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GOF runs 3 thematic programmes in Russia:
• The Economic Governance Programme;
• The Sustainable Development Programme and
• The Climate Change and Energy Programme.

During 2003-2005, GOF has funded 12 environmental projects in Russia under its Sustainable Development and Climate Change and Energy Programmes.

Forest governance and illegal logging:
Improving legislation, and interagency and inter-stakeholder relations in Russia

A summary of project report
Moscow 2006
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This publication is a summary of some results relating to the first stages of the Europe and Northern Asia Forest Law Enforcement and Governance process (ENA-FLEG), primarily emerging from the project entitled: “Forest governance and illegal logging: Improving legislation and interagency relations in Russia”. This project was carried out with financial support from the UK Foreign and Commonwealth Office and the United States, through its Voluntary Contribution to IUCN.

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Introduction

This Summary Project Report provides a description of the main activities and results of a project carried out by IUCN – The World Conservation Union with the support of the United Kingdom Foreign and Commonwealth Office. The Project aimed at identifying and responding to challenges related to the Russian legal framework and patchwork of agencies and actors having a role to play on illegal logging, forest law enforcement and broader forest governance (FLEG).

Some of the achievements of the Project include:

• The first ever public opinion polls on illegal logging and forest governance in Russia
• The first ever event organized jointly by three committees of the Russian Chamber of Commerce and Industry with IUCN and involving participants from all key agencies and authorities relevant to illegal logging and forest governance
• The most inclusive participatory process related to forests ever undertaken in Russia.

As a result of this project and the one which preceded it (involving public hearings in two regions of Russia), the Russian government, civil society and others actors were well prepared to play an active and effective role in the ENA-FLEG Ministerial Conference process and are ready to do so in the all important follow up process.

Background and brief project description

As a part of the preparatory process for the Europe and Northern Asia Forest Law Enforcement and Governance (ENA FLEG) Ministerial Conference, with financial support from the United Kingdom Foreign and Commonwealth Office, the IUCN Temperate and Boreal Forest Programme and the St.-Petersburg Society of Naturalists co-organised public hearings in St. Petersburg (February 21-23, 2005), with the regional NGO “Ecodal” – a workshop in Khabarovsk (March 3-5, 2005), and follow up meetings.

The participants noted:

Forest governance and illegal logging: Improving legislation and interagency relations in Russia

- Serious flaws in forest and civil laws, and regulations for internal and external markets
- Inadequate coordination of state and public control over forest products production and trade, which aggravates unregulated and illegal forest use;
- Serious difficulties in the development of a common understanding of the problem, attributed to a lack of agreement among stakeholders over the definition of “illegality” and a tendency to focus on timber while ignoring illegal or unsustainable NTFP gathering, littering, hunting, etc.;
- Insufficient understanding of the causes for illegal logging in the Russian context, specifically at the local level, and possible ways to address these causes;
- Lack of understanding of the consequences of illegal activity;
- Lack of information on the FLEG process and the long term opportunities it offers for the Russian civil society, business and forest sectors.

It was concluded that these problems would significantly diminish opportunities for the Ministry of Natural Resources of the Russian Federation, as well as other government authorities, NGOs and businesses to develop sound, well grounded and relevant proposals for the FLEG Ministerial Conference (St.-Petersburg, Russia, November 22-25, 2005) and more generally to improve forest governance and management in Russia.

Related to the above points, key recommendations on areas for action in Russia were identified, including:
- increase coordination between civil society organizations and state controlling organizations, including federal and regional authorities and customs, responsible for forest use and trade;
- develop an effective and practical mechanism for information exchange on facts of illegal activities in forests and illegal trade of logs, lumber and non-timber forest products;
- develop agreements with the countries importing forest products to limit access of illegal timber on markets;
- further develop terminology and criteria on illegal forest use, products and trade;
- further develop a system of forest certification;
- increase stakeholder awareness of the risks created by illegal forest use.

In response to this, the second IUCN/FCO project was focused on the gaps and other hindrances to good forest governance and effective response to illegal logging that relate to Russian laws and regulations and interagency and inter-stakeholder relations in Russia.

It was planned that this project would reach out to and engage
- decision-makers in different parts of government, such as Russian State Duma representatives, MNR, regional authorities, fiscal authorities, legislators, etc.;
- key civil society actors, including NGOs and community-based organizations, research institutions and academia;
- the media.

The main activities of the project were:
1. **Provide information on Russian laws and inter-agency and inter-stakeholder relations**
   1.1. Compilation and review of raw data and initial analysis by experts with a high degree of credibility and experience
   1.2. Presentation of this information in formats to suit the target audiences, e.g. fact sheets, policy briefs, ‘map’ of agency responsibilities and inter-agency relationships, etc.
2. **Enhance and «test» information and analysis through consultation**
   2.1. Development and dissemination of a questionnaire in selected areas to the major local stakeholders groups, such as local rural households; small community-based businesses; businesses, operating in the area at a larger scale; forest resources managers and rangers; lumber and other forest products consumers and so on
2.2. Individual interviews with a range of public and private stakeholders to gather information on practical experiences and provide the local context for the experts

2.3. Small meetings or workshops in selected areas as appropriate

3. **Develop practical recommendations for addressing flaws in the current legal framework and in the relations between agencies and stakeholders**

   3.1. Review and analysis of the outcomes of the consultations

   3.2. Drafting of potential recommendations by an expert working in collaboration with key actors from the consultation process

   3.3. National workshop prior to the FLEG ministerial conference to refine the recommendations

4. **Promote the practical recommendations**

   4.1. Identification and implementation of a communications strategy

   4.2. Small tripartite (government, civil society, private sector) gathering immediately prior to the ministerial conference for the «champions» from different sectors who will promote the recommendations in the ministerial conference

   4.3. Participation in the ministerial conference by at least one person from the consultation process charged with promoting the outcomes of this project (to be coordinated with the selection process which will be put in place for civil society).

