

**EUROPE AND NORTH ASIA (ENA) FLEG MINISTERIAL PROCESS
INTERNATIONAL STEERING COMMITTEE (ISC)
MOSCOW, RUSSIA**

February 21-22, 2005

Meeting Summary

INTRODUCTION

Growing worldwide concern over illegal logging and associated trade in illegal timber has led, in the last few years, to the development of the Forest Law Enforcement and Governance (FLEG) ministerial processes. The FLEG processes aim to galvanize international and multi-stakeholder commitment to combat the problem of illegal logging and associated trade and corruption at high political levels, and to strengthen political will, capacity and collaborative approaches for forest governance.

1. Objective of Meeting: On February 21-22, 2005 the Ministry of Natural Resources (MNR) of the Russian Federation co-hosted with the World Bank an International Steering Committee convened for the first time to formally launch the Europe and North Asia Forest Law Enforcement and Governance (ENA FLEG) Ministerial Process. The objective of the meeting was to formally initiate the ENA FLEG Process as well as to provide guidance on its overall design.

2. International Steering Committee Members: The governments of Bulgaria, Canada, Finland, Germany, Japan, Kazakhstan, Poland, Russia, Turkey, United Kingdom, United States, as well as the European Commission and World Bank, have accepted the Russian MNR's invitation to join the ENA FLEG International Steering Committee and were represented at the meeting. Italy and China were invited but did not attend. It is hoped that China will join the ISC soon¹.

3. Structure of meeting: The meeting opened with presentations to provide a history and background context to FLEG processes. Representatives of NGOs and industry attended Sessions 1, made presentations on their perspectives of FLEGT issues and FLEG processes² and participated in that session's discussions. Afterwards, in sessions with ISC member governments only, meeting discussions focused on the objectives, scope and design of the ENA FLEG process.

SUMMARY OF DELIBERATIONS

1. Initiation, Overall Objectives and Scope of ENA FLEG Process: All delegations underlined the importance of the initiative and confirmed their support for the objectives of the ENA FLEG Ministerial Process. It was agreed that the Process should continue to move ahead. In addition to galvanizing international commitment to the issues, the FLEG process can foster a welcome exchange of information and sharing of expertise. It will also help to raise the profile of the issue, and engage not just ministries responsible for forest management, but also related sectors such as ministries of trade, economy, infrastructure or foreign affairs. Meeting participants noted that it would be critical to ensure that all countries in the region engage in the process (see Annex 1 for list of invited countries).

Scope: There was a common understanding that forest governance covers economic, social and environmental issues in both forest-rich and forest-poor countries of the region. Countries involved should be those with major production, consumption, or trade relationships and forest-related interests

¹ On February 22, 2005, a letter from the Chinese State Forestry Administration (dated January 18, 2005) arrived at the Russian MNR stating the Government of China's support for global and international actions to combat illegal logging and trade. The letter stated the State Forest Authority's interest in cooperating.

