

PROJECT TITLE: ENHANCING FOREST LAW ENFORCEMENT
IN PAPUA NEW GUINEA

REPORT TITLE: TECHNICAL REPORT THREE:
*DEVELOPING AN ACCEPTABLE FRAMEWORK FOR
PAPUA NEW GUINEA'S TIMBER LEGALITY STANDARD,
INDUSTRY CODE-OF-CONDUCT AND STAKEHOLDER
MONITORING MODULE.*

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Abbreviations and Acronyms

EFI	European Forestry Institute
EU	European Union
FCA	Forest Clearance Authority
FLEGT	Forest Law Enforcement Governance and Trade
FORCERT	Forest Management and Product Certification Service
FSC	Forest Stewardship Council
HIV/AIDS	Human Immunodeficiency Virus / Acquired Immune Deficiency Syndrome
ILG	Incorporated Land Group
ITTO	International Tropical Timber Organisation
NFM	Natural Forest Management
NFS	National Forest Service
PIP	Pacific Island Projects
PNG	Papua New Guinea
PNGFA	PNG National Forest Authority
SGS	Société Générale de Surveillance
TLTV	Timber Legality and Traceability Verification

Summary

The International Tropical Timber Organisation is currently helping the PNG Forest Authority to establish a pilot timber tracking system for PNG, together with a legality standard, industry code-of-conduct and stakeholder monitoring module. This report introduces the project's selected stakeholder consultation methodology which comprises initial scoping and framework setting activities, accompanied by a set of research and communication tools. The report also presents the research findings which have led to the development of an acceptable framework for PNG's Timber Legality Standard, Industry Code-of-Conduct and Stakeholder Monitoring Module. The report concludes that the project's consultation tools, techniques and processes are delivering the desired results and may well be relevant to other forest law enforcement interventions. Some recommendations are also given regarding the remaining work to be done; both during and after the project.

1. Introduction

Papua New Guinea is committed to sustainable forest management. Over the years, a sound framework of forest policies, laws and regulations have been put in place. In spite of this, weak forest law enforcement is currently undermining the PNG Forest Authority's efforts at achieving sustainable forest management on the ground. This situation is also affecting PNG's ability to satisfy the requirements of some of its key timber markets. The International Tropical Timber Organisation is now helping the PNG Forest Authority to enhance forest law enforcement through a two-year pilot project which aims to develop:

- A pilot timber tracking system for testing at two timber concessions in PNG;
- A FLEGT based legality standard and industry code-of-conduct for PNG;
- A training module that will enhance the willingness and capacity of key stakeholders to detect illegal practices within the forestry sector.

Stakeholder consultation is an essential component of forest law enforcement. The project's overall stakeholder consultation methodology contains a series of consultation activities that are designed to:

- Exchange background information about the project in a way that avoids raising expectations about what will be delivered;
- Produce an acceptable Timber Legality Standard, Industry Code-of-Conduct and Stakeholder Monitoring Module for PNG.

This document reports on the consultation activities and findings to-date which have led to the preparation of an acceptable set of framework documents for drafting PNG's Timber Legality Standard, Industry Code-of-Conduct and Stakeholder Monitoring Module. This document also presents the recommendations received from stakeholder with regards to the remaining forest law enforcement steps to be taken; both during and after the project.

2. Methodology

The project's stakeholder consultation methodology follows a step-by-step approach that maintains ongoing dialogue throughout the project, with specific milestones and two objectives. A literature review was first undertaken to identify the most cost-effective tools, techniques and processes for engaging key stakeholders in forest law enforcement interventions. The proposed methodology was then discussed with project stakeholders using the scoping questionnaire. Although the applied methodology is more complex than the one-off workshops that were initially planned, the overall costs are similar. The consultation objectives, principles, tools and work plan are presented in Tables 1 and 2 (below).

Table 1: Stakeholder consultation objectives, principles and tools

Objectives	<p>To exchange background information about the Project in a way that avoids raising expectations about what will be delivered.</p> <p>To produce an acceptable Timber Legality Standard, Industry Code-of-Conduct and Stakeholder Monitoring Module for PNG</p>
Principles	<p>The consultation process should involve as large a proportion of stakeholders as possible;</p> <p>The consultation process should encourage consensus and understanding, rather than disagreement and confusion.</p>
Tools	<p><u>Stakeholder database</u> - for storing contact details of identified stakeholder representatives.</p> <p><u>Webpage</u> - for widely disseminating important information to stakeholders through the Forest Authority website.</p> <p><u>National newspapers</u> - for widely disseminating important information to national stakeholders.</p> <p><u>E-bulletin</u> - for disseminating important information, materials and project updates amongst identified stakeholders.</p> <p><u>Project brochure</u> - for introducing project objectives, activities and partners to identified stakeholders.</p> <p><u>Invitation letters (refer annex 7.1)</u> - for formalising the consultation process, as well as inviting identified stakeholders to register with the project and actively take part in the preparation of PNG's Timber Legality Standard, Industry Code-of-Conduct and Stakeholder Monitoring Module.</p> <p><u>Scoping questionnaire (refer annex 7.2)</u> - for enabling registered stakeholders to define the scope of PNG's Timber Legality Standard, Industry Code-of-Conduct and Stakeholder Monitoring Module, as well as discuss the project and consultation process (refer photo above).</p> <p><u>Online workspace, phone, fax and email</u> - for enabling registered stakeholders to actively take part in the production of PNG's Timber Legality Standard, Industry Code-of-Conduct and Stakeholder Monitoring Module throughout the consultation process.</p> <p><u>Workspace Documents (refer annex 7.3)</u> - for providing registered stakeholders with the necessary background information to actively take part in the production of PNG's Timber Legality Standard, Industry Code-of-Conduct and Stakeholder Monitoring Module These documents can be accessed through the online workspace or distributed by email and fax.</p> <p><u>Workshop programme (refer annex 7.4)</u> - for enabling registered stakeholders to set an acceptable framework for PNG's Timber Legality Standard, Industry Code-of-Conduct and Stakeholder Monitoring Module.</p> <p><u>Technical committee</u> - for enabling representatives from the four stakeholder groups to take part in the drafting of PNG's Timber Legality Standard, Industry Code-of-Conduct and Stakeholder Monitoring Module with reference to the three framework documents.</p>



