



**TECHNICAL
REPORT**

Advancing a legal and sustainable global timber trade through the EU FLEGT action plan

Indonesia – Workshop “Strengthening Understanding by Multistakeholders of Timber Legality Assurance System (TLAS/SVLK) Pekanbaru, Sumatra, 20-21 March 2013



This project is funded by
The European Union

**1st Sumatra FLEGT Workshop on “Strengthening Understanding by
Multistakeholders on Timber Legality Assurance System” (TLAS/SVLK)
Report**

Pekanbaru, Sumatra, 20-21 March 2013

By: Nursamsu

Contribution: Afdhal Mahyuddin, Editor: Aditya Bayunanda

Disclaimer

**The contents of this publication are the sole responsibility of WWF Indonesia and can in
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Introduction

The Ministry of Forestry is committed to solve problems in forestry sector and to promote forms of good forest governance through process of transparent and accountable good governance. This commitment is proved through initiative of Forest Law Enforcement and Governance (FLEG) Asia in September 2001. This initiative is continued with Forest Law Enforcement Governance and Trade (FLEGT) Action Plan in 2003, where Indonesia had been negotiating partnership agreement with European Union to avoid timber trade and timber production from illegal sources in Indonesia in the European Union market, while simultaneously timber trade and timber production from legal sources were promoted. .

Timber Legality Assurance System (TLAS) is developed as one of initiatives implemented to cope with illegal logging and promote legal wood as SVLK has been established since 2003 through multistakeholders process. This will be a core of the for the Voluntary Partnership Agreement (VPA) between Indonesia and European Union as it is called *Timber Legality Assurance System (TLAS)*. Under this system, all products covered in this agreement must have legality licenses to enter EU market. The Indonesian Government adopts SVLK as regulation in 2009 and its application starting in September 2010 including Assessment on Performance of Sustainable Production Forest Management (PK PHPL) and Timber Legality Verification (VLK).

SVLK which is decreed through Minister of Forestry's Regulation (Permenhut) Number No.P.38/Menhut-II/2009 has been revised through Permenhut P.68/Menhut-II/2011 and Permenhut P.45/Menhut-II/2012. Nevertheless, despite SVLK is developed through improvement process and multistakeholders processes which are accepted by all stakeholders, particularly at central level, but the effectiveness of this regulation's socialization to provincial level and district level has raised questions. However, inadequate understanding and weak commitment from the central government to provincial/district administration along with other parties to this system will cause risks to effectiveness of SVLK implementation and could ruin Indonesia's TLAS credibility.

Objectives

This event is aimed to strengthen the understanding by multistakeholders of TLAS process and development up to now, especially on its relevancy with the implementation in the Riau Province.

Output

Through this event, it is hoped to generate a strengthened understanding by the multistakeholders of TLAS development and its latest updates in both provincial and national levels. And, to ensure smooth implementation of the legality verification.

Methodology

Time & Place

The workshop was held on March 20-21, 2013. Took place at Pangeran Hotel Pekanbaru

Participants

The attending participants was about 60 people consisting 14 governmental participants, 26 NGO participants, 6 public participants, 4 media participants, 9 participants from forestry companies, and 1 participant from university.:

Issues Presented

- The Latest Timber Legality Assurance System (TLAS) within *Good Forestry Governance* Framework
- Timber Enterprises and the Situation of National and Provincial Forestry in Riau
- Timber Legality Verification System (SVLK) and its Anatomy

Presenters

- Director General of Forestry Enterprises, Cq: Directorate of Community Development of Forest Product Processing and Marketing, Ministry of Forestry
- BP2HP (Industrial Forest Utilization Monitoring Office) Region III Pekanbaru
- Multi-stakeholder Forestry Program (MFP)
- Assesment Institution/ Verification Institution
- Independent Forestry Monitoring Network (JPIK)
- Independent Monitor Alliance of Sumatera Forestry
- Management Unit

Organizer

The event was organized by SIAP-II Program, IWGFF, TII and WWF Indonesia - **Advancing a legal and sustainable global timber trade through the EU FLEGT action plan** collaborated with Focal Point Riau's Independent Forestry Monitoring Networks.

