

Making the Forest Sector Transparent

Annual Transparency Report 2012



global witness

Guidelines for the 2012 Common Report Card

This document set out the methodology for completing the common Report Card 2012, which Global Witness and the partners in *Making the Forest Sector Transparent* have developed as a tool for assessing the publicly available framework and data for the forest sector. This report card can be used for civil society monitoring in developing countries. It consists of 20 key indicators, each of which includes:

- A 'traffic light' assessment on yes/**green**, partial/**yellow** or no/**red**
- An assessment of change from the previous year on a five point scale from 'improved' to 'worsened'
- A short comment and supporting analysis of the key issues
- Details of the applicable laws, policies and other norms and/or details of the data sources

The template that follows this guidance sets out how each indicator should be completed. The report card can be completed largely through desk research by searching websites and libraries, combined with discussions with key stakeholders and requests for information from authorities to verify the findings. The 20 indicator topics are divided into two main types. Twelve relate primarily to whether key provisions exist in the legal, policy and regulatory framework ('framework indicators') and 8 test whether key documents and data are regularly published ('data indicators').

Table 1: The 20 Indicators in the Report Card 2012

Framework Indicators	Data Indicators
1. Freedom of Information Legislation	13. Forest Ownership and Resource Use Maps
2. National Forest Policy	14. Legal Documents for Commercial Logging Operations
3. Codified Forest Law and Supporting Norms	15. Reports on the Verification Process of Eligibility of Commercial Operators
4. Signed VPAs and Other Agreements on Forest Products	16. Forest Management Plans
5. Provisions for Transparency in Forest Laws and Norms	17. Reports from Independent Forest Monitoring
6. Recognition of Customary Rights in Forest Laws and Norms	18. Data on the Distribution of Forest Royalties and Incentives
7. Formal Procedures for Consultation on New Forest Norms	19. Information on Forest Law Infractions
8. Legal Right to Free Prior and Informed Consent	20. Annual Forest Authority Report
9. National Land Tenure Policy	
10. Consultation before Commercial Logging Allocation	
11. Regulation of Environmental Services	
12. Strategic Environmental Assessment	

Assessing the Traffic Light

The traffic light is assessed by one question for each indicator, as shown in the template. General guidance of what constitutes a yes/partial/no is set out in the following table.

Table 2: Generic Guidance for Traffic Lights

Framework Indicators: are applicable laws, policies and norms in the public domain?	Data Indicators: are key documents and data regularly published?
Yes = all of the following criteria are met <ul style="list-style-type: none"> • the law, policy or norm has been passed by the government • all of these legal documents are freely available on the internet and/or from official offices 	Yes = all of the following criteria are met <ul style="list-style-type: none"> • the documents or data are produced for all activities in the country • the documents or data are routinely published on the internet or made available through other channels
Partial = one or more of the following criteria applies <ul style="list-style-type: none"> • the law, policy or norm has been drafted but not yet passed by the government • some of the legal documents are only available following a specific request • some of the key supporting norms to implement the law have not been established (this applies to particular indicators) 	Partial = one or more of the following criteria applies <ul style="list-style-type: none"> • the documents or data are produced for only some activities in parts of the country • some of the documents or data are only available following a specific request • some of the documents or data are only irregularly published (i.e. out of date) on the internet and/or other channels
No = one or more of the following criteria applies <ul style="list-style-type: none"> • the law, policy or norm has not been drafted or passed by the government • none of the legal documents are available in the public domain, even on specific request 	No = one or more of the following criteria applies <ul style="list-style-type: none"> • the documents or data are not produced at all • none of the documents or data are publicly available, even on specific request

An indicator may also be judged as not applicable/blue to the forest sector context in the country, but in most cases the question can be interpreted so that it applies.

Assessing Change

The RC2012 includes an assessment of change in terms of improvement or deterioration in forest sector transparency and governance over the last year, against a five-point scale:

- Significantly Improved - major development such as implementation of a new law that improves forest governance or an information system that regularly publishes information
- Improved - steps forward such as policy statements or initiatives that have the potential to improve forest governance or additional data published on activities
- No Change - no evidence of real or potential change in the situation for forest sector transparency and good governance
- Worsened - steps backward such as public bodies avoiding due processes for forest governance, or not meeting prior commitments to publish documents and data
- Significantly Worsened - major deterioration such as major gaps being exploited in forest governance or key data being systematically withheld from the public

Supporting Comment and Analysis

A short comment is required for each indicator to briefly state the key factors behind the assessments of the traffic light and the change, for example the main law or policy that applies or the key documents and data that are publicly available. In total, this comment should only amount to approximately **70 words** of text.

