

THE STUDY ON THE FUNCTIONS OF SABAH FLEGT UNIT

FLEGT unit
Sabah Forestry Department



OUTLINE OF PRESENTATION

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- EFI Study on “Strengthening the links between the licensing bodies & other TLAS implementing agencies in the context of implementation of the TLAS in Malaysia”.
- EFI Study on “Development of a FLEGT website to disseminate information on the implementation of the Malaysia – EU FLEGT VPA”

Output 3 : Longer Term Responsibilities of the Sabah FLEGT Unit

4.0 Expected outcomes from the establishment of the Sabah FLEGT
Unit

1.0 Introduction

- ❖ Sabah FLEGT unit has been established within the SFD in July 2011 .
- ❖ The Unit comprise of one head unit and two officers.
- ❖ The current roles and responsibilities, amongst others are:
 - a) To coordinate and monitor the Sabah Independent Auditing of SMFLA project as well as testing and finalizing the TLAS
 - b) To take charge in the implementation of the Project on Establishment of FLEGT Unit in SFD, to assist the consultancy on the FLEGT Unit Study, and to facilitate in the development and maintenance of the FLEGT Unit database and website development
 - c) To serve as the focal point of the Department on matters related to FLEGT-VPA in Sabah as well as monitoring and managing the FLEGT-VPA development and enforcement in Sabah
 - d) To assist in organizing any meeting, training, consultation, etc. regarding the FLEGT-VPA implementation

1.0 Introduction (cont..)

- ❖ As the TLAS is being finalized and the VPA is drawing closer, the function of the FLEGT unit will also need to change. In order to elaborate further on the functions of the Unit, a local consultant had been appointed to conduct the study on the Function of Sabah FLEGT unit.
- ❖ The one month (October) study has been undertaken by CSConsulting & Management Sdn Bhd.

2.0 Objective of the Study

- The overall objective is to conduct study on the functions of the Sabah FLEGT unit.
- The specific objectives are:
 - a) To elaborate the roles and responsibilities of the Unit as a regional FLEGT Unit in Sabah
 - b) To elaborate the specific roles and responsibilities of the Unit in enhancing FLEGT-VPA implementation in Sabah
 - c) To identify the Unit responsibilities and interface with Protem Secretariat that is going to be established at the Ministry of Plantation Industries and Commodities, Malaysia
 - d) To determine the coordination role of the Unit in executing all the activities supported by the German/Netherlands funds in Sabah, including the Sabah Independent Auditing of SFMLA project

OUTPUT 1: Organizational setup for Sabah FLEGT Unit

| OPTIONS | REMARKS |
|--|--|
| <p>Option 1: Sabah FLEGT unit could coordinate all federal and state agencies and report to RB</p> | <ul style="list-style-type: none"> • One body coordinating all parties. • This option would ensure a well-coordinated TLAS implementation as most of the agencies involved in TLAS are already working closely with SFD, and SFD has extensive working experience with private sector, NGOs and communities in Sabah. • It is likely that the role of MTIB as export licensing authority will be phased out as powers are transferred to the State, and thus MTIB roles would have to be studied. |
| <p>Option 2: Sabah FLEGT unit could coordinate all federal and state agencies and report to RB through MTIB</p> | <ul style="list-style-type: none"> • This option could be a delicate option for Sabah as the State decided to have the licensing powers to be transferred as the basis for agreeing to the VPA. • MTIB will issue the final FLEGT license and thus the guarantor of the System. • Maintains the long term collaboration that exists between SFD and others involved agencies. |

OUTPUT 1 - Organizational setup for Sabah FLEGT Unit (cont...)

| OPTION | REMARKS |
|--|--|
| Option 3: Sabah FLEGT Unit could coordinate state agencies and MTIB Sabah could coordinate the federal agencies | This is not a recommendable option as it is important that all agencies are under one coordination to ensure a solid system. |
| Option 4: Sabah FLEGT unit could focus exclusively on coordinating SFD own enforcement and relevant legislation | <ul style="list-style-type: none"> ▪ The least resource demand for SFD. ▪ MTIB become the Regional FLEGT Unit that acts as FLEGT coordinating and reporting body. ▪ The drawback – MTIB may not have the contacts and experiences necessary to work with, coordinate, and the capacity build for the State and Federal Agencies, private sector, NGOs and civil society in Sabah. |

Output 1: Recommendations

Based on the study, Option 1 is the best for Sabah FLEGT Unit, as the Unit is in the best position to handle the coordination and reporting. The reasons are:

- SFD has already in close contact with agencies involved in TLAS
- SFD has the majority of the legislation under the TLAS
- SFD has already enjoys good working relations with industry, NGOs and civil society
- SFD has an organizational infrastructure that operates in all areas throughout Sabah
- SFD is ready to take over the role of licensing and export control in Sabah.

OUTPUT 2 : Possible Involvement of Sabah FLEGT Unit in Malaysia-EU FLEGT Project

- (1) EU-Malaysia FLEGT support programme for the implementation FLEGT VPA projects are expected to start on January 2012 with the Signing of the VPA. The expected results from the these projects are:

Result 1 - Malaysian TLAS related governance structures are strengthened to support objectives of the VPA, especially to ensure the credibility and effectiveness of FLEGT licensed timber verification.

Result 2 - Increased transparency, understanding of TLAS and information sharing between all stakeholders including the function of TPM.

