concerning the interpretation or application of this Agreement which cannot be settled by negotiation, conciliation or other peaceful means may be referred by any Party thereto to the Governing Council.
2. Where the Parties fail to settle the dispute the matter shall be submitted to an arbitral body.
3. The Parties to the dispute shall appoint one arbitrator each; the arbitrators so appointed shall designate, by mutual consent, a neutral arbitrator as Chairperson who shall not be a national of any of the Parties to the dispute.
4. If any of the Parties does not appoint an arbitrator within three months of the appointment of the first arbitrator, or if the Chairperson has not been designated within three months of the matter being referred to arbitration, the Chairperson of the Governing Council shall designate the arbitrator or the Chairperson or both, as the case
may be, within a further period of three months.

5. The arbitral body shall have jurisdiction to hear and determine any matter arising from a dispute.
6. The arbitral body shall determine its own rules of procedure.
7. The Parties to the dispute shall be bound by the arbitral decision.

Article 11
Amendment

1. Amendments to the Agreement may be proposed by any Party and communicated in writing to the Director of the Task Force who shall transmit the proposals to all Parties. The Director shall also communicate proposed amendments to the signatories to this Agreement for information.

2. No proposal for amendment shall be considered by the Governing Council unless it is received by the Director at least one hundred and twenty days before the opening day of the meeting at which it is to be considered.

3. Amendments to the Agreement shall be adopted at a meeting of the Governing Council. If all efforts at consensus have been exhausted, and no agreement reached, the amendment shall as a last resort be adopted by a two-third majority vote of the Parties present and voting at the meeting. Amendments shall take effect, with respect to the Parties, on the thirtieth day after their adoption by the Governing Council. Amendments adopted shall be notified to the Depositary forthwith.

Article 12
Signature, Ratification, Acceptance, Approval or Accession


2. This Agreement shall be subject to ratification, acceptance or approval.

3. This Agreement shall remain open for accession by any African State from the day after the date on which the Agreement is closed for signature.

4. Instruments of ratification, acceptance, approval or accession shall be deposited with the Secretary-General of the United Nations.

Article 13
Entry into Force

1. This Agreement shall enter into force on the sixtieth day after the date of the deposit of the fourth instrument of ratification, acceptance, approval or accession.

2. For each Party which ratifies, accepts, approves or accedes to this Agreement after the deposit of the fourth instrument of ratification, acceptance, approval or accession, this Agreement shall enter into force on the sixtieth day after the date of deposit by such Party of its instrument of ratification, acceptance, approval or accession.

Article 14
Withdrawal

1. At any time after five years from the date on which this Agreement has entered into force for a Party, that Party may withdraw from the Agreement by giving written notification to the Depositary.

2. Any such withdrawal shall take place upon the expiry of one year after the date of its receipt by the Depositary, or on such later date as may be specified in the notification of the withdrawal provided, however, that any obligation incurred by the Party prior to its withdrawal shall remain valid for that Party.
Article 15
Depositary

1. The Secretary-General of the United Nations shall assume the functions of Depositary of this Agreement.
2. The Depositary shall notify all Parties to this Agreement of:
   (a) the deposit of instruments of ratification, acceptance, approval or accession in accordance with Article 12;
   (b) the designation or establishment of National Bureaus in accordance with Article 6;
   (c) the amendments adopted in accordance with Article 11; and
   (d) withdrawal in accordance with Article 14.

IN WITNESS WHEREOF the undersigned, being duly authorised thereto by their respective governments, have signed this Agreement.

DONE AT LUSAKA on this ninth day of September, one thousand nine hundred and ninety-four.
ADVISORY GROUP OBSERVATIONS

PRELIMINARY REMARKS

• AG welcomes the dialogue with TF, and sees it as an important part of the ongoing FLEG process
• Yesterday the AG worked through the 4 questions set by the TF
• Rich and varied discussion with contributions from across the region which continued this morning
• We did not discuss the TF matrices as we understood these were still "work in progress"
• We offer the TF the following suggestions as part of our ongoing dialogue

THE QUESTIONS

• Help in prioritization of the Regional initiatives
• Crafting the framework of Regional FLEG strategy
• Recommendations of C&I for FLEG evaluation
• FLEG institutional support mechanisms (training/MIS/R&D/Bilateral and Multilateral cooperation)

PRIORITISATION OF TF ACTIVITIES

• More bilateral MoUs to demonstrate political commitment
  – (e.g. Indonesia-US, Indonesia-Japan, China-PNG)
• TF to ensure FLEG indicators are measurable and results-based
• National enforcement agencies adopt proven "best-practice" protocols for data management, disclosure and information analysis

FRAMEWORK FOR REGIONAL STRATEGY

• Information sharing in public domain on forest management decisions and processes concessions, mills, protected areas, licenses, permits
• Establish a senior law enforcement contact point in each country that acts with other relevant enforcement agencies (e.g. forest agencies, customs, police, navy, etc.)
• TF members recognize a national contact point from the FLEG AG with a 'clearing house' function to communicate with the AG, civil society and private sector
• Deployment of case-tracking systems
• Reinforcement at the national level of enforcement action at the local level
  - strengthening requirements for local level reporting to central level
  - institute a performance index ("scorecard") at local level to evaluate legal, transparent "track record"

INDICATORS FOR FLEG EVALUATION

• Increased budget allocations, evidence of new enforcement initiatives and improvement in enforcement performance by FLEG member countries
• Focal point for communication between Government and AG/Civil Society consulted monthly on FLEG action points
• Responsible timber procurement policies developed by US, Japan, China and EU
• Publication of consumer country "statements of intent" on tackling illegal logging
• Identify critical Protected Areas for immediate actions to reduce illegal logging

FLEG INSTITUTIONAL SUPPORT MECHANISMS

• Develop uniform information collection and analysis at country level by FLEG member enforcement agencies
• Increased involvement of commercial sector perspectives in FLEG
• Responsible buyers groups, trade groups, producer groups, service providers

WHAT NEXT FOR THE AG?

