

More on illegal timber

Increasing international enforcement cooperation to control transboundary trade in illegally produced logs and timber

18–19 October 2004
Bangkok, Thailand

This conference was organised by the Environmental Investigation Agency and the International Network for Environmental Compliance and Enforcement. It attracted about 50 participants from ASEAN [Association of Southeast Asian Nations] member countries, particularly from enforcement and customs institutions, and representatives of regional and international organisations involved in activities related to the control of illegal logging/trade.

The meeting heard a wide range of presentations on experiences related to illegal logging/trade and on enforcement models and activities. The meeting concentrated mainly on the regional context of Southeast Asia, but some more general initiatives were also discussed. ITTO's representative briefed the meeting on ITTO's work, including its forthcoming international conference on the transportation of timber products and illegal trade. Some outside-the-region initiatives were also discussed; of these, the Lusaka Cooperative Agreement on Wildlife Enforcement was felt by participants to be of particular interest and could inspire new arrangements in the Southeast Asian region.

The meeting concluded with the identification of measures that could be implemented by non-governmental organisations, industry and national enforcement institutions.

Reported by Emmanuel Ze Meka, ITTO Secretariat

Beefing up the Asia Forest Partnership

Regional workshop on strengthening the Asia Forest Partnership

30 August–1 September 2004
Yogyakarta, Indonesia

Pursuant to ITTC Decision 3(XXXV), ITTO provided funds to the Government of Indonesia to convene this workshop aimed at strengthening the Asia Forest Partnership (AFP) as a Type 2 Initiative of the World Summit on Sustainable Development (WSSD). The AFP is one of two Type 2 initiatives on forests launched in conjunction with the WSSD in 2002 (the other being the Congo Basin Forest Partnership—CBFP).

With 28 partners comprising 16 governments including the European Commission, eight international organisations (including ITTO) and four civil-society organisations, the AFP seeks to promote sustainable forest management in Asia by focusing on five urgent issues: good governance and forest law enforcement; capacity for effective forest management; control of illegal logging; control of forest fire; and the rehabilitation and reforestation of degraded forests and lands.

The specific objectives of the workshop were to:

- refine and operationalise the goals of the AFP and the mechanisms for its implementation;
- draw from experiences and lessons learned in similar partnerships, especially the programs and activities of the CBFP;
- formulate the programs and activities of the AFP; and
- formulate the structure and modalities of the AFP.

In addition, the workshop discussed the issue of developing minimum standards of legality, timber tracking and chain-of-custody systems, and verification systems among AFP members.

Following the opening, the scene for the workshop was set by presentations made on the history of the AFP and on the lessons and experiences gained from the CBFP and ASEAN. A review of the AFP since its inception was undertaken covering its initial, present and future positioning, revisiting its goals, approaches and implementation, and considering the development of its structure and mechanisms.

Three working groups were then instituted to discuss, review and suggest improvements to the AFP. Working Group 1 deliberated on issues related to partners and membership, decision-making mechanisms and structure, the role of focal points and the more active participation of partners. Working Group 2 focused on the AFP workplans, including the development of a workplan template as well as procedures and decision-making mechanisms to refine, adopt and implement the workplans. Other relevant issues concerning networking for information-sharing, the role of the AFP Information Sharing Secretariat, external communication, and funding strategies and opportunities were addressed by Working Group 3.

There seemed to be a lack of understanding and familiarity among delegates with regard to the *modus operandi* of the AFP as a Type 2 Initiative of the WSSD—which is that the AFP is voluntary, multi-stakeholder and self-organising and based on mutual respect as well as the equal and shared responsibility of partners comprising governments, intergovernmental organisations and civil society. Thus far, the AFP has been a loose partnership with a low level of formalisation in terms of its rules and procedures. In the absence of a sizeable commitment on funding, information-sharing is the AFP's current core business



through its Information Sharing Secretariat hosted by the Centre for International Forestry Research and the AFP website. Partners are encouraged to propose activities for the AFP workplans but are expected to communicate and work actively with other partners in refining and implementing these workplans. Partners are also invited to mobilise resources for the AFP workplans, but many of the contributions made so far have been in-kind. A few of the workplans are being implemented involving some of the partners.

While the need to avoid the full-blown formalisation and bureaucratisation of the AFP was recognised, its attractiveness as a new and unique initiative was also less evident. There has been hesitation on the part of some partners and potential partners amid concern about whether the AFP should focus on information-sharing or active implementation on the ground; stay low-key or be more visible; be a policy or technical forum; and operate at the regional, national or local level. Following deliberation of the issue within the working groups and at the plenary, a draft proposal on strengthening the AFP was informally introduced and discussed. In essence, the proposal calls for some structure and mechanisms for the partnership, including the establishment of a secretariat, focal points for partners, regular annual meetings, periodic workplans, the formation of a taskforce to formulate rights and responsibilities of partners, and the establishment of a trust fund. No definitive decision was reached on the proposal, which will be brought up for consideration by the AFP at its fourth meeting.