5. **Develop follow up project on legislative reform and inter-agency and inter-stakeholder relations and networking**

1. **Greater awareness among target audiences (decision-makers, forest dependent communities, legislators, media, etc.) of flaws and gaps in forest and civil laws and regulations for internal and external markets**

   An analysis of Russian legislation, inter-agency and inter-stakeholder relations revealed some obvious flaws, which were addressed in recommendations developed by the project. However, the analysis more importantly revealed the deep and complex roots of the problems related to forest governance and illegal logging. These are poverty, lack of equitable access to national forest resources and corruption.

   Finding solutions to the first two of these problems will take a comprehensive strategy over a long period of time. While the third cannot also be counteracted completely in a short period of time, there is an opportunity to at least seriously limit its prerequisites. As a starting point in increasing awareness of this issue the “Transparency International” Corruption Perception Index (which included Russia among the most corrupt countries in the world) and related concerns were published and widely presented at many events including the ENA-FLEG Ministerial Conference. Efficient measures to counteract corruption will be very important to successful implementation of the ENA FELG Ministerial Declaration and Indicative Action Plan adopted.

   Unfortunately, the proposed draft of the new Russian Forest Code is unable to fix existing problems and could create new ones. The Russian NGO community is strongly against this law and has opposed it publicly for 2 years.

   An article on Russian law that regulates the forest sector\(^2\) entitled “On the issue of relations of federal enforcement authorities and illegal logging and illegal timber rotation” was compiled and used as the basis for further discussions (Annex 1).

   There are obvious problems with implementation of the multi-stakeholder approach in the Russian forest sector reforms. For example, civil society (IUCN, WWF-Russia, Ecodal) participation in the interagency meeting in the Russian Far East (Khabarovsk, September 6, 2005) was made possible only because of World Bank intervention. Proposals to improvement legal framework and interagency collaboration presented by NGOs at this event were ignored.

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There is a serious gap in knowledge and understanding of forest management and illegal logging issues not only within general public, but also amongst governmental agencies, for example, at regional level.

In this situation major directions for information flow were identified as follows: 1) problem of the illegal logging and timber trade in Russia and world wide; 2) ENA FLEG process and EU FLEGT Action Plan; and 3) general problems in the management of the Russian forest sector (administrative reform, new versions of the Russia Forest Code, corruption, and etc.).

In raising awareness, the Project team used the following tools:

“Forest Review”:
A weekly publication distributed via e-mail to 1550 subscribers. “Forest Review” is a product of the International Socio-Ecological Union Forest campaign. It covers Russian and international mass media articles and news on environmental and social problems of the forest sector in Russia and world wide. The “Forest Review” is also available at http://info.forest.ru. Forest law enforcement, governance and trade problems were reflected in 28 issues of the “Forest Review”, distributed during April-December 2005. They included:
- 18 articles and announcements related to the ENA FLEG process and EU FLEGT Action Plan;
- 101 articles presented mass media reports about problems with forest law enforcement and governance in different regions of Russia;
- 168 articles on different FLEG(T) issues in different countries, first of all in Indonesia, Brazil, Philippine, Malaysia, China, Burma, Brunei, Vietnam, Brunei, USA, Bosnia and others.

Fact sheets
11 fact sheets about EU FLEGT Action Plan were prepared.

Policy briefs and presentations:

NGOs statements:
- Conference of the forest experts of environmental NGOs of European Russia – Statement “To Russian Foresters” (Petrozavodsk, Karelia, April 9-11, 2005). Published also in “Forest Bulletin”, 2005, №2 (700 copies);
- The “Sosnovka” conferences, regular annual meetings of Russian and foreign NGOs working on environmental and social issues in the Russia Far East. The 2005 “Sosnovka” meeting was held near Vladivostok (September 13-19). Representatives from more than 25 Russian NGOs participated in this event. They adopted and transmitted a letter to the
Russian Government on ENA-FLEG process, which contained 11 items proposed to be included into the Russian National Action Plan on FLEG;

Interregional conference “Forest and Man: Perspectives for collaboration” (Volgograd, September 14-16, 2005). Representatives from 15 regions of Russia adopted a resolution arguing for a new version of the Russian Forest Code in the form of letter to the President V.Putin. (Note that the previous project “ENA-FLEG: Optimising Russian forest resilience to climate change through improved forest governance arrangements – Pilot phase” received an answer to its appeal to the President of the Russian Federation on ENA FLEG process.);

- The ENA-FLEG joint civil society and forest industry preparatory event organised by The Forest Dialogue (St.-Petersburg, November 2-3, 2005) has resulted in the Joint Summary of the Co-Chairs with Recommendations that was sent out to many addresses;

- A position of Russian environmental NGOs towards ENA FLEG process was presented in “Forest Bulletin”, 2005, 4 (30), pp. 19-20 (700 copies);

- NGO statement to the ENA-FLEG Ministerial Conference International Steering Committee “About Transparency of the ENA-FLEG process”, 21 November 2005 (St.-Petersburg);

- NGO statement to the ENA-FLEG Ministerial Conference (St.-Petersburg, November, 25, 2005).

These activities resulted in a better understanding of ENA FLEG issues and of the Ministerial Conference process by Russian society, the business community, governmental agencies and their representatives

2. Increased understanding and recognition of the respective roles of different government, civil society and private sector actors and improved coordination among them

Public opinion polls

For the first time in Russia, wide scale opinion polls were carried out. These contributed to achieving a better understanding of the real situation with governance and law enforcement in the Russian forest sector and the relations between civil society and governmental structures.

The polls revealed a very serious problem in relation between official authorities and the public in the area of law enforcement in forest sector.

Three independent public opinion polls were conducted in May-October 2005, involving 2100 respondents. All polls gave similar results:

- 58-89% of respondents think that in Russia there are serious problems with governance and law enforcement in the forest sector (illegal logging, poaching, forest land take-over etc.) Only 5-10% of respondents think that there are no such problems.