• From informal discussion this morning there is a lot of agreement between TF and AG thoughts.
• We are happy to discuss these recommendations further
• We are looking forward to commenting on the planning matrices
• We will discuss the case for establishment of a regional law enforcement agency and how to deal with industry overcapacity across the region
• What next for the Asia FLEG process?
  – Advisory Group action and further meetings
  – The next FLEG meeting (a ministerial?)
• We will be ready to feed back this morning’s discussions at the plenary this afternoon covering:
  – general comments on the AFLEG (progress and process),
  – how to improve participation and high level political commitment in each country.
OBSERVATIONS ON FLEG PROCESS

1. Not all countries have had sufficient seniority of representation
   AG Recommendations:
   - Senior representation from consumer countries is essential for next meeting
   - Meeting needs to be scheduled with minimum three months notice
   - Location should be chosen to enable senior level participation from producer and consumer countries
   - Senior representation from lead enforcement agency/agencies in each country

2. Insufficient attention within FLEG to root causes of illegal logging e.g. corruption, over-capacity in logging/processing sector, imbalance between demand and legal supply
   AG Recommendation:
   - Involve representatives from other government ministries (Trade, Industry, Finance/Banking, Justice/Interior) to work with forest authorities to establish in-country FLEG action
   - Ensure focal point representation for these sectors at FLEG meetings

3. For FLEG to be an effective mechanism, all actors should be represented
   AG Recommendation:
   - Task Force to emphasize the importance of all ASEAN member countries to participate in the FLEG process and support the Bali Declaration

4. FLEG member governments should do more to harness market forces in support of the goals of the Bali Declaration
   AG Recommendation:
   - Government procurement agencies from consumer countries must participate in FLEG process to address scarcity of legal supply
   - Industry to work with government on developing workable procurement policies for legally sourced forest products
   - Governments should systematically investigate trends in public/private investment that is building excess capacity in forest-based industries, and develop appropriate policies - e.g. Taxes, subsidies, export/import credits, soft loans
## ACTION PLANNING

### GROUP A1

**DEVELOP CLEARING HOUSE MECHANISM FOR TRANSPARENT REPORTING FOR ALL MATTERS OF FOREST GOVERNANCE**

### PRECONDITIONS FOR ESTABLISHING CLEARING HOUSE (SECRETARIAT)

1. Ministry of Forestry - Indonesia principally agree to be designated as temporary secretariat (has agreed in principle)
2. Financial and technical support by donor agencies for the clearing house (activity not within budget of Indonesian government & government of other participants)
3. Future assistance of donor agencies in collecting & disseminating information and standardize data requirements e.g. establishment of Central FLEG GIS/database system

### ACTION PLAN

<table>
<thead>
<tr>
<th>Activity</th>
<th>Time Frame</th>
<th>Responsible Person</th>
<th>Technical Assistance</th>
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</thead>
<tbody>
<tr>
<td>1 For FORMs A and B to be brought home by participants (including AG), completed and returned to Indonesia Ministry of Forestry</td>
<td>End of February 2003</td>
<td>Country Focal Persons (Participants) Christanto</td>
<td></td>
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<tr>
<td>2. Initially designate Indonesia as the temporary secretariat</td>
<td>Immediately (within 2 weeks time)</td>
<td>Indonesia Ministry of Forestry</td>
<td></td>
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<td>3 Formally seek approval of the Minister of Forestry on designation</td>
<td>Immediately (within 2 weeks time)</td>
<td>Indonesian participants</td>
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<tr>
<td>4 Temporary secretariat will send digital copy of FORMS A &amp; B to all names on clearing house contacts list (and to AG)</td>
<td>Immediately (within 2 weeks time)</td>
<td>Temporary Secretariat, Country Focal Persons (Participants)</td>
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<tr>
<td>5 In FORM B, Action No. 5 (establish clearing house and disseminate to everybody) to be priority action.</td>
<td>Already achieved</td>
<td></td>
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<tr>
<td>6 Temporary secretariat shall seek donor assistance in establishing clearing house and report progress</td>
<td>Upon approval of Minister of Forestry of the designation (end of March 2003)</td>
<td>Indonesia Ministry of Forestry YES, initially through World Bank</td>
<td></td>
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<tr>
<td>7 Temporary secretariat in consultation/collaboration with principal stakeholders (including AG) shall come up with a plan to create permanent secretariat</td>
<td>End of March 2003</td>
<td>Temporary secretariat and stakeholders YES. For assistance in the preparation of action plan</td>
<td></td>
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<tr>
<td>8 Seek specific comments/inputs of AG and other participants on Survey forms, Progress &amp; Plans</td>
<td>End of March 2003</td>
<td>Temporary Secretariat, AG, other participants</td>
<td></td>
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<tr>
<td>9 Participating countries to submit work and financial plan to implement activities in their respective countries for consolidation by Temporary Secretariat</td>
<td>End of April 2003</td>
<td>Participating countries</td>
<td></td>
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</tbody>
</table>
**UNRESOLVED ISSUE**

Do we need a general secretariat for the entire Task Force and create technical secretariat or secretariats for each of the technical groups (Information/expertise exchange, trade & custom, bilateral exchange, research)? This should be resolved before the next Ministerial meeting to determine progress of the commitments in the Bali Declaration.

