

**CLOSER LOOK OF TOR CONCERNING
TRI-NATIONAL TASK FORCE
ON TRADE IN RAMIN**

**by :
Nunu Anugrah
Trio Santoso**

Jakarta, Indonesia, 2011

LIST OF TABLE

Table 1	The commitment of parties involved to the action and initial goal.....	9
Table 2	The commitment of the parties to the action of the second goal.....	10
Table 3	The commitment of the parties to the action of the third goal.....	12
Table 4	The commitment of the parties to the action of the fourth goal.....	12
Table 5	The commitment of the parties to the action of the fifth goal.....	13
Table 6	The commitment of the parties to the action of the sixth goal.....	13
Table 7	Implementation of Goals and Action Plan in Indonesia.....	14
Table 8	Quotas and Export Realization of Ramin, Indonesia.....	17
Table 9	Illegal Ramin Cases in Malaysia.....	25
Table 10	The Objectives Achievements and the Output Targets.....	26

LIST OF FIGURE

Figure	Item	Page
1	Logical Framework.....	4
2	The System of Task Force Institutional.....	28

CONTENTS

List of Table	i
List of Figure	ii
Contents	iii
Executive Summary	iv

CHAPTER I INTRODUCTION

A. Background.....	1
B. Objectives.....	3
C. Logical Framework.....	4

CHAPTER II METHODS AND ANALYSIS

A. Sites and Time of the Project.....	5
B. Methods.....	5
C. Analysis.....	6

CHAPTER III RESULTS AND DISCUSSION

A. Initiating Formulation of Term of Reference (TOR) and Action Plan.....	9
B. Implementation.....	14
C. Evaluation.....	24

CHAPTER IV CONCLUSION AND RECOMMENDATION

A. Conclusion.....	29
B. Recommendation.....	29

EXECUTIVE SUMMARY

Tri-National Task Force of Ramin (*Gonystylus* spp.) trade involving Indonesia, Malaysia and Singapore was established in Kuala Lumpur on 15-16 April 2004. The Tri-National Task Force is a conservation approach with the primary mandate covers law enforcement of ramin trade between Indonesia, Malaysia and Singapore and shall be responsible for intelligence data exchange, CITES implementation monitoring between Indonesia, Malaysia and Singapore, and law enforcement coordination dealing with illegal trading of ramin. Therefore, the review of TOR of the Tri-National Task Force (Indonesia, Malaysia, Singapore) responsible for the ramin trade aims at: compiling mediation process and formulation of TOR, analyzing the implementation of TOR, especially in Indonesia, and evaluating TOR including the effectiveness of task force performance.

Data collecting, review/analysis and a series of discussions as well as workshop on the document review of TOR concerning Tri National Task Force on Trade in Ramin are conducted in Bogor and Jakarta since September to December 2010. The methods used include document review, analysis of qualitative data (primary and secondary data) and information related to the formulation, implementation and evaluation of TOR with variables are targets and objectives, planning and time frame, resources, communication, institutional administration as well as interests and benefit.

Generally, the formation of Task Force of Ramin trades is effective enough to decrease the illegal Ramin trades in the international level and it becomes the promoter in strengthening the CITES implementations. Tri-National Task Force also can function as a medium in increasing international cooperation aiming at optimally making use of some positive potentials which emerge in many international cooperation forums through ASEAN cooperation, and through other countries which have the same interests with Indonesia. In implementation, there are some action plans which haven't been achieved, including: developing the standard reporting format (country report, confiscated specimens, data standard, and information) to minimize data discrepancy, the development of ASEAN single windows for data exchanging and information, the development of the exchanging mechanism of intelligence information either locally or internationally, the formation of small group meetings to discuss the proposal of Indonesia about disposal of confiscated

specimens, and the accuracy of barter trade regulations, and the implementation plans between Indonesia and Malaysia. Besides, the communication which has not been effectively established and also the absence of Tri-National Task Force agencies especially the Task Force secretariat become the reasons that cause the inachievement of the expected plans and the expected output targets.

By considering that there are still some prominent objectives of some actions in ToR which have not been achieved, bilateral cooperation relationships, and the cooperation strengthening in controlling the borders, Tri-National Task Force about Ramin trades still needs to be continued with the following recommendation notes, such as: creating understanding and more focused coordination in data and information exchanges, and in the law enforcement cooperation, developing the standard reporting format (country report, confiscated specimen, data standard and information) to minimize data discrepancy, and to do the data and intelligence exchanges, the arrangements of more focused frameworks and more effective communicating mechanism including the initiating follow up of developing ASEAN Single windows, the stabilization of bilateral cooperation in economy and trades including the follow up accuracy of barter trade regulations and the implementation plans between Indonesia and Malaysia, the formation of the organization secretariat, the improvement of crime preventions along the cross-border countries through bilateral, regional, and multilateral cooperation which is conducted inclusively and democratically based on international law principles, and improving the capacity of the officials (CITES MA, Customs and Law officers) especially in identifying ramin products and the products made of ramin-like timber through some intensive and systematical trainings or workshops.

Keywords: Tri National Task Force, methods, general analysis, recommendation.

I. INTRODUCTION

A. Background

Attention of the international community in the conservation efforts of Ramin was raised with an initial proposal by the Dutch in the CITES COP VIII Kyoto in 1992 for inclusion in Appendix II. However, the proposal met strong opposition from the range states of ramin including Malaysia and Indonesia on the grounds that the ramin population had not been threatened in spite of its trade. During the COP IX held in the USA in 1994 the Netherlands proposed a "discussion document" suggesting the conservation of Ramin and insisting that the range states include Ramin in Appendix II or III, and yet it was again rejected for the same reasons stated in COP VIII in Kyoto.

Over time, Ramin (*Gonystylus* spp.) was deemed endangered species and its international trade was unbelievably high, which is marked by illegal logging and illegal trading and thus an international control mechanism is necessary. The most suitable mechanism for an international trade of species at that time was through CITES. However, it is believed that the ramin would likely meet the criteria set in Appendix II or III instead of Appendix I. An inclusion into Appendix II shall be decided in the Conference of Parties (COP) where it is approved by the majority of member states. Therefore, with the urgency of ramin wood international trade control, an initial strategic step of the selection of Appendix III is the most logical.

One of the requirements for the inclusion into CITES Appendix III is an adequate regulation that controls the trade of the species. With the absence of the specific regulation underlining the logging and trading of ramin wood, the Ministry of Forestry issued Ministerial Decree No. 127/Kpts-V/2001 dated 11 April 2001 concerning moratorium of its logging and trading. Ramin wood (*Gonystylus* spp) is later included into CITES Appendix III.

The policy of including Ramin into Appendix III of CITES is a debate among entities in the country. The fundamental question back then was why should Ramin wood be controlled through CITES and why Appendix III? CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora) is an international convention or treaty concerning the control of international trade of endangered species of flora and fauna, including the types of wood (timber).

The purpose of this convention is to help conserve the endangered flora and fauna in their natural habitats facing the danger of extinction due to international trade by controlling international trade.

