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

2nd May 2011

Dear Senator,

Exposure draft and explanatory memorandum of the Illegal Logging Prohibition Bill 2011

Thank you for the opportunity to make a submission to the Inquiry.

Submission

WWF recommend the following elements be part of the Federal Government's approach, particularly in formulating the legislation. WWF urge that industry and civil society continue to be involved in formulating the regulations.

1. ***Objective of the Legislation:*** Eliminating illegal logging is a critical first step towards achieving sustainable forestry globally. The Act should seek to help promote ecologically sustainable and socially just timber and wood products and to eliminate other forms of timber and wood products. This should be stated within the Act's object clauses.
2. ***Definition of Illegal Timber & Wood Products:*** The term 'illegal timber and wood products' be defined broadly to capture all situations where timber has been harvested and traded in contravention of the laws of the country of origin or treaties in force in the country of origin or Australia.
3. ***Declaration of timber products:*** The laws should contain a requirement for importers to disclose specified information at the point of importation in a declaration form. Such information would include the species, country of origin, quantity or value and any supporting documentation of legal verification or certification where available.
4. ***Enforcement and Monitoring:*** The Federal Government enforce the prohibition and due diligence requirements and not leave this responsibility to industry. Enforcement and monitoring should be substantially resourced.



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5. **Penalties:** Appropriate penalties be applied to provide an effective deterrent against those who knowingly or negligently break the law or fail to show due diligence.
6. **Risk Assessment:** The Federal Government provide support to industry by commissioning an independent risk assessment program that considers risk levels of timber and wood products from export countries or regions. The risk assessment must remain independent of government and be updated as required.
7. **Public Standing:** The Act includes a provision allowing any interested party to take action against a breach under the Act.
8. **Review / Sustainability:** A review of the efficacy of the laws within 5 years from the commencement of the Act. The review should examine and make recommendations on how to move the required standard towards sustainability.
9. **Industry Assistance:** The Federal Government provide resources to industry to assist with compliance.
10. **Harmonisation:** To the extent possible, the laws should be harmonised with the United States of America's Lacey Act and European Union Timber Regulations
11. **Government Procurement Policy:** The parties below also urge the Federal Government and other arms of government to take a leadership role in moving towards sustainable timber by adopting and implementing procurement policies that go beyond one requiring legal verification. Such procurement policies should be built on criteria that are consistent with and supportive of forest management and chain-of-custody certification and social justice.

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12. WWF's mission is to stop the degradation of the planet's natural environment and to build a future in which humans live in harmony with nature by conserving the world's biological diversity, ensuring that the use of renewable natural resources is sustainable and promoting the reduction of pollution and wasteful consumption¹. WWF has 5 million supporters worldwide and about 85,000 in Australia.
13. The Global Forest and Trade Network² (GFTN) is WWF's initiative to eliminate illegal logging and transform the global marketplace into a force for saving the world's valuable and threatened forests. By facilitating trade links between companies committed to achieving and supporting responsible forestry, the GFTN creates market conditions that help conserve the world's forests while providing economic and social benefits for the businesses and people that depend on them. The GFTN considers independent, multi-stakeholder-based forest

¹ <http://wwf.org.au/about/>

² <http://gftn.panda.org/>



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certification a vital tool in this progression and helps infuse the principles of responsible forest management and trade practices throughout the supply chain.

14. WWF is a founder member of the Forest Stewardship Council³ (FSC). The FSC is an independent, non-governmental, not-for-profit organization established to promote the responsible management of the world's forests.
15. WWF is a signatory to *“Eliminating Illegal Forest Products in Australia – A joint forest industry, wood product sector and conservation group statement”* 2009⁴ and the *“Common Platform – A joint forest industry, wood product sector and NGO Position”* 2011⁵

Thank you for the opportunity to provide a submission to the Inquiry. WWF would appreciate an opportunity to expand upon the submission if a public hearing is held.

If you require any further information, please do not hesitate to contact Andrew Rouse, Acting Head of Sustainability,

Gilly Llewellyn
Manager, Conservation Programs

³ <http://www.fscaustralia.org/home>

⁴ <http://www.greenpeace.org.au/forests/jointstatement.pdf>

⁵ <http://www.goodwoodguide.org.au/assets/docs/CommonPlatform.pdf>