**OUTSTANDING ISSUE**

Encourage other Asia-Pacific countries to participate in the Forum
## CONTACT PERSONS FOR CLEARINGHOUSE

*Please make correction and send to cris@dephut.cbn.net.id and cc to: dfansyah@yahoo.com*

<table>
<thead>
<tr>
<th>NAME</th>
<th>POSTAL ADDRESS</th>
<th>PHONE &amp; FAX NO.</th>
<th>EMAIL ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cheyanto</td>
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<td>Alan Reid</td>
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<td><a href="mailto:Saschavon_Bismarck@eia-international.org">Saschavon_Bismarck@eia-international.org</a></td>
</tr>
<tr>
<td>Dave Currey</td>
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<td>0-44 207 3547960</td>
<td><a href="mailto:davecurrey@eia-international.org">davecurrey@eia-international.org</a></td>
</tr>
<tr>
<td>Marcus Hardikene</td>
<td>PO. Box. 501 Phnom Penh - Cambodia</td>
<td>Ph.855-23-219-478 Fax.855-12-894-525</td>
<td><a href="mailto:Gw.monitoring@online.com.kh">Gw.monitoring@online.com.kh</a></td>
</tr>
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</table>
## FORM A1: EXAMPLE OF SURVEY FORM FOR SPATIAL DATA SET INVENTORY

<table>
<thead>
<tr>
<th>No</th>
<th>Type of Data</th>
<th>Available</th>
<th>Dates</th>
<th>Coverage</th>
<th>Restricted Use</th>
<th>Contact Person</th>
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<td>1</td>
<td>Baseline Data</td>
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<td>Forest Cover</td>
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<td>Land Use</td>
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<td>Administration Boundary;</td>
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<td>b. Region</td>
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<td>c. Sub Region</td>
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<td>d. Village</td>
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<td>Forest Boundary;</td>
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<td>a. Protected Area</td>
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<td>b. National Park</td>
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<td>c. Concession Area</td>
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<td>d. Coupe of Concession Area</td>
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<td>e. Plantation Forest Area</td>
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<td>Hydrography</td>
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<td>Location of timber nodes</td>
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<td>a. Sawmills</td>
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<td>b. Pulp and paper industry</td>
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<td>c. Timber pile</td>
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<td>d. Timber check point</td>
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<td>Satellite Images</td>
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<td>Aerial Photography</td>
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<td>9</td>
<td>Topography</td>
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<td>a. Roads and Logging roads</td>
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<td>b. River</td>
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<td>c. Countur Line</td>
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<td>d. etc.</td>
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<td>Analytical Data</td>
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<td>12</td>
<td>Forest Change-detection</td>
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<tr>
<td>13</td>
<td>Land Use Potential</td>
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<td>Habitats Threat Model</td>
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<td>Digital Elevation Model</td>
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<td>Prediction Model</td>
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### FORM A2: EXAMPLE OF SURVEY FORM FOR DESCRIPTIVE AND STATISTICAL DATA SET INVENTORY

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This form will be circulated to Government Agencies, NGOs, Projects, etc. for a quick survey on availability and type of data. This form will be developed further in consultation with experts.
### FORM B: SUMMARY OF ACTIVITIES

**PRIORITY 1. EAST ASEA FLEC CLEARING HOUSE**

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### FLEG Reporting Format: Objectives

- To decide country-specific actions needed to meet each commitment
- To demonstrate that appropriate actions have been taken
- To determine whether actions taken have been effective
- To determine whether actions have contributed towards overall goal
- To determine what additional actions are needed to sustain action, or to address gaps at:
  - Country level
  - Regional level

### General Process

For each country/action:

1. Has the action been implemented?
   - If not, why not? when will it be?
2. Has objective been achieved?
   - What are indicators of desired achievement?
   - How can indicators be verified?
3. If objective has been achieved, what future actions are needed to sustain it?
4. If objective has NOT been achieved, what actions are needed to fill gaps?
5. Can regional actions increase effectiveness of national actions?
6. Can national actions increase effectiveness of regional actions?

### Process

- Has industrial capacity been reduced?
  - YES – 10 sawmills with 400,000 m³ capacity closed.
- Has objective been achieved?
  - NO! – only 10% of target achieved
- What further domestic actions needed?
  - Close Plywood Plant "B" by 2004 => 10% reduction
  - Stop all natural forest wood raw material to Pulp Plant "C" by 2005 => 80% reduction
- What regional actions needed?
  - Involve holding company in Task Force Member Country "Y" which controls Plant "C"

### Example 1. Producer Country ‘A’

- BD Commitment: Industrial capacity does not exceed forest production
- Country “A”:
  - Processing capacity = 70 mill m³
  - Legal forest production = 30 mill m³
  - Imbalance = 40 mill m³
- Indicated Action: reduce industrial capacity by 40 mill m³

### Example 2. Consumer Country ‘X’

- BD Commitment: Stop imports of illegal wood products
- Country “X”:
  - No legal instrument to intercept illegal timber
- Indicated Action:
  - Pass legislation to enable bilateral agreements with exporting countries that bar import of wood products not identified as legal of all consignments from those countries

### Example 3. Producer Country ‘M’

- BD Commitment: Strengthen penalties and sanctions against illegal logging
- Country “M”:
  - Penalty for logging outside approved concession is ineffective at today’s local currency exchange rate
- Indicated Action:
  - Increase penalties to meaningful levels

### Information Sharing
## PROCESS

- **Have penalties been increased?**
  - YES – new regulation imposing fine equivalent to US$250,000 or 12 months imprisonment for senior executive of firm concerned
- **Has objective been achieved?**
  - NO, 37 cases brought, but impossible to progress through courts; cannot associate logging with any organisation
- **What further domestic action?**
  - Improve quality of evidence
  - Address blocks in judicial process

