

St. Petersburg Declaration



FLEG

Forest Law Enforcement & Governance

2005



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We, the representatives of the
Governments From Europe and North
Asia (ENA region countries) and From
other participating countries as well as
the European Commission present at the
Ministerial Conference on Forest Law
Enforcement and Governance in
St. Petersburg, are...

- 1 Underlining that countries are responsible for sustainably managing their forests and enforcing their forest laws and that good governance and law enforcement are prerequisites of sustainable forest management;
- 2 Further underlining that, while taking into account their international obligations, all countries have the sovereign right to manage and utilize their forest resources to meet their national policy objectives, and that forest law enforcement and governance are internal matters for each country;
- 3 Recognizing that forest law enforcement and governance issues have local, national, transboundary, regional and global implications;
- 4 Convinced that all countries that export and import forest products, including timber and timber products, have a shared responsibility to undertake actions to eliminate the illegal harvesting of forest resources and associated trade;
- 5 Emphasizing that within the Region, forest law enforcement and governance is a cross-sectoral, complex as well as an economically, environmentally, socially and politically sensitive issue, requiring effective cooperation amongst many government agencies and other stakeholders;





- 6 Recognizing that the forests of the ENA-Region, comprising more than one-third of global forest cover, are of global importance and constitute a significant component of the Regional and global life support systems;
- 7 Deeply aware that in this Region, forests are directly as well as indirectly critical to the livelihoods of hundreds of millions of people, provide long-term economic, social, cultural and environmental benefits, and play a vital role in meeting the energy needs of local populations;
- 8 Conscious that good governance fosters a positive business investment climate for social and economic development and responsible private sector actors;
- 9 Emphasizing the fundamental role of governments to provide effective governance, including laws, policies and institutional capacity to enforce those laws, in order to eliminate illegal logging, associated trade and corruption in the forest sector;
- 10 Deeply concerned that crime related to forests is a significant problem in many countries in the Region, undermining efforts towards sustainable forest management;
- 11 Recognizing that the scale of illegal logging activities ranges from unauthorized extraction of fuel wood by the rural population to illegal commercial timber harvesting operations to supply domestic and international markets;

12 Further recognizing that the unauthorized extraction of fuel wood in some countries in the Region, especially by the rural poor, is often related to lack of adequate social and economic provisions or lack of access to appropriate resources and over regulation in a situation where the rural people have little or no alternative sources of affordable energy;

13 Profoundly concerned about criminal actions, including corruption within and impacting on the forest sector, that are having significant negative impacts including: a general weakening of the rule of law; loss of revenue to governments and the private sector and local livelihoods; the degradation of forest ecosystems, biodiversity and wildlife habitat, including in protected areas; and increased incidence of forest fires and loss of carbon stocks;

14 Noting that illegal forest-related activities also impact negatively on the contribution of forests towards the fulfillment of internationally agreed development goals aimed at enhancing human well-being by reducing poverty;

15 Conscious of the development of market economies, changes in energy supply arrangements and the changing role of public and private sectors in many countries in the Region that bring new challenges for institutions responsible for forest management and often require a review and adjustment of their policy, legal and institutional frameworks;





- 16** Considering that effective forest law enforcement requires that information on forest management, policies and legislation, and their implementation, be readily available and communicated to the public;
- 17** Aware that many countries in the Region have inadequate capacity to enforce their existing forest laws and forest policies and face a challenge to review and update their present legislation and strengthen their institutions and administrative systems which allocate forest resources and monitor and control their utilization;
- 18** Convinced of the urgent need to secure high-level political commitment and support which is critical to combat illegal logging, associated trade and corruption in the Region and trade beyond the Region;
- 19** And further convinced that cooperation among countries between their judicial, law enforcement, forest, trade, customs and development authorities, is essential to strengthen the effectiveness of forest law enforcement and governance in the Region;
- 20** Underscoring the urgent need by countries to undertake collective actions to combat illegal logging, associated trade and corruption;

