

Recommendations contained on pages 7 & 8



global witness

A Disharmonious Trade

China and the continued destruction of Burma's northern frontier forests

A Review by Global Witness: 2006-09. October 2009

1 PREFACE

On 2 March 1962, General Ne Win seized power establishing a military dictatorship and one party rule under the Burma Socialist Programme Party. Burma^{a1} is currently run by the military in the form of the State Peace and Development Council (SPDC).^{a2} The human rights abuses committed by the regime, in particular against the ethnic minority peoples, have been well documented and are abhorrent.^{a3}

According to the United Nations Special Rapporteur on the Situation of Human Rights in Myanmar, Tomás Ojea Quintana, there are, “[...] more than 2,100 prisoners of conscience in Myanmar”.^{a4} Burma’s most high profile prisoner, Aung San Suu Kyi, has spent 14 of the last 19 years under house arrest. On 11 August 2009 Aung San Suu Kyi was sentenced to a further 18 months under house arrest. The legal process, described as a ‘show trial’ by U.S. President Barack Obama,² has been widely condemned by the international community.³ UN Secretary General Ban Ki-moon said the case brought into question the, “credibility of the political process” in Burma.⁴

Global Witness supports efforts to achieve a peaceful transition to a legitimate civilian system of

government in Burma. To this end, the international community should support the SPDC’s goal of ensuring that the parliamentary elections planned for 2010 are both free and fair. These elections should be transparent, inclusive, and based on international standards. This will not be possible so long as Aung San Suu Kyi and other political prisoners are in jail. The SPDC, pursuant to its stated goals of holding free and fair elections and building a modern, developed, and democratic nation, should free all political prisoners and detainees.

In 2007-08, timber was the SPDC’s fourth most important export commodity earning it US\$538 in legal foreign exchange.⁵ Foreign exchange earnings, derived from the sale of timber and other natural resources, are important to the regime because international trade is almost exclusively conducted in hard currency, usually U.S. dollars. By buying timber from official SPDC sources, even timber produced in accordance with Burma’s forest laws, companies are contributing directly to the finances of the military regime with all the consequences that that entails. The link between timber revenue and the regime’s violent repression on civilians will only be broken once the human rights abuses stop. In the meantime, socially responsible companies should not buy timber directly from official sources or via third parties.

2 INTRODUCTION

“Logging is very bad for the environment. Chopping down too many trees will cause lots of disasters, for example, causing floods. People should learn to protect the environment. I have learned that in school. I am top of my class.” Ten year old school girl, Pian Ma, Nujiang Prefecture, Yunnan Province, China, April 2007

The Chinese government aspires to achieve a ‘harmonious society’ (héxié shèhuì) by 2020. The application of President Hu Jintao’s political doctrine, which seeks to address some of the social and environmental concerns associated with China’s economic growth, could not be more pertinent to the issue of natural resource exploitation. The continued destruction of Burma’s northern frontier forests, largely by Chinese companies, provides a striking counterpoint to that vision.

Although it is mainly the responsibility of the authorities in Burma to combat illegal and unsustainable logging in Kachin State, given the fact that the vast majority of the timber is exported to China, the Chinese authorities are ideally placed to help. It is also in China’s long term self-interest to end the logging in northern Burma and the over-reliance of its border prefectures on Burma’s natural resources. For these reasons, this report, ‘A Disharmonious trade – China and the continued destruction of Burma’s northern frontier forests – a review: 2006-09’, is aimed largely at the Chinese authorities, both locally, at a provincial level, and in the capital Beijing. Indeed, if the 11 May 2006 ‘Interim Measures to Manage Timber and Mineral Cooperation between Myanmar and Yunnan Province’^{a5} (Interim Measures) are to be implemented these authorities must work together more effectively.