“Strengthening Understanding by Multistakeholders of Timber Legality Assurance System (TLAS/SVLK)” Workshop Schedule

Pekanbaru, March 20-21 2013

Time	Issues Presented	Presenters/Facilitator
Wednesday, March 20 2013		
08.00 am – 08.30 am	Participant Registration	Committee
08.30 am – 09.00 am	Workshop opening and introduction	WWF Indonesia
09.00 am – 10.30 am	SVLK within <i>Good Forestry Governance</i> Framework	MoF BUK
10.30 am – 10.45 am	Recess	
10.45 am – 12.30 pm	Timber Enterprises and Forestry Condition of Riau Province	BP2HP
12.30 am – 1.30 pm	Lunch break	
1.30 pm – 3.30 pm	Process and Latest Development of TLAS and Its Relevancy with FLEGT-VPA	MFP
3.30 pm - 3.45 pm	Recess	Committee
3.45 pm - 5.00 pm	TLAS Certification Process and Assesment Execution/ Auditting	LP/LV
Thursday, March 21 2013		
09.00 am -10.30 am	Assesment and Verification Process, Perspectives from Management Unit (Forestry Industry)	PT. Arara Abadi (Management Unit)
10.30 am -10.45 am	Recess	Committee
10.45 am -12.30 am	Independent Monitoring and TLAS in Riau Province	JPIK and APIKs
12.30 am – 1.30 pm	Lunch break	
1.30 pm – 2.00 pm	Conclusion and Recommendation	Facilitator
2.00 pm – 2.30 pm	Closing	WWF Indonesia

The course of workshop:

In general, this two-day workshop went alive, interesting and filled with argumentative debate and various opinions from each different stakeholder. The participants were enthusiastic following the ongoing explanation and discussion in which government, law enforcement officers, private parties and NGOs shared their different perspectives; some of them were critical on illegal logging issue, some were being positive towards critiques and advices.

Differences in implementing the rule of law in the field -because of different interests of each organization- as well as criticism for improving the implementation of TLAS became a hot topic to discuss about. Difference in perception occurred even at local level by the central government as the authority by the Ministry of Forestry was quite dominant, while the level of communication and understanding in the administration area was inadequate. Private parties complained of the high cost of certification, while NGOs were still feeling that independent monitors had less authority in monitoring because of limited access in the process as well as a variety of other obstacles.

However, the participants got a new and better understanding of TLAS by the speakers' information, and criticized those who are willing to accommodate their ideas and inputs. At least, there was a strong willingness of all participants to implement TLAS while encouraging improvement implementation and related rules.

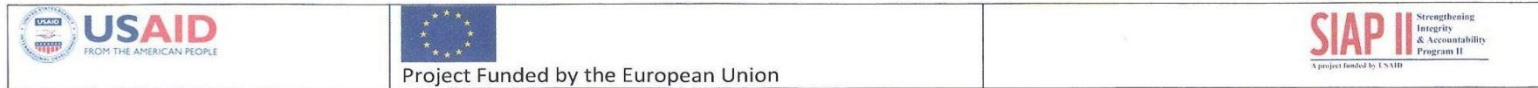
During the presentation delivered by the speakers, the dialogue and discussion gained some important points from this interaction as follows;

1. Rules of Timber Legality Assurance System (TLAS) are rules with rapid changes, from the Minister of Forestry Regulation No. 38 of 2009, then change No. 68 of 2011 and the last No. 45 of 2012. "Regulation of the Minister of Forestry About Standards and Guidelines Assessment of Sustainable Forest Management and Timber Legality Verification of License Holder or Forest Right In"
http://www.dephut.go.id/files/P38_09.pdf
http://www.dephut.go.id/files/P%2068_2011.pdf
http://www.dephut.go.id/apl/uploads/P.45_tahun_2012_tentang_perubahan_P.38_SVLK.pdf

