

Guyana Forestry Commission

Invitation for Bids/Proposals

Invitation is open to both commercial and non commercial entities/organizations/bodies

Independent Forest Monitoring in Guyana

Terms of reference and background information

10th August, 2010

1.0 Background /Context

One of the main focal areas of Guyana Forestry Commission's (GFC) work has been on forest law enforcement and legality. This has been due not only to the legal requirements as set out in the Forest Act, but also to a recognition of the importance of legality in ensuring that the benefits from forest resources utilization flow to the right beneficiaries, preventing unfair competition between illegal and legal produce, maintaining a low rate of deforestation and forest degradation, ensuring sustainable development of forest dependent communities, and mitigating against climate change in a REDD+ framework.

A Programme of work has been coordinated by the GFC, with support from its partners including, the Forest Products Development and Marketing Council, the Forestry Training Centre Inc. and private sector counterparts. One of the outputs from this process is the development of the Guyana Legality Assurance System (LAS). In June 2006, an international firm specializing in forest legality systems, Proforest, was contracted by the Guyana Forest Commission (GFC), the Forest Products Development and Marketing Council (FPMC) and the Forestry Training Centre Inc. (FTCI), to assist in the development and field testing of an independent, transparent and suitable timber legal verification system for Guyana's forestry sector. The development of this voluntary system was done through a process of stakeholder consultation and participation. The LAS has been the basis of engaging with relevant partners as the GFC advances its efforts in exploring the possibility of being part of an international system(s) of legality and verification, including the European Union, through its FLEGT Process. This forms part of the Commission's ongoing efforts to continually improve forest law enforcement and legality as a whole, in the sector. Concurrently, efforts have been undertaken in other activity areas, to also contribute to ensuring that legality is maintained at a high level. These include: the implementation of a Code of Practice for Harvesting Operations, a national log tagging and tracking system, as well as concession level and environmental monitoring through the GFC's the head office along with a number of field monitoring and mobile stations.

The Memorandum of Understanding between the Government of Guyana and the Government of Norway outlines that activities to be covered in the 2009-2010 period includes the establishment of a system for Independent Forest Monitoring (IFM). IFM will draw on the work which would have been done in Guyana, and will allow for a mechanism for assessment of illegality in the forest sector. It will cover all significant drivers of deforestation and forest degradation in Guyana and thus, has direct links to a REDD+ monitoring programme. In doing so, IFM will not replace the implementing the LAS, ongoing dialogue with the EU FLEGT, or existing legality procedures/systems being implemented. Instead, it will serve as a national system of legality assessment at the broader country level, that essentially address relevant drivers of forest change that are linked to forest legality/illegality, and will provide a system that can be recognized across all regions.

IFM will be implemented in the State Forest Estate and Amerindian Villages that opt into the LCDS. IFM will be applied to logs (includes Roundwood – Piles, Poles and Posts) and lumber. It will cover all stages of the chain of custody as it relates to logs and lumber, namely: harvesting, transportation, processing, and export.

2.0 Purpose of Independent Forest Monitoring (IFM)

Independent Forest Monitoring is 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 forest law enforcement systems. IFM presents a unique approach to assessing and strengthening legal compliance in the forest sector.

The Terms of Reference for IFM is an essential part of the process of preparing for IFM. The ToR is crucial in delineating exactly what will be monitored, what information is required, how quality will be assured, and what protocols will govern validation and publication of findings. The principal activity of IFM entails field investigations by which independent monitoring observe and document activity, legal and illegal, in the forest and through the trade.¹

Global Witness, in their Guide to Independent Forest Monitoring, outlines the points where such monitoring might occur:

- The initial allocation of the full range of timber and other permits
- The management of forestry operations and harvesting activities
- The subsequent processing and trade in forest products
- The collection and distribution of taxes, fines and other payments

IFM will be designed and implemented in such a way that it is reflective of the national and local country situation and dynamics of the forest sector and natural resources management, whilst at the same time, in keeping with general international standards for such monitoring systems. It will focus on relevant drivers of deforestation and forest degradation that are related to forest legality.

