

# CONTROLLING TIMBER IMPORTS INTO THE EU

JOINT NGO STATEMENT



This statement outlines what we, the undersigned NGOs, believe must be done at EU level, as part of the EU process on Forest Law Enforcement, Governance and Trade (FLEGT) to address the import of illegally sourced timber in the EU and the illegal practices of the EU timber industry.

Although this statement focuses on illegal logging, we would like to state that legal and illegal logging are often closely linked and that legal logging can be highly destructive. The illegal aspect of the current timber trade is only part of the wider problem of a timber industry that has largely been unable to regulate itself and is destroying forests and peoples' livelihoods on a grand scale. Actions addressing the illegality of operations can therefore not be seen as separate from actions addressing the wider issue of destructive logging practices. It is ultimately the issue of forest sustainability that needs to be addressed. As many forestry legal regimes permit or even encourage corporate malpractice and deny the rights of forest dependent peoples, it is vital that FLEGT initiatives do not reinforce inappropriate laws.



## INTRODUCTION

As one of the largest importers of illegally sourced timber and forest products, and with European timber companies heavily implicated in this trade, the European Union has the power and the duty to curtail these activities. In international fora, the EU and its member states have repeatedly committed themselves to stop the illegal exploitation and trade in timber and wood products, and contribute to sustainable forest management.

In the Action Plan released in May 2003, the European Commission sets out an approach which consists of linking measures to stop illegal logging in timber producing countries with a voluntary licensing scheme to ensure only legal timber is imported into the EU. The licensing scheme will be set up via voluntary partnerships with producer countries. The European Commission will also review options for additional legislation to control imports of illegally harvested timber into the EU.

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*We urge the EU, as a matter of priority, to:*

## 1 ADOPT NEW LEGISLATION TO OUTLAW IMPORTS OF ALL ILLEGALLY SOURCED TIMBER AND FOREST PRODUCTS INTO THE EU

For the FLEGT action plan to be successful, we believe it cannot be restricted to voluntary mechanisms alone. We therefore call on the European Union to develop and adopt new legislation to outlaw imports of all illegally sourced timber and forest products, regardless of the country of origin.

This legislation must give EU enforcement officials the legal means to seize illegally sourced timber, and prosecute European companies and individuals responsible for this trade. It must also allow common interest groups to bring cases and participate as third parties.

By doing so, the EU would support the voluntary process, share the burden of responsibility for illegal practices with producer countries and close the European market to illegal products.

## 2 BUILD SUPPORT FOR THE VOLUNTARY PARTNERSHIP AGREEMENTS

Bilateral and regional approaches are a key step in the fight against illegal logging. The negotiations of these agreements must bring together all interested parties in producer and consumer countries for developing solutions and promoting responsible forest management.

To be effective and legitimate, we believe that these partnership agreements, must be:

- developed through mechanisms of broad engagement with civil society organisations and favourable towards community forestry.
- aimed at creating public accountability and transparency in the management of natural resources;
- based on a proper assessment of all partnership country's national forest and related laws (including environmental laws, human rights laws, land tenure laws and others);

These demands are fully in line with the demands of the EU Council<sup>1</sup>. Only once there is agreement in the producer country on the process and subsequently on what constitutes illegal timber, can an effective licensing system, identifying legal timber, be set up.

## 3 REVIEW AND GREEN THE EXISTING NATIONAL AND EUROPEAN LEGISLATION

While awaiting the implementation and enforcement of the measures above, we recommend the European Governments take immediate action at the national level to review and amend existing national legislation:

- EU member states and EU institutions must develop guidelines to procure legal goods and promote responsible forest management.
- EU member states must amend national and EU money laundering legislation so as to include environmental crime, such as illegal logging and illegal timber trade;
- EU member states must work to include more timber species on the CITES appendices and EU Regulation 338/97, as well as encourage producer countries to list more timber species under Appendix III of CITES.
- EU member states must provide sufficient resources for customs authorities. At the European level a task force on environmental crime should be created. This should include all competent experts and departments working together at national level and coordinating under Europol and Eurojust.
- Many European based companies are heavily involved in the trade in illegally sourced timber and many European financial institutions involved in financing it. The EU must therefore, as a first step, take urgent action to ensure that no EU taxpayers money is being used to subsidise illegal logging, and, as a second step, draw up binding standards for financial institutions, such as export credit agencies and private and public banks.

