



Work Plan for Forest Law Enforcement and Governance (FLEG) in ASEAN, 2016 - 2025

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 AMAF 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.

Annex

Work Plan for Forest Law Enforcement and Governance (FLEG) in ASEAN, 2016 - 2025

STRATEGIC THRUST 1: ENHANCING SUSTAINABLE FOREST MANAGEMENT				
Action Programme	Activities	Key Performance Indicators (KPIs)	Expected Results	Responsible Parties
1.1 Strengthened Forest Law Enforcement and Governance (FLEG).	1.1.1 Finalise the Manual for Assessing Forest Law Enforcement and Governance (FLEG) Implementation in ASEAN Member States through pilot-testing.	The Manual for Assessing FLEG Implementation in ASEAN Member States approved by ASOF and endorsed by AMAF.	2016-2020	ASEAN Working Group on Forest Management (AWG-FM)
	1.1.2 Monitor, assess and report periodically the progress in implementing the Manual for Assessing FLEG Implementation in ASEAN Member States.	Biennial assessment report on the status of implementation of the Manual prepared and shared with the ASEAN Secretariat.	2016-2025	AWG-FM
	1.1.3 Prepare a handbook on good practices of FLEG for the ASEAN region.	A handbook on good practices of FLEG in ASEAN, based on experiences and lessons learned in implementing the Manual for Assessing FLEG Implementation in ASEAN Member States, and other FLEG related activities, including trade in forest products that are sourced legally and from sustainably managed forests prepared.	2021-2025	AWG-FM
	1.1.4 Review laws and enhance coherence by harmonising relevant laws and regulations at national level that support FLEG implementation.	Harmonised laws and regulations at national level that support FLEG implementation prepared.	2016-2020	AWG-FM
	1.1.5 Strengthen the implementation of forest law enforcement, governance, transparency and the rule of law.	A framework or mechanisms for strengthening enforcement of forest law and governance for ASEAN Member States developed.	2016-2020	AWG-FM
	1.1.6 Address the social cultural aspect of illegal logging and its associated trade, in particular poverty eradication and illicit practices, such as corruption and money laundering.	Documents on the social cultural aspect of illegal logging and its associated trade prepared and shared among ASEAN Member States.	2016-2020	ASEAN Working Group on Social Forestry (AWG-SF)

STRATEGIC THRUST 2: ENHANCING TRADE FACILITATION, ECONOMIC INTEGRATION AND MARKET ACCESS				
Action Programme	Activities	Key Performance Indicators (KPIs)	Expected Results	Responsible Parties
2.1 Facilitation of Legal and Sustainable Forest Products Trade.	2.1.1 Review and assess the implementation of forest certification using the ASEAN Guidelines on Phased-approach to Forest Certification.	Annual report on the implementation of forest certification using the ASEAN Guidelines on Phased-approach to Forest Certification in ASEAN Member States prepared.	2021-2025	ASEAN Working Group on Forest Products Development (AWG-FPD)
	2.1.2 Review and assess the implementation of chain-of-custody of timber and timber products by the wood-based industries using the ASEAN Guidelines for Chain-of-Custody of Legal Timber and Sustainable Timber.	Annual report on the implementation of chain-of-custody of timber and timber products by the wood-based industries using the ASEAN Guidelines for Chain-of-Custody of Legal Timber and Sustainable Timber in ASEAN Member States prepared.	2021-2025	AWG-FPD
	2.1.3 Incorporate forest sustainability criteria and indicators into the ASEAN Criteria and Indicators for Legality of Timber.	Forest sustainability criteria and indicators incorporated into the ASEAN Criteria and Indicators for Legality of Timber.	2016-2020	AWG-FPD, AWG-FM
	2.1.4 Encourage greater participation of the private sector in marketing forest products that are sourced legally and from sustainably managed forests.	Periodic trade statistics of trade in forest products that are sourced legally and from sustainably managed forests compiled and disseminated.	2016-2025	AWG-FPD, ASEAN Forest Products Industry Club (AFPIC), ASEAN Furniture Industries Council (AFIC)
	2.1.5 Facilitate the inclusion of legal timber trade in the development of National Single Windows (NSWs).	Regular meetings to promote the inclusion of legal timber trade in the development of NSWs conducted by ASEAN Member States. Number of AMS that have included legal timber trade in their NSW	2016-2020	AWG-FPD, Customs Procedures and Trade Facilitation Working Group (CPTWG)
	2.1.6 Strengthen co-ordination of joint strategies in seeking better market access for ASEAN forest products that are sourced legally and from sustainably managed forests.	Regular meetings between ASEAN Member States and Chambers of Commerce, industry associations etc to seek better market access for ASEAN forest products that are sourced legally and from sustainably managed forests conducted.	2016-2025	AWG-FPD, AFPIC, AFIC

