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EUROPEAN FORESTRY COMMISSION

THIRTY-THIRD SESSION

Zvolen, Slovakia, 23-26 May 2006

FOREST LAW COMPLIANCE: FROM COMMITMENTS TO PRACTICE

1. In recent years there has been increased international concern about illegal logging and its economic, ecological and social impacts worldwide. This concern has prompted a number of international and regional meetings to analyze the underlying causes and impacts of illegal activities in the forest sector and has led to a series of initiatives at regional levels aimed at addressing the problems in collaboration with the countries most affected by the problem.
2. The objective of the present paper is to brief the Commission on recent developments in the field of forest law compliance, to stimulate a discussion and exchange of national experience, and to request guidance for the FAO and UNECE/FAO secretariats in the area.
3. In 2004 the European Commission approved the creation of a Forest Law Enforcement, Governance and Trade (FLEGT) Action Plan. The Plan promotes bilateral agreements between importing and exporting countries to create, with the help of the European Union, a voluntary licensing scheme to verify the legal origin of wood imported into Europe. The plan does not impose binding trade restrictions (the scheme is voluntary) but it rather attempts to support country efforts to suppress illegal logging and trade by discouraging markets for products that cannot be validated as legally sourced.
4. The G8 Forestry Action Programme, agreed by G8 foreign ministers in 1998, featured illegal logging as one of its five areas of action, and this helped catalyse many subsequent activities in the area. In 2005 the UK has made illegal logging a priority area for its presidency of the G8, and the topic was discussed at the meeting of G8 environment and development ministers in Derby in March 2005.
5. The United Nations Economic Commission for Europe (UNECE), jointly with FAO, convened a workshop in September 2004 to discuss illegal logging and trade of illegally-derived forest products in the UNECE region. The workshop estimated the extent of the problem, on the basis of national reports; identified the main types and causes of illegal logging in the region; and developed a series of recommendations for future actions by countries, NGOs, the private sector, international organizations and bilateral agencies. The workshop's proposals for follow-up were

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presented to the joint session of the Timber Committee and the European Forestry Commission in October 2004. The outcomes of the workshop also served, *inter alia*, as a basis for the study by the MCPFE on “issues of illegal logging and related trade of timber and other forest products issues in Europe”.

6. At the 4th Ministerial Conference on the Protection of Forests in Europe (MCPFE) in 2003, the signatory states and the European Community signed the Vienna Declaration and the five Vienna Resolutions committing themselves to take effective measures to promote good governance and forest law enforcement, adjust policy and legal frameworks and instruments accordingly and to provide and analyze information about the impacts and underlying causes of illegal activities in forestry. Jointly with a number of other organizations, the MCPFE convened a workshop in November 2005 to follow up on the Vienna resolutions including a common understanding of illegal logging in the context of the MCPFE, coordination with other initiatives and discussion of successful examples of combating or avoiding illegal logging.

7. The Europe and North Asia Forest Law Enforcement and Governance (ENA FLEG) ministerial process was officially launched in June 2005 in Moscow. It aims to galvanize international and multi-stakeholder commitment to combat the problem of illegal logging and associated trade and corruption at high political levels. The Ministerial Conference on Forest Law Enforcement and Governance that took place in November 2005 culminated in the St. Petersburg Ministerial Declaration, an expression of commitment by 44 governments from the ENA region and other participating countries to take action to address illegal logging and associated forest crimes. The participating governments also identified an Indicative List of Actions for the implementation of the Declaration, which are included as an annex to the Declaration. FAO and UNECE are among the organizations who were requested to provide support to the implementation of the Indicative Plan of Action.

8. FAO highlighted the severity of the problem of illegal forest activities in its *State of the World's Forests 2001* report. The fifteenth session of the Committee on Forestry (COFO) in 2001 emphasized the need to organize activities to combat forest crime, and the 16th session of COFO in 2003 recommended that FAO support countries in their efforts to improve forest law enforcement. During the Third Ministerial Meeting on Forests that took place in conjunction with the 17th Session of COFO in March 2005, Ministers and Delegates committed themselves to improve domestic forest law enforcement and governance and to this end promote international cooperation to support international trade in timber and forest products from legally harvested and sustainably managed forests. FAO has been responding to the member countries' recommendations by carrying out various activities to support countries in strengthening forest law enforcement.

9. In cooperation with ITTO, FAO has published a set of best practices for improving forest law compliance with the goal of distilling available knowledge that decision makers could follow to reduce illegal operations in the forest sector. It is the first study of its kind to present a comprehensive and critical assessment of the rich experiences being acquired to fight forest crime and the lessons learnt for promoting good governance in the forest sector. The report, which was published in November 2005, is based on eleven country case studies from Asia, Latin America and Africa, but many of the recommendations are also applicable to other regions.

10. Regional workshops – organized jointly by FAO and ITTO – will take place in 2006 in four key regions affected by illegal logging: the Amazon region, Central America, Central Africa and South East Asia. The main purpose of the workshops will be to provide an opportunity for countries to share experiences on best practices to improve forest law compliance based on existing initiatives at country level; and to establish or strengthen regional networks on forest law enforcement. Participants will include representatives of forest administrations, members of non-governmental organizations active in combating illegal forestry activities in the regions and representatives from the forest industry/and or wood products exporters.

11. The initiatives mentioned above demonstrate that organizations and regional fora are moving beyond the analysis of causes and impacts of illegal logging. The political commitment achieved through the Vienna resolutions of the MCPFE and the ENA-FLEG Ministerial process are starting to be translated into concrete actions. The World Bank will assist the countries of the ENA region in establishing national action plans to combat illegality in the forest sector in a workshop to be held in Turkey in May 2006. The Baltic 21 Forest Sector Action Plan for 2005-2008 foresees action on “transparent timber flows in the Baltic 21 region” as one means of combating illegal logging. The three core actions foreseen are to match timber balances, develop forest and fiscal policies and support law enforcement. A workshop on this issue will be held in June 2006 in Riga.

12. Within the framework of the FLEGT Action Plan of the European Union, a timber licensing scheme is being developed, under which each country that enters a voluntary agreement will implement a system to verify that its wood product exports to the EU has been legally produced.

13. The Joint FAO/ECE Working Party on Forest Economics and Statistics will discuss how to improve the quality and availability of information on illegal logging and related trade at its session shortly before the meeting of the EFC. The Commission will be informed of the results of the Working Party’s discussions.

14. In summary, there are a number of ambitious activities in the EFC region devoted to improving forest law compliance. It is not yet possible to determine with any precision the extent of the issue in the region or the success of the efforts undertaken. FAO is contributing to these efforts in its area of comparative advantage and within the resources available to it.

15. Delegations are invited to:

- Share their national experience in improving forest law compliance;
- Comment on the international activities described in this paper;
- Consider recommendations for countries to strengthen their policies or programmes related to forest law compliance;
- Provide guidance to the FAO and UNECE/FAO secretariats as to their future activities in this field, including recommendations to be brought to the attention of COFO and future Ministerial Meetings on Forests.