The aim of the analysis section is to give a clear, concise summary of the country-specific situation in relation to the indicator, in particular whether the public framework and data is supporting forest sector transparency and good governance in practice. It should draw on current research and knowledge to:

- Introduce the key features of the framework and data that applies to the indicator topic in question
- Analyse the extent to which key stakeholders have transparent access to information and decision-making on the topic in question
- Analyse whether the framework and data has been adequately disseminated, summarised and/or translated to support understanding by all stakeholders, in particular forest-dependent communities
- Analyse the opportunities for and barriers to progress in forest sector transparency and good governance
- Update any trends identified or developments anticipated in previous report cards

The template provides a set of specific questions for each indicator to consider in the analysis, but they are not prescriptive i.e. it is not necessary to directly answer all of them.

Details of Relevant Information

Details of applicable laws, policies and norms and key documents and data are required for each indicator.

Title	Full title of applicable laws, policies and norms and/or names of datasets
Organisation	Full name of the public body that is responsible for the applicable framework or data, including where applicable details of the specific office that administers regulation and/or publishes data
Date	Year and month of the applicable framework or data – where it is a regular publication, give the details of the most recent release
Source	Full address of the website where the applicable document(s) can be accessed, or if not on-line, then the libraries and offices where it is publicly available or can be requested

The details for title, organisation, date and source should be listed (a., b., c. etc.) for each applicable part of the framework (e.g. list of laws) or applicable documents and data (e.g. data on different concessions and permits).

1. Freedom of Information Legislation

Key question	Is there Freedom of Information legislation in the public domain?
Traffic light (select one)	Yes/Partial/No
Change in Last Year (select one)	Significantly Improved Improved No Change Worsened Significantly Worsened
Comment (70 words)	
Title	a. b.
Organisation	a. b.
Date	a. b.
Source	a. b.
Analysis (250 words)	

Guidance

Definition: Freedom of Information (FOI) legislation comprises laws that guarantee access to data held by public bodies. They establish a right-to-know legal process by which public bodies are obliged to publish government-held information and respond to requests for information.

Key Criteria:

Yes = a FOI law has been passed by the government

Partial = a FOI bill has been drafted but not yet passed by the government

No = a FOI law has not been drafted or passed by the government

Change: Assess whether or not measures have been taken to implement the FOI law in practice; or if not yet passed, whether or not measures have been taken to draft and establish it in law

Analysis: Key questions to consider

- Have the necessary supporting offices and norms been established to implement the FOI law e.g. Independent Information Commissioner or Ombudsman; official procedures, standards and sanctions for public bodies?
- Have public bodies for the forest sector taken the necessary measures, such as improved information systems, to meet their obligations?
- Has the FOI law and supporting norms been publicly promoted so that people understand their rights e.g. summarised and translated for a wider audience?
- Is there any evidence that the FOI law has improved access to information on the forest sector?
- If a bill has been drafted but not yet passed, what have been the barriers to it being established in law?
- If a FOI law has not been passed, what other provisions are made in the Constitution and other laws for the right to information? How could a FOI improve the situation?

2. National Forest Policy

Key question	Is there a current national forest policy in the public domain?
Traffic light (select one)	Yes/Partial/No
Change in Last Year (select one)	Significantly Improved Improved No Change Worsened Significantly Worsened
Comment (70 words)	
Title	a. b.
Organisation	a. b.
Date	a. b.
Source	a. b.
Analysis (250 words)	

Guidance

Definition: A national forest policy is a negotiated agreement among stakeholders on a common vision and goals for a country's forests, which has been adopted by the government¹.

Key Criteria:

Yes = a national forest policy, which has been updated or revised in the last ten years, has been adopted by the government

Partial = a national forest policy has been drafted but not yet adopted by the government **or** the policy is more than ten years old without any update or revised

No = a national forest policy has not been drafted or adopted by the government

Change: Whether or not measures have been taken to apply or update the current policy; or if not adopted, whether or not measures have been taken to develop policy

Analysis: Key questions to consider

- Is the policy up-to-date or does it require revision in the light of emerging issues such as international trade agreements (VPAs etc) or REDD?
- Has the policy been developed/ revised in collaboration with all stakeholders in the forest sector?
- Has the policy shaped the development of the forest law and other norms (or has it been produced after the forest law)?
- Has the policy been translated and disseminated across the country to improve understanding?
- Has the policy guided forest sector activities in practice?
- If not adopted/revised, what have been the barriers to its adoption or revision?