	2.1.7 Undertake joint approaches and actions to develop and promote markets for forest products that are sourced legally and from sustainably managed forests.	Regular meetings between ASEAN Member States and Chambers of Commerce, industry associations etc to develop and promote markets for forest products that are sourced legally and from sustainably managed forests conducted.	2016-2025	AWG-FPD, AFPIC, AFIC
	2.1.8 Promote dialogue with the private sector, especially the small- and medium-sized enterprises (SME) in increasing the trade of forest products that are sourced legally and from sustainably managed forests.	Regular meetings with private sector representatives to increase the trade of forest products that are sourced legally and from sustainably managed forests conducted.	2016-2025	AWG-FPD, AFPIC, AFIC
	2.1.9 Develop a regional framework for mutual recognition of legality, including guidelines to recognise system used by each ASEAN Member State.	A regional framework for mutual recognition of legality, including guidelines to recognise system used by each Member State in place, leading to an agreement on mutual recognition of legal timber.	2016-2025	AWG-FPD
	2.1.10 Strengthen efforts among ASEAN Member States to establish regional agreements on timber trade, including legal timber, and promote co-operation with ASEAN's external partners in the global timber trade.	Negotiations among ASEAN Member States to establish regional agreements on timber trade, including legal timber, and promote co-operation with external partners, facilitated by the ASEAN Secretariat conducted.	2016-2020	AWG-FPD, ASEAN Secretariat (ASEC)
	2.1.11 Develop a voluntary code of conduct to guide companies involved in the forestry sector to conduct their businesses lawfully and comply with all relevant legislation, and include it in their corporate social responsibility (CSR).	A voluntary code of conduct for forest companies to conduct their businesses lawfully and comply with all relevant legislation developed and incorporated in their CSR.	2016-2025	AWG-FPD, AFPIC, AFIC

STRATEGIC THRUST 3: STRENGTHENING ASEAN'S JOINT APPROACHES ON REGIONAL AND INTERNATIONAL ISSUES AFFECTING THE FORESTRY SECTOR

Action Programme	Activities	Key Performance Indicators (KPIs)	Expected Results	Responsible Parties
3.1 Strengthened ASEAN Co-ordinated Actions on FLEG at Regional and International Fora.	3.1.1 Support and contribute to international and regional initiatives on FLEG to enhance trade in forest products that are sourced legally and from sustainably managed forests, such as the APEC Experts' Group on Illegal Logging and Associated Trade (EGILAT).	Mechanisms for regional co-operation on FLEG to contribute to international and regional initiatives to enhance trade in forest products that are sourced legally and from sustainably managed forests developed	2016-2025	ASOF, ASEC

	3.1.2 Encourage the international community, such as the European Union (EU), to participate and contribute to ASEAN's efforts in strengthening FLEG implementation in the region.	Regular meetings with the international community to contribute to ASEAN's efforts in strengthening FLEG implementation conducted, taking into account its role in trade facilitation of forest products that are sourced legally and from sustainably managed forests.	2016-2025	ASOF, ASEC
	3.1.3 Promote dialogue at the national and regional level on the synergies between FLEG activities, including forest certification, and 'Reducing Emissions from Deforestation and Forest Degradation, Conservation of Forest Carbon Stocks, Sustainable Management of Forest, and Enhancement of Forest Carbon Stocks' (REDD+) initiatives.	Regular dialogues with relevant stakeholders on the synergies between FLEG activities and REDD+ initiatives conducted.	2016-2025	AWG-FM, ASEAN Regional Knowledge Network on Forests and Climate Change (ARKN-FCC)
3.2. Enhancement of ASEAN Joint Approaches in Addressing FLEG Issues.	3.2.1 Exchange information on issues affecting the interest of ASEAN Member States on FLEG implementation, including experiences and lessons learned, and challenges in addressing them.	Procedures to facilitate exchange of information on FLEG implementation, experiences and lessons learned, and challenges established.	2016-2025	AWG-FM
	3.2.2 Strengthen regional customs co-operation to combat the trade in illegal timber.	Regular meetings with the customs to combat the trade in illegal timber conducted.	2016-2025	ASEAN Director-General of Customs Meeting (Customs DG), ASOF
	3.2.3 Develop a framework for enforcement co-operation at the ASEAN level that deals with illicit trafficking of timber and to facilitate cross-border enforcement.	A framework for enforcement co-operation at the ASEAN level and rules and procedures to facilitate cross-border enforcement on illicit trafficking of timber established.	2016-2020	ASOF, Senior Officials Meeting on Transnational Crime (SOMTC), ASEC
	3.2.4 Promote collaboration with relevant multilateral programmes such as UNODC, UNCAC and UNCTOC, and the EU-FLEGT VPA process to sharpen the impact of FLEG activities in the region.	List of collaborative programmes that strengthen FLEG activities in ASEAN.	2016-2025	ASOF, ASEC
	3.2.5 Adopt and articulate ASEAN common positions on timber legality and associated trade of timber and timber products at	Mechanisms for adopting and articulating ASEAN common positions at international and regional fora developed.	2016-2025	AWG-FPD, ASOF

