

Summary

India has made little progress in its response to illegal logging and the related trade since the previous Chatham House assessment in 2013. There is no comprehensive action plan nor legislation for preventing illegally sourced timber from being imported or sold in India. A new forest policy drafted in 2018 is focused on the domestic forest sector. It does not address illegal imports – the policy notes that timber imports are rising, in response to which it recommends increasing the establishment of plantations in India. However, there are a number of trade policies that have provisions related to the conservation of forests and allow for the restriction of imports or exports of endangered or protected species.

To support enforcement efforts in the country, the National Forest Academy and the Wildlife Crime Control Bureau have provided joint training for customs and enforcement officers, including on wildlife crime and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). However, enforcement remains weak and there is a lack of equipment and resources for officials, particularly given the challenges of enforcement in remote areas. Enforcement authorities cooperate with INTERPOL, including on cases of forest and wildlife crime, and they are also active in implementing CITES.

In response to concerns about the impact on wooden handicraft exports of legislation in Australia, the US and the EU to control illegal timber imports, the Export Promotion Council of India developed a certification scheme to verify legality.

India's public procurement policies do not explicitly exclude illegal and unsustainable timber from government purchasing. However, environmental aspects can be considered when assessing the value for money of goods. A Task Force on Sustainable Public Procurement was established in 2017; paper is one of the three product groups on which it is working.

Key Forest Policies and Resources

Draft National Forest Policy 2018, <http://moef.gov.in/wp-content/uploads/2019/06/Draft-National-Forest-Policy-2018.pdf>.

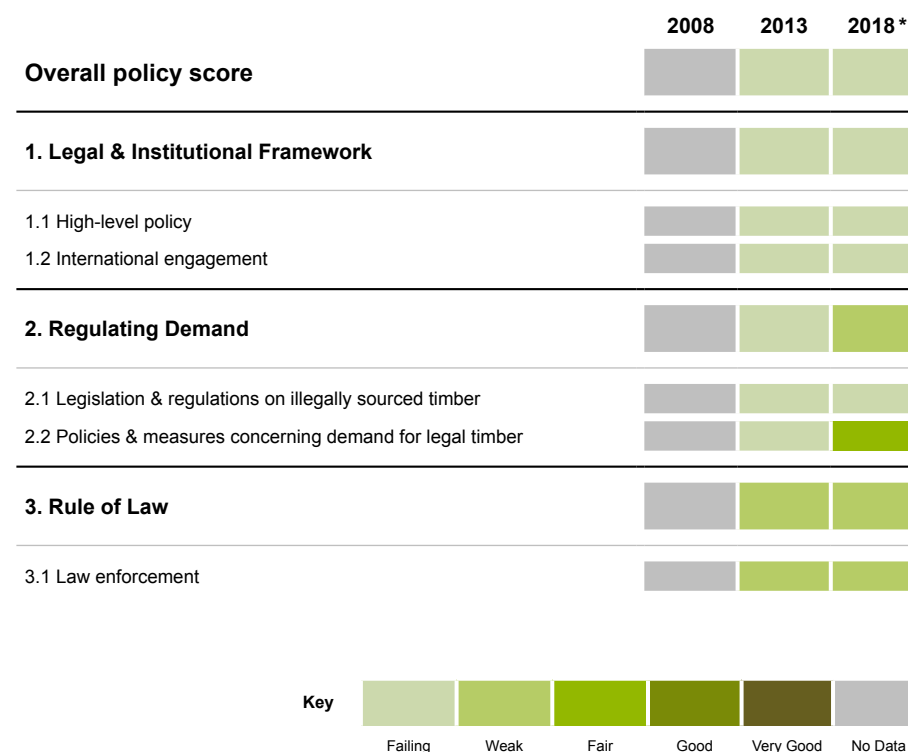
Parliamentary Standing Committee on Science & Technology, Environment and Forests (2019), Status of Forests in India (Report no. 324), https://rajyasabha.nic.in/rsnew/Committee_site/Committee_File/ReportFile/19/108/324_2019_2_14.pdf.

Public Procurement Policy for Micro and Small Enterprises (MSEs) Order 2018, <https://msme.gov.in/public-procurement-policy>.

Public Procurement Policy (Preference to make in India) Order 2017, https://dipp.gov.in/sites/default/files/publicProcurement_MakeinIndia_15June2017.pdf.