- 21 Recognizing opportunities for significant synergies of the ENA FLEG process with other regional FLEG processes and with international forest-related institutions and forest policy processes;
- 22 Conscious of the critical contribution that the private sector and civil society can make to address the FLEG-related issues;



Hereby affirm and declare that we will:

Nationally, within the ENA region

- 1 Mobilize high-level political commitment and establish Forest Law Enforcement and Governance (FLEG) as an area of concern within the broader national governance and development agenda;
- 2 Review and as needed update forest legislation and regulations, ensuring their coherence and harmonize these with legislation and policy in natural resource management and with relevant obligations under international agreements;
- 3 Strengthen, as needed, inter-agency cooperation as well as human and institutional capacity, particularly among law enforcement and judicial authorities to enforce forest-related legislation;
- 4 Assess, identify and develop strategies to address the underlying causes of illegal logging, associated trade and corruption, the unauthorized extraction of wood for local consumption as well as the unauthorized exploitation of protected forest areas, threatening biodiversity;



5 Formulate, within a reasonable timeframe, concrete actions under clearly defined targets, including monitoring of progress in implementation, e.g. by taking into account the recommendations of this Ministerial Declaration and annexed indicative list of actions in the national forest programmes or equivalent frameworks;



6 Recognize the rights of forest dependent communities by taking into consideration customary laws and practices, and the respect of their traditional knowledge, and encourage and promote the participation of indigenous people and the local population in the management of forests with the objective of providing for rural socio-economic and cultural development and the protection of their natural resources;

7 Engage stakeholders, including indigenous people, local communities, private forest owners, NGOs and the industry, in formulation of forest laws and policies and in their implementation through an open and participatory process, thereby promoting transparency, reducing corruption, facilitating equity and minimizing undue influence of privileged groups;

8 Develop and implement anti-corruption tools dealing with corruption in and impacting on the forest sector in line with general anti-corruption efforts, including codes of conduct and best practices, and professional responsibility, and apply internationally recognized principles to combat organized crime;

- 9 Collect and disseminate transparent information on forest resources, their allocation and exploitation, in a form readily accessible to the public;
- 10 Monitor and disclose data on domestic and international trade flows of timber and timber products and promote, as appropriate, the establishment of third party audited traceability systems;
- 11 Inform and engage all stakeholders to enhance public awareness on the scope, scale and significance of illegal logging, associated trade and corruption, and their negative impacts on the benefits forests provide to society;

Internationally,

- 12 Strengthen cooperation, using as much as possible existing structures, for forest law enforcement and governance and timely exchange of information and experience among countries, in particular, those involved in exports and imports of timber and timber products;
- 13 Encourage cooperation and strengthen national capacity in monitoring trade in timber and timber products;
- 14 Support cooperation to combat poaching and illegal trade in wildlife associated with illegal logging, including through cooperation with CITES;
- 15 Integrate within existing mechanisms the systematic monitoring, assessment and reporting of progress on FLEG;

16 Promote and develop cooperation and partnerships with and among the private sector and civil society in order to effectively combat illegal logging, associated trade and corruption;

17 Give priority to and strengthen trans-boundary cooperation between countries with border areas which require coordinated actions and effective control in order to combat illegal logging and associated trade;

18 Enhance international capacity for monitoring, assessing and reporting on areas such as trade flows and customs data to increase transparency on trade activities and to promote trade in harvested timber;

19 Strengthen international cooperation to build and enhance national institutional and human capacity as well as to facilitate technology transfer and information sharing to combat illegal logging and to promote trade in legally harvested timber;

20 Enhance awareness of information about legality of products including their origin through means such as voluntary chains of custody and forest certifications systems, so as to promote marketing of legally harvested timber





- 21** Cooperate with civil society including the private sector to inform consumers of the problems caused by illegal logging, associated trade and corruption;
- 22** Work with other regions and with multilateral instruments and processes on FLEG related issues.