Global Witness has written two previous reports on the destructive and mostly illegal logging of Burma’s forests: ‘A Conflict of Interests – the uncertain future of Burma’s forests’, published in October 2003, and ‘A Choice for China – Ending the destruction of Burma’s northern frontier forests’, published two years later. ‘A Disharmonious trade’ focuses primarily on Kachin State, where deforestation is at its worst, and the subsequent illegal export of timber to China. The report also documents the response of the relevant authorities in both Burma and China to ‘A Choice for China’. Following Global

Witness’ exposure of the massive illegal timber trade between Burma and China in 2005 the authorities in both countries initially denied that there was a problem. However, the denials were swiftly followed by action on both sides of the border: a ban on logging and timber transportation in Kachin State in Burma and a Chinese ban on the importation of Burmese timber followed by Interim Measures to control the trade.

Both the bans and Interim Measures have been enforced, albeit inconsistently, and, as a result, illegal logging in Kachin State has decreased dramatically, as has the associated trade with China. The global economic downturn has also played a part. Indeed, press reports from March 2009 suggest that many people, previously involved in the timber business in Kachin State, are switching to gold mining⁶ and large-scale agricultural plantations instead. This decline follows almost two decades of uncontrolled exploitation in the forests of northern Burma by Chinese logging companies. Throughout this period about one million cubic meters of timber were exported to China each year across the mountainous borders from Burma. However, Global Witness research shows that Chinese business people are already circumventing the new rules regulating the importation of Burmese timber and the situation could deteriorate rapidly if the economic situation improves.

Global Witness researchers have carried out extensive field investigations along the China-Burma border, to ascertain the impact of the Burmese and Chinese efforts to crackdown on the illegal timber trade, first in 2006-07 and then again in 2009. This research focused predominantly on the border areas between Burma’s Kachin State and Yunnan Province in China where Global Witness visited Nujiang, Baoshan, and Dehong prefectures. Lincang and Simao prefectures, situated opposite Burma’s Shan and Wa States, were also visited briefly. Global Witness undertook field investigations in Kachin State in 2006-07 and on China’s eastern seaboard in late 2006.^{a6} In addition, Global Witness has conducted numerous interviews with timber traders, loggers, business people, local officials, and others involved in this illicit trade, throughout the intervening years. News reports and statistics, from both Burmese and Chinese sources, make up the remainder of the information contained in this report.



Teak logs in Rangoon

^{a1} The military government renamed the country Myanmar, the name subsequently used by the United Nations, in 1989. In this report however, Global Witness will use Burma. Myanmar will only be used where it is quoted by name.

^{a2} Formerly the State Law and Order Restoration Council (SLORC)

^{a3} For further information on the human rights situation in Burma please see the “Report of the Special Rapporteur on the situation of human rights in Myanmar, Tomás Ojea Quintana, A/HRC/10/19”; 11 March 2009, from: <http://www2.ohchr.org/english/bodies/hrcouncil/docs/10session/A.HRC.10.19.pdf> Please see also UN Resolution 10/27 ‘Situation of human rights in Myanmar’ adopted without a vote by the Human Rights Council; 27 March 2009, from: http://www2.ohchr.org/english/bodies/hrcouncil/docs/10session/Unedited_versionL.11Revised.doc

^{a4} People imprisoned solely for their peaceful political or religious beliefs; that have not used or advocated the use of violence.

^{a5} This document can be read in full, in Chinese, at: <http://www.yn.gov.cn/yunnan/china/78533717525528576/20060728/1088436.html>

^{a6} The investigations follow detailed studies of the Burma-China cross-border timber trade carried out by Global Witness in 2001-03 and again in 2004-05 (see ‘A Conflict of Interests’, pages 85-91 and 97-109, and ‘A Choice for China’, pages 32-49 and 55-71).

