

Study on country implementation of the St. Petersburg Declaration

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Summary report with country notes

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List of acronyms

ADA	Austrian Development Agency	ICT	Information and Communication Technologies
APA	Agency of Protected Areas	IUCN	International Union for Conservation of Nature
BCM	Bilateral Coordination Mechanism	MENRP	Ministry of Environment and Natural Resources Protection
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora	MTR	Mid-Term Review
DCFTA	Deep and Comprehensive Free Trade Agreement	NBSAP	National Biodiversity Strategy and Action Plan
ECA	World Bank Europe and Central Asia	NFP	National Forest Program
EC	European Commission	NPAC	National Program Advisory Committee
ENA FLEG	Europe and North Asia Ministerial Conference on Forest Law Enforcement and Governance	OECD / DAC	Organization for Economic Cooperation and Development/ Development Assistance Committee
ENPI	European Neighborhood and Partnership Instrument	PEFC	Program for the Endorsement of Forest Certification
EU	European Union	PROFOR	Program on Forests
EUTR	European Union Timber Regulation	SNCO	State Non-Commercial Organization
FAO	Food and Agriculture Organization	SPD	St. Petersburg Declaration
FCF	Forest Community Fingerprint	TEEB	The Economics of Ecosystems and Biodiversity
FIRMS	Forest Institutional Reform Strategy of Moldova	TLAS	Timber Legality Assurance System
FLEG	Forest Law Enforcement and Trade	TFD	The Forests Dialogue
FMP	Forest Management Plan	UNDP	United Nations Development Program
FSC	Forest Stewardship Council	UNFF	United Nations Forum on Forests
GEF	Global Environment Facility	VPA	Voluntary Partnership Agreement
GIZ	German Society for International Cooperation	WB	World Bank
HVCF	High Value Conservation Forests	WBCSD	World Business Council for Sustainable Development
		WWF	World Wildlife Fund



Executive Summary

The St. Petersburg Declaration (SPD) was signed at the Europe and North Asia Ministerial Conference on Forest Law Enforcement and Governance (FLEG) in St. Petersburg, Russia, in 2005. It is an expression of commitment by 44 governments from the Europe and North Asia region, the European Commission, and other participant countries to take action to address illegal logging and associated forest crimes.

The European Neighborhood and Partnership Instrument (ENPI) Forest Law Enforcement and Governance (FLEG) I (2008-2012) and II (2012-2016) programs were mobilized to support the implementation of the SPD and to improve forest law enforcement and governance in seven countries: Armenia, Azerbaijan, Belarus, Georgia, Moldova, Russia, and Ukraine. Together these countries cover more than 20% of the world's forests, mainly due to the extensive forest areas in Russia.

This report aims to provide decision makers and other stakeholders an assessment of how forest law enforcement and governance has been addressed in the seven participant countries since the signing of the SPD. The observations, conclusions, and recommendations are based on a review of information previously provided by

the program's three implementing organizations (the World Bank, the World Wildlife Fund, and the International Union for Conservation of Nature) on other previously published program reports, on the results of a survey submitted to the national FLEG Focal Points in the seven participant countries, and on information obtained through interviews with selected key experts.

Five Thematic Areas

For the purposes of the assessment, the 11 national-level SPD commitments were organized under the following five thematic areas to reduce overlaps:

1. Political commitment, legislation and regulations (SPD 1 and 2)
2. Institutions and capacity development (SPD 3)
3. Strategies and actions to address the underlying causes of illegal logging and associated trade (SPD 4, 5 and 8)
4. Stakeholder rights, participation and engagement (SPD 6 and 7)
5. Information, awareness and transparency (SPD 9, 10 and 11)

National SPD commitments

	Phase	AM	AZ	BLR	GE	MD	RU	UK R
Political commitment, legislation and regulations (SPD 1 and 2)	1	●	●	●	●	●	●	●
	2	●	●	●	●	●	●	●
Institutions and capacity development (SPD 3)	1	●	●	●	●	●	●	●
	2	●	●	●	●	●	●	●
Strategies and actions to address the underlying causes of Illegal logging and associated trade (SPD 4, 5 and 8)	1	●	●	●	●	●	●	●
	2	●	●	●	●	●	●	●
Stakeholder rights, participation and engagement (SPD 6 and 7)	1	●	●	●	●	●	●	●
	2	●	●	●	●	●	●	●
Information, awareness and transparency (SPD 9,10 and 11)	1	●	●	●	●	●	●	●
	2	●	●	●	●	●	●	●

Legend:

- main focus area with significant measures taken
- covered but not main focus, or only initial activities
- no action action

The mapping of actions taken at the country level indicates that all of the seven ENPI FLEG countries have, to a varying degree, implemented activities in all five thematic areas. However, the chart below also illustrates that, for several of the participant countries, there remain a significant amount of work to be done on implementation activities.

Key Areas of Focus

The main focus of the SPD implementation efforts in the majority of ENPI FLEG countries has been on providing information and increasing stakeholder and decision maker awareness on the forest sector in general, on the incidence and implications of illegal logging and related trade. The participant countries have initiated policy reforms, and put institutional structures and legal frameworks into place. Much of the effort, especially within the ENPI FLEG program, has focused on in-country and regional studies on specific policy thematic areas, on improving stakeholder involvement and dialogue, and on the implementation of actions at the pilot-level.

The myriad of organized regional events served as an effective means of disseminating information and supporting the sharing of lessons across the participant countries. These activities have been very valuable in informing policy and legal reform processes

and in validating new approaches to forest management, conservation and control of illegal logging and related trade. Nonetheless, they still have a ways to go in terms of large-scale implementation and impact.

It is likely that progress in implementing key reforms has been constrained by vested interests and by less than supportive external developments (e.g. economic and/or political environments), or by entrenched attitudes pervasive within government institutions. These are issues over which the ENPI FLEG program, and the forest sector in general, has fairly limited influence.

Engagement with the local communities and the emphasis on local community rights for forest use has been a significant feature in many of the ENPI FLEG country programs. This has served to introduce new approaches and concepts to forest management and conservation, and has enabled the voices of the local communities to be better heard in forest governance related processes. This is clearly a significant achievement in many of the ENPI FLEG participant countries. It has the potential to facilitate more democratic and participatory approaches within the sector, assuming that the overall political development of the societies is supportive of such developments.

The flexibility and broad scope of the SPD has allowed the countries to define their FLEG strategies based on stakeholder priorities and tailor them to the context of each country. In most of the participant countries the programs have focused more on improving forest governance conditions in a broad sense, attempting to address the underlying causes of illegal logging and related trade (prevention), than addressing law enforcement head-on (detection and suppression of forest related crimes). This approach seems justified, especially regarding breaches of law driven by poverty or overregulation and excessive red tape, but may also indicate reluctance to engage in “hard action” against organized crime.

Some potentially effective parallel actions have been taken by the EU and other consumer countries that will support the participant countries in their actions to curb illegal logging related to wood and wood products’ exports. These include the EU Timber Regulation (EUTR), and to a lesser extent, the Amendment of the Lacey Act and the high-level dialogue maintained between the EU, China and Russia.

Conclusion

During the first ten years since the signing of the SPD, the ENPI FLEG participant countries have shown a promising start in implementing the commitments. Much will now depend on the capacity of the institutions and stakeholders in these countries to maintain the momentum and political support for the FLEG program.

In addition, as the participant countries vary in terms of the role and importance of the forest sector to their local economies, drivers of illegal activities, and the resources that can be allocated to and generated by the sector, the strategies and approaches taken to continue to support FLEG activities will also be diverse. In those countries with relatively weak institutional capacity, external support will continue be needed beyond the ENPI FLEG program.

