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# ASSESSING FOREST GOVERNANCE

*The Governance of Forests Initiative  
Indicator Framework*

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# OVERVIEW

This document (the “Governance of Forests Initiative (GFI) Indicator Framework”) provides a comprehensive menu of indicators that can be used to diagnose and assess strengths and weaknesses in forest governance. The indicators can be taken as a complete package, or a subset of indicators can be selected. Similarly, the indicators can be used as they are currently written, or they can be further adapted for local objectives and contexts. These decisions are left to the user.

As a companion to this document, The GFI Guidance Manual (“GFI Manual”) helps the user navigate decisions about how to design and implement a governance assessment using the GFI indicators. The manual also includes detailed indicator-by-indicator guidance and worksheets to support the data collection process. The GFI Manual is available for download at: <http://www.wri.org/our-work/project/governance-forests-initiative/tools#project-tabs>.

The GFI indicators were field-tested by GFI’s civil society partners in Brazil, Cameroon, and Indonesia between 2010 and 2012. The partners’ experiences helped improve the indicators and generated practical lessons about assessment design and governance data collection. These tips are featured in the GFI Manual along with other good practice guidance from governance assessment experiences around the world.

GFI partners used the indicators to support civil society–led, evidence–based advocacy for forest governance reforms at national and subnational levels. However, the GFI indicators could be useful for many different types of users and applications at various scales. These may include but are not limited to:

- Government agencies wishing to assess the effectiveness of policy implementation
- Legislators seeking to identify priorities for legal reforms
- Multistakeholder bodies aiming to build consensus about governance challenges
- NGO watchdogs or oversight bodies seeking to monitor government performance
- International organizations or donor agencies seeking to verify compliance with safeguards

The GFI Indicator Framework and Manual have been designed to be flexible and adaptable to support a customized assessment approach by multiple potential users and for multiple applications.

# ABOUT FOREST GOVERNANCE

## WHAT IS FOREST GOVERNANCE?

There is no simple or broadly accepted definition of “governance,” even though the term is widely used across many disciplines. Good governance is often associated with principles such as transparency, participation, and accountability. In the context of international development, the notion of good governance is commonly seen as a critical foundation for achieving positive social, environmental, and economic outcomes.

Conversely, weak governance is often blamed for poor development outcomes, such as poverty and unsustainable levels of natural resource depletion. In the context of forests, a lack of transparency and accountability is often associated with problems such as illegal logging and corruption. Similarly, a lack of open and inclusive decision-making often contributes to the marginalization and impoverishment of forest-dependent communities and indigenous peoples.

GFI does not aim to provide a new definition of forest governance. However, for the purpose of designing and structuring the indicators, GFI created a framework that helps explain forest governance through several easily understood concepts. The framework is further elaborated in the following section. GFI generally views governance through a procedural lens. In other words, forest governance has to do with the process of how decisions are made about forests, as opposed to focusing exclusively on what decisions are made or the outcomes of those decisions. As such, GFI views governance as including much more than government, since decisions about forests are shaped by a wide range of public and private actors.

## WHY ASSESS FOREST GOVERNANCE?

It is easier to manage things that can be measured. For example, project impacts are often assessed by measuring quantifiable outputs such as the number of hectares of forest protected or local jobs created. Such assessments can help project implementers and stakeholders understand and reach agreement on what the project is doing well and what can be improved.

Challenges in measuring forest governance impede efforts to strengthen it. Governance is inherently difficult to assess in a quantitative fashion, and qualitative assessments are often seen as too subjective. Furthermore, the difficulty in clearly defining forest governance raises questions about what exactly should be assessed.

The GFI Indicator Framework contributes to addressing both of these challenges. It provides a clear model for identifying what to assess, and it proposes a qualitative assessment approach that is systematic and replicable. In doing so, GFI aims to support ongoing efforts to strengthen forest governance around the world. These efforts are being led by civil society, governments, donors, multilateral agencies, the media, and the general public. They are taking place across multiple scales, from international schemes like REDD+ to community-level initiatives.

# THE GFI FRAMEWORK

The GFI framework provides a simple way to understand forest governance by defining three foundational components of governance and five principles that characterize “good” governance. These concepts are critical for understanding the spirit and meaning behind the indicators. In addition, the framework outlines six thematic areas reflecting key forest-related issues of common interest and concern. The thematic areas are used to group the indicators.

## THREE COMPONENTS OF FOREST GOVERNANCE

For any given indicator, the object of assessment (i.e., the thing being scrutinized) can be one of three different components of forest governance:

- **Actors:** The GFI indicators assess a range of people and institutions that shape decisions about how forests are managed and used. These actors include government agencies, legislatures, companies, communities, the media, and civil society.
- **Rules:** The GFI indicators assess policies, laws, and regulations that affect forests. Some indicators are used to investigate the process by which policies and laws are created and changed, whereas other indicators help evaluate the content of existing policies and laws.
- **Practices:** The GFI indicators assess how actors develop and apply rules to drive practices at an operational level. For example, the indicators gauge the effectiveness of administrative processes and enforcement actions and thereby the extent to which rules are actually implemented.

## FIVE PRINCIPLES OF GOOD GOVERNANCE

The five principles of good governance provide the benchmark of quality against which each component of forest governance (actors, rules, and practices) can be assessed. For example, an indicator may show the extent to which a government actor acts in an accountable manner, or the degree to which a law promotes transparency by guaranteeing public access to information.

- **Transparency:** Transparency is the process of revealing actions so that outsiders can scrutinize them. Facilitating access to information is critical in order to inform and engage public constituents. Attributes of transparency include the comprehensiveness, timeliness, availability, and comprehensibility of information, as well as the proactiveness of efforts to inform affected groups.
- **Participation:** Diverse and meaningful input helps decision-makers consider different issues, perspectives, and options when defining a problem and solution. It allows them to gather new knowledge, integrate public concerns into decision-making, and manage social conflicts by bringing different stakeholders and special interest groups together at an early stage. Elements of access to participation include formal space for participation in relevant forums, the use of appropriate mechanisms to invite participation, the inclusiveness and openness of such processes, and the extent to which gathered input is taken into account.



- **Accountability:** Accountability exists when the actions and decisions taken by an actor are subject to oversight, so as to guarantee that they meet stated objectives and respond to the needs of the stakeholders they are meant to benefit. The concept of accountability involves two dimensions: answerability and enforcement. Answerability refers to the obligation to provide information about decisions and actions and justify them to stakeholders and other overseeing entities. Enforcement requires sanction and redress when the actor fails to meet its obligations. Many types of accountability relationships are relevant to forests. The accountability relationship between public officials and citizens is often particularly important.
- **Coordination:** Coordination exists when different actors whose decisions impact forests work together and share information in order to advance common objectives. Most governments have separate authorities with oversight for forests, environment, land use, agriculture, infrastructure, and so on. Horizontal coordination across economic sectors is therefore critical. In addition, many countries decentralize or devolve responsibilities for forest management across multiple administrative scales. Thus, vertical coordination across levels of government is also important.
- **Capacity:** Capacity can be broadly interpreted in terms of financial, human, technological, legal, and institutional resources to perform a function. In the context of forest governance, capacity can be more narrowly defined as the ability to execute the other four principles of good governance described above.

## SIX THEMATIC AREAS

The indicators are clustered according to six thematic areas, which reflect key forest-related issues of common interest and concern. The thematic areas are further disaggregated into subthemes. This organizational structure, selected for its simplicity and broad global relevance, is designed to help users quickly select and prioritize subsets of indicators. The indicators can also be divided and subdivided in other ways, however, depending on user preference.

- **Forest Tenure** is a broad concept including forest ownership rights and other secondary rights to access, use, and manage forest resources. Forest tenure shapes the relationship between people with respect to forests by defining who can use what resources, for how long, and under what conditions. The indicators in this thematic area show how a broad spectrum of forest tenure rights are recognized, supported, and protected in both law and practice, whether these rights are held by communities or individuals. They also detail the legal basis for state ownership of forest lands and resources, and procedures for the large-scale allocation of rights in public forests through concessions or other types of licenses for commercial purposes.
- **Land Use** addresses various multisector planning processes that determine how forest lands can be used. The indicators in this thematic area explore integrated land use planning processes — often at a national scale — that seek to put land into optimal uses given the economic and social conditions of an area. They also assess sector-specific planning processes that may impact forest land use, including the forest-specific process of classifying forest uses within designated forest areas. In addition, they address relevant planning processes from beyond the forest sector, such as ones from the mining, agriculture, infrastructure, and energy sectors.

# THE GFI FRAMEWORK

- **Forest management** consists of the operational aspects of monitoring, managing, and enforcing the various uses of forests, including conservation and ecological uses, community uses, and commercial extractive uses. The indicators in this thematic area assess the overarching legal and policy framework that sets the objectives and parameters for forest management, as well as the strategies and plans for achieving those objectives. They also cover forest management planning and implementation at a more operational level, as well as forest monitoring and enforcement activities to ensure compliance.
- **Forest revenues** covers the entire spectrum of revenue management in the forest sector. The indicators in this thematic area address the establishment of a forest charge system (e.g., taxes, royalties, and fees related to forest extraction and use), the administration and enforcement of that system, and the earmarking and reinvestment of those revenues through central budgets, specialized funds, and other revenue-sharing arrangements. Some of the indicators particularly focus

on how the benefits from forest management are shared with local communities.

- **Cross-cutting institutions** leads us to take a closer and more direct look at key actors, including the legislature, the judiciary, executive agencies, the private sector, civil society, and the media. The indicators in this section complement the first four thematic areas and can be applied multiple times. For example, the performance of the legislature can be assessed with respect to tenure laws, land use laws, or forest laws.
- **Cross-cutting issues** evaluates several key topics in more detail, including the quality of public participation and public access to information, financial transparency and accountability, and efforts to combat corruption. The indicators in this section complement the first four thematic areas and can be applied multiple times. For example, the quality of public participation can be assessed with respect to a land use planning process or a forest policy reform.

Figure 1 | Organization of the Indicators by Thematic Area and Subtheme

| FOREST TENURE   | LAND USE  | FOREST MANAGEMENT  | FOREST REVENUES   | CROSS-CUTTING INSTITUTIONS  | CROSS-CUTTING ISSUES  |
|---|---|--|---|---|---|
| <ul style="list-style-type: none"> <li>■ Forest ownership and use rights</li> <li>■ Tenure dispute resolution</li> <li>■ State forest ownership</li> <li>■ Concession allocation</li> </ul> | <ul style="list-style-type: none"> <li>■ Land use planning</li> <li>■ Land use plan implementation</li> <li>■ Sectoral land use</li> <li>■ Forest classification</li> </ul> | <ul style="list-style-type: none"> <li>■ Forest legal and policy framework</li> <li>■ Forest strategies and plans</li> <li>■ Forest monitoring</li> <li>■ Forest management practices</li> <li>■ Forest law enforcement</li> </ul> | <ul style="list-style-type: none"> <li>■ Forest charge administration</li> <li>■ Forest revenue distribution</li> <li>■ Benefit sharing</li> <li>■ Budgeting</li> </ul> | <ul style="list-style-type: none"> <li>■ Legislature</li> <li>■ Judiciary</li> <li>■ Executive agencies</li> <li>■ Private sector</li> <li>■ Civil society</li> </ul> | <ul style="list-style-type: none"> <li>■ Public participation in decision-making</li> <li>■ Public access to information</li> <li>■ Financial transparency and accountability</li> <li>■ Anticorruption measures</li> </ul> |



# HOW TO USE THE INDICATORS

The GFI framework contains 122 unique indicators, which together provide a relatively comprehensive perspective on forest governance. These indicators can be seen as a menu of options to select from rather than a fixed set.

## BASIC STRUCTURE OF AN INDICATOR

The term “indicator” is generally used to describe a quantitative, qualitative, or descriptive attribute that, if assessed periodically, could indicate direction of change (e.g., positive or negative) in that attribute. The GFI indicators are qualitative in nature, since they generally aim to assess quality of process rather than quantifying outputs or outcomes.