3 EXECUTIVE SUMMARY

"See, we got this [timber] overland. Smuggled in of course. Tell your colleague that we can guarantee the supply. We Chinese are very resourceful. We are the best at finding holes. Otherwise, how can we continue to do the business?"^{a7}
Jiashan Longsen Lumbering Co., Ltd. representative, October 2006

BOX 1: KEY FINDINGS

Decline in the illegal timber trade on the Burma-China border:

- On 11 May 2006, following the launch of Global Witness' report 'A Choice for China' in October 2005, the Office of Yunnan Provincial People's Government issued 'Interim Measures to Manage Timber and Mineral Cooperation between Myanmar and Yunnan Province' (Interim Measures).^{a7}
- China recorded a decrease in log and sawn wood imports of more than 70% being imported across the Burma-China border in 2008 than it did in 2005, prior to the launch of 'A Choice for China'.
- Log imports, across the Burma-China land border, have fallen from one million cubic metres in 2005 to 270,000 m³ in 2008 according to Chinese import data.
- Sawn wood imports into Kunming customs district have also fallen, from a high in 2005 of 570,000 m³ to only 170,000 m³ in 2008 according to Chinese import data.
- Figures from the Myanmar Ministry of Forestry show that no timber crossed the Burma-China border during the financial year 2007-08 and only 38,000 m³ in 2008-09.
- More than 90% of the Burma-China border trade in logs and sawn wood is illegal.
- Most of the logs imported into China from Burma across the land border have been imported into Dehong Dai Jingpo Autonomous Prefecture, apparently from areas under the control of the Kachin Independence Organisation (KIO) (see Chart 5 page 26).



Wood flooring for sale on China's eastern seaboard

International trade in timber illegally logged in Kachin State:

- Much of the timber illegally exported from Burma to China finds its way to the furniture and flooring manufacturers on China's eastern seaboard, from where it is exported.
- U.S.-based companies are offering Burmese wood flooring for sale despite U.S. legislation, which includes a ban on the importation of any article, "that is a product of Burma", (see '11.2.5 Consumer country legislation', page 109).

The decline in illegal logging in Kachin State:

- Illegal logging in Kachin State has fallen dramatically since the launch of Global Witness' report 'A Choice for China' in October 2005.
- Chinese logging companies have moved deeper into Burma in their quest for timber as forests in the border regions have been depleted.
- Foreigners and foreign companies are not permitted to harvest timber in Burma, including Kachin State.⁸
- The illegal logging and associated trade, more often than not, takes place with the full knowledge and complicity of local SPDC troops, Chinese authorities along the China-Burma border, and armed ethnic opposition groups in Kachin State.
- Timber transportation in Kachin State is increasingly taking place at night to avoid detection.
- Since 2006, the clearing of forest, backed by Chinese money, to make way for sugar cane, tapioca, castor oil, and rubber plantations has become one of the worst threats to the forests of Kachin State.
- Former Northern Commander, Major General Ohn Myint, has established private plantations, including one in a protected area, which has resulted in forest clearance and encouraged others to do the same.

Official SPDC-controlled timber trade:

- In 2007-08, timber was the SPDC's fourth most important export commodity earning it US\$538 in legal foreign exchange.⁵
- In 2008, China's imports of selected timber products from Burma, 'not directly overland', at 219,000 m³ Round Wood Equivalent (RWE), were just under 30% greater than that recorded as exports by Burma. This discrepancy probably represents illegal timber in the official trade between the two countries (see charts 1 and 2 page 15).

Decline in the illegal timber trade on the Burma-China border:

*"I am confused if the border is open or not. The customs say it is closed for importing timber from Burma but trucks loaded with timber show up in town from time to time, and enter the timber storage areas of the companies. The timber businessmen are still busy with no apparent end to the Burmese timber. How much timber you can get in depends on your relationships, on 'guanxi', and your financial power as well."*⁹ Local man, Guyong, Baoshan Prefecture, Yunnan Province, January 2007

Global Witness' field research, carried out between 2005 and 2009, documents a significant decline in cross-border timber trade between Burma and China following the order by Chinese authorities to suspend the trade and subsequent Interim Measures. As a result, the sawmill industry in Chinese border areas has come to a near standstill in most places and thousands of migrant workers have left. For example, Pian Ma was almost completely deserted following the closure of more than 90% of the sawmills. Only a few timber traders have stayed on, hoping for the border to reopen or for the new rules to be relaxed. At the height of the trade in 2004-05, on average, one log truck carrying about 15 tonnes of timber logged illegally in Burma crossed an official Chinese checkpoint every seven minutes, 24 hours a day, 365 days a year. In stark contrast, Global Witness researchers saw very few log trucks along the China-Burma border during 2006-07 and 2009.

