

CURBING ILLEGAL FOREST ACTIVITIES

Some Considerations from Southeast Asia

Akiko Inoguchi



Rowena Soriaga



Peter Walpole

OUTLINE

- EU Aid to Southeast Asian Forest Sector
- Broadening the context of illegality
- Conditions Invoking Illegality
- CFM Contributions to Curbing Illegality
- Further Tasks Ahead
- Global Policies to Curb Illegality
- Effectiveness of Certification So Far
- Asia's Readiness for Certification
- Considerations

EU Support to Southeast Asian Forest Sector

1. Regional stability and fight against terrorism
 - Channeling Southeast Asia through ASEAN, ARF, ASEM
 - Fighting **forest violence**
2. Promoting human rights, **democratic principles, good governance and rule of law**
 - Fighting corruption – **illegal logging**
 - Promote greater **transparency in forest land allocation**
 - Increase local capacity to manage and utilize forests sustainably
3. Mainstreaming **Justice** and Home Affairs issues
 - **Law enforcement**
 - Fighting **organized crime** and **transnational crime**; Control of money laundering
4. Injecting a new dynamism into regional **trade and investment** relations
 - Help strengthen private-sector cooperation
 - Financial flows and the **valuation of forest goods and services**
5. Continuing to support the development of less prosperous countries
 - Priority Countries: Cambodia, Lao PDR
 - Poverty reduction as major goal (Millennium Development Goals)
6. Intensifying dialogue and cooperation in specific sectors
 - **Statistics**
 - **Environment and Forestry** issues: Climate change - CDM, CBD

⑧ EC development policy 2000

⑧ “A new partnership with South East Asia” COM(2003)

⑧ “Europe and Asia: Strategic Framework for Enhanced Partnerships” COM(2001) 469

Conditions Invoking Illegality in SE Asia

Illegal Forest Activities

- First Level: Subsistence
- Second Level: Livelihood
- Third Level: Big Time Organized Crime

Driven by
Subsistence &
Corruptive Market

Lowland Poverty

- Land shortage
- Inappropriate allocation of land
- Natural population growth
- **Return** migration from uplands