Hereby further affirm that we:

- 23** Endorse the indicative list of actions associated with this Declaration which sets a framework of possible actions by Governments as well as civil society, including the private sector, to implement the intentions expressed in this Declaration;
- 24** Urge relevant international and regional organizations, institutions and processes, and scientific organizations, as attached (Annex I), to support the St. Petersburg Declaration, consistent with their mandates, and the implementation of the indicative list of actions;
- 25** Invite the International Steering Committee (ISC) to extend its role in facilitating the ENA FLEG Process by focusing on implementation of the St. Petersburg Declaration and the indicative list of actions;

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- 26 Request the World Bank to continue its important role by facilitating the implementation of the St. Petersburg Declaration and its indicative list of actions;
 - 27 Agree to meet at the appropriate level, together with civil society including the private sector, within two to three years to exchange experiences on implementation and lessons learned and to identify areas where further actions and cooperation are needed;
 - 28 Agree to convene the next Ministerial Conference within five years to assess progress made in forest law enforcement and governance including the implementation of the indicative list of actions and decide on further actions needed;
 - 29 Invite other countries to associate themselves with the Declaration and to support the implementation of the indicative list of actions.

This Declaration is accepted by Acclamation by:

Albania, Armenia, Austria, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Canada, China, Croatia, Denmark, Estonia, Finland, Former Yugoslav Republic of Macedonia, Georgia, Germany, Greece, Italy, Japan, Kazakhstan, Kyrgyz Republic, Latvia, Lithuania, Moldova, Mongolia, the Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Serbia and Montenegro, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Turkey, Ukraine, United Kingdom, United States, Uzbekistan, and the European Commission.

St. Petersburg, Russia
November 25, 2005



Europe and North Asia Forest Law Enforcement and Governance Ministerial Process

INDICATIVE LIST OF ACTIONS (ILA) FOR THE IMPLEMENTATION OF THE ST. PETERSBURG DECLARATION

This indicative list of actions (ILA) is intended to serve as a general framework for possible actions to be undertaken by governments as well as civil society (including NGOs and private sector). The choice of the elements would depend on the specific areas of priority concern in a country. The elements of this ILA would also facilitate the mobilization of support from donors and multilateral organizations.

1 NATIONAL LEVEL WITHIN THE ENA REGION

(i) Policy framework

- Formulate and implement in a reasonable timeframe national plan of actions² that is integrated in the national forest policy framework and comprises clearly defined targets, activities and indicators of success to address the issues identified in the Declaration;
- Establish a national mechanism for effective interagency, cross-sectoral and multistakeholder cooperation to develop and implement the national plans of actions in a structured and transparent manner;
- Periodically report nationally on progress according to agreed targets and indicators;
- Based on the agreed targets and indicators, implement a baseline assess-

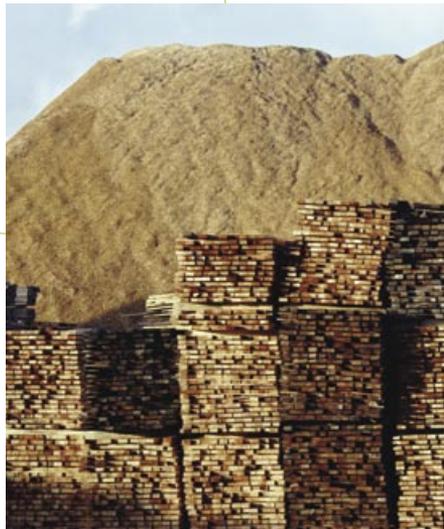
2) National plan of action is understood to be either a specific plan or an enhanced set of activities integrated into national forest programmes or equivalent frameworks.

ment so that the first assessment will be available in 2010 for the next Ministerial meeting to be held for assessing in a participatory manner the effectiveness of the implementation of national plans of actions;

- Identify development and implementation of national plans of action as priorities in national requests for assistance from international financial institutions and other international organizations and bilateral donor agencies;