Table 2: Stakeholder consultation work-plan

Period	Activities	Milestones
To February 2011	Prepared stakeholder database and other consultation tools.	Stakeholder database containing contact details of 200+ identified stakeholders (domestic and international).
March to July 2011	Invited 150 + target groups to take part in the consultation process through initial invitation letter from PNGFA Managing Director distributed by fax / email together with copy of project brochure, supplemented by one-to-one phone calls.	Acceptance messages received from organisations / sub-organisations interested to take part in the consultation process. There are currently 51 registered stakeholder groups (refer annex 7.5).
March 2011	Introduced project to identified stakeholders through the 1 st e-bulletin.	Background information communicated to 200+ identified stakeholders regarding the: <ul style="list-style-type: none"> - Project objectives, outputs and activities - Stakeholder consultation process
May to October 2011	Conducted initial scoping through face-to-face meetings with registered organisations / sub-organisations in Port Moresby and the project's pilot areas with reference to scoping questionnaire, supplemented by phone / fax / email consultations with selected stakeholders in other locations.	Initial understanding reached with 51 registered stakeholder groups regarding: <ul style="list-style-type: none"> o The project objectives, outputs and activities o The stakeholder consultation process o The scope of the PNG Timber Legality Standard, Industry Code of Conduct and Stakeholder Training Module
June 2011	Up-dated selected stakeholders on project progress through the 2 nd e-bulletin, together with links to invitation letter, project brochure and scoping questionnaire.	Project progress communicated to 200+ identified stakeholders regarding the: <ul style="list-style-type: none"> o Timber tracking system o Stakeholder consultation process
August 2011	Gave progress report to National Forest Board members on timber tracking system and stakeholder consultation process.	Positive feed-back received from stakeholder representatives.
September to November 2011	Prepared drafts framework documents for PNG's Timber Legality Standard, Industry Code-of-Conduct and Stakeholder Monitoring Module and distributed to registered stakeholders for comments	Written comments received from PNG Forest Industries Association, FSC-PNG Working Group, FORCERT and Department of Environment and Conservation regarding draft framework documents.
October	Up-dated registered stakeholders on project progress through the 3 rd e-bulletin, together with links to workshop invitation letter and draft framework documents.	Project progress communicated to 200+ identified stakeholders regarding the: <ul style="list-style-type: none"> o National workshop o Draft framework documents.
November 2011	Informed stakeholders on draft framework documents and the national workshop through article in national newspapers, together with links to project webpage.	Acceptance messages received from 5 additional organisations interested to take part in the consultation process.

Table 3: Stakeholder consultation work-plan

Period	Activities	Milestones
November 2011	Conducted national workshop in Port Moresby to complete the framework documents and identify remaining work to be done both during and after the project.	<p>The workshop's 60+ registered participants recommended the PNG Forest Authority establish a working committee with representatives from the four stakeholder groups to assist project personnel draft PNG's Timber Legality Standard, Industry Code-of-Conduct and Stakeholder Monitoring Module with reference to the initial consultation findings, the workshop presentations, written feed-back from stakeholders, and final framework documents</p> <p>2-3 committee members from each stakeholder group were nominated.</p>
December 2011	Prepare 1 st draft Timber Legality Standard, Industry Code-of-Conduct and Stakeholder Monitoring Module with technical committee and circulate widely for comments	To be prepared with reference to the (i) initial consultation findings; (ii) workshop presentations; (iii) written feed-back from stakeholders and (iv) final framework documents, and then circulated widely for comments.
January to April 2012	Pilot-test Timber Legality Standard, Industry Code-of-Conduct and Stakeholder Monitoring Module at project pilot sites	To be carried out with the project's two industry partners.
June 2012	Finalise Timber Legality Standard, Industry Code-of-Conduct and Stakeholder Monitoring Module with technical committee	To be prepared with reference to pilot-text findings and then circulated widely for final comments.

3. Findings: *Initial Scoping*

The project's initial stakeholder consultations were designed to:

- Introduce the forest law enforcement project to key stakeholders;
- Discuss the scope of the Timber Legality Standard, Industry Code-of-Conduct and Stakeholder Monitoring Module for PNG.

Initial scoping activities were conducted with reference to the scoping questionnaire ([refer annex 7.2](#)). A considerable amount of common ground was identified, together with some constructive suggestions to assist with the drafting of the three forest law enforcement tools. The complete set of research questions, answers and comments are presented in the Initial Consultation Report and summarised in the tables below.

3.1 Timber Legality Standard

Table 4: Initial findings for PNG's Timber Legality Standard

QUESTION A: <i>Which laws should PNG's timber legality standard relate to?</i>	
<p>ANSWERS FROM STAKEHOLDERS:</p> <p>Forestry laws / regulations</p> <p>Start with priority laws / regulations</p> <p>All laws / regulations</p>	<p>COMMENTS FROM STAKEHOLDERS:</p> <p>The timber legality standard should:</p> <ul style="list-style-type: none"> • Be aligned with the PNG constitution • Be developed with reference to all relevant standards. • Be mandatory and gazetted through the National Institute of Standards and Industrial Technology (NISIT). • Include all laws referred to in the FSC National Forest Management Standards for PNG - including ILG Act and International Conventions such as human rights. • Include standards that relate to child welfare, human trafficking and foreign investment. • Include standards that relate to landowner consent. • Demonstrate evidence of the Free Prior Informed Consent of majority of landowners; • Suit the conditions in PNG, and also match the requirements of PNG's key markets. • Be continually adapted to match the changing market requirements for tropical timber. • Be easy to follow, and relevant to small-scale operators too. • Be practical and easy to monitor / enforce. The more complex the standards...the harder to enforce.
<p>KEY FINDING: <i>PNG'S Timber Legality Standard should relate to all relevant laws and regulations and be presented in an understandable, user-friendly format.</i></p>	

Table 5: Initial findings for PNG's Timber Legality Standard (continued)