- 51-86% of respondents think that the authorities inefficiently address the issues of governance and law enforcement in the forest sector (tackle illegal logging, poaching, forest land take-over etc.). Only 6-16% of respondents think that authorities deal efficiently with these problems.

- 50-70% of respondents are ready to assist the authorities in combating crime in the forest sector; however 10-31% are not inclined to do so.

- 62-80% of respondents don’t know how to contact the authorities responsible for law enforcement in the forest sector or had difficulties answering this question. 20-38% of respondents do know how to contact forest law enforcement bodies.

- 41-67% of respondents consider that the authorities are not ready to cooperate with civil society organizations in addressing governance and law enforcement problems in the forest sector. 20% of respondents think that this interaction occurs on a case-by-case basis and is inefficient. Nevertheless, 15-18% of respondents believe that the authorities are ready to cooperate with the public, and 5% think that this cooperation is efficient.
Without speedy improvement of the situation in this area, the serious results in development of sustainable forest management and decrease of illegal logging in Russia cannot be achieved. Concrete proposals for possible actions were prepared, discussed and presented to decision makers.

More detailed results of this studies were published in a brochure entitled: “The Beginning of the ENA-FLEG process in Russia: Public opinion polls” (in Russian and English, 300 copies each) and disseminated at the ENA FLEG Ministerial Conference (St.-Petersburg, November 22-25, 2005).

Targeted Interviews
The public opinion polls were complemented by an interview process that was usually associated with meetings and workshops organised by the Project, or large events organized by others in which the project team representatives have participated. The interviews highlighted the serious problem of corruption and the difficulties in getting a clear picture of the ongoing Russian forest sector reforms.

Small meetings and workshops
The Project team organized or participated in and prepared reports of the following workshops and seminars, where illegal logging, interagency relations and forest law enforcement and governance were discussed:

1. April 9-11, 2005. Conference of the forest experts of environmental NGOs European part of the Russia Statement “To the Russian Foresters” (Petrozavodsk, Karelia)
2. June 3-4, 2005. Scientific-research conference “Human rights, environment and civil society” (Ivanteevka, Moscow oblast)
4. June 6-8, 2005. ENA FLEG Preparatory Conference (Moscow)
5. June 22, 2005. Meeting of Environmental Donors Working Group (EDWG) “Sustainable forestry management, Forestry reforms, Illegal logging and FLEG process in Russia (Moscow, USAID premises)
8. August 24-25, 2005. Seminar on experience of the forest usage by “Ladenso”, Ltd. and “Pilot project forest management and forest usage by Segezha pulp and paper factory” (Petrozavodsk, Karelia).
12. September 20, 2005. Meeting of leading Russian environmental NGOs (WWF, Greenpeace, SEU, BCC, FSC-Russia), Finnish timber companies (Stora-Enso, UPM-Kymmene, Metsaliitto), German publishers (Gruener and Jahr, Burda, VDZ-Verband Deutscher Zeitschriftenverleger).
13. September 26, 2005. Working meeting of the leading Russian environmental NGOs (WWF, Socio-Ecological Union, Biodiversity Conservation Centre) and the World Bank on recent developments and proposals to the ENA-FLEG Ministerial Declaration and Indicative Action Plan.
15. September 26 and October 19, 2005. Meetings of Russian environmental NGOs on the participation in ENA FLEG process (Moscow, WWF and IUCN-CIS premises).
3. Engagement in the FLEG process by government organisations responsible for forest use and trade, including not only MNR but also, for example, regional authorities, customs and fiscal authorities, forest management unit auditors, etc.

**Dissemination of information and development of joint proposals**

The Project team informed different governmental stakeholders, especially from the regions, about the ENA-FLEG process. Some of those people participated in the development of draft recommendations aimed at Ministers and others in the FLEG process, which were prepared and distributed via Internet, e-mail lists, publications, and at various meetings and conferences.

By involving a range of actors in developing practical recommendations for addressing flaws in the current legal framework and in the relations between agencies and stakeholders, the project was able to present a set of proposals that enjoyed the support of different civil society, business and governmental structures.

In the current Russian situation it is a very important task, especially for NGOs, to facilitate the engagement of a wide range of governmental structures in the FLEG process, and the Project was successful in doing so.

**Illegal logging round table**

For this purpose the Chamber of Commerce and Industry of the Russian Federation (TPP RF) was used as a neutral and appropriate platform to organize a round table. On 31 October 2005, the TPP RF and IUCN held a roundtable discussion on illegal logging. This event was attended by more than 75 representatives from the: Russian State Duma, Ministry of Natural Resources, Federal Forest Service, General Prosecutor’s Office, Ministry of Defence, Ministry of Foreign Affairs, Federal Tax Service, Federal Customs Service, other Governmental agencies, representatives of regional authorities, academia, research, and other entities.

The objective of the roundtable was to develop proposals for improvement of administrative, customs, forest, conservation and other related legal basis; develop a legal basis for regulating legal relationships in the forest sector as well as ways of cooperation of different administrative bodies to combat illegal logging and trade.

This is likely the first time that an event was organised by the three committees of the Chamber of Commerce and Industry, that is, by the Natural Resources Use and Ecology Committee, the Forest Industry and Forestry Development Committee, and the Committee on Security of Business.

A. Kasparov, Head of the Department for Forest Protection and Regeneration of the Federal Forest Agency reported on the activities for improvement of the governance in nature conservation and ecological safety. Among the speakers at the roundtable were: V. Soldatova, Volga Interregional Environmental Prosecutor; D. Chuiko, Director on Development for the Ilim Pulp
Enterprise; N. Burdin, Director of NIPIIslesprom; L. Maklukov, Vice Director of the Timber Industry and Forest Exporters Union; A. Beliakov, Chair of the Committee for the Chamber of Commerce and Industry of the Russian Federation; V. Teplyakov, Coordinator of IUCN Temperate and Boreal Forest Programme; V. Gorokhov, Head of the Forestry Department of the Ministry of Defence of the Russian Federation; V. Gorbunov, Head of the Department of Ecology and Nature Resources of the Federal Antimonopoly Service; V. Mishchenko from the Federal Customs Service; E. Markov, Deputy Governor and Head of the Department of the Industrial Development for Kirov oblast and others.

