



proforest

# **Beyond due diligence:** supporting production-level change in West Africa

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# proforest

**Proforest is a mission-driven organisation, committed to supporting the responsible production and sourcing of forest and agricultural commodities.**



## We provide direct support to companies

We work directly with companies, supporting them in their transition to better practices.



## We support the wider 'enabling environment'

Through our longer-term interventions and donor-funded programmes we aim to foster awareness of the issues and build local capacity and local ownership of sustainability initiatives.



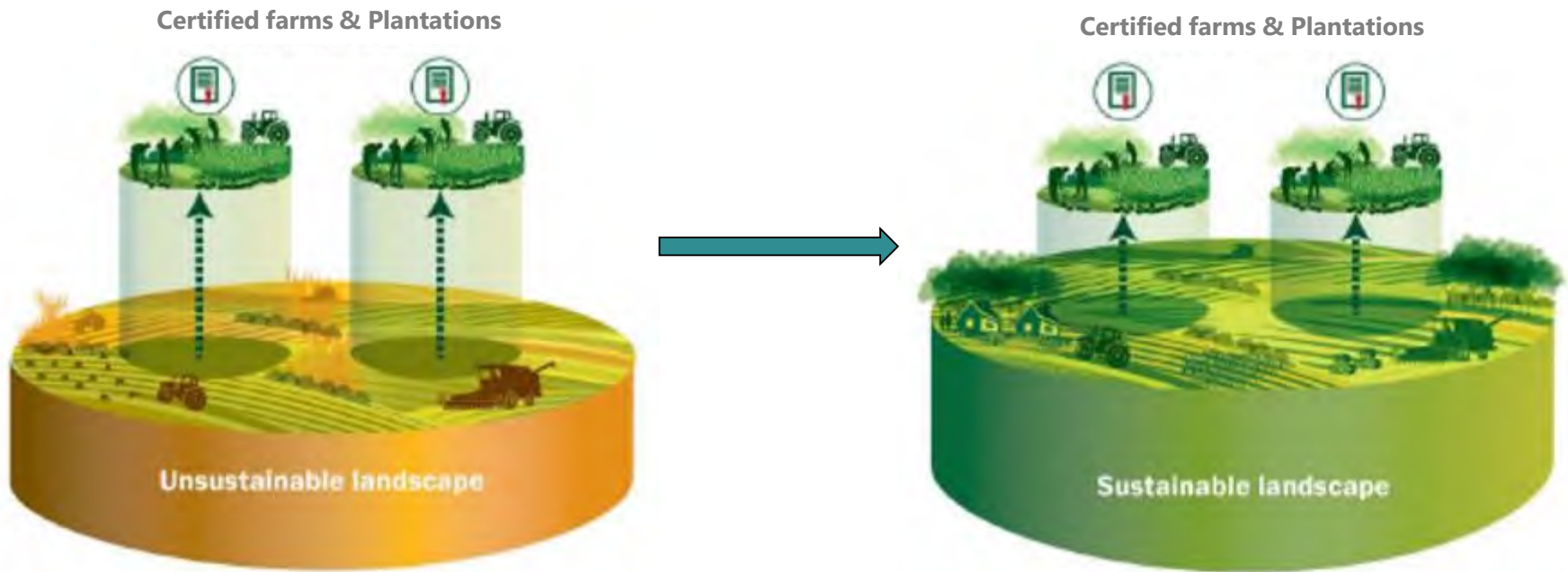
## Overview

- Proforest's Programme: "Building on Legality"
- Beyond due diligence
- Key findings: FSC and "No deforestation"
- Tools & solutions for producers:
  - Guidance for producers
  - The Proforest Field Audit App

