



Curbing climate change by protecting forests – Reforms to the Illegal Logging Law and Regulation

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According to the new ecological way of reading the same creation narratives in the Bible, the human being is the last being God creates and, therefore, the most dependent of all God's creations. For their life on Earth, human beings rely on the existence of animals and plants, air and water, light, daytime and night-time, sun, moon, and stars, and without these things, we cannot live. Human beings exist only because all these other creatures exist. The other creatures can all exist without the human being, but human beings cannot exist without them. So it is impossible to conceive of the human being as a divine potentate, or as a solitary gardener, over against nature.

Theologian Jürgen Moltmann, from "The Spirit of Hope. Theology for a World in Peril".

Illegal timber logging and trafficking facilitates organised crime, perpetuates corruption, and leaves behind violence and destruction in forest countries and communities. Those who try to stop it often risk paying with their lives. A report by Global Witness documented 227 deadly attacks on land defenders worldwide during 2020 alone. The report names logging as the sector linked to the most murders.

Stopping illegal logging is essential to act on climate change, halt unsustainable forest destruction, ensure local communities and First Nations peoples are more likely to benefit from their forest resources and protect the lives of those who protest or call out illegal behaviour. It is important in our region, as South-East Asian forests are a significant global carbon sink and provide habitat to many species found nowhere else on Earth.

The Commonwealth Government is currently reviewing the *Illegal Logging Prohibition Regulation* that implements the *Illegal Logging Prohibition Act*. The Act and Regulation have demonstrated an impact on getting importers of timber and wood products to change their buying practices to reduce their risks of importing illegally logged timber. Importers of timber and wood products have an obligation to check the legality of the product they are importing and compliance increased from around 10% in 2017 to 75% in 2019–20. Of concern, however, is that DNA testing of imported timber by the Commonwealth Government in December 2020 found that 40% of species labels on imported timber sold at retail outlets were inaccurate. Inaccurate labelling of species is a risk indicator of timber and wood products having been illegally sourced. We have an opportunity now to seek improvement to the Act and Regulation to make them more effective.

Under the Australian *Illegal Logging Prohibition Act*, timber and wood products are only defined as illegal if the timber has been sourced in violation of harvest-related laws. However, that means where there has been bribery, tax evasion or fraud not directly tied to harvest, it is not defined as illegal under Australian law. Laws in the US and Europe already include these crimes in their definition of illegality in importing timber and wood products. Requiring timber and wood product importers to look for signs of possible corruption in their supply chains would help erode the sense of impunity that some perpetrators may feel.

In addition, the Australian Government is still allowing importing of timber and wood products from Myanmar. The Myanma Timber Enterprise is responsible for timber exports from Burma. The timber industry is a crucial economic resource for the Myanmar military regime that is responsible for the ongoing violent and lethal attacks against the people of Myanmar, including the killing of children. MTE is a state-owned enterprise under the Ministry of Natural Resources and Environmental Conservation. It is responsible for producing and exporting timber on behalf of the military regime. The MTE was added to the US Administration's sanction list on 21 April 2021 and the European Union added them to its sanctions list in June 2021. Direct imports of timber and wood products to Australia increased after the military coup, from \$1.7 million in the 2020-2021 financial year to \$2.5 million in the 2021-2022 financial year.

What you can do

Write polite and respectful letters to:

Senator The Hon Murray Watt

Minister for Agriculture, Fisheries and Forestry
PO Box 6100
Senate
Parliament House
Canberra ACT 2600

The Hon Chris Bowen

Minister for Climate Change and Energy
PO Box 6022
House of Representatives
Parliament House
Canberra, ACT, 2600

Salutation: Dear Minister

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Points to make in your letters:

- Express deep concern about the impact of illegal logging on climate change and the well-being of communities around the world where the logs are stolen from, especially First Nations people.
- Note that illegal logging thrives on bribery and tax evasion and contributes to loss of habitat, loss of species, climate change, increased poverty amongst First Nations peoples, flooding and soil erosion.
- Note that the *Illegal Logging Prohibition Act 2012* and the Regulation that implements the Act help to ensure that importers trying to do the right thing are not undercut by any importers who recklessly trade in illegally sourced products.
- Thank the Government for looking to strengthen the Act and Regulation.
- Ask that the Act be amended so that timber or wood products are defined as illegal if they have been produced with the involvement of corruption, such as bribery, fraud or tax evasion.
- Indicate your support that the Regulation be amended to:
 - Allow for timber and wood products to be tested for legality at the border and be seized if they are found to be illegally sourced; and
 - Require importers of timber and wood products to declare the timber species of a product, where the timber was harvested, and the risk of illegal harvest before it arrives in Australia rather than allowing the illegally sourced product to reach Australia.
- Ask that Minister Watt require greater scrutiny of timber imported from Myanmar, as it seems impossible to verify the legality of such timber under the military regime profiting from such exports.

Also, write to:

Senator the Hon Penny Wong

Minister for Foreign Affairs
PO Box 6100
Senate
Parliament House
Canberra ACT 2600

Salutation: Dear Minister

Points to make in your letters:

- Welcome the actions Minister Wong has taken to place sanctions on the members of the military regime in Myanmar and the corporations that generate profits for them.
- Express deep concern that the Commonwealth Government allows importing timber and wood products from Myanmar, where some of the profits flow to the military junta. Note that the amount of imports has increased since the military coup.
- Ask that she add the Myanma Timber Enterprise to Australia's sanctions list, as has already been done by the US and EU. Efforts should be made to block imports of timber and wood products directly from Myanmar, as well as any products derived from timber logged in Myanmar that have been processed in third countries.

