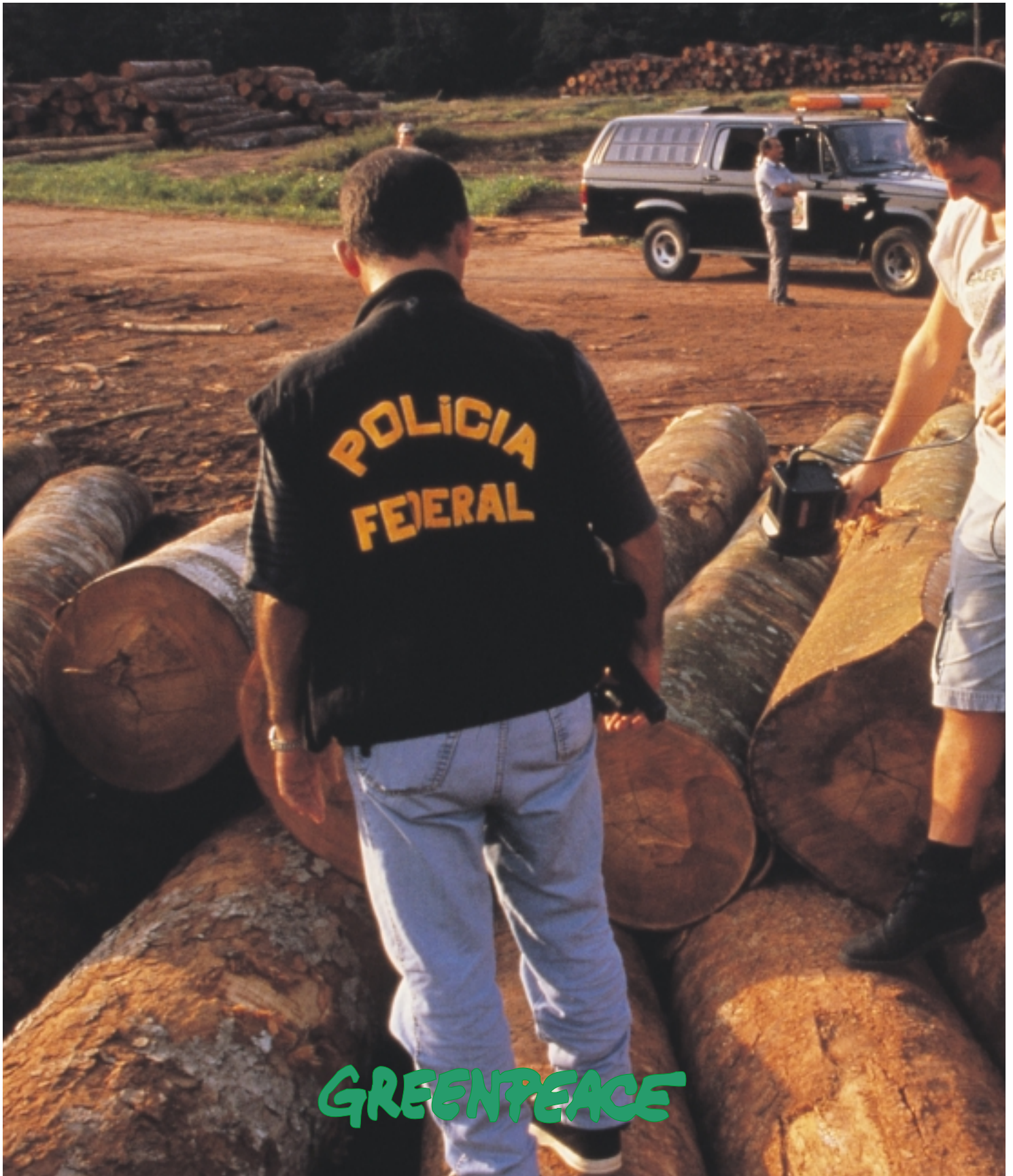


AGAINST THE LAW

The G8 and the illegal timber trade



GREENPEACE

Front cover: Amazon 1999 – Greenpeace investigation identifies illegal logs at Japanese export company Eidai, Para State. Government officials fined the company and confiscated the logs under the new Environmental Crimes Law. The company exports mainly to the USA, UK and Japan.

