

# 中国林业执法与管理及林产品国际贸易

## China's Forest Law Enforcement and Governance (FLEG) and International Trade of Forest Products

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- 中国林业法律体系基本状况

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Enforcement of China Forest Law

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The Situation of International Trade of Forest Products :  
Strengthen Cooperation to Combat Illegal Logging and Associated Trade

- 结论

Conclusion

# 一、中国森林资源保护和发展

## Protection and Development of China's Forest Resources

根据第六次全国森林资源清查(1999~2003),  
The Sixth National Forest Inventory(1999-2003),

- 森林面积为17490.92万公顷;  
Forest area 174.91 million ha
- 森林覆盖率为18.21%;  
Coverage is 18.21%
- 活立木总蓄积为136.18亿立方米;  
Standing volume is 13618 million cubic meter

# 一、中国森林资源保护和发展

## Protection and Development of China's Forest Resources

- 用材林面积为7863万公顷，蓄积为55.13亿立方米。

Commercial forest 78.63 million ha, with 5513 million cubic meter

- 人工林面积为5326万公顷，居世界第一位；
- 蓄积为15.05亿立方米。

Plantation 53.26 million ha  
1505 million cubic meter.

# 一、中国森林资源保护和发展

## Protection and Development of China's Forest Resources

- 总投资7000亿元  
Total investment >  
RMB 700 billion Yuan.
- 覆盖全国97%以上的县  
Cover around 97% of  
China's counties
- 完成造林7000万公顷  
Plantation > 70 million  
ha.

➤ Natural Forest Protection  
Program or Logging Ban

➤ 天然林资源保护工程

# 一、中国森林资源保护和发展

## Protection and Development of China's Forest Resources

- 退耕还林工程 Conversion of Cropland to Forest and Grassland Program
- 京津风沙源治理工程 Sandification Control Program for Areas in the Vicinity of Beijing

## 一、中国森林资源保护和发展

### Protection and Development of China's Forest Resources

- “三北”及长江流域防护林体系建设工程
- **Key Shelterbelts Programs in Such Regions as the “Three North”**

**and  
the Middle and Lower  
Reaches of the basin of  
Yangtze River**

# 一、中国森林资源保护和发展

## Protection and Development of China's Forest Resources

- 野生动植物保护及自然保护区建设工程
- Wildlife Conservation and Nature Reserve Development Program





## 一、中国森林资源保护和发展

# Protection and Development of China's Forest Resources

- **重点地区速生丰产用材林  
基地建设工程**  
**Fast-growing and High-  
yielding Timber  
Plantations**
- **有效提高中国合法来源木  
材的供给能力**
- **Effectively improve  
capability to supply legal-  
source timber**



## 2. 中国林业法律体系基本情况

### Current Situation of China Forest Law System

国家层面法律体系 ( 法律 )

National legal system ( law )

➤ 中华人民共和国森林法

Forest Law of the People's Republic of China

➤ 中华人民共和国野生动物保护法

Law of the People's Republic of China on the Protection of Wildlife

➤ 中华人民共和国防沙治沙法

Law of the People's Republic of China on Combating Desertification

➤ 中华人民共和国农村土地承包法

Law of the People's Republic of China of Land Contract of Rural Areas

## 2. 中国林业法律体系基本情况

### Current Situation of China Forest Law System

国家层面法律体系（法规）

National legal system（Legislations）

➤ 关于野生植物保护条例

Regulation on wild plants protection

➤ 植物新品种保护条例

Regulation on the protection of New Varieties of Plants,

➤ 退耕还林条例

Regulation on Conversion of Farmland to Forests

➤ 自然保护区条例

Regulation on Nature Reserves

## 2. 中国林业法律体系基本情况

### Current Situation of China Forest Legal System

- 地方立法工作  
Local legislature
- 中国林业法律体系在实践中日趋完善  
China legal system are becoming good fit

## 2.中国森林法律体系基本情况

### Current Situation of China Forest Legal System

- 执法工作机制，行政保护与司法保护相结合，日常执法和专项打击活动相结合

law enforcement & working mechanism , combine administrative protection and justice protection, routine enforcement and special-combat-campaign

- 提高全社会保护发展森林资源的法律意识和生态道德

great efforts to heighten the legal awareness and ecologic ethnic of the general public about forest resources protection

