TACKLING FOREST ILLEGALITY IN AFRICA, THE CARIBBEAN AND THE PACIFIC

SUCCESSES, CHALLENGES AND WAYS FORWARD
FOREST ILLEGALITY

Forest illegality occurs when forest products are harvested, transported, processed, bought or sold in violation of national or international laws, or when illegal deforestation takes place. It has been estimated that forest illegality costs governments more than US$10 billion per year in lost revenue. Corruption and poor governance provide an environment that perpetuates illegal behaviour. Inconsistent forest policies, unrealistic laws and insufficient institutional capacity to enforce them contribute to illicit activities such as illegal logging. Other drivers include a lack of information about forest trends, as well as high demand for cheap timber in both domestic and export timber markets.

REDUCING THE EU’s FOREST FOOTPRINT: THE FLEGT ACTION PLAN

In 2003, the European Union (EU) adopted an Action Plan on Forest Law Enforcement, Governance and Trade (FLEGT) to promote better forest governance and prevent illegal timber from entering its market. One of the main tools of the FLEGT Action Plan is the negotiation and conclusion of legally-binding voluntary partnership agreements (VPAs) between the EU and individual timber-producing countries. These co-developed VPAs are one of the FLEGT process’s greatest strengths and have led to the unprecedented involvement of non-state actors such as civil society organizations and the private sector at all stages of the process. The success of each VPA also hinges on the effective implementation of a legality assurance system (LAS), the function of which is to provide a reliable means to distinguish between legally and illegally produced forest products. The LAS is composed of five key elements: a definition of legal timber based on the legislation of the timber-producing country; a traceability system; a system to verify compliance with the legality definition and the traceability system; a licensing scheme; and an independent audit.

In addition to the VPAs, the EU adopted the EU Timber Regulation (EUTR) to strengthen the FLEGT Action Plan. The EUTR is legally binding on all 27 EU member states and prohibits placing illegal timber on the EU market from 3 March 2013. Under the EUTR, operators distributing timber or related products in the EU market – harvested in the EU or beyond its borders – are required to exercise due diligence to minimize the risk of perpetuating forest illegality.

ACP-FLEGT SUPPORT PROGRAMME 2008-2012: OBJECTIVES

The EU supports a global network of FLEGT-related technical assistance. The Africa, Caribbean and Pacific (ACP) FLEGT Support Programme, a four-year initiative implemented by FAO, is a part of this global FLEGT network. It is a demand-driven programme designed to support local stakeholders – government institutions, civil society and private-sector organizations – in addressing forest governance and illegality in their countries. The Programme assists stakeholder groups in ACP countries to implement the FLEGT Action Plan and supports the collection, analysis and dissemination of FLEGT-related information and experiences among stakeholder groups.

Impacts of illegal logging
- loss of biodiversity
- destruction of vital wildlife habitats
- destruction of livelihoods in forest communities
- emission of greenhouse gases
- loss of revenues
- conflicts with local communities
- human rights abuses
- corruption and market distortions
- political instability
- exacerbation of poverty

A VOLUNTARY PARTNERSHIP AGREEMENT – ALTHOUGH FUNDAMENTALLY A TRADE AGREEMENT – REPRESENTS THE COMMITMENT OF GOVERNMENTS AND STAKEHOLDERS TO FIGHT CORRUPTION AND IMPROVE GOVERNANCE STANDARDS.

Robert Simpson, FAO FLEGT Programme Manager

IN BOTH GHANA AND LIBERIA, THE PROJECT WAS ABLE TO BRING TOGETHER TWO USUALLY ANTAGONISTIC STAKEHOLDERS – CIVIL SOCIETY AND INDUSTRY – TO EFFECTIVELY DIALOGUE ON FINDING COMMON SOLUTIONS TO IDENTIFIED CHALLENGES.

Glen Asomaning, WWF West Africa
ACP-FLEGT SUPPORT PROGRAMME: CONTRIBUTION

To date, the Programme has supported over 100 projects in 32 countries. As mostly pilot initiatives, these projects test new methodologies and approaches for improving forest governance and tackling forest illegal logging. Together with other FLEGT implementing agencies, the ACP-FLEGT Support Programme has contributed to the FLEGT Action Plan by:

• supporting the VPA process;
• increasing stakeholder participation in local forest governance and trade issues and in monitoring operations;
• responding rapidly to calls for support from small and local institutions;
• generating knowledge and awareness on the state of forest illegality and on FLEGT and EUTR among producers and local people;
• supporting ACP countries in revisiting existing and often outdated legal frameworks in the forest sector;
• bringing stakeholders together at the national, regional and international levels;
• facilitating country exchange missions and regional collaboration to help establish networks and regional expertise;
• efficiently monitoring and coordinating Programme activities, which is unique for such a centrally managed Programme.