Summary

Illegal and destructive logging is threatening the future of the world's last remaining ancient forests. Since the Rio Earth Summit in 1992, a host of international agreements have aimed to protect these ancient forests. Most recently, the G8 group of leading nations have made public commitments to promote sustainable forest management¹.

Yet these attempts are being undermined by the ever growing problem of the illegal production and trade of wood and wood products across the globe. Estimates for the amount of logs produced or traded illegally throughout the forest regions of the world range from 20 to 80 per cent. In the Philippines, experts predict the nation's forests could be destroyed by 2025 because of illegal logging. In Indonesia, millions of dollars in taxes and royalties are lost each year due to the smuggling, theft and looting of timber. Illegal logging has become the norm rather than the exception in the Brazilian Amazon.

Despite public commitments to address the problem of illegal logging, the G8 countries remain among the largest importers of wood products from regions where illegal production and trade of forest products is still commonplace. In this briefing, Greenpeace looks at the role played by the G8 countries in the illegal timber trade, and highlights case studies.

In the run-up to its 2000 Summit in Okinawa, Greenpeace demands that G8 governments:

- DO NOT buy illegal timber products
- DO NOT fund forest destruction through aid for unsustainable forestry
- DO NOT allow G8 countries be markets for illegal timber
- DO buy wood products from sustainable certified forests
- DO provide urgent assistance to forest countries to tackle illegal logging
- DO increase the capacity for monitoring and transparency throughout the production and transport of wood and wood products globally

In 1999, Vladivostok's police seized 15,000 cubic metres of illegally felled timber, enough to fill four cargo ships to Japan.

Agence France Presse, Feb 2000

Undermining sustainability: illegal forest destruction

Ever since 1987 when the Brundtland Commission (World Commission on Environment and Development) defined sustainable development it has had a strong impact on the forest debate – especially in relation to sustainable forest management².

Since then, discussions on sustainable forestry have raged, leading to numerous publications and international agreements. These include the Convention on Biological Diversity (CBD) adopted at UNCED (UN Conference on Environment and Development) in 1992; the International Tropical Timber Organisation's (ITTO) Objective 2000 and the G8's *Action Programme on Forests* which was presented at the Birmingham Summit in 1998³.

Even as these discussions continue, and international agreements are debated and signed, the whole notion of sustainable forestry continues to be sabotaged by the ever-escalating problem

of the illegal production and trade of wood products. While commercial logging poses the greatest single threat to large tracts of ancient forest⁴ worldwide – affecting more than 70 percent of the world's threatened frontier forests⁵ – issues of illegality and corruption within the timber industry remain a fundamental barrier to the possibility of sustainable forestry.

For example, in the Philippines, forestry experts have predicted that the nation's forests could disappear completely by 2025 with "unchecked illegal logging [remaining] the main culprit" according to Philippine senator and broadcaster Loren Legarda⁶. Meanwhile, in Indonesia, it is possible that as much as 70 percent of the raw timber supplying the country's wood processing industry is logged illegally, "casting doubt over the long-term viability of one of the country's biggest non-oil export earners"⁷.

Tropical Timbers journal⁸ notes that: "At the international level, the availability of cheap, illegally felled logs from Indonesia has led

Illegal logging camp inside Tanjung Puting National Park, Indonesia



The level of illegal logging in Indonesia is arguably the most important issue now facing the international hardwood trade.

Tropical Timbers, Jan 2000

to a huge decrease in international plywood prices. As a result, plywood producers committed to legal, sustainably managed log supplies have been unable to compete and are effectively becoming excluded from international markets.”

Nature and extent of the problem
Evidence of the diverse nature and broad extent of illegal practices within the forest products industry is considerable. During the 1990s, numerous reports from both governments and non-governmental organisations highlighted the severity of the problems within the industry, revealing examples of theft, corruption and fraud throughout the forest regions of the world at estimated levels ranging between at least 20 and 80 percent of logs produced or traded⁹.

A summary of some of the types of irregularity found in the global forest products industry is given in Box 1.

In Buying Destruction: a Greenpeace report for corporate consumers of forest products, Greenpeace (1999) gave examples of illegal logging in Thailand, Mexico, Guyana, Papua New Guinea, Honduras, Canada, Cameroon, Cambodia and Brazil which appeared in the press between June 1997 and September 1999. Since then, reports on illegal logging in these and other countries have continued to hit the international headlines.

