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THE "NINE STEPS" HANDBOOK

CHECKLIST FOR ESTABLISHING A FOREST COMMUNITY

PEOPLE, RULES, AND ORGANIZATIONS SUPPORTING THE PROTECTION OF ECOSYSTEM RESOURCES (PROSPER)

MARCH 2017
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Front Cover Photo: Community members reviewing the Nine Steps poster.

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ACRONYMS

AML	Arcelor Mittal Liberia
AFC	Authorized Forest Community
BATNA	Best Alternative to the Negotiated Agreement
CA	Community Assembly
CF	Community Forest
CFD	Community Forestry Department
CFMA	Community Forest Management Agreement
CFMB	Community Forest Management body
CFMP	Community Forest Management Plan
CFOC	Community Forest Organizing Committee
CRL	Community Rights Law of 2009
CRL Reg.	Community Rights Law Regulation of 2017, as Amended
CSO	Civil Society Organization
EC	Executive Committee
EIA	Environmental Impact Assessment
ENNR	East Nimba Nature Reserve
FDA	Forest Development Authority
FGD	Focus Group Discussions
FMC	Forest Management Contract
FPIC	Free, Prior and Informed Consent
GPS	Global Positioning System
LNGO	Local Non-Governmental Organization
LRCFP	Liberia Land Rights and Community Forestry Program
MLME	Ministry of Lands, Mines, and Energy
MOA	Ministry of Agriculture
NFRL	National Forestry Reform Law of 2006
NGO	Non-governmental organization
NRM	Natural Resource Management
NTFP	Non-Timber Forest Product
PRA	Participatory Rural Appraisal
PROSPER	People, Rules and Organizations Supporting the Protection of Ecosystem Resources Project
SESRR	Socio-Economic Survey and Resource Reconnaissance
SSIS	Semi-Structured Interviews
TOR	Terms of Reference
UN	United Nations
USAID	United States Agency for International Development
USGS	United States Geological Survey

INTRODUCTION

Community forestry is the management of forest resources by communities for commercial and non-commercial purposes to further their own livelihoods and development. Under the Liberian *Community Rights Law of 2009 with Respect to Forest Lands* (CRL), communities are granted legal rights over the areas of forest resources they have traditionally used, once they have completed the procedure elaborated in the *Regulation to the Community Rights Law of 2009 with Respect to Forest Lands, as Amended* (CRL Regulation). This requires following a nine-step process ("the Nine Steps") to ensure that members of the community fully understand and support the application for Authorized Forest Community (AFC) status. It also requires the establishment of representative bodies with their own governing rules, to regulate the use of forest resources and ensure the effective administration of the AFC. Once the Nine Steps have been completed, a management plan to provide a framework for the use, access, and sustainable management of forest resources must also be drafted. These requirements are explained in the CRL Regulation.

The United States Agency for International Development (USAID) has been supporting the development of community forestry in Liberia since 2007 through two community forestry projects implemented by Tetra Tech and other partners: the Liberia Land Rights and Community Forestry Program (LRCFP); and the People, Rules and Organizations Supporting the Protection of Ecosystem Resources (PROSPER) Project. Through these programs, USAID strives to build the capacity of local partners and encourage better coordination between governmental, non-governmental, academic, and private sector organizations involved in forestry and community forestry.

Purpose of the Manual

This manual provides a procedural structure and checklist to be used by members of the Forestry Development Authority's (FDA) Community Forestry Department (CFD) – and other stakeholders within the forestry sector – to ensure that the Nine Steps, as established in the CRL Regulation, are rigorously applied. Although it is not explicitly stated in the CRL Regulation, the Nine Steps clearly establish the criteria for securing communities' free, prior and informed consent (FPIC), which is required under Section 2.2 (c) of the CRL ("*Any decision, agreement or activity affecting the status or use of community forest resources shall not proceed without the prior, free, informed consent of the said community*"). This is a crucial point, because failure to meet the statutory requirement for FPIC can have serious legal implications, especially for those who wish to enter into agreements with AFCs to commercially exploit forest resources.

Structure of the Manual

The structure of the manual reflects the nine-step process, as elaborated in the CRL Regulation. The Nine Steps are separated into individual sections, with each step further broken down into

series of activities, all of which will need to be completed before the community can proceed further along in the process. Each activity has a corresponding set of indicators, which establish the actions to be measured and/or registered, in order to demonstrate that the required activities are being conducted. Finally, and most importantly for ensuring that all legal requirements have been satisfied, each activity has a list of actions and/or documents that need to be recorded and verified, as part of the due diligence process.

Within each of the activity sections is a grey box, which outlines some of the considerations for reducing costs and improving efficiency. Also within each grey box is an estimation of the *maximum* amount of time it should take to complete each of the activities.

How to Use this Manual

The manual is, to a large extent, instructional, in that it sets out the various steps that need to be followed, and the order in which they are to be carried out. FDA officials and other stakeholders within the forestry sector should use the manual as a guide to the process, to ensure that all legal standards have been satisfied. Each Activity and Step needs to be completed in its entirety before the community is permitted to proceed to the next Activity and Step.

Each section begins with a brief overview of the legal requirements that need to be satisfied before the Step is completed, which is then broken down into Activities, Indicators and Means of Verification, as explained above. Users of the manual should follow this basic approach:

1. Familiarize themselves with the legal requirements that need to be met for the Step they are working on to be completed, as laid out in the overview of the section;

2. Review the first Activity that needs to be completed and, if supporting the process, make appropriate arrangements;

3. Ensure that the relevant Indicators are being recorded;

4. Verify that the evidence collected meets the criteria established in the checklist;

5. Following verification, move on to the next Activity or Step.

6. Repeat until all of the Nine Steps have been completed.

THE NINE STEPS TO AUTHORIZED FOREST COMMUNITY STATUS

STEP 1. COMMUNITY FILES APPLICATION FOR AUTHORIZED FOREST COMMUNITY STATUS

Overview
Under the CRL Regulation, communities interested in forming an AFC must submit a letter of application to the FDA (Section 2.2) together with a non-refundable application fee of $250 (Section 2.4). The application shall include the "the location of the area of forest resources and information on the community's way of life, particularly as it relates to the usage, preservation and development of forest resources in the area," (Section 2.2) and contain the following objectives:

a) "To manage and use forest resources in a sustainable manner, and maintain the forest as an ecosystem;
b) To encourage and build upon existing community traditions, which promote the preservation of the forest and sustainable forest management practices;
c) To promote environmental conservation and ensure biological diversity; and
d) To work closely with the Authority to ensure the success of the community forestry program" (Section 2.3).

These are legally established requirements, which must be met before any other steps can be taken.

1.1 – Community Submits Application for Authorized Forest Community Status (*Section 2.2, 2.3 & 2.4 CRL Regulation*)

(a) Activities / Sub-activities

i. The community submits a written application for AFC status to the Office of the Managing Director (OMD), which forwards the application to the Community Forestry Department (CFD). This signals the beginning of the nine-step process.

(b) Indicators

i. The community submits a written application to the OMD for AFC status;
ii. The community representative pays the USD$250 application fee into the appropriate government bank account, and is issued a receipt;
iii. The community representative presents receipt of payment to the OMD; and
iv. The OMD issues a letter formally acknowledging receipt of the community's application.

(c) Means of Verification

i. A letter of application signed and submitted by community representatives to the OMD, which must meet all of the requirements established in Sections 2.2, 2.3 and 2.4 of the CRL Regulation;
ii. An official receipt of the USD$250 application fee issued by the bank to the community applying for AFC status; and
iii. A copy of the letter issued by the OMD acknowledging the community's application for AFC status.

Cost and Efficiency Considerations

- Before it can be accepted, an FDA official needs to briefly review the application for AFC status to ensure that all requirements are met. This means checking that the claimed land area and community's way of life are included, and that the required objectives are stated. Doing so will prevent applications for AFC status from being rejected on procedural grounds.

Maximum Time

The process of submission, review, and issue of receipt of written application and application fee should take no longer than seven (7) days.

1.2 – Community Forest Working Group Reviews Application for Authorized Forest Community Status

(a) Activities / Sub-activities

i. The Community Forest Working Group (CFWG) assesses whether the community has met all application requirements. Each application is reviewed through the established criteria and awarded a score, which results in approval, rejection, or a request that the community amend its application.

(b) Indicators

i. Using the predetermined criteria, the written application is reviewed by the CFWG, awarded a score, and is either approved, rejected, or returned for amendment.

(c) Means of Verification

i. A copy of the evaluation results, signed by the CFWG.

Cost and Efficiency Considerations

- The CFWG should meet regularly to review applications for AFC status. This way, any problematic applications can be identified and immediately be given additional attention, so they can be addressed at the following meeting.

Maximum Time

The process of assessing and awarding a score for a community's application by the CFWG should take no longer than seven (7) days.

