



Regional Collaboration to Control Illegal Timber and Forest Products Movement and Addressing Transboundary Displacement

14-17 November, 2018 ★ Hanoi & Mong Cai, Viet Nam

The REDD+ strategies of countries in the Lower Mekong Region all point to illegal and unsustainable practices from agriculture and forestry sectors as key drivers of deforestation and forest degradation. Implementation of domestic measures alone is insufficient, considering the massive impacts of regional and cross-border trade and investments that determine land use. Under the UN-REDD Programme of Viet Nam, a workshop was convened to bring together the sectors of Forestry, Police and Customs, from the Lower Mekong countries and China.

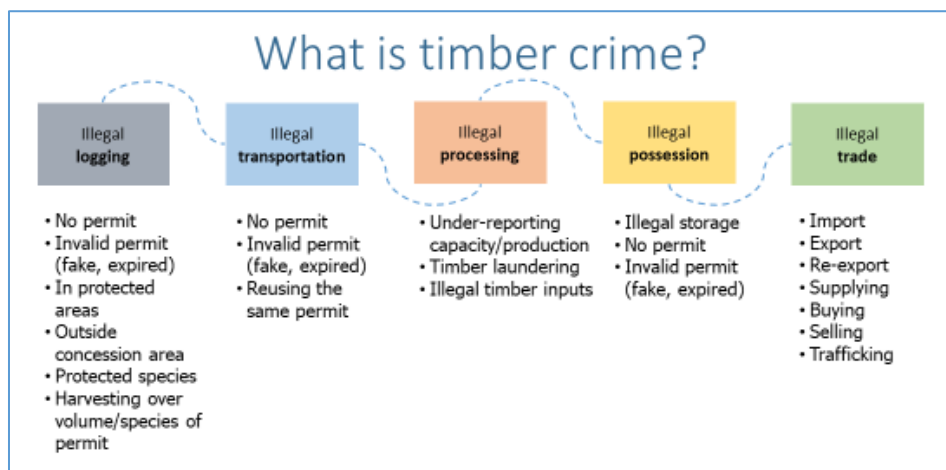
FACTS & FINDINGS PRESENTED

- **\$17bn/year**: value of illegal timber trade from East and Asia Pacific; #2 only to counterfeit goods
- >50% of illegal timber in Mekong comes from **conversion forests**
- In 2015, ASEAN Senior Official's Meeting on Transnational Crime (**SOMTC**) adopted 'trafficking of wildlife and timber' as a focus area
- Combating illegal forest trade is a political **priority** for all countries; BUT, drugs trafficking has demonstrably higher awareness and commitment, resulting in more cross-border investigations
- **Investigations more often than not focus on catching 'small fry'** while 'bigger fish' are out on the run



Delegation from Cambodia, China, Lao PDR, Myanmar, Thailand and Viet Nam representing Forestry, Police and Customs sectors.

- Bilateral '**Memorandum of Understandings**' (**MOUs**) are the primary instruments for cross-border activities. All countries have MoUs with one or more regional countries on forestry sector cooperation.



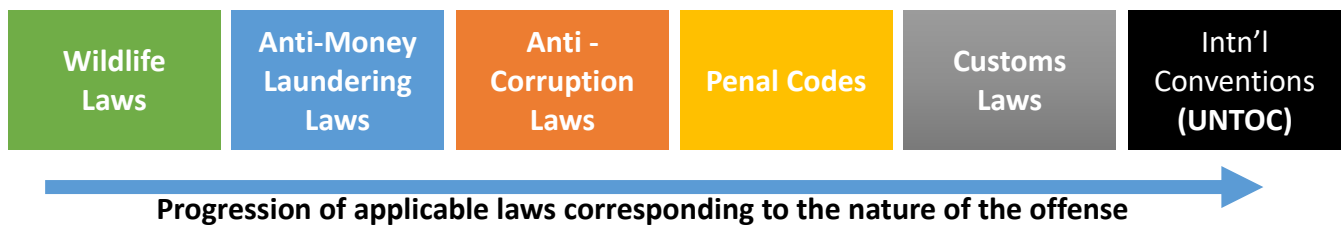
KEY MESSAGES FROM THE MEETING

As part of the workshop agenda, country delegations undertook a pre-workshop survey. Compiled results from countries show that there is wide variation among countries on issues such as sanctions applied to offences, main agency assigned to investigation of forest crime, tools and techniques applied to forestry crime investigations, and information collection methods applied for investigation. This formed one of the starting blocks for discussion on better alignment to enable practical collaboration in investigations across borders.

