



## PRINCIPLES FOR INDEPENDENT MONITORING OF REDD (IM-REDD)

Governance is key to REDD+. Through internationally agreed principles, safeguards and standards, a roadmap for progress towards the good governance required for successful REDD+ will be developed. Importantly, it will be owned by the countries concerned. A clear conflict of interest exists if governments monitor their own performance. A set of 10 principles can be derived from Independent Forest Monitoring, developed over a decade to address precisely this problem. All 10 principles are essential for effective monitoring that provides credibility that the governance system is working, and apply equally to monitoring REDD+. While the scope of the monitoring for REDD+ differs; the principles and methodology remain the same.

### Introduction

It is now broadly acknowledged that forests play a critical role in mitigating climate change. Before and since the Copenhagen Climate Conference, the world has been witnessing a rapid proliferation of national and international initiatives aimed at reducing emissions from deforestation and forest degradation and associated activities, collectively known as REDD+. REDD+ is quickly gaining momentum and political support, with US\$3.5 billion pledged in December 2009 over the period 2010 to 2012<sup>1</sup>, a sum which is expected to increase.

REDD+ presents a unique opportunity to reform forest management and land use. It does not, however, come without risks. Forests have continued to degrade and disappear for decades despite numerous programmes and policies intended to keep them. Financial losses stemming from illegal logging and associated trade have been estimated at US\$10-15 billion annually<sup>2</sup>, and this does not take into account dramatic social and environmental impacts. Furthermore, often legality does not equate to sustainability: legal logging activities can be just as destructive as illegal ones. REDD+ provides an opportunity, and an imperative, to get forest management and land use right.

Through REDD+, huge sums of money are being offered to countries, many of which have weak governance structures. This should ring alarm bells about where the money might go, and what developmental benefits – social, economic and environmental – will accrue, and to which people. The forest sector in many countries, frequently dominated by timber exports to drive macro-economic objectives, is notorious for state looting, elite capture, corruption, theft and fraud. It is hard to think of a country that does not have long-standing, high level forest policy objectives about sustaining forests and providing equitable benefits from this

national patrimony, yet the evidence is clear to see: forests have disappeared and development objectives, especially those relating to poverty and livelihoods, seem further away than ever.

REDD+ will not succeed unless governance is addressed. Good governance denotes having functioning government institutions which operate within a clear and coherent policy and legal framework, and which are transparent and accountable to their citizens. Developing and maintaining these structures depends on the relationships between state and non-state actors.

Poor governance constitutes a problem at many levels, from regulations to enforcement. While governance failures may occur in one particular area – such as the forest sector – the damage caused can be felt in many others. They magnify the divergences of interests between the various stakeholders, ultimately polarising their positions and undermining consensus. This can lead to serious social conflict, which adds to the environmental damage and economic losses.

This briefing paper introduces participatory Independent Monitoring of REDD+ (IM-REDD), involving local civil society organisations, as an essential building block of the overall architecture for monitoring REDD+ governance. Independent monitoring is a tried and tested means to provide a measure of credibility that countries are implementing the effective governance reforms they claim to be. It can identify and publicly report on systemic failures that undermine the success of REDD+ activities. In this way it supports the functioning of law enforcement. Crucially, it provides real-time, on-the-ground evidence about REDD+ implementation. IM-REDD may need to be implemented by a range of actors, of which empowered local civil society organisations are key

as IM-REDD opens up space for meaningful engagement and participation. It adds credibility and robustness to the overall system by providing independent information to national control structures, international implementing and oversight institutions, and funding providers. The latter is particularly relevant as REDD+ funds may come through different sources and mechanisms, adding a layer of complexity to the structure. Importantly, IM-REDD can build confidence in REDD+ by helping to ensure the money reaches the intended recipients.

## Background: governance and REDD+

Any system operating in an environment where there are governance challenges, and particularly where payments will be for intangible services, will need a robust set of checks and balances – a ‘system of accountability’ – in order to operate with transparency and fairness. It is expected that countries will need to undertake measurement, reporting and verification (MRV) activities in their implementation of REDD+ initiatives to ensure these make an actual contribution to emission

mitigation, although the precise scope and nature of the system is uncertain. Discussions on MRV have tended to focus on the technical elements of measuring carbon. However, it is equally important to build the monitoring frameworks and capacity for measuring, reporting and verifying **improvements in governance** and implementation of **agreed safeguards**, both at a national and international level. A performance-based mechanism for these is what will make REDD+ credible and ultimately successful. Monitoring governance and safeguards in REDD+ was the subject of a workshop held at Chatham House in May 2010.<sup>3</sup> Table 1 describes the safeguards for which there is broad support in the REDD+ negotiations, along with key elements of governance derived from background paper 1 prepared for the workshop.