1.3 – FDA Issues Decision

(a) Activities / Sub-activities

i. The result of the CFWG's assessment is forwarded to the OMD, which then officially informs the community applying for AFC status whether or not their application was successful and, if not, the reasons why.

(b) Indicators

i. A letter from the OMD, stating whether or not the community's application for AFC status was successful and, if not, the reasons why.

(c) Means of Verification

i. A copy of the letter issued by the OMD, stating whether or not the community's application for AFC status was successful and, if not, the reasons why.

Cost and Efficiency Considerations

- A clear procedure needs to be established, wherein as soon as the CFWG makes a decision it can be reviewed and signed by the OMD, and delivered to the applicant community without delay.

Maximum Time

The drafting, signing, delivery, and receipt of the letter should take no longer than seven (7) days.

STEP 2. NOTICE FOR SOCIO-ECONOMIC SURVEY AND RESOURCE RECONNAISSANCE

Overview

Once a community has decided to pursue AFC status, and the initial application has been approved, the next step is for notice about the forthcoming socio-economic survey and resource reconnaissance to be provided. This is part of the need for Free, Prior and Informed Consent (FPIC) under Chapter 2, Section 2.2 (c) of the CRL, and is an explicit requirement under Section 2.6 of the CRL Regulation:

> *"At least thirty (30) days notice shall be given to the community and adjacent communities before the socio-economic survey and resource reconnaissance is conducted. Notice shall be given in the form or forms in which communities usually receive public information. The Authority shall serve a copy of the notice to the recognized leaders of the community applying for Authorized Forest Community status and recognized leaders of adjacent communities."*

2.1 – FDA Prepares Notices for Socio-Economic Survey and Resource Reconnaissance

(a) Activities / Sub-activities

- **i.** From a template, the FDA drafts tailored notices to inform communities of the forthcoming socio-economic survey and resource reconnaissance (SESRR). This shall include illustrated posters, as well as short radio announcements. An official letter providing notice shall be delivered to community leaders.

(b) Indicators

- **i.** The FDA prepares and produces posters / announcements, so they can be posted / broadcast to provide notice to community members at least 30 days before the SESRR is to be conducted.

(c) Means of Verification

- **i.** Copies of all proposed posters / announcements that will be used to inform the community of the forthcoming SESRR; and
- **ii.** A copy of the letter that will be sent to community leaders.

Cost and Efficiency Considerations

- Standardized templates for the various types of notices (posters, radio announcements, letters) should be on-hand and easily alterable.

Maximum Time

The distribution plan should be developed and all notices drafted within seven (7) days.

2.2 – FDA Posts Notices for Socio-Economic Survey and Resource Reconnaissance (*Section 2.6 CRL Regulation*)

(a) Activities / Sub-activities

- **i.** FDA posts notices / has announcements broadcast informing communities of the planned SESRR, at least 30 days in advance. Official letters informing communities of the SESRR are delivered to community leaders.

(b) Indicators

- **i.** Notice provided to community members about the forthcoming SESRR, at least 30 days in advance, in written, illustrated and/or spoken word form; and
- **ii.** Delivery of official letter to community leaders notifying them of the forthcoming SESRR.

(c) Means of Verification

- **i.** Logbook of activities, such as where and when notices were posted, when and to whom leaflets were distributed, and when radio announcements were aired; and
- **ii.** A signed receipt attesting that the community leaders received a copy of the letter of notice from the FDA.

Cost and Efficiency Considerations

- Standard operating procedures need to be developed for the posting of notices and the recording of all such activities.

Maximum Time

It should take the FDA no longer than seven (7) days to post all notices, plus the thirty (30) days during which the notices must remain up – so thirty-seven (37) days in total.

STEP 3. SOCIO-ECONOMIC SURVEY AND RESOURCE RECONNAISSANCE

Overview
Under Section 2.5 of the CRL Regulation, the FDA,

> *"With the consent and involvement of community members…shall undertake a socio-economic survey and resource reconnaissance covering the area of forest resources the community wants to use as its community forest. Representatives of adjacent communities shall also be invited to cooperate with the Authority in the socio-economic survey and resource reconnaissance.*
>
> *The socio-economic survey and resource reconnaissance shall generally cover the area, forest resources in the area, and the people and their livelihoods, including their relationship to the area and forest resources. The report of the socio-economic survey and resource reconnaissance shall be shared with the community applying for Authorized Forest Community status, as well as adjacent communities."*

3.1 – FDA Plans Socio-Economic Survey and Resource Reconnaissance

(a) Activities / Sub-activities

i. Working in collaboration with community leaders from the applicant community and adjacent communities, the FDA develops an operational plan and budget for the implementation of the SESRR.

(b) Indicators

i. The schedule of planned activities for the SESRR, and operational budget.

(c) Means of Verification

i. The finalized schedule of activities for the planned SESRR, and operational budget; and
ii. A list of the FDA officials and community members who will be conducting the SESRR.

Cost and Efficiency Considerations

- The community must identify a suitable assembly point, where participants of the socio-economic survey and resource reconnaissance shall gather.
- The community must also provide volunteers to guide FDA staff through the forest during the resource reconnaissance.

Maximum Time
The plan for the SESRR should be developed within seven (7) days.

3.2 – FDA Conducts Socio-Economic Survey and Resource Reconnaissance and Collects and Compares Preliminary Geo-Referencing Data (*Section 2.5 CRL Regulation*)

(a) Activities / Sub-activities

i. FDA officials and community members conduct the SESRR, and collect preliminary geo-referencing data about the area of forest resources proposed as a community forest, to compare it with existing data on concessions and protected areas to ensure there are no obvious conflicts or competing claims.

(b) Indicators

i. Meetings are held and the SESRR is conducted;
ii. Participatory Rural Appraisal (PRA) exercises are held;
iii. Preliminary geo-referencing data about the area of forest resources proposed as a community forest are collected, and compared data with existing data on concessions and protected areas, to ensure there are no obvious conflicts or competing claims.

(c) Means of Verification

i. Signed participant lists;
ii. PRA records;
iii. Written confirmation from the CFD that the area of forest resources proposed as a community forest does not overlap with any existing protected areas or concessions; and
iv. Draft report, including preliminary geo-referencing data and analysis, with a signed list of the FDA officials and community members who conducted the SESRR.

Cost and Efficiency Considerations

- To ensure consistency and effectiveness, reports should be drafted by the same individuals/teams. This way inconsistencies/gaps can be more easily identified, and reports expeditiously drafted.
- It is unlikely that the FDA will have immediate access to all of the relevant GIS data, which would allow them to check if the area of forest resources proposed as a community forest overlaps with existing protected areas or concessions. To ensure that the preliminary data collected can be compared with existing data on protected areas and concessions, mechanisms for effective coordination with relevant government bodies, including the Land Authority and the Ministry of Lands, Mines and Energy, will need to be developed.

Maximum Time

The socio-economic survey and resource reconnaissance, and collection and comparison of preliminary geo-referencing data should be conducted and a draft report produced within twenty-one (21) days.

IMPORTANT NOTE

If during the collection of preliminary geo-referencing data it is discovered that the boundaries of the proposed community forest overlap with an existing concession, the applicant community has – depending upon the circumstances – two options:

(1) If the area of forest resources that does NOT overlap with the existing concession is large enough to constitute a viable community forest, the

applicant community may – within the uncontested area of forest resources – continue to establish the community forest. The applicant community is then advised to enter into negotiations with the concessionaire to resolve the issue of overlapping claims. Once all such issues have been resolved, the applicant community may then incorporate the previously contested area of forest resources into the community forest, following a valid process of demarcation and posting of results.

(2) If the area of forest resources that does NOT overlap with the existing concession is too small to constitute a viable community forest, the applicant community will be required to temporarily halt its application and resolve the overlapping claim. Only once this has been done may the applicant community proceed to the next step in the nine-step process.

STEP 4. NOTICE OF DEMARCATION AND MAPPING

Overview
Once the SESRR has been conducted, the FDA needs to preliminarily demarcate the area claimed by the community. To ensure there is no confusion or conflict, notice about the demarcation has to be posted in and around the area of forest resources proposed as a community forest. Section 2.8 of the CRL Regulation, establishes that,

> *"At least 30 days notice shall be given to the community and adjacent communities before the demarcation and mapping is conducted. Notice shall be given in the form or forms in which communities usually receive public information. The Authority shall serve a copy of the notice to the recognized leaders of the community applying for Authorized Forest Community status and recognized leaders of adjacent communities."*

4.1 – FDA Prepares Notices for Preliminary Demarcation and Mapping

(a) Activities / Sub-activities

i. From a standardized template, the FDA drafts tailored notices to inform communities of the forthcoming preliminary demarcation and mapping. This shall include illustrated posters, as well as short radio announcements. An official letter providing notice shall be delivered to community leaders.