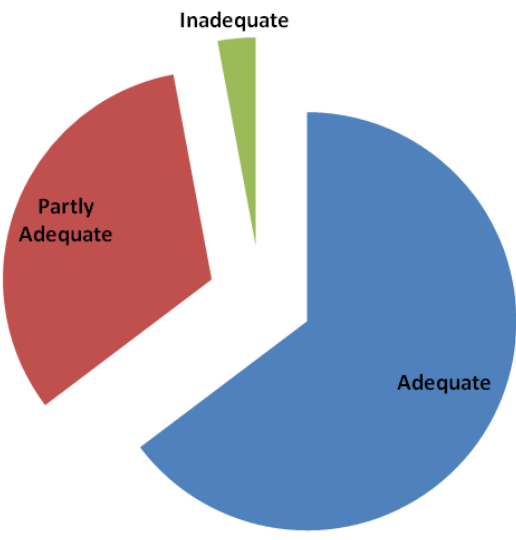
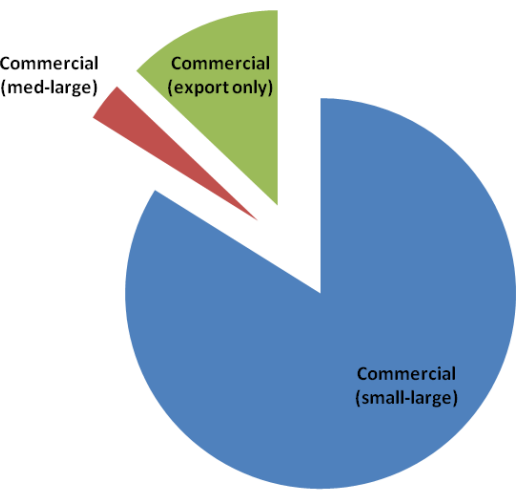
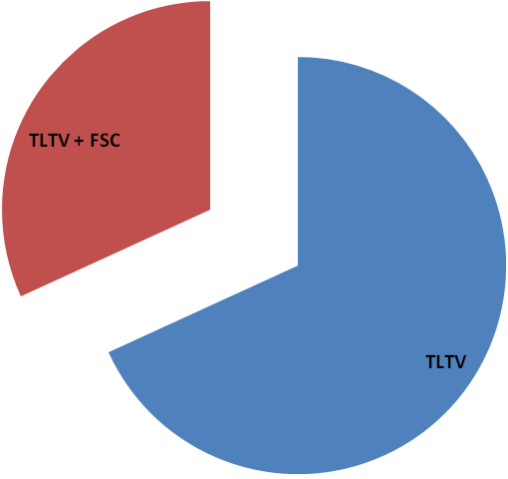
QUESTION B: Is the existing legal framework adequate?	
<p>ANSWERS FROM STAKEHOLDERS:</p> 	<p>COMMENTS FROM STAKEHOLDERS:</p> <ul style="list-style-type: none"> • Frequent amendments to legislation including Forestry and Environment Acts are weakening PNG's legal framework as these amendments focus on economic issues more than social and environmental issues. • FCA laws and regulations need to be reviewed. • Waste management regulations need to be reviewed (e.g. royalty calculations for abandoned logs). • Downstream processing policy in place but not the legislation (e.g. processing, quality control). • Laws to safeguard landowner interests are missing. • Some of the 24 key standards are impractical / hard to implement and need to be improved. • There are discrepancies between Acts (e.g. Fisheries, Lands and Merchant Shipping Acts say different things about jetty ownership). • The legislation is geared towards large scale operations - so a legal framework needs to be developed for small-scale operations too (likely to involve fewer laws and regulations). • Climate change policies, laws and regulations need to be developed. • Existing regulations, procedures and manuals may need to be amended after the project to include timber legality standard, industry code-of-conduct etc.
KEY FINDING: The existing legal framework is adequate for project, but needs to be strengthened.	
QUESTION C: Should all timber producers comply with the standards?	
<p>ANSWERS FROM STAKEHOLDERS:</p> 	<p>COMMENTS FROM STAKEHOLDERS:</p> <ul style="list-style-type: none"> • The standard responds to international market demands and should therefore only apply to export timber, since the cost of compliance will be too high for the domestic market. • It must be possible for small scale operators to comply. • Small scale operators may need more time to learn about how to comply (the standards should be relevant, workable and easy to monitor). • Compliance audits should be done by a 3rd party (i.e. not by the PNGFA)
KEY FINDING: All commercial timber producers - including small-scale operators - should comply.	

Table 6: Initial findings for PNG's Timber Legality Standard (continued)

QUESTION D: <i>Does the SGS-TLTV Standard for PNG provide an appropriate starting point for the PNG timber legality standard?</i>	
<p>ANSWERS FROM STAKEHOLDERS:</p> 	<p>COMMENTS FROM STAKEHOLDERS:</p> <ul style="list-style-type: none"> Referring to the SGS-TLTV and FSC-NFM Standards for PNG should ensure that all relevant legality standards are identified. Legality issues are included in the FSC NFM Standards for PNG including those that relate to the "free, prior and informed consent" of landowners. They are also part of the (international) FSC Controlled Wood Standard. The SGS-TLTV and FSC-NFM standards are sometimes difficult to implement (e.g. survey lines cannot be diverted from project plan). The timber legality standard for PNG should be presented in a way that is easy for the industry to understand and practical to comply with. The forest industry needs to understand the costs and benefits of compliance with the different standards. The PNG timber legality standard is not needed. The SGS-TLTV Standard is all that is needed. The industry does not need 2 systems operating side-by-side. This will weaken PNG's credibility and potentially disrupt trade.
<p>KEY FINDING: <i>Together - the SGS-TLTV Standard for PNG and the FSC-NFM Standard for PNG (legality sections) - provide an appropriate starting point for the PNG legality standard.</i></p>	

3.2 Industry Code of Conduct

Table 4: Initial findings for PNG's Industry Code-of-Conduct

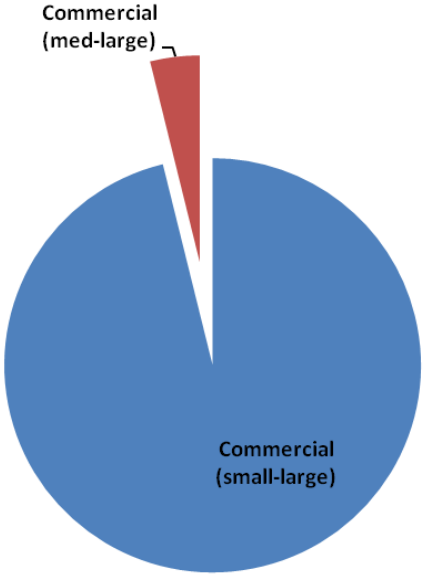
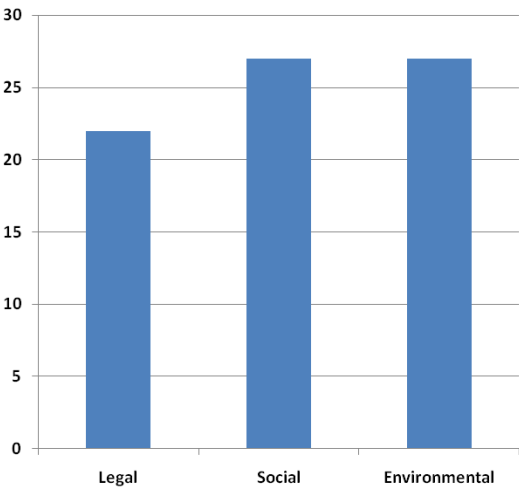
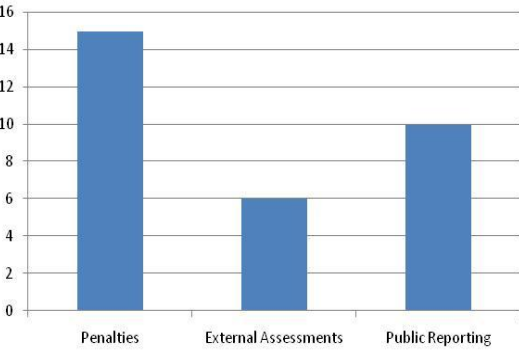
QUESTION A: <i>Which organisations should the code-of-conduct target?</i>	
<p>ANSWERS FROM STAKEHOLDERS:</p> 	<p>COMMENTS FROM STAKEHOLDERS:</p> <p>The industry code-of-conduct should:</p> <ul style="list-style-type: none"> Be adapted to suit different types of organisation - small-scale and large scale. Target carbon traders too. Include non-timber forest product traders as they also use Forest Industry Participant certificates. The project should also assist the NFS (and National Forest Board?) to upgrade its code-of-ethics in consultation with stakeholders.
<p>KEY FINDING: <i>The code-of-conduct should target all commercial timber producers.</i></p>	