Enforcement of the new rules by the Chinese authorities and border army police has been uneven, and attempts to smuggle timber across the border and further into China are widespread. The extent of the decline in Burmese timber imports and

enforcement by local authorities has varied over time and differs from town to town. Local business people explained that most of what was left of the trade had gone underground. Such 'snake business' includes bypassing official checkpoints, transporting the timber at night, and the laundering of Burmese timber into the domestic market for Chinese timber. In addition, the amount of timber being transported is routinely falsified and sawn wood transported rather than logs (as it is easier to hide). In some instances, local enforcement agencies have chosen to turn a blind eye to these obvious smuggling scams, and several sources claim that corruption and bribery are rife. In a few places, timber is still crossing the Burma-China border unhindered.

Burmese timber is generally prevented from being transported from the Chinese border towns further inland. This has, on several occasions, resulted in large amounts of timber piling up along the border with no immediate prospect of it reaching wood-processing factories and timber markets. As a result, Chinese timber traders have faced heavy losses. They complain about the uncertain business environment, the rise in the price of the timber, and the risky situation for their workers inside Burma, where they fear arrest and/or being attacked by Burmese government soldiers.

Local officials and timber traders have made several attempts to convince the provincial and central Chinese authorities to lift the import restrictions, citing their negative impact on the local economy. The Interim Measures were suspended in several areas between July and August 2006 fuelling a rush to recover timber from Burma. The prospect of future concessions to the trade has encouraged continued Chinese engagement in, and financing of, logging activities in the forests of northern Burma.



Empty log yard in Dian Tan, China; March 2009

^{a7} For an unofficial translation of the Interim Measures please see '13.5 Appendix V', page 123.

Prior to the launch of 'A Choice for China', the timber trade was considered legal by all the parties involved and was conducted out in the open. In 2006-07 and 2009, all traders, logging workers, and local officials that Global Witness spoke to were aware of the new timber import restrictions and the largely illegal nature of the trade; fewer were aware of the Interim Measures, however, let alone their precise nature.

The cross-border timber trade has clearly become a much more sensitive issue. Several local people declined to be interviewed, citing concerns over exposing the trade to the outside world. Local and foreign visitors were treated with much greater suspicion than previously. In one incident, Global Witness researchers were told to leave the area by officers from the local police and the Yunnan Border Defence Brigade (under the People's Liberation Army) who said, "The whole timber thing between China and Myanmar is very sensitive. China has already been exposed and we don't want the same thing to happen again, especially now with the Olympics coming."¹⁰ Global Witness is also aware of at least one local Chinese journalist who has been prohibited from visiting the border area by local police. He was prevented from researching the timber and jade trades and writing about these issues. "Don't write, don't talk", local police told him.¹¹ In two other separate incidents, Chinese media reporters and a Chinese timber market researcher, suspected of being a reporter, were beaten up by employees of a large timber importing company (see 'Box 3: Hongxin', page 39).



"Network of globalised Anxin product", Shanghai Anxin Flooring Co., Ltd. office; September 2006

International trade in timber illegally logged in Kachin State:

"I don't exactly know how we get the teak – I am not in charge of buying. We don't log or smuggle any teak out of Burma. As for how the suppliers get teak, I don't really care. If we have an order, we need to get it."¹² Company representative, Shanghai Anxin Flooring Co., Ltd., Shanghai, China, September 2006