(b) Indicators

i. The FDA prepares and produces posters / announcements, so they can be posted / broadcast to provide notice to community members at least thirty (30) days before the preliminary demarcation and mapping is to take place.

(c) Means of Verification

i. Copies of all proposed notices (posters, leaflets, radio announcements) that will be used to inform communities of the preliminary demarcation and mapping; and
ii. A copy of the letter that is to be delivered to community leaders.

Cost and Efficiency Considerations

- Standardized templates for the various types of notices (posters, leaflets, radio announcements, letters) should be on-hand and easily alterable.

Maximum Time
The distribution plan should be developed and all notices drafted within seven (7) days.

4.2 – FDA Posts Notices for Preliminary Demarcation and Mapping (*Section 2.8 CRL Regulation*)

(a) Activities / Sub-activities

i. FDA posts notices / has announcements broadcast on the radio informing communities of the forthcoming preliminary demarcation and mapping at least thirty (30) days in

advance. Official letters informing communities of the preliminary demarcation and mapping are delivered to community leaders.

(b) Indicators

- **i.** Notice provided to community members about the forthcoming preliminary demarcation and mapping, at least thirty (30) days in advance, in written, illustrated and/or spoken word form; and
- **ii.** Delivery of official letter to community leaders notifying them of the forthcoming preliminary demarcation and mapping, which must be signed for.

(c) Means of Verification

- **i.** Logbook of activities, such as where and when notices were posted, when and to who leaflets were distributed, and when radio announcements were aired; and
- **ii.** A signed receipt attesting that the community leaders/s received a copy of the letter of notice from the FDA.

Cost and Efficiency Considerations

- Standard operating procedures need to be developed for the posting of notices and the recording of all such activities.

Maximum Time

It should take the FDA no longer than seven (7) days to post all notices, plus the thirty (30) days during which the notices must remain up – so thirty-seven (37) days in total.

4.3 – FDA Informs "Other Relevant Agencies" about the Preliminary Demarcation and Mapping

(a) Activities / Sub-activities

- **i.** FDA drafts and delivers letters to "other relevant agencies" and local government authorities to inform them of the upcoming preliminary demarcation and mapping of the area of forest resources proposed as a community forest, to put them on notice in case their assistance is needed to resolve any disputes that emerge, which go beyond forest resources.

(b) Indicators

- **i.** Drafting and delivery of official letter to "other relevant government bodies" (Section 2.10 of the CRL Regulation) and local government authorities to inform them of the upcoming demarcation and mapping of the area of forest resources proposed as a community forest, which must be signed for.

(c) Means of Verification

- **i.** A signed receipt attesting that the "other relevant government bodies" (Section 2.10 of the CRL Regulation) and local government authorities received a copy of the letter from the FDA, informing them of the upcoming preliminary demarcation and mapping.

Cost and Efficiency Considerations

- County authorities and "other relevant government bodies" can be contacted during the notice period for the demarcation and mapping, so this will not require any additional time.

STEP 5. THE FDA DEMARCATES AND MAPS THE AREA OF FOREST RESOURCES PROPOSED AS A COMMUNITY FOREST

Overview

Following the end of the thirty (30) day notice period, the area of forest resources that the community proposes for a community forest is demarcated and mapped. Under Section 2.9 of the CRL Regulation, the FDA,

> *"in collaboration with the community and, where necessary, other relevant government ministries and agencies, shall demarcate the area of forest resources proposed as a community forest. From the data collected during the demarcation, a map depicting the exact area delimited, showing landmarks and adjacent areas, shall be produced, and physical markers indicating the boundaries of the community forest established."*

5.1 – FDA Plans for Preliminary Demarcation and Mapping

(a) Activities / Sub-activities

i. The FDA, in collaboration with members of the applicant community and adjacent communities, forms a survey team and prepares a plan for the preliminary demarcation and mapping of the area of forest resources proposed as a community forest

(b) Indicators

i. Plan developed for preliminary demarcation and mapping, and members of survey team identified.

(c) Means of Verification

i. The finalized preliminary demarcation and mapping plan, and list of survey team members.

Cost and Efficiency Considerations

- Standard operating procedures need to be developed for the preliminary demarcation and mapping process, which can be scaled up or down, depending upon the size of the area of forest resources proposed for a community forest.

Maximum Time

The plan for the preliminary demarcation and mapping should be developed within seven (7) days.

5.2 – FDA Conducts Preliminary Demarcation and Mapping (*Section 2.7 CRL Regulation*)

(a) Activities / Sub-activities

i. The survey team, led by the FDA, conducts the preliminary demarcation and mapping of the area of forest resources proposed as a community forest.

(b) Indicators

i. Comprehensive geo-referencing data collected; and
ii. Temporary landmarks established.

(c) Means of Verification

i. Comprehensive geo-referencing data collected, compiled and submitted for processing; and
ii. Photographic evidence of the establishment of temporary markers (spray paint, blaze, etc.).

Cost and Efficiency Considerations

- Although the FDA is responsible for leading the preliminary demarcation and mapping process, members of the community are required to guide the survey team around the borders of the area of forest resources proposed for a community forest. Community members need to be aware of this and on-hand to guide FDA officials, to prevent delaying the preliminary demarcation and mapping.

Maximum Time

It should take approximately no more than one (1) day to demarcate 5-10 km of a boundary during verification, depending upon the terrain.

5.3 – FDA Prepares Report on Preliminary Demarcation and Mapping

(a) Activities / Sub-activities

i. From the data collected, the FDA drafts a report and generates preliminary maps of the proposed community forest.

(b) Indicators

i. Preparation of report on preliminary demarcation; and
ii. Preparation of preliminary maps.

(c) Means of Verification

i. Report on preliminary demarcation; and
ii. Preliminary maps of proposed community forest.

Cost and Efficiency Considerations

- Once FDA officials have become comfortable with the relevant technology and software, and the required logistical support has been provided, it should be relatively easy to generate preliminary maps and demarcation reports.

Maximum Time

Preliminary demarcation report and maps should be drafted within seven (7) days of all information being submitted.

STEP 6. THE FDA POSTS RESULTS FROM SOCIO-ECONOMIC SURVEY AND RESOURCE RECONNAISSANCE, AND PRELIMINARY DEMARCATION AND MAPPING FOR 30 DAYS

Overview

Once the FDA has conducted the SESRR, and preliminary demarcation and mapping of the area of forest resources proposed as a community forest, the results of the two exercises are posted. Under Section 2.9 of the CRL Regulation,

> *"For a period of at least thirty (30) days, the preliminary results from the socio-economic survey and resource reconnaissance, and the demarcation and mapping shall be posted in and around the area of forest resources being proposed as a community forest, for review by community members and members of adjacent communities."*

6.1 – FDA Prepares Notices for Posting of Results from Socio-Economic Survey and Resource Reconnaissance, and Maps from Preliminary Demarcation

(a) Activities / Sub-activities

i. From a template the FDA drafts the summary of the SESRR and the summary of the report from the preliminary demarcation, and produces poster-sized maps of the proposed community forest to inform communities of the results of the two exercises. Official letters for delivery to community leaders are also prepared. The summaries, posters and letters shall explain the process through which objections to the proposed boundaries of the community forest can be submitted.

(b) Indicators

i. The FDA prepares and produces a summary of the SESRR, a summary of the report from the preliminary demarcation, maps of the proposed community forest, and letters to inform communities of the results of the two exercises.

(c) Means of Verification

i. Copy of the summary of the SESRR;
ii. Copy of the summary of the report from the preliminary demarcation;
iii. Preliminary maps of the demarcated area; and
iv. Copy of the letter that will inform community leaders of the results of the SESRR and preliminary demarcation.

Cost and Efficiency Considerations

- Standardized templates for the posting of results (posters, leaflets, radio announcements, letters) should be on-hand and easily alterable.

Maximum Time

The distribution plan should be developed and all notices drafted within fourteen (14) days.

6.2 – FDA Posts Results from Socio-Economic Survey and Resource Reconnaissance, and Maps from Preliminary Demarcation (*Section 2.9 CRL Regulation*)

(a) Activities / Sub-activities

i. FDA posts the summary of the SESRR, the summary of the report from the preliminary demarcation, and preliminary maps of the proposed community forest for at least thirty (30) days to inform members of the applicant community and adjacent communities. This may also include radio announcements.

(b) Indicators

i. FDA posts a copy of the summary of the SESRR, a copy of the summary of the report from the preliminary demarcation, and the preliminary maps of the community forest for at least thirty (30) days; and

ii. FDA delivers an official letter of explanation containing summaries of the results from the SESRR and preliminary demarcation report to community leaders, together with a full set of the results from the SESRR, the preliminary demarcation report, and preliminary maps of the demarcated area of forest resources proposed for a community forest.