## THE UNDERSIGNED NGOS URGE YOU TO SUPPORT THE ACTIONS STATED ABOVE

**If the European Union fails to take immediate action to shut down the market for illegal timber and to actively promote forestry reform and responsible forest management, illegal and destructive logging will continue, destroying the forests and the livelihoods of the people who depend on them.**

<sup>1</sup> Council of the European Union (2003), Communication from the Commission to the Council and the European Parliament on Forest Law Enforcement, Governance and Trade (FLEGT): Proposal for an EU Action Plan.



## ORGANISATIONS :

- 1) 11.11.11, Coalition of the Flemish North South Movement, Belgium
- 2) Agir Ici, France
- 3) AMAN (Aliansi Masyarakat Adat Nusantara), Jakarta, Indonesia
- 4) Amici della Terra (FOE Italy), Italy
- 5) Amis de la Terre France, France
- 6) ARA, Germany
- 7) Asia Pacific Unit, Australian Conservation Foundation, Australia
- 8) Bandung Environment Action Collective (Gerombolan Aksi Lingkungan Bandung), West Java, Indonesia
- 9) Baruga Bina Bangsa, South Sulawesi, Indonesia
- 10) BEBSiC, East Kalimantan, Indonesia
- 11) Berggorilla & Regenwald Direkthilfe, Germany
- 12) Betang Borneo Foundation, Central Kalimantan, Indonesia
- 13) Bioma Foundation, East Kalimantan, Indonesia,
- 14) Birdlife Sweden, Sweden
- 15) Birds Head NGO Coalition (Koalisi LSM Kepala Burung), West Papua, Indonesia
- 16) BOCS Foundation, Hungary
- 17) Borneo Resources Institutue (BRIMAS), Sarawak, Malaysia
- 18) Brasilieninitiative Freiburg e.V., Germany
- 19) BREN,
- 20) Cakrawala Hijau Foundation Indonesia, South Kalimantan, Indonesia
- 21) CAPPa, Jambi, Indonesia
- 22) Central and East European Working Group for the Enhancement of Biodiversity, Hungary
- 23) Centre for Orang Asli Concerns, Malaysia
- 24) Centre for the Study of Law and Regional Autonomy Regulation (PSHK ODA - Pusat Studi Hukum & Kebijakan Otonomi Daerah), Jambi, Indonesia
- 25) Citra Bina Mandiri Foundation, Jambi, Indonesia
- 26) Clean Air Action Group, Hungary
- 27) Conservation International Indonesia, West Papua, Indonesia
- 28) Conservation Melanesia Inc., Papua New Guinea
- 29) Die VERBRAUCHER INITIATIVE e. V., Germany
- 30) Down to Earth, UK
- 31) Drava Federation, Hungary
- 32) Earthlink, Germany
- 33) East Kalimantan Mining Advocacy Network (Jatam), East Kalimantan, Indonesia
- 34) Eco Papua Raja Ampat, West Papua, Indonesia
- 35) ELF, Estonian Fund for Nature, Estonia
- 36) Energy Klub, Hungary
- 37) Environment and Nature Conservation (Konservasi Alam dan Lingkungan Hidup- KALi), North Sumatra, Indonesia
- 38) Environmental Investigation Agency (EIA),
- 39) Evergreen Indonesia, Central Sulawesi, Indonesia,
- 40) Estonian Green Movement, Estonia
- 41) Fauna Association, Hungary
- 42) FERN, Brussels