Key summary points

- All seven ENPI FLEG countries have, to a varying degree, implemented activities in all five thematic areas, and achieved at least intermediary results.
- Considering their wide geographic and challenging thematic scope, both phases of the ENPI FLEG program have operated with relatively modest resources and have involved a large number and variety of stakeholder groups directly related to the forest sector.
- The capacity building efforts of forest sector staff, young foresters, and other stakeholders were noted by program national FLEG Focal Points as one of the most valuable achievements.
- While key progress has been made, there has not yet been significant, large-scale implementation of concrete actions on the ground to reduce illegal logging and related trade. This may indicate that the country strategies for ENPI FLEG, and for FLEG in general, have not sufficiently considered how to work towards large-scale implementation and successful sector-level reform, given there have been strong counteracting forces.
- Engagement with the local communities and emphasis on local community rights

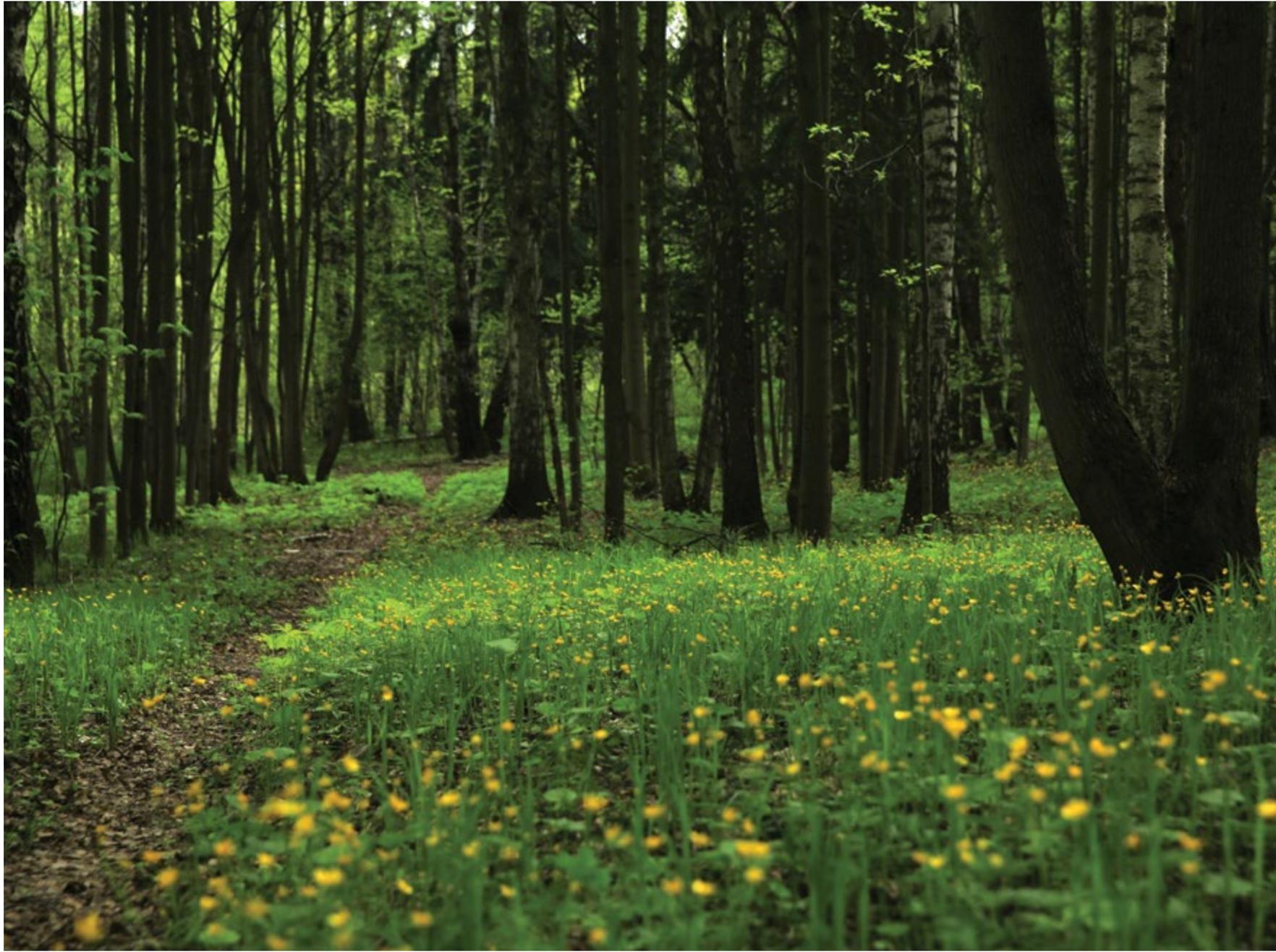
for forest use has been a significant feature in many of the country programs. This has introduced new approaches and concepts and enabled the voices of the local communities to be better heard and thus invested in forest governance related processes and programs.

- Considerable progress has been made in promoting stakeholder dialogue at different levels, and in pilot-level implementation of actions involving local stakeholders.
- More emphasis has been given to the G (governance) than the LE (law enforcement) of FLEG. This indicates that within the country programs more focus is placed on addressing the underlying causes of illegal logging and associated trade (prevention), and in taking a long-term view of the issue, than in directly combating this phenomenon (detection and suppression).
- Overall, there seems to have been some reluctance to engage in “hard action” (i.e. action involving law enforcement and the criminal justice system, or actions directed to customs control). This may have somewhat diluted the impact of the program on illegal logging and related trade, at least in the short-term.

Recommendations

Continued need for external support:

- The vastly different resources and national capacities of the SPD participant countries need to be kept in mind when defining the appropriate strategies and assessing the need for and usefulness of external support.
- The countries with an important commercial forest sector can best be supported by uniform enforcement of the European Union Timber Regulation (EUTR) in the EU Member States, and through political dialogue and cooperation with the scientific community of experts.
- The smaller countries with low forest cover, and where the forest sector is perceived to have a low national economic significance (and thus have less institutional capacity) are likely to require continued external support. The appropriate FLEG strategies will vary from country to country:
- In countries where the commercial forest sector is nationally important in terms of industrial output, trade and employment and where the institutions are strong and have a sufficient mandate, a sectorally-focused approach to FLEG will continue to make sense going forward.
- In counties where forests significantly contribute to local livelihoods and biodiversity conservation, FLEG can best be addressed in the context of sustainable land management, the conservation of biodiversity and high-value forest areas, rural development, energy policies, climate change, etc.



1. The St. Petersburg Declaration

The St. Petersburg Declaration (SPD) was signed at the Europe and North Asia Ministerial Conference on Forest Law Enforcement and Governance (FLEG) in St. Petersburg, Russia, in 2005. It is an expression of commitment by 44 governments from the Europe and North Asia region, the European Commission, and other participant countries to take action to address illegal logging and associated forest crimes. The participant governments also identified an Indicative List of Actions for the implementation, which is included as an annex to the Declaration.

The Declaration (Annex 1) focuses on a broad range of issues that need to be addressed to reduce illegal logging and associated forest crimes. In addition to actions within the forest sector, such as the need to improve forest laws and regulations, improve forest related information, and develop third party audited traceability systems, it also aims to address broader underlying drivers, such as corruption, limited stakeholder engagement, insufficient recognition of the rights of forest dependent communities, and poor interagency cooperation in combating forest related crimes. Internationally, the SPD aims to strengthen cooperation through improved sharing of

information and experiences, technology transfer, trans-boundary cooperation, partnerships with and among the private sector and civil society, support to strengthening national capacities in monitoring trade in timber and timber products, and cooperation to combat poaching and trade in wildlife associated e.g. through cooperation with The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

The agreed Indicative List of Actions (also included in Annex 1) covers specific action areas at the national level related to policy frameworks, legislation systems, institutions and capacity building, sustainable forest management, rural development, livelihoods and poverty alleviation, and trade and customs. Internationally, the Indicative List of Actions focuses on the integration of elements of the SPD into other international forest policy initiatives and processes, as well as the work of relevant international organizations, trade and customs cooperation, public procurement policies, and research institutions. The aim is to strengthen collaborative implementation efforts and monitoring of actions. The Indicative Actions can be considered as broad generic action areas to be further specified at the national level based on stakeholder views of national priorities.

The St. Petersburg Ministerial Conference was the third and final in a series of three regional high profile FLEG Ministerial Conferences, the first two being in East Asia (2001) and Africa (2003). All of the conferences were co-organized by timber producer and consumer countries in recognition of their mutual responsibility. The arrangements and conduct of the conferences were done in close collaboration with the World Bank. The conferences were preceded by substantial preparatory activities involving, in addition to analytic work, consultations with governments and international organizations, civil society and the private sector. In the case of the St. Petersburg Ministerial Conference, these preparatory activities included diagnostic studies to define the magnitude and underlying causes of illegal logging and related trade in the region, a series of stakeholder consultations facilitated by The Forests Dialogue (TFD) and carried out with active participation of the World Business Council for Sustainable Development (WBCSD). The Russian Ministry of Natural Resources hosted the Ministerial Conference.

In essence, the SPD and its Indicative List of Actions cover a set of actions related to the (i) prevention, (ii) detection and (iii) suppression of illegal logging and related trade. While coherent and comprehensive, this list of actions is also challenging and includes short,

medium and long-term actions. Effective implementation requires continuous political support and concerted efforts by a broad range of stakeholders within and outside of the forest sector.