international and regional fora.

STRATEGIC THRUST 4: INSTITUTIONAL STRENGTHENING AND HUMAN RESOURCES DEVELOPMENT

Action Programme	Activities	Key Performance Indicators (KPIs)	Expected Results	Responsible Parties
4.1. Promotion and Implementation of Training Programmes on FLEG.	4.1.1 Identify available training programmes in the region and develop mechanisms for sharing of such programmes.	List of available training programmes, including mechanisms for sharing them compiled.	2016-2025	AWG-FM, AWG-FPD
	4.1.2 Conduct needs assessment at the national level for FLEG implementation.	Needs assessment for implementing FLEG in ASEAN Member States at national level conducted and reported to ASOF.	2016-2020	AWG-FM, AWG-FPD
	4.1.3 Conduct training activities for customs, forestry, and other law enforcers on relevant forest laws and regulations, court proceedings and judicial processes, based on the results of 4.1.2.	List of conducted trainings in forest legislation, court proceedings and judicial processes for customs and other law enforcers, such as border guards, in ASEAN Member States compiled and disseminated.	2016-2025	AWG-FM, AWG-FPD
	4.1.4 Conduct capacity building activities (training, seminars and workshop) of key customs, trade and forest officials involved in issuing or handling timber export and import documentation, including illegal timber shipment detection.	Capacity building activities on timber trade administration conducted.	2016-2020	AWG-FPD
	4.1.5 Develop and implement specific support programme (training, seminars and workshops) to enable small- and medium-sized enterprises (SME) to trade in forest products that are sourced legally and from sustainably managed forests.	Support programme to enable small- and medium-sized enterprises (SME) to trade in forest products that are sourced legally and from sustainably managed forests developed and implemented.	2016-2025	AWG-FPD, AFPIC, AFIC
	4.1.6 Promote greater awareness and conduct training on forest governance for business actors, civil society organisations (CSO), and local community.	List of awareness and training programmes on forest governance for business actors, CSO, and local community in ASEAN Member States conducted.	2016-2025	AWG-FM, AWG-FPD

	4.1.7 Conduct workshops and seminars, including focused group discussions on topics affecting FLEG implementation and trade in forest products that are sourced legally and from sustainably managed forests.	List of conducted workshops, seminars and focused group discussions compiled and disseminated.	2016-2025	AWG-FM, AWG-FPD
4.2. Enhancement of Sharing Experiences and Lessons Learned on FLEG implementation.	4.2.1 Facilitate cross-learning among ASEAN Member States in enhancing FLEG implementation, combating illegal forestry activities and timber trade, including the EU-FLEGT VPA process.	Approaches used by ASEAN Member States in implementing FLEG, combating illegal forestry activities and timber trade, including the EU-FLEGT VPA process shared through the ASEAN Forest Clearing House Mechanism (CHM).	2016-2025	AEG-FM, AWG-FPD, ASEC
	4.2.2 Establish a regional clearing house mechanism to enable the sharing and exchange of information on legal and illegal activities in the forestry sector, including trade in forest products that are sourced legally and from sustainably managed forests in the region.	The capability of the ASEAN Forest Clearing House Mechanism (CHM) to share and exchange information on legal and illegal activities, including trade in forest products that are sourced legally and from sustainably managed forests among ASEAN Member States developed.	2016-2020	AEG-FM, AWG-FPD, ASEC
	4.2.3 Establish a national multi-sectoral committee involving relevant authorities, for example, customs, trade, forestry, and transnational crimes unit to oversee implementation of FLEG, and a network among them at the ASEAN level.	A national multi-sectoral committee and a regional network among national committees at the ASEAN level established.	2021-2025	ASEAN Member States, respective ASEAN bodies in collaboration with ASEC

5 August 2016