² See Annex 4, Statement of Russian NGOs distributed to ISC members

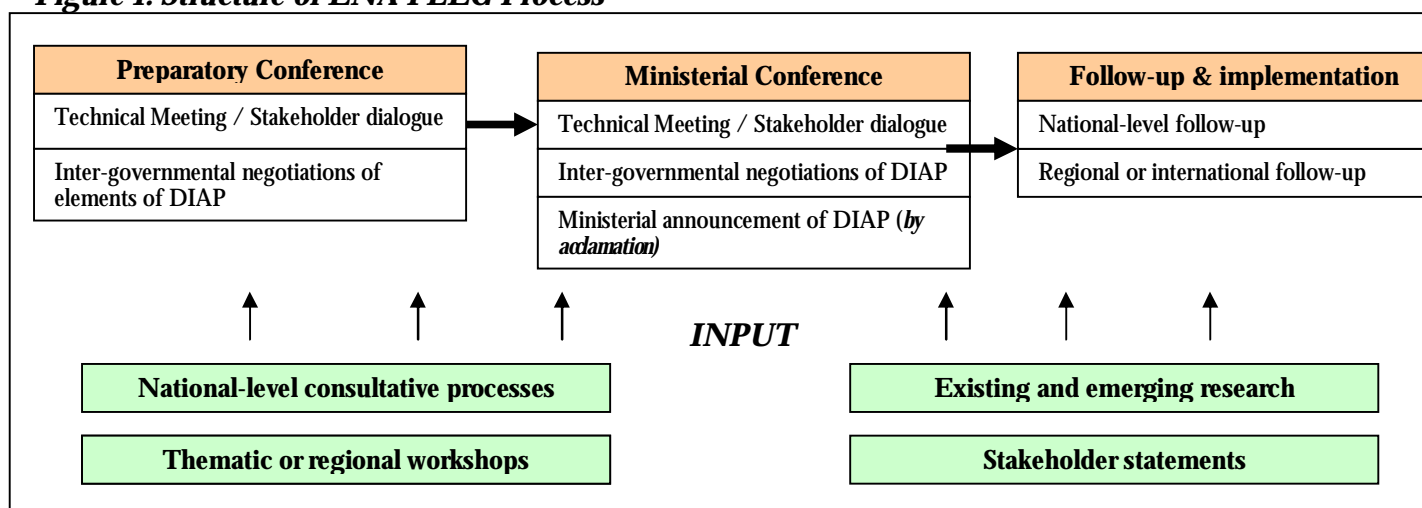
with the ENA region. Domestic as well as export markets should be covered as well as a balance of international, regional and national aspects in all aspects of the FLEG.

Name: The ISC members considered several alternative names for the regional FLEG process. Ultimately, it was decided that the original name “Europe and North Asia Forest Law Enforcement and Governance Ministerial Process” or ENA FLEG Ministerial Process would be retained.

Development of ENA FLEG Concept Document: The Ministry of Natural Resources of the Russian Federation has prepared a draft ENA FLEG Concept Note that outlines a proposal for the major elements of a conceptual and procedural framework for the ENA FLEG process. This document will be revised by the World Bank by end-March 2005 to reflect the regional scope of the ENA FLEG process (see Annex 1 for list of countries included within the geographic scope of the ENA FLEG), and the decisions made at the ISC meeting.

2. Basic Structure of ENA FLEG Process: The ISC agreed on a general structure for the ENA FLEG process (see figure 1), which could be revised as needed in the future.

Figure 1: Structure of ENA FLEG Process



3. The Negotiations Process: The core of the ENA FLEG process is progress towards a regional Declaration and Indicative Action Plan (DIAP). As an inter-governmental process, authorized governmental representatives of ENA FLEG participating governments draft the Declaration and Indicative Action Plan. During the Ministerial segment of the Ministerial Conference, Ministers review, revise and ultimately adopt the DIAP by acclamation. Due to the sensitive nature of the discussions, the negotiating sessions are governmental only with no observers.

These negotiated documents are to be adopted by acclamation. However, they are not legally binding. The DIAP does, however, have powerful symbolic and political importance. This allows participating governments to recognize shared problems and foster constructive discussion on solutions. Participants highlighted that although the Indicative Action Plan is not legally binding, participating countries should aim to adapt the IAP to propose concrete actions, which could then form the basis for bilateral, regional or international cooperative projects.

Steps Towards the DIAP (Structure of Inter-governmental Negotiations)::

§ **Prior to PrepConf:** World Bank, as the co-host of the ENA FLEG Process, to send out questionnaire to participating governments, asking for feedback on major thematic issues which could help negotiators at PrepConf to develop a structure for the outline of a DIAP expected to be negotiated and produced at the PrepConf;

- § **PrepConf:** Preparatory Conference negotiations assisted by a facilitator to develop an outline of the DIAP incorporating suggestions received from participating governments;
- § **Interim Period:** Secretariat and facilitator to develop a parallel document, “Suggested Changes Based on Emerging Information.” This document will suggest potential revisions to the DIAP, which governments can consider prior to the Ministerial Conference. The draft DIAP (prepared at PrepConf) and the “Suggested Changes Document” will serve as a starting point for negotiating parties at the Ministerial Conference;
- § **Ministerial Conference (negotiations):** Negotiators assisted by facilitators to continue drafting of DIAP;
- § **Ministerial Conference (Ministerial segment):** Ministers arrive and meet in closed door session to review, revise and adopt Declaration and Indicative Action Plan (facilitated);
- § **Ministerial Conference (plenary):** Announcement of ENA FLEG Declaration and Indicative Action Plan.