The international mechanisms evolving for REDD+ through multilateral institutions and bilateral agreements will need to include these governance measures. The question is *how can we be sure* these imperatives are implemented and not bypassed in any way? This is where the need to *independently* monitor what is occurring on the ground will make a critical contribution.

**Table 1: REDD+, Governance and safeguards**

### Governance imperatives<sup>4</sup>

#### National

- Identifying appropriate policies to tackle the complex political and economic incentives which have resulted in a lack of forest law enforcement, high levels of deforestation and forest degradation and unsustainable management practices in many forest-rich countries
- Identifying pragmatic and nationally-appropriate criteria for performance-based payments in ‘pre-carbon’ REDD+ phases
- Identifying country-specific potential for additional progressive social and political outcomes from REDD+ investment, activities and income streams
- Ensuring meaningful accountability to domestic stakeholders.

#### International

- (Particularly in Phase 1 and 2, the ‘pre-carbon’ period): developing a national monitoring and reporting framework which can effectively demonstrate progress towards reducing emissions and underpin a genuinely performance based payment system for REDD+
- Demonstrating implementation of all relevant safeguards
- Ensuring meaningful accountability to international stakeholders (including in Phase 3, providing credible MRV of carbon).

### REDD+ draft safeguards<sup>5</sup>

- (a) Actions complement or are consistent with the objectives of national forest programmes and relevant international conventions and agreements
- (b) Transparent and effective national forest governance structures, taking into account national legislation and sovereignty
- (c) Respect for the knowledge and rights of indigenous peoples and members of local communities, by taking into account relevant international obligations, national circumstances and laws, and noting that the General Assembly has adopted the United Nations Declaration on the Rights of Indigenous Peoples
- (d) Full and effective participation of relevant stakeholders, including, in particular, indigenous peoples and local communities
- (e) Actions that are consistent with the conservation of natural forests and biological diversity, ensuring that actions are not used for the conversion of natural forests, but are instead used to incentivise the protection and conservation of natural forests and their ecosystem services, and to enhance other social and environmental benefits
- (f) Actions to address the risks of reversals
- (g) Actions to reduce displacement of emissions.

## What is “Independent Monitoring”?

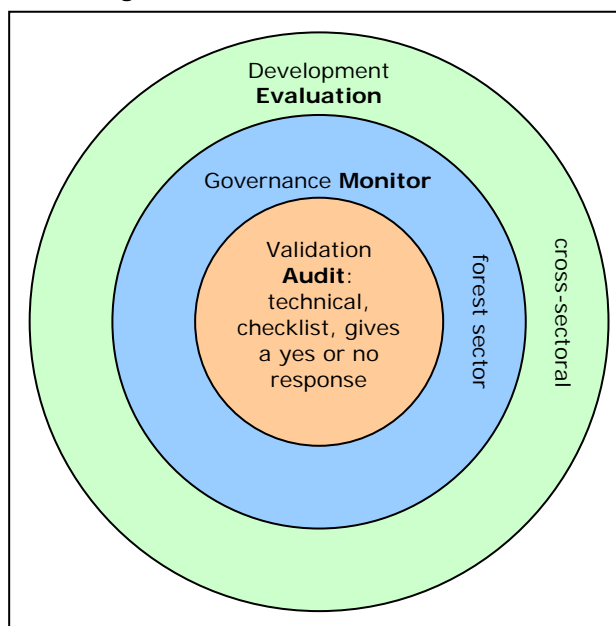
Independent Monitoring “entails the use of an independent third party that, by agreement with state authorities, provides an assessment of legal compliance, and observation of and guidance on official law enforcement systems”<sup>6</sup>.

