

## FOREST LAW ENFORCEMENT, GOOD FOREST GOVERNANCE AND FAIR TRADE IN FOREST PRODUCTS IN AFRICA

### Introduction

In 2003 African ministers signed a Ministerial Declaration on African Forest Law Enforcement, Governance and Trade (AFLEG) that galvanized their commitment to strengthening the forestry sector through good forest governance, enforcement of forest laws and regulations and promotion of fair trade in forest and wildlife resources. AFLEG is very clear on its commitment to eradicate illegalities in the forestry sector. Later some countries in Africa have also adopted the European FLEGT-VPAs (Voluntary Agreements) in guiding trade between European countries and themselves, among other things. A study conducted by AFF on implementation or adherence to these two FLEGT processes in Africa.

### Experiences with and lessons from AFLEG and FLEGT-VPA

The study results explain that the decline in forest cover in Africa is mainly attributed to primarily clearance for agriculture. Other factors include increased wood fuel collection; illegal and poorly regulated timber extraction and trade; and increasing urbanisation. Illegal logging and trade in forest products are serious global challenges in the forestry sector, and can only tackled satisfactorily by addressing the root causes. Challenges that can hamper efforts to address illegal logging and timber trade include:

- i. Limited cooperation among countries that export timber to benefit from the African countries and exploring possibilities of processing and value addition to capture the Africa regional markets;
- ii. Poorly developed infrastructure networks, physical barriers, conflict and civil war in some parts of the continent;
- iii. Poor governance and corruption within the sectors that handle processes of clearing the timber and sometimes covering up for illegalities;
- iv. Non-tariff barriers, including unnecessary administrative procedures, checkpoints and roadblocks, which most often extort money from transporters of suspected illegal timber.

Experiences with the two FLEGT processes yield the following lessons:

- i. Involving stakeholders relevant to FLEGT processes is important in crafting prescriptions for curbing illegal logging and timber trade.
- ii. FLEGT mechanisms have been successfully used to track and verify certified timber from sustainably managed forests.
- iii. FLEGT mechanisms have also strengthened law enforcement efforts, in addition to monitoring illegal timber logging and trade. Approaches

**Figure 1: The process of marking DRC timber with special hammer marks**



used in FLEGT processes have been applied to address forest resource related crimes. This has been demonstrated by tracking of illegal timber, arresting and pressing charges punishable under criminal laws such as conspiracy, smuggling, issuing false statements and money laundering.

Working with both FLEGT approaches hold considerable potential to address and eventually eliminate illegalities in the forestry sector, in addition to promoting SFM.

**Figure 2: Timber hammer stamp mark at the DRC Border of Kasindi**



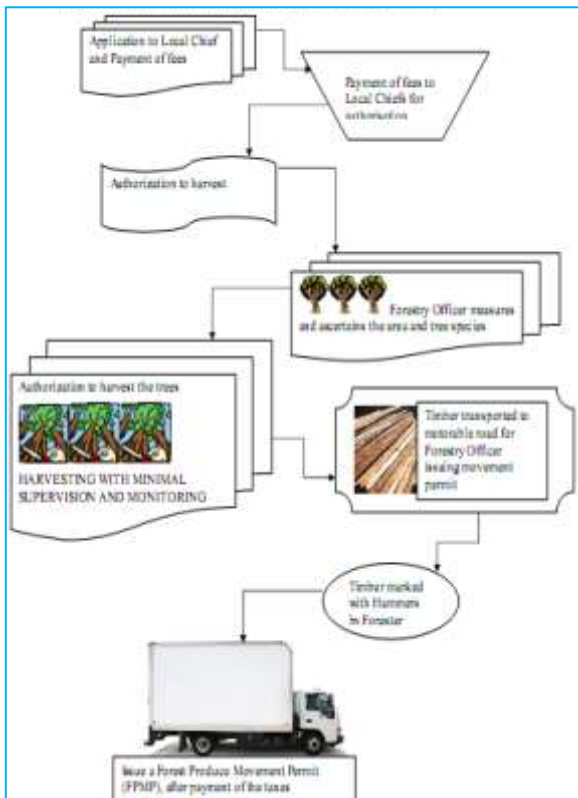
**Figure 3: Scrutiny of relevant documentation**



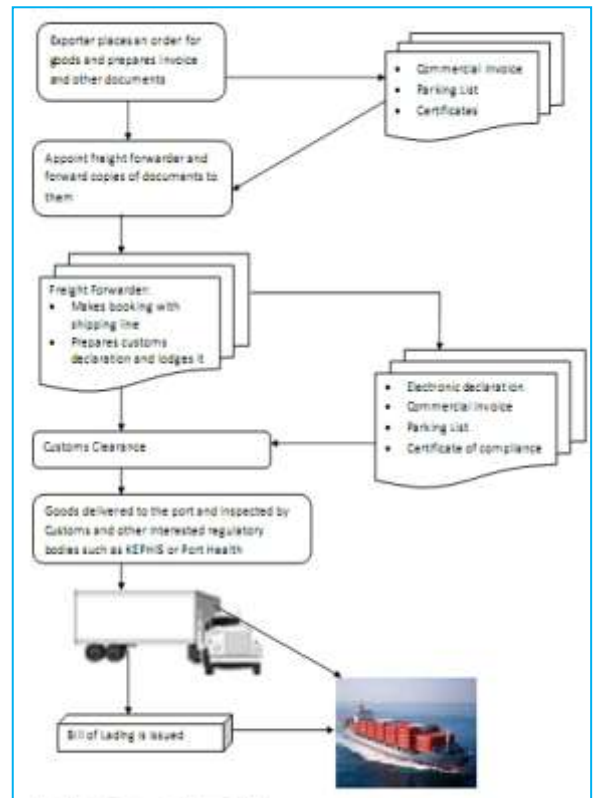
**Way forward**

1. There are opportunities in Africa for using globally recognised institutions that recognise and categorise illegal logging and trade within the international criminal justice regime and have been actively engaged in fighting illegal logging and timber trade.
2. Good market information systems can create more diverse forest products markets and better trade environments.
3. Inter-institutional processes and mechanisms at national, sub-regional, regional and global levels hold very good potential in controlling illegalities in the forestry sector.

**Figure 4: Prescribed chain of custody during assessment and offer of licences**



**Figure 5: Export procedures in Mombasa**



**Citation:** Kakuru, W. (2016). Forest law enforcement, good forest governance and fair trade in forest products in Africa. Factsheet. African Forest Forum. Nairobi.

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