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Need to enact laws to fight the haze

EVERYONE knows that the principal cause of the haze is the open burning in neighbouring Indonesia.

This problem has become chronic – every year we brace for the haze in the dry season.

The haze problem ought to be easily resolved, given the few countries involved and its direct and tangible impact on both Malaysia and Singapore. Why, then, have we not been able to resolve this problem?

The countries involved have made some attempts. In 2002, Asean signed an Agreement on Transboundary Haze Pollution. However, the agreement provides no enforcement mechanism and, in the Asean way, relies on each country to do its part for the good of all.

Two Asean members – Indonesia and the Philippines – have refused to ratify even this fairly toothless piece of paper.

Can we do something today rather than wait and hope for a change in the wind direction?

A possible solution would be for Malaysia and Singapore to extend their environmental laws to deal with foreign polluters that harm both countries. Usually, laws with extra-territorial jurisdiction are easy to enact but difficult to enforce without commitment from all countries involved.

However, in our case, some of the culprits – plantation companies that clear land by fire in Indonesia – have substantial business presence in Malaysia and Singapore.

Such businesses need funds to finance themselves, marketing and trading services to promote their sales, and transportation networks to ship their products.

They are very likely to be using the financial markets, trading houses, and ports and airports in Malaysia and Singapore.

The proposed laws should empower the Attorneys-General to prosecute the Malaysian or Singapore-based affiliates of the polluters.

Only when they discover that “crime doesn’t pay” will the haze problem be resolved.

We are fast approaching the 10th anniversary of the terrible haze.

The solution to this problem is to extend corporate social responsibility to include cross-border environmental management.

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