A set of minimum standards, for the inclusion in the agreement between the monitor and the host institution in the country include:

- The monitor has the right of access to relevant information held by the forest authority and other relevant ministries/authorities,
- The monitor has the right of movement and access to any part of the country to carry out Control Missions in accordance with GoG legislation.
- A multi stakeholder Reporting Panel (ref. para.4.3) should be established to peer review reports and act as intermediary between the monitor and stakeholders.
- The Monitor submits a draft report to the GFC for comments and validation by the multi stakeholder Reporting Panel. The Monitor is required to revise the draft report in accordance with comments received or reflect these comments in the final report in instances of disagreement.
- Once revised the final reports must be published by the Monitor, and may also be published by the host organization.
- The Reporting Panel has the right to publish reports as soon as they are finalized. Final reports should be published within 45 days of submission of the report by the Monitor.
- The GFC will compile a report on IFM related corrective actions taken and make available such report to the Monitor. This report shall include an account of the discussions and associated timeline for corrective action implementation.

The IFM-process in Guyana will comply with these standards.

The first step of the IFM process will be the conducting of a scoping mission to assess monitoring systems; secondly, a time frame will be identified for Guyana to implement recommendations made in the scoping mission; following this time period, a monitoring assessment will be conducted according to the terms of reference defined in this document.

¹ Global Witness. A Guide to Independent Forest Monitoring

3.0 Stakeholders

3.1 Stakeholders Involvement

At the initial stage of preparation of the Terms of Reference for IFM, key stakeholders have been involved. The draft Terms of Reference prepared by the GFC has been tabled at the Multi Stakeholder Steering Committee (MSSC) of the Low Carbon Development Strategy², and implementation of IFM will be coordinated by the GFC. The multi stakeholder Reporting Panel, outlined in Section 4.3, will also be integrally involved in the process. The MSSC will be continuously updated on progress and developments regarding Guyana's IFM efforts, and will give strategic guidance on the overall process.

3.2 The Guyana Forestry Commission

The GFC is a semi-autonomous organization formed in 1979 with a legal mandate to manage and control the utilization of the State Forest Estate. Its main role is to ensure the sustainable utilization of the State Forest Estate in keeping with sustainable forest management principles and guidelines. The GFC also has a development mandate to ensure that there is a balance among the pillars social, economic and environmental development. The recently passed Forest Act 2009, by Parliament outlines these pillars and outlines key legislative requirements for the Commission work.

The GFC has, over the past decades, undergone rapid development in the implementation of sustainable forest management, legality, and environmental standards. It has also expanded its geographical scope to a number of field and mobile stations, and has a total staff complement of 260 employees. Of more recent, are the modern and dynamic forest legislation and suite of Forest Management policies, guidelines and practices that guide the operation of the Commission that have been developed, with many of these already successfully implemented. The GFC also has a strong community forest program through which it extends implementation of sustainable forest management practices and overall development support, at the community level. Additionally, the GFC has in place a national log tracking and tagging system, is a partner to the Forest Product Development and Marketing Council in the development and implementation of the LAS, has a strong documentation system through the chain of custody, and implements a range of monitoring procedures and guidelines.

The Guyana Forestry Commission has been identified as the lead agency for this initiative and will work in close collaboration with the Multi Stakeholder Steering Committee of the LCDS in coordinating the design of the ToR for IFM and its implementation.

4.0 Scope and Focus/Methodology

The initial activity in the execution of IFM will be the conducting of a scoping/assessment that will be to assess the identified aspects of the IFM system as outlined below for Guyana. Following the **Scoping Mission**, the GFC will implement recommendations during a period of one year, as far as possible. Following this period, monitoring assessments will be conducted with a maximum of **two year** intervals. IFM visits will be planned by the Monitor and done in consultation with the GFC.

² Membership of MSSC of LCDS: Office of the President, Ministry of Agriculture, Ministry of Amerindian Affairs, Ministry of Culture Youth and Sports, Guyana Forestry Commission, Environmental Protection Agency, Guyana Geology and Mines Commission, The Amerindian Action Movement of Guyana, The National Amerindian Development Foundation, Guyana Organization of Indigenous people, North Rupununi District Development Board, Independent Monitors, Forest Products Associations, Guyana Gold and Diamond Miners Association, Individual experts and Civil Society Representatives, Private Sector Commission, and Labour Unions, Conservation International Guyana, World Wildlife Fund Guyana, Women's Affairs Bureau.