(c) Means of Verification

i. Logbook of activities, such as where and when the summary of the SESRR, the summary of the report from the demarcation, and the preliminary maps of the demarcated area of forest resources proposed for a community forest were posted; and

ii. A signed receipt attesting that the community leaders received a copy of the letter informing them of the results of the SESRR, the report from the preliminary demarcation, and copies of the preliminary maps of the community forest.

Cost and Efficiency Considerations

- Standard operating procedures need to be developed for the posting of results and the recording of all such activities.

Maximum Time

It should take the FDA no longer than seven (7) days to post all notices, plus the thirty (30) days during which the notices must remain up – so thirty-seven (37) days in total.

6.3 – FDA Explains Results of Socio-Economic Survey and Resource Reconnaissance and Preliminary Demarcation

(a) Activities / Sub-activities

i. After the FDA has posted the summary of the SESRR, the summary of the report from the demarcation, and the preliminary maps of the proposed community forest, the FDA arranges a meeting with communities in order to explain the results and technical details, answer any questions that community members may have, and verify that all of the data in the SESRR, the report on the preliminary demarcation, and the preliminary maps are accurate.

(b) Indicators

i. FDA arranges and holds a meeting with communities in order to explain the results and technical details, answer any questions that community members may have, and verify that all of the data in the SESRR, the report on the preliminary demarcation, and the preliminary maps are accurate.

(c) Means of Verification

i. Logbook of activities including, if possible, attendance sheets from the meetings; and
ii. Photographic evidence of the meeting being held.

Cost and Efficiency Considerations

- N.B. This is not a legally required activity, in that it does not appear in the CRL or the CRL Regulation. However, it is recommended that the results of the SESRR, the preliminary demarcation, and the preliminary maps be explained to communities (both members of applicant communities and adjacent communities). If members of communities are confused about any of the results posted, they may be more inclined to submit an official objection, which will lead to delays in the creation of the community forest. By explaining the results posted, FDA is more likely to be able to preemptively address objections by members of communities, which will in turn preclude the need for dispute resolution.

Maximum Time

The meeting should not take more than one (1) day, and will take place during the period in which summaries of results and preliminary maps need to be posted.

NOTE

At the conclusion of the required thirty (30) day period, communities may proceed either to Step 7 or Step 8, depending upon the outcome of posting of results from the SESRR, the preliminary demarcation report, and the preliminary maps of the areas of forest resources proposed for community forests.

(1) If official objections have been submitted by members of the community applying for AFC, or by members of adjacent communities, the dispute resolution process established in Step 7 is triggered (proceed to Step 7); OR

(2) If no official objections are submitted during the thirty (30) day period in which the results from the SESRR, the preliminary demarcation report, and the preliminary maps of the areas of forest resources proposed for community forests are posted, the FDA directs the community applying for AFC status to proceed to establish the forest governance institutions (the Community Assembly and the Community Forest Management Body).

STEP 7. THIRD PARTY OBJECTIONS THAT ARISE FROM THE RESULTS OF THE PRELIMINARY DEMARCATION AND MAPPING ARE ADDRESSED

Overview

Members of the community applying for AFC status, as well as members of adjacent communities may object to results from the preliminary demarcation and mapping. As per Section 2.10 of the CRL Regulation,

> *"Third parties, including members of adjacent communities, may object to the designation of a specified area of forest resources as a community forest. All such objections shall be investigated and acted upon by the Authority within thirty (30) days of receipt, if they relate solely to forest resources.*
>
> *Objections relating to issues that go beyond forest resources shall be investigated and acted upon within ninety (90) days by the Authority and other relevant government bodies, including, but not limited to, the Land Authority; the Ministry of Internal Affairs; the Ministry of Agriculture; and the Ministry of Justice*

7.1 – FDA Reviews Objections Submitted by Community Members (*Section 2.10 CRL Regulation*)

(a) Activities / Sub-activities

i. The FDA reviews all objections submitted by members of the community applying for AFC status, and/or members from adjacent communities, and determines whether they "relate solely to forest resources," or whether they go beyond forest resources.

(b) Indicators

i. Objections are analyzed to determine whether issues raised "relate solely to forest resources," or whether they go beyond forest resources.

(c) Means of Verification

i. Objections recorded in logbook, together with final determination and list of parties that need to be involved in addressing objection and/or disputes.

Cost and Efficiency Considerations

- There needs to be a designated team of people within the CFD to address objections. Team members can develop a set of standard operating procedures, based upon the objections that regularly arise.

Maximum Time

Once the posting period has ended, the FDA should determine whether issues raised "relate solely to forest resources," or whether they go beyond forest resources; and determine which parties need to be contacted, within seven (7) days.

7.2 – FDA Schedules and Coordinates Meetings with Parties Involved in Disputes (*Section 2.10 CRL Regulation*)

(a) Activities / Sub-activities

i. The FDA contacts and meets with objectors, other implicated parties, and relevant government ministries and agencies – depending upon whether or not the objections go beyond forest resources.

(b) Indicators

i. FDA and, if necessary, other relevant government ministries and agencies, contact and meet with objectors and other implicated parties; and

ii. FDA and, if necessary, other relevant government ministries and agencies, draft report from investigation and recommend a course of action to address objections, which may include dispute resolution.

(c) Means of Verification

i. Attendance lists from meetings; and

ii. Written report and recommendations for addressing objections, which may include dispute resolution.

Cost and Efficiency Considerations

- There needs to be a designated team of people within the CFD to address objections. Team members can develop a set of standard operating procedures, based upon the objections that regularly arise.

Maximum Time

Once the FDA has identified all objections and recommended a course of action for each (Indicator 7.1), meetings need to be scheduled and held within twenty-one (21) days.

7.3 – FDA and Other Parties Work to Resolve Disputes (*Section 2.10 CRL Regulation*)

(a) Activities / Sub-activities

i. Using customary dispute resolution mechanisms and related means FDA staff, other government ministries and agencies, and CSO partners mediate disputes and facilitate consensus building.

(b) Indicators

i. Meetings held between FDA, objectors, implicated parties, and all other relevant government ministries and agencies.

(c) Means of Verification

i. Minutes of meetings and signed attendance lists; and

ii. Signed resolutions between objectors and other parties to the dispute.

Cost and Efficiency Considerations

- There needs to be a designated team of people within the CFD to address objections.

Team members can develop a set of standard operating procedures, based upon the objections that regularly arise.

Maximum Time
Objections and disputes between parties should be addressed within twenty-one (21) days.

7.4 – If Changes to the Boundary Line are Agreed to, FDA Repeats Demarcation Process

(a) Activities / Sub-activities

i. If required, the FDA and community repeat the demarcation process, taking into account what was agreed during the dispute resolution process.

(b) Indicators

i. The area of forest resources proposed for a community forest is demarcated; and
ii. A final demarcation report is prepared.

(c) Means of Verification

i. Finalized maps of the proposed a community forest; and
ii. Final report of demarcation process.

Cost and Efficiency Considerations

- Although the FDA is responsible for leading the demarcation and mapping process, members of the community are required to guide the survey team around the borders of the area of forest resources proposed for a community forest. Community members need to be aware of this and on-hand to guide FDA officials, to prevent delaying the final demarcation and mapping.

Maximum Time
It should take approximately no more than one (1) day to demarcate 5-10km of a boundary during verification, depending upon the terrain.

STEP 8. THE COMMUNITY SETS UP GOVERNANCE STRUCTURES FOR COMMUNITY FOREST MANAGEMENT

Overview

Under Section 2.11 of the CRL Regulation,

> *"Following the identification, assessment and demarcation of the community forest, and the resolution of all associated disputes, the Authority shall give provisional permission to the community to organize itself into an Authorized Forest Community, for the purpose of managing the specified area of forest resources."*

Following preliminary authorization to form an AFC, the FDA assists community members to establish the necessary governance bodies – the Community Assembly (CA) (Section 3.3 of the CRL Regulation), Executive Committee (EC) (Section 3.7 of the CRL Regulation), and Community Forest Management Body (CFMB) (Section 4.3 of the CRL Regulation) – and instruments (constitution and bylaws) (Section 3.11 of the CRL Regulation).

8.1 – FDA Grants Preliminary Permission to Organize as Authorized Forest Community (*Section 2.11 CRL Regulation*)

(a) Activities / Sub-activities

i. Following the completion of the demarcation process, the FDA issues the applicant community a letter granting it preliminary permission to organize as an AFC, informing members that they will need to attend an awareness meeting in the immediate future to receive instruction on how to establish community forest governance entities and hold elections.

(b) Indicators

i. FDA issues letter granting preliminary permission to the applicant community to form an AFC, informing members that they will need to attend an awareness meeting in the immediate future, to receive instruction on how to establish community forest governance entities and hold elections.

(c) Means of Verification

i. Copy of official letter issued by the FDA, signed by the appropriate FDA officer; and
ii. A signed receipt attesting that the community leader/s received a copy of the letter.