# HOW TO USE THE INDICATORS

## TAILORING THE INDICATORS

The indicators have been designed to maximize global relevance. However, the indicators can and should be contextualized to better fit local needs. For example, generic terms can be replaced with more locally relevant terminology and language. The indicators can also be adapted based on contextual factors such as scale of assessment (e.g., national versus subnational scope), type of forest biome (e.g., tropical versus boreal), or type of ownership regime (e.g., publicly versus privately owned forest). Additional suggestions for tailoring the indicators can be found in the GFI Manual.

## DATA COLLECTION

Each element of quality presents a distinct research question. The GFI Manual presents detailed indicator-by-indicator guidance on data collection techniques and potential sources of information. Major sources of information include laws and policies, civil society reports, government reports and information systems, and interviews with forest sector stakeholders (e.g., government officials, civil society experts, academics, forest communities, and indigenous peoples). The GFI indicators do not require complex sampling or survey methodologies, although they could be adapted for such an application.

## SCORING

Depending on the objectives of an assessment, scoring the indicators may or may not be necessary. For example, if the aim is to diagnose a governance problem in order to suggest a solution, the process of systematically collecting and documenting evidence for each element of quality can provide significant insight without assigning a score to an indicator. However, scoring may be useful for certain applications, particularly for monitoring trends over time. Various scoring methods could be developed for the GFI indicators, and these are further elaborated in the manual. For example, a simple way of scoring these indicators is to assign a binary yes/no value to the elements of quality, and then to assign a low, medium, or high score to the overall indicator depending on the number of elements of quality that were met. Consistency in how values are assigned is very important for ensuring the comparability of results across different indicators and through time.

Example:

0–1 elements of quality met: LOW  
2–3 elements of quality met: MEDIUM  
4–5 elements of quality met: HIGH







# FOREST TENURE

1

Forest Tenure shapes the relationship between people with respect to forests by defining who can use what resources, for how long, and under what conditions. Clear and secure forest tenure is widely believed to be a key enabling condition for sustainable management of forests. The forest tenure indicators are divided into four subthemes:

## 1.1 FOREST OWNERSHIP AND USE RIGHTS

Forest ownership and use rights (hereafter called “forest tenure rights”) refers to the entire bundle of forest-related property rights that may be held individually or communally in a country, including rights of land ownership and secondary rights to access, use, and manage forest resources.

## 1.2 TENURE DISPUTE RESOLUTION

Tenure dispute resolution refers to the efforts made by judicial, administrative, and/or community-based entities to resolve conflicts arising between individuals or groups with respect to forest tenure rights.





### 1.3 STATE FORESTS

State forests are forest lands owned by the government. They may be obtained by the government through purchase or expropriation (also known as compulsory acquisition or eminent domain), and in other cases they may be designated as state forest if presumed not to belong to anybody else. This designation may be reversed by selling or giving away the land or changing the status of the land to nonforest.

### 1.4 CONCESSION ALLOCATION

Concession allocation refers to the process whereby the government confers use rights in state forests to a private entity through a contractual agreement. The agreement may be referred to as a concession, license, permit, or other contract type and often relates to commercial forest exploitation, agricultural, or mining activities.

## 1.1 Forest Ownership and Use Rights

1

### Legal recognition of forest tenure rights

To what extent does the legal framework recognize a broad spectrum of existing forest tenure rights and rights-holders?

#### ELEMENTS OF QUALITY

*Individual rights.* The forest tenure rights held by individuals and households are recognized in the legal framework.

*Communal rights.* The forest tenure rights collectively held by local communities and other relevant groups are recognized in the legal framework.

*Traditional rights.* The forest tenure rights traditionally held by indigenous peoples and other groups with customary tenure systems are recognized in the legal framework.

*Rights of women.* The legal framework does not discriminate against the forest tenure rights of women.

2

### Legal support and protection of forest tenure rights

To what extent does the legal framework promote and protect the exercise of forest tenure rights?

#### ELEMENTS OF QUALITY

*Clarity.* The legal framework defines rights clearly and consistently.

*Duration.* The legal framework defines rights that are of adequate duration.

*Scope.* The legal framework defines rights that are of adequate scope.

*Restrictions.* The legal framework does not place unreasonable restrictions on how rights can be exercised.

*Protections.* The legal framework assures that rights cannot be taken away or changed unilaterally and unfairly, and it protects all citizens against forced evictions and denial of access to essential natural resources.

*Enforcement mechanisms.* The legal framework establishes mechanisms to enforce rights and seek redress when rights are not respected.

3

### Legal basis for adjudication of forest tenure rights<sup>1</sup>

To what extent does the legal framework define a fair and effective process for the adjudication of forest tenure rights?

#### ELEMENTS OF QUALITY

*Clarity of process.* The legal framework defines a clear and streamlined process for adjudication.

*Requirements to identify claimants.* The legally prescribed process requires that all existing tenure claims and claimants be identified and documented at the outset.

*Requirements to consult claimants.* The legally prescribed process requires that all identified claimants be fully informed and consulted.

*Criteria to resolve overlapping claims.* The legally prescribed process includes fair procedures and criteria for resolving overlapping claims.

1. Adjudication is the process of final and authoritative determination of existing rights and claims of people to land and/or resources. Adjudication may occur in the context of first-time registration of rights, or it may occur to resolve a doubt or dispute after registration.



4

### Forest tenure adjudication in practice

To what extent are forest tenure rights fairly and effectively adjudicated in practice?

#### ELEMENTS OF QUALITY

*Identification of claimants.* Existing tenure claims and claimants are identified and documented at the outset.

*Provision of information.* Claimants are provided with understandable information about the adjudication process.

*Consultation of claimants.* Claimants are fully and effectively consulted.

*Support for vulnerable claimants.* Vulnerable claimants have access to legal and other relevant support as needed.

*Fairness of outcomes.* The adjudication process does not result in any forced evictions or uncompensated loss of legitimate rights.

*Access to redress.* Claimants have access to effective redress mechanisms if their rights are not respected.

5

### Legal basis for administration of forest tenure rights<sup>2</sup>

To what extent does the legal framework provide for fair and effective administration of forest tenure rights?

#### ELEMENTS OF QUALITY

*Comprehensiveness.* The legal framework comprehensively regulates all types of administrative services necessary to recognize and support existing forest tenure rights.

*Simplicity.* Legally prescribed administrative procedures avoid unnecessary complexity and minimize opportunities for administrative discretion.

*Fairness.* Fees and other legally prescribed requirements are reasonable and affordable for the majority of customers.

*Accountability.* Customers have the legal right to challenge administrative decisions.

2. With respect to rights of ownership, administration may include activities such as titling, registering, surveying, demarcating, and transferring rights. In the case of usufruct rights, administration may include allocating permits, licenses, or other types of forest use contracts.

6

### Forest tenure administration in practice

To what extent do government offices provide high-quality forest tenure administration services that are widely accessible to customers?

#### ELEMENTS OF QUALITY

*Legal compliance.* Service providers adhere to relevant laws and regulations.

*Service standards.* Service providers advertise and adhere to clear service standards.

*Nondiscrimination.* Service providers serve all customers without discrimination.

*Accessibility.* Service providers offer services at times and locations that are convenient to customers.

*Timeliness.* Service providers deliver services in a reasonable amount of time.

*Accountability.* Customers can easily file complaints and challenge administrative decisions.

## 1.1 Forest Ownership and Use Rights

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### Management of forest tenure information<sup>3</sup>

To what extent does the government maintain and provide access to high-quality information about forest tenure?

#### ELEMENTS OF QUALITY

*Centralized system.* Information about forest tenure rights is maintained in a centralized system.

*Comprehensiveness.* The information system contains comprehensive records of legally recognized rights (private and public).

*Inclusion of informal rights.* The information system contains or links to available information about informal rights.

*Accuracy.* The information system is up-to-date and accurate.

*Government accessibility.* Information within the system can be easily accessed by relevant government users.

*Public accessibility.* Information within the system can be easily accessed by the public.

8

### Empowerment of rights-holders

To what extent are forest tenure rights-holders empowered and supported to exercise their forest tenure rights?

#### ELEMENTS OF QUALITY

*Awareness of rights.* Efforts are made to raise the awareness of rights-holders about their forest tenure rights and duties under the law.

*Access to information.* Rights-holders have access to understandable information about the administrative channels available to formalize and defend their rights.

*Access to support.* Rights-holders have access to capacity building services and technical support as needed to fully exercise their rights.

*Assistance for vulnerable rights-holders.* Vulnerable rights-holders have access to additional legal, technical, and financial assistance as needed.

9

### Recognition and protection of forest tenure rights in practice

To what extent are forest tenure rights widely recognized and protected in practice?

#### ELEMENTS OF QUALITY

*Recognition.* Most rights-holders have had their rights formally recognized and recorded.

*Demarcation.* Most individual and communal forest lands have boundaries demarcated and surveyed.

*Enforcement.* Infringements of rights are quickly and fairly addressed.

*Gender equity.* Rights registered to individuals or households are often registered in the names of women, either jointly or individually.

*Customary tenure.* Minimal conflict exists between customary forest tenure systems and statutory systems on the ground.

3. Forest tenure information often includes legal records of forest tenure rights such as titles, deeds, certificates, licenses, permits, or other contractual agreements defining the ownership or use rights possessed by an individual, community, or the state. In addition, informal records may include community maps or other documents produced by individuals or communities to document their tenure claims.

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### Legal basis for dispute resolution bodies

To what extent does the legal framework define a clear institutional framework for resolving disputes over forest tenure?

#### ELEMENTS OF QUALITY

*Jurisdiction.* The legal framework assigns clear institutional mandates for tenure dispute resolution bodies at different administrative levels and for different types of disputes.

*Authority.* The legal framework grants dispute resolution bodies adequate powers to deliver and enforce rulings.

*Impartiality.* The legal framework defines requirements and procedures to ensure the independence and impartiality of dispute resolution bodies.

*Recognition of community-based systems.* The legal framework recognizes the legitimacy of community-based and customary dispute resolution systems.

11

### Capacity of dispute resolution bodies

To what extent do dispute resolution bodies have the capacity to resolve tenure disputes in a timely and fair manner?

#### ELEMENTS OF QUALITY

*Tenure expertise.* Dispute resolution bodies have expertise in relevant tenure laws, systems, and practices, including customary systems.

*Expertise in alternative dispute resolution.* Dispute resolution bodies have expertise in alternative means of resolving disputes, such as mediation.

*Access to evidence.* Dispute resolution bodies have access to a range of evidence to inform rulings.

*Financial resources.* Dispute resolution bodies have sufficient financial resources to handle their case volume.

*Human resources.* Dispute resolution bodies have sufficient human resources to handle their case volume.

Clear and secure rights to forest land are a critical enabling condition for promoting resource management decisions that value social and environmental dimensions of forests alongside economic interests.



## 1.2 Tenure Dispute Resolution

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### Accessibility of dispute resolution services

To what extent are dispute resolution services accessible to all citizens?

#### ELEMENTS OF QUALITY

*Legal standing.* All citizens and communities have legal standing to bring tenure-related complaints before a dispute resolution body.

*Accessibility.* Dispute resolution services are provided in locations that are accessible for the majority of citizens.

*Language.* Dispute resolution services are provided in relevant local languages.

*Affordability.* Dispute resolution services are affordable for the majority of citizens.

*Legal aid.* Free legal services are available for citizens who cannot afford them.

13

### Effectiveness of dispute resolution

To what extent are tenure disputes resolved in a timely, fair, and transparent manner?

#### ELEMENTS OF QUALITY

*Evidence base.* Rulings are made after all parties have presented their arguments and evidence.

*Timeliness.* Rulings are made in a timely manner.

*Fairness.* Rulings provide a fair and effective remedy to the dispute.

*Enforcement.* Rulings are enforced in a timely manner.

*Disclosure.* Rulings are documented and publicly disclosed.

## 1.3 State Forest Ownership

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### Legal basis for designating state forests

To what extent does the legal framework provide adequate checks and balances on government powers to designate lands as state forests?