4.1 Criteria for Monitoring

The outline below defines the main areas that will be subject to Independent Forest Monitoring:

A. Indicators for Monitoring of Timber Sales Agreement and Wood Cutting Leases³

PRINCIPLE 1	THE FMO⁴ HAS LEGAL RIGHTS TO HARVEST AND OTHER PARTIES' LEGAL TENURE RIGHTS ARE RESPECTED	
Criterion 1.1	The FMO holds legal logging rights to the forest	Source Documents and Information Sources
<i>Indicator 1.1.1</i>	<i>The FMO is in possession of a legally valid concession agreement for the area from which all timber is sourced</i>	<i>Valid Concession Agreement in effect. Some concessions may be operating under an interim concession agreement approved by the GFC.</i>
<i>Indicator 1.1.2</i>	<i>If the FMO is working under contract to another concession holder the contractual arrangements are not in contravention of the Forests Act and has been formally approved by GFC</i>	<i>Contract. The GFC should be contacted to provide information on contract.</i>
Criterion 1.2	There is compliance by both the FMO and any contractors with national laws relevant to other parties' tenure and use rights	Source Documents and Information Sources
<i>Indicator 1.2.1</i>	<i>There are no legal titles by indigenous or other persons on GFC approved concessions.</i>	<i>Ministry of Amerindian Affairs (MOAA) and GFC for Maps of Neighbouring Communities that may be affected.</i>
<i>Indicator 1.2.2</i>	<i>Legal or traditional uses of the forest are not prevented by the FMO</i>	<i>MOAA, interview Residents of Neighbouring Communities, Guyana Lands and Surveys Commission.</i>
PRINCIPLE 2	THE FMO COMPLIES WITH RELEVANT NATIONAL LEGISLATION AS IT PERTAINS TO FOREST MANAGEMENT AND THE ENVIRONMENT	
Criterion 2.1	There is compliance by the FMO with applicable national laws, regulations and guidelines relevant to forest management	Source Documents and Information Sources
<i>Indicator 2.1.1</i>	<i>Approved management plan exists</i>	<i>Management Plan.</i>
<i>Indicator 2.1.2</i>	<i>Approved 1-yr operational plan, covering the source areas for logs, is implemented based on approved forest management plan</i>	<i>Annual Plan that contain outline of current activities.</i>

³ Large Forest Concessions issued for up to 25 years and in excess of 24,000 hectares, and issued for up to 10 years for areas 8,000 to 10,000 hectares, respectively.

⁴ Forest Management Organization which can be at the level of a company, individual, village/community, or other similar entity.

<i>Indicator 2.1.3</i>	<i>The Annual Allowable Cut is appropriately calculated, approved and not surpassed on the basis of 100% inventory of commercial species, to a maximum of 20 m³ per hectare over a 60 year cycle, or a prorated AAC based on the 20m³/ha over 60 year calculation, or at an otherwise agreed level, adequately supported by management level inventory, and in keeping with SFM principles.</i>	<i>Management and Annual Plans that outline approved AAC</i>
<i>Indicator 2.1.4</i>	<i>Tags are properly obtained and a record of their use is kept. All unused tags are appropriately accounted for at the end of the GFC reporting period.</i>	<i>Production Records and relevant Database Reports</i>
<i>Indicator 2.1.5</i>	<i>Logs and stumps are tagged according to the log-tracking system</i>	<i>Log-tracking document.</i>
<i>Indicator 2.1.6</i>	<i>Transportation of logs and lumber is accompanied by relevant GFC approved documents. E.g removal permit, transshipment permit, custody form, clearance pass, bill of sale and receipts.</i>	<i>Removal Permits and other valid documents can be cross-referenced to the produce transported to determine accuracy of the information inputted.</i>
<i>Indicator 2.1.7</i>	<i>All logs and lumber in transit, and at point of export, that originate from the State Forest Estate, can be traced back to source stump</i>	<i>Details from a permit accompanying produce in transit and when in concession, request to inspect felling area.</i>
<i>Indicator 2.1.8</i>	<i>All relevant licences are held and up-to-date</i>	<i>Actual Licences and Permits with relevant dates.</i>
<i>Indicator 2.1.9</i>	<i>Directional felling is practised to minimise damage to forest</i>	<i>Evidence of directional felling.</i>
<i>Indicator 2.1.10</i>	<i>Trees felled are above the regulatory, or approved, minimum diameter</i>	<i>Relevant section of CoP that outlines specifications, and verify information on the ground.</i>
<i>Indicator 2.1.11</i>	<i>Restricted species should be harvested/exported in accordance with applicable law, guidelines, policy, and regulation.</i>	<i>Production Records/Register/Export documents as it relate to these species.</i>
<i>Indicator 2.1.12</i>	<i>Spacing of felled trees and number of trees cut meet requirements of the CoP or any GFC approved revised version of the CoP.</i>	<i>Relevant section of CoP that outline specifications, and verify information on the ground</i>
Criterion 2.2	There is compliance by the FMO with applicable national laws, regulations and guidelines relevant to the environment	Source Documents and Information Sources
<i>Indicator 2.2.1</i>	<i>The FMO has a valid environmental authorisation for logging (in the source area) and any associated operations that would have been/are applicable at the date of issuance of the concession lease.</i>	<i>Information on legal requirements for environmental authorisation.</i>
<i>Indicator 2.2.2</i>	<i>Species exported are not listed in CITES appendices I or II</i>	<i>CITES appendices I and II and Production and Export Records of the FMO.</i>
<i>Indicator 2.2.3</i>	<i>Control of logging on slopes should meet the requirements of the CoP</i>	<i>Relevant section of CoP that outline specifications, and verify information on the ground</i>