## Building on legality to deliver responsible and deforestation-free commodity supply chains

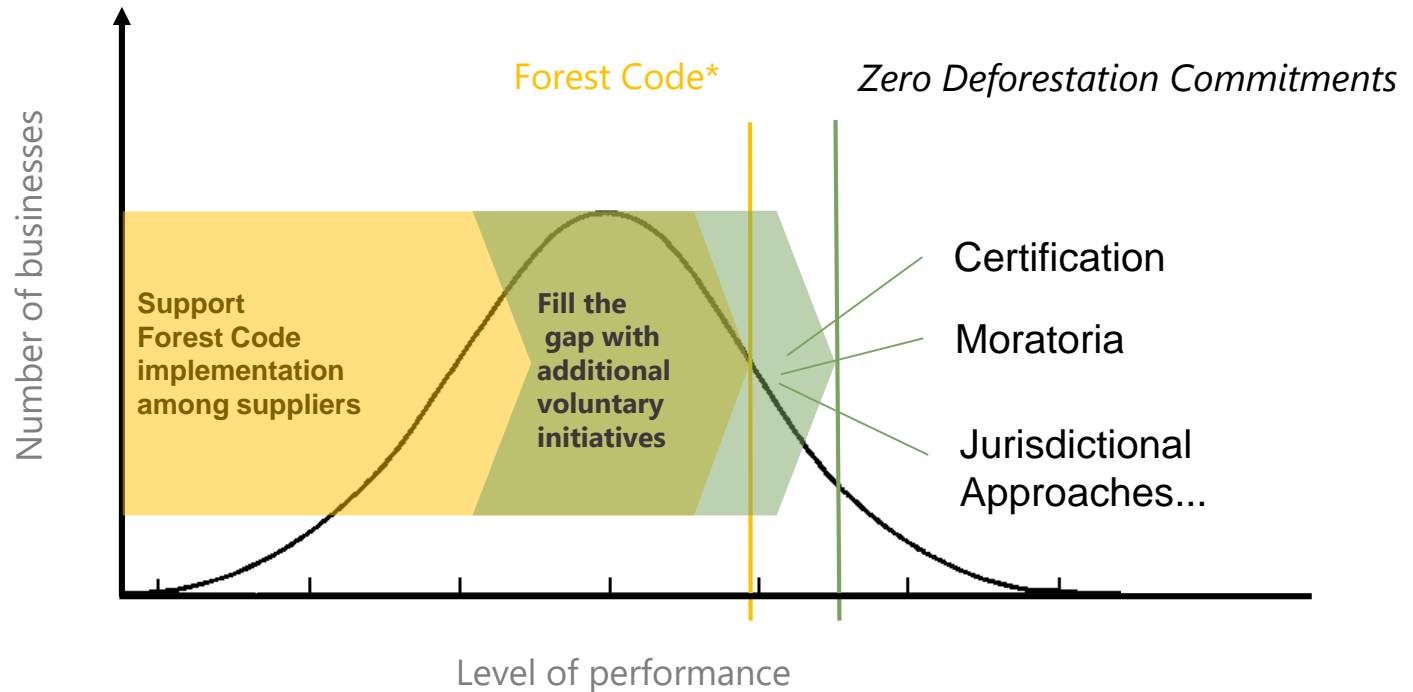
- **“Africa Legality Programme”** funded by DFID FGMC
- **Focal countries:** Côte d’Ivoire, Ghana and Liberia
- **Timber**, palm oil and cocoa
- **Goal:** “Promote legal compliance as a first step for businesses to meeting sustainability commitments, whilst promoting smallholder and gender inclusion”
- **Objectives:**
  - Assess similarities/gaps between national legislation & voluntary supply chain commitments or standards (e.g. FSC, HCV)
  - Help producers attain legal compliance & “step-up” to sustainability
  - Support alignment of legal and voluntary mechanisms

## General Assumptions: Voluntary vs. Compulsory compliance



- Responsible sourcing and production commitments are voluntary so scale is limited
- However, Legal compliance is not – can it raise the bar for all? What next after FLEGT VPAs?

## Legality example: Brazil's 'twin-track' approach



\*Forest Code: a legislation regulating land use and management on private properties in Brazil.



