

The Governance of Forests Initiative (GFI)

Brazil pilot assessment
preliminary results

Copenhagen COP, 10 December 2009

Scope of the assessment

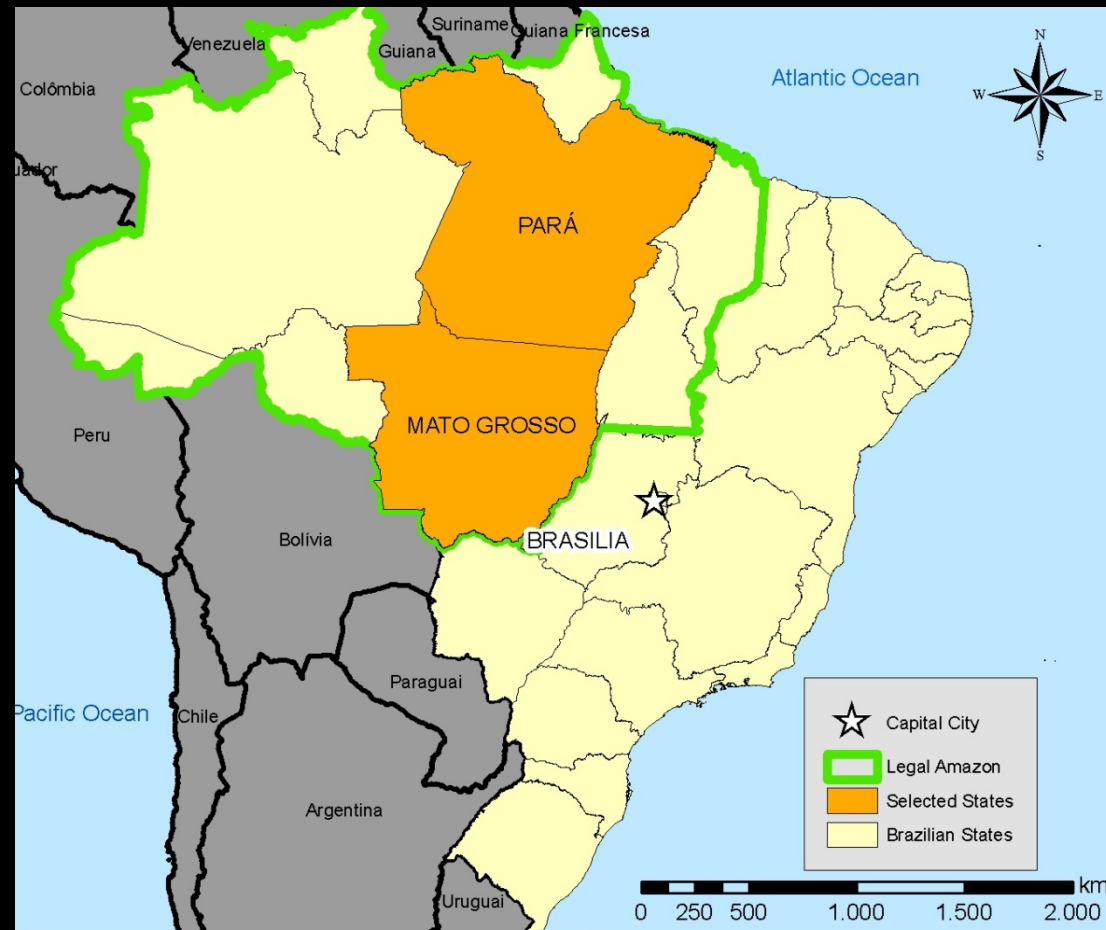
- Mato Grosso and Pará States
 - 70% of total deforestation in the Amazon (1999-2008)
 - leading states for decentralization of forest management

- Federal Level

- Key role in forest governance

- 4 issues:

- Forest tenure
- Forest Management
- Land-use planning
- Revenue distribution & economic incentives



Methodology

- ▶ Building on previous experience on forest governance issues
- ▶ Review of literature and laws & policies
- ▶ Interviews with government officials, stakeholder representatives and experts (n=30)
- ▶ Participation at public hearings

Forest tenure indicators

<p>Actors <i>government institutions, int'l institutions, civil society, private sector</i></p>	<p>Rules <i>reform processes, policy content, law content</i></p>	<p>Practice <i>implementation, administration, monitoring, enforcement, compliance</i></p>
<p>Land & Forest Agencies</p> <ul style="list-style-type: none"> •Capacity administer and monitor forest tenure •Capacity to negotiate and design forest contracts <p>Dispute Resolution Mechanisms</p> <ul style="list-style-type: none"> •Capacity to resolve forest tenure disputes <p>Civil society</p> <ul style="list-style-type: none"> •Capacity to engage on forest tenure issues •Representation of indigenous and community groups 	<p>Legal Framework for Forest Tenure</p> <ul style="list-style-type: none"> •Recognition of community and indigenous tenure rights •Legal support and protection of forest tenure •Transparent rules for selling and allocating public forests •Clear responsibilities and authority for forest tenure administration <p>Law and Policy Processes</p> <ul style="list-style-type: none"> •Coordination of tenure laws/policies with forest management objectives 	<p>Forest Tenure Administration</p> <ul style="list-style-type: none"> •Transparent and accessible land tenure administration services •Transparent and accessible administration of permits and licenses •Competitive processes for awarding major forest contracts • Comprehensive design of forest contracts <p>Forest Tenure Monitoring</p> <ul style="list-style-type: none"> •Comprehensive and accurate information • Public access to information <p>Community Forest Tenure</p> <ul style="list-style-type: none"> •Recognition and resolution of community forest tenure claims • Participatory community mapping <p>Dispute Resolution</p> <ul style="list-style-type: none"> •Accessible and effective dispute resolution