The work of an independent monitor focuses on ground truthing and evidence gathering, and by observing the functioning of a system, it identifies systemic weaknesses and contributes, but is not responsible for, recommendations for remedies. Its strength comes from having an ‘official but independent’ role. In other words, it does not associate itself with any stakeholder – though is in regular contact with all of them. It enjoys an official recognition from the country’s authorities, enabling its recommendations to be taken seriously and used as a basis for action. As Figure 1 shows, any form of independent monitoring is distinctive from both an audit and a broader governance evaluation:

- The narrowest form of monitoring is an audit, which verifies against a set checklist of criteria and can therefore give a conclusive, yes/no, ‘pass’ or ‘fail’ but can only operate within a clearly bounded system.
- At its broadest, monitoring means assessing the impact of development initiatives across a wide range of sectors. These tend to be less frequent, and have their own specialist methodology, such as the UN Millennium Development Goal<sup>7</sup> assessments or Human Development Reports,<sup>8</sup> the World Bank Worldwide Governance Indicators<sup>9</sup>, or the Transparency International Corruption Perceptions Index.<sup>10</sup>
- Independent Monitoring occupies a space between these. It provides ‘extra eyes and ears’, and is mandated to look outside the audit checklist, but still retains a focus on the forest sector. It monitors system governance, identifying systemic weaknesses and failures through case studies, and reports publicly. It involves a multi-disciplinary team with different fields of expertise. It supports, but is not a substitute for, official law enforcement.

Within a REDD+ context, it is possible to foresee auditors reporting ultimately to the REDD+ financial mechanism under the UN Framework Convention on Climate Change (UNFCCC) to trigger carbon payments and pre-carbon performance based payments. In tandem with this, IM-REDD would enable identification of wider governance and systems failures, and feed them back with a view to flag where REDD+ is failing and/or improve implementation throughout time. REDD+ is a process, and as such monitoring will need to occur

Figure 1: concentric circles of independent monitoring



on an ongoing basis. This also means that the role and scope of IM-REDD will evolve through time.

The concentric circles notion of monitoring can be seen in the EU FLEGT initiative, where an Independent Audit will be undertaken at regular intervals against a predetermined set of criteria.<sup>11</sup> This will provide credibility, in the narrowest sense, that the timber legality assurance system is indeed providing legal timber. Beyond that, there should be an Independent Observer / Monitor, who works in response to need and seeks to assess the wider dimensions of each FLEGT Voluntary Partnership Agreement (VPA), such as legal reform and community rights, leakage and system failure, enforcement and corrective actions. This monitor should be able to operate beyond the limits of the checklist audit.<sup>12</sup>

Thus the role of the monitor is observing and reporting on the performance of official processes and the work of regulatory authorities in their control activities. That is to say, it focuses on monitoring **the process** rather than the result. It analyses the governance system, and how it is or is not functioning. On that basis, it also proposes corrective actions.

In many ways, independent monitoring is also analogous to election observation: both have a strong focus on the rule of law rather than technical skills, both can and should be done by local and international actors according to the circumstances, both are mandated by a host government organisation and have clear reporting protocols, and both are best carried out by a value-driven, as distinct from profit-driven, organisation. Local civil society involvement is at the centre of Independent Monitoring of the VPA in Indonesia, where multiple civil society monitors is the only way to operate in a large and diverse country. There is a joint EU-

Indonesia secretariat that among other functions will give recognition to these monitors. There is, in addition, an audit function which checks VPA implementation both in Indonesia and in the EU.

Through its work, independent monitoring increases transparency and accountability by publicly reporting on evidence gathered in an objective, unbiased way. It provides a channel through which civil society and other stakeholders can voice their concerns, as the monitor is able to investigate and clarify disputed situations. It brings all stakeholders together and opens – and maintains – spaces for dialogue.

## Principles for Independent Monitoring

A decade of experience with IFM provides the basis for a robust set of ten principles that will be instrumental in enabling forms of independent monitoring – including IM-REDD – to perform.

### Principles for Independent Monitoring in summary

1. Independence
2. An official mandate
3. A Terms of Reference
4. A transparent recruitment process
5. Appropriate technical capacity and resources
6. Unhindered access to information
7. Unhindered access to forest locations
8. A public profile and accessibility
9. A multi-stakeholder reporting panel
10. The right to publish

1. **Independent:** Clearly the monitor must have no conflicting relationship with the forest authorities or relevant private sector actors. Furthermore, it must not be providing other – perhaps more lucrative – services that would influence the way in which it is perceived by the government. The way in which the monitor is funded must not be subject to political influence. The monitor must not show bias and must treat all tip-offs in a justified and fair way. **Why?** To build confidence in the process the monitor needs to be, and be seen to be, unbiased and independent in every way.
2. **Official mandate:** The monitor requires an official cachet in order to conduct its work unhindered. This is obtained through a contract with a state organisation. **Why?** The monitor needs rights and privileges. At the same time it is not a freelance researcher or investigator; it must understand its responsibilities, and operate with integrity. This status also helps to ensure that reports are acted upon by the relevant responsible authorities.
3. **Terms of reference (ToR):** The contract must contain an agreed terms of reference and

operational protocols. These include the modalities for joint investigations, alongside government agents, and independent missions.