(ii) Legislation System

- Develop a common understanding of the concepts, definitions and terms related to FLEG among various stakeholders;
- Review and update, as appropriate, the forest law and related legislation to combat illegal logging and corruption and build, as necessary, appropriate capacity to effectively implement and enforce such legislation. Consider, in this respect, the risks of “perverse incentives” by raising too much the costs of “legal” forest products; and the need to ensure access of rural populations, especially the rural poor, to basic forest products, such as fuel wood;
- Promote well-defined and full recognition of property and resource rights, in particular private rights, through the provision and communication of:
 - Clear requirements and obligations for land tenure and use rights;
 - Clear and unambiguous legal definitions and regulations covering forest resources and forestry practices;
 - Open and transparent processes for allocating and pricing harvesting rights;



(iii) Institutions and Capacity Building

- Ensure the appropriate application of customs codes to facilitate accurate monitoring flow of timber and forest products trade;
- Establish open and transparent data base on domestic and international trade in wood and forest products to monitor and report progress;
- Support the collection and dissemination of information in a form readily accessible to the public on management of parks, protected areas, forest concessions and other forest areas;



- Provide enhanced opportunities for forest stakeholders, including the private sector as well as the environmental, social and development NGOs and indigenous people's organizations, to raise public awareness on the significance of forest crimes and to participate in the formulation and implementation of public policies related to forest management and law enforcement;
- Strengthen institutional mechanisms and capacity building and support the monitoring, assessment and reporting of progress with

the participation of representatives of various stakeholder groups including civil society and, private sector;

- Capacity building in the implementation of anti-corruption tools;

(iv) Sustainable Forest Management

- Provide information on regulations governing the allocation of forest resources and sustainable management of forests to all forest-related stakeholders;

- Assign high priority to control illegal logging and wildlife poaching and to strengthen law enforcement in forest management areas and in protected forest areas;
- Create enabling conditions for and promote the use of tools and methods relating to sustainable forest management and forest use, that permit flexible, cost effective solutions, which may include
- Responsible purchasing of wood by private and public sector;
- Environmental Management Systems and forest management guidelines and plans according to the respective forest types;
- Private sector traceability / tracking systems and including GIS surveys and independent verification systems;
- Chain of custody certification for selected sources;
- Codes of conduct applicable to producers and purchasers;
- Certification systems for sustainable forest management;
- Satellite information and GIS data;
- Monitor and assess forest resources and operations in forests and make information on methods and results readily available to the public in a timely and accessible format;
- Evaluate the adequacy of funding and management of state forests, and as needed identify ways to strengthen the sustainable management of state forests;
- Take measures to help ensure that there is adequate support and effective management of protected forest areas, forest biodiversity and of non-state forests;



(v) Rural Development, Livelihoods and Poverty Alleviation

- In collaboration with broader rural development efforts; identify and promote better alternative economic opportunities for forest dependent communities so as to reduce illegal forest-related activities and to lessen the pressure on forest ecosystems, this may include:
- Investment promotion and alternative employment and income creation;
- Development of forest based and alternative sources of energy;
- Develop opportunities for increased income generation from sustainably managed forests by local communities;

(vi) Trade and customs

- Identify the most vulnerable transboundary areas in relation to illegal timber trade and reduce their vulnerability;

2 INTERNATIONAL LEVEL

(i) Forest-related Policies

- Integrate, where appropriate, elements of the Ministerial Declaration into other international forest policy initiatives, in particular in the on-going international initiatives such as G8, MDG, C&I processes, UNFF, FAO and ITTO;

(ii) Trade and customs

- Facilitate the gathering, synthesis and sharing of import/export data on wood and forest products and their integration into international open databases (for example from FAO, ITTO);
- Ensure the appropriate application of customs codes to facilitate accu-

rate monitoring flow of timber and forest products trade;

- Support cooperation in identifying the most vulnerable transboundary areas in relation to illegal timber trade and reduce their vulnerability to cross border trade in illegally harvested forest products, among other activities, through:
 - Customs law enforcement training;
 - Timber tracking systems;
 - New or improved public databases on cross-border trade;