Recent policy of the Ministry of Forestry concerning the utilization and distribution of Ramin wood (*Gonystylus* spp.) after its inclusion into Appendix III of CITES is the issuance of the Minister of Forestry Decree No. 1613/Kpts-II/2001 dated October 30, 2001 concerning the Amendment of the Minister of Forestry Decree No. 168/Kpts-IV/2001 of June 11, 2001 concerning the Utilization and Distribution of Ramin (*Gonystylus* spp.).

However, illegal trading of ramin is still the case in the neighboring countries such as Malaysia and Singapore. After conducting a series of investigation, Telapak Indonesia Foundation and the Environmental Investigation Agency (EIA) reported the alleged smuggling of ramin wood from Indonesia to Malaysia and Singapore. There are allegations that millions of cubic meters of illegal ramin wood from Indonesia was exported to Malaysia every year and most of the wood was re-exported to several countries in Asia, Europe and America. The recorded cases of illegal trading include the smuggling of ramin wood to the UK and Singapore. Therefore, Directorate General of Forest Protection and Nature Conservation (DGPHKA), the CITES Management Authority, has been coordinating with the Customs and Excise as well as the UK and Singapore CITES Management Authority to uncover the case.

To determine the effectiveness of the listing of ramin into Appendix III and its uplisting to Appendix II of CITES, data assessment of ramin wood trade in Indonesia has been conducted. A similar step is also conducted in Malaysia. To have a clear description of ramin wood trade between Indonesia, Malaysia and Singapore, TRAFFIC has facilitated the Tri-National Workshop on Trade of The Commercial Timber Species of Ramin (*Gonystylus* spp.) held in Kuala Lumpur on December 15 to 16 April 2004. One of the recommendations of the meeting was to form a task force responsible for the law enforcement of ramin wood trade in Indonesia, Malaysia, and Singapore, which include, among others, the exchange of intelligence data and monitoring of the implementation of CITES between Indonesia, Singapore and Malaysia as well as coordination in the law enforcement of illegal trading of ramin.

As a follow-up activity of the workshop, the First Tri-National Task Force of Ramin Wood Trade was held on 7-8 September 2004 in Putrajaya-Kuala Lumpur, Malaysia which was attended by representatives of Management Authority of CITES from Indonesia, Malaysia and Singapore.

Participants of the meeting have agreed on the terms of reference (TOR) Task Force on Trade Ramin. Tri-National Task Force of Ramin Trade (*Gonystylus* spp.) between Indonesia, Malaysia and Singapore was formed in Kuala Lumpur on December 15 to 16 April 2004 through a meeting facilitated by TRAFFIC. The main mandate given to the task force is the law enforcement of ramin trade in Indonesia, Malaysia, and Singapore, which include, among others, the exchange of intelligence data and monitoring of the implementation of CITES between Indonesia, Singapore and Malaysia as well as coordination in the law enforcement of illegal trading of ramin wood.

The task force has met three times: the meeting held in Kuala Lumpur Malaysia (the First Meeting) on December 15 to 16 April, 2004, meeting in Jakarta, Indonesia (the second meeting) on 12-13 April 2006, and a meeting in Singapore (the third meeting) on 7 - May 8, 2007. During the three meetings the task force has agreed upon the goals of the task force based on the terms of reference and action plan. There were initially seven main objectives in the terms of reference (ToR) which were later reduced into six during the third meeting in Singapore. However, the existence and effectiveness of the Task Force has never been evaluated. With the financial support from ITTO-CITES, the CITES MA of Indonesia conducts review and evaluation of the TOR of the Task Force of the Ramin Trade.

B. Objectives

The review of TOR of the Tri-National Task Force (Indonesia, Malaysia, Singapore) responsible for the ramin trade aims at:

1. Compiling negotiation process and formulation of TOR.
2. Analyzing the implementation of TOR, especially in Indonesia.
3. Evaluating TOR including the effectiveness of task force performance.

C. Logical Framework

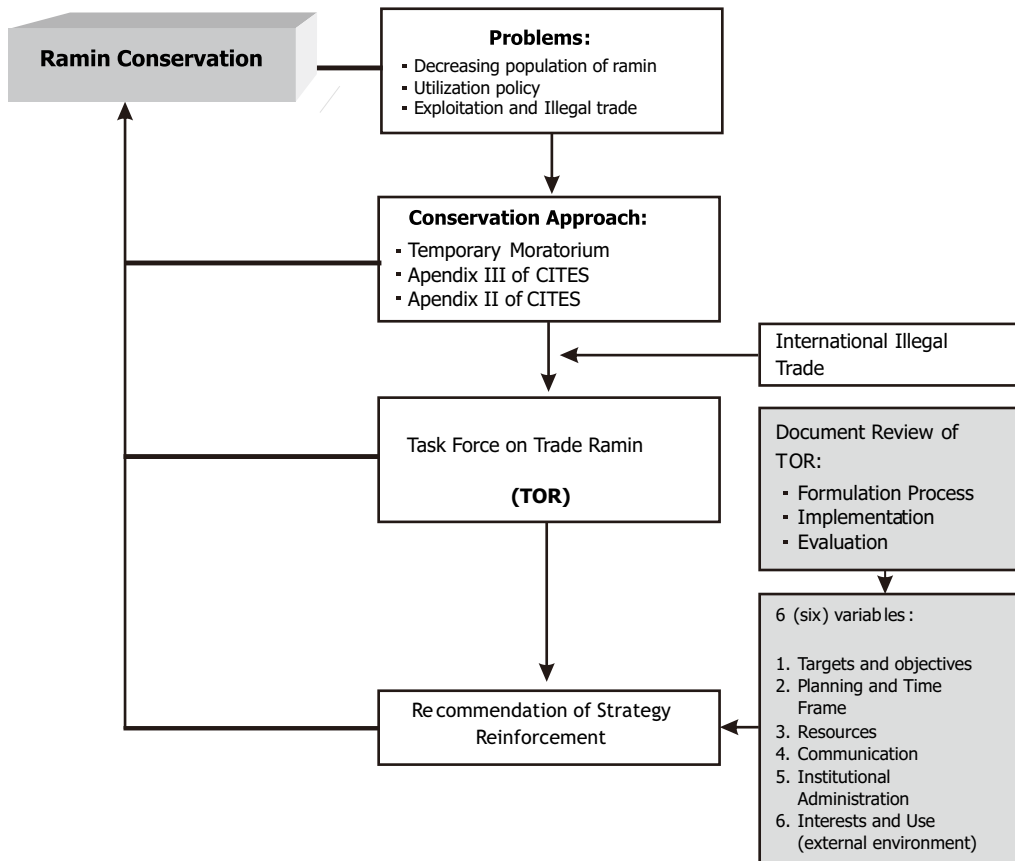


Figure 1. Logical Framework

II. METHODS AND ANALYSIS

A. Sites and Time of The Project

Data collecting, review / analysis and a series of discussions as well as workshop on the document review of TOR concerning Tri National Task Force on Trade in Ramin are conducted in Bogor and Jakarta. The time is September to December 2010.

