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# Volume 3

**CELCOR**

Organisational and Program Evaluation:  
Narrative Report

*27 November 2017*

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# Annexure 1: Terms of Reference

## CELCOR's external evaluation of the organisation and programs 2012-2016

### A. Background

The Center for Environmental Law and Community Rights, Inc. (CELCOR) is a not-for-profit public interest environmental law and advocacy organization established in February 2000 to address a growing need for legal support to affected and highly marginalized people who mainly reside in rural areas of the country. CELCOR has been in operation for the last 15 years, supporting rural communities in legal education and awareness, building capacity to mediate and resolve land use conflict, to make informed decisions regarding resource developments on their customary owned lands.

CELCOR has been advocating for policy change to observe and recognize landowners' wishes and seek consents prior to actual resource developments. Similarly, CELCOR worked with the government departments and their agencies to review policies and legislations. Moreover, CELCOR liaises and networks with likeminded CSOs within and abroad to advocate and lobby for policy change in the way capitalists view and exploit the world so as to reduce negative impacts and promote inclusive economic growth that can enhance sustainable developments.

### CELCOR Vision and Mission

#### VISION

To promote and defend environmental and customary rights in PNG through law and advocacy, which in turn would ensure sustainable resource management for the benefit of present and future generations.

#### MISSION

To see PNG communities living in harmony with the environment and culture in a just, holistic and sustainable way.

### CELCOR'S Programs

In order to ensure the organization was conducting its business within the framework of the vision and mission, an External Evaluation was commissioned in 2011. There were many recommendations in the 2011 report for CELCOR, which were implemented from 2012 to 2015.

CELCOR's activities is due to be assessed on how the organization has fared in its program implementation and organizational management, based on the 2011 Evaluation recommendations.

The specific program areas of CELCOR's operations from which the 2011 External Evaluation Recommendations were based on include:

#### 1. Direct Legal Assistance (DLA)

To provide legal assistance and support to customary resource owners, NGOs, and community groups in defense of community based property rights and the environment.

## **2. Community Legal Education (CLE)**

To conduct human rights, environmental law and ecological awareness workshops, para-legal trainings, environmental monitoring and assessment that aim to develop teams of community members capable of responding to the needs of human rights and environmental defence.

## **3. Campaign, Advocacy and Networking (CAN)**

To foster better and responsible environmental laws and policies in the local, provincial and national levels to promote and sustain lines of cooperation with local, national and international organizations and government agencies.

## **B. Objectives of the Evaluation**

The External Evaluation is an important process for CELCOR to enhancing its effectiveness and functionality. Since its inception, three external evaluations have been conducted so far, the first and major one in 2005 followed by a program focused evaluation in 2008 and then another major one in 2011. The evaluation process will document its achievements as well as identify areas for improvement. The outcomes from the evaluation especially its milestones will become basis for building trust and relationships with its stakeholders including current and future donors, CELCOR members, communities and partners.

The evaluation will provide direction as a way forward for CELCOR's future operations and program management.

The objectives of the evaluation is to:

- i. Examine the achievements of the organization in light of its 2011 External Evaluation recommendations and provide feedback on CELCOR's performance.
- ii. Provide an analytical review of the main evaluation findings to provide feedback for policy refinement, impact and replication.
- iii. Recommend strategies/approaches/activities to improve the efficacy of the Programme to achieve anticipated outcomes within stipulated timeframes.

## **C. Methodology**

The methodology of the evaluation should include a combination of a review of CELCOR's documentation including 2011 evaluation report, and focus group discussions with CELCOR staff, donors, partners, Board of Directors, communities and other stakeholders where required.

A proposed detailed methodology involved in the evaluation process should be presented to the management of CELCOR to be agreed upon prior to actual work to be undertaken.

## **D. Scope of Work**

The 2011 evaluation recommended more than 20 actions to be undertaken to improve the program management and implementation, effectiveness and efficiency of the systems of the organization. During the evaluation exercise, these recommendations will be reviewed against the actions taken.

The specific areas for assessment will include:

- **Review of the 2011 recommendations which provided more than 20 action items**
  - Review the action items against the 2011 evaluation recommendations and provide feedback on the outcomes in terms of the achievements and challenges, including way forward.

- Provide an update on the achievements as a chapter of the evaluation report from the 2011 recommendations.
- **Project Management and Organization**
  - The organizational development and its capacity in handling and implementing the program or projects.
  - The respective roles and responsibilities of project staff. This includes assessment of staff structure and whether it's workable considering focus of CELCOR, relating it to the three program areas of DLA, CLE and CAN, and available funding opportunities.
  - How well the organization ensures that all programs (whether it be support program, sub program or a core program) are being carried out according to plan? How planning process occurs within the organization?
  - The flow of the information including communication between management and staff.
  - Does any other form of internal evaluation occur? If there is, how well does the system work?
  - Recommendations for improvement of organisational and project management.
- **Relationship with donors, partners, CBOs, communities and other stakeholders (where applicable or relevant)**
  - Discussions with staff, Board of Directors, communities, donors, and the Executive Directors of partner organizations such as Partners with Melanesians, and Forcert Limited.
  - Review of 2011 Evaluation report and other organizational management documents such and staff and management team meetings minutes, field reports, donor reports, financial audit, and any other relevant documents.

## **E. Expected Outputs and Deliverables**

The expected outputs and deliverables of the evaluation include:

1. Provide an outline of a plan for conducting the evaluation including detailed methodology and discuss it with CELCOR management to be agreed upon prior to actual work undertaken.
2. Submit a draft evaluation report and present the preliminary findings in a one day workshop for validation and receive feedback.
3. Submit a detailed final evaluation report following the feedback from CELCOR staff and management.

*The final report will be submitted both in electronic Copy and written copy to Peter Bosip, the Executive Director of CELCOR and to Rune Paulsen of Rainforest Foundation Norway.*

## Annexure 2: Evaluation Plan and Schedule

The evaluation will use a mixed methods approach comprised of a desktop review, focus group interviews, one-on-one interviews, email correspondence and workshop. Jeff Smith (JOS) will be lead evaluator and Ruth Konia (RK) will be in country assistant evaluator.

### Desktop review

This will include an analysis of key documents held by CELCOR, including the following:

- the evaluation report in 2011
- previous evaluations, as relevant
- annual reports for the period 2011-present
- donor reports 2011-present
- current strategic plan
- other documents identified in consultation with the Executive Director and others

### Focus Group interviews

The evaluation will be seeking input from the following groups:

- CELCOR Board of Management
- CELCOR Management Team
- CELCOR staff
- Donors
- Government agencies
- Clients and supporters (NGOs and individuals)
- Legal Consultants

In consultation with the Executive Director and others, it is suggested that there could/should be focus group interviews with CELCOR Board, Management team and staff as well as clients and supporters. These would be held as well as one-on-one interviews in most instances.