Result 3 - Stronger support and cooperation of all local stakeholders in the implementation of the VPA and creation of employment opportunities for local communities.

Result 4 - The six principles of legal and sustainable forest management are respected & strengthened.

Result 5 - The Support Programme is managed effectively and supports the EU-Malaysia FLEGT VPA.

OUTPUT 2 : (1) EU Support Programme (cont..)

The main activities for the Project (1) will be:

- A total of 48 training and other capacity building activities.
- Outreach, conference, awareness raising, road shows, networking events, publications.
- Studies, operational implications of TLAS implementation, data management systems and pilot activities
- Community engagement, increase lively hood, impacts of TLAS

OUTPUT 2 : (1) EU Support Programme (cont..)

Relevance & Recommendation for Sabah FLEGT unit:

- To identify the training needs & institutions to ensure as much relevance of the projects to deliver useful training in line with the needs and policy wishes of SFD
- To identify the useful studies needed for SFD. e.g. study on how to strengthen SFD's procedure to comply with the FLEGT licensing requirements.
- Identify priority community engagement programmes and community pilot projects.

The study recommended that Sabah FLEGT unit get involved in the inception phase when the project starts

OUTPUT 2: (2) EFI study on Strengthening the linkages between the licensing bodies

EFI is currently launching a study on strengthening the linkages between the licensing bodies and other TLAS implementing agencies. The expected results of this study are:

- i. A detailed analysis on areas where improvement on linkages are required on the criteria and control procedures of the TLAS
- ii. Recommendation for an appropriate mechanism of communication between the implementing agencies to improve the linkages of the criteria and control procedures in the implementation of the TLAS
- iii. Recommendation on specific capacity building needs in line with recommendation made in the item (ii)

OUTPUT 2: (2) EFI study on Strengthening the linkages between the licensing bodies (cont...)

Relevance & Recommendation for Sabah FLEGT unit:

- Identify capacity building needs
- Involve in the study in order to ensure the needs of Sabah FLEGT are identified and addressed.
- SFD could capitalize on the capacity building to prepare for the 5 years EU FLEGT projects.

OUTPUT 2 : (3) EFI study on the development of a FLEGT website

- ❖ EFI is currently initiating a study on the Development of a FLEGT website.
- ❖ The development of a FLEGT website is being studied by a chosen consultant and expected to be finalized by the end of the year.
- ❖ The scope of the study are :-
 - ✓ Identifying and developing the technical specifications for the webpage either as a stand alone or attached to the other server of the MTIB, the licensing and VPA focal agency for Peninsular Malaysia and Sabah
 - ✓ Designing the webpage as per the requirement given
 - ✓ Testing and deliver the webpage for acceptance

OUTPUT 2 : (3) EFI study on the development of a FLEGT website (cont...)

Relevance & Recommendation for Sabah FLEGT unit:

- ❖ As Sabah FLEGT is currently developing its own FLEGT website, the consultant recommended that Sabah FLEGT unit involve itself in the study of the development of the FLEGT website.
- ❖ The consultant also suggested that the web page is made as a stand alone package that could easily be adapted and hosted on the SFD server in a form modified to fit the needs of the Sabah FLEGT unit.

Output 3: Longer term responsibilities of the Sabah FLEGT unit

The consultant had also recommended a long term responsibilities of the FLEGT unit. It is suggested that the tasks of the Head Unit and two officers be split into three functions :

Coordination and reporting (Head Unit)

- a) Coordination of all Federal and State Agencies, private sector, NGOs in matters related to TLAS and its implementation
- b) FLEGT focal point for SFD
- c) Liaison with National level and other Regional FLEGT units
- d) Reports as required to the Joint Implementation Committee through the Reporting Body

Output 3: Longer term responsibilities of the Sabah FLEGT unit (cont..)

Monitoring (Officer 1)

- a) Coordinate annual TLAS auditing
- b) Liaise with Units in SFD regarding the other audits that may have a bearing or provide information useful for FLEGT (e.g. RIL auditing and Certification Audits)
- c) Monitoring of all aspects of VPA implementation, also with a view to the VPA review scheduled after three years
- d) Support Third Party Monitoring
- e) Maintain the Sabah FLEGT unit database and ensure it is updated on a regular basis
- f) Report on a regular basis to MTIB as required for MTIB to issue FLEGT license (to be adjusted in regards to the expected transfer of licensing powers to Sabah)

Output 3: Longer term responsibilities of the Sabah FLEGT unit (cont..)

Awareness (officer 2)

- a) Ensure a high public profile of FLEGT Sabah through awareness raising
- b) Maintain the Sabah FLEGT webpage and ensure timely updating
- c) Coordinate and arrange for Capacity Building of Federal and State Agencies, private sector and NGOs in Sabah
- d) Coordinate and support inputs to Sabah from the EU FLEGT support project

4.0 Expected outcome from the establishment of Sabah FLEGT unit

- ✓ SFD FLEGT Unit is capable of providing long-term support and technical guidance;
- ✓ Regular communication is available through appropriate mechanisms to monitor, assess and report on FLEGT implementation in Sabah
- ✓ A database is developed and continuously maintained
- ✓ A website is fully functional and provides useful information that is easily accessible to the general public
- ✓ Provision of support to the secretariat of FLEGT-VPA established at the national level