Environmental Investigation Agency

Evidence Gathering & Source Protection

Louise Truslove
Forests Campaigner
EIA collects, analyzes, documents and shares information

DESK BASED RESEARCH

FIELD INVESTIGATION

HISTORICAL AND CONTEMPORARY INFORMATION

BRIEFINGS, REPORTS AND FILMS
“Why does protection matter?”

Human Rights
Transparency
Governance
Principles, processes and precautionary measures

EIA process may include:

• Anomalization of sources
• Verification by triangulating information from sources
• Internal discussions
• Consideration of legislation

Assessment of challenges in the field includes personal risk but also logistics such as phone/internet coverage, is there a trusted network, to what extent is law enforcement present?
Indonesia: the strength of civil society

Civil Society are Independent Monitors of the Indonesian TLAS (SVLK)

• Independent monitoring is part of formal the Indo-EU VPA agreement

• CSOs and communities present reports to independent auditors which can trigger investigations

• VPA used as a lever to ensure the security of monitors – developing an MOU on security
Government

Accreditation Body

Independent Auditor

Independent Monitoring

Verification

Export Licence

Auditee

Forest/Timber source

Industry

Inspection

Export license
Challenges

- Related to Independent Monitoring
  - Access to information
  - Complaint handling is not satisfactory
  - Lack of response from the Ministry of Forestry regarding complaints
  - Other priority issues
  - Diverse capacity of IM groups, still need enhancement
  - Resources (to sustain IM)
  - Security
Indonesia: the strength of civil society

Sitorus - a tip-off and 15 year jail term

- Illegality documented by Civil Society given to Anti-Money Laundering Commission, which initiated independent investigation
- Sitorus was prosecuted under Forest Law rather than SVLK
- Originally only found guilty of fuel smuggling and illegal logging and given 2 year sentence
- Re-tried on money laundering. Decision was overturned twice and Supreme Court found Sitorus guilty of money laundering, resulting in a 15 year sentence
In Indo-EU VPA, civil society have provided, analyzed and validated information on timber illegality.

So, when submitting Substantiated Concerns under the EUTR, can we replicate meaningful standards for source protection?
- non-disclosure agreements
- appropriate flow of sensitive information
- video links
- sensitizing CAs to source protection standards across MS
Recommendations

• Work towards a proposal of source protection principals that’s CAs can adopt for EUTR legal proceedings

• Ensure 2015 EUTR Review codifies a source protection standard