¹ FAO (2010) *Developing Effective Forest Policy: A Guide*. FAO Forestry Paper 161: Rome

3. Codified Forest Law and Supporting Norms

Key question	Is there a codified forest law with supporting norms to fully implement it?
Traffic light (select one)	Yes/Partial/No
Change in Last Year (select one)	Significantly Improved Improved No Change Worsened Significantly Worsened
Comment (70 words)	
Title	a. b.
Organisation	a. b.
Date	a. b.
Source	a. b.
Analysis (250 words)	

Guidance

Definition: A codified forest law is specific national legislation that establishes a set of rules for regulating, managing and enforcing activities in forests. Supporting norms are regulations, procedures, decrees, technical directives and other lower level rules that make the forest law operative in practice.

Key Criteria:

Yes = a forest law has been passed by the government together with supporting norms to make all of its provisions operational **and** all of these legal documents have been published

Partial = a forest law has been drafted **or** some supporting norms have not been established to make it operational

No = a forest law has not been passed

Change: Whether or not measures have been taken to apply or update the current law and supporting norms; or if not passed, whether or not measures have been taken to draft and establish it

Analysis: Key questions to consider

- Is the current forest law and supporting norms up-to-date or does it require revision in the light of emerging issues such as trade agreements or REDD?
- Has the law been developed/ revised with participation from all stakeholders in the forest sector?
- Have supporting norms been established to implement the law in full? If not, what have been the barriers?
- Has the law and supporting norms been summarised, translated and disseminated across the country to improve understanding?
- If there is no specific forest law, what have been the barriers to its establishment?

4. Signed VPA or Other Agreements on Forest Products

Key question	Has the country signed an international agreement(s) that relates to forest products?
Traffic light (select one)	Yes/Partial/No
Change in Last Year (select one)	Significantly Improved Improved No Change Worsened Significantly Worsened
Comment (70 words)	
Title	a. b.
Organisation	a. b.
Date	a. b.
Source	a. b.
Analysis (250 words)	

Guidance

Definition: Relevant international agreements include the Forest Law Enforcement Governance and Trade Voluntary Partnership Agreements between the European Union and timber exporting countries, and other agreements that include specific clauses or annexes that stipulate requirements for trade in forest products. General free trade agreements with no reference to forest products are *not* included. Certification schemes alone, such as Forest Stewardship Council, are also not included, nor are the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

Key Criteria:

Yes = an international trade agreement that relates to forest products has been signed by the government

Partial = an international trade agreement that relates to forest products is being negotiated

No = no international trade agreements that relate to forest products have been signed or negotiated

Change: Whether or not measures have been taken to negotiate and sign trade agreements relating to forest products and establish systems as required by them

Analysis: Key questions to consider

- Has the agreements guided the revision of forest law and supporting norms?
- Have certification and information systems as required by signed agreements been established to regulate trade in forest products?
- Have the agreements been summarised, translated and disseminated across the country to improve understanding?
- If an agreement is being negotiated, have forest sector stakeholders been able to participate in this process? What have been the barriers to an agreement being reached?
- What more needs to be done to implement agreements in practice? What are the limitations?
- If there are no agreements being negotiated or signed, why are they not being considered?

5. Provisions for Transparency in Forest Laws and Norms

Key question	Are there any provisions in forest-specific laws and/or supporting norms that develop the right to access public information on the forest sector?
Traffic light (select one)	Yes/Partial/No
Change in Last Year (select one)	Significantly Improved Improved No Change Worsened Significantly Worsened
Comment (70 words)	
Title	a. b.
Organisation	a. b.
Date	a. b.
Source	a. b.
Analysis (250 words)	

Guidance

Definition: Forest sector specific provisions for transparency include commitments or obligations to improve access to public information in forest laws, policies, trade agreements (e.g. VPA annexes), or forest authority procedures (e.g. service charters); or specific information procedures and standards applied to public bodies responsible for the forest sector. Having an approved Freedom of Information law that applies to all public bodies is not sufficient in itself for this indicator i.e. if there are no forest specific provisions that consolidate this law then the indicator would be a 'no'.