2. The ENPI FLEG Program and the SPD

The ENPI FLEG I (2008-2012) and II (2012-2016) programs were mobilized to support the implementation of the SPD, i.e. to improve forest law enforcement and governance in seven countries: Armenia, Azerbaijan, Belarus, Georgia, Moldova, Russia, and Ukraine, which together cover more than 20% of the world's forests (mainly due to the extensive forest areas in Russia). The World Bank, WWF, and IUCN implemented both programs with funding from the European Union. The programs were implemented in close collaboration with the national governments at central and local levels as well as with a large number of civil society and private sector organizations. In Armenia and Georgia complementary measures were supported by the Austrian Development Agency (ADA) with funds from the Austrian Development Cooperation. Several other bilateral and multilateral agencies have also supported projects and programs with objectives aligned with FLEG, e.g. the German Society for International Cooperation (GIZ) in Armenia, Azerbaijan, Georgia; the UN Development Program (UNDP) in Armenia and Azerbaijan; EU Clima East Program in Moldova; the Global Environment Facility (GEF) in Moldova; and the Food and Agriculture Organization (FAO) in Ukraine. Several institutions and ministries in

the countries have also carried out FLEG-related programs without external assistance.

Considering their wide geographic and challenging thematic scope, both phases of the ENPI FLEG program have operated with relatively modest resources. The total budget for the ENPI FLEG I was EUR 6 million; for ENPI FLEG II the budget was EUR 9 million. The ENPI FLEG program, in both phases, has sought synergies with the World Bank Europe and Central Asia (ECA) Regional Strategy and Forest Strategy, the Bank's country operations (e.g. in Belarus), as well as with the relevant strategies, operations and country presence of IUCN and WWF. The specific actions in each of the participant countries have been defined and prioritized by the stakeholders, and the implementation of these has been embedded to varying degrees in the countries' own institutional structures.

Typical country level actions during ENPI FLEG I focused on establishing the building blocks for effective action against illegal logging and other associated forest crimes by:

- Promoting effective national and regional FLEG action processes;
- Increasing national ownership and capacity;
- Improving regional and national collaboration and knowledge sharing;

- Promoting effective engagement of key trading partners;
- Strengthening continuation of the formal official ENA FLEG process;
- Fostering sustainable forest management practices; and
- Increasing awareness and commitment of key stakeholders on FLEG.

ENPI FLEG II built on the achievements of the first program phase, and provided continued support for the implementation of the SPD, with typical actions focused on:

- Improving forest policy and legislation, for example by developing suggestions for amendments to national forest laws;
- Supporting dialogue on forest policy issues between governments, businesses and NGOs;
- Capacity building, through training on sustainable forest management, and by developing study programs and materials on sustainable forest use for schools, colleges and universities;
- Promoting sustainable management and use of forests, for example by promoting voluntary forest certification for businesses;
- Enhancing trans-border collaboration between countries to reduce illegal logging; and

- Promoting sustainable income opportunities for forest dependent communities e.g. by launching pilot projects on ecotourism development for rural communities.

Although there have been many other programs and projects supporting actions relevant to the SPD, and the governments and other stakeholders are implementing actions without external support, the ENPI FLEG program is the only large multi-year regional effort aimed specifically at supporting countries in achieving their commitments made under the SPD.

3. Key characteristics of the ENPI FLEG program

The ENPI FLEG program has characteristics that make it stand out from more traditional cooperation programs. The first and most obvious is that it is based on and supported by a high-level political commitment that defines its aim and outlines the scope of actions in fairly concrete terms. As indicated above, the SPD is not only a political statement of intent, but (i) it is founded on analytic work to identify the drivers and root causes of the problem it aims to address, and (ii) and it has been informed by a broad-based process of consultation and negotiation involving governments, civil society representatives and the private sector. Consequently the SPD has served as a platform on which a country program design was based.

In line with the principles of the SPD, the ENPI FLEG program has also been formulated to respond to the vastly different forest conditions, priorities, challenges and opportunities in each of the seven participant countries (See Country Notes). The implementation arrangements make use of the same multi-stakeholder consultative approach that characterized the process leading to the Ministerial Conference and SPD, but this time with more direct involvement of stakeholders at the national and local levels.

The program is “owned” by the countries’ stakeholders and anchored in the institutional structures of these countries.

An additional characteristic of the ENPI FLEG program is that it (i) promotes coordination and collaboration between the World Bank, two major international non-governmental organizations: IUCN and WWF, and with the European Commission and EU Member States active in the sector and the region, and; (ii) seeks effective integration with their broader programs and networks (e.g. as demonstrated by its role in the formulation process of the World Bank supported forest program in Belarus, and integration with the WWF Caucasus Program).

At the operational level, the program relies heavily on existing national and regional expertise, targeting the use of international experts on such issues and themes (e.g. development of new legislation, Information and Communications Technologies transfer) where the capacities of most participant countries are low, and/or where it is important to learn from the EU experiences and norms.

The ENPI FLEG program, in both phases, promotes evidence-based policy making i.e. producing high quality information and analysis — including in some cases also its

validation at pilot scale — and getting this information timely into the right hands and through the right government counterparts. The program is thus able to serve in a catalytic role even with relatively limited resources. The program has also been commended by the logical phasing of the activities, the first phase having focused mainly on assessment, identification and planning, and the second phase mainly on supporting reform implementation (although, as can be expected, there is considerable non-linearity in this respect, depending on country situations).

The key stakeholders of the ENPI FLEG program are state forest agencies, environmental ministries or other ministries responsible for forest issues, forest and environmental academia and training/education institutions, local and provincial government entities, private forestry related entities, wood processing industries and other forest related commercial operators (e.g. tourism and hunting), financial sector, trading houses, construction sector, local forest communities, media, and national and sub-national civil society organizations. Thus, despite of its relatively modest financial resources, the program involves a large number and variety of stakeholder groups, including practically all key stakeholders directly related to the forest sector.



4. The objective and scope of this report

This report aims to provide decision makers and other stakeholders a mapping of how forest law enforcement and governance has been addressed since the signing of the St. Petersburg Declaration in the seven ENPI FLEG countries.

The mapping was done as a desk review, based on existing material provided by the three implementing organizations, complemented by other publicly available material and selected interviews of key actors. In addition, a survey on the views of the national FLEG Focal Points was carried out to learn their perceptions regarding the SDP areas covered in their respective countries, on the successes and constraints in the FLEG process, and the ways forward in the implementation of the SPD. Responses to the survey were received from the FLEG Focal Points of all participant countries except Russia. The content is based on what is reported within the ENPI FLEG documentation, other published reports, and indicated by the program stakeholders surveyed and interviewed. Thus it is likely that there are parallel actions and results by the governments, private sector and civil society actors that remain outside of the scope of this report despite of their relevance to the SPD.

The conclusions presented in Chapter 5, and recommendations for potential ways forward in Chapter 6, are those authored by the consultant, drawn from the mapping and focal point survey highlights presented in Chapter 4.



5. Status of implementation of the St.petersburg Declaration

The summary table below is drawn from the 2015 ENPI FLEG II Mid-Term Review indicating the overall status of program implementation against standard evaluation criteria. In addition to giving a snapshot of the situation of the ENPI FLEG program, it also serves as a proxy of the overall status of implementation of the SPD commitments to date.

Criteria	Rating	Comment
Relevance	High to very high	Covers 7 to 22 of the SPD commitments depending on the country. Regional level relevance not so obvious.
Effectiveness	High	Program has been adaptable in addressing country priorities, is considered valuable by stakeholders, and outputs are of high quality. Main challenges relate to scaling-up from local to national levels, and effectiveness of regional activities.
Efficiency	Moderate	Stakeholders report that the program has "done a lot with very little". Complex organization has reduced efficiency and caused delays in implementation.
Impact	Moderate to high	Short and medium-term outcomes are reported as high but may not be sufficient to translate into significant long-term impacts. Strong countervailing forces exists (e.g. socio-political circumstances, vested interests, and corruption). Small size of the program compared to the scale of the problems is a limiting factor.
Sustainability	Moderate	Although the program has in some cases led to systemic changes (including their integration into administrative reforms and legislation), expanded awareness and improved the knowledge base on FLEG, and contributed to more positive attitudes towards SFM, the termination of the program creates a risk of lost impetus for continued forest sector reforms.

To facilitate the mapping of the activities and achievements against the commitments, the 22 SPD commitments have been grouped under nine broad thematic areas. These thematic areas and their coverage of the SPD commitments are as follows:

National and sub-national level:

1. Political commitment, legislation and regulations (SPD 1 and 2)
2. Institutions and capacity development (SPD 3)
3. Strategies and actions to address the underlying causes of illegal logging and associated trade (SPD 4, 5 and 8)
4. Stakeholder rights, participation and engagement (SPD 6 and 7)
5. Information, awareness and transparency (SPD 9, 10 and 11)

Regional and International level:

6. Trans-boundary cooperation (SPD 17)
7. Cooperation and partnerships with and among the private sector and civil society (SPD 16, 21)
8. International cooperation on monitoring, reporting and other information exchange and dissemination (SPD 13, 15, 18, 20)
9. Other international cooperation including multilateral instruments and processes (SPD 12,14, 19, 22)

For national level implementation an assessment is presented in the tables below using “traffic lights” to illustrate the level of implementation in each participant country. **Green** ● indicates that this has been a main area of focus with significant measures taken (e.g. laws approved, institutional reforms implemented or in implementation, new models for legal and sustainable forest management and use developed, tested and disseminated, reforms in education implemented). **Yellow** ● indicates that the thematic area has been covered in the country program, but has not been a main focus area, or that only studies or other initial activities have been carried out without much advance in actual implementation. **Red** ● indicates that no action in the thematic area has been taken. Some examples of measures taken in each participant country are noted in the tables.