B. Methods

The Term of References (TOR) of the task force of Ramin trade may be stated as the policies made by parties in Indonesia, Malaysia and Singapore. The effectiveness of a policy is very much determined by the process of policy making that includes formulation, implementation and evaluation. The three elements of policy making have a causal relationship and are cyclical or continuous until the objectives and particular programs are achieved. The methods used include document review, analysis of qualitative data (primary and secondary data) and information related to the formulation, implementation and evaluation of TOR. Methods of data measurement techniques and data collection / information used include:

1. The Measurement of TOR Formulation

The formulation of TOR is an important and strategic element in the measurement and analysis of implementation and evaluation. Data and information collected include the initial process of designing the task force, negotiation, commitment, and TOR of the task force and action plans.

2. The Measurement of TOR Implementation

Implementation of TOR is a very crucial stage in the policy making. This means that the implementation of TOR determines the success of a particular policy where the goals are achieved and results are reaped. Tachjan (2006) states that the compulsory elements of policy implementation are the executive body, the program implemented, and the target group.

A policy shall have no significance without real actions through programs, activities or projects. Tachjan (2006) states that a program is a comprehensive plan depicting integrated sources to be used.

Some relevant data and information to be collected and analyzed in the implementation of TOR include: 1) the desired goals and objectives, 2) planning and time frame, 3) Resources, 4) communication among the parties, 5) Organizational / institutional Administration, and 6) Interests and benefits (external environment).

3. ToR Evaluation

Evaluation is an assessment of the implementation of the program to obtain feedback for the agreed action plan. Continuous evaluation is needed to improve the ongoing policies. Items below serve as a benchmark for the evaluation of ToR :

- Ratio of planning, implementation and output.
- Identifying the various factors contributing to the failure.
- Communication and continual improvement.

C. Analysis

Data and information analysis focus on six variables and may be presented as follows :

1. Objectives and Action Plan

The success of TOR implementation performance can be measured by the realistic size and goals in line with the socio-cultural condition within the executive body. Van Meter and Van Horn (1974) suggest that to measure the policy implementation, officials shall affirm the goals and specific objectives. Policy performance is basically an assessment of the level of achievement of the goals. Likely successful policy implementation shall be jeopardized (frustrated) when the officials are not fully aware of the goals. The executive body might be failing because they ignore or fail to understand the objectives of the policy (Van Mater and Van Horn, 1974).

2. Planning and Time Frame

While setting the objectives and action plans of ToR, one should ideally accommodate SMART principle (specific, Measurable, Acceptable, Realistic, and Time Frame). Time frame of the achievement of the goals and action plan is vital. Thus, the time frame is an important variable subject to analysis in TOR and action plan agreed by all parties.

3. Resources

The success of ToR implementation depends very much on the ability to make use of available resources. Quality human resources capable of performing the jobs required in the policy are needed in each stage of the implementation. In addition to human resources, financial resources are important matters that contribute to the success of the policy implementation (Van Mater and Van Horn, 1974). Policy resources must be available in order to facilitate the administration of policy implementation. These resources range from funds to other incentives that can facilitate the implementation of a policy. Lack of or limited funds or other incentives in policy implementation shall mean failure.

4. Communication among The Parties

Communication which is a form of information sharing within the executive body concerning the objectives and target shall have consistency and uniformity. Thus, the prospects for effective policy implementation is determined by the accurate and consistent communication within the executive body (Van Mater and Varn Horn, 1974). In addition, coordination is an effective mechanism for policy implementation. Stoner (1994) argues that the key to effective coordination is communication. The better communication and coordination among the parties involved in the policy implementation, the smaller the error of implementation will be and vice versa.

5. Organizational/Institutional Administration

Administration is an institutional/organizational process that links the sub-systems together. The sub-system elements include goals and objectives, resources, communication, implementation of activities, planning and time frames, as well as the external environment. Thus, the administration of an organization is an important variable to be analyzed as a sub-strategic systems within the ramin Task Force.

6. Importance and Benefits (External Environment)

Another important thing to be strategically analyzed is the importance and benefits of ratifying the TOR task force in terms of the framework of cooperation and foreign relations. The last thing to be taken into account upon ToR implementation is measuring how the external factors contribute to the successful achievement of the goals and targets of TOR. Non-conducive social environment, economic and political situation are the sources of problems that lead to the failure of the policy implementation. Therefore, policy implementation requires a conducive external conditions.

III. RESULTS AND DISCUSSION

A. Initiating Formulation of Term of Reference (TOR) and Action Plan

The Tri-National Task Force of Ramin wood (*Gonystylus* spp.) trade involving Indonesia, Malaysia and Singapore was established in Kuala Lumpur on 15-16 April 2004 facilitated by TRAFFIC whose Term of Reference (ToR) is presented in Appendix 1. The primary mandate given to the task force is the law enforcement of ramin wood trade between Indonesia, Malaysia and Singapore and shall be responsible for intelligence data exchange, CITES implementation monitoring between Indonesia, Malaysia and Singapore, and law enforcement coordination dealing with illegal trading of ramin wood.

There are 7 (seven) primary goals in the Term of Reference (ToR) and are reduced into 6 (six) primary goals in the third meeting held in Singapore. The action plans are as follows:

- 1. First goal;** to intensify involvement in the sharing of data and information, monitoring the implementation of CITES to help solve the problem of illegal trading, and long-term cooperation to enhance information and data sharing and monitoring of CITES implementation to help resolve the illegal trade, and to frame the long-term cooperative actions.

Commitment of Indonesia, Malaysia and Singapore to the action plan and primary goal agreed upon during the third meeting of the Tri-National Task Force in Singapore is presented in Table 1.

Table 1. The commitment of parties involved to the action and initial goal

No.	Action	Remark		
		Indonesia	Malaysia	Singapura
1.	(Training of law enforcement officers/visit;→ monitoring/strengthen CITES implementation)	Indonesia shall conduct training under ASEAN-WEN coordination	Malaysia shall provide continuous support and assistance to the shareholders of training to enhance the implementation of CITES regulation.	MTIB has completed Ramin ID workshop for AVA and ICA officers in 2005. Singapore is committed to conduct another workshop.

2.	(Developing standard reporting format; (country report, confiscated specimen, standard information) → Networking Mechanism, e.g. ASEAN WEN)	Indonesia shall develop report format under ASEAN-WEN cordination	Malaysia shall give important input through ASEAN WEN reinforcement	Report format development under ASEAN-WEN coordination
3.	Developing permit confirmation system (after issuance of export permit/before shipment) → Strengthening CITES Implementation)	Indonesia has performed and is performing this action bilaterally.	Malaysia has developed permit confirmation system.	Singapore shall confirm the permit bilaterally when verification is needed.

2. Second Goal; To improve existing mechanism for rapid exchange of information on interdiction of infractions (and to encourage law enforcement) regarding trade in Ramin wood. Commitment of the parties regarding action is presented in Table 2.