The Resolution entitled “Cooperation of Federal Executive Bodies for Illegal Logging and Trade Prevention” (Annex 2) was adopted and sent out to many agencies and legislative bodies having relations to forest sector. This document with brief description of the roundtable was also disseminated at the ENA-FLEG Ministerial Conference.

National workshops prior to the FLEG ministerial conference to refine the recommendations

In addition to the illegal logging round table described above, on October 31, 2005 a national workshop was held for regional NGOs on “International process of counteraction to the illegal forest use – the role of the civil society” (St.-Petersburg).

This meeting was organised by Centre for Expertise ECOM (Saint-Petersburg) jointly with IUCN and attended by about 30 representatives mostly from NGOs and regional and local authorities and business people of the North-West Federal District. As a result of this workshop and follow up discussion the Tentative list of indicators to measure FLEG progress in Russia was drafted (Annex 3) and then presented at the VII-th International Timber Industry Forum (St.-Petersburg) and distributed at the ENA FLEG Ministerial Conference.

International meeting

On November 2-3, 2005 the project team participated in The Forest Dialogue meeting (St.-Petersburg).

The Forest Dialogue (TFD) is a multi-stakeholder process between civil society and business leaders. The purpose of the ENA-FLEG Ministerial Conference preparatory meeting organized by the TFD and IUCN included participants from WWF-Sweden; The Nature Conservancy; World Resource Institute; the Forest Peoples Project; Global Witness; Forest Monitor; Forest and Paper Industry Associations from the United States, Canada, UK, and Finland; and such companies as International Paper, StoraEnso, IKEA and Metsaliitto.

This event provided an excellent platform for leading Russian NGOs (IUCN, WWF, Greenpeace, Socio-Ecological Union, Biodiversity Conservation Centre and others) to present recommendations on forest governance and law enforcement. Proposals of the Russian representatives (for example on the importance of tackling corruption in the forest sector) were included in the Co-Chairs summary, especially in Recommendations 1, 2, 3 and 4. This document was also presented to the delegates of the ENA-FLEG Ministerial Conference.

While the TFD event was sponsored by the TFD, IUCN, the WBCSD and others, the Project made it possible for the Project team to commit the time and effort to prepare for and participate in this event and contribute to the development of the joint civil society and industry recommendations.
4. Concrete recommendations on how to address flaws in the legal framework and interagency relations which enjoy the support of a wide range of stakeholders

The Project developed and presented a list of concrete recommendations based not only on its own analysis and discussions (especially in area of combating corruption, increasing transparency, improving collaboration between official authorities and the public in the forest sector), but also facilitated or was involved in the preparation of similar recommendations by other actors (for example, for the Conference on “Human Rights, Environment and Civil Society”, International workshop “Illegal logging: focus on the government-private business dialogue in the Russian Forest Sector”, the Russian Far East “Sosnovka” meeting, The Forest Dialogue, tripartite small meetings in many regions of the Russian Federation, and etc).

This cross-fertilization of efforts and events created the conditions for more sustainable and powerful results of the project and ensured that the proposals developed enjoyed wide support from different stakeholders.

Communications Strategy

To promote the practical recommendations a communications strategy was developed and implemented. The communication strategy included:

- Oral presentations in different fora. These are listed in the sections above.
- Dissemination of the “Forest Review” using e-mail lists (1550 subscribers);
- Use of external Internet sites, including leading Russian information agencies;
- Publication of articles in environmental “Bulletins” as well as separate brochures, and their distribution via regular mail to conferences, workshops and other public events;
- Publication of articles in national newspapers (2 articles);

Media coverage included interviews with the radio station “Liberty/Free Europe” (two project staff – A.Grigoriev and V.Teplyakov – were interviewed during and after the Ministerial Conference).

In addition, the report on “Forest Law Enforcement and Governance: attitudes in Russia”, the analytical report on the sociological survey commissioned by IUCN, and the Roundtable on illegal logging, (October 31, 2005) as well as other project activities were covered by www.rosbalt, www.rian.ru, www.regnum.ru, www.wood.ru, and other key information agencies. (A list of 17 such publications, covered by the most popular Russian Internet search engine YANDEX.RU, is presented in Annex 4.)

Overall the number of people addressed by the project via direct mailing is estimated to be about 5000.

Participation in the Ministerial Conference and Civil Society pre-meeting

A member of the Project Team, who was actively involved in the consultation process, was charged with promoting the outcomes of this Project through participation in the Ministerial Conference and the Civil Society Pre-Meeting. Close to 15 Russian civil society representatives were enabled to participate in those events with strategic support from the Project team. These included Alexey Grigoriev (International Socio-Ecological Union), Dmitry Afinogenov (Saint-Petersburg Society of Naturalists), Mikhail Karpachevsky (Biodiversity Conservation Centre), Irina Bogdan (Khabarovsky regional NGO “Ecodal”) Yuri Shuvaev and Ksenia Pakhorukova provided technical and media support.
As well as participating in the ENA-FLEG Ministerial Conference deliberations generally, the Project team:

- Prepared and presented the NGO statement “On Transparency of the ENA-FLEG process” to the International Steering Committee;
- Presented the “Usage of the public opinion polls” at the Taiga Rescue Network (TRN) side event “FLEG can work!”.
- Presented the joint NGO - industry statement at the ENA-FLEG Ministerial Conference plenary meeting on 24 November, 2005;
- Disseminated materials in English and Russian on the project outcomes to Ministerial Conference participants – including: “The Beginning of the ENA-FLEG Process in Russia: Public opinion polls” (more than 300 copies in total), “Forest Bulletin” (50 copies), and a brochure “IUCN-TPP RF Round Table on Illegal Logging” and other relevant documents, including “The Beginning of the ENA-FLEG Process in Russia: Civil Society Insight” (previous IUCN/UK-FCO project report);

5. Develop follow up project on legislative reform and inter-agency and inter-stakeholder relations and networking

A concept for follow up activity was produced to initiate discussions within the Project team and with key civil society and other partners. A special civil society session was held at the end of the Ministerial Conference to further develop ideas for a follow up project. A new version of the follow up project is being drafted based on the outcomes of that session and building on the successful mechanisms developed during the Ministerial Conference for civil society participation and dialogue with industry and with government representatives, the strong spirit of regional collaboration that was achieved, and the specific provisions of the Ministerial Declaration and Indicative List of Actions. Consultations are being held in January 2006 to further refine proposals for follow up activities not only in Russia but also in other parts of the ENA FLEG region.
Annex 1
Interagency coordination to combat illegal logging and trade in Russia (draft)

What follows is a review of the roles of different agencies, which was carried out by a consultant to the project. This review provides a starting point for consultations on the relations between different key actors.