Lessons Learned from Africa FLEG and East Asia FLEG negotiating processes: Participants discussed lessons learned from the negotiations process in other FLEG processes, including (but not limited to):

- § Drafting often takes longer than expected. The difficulty and length of time necessary for negotiations increases if (a) negotiating representatives have not been adequately involved in earlier discussions; (b) the number of countries is large; (c) countries with very different conditions want specific issues related to their own priorities and conditions highlighted.
- § Facilitation is critical and requires an internationally recognized facilitator, neutral, objective and familiar with regional and international forestry issues. Two facilitators for negotiations – one international and one with regional familiarity – is recommended.
- § Simultaneous drafting in two (or more) languages is recommended, although it takes more time. The working language for the ENA FLEG will be Russian and English.
- § Unfortunately, due to the time necessary to devote to negotiations, negotiating parties often miss many of the technical presentations of the overall conference. However, there is no way around this without extending the number of days of the conference.
- § Civil society groups provide important inputs during all stages of the development of the DIAP, and therefore should be given time and consideration to express perspectives and ideas.
- § Follow-up to FLEG should not create new institutions. Follow-up actions should be embedded in national programs of participating countries (and possibly supported by international organizations and development agencies). Collaborative regional or international action could be incorporated within programs of existing regional or international organizations or bilateral agencies.

4. Preparatory Conference (PrepConf): It was recognized that the PrepConf is the first event in which many governments and stakeholders will become actively engaged in the ENA FLEG process. The PrepConf will include technical sessions (expert presentations, lessons learned from the region or internationally) as well as sessions dedicated solely to the inter-governmental negotiations. At times, from necessity, the technical sessions will have to run parallel to the negotiation sessions.

Invited speakers for the technical sessions will reflect the diversity of issues related to illegal logging and associated trade and corruption. Rather than focus on technical solutions, the sessions will focus on underlying causes, political issues and drivers for change.

The date for the ENA FLEG Preparatory Conference (PrepConf) has been tentatively set for June 8-10, 2005 in Moscow, Russia (by invitation only), with the possibility of a field excursion currently being explored for June 7.³ The exact venue will be determined in the near future.

Invitations are expected to be sent to:

³ After the completion of the ISC meeting in Moscow, it has been announced that the next meeting of the Global Environment Facility (GEF) Council is rescheduled to June 8-10, 2005. This represents an irreconcilable timing conflict for some of the delegations, including key officials from the Russian Federation. It is therefore proposed that the dates of the ENA-FLEG Preparatory Conference in Moscow be moved to **June 6-8, 2005**, with a tentative field excursion on June 5, 2005.

- § 53 governments with important producer, consumer or trade relationships and forest-related interests interest to the region (see Annex 1)
- § Observer governments from the Africa FLEG, E. Asia FLEG and Latin America to make the link to existing or proposed FLEG processes in other regions.
- § Approximately 15 local NGOs from the eastern and southern Europe, China, Central Asia and regions across Russia, and 5 international NGOs. Identification of NGOs is likely to be conducted through an NGO self-selection process (not yet initiated). Participating NGOs would be required to disseminate information within their respective region.
- § Approximately 15 representatives of local or international industry or industry associations.
- § Approximately 5-8 international organizations or initiatives (e.g. Ministerial Conference on the Protection of the Forests of Europe (MCPFE), UNECE, etc).
- § Technical experts and invited speakers

5. Organizational Structure: Activities formally sponsored by the ENA FLEG process (e.g. PrepConf, Ministerial Conference, limited national or regional activities) will be guided by the International Steering Committee and implemented by the ENA FLEG Secretariat.