Table 2. The commitment of the parties to the action of the second goal

No.	Action	Remark		
		Indonesia	Malaysia	Singapura
1.	Collate addresses and contacts of law enforcement officials and agencies as one of rapid systems for intelligent information and alert exchange between law enforcement officers	Has been submitted through ASEAN-WEN	Malaysia has established contacts and will continue to exchange information with parties concerned	The collation of addresses and contacts of law enforcement officials is being done through the ASEAN Secretariat under the ASEAN WEN activities.

	Assign one agency responsible to compare the CITES export and import statistic collected by MAs every year and consult each other to undertake remedial actions if discrepancy is found. (Malaysia still needs to consult federal Government)		<ul style="list-style-type: none"> Malaysia has identified The Ministry of Natural Resources and Environment (Scientific Authority) as the responsible agency. 	
2.	Review and harmonization of customs codes for Ramin products	On-going	Malaysia will continue to coordinate and report the progress to ASEAN Secretariat.	Singapore is already using the 8 digit ASEAN HS codes which allows proper collection of trade data.
3.	Make (identify the potential) use of ASEAN single portal (ASEAN Single Windows) for data and information sharing -> networking Each members consult ASEAN representative.	Indonesia's focal point is DG of Forest Protection and Nature Conservation (MA CITES) of Ministry of Forestry (MoF)	Malaysia will report the progress to ASEAN Secretariat and will establish data for information as required.	Singapore agreed to explore the development of a single ASEAN portal, but expressed concerns over its potential usage as there are already other ASEAN portals in place but with very low usage.
4.	To establish proper statistical data and to reduce data discrepancy which include special training program (including workshop) Improvement of statistical data to reduce data discrepancy -> int'l level data	Ongoing at the national level.	Malaysia has established its own statistical data depository for Ramin export and import trade.	Singapore is already using the 8 digit ASEAN HS codes which allows proper collection of trade data.

3. Third Goal; To disseminate information on all national Ramin imports, exports and re-exports requirements (legislation and procedures) in order to ensure all relevant agencies are informed of existing regulations and the specific documents that are required to accompany each declared consignment/shipment, including barter trade. Commitment of the parties regarding action is presented in Table 3.

Table 3. The commitment of the parties to the action of the third goal

No.	Action	Remark		
		Indonesia	Malaysia	Singapura
1.	Collate current legislation and procedures of the three countries and distribute to the relevant agencies	<ul style="list-style-type: none"> • Regulation of barter trade • Revised version of regulation of sawn timber export • All the above will be transmitted to partners ASAP. 	Malaysia will continue to communicate and exchange documents with parties concerned.	The collation of legislation and procedures is being done through ASEAN Secretariat under the ASEAN WEN activities.

4. Fourth Goal; to clarify statistical data discrepancies through consultations between CITES MA and Customs departments and undertake remedial actions at the national and international levels. Four commitments of the parties regarding action is presented in Table 4.

Table 4. The commitment of the parties to the action of the fourth goal

No.	Action	Remark		
		Indonesia	Malaysia	Singapura
1.	Convene consultation meetings among officials of custom departments and other relevant authorized agencies among the three countries to address issues on statistical and data discrepancies related to harmonizing the HS system.	May be undertaken under ASEAN-WEN	<ul style="list-style-type: none"> • Malaysia has held meetings to establish better understanding with Customs and relevant authorities on data discrepancy (harmonized HS system). 	Singapore is already using the 8 digit ASEAN HS codes which allow proper collection of trade data.

5. Fifth Goal; To invite the participation of CITES Secretariat and relevant NGOs to the meetings of the Tri-National task force on Trade in ramin as and when necessary. Commitment of the parties regarding action is presented in Table 5

Table 5. the commitment of the parties to the action of the fifth goal

No.	Action	Remark		
		Indonesia	Malaysia	Singapura
1.	Discussion on the possibilities of the participation of CITES Secretariat, importing countries and relevant NGOs at the third meeting of the task force (under consultation MY-SG-ID) → open and close session	Indonesia has no objection to the participation of CITES Secretariat and NGOs at the meeting.	Malaysia has no objection to the participation of CITES Secretariat and NGOs at the meeting.	Singapore has no objection to the participation of CITES Secretariat and NGOs at the meeting.

6. Sixth Goal; To seek resolutions on any substantive issues on trade in ramin in a speedy and amicable manner. Commitment of the parties regarding action is presented in Table 6.

Table 6. Commitment of the parties to the action of the sixth goal

No.	Action	Remark		
		Indonesia	Malaysia	Singapura
1.	Discussion on the issues on the disposal of confiscated specimen → small group meeting.			

B. Implementation

1. Implementation of Action in Indonesia

As of August 6, 2001, Indonesia implements ramin trade practices in accordance with Appendix III of CITES. As of 2001, Indonesia applies zero export quota for ramin species. An exception is, however, given to the corporation keeping a stock of Ramin wood prior to the Ministry of Forestry Decree No. 127/Kpts-V/2001. Policy related to the distribution and supervision is made by the task force of ramin trade. Analysis of 6 (six) variables below show the progress of the Task Force's ToR implementation by Indonesia.

a. Implementation of Goals and Action Plan

The main mandate given to the Task Force is to improve coordination and communication in the frame of law enforcement of international trade of ramin. The goal is achieving a lower rate of illegal ramin trade. Analysis of the implementation of 6 (six) objectives and each of its action plan in Indonesia is presented in Table 7.

Table 7. Implementation of Goals and Action Plan in Indonesia

Goals	Action Plan	Implementation
1.	Training of law enforcement officers; → monitoring/strengthen CITES implementation)	<ul style="list-style-type: none">• Assistance of CITES for field officers, customs and police department each year.• Workshop and dissemination of permanent quotas each year.• Training to introduce the species on trade.
	Developing standard reporting format; (country report, confiscated specimen, standard information) → Networking Mechanism, exp. ASEAN WEN)	Setting the reporting standard for the realization of quotas, exports and confiscation of specimen.
	Develop permit confirmation system (after issuance of export permit/before shipment) → Strengthening CITES Implementation	Indonesia has performed and is performing this action bilaterally.

2.	Collate addresses and contacts of law enforcement officials and agencies as one of rapid systems for intelligent information and alert exchange between law enforcement officers	CITES MA in Indonesia has appointed the Directorate for Investigation and Forest Protection (Ditjen PHKA) as the contact point for law enforcement under CITES convention
3.	Collate current legislation and procedures of the three countries and distribute to the relevant agencies	<ul style="list-style-type: none"> • Indonesia is preparing a regulation draft of barter trade • Publication of sawn timber export ban
4.	<p>Convene consultation meetings among officials of custom departments and other relevant authorized agencies among the three countries to address issues on statistical and data discrepancies related to harmonizing the HS system.</p> <p>Assign one agency responsible to compare the CITES export and import statistic collected by MAs every year and consult each other to undertake remedial actions if discrepancy is found. (Malaysia still needs to consult federal Government)</p>	
	Review and harmonization of customs codes for Ramin products	Harmonization of product code of ramin is in progress.
	<p>Make (identify the potential) use of ASEAN single portal (ASEAN Single Windows) for data and information sharing -> networking Each members consult ASEAN representative.</p> <p>Make (identify the potential) use of ASEAN single portal (ASEAN Single Windows) for data and information sharing -> networking Each members consult ASEAN representative.</p>	Indonesia has adopted Indonesian National Single Window (INSW).