Problems of illegal timber logging and illegal timber rotation are more and more often considered by the world community, the international public organizations, and also bodies of the government, social scientists, researchers, experts and practitioners in our country.

Illegal logging have appeared simultaneously with lawful logging, from that moment when the mankind began to apply legal regulation to forests. Unfortunately, illegal loggings accompany people on all ways of their evolutionary development.

Despite of a centuries-old stage of existence, illegal loggings even today have no well qualified legal concept.

In the Forest Code of the Russian Federation establishing legal relations during forest use, in the Criminal Code of the Russian Federation, and in the Code of the Russian Federation on the Administrative Offences providing the responsibility for forest use there is still no definition of illegal logging. And only the Decision of Plenum of the Supreme Court of the Russian Federation from November, 5, 1998 # 14 (item 11) gives legal interpretation to concept «illegal felling», which is conclusive is applied by courts of all instances.

Wrong names and incomplete characteristics of illegal actions during forest use objectively do not allow taking into account an offence and fully apply norms of civil, administrative and criminal laws.

Increased in a number of countries demand for forest resources, spoiled with constant reorganisation of forest management system in Russia, imperfect legislative base of forest relations and growth of illegal logging cause alarm in civil society.

The estimation of volumes of illegal logging in the country and their influence on environment is inconsistent. According to the federal enforcement authorities illegal logging makes 726 thousand cubic meters or 0.4-0.5% from the volume of timber logged; at the same time non-governmental and public organizations and independent experts objectively consider that the level of illegal logging is much higher. The reason of dual interpretation is obvious.

Preliminary results of the comparative analysis of competency of federal enforcement authorities’ activities on illegal logging prevention and illegal timber rotation, and also the analysis of federal laws application practice containing norms of forest legislation show, that the majority of federal structures participate in the work against illegal logging and an illegal timber rotation together with the Ministry of Natural Resources of the Russian Federation and subordinated to it Federal Forestry Agency and Federal Service on Supervision in the Sphere of Nature Use Management.

Activity of the Constitutional Court of the Russian Federation, which considered materials and have accepted the Decision of 09.01.1997 «On the affair about checking of constitutionality of the Forest Code of the Russian Federation», and subsequently other materials does not demand the detailed comment; as well as a work of the Federation Council of the Federal Assembly of the Russian Federation, which have accepted the Decision of 01.04.1998 «On forest management in the Russian Federation» and regularly considers issues of forest law enforcement at sessions of its Committees.

According to the order established by legislation of the Russian Federation, courts of all instances and bodies of the Office of Public Prosecutor consider affairs on illegal logging and others forest offences and define a measure of the responsibility of guilty persons according to the administrative and criminal legislation of the Russian Federation.
Damage causing to the state economy by Illegal logging and illegal timber rotation are examined by the structures, subordinated to the Ministry of Foreign Affairs of the Russian Federation, and also by competent bodies of the Russian Federation.

The Ministry of Internal Affairs of the Russian Federation and subordinated to it services according to the law on militia carry out a complex of operative investigatory actions for detention, identification of the person, administrative punishment of the guilty persons who have made illegal timber harvesting and carrying out of illegal wood transportation and other offences connected to it.

The Ministry of the Russian Federation for Civil Defence and Emergencies according to the Acts of the Russian Federation participates in suppression of large forest fires. In forests after fires timber damaged should be carried out. And there is also timber could be removed as «shadow, discounted». Only fire fighters, experts could answer the questions how many forest stands burnt and what damage the fire caused.

The Ministry of Defence of the Russian Federation, being guided by the legislation of the Russian Federation on defence, the Forest Code of the Russian Federation, other acts of the Russian Federation uses woods for needs of defence; subordinated to the Ministry organizations conduct main and intermediate harvesting, carry out sanitary and other cuts. The check materials of Rosprirodnadzor and Rosleskhоз testify that significant part of timber is harvested illegally and its rotation becomes illegal too.

The Ministry of Justice of the Russian Federation carries out legal examination of drafts of legislative and statutory acts regulating relations on forest use, prevention of illegal logging and illegal timber rotation, to achieve their full conformity with the constitutional requirements and requirements of the legislation of the Russian Federation. The Federal Service on Execution of Punishments with its organizations, subordinated to the Ministry, directly carries out timber cuttings, thus suppose forest violations and illegal timber harvesting.

The Ministry of Education and Sciences of the Russian Federation and subordinated to it Federal Agency on Science and Innovations carries out forest use for scientific and educational purposes, implement forestry operations, timber logging, thus suppose forest violations.

The Ministry of Natural Resources of the Russian Federation according to requirements of forest and nature conservation legislation of the Russian Federation is in charge to develop and carry out of state policy, to govern use, conservation, protection and reproduction of forests, to provide, within the limits of the given powers, improvement of the forest and related legislation, other ruling and legal acts regulating forest relations, to coordinate activity of other federal enforcement authorities on the issues of use, conservation, protection and reproduction of forests and conducting a forestry.