#### ELEMENTS OF QUALITY

*Public interest requirement.* The legal framework specifies that state forests are to be held in trust for the public.

*Institutional mandate.* The legal framework clearly specifies which agency has the authority to make designation decisions.

*Decision-making criteria.* The legal framework defines clear and appropriate criteria to regulate designation decisions.

*Consultation requirements.* The legal framework requires public consultation prior to designation decisions that may have significant social or environmental impacts.

*Transparency requirements.* The legal framework requires that proposed and final designations are publicly disclosed.

*Requirements to respect rights.* The legal framework requires that designation decisions recognize and respect existing customary and community rights to land and resources.

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## Designation of state forests in practice

To what extent are decisions to designate and redesignate state forests transparent and accountable in practice?

### ELEMENTS OF QUALITY

*Oversight.* Designation decisions are subject to effective anticorruption and oversight mechanisms.

*Legal compliance.* Designation decisions are consistent with relevant laws and regulations.

*Public consultation.* Designation decisions involve transparent and inclusive public consultations.

*Public disclosure.* Proposed and final designations are publicly disclosed.

*Appropriateness.* Existing designations are appropriate and consistent with broader national social, environmental, and economic objectives.

*Respect of existing rights.* Existing designations are not violating the rights of communities and indigenous groups.

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## Legal basis for expropriation

To what extent does the legal framework provide adequate checks and balances on government powers to expropriate private property for public purposes?

### ELEMENTS OF QUALITY

*Public purpose requirement.* The legal framework states that expropriation should only occur when rights to land or forests are required for a public purpose.

*Public purpose definition.* The legal framework clearly defines the concept of public purpose.

*Clarity of procedures.* The legal framework defines clear procedures for expropriation, including requirements to consider alternatives.

*Transparency requirements.* The legal framework requires public disclosure of information about the expropriation process and final decision.

*Consultation requirements.* The legal framework requires that potentially affected people be fully informed and consulted prior to making a decision.

*Compensation requirements.* The legal framework requires fair and prompt compensation for expropriated rights.

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## Expropriation in practice

To what extent does the government exercise its powers to expropriate private property in a justifiable and transparent manner?

### ELEMENTS OF QUALITY

*Justification.* Expropriation only occurs for a justifiable public purpose.

*Consultation.* Potentially affected people are identified, fully informed, and transparently consulted.

*Alternatives.* Alternative approaches and strategies to minimize social impacts are considered and adopted if feasible.

*Compensation.* Fair and prompt compensation is provided for expropriated rights.

*Redress.* Mechanisms of redress are available and accessible.

## 1.4 Concession Allocation

18

### Legal basis for allocating concessions in state forests

To what extent does the legal framework define a transparent and accountable process for allocating concessions in state forests?

#### ELEMENTS OF QUALITY

*Quality of process.* The legal framework defines an open and competitive process for allocating concessions.

*Anticorruption measures.* The legal framework prohibits applications from people or companies who have been convicted of corruption or who have failed to pay taxes.

*Application requirements.* The legal framework clearly defines the minimum qualifications and technical requirements for applying.

*Requirements to identify rights-holders.* The legal framework requires that existing tenure claims and claimants be identified and documented prior to allocating a concession.

*Transparency requirements.* The legal framework requires public disclosure of information relating to the allocation process, applicants, and final decision.

*Consultation requirements.* The legal framework requires public consultation prior to allocating a concession that may have significant social or environmental impacts.

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### Concession allocation in practice

To what extent are concessions allocated in an accountable and transparent manner in practice?

#### ELEMENTS OF QUALITY

*Legal compliance.* Concessions are allocated through a process consistent with relevant laws and regulations.

*Respect of existing rights.* Concessions are not allocated in ways that create conflicts with existing rights and rights-holders.

*Anticorruption measures.* Measures are in place to minimize administrative discretion and opportunities for corruption during concession allocation.

*Public disclosure.* Information about the allocation process, applicants, and final decision is publicly disclosed.

*Public consultation.* There are opportunities for public comment regarding the allocation of concessions that may have significant social or environmental impacts.

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### Quality of concession contracts

To what extent do concession contracts comprehensively describe all rights and obligations of the concession holder?

#### ELEMENTS OF QUALITY

*Legal.* Contracts include clear legal provisions setting out the terms, rights, and conditions of the agreement.

*Technical.* Contracts include all technical requirements related to forest management, exploitation, or conversion.

*Administrative.* Contracts include all administrative procedures and obligations with which the contract-holder must comply.

*Financial.* Contracts include all financial obligations of the agreement.

*Environmental.* Contracts include all environmental protection, impact assessment, or mitigation obligations of the agreement.

*Social.* Contracts include all social obligations of the agreement.



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## Social and environmental requirements of concessions

To what extent do concession contracts include requirements to ensure social and environmental sustainability?

### ELEMENTS OF QUALITY

*Impact assessment.* Contracts require social and environmental impact assessment prior to beginning exploitation or conversion activities.

*Community engagement.* Contracts require engagement and benefit sharing with local communities.

*Mitigation.* Contracts require the development and implementation of measures to avoid or mitigate identified social and environmental risks.

*Monitoring.* Contracts require monitoring of social and environmental impacts.

*Response.* Contracts require corrective measures if negative social or environmental impacts are detected.

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## Compliance with social and environmental requirements by concession-holders

To what extent do concession-holders comply with social and environmental sustainability requirements in their contracts?

### ELEMENTS OF QUALITY

*Impact assessment.* Social and environmental impact assessments are completed and publicly disclosed.

*Community engagement.* Equitable social agreements are established with local communities.

*Mitigation.* Appropriate avoidance and mitigation measures are implemented.

*Monitoring.* Social and environmental impacts are regularly monitored and reported.

*Response.* Corrective measures are taken when negative social or environmental impacts are detected.

23

## Management of information about concessions

To what extent is information about concessions managed in an effective and transparent manner?

### ELEMENTS OF QUALITY

*Legal basis.* The legal framework requires a public registry of concessions.

*Centralized system.* Records of concessions are maintained in a central public registry.

*Digitized system.* Records are available in digital formats.

*Completeness.* Records contain comprehensive legal and spatial information about the concession.

*Accuracy.* Records are accurate and up-to-date.

*Accessibility.* Records are freely accessible by the public.



An aerial photograph of a tropical forest. The majority of the image is covered in dense, lush green trees. In the lower right portion, there is a cleared area where construction is taking place. This area includes a body of water, possibly a river or a large pond, with some debris floating in it. To the right of the water, there's a construction site with a yellow crane, some wooden structures, and other equipment. The contrast between the untouched forest and the developed area is stark.

# LAND USE

## 2

**This thematic area addresses the various policy and planning processes that influence how forest lands are used. As such, it explores processes within and beyond the forest sector, since other economic sectors such as agriculture, infrastructure, mining, and energy also play a major role in determining forest land use. The land use indicators are divided into four subthemes:**

### **2.1 LAND USE PLANNING**

Land use planning refers to any nonsectoral planning or zoning process — often at a national scale — seeking to put land into optimal uses given the economic, social, and biophysical conditions of the area and stated development objectives.

### **2.2 LAND USE PLAN IMPLEMENTATION**

Land use plan implementation involves efforts by multiple government agencies to facilitate and ensure compliance with officially designated land uses and to monitor the impacts of land use over time.





## 2.3 SECTORAL LAND USE

Sectoral land use refers to sector policies, plans, programs, or projects that have implications for the use of forest lands, particularly in economic sectors that significantly contribute to deforestation or forest degradation.

## 2.4 FOREST CLASSIFICATION

Forest classification refers to the process of legally designating forest areas according to their desired, optimal use. For example, forests may be classified for protection, limited use for activities like hunting, commercial timber extraction, or conversion for other land uses.





## 2.1 Land Use Planning

24

### Legal basis for land use planning

To what extent does the legal framework define a coherent institutional framework and process for conducting multisector land use planning?

#### ELEMENTS OF QUALITY

*Institutional mandates.* The legal framework defines clear institutional roles and responsibilities for land use planning at different administrative levels (e.g., national, regional, local).

*Coordination mandate.* The legal framework defines a clear institutional mandate for national coordination of land use planning.

*Clarity of sequencing.* The legal framework defines a clear temporal sequencing for conducting land use planning across different administrative levels.

*Clarity of methods.* The legal framework defines clear methods and procedures for conducting land use planning.

*Consistency requirements.* The legal framework requires that land use planning across different administrative levels use consistent methods and procedures.

25

### Legal basis for social and environmental considerations in land use planning

To what extent does the legal framework promote the consideration of social and environmental issues in land use planning?

#### ELEMENTS OF QUALITY

*Clarity of objectives.* The legal framework defines clear social and environmental objectives for land use planning.

*Requirements to respect rights.* The legal framework requires that land use planning identify and respect statutory and customary land tenure and property rights.

*Information requirements.* The legal framework requires that land use planning be based on comprehensive and up-to-date information.

*Impact assessment requirements.* The legal framework requires that land use planning at all levels evaluate the social and environmental impacts of proposed land uses.

26

### Capacity of land use planning agencies

To what extent do land use planning agencies have the capacity and expertise to produce high-quality land use plans?

#### ELEMENTS OF QUALITY

*Access to information.* Planning agencies have access to comprehensive, accurate, and up-to-date information necessary for land use planning.

*Range of expertise.* Planning agencies have expertise on a range of disciplines relevant for land use planning.

*Evaluation tools.* Planning agencies have tools necessary to evaluate land suitability and analyze potential impacts of land use.

*Human resources.* Planning agencies have sufficient human resources.

*Financial resources.* Planning teams have sufficient financial resources.

27

## Coordination of land use planning

To what extent are land use planning processes effectively coordinated at the national level?

### ELEMENTS OF QUALITY

*Horizontal coordination.* The national authority for land use planning effectively consults and shares information with sectoral planning agencies.

*Vertical coordination.* The national authority for land use planning effectively consults and shares information with subnational planning agencies.

*Conflict resolution.* Effective mechanisms are in place to address institutional conflicts that arise during land use planning.

*Consistency.* Existing land use plans are consistent across administrative levels.

28

## Community participation in land use planning

To what extent do communities effectively participate in local land use planning processes?

### ELEMENTS OF QUALITY

*Opportunities for participation.* Local planning agencies seek to engage communities and ensure their participation in land use planning processes.

*Representation.* Community representatives to land use planning processes reflect a range of community perspectives, including women and different socioeconomic classes.

*Capacity to engage.* Community representatives have information and skills to effectively engage and participate in land use planning processes.

*Community mapping.* Communities have the ability to document their internal land tenure and land use systems for input into the land use planning process.

*Integration.* Local land use plans reflect community land tenure and land uses.

*Implementation.* Implementation of land use plans respects community land tenure and land uses.

29

## Quality of land use plans

To what extent do land use planning processes result in transparent and justifiable land use plans?

### ELEMENTS OF QUALITY

*Development goals.* Land use plans are consistent with national and local development goals.

*Environmental goals.* Land use plans are consistent with national environmental goals.

*Poverty reduction goals.* Land use plans are consistent with national poverty reduction goals.

*Land suitability.* Land use plans are consistent with the biophysical suitability of land for specified uses.

*Implementation capacity.* Land use plans are consistent with institutional capacities for implementation.

*Public disclosure.* Land use plans are publicly disclosed in relevant languages.

## 2.2 Land Use Plan Implementation

30

### Legal basis for implementing land use plans

To what extent does the legal framework facilitate effective implementation of land use plans?

#### ELEMENTS OF QUALITY

*Institutional mandates.* The legal framework defines clear institutional roles and responsibilities for implementing activities specified in land use plans and monitoring their implementation.

*Enforcement.* The legal framework stipulates that land use plans are legally binding and enforceable.

*Review.* The legal framework defines a timeline and process for reviewing and updating land use plans.

*Exemptions.* The legal framework specifies that no institution has the authority to override land use plans without due process.

31

### Implementation of land use plans

To what extent are land use plans effectively implemented in practice?