The impact of the Interim Measures has been felt further down the supply chain on China's eastern seaboard. According to one senior manager, interviewed by Global Witness in 2006, at Guangzhou Yuzhu International Timber Market, "In future, the market will make a policy to ask the sellers to import Burmese timber according to the agreement signed between China and Burma Governments. This means to import from the proper way."¹³ However, all but one of the fourteen flooring companies visited by Global Witness said that it was still possible for them to obtain timber from Burma across the land border despite the import restrictions. The companies cited the U.S. as the biggest importer of teak and other flooring of Burmese origin. Europe was also a big market. According to a representative of the Shanghai Anxin Flooring Co., Ltd., the largest manufacturer of solid wood flooring in China, who emailed Global Witness in May 2009, the company can still, "do the Myanmar teak flooring". Apparently, "at present", Anxin is exporting, "this species wood flooring to USA and Korea".¹⁴

At the time of writing several U.S.-based companies are advertising Burmese wood flooring despite the fact that the U.S. 'Burmese Freedom and Democracy Act', prohibits the importation of any article, "that is a product of Burma". An investigation by the U.S. Department of Justice into U.S. companies selling products made from Burmese timber, originating in factories on China's eastern seaboard, would be justifiable under the circumstances (see '8 The trade in Burmese timber on China's eastern seaboard', pages 45-55).

Illegal logging in Kachin State:

"I am most afraid of getting caught by the Burmese military [...]." Chinese logger, Nabang, Dehong Prefecture, May 2006

As a result of both Burmese and Chinese enforcement activities, there has also been a decline in the level of illegal logging taking place in Kachin State in Burma. Logging authorised by the Myanmar Ministry of Forestry, mainly in southern Kachin State, continues and logging to clear land for plantations is on the increase.

China's timber trade in a Global Context

"Chinese woodproducts corporations will have little incentive to alter their predatory behavior so long as consumers in wealthy nations blithely continue buying their products."¹⁵ Dr William F. Laurance, staff scientist, Smithsonian Tropical Research Institute, February 2008

As far as the Chinese timber industry is concerned, the importation of timber illegally logged in Burma is just part of the problem: half of China's timber imports from all countries are probably illegal.¹⁶ In fact, China imports roughly a quarter of all illegal timber being traded internationally and its timber exports account for almost 10% of the trade in illegal timber.¹⁷ This has a direct impact on other timber importing countries. The UK for instance imports more illegal timber than any other European country, mainly because it imports so much timber from China.¹⁸ However, China's largest export markets, the U.S., Europe and Japan, are taking steps to deny market access to illegal timber. For example, the UK government's new timber procurement policy will effectively exclude the majority of timber exports from China to the UK from UK government contracts. The new policy states that, "Central government departments, their executive agencies and non-departmental public bodies are now



Log truck at the entrance to Pangwah Town, Burma

required only to procure timber and wood-derived products originating from either legal and sustainable or FLEGT licensed or equivalent sources."¹⁹ Forest Law Enforcement Governance and Trade (FLEGT) is discussed in full in Section 11.2.2 (pages 104-106). The U.S. Lacey Act,²⁰ which bans commerce in illegally obtained timber and wood products, will also have a significant impact on the China-U.S. timber trade (see '11.2.5 Consumer country legislation', page 109).

Clearly the action taken by both the Burmese and Chinese authorities to combat illegal logging in Kachin State and the associated trade with China has had a significant positive impact. However, the relevant authorities in both countries could and should do more. Despite the best efforts of the illegal loggers and smugglers, the sheer scale of the timber industry on the China-Burma border is such that it should be relatively straightforward to detect and to close down.



Zhangjiang Port, Guangdong Province, China

4 RECOMMENDATIONS

*“We will create conditions that allow people to criticise and supervise the work of the government more effectively, and foster a lively political environment in which everyone feels happy and the society is harmonious.”*²¹ Wen Jiabao, Chinese Premier, ‘2008 Summer Davos’ in Tianjin, 27 September 2008

END ILLEGAL LOGGING IN KACHIN STATE AND ASSOCIATED BURMA-CHINA TIMBER TRADE

The Central People’s Government of the People’s Republic of China (PRC) should:

- Make all relevant authorities and businesses in China aware of the 11 May 2006 ‘Interim Measures to Manage Timber and Mineral Cooperation between Myanmar and Yunnan Province’ (Interim Measures) (see ‘13.5 Appendix V’, page 123).
- Work closely with provincial and local authorities to fully enforce the May 2006 Interim Measures.
- Establish permanent measures to manage the Burma-China cross-border timber (and mineral) trade.
- Monitor the environmental and social impacts of Chinese logging companies and Chinese companies clearing forested land for the production of cash crops operating in Burma.^{a8} End operations with negative environmental and social impacts.
- Ensure that Chinese companies in Burma are made familiar with, and operate in accordance with and in the spirit of, the Chinese Ministry of Commerce and State Forest Administration guidelines for Chinese enterprises engaged in ‘sustainable forest cultivation’ overseas,²² until such time as guidelines for their specific activities are issued.
- Strengthen bilateral cooperation with the Burmese Forestry Department, and establish a dialogue with relevant officials within armed ethnic opposition groups’ administrations, to address the issue of continued illegal and unsustainable logging in northern Burma, the illegal timber trade with China and corruption linked to this trade.
- Ensure that funds raised by the 15% afforestation levy, on the cross-border timber trade of Yunnan Province, are returned to the appropriate authorities in Kachin State. Such funds should be used to combat illegal and associated trade and other initiatives to reduce deforestation and forest degradation. The use of these funds should be subject to meaningful consultation with all relevant sectors of society
- Develop mechanisms for the effective exchange of experience relating to forest protection and information including log and timber trade data.

The State Peace and Development Council should:

- Continue efforts to stop illegal and unsustainable logging in Kachin State and end the illegal cross-border timber trade with China.
- In accordance with established Ministry of Forestry practice,⁸ ensure that foreigners and foreign companies are not involved in timber harvesting in Kachin State.
- Ensure that companies not on the Ministry of Forestry list of companies and individuals permitted to harvest timber in Kachin State,⁸ such as the Momentum Company, cease operations immediately (*the list is reproduced in full on page 88*).
- Ensure that natural resources in Kachin State, including forests, are managed in an equitable, participatory, sustainable, and transparent manner.
- Create an enabling legal and political environment for the establishment of community forests in Kachin State. This should include assistance to rural people in gaining legal tenure and management rights over local forests.
- Increase aid to, and development in, the impoverished border regions and ensure that the local economies are not reliant on unsustainable natural resource exploitation.
- Prepare and implement a national strategy to Reduce Emissions from Deforestation and forest Degradation (REDD).^{a9} This should include the preparation and implementation of a plan to end illegal logging and meaningful consultation with all relevant sectors of society.
- Eradicate unsustainable forest management practices by 2010,²³ in accordance with the Vientiane Action Programme 2004-2010.^{b1,24}

The armed ethnic opposition groups in Kachin State should:

- Notify the relevant authorities in both Burma and China of all illegal timber transportation as and when it passes through areas under their control and prior to its export to China.
- Suspend logging activities, development projects and commercial operations that are unsustainable or are of questionable economic and social value.
- Give full support and access to grassroots initiatives that aim to protect the environment and to other sustainable development activities at a community level.

^{a8} Recommendations relating to Burma are, in several cases, relevant to other countries where the Chinese authorities and industries have dealings.

^{a9} At the time of writing no specific activity relating to REDD is being carried out in Burma. This is despite the fact that Burma is currently losing more forest than any other country in Asia except Indonesia, more than 450,000 ha per year. For further information on REDD in Burma please see, ‘R-PIN and REDD Activities Review – Myanmar’; 25-26 May 2009, from: http://www.iddri.org/Activites/Interventions/090525_ASEAN_REDD_Myanmar.pdf

The International Community should:

- Establish a working group with representatives from the SPDC, armed ethnic opposition groups, civil society, United Nations agencies and the Chinese authorities to facilitate measures to combat continued illegal and unsustainable logging in northern Burma and support initiatives to promote sustainable development in Kachin State.^{b2}
- Help rebuild society at a local level in northern Burma through the promotion and funding of educational projects including environmental awareness.
- Encourage sustainable resource use and protection, and support grassroots environmental initiatives, which aim to halt illegal logging and other environmentally destructive activities.
- Pursuant to international REDD efforts in developing countries, support an independent assessment of the extent and composition of natural forests in Kachin State. This should include an assessment of the extent of illegal logging and forest loss, through a combination of satellite imagery and photography, aerial photography and ground-truthing.
- Facilitate a forest value assessment for Kachin State. This should include the valuation of ecosystem services, including carbon storage and sequestration, and be carried out under the auspices of the working group referred to above, followed by participatory forest zoning.