The Federal Forestry Agency, subordinated to the Russian MNR, carries out forestry, intermediate, sanitary, renovating, rearrangement and other cuttings. At realisation of forestry works infringements of the established rules and manuals owing to what there is also an illegal wood appeared. As a result of the imperfect and biased account of growing timber, timber harvesting and monitoring of cuttings, there is discounted illegal wood also take place. Illegal logging are prosper in places where appropriate protection of forests from self-allowed logging theft, arsons and others forest violations is not provided.

The Federal Service on Supervision in the Sphere of Nature Use Management, subordinated to the Russian MNR, provides realisation of the state control of condition, use, conservation and protection of forestlands and forest reproduction. Effective control is a major driven force to all participants in respect of forest legislation.

The Federal Agency of Water Resources and Federal Agency on Mineral Use also carry out forest use and timber harvesting.

The Ministry of the Industry and Power of the Russian Federation, Federal Agency on the Industry within the limits of the powers given to them, perform coordination of activity of tim-
ber industry structures carrying out the basic volumes of timber harvesting in Russia. Significant amount of forest violations could be attributed to timber industry.

The Ministry of Transport of the Russian Federation and subordinated Federal Road Agency carry out logging of forest stands in roadside strips; wood is frequently used not to destination and increases volumes of its illegal rotations. The Federal Agency of Railway Transportation and the Federal Agency of Sea and River Transport move significant volumes of wood cargoes, including illegally logged wood.

The Ministry of Agriculture of the Russian Federation, the Federal Agency on Agriculture, the organizations subordinated to them carry out timber harvesting in the forests earlier belonged to the agricultural organizations. Wood harvested with infringement of forest legislation increases its illegal rotation.

The Russian Federation Ministry of Economic Development and Trade, subordinated to it the Federal Customs Service according to the Customs Code of the Russian Federation, provide customs registration of wood materials shipped on export. Customs bodies legalise papers, including that on illegally harvested timber sent abroad.

The Federal Service of State Statistics is in charge to provide gathering, generalization and representation of objective and trustworthy information on timber harvesting, transportation, processing, consumption at home market and delivery on export.

It becomes obvious how important and necessary is close interaction of state authority, law-enforcement, control and supervising state bodies, federal enforcement authorities on prevention of illegal logging and illegal timber rotation, maintenance of observance of the legislation of the Russian Federation.

Problems of illegal logging demand a systematic judgement as well as development of uniform understanding of their essence by the international public organisations, the state control and executive authorities, mass media and citizens. The correct and civilised decision of the specified problems will provide preservation in ecological equilibrium of forest, this unique creature of planetary value.

Shuvaev Yu.P.
Moscow, 25.04.2005
Annex 2
Cooperation of Federal executive bodies for illegal logging and trade prevention

RESOLUTION
of the Round Table “Cooperation of Federal Executive Bodies for Illegal Logging and Trade Prevention”

October 31, 2005 Moscow, Chamber of Commerce and Industry of the Russian Federation

Participants of the round table, organized in cooperation by the Natural Resources Use and Ecology Committee for the Chamber of Commerce and Industry of the Russian Federation (TPP RF), Forest Industry and Forestry Development Committee for the TPP RF, Committee on Security of Business for the TPP RF, and IUCN – The World Conservation Union as a part of the Ministerial Process of Forest Law Enforcement and Governance in Europe and Northern Asia (ENA FLEG) – representatives of federal executive and management bodies, control and law enforcement structures, management bodies of subjects of the Russian Federation, forest industry, NGOs, mass media – reviewed in the details problems of federal authorities interactions for illegal logging and illegal trade prevention.

The roundtable participants paid special attention to the scale of illegal logging in Russian forests and its negative influence on the environment. According to the Russian Federal Forestry Agency data, 724 thousand cubic meters were logged with violations of the Russian Federation legislature in 2004; the loss is estimated as about 6 milliard rubles a year. According to the independent experts’ estimations, the volumes of illegal logging in our country are even higher and growing. State forest guard, which was responsible for securing forests – the state property – from illegal logging and unauthorized use, is abolished.

Administrative and criminal penalties do not help to prevent illegal logging and decrease the illegal timber trade. The practice of forest management and governance in the Russian Federation does not provide effective forest resources use and civilized consumption of forest products, which reflects on the environment in a negative way.

Federal administrative bodies failed to establish a necessary level of cooperation for illegal logging and timber trade prevention. Illegally logged timber is sold uncontrollably at the domestic and international markets, used by local population.

The role of major logging companies, forest industry companies, holdings, forest sector businesses, mass media, NGOs and population is diminished at the illegal logging and timber trade prevention.

The Forest Code and other legal acts of the Russian Federation, which regulate legal relationships in the forest sector and timber trade, need to be reformed and improved.

In the result of the discussion, the round table participants made a decision to approach the following bodies with the proposals:
Upper Chamber of Federal Assembly and State Duma of the Russian Federation:
1. Amend articles of the Forest Code of the Russian Federation draft which:
   - Determine the ‘illegal logging’ as the federal legislative term; develop the state forest guard, as a part of a federal forest management body, authorized to monitor condition, use and regeneration of forests, protect them from illegal logging, disease and pests;
   - Providing rights and responsibilities for forest management bodies, monitoring bodies, forest users, natural persons and legal entities, foreigners and persons with no citizenship in forest resources use, including logging and harvesting of other forest products;
   - Determine special features for management and use at the forests on military and defense lands.
2. Require the state ecological expertise of the Forest Code of the Russian Federation draft in accordance with the legislation of the Russian Federation before the second hearings.
3. Review repeatedly draft legal acts on amending the Article 260 of the Criminal Penalties Code for increasing legal responsibility for illegal logging, and amendments which increase the legal responsibility for violations, listed in Articles 8.24, 8.25, 8.28 of the Administrative Violations Code of the Russian Federation.

