



A PLATFORM FOR STAKEHOLDERS IN AFRICAN FORESTRY

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POLICY BRIEF

FLEGT IN WEST AFRICA: TOWARDS EFFECTIVE FOREST GOVERNANCE AND TRADE

Labode Popoola and Yonas Yemshaw



The challenges facing countries and producers of forest products vary with each situation, but there are constraints common to many. These include lack of: political will, national dialogue, national standards, necessary skills, clear incentives, and fair competition, among others. In many West African States, illegal harvesting appears to be increasing and hampers the realization of full economic potential of the forestry sector. Export procedures sometimes provide loopholes for corruption, while certification is yet significantly appreciable in sustainable forest management. Implementation of Forest Law Enforcement, Governance and Trade (FLEGT) in these countries holds potential to significantly reduce, if not eliminate, these constraints.

Logs transport on the Accra-Kumasi highway in Ghana

THE CHALLENGE

While illegal logging and deforestation are mostly associated with developing countries or countries in the South (Brown et. al, 2008) and that the root causes are similar across these countries, the importing countries for illegally sourced timber are largely in the North and some are the most advanced developing countries. This makes illegal logging and illegal trade in forest products an international problem, and not just a South or North issue. At the international level, corruption and weak law enforcement are normally cited as the causes of illegal logging. Literature correlates the need to survive (meet socio-economic needs) and the inability of the State and existing law to adequately meet these needs as a framework for explaining illegality, generally, and illegal logging, specifically. The resulting gap between the need to survive and the legislative inadequacies is what manifests itself in the different socioeconomic dynamics as weak law enforcement, corruption and weak institutions, among others. In forestry, the

framing of this problem or dynamic lends itself to the term 'illegal logging' and 'uncontrolled trade of timber and non timber forest products'. Illegal logging, as a major problem for many timber-producing developing countries causes environmental damage, costs governments billions of dollars in lost revenue, promotes corruption, undermines the rule of law and good governance, and in some places has financed armed conflicts. Consumer countries contribute to these problems by importing timber and wood products without ensuring they are legally sourced. In recent years, however, producer and consumer countries have paid increasing attention to illegal logging (Hansen, 2008).

A POLICY SOLUTION

There is an EU-FLEGT initiative that seeks to reform forestry governance in timber producer countries using market levers and legislation (Bodegom, 2008). The FLEGT initiative comes at a time when some timber producer countries are transitioning between old and new ways of doing business. Significant challenges are faced as producer

countries brace themselves for another tide of reforms in the highly challenging sector of forestry. Ultimately, the key task is to complete the reforms initiated by producer countries to ensure that the forest sector can fully contribute to economic development with minimal environmental damage (World Bank, 2006). FLEGT Voluntary Partnerships Agreements (VPAs) are WTO-compatible trade agreements between producer countries and the EU to cooperatively stop illegal logging. Under these agreements, exporting countries develop systems to verify the legality of their timber exports. The EU in turn supports partner countries to establish or improve systems which verify legal compliance. In each country, VPAs will have to account for inherent national differences in forest governance issues, forest-related legislation, forest and land rights, timber trade, existing forest sector initiatives and capacity to implement agreements. In some developing countries, meeting these commitments will require considerable institutional strengthening and capacity and skills development.

EXISTING POLICIES

There are good developments in the Western African region. For example in Guinea, customs officials are implementing a new computerized system, SYDONIA, to support checking operations. As with most of the West African ports, the introduction of new security measures under the International Maritime Organization's International Ship and Port Facility Security Code (the ISPS Code) is slow, and informal trade activities continue to be favoured. In Nigeria, a new policy addressing issues of trade, tariffs and certification was approved in 2006, and legislation is now being updated to reflect the changes. In reality Nigerian Federal Department of Forestry has very limited power on these issues, and struggles for resources to effectively manage and monitor forest exploitation. The Office d'Exploitation des Forêts (ODEF) in Togo, being in charge of state-owned plantations, has the duty to provide teak or eucalyptus logs and lumber to local timber yards in Lomé and elsewhere. Better prices from Indian buyers have strongly influenced ODEF policy, which prioritizes direct export of teak to India rather than supplying the local market. Because ODEF is not providing teak to local timber traders or the local timber processing industries most are inactive and have had to close down, sawmills in particular.

The Call to Action

Although implementation of FLEGT is weak in the sub-region, there are some promising scenarios, if the cooperation of key stakeholders can be secured. The emerging level of awareness among stakeholders of the role of forest standards (including certification) and the role of market forces, hold potential to positively influence forest management when the right environment emerges. While voluntary certification has much to contribute, there are a number of obstacles preventing its effective delivery on Sustainable Forest Management. However, with the increased promotion of FLEGT, these limitations can be largely circumvented as FLEGT provides a multidimensional approach to addressing the various issues inherent in illegal timber trade. There are a number of academic and research institutions in West Africa with interest in forestry matters. These institutions can form the fulcrum for networking on issues related to FLEGT. Their activities will include locating, collecting, synthesizing and sharing information through such avenues as workshops, symposia, seminars and periodic conferences. Other social networks on the internet such as facebook and blog can be optimally explored and exploited to locate individuals and to share information.

The FLEGT action plan – adopted in 2003 – combines measures in producer and consumer countries to facilitate trade in legal timber and eliminate illegal timber trading with the EU, through measures such as:

- support for timber-producing countries;
- activities to promote trade in legal timber;
- promoting ethical public procurement policies;
- support for private-sector initiatives to promote corporate social responsibility;
- safeguards for financing and investment;
- use of existing legislative instruments or adoption of new laws to support the plan;
- addressing the problem of conflict timber.

Contact us at

The Executive Secretary,
African Forest Forum (AFF)
United Nations Avenue, Gigiri,
P.O. Box 30677-00100, Nairobi, Kenya

Phone: +254 20 722 4203,
Fax: +254 20 722 4001

Email: exec.sec@afforum.org
Website: www.afforum.org

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