

2016–2025 WORK PLAN FOR FOREST LAW ENFORCEMENT AND GOVERNANCE (FLEG) IN ASEAN

Adopted in Singapore, on 6 October 2016

1.0 INTRODUCTION

- 1.1 Forest Law Enforcement and Governance (FLEG) has emerged as a major policy response by national governments and international organisations seeking to promote sustainable forest management practices. It is also being promoted as a means to arrest forest loss and illegal forest activities, such as illegal forest harvesting; provide a more viable platform for sustainable forest management; capture loss of forest revenues for the government and thus benefit the poor through higher government expenditure; and improved benefit sharing with communities, especially the indigenous people, forest dwellers and forest-dependent communities. In recent years, FLEG has also gained prominence as the roles played by forests in both mitigation and adaptation to climate change are increasing being recognised.
- 1.2 In ASEAN, forests are key resources for its people as a well-managed forest is capable of providing simultaneously a variety of benefits including economic, social and cultural benefits, as well as environmental services. It will provide a means to eradicate poverty, reduce the amount of deforestation and loss of biological diversity, restore land resources and reduce degradation, enhance food security, and increase access to safe drinking water and affordable energy.
- 1.3 The lack of effective FLEG implementation in ASEAN, especially in curbing illegal logging, has far-reaching environmental, social and economic consequences. They included the depletion of forests and with it the loss of wildlife habitats and forest ecosystem services, such as biological diversity and the beneficial uses of watershed, as well as the ability of forest lands to absorb carbon emissions in the context of mitigating climate change.
- 1.4 In recent years, several ASEAN Member States (AMS) have invested into the development of national systems that verify and document timber legality, and have worked with international market partners such as the European Union (EU), the United States of America (USA) and Australia on recognition of these systems for trade in legal timber.
- 1.5 The year 2007 was a political landmark in ASEAN co-operation in forestry, especially in addressing forest law enforcement and improving forest governance. The issuance of the ASEAN Statement on Strengthening Forest Law Enforcement and Governance (FLEG) on 1st. November 2007 by the 29th. Meeting of the ASEAN Ministers on Agriculture and Forestry (AMAF) had reaffirmed the region's commitment to improve forest law enforcement and governance. The Statement also paved the way to take action to address illegal logging and its associated trade issues in ASEAN in collaboration with regional partners and international organisations.
- 1.6 ASEAN co-operation in FLEG was further strengthened with the adoption by the Heads of State/Government of ASEAN of the ASEAN Declaration on Environmental Sustainability on 20th. November 2007 at the 13th. ASEAN Summit held in Singapore which committed AMS to “strengthening law enforcement, promoting environmentally sustainable practices, as well as combating illegal logging and associated illegal trade”.

- 1.7 ASEAN's common position on Environmental Sustainability also received impetus as the leaders of ASEAN, Australia, China, India, Japan, South Korea and New Zealand in their Third East Asia Summit on 21st. November 2007 signed the Singapore Declaration on Climate Change, Energy and the Environment, which called to "reduce deforestation, forest degradation and forest fires, including by promoting sustainable forest management, combating illegal logging, protecting biodiversity, and addressing the underlying economic and social drivers" through, among others, "strengthening forest law enforcement and governance to combat illegal logging and other harmful practices".
- 1.8 The ASEAN Economic Community Blueprint of 2007, among others, underscored the need for ASEAN to "strengthen efforts to combat illegal logging and its associated trade, forest fire and its resultant effects", in its efforts to address enhanced intra- and extra-ASEAN trade and competitiveness of ASEAN forestry products that are sourced legally and from sustainably managed forests.
- 1.9 In addition, the Kuala Lumpur Declaration in Combating Transnational Crime issued on 30th. September 2015 by the 10th. ASEAN Ministerial Meeting on Transnational Crime (AMMTC) held in Kuala Lumpur, Malaysia, has also endorsed illicit trafficking of timber as a new area of transnational crime under its purview. It further recognises the need to "consider the formulation of regional legal instruments and harmonisation of relevant national policies, laws and regulations among ASEAN Member States to further strengthen regional efforts to combat transnational crimes". This was duly recognised in the ASEAN Political-Security Community (APSC) Blueprint 2025 that was adopted on the occasion of the 27th. ASEAN Summit that was held in Kuala Lumpur, Malaysia, from 21-22 November 2015.
- 1.10 The APSC Blueprint 2025 has also identified a number of key elements needed to combat the trafficking of wildlife and timber, among others, to strengthen the capacity of law enforcement officials and the criminal justice system; enhance co-operation and collaboration with all stakeholders; and to convene special meetings, as and when necessary, at Senior Officials' level to address challenges of transboundary trafficking of wildlife and timber.