COMBAT ILLEGAL LOGGING AND ASSOCIATED TRADE IN ASIA AND BEYOND

The Central People’s Government of the People’s Republic of China (PRC) should:

- Ensure that the draft guidelines for Chinese enterprises engaged in logging overseas are finalised and issued, following the stakeholder consultations that took place in 2008.^{b3}
- Encourage “ASEAN Plus Three” to include environmental crimes, in particular the trade in illicit timber, as a priority area for discussion/cooperation.
- Conclude a Forest Law Enforcement, Governance, and Trade Voluntary Partnership Agreement with Europe and join Voluntary Partnership Agreements established between Europe and forest rich nations.

The State Peace and Development Council should:

- Contribute fully to Forest Law Enforcement and Governance (FLEG) in ASEAN and encourage the participation of the Myanmar Ministry of Forestry, relevant officials within the armed ethnic opposition groups’ administrations, and civil society in FLEG.
- Ratify the United Nations Convention Against Corruption (2005).

Members of the International Community should:

- Implement a timber procurement policy, which requires central and regional government authorities to purchase only timber and wood-derived products originating from legal and sustainable sources.
- Adopt national legislation to prohibit the importation and sale of timber, which has been harvested, transported, bought or sold in violation of national laws. This should include timber imported either directly from the country where the timber was logged or via third countries. The U.S. Lacey Act provides a useful model for requisite legislation.
- Provide the United Nations Office on Drugs and Crime with information on measures taken pursuant to resolution 16/1 of the Commission on Crime Prevention and Criminal Justice regarding international trafficking in forest products.²⁵ Information relating to Member States’ use of the United Nations Convention against Transnational Organized Crime (2003)²⁶ and the United Nations Convention against Corruption (2005)²⁷ would be of particular interest in this regard.
- Support and/or implement the ‘Proposed Work Plan for Strengthening Forest Law Enforcement and Governance (FLEG) in ASEAN 2008-2015.’ Implementation of the proposed FLEG work plan by ‘ASEAN Plus Three’ could have a significant impact on the trade in illegal timber throughout the region and beyond.
- Support the development of The ASEAN Wildlife Enforcement Network and, in accordance with the recommendations of the 12 April 2009 ‘Manifesto on Combating Wildlife Crime in Asia,’ develop a South Asia Wildlife Enforcement Network. Encourage both networks to develop measures to tackle the illegal transnational timber trade.
- Support an expansion of the mandate of United Nations Office on Drugs and Crime ‘Border Liaison Offices’ to include environmental transnational organised crimes, in particular the trade in illicit timber.
- Develop synergies between the Wildlife Enforcement Networks and United Nations Office on Drugs and Crime ‘Border Liaison Offices’ in the region as and when appropriate.

DISASSOCIATE FROM HUMAN RIGHTS ABUSES IN BURMA

- Socially responsible companies should not import timber directly from official sources in Burma, or via third parties, until a genuine and fair democratic system of government has been established.

^{b1} This is the second in a series of action programmes guiding progress towards ASEAN Vision 2020. The theme of the programme is, “Towards shared prosperity and destiny in an integrated, peaceful and caring ASEAN Community.” For further information on ASEAN Vision 2020 please see: <http://www.aseansec.org/1814.htm>

^{b2} Although this report focuses on Kachin State, recommendations relating to Kachin State could be applied usefully to other states and divisions throughout Burma.

^{b3} Similar guidelines for mining companies and other industries, which are potentially damaging to the environment and to society, should also be considered.