### 3. 中国林业执法

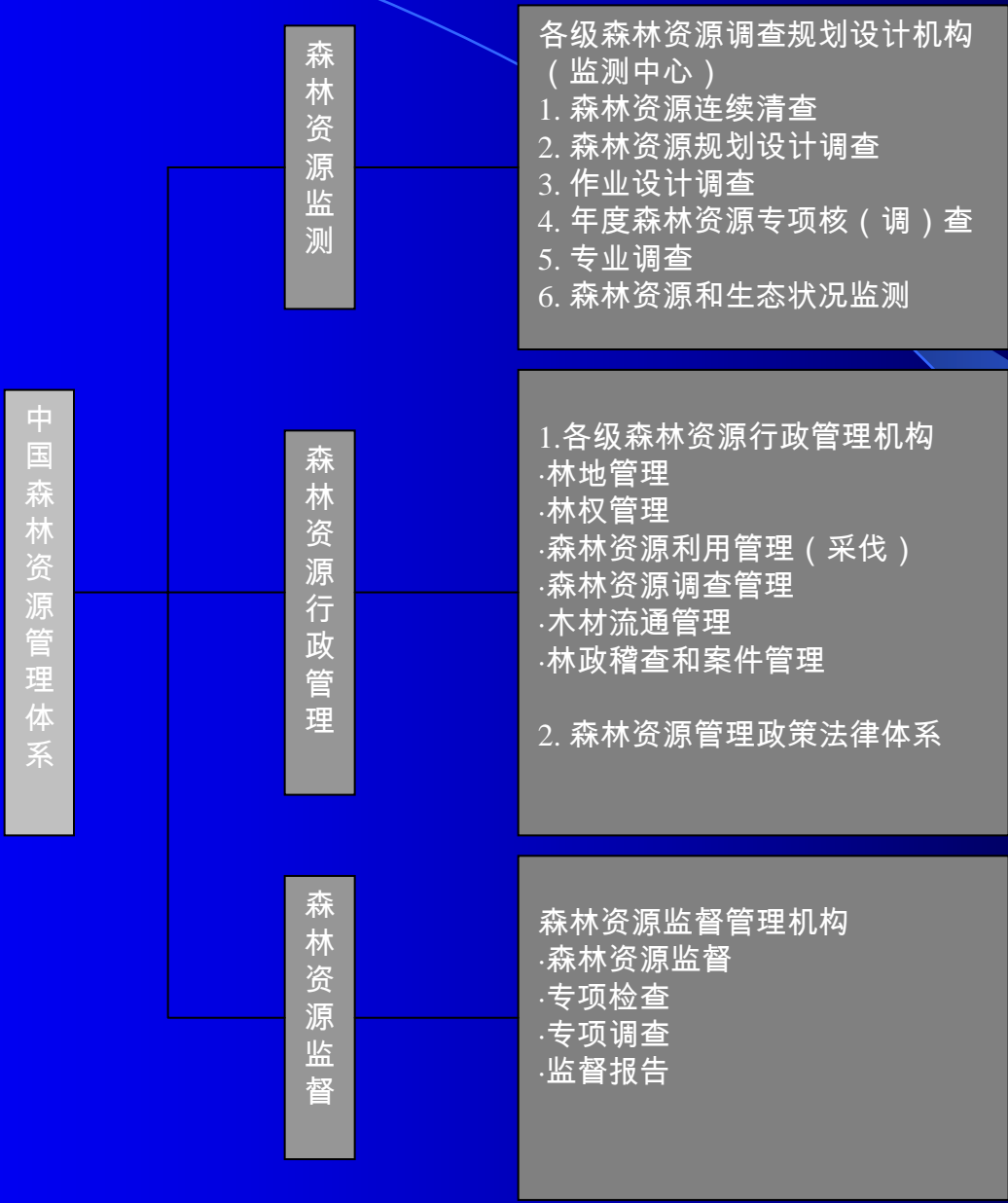
## The Enforcement of China Forest Law

森林资源行政管理执法：Forestry Administrative Government

- 行政管理系统 The administrative management system  
行政管理系统拥有行政执法的权力。

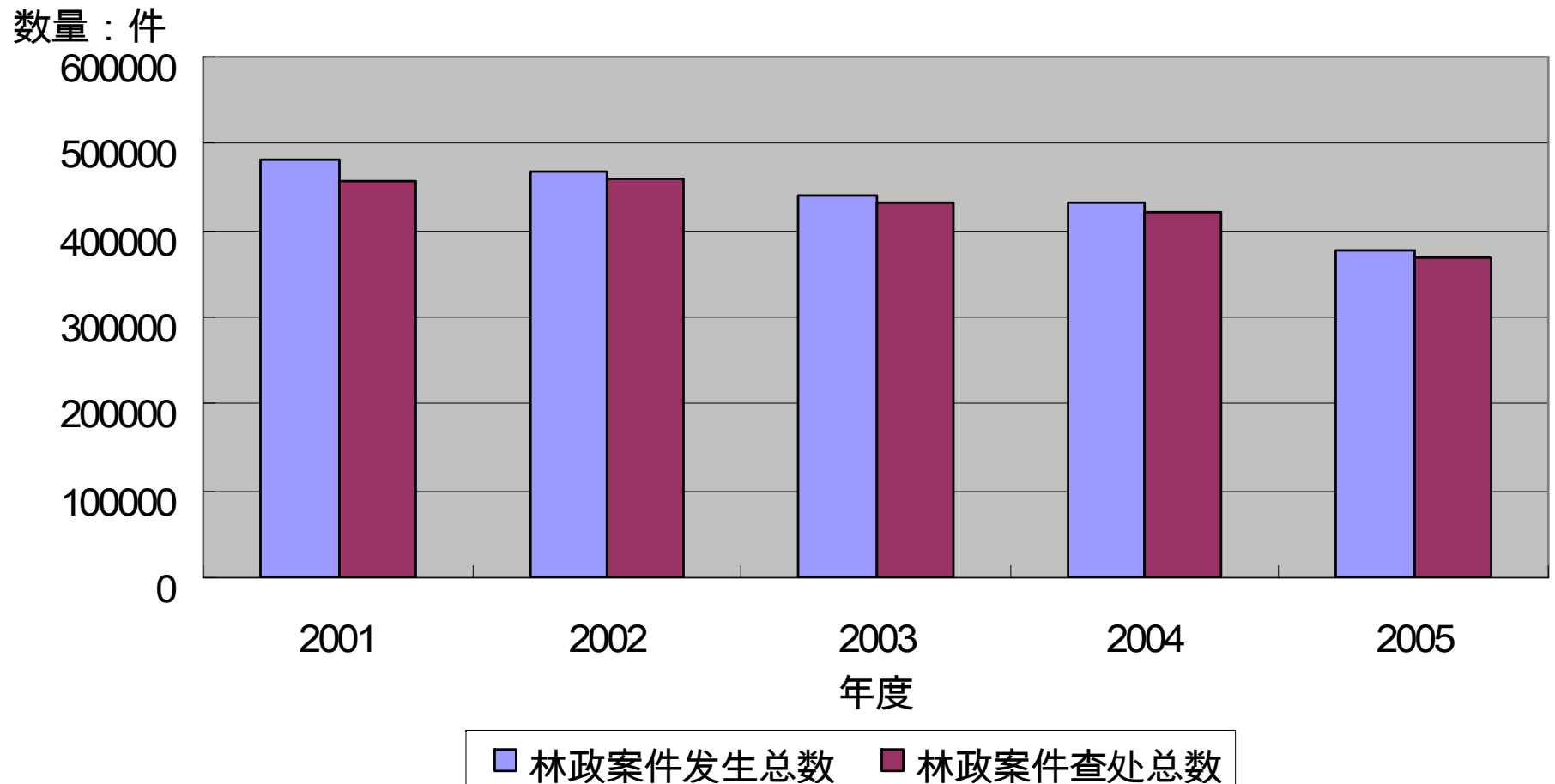
The administrative management system is entitled to enforce forest law

