



LET'S PRICE IT: Mr Tay says the first priority is to put a figure on how much the haze is costing the region, in order to spur some prompt action.

A clear and vital role for NGOs in anti-haze drive

We cannot just depend on governments, says Simon Tay

BY BHAGYASHREE GAREKAR

WHAT is Mister NGO to do? All signs point to the return of the haze next year and intelligent options do not include a vigil with a surgical mask.

Lately, inter-monsoonal clouds have swept away the haze from the skies and coffee break conversations.

But the issue cannot be dislodged from the mind of Mr Simon Tay, the chairman of Singapore's oldest non-governmental think-tank, the Singapore Institute of International Affairs (SIIA).

It would be fair to say that Mr Tay is twice as concerned as anybody else – he is also the chairman of the National Environment Agency (NEA), a statutory authority charged with environmental protection.

So the easterly winds and inter-monsoonal rain can blow away the smoke but not Mr Tay's view that Jakarta must not pull any punches to wrestle down the ugly grey-brown genie it uncorks every year.

Reports from Jakarta say wilful legislators will not give Indonesian President Susilo Bambang Yudhoyono the simple majority he needs to fulfil his promise of ratifying the Asean haze treaty.

Mr Tay does not swallow that and other "excuses" floating ex-Jakarta.

"Vice-President Jusuf Kalla has a strong coalition to win the vote if he needs to. He did, with Aceh," he says.

Nor will he cede an inch to those who say that plantation owners who raze forests and cause the haze are beyond Jakarta's reach just because they are housed overseas.

"That's just an excuse," he says.

"If companies in Indonesia are prosecuted successfully and there's a judgment against them, I volunteer to help them execute that punishment in Singapore.

"It can be registered here as a judgment of a foreign court,"

says Mr Tay, who has been

teaching law at the National University of Singapore for more than a decade.

As to the hypothesis that the country is so corrupt that no issue can be resolved, Mr Tay simply says: "That's ridiculous. Nobody has to be perfect to solve a problem."

What would be a wise course of action, then, while waiting for trans-border forces to gather their resolve?

First, here's what not to do – be naive about the complexity of the problem and its solution. The suggestion that Indonesia be compensated for the green cover its forests provide – made in the opinion pages of *The Straits Times* on Oct 24 – comes up short in his reckoning.

"All ideas need to surface," he says. "But this is a

pretty crazy one. Really, we should be thinking more realistic plans."

There is a better use for dollars, he says. NGOs, like his own, would be glad for funds for activities to prevent any haze re-runs.

A top priority would be to estimate the economic costs of haze.

There are some numbers now.

At a regional workshop in Jakarta on Thursday, Indonesian environment officials estimated the cost of ending the haze at US\$60 million (S\$94 million) a year for the first three years.

The losses to Indonesia because of the haze could exceed US\$100 million, accord-

ing to one estimate reported by London's *Financial Times* yesterday.

Mr Tay is pretty sure that the numbers will establish that Indonesia itself took the biggest knock from this year's haze, far bigger than Singapore or Malaysia.

That can be a powerful spur to action before next season's slash-and-burn begins, he reasons.

Some number-crunching can also determine what could qualify as fair contributions to the Haze Control Fund proposed under the Asean pact.

"How much should Singapore or Malaysia or Brunei contribute? If we estimate how much these countries suffered, then there's basis to contribute to solve the problem."

The NGOs, he adds, are good at ear-to-the-ground

monitoring. When he convened a regional seminar on the haze last month, some NGOs did not turn up. "For the best of the reasons," he says.

"They were in Kalimantan or Riau, watching what was happening."

Some of that scrutiny can help pinpoint who is actually starting the fires, he says.

Would SIIA go the next step then, to file a lawsuit against companies found to be breaching laws if they were based in Singapore?

Not at the mere drop of a name, he says, making a case for engaging the companies first. SIIA could step in, or other corporate social responsibility NGOs.

"If that does not work, I certainly think we should not rule out publicly naming and shaming, and lawsuits.

"Whether SIIA will do it, that's several steps ahead, and I don't want to say yes or no."

He wishes, though, he could hear a clear "yes" in support of NGOs.

"Having come off the IMF-World Bank, where the Singapore Government seemed very selective if not overly cautious about NGOs, I think now we should use the occasion to rethink.

"It's just like tsunami, if we just depended on the government, more people would have suffered. NGOs like Mercy Relief, Red Cross, all played a role.

"You've got to see that government can't do everything. Even if you have strong governments, they can't do everything," he points out.

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Distinguished record

1986: LLB (Hons) from the National University of Singapore.

1987: Advocate and solicitor, Supreme Court of Singapore.

1994: LLM from Harvard University Law School.

1995-current: Associate Professor, Faculty of Law, National University of Singapore.

1997-03: Nominated Member of Parliament.

Selected for a record three times.

1999-current: Appointed chairman of the Singapore Institute of International Affairs.

2002-current: Appointed chairman of the National Environment Agency, a major statutory authority in charge of environmental protection and public health.

2006: Public Service Medal (Pingat Bakti Masyarakat).