## TOOLS AND SYSTEMS

- **Format for data capture**
  - all information fields easily understood
  - additional guidance notes, where necessary
  - captures all essential information needed to show actions and outcomes
- **Format for reporting**
  - provides clear information for all users
  - clearly shows progress against Bali declaration
  - shows what future actions are needed by whom

## FORMAT NEEDED

- Data capture forms for:
  - producer country commitments
  - consumer country commitments
  - regional commitments
- Reporting of progress, issues and future actions:
  - by producer country
  - by consumer country
  - by region

## ADMINISTRATIVE REQUIREMENT

- Responsible person in each country
- Clear reporting deadlines
- Secretariat to:
  - send out blank forms
  - respond to questions about form filling
  - receive filled forms
  - complete regional action forms
  - compile and distribute reports

## SUGGESTED STRATEGY

- Volunteer country to produce first draft
- Terms of Reference for design of reporting system needed
- Each country nominates reporters
- Circulate draft to each country reporter to comment on
- Circulate draft to AG for input
- Volunteer country to compile input and produce Draft #2
- Draft #2 re-circulated to TF and AG for approval
- Draft #3 = final draft

## WHAT NEXT?

- Confirm meaningful commitments/ generic actions
- Decide information to capture about each commitment/action
- Design info capture form
- Provide guidance on verifiers that demonstrate actions taken
- Provide guidance on indicators to measure impacts of each action
- Design reporting format to show progress

## TIME SCALE

- **Terms of reference agreed** Feb 15
- **Volunteer country appoints consultant** Feb 28
- **Draft #1 complete** Mar 31
- **Draft #2 complete** Apr 30
- **Final format agreed** May 15
- **First series of info submitted** Jul 31
- **First report compiled** Aug 31
### EAST ASIA FOREST LAW ENFORCEMENT AND GOVERNANCE

#### CONSUMER COUNTRY REPORTING FORM

#### COUNTRY:

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<td>1.1 ACTION: LAWS TO PROHIBIT ILLEGAL TIMBER IMPORTS PASSED</td>
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Indicate the status of legislation to ban imports of illegal timber products

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<td>[ ] Law before legislature</td>
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<td>[ ] Law passed</td>
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<td>✔ Law implemented</td>
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This information verifies the action has been taken

Describe the provisions of the law as they relate to the Bali Declaration

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<th>b) If law passed provide name, number and date:</th>
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<th>c) Main provisions of law</th>
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<td>Provides for voluntary agreements between Country &quot;B&quot; and timber exporting countries by which Country &quot;B&quot; will prevent entry to any import of solid wood product not identified as legal in accordance with an agreed export licensing scheme</td>
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</tbody>
</table>

| Implementing agency: Bureau of Customs within Dept of Finance |

<table>
<thead>
<tr>
<th>d) What are the indicators of achievement?</th>
</tr>
</thead>
<tbody>
<tr>
<td>No of bilateral agreements signed</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>e) What are the indicators of effectiveness?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shipments/Volume of timber intercepted</td>
</tr>
<tr>
<td>Scale of diversion from signatory countries to third countries</td>
</tr>
</tbody>
</table>
### What was recorded in last 12 months?

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
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</thead>
<tbody>
<tr>
<td>No of shipments intercepted in last 12 months</td>
<td>5</td>
</tr>
<tr>
<td>Volume intercepted in last 12 months (m$^3$)</td>
<td>20,000</td>
</tr>
<tr>
<td>Volume diverted in last 12 months (m$^3$)</td>
<td>200,000</td>
</tr>
</tbody>
</table>

### List all actions planned to address gaps

- g) **Actions to address gaps**
EAST ASIA FOREST LAW ENFORCEMENT AND GOVERNANCE
DESIGN A REPORTING SYSTEM FOR TASK FORCE MEMBER COUNTRIES

DRAFT TERMS OF REFERENCE

BACKGROUND

1. On 13 September 2001 Ministers from East Asian nations and other regions met in Bali, Indonesia and made a declaration committing their countries to combat illegal logging, associated trade and other forest crimes. The Bali Declaration1 represents the first ever international commitment by governments to combat corruption in the forestry sector.

2. The Ministerial Meeting decided that a Regional Task Force on Forest Law Enforcement and Governance (FLEG) should be established to give full effect to the intentions of the Bali Declaration in advancing its objectives and proceeding with urgency to explore timely implementation of a set of significant indicative actions2. The Task Force comprises representatives of all signatory governments and is supported by an Advisory Group, comprising representatives from industry, non-governmental organisations and civil society.

3. At a joint meeting of the Task Force and Advisory Group in January 2003 it was agreed that a formalised system for reporting and sharing information about actions taken by each country and at regional level was needed. This would allow each country to report in a meaningful way on the actions it had taken, to diagnose obstacles to progress and to identify where bilateral or multilateral support from within the region or elsewhere was needed to address obstacles or further support actions taken.

4. The reporting system will require: (i) a standardised user-friendly way to collect important information about actions that relate to each FLEG commitment; and (ii) a way to share that information with a wide variety of audiences, including Ministers, FLEG Task Force participants, the FLEG Advisory Group and the wider public so that progress and issues are clearly shown.

OBJECTIVE

5. To design a system for capturing information on actions taken by individual participant countries and by regional groupings in addressing their commitments to the FLEG process and presenting progress in an format that is easily accessed and understood by a range of different audiences.