- 43) Finnish Association for Nature Conservation (FANC), Finland
- 44) Finnish ECA Reform Campaign, Finland
- 45) Finnish Nature League, Finland
- 46) FORCERT - Forest Management & Product Certification Service, Papua New Guinea
- 47) Forest Monitor, UK
- 48) Forest Peoples Programme, UK
- 49) Forum ökologie & papier, Germany
- 50) Friends of the Earth Finland,
- 51) Friends of the Earth Netherlands
- 52) Friends of the Earth Sweden
- 53) Friends of Siberian Forests (Russia)
- 54) Gate Green Club, Hungary
- 55) Gesellschaft für ökologische Forschung, Germany
- 56) Global Witness Cambodia, Cambodia
- 57) Göncöl Alliance, Hungary
- 58) Green Circle of Pécs, Hungary
- 59) Green Source Environmental Organisation, Hungary
- 60) Greenglobe Sport Club, Hungary
- 61) Greenpeace International
- 62) Groenhart, Belgium
- 63) HIMBA Conservation Study Group (Kelompok Studi Konservasi HIMBA), South Sumatra, Indonesia
- 64) HuMuSz Waste Reduction Alliance, Hungary
- 65) Hungarian Environmental Partnership Foundation, Hungary
- 66) ICCO (Interchurch Organisation for Development Co-operation), the Netherlands
- 67) Independent Ecological Center, Hungary
- 68) Indonesian Ecolabel Foundation (Lembaga Ekolabel Indonesia), West Java, Indonesia
- 69) Indonesian Non-Partisan Community (Komunitas Non Partisan Indonesia), South Sulawesi, Indonesia
- 70) INSAN (Saijaan Fishermans Network - Ikatan Nelayan Saijaan), South Kalimantan, Indonesia
- 71) Insist (Indonesian Society for Social Transformation), Central Java, Indonesia
- 72) JARI Kaltim, East Kalimantan, Indonesia
- 73) Jaringan Investigasi Sawit (Jais), Jambi, Indonesia
- 74) Jikalahari - Riau Forest Protection Network, Riau, Indonesia
- 75) JKPP - Participatory Mapping Network Indonesia (Jaringan Kerja Pemetaan Partisipatif), West Java, Indonesia
- 76) Kaliptra Sumatera, Riau, Indonesia
- 77) Kelompok Pecinta Alam Jelajah, Riau, Indonesia
- 78) Kerekerd\_ Foundation, Hungary
- 79) KKO (Komunitas Kaos Oblong), West Java, Indonesia
- 80) Klima-Bündnis der europäischen Städte mit indigenen Völkern der Regenwälder, Germany
- 81) KLOP - Komunitas Lokal Pinggiran, South Sulawesi, Indonesia
- 82) KoBra Kooperation Brasilien e.V., Germany
- 83) Kritische ökologie/ifak e.V., Germany
- 84) Kwia, Flemish Support Group for Indigenous Peoples, Belgium
- 85) Lanius Association for Nature Conservation, Hungary
- 86) LAPAR Makassar, South Sulawesi, Indonesia
- 87) Legal Aid Institute (LBH) Semarang, Central Java, Indonesia
- 88) Lembaga Investigasi Konflik Agraria (Agrarian Conflict Investigation Agency), West Sulawesi, Indonesia
- 89) Lesman, East Java, Indonesia
- 90) Lithuanian Fund for Nature, Lithuania
- 91) LPMA - Organisation for Indigenous Peoples Empowerment (Lembaga Pemberdayaan Masyarakat Adat), South Kalimantan, Indonesia
- 92) Madani Foundation, South Sulawesi, Indonesia