Foreign Trade Policy of India 2015-2020, <https://dgft.gov.in/ForeignTradePolicy>.

Figure 1: Summary of the India's forest policy assessment



* India was not included in the 2008 assessment, and a number of questions were added to the assessment in 2018 (noted in the list of questions below and marked with '-' for 2008 and 2013 where applicable). Consequently, the overall scores for 2018 are not directly comparable with those from the previous assessments.

About

Chatham House is monitoring forest governance to assess the effectiveness of government and private sector efforts to tackle illegal logging and trade. An assessment was undertaken of India's forest policy framework to evaluate the government's response to illegal logging and the related trade. A standard list of questions was used in the policy assessment, and answers were scored against three criteria: existence (scoring between 1 and 2, whereby 1 indicates partial coverage or a policy under development, and 2 indicates a policy is in place); design (scoring between 1 and 5, whereby 5 indicates very well designed); and implementation (scoring between 1 and 5, whereby 5 indicates consistent and comprehensive implementation).

Timeframe for the research

This assessment is based on the situation at the end of 2018, and the scores refer to this date. However, where there have been significant developments in 2019, these have been noted in the text. The research was undertaken in 2019 and finalized in December 2019.

Acknowledgements

The 2018 policy assessment for India was undertaken by Dr T. R. Manoharan. Oversight was provided by Alison Hoare (Chatham House). The final assessment was edited by Alison Hoare and the results were peer reviewed by independent experts. The editor is responsible for the final text and scores.

Funding was provided by the UK Department for International Development (DFID).

Suggested citation: Hoare, A. (ed.) (2020), 'Chatham House Forest Policy Assessment – India', forestgovernance.chathamhouse.org

Contact

Alison Hoare
Energy, Environment and Resources,
Chatham House

Chatham House, the Royal Institute of International Affairs, is a world-leading policy institute based in London. Our mission is to help governments and societies build a sustainably secure, prosperous and just world.

All rights reserved. No part of this publication may be reproduced or transmitted in any form or by any means, electronic or mechanical including photocopying, recording or any information storage or retrieval system, without the prior written permission of the copyright holder. Please direct all enquiries to the publishers. Chatham House does not express opinions of its own. The opinions expressed in this publication are the responsibility of the editor.

Copyright © The Royal Institute of International Affairs, 2020

Acronyms and Abbreviations

EFI	European Forest Institute
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
FLEGT	Forest Law Enforcement, Governance and Trade
SAARC	South Asian Association for Regional Cooperation
NGO	non-governmental organization
VPA	Voluntary Partnership Agreement
VRIKSH	Timber legality assessment and verification standard for wood and wooden products, Export Promotion Council of India

Table 1: India's Forest Policy Assessment

1. Legal and Institutional Framework

1.1 High-level policy	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
1.1.1 Does the country have high-level political and governmental mechanisms in place to tackle illegal logging?					
<i>a. Has a review been carried out which both assesses the impact of the country's market activities on the problem of illegal logging and related trade and also investigates the extent and sources of potential illegal imports?</i>	2008	–	–	–	There has been no such review at the national level.
	2013	0	Not applicable (n/a)	n/a	The draft National Forest Policy (2018) is currently being finalized ¹ . This prioritizes sustainable forest management as a means to 'safeguard the ecological and livelihood security of the people'. The policy is focused on the domestic forest sector and does not address illegal imports. Mention is made in paragraph 4.2.1 that timber imports are on the rise, and it is proposed that plantation programmes should be further developed to increase self-sufficiency in timber.
	2018	0	n/a	n/a	Some studies by international organizations on India's timber imports cover the problem of illegal logging, in particular those by the European Forest Institute (EFI): <ul style="list-style-type: none"> • Barua S. K. and Kumar D. (2015), <i>South Asian Association for Regional Cooperation (SAARC) area cross-border timber trade including regional institutional mechanisms and trade links with Myanmar/Burma</i>, EFI.² • Manoharan, T. R. (2014), <i>Effects of EU Timber Regulation and the demand for certified legal timber on business and industry in India</i>, EFI.³ • Maria-Sube, E. and Woodgate, G. (2019), 'Analysis of the India-Myanmar Timber Trade', <i>Asian Journal of Forestry</i>, Vol 3, No. 1, pp. 1–9.⁴ A number of workshops were organized by the EFI-FLEGT Facility Asia Regional Office with the support of the Office of the EU Delegation to India during 2013–15. These included: <ul style="list-style-type: none"> • a roundtable meeting, 'Cross-border intra-regional timber trade in South Asia: India's trade linkages with SAARC Countries and Myanmar', 24 September 2014, New Delhi; • an awareness-raising workshop, 'EU-FLEGT and Timber Trade in South Asia', 30 November 2015, New Delhi.