- 资源监测系统 Forest Resources Monitoring System
- 资源监督系统 Forest Resources Supervision System



# 林业行政案件打击效果示意图

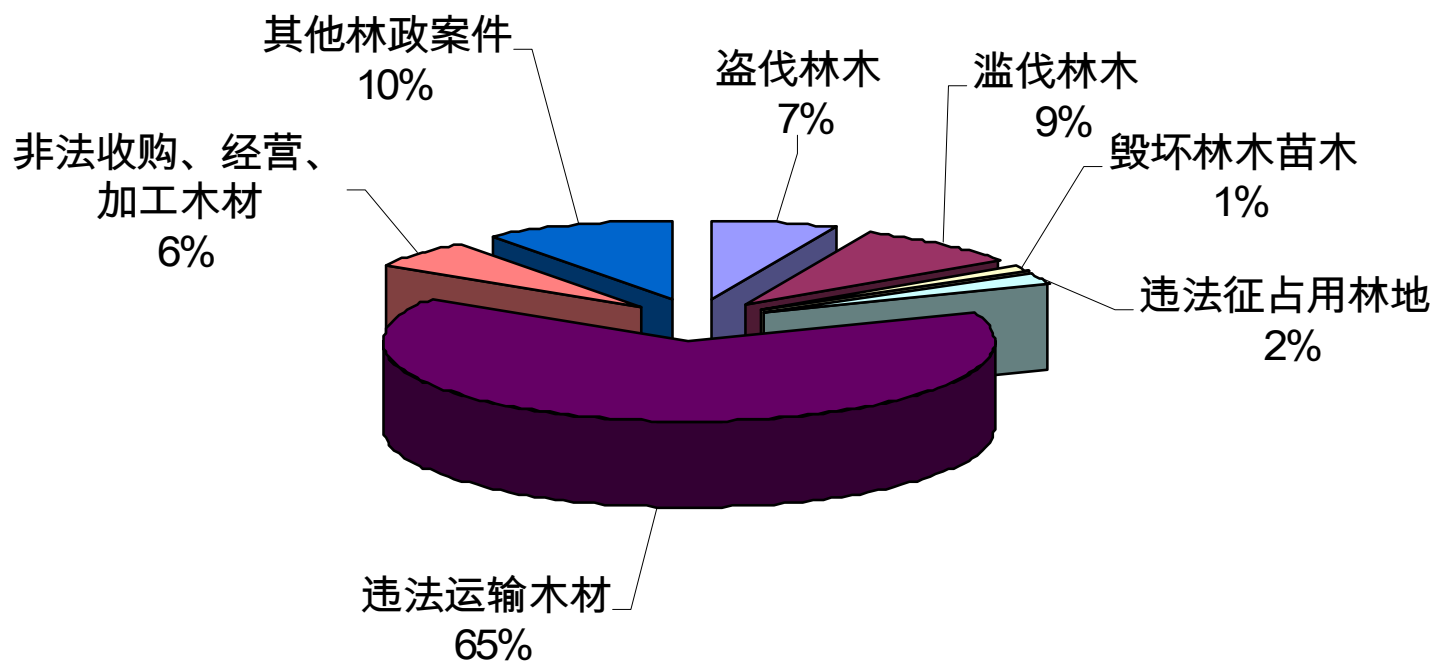
林政资源案件发生数和查处数趋势 ( 2001- 2005 )





# 各类林政案件所占比例示意图

林政资源案件具体类型所占比例(2001-2005)



### 3.中国林业执法

## The Enforcement of China Forest Law

### 森林公安机关

#### Forest Public Security Organs

- 森林公安机关6726个，覆盖了全国80%以上的县级行政区划。

Consists of 6726 forestry security organs established in 30 provinces (autonomous regions or municipality), covers 80% of the whole country.