Key Criteria:

Yes = specific provisions for transparency in the forest sector have been established

Partial = specific provisions for transparency in the forest sector are being drafted as part of the revision of existing forest laws, policies and other norms

No = no specific provisions for transparency are included in current forest norms

Change: Whether or not measures taken to improve and implement provisions for transparency in forest sector norms

Analysis: Key questions to consider

- Have the provisions for transparency been implemented in practice?
- Have public bodies for the forest sector taken the necessary measures, such as improved information systems, to meet their obligations?
- Has these provisions been publicly promoted so that people understand their rights e.g. summarised and translated for a wider audience?
- Is there any evidence that these provisions have improved access to information on the forest sector?
- If there are no forest sector specific provisions, why have they not been established? Are they necessary to improve transparency and access to public information?

6. Recognition of Customary Rights in Forest Laws and Norms

Key question	Are customary and traditional rights recognised in codified forest law and supporting norms?
Traffic light (select one)	Yes/Partial/No
Change in Last Year (select one)	Significantly Improved Improved No Change Worsened Significantly Worsened
Comment (70 words)	
Title	a. b.
Organisation	a. b.
Date	a. b.
Source	a. b.
Analysis (250 words)	

Guidance

Definition: Customary rights are common rules or practices that are accepted by a community. They are often created by ancestral tenure, occupation and use of forests by indigenous peoples. Recognition of these rights signifies that they are formally acknowledged in forest law and that supporting norms have been established to make them operational in practice.

Key Criteria:

Yes = customary rights are recognised in forest law and supporting norms to make them operational have been established

Partial = customary rights are recognised in *draft* forest law **or** supporting norms to make current law recognition operational have not been established

No = customary rights are not recognised in forest law and norms

Change: Whether or not measures have been taken so that the customary rights of communities are recognised in practice

Analysis: Key questions to consider

- What are the main types of customary rights recognised in the law i.e. tenure, usage rights etc? Does this reflect the range of community forest tenure, occupation and practices?
- Have these provisions been publicly promoted so that people understand their rights e.g. summarised and translated for a wider audience?
- Are there adequate supporting norms and procedures to enact customary rights in practice?
- What have been the barriers to recognition of customary rights being incorporated into forest sector activities? In practice, have they been over-ruled by other interests?

7. Formal Procedures for Consultation on New Forest Norms

Key question	Is there a legally recognised procedure that specifies the methodology for consultation on the development of new forest-related norms?
Traffic light (select one)	Yes/Partial/No
Change in Last Year (select one)	Significantly Improved Improved No Change Worsened Significantly Worsened
Comment (70 words)	
Title	a. b.
Organisation	a. b.
Date	a. b.
Source	a. b.
Analysis (250 words)	

Guidance

Definition: Legally recognised procedures encompass laws, regulations and official guidance that set out the methodology for public consultation on the development of new forest-related norms e.g. when and how interested and affected stakeholders are able to input into the processing of drafting new norms and how these inputs will be accommodated.

Key Criteria:

Yes = consultation procedures have been legally recognised and published

Partial = consultation procedures have been prepared but they are not legally recognised or published

No = consultation procedures have not been established

Change: Whether or not measures have been taken to legally recognise and improve consultation procedures on new forest norms

Analysis: Key questions to consider

- What are the key consultation methods that are specified in the procedures? Are they sufficient for representing different stakeholders, in particular forest communities?
- Have the procedures been publicly promoted so that people understand their rights e.g. summarised and translated for a wider audience?
- In practice, has consultation followed the procedure as set out in the law?
- What are the key multi-stakeholder forums and groups that currently feed into consultation on new norms? Are they officially recognised?
- If not established, what are the barriers to establishing legally recognised consultation procedures? How could such procedures help to improve participation?

8. Legal Right to Free Prior and Informed Consent

Key question	Is the right to free prior informed consent of indigenous peoples and forest-dependent communities recognised in forest law and supporting norms?
Traffic light (select one)	Yes/Partial/No
Change in Last Year (select one)	Significantly Improved Improved No Change Worsened Significantly Worsened
Comment (70 words)	
Title	a. b.
Organisation	a. b.
Date	a. b.
Source	a. b.
Analysis (250 words)	

Guidance

Definition: 'Free prior and informed consent' (FPIC), is the principle that a community has the right to give or withhold its consent to proposed projects that may affect the lands or forest resources they customarily own, occupy or otherwise use. It is acknowledged in several human rights legal instruments and referred to in ILO Convention 169 in the context of relocation of indigenous peoples from their land. Forest laws and norms should include binding processes that support meaningful and authoritative choices by communities about development options.