Most recently, it has been reported in the industry journal *Tropical Timbers* that: “The level of illegal logging in Indonesia is arguably the most important issue now facing the international hardwood trade,” while in Cambodia, the *Deutsch Presse-Agentur* reports that: “Cambodia’s deputy prime minister ... accused six high-ranking officials of corruption and conspiring to smuggle illegally cut timber across the border to Vietnam.”¹⁰
A recent publication by Global Forest Watch on Cameroon estimates that less than a third of concessions allocated fully

BOX I - Illegal activities within the global timber trade

Illegal logging

- logging timber species protected by national or international law eg: the Convention on the International Trade in Endangered Species of Wild Fauna and Flora (CITES)
- illegal log export or import against national bans, and of species banned under national or international law
- logging in violation of national laws
- logging in excess of authorisation or in breach of permit or contract
- reusing authorisation documents to transport logs
- obtaining timber concessions illegally
- logging outside concession boundaries, buying logs from protected areas outside the concession or cutting trees from nearby public lands instead of on private land
- logging in protected areas or indigenous protected areas– e.g. forest reserves, or prohibited areas – e.g. steep slopes, river banks
- logging under- or over-sized trees
- logging different species of trees not included in authorisation

Accounting practices

- declaring sales of timber at prices below prevailing market prices: reduces declared profits and thus corporate and income taxes
- under-grading, under-measuring and under-valuing of timber and mis-classification of species
- declaring buying inputs at prices above prevailing market price: reduces declared profits and taxes
- declaring lower priced species exported
- manipulation of debt cash flows - eg: transferring money to subsidiary or parent where debt repayment is easier than export of profits, inflating repayments allowing larger repatriation of untaxed profits, reducing level of declared profits
- avoiding royalties and duties by declaring lower value of timber extracted from timber concessions

Source: Adapted from Currie (1999)

Russia's virgin forests threatened by Chinese gangs

Agence France Presse 2000

comply with the guidelines set out in the new forestry legislation¹¹. Clearly, illegal activities remain a real and significant issue within the global timber trade.

The G8 and illegal trade

In 1996, the countries which now make up the G8¹², along with all the rest of the EU countries, were responsible for 74 percent of the world's imports of wood and wood products, accounting for almost 280 million of the 376 million m³ of wood products imported globally that year¹³. Clearly, these powerful importing countries are of profound significance in terms of driving demand for wood production throughout the world.

With growing consumer awareness, forest issues became an important topic of discussion for the G7 and then G8 summits in 1997 and 1998. These discussions culminated in the presentation of the G8 Action Programme on Forests at the Birmingham Summit in 1998. Along with commitments on: improving the

monitoring and assessment of sustainable forest management; assisting in national forest programmes and other actions to promote sustainable forest management; establishing protected forest areas; and engaging the private sector in voluntary codes of conduct, the programme explicitly recognises the need to combat the illegal production and trade of wood and wood products.

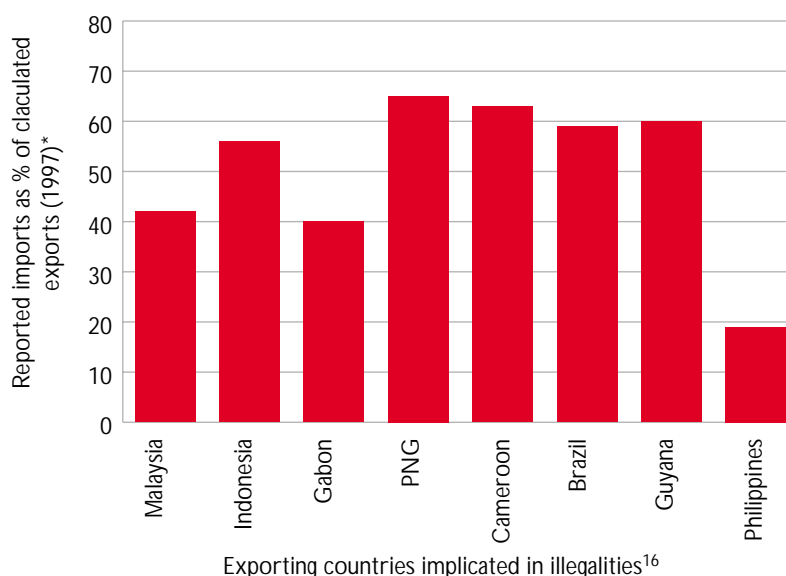
"Illegal logging robs national and subnational governments, forest owners and local communities of significant revenues and benefits, damages forest ecosystems, distorts timber markets and forest resource assessments and acts as a disincentive to sustainable forest management.