In the context of strengthening the AFP, the workshop also deliberated on the three main areas covered by the AFP workplans, namely forest fires, the rehabilitation and reforestation of degraded forests and lands, and combating illegal logging and associated trade. The transcending theme was how the AFP workplans covering these areas could be further refined and consolidated with a view to ensuring that they would make a real difference on the ground. The recommendations of the workshop in this regard will be presented for the consideration of the AFP at its fourth meeting.

More time was devoted to combating illegal logging and associated trade in the region. Several presentations were made including on on-going AFP workplans, namely the framework for cooperation among customs agencies and other relevant agencies in the Asia-Pacific region, and the development of minimum standards of legality, timber tracking, chain of custody and verification systems among AFP partners. On the framework for customs cooperation, follow-up work, some of which had been funded, was being undertaken to: identify legal measures needed in importing countries, build on the AFP workplan on standards of legality and wood tracking, prioritise bilateral relationships and convene key customs agency representatives. The

Malaysian Timber Certification Council offered to host a meeting to formulate guidelines for systems to verify and assess the legality of timber in the context of sustainable forest management. It is intended that a project proposal for the formulation of the guidelines be submitted for the consideration of the AFP at its fourth meeting.

The AFP can only be as effective and relevant as its partners want it to be. In general, there is still interest in the AFP but its future will depend very much on the commitment of its partners and its ability to find a strategic niche in a dynamic and volatile region. The proceedings and recommendations of the workshop were considered by the AFP at its fourth meeting, which was held in Tokyo, Japan on 8–10 December 2004.

Reported by Amha bin Buang, ITTO Secretariat, eimi@itto.or.jp

Collaborative work on mangrove atlas

Meeting of the inter-agency consortium on the World Atlas of Mangroves

12–13 October 2004
Rome, Italy

This meeting brought together six international organisations with expertise in mangrove management and conservation to plan the production of a revised World Atlas of Mangroves.

ITTO worked with the International Society for Mangrove Ecosystems (ISME) on the first edition, published in 1997. The new edition will take advantage of new and improved monitoring/mapping methods, as well as the wide experience brought to bear by the project partners. In addition to ITTO and ISME, experts from FAO's Forestry Department, the World Conservation Monitoring Centre (UNEP-WCMC), UNESCO's Man and the Biosphere Programme and the United Nations University's International Network on Water, Environment and Health (UNU-INWEH) are actively collaborating in planning and implementing activities to produce the revised atlas.

Preliminary work by FAO, ISME and UNEP-WCMC is focusing on updating country mangrove descriptions from the first atlas in close collaboration with local experts, as well as the collection and analysis of available information on the past and current extent of mangrove areas. Existing satellite imagery will be interpreted and analysed where data gaps exist.

These initial activities are being funded from ITTO's 2004–2005 work program. The substantial work and cost of producing colour maps and photos, compiling all case-studies and mangrove descriptions and publishing a high-quality atlas in three languages will be carried out via an ITTO project which was funded at the recently concluded 37th session of the International Tropical Timber Council. This project has been developed in close consultation with partners, who will participate actively in its implementation and make financial or in-kind contributions to the project budget. The atlas will be published together with a shorter brief for mangrove policymakers that will contain key findings and policy options for sustaining mangrove ecosystems.

Further details on this activity are available from the ITTO Secretariat (johnson@itto.or.jp) or on the website established by FAO (www.fao.org/forestry/site/mangrove-atlas).

In search of options on a framework on forests

Meeting of the Ad Hoc Expert Group on Consideration with a View to Recommending the Parameters of a Mandate for Developing a Legal Framework on All Types of Forests

7–10 September 2004
United Nations Headquarters, New York, USA

At its 5th Session to be held on 16–27 May 2005, the United Nations Forum on Forests (UNFF) will consider, among other things, the parameters of a mandate for developing a legal framework on all types of forests, with a view to making recommendations to the United Nations Economic and Social Council (UN ECOSOC) and through it to the UN General Assembly. This meeting of the Ad Hoc Expert Group on Consideration with a View to Recommending the Parameters of a Mandate for Developing a Legal Framework on All Types of Forests (AHEG PARAM) was convened to provide scientific and technical advice on the issue. It attracted a good turn-out of more than 140 participants comprising 70 experts, 40 representatives of member states, and 30 observers from international organisations and major groups.

The core of AHEG PARAM's work, drawn from its assigned tasks and the prescribed preparations for its meeting, covered the following:

- analysis of complementarities, gaps and duplications as well as review of relevant experiences of existing

regional and international binding and non-binding instruments and processes relevant to forests;

- consideration of other outcomes of the international arrangement on forests (IAF);
- providing, for the consideration of the UNFF, a balanced range of options related to the parameters of a mandate for developing a legal framework on all types of forests; and
- taking account of reports prepared by states, member organisations of the Collaborative Partnership on Forests (CPF) and the UNFF Secretariat as well as outcomes of UNFF sessions.