- 93) Makassar Organic Agriculture Network (Mitra Pertanian Organik Makassar), South Sulawesi, Indonesia
- 94) NABU Naturschutzbund (Birdlife Germany), Germany
- 95) National Federation of Women's Institutes, UK
- 96) National Society for Nature Conservation, Hungary
- 97) Nepenthes, Denmark
- 98) NIMFEA Environment and Nature Conservation Association, Hungary
- 99) Oxfam GB
- 100) PADI - Bioagriculture and Social Movement, East Kalimantan, Indonesia
- 101) PAHAT - Al-Husainy Tosora Centre, South Sulawesi, Indonesia
- 102) Pangea Cultural and Environmental Association, Hungary
- 103) Partners of Community Organisation (PACOS), Sabah, Malaysia
- 104) Partners with Melanesia, Boroko, Papua New Guinea
- 105) Partnership for Riau Spatial Planning, Riau, Indonesia
- 106) Peduli Indonesia, East Java, Indonesia
- 107) Pinang Sebatang Foundation (Yayasan Pinang Sebatang), Jambi, Indonesia
- 108) People's Justice Foundation, Jambi, Indonesia
- 109) POKJA PA PSDA - Working Group for Agrarian Reform of Natural Resource Development, Jakarta, Indonesia
- 110) POKJA 30 - Badan Pekerja Forum Himpunan Pokja 30, East Kalimantan, Indonesia
- 111) Pro Regenwald, Germany
- 112) Protect the Future Society, Hungary
- 113) Putih Foundation (Yayasan Putih), East Kalimantan, Indonesia
- 114) RACA Institute, Jakarta, Indonesia
- 115) Rainforest Concern, UK
- 116) Regenwald-Institut e.V., Germany
- 117) REM, UK
- 118) Research and Conservation Foundation of Papua New Guinea (RCF), Papua New Guinea
- 119) Rettet den Regenwald e. V., Germany
- 120) Riau Advocacy Group, Riau, Indonesia
- 121) Robin Wood e.v., Bereich Tropenwald, Germany
- 122) RSPB (UK BirdLife International Partner), UK
- 123) Safier, Belgium
- 124) Sawitwatch Indonesia, Bogor, Indonesia
- 125) Sibecocentrem Russia,
- 126) Somogy Natural Heritage Foundation, Hungary
- 127) SPOK Russia,
- 128) Stiftung Artenschutz, Germany
- 129) Studio KENDIL, West Java, Indonesia
- 130) Sumatra Ecotourism Foundation (Yayasan Ekowisata Sumatra), North Sumatra, Indonesia
- 131) SUMPIT Community, South Kalimantan, Indonesia
- 132) Survie, France
- 133) Swami Foundation, South East Sulawesi, Indonesia
- 134) Swedish Society for Nature Conservation, Sweden
- 135) Tenkile Conservation Alliance, East Sepik Province, Papua New Guinea
- 136) The Ecoforestry Forum, Boroko, Papua New Guinea
- 137) The NGO Forum on Cambodia, Phnom Penh, Cambodia
- 138) The Woodland Trust, UK
- 139) urgewald, Germany
- 140) VBV (Organisation for forests in Flanders), Belgium
- 141) Vétérinaires Sans Frontières – Cicda, France
- 142) VODO - Flemish Platform on Sustainable Development, Belgium
- 143) Wahanaliar foundation, West Sumatra, Indonesia
- 144) Walhi (Friends of the Earth Indonesia), Jakarta, Indonesia
- 145) Walhi Central Kalimantan, Central Kalimantan, Indonesia
- 146) Walhi Central Sulawesi, Central Sulawesi, Indonesia
- 147) Walhi East Kalimantan, East Kalimantan, Indonesia
- 148) Walhi Riau, Sumatra, Indonesia
- 149) Walhi South East Sulawesi, South East Sulawesi, Indonesia
- 150) Walhi South Kalimantan, South Kalimantan, Indonesia
- 151) Walhi South Sulawesi, South Sulawesi, Indonesia
- 152) Walhi West Java, West Java, Indonesia
- 153) Walhi West Sumatra, West Sumatra, Indonesia
- 154) Watch Indonesia!, Germany
- 155) Westfälische Gesellschaft für Artenschutz e. V., Germany
- 156) Women's Environmental Network, UK
- 157) Working Group on Women and Mining (Tim Kerja Perempuan dan Tambang – TKPT), East Kalimantan, Indonesia
- 158) Worldforests, Scotland
- 159) WWF International
- 160) Yayasan Merah Putih Palu, Central Sulawesi, Indonesia
- 161) YDT – Tempe Lake Foundation (Yayasan Danau Tempe), South Sulawesi, Indonesia,
- 162) YKL Indonesia (Indonesian-Marine Conservation Foundation - Yayasan Konservasi Laut Indonesia), Indonesia
- 163) Youth Conservationist Association of Hajduboszormeny, Hungary
- 164) YSBB - Sejahtera Bina Bangsa Foundation, South Sulawesi, Indonesia
- 165) Zoologische Gesellschaft für Arten- und Populationsschutz, Germany

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- 8) Supardi La Saming, Central Sulawesi, Indonesia
- 9) Harun, Central Sulawesi, Indonesia
- 10) Soleman, Central Sulawesi, Indonesia
- 11) Anto, South Sulawesi, Indonesia
- 12) Muammar Kadhafi, South East Sulawesi, Indonesia
- 13) Yoga Sofyar, East Kalimantan, Indonesia
- 14) Ihlas Muhammad, South East Sulawesi, Indonesia
- 15) Alvin Hidayat, Indonesia, Indonesia
- 16) Yuyun Indradi, Jakarta, Indonesia
- 17) Rukaiyah Rofiq, Jambi, Indonesia
- 18) Hasjrul Junaid, Jakarta, Indonesia
- 19) M. Teguh Surya, Riau, Indonesia
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- 21) Didin Suryadin, Jakarta, Indonesia
- 22) A. Wijayanto, West Papua, Indonesia