International Steering Committee (ISC): The ISC provides overall strategic guidance on all phases of the ENA FLEG Ministerial Process, and plays a proactive role in ensuring the success of the ENA FLEG process (see Annex 3 for Terms of Reference for ISC). Members include governments with important producer, consumer and/or trade links or forest-related interests to the ENA region, plus the European Commission and the World Bank

ENA FLEG Secretariat: The ENA FLEG Secretariat will be a “virtual” entity comprised of staff of the Ministry of Natural Resources of the Russian Federation (host) and the World Bank (international facilitating agency). The International Steering Committee will guide the activities of the Secretariat. A document clarifying roles and responsibilities will be reviewed by the ISC by end-March 2005.

6. Stakeholder Participation: Meeting participants agree that it will be important to ensure adequate consultative preparatory actions to ensure views of all governmental institutions, NGOs and industry are taken into account. Industry and NGOs should be actively involved and should be representative of the entire ENA region (e.g. representation from the Baltics, E. Europe, Balkans, China, southern Europe, western Russia, eastern Russia, Caucasus and Central Asia, etc.) as well as globally. Since NGOs are often better represented at such international events than is industry, and recognizing the importance of industry active participation, the latter may need to be specially targeted to ensure its involvement.

Stakeholders have opportunities to influence the ENA FLEG process and content of the DIAP through:

- § National consultation processes that will allow government representatives to receive input from national constituencies.
- § National or regional workshops organized either under the ENA FLEG process or independently, which produce recommendations for national delegations and others. Recommendations from more than one stakeholder group (e.g. environmental NGOs and industry together) have stronger voice than one group alone
- § Presentations by representative groups to the Preparatory Conference and Ministerial Conference plenary sessions
- § Sending in statements to the ENA FLEG Website⁴. These statements will be compiled and/or presented in full as part of the negotiating parties’ information packages.

⁴ Suggestions must be in the language and format typically used in the declaration and action plans (see Bali and AFLEG Declarations for examples). Other types of documentation (papers or research) sent in via this channel will not be presented as input to the negotiations process.

7. National-level preparatory processes: Various models for FLEG preparatory activities were suggested, although it was recognized that each participating government will wish to design its own process to reflect their national situation. Possible activities include:

- § Integration into existing national processes (e.g. inter-ministerial task forces, national consultative processes, on-going reform processes)
- § Consultative workshops could be supported which invite national constituencies to help governments prepare their input to the negotiations sessions. For example, a first step could be reviewing the UNECE Reports that most countries prepared in September 2004 and reviewing with broader set of stakeholders within each country.
- § Sub-regional workshops hosted by ISC members or other governments interested in taking a leadership role, perhaps on a specific thematic or geographical topic.
- § It was less clear how national-level processes could address issues related to transitory trade or imports from other countries

These processes may need financial support from the ENA FLEG process, but the ISC recognized that limited budgetary support was available.

8. Analytical Work: The ISC agreed that a conference document will be prepared which provides an overview of international and regional issues specifically pertinent to the ENA FLEG region.

Preliminary results will be presented at the Preparatory Conference. This document should:

- § provide a “big picture” – global and regional drivers of change in the region. This would include trade flows and trends, investment and other dimensions that affect forest governance issues.
- § summarize all existing research, such as national-level information provided by the UNECE 2004 reports or the workshop planned by the MCPFE during 2005
- § Cover social and livelihood issues related to forest governance and law enforcement.
- § Identify gaps in information
- § Provide a “working terminology” of terms such as “illegal logging” and “illegal trade” to ensure that working sessions and negotiations are working under a common understanding.

9. Tentative timeline for ENA FLEG Activities: ISC members note that the currently proposed time for the ENA FLEG Ministerial Conference (November 2005) and associated events is demanding – noting the significant amount of preparatory work that should be completed prior to the Ministerial Conference. It is likely that the date for the ENA FLEG Ministerial Conference will be set at the Preparatory Conference.

ISC members intend to meet again May 20, 2005, in New York City, USA (taking advantage of the fact that the majority of ISC members will be in New York at that time for meetings of UNFF5).