	To establish proper statistical data and to reduce data discrepancy which include special training program (including workshop) Improvement of statistical data to reduce data discrepancy -> international level data	Is in progress nationally.
5.	Discussion on the possibilities of the participation of CITES Secretariat, importing countries and relevant NGOs at the third meeting of the task force (under consultation MY-SG-ID) → open and close session	Indonesia has no objection to the participation of CITES secretariat and NGOs in the Task Force meeting.
6.	Discussion on the issues on the disposal of confiscated specimens → small group meeting.	<ul style="list-style-type: none"> • Indonesia has proposed Illegally traded on confiscated (Doc.27) at COP 14 CITES, in June 2007. • In the national level, Indonesia has established Ramin Working Group in 2001 consisting of experts on ramin from LIPI, IPB, Forest Research Center, Forest Education Center, Local NGOs, PT. Diamond Raya Timber • In the international level, it was conducted upon the submission of proposal from Indonesia during 14th CoP CITES.

The table shows that 2 (two) existing goals and each of their action plans have not yet been implemented since the action must be performed in the level of three countries. They are :

- a) The first goal whose action plan is developing standard reporting format (state report, confiscation of specimen, and information standard).

- b) The fourth goal whose action plan relates to meeting consultation among the customs of three nations, appointing agencies for export data comparison of three nations and statistic data format in international level.

In the national level, Indonesia has conducted relevant actions, namely :

- (1) Setting the annual conservative quotas of ramin. The quotas and export realization within the period of 2001-2010 are presented in table 8.

Table 8. Quotas and Export Realization of Ramin, Indonesia

No.	Years	Quota		Export Realization (M3)
		Harvest Period	Export	
	2001 (6 August)		118.000	23.114
	2002		118.000	7.319
	2002	15.600	8.000	7.819
	2002	13.469	8.880	3.066
	2002	14.082	8.880	3.138,7412
	2002	12.298	8.880	2.229,6651
	2002	5.909	5.909	1.142,3535
	2002	5.909	5.909	999,7471
	2002	16.000	8.000	2.166,1482
	2002	11.972,38	7.183,43	1.261 (s/d 27 Oktober)

- (2) RWG has conducted NDF review by setting AAC (Annual Allowable Cut) of Ramin at PT. Diamond Raya Timber that meets the export requirements.
- (3) In accordance with the notification of CITES No. 2005/007 dated 1 March 2005, PT. Diamond and its associate, PT. Uniseraya are the authorized agencies of ramin exports.
- (4) Formulation and review of Regulation Draft with the House of Representative.
- (5) Monitoring and evaluation of researchers concerning sustained ramin conservation in Riau.
- (6) Conducting training for 597 SPORCs to enhance law enforcement.
- (7) Conducting joint Forest Operation with the Ministry of Forestry and Indonesian Police held every two years in seven provinces.
- (8) Actively participating in both national and international forum related to biodiversity conservation.
- (9) Setting yearly conservative quotas (harvest and export) of ramin and other species in Indonesia.

- (10) Forest Conservation Certification by independent assessors given to the forest concession companies.
- (11) Conducting revision of regulation related to the utilization and distribution of plant species and wildlife.

b. Resources

The Ministry of Forestry has been doing some ramin conservations in some of its main distribution areas including southern Sumatra (especially Riau and Bangka) and Kalimantan (West Kalimantan, Central Kalimantan and South Kalimantan). In the regions of Indonesia, the main ramin producers are West Kalimantan and Central Kalimantan. The investment in the form of conservation is done by Technical Management Unit (UPT) of the Ministry of Forestry. The activities of ramin conservations include population and habitat monitoring, protection, conservation, usage based on precautionary principle, law enforcement, researches and developments, etc. Unfortunately, funding and budget expenditure which are the investments on each activity cannot be explained in this paper due to the problems in compiling data and information about the amount of expenditure every year.

c. Communication among the Parties

The Ministry of Forestry has made some efforts on the communication nationally which are facilitated by Directorate General of PHKA through regulation reinforcing, program adjustments between central and regional government, dissemination, workshops, etc. Internationally, Indonesia also participates in some forums and events related to species conservations especially ramin, such as the task force meetings. Task force has met three times through some meetings in Kuala Lumpur, Malaysia (the First Meeting) on 15-16 April 2004, meeting in Jakarta, Indonesia (the second meeting) on 12-13 April 2006, and meeting in Singapore (the third meeting) on 7 – 8 May 2007. The three meetings encompass the goals to be achieved by the task force according to the terms of reference and the action plans agreed.

Internationally, the communication among the parties is merely the formal communication through letters or emails among CITES MA which are appointed and arranged in ToR. More comprehensive communication concerning the distribution monitoring and ramin conservation has not yet reached its maximum level due to the absence of task force secretariat.

d. Planning and Time Frame

In ToR document(appendix 1) and the action plans agreed by the parties as it is mentioned above, the time frame is not specifically arranged. Thus, many of the actions plans have not been implemented yet. The Monitoring and evaluation toward the action implementation among the parties also haven't been communicated either nationally or internationally. Consequently, the agreement of the task force planning in the future should be more specific, measurable, and implementable with systematical steps and time frame.

e. Organization/Institutional Secretariat

Nationally, the administration process (secretariat) of handling and distributing ramin is the responsibility of Biodiversity Conservation Directorate-Directorate General of PHKA as CITES MA of Indonesia. There are some institutions in Indonesia dealing with ramin management, such as Directorate General of Business Development of Forestry especially on quota arrangement of annual timber production, senior supervisor of Forest Concession, and timber Administration or domestic inter-distribution of timber. In distribution context, the related institutions are the Directorate General of Customs and excise, Central Bureau of Statistics, and Forestry Industry Revitalization agency.

Internationally, the Secretariat of Task Force has not been formed well, even though in ToR document, it is explicitly explained that Malaysia becomes the leader of the Task Force. The absence of this institution (structure and administration) of Task Force influences its working quality.

f. Importance and Advantages

Actually, during the implementation of foreign relations, there have been many things done and achieved well. The growing image of Indonesia as a country which can integrate its multi ethnic and cultural population dynamics, serious attention toward the national unity, the law enforcement, the encouragement of economy recovery are the basic policies which need to be developed.

All of the achievements become the important assets for the implementation of foreign relations. Besides, the strategic position of geo politic together with the wealth of natural resources is one of the strong factors and comparative advantages as the potentials to build Indonesian leadership in the global level through the initiatives and contributions of Indonesia's commitment to form the fairer and more balanced order of foreign relations.

