Making the Forest Sector Transparent

Annual Transparency Report 2010

global witness

PUTTING PEOPLE AT THE CENTRE OF FOREST LAW-MAKING

Global Witness releases second annual transparency report

Global Witness today publishes the second phase of its unique comparative study of transparency in the forest sectors of five developing countries, the **Making the Forest Sector Transparent Annual Transparency Report 2010**. The report shows improvements in governments' willingness to engage with civil society in each country, but sounds an overall warning to the international community that access to information for local communities about forest management issues remains a big challenge.

Partnering with campaign groups in Cameroon, Ecuador, Ghana, Liberia and Peru, the project measures access to information against a comprehensive set of indicators, and draws lessons for improvements on a national level. This represents the first time that grassroots data on community involvement in forest policy has been compared and contrasted across several countries. The assessment, available online at www.foresttransparency.info since June 2011, uses a red-amber-green traffic light system to indicate which forest sector documents are in the public domain.

The report highlights that whilst consultation processes may have shown some improvement, access to information in the sector remains generally poor. Lack of basic disclosure persists in key areas such as concession contracts, forest management plans, and what proportion of revenues communities receive from timber felling.

Since the 2010 data collection period, all five countries have recently taken steps to improve the governance and transparency of their forest sector. Cameroon's Voluntary Partnership Agreement (VPA) with the European Union entered into force in August, marking the beginning of a new era for forest transparency in the country, and following up on the signing of Liberia VPA earlier in May. Also in Liberia, communities of Rivercess County became the first in the history of logging in the country to receive a share of timber revenue directly from a logging company. In Ghana, the Forestry Commission finally published data on the 2010 disbursements of royalties from timber resources. Ecuador also saw increased transparency regarding its plans for reducing emissions from deforestation and forest degradation (REDD). Last but not least, the Peru Congress approved two key texts, the forest and wildlife law and the law on the right to prior consultation with indigenous people, which significantly strengthen transparency, accountability, and recognition of Indigenous People in its legal framework.

These are promising steps and the forest authorities of the five countries need to keep up their efforts in this direction. Indeed, there remains a long way to go before forest sector transparency leads to genuinely sustainable and accountable forest management, to the benefit of local populations.

To ensure that forest governance remains considered at the highest level of discussion, Global Witness and its partners are preparing the next Annual Transparency Report for publication on the programme website in early 2012. It will document changes in 2011 in the first five countries, and include Guatemala and the Democratic Republic of Congo for the first time.

Web: www.foresttransparency.info

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The report card is part of Global Witness' *Making the Forest Sector Transparent* project, funded by the UK Department for International Development (DFID) Governance and Transparency Fund. It and operates through independent NGOs in Peru, Ghana, Liberia, Cameroon, Ecuador, Guatemala and the Democratic Republic of Congo.

Liberia

Legal access to information
A Freedom of Information Act was adopted in 2010 and the appointment of an Information Commissioner is awaited. All state agencies will need to appoint an information officer. Read more...

Transparent Decision Making
The implementation regulations for the Community Rights Law will empower communities to play a more central role in forest decision making. Read more...

Tenure and Land Use
A significant percentage of forest land in Liberia is under titles and could be clearly identified, but the situation with forest land held under customary arrangement remains unclear. Read more...

Key transparency indicators
- Freedom of Information Law?
- Is the Forest Law available?
- Land ownership maps public?
- Logging volumes public?
- Mining vs forestry strategy?
- Community funds consultation?
- Any national forest forum?
- Permit documents public?
- Revenues redistributed public?

Other Facts

Vital Statistics

People
125 per km2 of forest

Corruption Perception Index
3.3 / 10

Income
$ $ $ $ $
GDP per capita US$222

World Bank Governance Indicators
- Control of Corruption
- Rule of Law
- Regulatory Quality
- Government Effectiveness
- Political Stability
- Voice and Accountability
0 20 40 60 80 100

Impact of extra-sectoral activities in forests
Several large-scale mining and monoculture agricultural concessions have been allocated. Large-scale agricultural concessions intensify conversion of natural forests and increase the rate of deforestation.Read more...