10. Other thematic or technical issues raised: Civil society representatives in Session 1 and ISC representatives mentioned several technical themes that could be used as themes for the ENA FLEG process. These included, *inter alia*: statistics, use of remote sensing and satellite tracking, monitoring; log tracking systems, certification, audits as part of tools available to combat illegal logging; the need for common terminology (illegal logging, illegal timber trade) to ensure common understandings; approaches to resolve inter-cultural differences and approaches to behavioral change that take these differences into account; legal and market-based approaches to encourage legal forest operations in parallel to disincentives for illegal activities; corporate and social responsibility principles and their impact on industry; transparency & access to information. ***This does not represent any indicative list of what will be covered during the FLEG process; only what was mentioned during the ISC meeting.***

11. G-8 link with Illegal Logging: Illegal logging and associated trade is currently on the agenda of the G-8, and is a priority of the current G-8 President, the UK. Russia intends to continue the emphasis on illegal logging into the next G-8 Presidency (Russia presiding 2006).

12. Budget and Fund-raising: The ISC members reviewed the draft of anticipated budgetary needs for the ENA FLEG process. Governments of Canada, Finland, the Netherlands United Kingdom, and the United States as well as the World Bank have committed direct funding for the ENA FLEG process. Switzerland has committed in-kind financing. In-kind contributions will be reflected in the overall budget in order to obtain a complete picture of the cost of the ENA FLEG and associated processes. Other ISC members such as Turkey, Bulgaria and Poland (via the MCPFE) have indicated their interest in possibly being able to convene regional workshops during 2005.

However, there is a need to raise an additional \$200,000-300,000 of core funding to ensure adequate levels of participation of all stakeholders and national-level consultative processes. Members of the ISC will undertake consultations with potential donors.

Moscow, February 22, 2005

Annex 1
List of Invited Countries (as of February 21, 2005)

Countries with Producer, Consumer and/or Trade Links and Forest-Related Interests to Region

- | | |
|----------------------------|----------------------------|
| 1. Albania* | 27. Latvia* |
| 2. Armenia* | 28. Lithuania* |
| 3. Austria | 29. Luxembourg |
| 4. Azerbaijan* | 30. FYR Macedonia* |
| 5. Belarus* | 31. Moldova* |
| 6. Belgium | 32. Mongolia* |
| 7. Bulgaria* | 33. Netherlands |
| 8. Bosnia and Herzegovina* | 34. North Korea* |
| 9. Canada | 35. Norway |
| 10. China* | 36. Poland* |
| 11. Croatia* | 37. Portugal |
| 12. Cyprus | 38. Romania* |
| 13. Czech Republic* | 39. Russian Federation* |
| 14. Denmark | 40. Serbia and Montenegro* |
| 15. Estonia* | 41. Slovakia* |
| 16. Finland | 42. Slovenia* |
| 17. France | 43. South Korea |
| 18. Georgia* | 44. Spain |
| 19. Germany | 45. Sweden |
| 20. Greece | 46. Switzerland |
| 21. Hungary* | 47. Tajikistan* |
| 22. Ireland | 48. Turkey* |
| 23. Italy | 49. Turkmenistan* |
| 24. Japan | 50. Ukraine* |
| 25. Kazakhstan* | 51. United Kingdom |
| 26. Kyrgyzstan* | 52. United States |
| | 53. Uzbekistan* |