#### ELEMENTS OF QUALITY

*Outreach.* The main implementing agency actively seeks to inform all people and agencies that will participate in or are likely to be impacted by the plan.

*Coordination.* The main implementing agency coordinates implementation by strengthening links between existing agencies and forming new bodies as necessary.

*Capacity.* Adequate budget and staff are allocated for implementation of land use plans.

*Timeliness.* Land use plans are implemented in a timely manner.

*Review.* Land use plans are reviewed and updated with adequate frequency.

32

### Monitoring and enforcement of land use plans

To what extent are land use plans effectively monitored and enforced?

#### ELEMENTS OF QUALITY

*Social and environmental impacts.* The social and environmental impacts of land use plans are monitored.

*Effectiveness.* The effectiveness of land use plans with respect to stated policy objectives are monitored.

*Compliance.* Legal compliance with land use plans is monitored.

*Public disclosure.* Reports on monitoring and compliance are publicly disclosed.

*Enforcement.* Instances of noncompliance are promptly and effectively addressed.



33

### Coordination of sector planning processes

To what extent are sector planning processes effectively coordinated within a broader land use planning framework?

#### ELEMENTS OF QUALITY

*Cross-sector engagement.* Sector agencies actively engage agencies from other sectors during planning processes.

*Engagement with land use planning agencies.* Sector agencies actively engage land use planning agencies during planning processes.

*Coordination bodies.* Effective multisector bodies exist to coordinate sector planning and implementation.

*Information sharing.* Information systems exist to facilitate intersector information exchange.

34

### Strategic social and environmental assessment in sector planning

To what extent are sector planning processes based on strategic social and environmental assessments of potential impacts?

#### ELEMENTS OF QUALITY

*Legal requirement.* Sector agencies are legally required to conduct strategic environmental and social assessments when carrying out planning processes.

*Consistency.* Strategic assessments evaluate the consistency of proposed policies and plans with national social and environmental objectives.

*Impacts.* Strategic assessments evaluate the projected environmental and social impacts of different policy options.

*Review.* Strategic assessments incorporate stakeholder input and expert review.

*Influence.* Strategic assessment findings are reflected in final policies and plans.

35

### Quality of sector plans

To what extent do sector planning processes result in transparent and justifiable plans?

#### ELEMENTS OF QUALITY

*Development goals.* Sector plans are consistent with national and local development goals.

*Environmental goals.* Sector plans are consistent with national environmental goals.

*Poverty reduction goals.* Sector plans are consistent with national poverty reduction goals.

*Land use plans.* Sector plans are consistent with land use plans.

*Public disclosure.* Sector plans are publicly disclosed.

## 2.3 Sectoral Land Use

36

### Legal basis for environmental and social impact assessments (ESIAs) of sector projects

*To what extent does the legal framework require ESIAs of sector projects that may have significant impacts on land use?*

#### ELEMENTS OF QUALITY

*Screening criteria.* The legal framework establishes appropriate screening criteria to determine when ESIAs are necessary.

*Clarity of process.* The legal framework establishes a clear process for conducting ESIAs.

*Consultation requirements.* The legal framework requires public consultation during ESIAs.

*Technical guidelines.* The legal framework provides comprehensive technical guidelines for conducting ESIAs.

37

### Legal basis for implementing and enforcing ESIAs

*To what extent does the legal framework facilitate effective implementation and enforcement of ESIAs?*

#### ELEMENTS OF QUALITY

*Independence requirements.* The legal framework requires that the entity responsible for conducting an ESIA be independent from the project proponent.

*Expertise requirements.* The legal framework requires that the assessment team possess an adequate range of relevant expertise.

*Review requirements.* The legal framework requires that ESIAs be subject to independent review.

*Compliance requirements.* The legal framework requires that the ESIA results be taken into account prior to final approval of projects.

*Exemptions.* The legal framework establishes clear guidelines for granting exemptions to ESIAs.

38

### Implementation and enforcement of ESIAs in practice

*To what extent are ESIAs effectively implemented and enforced in practice?*

#### ELEMENTS OF QUALITY

*Expertise.* The assessment team possesses adequate expertise to conduct the ESIA.

*Independence.* The assessment team is independent from the project proponent.

*Quality.* ESIA reports are high quality and adhere to technical guidelines set out in the legal framework.

*Public consultation.* Draft ESIA reports are subject to a public consultation process.

*Independent review.* Final ESIA reports are subject to independent review.

*Compliance.* The final project design addresses the social and environmental risks identified by the ESIA.

39

### Monitoring social and environmental impacts of sectoral land use

*To what extent are the social and environmental impacts of sector policies, plans, and projects effectively monitored?*

#### ELEMENTS OF QUALITY

**Monitoring requirements.** The legal framework requires sector agencies to monitor social and environmental impacts associated with sector policies, plans, and projects.

**Institutional mandate.** The legal framework identifies an agency in charge of monitoring impacts.

**Frequency.** Impact monitoring is carried out with adequate frequency.

**Budget.** A dedicated budget exists for monitoring impacts.

**Public disclosure.** Monitoring reports are publicly disclosed and accessible.

**Corrective measures.** Negative impacts are addressed in a timely manner.

40

### Legal basis for forest classification

*To what extent does the legal framework define a clear process and institutional framework for classifying forests according to their intended use?*

#### ELEMENTS OF QUALITY

**Definitions.** The legal framework clearly defines forest classifications according to the intended forest use.

**Institutional mandates.** The legal framework assigns authority to classify forests to a level of government appropriate to the temporal and geographic scale of the classification.

**Procedures.** The legal framework establishes clear procedures for forest classification.

**Restrictions.** The legal framework defines any restrictions on where classification for certain forest uses may occur.

**Declassification.** The legal framework defines the circumstances under which declassification may occur and procedures that must be followed.

**Information requirements.** The legal framework requires that forest classification be based on comprehensive and up-to-date information.

41

### Information basis for forest classification

*To what extent do decision-makers consider high-quality social, environmental, and economic information when conducting forest classification?*

#### ELEMENTS OF QUALITY

**Environmental information.** Decision-makers consider up-to-date and accurate environmental information about forest ecosystems.

**Land use information.** Decision-makers consider up-to-date and accurate information on existing forest uses and tenure rights in law and practice.

**Economic information.** Decision-makers consider up-to-date and accurate information about the economic potential of forest ecosystems.

**Impact assessment.** Decision-makers consider social and environmental impact assessments when the proposed classification will result in a significant change in land use.



## 2.4 Forest Classification

42

### Appropriateness of forest classifications

*To what extent are existing forest classifications transparent and justifiable?*

#### ELEMENTS OF QUALITY

**Coverage.** All state forests have been classified.

**Legal compliance.** Classifications and declassifications comply with the procedures and provisions set out in the legal framework.

**Existing rights.** Classifications are consistent with existing local land uses and rights.

**Environmental objectives.** Classifications are consistent with national objectives for sustainable forest management and environmental protection.

**Transparency.** Classifications are publicly disclosed.









# FOREST MANAGEMENT

3

Forest management consists of the operational aspects of planning, monitoring, and enforcing various forest uses, including conservation and ecological uses, community uses, and commercial and extractive uses. The forest management indicators are divided into five subthemes:

## 3.1 FOREST LEGAL AND POLICY FRAMEWORK

Forest legal and policy framework refers to the policies, laws, and regulations that set the overarching social, environmental, and economic objectives for forest management. They also establish the legal parameters that guide forest management practices.

## 3.2 FOREST STRATEGIES AND PLANS

Forest strategies and plans define concrete steps and actions that will be taken to achieve stated forest policy goals. For example, there may be strategies to reduce deforestation, protect biodiversity, or achieve economic growth targets.

## 3.3 FOREST MONITORING

Forest monitoring includes all efforts to track forest conditions over time, including changes in forest cover and other social, environmental, and economic dimensions of forests.





### 3.4 FOREST MANAGEMENT PRACTICES

Forest management practices refer to the actions of forest managers – whether they are government agencies, private companies, local communities, or individuals – to plan and execute activities to manage, exploit, and conserve forests.

### 3.5 FOREST LAW ENFORCEMENT

Forest law enforcement refers to efforts to enforce and promote compliance with forest laws and regulations, including through detection of illegal activities, prosecution of offenders, and application of sanctions.

## 3.1 Forest Legal and Policy Framework

43

### National objectives for forest management and conservation

*To what extent are there clear national objectives for sustainable management and conservation of forests?*

#### ELEMENTS OF QUALITY

**Consistency.** Major forest policies and laws are consistent with broader national development goals.

**Coordination.** Major forest policies and laws consider linkages with other economic sectors that impact forests.

**Sustainable exploitation.** Major forest policies and laws set clear objectives for the sustainable management and exploitation of forest resources.

**Conservation.** Major forest policies and laws set clear objectives for forest protection and conservation.

**Economic development.** Major forest policies and laws set clear objectives for economic development of the forest sector.

**Respect of rights.** Major forest policies and laws set clear objectives for recognizing the rights of local communities and indigenous peoples.

44

### Legal basis for reviewing forest policies and laws

*To what extent does the legal framework provide for periodic review of forest policies and laws?*

#### ELEMENTS OF QUALITY

**Review requirements.** The legal framework requires review of forest policies and laws at regular and appropriate intervals.

**Coordination requirements.** The legal framework requires the forest agency to coordinate with other sector agencies when reviewing forest policies and laws.

**Scope requirements.** The legal framework requires consideration of economic, social, and environmental forest values when reviewing forest policies and laws.

**Participation requirements.** The legal framework requires public participation in the review of forest policies and laws.

45

### Legal basis for forest management planning

*To what extent does the legal framework provide for effective forest management planning in both public and private forests?*

#### ELEMENTS OF QUALITY

**Planning requirements (public forests).** The legal framework requires management plans in public forests that have been classified or allocated for use.

**Planning requirements (private forests).** The legal framework requires management plans in privately owned forests.

**Inventory requirements.** The legal framework requires that management planning utilize up-to-date information about forests based on periodic forest inventories.

**Differentiated requirements.** The legal framework differentiates management planning requirements based on the type of forest use and user.

**Scope requirements.** The legal framework requires that management planning take into account all social, environmental, and economic functions of forests.

**Update requirements.** The legal framework requires that management plans be updated at appropriate intervals.

46

## Legal basis for harvesting forest products

*To what extent does the legal framework stipulate appropriate standards and controls for harvesting timber and nontimber forest products, consistent with principles of sustainable forest management?*

### ELEMENTS OF QUALITY

*Timber controls.* Appropriate controls govern the harvesting of timber.

*Nontimber forest product controls.* Appropriate controls govern the harvesting of nontimber forest products.

*Capacity.* Harvesting controls are generally consistent with capacities for implementation and enforcement.

*Conversion controls.* Appropriate controls govern forest conversion, including requirements for restoration.

47

## Legal basis for community participation in forest management

*To what extent does the legal framework facilitate community participation in forest management?*

### ELEMENTS OF QUALITY

*Participation requirements.* The legal framework requires public and private forest managers to engage local communities in forest management planning and operations.

*Participation platforms.* The legal framework establishes permanent structures to facilitate community participation in local forest management activities.

*Community-based approaches.* The legal framework promotes community-based forest management approaches.

*Extension programs.* The legal framework establishes financial assistance and extension programs to facilitate community-based forest management approaches.

48

## Legal basis for biodiversity conservation

*To what extent does the legal framework promote the protection of biodiversity?*

### ELEMENTS OF QUALITY

*Forest protection.* The legal framework establishes designated areas for forest protection and conservation of biodiversity.

*Species protection.* The legal framework contains provisions for the protection of endangered, rare, or threatened species of flora and fauna.

*Trade controls.* The legal framework controls the trade of endangered, rare, or threatened species of flora and fauna.

*Biodiversity database.* The legal framework requires a regularly updated national database of biodiversity and genetic resources.

*Forest definitions.* The legal framework provides clear definitions that distinguish plantations and forests.

*Invasive species control.* The legal framework contains clear regulations to control the spread of invasive species.