Cost and Efficiency Considerations

- If possible, the letter should contain the date on which the general meeting to instruct members about the formation of community forest governance entities, and how to conduct elections, is to be held. This will provide communities ample time to raise awareness about the meeting throughout the various villages and towns.

Maximum Time

Once the final demarcation of the area of forest resources has been completed the FDA should issue a preliminary permission letter within seven (7) days.

8.2 – FDA Contacts the Office of the County Superintendent and Requests that County Administration Staff Arrange a Meeting of the Villages and Towns applying for Authorized Forest Community Status

(a) Activities/Sub-Activities

- **i.** The FDA drafts and delivers an official communication to the Office of the County Superintendent, requesting that County Administration staff organize a general meeting of community members from the villages and towns applying for AFC status, so that instruction can be provided about the formation of the community forest governance entities and how to conduct elections for representatives to the CA.

(b) Indicators

- **i.** Drafting and delivery of letter to Office of the County Superintendent, requesting that County Administration staff organize a meeting of community members from the villages and towns applying for AFC status.

(c) Means of Verification

- **i.** Copy of letter that was drafted and delivered to Office of the County Superintendent.

Cost and Efficiency Considerations

- If possible, FDA should coordinate with County Administration staff beforehand, so that the date of the general meeting can be included in the preliminary permission letter (Section 8.1).

Maximum Time

It should take the FDA no longer than seven (7) days to draft and deliver the letter to the Office of the County Superintendent, and no more than seven (7) days for the County Administration staff to inform the members of the various villages and towns about the general meeting, so fourteen (14) days in total.

8.3 – At the Meeting Organized by County Administration Staff, the FDA Instructs Communities on How to Conduct Elections for Community Assembly Members, and Provides Notice about Date of Elections, and First and Second General Meeting of the Community Assembly (*Section 3.4, 3.8 & 3.10 CRL Regulation*)

(a) Activities/Sub-Activities

- **i.** At the meeting organized by County Administration staff, the FDA informs the members of the villages and towns applying for AFC status about the requirements for conducting elections for representatives to the CA, and distributes standardized instructions and templates: community members must be given at least thirty (30) days notice before elections are to take place; elections must be conducted in a free, fair and transparent manner; and two (2) civil society members must be invited to oversee the process.
- **ii.** The FDA assists the community to develop a public notice, to be aired on radio and/or posted in public spaces to inform community members about: (a) the date of the elections for community representatives that will sit on the CA; (b) the first General

Meeting to elect the Officers of the Executive Committee, and determine the criteria for the CFMB; and (c) the second General Meeting of the CA to appoint CFMB members; elect the Chief Officer, Secretary and Treasurer of the CFMB; and develop a Constitution and set of bylaws; and

iii. The FDA invites at least two (2) local CSOs through the CFWG network to the meeting, to help oversee the awareness campaign and CA and EC elections.

(b) Indicators

i. FDA instructs the members of the villages and towns applying for AFC status about the requirements for conducting elections for representatives to the Community Assembly;

ii. FDA assists the community to develop and air and/or post a public notice to inform community members about:

a. The date of the elections for community representatives that will sit on the CA;
b. The first General Meeting of the CA (*CA Establishment Forum*) to determinine the make-up of the CA, elect the Officers of the Executive Committee, and determine the criteria for the CFMB; and
c. The second General Meeting of the CA to appoint CFMB members; elect the Chief Officer, Secretary and Treasurer of the CFMB; and develop a Constitution and set of governing bylaws.

iii. The FDA invites at least two (2) local CSOs through the CFWG network to the meeting, to help oversee the awareness campaign and CA and EC elections.

(c) Means of Verification

i. Radio log sheets, indicating date of broadcasts, and receipts from radio stations; and

ii. Copies of invitation issued by FDA to at least two (2) CSOs to help oversee the awareness campaign and the election of CA members.

Content of Notice

a. The basic requirements for the holding of the elections for representatives to the CA, and the date on which elections are to be held;

b. The date and details of the first General Meeting of the CA (*CA Establishment Forum*), with a short explanation of its purpose: the community representatives from the various constituencies shall determine the make-up of the CA, after which the CA members will elect the officers of the EC, and establish the criteria for serving on the CFMB; and

c. The date and details of the Second General meeting of the CA, with a short explanation of its purpose: to appoint CFMB members; elect the Chief Officer, Secretary and Treasurer of the CFMB; and draft the Constitution and bylaws.

Cost and Efficiency Considerations

- Notice for CA elections has to be posted thirty (30) days in advance (Section 3.6 of the CRL Regulation). Additionally, two General Meetings of the CA have to be held: the first to elect the Executive Committee and determine the criteria for CFMB membership (sub-step 8.4, below); the second to appoint the CFMB members, elect the Chief Officer, Secretary and Treasurer, and develop a Constitution and set of bylaws (sub-steps 8.6 and 8.7, below). Each General Meeting of the CA needs to be advertised at least thirty (30) days in advance (Section 3.10 of the CRL Regulation). To prevent unnecessary delays between the elections and the first and second General Meetings of the CA, one notice should be posted/broadcast to inform community members of the dates of: (1) the elections for CA members; (2) the first General Meeting of the CA to elect the Officers of the Executive Committee, and determine the criteria for the CFMB; and (3) the second General Meeting of the CA to appoint the CFMB members and elect the Chief Officer, Secretary and Treasurer, and develop a Constitution and set of bylaws.

Maximum Time

The FDA will need, at the most, seven (7) days to make the appropriate arrangements for the awareness campaign and prepare the notice, in addition to the mandatory thirty (30) day period during which notice for the elections of CA members must be posted. This will require at the most thirty-seven (37) days.

8.4 – First General Meeting of the Community Assembly – Establishment Forum (*Section 3.7 & 3.8 CRL Regulation*)

(a) Activities/Sub-Activities

i. FDA reviews polling results from each of the elections held in the villages and towns applying for AFC status, and has each of the representatives sent to the CA affirm (*sign*) that the officially prescribed process outlined under Section 8.1 was used during elections; and

ii. FDA officers guide the proceedings of the Establishment Forum, beginning by briefing the representatives sent from the various constituencies within the community applying for AFC status on the purpose of the meeting: determine the make up of the CA, including the minimum number of women representatives; to elect the officers of the EC; and establish the criteria for CFMB members.

(b) Indicators

i. FDA reviews polling results from each village and town, and has each representative affirm that the FDA-prescribed process was used to conduct elections;

ii. The make up of the CA is determined;

iii. The election of the officers of the EC is conducted; and

iv. The EC, with the guidance of the CA, determines the criteria for CFMB members.

(c) Means of Verification

i. Copy of the community-level free, fair and inclusive elections affirmation document signed by all CA members present;

ii. Copy of the list of members selected to serve on the CA;Copy of the list of names of the officers elected to the EC; and
iii. Criteria for membership of CFMB established.

Cost and Efficiency Considerations

- It is the responsibility of the CA members to inform their respective communities of the predetermined criteria for membership to the CFMB, and to ensure that members are aware of the positions that they may apply for. Between the First and Second General Meeting of the CA, the Officers of the EC should have selected the five CFMB members, based upon the predetermined criteria, for submission to the CA for official appointment.

Maximum Time

The first General Meeting of the Community Assembly (Establishment Forum) should take one (1) day, but should take place approximately seven (7) days after the elections of the community representatives to the CA.

Note on the Second General Meeting of the Community Assembly

The Second General Meeting of the Community Assembly takes part over a two (2) day period:

Day 1 consists of the appointment of CFMB members; the election of the Chief Officer, Secretary and Treasurer; and the drafting and adoption of the Constitution. For clarity, these have been separated into Day I, Part I (8.5) and Day I, Part II (8.6).

Day 2 is devoted to the drafting and adoption of the bylaws. Because the bylaws are more detailed and address issues such as fines and penalties for members of the AFC, more time is required for the drafting and adoption process than for the Constitution.

8.5 – Second General Meeting of the Community Assembly (Day I, Part I) – The Community Forest Management Body is Appointed, and Its Leadership Elected (*Section 4.2, 4.3 & 4.4 CRL Regulation*)

(a) Activities/Sub-Activities

i. On day one, during the first part of the Second General Meeting, the CA approves and appoints the five (5) members of the CFMB, selected by the EC, in accordance with the previously established criteria. From among the five (5) CFMB members, the CA elects the Chief Officer, Secretary, and Treasurer through secret ballot, and by simple majority.

(b) Indicators

i. The five (5) members of the CFMB are approved and appointed, based upon the criteria previously established by the CA; and
ii. From among the five (5) CFMB members, the CA elects the Chief Officer, Secretary, and Treasurer through secret ballot, and by simple majority.

(c) Means of Verification

i. The final list of the five (5) CFMB members that were approved and appointed, including the names of the Chief Officer, the Secretary, and the Treasurer.