¹ Ministry of Environment, Forest and Climate Change, Forest Policy Division (2018), 'Draft National Forest Policy, 2018'. <http://moef.gov.in/wp-content/uploads/2019/06/Draft-National-Forest-Policy-2018.pdf>.

² See <http://www.euflegt.efi.int/documents/10180/329902/South+Asian+Association+for+Regional+Cooperation+%28SAARC%29+area+cross-border+timber+trade+including+regional+institutional+mechanisms+and+trade+links+with+Myanmar-Burma/c909ec67-948b-41ed-8969-9b7eb2e5fd36>.

³ See <http://www.euflegt.efi.int/documents/10180/23306/Effects-of-the+EU+Timber+Regulation+and+the+demand+for+certified+legal+timber+on+business+and+industry+in+India/f05dfeaa-8558-4d31-bd90-d699ab316f23?version=1.0>.

⁴ See <https://smujo.id/ajf/article/view/3014/2537>.

1.1 High-level policy	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
<i>b. Is a national action plan in place for preventing illegally sourced timber from being imported or sold?</i>	2008	–	–	–	There is no comprehensive action plan for preventing illegally sourced timber from being imported or sold.
	2013	0	n/a	n/a	The Foreign Trade Policy of India 2015-2020, set by the Ministry of Commerce and Industry, provides the policy framework for regulating imports and exports. Chapter 2.07 sets out the principles for restricting imports and exports. ⁵ The principles include: (b) protection of human, animal or plant life or health; and (f) conservation of exhaustible natural resources. The Director General of Foreign Trade may, through a Notification, impose restrictions on export and imports. There are a few items of timber for which imports are prohibited (e.g. red sanders – <i>Pterocarpus santalinus</i>) or restricted (sandalwood – <i>Santalum album</i>).
	2018	0	n/a	n/a	In the case of illegal logging within India, a report entitled Status of Forests in India (Report No. 324) by the Parliamentary Standing Committee on Science, Technology, Environment and Forests was presented to the Rajya Sabha (Council of States) on 12 February 2019. ⁶ This noted 'that no action plan has been prepared by the Ministry of Environment, Forest and Climate Change for controlling the illegal cutting of trees in forests', and that the Ministry 'must take due cognizance of the illegal felling of trees in the different parts of the country and, in coordination with the concerned State Governments/Union Territory administrations, prepare an action plan for tackling this menace'. Paragraph 6.10.
<i>c. Does a formal process exist for high-level coordination of action on illegal logging across departments and sectors (e.g. a parliamentary committee or inter-ministerial taskforce)?</i>	2008	–	–	–	There is no formal process for high-level coordination of action on illegal timber imports.
	2013	0	n/a	n/a	However, such processes are in place for issues related to wildlife and environmental conservation. These include:
	2018	0	n/a	n/a	<ul style="list-style-type: none"> the National Board for Wildlife, an advisory board, chaired by the prime minister of India and composed of government officials, members of parliament and non-government organizations (NGOs); the Central Empowered Committee constituted by the Supreme Court of India, with the mandate to monitor and ensure compliance with orders of the Supreme Court concerning forests and wildlife; and the Wildlife Crime Control Bureau, which collects and compiles data, coordinates enforcement actions and provides advice to customs authorities. <p>Inter-ministerial taskforces are set up to respond to specific issues when these have been raised in parliament, but no such taskforce has yet been convened to address illegal logging.</p>

⁵ See <https://dgft.gov.in/ForeignTradePolicy>.

⁶ Parliamentary Standing Committee on Science & Technology, Environment and Forests (2019), Status of Forests in India (Report No. 324), https://rajyasabha.nic.in/rsnew/Committee_site/Committee_File/ReportFile/19/108/324_2019_2_14.pdf.