Complementarities, gaps, duplications and relevant experiences

The IAF comprises the United Nations' response since the Earth Summit in 1992 to the issue of forest loss and degradation through the International Panel on Forests (IPF), its successor the International Forum on Forests (IFF), and the current UNFF. AHEG PARAM participants remained concerned about the continued loss of forest cover and forest degradation. A strengthened IAF should, therefore, focus on integrating policy and action, ensuring effective implementation on the ground and securing adequate means of implementation—including through better international cooperation on sustainable forest management (SFM).

Other outcomes of the IAF and implementation of IPF/IFF proposals for action

Views regarding progress in the implementation of the IPF/IFF proposals for action were mixed. In cases where progress was being made, the catalysts for implementation included political commitment, national forest programs, criteria and indicators of SFM, certification, partnerships, the CPF, and the sharing of experiences and information. Obstacles encountered ranged from difficulties in making forests a priority on national and international agendas, insufficient means of implementation (particularly financial resources), ineffectual policy dialogues, constraints in reporting, ambiguous goals and targets, inadequate use of partnerships, and the sheer number of the proposals for action. A wide range of views and suggestions were offered on how greater progress could be achieved.

Options on parameters of a mandate for a legal framework

AHEG PARAM recognised the need to reach agreement on the overall goals, objectives and targets for any future arrangements on forests. While combating deforestation and forest degradation through the promotion of SFM could provide the gist for the overall goal, the group identified a wide range of 14 possible objectives. The idea of having specific targets to be achieved within a specified period of time was raised but countered by those who considered it premature. Many experts felt it was essential for financial

modalities to be considered for all options, that a change in the IAF was needed and that it would be important to build on the achievements of existing processes.

The wide range of options for future arrangements conceived by the group fell broadly into two categories: non-legally binding and legally binding instruments. However, these two approaches might not necessarily be mutually exclusive and caution should be exercised in any attempt to draw a distinction between them.

Developing the IAF

All non-legally binding options pointed to the need to strengthen the IAF. Towards this end, a range of nine possible aims and nine general features of a strengthened IAF were offered. These options would not preclude the possibility of the IAF being further developed into a legally binding instrument in the future. The experts identified several ways in which this non-legally binding option could be developed:

- strengthening the IAF financially and politically, including in its mandate and secretariat;
- developing voluntary guidelines to support the implementation of the IPF/IFF proposals for action;
- developing the CPF with a commitment on SFM, predictable means of implementation and strengthened reporting and secretariat;
- establishing a political, scientific and cooperative intergovernmental body to finance projects related to SFM; and
- developing regional and thematic arrangements to provide inputs to global meetings.

On institutional modalities, recommendations included strengthening the institutional structure of the IAF and its secretariat; strengthening the CPF; linking the IAF to FAO and UNEP and locating the secretariat in Rome; and expanding the bureau of the IAF to include representatives of regional processes and the CPF. Proposed financial modalities included the establishment of a trust fund; developing a project approach similar to ITTO; and accessing existing financial mechanisms such as the Global Environment Facility (GEF).

A convention or protocol approach

In presenting the legally binding option, the AHEG PARAM offered eleven possible aims for the convention or protocol. It would be necessary to define the relationship of the convention or protocol with other legally binding instruments related to forests, international and regional processes as well as organisations. The need to balance the economic, social and environmental aspects of SFM in the convention or protocol was also emphasised. As the negotiation of a convention or protocol would take time, transitional arrangements might be required. Alternatively, existing arrangements could continue in the interim.

Under the convention or protocol approach, the group presented two basic options:

- a framework convention addressing matters of common interest and providing for regional and thematic protocols, thereby giving flexibility to deal with varying themes or regional situations; and
- a protocol under an existing international convention such as the Convention on Biological Diversity or the Framework Convention on Climate Change.

The coverage of the legally binding instrument and its relation to other existing legally binding instruments would require careful assessment. A convention or protocol might pave the way for the establishment of a dedicated forest financial mechanism or provide access to existing funds such as the GEF. Concern was expressed that countries might face new obligations without having additional financial means to fulfill these obligations. All implications should be examined before committing to a new legally binding instrument.

The general expectation with regard to the outcome of AHEG PARAM was that participants in their individual capacity as experts would provide clear scientific and technical advice to the UNFF on the issue of developing a legal framework on all types of forests. With a good turn-out of the experts, however, the real challenge was to synthesise the rich array of thoughts, ideas, views and proposals generated at the meeting into a coherent report to the UNFF. Initial reactions to the group's report were understandably mixed. Even as the meeting was drawing to a close, an announcement was made on a country-led initiative to be convened in Mexico in January 2005 with a view to deepening understanding of the various options. With intense interest shown in all quarters, the consideration of the parameters of a mandate for developing a legal framework on all types of forests will no doubt be one of the issues dominating the 5th session of the UNFF in May next year.

Reported by Amha bin Buang, ITTO Secretariat, eimi@itto.or.jp