* Country representatives eligible for financing for travel to FLEG events

Annex 2

PARTICIPANTS LIST

<i>ISC's MEMBERS DELEGATIONS</i>	
BULGARIA	
1. Mr. BATALOV, Dimitar	<i>ENA FLEG Focal Point,</i> General Secretary, Bulgarian National Forestry Board Ministry of Agriculture and Forestry
2. Mr. IVANOV, Martin	Chief Expert, Bulgarian National Forestry Board Ministry of Agriculture and Forestry
CANADA	
3. Ms. GAUTHIER, Sylvie M.	<i>Alternate ENA FLEG Focal Point,</i> Senior Policy Adviser, International Affairs Canadian Forest Service, Natural Resources Canada
EUROPEAN COMMISSION	
4. Mr. BAZILL, John	<i>ENA FLEG Focal Point,</i> Forest Policy Specialist Directorate-General Environment European Commission
5. Mr. LAHTI, Taneli	Russia Desk Officer Directorate-General External Relations
Finland	
6. Mr. PORTIN, Anders	<i>ENA FLEG Focal Point,</i> Counsellor of Forestry, Ministry of Agriculture and Forestry
7. Mr. KIVELÄ, Hannu	Counsellor on Forestry Affairs Embassy of Finland in Moscow
Germany	
8. Ms. KONS, Judith	<i>Alternate ENA FLEG Focal Point</i> Embassy of the Federal Republic of Germany
Japan	
9. Mr. MORITA, Kazuyuki	<i>ENA FLEG Focal Point,</i> Director, Wood Products Trade Office, Forestry Agency of Japan Ministry for Agriculture, Forestry and Fishery
10. Mr. NAGATOMO, Kenji	Counsellor Embassy of Japan in Moscow
Kazakhstan	
11. Mr. KOVAL, Igor Alexandrovich	<i>ENA FLEG Focal Point,</i> First Deputy Chairman Committee for Forestry and Hunting Ministry of Agriculture of the Republic of Kazakhstan
Poland	
12. Mr. WOJCIK, Tomasz	<i>ENA FLEG Focal Point,</i> Deputy General Director of the State Forests General Directorate of the State Forests Ministry of the Environment

13. Mr. BORKOWSKI, Piotr	Expert Department of Forestry Ministry of the Environment
Russia	
14. Mr. BANTSEKIN, Nikita Borisovich	ENA FLEG Focal Point, Director, Department of International Cooperation RF Ministry of Natural Resources
15. Mr. ROSCHUPKIN, Valery Pavlovich	Head Federal Forestry Agency of Russia
16. Mr. BOLSHAKOV, Boris Mikhailovich	Deputy Head Federal Forestry Agency of Russia
Turkey	
17. Mr. ULUKANLIGIL, Ahmet	ENA FLEG Focal Point, Asst. General Director for Forest General Directorate of Forestry Ministry of Agriculture
USA	
18. Mr. SORENSON, Robert A.	Alternate USA ENA FLEG Focal Point, Deputy Director Office of Ecology and Terrestrial Conservation Bureau of Oceans and International Environmental and Scientific Affairs U.S. Department of State
19. Mr. SULLIVAN, Michael	Deputy to the Counselor, Office of Environment, Science and Technology U.S. Embassy in Moscow
20. Mr. KAZAKOV, Yury	Adviser, Office of Regional Development U.S. Agency for International Development
UK	
21. Mr. HUDSON, John	ENA FLEG Focal Point Senior Forestry Adviser, Department of International Development
22. Ms. EVANS, Elizabeth	Second Secretary, Desk Officer Natural Resources & Environmental Governance Team, Foreign and Commonwealth Office
World Bank	
23. Mr. DIETERLE, Gerhard	ENA FLEG Focal Point, Forest Advisor, Agriculture and Rural Development World Bank
24. Ms. CANBY, Kerstin	Consultant, World Bank
25. Ms. SMETANINA, Marina	Forest Policy Dialogue Coordinator World Bank Moscow Office

INVITED SPEAKERS AND OBSERVERS FOR SESSION 1

26. Mr. AKSENOV, Dmitry Evgenievich	Forest Program Coordinator, International Socio-Ecological Union
27. Mr. ARTEMIEV, Igor Evgenievich	Senior Private Sector Development Specialist, Foreign Investment Advisory Service, World Bank
28. Mr. CHUIKO, Dmitry Dmitrievich	Director for Forest Industrial Business Development, Ilim Pulp Enterprise
29. Mr. FILIPCHUK, Andrey Nikolaevich	Director, International Center for Forests, VNIILM
30. Mr. ISAYEV, Alexander Sergeevich	Director, International Forest Institute
31. Mr. KOROLEV, Igor Alexandrovich	Head of Division, Department of International Cooperation Ministry of Natural Resources of Russia
32. Mr. KOTLOBAY, Anatoly Alexeevich	Forest Program Coordinator WWF-Russia
33. Mr. KUZMICHEV, Evgeny Pavlovich	Deputy Project Director FOREST Project (USAID)
34. Mr. LAESTADIUS, Lars	Global Forest Watch, World Resources Institute
35. Mr. MOSHKALO, Vladimir Vladimirovich	Director, IUCN-CIS
36. Mr. MURAVIEV, Nikita Mikhailovich	Division Chief Federal Forestry Agency of Russia
37. Mr. SHVARTS, Evgeny Arkadievich	Conservation Director, WWF-Russia
38. Mr. TEPLYAKOV, Viktor Konstantinovich	Global Temperate and Boreal Forest Programme Coordinator, IUCN
39. Mr. UTKIN, Evgeny Fedorovich	First Secretary, Department of International Organizations Ministry for Foreign Affairs of Russia
40. Ms. VINOKUROVA, Natalia Andreevna	Head, International Department, Moscow State Forest University