TASKS

6. An Interim Secretariat to be established by the Task Force will engage a qualified consultant to undertake the following tasks, in close consultation with individual Task Force Members and the Advisory Group:
   i) Examine the indicative actions listed Annex 2 and develop a refined list of generic actions, divided into Producer Country Actions, Consumer Country Actions and Regional Actions, that would address each of the Bali Declaration’s commitments;
   ii) Prepare a diagnostic methodology that will allow each country to determine which actions are applicable to its situation related to controlling illegal logging, either as producer or consumer;
   iii) Prepare guidance for each country to develop each applicable generic indicative action into one or more specific actions that address its own situation;
   iv) Prepare guidance on selection of verifiers that can be used to demonstrate that each action a country selects has been implemented;
   v) Prepare guidance on choice of indicators that demonstrate whether each action has been effective in achieving both; (a) its immediate target (i.e., the action is working in the way intended); and (b) its main objective (i.e., the action is having an impact on reducing illegal logging);
   vi) Prepare guidance on scheduling actions by each country into a workable plan;
   vii) Design a standardised reporting format, including consideration of appropriate information technology solutions, that can be used by each country to facilitate activities (ii) to (vi) and return the information collected to the Secretariat
   viii) Design a method for compiling information at the Secretariat level so that countries can share information about progress with other Task Force members and the wider public.

---

1 See Annex 1
2 See Annex 2 for a preliminary set of generic indicative actions
TIMING AND DURATION

7. The work should start during February 2003. The first draft system should be circulated to Task Force member countries no later than March 31 2003 and responses to comments received incorporated into a second draft by April 30 2003. The final design should be complete and operational no later than May 31 2003. Support from the Consultant may be required for the initial implementation of the system by Task Force Members during the period June – July 2003.

CONSULTANT QUALIFICATIONS

8. The consultants will combine a demonstrated track record in management information systems and natural resource policy and governance issues, preferably with activities related to illegal logging.
PROPOSED FLEG STRATEGY

**Strategic Thrusts:**
1. Management Information System
2. Information Education Campaign
3. Research and Development
4. Human Resources Development
5. Networking and Linkaging
6. Regulatory / Policy and Standards Development
7. Institutional Support System

### STRATEGIC OBJECTIVES

**Main:**
To provide an overall strategic framework for FLEG implementation at National and Regional Level

**Intermediate:**
1. To create an enabling environment to improve FLEG implementations in producer and consumer countries
2. To facilitate the regional initiatives for information and expertise sharing, trade and commerce, resource conservation and development and other bilateral/multilateral action

### SCOPE OF WORK

1. Preparation of Term of Reference for the preparation of framework for the regional and national FLEG strategy
2. Provision of financial assistance to prepare the ToR and the framework for FLEG strategy
3. Preparation of the national and regional FLEG strategy and action plans by national and regional focal points

### SUMMARY OF ACTIVITIES/ACTION PLAN

<table>
<thead>
<tr>
<th>Actors</th>
<th>Roles and Responsibility</th>
<th>Tentative Schedule</th>
<th>Venue</th>
</tr>
</thead>
<tbody>
<tr>
<td>TF and AG</td>
<td>Prepare ToR for TA</td>
<td>Feb. 2003</td>
<td></td>
</tr>
<tr>
<td>Potential Donors</td>
<td>Provide Financial Support</td>
<td>March 2003</td>
<td></td>
</tr>
<tr>
<td>The National and Regional Focal Points on FLEG Strategy</td>
<td>Provide Inputs and Consolidate national Outputs</td>
<td>March - April 2003</td>
<td></td>
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### SUMMARY OF ACTIVITIES/ACTION PLAN (contd)

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<th>Roles and Responsibility</th>
<th>Tentative Schedule</th>
<th>Venue</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Regional FLEG Secretariat</td>
<td>Monitor and Coordinated regional activities</td>
<td>March - April 2003</td>
<td></td>
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<tr>
<td>TF and AG</td>
<td>Discuss progress and finalize the FLEG strategy and Action plans and instruments in preparation for submission to the ministers</td>
<td>May 2003 <em>(Back to back with the ITTO meeting in Panama)</em></td>
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<tr>
<td>Ministerial Conferences</td>
<td>Consider strategy and Action plans</td>
<td>Sept. 2003</td>
<td></td>
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</table>

*: Countries to begin gathering validating and analysing data
EAST ASIA AND PACIFIC
FOREST LAW ENFORCEMENT AND
GOVERNANCE (FLEG)

FOLLOW-UP TO THE SEPTEMBER 2001
BALI MINISTERIAL DECLARATION

TASK FORCE AND ADVISORY GROUP
MEET ING
JAKARTA, INDONESIA
27-29 JANUARY 2003

TASK FORCE – GROUP B

Name of Participants
1. Tran Kim Long, Programme Officer, International Cooperation Department, MARD, Vietnam
2. Charat Chuayna, Forestry Officer, Royal Forest Department, Thailand
3. Suchart Thaipetch, Royal Forest Department, Thailand
4. Jamal Gawi, Programme Support Unit, Canadian International Development Agency
5. Suon Sovann, Department of Forestry and Wildlife, Cambodia
6. Dambis Kaip, Papua New Guinea Forest Authority

Name of Participants (contd)
7. Sumarto, Indonesia
8. Hadi Daryanto, FORDA, Ministry of Forests, Indonesia
10. A. Ngakolen Gintings, Social Research on Forestry, Ministry of Forests, Indonesia
12. Harry Santoso, DG of Land Rehabilitation and Social Forestry, Ministry of Forests, Indonesia

SUMMARY OF ACTIVITIES/
ACTION PLAN

• Assigned Task:
  (i) Exchange of Trade Data,
  (ii) Harmonization of Customs Codes and
  (iii) Research on Timber Supply and Demand

• Selected Priority:
  Research on Timber Supply and Demand

CREATION OF INTERIM SECRETARIAT IN CIFOR

• Who : Mr. Luca Tacconi
• When : As soon as possible
• Input : Data from member countries
• Cost : Voluntary
• Remark : This position will be terminated as long as an official FLEG Secretary has been selected

APPOINTMENT OF CONTACT PERSON(S)