1.1 High-level policy	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
<i>d. Are formal consultation processes in place for multi-stakeholder involvement in developing policy and legislation to tackle illegal logging? These processes should ensure that viewpoints of stakeholders affected by legislation are taken into consideration.</i>	2008	–	–	–	A formal process of multi-stakeholder consultation is in place to formulate policies and strategies for the forest sector. However, implementation is often weak.
	2013	2	2	2	Such consultations have covered illegal logging in India, forest encroachment and wildlife conservation. Recently, the Ministry of Environment, Forest and Climate Change invited comments from stakeholders on the Draft National Forest Policy 2018. The stakeholders consulted included representatives of forest-dependent communities, social and environmental NGOs, industry associations and research institutions.
	2018	2	2	2	
<i>e. Are formal processes/policies in place aimed at ensuring a balanced participation of men and women in the development and implementation of forest sector policies?</i> (Question added in 2018)	2008	–	–	–	Article 14 of the Constitution of India provides for equality: 'The State shall not deny any person equality before the law or equal protection of the laws within the territory of India.'
	2013	–	–	–	The Draft National Policy for Women (2016), which revises and updates the National Policy for Empowerment of Women ⁷ (2001), seeks to ensure equal rights and opportunities for women. Governance and decision-making are one of the priority areas for action, for which the stated aim is to increase the participation of women in government, the judiciary, company boardrooms, trade unions, political parties and professional associations. This is to be achieved through training and capacity-building. ⁸ Balanced participation of men and women is also encouraged in forest management. For example, the Joint Forest Management guidelines issued by Madhya Pradesh State require that at least 33 per cent of executive committee members and 50 per cent of general members are women. ⁹
	2018	2	2	1	
<i>f. Is illegal logging/trade considered in the country's climate change strategy (NDC or other climate change national policies – e.g. in relation to embedded deforestation in imports)?</i> (Question added in 2018)	2008	–	–	–	India's climate change strategies do not consider illegal logging or illegal timber imports.
	2013	–	–	–	The main priority for the forest sector in relation to climate strategies is reforestation and restoration. Under its National Action Plan on Climate Change (2008), one of the eight areas for action was the National Mission for a Green India, which seeks to protect and increase the country's forests. India's Nationally Determined Contribution (NDC) aims 'to create an additional carbon sink of 2.5 to 3 billion tonnes of CO ₂ equivalent through additional forest and tree cover by 2030'. ¹⁰ India has also committed under the Bonn Challenge to restore 13 million hectares of degraded land by 2020 and 8 million hectares by 2030. ¹¹ A national REDD+ strategy was published in 2018. 'Illegal logging and uncontrolled felling' are identified as being among the drivers of deforestation and forest degradation (section 3.9). ¹²
	2018	0	n/a	n/a	

⁷ Ministry of Women and Child Development (2001), 'National Policy for Empowerment of Women', <https://wcd.nic.in/sites/default/files/National%20Policy%20for%20Empowerment%20of%20Women%202001.pdf>.

⁸ Ministry of Women and Child Development (2016), 'National Policy for Women 2016', https://wcd.nic.in/sites/default/files/draft%20national%20policy%20for%20women%202016_0.pdf.

⁹ JPS Associates (P) Ltd. (2015), Joint Forest Management (JFM) Handbook (Capacity Development for Forest Management and Training of Personnel), https://mpforest.gov.in/img/files/HRD_HandBook_E.pdf.

¹⁰ 'India's Intended Nationally Determined Contribution: Working Towards Climate Justice', <https://www4.unfccc.int/sites/ndcstaging/PublishedDocuments/India%20First/INDIA%20INDC%20TO%20UNFCCC.pdf>.

¹¹ See <https://www.bonnchallenge.org/content/india>.

¹² Ministry of Environment, Forest and Climate Change (2018), National REDD+ Strategy: INDIA, https://redd.unfccc.int/files/india_national_redd_strategy.pdf.