Tri-National Task Force is one of the diplomatic media of foreign relations among Indonesia, Malaysia and Singapore in ramin trade. There are some contributing factors for Indonesia's active participation in Tri-National Task Force, namely :

- (1) It is realized that strategic roles and Indonesia leadership in Southeast Asia need to be developed, especially in the balance and equity among the countries in Southeast Asia.
- (2) Globalization, including the trade, and various phenomena of cross-border like wildlife smuggling, either for economy or politic, will continually become important considerations in foreign relations. In this case, Indonesia needs to make serious efforts to create a multilateral trade system which is fairer, overt, not discriminative and supportive of the development interests in developing countries.
- (3) Indonesia is committed to continue encouraging the increase of economic solidarity and cooperation, trade and the growth of developing countries.
- (4) Indonesia still has problems of its border regions, either on land or on the sea, with the neighboring countries which need to be solved through border diplomacy. Border crossing problems demand the implementation of more effective cooperative framework to

facilitate people's activities living along the borders with the countries bordering land, like Malaysia, Singapore, PNG, dan Timor Leste. The implementation of Border Diplomacy is hoped to be able to increase or to boost the acceleration of social and economic growth in border areas, so it can minimize the gap of economic growth and social condition with the bordered neighboring countries.

- (5) Crimes in form of trans-national crimes like illegal trades, illegal loggings are serious threats for countries like Indonesia which has strategic geographic position. Hence, Indonesia is demanded to keep down the crimes around the border areas through cooperation format with the neighboring countries comprehensively.

The inclusion of ramin species into the appendix of CITES and the form of Tri-National Task Force in ramin trade, have given significant benefits for CITES MA Indonesia, namely :

- (1) Indonesia, a country with the highest variety of species, is one of the biggest exporters of wild flora and fauna in the world. To get the maximum advantages especially to keep the preservation, it needs an effort to control the traffic of those things.

The fact is the coastline of the Indonesian Archipelago is so long that with the limited security apparatus the trafficking of endangered species become apparent. This makes the existence of Task Force very beneficial in examining and securing ramin distribution over border areas especially Malaysia and Singapore.

- (2) Ramin Task Force is a cooperative instrument among countries to do supervision together as provided by CITES which is an advantage for countries having various flora and fauna like Indonesia.
- (3) Some trials of ramin smuggling from Indonesia have failed or been prevented due to the existence of Task Force and the ease of getting the data and the information about ramin trade crimes which happen in Malaysia and Singapore.
- (4) Strengthening effective regulation to implement the provisions of CITES, mainly the regulations that can be implemented to all kinds of flora and fauna listed in the Appendices of CITES either from the countries concerned or outside of the countries.
- (5) The increase of the coordination nationally or internationally especially with CITES MA Singapore and CITES MA Malaysia and other relevant parties.

- (6) Tri-National Task Force is beneficial as one of the instruments to conserve ramin species in order to remain stable, which is very advantageous as the germ plasma resources for forestry development.
- (7) Tri-National Task Force is also beneficial in increasing bilateral relationships among countries including the acquisition of access benefits, technical assistance and funding.

2. Action Implementations in Malaysia

Malaysia is committed to cooperate with Indonesia and Singapore through the strengthening procedures and the law reinforcement in fighting against illegal trade and obeying CITES provisions.

Some efforts have been done by CITES MA Malaysia concerning the implementation of ramin trade, they are :

- (1) Malaysia reports various activities of Tri-National Ramin Task Force to SC CITES.
- (2) In March 2005, Malaysia, along with AVA, Singapore and TRAFFIC Malaysia conducted ramin identification course and CITES procedures.
- (3) Malaysia held ITTO expert meeting on the Effective Implementation of the Inclusion of ramin in Appendix II CITES on May 16-19, 2006 in Kuala Lumpur.
- (4) On June 25, 2002, the ban for importing ramin log from Indonesia was applied.
- (5) On June 1, 2003, the import of LSS, of cross-sectional area exceeding 60 inches from Indonesia was banned, while the log import from other countries was allowed with strict regulations, and also for other ramin products.
- (6) On January 12, 2005 all ramin trades had to follow the provisions of appendix II CITES annotation 1.
- (7) The review and the amendment of Custom, Act 235 in 1972 (import prohibition Order) to include ramin.
- (8) Conducting law enforcement efforts.
- (9) Monitoring and supervising the intensives by Customs, Maritime Agency, MTIB, Marine police, SFC.
- (10) Active collaborations with Port Authorities and Customs in region-free zones and barter zones.

- (11) Conducting the supervision of ramin import through Customs Import Prohibition Order 2006 (Schedule 4).
- (12) Monitoring and inspection at ports, jetties and river mouth.
- (13) Malaysia is also active in reporting illegal ramin cases. The report about illegal trades in Malaysia in 2002-2004 was already listed as presented in Tabel 10.
- (14) Making Non-detriment Findings Report on *Gonystylus bancanus*.
- (15) Making the quantification of wet and dry weight measure of Dry and Wet Inland *Gonystylus* spp. (Ramin), *Aquilaria* spp. (Agarwood) and *Intsia* spp. (Merbau) in Peninsular Malaysia.
- (16) Mapping the spatial distribution of *Gonystylus bancanus* (Ramin) using hyperspectral technology and determining the level of sustainable harvesting in forest area ramin in Peninsular Malaysia.
- (17) Developing the System of monitoring *Gonystylus* spp. (Ramin) by using Radio Frequency Identification (RFID) in Peninsular Malaysia.
- (18) Developing the database of *Gonystylus bancanus* DNA in Sarawak.

3. Action Implementation in Singapore

Singapore is committed to participate in strengthening procedures and in the law enforcement in fighting against illegal trade and also in obeying CITES provisions.

There are some efforts having been done by CITES MA Singapore concerning to the ramin trade implementation, namely:

- a. Strengthening Singapore legislation especially for the endangered species according to CITES provisions.
- b. Taking seriously and being active in fighting against illegal trades.
- c. Conducting the law enforcement actions.
- d. Conducting a cooperation with ICA, law enforcement agencies within and outside the country.
- e. Disseminating the information and coordination with custom officers.
- f. Conducting intensive inspection and supervision in many harbors and timber yards.
- g. Conducting some trainings about ramin identifications for examining, custom and AVA officers.

- h. Revising the amendments about the Endangered Species (Import and Export) on March 1, 2006, which accommodate the regulations about more serious punishments and cargo transportation.
- i. Conducting some disseminating efforts for public.
- j. Holding CITES Capacity Building Workshop working together with TRAFFIC, on March 21 – 22, 2007.
- k. Having designed the standard codes for the trade of Ramin products.

Singapore had also analyzed about the tendency of ramin trade reduction (trader, import and re-export) in Singapore during 2001 - 2007. It was recorded that the number of the traders in Singapore kept decreasing from 21 traders in 2001 became only 1 trader in 2007. Meanwhile, the same thing happened to the number of ramin imports which was recorded that in 2003, the number of ramin imports was about 10.882 metric tons and it decreased to 63 metric tons in 2005. Moreover, the number of ramin product re-exports was recorded about 5.227 in 2001 and it decreased to 130,95 metric tons in 2005.