Table 4: Initial findings for PNG's Industry Code-of-Conduct (continued)

QUESTION B: Which issues should the code-of-conduct target?									
<p>ANSWERS FROM STAKEHOLDERS:</p>  <table border="1"> <caption>Data for Question B Stakeholder Answers</caption> <thead> <tr> <th>Issue Category</th> <th>Number of Responses</th> </tr> </thead> <tbody> <tr> <td>Legal</td> <td>22</td> </tr> <tr> <td>Social</td> <td>27</td> </tr> <tr> <td>Environmental</td> <td>27</td> </tr> </tbody> </table>	Issue Category	Number of Responses	Legal	22	Social	27	Environmental	27	<p>COMMENTS FROM STAKEHOLDERS:</p> <p>The code-of-conduct should include a statement about:</p> <ul style="list-style-type: none"> • All key issues which impact on local stakeholders, including local infrastructure. • The company / group's organisational structure and contact details (including office at project site). • Public relations, reporting and communication channels. • Social obligations to maintain good working relationships with landowners and local stakeholders. • Health & safety, HIV/AIDS, gender and human rights. • Alcohol use at project site, law and order. Transparency and accountability (no bribery and corruption). • Training and recruitment of local staff. • Maintenance of machinery • Ensuring all staff understand timber legality standards for PNG (e.g. Logging Code of Practice). • Reducing wastage. • Re-planting and climate change mitigation.
Issue Category	Number of Responses								
Legal	22								
Social	27								
Environmental	27								
<p>KEY FINDING: The code-of-conduct should target important legal, social and environmental issues, particularly those that concern local stakeholders.</p>									
QUESTION C: What additional methods could be used to help the forest industry comply with the code-of-conduct?									
<p>ANSWERS FROM STAKEHOLDERS:</p>  <table border="1"> <caption>Data for Question C Stakeholder Answers</caption> <thead> <tr> <th>Method</th> <th>Number of Responses</th> </tr> </thead> <tbody> <tr> <td>Penalties</td> <td>15</td> </tr> <tr> <td>External Assessments</td> <td>6</td> </tr> <tr> <td>Public Reporting</td> <td>10</td> </tr> </tbody> </table>	Method	Number of Responses	Penalties	15	External Assessments	6	Public Reporting	10	<p>COMMENTS FROM STAKEHOLDERS:</p> <p>The industry code-of-conduct should:</p> <ul style="list-style-type: none"> • Be a voluntary statement, enforced by individual companies and industry groups. • Be enforced by NFS as a minimum code-of-conduct. • FSC certification can be used for external assessment and monitoring • Include company / group logos. • Be developed with reference to the codes-of-conduct prepared by the Forest Industries Association and the Oil Palm Industry Council. • Include a simple format for small-scale operators.
Method	Number of Responses								
Penalties	15								
External Assessments	6								
Public Reporting	10								
<p>KEY FINDING: The code-of-conduct should include references to penalties, public reporting and external assessments.</p>									

3.3 Stakeholder Monitoring Module

Table 5: Initial findings for PNG's Stakeholder Monitoring Module

QUESTION A: Which stakeholder groups should the training module target?											
<p>ANSWERS FROM STAKEHOLDERS:</p> <table border="1"> <caption>Stakeholder Group Distribution</caption> <thead> <tr> <th>Stakeholder Group</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Landowner</td> <td>~40%</td> </tr> <tr> <td>Private Sector</td> <td>~15%</td> </tr> <tr> <td>Government</td> <td>~25%</td> </tr> <tr> <td>Non-Government</td> <td>~20%</td> </tr> </tbody> </table>	Stakeholder Group	Percentage	Landowner	~40%	Private Sector	~15%	Government	~25%	Non-Government	~20%	<p>COMMENTS FROM STAKEHOLDERS:</p> <ul style="list-style-type: none"> • Only NFS staff are authorised to monitor forestry laws and regulations. • Government has limited outreach capacity, and it is difficult to ensure people on the ground stay impartial and objective. • The project could also work through the Provincial Forest Management Committees (PFMC) who also have a responsibility in this area. • Local stakeholders can help identify compliance issues for NFS to investigate further / take action. • Responsible local "agents" should be selected, such as selected landowners within a permit area. • Basic awareness is needed before local stakeholders can monitor compliance (especially landowner awareness, including school children.) • Ideally companies should form a partnership with landowners. Logging operations should empower landowners; rather than make them dependent.
Stakeholder Group	Percentage										
Landowner	~40%										
Private Sector	~15%										
Government	~25%										
Non-Government	~20%										
<p>KEY FINDING: <i>The module should target landowners (awareness needed first) and government, non-government and private sectors.</i></p>											
QUESTION B: Which laws should the stakeholder monitoring module target?											
<p>ANSWERS FROM STAKEHOLDERS:</p> <table border="1"> <caption>Law Categories Distribution</caption> <thead> <tr> <th>Law Category</th> <th>Count</th> </tr> </thead> <tbody> <tr> <td>All laws which can be monitored locally</td> <td>12</td> </tr> <tr> <td>Forestry laws / regulations</td> <td>4</td> </tr> <tr> <td>All laws which impact on local stakeholders</td> <td>4</td> </tr> <tr> <td>Start with priority laws / regulations</td> <td>2</td> </tr> </tbody> </table>	Law Category	Count	All laws which can be monitored locally	12	Forestry laws / regulations	4	All laws which impact on local stakeholders	4	Start with priority laws / regulations	2	<p>COMMENTS FROM STAKEHOLDERS:</p> <ul style="list-style-type: none"> • Particularly compliance with the Logging Code-of-Practice, Forest Management Agreements, Project Agreements, 5-Year Plans and Annual Plans. • Field monitoring is necessary to check landowner's Free Prior Informed Consent during the development options study stage for Forest Management Areas.
Law Category	Count										
All laws which can be monitored locally	12										
Forestry laws / regulations	4										
All laws which impact on local stakeholders	4										
Start with priority laws / regulations	2										
<p>KEY FINDING: <i>The module should target laws and regulations which can be effectively monitored by local stakeholders.</i></p>											