Annex 3

ENA-FLEG International Steering Committee Terms of Reference

The International Steering Committee (ISC) will provide overall strategic guidance on all phases of the Europe and North Asia Forest Law Enforcement and Governance (ENA FLEG) Ministerial Process, and play a proactive role in ensuring the success of the ENA FLEG process.

Members of ENA FLEG ISC: Governments with important producer, consumer and/or trade links, and/or forest-related interests to the ENA region, plus the European Commission and the World Bank have been asked to appoint representatives (ENA FLEG Focal Points) to serve on the ISC. Bulgaria, Canada, European Commission, Finland, Germany, Italy, Japan, Kazakhstan, Poland, Russian Federation, Turkey, United Kingdom, United States, and the World Bank have agreed to serve on the ISC. It is hoped that China may join the ISC soon.

Specific tasks of the ISC governments: ISC governments are expected to take a proactive role in the ENA FLEG process. The ISC will:

1. Provide strategic guidance on all phases of the ENA FLEG process
2. Develop the objectives, scope and timeline of the ENA FLEG Ministerial Process and associated events
3. Provide guidance on development of the ENA FLEG Declaration, by providing advice on the structure of the negotiating process and participating and playing a lead role in negotiations
4. Provide guidance on how to effectively engage other ENA governments so as to ensure their commitment to the objectives of the initiative. This may include encouraging sub-regional engagement by
 - encouraging neighboring governments to participate in the FLEG process and explaining the FLEG concept as needed
 - encouraging cooperation with neighboring governments to agree on regional approaches and/or regional input to the ENA FLEG Declaration
5. Identify how to build national-level consensus among ENA FLEG stakeholders (governments, civil society, industry)
6. Review and provide comments on all plans and documents related to the ENA FLEG Process – such as public documents (e.g. Concept Document), PrepConf and Ministerial Conference documents (e.g. agendas, invitation letters and invitations lists). Much of this communication will be conducted via e-mail and approved by the ISC on a no-objection basis.
7. Review budgets and discuss fund-raising strategies and long-term implementation goals;
8. Develop a strategy for follow-up to the commitments in the expected ENA FLEG Declaration and Action Plan

Frequency of ISC meetings: It is likely that the ISC will physically meet 2 times prior to the convening of the Ministerial Conference. These meetings will be supplemented by periodic video-conferences and/or opportunistic meetings immediately prior to or after other major international events that involve several ENA FLEG Focal Points (e.g. Friday, May 20 during UNFF-5 meeting in New York). The ISC may or may not decide to continue meetings after the Ministerial Conference, but some form of organizational or guiding body would be welcomed to ensure coherent continuation and implementation of the commitments and actions identified in the expected ENA FLEG Declaration.

Role of ENA FLEG Focal Point: ENA FLEG Focal Points will be expected to:

- be able to make decisions related to the organizational aspects of the ENA FLEG Process on behalf of his/her minister,

- be familiar with issues of forest governance, illegal logging, associated trade and corruption in the ENA region
- be able to draw on expertise from different ministries, as forest governance involves a number of sectors and disciplines
- serve as liaison with other participating governments in their sub-region and/or with relevant international fora, providing information on the ENA FLEG and encouraging participation .