(iii) Research

- Support multidisciplinary research on the main causes of illegal logging, associated trade and corruption;

(iv) Collaborative Implementation Actions

- Strengthen coordinating actions to combat illegal logging and transboundary illegal trade, for sharing information and experience and for reporting progress on implementation, including e.g. through a peer review mechanism, of the St. Petersburg Declaration and indicative list of actions;
- Secure cooperation and support towards the implementation and monitoring of the indicative list of actions, and of the consecutively developed regional and/or national strategies or action plans, from multilateral organizations including the World Bank, FAO and other relevant CPF members, UNECE,



and MCPFE, as well as the European Community and bilateral donor agencies, and mainstream the actions being taken into the programmes of work of these organizations through their governing bodies;

- Share best practices on forest governance and law enforcement;
- Establish collaboration with the UN Convention on Transnational Organized Crime and other relevant multilateral mechanisms to support the implementation of the indicative list of actions;
- Supporting countries in their efforts to enhance transparency and access to information, to facilitate exchange of information between public and private sector and financing institutions on illegal financial transactions and money laundering related to illegal logging and associated trade;
- Cooperate with interested countries in the implementation of their regional and/or national strategies or action plans, including the provision of training to forest law enforcement officials, customs officials, prosecutors and for representatives of the private sector and of the civil society in order to build capacity to apply tools to monitor forest activities and conditions;
- Encourage, adopt or extend public timber procurement policies that favor legal timber, where they can influence the private sector to use legally sourced timber and share experiences of this with others;

Annex I:

List of selected international and regional organizations, and institutions and processes

NO.	ACRONYM	FULL FORM
1	CIFOR	Center for International Forestry Research
2	CBD	Convention on Biological Diversity
3	CITES	Convention on International Trade in Endangered Species of Wild Flora and Fauna
4	EBRD	European Bank of Reconstruction and Development
5	EFI	European Forest Institute
6	FATF	Financial Action Task Force
7	FAO	Food and Agriculture Organization
8	GEF	Global Environmental Facility
9	ITTO	International Tropical Timber Organization
10	IUFRO	International Union of Forest Research Organizations
11	MCPFE	Ministerial Conference on the Protection of Forests of Europe
12	OECD	Organization for Economic Cooperation and Development
13	UNCTOC	United Nations Convention on Transnational Organized Crime
14	UNCCD	United Nations Convention to Combat Desertification
15	UNDP	United Nations Development Programme
16	UNECE	United Nations Economic Commission for Europe
17	UNEP	United Nations Environment Programme
18	UNFF	United Nations Forum on Forests
19	UNFCCC	United Nations Framework Convention on Climate Change
20	ICRAF	World Agroforestry Center
21	IUCN	World Conservation Union
22	WCO	World Customs Organization
23	WB	World Bank
24	WTO	World Trade Organization

Illegal logging is a significant problem for many countries in the Europe and North Asia region, where forests are a source of livelihood for some 170 million people, and annual timber revenues amount to about US\$25 billion each year (about 20% of total world timber trade). Illegal logging in the region can be poverty driven or for commercial exploitation of timber, and is often the result of corruption, ineffective forest policies and legislation, and an inability to monitor and enforce forest resource use regulations.

The St. Petersburg Declaration on Forest Law Enforcement and Governance (FLEG) in Europe and North Asia (ENA), endorsed by 44 governments and the European Commission, commits governments to take action to address these issues. The Declaration is the result of a Ministerial Conference on Forest Law Enforcement and Governance that took place in St. Petersburg, Russia, from November 22nd-25th, 2005, bringing together nearly 300 participants representing governments, the private sector, civil society and international organizations including the World Bank. For further information about the process leading up to the Ministerial Conference and follow up action to implement the Declaration, please contact the ENA FLEG Secretariat, co-hosted by the World Bank and the Russian Ministry of Natural Resources:

ENA FLEG Secretariat

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