PRINCIPLE 3	THE FMO HAS PAID DUE FEES, ROYALTIES AND PENALTIES	
Criterion 3.1	The payment of fees, royalties, and penalties applicable to the FMO is done to the satisfaction of the relevant authorities	Source Documents and Information Sources
<i>Indicator 3.1.1</i>	<i>All royalties and fees are paid up to date or according to an agreed payment schedule</i>	<i>Payment Schedules, Receipts etc. to determine financial standing</i>
<i>Indicator 3.1.2</i>	<i>All acreage fees are paid up to date or according to an agreed payment schedule</i>	<i>Payment Schedules, Receipts etc. to determine financial standing</i>
<i>Indicator 3.1.3</i>	<i>All relevant licence fees are paid</i>	<i>Payment records/Receipts etc. to determine financial standing</i>

(B) Indicators for Monitoring of State Forest Permissions (SFPs)⁵

PRINCIPAL 1	THE FMO HAS LEGAL RIGHTS TO HARVEST AND OTHER PARTIES' LEGAL TENURE RIGHTS ARE RESPECTED	
Criterion 1.1	The FMO holds legal logging rights to the forest	Source Documents and Information Sources
<i>Indicator 1.1.1</i>	<i>The FMO is in possession of a legally valid concession agreement for the area from which all timber is sourced</i>	<i>Valid Concession Agreement in effect.</i>
<i>Indicator 1.1.2</i>	<i>If the FMO is working under contract to another concession holder the contractual arrangement is not in contravention of the Forests Act and has been formally approved by GFC</i>	<i>Contract. The GFC should be contacted to provide information on contract.</i>
Criterion 1.2	There is compliance by both the FMO and any contractors with national laws relevant to other parties' tenure and use rights	Source Documents and Information Sources
<i>Indicator 1.2.1</i>	<i>There are no legal titles by indigenous or other persons on GFC approved concessions.</i>	<i>Ministry of Amerindian Affairs (MOAA) and GFC for Maps of Neighbouring Communities that may be affected.</i>
<i>Indicator 1.2.2</i>	<i>Legal or traditional uses of the forest are not prevented by the FMO</i>	<i>MOAA, interview Residents of Neighbouring Communities, Guyana Lands and Surveys Commission.</i>
PRINCIPLE 2	THE FMO COMPLIES WITH RELEVANT NATIONAL LEGISLATION AS IT PERTAINS TO FOREST MANAGEMENT, AND THE ENVIRONMENT.	
Criterion 2.1	There is compliance by the FMO with applicable	Source Documents and Information Sources

⁵ SFPs are areas issued for up to 2 years of size less than 8,000 ha.