### One-on-one interviews

The Executive Director has identified 39 key stakeholders to be interviewed. These are attached as Annexure 1. Over half of these stakeholders reside in POM (namely 23/39). Jeff Smith will seek to interview these people between 24 and 31 October 2017.

### Email correspondence

In some circumstances, information will be collected by email. This includes where issues of distance, technology, timing and client preference are factors. Stakeholders identified for interviews by email are interviewees 2, 8, 9, 10, 17, 18 and 39 as per Annexure 1.

### Workshop

The evaluation team will present the preliminary findings in a one day workshop to the CELCOR Board and key staff for feedback.

## Evaluation Schedule

<b>Date</b>	<b>Action</b>	<b>Person Responsible</b>
Tuesday 17 Oct	Evaluation commences	JOS
Wednesday 18 Oct- Friday 20 Oct	Desktop review commences	JOS
Wednesday 18 Oct	Interview with BJ Kim, EDO NSW (interviewee # 12)	JOS
Tues 24 Oct	Lead evaluator (Jeff Smith or JOS) travels to POM	JOS
Wed 25 Oct	Meeting of Evaluation Team - Lead (JOS) and assistant evaluator (RK) CELCOR staff introduction to Jeff and Ruth and the evaluation TOR Interviews with Peter Bosip (interviewee # 20) and other CELCOR Management Team (interviewees # 21-23)	JOS/RK
Thursday 26 Oct	Interviews with CELCOR staff and POM-based CELCOR Board of Management (interviewees # 14-16 and # 24-28) Send out email interviews to interviewees not based in POM or East New Britain (interviewees # 2, 8, 9, 10, 17, 18, 39)	JOS/RK JOS/RK
Friday 27 Oct	Interviews with POM-based donors (interviewees # 30-32) Phone interview with Rune Paulsen, RFN (interviewee # 29)	JOS/RK JOS/RK
Saturday 28 Oct	Interviews with POM-based government agencies (interviewees # 33-35)	JOS/RK
Sunday 29 Oct	Write up interviews	JOS/RK
Monday 30 Oct	Interviews with POM-based NGOs (interviewees # 3-7) Interview with Melanesian Legal Services (interviewee # 13)	JOS (RK in Brisbane for #4) JOS
Tuesday 31 Oct	Follow up interview with Peter Bosip in relation to interviews to date Focus group with CELCOR management Team in relation to interviews to date	JOS JOS
Wednesday 1 Nov	Lead evaluator (JOS) departs POM to Sydney	JOS
Thursday 2 Nov	Commence draft of evaluation report	JOS
Tuesday 7 Nov	Assistant evaluator travel to East New Britain	RK
Wed 8 Nov-Thurs 9 Nov	Interviews with East New Britain stakeholders ( # 1, 11, 19, 36, 37, 38)	RK
Friday 10 Nov	Write up interviews and return to POM	RK
Monday 13 Nov	Evaluation team phone link up Continue draft of evaluation report	JOS/RK

<b>Date</b>	<b>Action</b>	<b>Person Responsible</b>
Sunday 19 Nov	Jeff Smith travel to POM	JOS
Mon 20 Nov	Present Emerging Findings Report at workshop with CELCOR Board and key staff	JOS
Tues 21 Nov-Wed 22 Nov	Undertake business as required	JOS
Thurs 23 Nov	Lead evaluator departs POM to Sydney	JOS
Fri 24 Nov-Wed 29 Nov	Finalise evaluation report	JOS/RK from 27th
Thurs 30 Nov	Forward final revaluation report	JOS



## Annexure 3: List of interviews

### Interviewees for CELCOR Evaluation 2017

#	Name of Stakeholder	Person to be interviewed	Location	Status
<b>NGOs</b>				
1	Wide Bay Conservation Association	Elizabeth Tongne	Kokopo, East New Britain	Interviewed by Ruth
2	Forcert Limited	Cosmas Makamet	Kimbe, West New Britain	Email interview by Ruth
3	PNG Forest Certification Inc	Steven Magil	NRI, Port Moresby	No reply to email
4	The Nature Conservancy	Barbara Masike	Monian Haus, Boroko	No reply to email
5	Partner with Melanesians	Kenn Mondiai	Hohola, POM	No reply to email
6	WWF	Kafuri Yauro	Boroko, POM	No reply to email
7	Transparency International (PNG)	Arianne Kassman	Konedobu, Port Moresby	Interviewed by Jeff
<b>CBOs</b>				
8	Central Sepik Rural Development Foundation	Simon Naikaban	Maprik, East Sepik	No reply to email
9	Turubu Ecoforestry Forum	Alphonse Mondu	Wewak, East Sepik	Interviewed by Jeff (telephone)
10	Manus Environment Conservation Communities Network (MCCN)	Dr Pongie Kichawen	Lorengau, Manus	No reply to email
11	ARM/OISCA	Raymon Joshua	Warangoi, East New Britain	Interviewed by Ruth
<b>Consultants</b>				
12	EDO NSW	BJ Kim	Sydney, NSW	Interviewed by Jeff
13	Melanesian Legal Services	Daisy Culligan	Gabutu, Port Moresby	Interviewed by Jeff
13a	Leanganook Yarn	Natalie Moxham	Boroko, Port Moresby	Interviewed by Jeff
13b	Ex EDO NSW	Sue Higginson	Lismore, NSW	Interviewed by Jeff

#	Name of Stakeholder	Person to be interviewed	Location	Status
<b>CELCOR Board, Management, &amp; Staff</b>				
<i>CELCOR Board</i>				
14		<b>Murray Maroroa (Chairman)</b>	<b>Manu, Port Moresby</b>	<b>Interviewed by Jeff</b>
15		<b>Ted Mamu (Deputy Chairman)</b>	<b>Gerehu, Port Moresby</b>	<b>Interviewed by Ruth</b>
16		Paul Nindipa (Treasurer)	Tabari Place, Port Moresby	Indicated he was too busy for an interview in person. Also, no reply to email
17		John Anuabo (Member)	Karimui, Simbu	No reply to text
18		<b>Tumun Kuma (Member)</b>	<b>Minj, Jiwaka</b>	<b>Interviewed by Ruth</b>
19		<b>Maureen Ewai (Member)</b>	<b>Kokopo, East New Britain</b>	<b>Interviewed by Ruth</b>
19a		<b>Wenceslaus Magun</b>	<b>Boroko, Port Moresby</b>	<b>Interviewed by Jeff</b>
<i>CELCOR Management</i>				
20		<b>Peter Bosip (Executive Director)</b>	<b>Boroko, Port Moresby</b>	<b>Interviewed by Jeff and Ruth (multiple)</b>
21		<b>Evelyn Katu Wohuinangu (Principal Lawyer)</b>	<b>Boroko, Port Moresby</b>	<b>Interviewed by Jeff (multiple)</b>
22		<b>Daniel Yailus (Finance &amp; Administration Manager)</b>	<b>Boroko, Port Moresby</b>	<b>Interviewed by Jeff (multiple)</b>
23		<b>Marjorie Warisaiho (CLE Coordinator)</b>	<b>Boroko, Port Moresby</b>	<b>Interviewed by Jeff (multiple)</b>
<i>CELCOR Staff</i>				
24		<b>Rebecca Melepia (Land Rights, Lobby and Advocacy Officer)</b>	<b>Boroko, Port Moresby</b>	<b>Interviewed by Ruth</b>
25		<b>Arthur Dalye (Policy Lawyer)</b>	<b>Boroko, Port Moresby</b>	<b>Interviewed by Jeff</b>
26		<b>Gavera Arua (Admin Officer)</b>	<b>Boroko, Port Moresby</b>	<b>Interviewed by Jeff</b>
27		<b>Becky Amban (Legal Secretary)</b>	<b>Boroko, Port Moresby</b>	<b>Interviewed by Ruth</b>
28		<b>Kema Sem (Admin Assistant)</b>	<b>Boroko, Port Moresby</b>	<b>Interviewed by Jeff</b>