Government of the Russian Federation:
1. Continue improvement of law enforcement and governance system in the forest sector (FLEG), which is one of the priorities of state management reform.
2. Strengthen the legal base for forest legal relations; amend the Rules of Timber Allotment in Forests of the Russian Federation, Regulations on Forest Lands Rent; support the development of transparent and fare system of forest resources distribution considering social needs of local communities.
3. Strengthen cooperation between executive and management bodies, charge the respective federal authorities with the task to provide coordination and cooperation for illegal logging and timber trade prevention; organize through federal authorities the informational support of interested organizations, NGOs and population on the scope and level of violations in logging, timber trade at the domestic market and export of logs.
4. Review and approve the Action Plan for illegal logging and illegal timber trade prevention, developed by the Russian Federal Forestry Agency, which takes into consideration the NGO proposals.
5. Continue the joint actions with the importing countries on timber trade flows analysis and customs information through the G8 mechanisms; support the development of information exchange technologies for illegal logging prevention.
6. Charge the Ministry of Natural Resources of the Russian Federation with the following responsibilities:
   - Monitor the legal acts on forest resources use implementation; amend them timely and according with the accepted legal procedure;
   - In cooperation with the Federal Supervisory Natural Resources Management Service of the Russian Federation, provide the state control of the forest lands condition, use, protection and conservation, and regeneration of forests, paying special attention to informing the population with the help from NGOs;
   - In cooperation with the Russian Federal Forestry Agency, ensure the development of forest management standards, finalize the legislation actualization in accordance with the credentials provided to ensure civilized forest resources use and effective forest management at all levels – state, regional and local;
• Develop and implement anticorruption mechanisms in forest sector for allocation of forest areas to exploit, to support transparent and fair system of forest resource distribution;

• Ensure the development with the Russian Federal Forestry Agency the Interdepartmental Center for Analysis and Information on Timber Allotment, Logging, Trade and Export with the transparent data bank.

7. Charge the Ministry of Industry and Energy of the Russian Federation with participation of the Federal Tax Service and other interested federal executive bodies with the task to develop and in accordance with the approved legal procedure to introduce to Government of the Russian Federation the proposals on establishment of the United System of Expert Assessment of Quantity and Quality of Forest Products, and other economically important exported forest materials.

To prevent timber smuggling, charge the Ministry of Industry and Energy of the Russian Federation, the Federal Tax Service and Russian Federal Forestry Agency to develop and approve methodologies for timber volume measurements for exported timber.

8. Charge the Federal Tax Service with the task to amend the respective legal acts in accordance with the approved legal procedure to prevent the illegal timber trade and export, use international rules and norms in international timber trade.

The Resolution of the round table is to be send to the Upper Chamber of the Federal Assembly of the Russian Federation, State Duma, Government of the Russian Federation, federal executive bodies (according to the list), participants of the Ministerial Conference on Forest Law Enforcement and Governance in Europe and Northern Asia (St.-Petersburg, November 22-25, 2005), mass media and NGOs.

Passed by the roundtable participants
October 31, 2005
## Annex 3.
### Indicators of FLEG progress in Russia

Suggestive list of indicators for progress of FLEG in Russia
Prepared by the working meeting of NGO, business and governmental representatives, St.-Petersburg, 31 October 2005

<table>
<thead>
<tr>
<th>Title and description</th>
<th>Method of evaluation, source of data</th>
<th>Chances of getting change at the horizon of 2007</th>
<th>Estimated costs</th>
<th>Target audiences and responsibility for monitoring</th>
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<tr>
<td>Socio-environmental indicators</td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td>Real dialogue between sectors and across wide range of stakeholders</td>
<td>Expert survey, targeting to reveal and evaluate concrete cases</td>
<td>High</td>
<td>Low</td>
<td></td>
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<tr>
<td>Enhancement of the role of public and civil society in forest management</td>
<td>Numbers and share of civic groups in the mailing lists of auditing and certification companies (mailing lists for stakeholders' consultations). Numbers of replies from those groups.</td>
<td>Medium</td>
<td>Low</td>
<td>NGOs / NGOs with the help of national certification nodes</td>
</tr>
<tr>
<td>Level of awareness of local population on regular services from forestry (getting timber, firewood, pasture plots, etc) and legal ways for obtaining it.</td>
<td>Snapshot surveys of local population, regular surveys of village majors</td>
<td>High</td>
<td>Medium</td>
<td>Government, NGOs / Independent monitors</td>
</tr>
<tr>
<td>Accessibility of forest information</td>
<td>Specially designed procedure, comprising: - listing of what is considered forest information under national legislation; - randomised selection of entries to the list; - expert evaluation of accessibility</td>
<td>Medium</td>
<td>Medium</td>
<td>NGOs, business / Independent monitors</td>
</tr>
<tr>
<td>Title and description</td>
<td>Method of evaluation, source of data</td>
<td>Chances of getting change at the horizon of 2007</td>
<td>Estimated costs</td>
<td>Target audiences and responsibility for monitoring</td>
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<td>(additional) Access to regular forest services for local population. - Cost of firewood (with transportation) taken as percentage to officially recorded income in the area. - Availability of local companies, providing firewood for households.</td>
<td>Official statistics data Surveys Selective polls in municipalities</td>
<td>Low (possible change - by 2010)</td>
<td>Medium, high</td>
<td>Government / Government, NGOs</td>
</tr>
<tr>
<td>(additional) Raising of importance of FLEG and related issues on the international agenda. Numbers of grants, provided by international and national donors for related educational projects.</td>
<td>Reporting from donors. Surveys.</td>
<td>Medium</td>
<td>Low</td>
<td>NGOs / NGOs</td>
</tr>
<tr>
<td>Economical and environmental indicators</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Dynamics of forest quality (monitoring of change of environmental and economic quality)</td>
<td>National statistics data, remote sensing</td>
<td>Low</td>
<td>High</td>
<td>Government, business / National government</td>
</tr>
<tr>
<td>The share of environmentally sensitive markets (of all markets where timber from Russia is traded). &quot;Environmentally sensitive&quot; means necessity to prove origin of timber.</td>
<td>Method to be developed in the scope of FLEG. Could be useful internationally</td>
<td>Medium</td>
<td>High</td>
<td>Government, business, NGOs / ??</td>
</tr>
<tr>
<td>Change in the structure of forest business. Raise of certification business.</td>
<td>To be defined</td>
<td>Medium</td>
<td>??</td>
<td>Business</td>
</tr>
<tr>
<td>Legislation and enforcement</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Development of the national forest policy (long-term and consistent)</td>
<td>Yes / No More elaborated: auditing of the document for consistency with FLEG Declaration</td>
<td>High</td>
<td>Low</td>
<td>Business, NGOs, forest agencies</td>
</tr>
</tbody>
</table>
| Adoption of the new Forest Code | Yes / No  
More elaborated: auditing of the document for consistency with FLEG Declaration | High | Low | Business, NGOs, forest agencies |
|---------------------------------|-------------------------------------------------|------|-----|-------------------------------|
| Dynamics of change in national legislation.  
Purpose: to demonstrate how soon national legislation gets adapted to FLEG principles; on the other hand – to watch consistency and opportunities for business and other actors to follow the change | Number of criteria:  
Mean period of public discussion of proposed amendments  
Mean period of issuing by-laws after they are demanded by a new legislation  
Rate of cancelled and approved amendments for given period of time  
Mean number of by-laws and instruction that are substituted by each new legal act. | High | Low | Business, NGOs |
| Transparency of legislation and availability of necessary implementation and enforcement procedures.  
Availability of technical regiments, demanded by law, and other necessary by-laws. Definitions of liability and accountability in the legislation. | Legal assessment: numbers of existing (updated) norms in regard to total number needed under the Forest Code.  
Transparency: exactness of legal wording, consistency of legislation, complete layout of important procedures, liability and accountability articles. | High | Medium | Business, NGOs / Independent monitors |
| Enforcement in practice. | Cases of withdrawing rental agreements on the basis of environmental violations (yes/no for every forest region)  
Percentage of cases presented to court of all violations registered – governmental agency statistics. | High | High | Government, business, NGOs / National government |
| Decrease in number (frequency) of outrageous environmental violations | Records of cases of direct and still enduring crime or violation of law: logging in national parks and zapovedniks, cuttings in watersheds, hardwood trade, etc | Medium | ?? | NGOs / Forest club of Russian NGOs |
| Activity of courts in improvement of forest legislation | Cases of ruling against inconsistency of forest legislation | High | Low | Business, government, NGOs / NGOs, National government, Independent monitors |
## Annex 4