Annex 4

ENA-FLEG Process from the Perspective of Russian Environmental Nongovernmental Organizations

*February 14, 2005
Moscow*

Illegal logging, its associated timber trade and unsustainable forest management inflict significant environmental, economic, and social losses upon forests and people in Russia. This problem could be addressed through improving the legal frameworks and practices of law enforcement in such areas as forest management, forest use, and timber trade, including those at the international level. The FLEG (Forest Law Enforcement and Governance) process can become an effective tool to improve the national legal frameworks and strengthen the international cooperation and coordination of efforts to combat illegal logging. However, judging by the lessons learnt from the FLEG implementation in East Asia and Africa, the Ministerial Conferences do plan actions and generate commitments but those often fail to see full-fledged on-the-ground implementation and to produce expected outputs. To make the Europe and North Asia Forest Law Enforcement and Governance (ENA-FLEG) Process successful, it is a must to review and avoid the mistakes of the previously launched regional processes, and to ensure close cooperation and coordination between the ENA-FLEG and the evolving European FLEGT (Forest Law Enforcement, Governance and Trade) process.

Russian conservation non-governmental organizations (conservation NGOs) welcome the emergence of the FLEG process in Europe and North Asia. A key factor of the process successful development is strong commitment and active participation of Russia as a major timber producer, and China, Japan, and the EU as major consumers.

Russian conservation NGOs emphasize the need for thorough elaboration of an Action Plan to meet the future ENA-FLEG Ministerial Conference commitments. Such a plan should contain explicitly worded, feasible and effective actions supported with clearly defined and adequate funding.

Russian conservation NGOs deem it necessary to make the process fully open and participatory through involving conservation and other NGOs in decision-making and control of compliance with undertaken commitments, and regard it as a prerequisite for successful implementation of the plan.

Russian conservation NGOs consider the following systemic blunders and negative phenomena to be the underlying causes of problems in the area of forest resource account, use, renewal and protection:

- High level of corruption in the governmental entities in charge of timber resource allocation and use oversight.
- Lack of legally-binding clearly structured national forest policies and strategies to govern resource account, use and renewal which should be developed on a scientific basis to generate nation-wide long-term benefits.
- Inadequate institutional framework with insufficiently equipped and funded institutions in charge of oversight in the area of timber resource account, allocation and use/renewal.
- Utilitarian approach to forest resource use, distorted perception of the resource renewal ability as if it were 'inexhaustibility'; underestimation of the importance of forest biological, environmental, and social values.

The above prime causes have the following negative effects:

- High prevalence of illegal logging.
- Unsustainable extensive forest use patterns which deplete forest resources.

- Lack of effective biodiversity conservation tools for forests exposed to commercial logging.
- Infringement on indigenous peoples' and local communities' rights to exercise traditional nature resource use in areas of mass-scale forest logging.
- Inadequate level of environmental culture and responsibility in forest business.
- Substantial financial losses for the country and its people resulting from lack of effective oversight in the area of timber harvesting, processing and trade.

Russian conservation NGOs deem it necessary to focus the following aspects under the FLEG preparation and implementation in Russia:

1. Proactive involvement of civil society in the preparation, work and follow-up of the Ministerial Conference of the Europe and North Asia Forest Law Enforcement and Governance process (see Annex).
2. Establishment of an efficient national forest guard service with an appropriate geographical distribution/cover and staffing to effect timely and adequate control over forest use, in particular, through preserving the state forest guard units at the local level, i.e. the administrative district (rayon) level.
3. Access for broad public to information on the forest status, management and use (including information on the dates and places of bidding and auction exercises to make forests available for use on a lease basis, etc.).
4. Actual access for civil society groups to discussions of issues related to forest management and use. Establishment of public involvement mechanisms to safeguard the accommodation of public opinion and individual interests in decision-making on the said issues.
5. Ensuring practical enforcement of legal requirements for mandatory suspension of commercial activities and other sanctions for enterprises in case they fail to comply with the environmental safeguards as established by law (e.g., if they fail to receive approval of the State Ecological Expertise, etc.).

World Wide Fund for Nature (WWF-Russia)

World Conservation Union (IUCN)

Biodiversity Conservation Centre (BCC)

International Socio-Ecological Union (SEU)

Greenpeace Russia

ECODAL Far East Interregional Environmental Non-Governmental Organization