Key Criteria:

Yes = FPIC is recognised in forest laws and in procedures applied to decision-making in the forest sector

Partial = FPIC is recognised in *draft* forest law **or** procedures to make current legal recognition operational have not been established

No = FPIC is not recognised in forest laws or procedures

Change: Whether or not measures have been taken to recognise the principle of FPIC and make it operational in the forest sector

Analysis: Key questions to consider

- How is the principle of FPIC recognised in law i.e. what are the key parameters? Has the country signed and ratified ILO Convention 169?
- Are there non-binding commitments made to FPIC, for example in REDD+ preparations or forest policies?
- What procedures have been established to support the exercise of FPIC in practice?
- Has the legal recognition and procedures for FPIC been summarised and translated into community languages for a wider audience?
- What evidence is there that indigenous peoples been able to exercise FPIC over forestry projects and development choices?
- What are the barriers to recognising and exercising FPIC?

9. National Land Tenure Policy

Key question	Is the national policy on land tenure, including forest tenure, set out in a current document?
Traffic light (select one)	Yes/Partial/No
Change in Last Year (select one)	Significantly Improved Improved No Change Worsened Significantly Worsened
Comment (70 words)	
Title	a. b.
Organisation	a. b.
Date	a. b.
Source	a. b.
Analysis (250 words)	

Guidance

Definition: A national land tenure policy is the set of intentions embodied in one or more documents that are adopted by the state to organise land tenure and land use.

Key Criteria:

Yes = a land policy, which has been updated or revised in the last ten years, has been adopted by the government

Partial = a land policy has been drafted but not yet adopted by the government **or** the policy is more than ten years old without any update or revised

No = a land policy has not been drafted or adopted by the government

Change: Whether or not measures have been taken to clarify and secure forest land tenure

Analysis: Key questions to consider

- Is the policy up-to-date or are there gaps (for example, does it require revision in the light of emerging issues such as community forest tenure rights)?
- Has the policy been developed/ revised in collaboration with all stakeholders?
- Has the policy shaped the development of the forest law and other norms?
- Has the policy been translated and disseminated across the country to improve understanding?
- Has the policy guided the organisation of forest land tenure and use in practice?
- How clear is the policy for supporting secure forest land tenure of indigenous peoples and rural communities?
- If not adopted/revised, what have been the barriers to its adoption or revision?

10. Consultation before Commercial Logging Allocation

Key question	Is there a legal requirement for stakeholder consultation to take place prior to the allocation of commercial logging operations?
Traffic light (select one)	Yes/Partial/No
Change in Last Year (select one)	Significantly Improved Improved No Change Worsened Significantly Worsened
Comment (70 words)	
Title	a. b.
Organisation	a. b.
Date	a. b.
Source	a. b.
Analysis (250 words)	

Guidance

Definition: When a forest is identified by the state or owner for any sort of commercial operation, the forest law and supporting norms to implement it may require that other affected or interested stakeholders are consulted on its allocation, for example on any terms and conditions applied to the resource use.

Key Criteria:

Yes = the forest law includes a requirement for stakeholder consultation prior to allocation and supporting norms implement it

Partial = the forest law includes a requirement for stakeholder consultation but there are no supporting procedures to implement it

No = there is no legal requirement for stakeholder consultation

Change: Whether or not measures have been taken to improve stakeholder consultation on planned commercial forestry operations

Analysis: Key questions to consider

- What are the main stakeholder consultation requirements that are specified in the laws and norms?
- Have the requirements for stakeholder consultation been publicly promoted so that people understand their rights?
- Where the forest is privately owned (either individually or collectively), is there any requirement to consult other affected or interested parties on proposed commercial logging?
- In practice, what evidence is there that consultation has taken place as required on specific allocations?
- If not required, what are the implications for resource use allocation?

11. Regulation of Environmental Services

Key question	Are there national laws and other norms that regulate the use of key environmental services of forests?
Traffic light (select one)	Yes/Partial/No
Change in Last Year (select one)	Significantly Improved Improved No Change Worsened Significantly Worsened
Comment (70 words)	
Title	a. b.
Organisation	a. b.
Date	a. b.
Source	a. b.
Analysis (250 words)	

Guidance

Definition: The importance of forests in maintaining key environmental services of carbon storage, water and biodiversity has led to international programmes like REDD+. National laws have developed to regulate how these key services are owned, used and shared, notably in relation to climate change.