• Who : FLEG meeting attendants
• When : 1 month (end of February 2003)
• Input : Name(s), position and complete address
• Cost : Nil
• Remark : Qualified person/ Senior research officer
<table>
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<tr>
<th>ELABORATE OF TORS (SECRETARIAT AND DATA COLLECT.)</th>
<th>IDENTIFICATION OF EXISTING RESEARCH ACTIVITIES IN EACH COUNTRY</th>
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<tr>
<td><strong>Who</strong> : Contact person(s)</td>
<td><strong>Who</strong> : Interim Secretariat and Contact person(s)</td>
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<tr>
<td><strong>When</strong> : 1 months (March 2003)</td>
<td><strong>When</strong> : 6 months (November 2003)</td>
</tr>
<tr>
<td><strong>Input</strong> : Draft of 6-month TOR</td>
<td><strong>Input</strong> : Output of TORs</td>
</tr>
<tr>
<td><strong>Cost</strong> : Incurred by the member countries</td>
<td><strong>Cost</strong> : Incurred by the member countries</td>
</tr>
<tr>
<td><strong>Remark</strong> : Each FLEG country should estimate the cost and propose budget</td>
<td><strong>Remark</strong> : Each FLEG country should estimate the cost and propose budget</td>
</tr>
</tbody>
</table>

<table>
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<tr>
<th>DEVELOPMENT OF RESEARCH NETWORK</th>
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<tr>
<td><strong>Who</strong> : Interim Secretariat and contact person(s)</td>
</tr>
<tr>
<td><strong>When</strong> : 6 months (November 2003)</td>
</tr>
<tr>
<td><strong>Input</strong> : Output of TORs</td>
</tr>
<tr>
<td><strong>Cost</strong> : Incurred by the member countries</td>
</tr>
<tr>
<td><strong>Remark</strong> : Each FLEG country should estimate the cost and propose budget</td>
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</table>
SUMMARY OF ACTIVITIES/ACTION PLAN

Assigned Task: (i) Exchange of Trade Data, (ii) Harmonization of Customs Codes and (iii) Research on Timber Supply and Demand

Selected Priority: Research on Timber Supply and Demand

<table>
<thead>
<tr>
<th>Activities</th>
<th>Sub Activities</th>
<th>Who</th>
<th>When</th>
<th>Input</th>
<th>Cost</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Research on timber supply and demand</td>
<td>1) Creation of interim secretariat in CIFOR</td>
<td>Mr. Luca Tocconi</td>
<td>As soon as possible</td>
<td>Data information from member countries</td>
<td>Voluntary</td>
<td>This position will be terminated as long as an official FLEG Secretary has been selected</td>
</tr>
<tr>
<td></td>
<td>2) Appointment of contact person(s)</td>
<td>FLEG attendants</td>
<td>1 month (end of February 2003)</td>
<td>Full name, complete address of appointed contact person(s)</td>
<td>Nil</td>
<td>Qualified person(s)/Senior research officer(s)</td>
</tr>
<tr>
<td></td>
<td>3) Elaborate of TOR</td>
<td>Contact person(s)</td>
<td>3 months (May 2003)</td>
<td>Draft of 6-month TOR</td>
<td>Incurred by the member countries</td>
<td>Each FLEG country should estimate the cost and propose budget</td>
</tr>
<tr>
<td></td>
<td>4) Identification of existing research activities in</td>
<td>Contact person(s)</td>
<td>6 months (end of November 2003)</td>
<td>Outputs of TOR</td>
<td>Incurred by the member countries</td>
<td>Each FLEG country should estimate the cost and propose budget</td>
</tr>
<tr>
<td></td>
<td>5) Development of research network</td>
<td>Interim secretariat and contact person(s)</td>
<td>6 months (end of November 2003)</td>
<td>Outputs of TOR</td>
<td>Incurred by the member countries</td>
<td>Each FLEG country should estimate the cost and propose budget</td>
</tr>
</tbody>
</table>
**ACTION PLANNING**

1. **TASK FORCE WORKING GROUP ON TIMBER SUPPLY AND DEMAND**
   - Interim Secretariat for Research on Timber Supply and Demand in CIFOR until the next FLEG ministerial meeting
   - Senior Officer in each country to act as Contact Person for Research on Timber Supply and Demand
   - Report presented at the next FLEG Task Force and FLEG Ministerial meeting

2. **INTERIM SECRETARIAT FOR RESEARCH ON TIMBER SUPPLY AND DEMAND**
   - CIFOR agrees to host the IS on a voluntary basis
   - Need to establish Permanent Secretariat to be explored by the IS in consultation with [Task Force]
   - Receive and distribute names of contact persons – February 2003
   - IS report results of work at FLEG Task Force and FLEG Ministerial meetings

3. **CONTACT PERSON FOR RESEARCH ON TIMBER SUPPLY AND DEMAND**
   - A Senior Officer to be identified – Feb 2003
   - Finalize TOR for data collection and analysis in collaboration with IS - March 2003
   - Manage collection and analysis of country level data according to TOR
   - Identify existing country level data collection and research activities, organizations undertaking them and contact details, and provide information to IS
TOR FOR CONTACT PERSON FOR RESEARCH ON TIMBER SUPPLY AND DEMAND

Each FLEG member country will identify a Senior Officer to act as Contact Person for Research on Timber Supply and Demand and notify the IS by the end of February 2003.

The Contact Person will:

1. Finalize the TOR for data collection and analysis in collaboration with IS by end of March 2003;
2. Organize and manage the collection and analysis of country level data according to the TOR;
3. Submit the preliminary data and analysis to the IS for the purposes of the FLEG Task Force by the end of June 2003;
4. Receive from the IS by end of July 2003 the collated regional data and address questions concerning accuracy, discrepancies, gaps etc., and report back to the IS by end of August 2003.
5. Identify existing country level data collection and research activities, organizations undertaking them and contact details, and provide information to IS by end of August 2003;
6. Participate in the Task Force meeting, expected to take place in October 2003, and contribute to the finalization of the report.