Throughout the meeting, references were made to the existing Memorandum of Understandings (MoUs) – mostly bilateral and focused on a single ministry or agency across two countries. Bilateral MoUs are present in many countries; however, MoUs alone do not offer the necessary arrangements to operationalize joint cross-border investigations on forest crime.

MoUs are an important political backing to cross-border actions.

But, we cannot use the MoU as it is. There is no clear roles and responsibilities on who we can collaborate across the border, and how we should proceed for action.



PERCEIVED CONSTRAINTS FOR CROSS-BORDER COLLABORATION

- Language barriers
- Resource (funding) constraints; Budget for MoU review meetings, but no budget for MoU implementation
- Limited border area road infrastructure
- No focal point assigned for communication
- Differences in policy and legal interpretation across countries
- Communication across different agencies and handing over cases from eg. forestry to police agencies

We make many investigations and arrests. Most of the investigations are handled as administrative cases; they aren't pursued as criminal case, as we don't have enough evidence.

ROADMAP EXERCISE: WHAT NEXT? WHAT NEED?

- Establish new MoUs if and where needed, including with multi-ministry/sector engagement
- Establishing focal points and multi-agency task forces for regular communication and MoU implementation
- Securing funding to implement MoUs – State and non-State budgets to be mobilized

Requests and needs:

- Equipment such as scanners and mobile scanners at checkpoints
- Joint-patrolling and joint cross-border investigation projects and experience, involving provincial level.

- Capacity building for intelligence collection and investigation
- Cross-visits and study tours to better understand how different countries operate on investigations

We have MoUs, but, we haven't done any cross-border investigations in timber trafficking

WORKSHOP PROGRAM

DAY 1, 14 Nov 2018: Policies and Measures and regional impact

1. Introduction and setting the scene

- Presentation on the regional timber crime situation and challenges, and workshop objectives
- Theory of transboundary deforestation/ degradation (international experiences)
- Comparing national perspectives on timber crimes to understand similarities and differences

2. Overview of existing cross-border collaboration agreements and frameworks on addressing illegal logging and trade

- The role of the new Working Group on Illicit Trafficking of Wildlife and Timber under SOMTC/ASEAN framework
- Presentations by China, Lao PDR, Viet Nam on existing agreements and their effectiveness

3. Identifying priorities and obstacles for cross-border cooperation in timber crime cases

- 4 working groups based on countries to identify priorities and obstacles for cross-border cooperation issues
- Plenary discussion to select key common priorities and challenges

4. Potential solutions to improve cross-border cooperation

- Working groups on potential solutions at national and regional level for the selected priorities and challenges
- Plenary discussion of feasibility of proposed solutions

DAY 2, 15 Nov 2018: Operation/tactical Day

1. Addressing Forestry Crime on a regional and international level.

- INTERPOL Global Forestry Crime Programme
- INTERPOL's tools and service to overcome challenges in transnational investigations into forestry crime

2. Country presentations on illegal logging and cross-border timber crime

Presentation by Thailand, Myanmar, Cambodia:

- Overview of the legal framework relating to illegal logging and timber/forest crimes
- Overview of main timber/forest crime issues
- Summary/statistics of timber/forest crime cases in last 5 years (seizures, arrests, prosecutions, convictions)
- Case studies cross-border timber crime cases that were investigated, including modus operandi, investigation results and any challenges with these cases

3. Risk indicators to detect illicit timber shipments

- Presentation on common risks and issues related to CITES permits and shipping bills
- Mixed-country working groups to discuss and update/identify additional risk indicators relating to modus operandi of timber crimes, as well as CITES permits, shipping bills
- Plenary discussion of results of working group discussions

4. Identifying elements of a regional road map to improve cross-border cooperation

- Review priorities, challenges, solutions – for development of a regional road map
- Discussion of next steps – how the road map can be further developed

DAY 3 - 4, 16& 17 Nov 2018: Field trip

Field trip to Mong Cai border gate in Quang Ninh Province

Return to Ha Noi, including a visit to Ha Long Bay



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