**Why?** Independent Monitoring ToR are not universal, but should be developed on a case-by-case basis to ensure that the scope of the monitor's remit is sufficiently broad and deep (see next section). Geography, legal system, institutional structures and resources will all vary.

4. **A transparent recruitment process:** The choice of monitors must be justified and transparent. A competitive tendering process is recommended, provided there is scope for subsequent finalisation of the ToR and operational protocols.

**Why?** One source of the monitor's independence comes from the manner in which they are recruited. A recruitment process that is not fully transparent, especially if combined with a weak ToR, will not provide sufficient credibility.

5. **Appropriate technical capacity and resources:** The size of the monitoring team, its professional make up, and the operational resources available must be consistent with the scope of the ToR. There must be a long-term commitment to funding.

**Why?** Especially where monitoring is expected to be carried out by local civil society groups (albeit with international support initially), there is a high risk that political interference or lack of commitment to funding will result in the monitor(s) being rendered ineffective.



6. **Unhindered access to information:** Access to all relevant documents held by forest, tax, and other relevant authorities is essential. The

monitor must also have the same rights as these authorities to access information held by private companies, individuals, communities and / or NGOs.

**Why?** Independent assessments cannot be made on partial information. To this extent the monitor acts as a trained proxy for citizens who may have the right but not the skills to independently assess the actions and assumptions the authorities have made in any document, pronouncement or action.



**7. Unhindered access to forest locations:**

Equally, the monitor must be able to freely visit any part of the forest estate and associated processing or trading facilities, without prior notice and without special permission.

**Why?** Activities will be displaced to places the monitor cannot go. A very common form of displacement, both for timber and for carbon, is a 'parallel universe' of the forest estate where field inspections are forbidden and operations are shrouded in secrecy. These may be associated with a similar system of shadow taxation, fraudulent permits and other documentation, and / or hidden subsidies.

**8. A public profile and accessibility:** The monitor must be able to engage with law enforcement officers, the private sector and local community members.

**Why?** All monitoring operations will have resource constraints to some degree. They are not expected to provide 100% coverage all the time, and therefore must be 'intelligence-led' in selecting which cases to research. They will also be required to present themselves and maintain their credibility as a safe conduit for information that would otherwise be politically sensitive.

**9. A multi-stakeholder reporting panel:** The monitor's reports should be subject to a validation process that performs two functions: a peer review that confirms the correct legal interpretation of the findings, and a political process of validating the reports. Multi-

stakeholder REDD+ implementation authorities would be appropriate for this.

**Why?** This serves the important purpose of transferring ownership of the report and the commitment to implement the recommendations to those with the power and responsibility to do so. It mitigates against 'shooting the messenger'.

**10. The right to publish:** The monitor's reports must be published, after having successfully been validated by the reporting panel. There may be occasions where the report explicitly includes different opinions if there is no consensus. As a last resort, the monitor should have the right to publish unilaterally, but at its own risk, if the reporting panel fails to convene or disagrees entirely with the views of the monitor.

**Why?** This is the strongest lever or recourse available to the monitor, and whilst experience with IFM shows that it has very rarely been invoked, it remains essential in making the rest of the process perform with rigour and objectivity.

**Recognition of Independent Monitoring**

*"How does [the proposal] provide for establishing independent monitoring and review, involving civil society and other stakeholders and enabling feedback of findings to improve REDD implementation?"*

– World Bank Forest Carbon Partnership Facility Readiness Preparation Proposal (R-PP) template.<sup>13</sup>

*"[S]ystems of independent forest monitoring developed over the last decade should be adapted to incorporate REDD and could be developed where they do not exist. This type of monitoring will enable independent assessment of the legal, social, economic, enforcement and management dimensions of forest governance that will be vital to the long-term success of any efforts to reduce or prevent deforestation and forest degradation"*

– Design Document, multi-donor Forest Investment Programme.<sup>14</sup>

*"Compliance with [the] rules should be subject to third-party monitoring. ... 'third-party monitoring' means a system through which an organisation that is independent of a partner country's government authorities and its forest and timber sector monitors and reports on the operation of the FLEGT licensing scheme"*