International trade in illegally harvested timber, including transfer pricing, under-invoicing and other illegal practices, exacerbates the problem of illegal logging. Better information on the extent of the problem is a prerequisite to developing practical and effective counter measures."
G8 (1998)

Sabah, Malaysia: Illegal logging crackdown

Tropical Timbers 1999b

Table 1: G8 plus all EU countries: imports from some forest regions currently associated with illegalities and corruption within the forest products industry



Illegal logging wipes out Philippine forests

Bengwayan 1999

Source: ITTO (1998).

* Reported imports are those volumes reported by importing nations; Calculated exports equals the sum of total reported imports for each forest region plus 'other' reported exports from the same region.

Note: All figures are for total volumes of tropical logs, tropical sawnwood, tropical veneer and tropical plywood, which in the case of Brazil includes exports from plantations as no detailed figures were available for exports from the Amazon region where illegal logging is prevalent. Note: production, export and import figures may vary from source to source¹⁷.

IBAMA in Amazonia estimates that around 80 percent of logs cut have illegal origin.

Brazilian Secretariat of Strategic Issues 1997

In order to address these issues, the programme committed the G8 to a number of action points (Box 2), aimed both at improving information on the problems of illegal production and trade of wood products and at developing practical and effective measures to improve transparency and combat corruption within the international timber trade (Box 2). Trade statistics demonstrate the extent of G8 countries' imports of wood and wood products from a whole range of countries associated with illegalities and corruption within the international timber trade. Table 1 illustrates specific examples of G8 countries' imports from countries currently reported to be involved in illegal forestry activities¹⁵. While these figures can give only an indication that the G8 countries are involved in importing wood and wood products whose production and/or trade is in some way illegal, the brief case studies outlined below illustrate specific examples of G8 imports of illegal timber.

Orang-utan and baby, Tanjung Puting National Park under threat from illegal logging. Latest studies show that orang-utans will be extinct in the wild in 5-10 years if their habitat continues to be destroyed at current levels.



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BOX 2 - G8 commitments on illegal logging. Birmingham Summit, UK - 9 May 1998¹⁴

VI. Illegal logging

11. The G8 members will:

- encourage the sharing of information and assessments of the nature and extent of international trade in illegally harvested timber as a basis for developing practical and effective counter measures;
- identify and assist in implementing measures to improve economic information and market transparency regarding the international timber trade, including through the International Forum on Forests and the International Tropical Timber Organisation;
- identify and assess the effectiveness of their internal measures to control illegal logging and international trade in illegally harvested timber and identify areas needing improvement;
- take measures to implement their obligations under international agreements aimed at combating bribery and corruption in international business transactions as they pertain to trade in timber;
- work with interested partner countries and through international organisations including the International Tropical Timber Organisation to develop their own capacity to assess the nature and extent of illegal logging and trade in illegally harvested timber and their capacity to develop and implement counter measures.

Case studies

I: Illegal import of CITES-listed species Belgium (EU)

In June 1999, Greenpeace Belgium uncovered the illegal import of Afrormosia (*Pericopsis elata*) logs from Cameroon in the Belgian port of Zeebrugge. The trade in this species is regulated by CITES, where it is listed under Appendix II. Under the convention, any trade in this species is allowed only with a CITES certificate, an export licence from the country of origin and an import licence issued by the importing country¹⁸.

Industry sources informed Greenpeace that the Belgian timber importer Vandecasteele Houtimport was importing Afrormosia without adhering to the strict importing regulations involved. The company denied that the disputed logs were Afrormosia, yet Greenpeace obtained a copy of a fax from

Vandecasteele to its customers announcing the "new arrival of 71 logs (640 m³) of Afrormosia from Cameroon". The identity of the logs as Afrormosia was later confirmed when Greenpeace asked a Belgian CITES official to examine the suspected logs. This expert confirmed that the logs were indeed Afrormosia.