- 共有编制近6万人，实有警力5.3万余人。

The total stall size is near 6 ten thousand personals, and the force power is 5.7 ten thousand (policemen )

### 3. 中国林业执法

## The Enforcement of China Forest Law

- 森林公安依法被赋予广泛的执法管辖权

The Jurisdiction of Forest Public Security is in large scope

- 刑事案件

Crime, according with *Criminal Law of the People's Republic of China* and *Criminal Procedure Law of the People's Republic of China*

- 行政案件

Administrative offences

### 3. 中国林业执法

## The Enforcement of China Forest Law

### 森林公安执法机制

The System of Law Enforcement of Forest Public Security Organs

➤ 日常执法

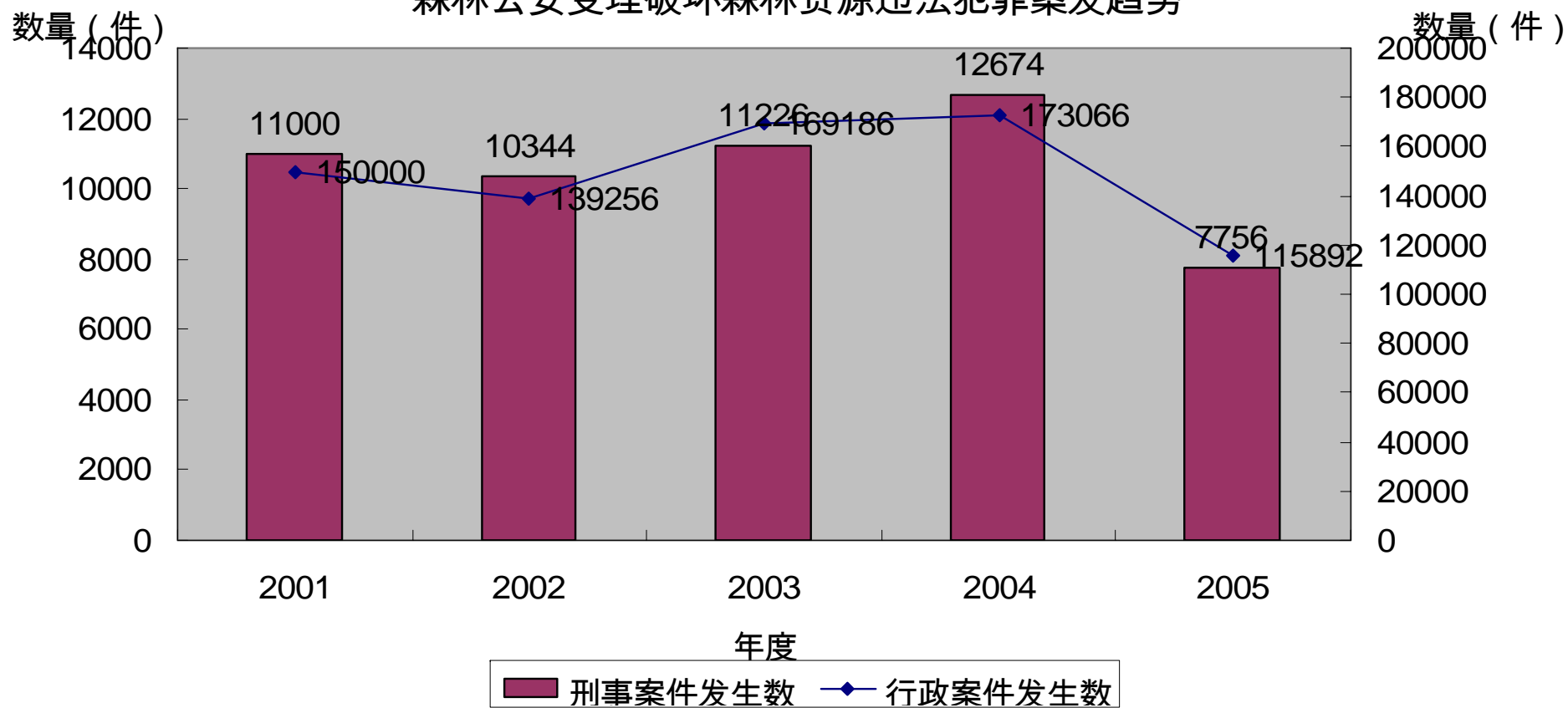
Routine law enforcement: patrolling, inspecting, checking, participating of inhabitants and establishing a network of information communication and cooperation

➤ 专项打击

Special crackdown campaigns: since 2000, five campaigns have been carried out aimed at the serious illegal activities in different forestry regions and in different periods

# 森林公安机关执法效果示意图

## 森林公安受理破坏森林资源违法犯罪案发趋势



### 3.中国林业执法

## The Enforcement of China Forest Law

### 中国海关执法 Customs Protection of Forest Resources

- 报关单证审核 examination of customs declaration bills and certificates
- 进出口货物查验 inspection of imported and exported timber goods
- 违法犯罪赃物的扣留和调查 detention and investigation of illegal logging timber and associated trade
- 对违法进出口人进行处罚 punishment of illegal timber smuggle
- 赃物处置 disposal of illegal logging timber and right-infringing goods

### 3. 中国林业执法

## The Enforcement of China Forest Law

### 监察和检察机关以及反腐败

### Procuratorial Organs and Anti-Corruptions

- 检察机关对涉林罪犯提起公诉 arrests and prosecutions in cases of forest-related crimes
- 反腐败包括林业领域的白领犯罪。 anti-corruptions, esp. white-collar crimes in forestry sector.