Forest management indicators

<p>Actors <i>government institutions, int'l institutions, civil society, private sector</i></p>	<p>Rules <i>reform processes, policy content, law content</i></p>	<p>Practice <i>implementation, administration, monitoring, enforcement, compliance</i></p>
<p>Management Agencies</p> <ul style="list-style-type: none"> •Expertise •Independence •Internal performance monitoring <p>Law Enforcement Bodies</p> <ul style="list-style-type: none"> •Capacity of law enforcement agencies •Capacity of the judiciary <p>Civil society</p> <ul style="list-style-type: none"> •Capacity to engage on forest management and monitoring 	<p>Legal/Policy Framework for Management</p> <ul style="list-style-type: none"> •Clear objectives for forest management •Clarity and consistency within and between laws •Rules for forest management and conversion •Rules for protecting biodiversity •Policies to reduce deforestation and degradation •Clear authority and responsibilities <p>Legal/Policy Framework for Law Enforcement</p> <ul style="list-style-type: none"> •Clear authority and responsibilities •Clearly defined offenses and penalties <p>Law and Policy Processes</p> <ul style="list-style-type: none"> •Coordination across sectors •Use of high quality information to inform decisions •Public access to information on the basis and goals of reform •Clear process for public participation •Meaningful public participation •High quality legislative debate on forest law 	<p>Management</p> <ul style="list-style-type: none"> •Management information system •Public access to information •Local community participation •Control of fire and other disturbances •Management of protected areas and indigenous lands <p>Monitoring</p> <ul style="list-style-type: none"> •National forest inventories •Forest cover change •Management and use •Product supply chain •Independent forest monitoring <p>Enforcement</p> <ul style="list-style-type: none"> •Prosecution of offenders •Application of penalties

Preliminary results - Forest management indicators

	Indicator	Governance Assessment	Strengths	Weaknesses
ACTORS	FM2. Independence of forest management agencies	Weak	<ul style="list-style-type: none"> • Clear codes of behavior for staff • Transparent procedures for public tender 	<ul style="list-style-type: none"> • No clear criteria and transparent procedures for hiring and promotion, especially in the appointment of high officials • No requirement of disclosure of interests • No transparency of salaries
RULES	FM11. Clear and comprehensive policies to reduce deforestation and degradation	Moderate	<ul style="list-style-type: none"> • Good quality information • Main drivers of deforestation and degradation addressed • Clear objectives • Description of the means to achieve the objectives 	<ul style="list-style-type: none"> • Lack of definition concerning financial capacity • Lack of clear authority for the implementation
PRACTICES	FM21. Effective information systems as a basis for forest management	Weak	<ul style="list-style-type: none"> • Comprehensiveness of the data in information systems • Centralization of information • Effective information sharing mechanisms 	<ul style="list-style-type: none"> • No regular updating mechanism • Lack of precision and accuracy of information • Underuse of information systems, especially in Pará
	FM22. Public access to information about forest management	Moderate	<ul style="list-style-type: none"> • Comprehensiveness of the on line information • Useful format of accessible information • Relevant language of accessible information • Useful scale of accessible information 	<ul style="list-style-type: none"> • Lack of timely answer to public requests
	FM23. Local community participation in forest management	Weak	<ul style="list-style-type: none"> • Inclusion of community representatives in local forest meetings 	<ul style="list-style-type: none"> • Lack of financial or technical assistance programs • Absence of adapted communication on forest related legislation • Absence of communication mechanism between state and community
	FM25. Effective management of protected areas and indigenous lands	Weak	<ul style="list-style-type: none"> • Clarity as to what activities allowed and not allowed within the area 	<ul style="list-style-type: none"> • Lack of boundaries enforcement; • Imperfections in the delineation • Lack of access to adequate scientific and technical information • Absence of comprehensive and appropriate management plan • Lack of financial, human and logistical resources • Absence of mechanisms to resolve disputes

Example a) FM-R 11: Clear and comprehensive policies to reduce deforestation and degradation

Policies assessed:

- The Federal and the two states' Action Plans to Prevent and Control Deforestation in the Amazon
- The National Plan on Climate Change

Assessment results:

Elements of quality	Never	Most cases no	Most cases yes	Always
Plan is based on high quality information on deforestation and degradation			3	
Plan address the main drivers of deforestation and degradation			3	
Plan states clear objectives				4
Plan states how to achieve objectives			3	
Plan is generally consistent with national capacity for implementation		2		
Plan identifies a clear authority for its implementation		2		

Values:

1-1,5

Governance Assessment:

Very weak

Example b) FM-P 25: Effective management of protected areas and indigenous lands

Items assessed:

- Implementation of the National and State Systems of Conservation Units
- Management of Indigenous lands

Assessment results:

Elements of quality	Never	Most cases no	Most cases yes	Always
Clear delineation of boundaries		2		
Enforcement of boundaries		2		
Clarity as to what activities are allowed and not allowed within the area			3	
Managers have access to adequate scientific and technical information as a basis for forest management planning		2		
Existence of a comprehensive and appropriate management plan		2		
Access to adequate financial, human and logistical resources to implement the management plan		2		

Values:

1-1,5

Governance Assessment:

Very weak

Next steps

- ▶ Complete assessment (March 2010)
- ▶ Validation – advisory committee
- ▶ Engage in relevant processes, e.g.:
 - Construction REDD mechanism (Federal and State levels)
 - REDD Principles and Criteria