Below each table, a summary assessment is provided for the thematic area, with an illustrative example in a box. More detailed information for each participant country is provided in the supplementary country notes (Annex 2).

For the regional and international level a descriptive assessment is made highlighting some of the main achievements specific to the ENPI FLEG program. Key additional international actions are briefly described at the end of the chapter.

National and sub-national level

a. Political commitment, legislation and regulations (SPD 1 and 2)

The following table summarizes the coverage and key achievements in this thematic area by participant country:

Participant country	Coverage of national actions		Examples of measures taken
	Phase 1	Phase 2	
Armenia			Analytic basis for forest sector reforms established, but reform process stalled.
Azerbaijan			Reforms initiated in phase I integrated into broader policy/strategy processes during phase II.
Belarus			Strategic Forestry Development Plan and new Forest Code approved.
Georgia			High conservation value forest identification carried out, National Forest Program (NFP) and Forest Code formulated (not yet approved).
Moldova			Analysis generated under FLEG used to inform broader strategies and plans.
Russian Federation			Analytic work under FLEG has informed major reform processes with potential for significant impact given the extensive forest areas affected (Box 1)
Ukraine			Series of analytic studies have been carried out but relatively little progress in reform implementation.

This is the thematic area where the outcomes and potential impacts of the SPD implementation are likely to be most influential, and most directly linked to preventing illegal logging and related trade. The actions are directly relevant to creating a level playing field for legal operators. It is also an area where the mapping indicates that considerable progress has been made. The high quality of the analytic inputs provided through ENPI FLEG support has secured that, in general, these inputs have been well received by the relevant government instances and made use of in reform processes and strategic planning.

Moving the initiated reforms forward to reach concrete outcomes (e. g. approved revised legislation, and new institutional mandates and administrative structures in place and operational) has proven time consuming and challenging in many countries. In some cases the processes have slowed down considerably. This is to be expected as many of the reforms proposed require parliamentary approval processes and touch on the economic interest of powerful groups in the societies. The best progress has been made in those countries where the work supporting the reforms has been led by the responsible government entities, and supported by a high-level commitment to the reform agenda.

The achievements in this thematic area are also noted by many of the national FLEG Focal Points as the most valuable contributions that the program has made. Due to its flexibility, the program has been able in many cases to provide timely inputs to inform these processes on critical issues. However, it is also noted that the achievements in this area can easily be reversed due to changing political interests and negative developments in the overall context of the sector.

Box 1

The Russian Roundwood Act of 2013

Russian Federal Law FZ-415 (of 28 December 2013) on “Amending the Forest Code and the Code of the Russian Federation on administrative offences”, which came into full effect on 1 January 2016, requires woodworking companies to monitor the legality of their wood resources. The new law contributes indirectly to the effective implementation of the EU Timber Regulation (No 995/2010). As of July 2014, all freight traffic of harvested timber must have supporting documentation establishing its origin. After July 2015, forest users need to register transactions via an electronic form. As part of its education component, the FLEG II Program developed and published a new module in the FLEG textbook, aimed to increase awareness about the new legislation for both forestry specialists and university students.

Source: FLEG II Program 3rd Narrative Progress Report (draft), January 01, 2015 to December 31, 2015

b. Institutions and capacity development (SPD 3)

The table below summarizes the coverage and achievements in this thematic area by participant country:

Participant country	Coverage of national actions		Examples of measures taken
	Phase 1	Phase 2	
Armenia	●	●	Some progress has been made in institutional capacity development of Hayantar (national forest agency).
Azerbaijan	●	●	Progress has been made mainly in capacity building and engaging government agencies in forest issues in general.
Belarus	●	●	Strategic Forestry Development Plan formulated, and increased accountability and transparency of Ministry of Forestry.
Georgia	●	●	FLEG included in NFP concept development, including thematic inter-sectoral working groups.
Moldova	●	●	Reform processes within Moldsilva and its transfer to Ministry of Environment progressing (Box 2).
Russian Federation	●	●	Reform processes have taken place and continue, however their impact on FLEG is less clear.
Ukraine	●	●	Capacity development has taken place with some progress in institutional reforms or improving inter-institutional cooperation.

As with the other thematic areas, the time and effort needed to move from analytic studies contributing to a better understanding of the issues and building the capacity of individuals in various agencies, to strengthening institutional capacities, changing institutional structures, and putting in place effective inter-agency coordination, is considerable. In some participant countries frequent staff changes have also slowed down this process. Even when implemented, institutional reforms (e. g. decentralization and devolution of forest management responsibilities to local entities) often have both positive and negative FLEG-related implications. In most of the participant countries, involvement of the law enforcement and judicial authorities in forest issues would require deepening. The most significant results have been obtained through reforms within the forest institutions themselves and their administrative decisions and practices, which have been easier to design than major reforms in wider institutional structures (Box 2).

Reform of Moldsilva

Beginning in April 2015, the Moldovan government's forest management agency, Moldsilva, ceased main felling operations in 140,000 hectares of oak forests while it reviews ways to improve forest management practices. The agency's management made the decision to cease oak felling until the end of the year based on FLEG research, new findings that wood came from dubious sources, and other information showing that current forest management systems are not adequate to prevent the loss of biological and economic potential of forests in Moldova. The decision to cease oak felling (some regeneration felling will continue as needed for forest restoration) is a continuation of the agency's efforts over the past five years to combat illegal logging and better manage their forests. Throughout the process, Moldsilva has called on the FLEG Program for expertise on a variety of subjects ranging from technical expertise and research to communications and outreach.

Source: FLEG II Program 3rd Narrative Progress Report (draft), January 01, 2015 to December 31, 2015

The national FLEG Focal Points note the capacity building of forest sector staff, young foresters, and other stakeholders as one of the most valuable achievements of the program. The study tours, summer camps and regional experience exchanges are recognized as important actions that have contributed to institutional capacity building.

c. Strategies and actions to address the underlying causes of Illegal logging and associated trade (SPD 4, 5 and 8)

The below table summarizes the coverage and achievements in this thematic area by participant country:

Participant country	Coverage of national actions		Examples of measures taken
	Phase 1	Phase 2	
Armenia	●	●	Significant studies on the underlying causes were carried out (e.g. the forest dependency study) and some implementation has taken place in the optimization process of the forest sanctuaries.
Azerbaijan	●	●	Pilots on energy efficient technologies, and Tugay forest landscape restoration have been carried out.
Belarus	●	●	Achievement of high level of forest certification (98% of forest area certified by Program for the Endorsement of Forest Certification – PEFC; and 78% by the Forest Stewardship Council – FSC).
Georgia	●	●	Analytic work carried out has contributed to a better understanding of the underlying causes of deforestation, but implementation of concrete actions has been slow.
Moldova	●	●	Analytic work has been carried out and has contributed to reforms in Moldsilva e.g. to address corruption.

Russian Federation	●	●	Analytic studies have been carried out e.g. on addressing the corruption risk, and concrete actions taken to implement the recommendations (e.g. the Roundwood Act)
Ukraine	●	●	Analytic studies have been carried out e.g. on high corruption risk areas and legal access to forest resource, and efforts to curb corrupt practices are being integrated into broader anti-corruption efforts (Box 4).

The work under this thematic area has focused mainly on gaining a better understanding of the underlying causes of illegal logging and related trade in the context of analytic studies informing policy, legislative and institutional reform processes. In many cases the concrete impact of these studies and proposals still remains uncertain, as the reform processes have not yet been concluded. Given the vastly different forest situations of the participant countries, the focus of the studies ranges from the more directly FLEG related issues of e.g. improving administrative systems for forest management and timber sales, or assessing the regulatory impediments restricting the use of the forests by local communities, to much broader and more indirect impact pathways. These included the potential of ecotourism or payments for environmental services to reduce the pressures

on forest resources. In some cases field-testing of new approaches has taken place on pilot scale. In a few participant countries concrete anti-corruption actions have been initiated through legislative work and administrative actions but these reforms are facing resistance from vested interests, as could be expected (Box 3).

Box 3

Addressing corruption in the forest sector of Ukraine

The new Ukrainian Parliament signed a Coalition Agreement in November 2014 defining the country's path of development. It contains forest reform measures suggested by the FLEG II Program. In April 2015 the Ukrainian Parliament approved a legislative proposal banning exports of unprocessed roundwood for ten years.

