CALL FOR PROPOSALS

Open Timber Portal: outreach to EU and UK-based timber importers, competent authorities, and other relevant law enforcement agencies

April 2021

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1   BACKGROUND AND RATIONALE

MEETING THE NEED FOR TRANSPARENT AND RELIABLE INFORMATION ON TIMBER PRODUCTION AND TRADE IN ORDER TO CONDUCT DUE DILIGENCE ON THE LEGALITY OF TIMBER SOURCES.

Illegal logging and associated trade remain a scourge in many tropical countries. Forest crime directly degrades forest ecosystems and inflicts the "first cut" on forests that all too often are further degraded, burned, and cleared. Illegal logging also hurts local and national forest economies and is frequently linked to transnational criminal networks and to corruption. In some places, it fuels violent conflict and terrorism. For businesses trying to operate within the law, illegal logging creates an "uneven playing field", giving an unfair financial advantage to those who break the law.

Many governments have mounted significant legal responses over the past decade, including amendments to the U.S. Lacey Act (2008), the Australian Illegal Logging Prohibition Act (2012), and the EU Timber Regulation (2013). A number of tropical forest countries have also put timber legality measures in place, many of these developed as part of bilateral "Voluntary Partnership Agreements" with the EU on legal timber production and trade.

While approaches to improving timber legality vary across countries, one common feature is a mandate on importers to exercise "due diligence" or "due care" in assessing the legality of their timber sources and suppliers. Timber producers and exporters, in turn, are increasingly requested by their customers to demonstrate that their operations are producing and marketing legally sourced timber. But how can timber producers, traders, or buyers know if they are dealing with legal product or not? Timber supply chains are often long and complex. Information to help determine legality is often incomplete, unavailable and, in some cases, falsified. International buyers may source from a dozen or more countries with varying legal requirements. Even within one producer country, legal requirements may change over time, and may actually be contradictory.

While various tools and resources to help buyers and sellers exercise due diligence have been developed by governments, certifying bodies, and nongovernment organizations (NGOs), it is still hard to obtain data at the forest management unit and company levels. Without credible information at this level of detail, it is very difficult for importers to carry out a reliable due diligence process and for enforcement agencies to assess the credibility of importers' due diligence efforts. Unlike banned wildlife products (e.g., ivory or rhino horn) – which are, by definition, illegal to trade – illegal and legal timber are physically indistinguishable. Due diligence efforts therefore rely on contextual information found in documents such as permits, licenses and concession maps.

Transparency in the forest sector, therefore, is a fundamental prerequisite for excluding illegal timber from supply chains. Improved public access to information about companies' on-the-ground management practices and compliance with timber legality requirements allow buyers, customs agents, and civil society watchdogs to conduct due diligence on the tropical timber trade. Transparency also provides the means to hold companies and government officials accountable for the corruption still linked to illegal logging in all-too-many places.

IN RESPONSE TO THIS PROBLEM, WRI AND PARTNERS DEVELOPED THE OPEN TIMBER PORTAL (OTP), AN INFORMATION PLATFORM THAT PROVIDES BALANCED INFORMATION ON LOGGING COMPANIES FROM DIFFERENT SOURCES TO PROMOTE TRANSPARENCY IN THE FOREST SECTOR.

The OTP was initially developed with partners in the Congo Basin, a region which holds the second-largest expanse of tropical rainforest on Earth. The OTP goes beyond the country-level to the companies themselves, to provide more granular contextual information about forest management on the ground.

The OTP acquires documents and inputs on logging activities and operators from four different sources:
- Governments' official concession boundaries and list of registered timber producers
- Documents uploaded voluntarily by timber producers to demonstrate compliance
- Observations of suspected non-compliance from third-party forest monitors and NGOs
- Annual tree cover loss and weekly alerts on tree cover loss within the boundaries of the concessions.

The OTP is used by a range of target audiences:

Timber buyers across the supply chain can:
- easily access key information for their due diligence processes; and
- quickly compare their suppliers to other producers.

Enforcement agencies in importing countries can:
- easily access producer compliance records; and
- conduct desk research to orient enforcement actions.

Timber companies concerned about their reputations and their market access can:
- use one tool to answer multiple requests to provide documentation on compliance; and
- differentiate themselves in the marketplace, thanks to a ranking system, and benefit from the OTP's visibility among importers, enforcement authorities, and the public.

Government agencies in producer countries can:
- improve forest law enforcement and monitoring through a better understanding of the types and frequencies of illegalities and with more information about company track records; and
- position the national forest sector positively among timber importers, since improved information access helps mitigate risks.