Cost and Efficiency Considerations

- Between the First and Second General Meeting of the CA, the Officers of the EC should have selected the five CFMB members, based upon the predetermined criteria. Members of the CA will simply be required to approve the selection, officially appoint the CFMB members, and vote to elect the Chief Officer, Secretary and Treasurer.
- The appointment of the CFMB members, and the election of the Chief Officer, Secretary and Treasurer should take 2-3 hours. The rest of the day is devoted to developing the Constitution, using the standardized templates.

Maximum Time

The second General Meeting of the Community Assembly should take two (2) days, but should take place at least seven (7) days after the first General Meeting (Establishment Forum) to accommodate the processes (advertisement, shortlisting and interviews) for selection of CFMB members.

8.6 – Second General Meeting of the Community Assembly (Day I, Part II) – Community Assembly Drafts and Adopts the Constitution (*Section 3.11 CRL Regulation*)

(a) Activities/Sub-Activities

i. On day one, during the second part of the Second General Meeting, the FDA officers brief CA members on the legal requirement for a Constitution and, using the standardized template, assist CA members to modify the Constitution so that it accords with the community's customs and wishes..

(b) Indicators

i. FDA officers assist CA members to draft the Constitution; and
ii. Constitution is approved and adopted by at least three-quarters of CA members.

(c) Means of Verification

i. A copy of the Constitution, signed by all of the CA members present.

Cost and Efficiency Considerations

- A template for the Constitution should have been provided at the awareness meeting organized by the County Administration staff (8.3), so that the members of the various villages and towns have an opportunity to review it and provide feedback to the CA members before they attend the Second General Meeting.

Maximum Time

The second General Meeting of the Community Assembly should take two (2) days, but should take place at least seven (7) days after the first General Meeting (Establishment Forum) to accommodate the processes (advertisement, shortlisting and interviews) for selection of CFMB members.

8.7 – Second General Meeting of the Community Assembly (Day 2) – Community Assembly Drafts and Adopts the Bylaws (*Section 3.11 CRL Regulation*)

(a) Activities/Sub-Activities

i. On day two of the Second General Meeting FDA officers brief CA members on the legal requirement for governing bylaws and, using the standardized template, assist CA members to modify the bylaws so that they accord with the community's customs and wishes.

(b) Indicators

i. FDA officers assist CA members to draft the governing bylaws; and
ii. Governing bylaws are approved and adopted by at least three-quarters of CA members.

(c) Means of Verification

i. A copy of the governing bylaws, signed by all of the CA members present.

Cost and Efficiency Considerations

- A template for the bylaws should have been provided at the awareness meeting organized by the County Administration staff (8.3), so that the members of the various villages and towns have an opportunity to review it and provide feedback to the CA members before they attend the Second General Meeting.

Maximum Time

The second General Meeting of the Community Assembly should take two (2) days, but should take place at least seven (7) days after the first General Meeting (Establishment Forum) to accommodate the processes (advertisement, shortlisting and interviews) for selection of CFMB members.

STEP 9. THE COMMUNITY AND FDA SIGN A COMMUNITY FOREST MANAGEMENT AGREEMENT

Overview

Once all of the above requirements have been met, the FDA issues the applicant community with a Community Forest Management Agreement (CFMA). As per Section 7.1 of the CRL Regulation,

> *"Once the community applying for Authorized Forest Community status has formed its Community Assembly, selected and appointed the Community Forest Management Body, and adopted a constitution, governing bylaws and forest rules, the Authority shall issue a Community Forest Management Agreement for review and signature. In order to be approved for participation in the community forestry program, the Community Forest Management Body shall, following review by members of the applicant community, agree to and sign a Community Forest Management Agreement with the Authority."*

9.1 – FDA Issues Community Forest Management Agreement to Authorized Forest Community (*Section 7.1 CRL Regulation*)

(a) Activities / Sub-activities

i. After it has confirmed that all statutory and regulatory requirements have been satisfied – that community forest governance entities have been formed and a Constitution and governing bylaws adopted – the FDA issues the CFMB with a standard CFMA, which must be reviewed by community members and signed before AFC status is granted.

(b) Indicators

i. Following review and validation of relevant documentation collected during the formation of the governance entities, and the drafting and adoption of the Constitution and bylaws, the FDA issues a draft CFMA to the CFMB for review.

(c) Means of Verification

i. A signed receipt attesting that the CFMB received a copy of the CFMA from the FDA.

Cost and Efficiency Considerations

- As FDA officers will have assisted the applicant community form the CA, oversee elections, and draft the Constitution and bylaws, it should be a simple process to collect the necessary documentation at each stage and verify that the regulatory standards have been met. Following verification, the drafting and delivery of the draft CFMA should be a simple procedural matter.

Maximum Time

The proposed CFMA should be issued to the community as soon as the FDA verifies that all legal and technical requirements have been satisfied. The community should receive the proposed CFMA no more than seven (7) days after the Constitution and bylaws have been adopted.

9.2 – Notice of Mass Meeting to Review Community Forest Management Agreement (*Section 7.4 of CRL Regulation)*

(a) Activities / Sub-activities

i. Notice for the public meeting at which the CFMA is to be reviewed by members of the applicant community is posted throughout the community at least fifteen (15) days beforehand.

(b) Indicators

i. The CFMB posts and/or airs notices to inform community members of the upcoming review of the CFMA, at least fifteen (15) days prior to the meeting.

(c) Means of Verification

i. Copies of the notices, which were posted and/or aired at least fifteen (15) days prior to the meeting.

Cost and Efficiency Considerations

- A standardized template should be on-hand and easily alterable, in a format that can be understood by all community members.

Maximum Time

The distribution plan should be developed and all notices drafted and distributed within seven (7) days prior to the fifteen (15) day notice period. This means that the process should take no longer than twenty-two (22) days.

9.3 – Community Reviews Community Forest Management Agreement (*Section 7.3 CRL Regulation*)

(a) Activities / Sub-activities

i. The CFMB organizes and holds a mass meeting of community members, in order to explain and discuss the terms of the CFMA.

(b) Indicators

i. Mass meeting of community members is organized and held.

(c) Means of Verification

i. Result of meeting (acceptance or rejection of CFMA terms), attested to by CFMB members and Officers of the EC.

Cost and Efficiency Considerations

- If possible, an FDA officer should be in attendance at the Mass Meeting, to ensure that any questions community members may have about the CFMA can be answered. This will also allow the CFMB to immediately communicate its wish to sign the CFMA with the FDA at the close of the meeting, assuming that there is consensus among attendees. However, it should be emphasized that the Mass Meeting will need to be organized and run by the CFMB, and EC and CA.

Maximum Time
The meeting should not take more than one (1) day.

9.4 – Community Agrees to Terms of Community Forest Management Agreement and Requests that Agreement be Signed (*Section 7.5 CRL Regulation*)

(a) Activities / Sub-activities

i. The CFMB formally communicates to the FDA, stating that it accepts the terms of the CFMA, requesting that a date be arranged for the formal signing of the agreement.

(b) Indicators

i. CFMB formally communicates to the FDA, stating that it accepts the terms of the CFMA, requesting that a date be arranged for the formal signing of the agreement.

(c) Means of Verification

i. Signed communication by the CFMB to the FDA, accepting the terms of the CFMA, requesting that a date be arranged for the formal signing of the agreement.

Cost and Efficiency Considerations

- The CFMB, empowered by the community, may either accept or reject the terms of the CFMA, so it is a simple matter of communicating the decision to the FDA. If the FDA is able to observe the meeting at which the CFMA is explained and discussed, a formal communication can be immediately drafted and delivered to attendant FDA officials.

Maximum Time
It should take no more that seven (7) days for the CFMB to draft the formal communication and have it delivered to the FDA.

9.5 – FDA and Community Forest Management Body Arrange for and Sign the Community Forest Management Agreement (*Section 7.5 CRL Regulation*)

(a) Activities / Sub-activities

i. The FDA and CFMB arrange for and sign the CFMA, at a specific date, location and time.

(b) Indicators

i. The FDA and CFMB sign the CFMA.

(c) Means of Verification

i. CFMA countersigned by both the FDA and the CFMB, together with all necessary attached documents (list of CA, EC and CFMB members, constitution and bylaws, internal rules, map of the forest, community profile report, etc.)

Cost and Efficiency Considerations

- The FDA and the CFMB will need to coordinate, in order to organize the final signing of

the CFMA. This should be a relatively simple procedure, unless the community wants to hold a more elaborate ceremony.

Maximum Time

The signing of the CFMA should be arranged within seven (7) days of the FDA receiving the formal communication from the CFMB that it accepts the terms of the agreement.