The purpose of the law was to prevent illegal deforestation, minimize corruption in the industry, and encourage the development of the domestic wood-processing industry. The ban entered into force in January 2016 for all species except pine. The ban on pine became applicable in January 2017.

In April 2015, a new national anti-corruption law came into force in Ukraine aimed at integrated reform of the anti-corruption system in accordance with international standards. This also applies to anti-corruption work in the forestry sector, and the FLEG II Program developed a study that interprets the new legislation, which is an extension of an earlier produced Ukrainian manual on anti-corruption legislation

Source: FLEG II Program 3rd Narrative Progress Report (draft), January 01, 2015 to December 31, 2015

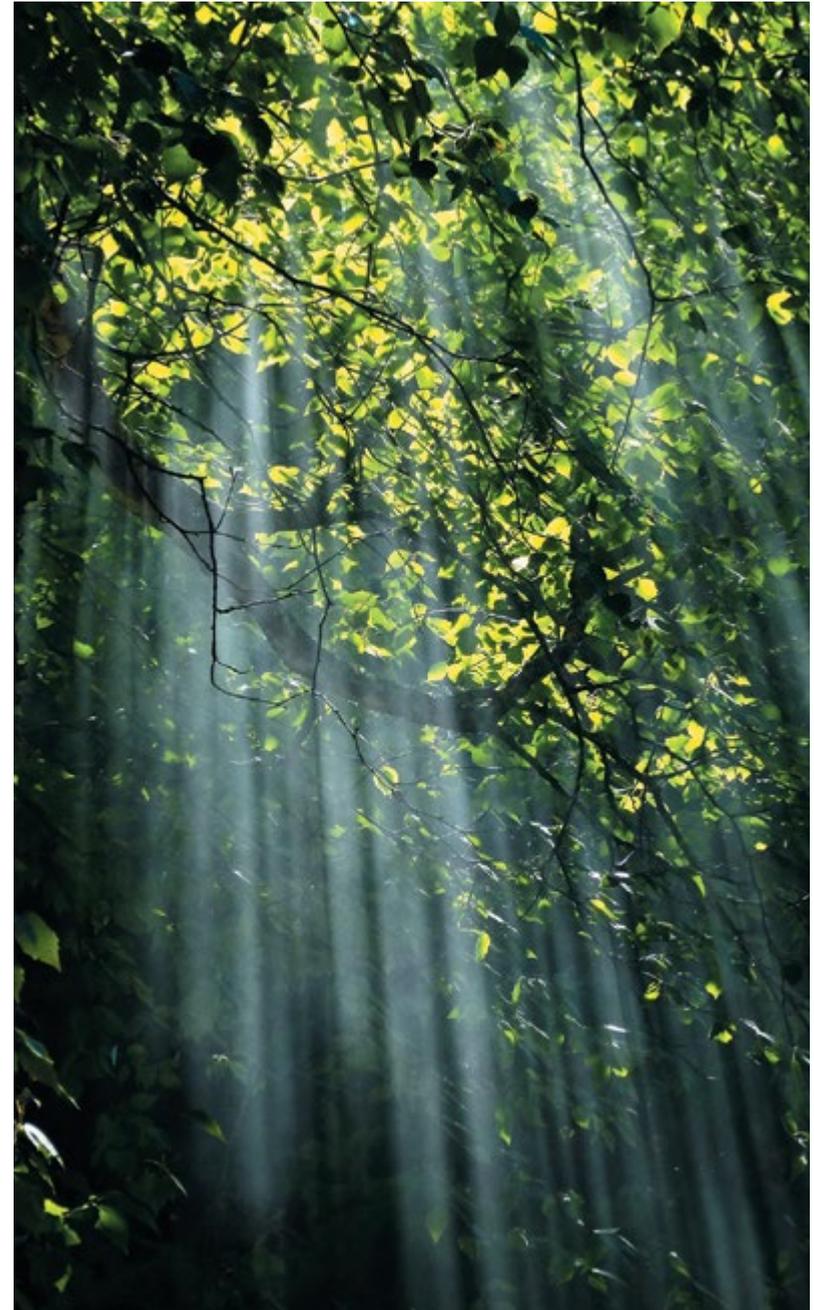
d. Stakeholder rights, participation and engagement (SPD 6 and 7)

The table below summarizes the coverage and achievements in this thematic area by participant country:

Participant country	Coverage of national actions		Examples of measures taken
	Phase 1	Phase 2	
Armenia	●	●	During phase 1 rights and participation issues were addressed in adaptation plans for climate change, work on underlying causes of deforestation, and in SFM planning.
Azerbaijan	●	●	The empowering of local communities through roadshows provides an innovative approach to recognize rights (Box 5).
Belarus	●	●	During phase 1 participation and rights aspects were addressed through the work on the Forest Strategy and Forest Code.
Georgia	●	●	Some stakeholder engagement is reported in the policy processes.
Moldova	●	●	Addressed through analytic work and implementation of pilot projects. A first locally managed forest (Tusheti Protected Landscape) was implemented covering over 300 000 ha.
Russian Federation	●	●	Addressed through analytic studies and legal proposals on community forests.
Ukraine	●	●	Dealt with in some of the analytical studies and related information dissemination as well as with some pilots (e.g. ecotourism)
			Dealt with in some of the analytical studies and related information dissemination.

From its inception and planning the ENPI FLEG program has actively engaged with the relevant groups of stakeholders in the participant countries. Both IUCN and WWF have built a robust network of civil society organizations in the participant countries, and local NGOs have been invited to become members of the National Program Advisory Committees (NPACs) (national coordination for the FLEG Program), or to become partners in the promotion of specific FLEG products. Civil society and private sector representatives have been invited to participate in tenders for analytical activities, information dissemination and training, and are also actively represented at stakeholder meetings discussing draft reports and in presenting their views on ways forward with specific challenges and opportunities identified in these. In many cases, the ENPI FLEG program has introduced novel participatory ways for policy formulation and planning.

The numerous studies carried out under the program have also been widely disseminated and discussed, and this has enabled the stakeholders to take informed positions in policy related debates. In several of the participant countries the analytic work has included studies focusing on the clarification of local forest users' rights (e.g. for fuelwood and non-wood forest products needed for local livelihoods).



Pilots have also been implemented to test and develop systems for community forests in some participant countries, emphasizing local forest rights and attempting to remove impediments to local livelihoods use (e.g. for fuelwood). SME access to forest resources has also been subject of analytic work and pilot activities.

The “roadshows” in Armenia provide an interesting and innovative example of an approach to empower forest dependent communities and better understand their forest related needs and aspirations (Box 4).

In some of the smaller ENPI FLEG participant countries where the forest sector has great relevance to local energy provisions, the FLEG Focal Points consider the engagement with the local communities, and making their voices heard in policy and legal reform processes, as one of the key achievements of the program.

Empowering Local Communities through Roadshows in Armenia

Prior to this activity, members of rural, forest-dependent communities had no way of expressing their forest related concerns in a manner that would be heard by the Ministry and other government officials. The Roadshow provided an opportunity to help them connect to their government and raise their environmental awareness.

The goal of the Roadshows activity was to collect and share information with communities on forest management and, in turn, learn about community concerns and proposals for addressing specific issues. The objectives were to:

- raise environmental awareness,
- raise the sense of community ownership over forest,
- assure public access to decision making, and
- encourage confidence in communities’ ability to protect the forest resources they rely on.

Two rounds of Roadshows were conducted in Armenia between 2010 and 2015. Through the many informal discussions across 20 different communities, a set of community claims and appeals was collected and presented to the Armenian government. The appeals dealt with “ways of improving social standards with regards to forest management and ways in which the government can improve this situation.” One major concern expressed by the forest-dependent communities was the inability to legally collect deadwood for heating and cooking purposes.

Source: Case Study 2: Empowering Forest-Dependent Communities through Roadshows, Armenia, SNRE & IUCN, April 2016

e. Information, awareness and transparency (SPD 9, 10 and 11)

The table below summarizes the coverage and achievements in this thematic area by participant country:

Participant country	Coverage of national actions		Examples of measures taken
	Phase 1	Phase 2	
Armenia	●	●	Extensive information dissemination based on the studies conducted. Public monitoring of forests in Armenia initiated. Website for uncovering illegal activities in the forests established. Website for Hayantar established.
Azerbaijan	●	●	Website dedicated to forestry issues established for Ministry of Environment and Natural Resources.
Belarus	●	●	Inter-ministerial public council on forestry issues and forestry enterprise website set up. Manuals and teaching materials widely disseminated to professionals and schools. Forest Certification.
Georgia	●	●	Widely available database on Georgian forest established (GeoForestPortal). Capacity building of journalists and carried out to strengthen their reporting on FLEG.
Moldova	●	●	Wide generation and dissemination reported as “game changer”, feeding into reform processes. Traceability tool for timber developed and tested.