There are some factors based on the analysis results which pointed out the positive correlation with the ramin trade reduction in Singapore (country report, 2007), including :

- Ramin supply from Indonesia is no longer available.
- Ramin Volumes from Malaysia are too small.
- The purchasing is from Malaysia and it is directly transported to the destination countries.
- The traders understand and care about the legality of timber sources and documents.
- The margin profits are too small.
- Lull business in Europe.
- NGOs in Europe especially in England give education to the public in order not to purchase ramin products.
- The use of other ramin-like timber, such as pine trees.

C. Evaluation

1. The Achievement of Task Force Mandatory

The main task force mandatory is to provide the law enforcement for ramin trades in Indonesia, Malaysia, and Singapore with the duties of conducting intelligent data exchanges and monitoring the CITES

implementation among Indonesia, Singapore and Malaysia, as well as conducting the coordination in the law enforcement for the cases of illegal ramin trades.

In fact, the implementation of CITES provisions is not optimally conducted to decrease illegal ramin trades. Then, Task Force is established to suppress the illegal ramin trades. The formation of Task Force has significantly pressed down the illegal ramin trades in the international level. This is proved by the data reports from either CITES MA Malaysia or CITES MA Singapore in the third meeting of Task Force in Singapore in 2007. It is stated that there are no longer illegal ramin trades from Indonesia, it is also supported by the data of illegal ramin cases which are presented by MTIB in the period of 2001 – 2004 as on Table 9.

Table 9. Illegal Ramin Cases in Malaysia

Year	Case	Log (M3)	LSS (M3)	Sawntimber (M3)	Total (M3)
2002	6	107	-	-	107
2003	21	234	76	593	903
2004	12	798.21	201.13	2,339.26	2,298.60
2005	2	26.26	0	0	26.26
2006	1	-	9.11	-	9.11

Source: Report of MTB in 2004,2006,2007

2. The Objectives Achievements and Output Target

Based on the evaluations toward the objectives, action plans and the output target in ToR Task Force, there are some objectives (1 and 4) and each action plan which hasn't been achieved as presented in table 10.

Table 10. The Objectives Achievements and the Output Targets

Objectives	Action Plans	Output Targets	Achievements
1.	Developing standard reporting format; (country report, confiscated specimen, standard information) → Networking Mechanism, exp. ASEAN WEN	Standard reporting format	Have not been discussed and agreed by the parties
2.	Convening consultation meetings among officials of custom departments and other relevant authorized agencies among the three countries to address issues on statistical and data discrepancies related to harmonized the HS system.	Consultation meetings among 3 (three) countries for customs officials and related parties	Have not been conducted
	Assigning one agency to be responsible for comparing the CITES export and import statistic collected by MAs every year and consult each other to undertake remedial actions if discrepancy is found. (Malaysia still needs to consult federal Government)	The assignment of functional agencies for data comparison of ramin export and import	Indonesia has not assigned an agency for this.
	Making (identifying the potential) use of ASEAN single portal (ASEAN Single Windows) for data and information sharing -> networking Each members consult ASEAN representative.	ASEAN Single Windows	Have not been built

	Establishing proper statistical data and to reduce data discrepancy which include special training program (including workshop) Improvement of statistical data to reduce data discrepancy -> international level data	The agreement among data accuracy, information from the parties and some trainings'	Have not been achieved
--	---	---	------------------------

3. The Achievement of Communication Effectiveness

With a simple analysis, it can be explained that the existence of Ramin Task Force has been successfully decreasing the illegal ramin trades in the international level. However, there is a question whether the decrease of illegal ramin trades is caused by the effectiveness of Task Force working quality or it is caused by the fact that the species has been uplisted into the CITES Appendix II? Theoretically, the inclusion of the species into the CITES Appendix II list should make the supervision portion from every member of CITES tighter than that in the CITES Appendix III.

Nevertheless, there are some strategic values due to the formation of Ramin Task Force as a supporter in strengthening the implementations of CITES, namely:

- 1) As an international society member, harmonious cooperation with other ASEAN countries is still the prominent priority for Indonesia. In this case, Indonesia needs to raise some issues about safety and other crimes such as smuggling, illegal logging, and illegal trade of other wildlife specimens;
- 2) Indonesia needs to keep participating in arranging the relationships in the regions, in order to be able to give contribution in creating a conducive security condition through many forums or Task Force;
- 3) Tri-National Task Force can function as a medium in increasing international cooperations aiming at optimally making use of positive potentials which emerge in some international cooperation forums especially through ASEAN cooperation, and through other countries which have the same interests with Indonesia, such as Malaysia and Singapore.

The communication of Tri-National Task Force hasn't effectively worked. In the future, it is suggested that the communication of Task Force will be more effective through the stabilization of task force agencies especially by forming an organization secretariat which functions as the organizational promoter and a developer for communication and coordination with other ASEAN-WEN. The following picture is the illustration of Task Force institutional system which is presented in Figure 2.