2.0 WORK PLAN

- 2.1 The Work Plan for Forest Law Enforcement and Governance (FLEG) in ASEAN, 2016-2025, will provide the basis for deepening co-operation and implementing joint actions among AMS in strengthening FLEG implementation in the region. It is prepared based on the Strategic Plan of Action for ASEAN Co-operation in Forestry, 2016-2025, as well as taking into account the status of implementation of the "Work Plan for Strengthening Forest Law Enforcement and Governance (FLEG) in ASEAN, 2008-2015" which was adopted by the 11th. ASEAN Senior Officials on Forestry (ASOF) Meeting that was held in August 2008, Kuala Lumpur, Malaysia, and endorsed by the 30th. AMAF Meeting which was held in Hanoi, Viet Nam in October the same year. The effective implementation of the Work Plan for Forest Law Enforcement and Governance (FLEG) in ASEAN, 2016-2025, would contribute to realising the five Strategic Thrusts of the Strategic Plan of Action for ASEAN Co-operation in Forestry, 2016-2025.
- 2.2 The overall goal and objective of FLEG implementation is the attainment of sustainable forest management for enhancing the international competitiveness of ASEAN's forestry products that meet international requirements and which is consistent with sustainable forest management practices, including conservation and protection, and contributes to the poverty reduction in the region. To achieve them, the four Strategic Thrusts of the Work Plan for Forest Law Enforcement and Governance (FLEG) in ASEAN, 2016-2025, are as follows:

- (i) Strategic Thrust 1 - Enhancing Sustainable Forest Management;
- (ii) Strategic Thrust 2 - Enhancing Trade Facilitation, Economic Integration and Market Access;
- (iii) Strategic Thrust 3 - Strengthening ASEAN's Joint Approaches on Regional and International Issues Affecting the Forestry Sector; and
- (iv) Strategic Thrust 4 - Institutional Strengthening and Human Resources Development.

2.3 In this context, the Work Plan for Forest Law Enforcement and Governance (FLEG) in ASEAN, 2016-2025, comprises 4 Strategic Thrusts, 6 Action Programmes and 35 Activities as in the attached Annex. Under Strategic Thrust 1 - Enhancing Sustainable Forest Management, it has one Action Programme with 6 Activities, while under Strategic Thrust 2 - Enhancing Trade Facilitation, Economic Integration and Market Access, it also has one Action Programme with 11 Activities. For Strategic Thrust 3 - Strengthening ASEAN's Joint Approaches on Regional and International Issues Affecting the Forestry Sector, it has two Action Programmes and 8 Activities, and for Strategic Thrust 4 - Institutional Strengthening and Human Resources Development, it also has two Action Programmes and 10 Activities.

2.4 Key Performance Indicators (KPIs) were also formulated for each Activity as well as responsible parties and the timeline indicated for realising the expected results over the planned period from 2016 to 2025.

3.0. IMPLEMENTATION ARRANGEMENTS

3.1 ASOF will have the overall responsibility in the supervision, coordination and implementation of the Work Plan for Forest Law Enforcement and Governance (FLEG) in ASEAN, 2016-2025, with the following specific responsibilities:

- (i) undertake all measures for its implementation, including determining priorities, carrying out periodic reviews, and the approval of the necessary co-operation programmes, projects and activities;
- (ii) serve as the principal coordinating body to address all issues relating to its implementation;
- (iii) identify financial support and assistance, as well as relevant technologies from within and outside ASEAN, to include but not limited to the private sector, the ASEAN Dialogue Partners and relevant international and regional organisations; and
- (iv) report on the implementation progress to AMAF at their annual meetings.

3.2 AMS are encouraged to collectively implement the activities; however, should there be Member State willing not to participate in a specific activity it will apply "ASEAN minus X formula" as enshrined in the ASEAN Charter, which means that with the participation of at least two Member States an activity would be implemented. The designation of country coordinators for specific activities would be subject to mutual agreement by ASOF.

3.3 The participation of relevant private sector, civil society organisations, ASEAN Dialogue Partners and international and regional organisations would be encouraged in the implementation of the Work Plan for Forest Law Enforcement and Governance (FLEG) in ASEAN, 2016-2025.

3.4 The relevant subsidiary bodies of ASOF will serve as the main ASOF's implementing arms in their respective area of work. They will convene their respective meetings, as deemed necessary, to determine the priorities and implementing arrangements, and prepare the necessary project proposals/documents.

- 3.5 The ASEAN Secretariat will assist ASOF and its subsidiary bodies in carrying out the above responsibilities, including technical support and assistance in the supervision, coordination and review of the activities, as well as undertake resource mobilisation activities for securing potential funding support for implementing the activities. The ASEAN Secretariat will also prepare regular implementation progress reports for submission to ASOF/ AMAF meetings.
- 3.6 MAF would provide the issues and concerns of common interest and set policy directions for the effective implementation of the Work Plan for Forest Law Enforcement and Governance (FLEG) in ASEAN, 2016-2025.