#	Name of Stakeholder	Person to be interviewed	Location	Status
28a		Nancy Lagdom (Comms Consultant)	Boroko, Port Moresby	Interviewed by Jeff
<i>Donors</i>				
29	Rainforest Foundation Norway (RFN)	Rune Paulsen	Olso, Norway	Interviewed by Jeff (telephone)
30	CEPF	Zola Sangga	Apex, Boroko, Port Moresby	Interviewed by Jeff
31	GEF-Small Grant Programme	Tamalis Akus	Deloitte Tower, Port Moresby	Interviewed by Jeff and Ruth
32	UNDP/Conservation & Environment Protection Authority	Emily Fajardo	Hohola, Port Moresby / Deloitte Tower, Port Moresby	Interviewed by Jeff
<i>Government agencies</i>				
33	Climate Change & Development Authority	Gwen Sissiou	Port Moresby	Interviewed by Jeff
	Climate Change & Development Authority	Sam Moko	Port Moresby	Interviewed by Jeff
34	Conservation & Environment Protection Authority	Kay Kalim/ James Sabi	Port Moresby	No reply by either to email
35	Institute of National Affairs	Paul Barker	Konedobu, Port Moresby	No reply to email
36	Pomio District Administration	Sebastian Pavot	Pomio, East New Britain	Interviewed by Ruth
36a	ENB Provincial Administration	Jane Larme	Kokopo	Interviewed by Ruth
36b	Forestry and Environment Coordinator, NB Provincial Administration	Florence Paisparea		Interviewed by Jeff
<i>Individuals</i>				
37		Nobert Pames	Pomio, East New Britain	Interview not proceeded with
38		Paul Pavol	Pomio, East New Britain	Interviewed by Jeff
39		Nigel Isara	Wanigela, Oro	Interviewed by Ruth

# Annexure 4: Documents examined

## Governance documents

- Constitution
- Strategic Plan 2012-14
- Operational Plan 2012-14
- Financial Management Policy (September 2016)
- Financial Procedure Manual (September 2016)
- Staff Policy and Procedure Manual 2017 (5th edition)

## Reports

### Evaluation

- Recommendations from Evaluation Report on CELCOR 2005
- Evaluation Report on CELCOR 2011

### Annual Reports

- Annual Report 2014
- Annual Report 2015
- Annual Report 2016

### Audit Reports

- Audit Report 2012
- Audit Report 2014
- Audit Report 2015
- Audit Report 2016

### Donor Reports

- Report to Rainforest Foundation Norway 2008-2012
- Report to Rainforest Foundation Norway 2011
- Report to Rainforest Foundation Norway 2012 (including Progressive Report)
- Report to Rainforest Foundation Norway 2013 (Progressive Report only)
- Report to Rainforest Foundation Norway 2014
- Report to Rainforest Foundation Norway 2015
- Report to Rainforest Foundation Norway 2016 (including Progressive Report)
- Report to Rainforest Foundation Norway 2013-16
- Report to Packard Foundation 2012-14
- Report to SPSN 2012-16

### Strategic and Operational Reports

- Report on Recommendations from CELCOR Staff and Board Retreat 2012
- Report on Staff and Board Retreat 2014 (March 2014)

## Meeting Minutes

### Board Meeting Minutes

- 28 February 2015
- 30 May 2015
- 22 August 2015
- 23 September 2015
- 9 April 2016
- 23 July 2016
- 11 February 2017
- 25 March 2017

### EDO NSW Meeting Minutes (visit of Peter Bosip)

- 18 September 2017
- 19 September 2017
- 20 September 2017
- 21 September 2017

### Management Team Meeting Minutes

- #3/2014: 23 June 2014
- #4/2014: 23 September 2014
- #5/2014: 30 October 2014
- #2/2016: 15 February 2016
- #3/2016: 22 March 2016
- #4/2016: 2 May 2016
- #5/2016: 5 July 2016
- #6/2016: 17 August 2016
- #3/2017: 14 March 2017
- #4/2017: 19 June 2017

### Staff Team Meeting Minutes

- 17 March 2014
- 19 May 2014
- 12 June 2014
- 19 August 2014
- 5 November 2014
- 25 February 2015
- 27 May 2015
- 31 August 2015
- 17 September 2015
- 14 October 2015
- 26 January 2016
- 16 February 2016
- 22 March 2016
- 24 March 2016
- 14 April 2016
- 8 June 2016
- 7 December 2016
- 12 September 2017

## EDO NSW

- Funding Agreement between CELCOR, EDO NSW and RFN (2017)
- Action Plan between CELCOR, EDO NSW and RFN (2017)

# Annexure 5: Record of Interviews from East New Britain Province

## Schedule of interviews

#	Name of Stakeholder	Contact Person	Contact Details	Location
1	Wide Bay Conservation Association	Elizabeth Tongne	<a href="mailto:widebay@global.net.pg">widebay@global.net.pg</a> 70547332	Spirit of Kokopo
11	OISA/ARM	Raymon Joshua	<a href="mailto:yaca.tipng@gmail.com">yaca.tipng@gmail.com</a> 70348837	Kokopo Village Resort
19	CELCOR Board	Maureen Ewai	<a href="mailto:maurdoga@gmail.com">maurdoga@gmail.com</a> 70272950	Kokopo Village Resort
36	Pomio District Administration	Sebastian Pavot	70869637	Phone Interview
*	ENB Provincial Administration	Jane Larme	70665164	Kokopo Village Resort

\*Not listed on the initial interviewee list

## Notes by in-country assistant evaluator – Ruth Konia

Interviewee #1: Wide Bay Conservation Association – Elizabeth Tongne

### External stakeholders (NGOs and clients, donors, government agencies and legal consultants)

#### Background

What does your organization do? How does it work to influence change? What is your role?

What is the focus of your organization? Is this likely to change in the future?

