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Controlling trade in illegal timber

Options for an inter-governmental agreement

Jade Saunders

Associate Fellow, Sustainable Development Programme, RIIA

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Problems

- National enforcement agencies may not communicate and cooperate adequately.
- Data and intelligence on the extent of illegal logging and trade, and patterns of criminal behaviour, is often in short supply.
- Easy to move products across international borders; and often opposition to any inhibition of trade.
- Usually difficult, and sometimes impossible, to distinguish between legal and illegal products.
- Importing countries may have no legal framework to allow them to act against goods produced illegally elsewhere.



Components of an international framework

- A. A forum for debate, consciousness-raising, information-sharing, and exchange of best practice.
- B. A data collection and exchange system, both on legal activities (production, processing, export, import, consumption) and, where detected, illegal behaviour.
- C. A framework for enforcement cooperation, including facilitation of cross-border enforcement operations.
- D. An international tracking and/or licensing system to guarantee legality, preferably not reliant simply on paper movement documents and ideally, with independent third-party monitoring.



A. Forum for debate

- Should be easiest to establish
- East Asia FLEG already provides framework
- Many other examples
- Need to meet on regular basis
- Participation should be open to civil society, governments outside the region
- Central secretariat would be helpful

B. Data collection and exchange

- Relatively straightforward
- East Asia FLEG already discussed
- Should be open to input from civil society
- Needs network of enforcement officials in each country
- Needs resources
- May be able to use RILO

C. Enforcement cooperation

- Builds on B (data exchange) but involves wider range of agencies
- Bilateral agreements can be useful
- Liaison with Interpol could be explored
- Lusaka Agreement on wildlife valuable model



D. International tracking and licensing

- Will be at heart of any agreement to control trade
- Many examples: e.g. CITES, Kimberley Process, CCAML
- Will be developed under EU FLEGT
- Basic aim is to track and control exports and imports



Licensing systems: problems

- Reliance on paper certificates opens up possibilities for fraud, theft and corruption.
- No independent verification of legality of products.
- Movement documents not adequately cross-checked against each other or against the goods.
- Products can be moved across borders without monitoring, or can be concealed or disguised as legal material.
- Timber licensing needs to avoid these problems: electronic systems, independent monitoring, etc.
- FLEGT licensing scheme provides good basis



Building the system (1)

- Any existing bodies or agreements?
- Don't use: bilateral agreements
- Don't use: CITES or Biodiversity Convention



Building the system (2)

- Use the existing East Asia FLEG structure as a starting point.
- Inject resources to establish a central secretariat and national focal points.
- Adopt the Lusaka Agreement model for enforcement cooperation within the agreement.
- Adopt the EU FLEGT timber licensing scheme for timber tracking and trade control.



More information on illegal logging

www.illegal-logging.info