## Building on legality to deliver responsible and deforestation-free commodity supply chains

### Activities & outputs:

- *Legal reviews*
- *For producers & producer governments:*
  - *Legal guidance*
  - *Auditing app*
  - *Topics for aligning voluntary and legal mechanisms identified*
- *For downstream companies & international actors:*
  - *Guidance on 'no deforestation' implementation challenges*
  - *Tools to offer to suppliers*

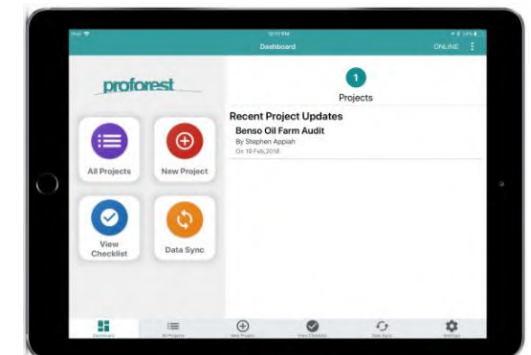
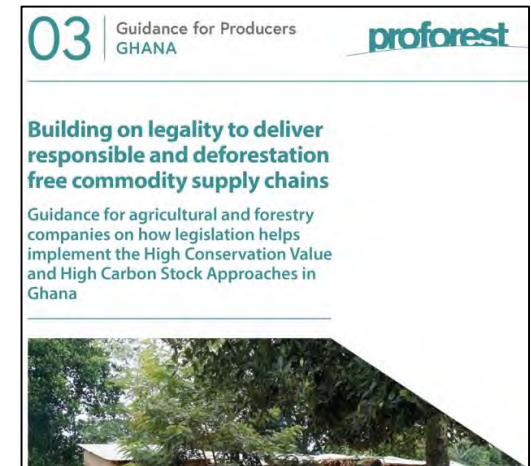


## Beyond due diligence..

- Risks of negative screening of “high risk origins”
- Burden of compliance falling on producers?
- Two-pronged strategy:
  1. Ongoing efforts for sectoral-change at production level
  2. Supply chain companies support suppliers’ to comply?

### Buyers can provide tools to suppliers to:

- Mitigate risks
- Achieve legal compliance
- Step-up from legally compliant to sustainable?  
E.g. FSC-certified? ‘Deforestation-free’?



## Legal review: Ghana FSC (MU)

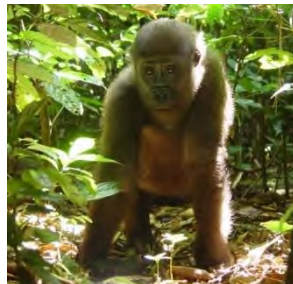
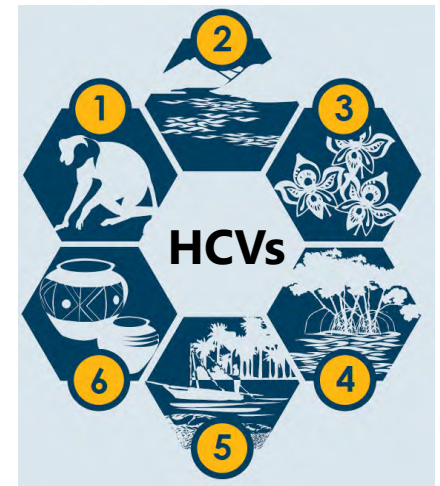
- 75% FSC indicators were fully or partially addressed by legislation
- **Community Relations & Workers Rights:** Partially addressed.
  - *Addressed:* grievance mechanisms, benefit-sharing and freedom of association. Local value add from Tree and Timber Act.
  - *Gaps:* Hiring from local communities, inclusiveness/completeness of consultation & SRAs,
- **Environmental impact:** Partially addressed.
  - *Addressed:* mitigation of negative impacts, RTE species
  - *Gaps:* control of exotic species, representative ecosystem sample, public management plan and monitoring results

Principle 4: Community Relations and Worker's Rights	Criteria 4.1 the communities within, or adjacent to, the forest management area should be given opportunities for employment, training, and other services.	4.1.1 All efforts shall be made to employ workers from local communities before workers are sought from further afield.	Not Addressed
		4.1.2 Training shall be provided for workers from local communities	Partially Addressed