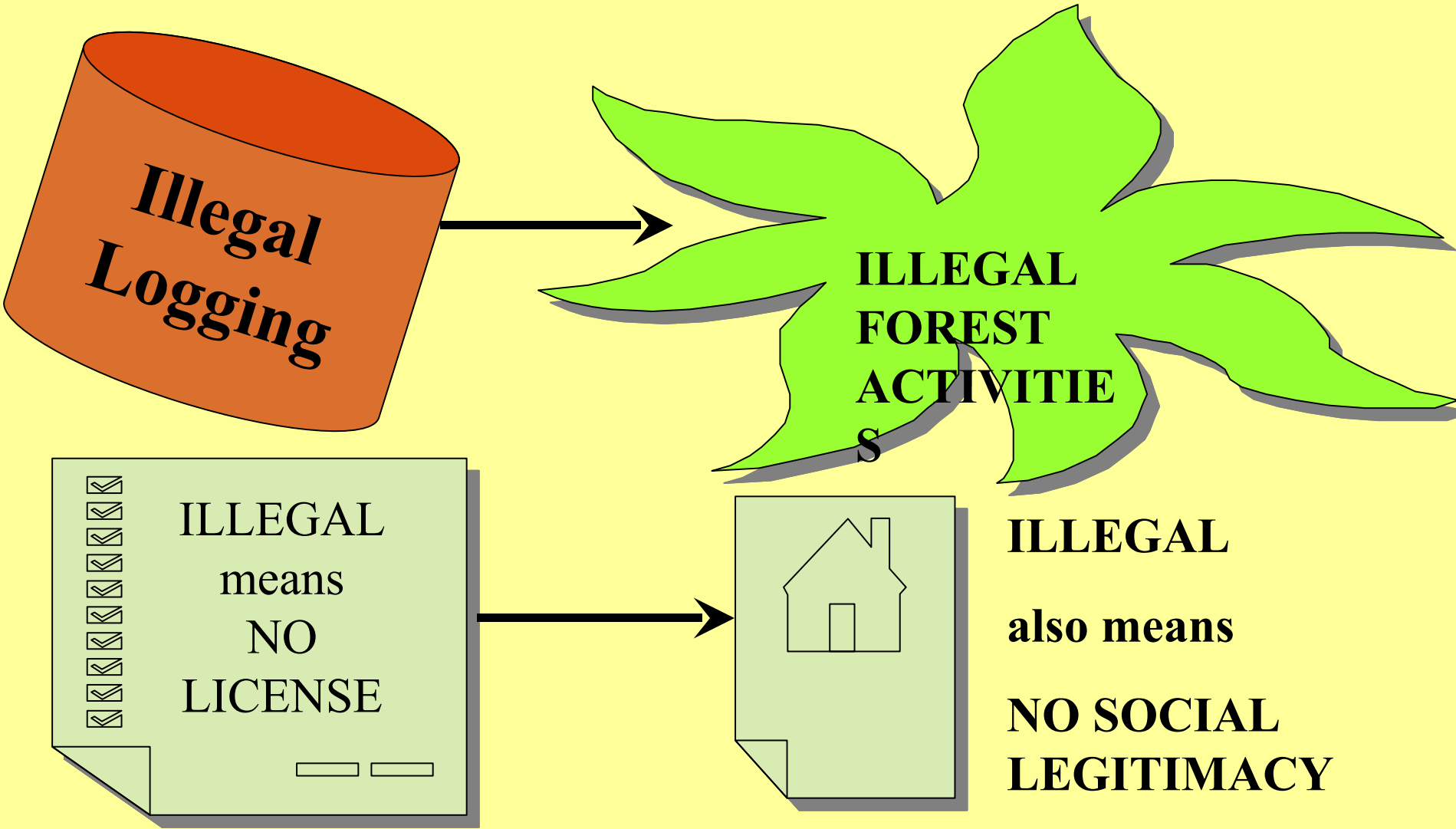
Up migration

U-turn migration

Increased Upland Poverty

- Insecure land tenure
- Estrangement from customary practices
- Encroachers
- Lack of food security
- Rapid commoditization
- Inaccessible market
- Lack of capacity
- **Lack of stable livelihood**

Broaden Context of Illegality



BROADENING CONTEXT OF ILLEGALITY: **Without license but socially & culturally legitimate**

First Level – Subsistence

- Rural communities modifying land use through low-intensity farming, grazing and resource extraction using simple methods often based on traditional knowledge.
- Small in scale low in intensity
- occurs due to lack of other options or skills to secure subsistence.

BROADENING CONTEXT OF ILLEGALITY: **Without license but socially & culturally legitimate**

Second Level – Cash Income Generation

- harvesting through illegal methods;
- illegally logging outside of the designated areas;
- extraction in excess of agreed limits or beyond agreed species;
- illegally extracting protected species;
- non-issuance of permits to extract or transport logs and non-timber products for commercial transaction.

BROADENING CONTEXT OF ILLEGALITY: **Without social legitimacy (licensed or not)**

Third Level – Big Time, at times organized crime

- Newly established control over resources cutting-off small-time traditional access, forcing their incorporation into more destructive extraction;
- Inconsistent program plans driving uncontrolled permit issuances;
- Delineating upland areas as protected areas and water sources without socially responding to the impacts of the policy on the people already living inside these lands;
- Entrepreneurial manipulation of decisions on behalf of the community as well as government by means of cash payments (legal and illegal);
- Undue compensation to communities for work and material value of goods extracted – often manipulative of future roles;
- Closing access of communities to concession forests through violent means;
- Resource prospecting and exploration i.e. applying for forest concessions not for the timber but for the mineral resources underneath;
- Shortcutting social processes that ensure "free and prior informed consent" of local communities to development projects.