Key Criteria:

Yes = national laws and other norms have been approved to regulate use of key environmental services

Partial = national laws and other norms have been drafted to regulate use of key environmental services **or** existing norms only regulate some of the key environmental services

No = no national laws or other norms have been drafted or applied to environmental services

Change: Whether or not measures have been taken to clarify the ownership, use and benefit sharing of environmental services

Analysis: Key questions to consider

- What current legislation applies to environmental services? Which services are covered?
- How are environmental services regulated currently? Is it clear how these services are owned, used and shared?
- What, if any, contradictions exist with other tenure policies and laws? For example, are rights to timber and carbon separated?
- What projects are currently harnessing environmental services?
- What plans are there to regulate environmental services? How are different stakeholders involved in planning?

12. Strategic Environmental Assessment

Key question	Is there a formal strategic environmental assessment and planning process to determine the priorities for land use between forests, mining, large-scale agriculture, infrastructure development and other demands?
Traffic light (select one)	Yes/Partial/No
Change in Last Year (select one)	Significantly Improved Improved No Change Worsened Significantly Worsened
Comment (70 words)	
Title	a. b.
Organisation	a. b.
Date	a. b.
Source	a. b.
Analysis (250 words)	

Guidance

Definition: Strategic environmental assessment (SEA) is defined as “the formalised, systematic and comprehensive process of evaluating the environmental effects of policy, plan or programme and its alternatives, including the preparation of a written report on the findings of that evaluation, and using the findings in publicly accountable decision-making”². It is intended to be a continuous process.

Key Criteria:

Yes = a system of SEA has been established covering all land uses

Partial = a system of SEA has been established but it only covers some land uses **or** only a one-off assessment has been produced

No = there is no system of SEA

Change: Whether or not measures have been taken to improve SEA systems that shape development decisions on all activities affecting forests

Analysis: Key questions to consider

- What laws and other norms specify how SEA operates in the country?
- What SEAs have been conducted? Have they been comprehensive or focused on just one sector?
- How are strategic decisions currently taken on different development options and their impacts on forests, such as mining, large-scale agriculture or infrastructure development?
- What impact has SEA had on decisions about conflicting land uses?
- What information and reports are produced from SEA processes?
- How have different stakeholders been able to contribute to SEA?
- What have been the barriers to the use of SEA in determining priorities? What land uses have tended to take precedence despite their environmental impacts?

² Therivel, R., Wilson, H., Thompson, S., Heaney, D., and Pritchard, D. (1992) *Strategic Environmental Assessment*. Earthscan..

13. Forest Ownership and Resource Use Maps

Key question	Are there publicly available official maps showing current types of forest ownership and forest resource use?
Traffic light (select one)	Yes/Partial/No
Change in Last Year (select one)	Significantly Improved Improved No Change Worsened Significantly Worsened
Comment (70 words)	
Title	a. b.
Organisation	a. b.
Date	a. b.
Source	a. b.
Analysis (250 words)	

Guidance

Definition: Maps are necessary to show forest land designation or zoning. They should also show ownership of forest land by type (e.g. state, community, private) and types of forest management or use (e.g. areas included in different concessions and permits for commercial use and protected areas for conservation).

Key Criteria:

Yes = maps are published covering all types of forest land ownership and resource use across the whole country, which have been updated within the last ten years

Partial = maps are published covering only some types of ownership or resource use across parts of the country **or** maps are more than 10 years old **or** maps can only be accessed on specific request

No = maps have not been published

Change: Whether measures have been taken or not to improve the coverage of maps and make them publicly available

Analysis: Key questions to consider

- What do existing maps cover? Forest land designation/zoning; ownership; resource use? Are they accompanied by lists or databases with further details?
- Who produced the current maps and how were they produced?
- To what extent are the current maps, up-to-date, accurate and comprehensive?
- How can maps be accessed by local communities?
- Are there plans to improve maps? What are barriers to mapping projects?

14. Legal Documents for Commercial Logging Operations

Key question	Are legal documents for commercial forestry operations publicly available?
Traffic light (select one)	Yes/Partial/No
Change in Last Year (select one)	Significantly Improved Improved No Change Worsened Significantly Worsened
Comment (70 words)	
Title	a. b.
Organisation	a. b.
Date	a. b.
Source	a. b.
Analysis (250 words)	

Guidance

Definition: A legal agreement, whether it is a contract, permit or licence, is typically required between the forest resource owner (which may be the nation, a private individual, or a community) and those given permission to carry out commercial operations for forest products (e.g. logging companies). In all forests, including those privately owned and operated by the same person or group, a licence may be required as a means to regulate operational standards and total annual production (e.g. area and volume of logging, which is used to control national deforestation)

Key Criteria:

Yes = all documents that form part of contracts or licences for commercial forestry operations across the country are published after their approval

