

Experts say draft haze Bill won't solve issue in long term

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Singapore's draft Transboundary Haze Pollution Bill may send a strong signal of the country's determination to tackle the haze problem but it will not solve the issue in a long-term, sustainable manner, experts said on Friday.

SINGAPORE: Singapore's draft Transboundary Haze Pollution Bill is a strong signal of the country's determination to tackle the haze problem.

But it will not solve the issue in a long-term, sustainable manner, and what is needed is constant engagement of Indonesian authorities at various levels of government, experts said on Friday on the sidelines of an international law conference on transboundary pollution.

The draft Bill is currently undergoing a month-long public consultation process, and when passed, will give the government power to take legal action against companies whose actions caused fires that resulted in transboundary haze.

This includes a fine of up to S\$450,000 if companies repeatedly ignore requests from authorities to take action to prevent or reduce haze pollution.

It will target companies based in Singapore as well as overseas.

The Bill is challenging to enforce, but one of the things that cropped up during the conference was that it also contains powerful presumptions, and that civil actions can be taken against errant companies by industries -- such as aviation, tourism and construction -- if they can prove they have suffered serious economic consequences.

Experts said this is not something companies should take lightly, and told Channel NewsAsia the presumptions put the burden of proof on companies to provide a rebuttal through their own land maps, for example.

While the Bill may also prompt Indonesia to take more urgent action, some experts like Professor Alan Tan who spoke at the two-day conference in Singapore said transboundary haze is a complex issue.

Apart from geopolitical sensitivities between countries, the burning typically takes place on large plantations -- some of them 33 times the size of Singapore.

Prof Tan, head of air law & policy programme at the Centre for International Law, said: "It's not a problem that can be easily resolved by taking action against a company or two.

“What is needed at the same time, and they have to be complementary efforts, is the constant engagement of the Indonesian authorities; and I emphasise, not just the central government in Indonesia, but the local governments on the ground to have better enforcement.”

Indonesia is the only ASEAN member state which has yet to sign the ASEAN Agreement on Transboundary Haze Pollution, and according to one expert, Indonesia is unlikely to sign this under the current administration, before the upcoming general election.

Senior adviser on justice and environmental governance at the Partnership for Governance Reform in Indonesia, Dr Laode M Syarif, said it is critical to engage Indonesia's Parliament, which will ultimately approve the ratification.

But he added that it is also time for a broader approach.

Dr Syarif said: "We have things like Parliament Caucus between ASEAN countries, where they can do special sessions on the environment in general, not just on the haze so that the Indonesian government is not put on the spot.

"Just talk about, for example, forest management, local people empowerment, protection of our flora and fauna, because it will result in the mitigation of forest fires."

Observers said the eventual ratification of the Agreement will be useful, as it could facilitate the financing of projects to tackle the haze problem through a seed fund of US\$500,000 pledged by ASEAN countries.

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