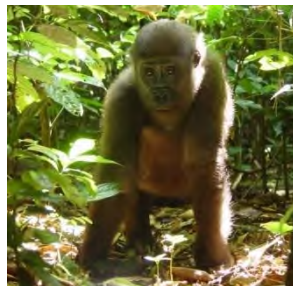
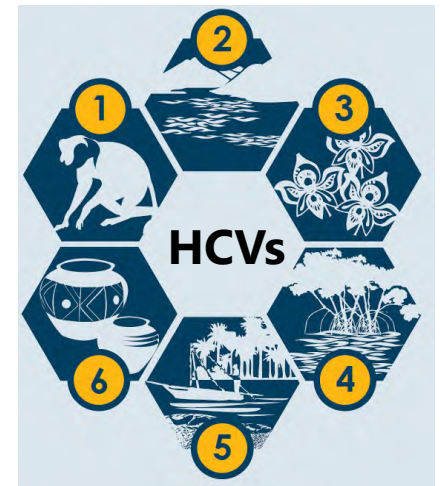
## Legal review: “No Deforestation”

- Supply company commitments to ‘no deforestation’
- No sourcing from High Conservation Value & High Carbon Stock areas
- Legal reviews for Ghana, Liberia and Ivory Coast
- To what extent does legislation already protect:
  - Species, ecosystems, ecosystem services
  - Community rights and values



## Legal review: “No Deforestation” findings


- All 3 countries technically have some protections through EIA processes, e.g. protecting gallery forest, ‘Environmentally Sensitive Areas’, ‘habitats of threatened species’
- Liberia has strong legal framework for community rights, Ghana for ‘Social Responsibility Agreements’
- Scope to build on VPA approach & expand legal requirements to other commodities → ***national forest monitoring system in Ghana?***
- Major challenges in implementation, for small producers & linked to traditional land ownership



# Guidance for producers

- FSC guidance for producers in Ghana
- HCV & HCS guidance for producers in Ghana, Liberia and Cote D'Ivoire
- (Also RSPO guidance)
- Available soon at [www.proforest.net/legality](http://www.proforest.net/legality)


**02** | Guidance for Producers  
LIBERIA




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**Building on legality to deliver responsible and deforestation free commodity supply chains**

Guidance for agricultural and forestry companies on how legislation helps implement the High Conservation Value and High Carbon Stock Approaches in Liberia




**03** | Guidance for Producers  
GHANA




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**Building on legality to deliver responsible and deforestation free commodity supply chains**

Guidance for agricultural and forestry companies on how legislation helps implement the High Conservation Value and High Carbon Stock Approaches in Ghana




**04** | Guidance for Producers  
CÔTE D'IVOIRE



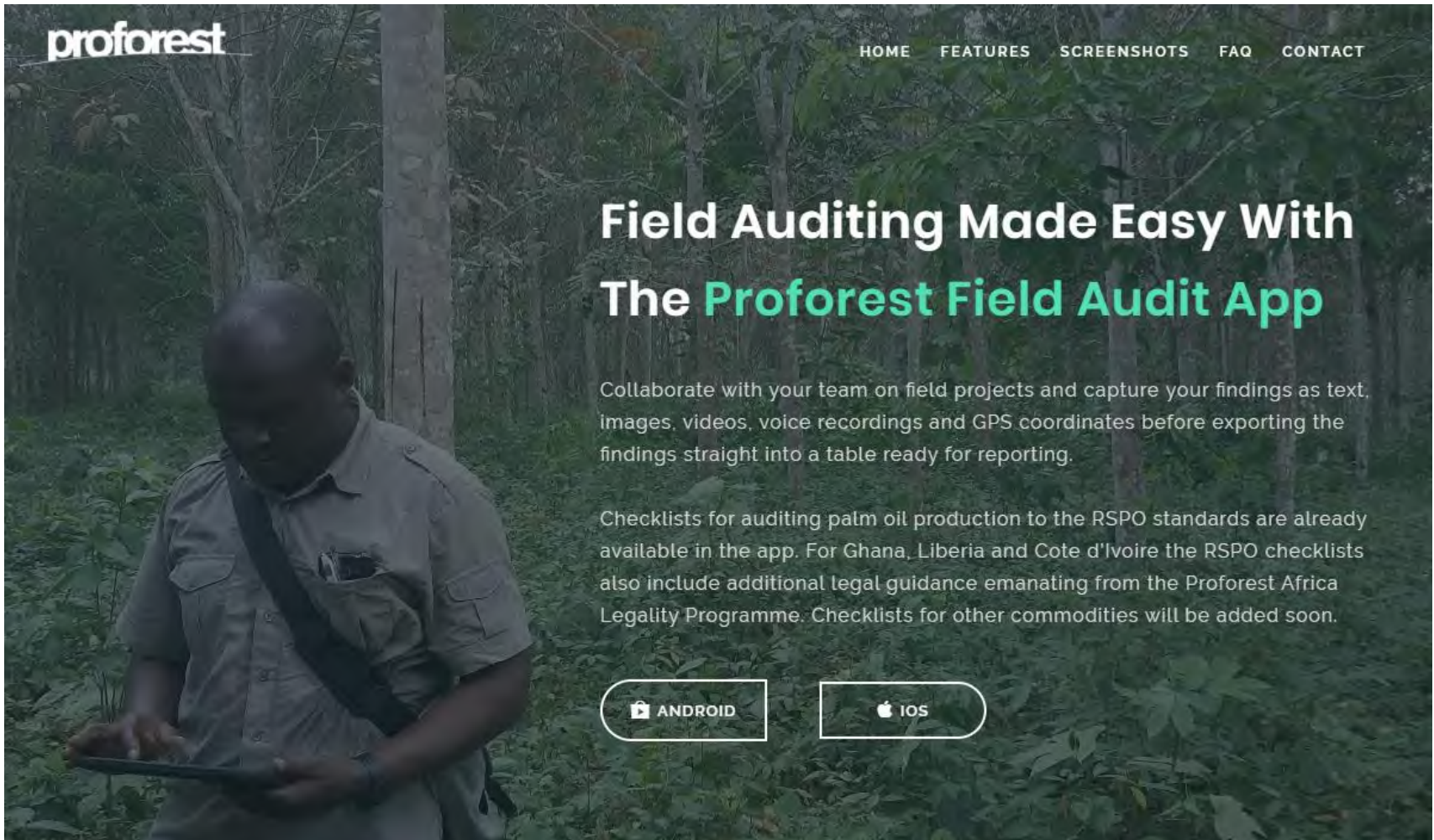
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**Building on legality to deliver responsible and deforestation free commodity supply chains**