### 3. 中国林业执法

## The Enforcement of China Forest Law

### 人民法院及其审判工作

### The People's Courts and Trailing Work

- 拓宽破坏森林资源案件审判领域  
Expanded the range of forest-related trials
- 依法制定了一系列相关的司法解释，指导审判工作  
Formulated a series of relevant judicial interpretations
- 加强职业训练  
Put special emphasis on the professional training



## 4. 中国林产品国际贸易状况

### The Situation of International Trade of Forest Products

- 近10年来，中国林产品进口量迅猛增长

Imports timber and other forest products drastically increase.

- 中国林产品出口快速增长，估计有很大比例的进口木材转化为家具等林产品后出口。

A great development in export. Much more count of imported timber are put into exported products.

- 中国林产品进出口高度集中于亚洲、欧洲和北美市场。

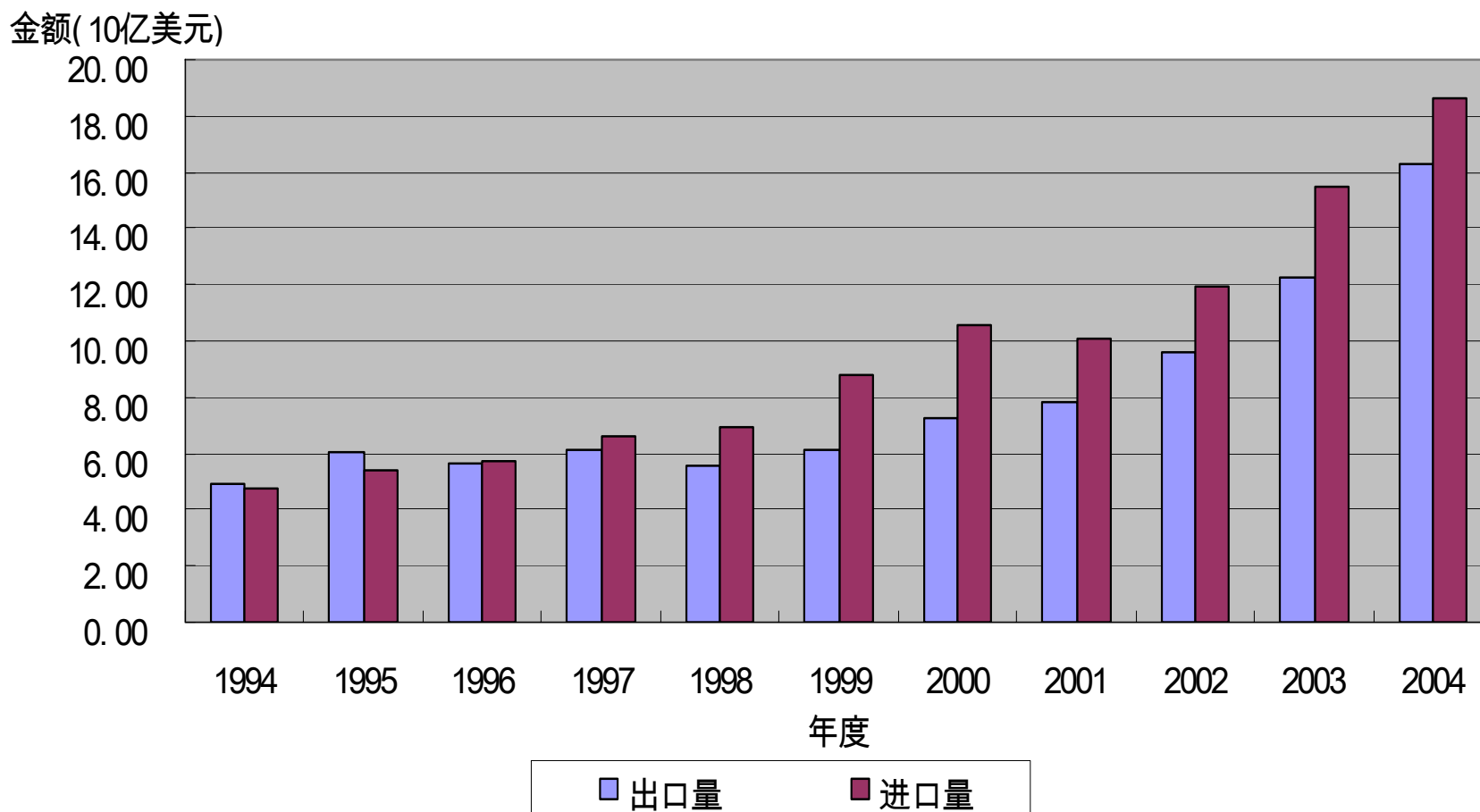
Asia, Europe and North America are the principal destination market.

- 从宏观的角度看，中国木材包括进口在内的长期总供给与长期总需求基本平衡。

The total supply including the import volume balances for the total consumption in the future.

