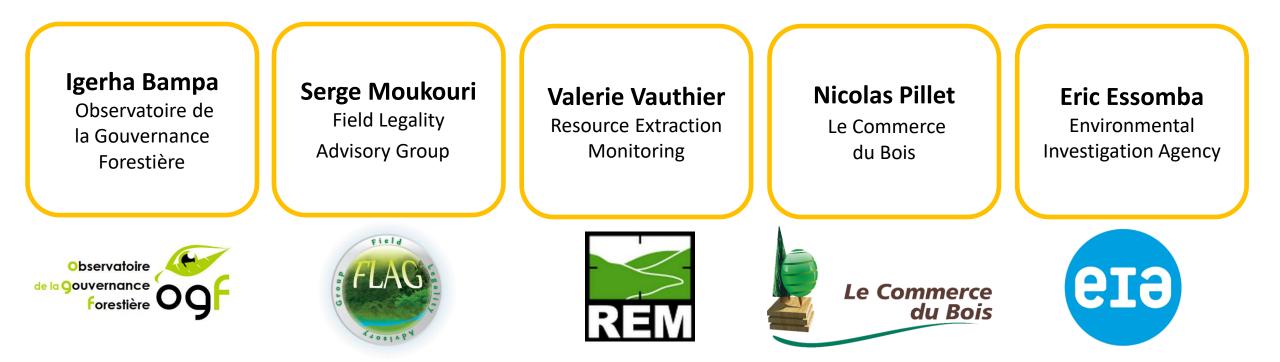


FOREST LEGALITY WEEK

Independent Monitoring–What's Next?

Moderator : Marie Vallée, WRI





PART 1 : WHAT IS INDEPENDENT FOREST MONITORING (IM) AND WHAT IS IT SUPPOSED TO ACHIEVE?



- Response to weak law enforcement + pressure from donors, INGOs and objectives expressed by Governments >> Innovative tripartite collaboration
- Original request from Cameroon government and DFID to GW, expanded to French, Dutch, German, Italian, WB, EU funding with REM as IM
- Cameroon Mandate for in-country proactive but non-campaigning IM for forest infractions + law enforcement
- IM expansion in Congo Basin + West Africa
- Coevolution of IM and FLEGT-VPA: Technical input of IM in TLAS, IM formally included in VPA annexes



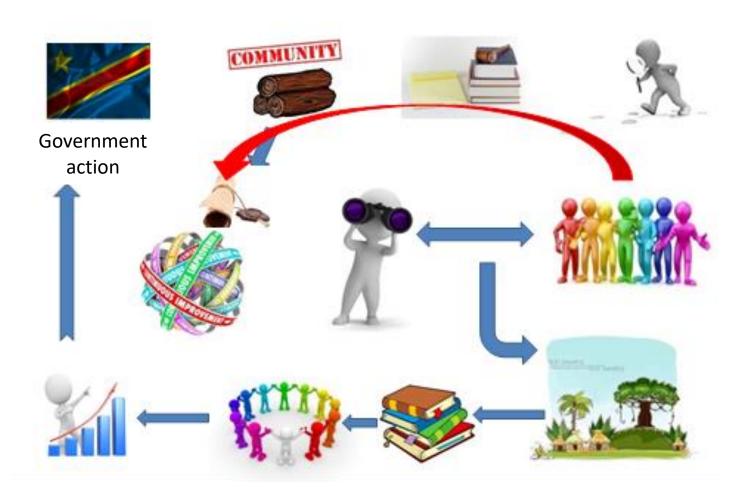


- Highlight issues and weaknesses Private sector and forest governance as well as law enforcement
- Propose recommendations to improve law enforcement
- Follow-up on measures taken by government
- Contribute to FLEGT implementation





HOW MANDATED IM WORK







Mandated:

- MoU with the ministry
- Easier access to information and forest concessions (written authorization and sometimes joint missions with the ministry
- Reading committee approving the report before publication

Non-mandated (external)

- More flexibility
- No mandatory reading committee
- Collaboration with the ministry possible but less formal



- Mandated + integrated in VPA-FLEGT process, work close to governments
- No lobby/campaigning, no undercover work, or high profile communication
- Continuous commitment in one country
- Provide data that Intl NGOs need
- Both serve a purpose and complement one another





PART 2 : HOW DOES IM WORK IN REALITY? WHAT DO IM ACHIEVE?