Guidance for agricultural and forestry companies on how legislation helps implement the High Conservation Value and High Carbon Stock Approaches in Côte D'Ivoire



# The Proforest Field Audit App




**proforest**


HOME FEATURES SCREENSHOTS FAQ CONTACT

## Field Auditing Made Easy With The **Proforest Field Audit App**

Collaborate with your team on field projects and capture your findings as text, images, videos, voice recordings and GPS coordinates before exporting the findings straight into a table ready for reporting.

Checklists for auditing palm oil production to the RSPO standards are already available in the app. For Ghana, Liberia and Cote d'Ivoire the RSPO checklists also include additional legal guidance emanating from the Proforest Africa Legality Programme. Checklists for other commodities will be added soon.

 **ANDROID**

 **IOS**

# The Proforest Field Audit App

- Simplify field audits and assessments
- Collect text, audio, video, photo and GPS coordinates
- Collaborate with other team members
- Findings exported directly to excel with supporting files
- Checklists included:
  - FSC, NEPCon LegalSource, RSPO...more coming!

Guidance	Indicator	Findings
<p>led that information is received in appropriate y relevant stakeholders. This should include nechanisms for stakeholder involvement, including s and responsibilities.</p> <p>Id have a Standard Operating Procedure (SOP) to stakeholders, including a specific timeframe to formation. Growers and millers should ensure that ice exists to demonstrate that the response is timely</p> <p>ements relating to publicly available documentation ing to consultation.</p>	<p>11.1: There shall be evidence that growers and millers provide adequate information on (environmental, social and/or legal) issues relevant to RSPO Criteria for relevant stakeholders for effective participation in decision making.</p>	<p>Procedure of document of control and consultation of documents, and have a list of publicly available documents, and how to access them. Procedure is drafted but not yet circulated and PPs not yet aware. Not yet on internet it is with DG at the moment. Plan to make available online and also other means for those without internet. Also have</p>





### **Key points:**

- Importance of solutions/tools for producers – not just risk mitigation
- Need to build on FLEGT & VPA building blocks for other sectors – but takes time!
- Don't forget with traditional authorities
- Solutions for smallholders/SMEs

Thank you for listening

[www.proforest.net/legality](http://www.proforest.net/legality)

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