2. The need to set the methodology used by the TLAS Independent Monitoring, while Assessor (LP) / Certification (LS) / Verification Agency (LV) has assessment criteria and indicators
3. LP / LS / LV at the time the assessment do not probe or not investigate as the police do, they are just more likely to look at the completeness of the document.
4. Five components or actors in TLVS; Ministry of Forestry, National Accreditation Committee (KAN), LP / LV, Management Unit (UM), Independent Monitoring (PI) must be in the same "wave / understanding / data access", but it's realized that PI has not enough data.
5. If there is an indicator in TLAS which cannot be assessed, for example before harvest, then it is put in the category of Not Applicable (NA) with acceptable excuses.
6. The status of timber grown in an area only requires the Certificate of Timber Origin (SKAU) or must meet CULTIVATION aspect (P.30/2012).
http://www.dephut.go.id/apl/uploads/P.30_2012_PenataanHasilHutanDariHutanHak_.pdf
7. LS / LP has a 'high risk management' if related to violation like 'wood-washing'.
8. The lack of understanding by the people on TLAS.
9. TLAS is the "Soft" strategy complementing the "Hard" strategy which is in the form of law enforcement.
10. The availability of TLAS information should not only come from the Ministry of Forestry, but also can be obtained from the LP / LV, UM, and Forestry Industry.
11. Role of Provincial and District Forestry Office related TLAS is to give feedback on performance of MW in the certification process, especially during the public consultation.
12. Costs of TLAS preparation and implementation are quite high for UM, and must be met by UM as a mandate / obligation. There should be a benefit assurance of the effort.
13. Self-approval including the incentives received by UM in TLAS is the facility for them.
14. There is no incentive from the aspect of market / price of the products that come from certified forest. However, acceptance of the buyer is obtained through the inclusion of the name on the contract documents.
15. Certification is a tool for UM's sustainable improvement.
16. Needs of efforts to increase consumers' awareness of certified products.
17. Frequent changes occurred in TLAS rules are also due to several requests of the parties. This change is an indicator of improvement over the rule.
18. TLAS challenges for PI are the sustainable system, access to information and the data, resources and capacity, and support

19. Independent Monitors needs to improve their improvisation in monitoring in order to also get public support.

Annex 1. Attendance list Day 1







Daftar Hadir

Workshop:

Penguatan Pemahaman Para-Pihak terhadap Sistem Verifikasi Legalitas Kayu (SVLK)
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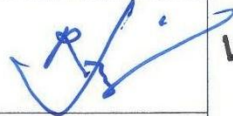

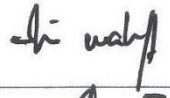
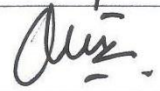
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TRANSPARENCY INTERNATIONAL



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Integrity
& Accountability
Program II
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20	35	Sri Rahayu P	Fahubn Unilak				P
22	36	KAFDI	PERKUMPULAN ELANG				L
22	37	Oknur Zetern	Kabut Riru				L
20	38	DARUL QOTNI	DITRESKRINSUS POLDA RIAU				L
10	39	RDI K	MEDIA INDONESIA				L



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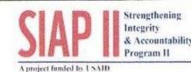
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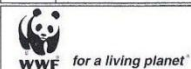




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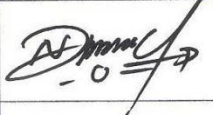

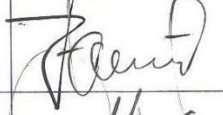



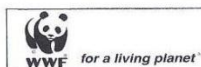
Annex 2. Attendance list Day 2

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Daftar Hadir

Workshop:
Penguatan Pemahaman Para-Pihak terhadap Sistem Verifikasi Legalitas Kayu (SVLK)
Pekanbaru, 21 Maret 2013

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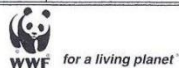




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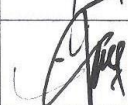


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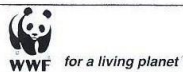
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Annex 3. Pictures



Presentation by Director General of Forestry Enterprises, Cq: Directorate of Community Development of Forest Product Processing and Marketing, Ministry of Forestry "SVLK within Good Forestry Governance Framework"



Presentation by Multi-stakeholder Forestry Program (MFP) "Process and Latest Development of TLAS and Its Relevancy with FLEGT-VPA"



Presentation by PT. Arara Abadi (Management Unit) "Assessment and Verification Process, Perspectives from Management Unit (Forestry Industry)"



Presentation by Assessment Institution/Verification Institution "TLAS Certification Process and Assessment Execution/ Auditing"



Presentation by BP2HP (Industrial Forest Utilization Monitoring Office) Region III Pekanbaru "Timber Enterprises and Forestry Condition of Riau Province"



Presentation by JPIK and APIKS Riau "Independent Monitoring and TLAS in Riau Province"



Participants are asking questions during discussion session