List of selected media who covered various project activities

<table>
<thead>
<tr>
<th>Date</th>
<th>Source</th>
<th>Internet link</th>
<th>Title (brief description)</th>
</tr>
</thead>
<tbody>
<tr>
<td>22.10.2005</td>
<td>Marketing and Consulting</td>
<td><a href="http://www.iamik.ru/?op=full&amp;what=content&amp;ident=24451">http://www.iamik.ru/?op=full&amp;what=content&amp;ident=24451</a></td>
<td>It is a top secret where FLEG process is going (problems highlighted in NGO statement on November 21, 2005 “About Transparency of the ENA-FLEG process”)</td>
</tr>
<tr>
<td>22.10.2005</td>
<td>Marketing and Consulting</td>
<td><a href="http://www.iamik.ru/?op=full&amp;what=content&amp;ident=24422">http://www.iamik.ru/?op=full&amp;what=content&amp;ident=24422</a></td>
<td>Russia is the largest producer and exporter of timber of uncertain origin (about ENA-FLEG process, corruption in Russian Forest Sector, NGOs recommendations)</td>
</tr>
<tr>
<td>26.10.2005</td>
<td>Rosbalt</td>
<td><a href="http://www.rosbalt.ru/2005/10/26/232378.html">http://www.rosbalt.ru/2005/10/26/232378.html</a></td>
<td>More than a half of Russians believe that forest is under threat (about results of the “Forest law enforcement and governance: attitudes in Russia” - public opinion poll commissioned by IUCN)</td>
</tr>
<tr>
<td>27.10.2005</td>
<td>Severinform</td>
<td><a href="http://www.severinform.ru/index.php?page=newsfull&amp;date=27-10">http://www.severinform.ru/index.php?page=newsfull&amp;date=27-10</a></td>
<td>Citizens of the North-West Federal District are worry about violations in forest sector and more negatively, than in other districts, assess efficiency of authorities fighting this problem (about results of the “Forest law enforcement and governance: attitudes in Russia” - public opinion poll commissioned by IUCN)</td>
</tr>
<tr>
<td>Date</td>
<td>Source</td>
<td>URL</td>
<td>Summary</td>
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<tr>
<td>27.10.2005</td>
<td>Marketing and Consulting</td>
<td><a href="http://www.iamik.ru/?op=full&amp;what=content&amp;ident=23937">http://www.iamik.ru/?op=full&amp;what=content&amp;ident=23937</a></td>
<td>Most people of forested areas have concerns about violations in forest sector (about results of the “Forest Law enforcement and governance: attitudes in Russia” - public opinion poll commissioned by IUCN)</td>
</tr>
<tr>
<td>31.10.2005</td>
<td>RIA News</td>
<td><a href="http://www.rian.ru/society/nature/20051031/41946740.html">http://www.rian.ru/society/nature/20051031/41946740.html</a></td>
<td>Mr. Maklyukov: In Russia illegal logging is one million cubic meter per year (information about Roundtable on illegal logging, organized by Chamber of Commerce and Industry of the Russian Federation and IUCN in October 31, 2005)</td>
</tr>
<tr>
<td>07.11.2005</td>
<td>Radio “Liberty”</td>
<td><a href="http://www.svoboda.org/programs/tv/2005/tw.112505.asp">http://www.svoboda.org/programs/tv/2005/tw.112505.asp</a></td>
<td>A lot or a little of the timber is logged in Russia. Results of the FLEG conference in St.-Petersburg (interview with A.Grigoriev on illegal logging and NGOs view of ENA-FLEG MinConf)</td>
</tr>
</tbody>
</table>