Task Force and/or IS submit final report to the FLEG Ministerial Meeting, expected to take place in December 2003.
TOR FOR INTERIM SECRETARIAT FOR RESEARCH ON TIMBER SUPPLY AND DEMAND

Under the supervision of the Task Force, the Interim Secretariat for Research on Timber Supply and Demand is established in CIFOR Headquarters until the next FLEG ministerial meeting, expected at the end of 2003.

CIFOR agrees to host the IS on a voluntary basis, by providing initial support through the provision of part-time staff, and necessary support, such as computing capacity.

CIFOR has been asked by the Task Force Working Group on Timber Supply and Demand to explore possible sources of funding for supporting the appointment of an Indonesian national staff to contribute to the operations of the IS. The need and possibility for establishing a Permanent Secretariat should be explored by the IS in consultation with the [Task Force].

The Interim Secretariat for Timber Supply and Demand will perform the following tasks:

1. The IS will inform the member countries about the details of the CIFOR contact person;
2. Receive names of contact person from each FLEG member country, collate, and distribute them to member countries, and after agreement from member countries, distribute information to interested parties; (information to be provided to IS by end of February 2003);
3. Contribute to finalizing the TOR for data collection and analysis in collaboration with Contact Persons by end of March 2003;
4. Receive timber supply and demand data from Contact Person by end of July 2003;
5. Collate and analyze data, address questions concerning accuracy, discrepancies, gaps etc., and report back to the Contact Persons by end of August 2003.
6. The IS will acquire information from, and liaise with, ITTO and FAO to check accuracy of data received, improve its quality, and identify gaps;
7. The IS will report the results of the work carried out at FLEG Task Force meetings, and FLEG Ministerial meetings.
## GROUP B PARTICIPANTS

<table>
<thead>
<tr>
<th></th>
<th>Name</th>
<th>Position and Organization</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Tran Kim Long</td>
<td>Programme Officer, International Cooperation Department, NARD, Vietnam</td>
</tr>
<tr>
<td>2</td>
<td>Charat Chuayna</td>
<td>Forestry Officer, Royal Forest Department, Thailand</td>
</tr>
<tr>
<td>3</td>
<td>Suchart Thaipetch</td>
<td>Royal Forest Department, Thailand</td>
</tr>
<tr>
<td>4</td>
<td>Jamal Gawi</td>
<td>Programme Support Unit, Canadian International Development Agency</td>
</tr>
<tr>
<td>5</td>
<td>Suon Sovann</td>
<td>Department of Forestry and Wildlife, Cambodia</td>
</tr>
<tr>
<td>6</td>
<td>Dambis Kaip</td>
<td>Papua New Guinea Forest Authority</td>
</tr>
<tr>
<td>7</td>
<td>Sumarto</td>
<td>Indonesia</td>
</tr>
<tr>
<td>8</td>
<td>Hadi Daryanto</td>
<td>FORDA, Ministry of Forests</td>
</tr>
<tr>
<td>9</td>
<td>Tatang N.</td>
<td>DG Forest Product, Ministry of Forests, Indonesia</td>
</tr>
<tr>
<td>10</td>
<td>A. Ngakolen Ginting</td>
<td>Social Research on Forestry, Ministry of Forests, Indonesia</td>
</tr>
<tr>
<td>11</td>
<td>Banjar Yulianto Laban</td>
<td>DG Forest Product, Ministry of Forests, Indonesia</td>
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<tr>
<td>12</td>
<td>Harry Santoso</td>
<td>DG of Land Rehabilitation and Social Forestry, Ministry of Forests, Indonesia</td>
</tr>
<tr>
<td>13</td>
<td>Fauzi Masud</td>
<td>FORDA, Ministry of Forests</td>
</tr>
<tr>
<td>14</td>
<td>Vilayhak S.</td>
<td>Department of Forestry, Laos</td>
</tr>
<tr>
<td>15</td>
<td>Sousath Sayakoummane</td>
<td>Department of Forestry, Laos</td>
</tr>
<tr>
<td>16</td>
<td>David Kaimowitz</td>
<td>Centre for International Forestry Research</td>
</tr>
<tr>
<td>17</td>
<td>Duncan Brack</td>
<td>Royal Institute of International Affairs (UK)</td>
</tr>
</tbody>
</table>
### LIST OF PARTICIPANTS