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Cameroon

Legal access to information
Although the right to information is clearly recognised by Constitution, lack of a legal framework means communities struggle to obtain information from public services. Read more...
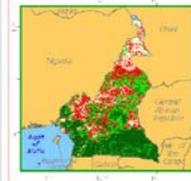
Transparent Decision Making
The first substantive National Forest Forum took place in March 2010, with some one thousand participants debating various and raising them directly with officials. Read more...

Tenure and Land Use
Forest lands are under clear legal ownership by the state or the municipalities. This is contested by communities, who claim ownership on all the forest lands and resources. Read more...

Key transparency indicators
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- Revenus redistributed public?

Other Facts

Vital Statistics

People
54 per km2 of forest

Corruption Perception Index
2.2 / 10

Income
$ $ $ $ $
GDP per capita US$1137

World Bank Governance Indicators
- Control of Corruption
- Rule of Law
- Regulatory Quality
- Government Effectiveness
- Political Stability
- Voice and Accountability
0 20 40 60 80 100

Impact of extra-sectoral activities in forests
In one area, there can be three layers of overlapping rights: customary rights, commercial logging rights, and rights to subsoil resources (oil, gas minerals). This is a key threat to forests and to the rights granted to communities by the forest law. Read more...

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Peru

Tenure and Land Use
The property registry is being decentralised to sub-national governments. At the same time, free prior informed consent is included in the draft consultation law. Read more...

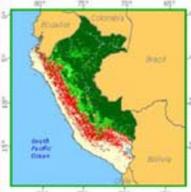**Transparent Decision Making**
The draft consultation law awaits adoption by the Executive. When passed, it will ensure the government consults indigenous peoples and civil society on any new legislation. Read more...

Legal access to information
Average compliance with access to information legislation by government institutions is about 50%. That of the forest supervisor OSINFOR increased from 2% to 48% in 2010. Read more...

Key transparency indicators
- Revenues redistributed public?
- Permit documents public?
- Any national forest forum?
- Community funds consultation?
- Mining vs forestry strategy?
- Logging volumes public?
- Land ownership maps public?
- Is the Forest Law available?
- Freedom of Information Law?

Other Facts

Vital Statistics

People
32 per km2 of forest

Corruption Perception Index
3.5 / 10

Income
$ $ $ $ $
GDP per capita US$4469

World Bank Governance Indicators
- Control of Corruption
- Rule of Law
- Regulatory Quality
- Government Effectiveness
- Political Stability
- Voice and Accountability
0 20 40 60 80 100

Impact of extra-sectoral activities in forests
The Ministry of Environment developed policy guidelines on ecological economic zoning to help reorient economic activities and avoid socio-environmental conflicts that result from overlapping permits and inappropriate uses.Read more...

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Ghana

Legal access to information
Draft Freedom of Information Bill made no progress in 2010. Forestry Commission has a Service Charter, but no apparent perfomance monitoring against it takes place. Read more...

Transparent Decision Making
Reinvigorated forest forums in some districts provide opportunity for citizens input into policy discussions. No legal mechanism for public participation in policy. Read more...

Tenure and Land Use
Forest tenure lacks clarity due to complicated land ownership hierarchy, including customary and traditional norms. Issue recognised as a priority but no substantive discussion or progress. Read more...

Key transparency indicators
- Revenues redistributed public?
- Any national forest forum?
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- Logging volumes public?
- Permit documents public?
- Land ownership maps public?
- Is the Forest Law available?
- Freedom of Information law?

Other Facts

Vital Statistics

People
432 per km2 of forest

Corruption Perception Index
4.1 / 10

Income
$ $ $ $ $
GDP per capita US$1098

World Bank Governance Indicators
- Control of Corruption
- Rule of Law
- Regulatory Quality
- Government Effectiveness
- Political Stability
- Voice and Accountability
0 20 40 60 80 100

Opaque permit regimes
A remarkably large number of salvage permits were issued in 2010 in a process that lacked transparency or a competitive bidding process. Ghana Forest Watch estimated some US$10 million was lost in uncollected revenue as a result. Read more...

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