Third-party forest monitors in producer countries can:
- improve the efficiency of their monitoring;
- enhance the visibility of their work and heighten impact; and
- improve communication about observations and reports from monitoring missions.

The OTP was officially launched in 2019 and has seen a steady growth in the number of sessions on the website. The platform has now reached more than 8,000 new users, with more than 21,000 sessions and almost 155,000 page-views. As of March 2021, logging companies have uploaded about 950 documents. These documents are now accessible for OTP users to conduct their due diligence. In addition, a total of 245 observations from independent monitors and NGOs have been published.

2 OBJECTIVE AND EXPECTED DELIVERABLES

2.1 OBJECTIVE

The objective is to train importers, competent authorities, and other relevant law enforcement agencies based in the EU and the UK on how to use the OTP features and data to carry out due diligence for the EU and UK timber regulations or to enforce these regulations.

2.2 ACTIVITIES AND DELIVERABLES

The following activities and deliverables are expected:

Activity 1: Train EU and UK based importers that are currently sourcing or looking to source from the Congo Basin on how to use OTP features and data.
Deliverables:
- List of companies contacted
- List of participants in the training (including the number of women)
- Training material, including exercises proposed to the participants

As a fourth deliverable, the consultant will also propose a way to monitor the effectiveness of the training. This monitoring will need to be implemented and documented. Note that the training material will have to be approved by WRI prior to the training. The consultant will propose a process to loop Timber Trade Federations in this process, including training their staff if relevant.

Activity 2: Train EU and UK competent authorities and other relevant law enforcement agencies on how to use OTP features and data
Deliverables:
- List of law enforcement agencies contacted
- List of participants in the training (including the number of women)
- Training material, including exercises proposed to the participants

As a fourth deliverable, the consultant will also propose a way to monitor the effectiveness of the training. This monitoring will need to be implemented and documented. Note that the training material will have to be approved by WRI prior to the training.

Activity 3: Follow-up with EU and UK based importers, competent authorities, and other relevant law enforcement agencies for the duration of the contract to answer their questions, encourage them to use the OTP and assist them in using the platform's features and data
Deliverables:
- List of interactions (emails, phone calls, Zoom calls, etc) with the name of the person, the date and a summary of the enquiry or discussion
- Anecdotes shared spontaneously with the consultant by EU and UK based importers, competent authorities and other relevant law enforcement agencies on how they use OTP features and data

Activity 4: Carry out a use case survey with all the importers, competent authorities and law enforcement agencies contacted
Deliverables:

- List of questions proposed in the use case survey
- List of persons the use case survey has been sent to
- Compilation of the replies received
- Report analyzing the replies received

Note that the list of questions and the list of persons contacted will have to be approved by WRI prior to circulating the survey.

3 IMPLEMENTATION CONTEXT

3.1 LANGUAGE

The consultant(s) will have to facilitate trainings in English and/or French. However, most of the OTP data are in French. As a result, this study will require the use of 2 languages: French and English.

3.2 LOCATION

No specific location is required. The work will require traveling. The consultant(s) can be based remotely.

3.3 RELATIONS WITH STAKEHOLDERS

The consultant(s) will liaise with the Head of the OTP based in Washington D.C.

4 SCHEDULE

4.1 START

The contract will start on June 1, 2021.

4.2 END

The contract will end on March 31, 2022.

4.3 EXPECTED NUMBER OF WORKING DAYS

It is up to the consultant(s) to assess the number of days necessary to complete the deliverables.

5 QUALIFICATIONS

For this study we are looking for consultant(s) with:
- Experience in EUTR/UKTR implementation or enforcement
- Experience setting-up and facilitating trainings

- A good understanding of forest laws in the Congo Basin, including experience drafting, reviewing or auditing logging companies' compliance documents and/or independent forest monitoring reports
- A good understanding of FLEGT VPA process
- Great attention to detail
- Communication skills, written and oral, in both French and English

BUDGET AND EXPENSES

5.1 GENERAL

All the expenses for the study are to be covered by the consultant(s) (equipment, vehicles, supplies, materials, communication costs, travel and per diem, insurance, etc.) and shall be included in the quote associated to the proposal.

5.2 CURRENCY

The quote and payment shall be in U.S. dollars.

5.3 ESTIMATED AMOUNT

The maximum amount for this study is $25,000 total.

6 APPLICATION

The application shall be 4 pages max. and will need to include a methodology and a budget as well as the CV and references of the consultant(s). The application shall be sent to marie.vallee@wri.org before April 23, 2021.