The Belgian Ministry of Agriculture and Port Customs confiscated the suspect logs, informing Greenpeace that this was the first time that the fraudulent import of Afrormosia had been identified. Greenpeace Belgium thinks that this is hardly surprising given that neither customs staff nor local police were aware of CITES legislation; nor have they been trained to identify different timber species.

The case is now awaiting trial in the Belgian courts.



After being alerted by Greenpeace, a CITES official inspects illegally imported Afrormosia logs from Cameroon in the Belgian port of Zeebrugge. The importer, Vandecasteele, is currently awaiting trial in the Belgian courts.



II: Import of illegally harvested (undersized) logs

France

In order to guarantee the reproduction of the species, forest management legislation in Cameroon requires that trees below the set minimum dbh (diameter at breast height) are not cut. For Moabi (*Baillonella toxisperma*), an increasingly rare and valuable tree found in Cameroon and Gabon, the minimum dbh is currently one metre. Listed by the World Conservation Union (IUCN) as 'vulnerable', Moabi is at risk of extinction in Cameroon unless additional measures are taken to protect the country's remaining populations¹⁹ – for example, the establishment of large no-logging zones and the increase in the minimum dbh.

In July 1999, the French environment organisation Robin des Bois surveyed a stockpile of 41 logs from the French logging company Rougier²⁰ in the French port of Chevire. They found that 10 of these were undersized with diameters of between 65cm and 85cm only²¹.



Export logs from the Congo Basin in the port of Douala, Cameroon.

III: Amazon illegal timber trade

UK, France, Spain, Belgium, Switzerland, USA, Japan, and Netherlands.

It is now generally accepted that illegal logging has become the norm rather than the exception in the Brazilian Amazon. The government's own investigations have led it to estimate that 80% of the logs cut have illegal origin²⁸.

Investigations carried out last year by Greenpeace uncovered evidence of companies in G8 countries trading with a number of transnational companies regularly buying logs from sources with an illicit track record. In Amazonas State, all plywood and veneer exporting companies were found to have been involved in illegal logging in the previous two and half years. In 1998, these companies were responsible for 86.7% of the total exports of Amazonas State²⁹. In Para State, the largest exporters were found to be regularly buying from illegal sources, including the Japanese company Eidai and the French-owned Eldorado³⁰.

The examples of illegalities shown below are clearly only the tip of the iceberg. The discovered volume of illegal logs would be much higher if IBAMA's inspection structure was stronger. They currently rely on only one inspector per 4 million hectares, an area the size of Switzerland. Today IBAMA can only identify 10% of all logging activities in the Brazilian Amazon.

Amaplac Industria de Madeiras SA
 Amaplac SA is part of the Malaysian group WTK and owns 313,798 ha of forest and plywood mills in Amazonas State. The company is planning to log this area, but currently relies solely on third party log suppliers for its plywood production.

During the log transport seasons from 1997 to 1999, the company was found to be among the top 10 companies fined in Amazonas State for possessing illegal logs.





Some 14 of its third party suppliers were fined during this period for the illegal exploitation, transport and sale of logs³¹. As recently as May 1999, Amaplac was charged with buying logs without the necessary Authorisation for Transport of Forest Products (ATPF).

The majority of Amaplac's plywood and veneer is exported to the UK. In 1997, exports were worth US\$6.3 million³².

Eidai do Brasil Madeiras SA
Eidai do Brasil is owned by Eidai Inc. in Japan. Between April 1998 and October 1999, Eidai received more fines for infringement of national forestry legislation than any other company in the State of Para, being fined by IBAMA as many as 15 times during this period. Three of the company's third party suppliers were fined during the same period for transporting logs without the necessary ATPFs³³.

During a lengthy field investigation in Para State in 1999, Greenpeace was able to identify an illegal supply of Faveira logs to Eidai, using a simple technology based on ultraviolet paint. IBAMA officials fined the company and confiscated the logs under the new Environmental Crimes Law. During the same operation, IBAMA also apprehended and fined another logging truck delivering undocumented timber to Eidai.