ANNEX I – "Nine Steps" Checklist Spreadsheet

ACTIVITIES / SUB-ACTIVITIES		INDICATORS	MEANS OF VERIFICATION	Max Time Frame (days)	CRL Reg. Reference	Completion	
						Yes	No
STEP 1. COMMUNITY FILES APPLICATION FOR AUTHORIZED FOREST COMMUNITY STATUS							
1.1	Office of the Managing Director (OMD) of the FDA receives community's letter of application for Authorized Forest Community (AFC) status, and forwards it to Community Forestry Department (CFD).	• Written application for AFC status is submitted to OMD; • Community pays the USD$250 application fee into appropriate government bank account, and is issued receipt; • Community representatives present receipt of payment to the OMD; • OMD issues letter, formally acknowledging receipt of the community's application.	• Letter of application; • Receipt of payment; • Copy of letter issued by the OMD, acknowledging the community's application for AFC status.	7	Sections 2.2–2.4		
1.2	The Community Forest Working Group (CFWG) assesses whether the community has met all application requirements. Each application is reviewed through the established criteria and awarded a score, which results in approval, rejection, or a request that the community amend its application.	• Using the predetermined criteria, the written application is reviewed by the CFWG, awarded a score, and is either approved, rejected, or returned for amendment.	• A copy of the evaluation results, signed by the CFWG.	7			
1.3	Result of the CFWG's assessment is forwarded to the OMD, which then officially informs the community applying for AFC status whether or not their application was successful and, if not, the reasons why.	• A letter is issued by the OMD and delivered to the community, stating whether or not the application for AFC status was successful and, if not, the reasons why.	• Letter issued to community by the OMD.	7			

STEP 2. NOTICE FOR SOCIO-ECONOMIC SURVEY AND RESOURCE RECONNAISSANCE							
2.1	From a template, FDA develops a notice to inform community members of the forthcoming socio-economic survey and resource reconnaissance (SESRR).	• Notices/announcements/letters prepared from templates.	• Copies of approved notices; • Copy of letter sent to community representative/s.	7	Section 2.6		
2.2	FDA posts and promulgates 30-day notice for SESRR in applicant and adjacent communities.	• Notices posted /announcements broadcasted at least 30-days before SESRR is to be conducted; • Letter of notice served to community representative/s at least 30-days before SESRR is to be conducted.	• Signed logbook documenting posting activities; • Signed receipt attesting that the community representative/s received a copy of the letter of notice from the FDA.	37			
STEP 3. SOCIO-ECONOMIC SURVEY AND RESOURCE RECONNAISSANCE							
3.1	FDA officials and community leaders develop an operational plan to conduct the SESRR.	• Schedule of activities for the planned SESRR, and budget;	• Finalized schedule for the planned SESRR, including the operational budget; • List of the FDA officials and community members who will be conducting the SESRR.	7	Section 2.5		
3.2	FDA officials and community members conduct the SESRR, and collect preliminary geo-referencing data about the area of forest resources proposed as a community forest, to compare it with existing data on concessions and protected areas to ensure there are no obvious conflicts or competing claims.	• Meetings are held and the SESRR is conducted; • Participatory Rural Appraisal (PRA) exercises are held; and • Preliminary geo-referencing data about the area of forest resources proposed as a community forest are collected, and compared data with existing data on concessions and protected areas, to ensure there are no obvious conflicts or competing claims.	• Signed participant lists; • PRA records; • Written confirmation from the CFD that the area of forest resources proposed as a community forest does not overlap with any existing protected areas or concessions; and • Draft report, including preliminary geo-referencing data and analysis, with a signed list of the FDA officials and community members who conducted the SESRR.	21			
STEP 4. NOTICE OF DEMARCATION AND MAPPING							

4.1	From a template, FDA develops notices to inform community members of the forthcoming preliminary demarcation and mapping.	• Notices/announcements/letters prepared from templates.	• Copies of approved notices; • Copy of letter to be sent to communities	7	Section 2.8		
4.2	FDA posts 30-day notice for preliminary demarcation and mapping in communities in and around the area of forest resources proposed for a community forest.	• Notices posted /announcements broadcasted at least 30-days before preliminary demarcation and mapping is to be conducted; • Letter of notice served to community representative/s at least 30-days before preliminary demarcation and mapping is to be conducted.	• Signed logbook documenting posting activities; • Signed receipt attesting that the community representative/s received a copy of the letter of notice from the FDA.	37			
4.3	FDA drafts and delivers letters to "other relevant agencies" and local government authorities to inform them of the upcoming preliminary demarcation and mapping of the proposed community forest.	• Letter drafted to "other relevant government bodies" and local government authorities to inform them of the upcoming demarcation and mapping of the area of forest resources proposed as a community forest.	• Signed receipt attesting that the "other relevant government bodies" and local government authorities received a copy of the letter from the FDA.				
STEP 5. THE FDA DEMARCATES AND MAPS THE AREA OF FOREST RESOURCES PROPOSED AS A COMMUNITY FOREST							
5.1	The FDA, in collaboration with members of the applicant community and adjacent communities, forms a survey team and prepares a plan for the preliminary demarcation and mapping of the area of forest resources proposed as a community forest.	• Plan developed for preliminary demarcation and mapping, and members of survey team identified.	• The finalized preliminary demarcation and mapping plan, and list of survey team members.	7	Section 2.7		
5.2	The survey team, led by the FDA, conducts the preliminary demarcation and mapping of the area of forest resources proposed as a community forest	• Comprehensive geo-referencing data collected; • Temporary landmarks established.	• Comprehensive geo-referencing data collected, compiled and submitted for processing; • Photographic evidence of the establishment of temporary markers (spray paint, blaze)	1 day per 5-10km			

5.3	From the data collected, the FDA generates preliminary maps of the area of forest resources proposed for a community forest and drafts a report.	• Preparation of preliminary demarcation and mapping report. • Preparation of preliminary maps;	• Preparation of preliminary demarcation report. Preliminary maps of designated community forest.	7			
STEP 6. THE FDA POSTS RESULTS AND MAPS FROM SOCIO-ECONOMIC SURVEY AND RESOURCE RECONNAISSANCE AND PRELIMINARY DEMARCATION FOR 30 DAYS							
6.1	From a template the FDA drafts the summary of the SESRR and the summary of the report from the preliminary demarcation, and produces poster-sized maps of the proposed community forest to inform communities of the results of the two exercises. Official letters for delivery to community leaders are also prepared.	• The FDA prepares and produces a summary of the SESRR, a summary of the report from the preliminary demarcation, maps of the proposed community forest, and letters to inform communities of the results of the two exercises.	• Copy of the summary of the SESRR; • Copy of the summary of the report from the preliminary demarcation; • Preliminary maps of the demarcated area; • Copy of the letter that will inform community leaders of the results of the SESRR and preliminary demarcation.	14	Section 2.9		
6.2	FDA posts the summary of the SESRR, the summary of the report from the preliminary demarcation, and preliminary maps of the proposed community forest for at least 30 days to inform members of the applicant community and adjacent communities.	• FDA posts a copy of the summary of the SESRR, a copy of the summary of the report from the preliminary demarcation, and the preliminary maps of the community forest for at least 30 days; and • FDA delivers a full copy of the survey results and maps to community leaders, together with an official letter of explanation.	• Logbook of activities, such as where and when the summary of the SESRR, the summary of the report from the demarcation, and the preliminary maps of the demarcated area of forest resources proposed for a community forest were posted; • A signed receipt attesting that the community leader/s received a copy of the letter informing them of the results of the survey and preliminary demarcation.	37			
6.3	After the FDA has posted the summary of the SESRR, the summary of the report from the demarcation, and the preliminary maps of the proposed community forest, the FDA arranges a meeting with communities in order to explain the results and technical details, answer any questions that community members may have, and verify that all of the data in the SESRR, the report on the preliminary demarcation, and the	• FDA arranges and holds a meeting with communities in order to explain the results and technical details, answer any questions that community members may have, and verify that all of the data in the SESRR, the report on the preliminary demarcation, and the preliminary maps are accurate.	• Logbook of activities including, if possible, attendance sheets from the meetings; and • Photographic evidence of the meeting being held.				