*Penalties.* The legal framework defines clear penalties for failing to comply with biodiversity protection measures.



## 3.2 Forest Strategies and Plans

49

### Existence of forest strategies and plans

*To what extent are national forest management and conservation objectives supported by clear strategies and plans?*

#### ELEMENTS OF QUALITY

**Sustainable management.** A clear strategy exists for promoting sustainable management and exploitation of forest resources.

**Conservation.** A clear strategy exists for protecting and conserving forests, including biodiversity and ecosystem services.

**Economic development.** A clear strategy exists for promoting economic development of the forest sector.

**Recognition of rights.** A clear strategy exists for recognizing and supporting the rights and interests of forest dependent communities.

50

### Quality of forest strategies and plans

*To what extent are forest strategies and plans well-designed and implementable?*

#### ELEMENTS OF QUALITY

**Consistency.** The strategy is consistent with overarching national development objectives.

**Information basis.** The strategy is based on up-to-date and accurate information.

**Implementation timeline.** The strategy includes a clear timeline for implementation.

**Implementation mandates.** The strategy establishes clear institutional roles and responsibilities for implementation and oversight.

**Capacity.** The strategy is consistent with institutional capacities for implementation.

**Transparency.** The strategy is publicly available in relevant languages.

51

### Creation of economic incentives for sustainable forest management

*To what extent do forest strategies and plans create appropriate economic incentives for sustainable forest management?*

#### ELEMENTS OF QUALITY

**Timber.** Incentives encourage timber extraction at or below sustainable levels.

**Nontimber forest products.** Incentives encourage extraction of nontimber forest products at or below sustainable levels.

**Supply chains.** Incentives for timber operations and processing facilities attempt to align timber supply and demand.

**Conservation.** Incentives encourage efforts to maintain high-value conservation areas and protect ecosystem services.

**Fairness.** Incentives do not give unfair advantages to or discriminate against certain groups or individuals.

**Consistency.** Incentives are consistent with broader economic incentives outside the forest sector.

## 3.3 Forest Monitoring

52

## Implementation of forest strategies and plans

*To what extent are forest strategies and plans effectively implemented in practice?*

**ELEMENTS OF QUALITY**

*Awareness.* Implementing agencies are aware of their roles and responsibilities for implementation.

*Coordination.* Implementing agencies effectively coordinate to carry out their roles and responsibilities.

*Capacity.* Implementation is supported by adequate human and financial resources.

*Timeliness.* Implementation happens according to the timeline specified by the strategy.

*Monitoring.* Implementation is subject to regular monitoring of impacts and effectiveness.

*Transparency.* Monitoring reports are publicly disclosed on a regular basis.

53

## Forest inventories

*To what extent are comprehensive national forest inventories routinely conducted?*

**ELEMENTS OF QUALITY**

*Legal basis.* The legal framework requires regular and comprehensive national forest inventories.

*Methods.* Forest inventories are based on robust and transparent sampling and data collection methods.

*Biological information.* Forest inventories include comprehensive biological and biophysical information on forests.

*Socioeconomic information.* Forest inventories include comprehensive information on the social and economic values of forests.

*Frequency.* The national forest inventory is updated with adequate frequency.

54

## Monitoring of forest cover change

*To what extent is there an effective national system for monitoring changes in forest cover?*

**ELEMENTS OF QUALITY**

*Technology.* The monitoring system utilizes remote sensing and other relevant technology at an adequate resolution to detect deforestation and forest degradation.

*Geographic scope.* The monitoring system is geographically comprehensive of all national forest resources.

*Frequency.* The monitoring system updates data at adequate intervals.

*Expertise.* The monitoring system is supported by personnel with adequate expertise.

*Enforcement.* Detection of illegal changes in forest cover is immediately communicated to relevant law enforcement bodies.

55

### Monitoring of social, environmental, and economic factors

*To what extent is there an effective national system for monitoring the social, environmental, and economic dimensions of forests?*

#### ELEMENTS OF QUALITY

*Institutional mandates.* Clear institutional mandates govern the collection, analysis, and publishing of information about the social, environmental, and economic dimensions of forests.

*Biodiversity.* Comprehensive information about level and location of biodiversity is regularly collected and published.

*Economic activities.* Comprehensive information about forest sector economic activities is regularly collected and published.

*Demographics.* Comprehensive information about the demographics of forest-dependent people is regularly collected and published.

56

### Monitoring and control of forest fires and other natural disturbances

*To what extent is there an effective national system to monitor and control forest fires and other disturbances such as pests, disease, and flooding?*

#### ELEMENTS OF QUALITY

*Awareness.* Public information campaigns encourage efforts to prevent forest fires and mitigate other disturbances.

*Preventive measures.* Forest management plans include measures to prevent fires and other disturbances.

*Detection.* Monitoring systems are in place to facilitate early detection of fires and other disturbances.

*Response.* Forest agency offices have notification systems in place for rapid communication and response to fires and other disturbances.

57

### Forest information systems

*To what extent is there an effective national system to transparently manage forest information?*

#### ELEMENTS OF QUALITY

*Comprehensiveness.* An integrated information system compiles all management, financial, and administrative data necessary for effective forest management and enforcement.

*Digitization.* Information is maintained in a digital format.

*Updating.* Information is regularly updated to reflect the most current data.

*Government accessibility.* Information is easily accessible to all internal users of the system.

*Information-sharing.* The system facilitates information-sharing between national and local forest officials.

*Public accessibility.* Information is accessible to the public.



## 3.4 Forest Management Practices

58

## Quality of forest management plans

*To what extent are forest management plans comprehensive and up-to-date for all relevant public and private forests?*

**ELEMENTS OF QUALITY**

*Existence of plans.* Management plans and inventories exist for all areas for which they are legally required.

*Transparency.* Management plans and inventories are publicly accessible.

*Completeness.* Management plans are complete and consistent with all legal requirements.

*Updating.* Management plans are regularly reviewed and updated.

*Approval.* Management plans are promptly approved by the relevant authority.

59

## Capacity of forest managers

*To what extent do forest managers have adequate capacity to develop and implement forest management plans?*

**ELEMENTS OF QUALITY**

*Awareness.* Forest managers are aware of their rights and duties according to relevant laws and regulations.

*Expertise.* Forest managers have an adequate range of expertise.

*Financial resources.* Forest managers have adequate financial resources.

*Human resources.* Forest managers have adequate human resources.

*Information.* Forest managers have access to relevant scientific and technical information.

*Tools.* Forest managers have access to necessary tools and equipment.

60

## Administration of harvesting licenses and permits

*To what extent can forest managers obtain necessary licenses and permits for harvesting timber and nontimber forest products?*

**ELEMENTS OF QUALITY**

*Procedural clarity.* Clear administrative procedures regulate the obtaining of licenses and permits.

*Nondiscrimination.* Customers can apply for licenses and permits without discrimination.

*Convenience.* Licenses and permits can be applied for at times and places that are convenient for customers.

*Accessibility.* The process for acquiring a license or permit is not prohibitively complicated or expensive.

*Timeliness.* Licenses and permits can be obtained in a reasonable amount of time.

## 3.4 Forest Management Practices

61

### Community participation in forest management

*To what extent are communities able to effectively participate in forest management planning and implementation?*

#### ELEMENTS OF QUALITY

*Transparency.* Government and forest managers regularly inform communities about forest management issues and activities.

*Communication.* Effective mechanisms exist to promote two-way communication about forest management between communities, government, and forest managers.

*Participation.* Management plans are developed with participation of local communities.

*Capacity.* Communities have adequate capacity to effectively participate in forest management planning and implementation.

62

### Implementation of community-based forest management

*To what extent is community-based forest management promoted and supported in practice?*

#### ELEMENTS OF QUALITY

*Awareness.* Efforts are made to raise the awareness of communities about their rights and duties under the law with respect to community-based forest management.

*Financial assistance.* Communities can access financial assistance in order to implement forest management activities.

*Technical support.* Communities can access extension services or technical support related to forest management activities.

*Community institutions.* Community institutions exist to oversee forest management operations and decision-making.

*Gender equality.* Women participate equally and can hold leadership positions in community institutions.

*Access to markets.* Communities have access to markets or other opportunities to sell their timber or nontimber forest products at market rates.

63

### Management of protected areas

*To what extent are protected areas effectively and inclusively managed?*

#### ELEMENTS OF QUALITY

*Demarcation.* Boundaries of protected areas are clearly demarcated.

*Use restrictions.* Stakeholders clearly understand what activities are allowed and not allowed within the area, and restrictions do not unnecessarily limit the forest uses of local communities.

*Information basis.* Protected area managers have access to adequate scientific and technical information as a basis for management planning.

*Management plans.* Protected areas have comprehensive and appropriate management plans.

*Capacity.* Protected area managers have access to adequate financial, human, and technical resources to implement the management plan.

*Community engagement.* Effective mechanisms enable transparent engagement with local communities and resolution of disputes that may arise.

## 3.5 Forest Law Enforcement

64

Legal basis for forest-related  
infractions and penalties

*To what extent does the legal framework define a clear system of forest-related infractions and penalties?*

**ELEMENTS OF QUALITY**

*Definition of infractions.* The legal framework clearly and comprehensively defines all major types of forest infractions.

*Definition of penalties.* The levels and types of penalties prescribed vary according to the nature and severity of the infraction.

*Calculation of penalties.* The legal framework prescribes clear methods for assigning penalties and calculating fines for forest-related infractions that minimize administrative discretion.

*Updating of penalties.* The legal framework allows for regular updating of financial penalties or indexing for inflation.

*Compensatory measures.* The legal framework calls for compensatory penalties such as restitution or restoration where appropriate.

65

Legal basis for forest law  
enforcement

*To what extent does the legal framework define clear powers and procedures for forest law enforcement?*

**ELEMENTS OF QUALITY**

*Institutional mandates.* The legal framework establishes clear institutional roles and responsibilities for forest law enforcement.

*Clear procedures.* The legal framework defines clear procedures for pursuing and documenting forest law enforcement investigations.

*Inspection powers.* The legal framework grants law enforcement officers authority to conduct inspections and gather evidence.

*Enforcement powers.* The legal framework grants law enforcement officers authority to arrest suspects.

*Performance incentives.* The legal framework establishes incentives for forest law enforcement officers to carry out their responsibilities consistent with the law.

66

Capacity of law  
enforcement bodies

*To what extent do law enforcement bodies have the capacity to effectively enforce forest laws?*

**ELEMENTS OF QUALITY**

*Financial resources.* Law enforcement bodies have adequate and sustainable financial resources to carry out enforcement responsibilities.

*Technical resources.* Law enforcement bodies have adequate technical resources to carry out field inspections and monitoring activities.

*Field staff supervision.* Field investigation staff are subject to effective monitoring and supervision.

*Legal expertise.* Law enforcement bodies have staff with expertise on the forest legal and regulatory framework.

*Enforcement expertise.* Law enforcement bodies have staff with expertise in procedures for monitoring and reporting of illegal activities.



## 3.5 Forest Law Enforcement

67

### Monitoring of forest management operations

*To what extent do law enforcement bodies effectively monitor forest management activities and detect illegal activities?*

#### ELEMENTS OF QUALITY

*Adherence to procedures.* Law enforcement officers follow clear procedures for carrying out inspections, collecting evidence, and documenting offenses.

*Access to documents.* Law enforcement officers have access to relevant documents to determine whether forest operations are in compliance.

*Access to information.* Law enforcement officers have access to up-to-date information as a basis for targeting inspections of illegal forest activities.

*Frequency of inspections.* On-the-ground inspections occur with adequate frequency.

*Reporting of infractions.* Infractions identified by field officers are reported to relevant authorities in a timely manner.

*Citizen reporting.* Citizens have easily accessible channels to report illegal forest activities to relevant authorities.

68

### Monitoring of timber supply chains

*To what extent do law enforcement bodies effectively monitor forest product supply chains and detect instances of illegality?*

#### ELEMENTS OF QUALITY

*Documentation.* Tamper-resistant documentation is used to track timber from point of harvest throughout the supply chain.