Table 5: Initial findings for PNG's Stakeholder Monitoring Module (continued)


QUESTION C: What methods will most help stakeholders monitor and report on illegal forestry activities?											
<p>ANSWERS FROM STAKEHOLDERS:</p> <table border="1"> <caption>Data for Stakeholder Answers</caption> <thead> <tr> <th>Method</th> <th>Number of Responses</th> </tr> </thead> <tbody> <tr> <td>Awareness material</td> <td>15</td> </tr> <tr> <td>Training courses</td> <td>7</td> </tr> <tr> <td>Guidelines and forms</td> <td>19</td> </tr> <tr> <td>Equipment and incentives</td> <td>10</td> </tr> </tbody> </table>	Method	Number of Responses	Awareness material	15	Training courses	7	Guidelines and forms	19	Equipment and incentives	10	<p>COMMENTS FROM STAKEHOLDERS:</p> <p>Guidelines and forms should:</p> <ul style="list-style-type: none"> • Simplify the timber legality standards. • Contain tick-boxes that people can use for reporting to NFS, explaining how to "blow the whistle". • Be easy to use, photocopy and distribute. • Be prepared in tok pisin and motu. • Include step-by-step procedures for local stakeholder to follow, including actions to be taken. <p>Awareness material should:</p> <ul style="list-style-type: none"> • Include topics such as (i) rights & responsibilities, (ii) terms & conditions of project agreements, (iii) log volume and royalty calculations, (iv) landowner benefits sharing both in short and long term, (v) how to manage royalty payments, (vi) information on log tracking, (vii) the laws regarding unused / B grade logs, (viii) basic logging standards / practices (from Logging Code-of-Practice). • Comprise easy to photocopy handouts & posters, and easy to burn CDs. • Communicate key messages visually (e.g. cartoon sketches, photos, power-point presentations, real-life videos) with reference to stories and simple text in tok pisin and motu • Be disseminated through NFS provincial offices, village notice boards, local committees etc. <p>Monitoring equipment and incentives should :</p> <ul style="list-style-type: none"> • Involve provincial governments that receive levies from logging operations and should contribute funds as well as manpower. • Provide training to local stakeholders (e.g. NFS project supervisors) and certification of monitoring "agents". • Mobile phones increase people's capacity to stay informed and send reports. • Laptop and projector for village presentations.
Method	Number of Responses										
Awareness material	15										
Training courses	7										
Guidelines and forms	19										
Equipment and incentives	10										
<p>KEY FINDING: <i>The module should comprise landowner awareness material, monitoring guidelines & forms, and training course material.</i></p> <p><i>These materials should be tested through selected agents / organizations at the two pilot-sites, and recommendations made regarding their wider application.</i></p>											

4. Findings: Framework Setting

The Initial Consultation Report led to the preparation of three draft framework documents which were distributed to all stakeholders who took part in the initial scoping exercise. These documents were further examined at the national workshop (refer annex 7.4) in Port Moresby with reference to the written feed-back received from stakeholders. The complete set of findings are presented in the final framework documents for PNG's Timber Legality Standard, Benchmark Industry Code-of-Conduct and Stakeholder Monitoring Module and summarised in the tables below.


4.1 Timber Legality Standard

Table 6: Workshop findings for PNG's Timber Legality Standard

<p>WORKSHOP DECISIONS:</p> <p>PNG's timber legality standard should be:</p> <ul style="list-style-type: none"> • Guided by PNG's (i) National Constitution; (ii) Mid-Term Development Strategy; (iii) National Forest Policy and (iv) PNG Forest Authority's Corporate Plan. • Presented in a straightforward, user-friendly format that enables the ongoing monitoring of forest industry participant performance with reference to the following levels of appraisal: <i>objective; principles; criteria; indicators; verifiers</i>. • Drafted in consultation with a Technical Committee comprising 2-3 members from each of the four stakeholder groups. This work will be done via email and/or the online workspace. • Drafted with reference to the initial consultation findings, the presentations and written feed-back from stakeholders, and the final framework document • Drafted with reference to (i) the social, environmental and economic "principles" outlined in the EU-FLEGT Briefing Note # 2; (ii) the SGS-TLTV Standard for PNG and (iii) the legality sections of the FSC National Forest Management Standards for PNG. • Developed and improved over time. 																					
<p>WORKSHOP OUTPUTS:</p> <table border="1"> <tr> <td colspan="2">GOAL</td> </tr> <tr> <td colspan="2">To demonstrate that PNG's forest industry participants are complying with PNG's National Constitution, Mid-Term Development Strategy, National Forest Policy, as well as the PNGFA's Corporate Strategy.</td> </tr> <tr> <td colspan="2">OBJECTIVE</td> </tr> <tr> <td colspan="2">To demonstrate that PNG's forest industry participants are complying with all relevant social, environmental and economic legislation.</td> </tr> <tr> <td colspan="2">Principle 1</td> </tr> <tr> <td colspan="2">Compliance with rights to harvest timber within forest areas that are legally acquired¹.</td> </tr> <tr> <td colspan="2">Criterion 1.1</td> </tr> <tr> <td colspan="2">Company has obtained the necessary approvals for its forest and related operations².</td> </tr> <tr> <td>Indicator 1.1.1</td> <td>Verifiers for 1.1.1</td> </tr> <tr> <td>Where obligatory, the Company has carried out forest inventories and received official approval for it⁶.</td> <td>a) <i>Planning, Monitoring and Control Procedures for Natural Forest Logging Operations under Timber Permit: November 1995</i> (source: PNGFA HQ and regional / provincial offices)⁶</td> </tr> </table>			GOAL		To demonstrate that PNG's forest industry participants are complying with PNG's National Constitution, Mid-Term Development Strategy, National Forest Policy, as well as the PNGFA's Corporate Strategy.		OBJECTIVE		To demonstrate that PNG's forest industry participants are complying with all relevant social, environmental and economic legislation.		Principle 1		Compliance with rights to harvest timber within forest areas that are legally acquired ¹ .		Criterion 1.1		Company has obtained the necessary approvals for its forest and related operations ² .		Indicator 1.1.1	Verifiers for 1.1.1	Where obligatory, the Company has carried out forest inventories and received official approval for it ⁶ .
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4.2 Industry Code of Conduct