# 中国林产品国际贸易状况 ( 1 )

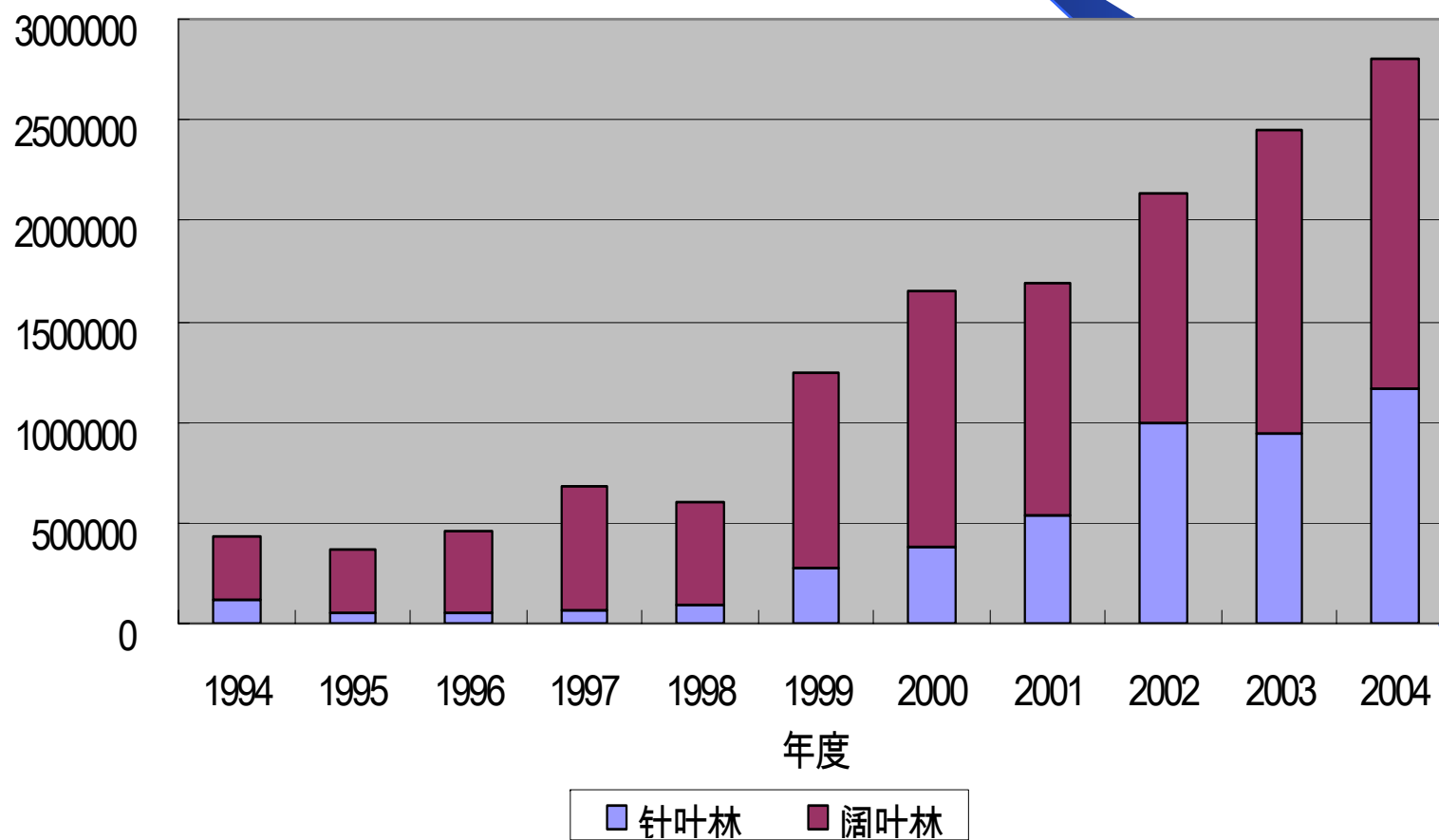
## 中国林产品贸易发展趋势



# 中国林产品国际贸易状况 ( 2 )