*Tracking technology.* Adequate technology is used to track the legality of logs.

*Reconciliation of data.* Law enforcement officers regularly reconcile official data on allowable extraction rates with field data obtained from inspection of harvest, transport, processing, and export facilities.

*Inspection of processing facilities.* Law enforcement officers conduct inspections and supply audits of processing mills with adequate frequency.

*Transport inspections.* Law enforcement officers conduct inspections at major transport points with adequate frequency.

*Reporting of infractions.* Infractions are reported to relevant authorities in a timely manner.

69

### Prosecution of forest crimes

*To what extent are forest crimes fairly and effectively prosecuted in a timely manner?*

#### ELEMENTS OF QUALITY

*Access to evidence.* Prosecutors have access to evidence on reported forest infractions.

*Timeliness of prosecution.* Prosecutors act on reported forest infractions in a timely manner.

*Legal support.* All defendants have access to a lawyer, regardless of their financial resources.

*Transparency of proceedings.* Procedures for hearing cases are transparent and rules-based.

*Timeliness of rulings.* Rulings are delivered in a timely manner.

*Appeals.* Convicted offenders have the opportunity to appeal decisions.

70

## Application of penalties

*To what extent are appropriate penalties applied and enforced in a timely manner?*

### ELEMENTS OF QUALITY

*Legal expertise.* Decision-makers issuing penalties are trained in the legal framework for forest offenses and penalties.

*Consistency.* Assigned penalties are generally consistent with the law and appropriate given the nature of the offense.

*Compliance.* Financial penalties are paid in full in a timely manner.

*Monitoring of compliance.* Compliance with penalties is monitored and further legal action is taken in cases of noncompliance.

*Public disclosure.* Information about penalties and their state of compliance is publicly disclosed.

Inclusive, transparent, and accountable management of forest resources can help reverse global deforestation trends and ensure that forests continue to provide food, fuel, and income to forest-dependent populations worldwide.





# FOREST REVENUES

4

This thematic area covers the entire spectrum of revenue management in the forest sector. Forests provide a major source of income in many countries. The forest revenue indicators are divided into four subthemes:

## 4.1 FOREST CHARGE ADMINISTRATION

Forest charge administration refers to processes to set and collect taxes, fees, royalties, and other charges related to the use and extraction of forest resources.

## 4.2 FOREST REVENUE DISTRIBUTION

Forest revenue distribution refers to arrangements for allocating and distributing revenues collected from the forest charge system within and beyond the government.





#### 4.3 BENEFIT SHARING

Benefit sharing refers to specific efforts to share benefits from forest management – whether these benefits are financial or non-financial in nature – with local, forest-dependent communities.

#### 4.4 BUDGETING

Budgeting refers to the annual process by which the government creates a national budget, including a budget for the forest agency.



## 4.1 Forest Charge Administration

71

### Legal basis for forest charges

*To what extent does the legal framework effectively regulate the administration of forest charges?*

#### ELEMENTS OF QUALITY

*Institutional mandates (horizontal).*

The legal framework defines clear institutional roles and responsibilities for forest charge administration within the central government.

*Institutional mandates (vertical).*

The legal framework defines clear institutional roles and responsibilities for forest charge administration between different levels of government.

*Review.* The legal framework defines a clear process for regular review of the forest charge system.

*Collection procedures.* The legal framework defines uniform and transparent administrative procedures for collecting forest charges.

*Penalties.* The legal framework defines adequate penalties to deter noncompliance with the forest charge system.

72

### Review and revision of forest charges

*To what extent are the types and levels of forest charges regularly reviewed and revised through a transparent and inclusive process?*

#### ELEMENTS OF QUALITY

*Clarity of objectives.* Clear objectives articulate what the forest charge system is expected to achieve.

*Frequency of review.* Forest charges are reviewed and revised at adequate intervals to ensure that they remain consistent with stated objectives.

*Information basis.* Decisions about how to set forest charges are based on high-quality information about the economic and social values of the forest resources being taxed and the costs of administration.

*Technical expertise.* Government staff involved in setting forest charges have adequate technical expertise in forest economics.

*Participation.* Interested stakeholders are able to provide direct inputs into the process, and their inputs are addressed in a transparent manner.

*Transparency.* Information related to the process and final decision is easily accessible to interested stakeholders.

73

### Types and levels of forest charges

*To what extent are the types and levels of forest charges appropriate to promote sustainable management and use of forest resources?*

#### ELEMENTS OF QUALITY

*Valuation.* Forest charges adequately capture the value of the forest resources being extracted.

*Species differentiation.* Forest charges do not encourage unsustainable levels of extraction of high-value or endangered tree species.

*Cost effectiveness.* Forest charges do not require overly expensive and complex measurement and collection procedures.

*Anticorruption.* Forest charges do not require measurement and collection procedures that are open to significant discretion or that are difficult to track and audit.

74

## Measures to promote compliance with forest charges

*To what extent are effective measures in place to promote compliance with forest charges?*

### ELEMENTS OF QUALITY

*Transparency of forest charges.* An up-to-date and publicly available list details all forest charges.

*Disclosure of rules.* Information explaining the laws, regulations, and procedures of the forest charge system is publicly disclosed.

*Disclosure of revenues.* Information about the amount of revenue collected under the forest charge system is publicly disclosed.

*Disclosure of noncompliance.* An up-to-date and accurate list shows all cases of noncompliance with forest charges.

*Application of penalties.* Adequate penalties are applied in cases of noncompliance.

75

## Collection of forest charges

*To what extent do relevant agencies have capacity to collect forest charges in a transparent and accountable manner?*

### ELEMENTS OF QUALITY

*Technical expertise.* The agency has adequate numbers of field staff with training in methods to calculate and collect forest charges.

*Technical resources.* The agency has access to adequate technical resources and equipment for calculating and collecting forest charges.

*Accuracy of records.* Field staff generate comprehensive and accurate records of all charges collected.

*Supervision.* Performance of field staff is monitored to ensure that charges are properly applied and collected.

Transparent and accountable governance of forest revenues is critical to ensuring that proceeds from management of forest resources support positive social and environmental outcomes, including local development objectives.



## 4.2 Forest Revenue Distribution

76

### Legal basis for forest revenue distribution

*To what extent does the legal framework effectively regulate the distribution of state revenues from the collection of forest charges?*

#### ELEMENTS OF QUALITY

**Allocation rules.** The legal framework clearly states how forest revenues are to be allocated and distributed.

**Rationale.** The legal framework provides a clear justification and rationale for the specified allocations.

**Spending rules.** The legal framework provides clear guidelines for how forest revenue allocations can be spent.

**Adequacy of allocations.** Legally prescribed allocations to local government and forest agencies are sufficient to carry out mandated roles and responsibilities.

**Awareness of rights.** The legal framework requires that all nongovernment beneficiaries be made aware of their right to benefit from the revenue distribution arrangement.

**Rules for modification.** The legal framework establishes clear procedures for modifying existing revenue distribution arrangements.

77

### Implementation of forest revenue distribution arrangements

*To what extent are forest revenue distribution arrangements effectively and transparently implemented?*

#### ELEMENTS OF QUALITY

**Awareness.** The government takes action to ensure that nongovernmental recipients are aware of their rights to receive distributions.

**Timeliness.** Revenues are distributed to all recipients in a timely manner.

**Monitoring.** Regular monitoring evaluates whether revenues have reached intended recipients.

**Transparency.** The government regularly discloses information to the public about the amount of revenue that has reached recipients.

78

### Management of funds that receive forest revenue allocations

*To what extent are funds that receive forest revenue allocations managed in a transparent and accountable manner?*

#### ELEMENTS OF QUALITY

**Goals.** The fund has clearly stated goals and guidelines to determine spending priorities.

**Procedures.** Clear procedures govern fund replenishment and distribution.

**Performance monitoring.** Fund administrators monitor the effectiveness and impacts of activities financed by the fund.

**Performance reports.** Regular reports on impacts and effectiveness of the fund are publicly disclosed.

**Financial management.** The fund is subject to robust financial accounting and external auditing procedures.

**Financial reports.** Comprehensive annual financial reports are publicly disclosed.

## 4.3 Benefit Sharing

79

Legal basis for  
benefit sharing

*To what extent does the legal framework promote equitable sharing of benefits from forest management with local communities?*

**ELEMENTS OF QUALITY**

*Legal requirements.* The legal framework requires that benefits from the management of public forests be shared with local communities.

*Clarity of procedures.* The legal framework defines clear procedures and guidelines for benefit sharing with local communities.

*Participation requirements.* The legal framework requires community participation in the design of local benefit sharing arrangements.

*Fairness.* Legal guidelines regarding the type and magnitude of benefits are fair and appropriate.

80

Design of benefit  
sharing arrangements

*To what extent are local benefit sharing arrangements developed through an inclusive and transparent process?*

**ELEMENTS OF QUALITY**

*Participation.* Affected communities have opportunities to participate in the design of benefit sharing arrangements.

*Transparency.* Negotiations about benefit sharing are transparent, and communities have access to relevant information.

*Representation.* Community representatives reflect a range of community perspectives, including those of women and vulnerable groups.

*Disclosure.* Final decisions about the benefit sharing arrangement are documented and shared with all community members in relevant languages.

*Fairness.* The type and magnitude of benefits are fair and appropriate.

81

Implementation of benefit  
sharing arrangements

*To what extent are benefit sharing arrangements fairly and effectively implemented?*

**ELEMENTS OF QUALITY**

*Compliance.* Benefits are delivered in accordance with the agreed terms set out in relevant legal or project documents.

*Adequacy.* Delivered benefits are adequate to achieve stated objectives of the benefit sharing arrangement.

*Awareness.* Community members are aware of benefits received and obligations associated with those benefits.

*Monitoring.* The implementation and impacts of benefit sharing arrangements are regularly monitored.

*Redress.* Communities have access to redress mechanisms when the terms of benefit sharing are violated.

## 4.4 Budgeting

82

### Quality of the national budget process

*To what extent is the national budget process carried out in an effective and transparent manner?*

#### ELEMENTS OF QUALITY

*Timeline.* The annual budget cycle adheres to a clear timeline for presenting and reviewing budget documents.

*Budget proposal.* The budget proposal is presented to the legislature and the public in advance of the budget debate.

*Comprehensiveness.* The budget proposal is comprehensive of all relevant fiscal information.

*Review.* Information on the final budget and midyear progress is publicly disclosed in a timely manner.

*Audit.* Budget performance is audited annually and the results are publicly disclosed in a timely manner.

83

### Legislative oversight of the national budget process

*To what extent is the national budget subject to effective legislative oversight?*

#### ELEMENTS OF QUALITY

*Authority.* The legal framework grants the legislature the authority to hold public debates on the budget proposal.

*Testimony.* The legal framework grants the legislature authority to solicit expert testimony during budget debates.

*Amendments.* The legal framework grants the legislature the authority to propose amendments to the budget proposal.

*Public debates.* The legislature regularly exercises its rights to hold public debates on the budget proposal.

*Composition of speakers.* Legislative debates on the national budget include a diverse composition of speakers representing different stakeholder groups.

84

### Creation of the forest agency budget

*To what extent is the forest agency budget proposal based on comprehensive and high-quality information?*

#### ELEMENTS OF QUALITY

*Expertise.* The forest agency budget proposal is developed by staff with expertise on forest economics and financial management.

*Financial background.* The forest agency budget proposal provides information on the previous year's revenues and expenditures.

*Projections.* The forest agency budget proposal provides comprehensive information on proposed performance goals, activities, and projected costs.

*Review.* The review of the forest agency budget proposal by the national budget authority includes stakeholders or staff with forest expertise.



85

## Adequacy of the forest agency budget

*To what extent is the forest agency budget adequate to fund the agency's main roles and responsibilities?*

### ELEMENTS OF QUALITY

*Forest administration.* The budget is sufficient to carry out major forest administration tasks.

*Enforcement.* The budget is sufficient for forest law enforcement and monitoring activities.