Table 7: Workshop findings for PNG's Industry Code-of-Conduct

<p>WORKSHOP DECISIONS:</p> <p>PNG's Industry Code-of-Conduct should:</p> <ul style="list-style-type: none"> • Provide a “template” for forest industry participants to refer to when preparing their own organisational code-of-conduct. • Contain a compulsory “set-of-rules” for all forest industry participants (including non-timber operations) to follow. • Target important economic issues as well as legal, social and environmental issues. • Be in-line with the recommendations made by the International Federation of Accountants (2006) for developing a complete organisational code-of-conduct (refer diagram in left hand column). • Be drafted in consultation with a Technical Committee comprising members from each of the four stakeholder groups. This work will be done via email and/or the online workspace. • Be drafted with reference to the initial consultation findings, the presentations and written feed-back from stakeholders, and the final framework document. 																	
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4.3 Stakeholder Monitoring Module

Table 8: Workshop findings for PNG's Stakeholder Monitoring Module

<p>WORKSHOP DECISIONS:</p> <p>PNG's Stakeholder Monitoring Module:</p> <ul style="list-style-type: none"> • Should be driven by the PNG Forest Authority and undertaken in partnership with other agents / organizations. • Should comprise three step-by-step topics, namely: <i>awareness, basic monitoring and advanced monitoring</i> (refer diagram below). • Should comprise attractive and easy-to-use materials, guidelines, forms and training notes. • Should be drafted in consultation with a Technical Committee comprising members from each of the four stakeholder groups. This work will be done via email and/or the online workspace. • Should be drafted with reference to the initial consultation findings, the presentations and written feedback from stakeholders, and the final framework document. • Awareness and basic monitoring materials should be prepared first (i.e. during the project); • Advanced monitoring materials should be prepared once Timber Legality Standard has been gazetted and the PNG Forest Authority's auditing processes defined (i.e. after the project). • Awareness materials should target ILG chairmen, landowner companies, ward councillors, women leaders, church elders, schools and relevant government agencies (e.g. immigration). • Awareness materials should include information on log-tagging and timber tracking. 	
<p>WORKSHOP OUTPUTS:</p> <div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div style="border: 1px solid blue; padding: 10px; width: 30%; background-color: #e6f2ff;"> <p>Topic 1: <i>Awareness</i></p> <ul style="list-style-type: none"> • Attractive, informative awareness MATERIALS supplemented by face-to-face communication and radio/print media. • TRAINING NOTES for trainers (where necessary). </div> <div style="font-size: 2em; color: blue; margin: 0 10px;">➔</div> <div style="border: 1px solid blue; padding: 10px; width: 30%; background-color: #e6f2ff;"> <p>Topic 2: <i>Basic monitoring</i></p> <ul style="list-style-type: none"> • Attractive, easy-to-understand monitoring GUIDELINES. • Attractive and easy-to-use monitoring FORM(S); • TRAINING NOTES for trainers (where necessary). • KEY REFERENCE MATERIALS are timber permits; 1 and 5 year forest plans; logging code of practice; planning, monitoring & control procedures. </div> <div style="font-size: 2em; color: blue; margin: 0 10px;">➔</div> <div style="border: 1px solid blue; padding: 10px; width: 30%; background-color: #e6f2ff;"> <p>Topic 3: <i>Advanced monitoring</i></p> <ul style="list-style-type: none"> • Clear, precise GUIDELINES for monitoring forest industry compliance with the PNG Timber Legality Standards. • Practical, easy-to-use FORMS for monitoring forest industry compliance with the PNG Timber Legality Standards. • TRAINING NOTES for trainers. </div> </div>	

5. Conclusions

The project's stakeholder consultation process is going ahead as planned. In particular:

- The project has been introduced to a wide range of stakeholders through the newspaper article, e-bulletin, project brochure and initial face-to-face meetings.
- The research work has been undertaken in consultation with a reasonable cross-section of registered stakeholders through the scoping questionnaire, draft framework documents and national workshop. The research findings - therefore - provide an acceptable framework for drafting PNG's Timber Legality Standard, Industry Code-of-Conduct and Stakeholder Monitoring Module.
- The technical committee of stakeholder representatives provides an excellent forum for assisting the stakeholder consultation consultant to draft PNG's Timber Legality Standard, Industry Code-of-Conduct and Stakeholder Monitoring Module.
- The project's stakeholder consultation tools, techniques and processes may well be relevant to other forest law enforcement interventions.

6. Recommendations

6.1 During the Project

Whilst the consultation work to-date has provided a sound basis for the remaining work ahead, stakeholder coverage and "buy-in" needs to be maximized to ensure the project delivers a widely acceptable Timber Legality Standard, Industry Code-of-Conduct and Stakeholder Monitoring Module for PNG. For this reason:

- Soft copies of 1st and 2nd Timber Legality Standard, Industry Code-of-Conduct and Stakeholder Monitoring Module should be (i) distributed via e-mail and / or e-bulletin to the project's 200+ stakeholders; (ii) uploaded to the project webpage; and (iii) promoted through the national newspapers.
- Hard copies of 1st and 2nd draft Timber Legality Standard, Industry Code-of-Conduct and Stakeholder Monitoring Module should be posted to all other key stakeholders (including forest industry participants) using the SGS and NFS contact lists (i.e. in addition to the project database).
- The project should encourage registered organizations that work with landowners to nominate and assist landowner groups to provide feed-back on the 1st and 2nd draft materials (as discussed during the initial scoping exercise).


6.2 After the Project

The consultation process has also identified a number of important steps to be taken after the project. The complete set of recommendations are presented in the final framework documents and summarised below. After the project, the PNG Forest Authority should take the lead in:


- Formalising PNG's Timber Legality Standard, Industry Code-of-Conduct and Stakeholder Monitoring Module through the appropriate government channels.
- Developing the necessary measures for monitoring and enforcing PNG's Timber Legality Standard and the Industry Code-of-Conducts compulsory "set-of-rules" for forest industry participants, including imposing penalties for non-compliance.
- Rolling out PNG's timber legality "system" through an appropriate information and awareness programme. This should include promoting legal forestry operations at the project's two pilot sites and arranging "exposure trips" for key stakeholders (including landowners from other concessions).
- Preparing the Stakeholder Monitoring Module's advanced monitoring materials once the Timber Legality Standard has been gazetted and the PNG Forest Authority's auditing processes defined.
- Reviewing and strengthening the existing legal framework as necessary with reference to comments received from stakeholders.
- Addressing transfer pricing issues through appropriate methods such as improving overseas market intelligence.
- Developing a forest law enforcement plan / timeframe to carry-out and monitor the above. A step-by-step approach will anticipate the steps ahead to keep things moving towards sustainable forest management goals; rather than just complying with minimum market access requirements.