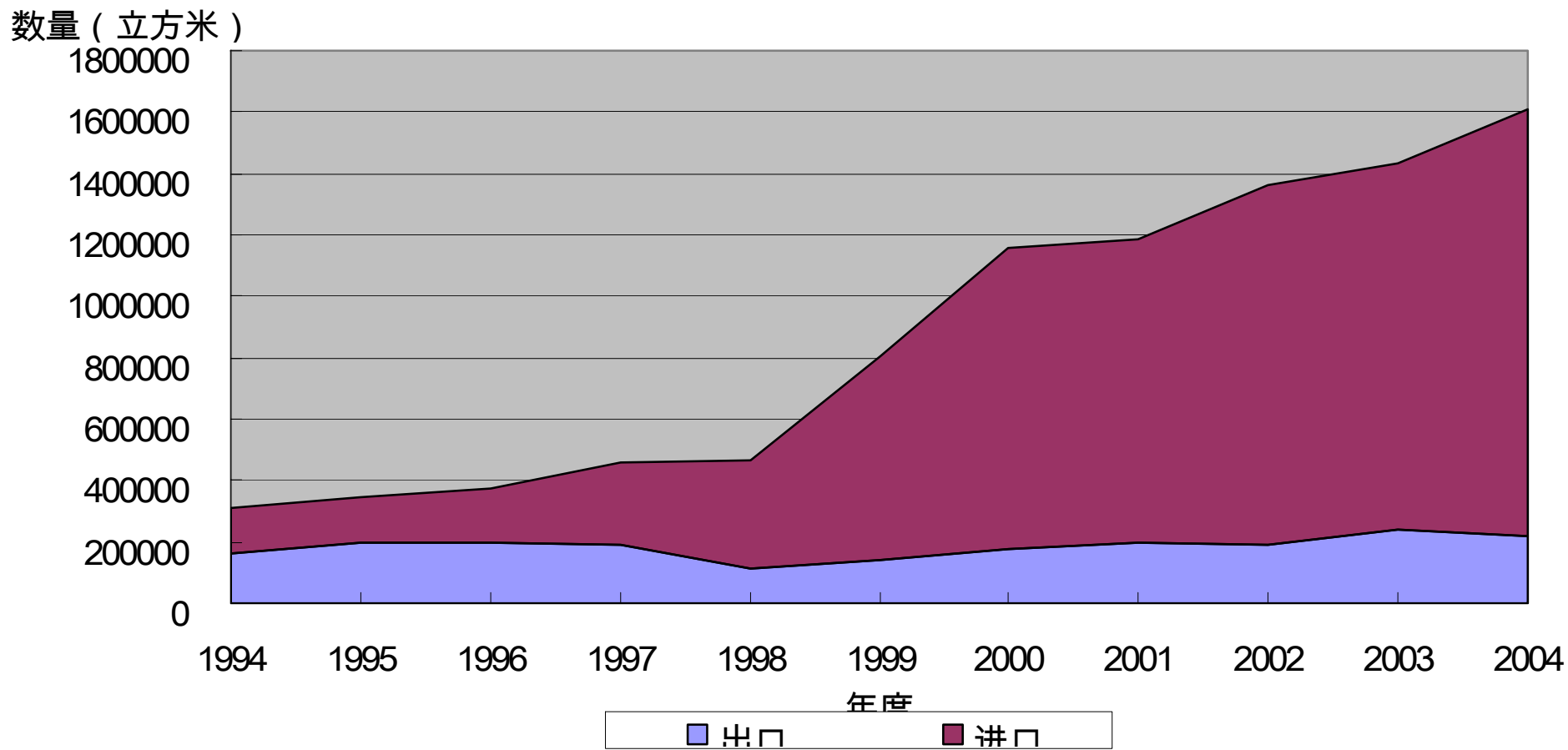
## 中国原木进口发展趋势

数量 ( 立方米 )



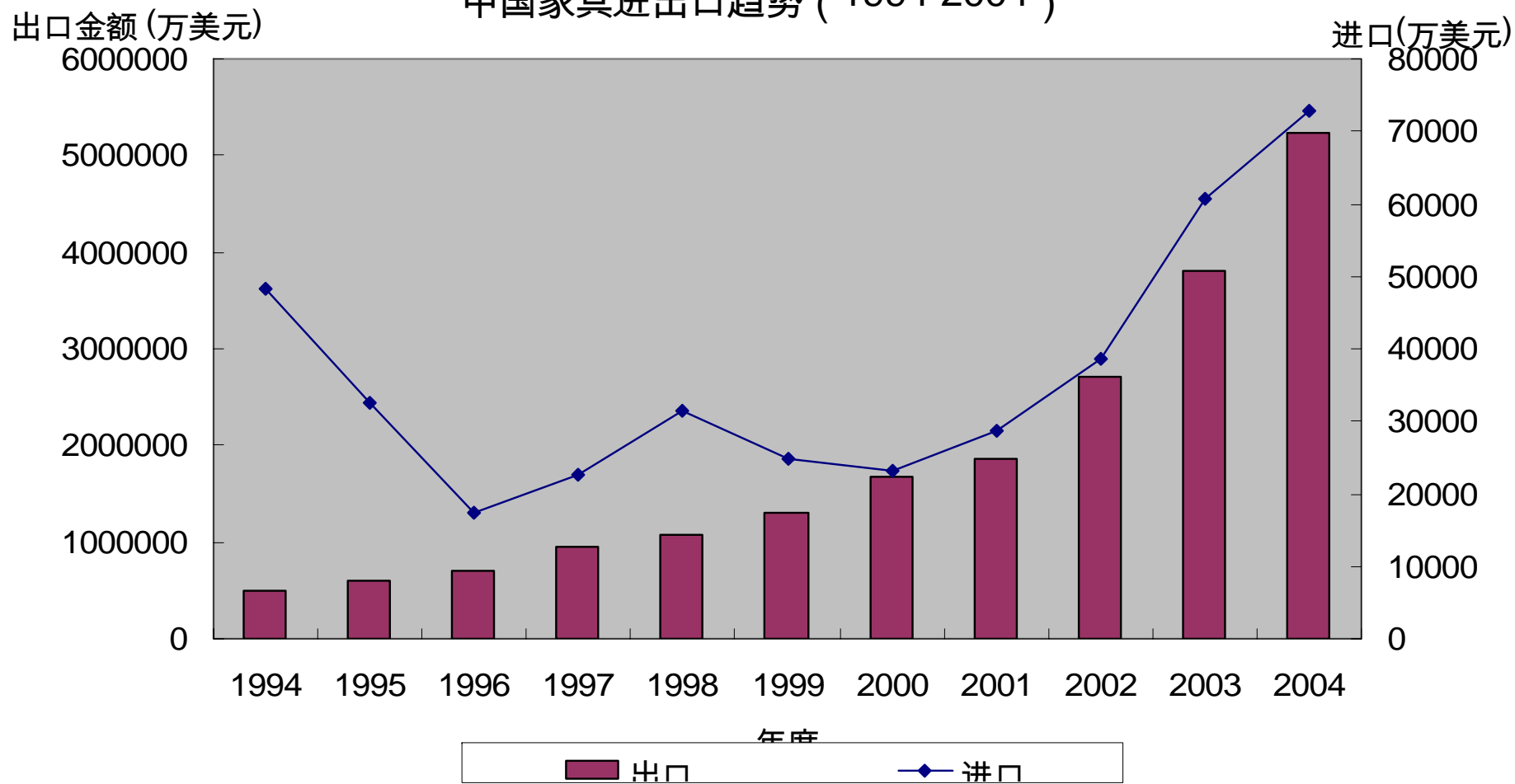
# 中国林产品国际贸易状况 ( 3 )