What issues are you dealing with? Are there new issues/challenges/threats arising?

How would you describe the work of CELCOR?

What are CELCORs main achievements (including with your organization)?

What do you see as CELCORs strengths?

What do you see as CELCORs weaknesses and/or challenges faced?

#### Achievements and challenges

What is your relationship with CELCOR? How long have you worked together?

#### The future

What role do you think CELCOR should play in the future? What key lessons have been learnt?

Is there anything CELCOR could do differently? Why?

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Elizabeth Tongne is the Executive Director for Wide Bay Conservation Association (WBCA). WBCA was established in 2004 and their work was mainly focused on facilitating environment and conservation awareness and helping communities in the Wide Bay area to establish wildlife management areas. Through the work of WBCA, resource owners became aware of the importance of their resources and they began making decisions and taking actions in safe guarding their resources. WBCA built on the knowledge CELCOR imparted on the communities through their paralegal trainings in the Wide Bay area.

Elizabeth's relationship with CELCOR began when ICRAF was still operational in the early 2000 when CELCOR was born. It was then, when CELCOR took up a logging case representing the landowners in East Pomio (Taimtop & Klampun communities) and won the case in 2004. CELCOR's lawyer then, Annie Kajir represented the landowners in that case. That inspired Elizabeth and with CELCOR's assistance, the Wide Bay Conservation Association was registered.

As the Executive Director, Elizabeth's role was to make sure programs are relevant and in line with WBCA's mission and vision and that donor funds are used accordingly.

Since 2004, both Taimtop & Klampun communities were doing awareness and Elizabeth thought WBCA should do things differently. So, in 2008, WBCA created a new approach. It was known as the Community Reflection & Rehabilitation Process which was implemented through the community development approach which involved a 6-step process. This involved working with women groups, church groups, youths, sports groups and men in defining their clan groupings. This approach came about as they realized that natural clan groups were disbanded as people began to associate and identify themselves in these various groups, thus ancestral clan groups became fragmented. The process assisted the ward development committees established their purpose. The product was the development of ward development plans based on priority needs.

Then in 2016, a new approach was developed called the 'Critical Mediation Process'. Through this process, clans identified traditional decision-making processes. This assisted land mediators from the local level government deal with issues and challenges people face in the communities.

Issues and challenges WBCA faces is lack of support from the provincial government in following-up of or implementing their responsibilities in what WBCA is doing with the communities. Elizabeth said that the government is always kept informed on what her organization is doing right from the beginning but most instances, when the government is invited to attend meetings, workshops etc. they fail to do so.

CELCOR has since been working and supporting WBCA with paralegal trainings, most recently at West Pomio and Bitapaka. People are becoming more aware of their rights and can speak out concerning their resources.

CELCOR has limited capacity and its strength is on litigation. CELCOR need to concentrate on this. CELCOR need to train the communities in carrying out more awareness while CELCOR can focus on litigation.

~ END of Interview ~

## Interviewee # 11: OISCA/ARM – Raymon Joshua

### **External stakeholders (NGOs and clients, donors, government agencies and legal consultants)**

#### **Background**

What does your organization do? How does it work to influence change? What is your role?

What is the focus of your organization? Is this likely to change in the future?

What issues are you dealing with? Are there new issues/challenges/threats arising?

How would you describe the work of CELCOR?

What are CELCORs main achievements (including with your organization)?

What do you see as CELCORs strengths?

What do you see as CELCORs weaknesses and/or challenges faced?

#### **Achievements and challenges**

What is your relationship with CELCOR? How long have you worked together?

#### **The future**

What role do you think CELCOR should play in the future? What key lessons have been learnt?

Is there anything CELCOR could do differently? Why?

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OISCA is a Japanese Organization and it stands for 'The Organization for Industrial Spiritual and Cultural Advancement International (OISCA). OISCA International contributes to Humanity's environmentally sustainable development through a holistic approach emphasizing the interconnectedness of agriculture, ecological integrity, and human spirit. To accomplish this, OISCA International implements and advocates hands-on experiential programs for world citizens of all ages, transmitting knowledge and skills, and cultivating spiritual qualities as dedication, self-reliance, and universal brother-sisterhood.

OISCA/ARM: ARM stands for the three communities in the Sinivat LLG of Pomio District which are: Arabam, Raigel and Maranagi (ARM).

OISCA/ARM was formally established in 2013 with its focus on rainforest conservation. Raymon Joshua is the Project Coordinator for OISCA/ARM.

The project is in a 39,000 ha of virgin rainforest in the Warangoi area. Warangoi is also home to the Warangoi River that supplies Electricity to the province. While focusing on rainforest conservation, the project is assisting communities with sustainable livelihood programs like cocoa and coffee farming where the project facilitates and link up the growers to organic Japanese markets for premium prices. The project also engages in model farms and encourages local farmers to grow vegetables, rice cultivation etc. while training them in soil fertility and soil management. The project also introduced organic natural fertilizers for farmers to use in their farms. For mothers and youths, the project provides trainings in sewing and baking. These projects are offered as alternative income options.



The project also focuses on Children's Forest Program, carrying out environmental awareness and tree planting. Through this program, an education exchange trip takes places annually where head teachers accompany 2-3 students from schools in the area to visit Japan and meet with other country representatives where OISCA works in and share experiences and lessons, and learn from each other.

Warangoi area is facing threats from Palm Oil, logging and special agriculture business leases (SABL).

CELCOR's involvement with OISCA/ARM began in 2014. So far, two (2) paralegal trainings were conducted in Sinivit LLG. According to Joshua, the training has boost people's confidence to another level and people are now speaking out about their rights. The trainings were enlightening. The legal education training was delivered right down to the community level with the use of 'top pisin', illustrations, diagrams, charts etc. The locals are now empowered to make informed choices with the knowledge learnt from the trainings.

Joshua said CELCOR need to engage more lawyers to handle litigation. He said as for the OISCA/ARM project, they need CELCOR to speed up the MOA as further delays would cause people to lose interest in the project.

The Warangoi communities are now seeking CELCOR's support in strengthening conservation in the current MOU/MOA between the communities and the government regarding the use of the Warangoi River for the Hydro-Power.

He also commented that CELCOR need to do more publicity. Joshua concluded that CELCOR should cement the talk based on the partnership between OISCA/ARM and CELCOR and that should boost the work OISCA/ARM is doing.

~ END of interview ~

Interviewee # 19: Maureen Ewai – Board Member

### **Internal stakeholders (CELCOR Board, Management Team and staff)**

#### **Background**

How long have you been involved with CELCOR? What is your role?

#### **2011 Evaluation**

Are you aware of the 2011 Evaluation and its recommendations? How do you think it has been/is being implemented?

#### **Achievements and challenges**

What are CELCORs main achievements?

What do you see as CELCORs strengths?

What do you see as CELCORs weaknesses and/or challenges faced?