Russian Federation



Ukraine



Dissemination activities at schools, including “teachers handbook on SFM”, carried out.

Creation of a website and dissemination of best practice through the site. Module based training programs on FLEG issues used in training institutes.

Media campaigns on FLEG awareness carried out. Active use of education materials and guidelines on FLEG and integration of these into professional curricula.

This has clearly been an area where the countries have implemented considerable measures to comply with the SPD commitments, and the ENPI FLEG program has been able to provide significant support. In some countries the actions to inform and engage a broad range of stakeholders, and to support them in getting their voices heard in the FLEG related processes have been unprecedented in the sector. Extensive information campaigns have also been carried out in many participant countries targeting decision makers, journalists, forest professionals, education institutions at different levels, and the public at large (Box 6). The analytic work supported by the ENPI FLEG program has provided relevant content to inform these efforts.

The production and dissemination of FLEG related training materials has enabled training

and education institutions to integrate FLEG related issues into their curricula. In some participant countries specific trainings and training materials have been provided to other key sectors, such as customs officials and the judiciary, but mainly training has focused on forest sector institutions, professionals and students. Awareness raising and training has also been extended in some countries to issues such as the European Union Timber Regulation (EUTR) , relevant to timber exporters to the EU.

Less effort and achievement is reported in the monitoring of trade-flows, whether domestic or international.

Increasing public awareness on FLEG and forest issues in general, both within and outside the forest sector and at different levels in the society, is also considered a key achievement by the national FLEG Focal Points. Raising awareness and information dissemination targeting the local communities has been a key element in enabling their participation and engagement in the discussions on forest issues. In some countries the FLEG program is reported as having been the first platform for stakeholder dialogue on important issues regarding forest sector development, and in the search for solutions.

Working with the media in Ukraine and Moldova

Ukraine held an annual forest contest for journalists and environmental activists; out of 90 submissions, 27 received awards from the jury. Journalists from four regions of Ukraine learned about ways to prevent corruption in the forest sector at seminars in Ivano-Frankivsk, Chernihiv, Zhytomyr, and Chernivtsi. The presentation in Chernivtsi, attended by all six local TV channels and 15 journalists from print and electronic media was one of the most successful in the series.

In Moldova, 16 representatives from mass media attended a press conference in Moldova, titled “National forestry sector: illegal logging, forest lease, and oak management”, where it was announced that main felling operations will be ceased in 140,000 hectares of oak forests while the government reviews ways to improve leasing and sustainable forest management.

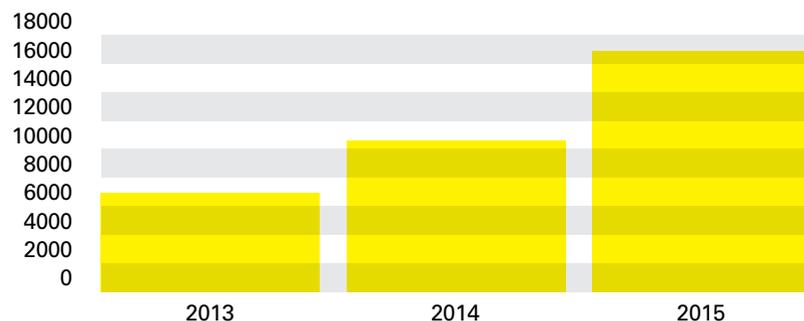
Source: FLEG II Program 3rd Narrative Progress Report (draft), January 01, 2015 to December 31, 2015

Regional and International level

The thematic area on regional and international cooperation includes both trans-boundary cooperation among neighboring countries sharing similar problems (SPD 17), and broader international cooperation focusing e.g. on trade monitoring, certification systems' development, capacity development and technology transfer, partnership development, and work with other regions and multilateral instruments (SPD 12, 13, 14, 15, 16, 18, 19, 20).

The focus of ENPI FLEG supported regional activities has been on information sharing e.g. through the ENPI FLEG website (<http://www.enpi-fleg.org>) which reports steadily increasing visits and the Regional Newsletter (<http://www.enpi-fleg.org/documents/newsletters/>) issued quarterly in Russian and English and distributed to contacts in the ENPI FLEG database.

FLEG II website sessions



The ENPI FLEG Program carried out studies on issues with significant implications and potential for several of the participant countries. These include the “Regional Study on the Forest Dependency of Local Communities”, leading to the development of the “Forest Community Fingerprint (FCF)” approach to more accurately and cost-effectively estimate the human-nature dependency structure in boreal and temperate forests. The FCF concept utilizes specific data gathered during targeted household surveys and combines this with satellite data that allow spatial expansion of the results of the survey data to cover larger forest areas and a broader range of communities (Box 6).

The Program also promoted a stock taking of Information and Communications Technologies (ICT) for all countries to help address illegal logging activities. This includes a roadmap for countries based on their existing initiatives to address illegal logging (e.g. use of electronic timber tracking, online timber auctions, social networking to monitor forest activities, etc.). The “Economics of Ecosystems and Biodiversity (TEEB) ” study and its follow-up “Regional-Level Analysis of the Outcomes of the TEEB Scoping Studies for the Forestry Sectors of Armenia, Azerbaijan and Georgia” are further examples of regional measures carried out or ongoing.

Regional study on the forest dependency of local communities, and the Forest Community Fingerprint

Forest Dependency Studies carried out in 36 communities in all seven ENPI FLEG participant countries underscored the fact that quantifiable information helps support the improvement of forest governance. The Forest Dependency work illustrates the conceptual framework of the Forest Community Fingerprint (FCF) and provides results for 82 communities in the northern boreal forest ecosystem.

The Forest Community Fingerprint (FCF) is an approach that provides a tool for estimating human dependency on nature in boreal and temperate forest ecosystems and to document drivers of sustainability and efficiency of interactions between communities and their surrounding forest ecosystem resources. Further, the FCF assesses the true value of forest ecosystem goods and services for rural communities and provides quantifiable information to decision makers and local stakeholders in a graphical manner. The FCF concept utilizes specific data gathered during ground-based household surveys in sample communities as well as information derived from remote sensing information on a larger scale. The use of satellite imagery is a timesaving and cost effective way to (i) optimize investment decision that aim at improving communities' economic status and resilience, and (ii) to carry out pre-verification of targeted interventions or confirm that investments have produced the desired results.

Source: FLEG II Program 3rd Narrative Progress Report (draft), January 01, 2015 to December 31, 2015; IUCN FLEG FCF Apr 2016.pdf

Other regional measures include organizing FLEG related events (e.g. "Let's protect the forests!" the first young foresters' summer camp, organized in Gakh, Azerbaijan, in August 2015), study tours between the participating countries and to EU member states, and the promotion of FSC principles in Moldova, Georgian, Armenia and Azerbaijan. There have been a few examples of regional cooperation leading to concrete collaboration agreements between neighboring countries (e.g. the establishing a Memorandum of Understanding for bilateral collaboration between the Armenian and Georgian forest authorities).

The national FLEG Focal Points consider the regional studies and the regional and international (e.g. with the EU countries) sharing of experiences and important lessons learned between countries among the most useful outputs of the program.

Despite these achievements, the FLEG II Program Mid-Term Review notes that regional cooperation has not received as much attention as national and sub-national activities. The regional activities are not sufficiently connected to country programs and their value is not always clear to the country stakeholders. The relative lack of priority given to trans-boundary cooperation — including collaboration

with EU member states — is also reflected in many of the Country Notes.



6. Measures taken by other signatory countries, including the EU

Although the ENPI FLEG program and the complementary bilateral and multilateral measures at the country level are the backbone of the international cooperation supporting the implementation of the SPD, there are several other efforts and initiatives that provide direct (see examples in Box 7) or indirect support to the SPD implementation. The indirect support includes the EU's Forest Law Enforcement and Trade (FLEGT) Action Plan endorsed by the EU Council of Ministers in 2003, which covers both supply and demand side measures to address illegal logging, and has led to two key pieces of legislation supportive of the aims of the Declaration: (i) the FLEGT Regulation (2005), allowing for the control of entry of timber from countries that have signed a Voluntary Partnership Agreement (VPA) with the EU, and (ii) the EU Timber Regulation, EUTR, (2013) that prohibits operators in Europe from placing illegally harvested timber and products derived from illegal timber on the EU market.

As none of the seven ENPI FLEG participant countries are involved in Voluntary Partnership Agreement (VPA) negotiations with the EU, the EUTR has arguably the most potential to support the aims of the SPD. It acts as an incentive for

Complementary and Coordinated Supporting Measures

In parallel to the EC-funded FLEG II Program, the World Bank and the Austrian Development Agency (ADA) agreed on a three-year project (2014-16, US\$ 2.13 million) called "The ENPI East Countries FLEG II Program—Complementary Measures for Georgia and Armenia".