## 中国锯材进出口发展趋势



# 中国林产品国际贸易状况 ( 4 )

## 中国家具进出口趋势 ( 1994-2004 )



## 4. 中国林产品国际贸易状况

### The Situation of International Trade of Forest Products

- 非法采伐：世界性的问题

Illegal Logging: An International Issue

- 大量的木材进口入中国，最大的原因是中国具有大量廉价的劳动力，生产木产品的劳动力密集型企业在中国发展。

Great volume of timber is imported to China due to its great and cheap labor force.

- 家具和人造板大量林产品以低廉价格出口到北美欧洲等发达国家和地区。

Most parts of the forest products, especial furniture and wood-based panel, are exported to United States, Japan, England ect. at the low prices.

## 4. 中国林产品国际贸易状况

### The Situation of International Trade of Forest Products

- 进口入中国的木材，其终端消费者遍布全世界，尤其是集中在北美、欧洲和日本等地。

Ultimate consumers of China's import timber are all over the world

- 对于非法采伐及其相关贸易，最终受益于中国的廉价制成品的各国均应该承当其相应的责任。

Final destination countries benefiting from China's low-cost manufacturing as mentioned above should take their responsibility for illegal logging and associated trade.

# 中国关于FLEG的活动和态度

## China's Position and Activities in FLEG Progress

多边关系行动：

Multi-lateral Actions：

中国参加2001年9月份的亚洲FLEG部长会议，同意通过巴厘宣言，表达了中国的声音：“采取紧急措施——制止林业违法和林业犯罪，特别是非法采伐，以及与之相关的非法贸易、腐败和对法律规定的消极影响。”

China joined in the Asia FELG Ministerial Conference in September 2001, agreed with Ministerial Declaration and stated that: “Take immediate action to intensify national efforts, and to strengthen bilateral, regional and multilateral collaboration to address violations of forest law and forest crime, in particular illegal logging, associate illegal trade and corruption, and their negative effects on the rule of law.”



# 中国关于FLEG的活动和态度

## China's Position and Activities in FLEG Progress

- 双边关系行动
- Bi-lateral Actions :

中俄两国在2000年11月签署了合作开发和可持续经营俄罗斯森林的合作协议；中国同印度尼西亚于2002年签署一份合作谅解备忘录，承诺控制非法采伐的木材贸易；中国与缅甸达成控制非法采伐和相关交易的协议。

China has developed bilateral cooperation with a number of countries to combat illegal logging. In October 2000, an agreement on cooperative exploitation and sustainable management on Russia forest was signed between China and Russia. On 6 June 2000, China and the Burma signed the 'Joint Statement Concerning Framework Document on Future Cooperation in Bilateral Relations between the People's Republic of China and Federation of Myanmar' .

## 5. 挑战和对策

### Challenge and Countermeasure

破坏森林资源行政违法和刑事犯罪在当前和今后的一段时间内还会存在；

**forest-related offences and crimes, especial illegal logging, cannot be eliminated at present and in next time.**

- 急剧增长的市场需求难以得到满足

**Difficult to meet rapidly increasing demand**

- 破坏森林资源行政违法和刑事犯罪的成本比较低，破坏森林资源行为有利可图

**Costs of forest-related offences and crimes are still low , this will cause forest offences and crimes become profitable**

## 5. 挑战和对策

### Challenge and Countermeasure

- 在欠发达林区，还是比较贫困。

**Poverty prevails over most parts of development less forestry regions**

- 森林执法还存在一定程度上的失效。

**Efficiency of forest law enforcement is needed to improved**

- 一些现行林业法律和政策不符合实际发展需要。

**Existing frame of forestry policy and law is inadaptable**

## **5. 挑战和对策**

### **Challenge and Countermeasure**

**相应对策和措施：**

**Counter-measures have been and will be adopted：**

- **开展林权制度改革，目前尤其是集体林权制度改革。**

**Advance institutional reform of forest property rights**

- **审视和修改一些现行林业法律**

**Review and update forest-related legislation**

- **调整当前一些林业政策**

**Adjust the forestry policy frame**

## 5. 挑战和对策

### Challenge and Countermeasure

- 在人员、资金和设备方面大力支持，提高执法效果。  
**Provide adequate support for effective forest law enforcement**
- 加强合法来源的木材供给能力  
**Improve the supply of legally sourced timber**
- 积极履行国际义务，加强打击非法采伐及相关贸易的国际合作，加强多边和双边合作。  
**Actively fulfill international obligations and strengthen international cooperation**

**Thank you for your  
attention**

**谢谢！**

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