IN A RELATIVELY SHORT TIME PERIOD, WE HAVE PUT IN PLACE A MECHANISM TO FINANCE INITIATIVES THAT IS ACCESSIBLE TO EVERYONE. THE PROGRAMME DEMONSTRATES, MOREOVER, THAT LOCAL STAKEHOLDER INITIATIVES ARE REMARKABLY EFFECTIVE WHEN INCLUSIVE OPPORTUNITIES ARE PROVIDED.

Marc Vandenhaute, FAO Forestry Officer

THE SUCCESS OF THIS PROJECT IS ROOTED IN THE IMPLEMENTATION OF A NOVEL INITIATIVE ON TRANSPARENCY WHICH IS REPLICABLE THROUGHOUT THE CONGO BASIN AND IN OTHER COUNTRIES.

Lambert Mahiala, CAGDF

Results by thematic area

The ACP-FLEGT Support Programme assists local stakeholder groups through eight established thematic areas: improving transparency (1) and national wood traceability, verification and control systems (2); supporting independent observation (3); FLEGT–VPA processes (4), local communities (5) and private-sector initiatives (6); developing domestic (7) and regional markets (8) through research and technical assistance.

Theme 1: Improving Transparency

Republic of the Congo: Improving transparency and supporting wood traceability, verification and control

Since the ratification of the VPA between the Republic of the Congo and the EU on 4 July 2012, the country has been under an obligation to develop a system to guarantee the legal origin of exported forest products and improve national wood traceability, verification and control systems more broadly.

In light of this, the ACP-FLEGT Support Programme backed a call for support from the local NGO Cercle d’Appui à la Gestion Durable des Forêts (CAGDF) to carry out monitoring and evaluation activities and disseminate this information to the public at large, contributing to the development of a robust wood verification and control system. An element of this work involved developing a website to disseminate legal and traceability data as well as VPA requirements to the public. The launch of the information portal marked an unprecedented move towards transparency, which has moreover been instrumental in facilitating compliance with the legality matrix, an element of the LAS which outlines the legal requirements that must be met and verified to ensure that timber is of legal origin.
**THEME 2: IMPROVING NATIONAL WOOD TRACEABILITY, VERIFICATION AND CONTROL SYSTEMS**

Republic of the Congo: Facilitating compliance with VPA requirements

In the Republic of the Congo, implementing partner UNICONGO requested support to strengthen the capacity of private enterprises to meet VPA and LAS requirements. With this support, UNICONGO conducted audits of three companies in the south of the country to determine the level of compliance with the traceability system, existing competencies and available resources. Challenges in existing systems included a lack of skills to carry out inventories, poor inventory methodologies and weak use of mapping technologies such as GPS. In addition to training local enterprises to carry out high-quality inventories, UNICONGO experimented with traceability methodologies. Action plans were also proposed with corrective measures to facilitate compliance with the LAS.

TO FACILITATE COMPLIANCE WITH VPA REQUIREMENTS, PRIVATE ENTERPRISES MUST BE INVOLVED IN DEFINING CRITERIA FOR LEGALITY. THIS PROJECT INITIATED THE PROCESS BY ALLOWING COMPANIES TO TALK OPENLY WITH INSTITUTIONAL ACTORS ABOUT THE CHALLENGES THEY FACE IN COMPLYING WITH THE SYSTEM.

Fabio Pesce, FAO consultant

Madagascar: Supporting legality and wood traceability of community timber operations

For over 50 years, illegal forest operations have ravaged the 117 000 hectare Ambohilero forest. Forest management has been minimal and devoid of local participation. In an effort to rectify the situation, local implementing partner Participation à la Gestion de l’Environnement (PARTAGE) carried out a pilot initiative to develop a legality and verification system for forest products in the rural community of Didy on the outskirts of Ambohilero forest. A contract between the local forest administration and forest community gave way to the development of a tracking system and marked the decentralization of existing forest taxation and wood-tracking mechanisms. Establishing a robust legality and traceability system was a fundamental step towards ultimately certifying all wood products deriving from the community as “Bois de Didy”, or “Didy-wood”, and ensuring that they are produced legally. To support the process, training and information was provided on sustainable timber harvesting, supplemented by a number of information products to increase knowledge and awareness about the FLEGT process more generally.