How effective do you think CELCOR is? Does it have the best organizational structure and capacity to achieve its vision and mission?

## **Strategic plan**

Are you aware of the CELCOR Strategic Plan? Do you think it is appropriate for an organization like CELCOR? How do you think it has been/is being implemented?

## **Decision-making**

How are decisions made at CELCOR? Is this effective? Are they communicated properly?

## **Operations – DLA, CLE, PRLR, CAN**

How is the work of CELCOR and/or requests for assistance decided? Is this effective? Is this appropriate?

Are the operations (DLA, CLE, PRLR and CAN) working well? Examples?

Are there other ways that CELCORs operations could be done (e.g. specialize more, integrate and work together more, work more closely with others, etc.)

How is the work of CELCOR communicated?

## **The future**

What role do you think CELCOR should play in the future? What key lessons have been learnt?

Is there anything CELCOR could do differently? Why?

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Maureen Ewai has been with CELCOR for a long time in the capacity as a member of the board, although she cannot remember the year she became a board member. She went for studies (overseas) then came back and continued being a member of the board.

She explained that as a Board member, she plays an important role on the board. She sometimes gives direction and advise to the management on the organization's issues. She also helps in fundraising by reviewing proposals. She says with RFN's continued support, CELCOR will continue to grow. Management has improved and legal files are more organized. She is impressed with CELCOR performance and showed that CELCOR has committed staff who are doing their best despite limited resources. The Board also has a good composition and discusses issues openly.

2001 Evaluation: Maureen said she has seen the report but could not comment because when she was told of this evaluation she did look at the report but it has been a while and she cannot comment.

She said CELCOR has gained a reputation and is doing well with Peter Bosip as the Director. She said it is also good to see donors willing to support CELCOR. She added that CELCOR's strength is a good legal team and the challenge is to do more fundraising to attract good lawyers. She said it is important to have incentive for staff so they continue their passion. Adding that it is also important to properly compensate committed staff and reward them properly so they are motivated to work harder. She said at the moment CELCOR is the only environmental legal organization that deals with policy at the national level and it is important for the Board to support the management in providing feedback, review programs and raise money. Ms Ewai said the current K2 annual membership fee for members is not enough to because realistically, most communities who need CECLOR's assistance are remote and the K2 fee cannot do anything. The fee needs to be increased to a realistic amount that can enhance CELCOR's work.

She said, CELCOR has a good organizational structure that is working well as it is.

In terms of decision making, she said the Board meets quarterly and discusses issues affecting the organization. On a needs basis, special board meetings are called to discuss an issue/s of urgent nature. Otherwise, she says, issues are handled well by Peter Bosip.

Maureen said she has seen the Strategic Plan but cannot comment. She thinks the document is supposed to be reviewed toward the end of 2017.

From observation, Maureen thinks CELCOR has a good working environment. She said she does come around especially on informal gatherings like BBQs etc. and staff would occasionally chat with her but were careful in what they were saying.

She says, staff need additional training but depends on funding and when opportunities arise where someone else is sponsoring. She says hiring of the legal secretary (Becky) has helped and said according to Daisy, Becky can follow instructions and work on her own. At the same time, Arthur is doing well, first as an intern and now on full-time. Adding that the legal education program is doing well.

She says despite all the good work CELCOR is doing, CELCOR's achievements and successes have not been communicated well enough although the organization has a website and facebook page. Website has not been functioning. There are talks of hiring a full-time communications person but says it depends on funding. She says at the moment, she assumes Peter is administering CELCOR's facebook page.

Maureen said CELCOR is the only one organization providing free legal assistance to communities in need of such services and as much as we would want CELCOR to do more, CELCOR is limited in (funding) resources and can only do so much. CELCOR is currently doing great because of staff who are committed and passionate about their jobs. Adding that it is difficult to find people who are passionate about their jobs. CELCOR represents the majority who are underprivileged and cannot fight for justice in safe-guarding their rights over their resources. She said CELCOR stands out and speak on-behalf and represents the deprived, the very reason she keeps staying there (in the Board).

~ End of interview ~

## Interview # 36: Pomio DA – Sebastian Pavot

### **External stakeholders (NGOs and clients, donors, government agencies and legal consultants)**

#### **Background**

What does your organization do? How does it work to influence change? What is your role?

What is the focus of your organization? Is this likely to change in the future?

What issues are you dealing with? Are there new issues/challenges/threats arising?

How would you describe the work of CELCOR?

What are CELCORs main achievements (including with your organization)?

What do you see as CELCORs strengths?

What do you see as CELCORs weaknesses and/or challenges faced?

#### **Achievements and challenges**

What is your relationship with CELCOR? How long have you worked together?

## **The future**

What role do you think CELCOR should play in the future? What key lessons have been learnt?  
Is there anything CELCOR could do differently? Why?

---

Mr Pavot is the Community Development Officer for the Melkoi LLG situated on the boarder of East and West New Britain Provinces. He basically attends to social issues/activities affecting the communities. He also assists the police since the area has no police presence.

Pavot knew of CELCOR when he attended a paralegal training CECLOR conducted around 2001 or 2002 with the East New Britain Social Eksen Committee (ENBSEK). The Tavolo Wildlife Management Area is situated in the Melkoi LLG.

He said CELCOR is a good organization and is doing well in providing legal advice and assistance to communities who cannot afford paying fees for such services.

Adding that CELCOR must communicate their work throughout PNG and promote their work more widely.

He wants CELCOR to open an office in the region, most likely in Kokopo to make it easier for most remote communities who are not able to travel to Port Moresby for legal assistance.

~ END of interview ~

Interviewee \* Not listed on the initial interview list: ENB Provincial Administration - Jane Larme

## **External stakeholders (NGOs and clients, donors, government agencies and legal consultants)**

### **Background**

What does your organization do? How does it work to influence change? What is your role?

What is the focus of your organization? Is this likely to change in the future?

What issues are you dealing with? Are there new issues/challenges/threats arising?

How would you describe the work of CELCOR?

What are CELCORs main achievements (including with your organization)?

What do you see as CELCORs strengths?

What do you see as CELCORs weaknesses and/or challenges faced?

### **Achievements and challenges**

What is your relationship with CELCOR? How long have you worked together?

## **The future**

What role do you think CELCOR should play in the future? What key lessons have been learnt?  
Is there anything CELCOR could do differently? Why?

---

Jane works at the East New Britain Provincial Government as the Provincial Environment and Conservation Officer since 2014. Her job involves formulating policies, screening development projects, ensure compliance and enforcement of the different processes in development projects and making sure projects are according to the Environment Act. She also does awareness in rolling out of policies and participates in advocating towards environment and conservation to ensure landowners/resource owners are informed and make better decisions.

Jane came to know CELCOR when she attended a paralegal training in Kerevat in 2016 and said the training was very enriching. After the training, Jane says she usually makes referral from communities who seeks legal support to reach out to CELCOR for assistance.