1.2 International engagement	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
1.2.1 What level of international cooperation is shown by the country?					
<i>a. Does the country have formalized trade or customs arrangements with major trading partners e.g. FLEGT VPAs or free-trade agreements (FTAs) which include specific provisions on illegal logging?</i>	2008	–	–	–	India is not considering the negotiation of a Voluntary Partnership Agreement (VPA) at present. Since India is a net importer of forest products, and the export of unprocessed logs is already prohibited, the government considers that a VPA may not be appropriate for India.
	2013	0	n/a	n/a	There remains the question of how India should address the export of wood products manufactured domestically but made from imported timber sourced from countries where illegal logging is high.
	2018	0	n/a	n/a	For some timber species, import restrictions are already in place, for example for red sanders and sandalwood (see 1.1.1b above). In addition, in response to concerns about the impact on wooden handicraft exports of international legislation such as the EU Timber Regulation, the US Lacey Act and Australia's Illegal Logging Prohibition Act, the Export Promotion Council of India developed a certification scheme called VRIKSH to verify legality. ¹³
<i>b. Does the country have a formalized system in place for sending and receiving enforcement alerts regarding illegal shipments in transit to destination countries?</i>	2008	–	–	–	There is no formalized system in place for enforcement alerts on illegal timber shipments. However, cooperation and information exchange take place through INTERPOL, including on cases of forest and wildlife crime. The Indian enforcement authorities are also active in implementing CITES, for which they engage with authorities in other countries.
	2013	0	n/a	n/a	
	2018	1	1	1	

¹³ <https://vrikshindia.in/index.php/user/area>.

2. Regulating Demand

2.1 Legislation & regulations on illegally sourced timber	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
2.1.1 Does the country have adequate legislation and regulations in place to prevent illegally sourced timber from being imported or sold?					
<i>a. Has the country analysed its existing legislation and regulations on preventing imports and sales of illegally sourced timber?</i>	2008	2	5		No comprehensive analysis has been carried out.
	2013	2	5		A few workshops were held at national and state level focused on imports of illegal timber during 2013–15. These have been convened by the EFI EU FLEGT Facility in coordination with the EU Delegation to India as part of a FLEGT awareness programme. Representatives from both central and state governments participated (see 1.1.1a above).
	2018	2	5		
<i>b. Has additional legislation been enacted and regulations put in place to prevent illegally sourced timber from being imported or sold?</i>	2008	–	–	–	Various pieces of legislation have provisions related to the conservation of forests or restrict imports of endangered or protected species. However, no specific provisions address illegal timber imports.
	2013	0	n/a	n/a	For example, the legislation includes:
	2018	0	n/a	n/a	<ul style="list-style-type: none"> the Customs Act 1962: Section 111(m) states that any goods that do not correspond to the value declared in the import documents are liable for confiscation. Foreign Trade Policy 2015-2020: Chapter 2 sets out provisions for the regulation of imports and exports. Paragraph 2.07, the 'Principles of Restrictions', states that the Directorate General of Foreign Trade may, through a Notification, impose restrictions on export and import, if necessary for '... (b) protection of human, animal or plant life or health;... (f) conservation of exhaustible natural resources'. <p>Transit passes, either from the point of harvest or of import, are required for the transport of timber to sawmills, as a means to verify legality. The movement of timber is governed by rules for transit gazetted by the concerned state governments under Section 41 of the Indian Forest Act 1927.</p>
<i>c. If legislation is in place to prevent the import of illegal timber, how broad is the product scope of this legislation? (Question added in 2018)</i>	2008		–		
	2013		–		
	2018		n/a		

2.1 Legislation & regulations on illegally sourced timber	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
<i>d. If legislation is in place to prevent the import of illegal timber, does it apply only to importers or to all those along the supply chain?</i> (Question added in 2018)	2008		–		
	2013		–		
	2018		n/a		
<i>e. If legislation is in place to prevent the import of illegal timber, does it include a requirement for businesses to implement due diligence?</i> (Question added in 2018)	2008		–		
	2013		–		
	2018		n/a		
<i>f. Is implementation of the policy systematically monitored and assessed?</i> (Question added in 2018)	2008		–		
	2013		–		
	2018		n/a		

