

**Forest Law Enforcement and Governance – East Asia Regional
Ministerial Conference**

Summary of the Technical Discussions

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Dear Honorable Ministers, Excellencies, Distinguished guests.

Thank you for joining this meeting and for giving me the opportunity to present the findings and conclusions of our technical discussions over the last two days. We were privileged and fortunate to have with us a group of distinguished specialists and experts from across Asia and around the world. We had frank and wide-ranging discussions that I can only just begin to summarize.

We began our discussions with presentations on the scope and magnitude of the forest law enforcement problems facing the region. Timber theft, arson, poaching of wildlife, encroachment and other forest crimes affect all countries and all forests and are now taking place in this region at a level that threatens sustainable development, especially the livelihoods of vulnerable and disadvantaged people.

To help us better understand these issues, we approached them by looking at four themes: Governance, Forest Policy, Forest Management and Forest Law Enforcement Operations. These are, of course, interrelated, but they provide a framework for discussion and for further action.

Governance is the exercise of authority through formal and informal institutions for the common good of society. It has six main components – rule-of-law, corruption or graft, voice and accountability, regulatory burden, political stability and government effectiveness. It is clear from our discussions that governance in the forestry sector is weak in all these

dimensions. Participation is limited, people are excluded from decision making, corruption is widespread, rule of law is weak and credibility and transparency are lacking.

At the meeting we heard about case examples and conceptual approaches that illustrate how governance in forestry can be strengthened. Of particular importance are experiences in coordinating the efforts of the police, military, judiciary and civil society in addressing systemic, large-scale illegal logging. The conference provided helpful insights on reforms in forestry legislation. Experience shows the value of a well-structured legislative process that involves analysis, participation, consultation and consideration of the customary rights of indigenous peoples. This leads to laws and regulations that are simple, enforceable, targeted to local needs and that will therefore enjoy widespread support from the public and other stakeholders. The trends across the region to decentralize government and to increase local involvement in resource use decisions pose particular governance problems and opportunities, which the discussions at the meeting helped us to better understand.

Excellencies, there is an important international context to the governance problems of forestry. We discussed new developments such as certification, mechanisms such as the Convention on International Trade and Endangered Species, increasing awareness of consumer responsibility in purchasing countries, and socially and environmentally responsible timber procurement, as promising approaches to the problem.

With respect to forest policy, the meeting discussed inter-sectoral and economy-wide influences that affect forests and compliance with laws. In addition to well-known negative economic, environmental and social impacts, weaknesses in timber taxation, land allocation, forest industries and agricultural policies worsen the forest law enforcement problem. Of particular concern should be policies that promote excessive industrial processing capacity creating demands in excess of the sustainable capacity of the resource. Our discussion took

note of successful reforms and demonstrated, once again, the value of improved analysis, better data and policy research.

Distinguished guests, data presented at the conference showed how far we have fallen short of the ITTO 2000 targets for Sustainable Forest Management. Only a small proportion of the region's production forests is under Sustainable Forest Management. Systems for forest fire management and prevention of arson are ineffective, and we still have a great deal to learn about the involvement of local communities in the management and protection of parks and protected areas. There are, however, promising new developments in forest management such as reduced impact logging, remote sensing, resource assessment, silvicultural systems and planning. More widespread application of these practices could allow more sustainable legal logging to expand and replace illegal logging. Moreover, to provide incentives for adoption of improved and more sustainable practices, we need to find ways to reduce illegal logging and the impacts that insecure tenure and depressed prices have on legitimate logging.

An important finding of the conference is that there is a specific body of technical practice in forest law enforcement that can and needs to be applied in the field. The Prevention, Detection and Suppression approach provides a framework for planning and implementing responsible and accountable forest law enforcement programs. Many of the measures mentioned above, such as reduced impact logging, policy and legislative reforms, and transparency in allocation of concession rights would help to prevent forest crimes. In addition, there are specific prevention measures such as timber theft prevention planning, provisions for public disclosure of information, multi-sectoral forest protection committees, regular patrols and inspections that would help to reduce crime.

Improving detection of forest crimes is a critical and often neglected aspect of forest law enforcement. A wide range of investigatory techniques and approaches such as remote sensing, use of GIS, global positioning systems, involvement of NGOs and local communities in gathering evidence and

information could play an important part in sound programs. Serious efforts to collect and analyze data will be a low cost way of demonstrating commitment and to enable effective targeting of enforcement efforts. Innovative partnerships of governments and NGOs were discussed and could be models for broader replication.

The meeting drew attention to the fact that when Prevention and Detection failed, countries may need to rely on harsh measures to suppress illegal logging. The conference discussed examples of inter-agency task forces involving the police, military, customs and other agencies in arrests of illegal loggers and seizure of stolen material. Responsible field suppression activities need to be designed in consideration of hazardous field conditions and the risk of violence. They need to be supplemented with judicial reforms, effective prosecution, and provision for appropriate fines and penalties.

Your Excellencies, this is a daunting agenda. The conference discussed the interests of development agencies, multilateral development banks, the private sector and NGOs' in being more effective partners in the fight against forest crimes. Based on additional support and the lessons learned at this conference, and supported by the political commitment that you can help provide, my colleagues at this conference and I firmly believe that we can be much more effective in fighting forest crime.

Thank you for your kind attention.