Partial = only some contracts or licences in parts of the country are published **or** the documents can only be accessed on specific request

No = no contracts or licences are published

Change: Whether or not measures have been taken to systematically improve the publication of key contract and licence documents

Title/Organisation/Date/Source: Please state the relevant laws and norms that regulate commercial operations, in addition to data on the most recent documents and where they can be accessed

Analysis: Key questions to consider

- Do all types of commercial logging operation require a contract, permit, or licence? What are main requirements and how are they administered? What gaps are there?
- For what types are documents generally published or not?
- What details are typically included in the contract or licence documents? Are any sections or whole documents not published, for reasons such as 'commercial confidentiality'?
- How can local communities access documents on commercial logging operations that have been approved in their area?

15. Reports on the Verification Process of Eligibility of Commercial Operators

Key question	Are the reports published from a formal “due diligence” process on the eligibility, suitability and capability of applicants for contracts or licences to conduct commercial forestry operations?
Traffic light (select one)	Yes/Partial/No
Change in Last Year (select one)	Significantly Improved Improved No Change Worsened Significantly Worsened
Comment (70 words)	
Title	a. b.
Organisation	a. b.
Date	a. b.
Source	a. b.
Analysis (250 words)	

Guidance

Definition: Forest laws, public procurement or commerce laws, and supporting norms may stipulate requirements for independent verification (due diligence) of any applicants for commercial forestry operations prior to approval of a contract or licence. These measures are intended to check the eligibility, suitability or capability (technical and financial) of the applicant.

Key Criteria:

Yes = all reports on the verification of applicants are regularly published when they are produced

Partial = only some reports are published **or** reports are only available on specific request

No = no reports are published (this may also apply if there is no established verification process)

Change: Whether or not measures have been taken to improve the independent verification of applicants and publish the reports on these checks

Title/Organisation/Date/Source: List the relevant laws and supporting norms that set out the requirements for independent verification, as well as the source of most recently published reports

Analysis: Key questions to consider

- What checks are stipulated in the legislation?
- What organisation is responsible for verification? How have its reports been published to date?
- Have checks been fully carried out as required? What impact have they had on the allocation of contracts or licences?
- Are there reports of a failure to apply the checks properly?
- If reports are not published, then what have been the barriers to them?
- If there is no verification process of applicants, what are the implications for forest governance?

16. Forest Management Plans

Key question	Are forest management plans published?
Traffic light (select one)	Yes/Partial/No
Change in Last Year (select one)	Significantly Improved Improved No Change Worsened Significantly Worsened
Comment (70 words)	
Title	a. b.
Organisation	a. b.
Date	a. b.
Source	a. b.
Analysis (250 words)	

Guidance

Definition: This indicator relates to operational plans prepared by the company or organisation responsible for managing specific areas of forests. It refers to plans setting out details such as the scale, volume and time-period of different activities, such as logging or conservation.

Key Criteria:

Yes = forest management plans are regularly published

Partial = only some forest management plans are published **or** they are only available on specific request

No = no forest management plans are publicly available

Change: Whether or not measures have been taken to improve the contents, production and publication of forest management plans

Title/Organisation/Date/Source: List the relevant laws and supporting norms that set out the requirements for forest management plans, as well as the source of published plans

Analysis: Key questions to consider

- How and when are forest management plans usually produced? What input do different stakeholders have in their preparation?
- What information is generally provided in plans? What is missing from plans?
- How can communities access forest management plans related to their local area?
- What are barriers to forest management plans being made accessible?

17. Reports from Independent Forest Monitoring

Key question	Are reports by an independent forest monitor published?
Traffic light (select one)	Yes/Partial/No
Change in Last Year (select one)	Significantly Improved Improved No Change Worsened Significantly Worsened
Comment (70 words)	
Title	a. b.
Organisation	a. b.
Date	a. b.
Source	a. b.
Analysis (250 words)	

Guidance

Definition: Independent Forest Monitoring (IFM) is the use of one or more independent third party that, by agreement with state authorities, provides an assessment of legal compliance, and observation of and guidance on official forest law, governance and enforcement systems.

Key Criteria:

Yes = IFM reports are regularly published

Partial = IFM reports are only sometimes published **or** are available only on specific request

No = no IFM reports are published (this also applies if there is no recognised form of IFM)

Change: Whether or not measures have been taken to improve IFM including regular reporting on forest enforcement

Title/Organisation/Date/Source: List the relevant laws and supporting norms that set out the IFM process, as well as the source of most recent IFM reports

Analysis: Key questions to consider

- What laws or norms have established the process of IFM?
- How long has IFM been conducted in the country and what activities does it cover?
- How are IFM reports published e.g. are they approved by a committee before publication?
- What have been the benefits of IFM? What has limited its impact?
- If not established, what have been the barriers to IFM? What are the prospects for it to be set up?