national laws, regulations and guidelines relevant to forest management		
<i>Indicator 2.1.1</i>	<i>The Annual Allowable Cut is appropriately calculated, approved and based on quota allocation informed by 20m³/ha over 60 years, or otherwise approved quota allocation informed by inventory assessment and land use categorisation.</i>	<i>SFP Document that outlines AAC quota.</i>
<i>Indicator 2.1.2</i>	<i>Tags are properly obtained and a record of their use is kept. All unused tags are appropriately accounted for at the end of the GFC reporting period.</i>	<i>Production Records and relevant Database Reports</i>
<i>Indicator 2.1.3</i>	<i>Logs and stumps are tagged according to the log-tracking system</i>	<i>Log-tracking document.</i>
<i>Indicator 2.1.4</i>	<i>Transportation of logs and lumber is accompanied by relevant GFC approved documents. E.g removal permit, transhipment permit, custody form, clearance pass, bill of sale and receipts.</i>	<i>Removal Permits and other valid documents can be cross-referenced to the produce transported to determine accuracy of the information inputted.</i>
<i>Indicator 2.1.5</i>	<i>All logs and lumber in transit, and at point of export, that originate from the State Forest Estate, can be traced back to source stump.</i>	<i>Details from a permit accompanying produce in transit and when in concession, request to inspect felling area.</i>
<i>Indicator 2.1.6</i>	<i>All relevant licences are held and up-to-date</i>	<i>Actual Licences and Permits with relevant dates.</i>
PRINCIPLE 3 THE FMO HAS PAID DUE FEES, DUTIES, ROYALTIES AND PENALTIES		
Criterion 3.1	THE PAYMENT OF FEES, ROYALTIES, AND PENALTIES APPLICABLE TO THE FMO IS DONE TO THE SATISFACTION OF THE RELEVANT AUTHORITIES	Source Documents and Information Sources
<i>Indicator 3.1.1</i>	<i>All royalties and fees are paid up to date or according to an agreed payment schedule</i>	<i>Payment Schedules, Receipts etc. to determine financial standing</i>
<i>Indicator 3.1.2</i>	<i>All acreage fees are paid up to date or according to an agreed payment schedule</i>	<i>Payment Schedules, Receipts etc. to determine financial standing</i>
<i>Indicator 3.1.3</i>	<i>All relevant licence fees are paid</i>	<i>Payment records/Receipts etc. to determine financial standing</i>

(C) Indicators for Monitoring of Amerindian Villages if they Opt In to the LCDS

PRINCIPLE 1 THE FMO HAS LEGAL RIGHTS TO HARVEST AND OTHER PARTIES' LEGAL TENURE RIGHTS ARE RESPECTED		
Criterion 1.1	The FMO holds legal logging rights to the forest	Source Documents and Information Sources
<i>Indicator 1.1.1</i>	<i>The FMO is in possession of a legally valid title for the area from which all timber is sourced</i>	<i>Amerindian Lands Title Document and check with Village Captain, MOAA and GFC</i>

<i>Indicator 1.1.2</i>	<i>If the Amerindian Land is worked under contract to another entity the contractual arrangement is not in contravention of the Forests Act , has been formally approved by GFC and has been agreed by the Village representatives with free, prior and informed consent. The MOAA should also be made aware of the contract</i>	<i>Actual Contract. The GFC should be contacted to solicit their views on the Actual Contract.</i>
Criterion 1.2	There is compliance by both the FMO and any contractors with national laws relevant to other parties' tenure and use rights	Source Documents and Information Sources
<i>Indicator 1.2.1</i>	<i>Legal title to log source area by other persons, complies with legally required procedures as set out in relevant legislations.</i>	<i>MOAA and GFC for Maps of Neighbouring Communities. Interview Captains and Village Councils of Neighbouring Communities.</i>
PRINCIPLE 2	THE FMO COMPLIES WITH RELEVANT NATIONAL LEGISLATION AS IT PERTAINS TO FOREST MANAGEMENT AND THE ENVIRONMENT.	
Criterion 2.1	There is compliance by the FMO with applicable national laws, regulations and guidelines relevant to forest management	Source Documents and Information Sources
<i>Indicator 2.1.1</i>	<i>The Annual Allowable Cut is appropriately calculated, approved and based on quota allocation informed by 20m³/ha over 60 years, or otherwise approved quota allocation informed by inventory assessment and land use categorisation.</i>	<i>SFP Document that outlines AAC quota.</i>
<i>Indicator 2.1.2</i>	<i>Tags are properly obtained and a record of their use is kept. All unused tags are appropriately accounted for at the end of the GFC reporting period.</i>	<i>Production Records and relevant Database Reports</i>
<i>Indicator 2.1.3</i>	<i>Logs and stumps are tagged according the log-tracking system</i>	<i>Log-tracking document.</i>
<i>Indicator 2.1.4</i>	<i>Transportation of logs and lumber is accompanied by relevant GFC approved documents. E.g removal permit, transshipment permit, custody form, clearance pass, bill of sale and receipts.</i>	<i>Removal Permits and other valid documents can be cross-referenced to the produce transported to determine accuracy of the information inputted.</i>
<i>Indicator 2.1.5</i>	<i>All logs and lumber in transit, and at point of export, that originate from Amerindian Villages that opt into the LCDS, can be traced back to source stump</i>	<i>Details from a permit accompanying produce in transit and when in concession, request to inspect felling area.</i>
<i>Indicator 2.1.6</i>	<i>All relevant permits and licences are held and up-to-date</i>	<i>Actual Licences and Permits with relevant dates.</i>
PRINCIPLE 3	THE FMO HAS PAID DUE LICENSES FEES, AND PENALTIES	
Criterion 3.1	The payment of fees and penalties applicable to the FMO is done to the satisfaction of the relevant authorities	Source Documents and Information Sources