7. Annexes

7.1 Initial Invitation Letter



**PAPUA NEW GUINEA FOREST AUTHORITY
NATIONAL FOREST SERVICE**



OFFICE OF THE MANAGING DIRECTOR

TELEPHONE: (675) 3277841
TELEPHONE: (675) 3277887
FACSIMILE: (675) 3254433

P.O. Box 5055, BOROKO,
NATIONAL CAPITAL DISTRICT
PAPUA NEW GUINEA.

24 February, 2011
File: 11-25-14

Dear Stakeholder,

**SUBJECT: ENHANCING FOREST LAW ENFORCEMENT IN PNG:
INVITATION TO PARTICIPATE IN THE STAKEHOLDER
CONSULTATION PROCESS**

In 2005, the “St Petersburg Declaration on Forest Law Enforcement and Governance (FLEG)” endorsed the commitment of 43 governments to take action on illegal logging. This declaration was the result of a Ministerial Conference on FLEG that brought together nearly 300 participants representing governments, the private sector, civil society and international organizations.

In 2006, the EC Delegation in Port Moresby supported a national dialogue on forestry options in Papua New Guinea (PNG), and the International Tropical Timber Organization (ITTO) co-financed a “Multi Stakeholder Workshop on FLEG” at the Holiday Inn in Port Moresby. A year later, the ITTO helped trial the SGS Timber Legality and Traceability Verification (T.L.V) service at a timber concession in PNG.

Following which, the ITTO and the Government of PNG have entered into a Project Agreement to implement Project PD 449/07 Rev. 2 titled “ENHANCING FOREST LAW ENFORCEMENT IN PNG”. This pilot project will be for a duration of 24 months and involve staff from the PNG Forest Authority and consultants from SGS-PNG Limited. The Project is expected to improve existing efforts to stamp out those aspects of illegality which are vital for sustainable forest management in PNG. The Project will:

1. Develop a national timber tracking system for pilot-testing at two timber concessions in PNG;
2. Develop a FLEGT based legality standard and industry code-of-conduct for PNG
3. Develop a forestry monitoring module for local stakeholders

In view of the importance of this Project, the PNG Forest Authority hereby invites your organization to participate in the Project’s stakeholder consultation process. We shall be conducting initial meetings with key stakeholders in Port Moresby during the period 21st to 25th March 2011. These meetings will provide an opportunity to introduce the Project, as well as discuss the scope of the timber legality standard, the industry code-of-practice, and the forestry monitoring module.

In that respect, I should be grateful if you could express your interest by forwarding the name and contact details of an appropriate person to represent your organization during the stakeholder consultation process to the following address:

Organization : PNG Forest Authority
Contact person : **Tom Bukon**
Position : Coordinator - FLEG Project
Phone : 327 7996
Email : tbukon@pngfa.gov.pg

For your consideration and thanking you in advance.

Yours faithfully,



.....
KANAWI POURU
Managing Director



.....
Ben Taupa
Director Field Services

7.2 Scoping Questionnaire (page 1 of 6)



Enhancing Forest Law Enforcement in PNG: Questionnaire for initial stakeholder consultations

1. INTERVIEW INFORMATION	
<i>Complete questions a & c at the end of the interview.</i>	
a. Date and time of interview	
b. Name of interviewer(s) & interviewee(s)	
c. Interesting observations noted during the interview	
2. STAKEHOLDER INFORMATION	
<i>Collect some background information about their organisation</i>	
a. What is the name of your organisation?	
b. Where is your organisation located?	
c. What type of organisation is it?	Private sector (national) <input type="checkbox"/> ; Private sector (international); Government (national) <input type="checkbox"/> Government (international) <input type="checkbox"/> ; Non-Government (national) <input type="checkbox"/> ; Non-Govt (international) <input type="checkbox"/> Landowner <input type="checkbox"/> ; Other (specify) <input type="checkbox"/>
d. What sector do you operate in?	Forest industry <input type="checkbox"/> Community forestry <input type="checkbox"/> Academic <input type="checkbox"/> Other (specify) <input type="checkbox"/>
e. Has your organisation been involved with other projects that focus on forest law enforcement?	ITTO-PNGFA/Regional Multi-stakeholder workshop on FLEG (2006) <input type="checkbox"/> EU-INA/National forestry dialogue workshop (2006) <input type="checkbox"/> ITTO-SGS/TLTV consultations (2008) <input type="checkbox"/> Other (specify) <input type="checkbox"/>

7.3 Workspace Documents (page 1 of 3)



Enhancing Forest Law Enforcement in PNG: Background information, useful examples and draft materials

The PNG FLEG Project has assembled a variety of documents to help stakeholders take part in the preparation of PNG's Timber Legality Standard, Industry Code-of-Conduct and Stakeholder Monitoring Module. These materials are available at any time through the project's [online](#) workspace, where they are arranged as per the five tables below. The tables below can also be used to request copies of selected items via [email](#) using the "tick-boxes" at the end of each row (just complete and return this document to srollinson@pip.com.pg). **Recently uploaded documents** are highlighted yellow.

Table 1: Documents available from the project folder "Enhancing Forest Law Enforcement"

Document Type	Document Name	Pages	Size	Email
Background Information	A. EU-FLEGT NOTES: What is FLEGT?	2	0.2MB	<input type="checkbox"/>
Background Information	B. EU-FLEGT NOTES: Legal Timber	2	0.3MB	<input type="checkbox"/>
Background Information	C. EU-FLEGT NOTES: Legality Assurance Systems	2	1.5MB	<input type="checkbox"/>
Background Information	D. EU-FLEGT NOTES: Supply Chain Control	2	0.3MB	<input type="checkbox"/>
Background Information	E. EU-FLEGT NOTES: Legality Verification Requirements	2	0.5MB	<input type="checkbox"/>
Background Information	F. EU-FLEGT NOTES: Independent Monitoring	2	0.6MB	<input type="checkbox"/>
Background Information	G. EU-FLEGT NOTES: Voluntary Partnership Agreements	2	0.4MB	<input type="checkbox"/>
Background Information	H. VERIFOR-FAO REPORT: Legality Verification Challenges	10	0.5MB	<input type="checkbox"/>
Background Information	I. DFID-TTF REPORT: EU Market Report (legal timber)	72	5.6MB	<input type="checkbox"/>
Background Information	J. FAO REPORT: Best Practices (forest law compliance)	132	0.6 MB	<input type="checkbox"/>
Background Information	K. ITTO REPORT: PNG Multi Stakeholder Workshop on FLEG	43	0.5MB	<input type="checkbox"/>
Background Information	L. INA REPORT: PNG Forestry Dialogue	46	0.3MB	<input type="checkbox"/>
Background Information	M. IDL REPORT: PNG FLEGT Fact Finding Mission	29	0.3MB	<input type="checkbox"/>
Background Information	N. FoE-GEF REPORT PNG Timber Procurement Risks	59	0.9MB	<input type="checkbox"/>