She says CELCOR is able to fight for the landowners and they can be compensated rightfully. CELCOR can come down to the community level where landowners/resource owners cannot afford legal fees.

As way forward for CELCOR, Jane says CELCOR must assist the Provincial Government in establishing/formulating LLG by-laws or Acts to help protect landowners at the LLG level. She said this could be achieved by working with the Provincial Government. Adding that the province needs an environmental law that covers the LLG because resources are at the LLG level.

She says CELCOR should do more in publicizing its work and use companies like Digicel in sending out messages or creating awareness on issues affecting the resources.

~ END of interview ~

# Annexure 6: Indicative Questions

## Guiding Questions for Interviews with Informants

All interviews will be targeted and semi-structured. The interviews will cover the following internal and external groups:

- CELCOR Board
- CELCOR Management Team
- CELCOR staff
- NGOs and clients
- Donors
- Government agencies
- Legal consultants

### Internal stakeholders (CELCOR Board, Management Team and staff)

#### Background

How long have you been involved with CELCOR? What is your role?

#### 2011 Evaluation

Are you aware of the 2011 Evaluation and its recommendations? How do you think it has been/is being implemented?

#### Achievements and challenges

What are CELCORs main achievements?

What do you see as CELCORs strengths?

What do you see as CELCORs weaknesses and/or challenges faced?

How effective do you think CELCOR is? Does it have the best organizational structure and capacity to achieve its vision and mission?

#### Strategic plan

Are you aware of the CELCOR Strategic Plan? Do you think it is appropriate for an organization like CELCOR? How do you think it has been/is being implemented?

#### Decision-making

How are decisions made at CELCOR? Is this effective? Are they communicated properly?

#### Working environment

How do you find working at CELCOR? Is it a good place to work? Is it safe? Are policies and procedures clear, communicated and implemented? Are roles and responsibilities clear? Are staff being trained properly?

#### Your role

Is your role clearly defined? Do you know how you're going? Are your training needs being met?

### **Operations – DLA, CLE, PRLR, CAN**

How is the work of CELCOR and/or requests for assistance decided? Is this effective? Is this appropriate?

Are the operations (DLA, CLE, PRLR and CAN) working well? Examples?

Are there other ways that CELCORs operations could be done (e.g. specialise more, integrate and work together more, work more closely with others, etc)

How is the work of CELCOR communicated?

### **The future**

What role do you think CELCOR should play in the future? What key lessons have been learnt?

Is there anything CELCOR could do differently? Why?

### **External stakeholders (NGOs and clients, donors, government agencies and legal consultants)**

#### **Background**

What does your organization do? How does it work to influence change? What is your role?

What is the focus of your organization? Is this likely to change in the future?

What issues are you dealing with? Are there new issues/challenges/threats arising?

#### **Achievements and challenges**

What is your relationship with CELCOR? How long have you worked together?

How would you describe the work of CELCOR?

What are CELCORs main achievements (including with your organisation)?

What do you see as CELCORs strengths?

What do you see as CELCORs weaknesses and/or challenges faced?

#### **The future**

What role do you think CELCOR should play in the future? What key lessons have been learnt?

Is there anything CELCOR could do differently? Why?

# Annexure 7: Project Overview Sheet

## Evaluation of CELCORs program and services

October 2017

### Background to evaluation

Jeff Smith (from WestWood Spice) and Ruth Konia (TNC) have been engaged by The Center for Environmental Law and Community Rights Inc (CELCOR) to independently evaluate its programs and services, particularly regarding its implementation of an external evaluation done in 2011.

CELCOR is a not-for-profit public interest environmental law and advocacy organization. It was set up to address a growing need for legal support to affected and highly marginalized people who mainly reside in rural areas. CELCOR was established in 2000.

This 2017 evaluation will be the fourth evaluation since CELCOR was established, with previous evaluations in 2005, 2008 and, most importantly here, 2011.

The objectives of the evaluation are to:

- examine the achievements of the organization in light of its 2011 External Evaluation recommendations and provide feedback on CELCOR's performance
- provide an analytical review of the main evaluation findings to provide feedback for policy refinement, impact and replication
- recommend strategies/approaches/activities to improve the efficacy of the Programme to achieve anticipated outcomes within stipulated timeframes.

### Who is involved?

Stakeholders include around 40 people drawn from NGOs and clients, donors, government agencies, legal consultancies and the Board, Management Team and staff of CELCOR.

### What is happening?

The major activities for the evaluation include:

- reviewing key documents under the program, including the 2011 evaluation report, previous evaluations and organizational management documents, donor reports, policies and procedures. staff and management team meetings minutes, field reports, financial audit, and any other relevant documents
- Interviews with CELCOR Board, Management Team and staff
- interviews with key external stakeholders such as NGOs, clients, donors, government agencies and legal consultants
- focus groups and workshops with key stakeholders
- draft and final reports on the findings of the evaluation.



## What is being evaluated?

To meet the objectives of the evaluation, the evaluation team will look at issues including;

- **reviewing the 39 recommendations from the evaluation in 2011, and including:**
  - setting out achievements and challenges
  - the way forward
- **project management and organization, and including:**
  - organizational capacity
  - organizational structure (such as in the program areas of DLA, PRLR, CLE and CAN) and
  - roles and responsibilities of staff
  - planning and implementation
  - office communications
  - internal review systems
  - the way forward
- **relationship with donors, partners, CBOs, communities and others**
  - achievements and challenges
  - the way forward.

## About WestWood Spice

WestWood Spice is a Sydney-based consulting company, established in 2001 and working in the community, social science and environmental sectors.

Our values: social justice, collaboration, professionalism, innovation.

## How to contact Jeff or Ruth

We welcome your input into this project, and encourage you to contact us.

### **WestWood Spice**

Jeff Smith, Lead Consultant

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Ruth Konia, Assistant Consultant

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# Annexure 8: Ghost Strategic Plan

*Ghost Strategic Plan 2017-2022:*

*EDO Australia-Pacific*

## **Contents**

1. About EDO Australia-Pacific
2. Funding
3. Ghost Vision
4. Ghost Mission
5. What we stand for
6. Ghost Strategies
7. Key goals
8. Monitoring and evaluation
9. Summary of ghost plan
10. Ghost plan

## *Ghost Strategic Framework for EDO Australia-Pacific*

### **1. About EDO Australia-Pacific**

EDO Australia-Pacific is a single, national community legal centre specialising in public interest environmental law. We help people and communities who want to protect the environment through law. Our core functions are:

- legal advice and litigation
- policy and law reform
- community legal education

EDO Australia-Pacific provides free legal advice to individuals and community groups across Australia. We also conduct free legal workshops for communities. EDO Australia-Pacific has run a number of landmark legal cases in the courts and undertakes policy and law reform work at both the state and federal level.