	preliminary maps are accurate.						
STEP 7. THIRD PARTY OBJECTIONS THAT ARISE FROM THE RESULTS OF THE SURVEY AND PRELIMINARY DEMARCATION ARE ADDRESSED							
7.1	FDA reviews all objections submitted by members of the community applying for AFC status, and/or members from adjacent communities, and determines whether they "relate solely to forest resources," or whether they go beyond forest resources	• Objections are analyzed to determine whether issues raised "relate solely to forest resources," or whether they go beyond forest resources	• Objections recorded in logbook, together with final determination and list of parties that need to be involved in addressing objection and/or disputes.	7	Section 2.10		
7.2	FDA contacts and meets with objectors, other implicated parties, and relevant government ministries and agencies – depending upon whether or not the objections go beyond forest resources.	• FDA and, if necessary, other relevant government ministries and agencies, contact and meet with objectors and other implicated parties; and • FDA and, if necessary, other relevant government ministries and agencies, draft report from investigation and recommend a course of action to address objections, which may include dispute resolution.	• Attendance lists from meetings; and • Written report and recommendations for addressing objections, which may include dispute resolution.	21			
7.3	Using customary dispute resolution mechanisms and related means FDA staff, other government ministries and agencies, and CSO partners mediate disputes and facilitate consensus building.	• Meetings held between FDA, objectors, implicated parties, and all other relevant government ministries and agencies.	• Minutes of meetings and signed attendance lists; • Signed resolutions between objectors and other parties to the dispute.	21			
7.4	If required, the FDA and community repeat the demarcation process, taking into account what was agreed during the dispute resolution process.	• The area of forest resources proposed as a community forest is demarcated; • A final demarcation report is prepared.	• Finalized maps of the proposed community forest; • Final report of demarcation process.	1 day per 5-10km			
8. THE COMMUNITY SETS UP GOVERNANCE STRUCTURES FOR COMMUNITY FOREST MANAGEMENT							

8.1	Following the completion of the demarcation process, the FDA issues the applicant community a letter granting it preliminary permission to organize as an AFC, and informing members that they will need to attend an awareness meeting in the immediate future, to receive instruction on how to establish community forest governance entities and hold elections.	• FDA issues letter granting preliminary permission to the applicant community to form an AFC, and informing members that they will need to attend an awareness meeting in the immediate future, to receive instruction on how to establish community forest governance entities and hold elections.	• Copy of official letter issued by the FDA, signed by the appropriate FDA officer; and • A signed receipt attesting that the community leader/s received a copy of the letter.	7	Section 2.11		
8.2	The FDA drafts and delivers an official communication to the Office of the County Superintendent, requesting that County Administration staff organize a general meeting of community members from the villages and towns applying for AFC status, so that instruction can be provided about the formation of the community forest governance entities and how to conduct elections for representatives to the CA.	• Drafting and delivery of letter to Office of the County Superintendent, requesting that County Administration staff organize a meeting of community members from the villages and towns applying for AFC status.	• Copy of letter that was drafted and delivered to Office of the County Superintendent.	14	Section 3.4, 3.8 & 3.10		
8.3	i) At the meeting organized by County Administration staff, the FDA informs the members of the villages and towns applying for AFC status about the requirements for conducting elections for representatives to the CA, and distributes standardized instructions and templates: community members must be given at least thirty (30) days notice before elections are to take place; elections must be conducted in a free, fair and transparent manner; and two (2) civil society members must be invited to oversee the process. ii) The FDA assists the community to develop a public notice, to be aired on radio and/or posted in public spaces to inform community members about: (a) the date of the elections for community representatives that will sit on the CA; (b) the first General Meeting to elect the Officers of the Executive Committee, and determine the criteria for the CFMB; and (c) the second General Meeting of the CA to appoint CFMB members; elect the Chief Officer, Secretary and Treasurer of the CFMB; and develop a Constitution	• FDA instructs the members of the villages and towns applying for AFC status about the requirements for conducting elections for representatives to the Community Assembly; • FDA assists the community to develop and air and/or post a public notice to inform community members about: i. The date of the elections for community representatives that will sit on the CA; ii. The first General Meeting of the CA (*CA Establishment Forum*) to determinine the make-up of the CA, elect the Officers of the Executive Committee, and determine the criteria for the CFMB; and iii. The second General Meeting of the CA to appoint CFMB members; elect the Chief Officer, Secretary and Treasurer	• Radio log sheets, indicating date of broadcasts, and receipts from radio stations; • Copies of notices posted and/or aired; and • Copies of invitation issued by FDA to at least two (2) CSOs to help oversee the awareness campaign and the election of CA members.	37			

	and set of bylaws; and iii) The FDA invites at least two (2) local CSOs through the CFWG network to the meeting, to help oversee the awareness campaign and CA and EC elections.	of the CFMB; and develop a Constitution and set of governing bylaws. • The FDA invites at least two (2) local CSOs through the CFWG network to the meeting, to help oversee the awareness campaign and CA and EC elections.					
8.4	i) FDA reviews polling results from each of the elections held in the villages and towns applying for AFC status, and has each of the representatives sent to the CA affirm (*sign*) that the officially prescribed process outlined under Section 8.1 was used during elections; and ii) FDA officers guide the proceedings of the Establishment Forum, beginning by briefing the representatives sent from the various constituencies within the community applying for AFC status on the purpose of the meeting: determine the make up of the CA, including the minimum number of women representatives; to elect the officers of the EC; and establish the criteria for CFMB members.	• FDA reviews polling results from each village and town, and has each representative affirm that the FDA-prescribed process was used to conduct elections; • The make up of the CA is determined; • The election of the officers of the EC is conducted; and • The EC, with the guidance of the CA, determines the criteria for CFMB members.	• Copy of the community-level free, fair and inclusive elections affirmation document signed by all CA members present; • Copy of the list of members selected to serve on the CA; Copy of the list of names of the officers elected to the EC; and • Criteria for membership of CFMB established.	7	Section 3.7 & 3.8		
8.5	On DAY ONE, during the FIRST part of the Second General Meeting, the CA approves and appoints the five (5) members of the CFMB, selected by the EC, in accordance with the previously established criteria. From among the five (5) CFMB members, the CA elects the Chief Officer, Secretary, and Treasurer through secret ballot, and by simple majority.	• The five (5) members of the CFMB are approved and appointed, based upon the criteria previously established by the CA; and • From among the five (5) CFMB members, the CA elects the Chief Officer, Secretary, and Treasurer through secret ballot, and by simple majority.	• The final list of the five (5) CFMB members that were approved and appointed, including the names of the Chief Officer, the Secretary, and the Treasurer.	7	Section 4.2-4.4		
8.6	On DAY ONE, during the SECOND part of the Second General Meeting, the FDA officers brief CA members on the legal requirement for a Constitution	• FDA officers assist CA members to draft the Constitution; and	• A copy of the Constitution, signed by all of the CA members present.	7			

	and, using the standardized template, assist CA members to draft and modify the Constitution so that it accords with the community's customs and wishes.	• Constitution is approved and adopted by at least three-quarters of CA members. •			Section 3.11		
8.7	On DAY TWO of the Second General Meeting FDA officers brief CA members on the legal requirement for governing bylaws and, using the standardized template, assist CA members to draft and modify the bylaws so that they accord with the community's customs and wishes.	• FDA officers assist CA members to draft the governing bylaws; and • Governing bylaws are approved and adopted by at least three-quarters of CA members.	• A copy of the governing bylaws, signed by all of the CA members present.	7	Section 3.11		
9. THE COMMUNITY AND FDA SIGN A COMMUNITY FOREST MANAGEMENT AGREEMENT							
9.1	After it has confirmed that all statutory and regulatory requirements have been satisfied – that community forest governance entities have been formed and a Constitution and governing bylaws adopted – the FDA issues the CFMB with a standard CFMA, which must be reviewed by community members and signed before AFC status is granted.	• Following review and validation of relevant documentation collected during the formation of the governance entities, and the drafting and adoption of the Constitution and bylaws, the FDA issues a draft CFMA to the CFMB for review.	• A signed receipt attesting that the CFMB received a copy of the CFMA from the FDA.	7	Section 7.1, 7.3 & 7.4		
9.2	Notice for the public meeting at which the CFMA is to be reviewed by members of the applicant community is posted throughout the community at least fifteen (15) days beforehand.	• The CFMB posts and/or airs notices to inform community members of the upcoming review of the CFMA, at least fifteen (15) days prior to the meeting.	• Copies of the notices, which were posted and/or aired at least fifteen (15) days prior to the meeting.	22			
9.3	The CFMB organizes and holds a mass meeting of community members, in order to explain and discuss the terms of the CFMA.	• Mass meeting of community members is organized and held.	• Result of meeting (acceptance or rejection of CFMA terms), attested to by CFMB members and Officers of the EC.	1			
9.4	The CFMB formally communicates to the FDA, stating that it accepts the terms of the CFMA, requesting that a date be arranged for the formal signing of the agreement.	• CFMB formally communicates to the FDA, stating that it accepts the terms of the CFMA, requesting that a date be arranged for the formal signing of the agreement.	• Signed communication by the CFMB to the FDA, accepting the terms of the CFMA, requesting that a date be arranged for the formal signing of the agreement.	7	Section 7.5		

9.5	The FDA and CFMB arrange for and sign the CFMA, at a specific date, location and time.	• The FDA and CFMB sign the CFMA.	• CFMA countersigned by both the FDA and the CFMB, together with all other necessary attached documents (list of CA, EC and CFMB members, constitution and bylaws, internal rules, map of the forest, community profile report, etc.).	7	Section 7.5		
Maximum Total Number of Days, excluding Demarcation and Mapping				**384**			

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