<table>
<thead>
<tr>
<th>No.</th>
<th>Name</th>
<th>Organization</th>
<th>Position</th>
<th>Contacts Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Ouk Syphan</td>
<td>Dept. of Forestry &amp; Wildlife,</td>
<td>Deputy Director General</td>
<td>Ph: (+ + 855) 23 - 986 460 Fax: (+ + 855) 23 - 212 201 Email: <a href="mailto:dfw.syphan@bigpond.com.kh">dfw.syphan@bigpond.com.kh</a> <a href="mailto:o.syphan@camintel.com">o.syphan@camintel.com</a> Department of Forestry &amp; Wildlife N.40 Blvd. Preah Norodom, Phnom Penh Cambodia</td>
</tr>
<tr>
<td>2</td>
<td>Suon Sovann</td>
<td>Dept. of Forestry &amp; Wildlife,</td>
<td>Deputy Chief of Forest Crime Monitoring and Reporting Project</td>
<td>Ph: (+ + 855) 23 - 211 595 Hm.Ph: (+ + 855) 11 - 848 427 Fax: (+ + 855) 23 - 212 201 Email: <a href="mailto:suonsovann@hotmail.com">suonsovann@hotmail.com</a></td>
</tr>
<tr>
<td>3</td>
<td>Laurenne Gameau</td>
<td>The Canadian International Development Agency (CIDA)</td>
<td>Counsellor (Development)</td>
<td>Ph: (+ + 62) 021 - 2550 7869 M.Ph: (+ + 62) 0816 - 738 711 Fax: (+ + 62) 021 - 2550 7813 Email: <a href="mailto:laurenne.gameau@cida.gc.ca">laurenne.gameau@cida.gc.ca</a></td>
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<tr>
<td>4</td>
<td>Jamal Gawi</td>
<td>The Canadian International Development Agency (CIDA)</td>
<td>Environmental Specialist</td>
<td>Ph: (+ + 86) 021 - 525.3833 Hm.Ph: (+ + 62) 021 - 870 8766 Fax: (+ + 62) 021 - 522 4343 Email: <a href="mailto:jamal@psujka.or.id">jamal@psujka.or.id</a></td>
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<tr>
<td>5</td>
<td>Wen Zhe</td>
<td>Bureau of Forestry Public Security,</td>
<td>Member</td>
<td>Ph: (+ + 86) 10 - 8423 9519 Fax: (+ + 86) 10 - 8423 9208 Email: <a href="mailto:wz837@sina.com">wz837@sina.com</a> N.o.18 Heping Li East, Beijing, PRC, post code 100714</td>
</tr>
<tr>
<td>6</td>
<td>Fan Lu an</td>
<td>Bureau of Forestry Public Security,</td>
<td>Chief</td>
<td>Ph: (+ + 86) 10 - 842 39159 Fax: (+ + 86) 10 - 642 17 362 N.o.18 Heping Li East, Beijing, PRC, post code 100714</td>
</tr>
<tr>
<td>7</td>
<td>Ir. Wahjudi Wardojo</td>
<td>Secretariat General - Ministry of Forestry</td>
<td>Secretary General</td>
<td>Ph: (+ + 62) 021 - 570 0232 Fax: (+ + 62) 021 - 573 8732 E-mail: <a href="mailto:Sekjen@dephut.cbn.net.id">Sekjen@dephut.cbn.net.id</a> Gedung Manggala W anabhakti Block 1, 3th FL. JL. Jend.Gatot Subroto. N.01-Jakarta</td>
</tr>
<tr>
<td>8</td>
<td>Ir. Darori, MM</td>
<td>Bureau of Forestry Standardisation and Environment, Secretariat General - Ministry of Forestry</td>
<td>Director of Bureau of Forestry Standardisation Environment</td>
<td>Ph: (+ + 62) 021 - 572 0190 Fax: (+ + 62) 021 - 573 3433 E-mail: <a href="mailto:pudsarling@dephut.cbn.net.id">pudsarling@dephut.cbn.net.id</a> Gedung Manggala W anabhakti Block 4, 7th FL. JL. Jend.Gatot Subroto. N.01-Jakarta</td>
</tr>
<tr>
<td>9</td>
<td>Ir. Bambang Murdiono, MSc.</td>
<td>Bureau of Foreign Cooperation &amp; Investments / KLN, Secretariat General - Ministry of Forestry</td>
<td>Director of Bureau of Foreign Cooperation &amp; Investments</td>
<td>Ph: (+ + 62) 021 - 570 1114 Fax: (+ + 62) 021 - 572 0210 E-mail: <a href="mailto:bambangm@dephut.cbn.net.id">bambangm@dephut.cbn.net.id</a> Gedung Manggala W anabhakti Block 7, 4th FL. JL. Jend.Gatot Subroto. N.01-Jakarta</td>
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<tr>
<td>10</td>
<td>Ir. Sri Muriningtyas M.Sc.</td>
<td>Multilateral Cooperation Division, Bureau of Foreign Cooperation &amp; Investments / KLN, Secretariat General - Ministry of Forestry</td>
<td>Head of Multilateral Cooperation Division</td>
<td>Ph: (+ + 62) 021 - 570 1114 M.Ph: (+ + 62) 0815 935 0185 Fax: (+ + 62) 021 - 572 0210 E-mail: <a href="mailto:nininghp@dephut.cbn.net.id">nininghp@dephut.cbn.net.id</a> Gedung Manggala W anabhakti Block 7, 4th FL. JL. Jend.Gatot Subroto. N.01-Jakarta</td>
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</table>
| 11 | Ir. Prabianto M. W., M.Sc  | Regional Cooperation Sub-Division on Bilateral and Regional Cooperation, Bureau | Head of Regional Cooperation Sub-Division on Bilateral and Regional Cooperation Sectional Cooperation Division | Ph: (+ + 62) 021 - 573 0159  
Fax: (+ + 62) 021 - 572 0210  
E-mail: prabianto@hotmail.com  
Gedung Manggala W anabhakti.  
Block 7, 4th Fl.  
N.o.1 - jakarta |
| 12 | Ir. Achmad Pribadi, M.Sc.  | Loan Project Sub Division on Technique Cooperation, Bureau of Foreign Cooperation & Investments / KLN, Secretariat General - Ministry of Forestry | Head of Sub Division Loan Project on Technique Cooperation | Ph: (+ + 62) 021 - 573 0346  
Fax: (+ + 62) 021 - 572 0210  
E-mail: adipri@dephut.cbn.net.id  
Gedung Manggala W anabhakti.  
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# Annex X

## List of Participants

### Adv. Group (contd.)

<table>
<thead>
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<th>NAME</th>
<th>COUNTRY</th>
<th>POSITION</th>
<th>ORGANIZATION</th>
<th>CONTACTS DETAIL</th>
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<tbody>
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### Annex X

**EAP FLEG Jan/03 TF/AG Meeting**

**Adv. Group (contd.)**

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