The development objective for the Project is "to promote sustainable forest governance, management, and protection of forests in the participant countries, ensuring the contribution of the countries' forests to climate change adaptation and mitigation, to ecosystems and biodiversity protection, and to sustainable livelihoods and income sources for local populations and national economies."

Priority areas being supported in both countries are (1) development of policy and legislation; (2) forest inventories; (3) pilot activities for sustainable forest management; (4) forest case studies; (5) capacity building and training; and (6) public awareness and dissemination of results.

The World Bank is also collaborating on initiatives and operations complementary to and supportive of the implementation of the SPD in Russia and Belarus, including the USD 121,6 million Forest Fire Response Program in Russia supporting in part sustainable forest management and related policy, legislation and silvicultural systems development, and the Belarus Forest Policy Note, a contribution to the review of forest strategy and institutional reform in Belarus. The Bank's programs in community forest management and natural forest management e.g. in Albania are also geared towards improving control and local governance in forest areas and may provide important lessons for the seven ENPI FLEG countries

Source: FLEG II Program 3rd Narrative Progress Report (draft), January 01, 2015 to December 31, 2015; IUCN FLEG FCF Apr 2016.pdf

countries to improve sector governance and control of illegal harvesting and illegal timber trade due to the due diligence requirement regarding the legality of all round timber and timber products on the EU market. As noted earlier in this report, training on the EUTR implications to industries and traders have been carried out in the participant countries under the ENPI FLEG program.

Both phases of ENPI FLEG have also been in line with the EU's ENPI Regional East Program 2010-2013, which mentions FLEG and strives as one of its specific objectives "to facilitate policy development and implementation of strategies in various environment sub-sectors", increase the collaboration with the European Commission as a program partner, and include the involvement of the EU Member States, and the EU delegations in the participant countries.

The implementation of SPD commitments is also supported indirectly through the Bilateral Coordination Mechanism (BCM) between EU and China on forest law enforcement, established in 2007 (<http://www.euflegt.efi.int/china-eu>). Under the BCM, the EU is working together with China and its wood supplier countries, including Russia, to help eliminate illegal logging through combining capacity building with demand side measures

in the EU markets. High-level dialogue in the environmental sector has also been conducted between the EU and Russia, including a technical working group on FLEG.

In 2008 the United States amended the 100 year-old Lacey Act to include the banning of commerce in illegally sourced logs, sawn wood, wood based furniture, pulp and paper. All these products must now be harvested, transported, processed and exported to the US in accordance with the relevant local legislation. An official document is not considered a sufficient guarantee of legality and it is up to the US importers to exercise due care, similar to the requirement of the EUTR. This amendment has significant potential implications for the importing of wood and wood based products from countries such as Russia, Ukraine, Belarus and Georgia.

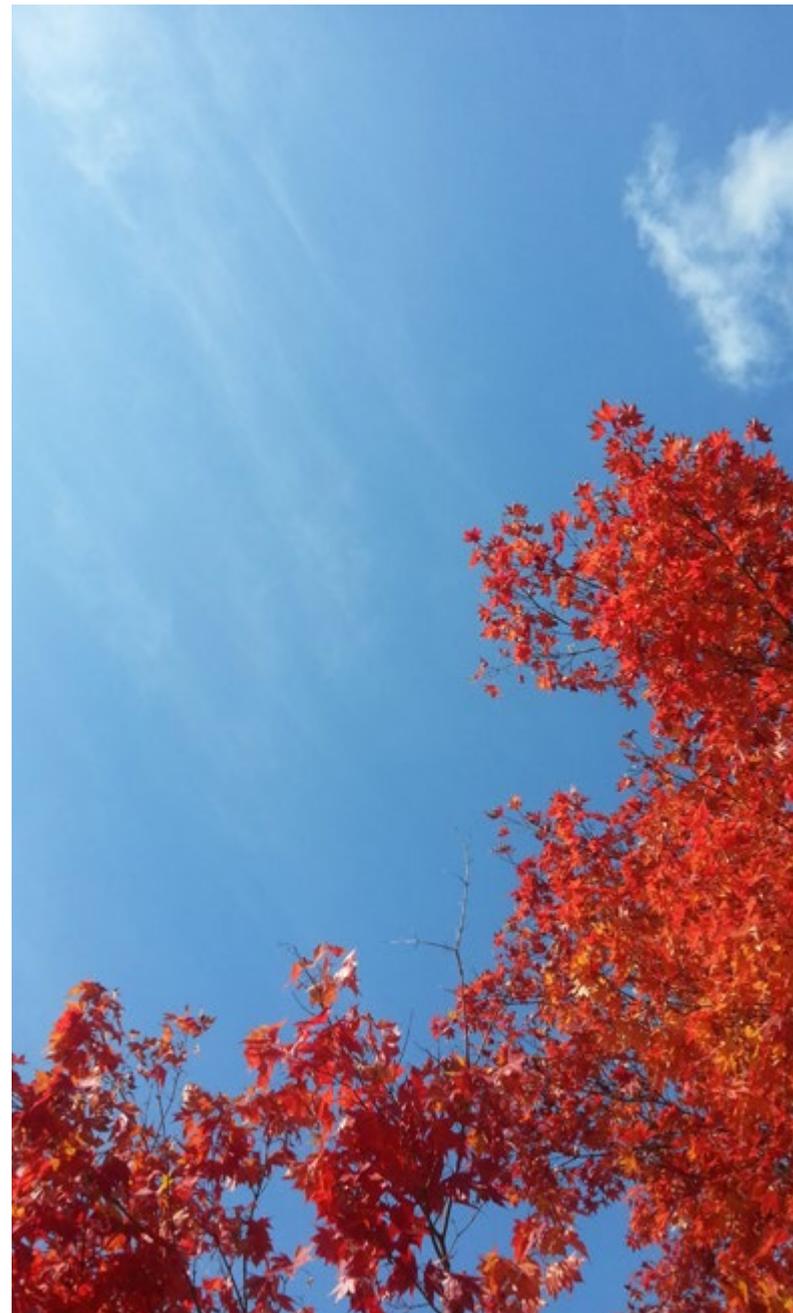
On the international level, the Program on Forests (PROFOR) in collaboration with FAO, have been developing a forest governance diagnostic tool, which was piloted in four regions in Russia. PROFOR has also supported development of information and communication technologies (ICT) specifically targeted at promoting good and transparent forest governance, with potential for application in the region.



7. Key conclusions

The main conclusion that can be drawn from the review is that all of the seven ENPI FLEG countries have, to a varying degree, implemented activities, developed outputs, and achieved at least intermediary results in all five thematic areas under which the SPD commitments were grouped for the purposes of this study. It is equally evident that in relatively few cases there has there been significant, large scale implementation of actions on the ground that could be expected having so far resulted in concrete reduction of illegal logging and related trade.

The main focus of the SPD implementation efforts in most ENPI FLEG countries has been on generating information on the forest sector in general, on specific issues underlying illegal logging and related trade, and regarding the incidence and implications of illegal activities. This information has been disseminated to increase the awareness of stakeholders and decision makers at all levels, and fed timely to inform policy, regulatory and institutional reform processes. The participant countries have also initiated and in some cases made considerable progress with such reforms. This, in itself, has been an important and successful contribution. Another area where considerable progress has



been made is promoting stakeholder dialogue and pilot-level implementation of actions.

The approach taken to initially put considerable efforts into generating the analytic bases for reforms, to test and study on pilot scale, and to focus on information, awareness and dialogue and engagement with broad segments of the society, is logical. But perhaps more could have been expected in this ten-year period in actual implementation and impact. This may indicate that the overall socio-economic and political developments in the St. Petersburg Declaration participant countries have not been fully supportive of the its aims. It may also indicate that the country strategies for ENPI FLEG, and for FLEG in general, have not sufficiently considered how to build the bridge towards large-scale implementation and successful sector-level reform. It may also indicate that there have been strong vested interests and other counteracting forces to slow-down reform processes. Or it could be a result of a combination of all of the above factors.

Larger countries, or countries with a significant forest sector and/or stronger institutions (Russia, Belarus, Moldova and Georgia), have implemented measures with a broader coverage and most likely bigger impact on the SPD commitments, while countries

where the sector plays a relatively minor role (Azerbaijan, Armenia) have programs that are more indirectly linked to FLEG, and put a lot of effort in increasing awareness and information, targeting different segments of the society. In Ukraine, the country program has been positioned as a reform-oriented and anti-corruption program, advocating transparency and stakeholder participation. The engagement with the local communities and the emphasis on local community rights for forest use has been a significant feature in many of the ENA FLEG country programs, and has introduced new approaches and concepts and enabled the voices of the local communities to be better heard in forest governance related processes. This is clearly a significant achievement in many of the ENPI FLEG participant countries, and has helped the countries to move on from the centralized forest management and conservation models towards more participatory and democratic approaches. The involvement of the private sector has been more limited in most of the participant countries.