**THEME 3: SUPPORTING INDEPENDENT OBSERVATION**

Belize: Mitigating and controlling trans-border illegal logging in the Chiquibul Forest

Illegal activities are occurring in an estimated 22 300 hectares of the 116 000 hectare Chiquibul Forest; up to US$8 million worth of stolen mahogany and cedar may have been lost since illegal logging accelerated a few years ago. Two projects under the ACP-FLEGT Support Programme set out to counter these activities by supporting the locally based NGO Friends for Conservation and Development (FCD) to bolster its monitoring and enforcement operations. The projects were pivotal in generating knowledge about the state of illegal logging in the Chiquibul; increasing public understanding and support; obtaining “buy-in” from key stakeholders; improving FCD’s capabilities to deal with complex environmental matters; generating partnerships in neighbouring Guatemala; and creating a robust and innovative enforcement programme – which included training two teams of forest protection agents. While more efforts are needed to halt illegal logging – such as the formal involvement of the justice system and greater cooperation with Guatemala at the national level – actions undertaken in the last 24 months have helped contain the problem.

WE HAVE SOMETHING SPECIAL ON OUR HANDS THAT WE MUST NOW CHERISH AND STRENGTHEN IN TERMS OF COLLABORATIVE EFFORTS [WITH GUATEMALA] AND BUILDING UP MORE LAW-ABIDING COMMUNITIES BASED ON MECHANISMS OF ALTERNATIVE LIVELIHOODS AND ENVIRONMENTAL EDUCATION.

Rafael Manzanero, FCD
Strengthening the participation of local and indigenous communities in the VPA process is a key element of the ACP-FLEGT Support Programme. As such, the Programme backed a call from implementing partner Forêts et Développement Rural (FODER) to organize training sessions on effectively monitoring logging activities. These sessions enabled participants – including community members, staff of the local administration, NGOs and local media – to acquire skills for independently monitoring forests. FODER was instrumental, moreover, in placing representatives from local and indigenous communities in key VPA-implementing roles at the national level. As a result, eight cases of presumed illegality were flagged by local communities, 14 logging concessions were annulled thanks to community efforts to report cases of illegal logging and 1,500 m³ of illegal timber was auctioned off. Above all, this project contributed to the development of an unprecedented collaboration between local communities and national and provincial authorities, which will likely have a sustained effect on the state of local forests.

Rodrigue Ngonzo, FODER

AT THE BEGINNING OF THE PROJECT, FEW PEOPLE BELIEVED IN THE PROSPECT OF COLLABORATION BETWEEN THE NATIONAL FOREST LAW ENFORCEMENT BRIGADE, THE INDEPENDENT OBSERVER, CIVIL SOCIETY AND LOCAL COMMUNITIES IN A FOREST-MONITORING OPERATION. THIS PROJECT MADE THIS UNPRECEDENTED AND DYNAMIC COLLABORATION A REALITY.

Guyana: Supporting the VPA Process

The build-up to VPA negotiations and their eventual conclusion can be a lengthy process, not least because of the importance of fostering stakeholder participation. Nevertheless, the involvement of 136 stakeholder groups in this project implemented by the Guyana Forestry Commission (GFC) proved instrumental in improving understanding and compliance with the country’s Log Export Policy and in the decision made in March 2012 to commence negotiations with the EU on a VPA. Valuable lessons were also learned during a two-day regional knowledge-sharing workshop held under the project for local stakeholder groups. The workshop made it possible, for example, for countries interested in joining, including Suriname, to learn about the process from countries that are advanced in the VPA process – such as Ghana. Programme support was vital in providing a forum for exchanging lessons learned and harnessing stakeholder participation to solicit a broad range of views.

Pradeepa Bholanath, GFC

Guyana is the first country in the Caribbean and in the continent of South America to commence formal negotiations with the EU on a VPA. In a country that has in place existing systems of forest legality and sustainable forest management, the Guyana Forestry Commission views this as a remarkable step in demonstrating how international initiatives such as the FLEGT process can be designed to complement national efforts.