October 17, 2011

1 of 3

7.4 Workshop Programme



PNG Forest Authority

Enhancing Forest Law Enforcement in PNG: Workshop Programme

Date:	Thursday 24 th to Friday 25 th November 2011
Venue:	Board Room, PNG Forest Authority HQ, Frangipani Street, Hohola, NCD
Objectives:	To complete the framework documents for PNG's Timber Legality Standard, Industry Code-of-Conduct and Stakeholder Monitoring Module. To plan any additional steps to be taken after the project.
Essential Materials:	Initial Consultation Finding Report Initial framework documents for Timber Legality Standard, Industry Code-of-Conduct and Stakeholder Monitoring Module

Agenda for Thursday 24th November:

Time	Session	Activity	Leader
08:30 - 09.30	Workshop opening	Registration	PNGFA
		Opening prayer	PNGFA
		Welcome	PNGFA
09.30 - 11.00	Introduction	Workshop participants	Facilitator
		Workshop programme & materials	Facilitator
		Workshop context	SGS / PIP
		Workshop questions	Facilitator
11.00 - 11.15	Tea break		PNGFA
11.15 - 12.45	Stakeholder presentations	Timber tracking: <i>landowner perspective</i>	Representative
		Code-of-conduct: <i>industry perspective</i>	Representative
		Open discussion	Facilitator
12.45 - 13.45	Lunch break		PNGFA
13.45 - 15.15	Stakeholder presentations	Legality standard: <i>non-govt. perspective</i>	Representative
		Stakeholder monitoring: <i>govt. perspective</i>	Representative
		Open discussion	Facilitator
15.15 - 15.30	Tea break		PNGFA
15.30 - 16.15	Closing (day 1)	Summary (day 1)	Facilitator
		Feed-back (day 1)	Facilitator
		Closing prayer	PNGFA

October 31, 2011

1



Agenda for Friday 25th November:			
Time	Session	Activity	Leader
08.30 - 09.30	Opening (day 2)	Registration	PNGFA
		Opening prayer	PNGFA
		Summary (day 1)	Facilitator
		Agenda (day 2)	Facilitator
09.30 - 10.30	International presentation	Legality assurance and international trends	EU and EFI representatives
10.30 - 10.45	Tea Break		PNGFA
10.45 - 12.30	Group discussions	Introduction to 3 framework documents	PNGFA / PIP
		Identify the missing elements of PNG's:	
		a) <i>Timber Legality Standard</i>	Group leader
		b) <i>Industry Code-of-Conduct</i>	Group leader
		c) <i>Stakeholder Monitoring Module</i>	Group leader
12.30 - 13.30	Lunch Break		PNGFA
13.30 - 14.45	Group presentations	Finalise the missing elements of PNG's:	
		a) <i>Timber Legality Standard</i>	Group leader
		b) <i>Industry Code-of-Conduct</i>	Group leader
		c) <i>Stakeholder Monitoring Module</i>	Group leader
		Open discussion	Facilitator
14.45 - 15.00	Tea Break		PNGFA
15.00 - 15.30	What next?	Before project ends	SGS / PIP
		After project ends	PNGFA
15.30 - 16.15	Workshop closing	Workshop summary	Facilitator
		Workshop evaluation	Facilitator
		Thanks	PNGFA
		Closing prayer	PNGFA

7.5 Registered Stakeholders

Organisation	Sub-Organisation	Sector
Barefoot Community Services		Private Sector
Center for Environmental Law and Community Rights		Non-government
Cloudy Bay Project Development Committee		Landowner
Cloudy Bay Sustainable Foresry Limited		Private Sector
Conservation International (PNG)		Non-government
Consultative Implementation and Monitoring Council		Government
Delegation of the European Union to Papua New Guinea	Rural Development Programme	Government
Department of Environment and Conservation	Sustainable Terrestrial Environments Division	Government
Department of National Planning and Monitoring	Economic Branch	Government
Department of National Planning and Monitoring	Forestry & Fisheries Branch	Government
East New Britain Sospel Eksen Komiti		Non-government
European Forestry Institute		Government
Fitlalloo ILG (Cloudy Bay)		Landowner
FORCERT		Private Sector
FSC-PNG (PNG Forest Certification Incorporated)		Non-government
Greenpeace Australia Pacific		Non-government
Iilindouna ILG (Cloudy Bay)		Landowner
Islands Consultants & Associates Ltd		Private Sector
IT and S		Private Sector
National Forest Service	Area Manager (West New Britain)	Government
National Forest Service	Corporate Services Directorate	Government
National Forest Service	Field Services (Cloudy Bay)	Government
National Forest Service	Field Services Director	Government
National Forest Service	Field Services Directorate	Government
National Forest Service	Forest Development Directorate	Government

Organisation	Sub-Organisation	Sector
National Forest Service	Forest Research Institute	Government
National Forest Service	Legal Office	Government
National Forest Service	Natural Forest Management (West New Britain)	Government
National Forest Service	Policy & Planning Directorate	Government
National Forest Service	Project Allocations Directorate	Government
National Forest Service	Project Supervision (West New Britain)	Government
Nature Conservancy		Non-government
PNG Eco Forestry Forum		Non-government
PNG Forest Industries Association		Private Sector
PNG Heritage Foundation		Non-government
PNG Institute for National Affairs		Private Sector
PNG National Research Institute	Economic and Lands Division	Government
PNG Sustainable Development Programme	Forestry Programme	Private Sector
PNG University of Technology	Forestry Department	Government
Provincial Administration (West New Britain)	Provincial Forestry Division	Government
Provincial Forest Management Committee (West New Britain)	Landowner Representative	Government
Rimbujan Hijau Group		Private Sector
Rural Industries Council		Private Sector
Sinaran Papua Limited		Private Sector
Stettin Bay Lumber Company Limited	Planning & Monitoring	Private Sector
Stettin Bay Lumber Company Limited		Private Sector
Timber & Forestry Training College		Government
Transparency International (PNG) Inc.	Forest Governance Integrity Program	Non-government
University of PNG	School of Natural Resources & Physical Science	Government
Wide Bay Conservation Association		Non-government
World Wide Fund for Nature (PNG)		Non-government