<i>Indicator 3.1.1</i>	<i>All relevant licence fees are paid as applicable to the satisfaction of relevant authorities</i>	<i>Payment records/Receipts etc. to determine financial standing</i>
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(D) Indicators for Monitoring of Agricultural and Mining Property Owners

PRINCIPAL 1	THE FMO HAS LEGAL RIGHTS TO HARVEST AND OTHER PARTIES' LEGAL TENURE RIGHTS ARE RESPECTED	
Criterion 1.1	The FMO holds legal logging rights to the forest	Source Documents and Information Sources
<i>Indicator 1.1.1</i>	<i>The FMO is in possession of a legally valid concession agreement or title for the area from which all timber is sourced</i>	<i>Valid Concession Agreement in effect. Extraction of forest produce should be in keeping with the protocols set by the Land Use Committee or other applicable Guidelines.</i>
PRINCIPAL 2	THE FMO COMPLIES WITH RELEVANT NATIONAL LEGISLATION AS IT PERTAINS TO FOREST MANAGEMENT	
Criterion 2.1	There is compliance by the FMO with applicable national laws, regulations and guidelines relevant to forest management	Source Documents and Information Sources
<i>Indicator2.1.1</i>	<i>Transportation of logs and lumber is accompanied by relevant GFC approved documents. E.g removal permit, transshipment permit, custody form, clearance pass, bill of sale and receipts.</i>	<i>Removal Permits and other valid documents can be cross-referenced to the produce transported to determine accuracy of the information inputted.</i>
<i>Indicator2.1.2</i>	<i>All logs and lumber in transit, and at point of export, that originate from Agricultural leases or mining property, can be traced back to mining property or agriculture lease area.</i>	<i>Details from a permit accompanying produce in transit and when in concession, request to inspect felling area.</i>
<i>Indicator2.1.3</i>	<i>All relevant permits and licences are held and up-to-date</i>	<i>Actual Licences and Permits with relevant dates.</i>
PRINCIPLE 3	THE FMO HAS PAID DUE LICENSES FEES AND ROYALTIES	
Criterion 3.1	The payment of fees, royalties, duties and penalties applicable to the FMO is done to the satisfaction of the relevant authorities	Source Documents and Information Sources
<i>Indicator3.1.1</i>	<i>All relevant licence fees are paid as applicable to the satisfaction of the relevant authorities</i>	<i>Payment records/Receipts etc. to determine financial standing</i>

(E) Indicators for Processing and Export Stages

PRINCIPAL 1	THE OPERATOR HAS IN PLACE AN EFFECTIVE SYSTEM FOR MATERIALS RECEIPTS AND STORAGE THAT ALLOWS FOR ASSESSMENT OF LEGALITY	
Criterion 1.1	The Operator can verify legality of origin of all forest produce entering facility	Source Documents and Information Sources
<i>Indicator 1.1.1</i>	<i>Materials are accompanied by appropriate</i>	<i>Removal Permit, Transshipment Permit, Custody Form, Clearance Pass, Bill of Sale, Receipts, Sawmill Register, Timber Dealers</i>