– Council of the European Union on FLEGT legality assurance.<sup>15</sup>

*"The control activities are carried out by the State's employees because control is a sovereign activity of the State. However it so happened that, in exercising this control, certain people [...] undertook this control in collusion with the loggers. This meant that, at a certain point in time, the official statements of offence that resulted from fieldwork were biased. [...] The presence of the Independent Observer constitutes for us a source of guarantee, a guarantee of the objectivity of the control"*

– The Inspector General of the Ministry of Forests and the Environment in Cameroon, 2005.<sup>16</sup>

## Principles into practice: the scope of IM-REDD

The ten principles above apply to any independent monitoring, but their precise wording in a monitoring contract will depend on circumstances. The largest source of variability is in the 'what', the scope of monitoring. IM-REDD requires a broad mandate that will ensure all aspects related to forest governance can be scrutinised. Within this mandate, a process of work-planning and prioritisation can focus resources on those aspects requiring most attention at any given time.

The draft agreement prepared at the Copenhagen Climate Conference<sup>17</sup> indicates that REDD+ will be rolled out in a phased process. Phase 1 will focus on the development of REDD+ strategies and on capacity building; Phase 2 will deal with the implementation of national policies and measures but still involve capacity building; and Phase 3 will see the full-scale implementation of REDD+, through performance-based payments. Different aspects of REDD+ development and implementation should be subject to independent monitoring in each of these phases, since monitoring requirements will evolve.



REDD+ is complex. Several processes are evolving at the same time and at different speeds. In addition, the scope of the international MRV system and extent to which it will incorporate benchmarks and safeguards is not yet clear. Nonetheless, we expect that governments will bear responsibility for initially reporting progress on these. Meanwhile national level monitoring, and international verification are needed to lend credibility to and enable approval of these reports.

In order to monitor and maintain improvements as REDD+ is established and implemented, specific key areas of governance will require action. These have been identified as:

- Clear, coherent policy framework, laws and regulations
- Effective implementation and enforcement of, and compliance with, those policies laws and regulations
- Transparent and accountable decision-making and institutions.<sup>18</sup>

National governments bear the responsibility for ensuring these take place, whereas the monitor, through its ground-truthing and evidence-based work, observes the performance of the authorities and report to domestic and international audiences.

The degree to which countries have these measures in place will vary according to local circumstances. Governments will need to assess which specific areas require prioritisation. For example, some countries may need to improve land tenure or rights policies, build their capacity and improve inter-ministerial coordination across sectors, or improve mechanisms of participation and engagement of stakeholders.

The additional scrutiny and credibility from a third party provided by independent monitoring will need to cover some specific REDD+ elements.

First, the monitor can add value to country-specific benchmarks or milestones set through bilateral funding or an international REDD+ regime, and which are then expected to be met during the different phases of REDD+. The monitor's role will be to identify and report on any circumstances in which performance fails to meet the benchmarks or milestones.

Second, and related to this, the monitor's mandate will need to broaden from the simple 'forest estate' mentioned in principle 7 above, and enable it to look into the widest possible range of activities that will have a bearing on the forest sector and / or carbon stocks. These include related land-uses, such as agriculture and tree plantations, afforestation, rehabilitation and reforestation. It will also need to monitor processes such as trading (good or services), and processing.

Third, the reliability of the carbon-MRV system itself will need to be monitored, including both the technical processes and the way those responsible conduct their roles.

The fourth area relates to the initial implementation and subsequent maintenance of the safeguards – on engagement, as well as social, environmental, and other issues. The monitor will need to observe the way in which the government implements these

safeguards, and provide an independent view on the veracity of government reports of progress.

Other areas may be identified in the course of finalising benchmarks or milestones. Then, just as performance against these benchmarks should be required from the outset – in the multi-stakeholder negotiations that lead to a national REDD+ strategy – independent monitoring should be established sooner rather than later.

The monitor can also provide support by assessing whether existing frameworks are adequate and established in a participatory way, point out where inconsistencies or omissions occur, and help assess whether any new frameworks comply with the requirements of REDD+ and other relevant international agreements. Subsequently, it can monitor the ongoing process of implementation of policies and regulations and help identify where actions are failing to meet objectives. Past experience with IFM has shown that illegality tends to be a step ahead of enforcement, so as enforcement becomes more effective, illegality in turn becomes more sophisticated. IM-REDD must be able to adapt and shift its focus to those aspects that require priority.

Crucially, by engaging civil society on IM-REDD and integrating it in the overall system for monitoring REDD+, dialogue among often polarised stakeholders will improve, as will trust and confidence.