Top: Illegal log raft on Tapaua River, Amazon State, discovered during Greenpeace investigation of the region in 1999.

Bottom: Greenpeace investigation identifies illegal logs destined for Japanese export company Eidai in Para State.

Eidai is the largest processed timber exporter in Para State and sells plywood and veneer to the USA, Japan, the UK and the Netherlands. In 1997, exports were worth more than US\$31 million³⁴.

Eldorado Exportação e Services
Eldorado is owned by the French joinery giant Lapeyre, part of the Saint Gobain Group³⁵. Of the company's 159 third party suppliers, IBAMA fined nearly half (77) between 1998 and 1999 for the illegal exploitation, transport and storage of logs. Suppliers' infringements include receiving, storing and transporting logs without valid ATPFs, operating without authorisation and exploiting the forest without a management plan³⁶. Of 45 of these companies so far investigated by Greenpeace, 14 were not even registered at IBAMA, which is a basic legal regulatory requirement.

Eldorado exports mainly to Lapeyre for manufacture into doors, windows, staircases and flooring for sale at the company's retail outlets in France, Belgium, Spain and Switzerland. According to IBAMA records, Eldorado also exports directly to the USA, Belgium and Spain³⁷. Eldorado is one of the leading sawntimber exporters in Para State, exporting around US\$17.5 million in 1997³⁸.



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IV: Imports from Indonesia

Japan, US, UK, Germany, Belgium, Luxembourg, Canada, France and Spain

Recent figures from the World Bank and the Indonesia-UK Tropical Forest Management Programme (ITFMP) indicate that illegal supplies in Indonesia constitute between 50 and 73 percent of the logs used by the national wood-processing industry²². Given that the G8 and EU countries import over half of sawnwood, veneer and plywood exported from Indonesia each year²³ it seems likely that many of these exports must also derive from illegally harvested logs. A number of G8 countries are now importing mixed Indonesian hardwood pulp from cleared forest areas, leading to conversion of large rainforest areas into pulp plantations²⁴.

According to the Environmental Investigation Agency (EIA 1999), illegal logging in Indonesia takes a number of forms, including logging outside concession boundaries and logging without authorisation. Other activities include logging in national parks (illegal under Indonesian Law) and transfer pricing,

where companies deliberately buy or sell goods at prices far above or below the market price to disguise the transfer of profits offshore, thereby avoiding tax in the country of operation. According to one source, 19 out of 20 timber companies in southern Sumatra manipulate their export documents to evade taxes²⁵.

The costs of these illegal practices are considerable, in both environmental and economic terms. Recent widescale illegal logging in Indonesia's national parks is rapidly destroying the remaining habitat of one of man's closest relatives – the orangutan²⁶. In commercial terms, the disappearance of valuable timber species such as ramin (*Gonystylus* spp) is of deep concern to a nation for which wood products constitute a major export sector. In addition, Indonesian government sources quoted by Reuters have calculated that in 1998, the country lost US\$24 million in taxes and royalties due to smuggling, theft and looting of timber. Other sources quote higher figures; for example, the Australian Financial Review estimated government losses of US\$ 800 million each year in tax revenue²⁷.



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Top: Illegal log raft inside Tanjung Puting National Park, Indonesia.

Bottom: Logging barge containing illegal ramin timber in Kumai, Indonesia.

Footnotes

- 1 G7 (1997); G8 (1998).
- 2 Bengwayan (1999); Reuters cited in Tropical Timbers (1999d); Dodd (2000)
- 3 See, G8 (1998); UNCED (1992a; b). See also, for example Humphries (1996) and Currie (1999) and references cited therein.
- 4 Ancient forests are defined here as the world's remaining forests which have been shaped largely by natural events and which are little impacted by human activities. Large tracts of ancient forest - or frontier forests - have been defined by the WRI (1997) as tracts of ancient forest which are large enough to sustain viable populations of all native plant and animal life (see also: Greenpeace 1999a)
- 5 WRI (1997)
- 6 Bengwayan (1999)
- 7 Financial Times (1999)
- 8 Tropical Timbers (2000)
- 9 See, for example, Marshall (1990), Callister (1992), New Straits Times (Malaysia) (1993), FoE (1992), SAE (1997), TRN (1997). In specific terms, it is currently estimated that, for example, around 20 percent of logs harvested in Russia are done so illegally; in Indonesia this figure is between 50 and 70 percent; while in Brazil, the governmental environmental body IBAMA has estimated that as much as 80 percent of all log production in the Amazon region is illegal (see TRN 1997; Asia Pulse (1999); Financial Times (1999); SAE (1997)).
- 10 Tropical Timbers (2000); Deutsche Presse-Agentur (2000)