	<i>documentation, demonstrating legally verified source and compliance with GFC procedures</i>	<i>Register.</i>
<i>Indicator 1.1.2</i>	<i>Materials receipts are recorded on a form that contains supplier information, quantity of delivery, species, date of delivery, permit or other documentation number.</i>	<i>Sawmill Register, Timber Dealers Register</i>
<i>Indicator 1.1.3</i>	<i>All materials at facility are differentiable by status: verified and un-verified produce.</i>	<i>Physical checks of produce, Sawmill Register, Timber Dealers Register.</i>
Criterion 1.2	There exists accurate records on a monthly basis on input and output of forest produce	Source Documents and Information Sources
<i>Indicator 1.2.2</i>	<i>There is a monthly record of total quantity (volume) of raw materials inputs, by species and output by species, to allow for reconciliation of these amounts, to determine whether recovery percent is within expected norms.</i>	<i>Sawmill Returns, Lumberyard returns</i>
PRINCIPAL 2	THE OPERATOR HAS IN PLACE SALES AND SHIPPING DOCUMENTATION THAT ALLOWS FOR TRACEABILITY OF LEGAL ORIGIN OF LOGS AND LUMBER FOR EXPORTS	
Criterion 2.1	There is compliance with declaration of export sales and shipping information as required by the GFC	Source Documents and Information Sources
<i>Indicator 2.1.1</i>	<i>Information is declared for logs and lumber to be exported on: name and address of buyer, date of export, description of produce, quantity, sales invoice/receipt/permit number.</i>	<i>Export Invoice, Timber Marketing Certificate, Application for Export, Export Certificate.</i>

4.2 The Monitor

The Monitor's Report will include a summary of all field and other visits held during the mission.

The report shall not be released prior to its submission to, and feedback from the Reporting Panel. It is expected that feedback which is justified and appropriate will be integrated into a revised report prior to public release by the Monitor. The Monitor's report should document its findings and sources of information otherwise it can be excluded from the Report. The distribution and publication rights of the Monitoring Report and any Scoping Mission report is held by monitor, which is mandated to release all such report, once validated.

The Monitor's report is expected to work strictly according to the criteria for monitoring outlined in Section 4.1 above. Any changes in the criteria must first be approved by the Reporting Panel. The report is required to be presented in a consistent layout. The structure of the report in the form of a Table of Contents is to be approved by the Reporting Panel. All background materials on the monitoring activities are to be retained.

4.3 The multi stakeholder Reporting Panel

A Reporting Panel will be established to review and validate the findings of the Monitor.

The following are the Reporting Panel procedures that will be followed:

1. The Panel will comprise of the GFC, Forest Products Association, the Forestry Training Centre Inc., the Forest Products Development and Marketing Council, the National Toshao's Council, one other representative from the indigenous peoples, Guyana Lands and Surveys Commission, Guyana Geology and Mines Commission, and the Environmental Protection Agency will each hold one seat on the Panel. This Panel will be chaired by the GFC.
2. The Panel shall meet once quarterly and in the process of scoping mission and routine monitoring that will follow, will meet more frequently as the need arises to conduct activities, as required.
3. Each Monitor's report is required to be submitted to the Panel first for review. The GFC will not be allowed to publish findings without the validation of the reporting panel.
4. In the deliberations within the Panel, each member will have an equal right to represent their stakeholder constituency. The Monitor will be given the opportunity to justify the contents of the report.
5. Minutes will be taken of each session, written up within one week of the meeting, and approved by the chairperson prior to circulation to members within two weeks following the Panel Meeting.
6. Within three weeks of the completion of a mission visit, a Mission report is required to be submitted to the Reporting Panel.
7. The Panel shall meet in a timely manner to review the report and provide recommendations, and comments to the Monitor.
8. The Monitor is required to revise the report taking into account the recommendations of the Panel or reflect these comments in the final report in instances of disagreement. The Panel should not change any reported fact or recommendation directly supported by reported facts.
9. The GFC is required to make public all validated reports. The Reporting Panel has the right to publish reports as soon as they are finalized. Final reports should be published within 45 days of submission of Report by the Monitor.
10. The Monitor shall not, during or after the termination of the Contract, disclose to any third party any information arising from the Contract, except with the prior written permission of the Guyana Forestry Commission.
11. Only the Panel can make modifications to the criteria for monitoring outlined in 4.1.

5. Nature of Independent Forest Monitoring Services Required

The GFC requires the services of an Independent Forest Monitor to conduct monitoring activities on criteria outlined in Section 4.1. The contract that will be issued will be for a two year period, including the initial scoping mission. The Guyana Forestry Commission will have the option to extend the contract period for another year following the initial two year period. The engagement of the Monitor thereafter, will again undergo another formal procurement process.

The initial activity will involve a scoping mission which will serve the main propose of informing initial recommendations for improvements in forest monitoring and legality in Guyana. The objective of the initiative is to provide an assessment of legal compliance, and observation of and guidance on official forest law enforcement systems.

