



**Joint NGO Position Paper to inform the Europe and North Asia Forest Law Enforcement & Governance(ENA-FLEG) Ministerial Conference 22-25 November 2005, Saint-Petersburg, Russia**

The forests in the ENA-FLEG regions are a valuable ecological, economic, cultural and social resource to the global community. Effective forest law enforcement and good governance is central to maintaining these values - but only if what is legal equates with equitable, transparent and sustainable management of the global forest estate. The ENA-FLEG Ministerial Conference provides governments with an important opportunity to demonstrate political will to make legal, equitable and sustainable forest management a reality.

We welcome the commitments and actions included in the “Elements of St. Petersburg Declaration” and “Draft Indicative Action Plan”<sup>1</sup>. However it is essential that there is consistency between the commitments made in the Ministerial Declaration and the actions set out in the Action Plan.

In order to ensure the success of the ENA-FLEG process we recommend the following measures be included in the Ministerial Declaration (MD) and the Indicative Action Plan (IAP):

#### **Ensure Stakeholder Participation & Cooperation**

- The many complex economic, social and political factors behind illegal and destructive forest practices must be addressed and resolved rather than targeting those affected—such as the rural poor, local communities and indigenous peoples. This will require inter-agency, cross-sectoral and multi-stakeholder cooperation within and between governments.
- Although governments have a key role in creating an enabling environment for forest governance, all stakeholders - governments, civil society and industry – must be recognised of equal importance in the process at the international, national, regional and local level.
- Appropriate funding mechanisms should be included to ensure capacity building in areas where civil society representation is currently limited by resources and/or skills.

#### **Ensure Transparency, Access to Data & Inter-agency Cooperation**

- The right to participation, access to information and justice for forest stakeholders must be recognised legally, and included in the MD. A legal model would be the Aarhus Convention<sup>2</sup>.
- Unrestricted access to information on forest management, allocation of logging permits, mapping etc should be made available to all forest users, including civil society.
- Inter agency as well as public and private sector cooperation is needed to share information on suspicious activities related to illegal timber and timber product trade.

#### **Assume Global Responsibility By Implementing Strong Measures**

- We encourage producer, consumer, and donor countries involved in the process, to take joint responsibility by promoting high level political will to implement *all* commitments and actions in the final MD and IAP, to ensure the effectiveness of the measures being introduced. This includes allocating the necessary financial, technical and human resources.
- All actions agreed by national governments in St Petersburg should **support** the implementation of international agreements and other commitments to achieve sustainable forest management<sup>3</sup> as well as contribute to the goals of the United Nations Framework Convention on Climate Change (UNFCCC) and the Kyoto Protocol.
- Governments should recognise that prioritising the implementation of the World Summit on Sustainable Development (WSSD) and Convention on Biological Diversity (CBD) goal to establish a global network of protected areas by 2010 will be a key

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<sup>1</sup> Please see NGO comments on the “Elements of St. Petersburg Declaration” and “Draft Indicative Action Plan” for further details.

<sup>2</sup> The Aarhus Convention (Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters) grants the public rights and imposes on Parties and public authorities obligations regarding access to information and public participation and access to justice.

<sup>3</sup> For example: WSSD, CBD, CITES, G8 Action Programme on Forests, and other FLEG processes

contribution to fighting illegal logging and attaining Millennium Development Goal 7 to “ensure environmental sustainability”.

- Governments should integrate the components of the various FLEG processes into the relevant international processes regarding forests, in particular the CBD.

#### **Urgent Action On The Domestic Level To Curb Demand For Illegal Forest Products**

- All countries, in particular the EU, as one of the largest consumers of timber and wood products from the ENA region, should adopt legislation to prohibit the import and sale of illegally sourced timber and processed timber products. This is currently not covered by the IAP.
- Measures to ensure legality should not only cover logs and sawn timber, but the whole chain of wood processing, including furniture and multiple sourced wood products, such as paper and paper pulp.
- It is essential to agree to the implementation of traceability/licensing systems to control the trade in timber and timber products coming from illegal and destructive sources.
- All countries should commit to and implement legal and sustainable procurement policies for the public sector to switch market demand to sustainably and equitably harvested forest products. This needs to stay in the IAP.

#### **Adopt Legal Reform To Tackle Illegal Logging, Promote Good Governance & Sustainable And Equitable Forest Management**

- As a priority, countries should undertake a revision of forest-related laws to address contradictory, out-dated or absent legislation. This includes developing further as well as assessing the effectiveness of laws to counter illegal and destructive forest practices such as corruption, bribery and money laundering.
- Measures to ensure access to justice, the rule of law and respect for human rights, including indigenous peoples, are currently absent and need to be included in the MD and the IAP.

#### **Development of National Action Plans**

- All governments should commit to in the MD the implementation of a time-bound National Action Plan into their national forest programmes in order to eliminate illegal logging and trade. These must be developed in an open, transparent and participatory manner.
- The National Action Plans could include collaborative projects between governments, industry and NGOs to devise a FLEG ‘tool kit’ highlighting effective systems and approaches to tackling destructive, unsustainable and illegal logging practices.

#### **Follow-up & Monitoring of Implementation**

- Realistic time bound targets for action relevant to each region and/or country must be maintained.
- The establishment of a regional taskforce – including NGO representatives from ENA FLEG countries - to monitor and support implementation of the commitments must be specified in agreements made.
- The provision for presenting progress on National Action Plans and lessons learned to ENA FLEG meetings planned for 2007 must be maintained.
- Dates for follow-up meetings in 2006-07 should be confirmed at the Ministerial Conference.