*Social programs.* The budget includes funding to support social programs and engagement with forest dependent communities.

*Institutional costs.* The budget is sufficient to maintain forest agency staff and institutional infrastructure.



# CROSS-CUTTING INSTITUTIONS

5

This thematic area leads us to take a closer and more direct look at key actors that play a role in determining how forests are managed and used. The indicators in this section complement the first four thematic areas, and most of them can be applied multiple times. For example, the performance of the legislature can be assessed with respect to their role in creating tenure laws, land use laws, and forest laws. The cross-cutting institutions indicators are divided into five subthemes:

## 5.1 LEGISLATURE

Legislature includes both national and subnational law-making bodies.

## 5.2 JUDICIARY

Judiciary refers to the system of courts that interpret and apply the law. Some countries have specialized courts, including for environmental law.

## 5.3 EXECUTIVE AGENCIES

Executive agencies include any institution in the executive branch of government with responsibilities that relate to or impact forests. Forest sector agencies may constitute a first priority for assessment, but these indicators may also be applied to agencies in other economic sectors relevant to forests.





## 5.4 PRIVATE SECTOR

Private sector refers to companies that extract forest resources or utilize forest lands for profit, such as timber, agricultural, and mining companies.

## 5.5 CIVIL SOCIETY

Civil society refers to a wide array of nongovernmental and not-for-profit organizations that have a presence in public life and interest in forest issues. These may include community groups, nongovernmental organizations, labor unions, indigenous groups, faith-based organizations, professional associations, and media organizations.



## 5.1 Legislature

86

### Legislative rules of procedure

*To what extent do legislative rules of procedure promote transparent and open legislative processes?*

#### ELEMENTS OF QUALITY

**Accessibility requirements.** Rules of procedure ensure that legislative proceedings are accessible to the public.

**Public input requirements.** Rules of procedure enable public input into the legislative process.

**Transparency requirements.** Rules of procedure require timely and proactive public disclosure of information on proposed legislation and the legislative calendar.

**Verbatim record requirements.** Rules of procedure require public disclosure of verbatim records of legislative proceedings.

**Reporting requirements.** Rules of procedure require public disclosure of reports on legislative proceedings.

87

### Legislative proceedings in practice

*To what extent are legislative proceedings open and transparent in practice?*

#### ELEMENTS OF QUALITY

**Public accessibility.** Legislative proceedings are publicly accessible.

**Public input.** Legislative proceedings provide clear opportunities for public input.

**Transparency.** Information about proposed legislation and the legislative calendar is publicly disclosed in a timely manner.

**Verbatim records.** Verbatim records are made publicly available in a timely manner.

**Disclosure of reports.** Legislative reports are made publicly available in a timely manner.

88

### Capacity of legislators on forest issues

*To what extent do legislators have the capacity to effectively legislate on issues related to forests?*

#### ELEMENTS OF QUALITY

**Expertise.** Legislators engage stakeholders with forest expertise during the process of drafting or modifying legislation that is relevant to forests.

**Review of existing laws.** Legislators review existing forest policies and laws before drafting or modifying legislation that is relevant to forests.

**Access to information.** Legislators have access to up-to-date information about forest issues as needed.

**Impact assessment.** Legislators have access to assessments of potential social and environmental impacts of new legislation.

89

## Quality of legislative decisions

*To what extent are legislative decisions transparent and justifiable?*

### ELEMENTS OF QUALITY

*Records of votes.* Individual legislator votes on bills are recorded and accessible to the public.

*Disclosure of laws.* Final legislation is publicly disclosed.

*Responsiveness.* Final legislation takes into account stakeholder input and relevant information presented during legislative debate.

*Consistency.* Final legislation is consistent with existing laws.

90

## Legal basis for the judicial system

*To what extent does the legal framework define clear authority and procedures for the judicial system?*

### ELEMENTS OF QUALITY

*Authority.* The legal framework clearly defines the powers of the judicial branch of government.

*Jurisdiction.* The legal framework clearly identifies which courts have substantive and geographic jurisdiction to preside over different types of cases.

*Jurisdiction (appeals).* The legal framework clearly identifies which courts are responsible for hearing appeals and under what circumstances.

*Appellate procedures.* The legal framework establishes clear procedures and guidelines for appealing judicial decisions.

91

## Accessibility of the judicial system

*To what extent are measures in place to ensure that the judicial system is fair and accessible?*

### ELEMENTS OF QUALITY

*Standing.* Legal requirements for standing enable citizens and communities to initiate litigation or be parties to a dispute.

*Legal aid.* Vulnerable or marginalized persons have access to legal support and services.

*Languages.* Judicial proceedings are provided in relevant local languages.

*Affordability.* Measures are in place to reduce costs of accessing the judicial system.

*Awareness.* Citizens have access to information about how to exercise their legal rights through the judicial system.

## 5.2 Judiciary

## 5.3 Executive Agencies

92

### Independence of the judicial system

*To what extent are measures in place to ensure judicial independence?*

#### ELEMENTS OF QUALITY

*Selection rules.* Transparent rules are in place for the selection of judges.

*Tenure rules.* Transparent rules are in place governing judicial tenure.

*Judicial salaries.* Transparent rules are in place to minimize political influence over judicial salaries.

*Selection procedures.* Transparent procedures for the selection of judges are adhered to in practice.

*Security of tenure.* Judges are protected from punishment or removal based on their judicial decisions.

93

### Legal basis for judicial review

*To what extent does the legal framework define clear rules and procedures for judicial review of legislative and executive actions?*

#### ELEMENTS OF QUALITY

*Legal right.* The legal framework establishes the right of judicial review of legislative and executive actions.

*Scope.* The legal framework defines the scope of decisions and actions that can be subject to judicial review.

*Institutions.* The legal framework clearly identifies which institutions have the authority to conduct judicial review and under what circumstances.

*Procedures.* The legal framework sets out clear procedures for the judicial review processes.

94

### Legal basis for executive roles and responsibilities

*To what extent does the legal framework define clear roles and responsibilities for government agencies?*

#### ELEMENTS OF QUALITY

*Institutional mandates.* The legal framework defines clear roles and responsibilities for government agencies.

*Division of powers.* The legal framework clearly defines the division of executive powers and responsibilities across different levels of administration.

*Accountability.* The legal framework establishes clear accountability relationships among executive agencies at national and subnational levels.

*Coherence.* The organization of executive agencies minimizes administrative complexity and overlapping jurisdictions.



95

## Human resource policies of executive agencies

*To what extent do executive agencies implement human resource policies that promote capable and motivated staff?*

### ELEMENTS OF QUALITY

*Hiring practices.* Hiring practices are based on transparent, merit-based criteria.

*Promotion practices.* Promotion practices are based on transparent, merit-based criteria.

*Codes of conduct.* Codes of conduct are published and widely disseminated to agency staff.

*Performance review.* Staff performance and compliance with codes of conduct are regularly reviewed.

*Corrective measures.* Issues identified through staff performance reviews are addressed in a timely manner.

96

## Internal performance monitoring of executive agencies

*To what extent do executive agencies routinely monitor and report on their own performance?*

### ELEMENTS OF QUALITY

*Performance goals.* Agencies publish clear performance goals and strategies that are disseminated to staff.

*Performance monitoring.* Internal monitoring to assess agency performance with respect to stated goals is conducted continuously.

*Separation of roles.* Staff responsible for internal monitoring are independent from the staff whose performance is being monitored.

*Disclosure of reports.* Annual performance reports are publicly disclosed.

*Corrective measures.* Agencies address performance issues identified by internal monitoring in a timely manner.

97

## Independent oversight of executive agencies

*To what extent are executive agencies subject to effective oversight by an independent institution?*

### ELEMENTS OF QUALITY

*Independence.* An independent institution oversees the performance of executive agencies.

*Authority.* Oversight institutions have adequate authority to conduct monitoring and investigation activities.

*Frequency.* Independent monitoring of executive agency performance is conducted on a regular basis.

*Disclosure of reports.* Annual performance reports are publicly disclosed.

*Corrective measures.* The agency promptly addresses issues identified by independent monitoring.

*Enforcement.* The oversight institution has the authority to follow up on or sanction poor performance.

## 5.4 Private Sector

98

### Legal basis for corporate financial transparency

*To what extent does the legal framework require transparent and accountable corporate financial practices?*

#### ELEMENTS OF QUALITY

*Reporting by international companies.* The legal framework requires international companies to submit reports on the compliance of their operations with internationally accepted accounting and audit standards.

*Audits of domestic companies.* The legal framework requires domestic companies to undergo annual audits by a qualified independent auditor.

*Publication of accounts.* The legal framework requires all forest resource companies to publish their accounts annually, including all payments made to the government.

99

### Compliance with corporate financial transparency requirements

*To what extent do companies comply with financial transparency requirements?*

#### ELEMENTS OF QUALITY

*International compliance reports.* International companies submit reports on compliance with internationally accepted accounting and audit standards.

*Domestic audits.* Domestic companies comply with requirements to undergo annual audits.

*Publication of accounts.* Companies comply with requirements to publish accounts annually.

100

### Corporate social and environmental practices

*To what extent do companies engaged in the exploitation of natural resources promote social and environmental sustainability in their operations?*

#### ELEMENTS OF QUALITY

*Social programs.* Companies make efforts to develop social programs that benefit nearby communities.

*Hiring practices.* Companies make efforts to hire and train local workers to fill skilled positions.

*Sustainability initiatives.* Companies make efforts to promote environmental sustainability of their operations.

*Voluntary commitments.* Companies participate in internationally recognized certification or standards programs.

101

## Legal basis for civil society

*To what extent does the legal framework support an active and independent civil society?*

### ELEMENTS OF QUALITY

*Freedom of association.* The legal framework grants the right to form associations.

*Absence of restrictions.* The legal framework does not place restrictions on the types of activities that civil society organizations may engage in.

*Unrestricted funding.* The legal framework does not restrict funding for civil society organizations.

*Registration.* Procedures and requirements for registering civil society organizations are not overly complex or prohibitively expensive.

*Limits on government discretion.* The legal framework limits the discretion of the government to deny registration to civil society organizations.

102

## Capacity of civil society to engage on forest issues

*To what extent do civil society organizations (CSOs) have the capacity to effectively engage on forest issues?*

### ELEMENTS OF QUALITY

*Funding.* CSOs have opportunities for adequate and sustainable financial support from a range of sources.

*Expertise.* CSOs have staff with necessary expertise in relation to their areas of focus.

*Training.* CSOs have access to training opportunities and knowledge enhancement for staff in relevant areas.

*Networking.* CSOs with different areas of expertise form networks or coalitions.

103

## Civil society influence on decision-making processes

*To what extent are CSOs actively engaged in influencing decision-making processes that impact forests?*

### ELEMENTS OF QUALITY

*Forest processes.* CSOs engage in forest sector law- and policy-making processes.

*Other sector processes.* CSOs engage in law- and policy-making processes of sectors that impact forests.

*Budget processes.* CSOs engage in the budget planning process for the forest sector.

*Influence.* The input of CSOs is reflected in the outcomes of law- and policy-making processes.



104

### Information and analysis generated by civil society

*To what extent do CSOs regularly generate independent information and analysis about forest-related issues?*

#### ELEMENTS OF QUALITY

**Comprehensiveness.** CSOs conduct independent, high-quality research and analysis on a comprehensive range of forest topics.

**Peer review.** CSOs ensure that research products are peer reviewed.

**Publication.** CSOs routinely publish reports and analysis.

**Communication.** CSOs communicate research findings to relevant stakeholders in a variety of useful formats.

105

### Media coverage of forest issues

*To what extent does the media regularly investigate and report on forest-related issues?*

#### ELEMENTS OF QUALITY

**Coverage.** The media reports on forest issues of broad or national significance.

**Frequency.** The media reports on forest issues with adequate frequency.

**Timeliness.** Media reports about forest issues are generated in a timely manner.

**Accuracy.** Media reports about forest issues are accurate.

**Balanced coverage.** Media reports about forest issues reflect balanced reporting on different perspectives.







# CROSS-CUTTING ISSUES

## 6

This thematic area evaluates in more detail several key topics that transcend each of the first four thematic areas. As such, the indicators in this section can be applied multiple times. For example, the quality of public participation can be assessed with respect to a land use planning process or a forest policy reform process. The cross-cutting issues indicators are divided into four subthemes:

### 6.1 PUBLIC PARTICIPATION IN DECISION-MAKING

Public participation in decision-making refers to the procedures for consulting stakeholders in decision-making processes and ensuring that their interests and needs are reflected in the final decision.