The Monitor will therefore focus its efforts on forest activities conducted by different groups/types of stakeholders and concession holders, and various drivers of forest cover change as shown by historic and newly developing trends. These assessments will be conducted through a Plan that will outline Control Missions that will be executed. Additionally, Joint Missions, other specially requested Joint Missions, Independent Missions, and Verifications Missions will also be executed as part of the assessment work required, to inform the Report.

Proponents are invited to provide indicative budget estimates for activities outlined in the Terms of Reference, categorized by cost and activity heads.

The successful candidate will be required to communicate regularly with the Guyana Forestry Commission and may also need to make themselves available for further discussions and possible interview.

6. Reporting

The Consultant will be reporting to the Guyana Forestry Commission. All reports and communication are to be directed to the GFC. The GFC, as Chair of the Reporting Panel, will coordinate all communication within this Panel.

The structure of the main Report in the form of a Table of Contents is to be approved by the Reporting Panel. All background materials on the monitoring activities are to be retained.

Within three weeks of the completion of a mission visit, a Mission report is required to be submitted to the Reporting Panel.

The Monitor will revise the report in accordance with the recommendations of the Panel and submit the revised report for the Panel's approval.

6.1 Products/deliverables

The following are the main deliverables and products of the engagement:

1. Initial Scoping Report with recommendations on system and operations improvement required. **(Indicative Date: end of October, 2010)**
2. Assessment Report **(Indicative Date: August, 2011)**
3. Supporting documents to reports, including Field assessments documents. **(Indicative Dates: to correspond with dates of Report submission)**

The reports should contain the following:⁶

- The unique reference number of the report
- Details on date and mission type
- Details of IFM team members
- Details on checks done
- Resources used in assessment
- Details of findings including the level and type of inspections carried out

⁶ List developed was done with reference to the Mission Report Checklist of Global Witness: A Guide to Independent Forest Monitoring.

- Analysis of any illegal activities and discussion of legal implications leading to clear and objective conclusions
- Assessment of the level of representativeness of findings from a systemic level
- An outline of constraints that impacted on the mission
- Overview of measures taken by the GFC during the mission.
- Recommendations and follow up actions agreed with between the Monitor and the GFC.
- Annex containing copies of relevant documents.

7. The Monitor's Profile

The Facilitator is expected to have at least an advanced degree in Forestry/Forest Management/Forest Policy, Forest/Environmental Law, Natural Resources Management, or related field, with extensive experience in forest monitoring and assessment of legal compliance and in monitoring these across all drivers of deforestation and forest degradation. Familiarity with issues relating or relevant to forestry in Guyana would be an added advantage.

Candidate must possess excellent oral and written English communication skills. Candidate must possess a demonstrated ability to work with a range of stakeholders and in relating monitoring activities to the appropriateness of different country environments.

The bidding process is open for all institutions with relevant capacities, including not-for-profit and academic and research institutions

8. Application Process

Interested organizations or institutions should:

- Submit a 5-10 page project proposal no later than 10th September, 2010
- Proposals should be addressed to:

Mr. James Singh
 Commissioner of Forests
 Guyana Forestry Commission
 1 Water Street, Kingston, Georgetown, Guyana, South America.

Or can be emailed to: project.coordinator@forestry.gov.gy and copied to economist_pradeepa@yahoo.com

Proposals will be evaluated by MSSC of the LCDS, according to international standards for competitive international bidding. The evaluation criteria for proposals/bids will be developed jointly by the GFC and a representative of the donor community. Following the selection process, the chosen organization for the project will report to Guyana Forestry Commission on technical, financial and administrative matters.

The Proposal should specifically cover:

- Proposed methodology to undertake the services as specified in this TOR
- The fees and business conditions associated with the implementation of the services as specified in this TOR
- Timeline
- The team undertaking the work (if such is the case)
- In an appendix, the experience/resources you would bring to the project. Applicants are expected to provide named references with proven implementation and business experience

in the terms of reference outlined. This appendix should cover your organization's previous work experience, as well as work relating to this area.

- Proposals must be submitted in English and costs must be quoted in US dollars.

Some of the Assessment Criteria for the proposals include:

- Technical strength and credibility of proposal in meeting required generally accepted international guidelines and standards.
- Experience of the Provider in independent forest monitoring and in initiatives with tropical forested countries.
- Cost Considerations and efficiency of approach
- Assessment of quality assurance proposal

DEADLINE: Proposals should be received no later than the close of business on 10th September, 2010. Project commencement is expected to start soon after this date, and as early as, beginning of October, 2010.