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- 11 Global Forest Watch (2000).
- 12 The original six countries of the now G8 - France, US, UK, Germany, Japan and Italy - were joined by Canada in 1976 and Russia in 1998 (University of Toronto nd)
- 13 FAO (1999)
- 14 G8 (1998)
- 15 It should be noted that Table 1 is illustrative only, and indicates only the potential of the G8 countries as consumers of illegal timber products. However, global headlines (see footnote 16), recent field investigations (see case study IV) and other sources reveal that several G8 countries, including Russia, Canada and France, are themselves involved directly in illegal logging and other illegal activities. See also: Lapko (1999); Reuters (1998)
- 16 For example see: Malaysia (Tropical Timbers, 1999b); Indonesia (Tropical Timbers, 1999a; Tropical Timbers, 2000); Gabon (Robin des Bois, 1999); PNG (The Independent - PNG, 1997); Cameroon (Greenpeace, 1999b); Brazil (Gazeta Mercantil Online, 1999); Guyana (WRM, 1998); Philippines (Bengwayan 1999).
- 17 For example, according to the ITTO figures for 1997 total reported imports of logs, sawnwood, veneer and plywood from Indonesia equal 6,992,658 m³ (this increases to 9,100,658 m³ if 'other' reported exports are also included); in the same source, reported exports of logs, sawnwood, veneer and plywood equal 5,793,000; while the FAO (1997) figures for exports of logs, sawnwood and

- wood panels total 9,292,900 m³ for 1997.
- 18 CITES (1973)
- 19 IUCN/WCMC (1998)
- 20 Rougier is logging in the rainforests of both Cameroon and Gabon (Greenpeace 1999a)
- 21 Robin des Bois (1999)
- 22 Asia Pulse (1999); Tropical Timbers (2000); ITFMP (1999); Jakarta Post (2000)
- 23 Based on ITTO (1998) and ITTO (1997)
- 24 pers comm with Arjo Wiggins Appleton, February 2000.
- 25 EIA (1998), EIA/Telepak (1999)
- 26 EIA/Telepak (1999)
- 27 Reuters cited in Tropical Timbers (1999d); Dodd (2000)
- 28 SAE (1997)
- 29 Greenpeace (1999c). The six companies were Amaplac (part of WTK Group, Malaysia), Carolina (part of Jaya Tiasa, Malaysia), Cifec (China), CIM (Brazil), Compensa (Tiajin Fortune, China) and Gethal (owned by GMO, USA).
- 30 IBAMA (1999).
- 31 Greenpeace (1999c)
- 32 SECEX (1998).
- 33 IBAMA (1999)
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- 35 Graham and Whiteside Ltd (1999a, b)
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GREENPEACE DEMANDS

Despite clear commitments from the G8 to combat illegal logging and other illegal and corrupt activities within the international timber trade, the nations making up the G8 continue to play a major role in this trade. Not only do they form the most powerful group of consumers worldwide, purchasing wood and wood products from many forest regions involved in illegal logging, but there is increasing evidence of the total failure of G8 countries to prevent companies importing illegal wood-based products.

In the light of these findings, and in preparation for the forthcoming G8 Summit in Okinawa in July this year, Greenpeace demands that G8 governments:

- DO NOT buy illegal timber products
- DO NOT fund forest destruction through aid for unsustainable forestry
- DO NOT allow G8 countries be markets for illegal timber
- DO buy wood products from sustainable certified forests
- DO provide urgent assistance to forest countries to tackle illegal logging
- DO increase the capacity for monitoring and transparency throughout the production and transport of wood and wood products globally

Written by Catherine Cotton (Greenpeace International), Filip Verbelen (Greenpeace Belgium), Phil Aikman (Greenpeace International) and Catarina Cardoso .

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