global witness

MAKING THE FOREST SECTOR TRANSPARENT

Global Witness Governance and Transparency Fund project 2008-2012

PROJECT INFORMATION NOTE 2

June 2009

Summary

Making the Forest Sector Transparent is working with civil society groups in forest-rich countries to engage with policy makers and advocate for capable, responsive and accountable forest sector governance. The project supports local environmental and human rights campaigners in up to eight countries to monitor transparency and to advocate on issues of importance to local communities. In the first six months of this four-year project Global Witness has formed partnerships with NGOs in Peru, Ghana, Cameroon and Liberia, and will start working with more countries from Year Two.

The project is piloting a 'transparency report card' that will assess the level of public access to information on an annual basis. The report card takes a rights-based approach. It is both top-down, looking at the legal obligations each state has to enhance transparency and participation in decision making (including reference to the individual country Constitution, any Freedom of Information legislation, and any sector-specific laws), and bottom-up, working with forest-dependent communities to identify information needs in order that communities can assert their rights, and hold duty-bearers (government and others) to account.

Our approach

Demand for good governance is driven by civil society being equipped to, and having an interest in, holding governments to account. Governments will respond when citizens identify and voice their needs and expectations and persuade policy-makers to implement fair and effective 'rules', including instituting legal reforms, tackling criminality and corruption, and engaging with civil society. Policy-makers have an interest in greater participation to improve the sustainability of outcomes: citizens who feel included in policy processes are less likely to resist the rules.

Forests

At the local level, all of the partner countries face problems stemming from export-driven commercial scale exploitation of forests, too often threatening customary rights as well as obtaining permits or operating in breach of sector laws. This has been a starting point for the report card design work, and for the advocacy work the project is supporting. *Making the Forest Sector Transparent* is:

- Developing an innovative 'Forest Transparency Report card' and an **Annual Transparency Report** to assess the level of information in the public domain. People need information about rights to access forests and benefit from their use, and about government policies, to have a say in management of forest resources.

> ### Key project objectives
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> - Increased access to information on forest sector activities.
> - Effective advocacy for greater transparency and governance.
> - A resilient network of civil society organisations (CSOs) working on forest governance.

- **Strengthening civil society capacity** to effectively use information on forest use and management in their country to demand changes to forest management. People need to have the motivation and skills to convince governments to listen to and respond to their needs.

- **Building an effective network** to exchange experiences and coordinate activities. This will strengthen our response to the globalisation of the trade in forest products and services, and to forest initiatives such as Voluntary Partnership Agreements (VPAs), Free Trade Agreements (FTAs) and a mechanism to Reduce Emissions from Deforestation and Forest Degradation (REDD). Coalitions help to build a measure of political protection for advocacy work that may challenge the status quo.

Partnership

Each Partner NGO sets the forest sector transparency priorities for their country:

Liberia: after 14 years of civil war, and an Executive Order in 2006 to cancel all logging concessions, the forest sector has new forest laws and an industry eager to re-start. However, the legislative status of customary lands remains unclear, and the forest authority struggles to meet commitments to transparency and the rule of law.

The Partner NGO, Sustainable Development Institute is monitoring and supporting the transparency provisions in

the forest law to promote the legal establishment of secure community rights and tenure of forests and significant devolution of forest governance and management processes to communities, and to obtain transparent access to decision making in the negotiation and implementation of a VPA.

Peru has recently seen major legislative changes in response to a FTA signed with the United States. Whilst a 'forests addenda' to the FTA was seen as a progressive step in many ways, the new forest law (and others) side-stepped normal consultation processes and significantly weakened environmental protections.

Project Partner Derecho Ambiente y Recursos Naturales (DAR) is focusing project activities on strengthening civil society and two autonomous public institutions – the Ombudsman and the Environmental Attorney – in their abilities to hold the government agencies to account regarding commitments to transparency and law enforcement. They are part of a coalition actively challenging the constitutionality of the new laws, and encouraging a new dialogue on a National Forest Policy.

Ghana, in contrast to Liberia, is close to the end of commercial exploitation of natural forest. Despite efforts to bring discipline and a competitive market for access to the resource through reforms in the concession allocation system, the sector remains 'captured' by vested interests. More recently, the VPA has provided opportunities to rectify this.

The Centre for Indigenous Knowledge and Organisational Development (CIKOD) leads the project on behalf of the Forest Watch coalition. They are pressing government to strengthen community tenure, management and enterprise development as agreed in the VPA, and to enact a revised forest and wildlife law to this effect. Emphasising the need for a change from the past, they also advocate for legal sanctions in forest laws to be enforced and publicised, and for local government to disclose their use of revenue from timber royalties.

Cameroon is the most recent country to join the project. Centre pour l'Environnment et le Développement (CED) was established in 1994 in reaction to a significant increase in industrial logging and the expansion of illegal forestry activity. The project is supporting CED and others in pressing for greater participation in policy formulation, in particular concerning the VPA and REDD, and for transparency regarding the allocation of forest titles/permits; production, processing and exportation; management plans; environmental impacts; service charters; forest royalties; legality assurance system; and sanctions, litigation and out of court settlements.

Activities

1. Forest transparency report-card

Global Witness is building the capacity of independent local partners to monitor the availability of forest sector information through developing a Forest Transparency Report Card to compare disclosure and dissemination of information such as forest management plans, concession allocation, revenues and infractions in forest-rich, low governance countries.

The report card will have both a **common basis** for country-country comparisons, and **flexibility** to support individual country initiatives. It will be based on objective 'yes/no' questions about the availability of information. Information will be assessed on criteria such as: completeness, validity, location, contact details, languages, coverage, gaps, methodology, and commitment to rectifying anomalies.

There will be one report card per country per year. So far Partner NGOs have developed and compared template questionnaires. During the second half of 2009, common elements of the questionnaires will be finalised, followed by information-gathering, collation and analysis, prioritisation of subsequent advocacy activities and finally an Annual Transparency Report and associated website for both local and global dissemination.

2. A mini-grants fund for grass roots advocacy

Making the Forest Sector Transparent is helping local **civil society groups develop and grow** so that they can initiate and undertake monitoring and advocacy themselves, including issues identified through the report-card process. The primary mechanism for this is a mini-grants system called Special Learning Opportunities (SLOs). The Partner NGO in each country will develop and administer a structure for the SLOs including an application procedure, a steering group and approval processes, and monitoring and evaluation.

3. Strengthening our coalitions

Advocates on forest transparency are often up against **powerful vested interests**. These can be commercial confidentialities insisted on by industry, or secrecy around the control of public resources and hiding corrupt practices. The programme is building coalitions and strengthen communications to enable political risk-taking by one partner to be supported and backed up by an international network. It is also supporting lobbying and networking by local partners at international fora. Global Witness continue its own campaign work through close association with partners to advocate on issues of common concern.

Measuring success

The project indicators include:

- An increase in the quality and quantity of forest sector information in the public domain.
- An increase in transparency and participation in decision-making processes related to forest use.
- An increased acceptance and implementation of explicit processes for civil society to hold public servants to account (both demand-led and provision-led).
- Stronger civil society coalitions producing high quality analysis and effective joint statements.
- Increased national and international advocacy to demand accountability and improve policy and practice across the forestry sector.

Funding

The project budget is £3.7 million over four years. It primarily operates through re-granting to partners and other beneficiary groups. It is fully funded by the UK Department for International Development (DFID) Governance and Transparency Fund.