18. Data on Distribution of Forest Royalties and Incentives

Key question	Is data regularly published on the distribution of forestry royalties and/or incentives to stakeholders?
Traffic light (select one)	Yes/Partial/No
Change in Last Year (select one)	Significantly Improved Improved No Change Worsened Significantly Worsened
Comment (70 words)	
Title	a. b.
Organisation	a. b.
Date	a. b.
Source	a. b.
Analysis (250 words)	

Guidance

Definition: The fiscal systems covered by this indicator depend on how the forest sector operates. For some countries, it applies to the collection and distribution of royalties from commercial forestry operations granted by the state to different stakeholder groups, such as municipalities and communities. In others, it applies to the distribution of funding incentives to forest landowners to support forest management or conservation activities.

Key Criteria:

Yes = data is regularly published on the amounts distributed to different stakeholder groups across the country

Partial = data is inconsistently published on only some stakeholder groups or areas **or** it is only available on specific request

No = no data is published

Change: Whether or not measures have been taken to improve information dissemination on the fiscal system applied to the forest sector

Title/Organisation/Date/Source: List the relevant laws and supporting norms that govern the fiscal system(s), as well as details of the source of the most recent reports with data on the amounts distributed

Analysis: Key questions to consider

- Is full information on the amounts collected and distributed made available to the public? How regularly is it published?
- How can local stakeholders access information on the amounts distributed?
- Is the information used to facilitate decision-making on the use of funds?
- What are the barriers to equitable distribution?

19. Information on Forest Law Infractions

Key question	Is data regularly published on infractions of forest law?
Traffic light (select one)	Yes/Partial/No
Change in Last Year (select one)	Significantly Improved Improved No Change Worsened Significantly Worsened
Comment (70 words)	
Title	a. b.
Organisation	a. b.
Date	a. b.
Source	a. b.
Analysis (250 words)	

Guidance

Definition: Infractions include forestry activities that breach the conditions of established laws, regulations, plans, permits or licences. In order to be an effective deterrent and demonstrate that the law is being enforced appropriately, as well as to be transparent about incomes to authorities, data should be published on the number of offences prosecuted and the fines paid.

Key Criteria:

Yes = data on infractions across the country are regularly published

Partial = data on infractions are inconsistently published **or** can only accessed on specific request

No = no data are available on infractions

Change: Whether or not measures have been taken to improve reporting on forest law infractions

Title/Organisation/Date/Source: List the relevant laws and supporting norms that apply to dealing with forest law infractions, as well as the sources of recent data on infractions

Analysis: Key questions to consider

- What details on forest law infractions are published?
- How can local communities access information on infractions in their area?
- Does the list of infractions show the progress of cases through the legal system, and the amount of any fines paid?
- How is information used e.g. is the information shared to prevent infractors from applying for further permits or licences?
- If details of infractions are not published, why not? Are they sometimes 'leaked' and appear in media reports?

20. Annual Forest Authority Report

Key question	Are annual reports published by the forest authority?
Traffic light (select one)	Yes/Partial/No
Change in Last Year (select one)	Significantly Improved Improved No Change Worsened Significantly Worsened
Comment (70 words)	
Title	a. b.
Organisation	a. b.
Date	a. b.
Source	a. b.
Analysis (250 words)	

Guidance

Definition: Annual forest authority reports are required to give a summary of major developments in the forest sector and details of its work, financial accounts and the activities that it regulates.

Key Criteria:

Yes = an annual report has been published for 2011

Partial = an annual report has been published in one or more of the last five years (but not 2011)

No = an annual report has not been published in the last five years

Change: Whether or not the forest authority has improved the content and consistency of its annual reporting

Title/Organisation/Date/Source: In addition to the reports, list any relevant laws and supporting norms that oblige the authority to publish an annual report and/or annual audited accounts.

Analysis: Key questions to consider

- What information is included in recent annual reports? What key information is missing?
- How has the report been distributed?
- Is there any evidence that the annual reports have informed planning for the coming year?
- Is the report discussed, for example in the legislature or forestry forums?
- If not regularly published, what has prevented it? Are there plans to produce reports, and if so, for which years?