Côte d’Ivoire: Supporting FLEGT-VPA processes

Seventy percent of forest products produced in Côte d’Ivoire are exported to the EU. Recognizing the drastic reduction of forest resources in the country, the Ministère des Eaux et Forêts, with assistance from the ACP-FLEGT Support Programme, organized a series of meetings with various actors to raise awareness on FLEGT and VPA processes, identify the major issues in forest governance in the country, build a national consensus on a VPA and essentially provide a forum to solicit views from stakeholders. These meetings introduced the VPA and FLEGT processes in a language accessible to all stakeholders and culminated in the organization of a national workshop which ultimately led to the Côte d’Ivoire’s decision to formally announce its intention to enter into VPA negotiations with the EU.
**THEME 5: SUPPORTING LOCAL COMMUNITIES**

Ghana: Improving forest governance through community-level participation and community-based forest management systems

Illegal logging can be reduced if community tenure rights are strengthened and incentives provided for enforcing laws. This pilot initiative, carried out by local partner Friends of the Earth–Ghana, provided information and training to community members, community-based organizations and local institutions on forest management, monitoring of forest activities and the VPA process to engineer and encourage participation in curbing illegal logging. Friends of the Earth–Ghana also contributed to improving land tenure through a series of land and social-responsibility agreements, increasing community revenue and social benefits; establishing a multistakeholder platform to garner broader participation in tackling illegal logging and forest issues; and increasing knowledge about and the visibility of FLEGT and VPA processes through 26 radio broadcasts as well as governance forums and awareness modules.

---

**THEME 6: SUPPORTING PRIVATE SECTOR INITIATIVES**

Democratic Republic of the Congo: Support to establishing a transparent, coherent and stable forest tax system

Shortly after the Democratic Republic of the Congo and the EU opened negotiations on a VPA in October 2010, a technical commission was put in place to ensure the participation of all stakeholders in the process. The commission has since decided that “transparent forest taxation” should be a specific indicator in the legality matrix. Given the complexity of the legal framework, implementing partner Fédération des Industriels du Bois (FIB) requested ACP-FLEGT Support Programme assistance to establish a transparent, coherent and stable forest tax system. Activities included:

- establishing a complete nomenclature on forest taxation systems – which helped reduce the number of taxes imposed on timber operators;
- organizing workshops allowing for political mediation and awareness-raising activities;
- developing a guide on forest tax laws;
- carrying out monitoring, evaluation and visibility initiatives. These outcomes are set to facilitate collaboration between the central and provincial administrations and forest enterprises, thereby reducing conflicts.

---

Eric Lartey, Friends of the Earth–Ghana

Francoise Van de Ven, FIB
**THEME 7: DOMESTIC MARKET ISSUES**

**Nigeria: Survey and study on timber flows to identify the extent of illegal logging**

After decades of forest depletion – fuelled by illegal forest activity and agricultural expansion – the viability of logging in Nigeria is in question. Nigeria’s Federal Department of Forestry, the ACP-FLEGT Support Programme’s implementing partner, commissioned two consultants to assess the extent of the challenge. The study estimated that 50–75 percent of logging in the country is illegal – with high domestic and regional demand driving operations. It also demonstrated that most stakeholders are aware of the pervasiveness of forest illegality in Nigeria. A survey of villagers in the Taungya community (Ogun State), for instance, revealed a perception among villagers that illegal logging accounted for at least 75 percent of total logging. There is also widespread belief that high forest taxes are one of the primary drivers behind illegal logging. For the first time in decades, the problem has become a common concern for all stakeholders. The study recommends seizing this opportunity to perform a legal review of antiquated forest laws and taxation systems, harmonizing state and federal forest relationships and exploiting the potential of Nigeria’s remaining forests for REDD+.

---

**Central African Republic: Understanding the socio-economic conditions fuelling the artisanal timber industry**

The lack of information on artisanal timber production and poor regulation in the industry weakens existing wood-tracking mechanisms in the Central African Republic. For this reason, implementing partner Projet d'appui à la Réalisation des plans d’aménagement forestier (PARPAF), in collaboration with the Center for International Forestry Research (CIFOR) and the French research center for agriculture and development, CIRAD, carried out a study on artisanal timber operations on the outskirts of Bangui city, where the industry is developing quickly. It found, for example:

- In 21 of the 24 villages surveyed, village chiefs impose an informal compensation system on loggers: villages receive 50 000–150 000 FCFA per year from loggers to operate, as well as bags of salt and soap and planks of wood.
- 3 of the 37 loggers surveyed obtained legal permission to operate.

These findings illustrate the reach and impact of the artisanal timber industry in the Central African Republic and prompted recommendations for ensuring the sustainability, security and legality of the country’s domestic timber sector.