2.2 Policies & measures concerning demand for legal timber	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
2.2.1 Is there a public procurement policy in place excluding illegal (and/or unsustainable) timber products from government purchasing?	2008	–		–	<p>A comprehensive public procurement policy is yet to be put in place. The Public Procurement Policy (Preference to make in India) Order 2017 seeks to promote Indian-made products and services with a view to enhancing income and employment.¹⁴ The Public Procurement Policy 2018 for micro and small enterprises was recently introduced, effective from 1 April 2019, with the objective of promoting and developing these enterprises.¹⁵</p> <p>No public procurement policy excludes illegal and unsustainable timber from government purchasing. However, the government (at both central and state level) does take into account the provisions of existing policies and laws for the conservation of forests, biodiversity and environment in its purchases. Further, the Manual for Procurement of Goods (Department of Expenditure, Ministry of Finance, 2017) includes provisions related to the conservation of the environment. It defines value for money as: ‘the effective, efficient, and economic use of resources, which may involve the evaluation of relevant costs and benefits, along with an assessment of risks, non-price attributes (e.g. in goods and/or services that contain recyclable content, are recyclable, minimise waste and greenhouse gas emissions, conserve energy and water and minimize habitat destruction and environmental degradation, are non-toxic etc.) and/or life cycle costs, as appropriate’ (Section 1.6). With respect to the technical specifications for tenders, it states that these should ‘comply with sustainability criteria and legal requirements of environment or pollution control and other mandatory and statutory regulations, or internal guidelines, if any, applicable to the goods to be purchased’ (Section 2.2).¹⁶</p> <p>A Task Force on Sustainable Public Procurement was constituted by the Ministry of Finance through Office Memorandum No. F18/22/2017-PPD, dated 19 March 2017. The taskforce has identified three product groups on which it will focus its initial work: (1) paper, (2) cleaning compounds and (3) air-conditioners.¹⁷</p> <p>The Ministry of Railways, Government of India and the UN Environment Programme (UNEP) signed a Letter of Intent on 9 March 2017 on joint cooperation on environment initiatives. One of the three areas identified for joint activities was to develop a draft action plan for the Indian Railways on sustainable public procurement for green technology.¹⁸</p>
	2013	0		0	
	2018	1		3	
<i>a. What level of adherence does the policy require?</i>	2008		–		<p>There is no mandatory requirement to exclude the purchase of illegal or unsustainable timber. Rather, environmental aspects can be considered when assessing value for money of goods.</p>
	2013		n/a		
	2018		1		
<i>b. Does the policy cover all timber products, including paper?</i>	2008		–		<p>The government has established the Government e-Marketplace for the procurement of goods and services by government officials. It covers more than 1.52 million products, including timber and timber products, and includes procedures to eliminate illegitimate suppliers (but not illegal products).¹⁹ Specifications are provided for each product, including wood and wooden products.²⁰</p>
	2013		n/a		
	2018		3		

¹⁴ Ministry of Commerce and Industry, Department of Industrial Policy and Promotion (2017), ‘Public Procurement Policy (Preference to make in India) Order 2017’, https://dipp.gov.in/sites/default/files/publicProcurement_MakeinIndia_15June2017.pdf.

¹⁵ Ministry of Micro, Small & Medium Enterprises (2018), ‘Public Procurement Policy for Micro and Small Enterprises (MSEs) Order 2018’, <https://msme.gov.in/public-procurement-policy>.

¹⁶ Ministry of Finance, Department of Expenditure (2017), Manual for Procurement of Goods 2017, https://doe.gov.in/sites/default/files/Manual%20for%20Procurement%20of%20Goods%202017_0_0.pdf.

¹⁷ Ministry of Finance, Department of Expenditure (2018), ‘Office Memorandum: Task Force on Sustainable Public Procurement’, <https://doe.gov.in/sites/default/files/Task%20Force%20on%20Sustainable%20Public%20Procurement.pdf>.

¹⁸ Government of India, Ministry of Railways press release, 9 March 2017, <https://pib.gov.in/newsite/PrintRelease.aspx?relid=159041>.

¹⁹ <https://gem.gov.in>.

²⁰ https://mkp.gem.gov.in/browse_nodes/all_categories?page=1&q=wood; https://mkp.gem.gov.in/browse_nodes/all_categories?page=2&q=wood#.

2.2 Policies & measures concerning demand for legal timber	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
<i>c. Does the policy rest on independent certification or verification schemes (or equivalent) for identifying legal products?</i>	2008		–		Such schemes are not yet specified.
	2013		n/a		
	2018		1		
<i>d. Is assistance offered to government purchasers (advice, guidance, training, etc.)?</i>	2008		–		The government provides support and technical assistance for public procurement through its own advisors and technical experts.
	2013		n/a		In addition, a number of institutes set up by the government provide training programmes and guidance on public procurement. For example, the Indian Railway Institute for Logistics and Material Management has conducted courses on sustainable public procurement for procurement officials in the Ministry of Railways. ²¹
	2018		3		
<i>e. Is implementation of the policy systematically monitored and assessed?</i>	2008		–		Monitoring and assessment of procurement is required but often not implemented rigorously, although this varies from state to state. Factors behind this problem include the lack of capacity of institutions at local level, and procedural bottlenecks in coordinating multiple agencies at both central and state levels.
	2013		n/a		
	2018		3		
<i>f. Does the procurement policy apply to subnational (provincial, regional, local) government?</i>	2008		–		The policies apply to all government entities. The central government issues policy guidelines, and the states subsequently amend their laws to comply with these.
	2013		n/a		
	2018		5		

²¹ See <https://www.irilm.com/>.