EDO Australia-Pacific also operates a suite of related services across Australia, including an Aboriginal Engagement Program, a Scientific Advisory Service, an Outreach Program and an International Program providing assistance to legal groups in the South Pacific.

### **2. Funding**

EDO Australia-Pacific receives grants from:

- various state and territory governments
- various Law Society bodies around Australia
- donations from the public
- philanthropic foundations

### **3. Ghost Vision**

Our vision is a sustainable environment protected through the rule of law

### **4. Ghost Mission**

To ensure all Australians have access to justice on public interest issues so as to protect the environment through the law.

### **5. What we stand for**

Our reputation is built on:

- Successful environmental outcomes using the law

With 30 years' experience in environmental law across Australia, EDO Australia-Pacific has a proven track record in achieving positive environmental outcomes for the community.

- Broad environmental expertise

EDO Australia-Pacific is the acknowledged expert when it comes to the law and how it applies to the environment. We help the community to solve environmental issues through the provision of legal and scientific advice, community legal education and proposals for legislation and regulation in environmental matters.

- Independent and accessible services

As a non-government and not-for-profit legal centre, our services are provided without fear or favour. Anyone can contact us to get free initial legal advice about an environmental problem, with many of our services targeted to rural and regional communities.

## 6. Strategies

We seek to achieve our vision using the following strategies:

- holding decision-makers to account
- using a multi-disciplinary approach to the provision of legal services supported by best available science
- promoting the value of public participation in environmental decision making
- maintaining strict and highly ethical casework guidelines
- empowering the community to achieve better environmental outcomes through the informed use of the law
- increasing access to justice by working with diverse groups within the community, and providing equitable access to services
- recognising the importance of Aboriginal involvement in the protection of the environment
- contributing to national and international work to achieve positive environmental outcomes through the law
- engaging early in environmental decision-making processes
- managing the complexities of client matters to the fullest extent possible.

## 7. Key goals

- Single, national organisation which is dynamic, sustainable and integrated
- Effective legal protection
- Empowering the community
- Leadership and influence

Across the program areas



- Climate change and energy
- Natural resource management
- Environmental planning
- Aboriginal cultural heritage.

## 8. Monitoring and evaluation

### Implementation Process

The EDO Australia-Pacific Board will be responsible for working with the CEO, senior management and Advisory Committees to manage the change process and to develop Annual Business Plans that schedule and progress activities identified in the Strategic Plan, and Risk Management Plans that identify potential risk areas and protocols for managing risk.

### Monitoring the Plan

EDO Australia-Pacific is committed to annual progress reporting and a major mid-term review (by December 2020) to measure the impact of the plan and to make any necessary amendments. This will ensure that the plan is dynamic, adaptable and resilient to the changing governance environment, both internally and externally.

## **9. One-page Summary of Ghost Plan**

### **Objective 1: A single, national organisation which is dynamic, sustainable and integrated**

#### **Goals:**

- EDO Australia-Pacific has a diverse and stable funding model
- EDO Australia-Pacific communicates it is a dynamic, sustainable and integrated organisation
- EDO Australia-Pacific has a well-organised and strategically focused system of management
- EDO Australia-Pacific has a skilled and motivated workforce
- EDO Australia-Pacific has strong organisational systems
- EDO Australia-Pacific provides excellent value for money
- EDO Australia-Pacific is an environmentally responsible organisation
- EDO Australia-Pacific meets its governance responsibilities.

### **Objective 2: Effective legal protection of the environment**

#### **Programs:**

- Climate change and energy
- Natural resource management (mining and coal seam gas, biodiversity and native vegetation, water and forestry)
- Environmental planning
- Aboriginal culture and heritage.

### **Objective 3: Empowered community**

#### **Goals:**

- The community has access to justice
- The community has current, accessible information on environmental law
- The community participates in environmental decision-making
- The legal and scientific community has an understanding of public interest environmental law issues
- Specific communities – Aboriginal, rural and regional communities, and young people – have an understanding of environmental issues and their rights
- Landholders have an understanding of private conservation options
- EDO Australia-Pacific and other EDOs (along the integration path) have capacity to engage in public interest environmental law issues
- Interested communities from the Pacific and South East Asia have the capacity to engage in public interest environmental law issues.

### **Objective 4: Leadership & influence**

#### **Goal:**

- EDO Australia-Pacific is a respected and influential advocate regarding public interest environmental law.

## 10. Framework for Ghost Strategic Plan 2017-2022

Objective 1: A single, national organisation which is dynamic, sustainable and integrated<sup>1</sup>

Goal 1.1: EDO Australia-Pacific has a diverse and stable funding model	Strategies	Performance Indicators	Time critical strategies - Years 1-5 (to be inserted in Operational Plans)
	<p>EDO Australia-Pacific grows and builds its services through investing in a combination of fundraising activities, targeting different sectors with different programs including:</p> <ul style="list-style-type: none"> <li>▪ major Gifts</li> <li>▪ direct marketing</li> <li>▪ regular giving</li> <li>▪ workplace giving</li> <li>▪ bequests</li> <li>▪ community events.</li> </ul> <p>EDO Australia-Pacific grows and builds its services through actively seeking out recurrent and project grants from government and foundations</p> <p>EDO Australia-Pacific grows and builds its services through exploring and implementing income generation ideas consistent with its mission, such as:</p> <ul style="list-style-type: none"> <li>▪ workshops and seminars on a commercial basis, such as for Councils and Continuing Legal Education for practitioners</li> </ul>	<p>Achieve a variety of different funding streams, both private and public</p> <p>Achieve fundraising targets, as devised in Annual Budgets.</p> <p>Achieve income generation targets, as devised in Annual Budgets.</p>	

<sup>1</sup> This objective covers EDO TAS objectives around financial sustainability and governance and staffing (objectives 6 and 7); much of the EDO NQ plan (except that its operations must reflect its regional status); the entire EDO QLD plan; much of the tenure of the strategic planning notes in SA; much of the EDO ACT business plan; and objectives 2 through to 6 of the EDO WA plan.

**Goal 1.1: EDO Australia-Pacific has a diverse and stable funding model**

**Strategies**

**Performance Indicators**

**Time critical strategies - Years 1-5 (to be inserted in Operational Plans)**

- sponsorship of programs, such as Aboriginal Engagement, Outreach and the International Programs
- consultancies for policy and law reform, including at the international level
- developing and maintaining systems of pro bono support and in-kind contributions, where appropriate
- advice work for private clients where it is compatible with our mission to protect the environment through law, including:
  - private conservation
  - renewable energy
  - general counsel services for conservation groups
- Integrate fundraising initiatives into all services, such as reception, workshops, presentations etc.