Who are the IM in the Congo Basin and what is their level of activity? <u>What are the main trends? What is the funding?</u>

		2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Cameroon	Mandated																			
	Non Mandated																			
Congo	Mandated																			
	Non Mandated																			
DRC	Mandated																			
	Non Mandated																			
Gabon	Mandated																			
	Non Mandated																			
CAR	Mandated																			
	Non Mandated																			

Funding:

Mainly short term, decreasing amounts, do not allow optimal deployment

Forest Legality in the Congo Basin, Part II



Field

FLAG



In general:

- Recommendations only taken into account on a case by case basis (even for mandated IM)
- Actions taken vary a lot according to the case
- When an infringement is confirmed by the national government inspectors, follow up to the infraction is managed at the level of the forest ministry (regular process)

Specific to Cameroon:

- In the registry of infringements, cases are transferred to the court (exception to the regular process) mostly when it is not possible to solve them at the ministry level
- Example of actions taken after IM reports: on 7 reports sent by FODER to the Ministry of Forests, 3 led to a mission from inspectors and sanctions for companies another external IM report led to a \$13,100 fine for a company

- Boundaries of 2 forest concessions that were superposed were clarified by the Ministry
- Number of trees now included in the quarterly statements summarizing the volume of wood harvested by a company (article 41 of arrêté 084/CAB/MIN/ ECN-DD/CJ/00/RBM/2016 about conditions and rules for timber harvest).





To be considered in a risk assessment

- Prevalence of illegal harvesting
- Compliance with applicable legislation
- Risk at harvesting level
- Sanctions imposed on country & suppliers





EUTR manager

- Senior position
- Low availability on the matter
- Strong field experience

EUTR operator

- Educated but not in the field (sales, accounting,...)
- Little to no field experience
- Gathers information and conducts risk assessment





Limiting factors of IM work as part of due diligence process

- Technically challenging & time consuming
- Need for ready to use solution from operators
- Perceived as too close to NGO agenda
- Low visibility



What 3-5 things do you think IMs could improve?



- Collect data more applicable to improve enforcement on demand and supply side
- More technical work, less capacity training, workshops, etc.
- Strategy for accelerated replicability in other countries Equivalent quality and number of targeted IM actions
- Increased connections with other stakeholders/tools CITES, wildlife crimes, human rights
- Seek a stable funding model? Efficiency, focus and new funding options (tech and wider scope)





PART 3 : UNDERSTANDING WHY IT IS NOT ALWAYS POSSIBLE TO ACHIEVE THE RESULTS : THE CHALLENGES

- General forest governance issue/corruption
- Lack of collaboration between the ministry in charge of the forests and the Ministry of Justice to ensure efficient implementation of penalities
- Very few magistrates know the forest law
- Lack of political will
- Indifference from the private sector





- Difficulties to access information from other services (finance, customs, harbors, etc.)
- Delays in publication (between 2 to 6 months)
- IM recommendations are still not taken into account enough
- Lack of sustainable funding
- Lack of political will to promote transparency and good governance
- Legitimacy of the IM activities questioned by private sector





PART 4 : WHAT IS DONE TO TACKLE THESE CHALLENGES : WHAT WILL THE NEXT GENERATION OF IM LOOK LIKE?



- Innovative tools for IMs (RTM, drones, mobile apps and other tools (Forest Watcher, FLEGTwatch, OTP, GLAD alerts, ...)
- Harmonization of methods (SNOIE)
- Implementation of a capacitation program for IM in the region (CV4C)
- Joint efforts of the IMs in the region to work as a platform to ensure quality and credibility of reports
- Adoption by IMs in the region of a definition and development of a set of principles for IM





- Combined strategy: In-country IMs and a roaming 'A-team' of IM experts
- Timber: Explore links with emerging technologies DNA, isotope testing, Blockchain (https://gaiachain.io/)
- Convergence of information and common tools: Illegal wildlife, human rights, laundering, weapons and crime – Big data, I2
- Sustainable funding model enabling solid input of IM data to enable comparison of producers by buyers





- EIA's priority: increase the productive nexus between IMs/EMs and demand-side users through more and better exchange of actionable information
- Three main areas of work involve support for:
 - Better demand-side oriented collection/presentation of information (content, language, evidence, meta information, contact point, etc.)
 - EM/IM monitoring "outside of the forest" (transport, export and trade)
 - EM/IM capacity to analyze key global/regional timber trade trends.
- Work on low hanging fruit such as the daily breach of log export bans (see recent EIA's report: Log Export Bans Matter)





CONCLUSION



THANK YOU!

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