3. Rule of Law

3.1 Law enforcement	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
3.1.1 Do government institutions and agencies have sufficient capacity and resources to monitor trade in timber products and detect and suppress any related crime?					
<p><i>a. Are the relevant law enforcement staff sufficiently resourced for monitoring and enforcement? (Relevant resources include budgets; numbers of staff; communications; equipment; salaries; as well as training in understanding of regulatory framework and knowledge of techniques for monitoring and enforcement.)</i></p> <p><i>i.e. competent authorities for legislation to prevent illegally sourced timber from being imported. (Question added 2018)</i></p>	2008		–		<p>Enforcement is weak, although the capacity of enforcement agencies has increased somewhat. The use of technology is helping. For example, there is increased use of smartphone and information technology. However, there remain challenges, due to lack of training, equipment and resources, as well as broader challenges of weak governance and of working in remote and challenging areas.</p> <p>There are particular concerns about enforcement in relation to the illegal import of timber. For example, it was noted in 2010 that ‘due to weak enforcement and lack of adequate trans-border cooperation between countries, illegal wildlife trade is thriving [in India]’.²²</p> <p>The situation has not much improved. For example, a media report in 2017 on India’s illegal wildlife trade highlighted the lack of implementation despite a strong legal framework. Constraints on enforcement, as well as lack of political will and governance failures, were identified as contributory factors.²³</p>
	2013		–		
	2018		3		
<i>b. Are the following officials who are involved in forest sector enforcement trained and kept up to date on relevant forest sector issues? (Question added in 2018)</i>					
<p><i>i. Customs officials</i></p>	2008	–			<p>The National Academy of Customs, Indirect Taxes and Narcotics, Ministry of Finance, organizes training programmes on a regular basis for customs officials. These have covered environmental crime and illegal logging.</p> <p>In addition, the National Forest Academy together with the Wildlife Crime Control Bureau has provided joint training for customs and enforcement officers, including on wildlife crime control and CITES. Compulsory training for customs officials on wildlife enforcement is also provided by the Wildlife Institute of India.</p> <p>TRAFFIC India has organized workshops in partnership with state forest departments. For example, a workshop on wildlife crime was organized with the Madhya Pradesh Forest Department in 2017.²⁴</p>
	2013	1			
	2018	1			
<p><i>ii. Judges and prosecutors</i></p>	2008	–			<p>Several institutions offer training programmes for judges, including the National Judiciary Academy, Bhopal, and the Indian Institute of Public Administration. These have included specialized courses on the forest sector organized in collaboration with state forest administrations, and are conducted at least once a year. The Wildlife Crime Control Bureau also organizes awareness-raising programmes for judicial officers.</p> <p>In addition to this, the Centre for Environment Law at WWF-India and TRAFFIC India conduct occasional training programmes for judicial officers on environmental law and wildlife conservation, for example on implementation of CITES.</p>
	2013	–			
	2018	1			

²² Sinha, S. (2010), Handbook on Wildlife Law Enforcement in India, TRAFFIC India, p. 35, <https://www.traffic.org/site/assets/files/6284/handbook-wildlife-law-enforcement-india.pdf>.

²³ Hindustan Times (2017), ‘Why illegal wildlife trade flourishes in India’, editorial, 17 October 2017, <https://www.hindustantimes.com/editorials/why-illegal-wildlife-trade-flourishes-in-india/story-DxunuHzltoZUscua5uv3xN.html>.

²⁴ WWF (2017), ‘Wildlife law enforcement agencies gear up to fight wildlife crime in Central India’, 31 March 2017, <https://www.wfwindia.org/?16381/Wildlife-law-enforcement-agencies-gear-up-to-fight-wildlife-crime-in-Central-India>.

3.1 Law enforcement	Year	Does policy exist? (1-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification / additional qualitative explanation
3.1.2 Are the penalties/sanctions for non-compliance with legislation to prevent illegally sourced timber from being imported (if in place) proportionate & dissuasive? <i>(Question added in 2018)</i>	2008		–		
	2013		–		
	2018		n/a		