

06/05/11

Committee Secretary
Senate Standing Committees on Rural Affairs and Transport
PO Box 6100
Parliament House
Canberra ACT 2600
Australia



CFMEU comments on exposure draft and explanatory memorandum:

Illegal Logging Prohibition Bill 2011

The Construction, Forestry, Mining and Energy Union of Australia, (CFMEU) welcomes the opportunity to make this brief submission. The CFMEU consists of three Divisions namely the Mining and Energy Division, Forestry and Furnishing Products Division and the Construction and General Division. We are the major union in these industries. The CFMEU is pleased to contribute to this inquiry and looks forward to opportunities to appear before the Committee.

The CFMEU:

1. Supports the governments' moves to restrict and ban the importation of illegally logged timber as good social, economic and environmental policy.
2. As consistent with our comments outlined in our submission to the CIE RIS, submits that the prohibition should apply to all wood products and all products which contain wood components.
3. Understands that the associated regulations to this legislation will affect the domestic forest and forest products industry and determine whether the legislation will result in the achievement of desirable social, economic and environmental outcomes from Sustainable Forest Management in Australia. Our support for this bill is subject to us being consulted in the formulation of these regulations and being satisfied with them.
4. Commends that the proposed legislation is one of a number of mechanisms in the government's strategy to prevent illegal logging. We request urgent discussions with the government on the progress of the capacity building elements mentioned in the explanatory memorandum (especially the Asia Pacific Forestry Skills and Capacity Building Program and 'market based' mechanisms such as REDD+) We particularly require progress reports in regards to the government's commitments to consult with unions of workers from countries these programs are being implemented and their international affiliates where appropriate.
5. Implores that the government needs to ensure that the legislation does not have adverse unintended consequences such as the replacement of the importation of sustainable timber with legally logged but unsustainable timber. Safe guards are thus required which ensure the prevention of the undermining of processes which provide assurance mechanisms to consumers and procurers of wood products of their sustainable harvest and production.
6. Therefore, iterates the importance that the legislation expands the definition of illegally logged timber to 'illegal timber'. 'Illegality' in this context should also encompass situations of non- adherence to core labour standards (based on the ILO Declaration on Fundamental Principles and Rights at Work, 1998) in the

Construction Forestry
Mining and Energy Union

Michael O'Connor
National Secretary

148-152 Miller St
West Melbourne VIC 3003

P: (613) 9274 9203
F: (613) 9274 9284

National Office

ABN 17402743835

www.cfmeu.net.au

harvesting of timber and the production of timber products, consistent with the requirements of leading internationally endorsed sustainable forest management certifying bodies' new Chain of Custody requirements.ⁱ

Sincerely,

Michael O'Connor,
National Secretary
CFMEU

ⁱ **PEFC's new social, health and safety requirements in chain of custody**

1 Scope

This Appendix includes requirements relating to health, safety and labour issues that are based on ILO Declaration on Fundamental Principles and Rights at Work, 1998.

2 Requirements

2.1 The organisation shall demonstrate its commitment to comply with the social, health and safety requirements defined in this standard.

2.2 The organisation shall demonstrate that:

- (a) workers are not prevented from associating freely, choosing their representatives, and bargaining collectively with their employer,
- (b) forced labour is not used,
- (c) workers, who are under the minimum legal age, the age of 15, or the compulsory school attendance age, which ever is higher, are not used,
- (d) workers are not denied equal employment opportunities and treatment,
- (e) working conditions do not endanger safety or health.

For more detail please see: <http://www.pefc.org/news-a-media/general-sfm-news/news-detail/item/656>