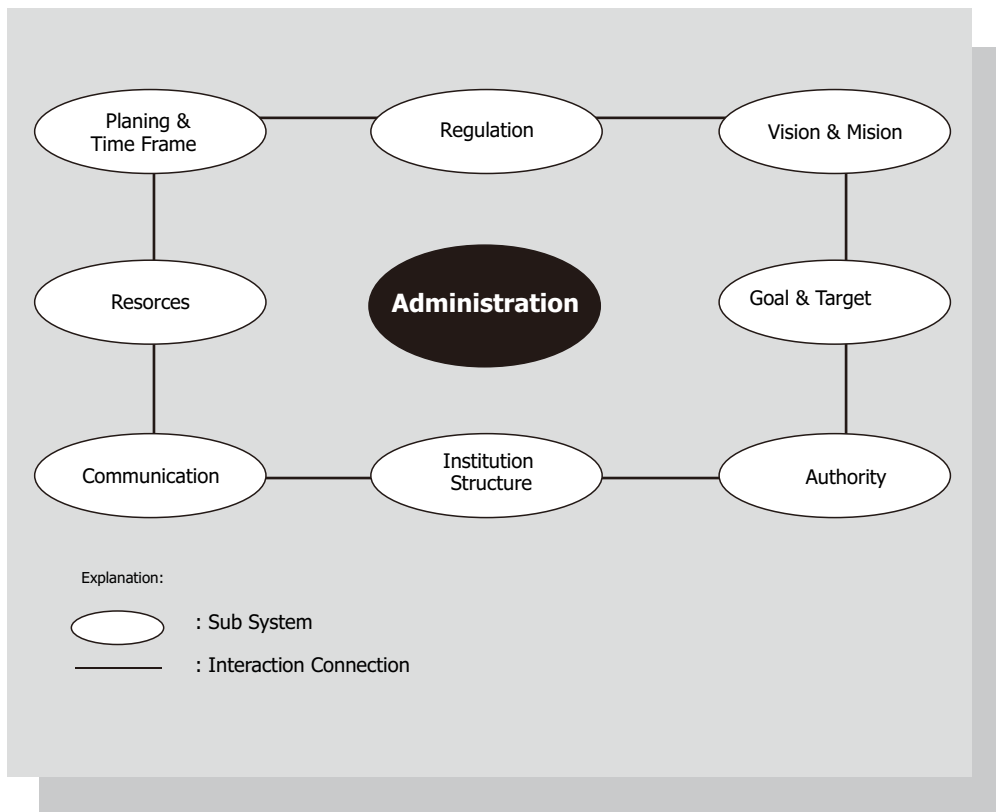


Figure 2. The System of Task Force Institutional

IV. CONCLUSION AND RECOMMENDATION

A. Conclusion

1. The formation of Task Force of Ramin trades is effective enough to decrease the illegal Ramin trades in the international level and it becomes the promoter in strengthening the CITES implementations.
2. There are some action plans which haven't been achieved, including: developing the standard reporting format (country report, confiscated specimens, data standard, and information) to minimize data discrepancy, the development of ASEAN single windows for data exchanging and information, the development of the exchanging mechanism of intelligence information either locally or internationally, the formation of small group meetings to discuss the proposal of Indonesia about disposal of confiscated specimens, and the accuracy of barter trade regulations, and the implementation plans between Indonesia and Malaysia.
3. Tri-National Task Force can function as a medium in increasing international cooperation aiming at optimally making use of some positive potentials which emerge in many international cooperation forums through ASEAN cooperation, and through other countries which have the same interests with Indonesia.
4. The communication which has not been effectively established and also the absence of Tri-National Task Force agencies especially the Task Force secretariat become the reasons that cause the inachievement of the expected plans and the expected output targets.

B. Recommendation

By considering that there are still some prominent objectives of some actions in ToR which have not been achieved, bilateral cooperation relationships, and the cooperation strengthening in controlling the borders, Tri-National Task Force about Ramin trades still needs to be continued with the following recommendation notes, such as :

1. Creating understanding and more focused coordination in data and information exchanges, and in the law enforcement cooperation;

2. Developing the standard reporting format (country report, confiscated specimen, data standard and information) to minimize data discrepancy, and to do the data and intelligence exchanges;
3. The arrangements of more focused frameworks and more effective communicating mechanism including the initiating follow up of developing ASEAN Single windows;
4. The stabilization of bilateral cooperation in economy and trades including the follow up accuracy of barter trade regulations and the implementation plans between Indonesia and Malaysia.
5. There should be the stabilization of Task Force institutional through the formation of the organization secretariat, the strengthening coordination with ASEAN-WEN, and the increase of the long term funding strategies for ramin conservation.
6. The improvement of crime preventions along the cross-border countries through bilateral, regional, and multilateral cooperation which is conducted inclusively and democratically based on international law principles.
7. Improving the capacity of the officials (CITES MA, Customs and Law officers) especially in identifying ramin products and the products made of ramin-like timber through some intensive and systematical trainings or workshops.

BIBLIOGRAPHY

- Convention On International Trade In Endangered Species Of Wild Fauna And Flora, 2008. Report On Conservation And Management Of Ramin (*Gonystylus Spp.*) In Malaysia.
- Convention On International Trade In Endangered Species Of Wild Fauna And Flora. 2010. Report of Malaysia on Activities undertaken under the ITTO-CITES Programme
- Convention On International Trade In Endangered Species Of Wild Fauna And Flora, 2007. Proposal of Indonesia on Disposal Of Illegally Traded And Confiscated Specimens Of Appendix-I And –Iii Species
- CITES MA Malaysia. 2004. Report on The First Meeting of The Tri-National Task Force On Trade In Ramin 7 - 8 September 2004.
- CITES MA Indonesia. 2006. Report on The Second Meeting of The Tri-National Task Force On Trade In Ramin 12 – 13 April 2006.
- CITES MA Singapore. 2007. Report on The Third Meeting of The Tri-National Task Force On Trade In Ramin 7 - 8 May 2007.
- Stoner, J. F. 1994. Management. Preventive-Hall Int'l, Intermedia. Jakarta
- Tachjan, 1994. Implementasi Kebijakan Publik – Sosial Politik. Puslit KP2W Lemlit UNPAD. Bandung
- Van Meter DS.& CE Van Horn, 1974. The policy implementation process.

Appendix 1. Term of Reference (TOR) The Tri-National Task Force on Trade in Ramin.

TOR OF THE TRI-NATIONAL TASK FORCE ON TRADE IN RAMIN BETWEEN INDONESIA, MALAYSIA AND SINGAPORE

1. Background

A Tri-National Workshop on Ramin, funded by the UK Foreign & Commonwealth Office and organized by TRAFFIC Southeast Asia was held in Kuala Lumpur from 15-16 April 2004. It was attended by Indonesia, Malaysia and Singapore. The workshop identified several measures that need to be undertaken in order to strengthen the enforcement provisions of trade regulations as stipulated under Appendix III of CITES. One of the measures recommended is to create a Tri-National Task Force on CITES Ramin Trade Law Enforcement.

Malaysia will lead the Tri-national Task Force. The Objective of this Task force is to strengthen the enforcement of trade regulations and measures to ensure legality and sustainability in Ramin Trade.

The first meeting of the Tri-national Task Force on Trade in Ramin between Indonesia, Malaysia and Singapore was held on 7-8 September 2004 in Putrajaya, Malaysia and agreed on the following terms of reference.

2. Terms of Reference

The Terms of Reference of the Task Force would be as follows:

1. To enhance information and data sharing and monitoring of CITES implementation to help resolve illegal trade, and to frame long-term cooperative actions.
2. To improve existing mechanism for rapid exchange of information on interdiction of infractions (and to encourage law enforcement) regarding trade in Ramin.
3. To disseminate information on all national Ramin imports, exports and re-exports requirements (legislation and procedures) in order to ensure all relevant agencies are informed of existing regulations and the specific documents that are required to accompany each declared consignment/shipment, including barter trade.
4. To harmonize customs codes between the three countries on Ramin products.
5. To clarify statistical data discrepancies through consultations between CITES Mas and Customs departments and undertake remedial actions at the national and international levels.
6. To invite the participation of CITES Secretariat and relevant NGOs to the meetings of the Tri-National task force on Trade in ramin as and when necessary.
7. To seek resolutions on any substantive issues on trade in ramin in a speedy and amicable manner.

3. Frequency of the Meeting

The Task force shall meet at least once a year on a rotational basis among member countries.

4. Focal Points

The Focal points for the Tri-National Task Force on Trade in Ramin for each member are as follows:

INDONESIA
Directorate General of Forest Protection and Nature Conservation

MALAYSIA
Malaysian Timber industry Board (MTIB)

SINGAPORE
Agri-Food and Veterinary Authority (AVA)