---

Peter Lowe, FAO Consultant

---
Uganda: Implementing partners WWF and CARE join forces to tackle illegal logging

The extent of illegal logging in Uganda is difficult to quantify, but it is believed to make up more than half of all logging activities taking place in East Africa. To tackle the challenge, which spills beyond Uganda’s borders, WWF and CARE International are working to develop a better understanding of the origins and extent of illegal timber and associated products and the management systems operating in the country. Implementing partner WWF has focused largely on regional and international markets, assessing the movement of timber from the Democratic Republic of the Congo through Uganda and South Sudan and the trans-shipment routes through Uganda to Kenya and other destinations. The WWF study found that more than 80 percent of timber in Uganda’s domestic market is likely from illegal sources, resulting in up to USD 87 million in lost state revenue per year. Implementing partner CARE International conducted a similar study on the illegal harvest of and trade in timber and charcoal, which helped fill existing knowledge gaps. Both studies revealed a lack of coordination among forest management agencies, a lack of transparency and a breakdown of regulatory mechanisms.

WWF and CARE International recommend a number of actions to challenge the illegal timber trade, including revising existing systems, processes and regulations for harvesting timber; revisiting public procurement policies and regulations to exclude illegal timber; generating information on timber resources and trade and increasing transparency by making this knowledge publicly accessible; supporting the sustainable financing of the sector; improving chain of custody systems; and supporting private companies and timber-using industries to seek forest certification.

THEME 8: REGIONAL MARKET ISSUES

LINKING COMMUNITY PARTICIPATION TO FOREST BENEFITS HAS PROVED TO BE AN EFFECTIVE MEANS TO INCENTIVIZE COMMUNITIES TO MONITOR AND REPORT ILLEGAL ACTIVITIES.

Edith Kabesiime, CARE International

The extent of illegal logging in Uganda is difficult to quantify, but it is believed to make up more than half of all logging activities taking place in East Africa. To tackle the challenge, which spills beyond Uganda’s borders, WWF and CARE International are working to develop a better understanding of the origins and extent of illegal timber and associated products and the management systems operating in the country. Implementing partner WWF has focused largely on regional and international markets, assessing the movement of timber from the Democratic Republic of the Congo through Uganda and South Sudan and the trans-shipment routes through Uganda to Kenya and other destinations. The WWF study found that more than 80 percent of timber in Uganda’s domestic market is likely from illegal sources, resulting in up to USD 87 million in lost state revenue per year. Implementing partner CARE International conducted a similar study on the illegal harvest of and trade in timber and charcoal, which helped fill existing knowledge gaps. Both studies revealed a lack of coordination among forest management agencies, a lack of transparency and a breakdown of regulatory mechanisms.

WWF and CARE International recommend a number of actions to challenge the illegal timber trade, including revising existing systems, processes and regulations for harvesting timber; revisiting public procurement policies and regulations to exclude illegal timber; generating information on timber resources and trade and increasing transparency by making this knowledge publicly accessible; supporting the sustainable financing of the sector; improving chain of custody systems; and supporting private companies and timber-using industries to seek forest certification.


After four years of providing support to many countries in the ACP region, it is time to scale up. On 1 May 2012, FAO, with continued funding from the EU, embarked on the EU FAO FLEGT Programme, a follow-on programme to the ACP-FLEGT Support Programme spanning to 30 April 2016. The Programme fundamentally aims to scale up “what has worked” by continuing its activities in Africa, the Caribbean and the Pacific and expanding its reach to Latin America and Asia.

The new programme has two components: project support in eligible countries – which entails providing assistance to local stakeholder groups in developing countries to put the FLEGT Action Plan into practice; and information services – which aims to increase the availability of FLEGT-related information, knowledge and experiences among local stakeholder groups by supporting actions to improve understanding of the FLEGT Action Plan and the FLEGT process more generally.

Photo credits:
- Martin Asiimwe
- Marc Vandenhaute
- TFT/E. Parker/CIB
- Bernard Marbuti
- Philippe Jeannart
- Rafael Nambere
- Rodrigue Ngoma
- Eric Lartey
- Peter Lowe
- Olman Serrano
For further information, please contact:

**EU FAO FLEGT Programme**

Food and Agriculture Organization of the United Nations

Viale delle Terme di Caracalla

00153 Rome, Italy

E-mail: EU-FLEGT-Info@fao.org

Website:www.fao.org/forestry/eu-flegt/en/