### 6.2 PUBLIC ACCESS TO INFORMATION

Public access to information refers to the procedures for ensuring that governments actively disclose information and citizens have easy access to information about forests and other issues that concern them.





### 6.3 FINANCIAL TRANSPARENCY AND ACCOUNTABILITY

Financial transparency and accountability refer to the legal requirements, accounting systems, and auditing procedures for ensuring responsible management of the government's financial resources.

### 6.4 ANTICORRUPTION MEASURES

Anticorruption measures refer to specialized laws, institutions, and systems in place to prevent and combat corruption.

## 6.1 Public Participation in Decision-Making

106

### Legal basis for public participation in decision-making

*To what extent does the legal framework define robust requirements and procedures for public participation in decision-making processes?*

#### ELEMENTS OF QUALITY

**Transparency requirements.** The legal framework requires public disclosure of information that is relevant to the decision.

**Timeline.** The legal framework defines a clear timeline for public input.

**Procedures.** The legal framework defines clear procedures for gathering and responding to public input.

**Outreach requirements.** The legal framework requires proactive outreach to potentially affected stakeholders.

**Disclosure requirements.** The legal framework requires public disclosure of the final decision.

107

### Government capacity to facilitate public participation in decision-making

*To what extent do government agencies have the capacity to facilitate full and effective public participation in decision-making processes?*

#### ELEMENTS OF QUALITY

**Communication infrastructure.** Agencies maintain infrastructure to facilitate communication about stakeholder participation processes.

**Budget.** Agencies set aside an adequate budget for stakeholder participation processes when planning new programs or projects.

**Training.** Agencies have staff trained in methods for engaging local communities and vulnerable groups.

**Oversight.** Agencies monitor compliance with public participation requirements.

108

### Implementation of public participation processes

*To what extent are public participation processes effectively implemented in practice?*

#### ELEMENTS OF QUALITY

**Information.** All relevant information related to the decision-making process is publicly disclosed at the outset.

**Procedures.** A clear process and timeline for public participation is advertised and followed.

**Stakeholders.** All potentially affected stakeholders are identified and consulted.

**Vulnerable groups.** Special efforts are made to engage vulnerable or marginalized stakeholders.

**Documentation.** Public input gathered during the participation process is documented and publicly disclosed.

**Final decision.** The final decision is publicly disclosed.



109

## Permanent platforms for multistakeholder participation

*To what extent do effective permanent platforms exist to facilitate multistakeholder participation in decision-making processes?*

### ELEMENTS OF QUALITY

**Goals.** The platform has a clearly stated purpose and goals.

**Inclusiveness.** Membership or participation in the platform is open to all interested stakeholder groups.

**Representation.** Processes to select platform representatives are transparent and socially legitimate.

**Regular meetings.** The platform meets on a regular basis.

**Access to government.** The platform has dedicated channels for engaging with and providing feedback to the government on forest-related issues.

**Influence.** The platform's recommendations are regularly incorporated into government decisions on forest-related issues.

110

## Legal basis for forest transparency

*To what extent does the legal framework guarantee public access to information regarding forests?*

### ELEMENTS OF QUALITY

**Publication of laws.** The legal framework requires the government to publish all forest laws and regulations.

**Disclosure rules.** The legal framework defines the type of forest information that should be made publicly available and explains why any information is kept confidential.

**Procedures.** The legal framework establishes clear procedures for requesting and accessing information.

**Absence of barriers to transparency.** The legal framework does not include antitransparency policies that restrict the ability or willingness of public officials to disseminate information.

**No cost.** The legal framework states that information should be available free of charge.

**Appeals.** The legal framework defines clear mechanisms or procedures to appeal information requests that have been denied or ignored.

111

## Transparency of government agencies

*To what extent do government agencies promptly and proactively disclose information to the public?*

### ELEMENTS OF QUALITY

**Publication of laws.** Laws and regulations are published in a timely manner.

**Disclosure.** Government agencies regularly disclose all information required by law.

**Information platforms.** Government agencies have dedicated platforms for managing and disclosing information to the public.

**Disclosure methods.** Methods of disclosing information are adapted to meet the needs of different groups.

**Timeliness.** Government agencies respond to public requests for information in a timely manner.

**Appeals.** Denied information requests are appealed and resolved in a timely manner.



112

### Accessibility of public information

*To what extent is publicly disclosed information easily accessible and understandable to the majority of citizens?*

#### ELEMENTS OF QUALITY

**Convenience.** Information is provided in convenient and accessible locations.

**Affordability.** Information is provided free of charge or at affordable rates.

**Languages.** Information is provided in relevant languages.

**Usability.** Information is provided in usable formats.

113

### Legal basis for public sector financial management

*To what extent does the legal framework promote responsible financial management in the public sector?*

#### ELEMENTS OF QUALITY

**Budget statements.** The legal framework requires that budget statements of government agencies be inclusive of all fiscal transactions.

**Disclosure of revenues and assets.** The legal framework requires that all agency revenues and asset holdings be publicly disclosed.

**Audit reports.** The legal framework requires that independently audited reports be prepared for the legislature and public showing clearly how public funds have been used.

**Accountability.** The legal framework states that government agencies are legally accountable for funds they collect and use.

114

### Government financial accounting systems

*To what extent do government agencies implement effective accounting systems to track public revenues and expenditures?*

#### ELEMENTS OF QUALITY

**Comprehensiveness.** The accounting system records all types of relevant transactions.

**Harmonization of standards.** Accounting standards and practices are harmonized across different levels of government.

**Coordination.** The accounting system includes effective mechanisms for collecting and consolidating subnational data.

**Data reconciliation.** Accounting data is regularly reconciled against internal and external data sources.

**Internal controls.** Internal controls are in place to check and verify the recording practices of accountants.

115

## Disclosure of government financial reports

*To what extent do government agencies regularly disclose comprehensive and accurate financial reports?*

### ELEMENTS OF QUALITY

*Revenues and spending.* Financial reports are comprehensive of all revenues and spending.

*Asset disclosure.* Financial reports disclose information on agency asset holdings.

*Disclosure of revenue distribution.* Financial reports disclose information on how revenues are distributed to subnational governments, local offices of the agency, or nongovernmental bodies.

*Timely reports.* Financial reports are generated in a timely and regular fashion.

*Disclosure of reports.* Financial reports are publicly disclosed.

116

## Internal financial audit systems

*To what extent do government agencies have effective internal financial audit systems?*

### ELEMENTS OF QUALITY

*Dedicated staff.* The agency has dedicated staff responsible for regular internal auditing of financial activity.

*Procedures.* Auditing procedures adhere to professional standards and practices.

*Comprehensiveness.* Auditing is comprehensive of relevant accounting systems and procedures.

*Disclosure of reports.* Annual audit reports are publicly disclosed.

*Corrective measures.* The agency promptly addresses problems identified in audit reports.

117

## External financial audit systems

*To what extent are government agencies subject to regular external financial audits?*

### ELEMENTS OF QUALITY

*Independent audit.* The agency is audited annually by an independent external body.

*Mandate.* The auditing body has sufficient authority to access financial systems and request information required to conduct a comprehensive audit.

*Standards.* External audits adhere to professional standards and practices.

*Comprehensiveness.* External audits are comprehensive of relevant accounting systems and procedures.

*Disclosure of reports.* Audit reports are publicly disclosed.

*Corrective measures.* The agency addresses problems identified in audit reports.

## 6.4 Anticorruption Measures

118

### Legal basis for combatting corruption

*To what extent does the legal framework seek to prevent and combat corruption?*

#### ELEMENTS OF QUALITY

*Definition of corruption.* The legal framework clearly and comprehensively defines corrupt practices as illegal.

*Penalties.* The legal framework defines clear penalties for corruption.

*Anticorruption institution.* The legal framework establishes a government institution tasked with monitoring and investigating corruption.

*Anticorruption strategy.* A national strategy exists for combatting corruption.

119

### Quality of anticorruption institutions

*To what extent are dedicated and effective institutions in place to combat corruption?*

#### ELEMENTS OF QUALITY

*Independence.* Anticorruption institutions have autonomous governance structures.

*Investigative powers.* Anticorruption institutions have sufficient powers to investigate and gather evidence on corruption cases.

*Jurisdiction.* Anticorruption institutions have broad jurisdiction to investigate corruption across the legislative, executive, and judicial branches of government.

*Prosecution.* Anticorruption institutions have sufficient powers to prosecute or assist in the prosecution of corruption cases.

*Capacity.* Anticorruption institutions have sufficient financial and human resources to carry out their mandates.

120

### Mechanisms to report corruption

*To what extent are effective mechanisms in place for receiving and investigating public reports of corruption?*

#### ELEMENTS OF QUALITY

*Reporting.* Anticorruption institutions have dedicated mechanisms that receive and follow up on public reports of corruption.

*Protection from retaliation.* Protection measures exist to shield individuals who report instances of corruption from retaliation.

*Investigation.* Public reports of corruption are investigated in a timely manner.

*Enforcement.* Confirmed instances of corruption are reported to the relevant enforcement or prosecution authority for follow-up action.



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## Conflict of interest laws

*To what extent are there appropriate conflict of interest laws for public officials?*

### ELEMENTS OF QUALITY

*Conflict of interest disclosure.* The legal framework requires public officials to disclose conflicts of interest related to their responsibilities as public servants.

*Financial asset disclosure.* The legal framework requires public disclosure of financial assets for high-level government officials and their families.

*Gift restrictions.* The legal framework limits the types of gifts and hospitality that can be offered to government officials.

*Waiting period.* The legal framework restricts former public officials from lobbying positions that seek to influence government colleagues without an adequate waiting period.

*Penalties.* The legal framework establishes clear penalties for public officials who violate conflict of interest or asset disclosure rules.

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## Implementation and enforcement of conflict of interest laws

*To what extent are conflict of interest laws for public officials effectively implemented and enforced?*

### ELEMENTS OF QUALITY

*Awareness.* Public officials receive training in and are aware of requirements to disclose conflicts of interest or financial assets.

*Disclosure.* Public officials disclose conflicts of interest and financial assets as required by law.

*Public availability.* Conflict of interest and financial asset disclosure information is publicly available.

*Monitoring.* Potential conflicts of interest are monitored and investigated.

*Application of penalties.* Penalties are promptly applied to officials who violate conflict of interest and financial disclosure rules.

## ABOUT THE GOVERNANCE OF FORESTS INITIATIVE

The Governance of Forests Initiative (GFI) is a global network of civil society organizations from Brazil, Indonesia, Cameroon, and the United States. We work to promote policies and practices that strengthen forest governance to support sustainable forest management and improve local livelihoods. In 2009, we created the draft GFI Framework of Indicators to diagnose strengths and weaknesses in forest governance based on a common analytical framework. Using these indicators, GFI partners have carried out evidence-based advocacy for governance reforms at local, national, and international levels.

The GFI partners include:

- World Resources Institute (WRI) — United States
- Instituto do Homem e Meio Ambiente da Amazônia (Imazon) — Brazil
- Instituto Centro de Vida (ICV) — Brazil
- Indonesian Center for Environmental Law (ICEL) — Indonesia
- Association for Community and Ecology-Based Law Reform (HuMa) — Indonesia
- Forest Watch Indonesia (FWI) — Indonesia
- Sekala — Indonesia
- Telapak — Indonesia
- Cameroon Ecology — Cameroon
- Bioresources Development and Conservation Programme (BDCPC) — Cameroon

## PHOTO CREDITS

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