CFM CONTRIBUTIONS TO CURBING ILLEGALITY



FURTHER TASKS AHEAD FOR CFM

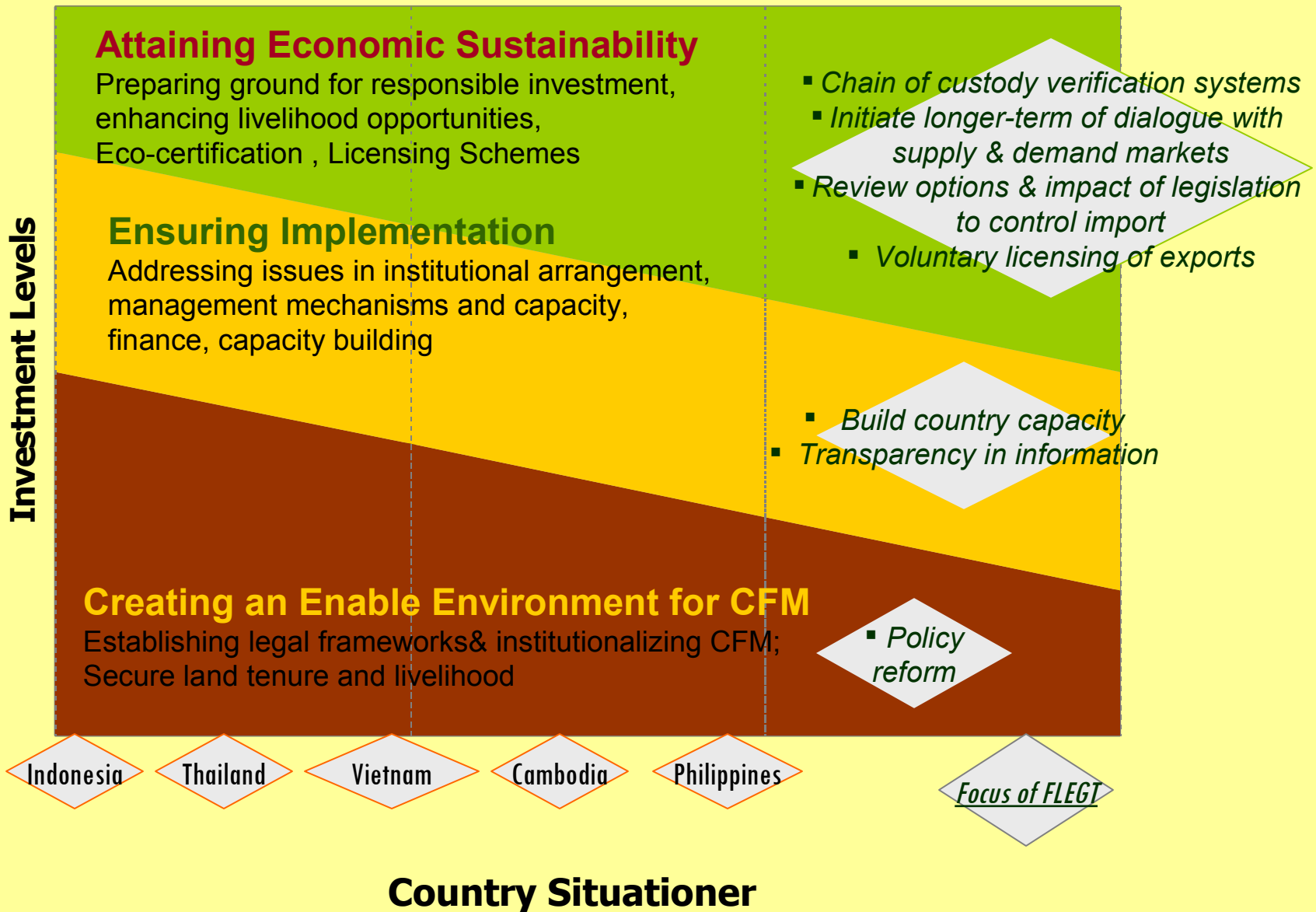
Fostering Functional Stakeholder Participation Processes

Building Management Mechanisms and Implementation Capacities

Developing Institutional Arrangements

Designing Sustainable Livelihood Strategies

BALANCING AID AND TRADE



UPDATE ON CURRENT EVENTS:

PHILIPPINE RESPONSE TO
DISASTER MANAGEMENT

Southeast Asia	Forest 1995 (000ha)	Certified 2004 (000 ha)	Sites	%
<i>Countries that have joined Forest Certification</i>				
Indonesia	109,791	90.24	1	0%
Malaysia	15,471	77.24	3	1%
Philippines	6,766	14.80	1	0%
Thailand	11,630	.92	1	0%
<i>Countries not yet joining Forest Certification</i>				
Myanmar	27,151			0%
Lao PDR	12,435			0%
Cambodia	9,830			0%
Vietnam	9,117			0%
Singapore	4			0%
Brunei	nd			nd
Total	202,194	0.180921	6	0%

Status of FSC Certification