In general, there is more focus in the ENPI FLEG country programs on the G (governance) than the LE (law enforcement) of FLEG, indicating that more priority is given to addressing the underlying causes of illegal logging and associated trade (prevention), and in taking

a long-term view of the issue, than in directly combating this phenomenon (detection and suppression). Overall, there seems to have been some reluctance to engage in “hard action” (i.e. action involving law enforcement and the criminal justice system, or actions directed to customs control). One could argue that this lack of hard FLEG focus may have somewhat diluted the impact of the program on illegal logging and related trade, at least in the short-term. However, there are some exceptions to this, for example in Georgia the ENPI FLEG program has supported directly law-enforcement related activities (Box 8).

Box 8

Law enforcement education activity in Georgia

ENPI FLEG’s law enforcement education activity in Georgia is reported as innovative, and is generating interest from other national actors. The program has initiated an activity whereby practicing judges train forestry workers in gathering evidence and preparing cases for court that are procedurally robust and more likely to lead to convictions. The training involved education components and mock cases and combined elements of forestry, legal processes and practical issues. The course trainees have become trainers of other staff in the regions. This approach involving active judges had not been tried in Georgia before. It has also promoted inter-agency cooperation between the Ministries of Environment and Natural Resources Protection and of Justice, an arrangement that is also not common in Georgia..

The effectiveness of the complementary measures (e.g. the EUTR) is still uncertain – will they lead to actual improvements in the legality of forest products exported e.g. to the EU and US, or turn into paper exercises with little actual impact, as expected by some operators in the countries? The recent (April 2016) Evaluation of the EU FLEGT Action Plan (2004-2014) notes the so far uneven implementation of EUTR within the EU, and indicates that significant support is needed for producers in many countries to help them find and implement the appropriated means to comply with EUTR requirements, whether through Timber Legality Assurance System (TLAS) implementation, through certification, or with other systems.

Finally, it should be noted that from a broader forest or climate perspective the participant countries of the ENPI FLEG program are hardly comparable in terms of their significance. Among the participants are countries like Russia where successful implementation of improved forest governance has the potential for huge economic, environmental and social impacts, with implications that go well beyond the national borders. E.g. the 2013 Russian Roundwood Act can impact on hundreds of millions of hectares of forestland, and is of direct relevance to wood and wood products’ imports to the EU and hence the success of respective EU-level legislation.

The forest sector has the mandate to put these reforms in place and enforce compliance. In some of the smaller participant countries the impacts of reforms in forest management and conservation are mainly local and national, and successful reforms may require changes in other sectors, such as energy and rural development.



8. Potential ways forward

As indicated above, concrete reform processes have advanced in varying degrees in the participant countries, and in many cases their continuity is still uncertain. Much will now depend (i) on the capacity of the national partner organizations and institutions to move the FLEG agenda forward, (ii) on the political will in these countries to effectively control illegal logging and related trade despite of the opposed interests, and (iii) on the success of broader governance reforms and anti-corruption and crime control efforts in the societies. Progress will also need to continue to allow local use of forests without excessive regulations and further develop and implement sustainable forest management regimes by different types of forest users and communities. The three ENA FLEG Implementing Organizations, The World Bank, IUCN and WWF need to assess how to further integrate the actions initiated or supported through ENA FLEG into their country and regional programs, and how to further enhance cooperation and coordination with other organizations supporting similar actions in the ENA FLEG countries.

Regarding the way forward, the vastly different national capacities of the SPD participant countries need to be kept in mind in defining the appropriate strategies and assessing the need for

and usefulness of external support. In countries where the commercial forest sector is nationally important in terms of industrial output, trade and employment, a sectorally focused approach to FLEG makes sense also in the future. Russia is a good example of a SPD participant country that has the capacity to put in place reforms assuming that sufficient priority is given by the government both at central and local level. These efforts can and need to be supported by the EU Member States by uniform enforcement of the EUTR and political dialogue.

The ENPI FLEG countries with a developed industrial forest sector can also benefit from scientific cooperation with other developed forest countries sharing similar forest conditions (e.g. Finland, Sweden or Canada). But in all likelihood they find little, if any, benefit from traditional cooperation instruments considering the trade-offs involved (cumbersome bureaucratic processes, delays in implementation, high transaction costs, external agency policies, etc.).

In the smaller SPD participant countries (Armenia, Azerbaijan, Georgia, and to some extent also Moldova) the continued implementation of the FLEG related reforms is arguably less of a purely forest sector issue and more an issue to be addressed in the context of

sustainable land management, conservation of high-value forest areas, agricultural and livestock policies, energy policies etc. This requires more holistic approaches and broad inter-sectoral programs to find and implement the appropriate solutions (e.g. switches in rural energy use, effective participatory implementation of high value forest conservation, integrated rural development etc.). Given the relatively low economic significance of the forest sector in the national context, the low institutional capacities, and the economic hardships and social challenges that these countries are facing, it is also likely that effective implementation requires continued external support.

We, the representatives of the Governments from Europe and North Asia (ENA region countries) and from other participating countries¹ 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;

¹ Albania, Armenia, Austria, Azerbaijan, Belarus, Bulgaria, Bosnia and Herzegovina, Canada, China, Croatia, Denmark, Estonia, Finland, Georgia, Germany, Greece, Hungary, Italy, Japan, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Former Yugoslav Republic of Macedonia, Moldova, Mongolia, the Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Turkey, Ukraine, United Kingdom, United States, Uzbekistan

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;
15. 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;
16. 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;

17. 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;
18. 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;
19. Underscoring the urgent need by countries to undertake collective actions to combat illegal logging, associated trade and corruption;
20. 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;
21. 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 transboundary 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 legally 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;
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, Bulgaria, Bosnia and Herzegovina, Canada, China, Croatia, Denmark, Estonia, Finland, Georgia, Germany, Greece, Italy, Japan, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Former Yugoslav Republic of Macedonia, Moldova, Mongolia, the Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Turkey, Ukraine, United Kingdom, United States, Uzbekistan and the European Commission.



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 actions 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 assessment 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 accurate 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;



ABOUT ENPI FLEG PROGRAM

The Forest Law Enforcement and Governance (FLEG) II European Neighbourhood and Partnership Instrument (ENPI) East Countries Programme supports participating countries' forest governance. At the regional level, the Programme aims to implement the 2005 St. Petersburg FLEG Ministerial Declaration and support countries to commit to a time-bound action plan; at the national level the Programme will review or revise forest sector policies and legal and administrative structures; and improve knowledge of and support for sustainable forest management and good forest governance in the participating countries, and at the sub-national (local) level the Programme will test and demonstrate best practices for sustainable forest management and the feasibility of improved forest governance practices at the field-level on a pilot basis. Participating countries include Armenia, Azerbaijan, Belarus, Georgia, Moldova, Russia, and Ukraine. The Programme is funded by the European Union.

www.enpi-fleg.org

PROJECT PARTNERS



EUROPEAN COMMISSION

The European Union is the world's largest donor of official development assistance. The European Commission's Directorate General for European Neighbourhood Policy and Enlargement Negotiations (DG NEAR) manages the bulk of the Union's financial and technical assistance to the neighbourhood and enlargement countries. By implementing assistance actions in Europe's eastern and southern neighbourhood, DG NEAR supports reform and democratic consolidation, and strengthens the prosperity, stability and security around Europe. DG NEAR helps to promote EU values, policies and interests in this region, and to contribute to developing the special relationship of the EU with its neighbouring countries

http://ec.europa.eu/index_en.htm



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www.worldbank.org, www.ifc.org, www.miga.org



IUCN

IUCN, International Union for Conservation of Nature, helps the world find pragmatic solutions to our most pressing environment and development challenges. IUCN's work focuses on valuing and conserving nature, ensuring effective and equitable governance of its use, and deploying nature-based solutions to global challenges in climate, food and development. IUCN supports scientific research, manages field projects all over the world, and brings governments, NGOs, the UN and companies together to develop policy, laws and best practice. IUCN is the world's oldest and largest global environmental organisation, with more than 1,200 government and NGO members and almost 11,000 volunteer experts in some 160 countries. IUCN's work is supported by over 1,000 staff in 45 offices and hundreds of partners in public, NGO and private sectors around the world.

www.iucn.org



WWF

WWF is one of the world's largest and most respected independent conservation organizations, with almost 5 million supporters and a global network active in over 100 countries. WWF's mission is to stop the degradation of the planet's natural environment and to build a future in which humans live in harmony with nature, by conserving the world's biological diversity, ensuring that the use of renewable natural resources is sustainable, and promoting the reduction of pollution and wasteful consumption.

www.panda.org