**Full and effective participation: a REDD+ requirement**

REDD+ is paradoxical in that, while its scope is still under discussion, design and implementation of REDD+ activities are already underway. For example, as of June 2010, 15 countries have submitted Readiness Preparation Proposals (R-PPs) to the World Bank, aimed at seeking funding to get 'ready' for REDD+.<sup>19</sup> Many governance issues are identified in these proposals, including weak law enforcement and challenges related to participation, transparency, accountability and coordination. These are all matters the monitor can focus on and help to improve. Meanwhile, the UN-REDD Programme is developing country-led governance assessments.<sup>20</sup> The monitor can

provide an independent perspective and report on the process of producing these. For example, it can report on how participatory they have been, to what an extent they succeed in identifying and presenting the governance issues relevant to the country, whether input from various stakeholders has been taken on board, etc.

## Next steps: Realising IM-REDD

For IM-REDD to be built into the architecture of REDD+ monitoring systems, stakeholders need to work together. Key recommendations to support the realisation of IM-REDD are set out below.

### Recommendations for countries implementing REDD+:

- Include the design and implementation of IM-REDD as part of REDD+ national strategies.
- Proactively make IM-REDD happen on the ground by mapping out the process leading to it. This includes developing Terms of Reference, launching a tender process to recruit monitors and entering into a contractual agreement with the winning bidder.
- Once IM-REDD starts to operate, the implementing country should support the monitor's work by facilitating access to information and to the field.
- Follow up on cases reported by the monitor and initiate the relevant prosecutions against infractors.
- Establish regular mechanisms to communicate among relevant government bodies – within and beyond the forest sector – and work together in an effectively coordinated way.

### Recommendations for donor countries:

- Support learning from previous independent monitoring initiatives, for example by funding an independent study in Cameroon (where IFM has been operating for nearly ten years) to inform the future development of monitoring REDD+ governance.
- Make the implementation of IM-REDD a REDD+ benchmark in itself.
- Request that sufficient and adequate funding is provided and specifically earmarked for IM-REDD. In particular, funding is required to support the understanding and development of local civil society actors in the role of independent monitor.
- Ensure that funding for IM-REDD is provided through a mechanism that protects its independence and is transparent.
- Use their leverage to protect the independence of the monitor when this is threatened.

- Support mediation among stakeholders, especially when disagreements occur.
- Actively engage in the reporting panel (see principle 9 above) and use leverage as appropriate to act as a buffer against vested interests threatening to undermine the success of REDD+.

### Recommendations for monitors implementing IM-REDD:

- Ensure that the minimum standards for IM-REDD are upheld so their mandate enables them to work effectively and independently, and refuse contracts which undermine this.
- Assess available resources and priorities on an ongoing basis so attention can be focused on the most pressing issues at any given time.
- Actively seek the involvement of the government, civil society organisations, indigenous peoples and other relevant stakeholders, with a view to achieve truly participatory monitoring.
- Scrupulously maintain an unbiased approach in both the selection of cases and in their reporting.



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- 5 The draft UNFCCC REDD text, FCCC/CP/2010/2, Annex V, 11 February 2010, states these safeguards "should be promoted and supported". <http://unfccc.int/resource/docs/2010/cop16/eng/02.pdf>.
- 6 Although this comment was made specifically in relation to Independent Forest Monitoring, it is generically applicable to independent monitoring of governance. Global Witness has pioneered, designed and implemented Independent Forest Monitoring for over a decade in countries around the world including Cambodia, Cameroon, Honduras and Nicaragua. See Global Witness, *A Guide to Independent Forest Monitoring*, 2005; [www.globalwitness.org/pages/en/ifm.html](http://www.globalwitness.org/pages/en/ifm.html)
- 7 See [www.un.org/millenniumgoals/](http://www.un.org/millenniumgoals/)
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- 12 Of the three Voluntary Partnership Agreements signed to date, those of Cameroon and the Republic of Congo include an independent observer in addition to an independent auditor. In Ghana this is not the case. However the detailed modalities in all three have yet to be finalised so it remains to be seen how the two interact. The Ghana VPA, signed in November 2009, is available from [http://ec.europa.eu/development/icenter/repository/Signed\\_Agreement\\_EC-Ghana\\_FLEGT\\_EN.pdf](http://ec.europa.eu/development/icenter/repository/Signed_Agreement_EC-Ghana_FLEGT_EN.pdf); the Cameroon and Republic of Congo Agreements have yet to be published.
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