EDO Australia-Pacific grows and builds its services through exploring fundraising and grantmaking opportunities overseas, both for the expansion of its domestic and international program, and invests in the endeavor

EDO Australia-Pacific grows and builds its services through ensuring that its communications strategy enhances and supports fundraising activities

Goal 1.2: EDO Australia-Pacific communicates it is a dynamic, sustainable and integrated organisation	Strategies	Performance Indicators	Time critical strategies - Years 1-5 (to be inserted in Operational Plans)
<p><b>Sub-goal:</b> EDO Australia-Pacific communicates it is a single, national organisation which is dynamic, sustainable and integrated through:</p> <ul style="list-style-type: none"> <li>▪ active and engaged governance structures that fully reflect a single, national organisation</li> <li>▪ active and engaged governance structures that fully support funding imperatives</li> <li>▪ developing an ambassadors program across Australia, including through fostering relationships with EDO Australia-Pacific alumni (Boards and management committees, staff, volunteers)</li> <li>▪ raising the public profile of EDO Australia-Pacific and enhancing its reputation</li> <li>▪ positioning Australia-Pacific as a thought leader on the key environmental issues</li> <li>▪ increasing the number of EDO Australia-Pacific supporters and donors</li> <li>▪ supporting fundraising</li> </ul>	<ul style="list-style-type: none"> <li>▪ promoting the establishment of the new entity through a variety of means including: <ul style="list-style-type: none"> <li>○ launch</li> <li>○ new website</li> <li>○ letters with business case and rationale to key supporters and funders and people of influence</li> <li>○ social media</li> </ul> </li> <li>▪ ensure EDO Australia-Pacific always presents as professional, independent and accessible through making all EDO Australia-Pacific staff aware of, and reflecting, EDO Australia-Pacific brand in their work and behaviour</li> <li>▪ make EDO Australia-Pacific content more accessible to general public (for example, by using simpler language and making greater use of photographs)</li> <li>▪ create high quality content on key environmental issues for placement in EDO Australia-Pacific and opinion leading publications</li> <li>▪ promote EDO Australia-Pacific court cases, policy and law reform work and outreach work through traditional and social media</li> <li>▪ use key events – such as the 21<sup>st</sup> anniversary for many offices in 2017 - to promote the organisation as an essential community service which makes the legal system more accessible and fairer</li> </ul>	<p>Achieve greater awareness of EDO Australia-Pacific work and brand</p> <p>Achieve an enhanced public profile and influence, as demonstrated by media reports, articles, number followers on Facebook and Twitter, etc</p>	



Goal 1.3: EDO Australia-Pacific has a well-organised and strategically focused system of management	Strategies	Performance Indicators	Time critical strategies - Years 1-5 (to be inserted in Operational Plans)
	<p>Develop an Integration Strategy, which results in the creation of a shared vision and ultimately in a new identity</p> <p>Develop and continually review the vision for EDO Australia-Pacific, strategies, defined goals and objectives through strategic planning processes</p> <p>Develop and implement annual operational plans which are informed by the strategic planning process and include indicators of success and identify how progress will be monitored</p> <p>Ensure that case selection and policy work are clearly aligned with EDO Australia-Pacific strategic goals</p> <p>Ensure that monthly and annual reporting focusses on monitoring progress against operational plans</p> <p>Monitor and evaluate the effectiveness of work</p> <p>Review and revise programs and projects to take account of lessons learned through monitoring and evaluation</p>	<p>Achieve a smooth transition to a new identity through adopting an open and consultative integration strategy</p> <p>Achieve a clearly articulated vision and Strategic Plan</p> <p>Achieve consistency between Annual Operational Plans and the Strategic Plan</p> <p>Achieve alignment of casework and policy work with the EDO's strategic goals</p> <p>Achieve effective systems to monitor and evaluate work</p> <p>Continue evidence-based programs</p> <p>Achieve a culture of reflective and adaptive management</p>	

**Goal 1.4: EDO Australia-Pacific has skilled and motivated people on Board and staff**

**Strategies**

- Establish a Nominations Committee to enable a transition to an Australia-wide skills-based Board
- Provide a safe and pleasant working environment
- Review salaries annually to take account of CPI increase, changes in Awards, pay is comparable to positions in similar organisations and reflects indexation increases in core funding
- Develop a methodology for ensuring that staff salaries are equitable across the organisation
- Ensure staff have access to professional development consistent with their needs, and an adequate budget is provided for this
- Identify and celebrate achievements
- Value and develop volunteers

**Performance Indicators**

- Board is selected on merit, based on nominations from across Australia
- Achieve safe and pleasant working environment, as demonstrated by review and survey processes
- Achieve and maintain salaries and conditions sufficient to facilitate recruitment and retention of quality staff
- Ensure staff develop professionally

**Time critical strategies - Years 1-5 (to be inserted in Operational Plans)**

**Goal 1.5: EDO Australia-Pacific has strong organisational systems**

**Strategies**

**Performance Indicators**

**Time critical strategies - Years 1-5 (to be inserted in Operational Plans)**

Maintain a dynamic website  
 Review internal processes to promote effective communication and coordination in order to enhance the quality of our work, avoid silos and increase the efficacy of the multi-disciplinary legal model  
 Review and update EDO Australia-Pacific policies and procedures on an on-going basis to ensure they reflect current needs and good practice

Maintain a Records Management System which provides effective knowledge management; enhances productivity; reduces duplication, paper consumption and risks associated with staff turnover  
 Maintain a Client Management System (CMS) to centralise up-to-date information on EDO Australia-Pacific’s contacts and support communications strategies  
 Maintain and continually develop our website to better support the role of EDO Australia-Pacific in capacity building and influence  
 Maintain up-to-date policies and procedures  
 Maintain CLC accreditation

**Goal 1.6: EDO Australia provides excellent value for money**

**Strategies**

**Performance Indicators**

**Time critical strategies - Years 1-5 (to be inserted in Operational Plans)**

EDO Australia-Pacific grows and builds its services through accessing diverse funding streams to undertake projects and supplement recurrent funding and donations

EDO Australia-Pacific grows and builds through maximising return on reserves through close monitoring of cash flows and securing optimal returns from secure investments

Review costs agreements to ensure that current commercial rates are charged where costs are awarded to EDO Australia-Pacific clients

Extract full value from a range of pro bono resources (barristers, experts and law firms)

Access in-kind donations and discounts from suppliers wherever possible

Maintain proper systems to ensure the effective use of volunteers to perform research and support work across all EDO Australia-Pacific functions

Work in partnership with overseas organisations to facilitate volunteer placements to build capacity in the Pacific

Achieve adequate resourcing of programs and projects

Maximise generated income, consistent with ensuring access to justice and working in the public interest

Effectively use pro bono and discounted goods and services

Effectively use volunteers in EDO Australia-Pacific work and to build capacity in Pacific organisations

**Goal 1.7: EDO Australia-Pacific is an environmentally responsible organisation**

**Strategies**

**Performance Indicators**

**Time critical strategies - Years 1-5 (to be inserted in Operational Plans)**

**Ongoing Strategies**

Measure the GHG footprint of EDO Australia-Pacific operations annually in accordance with agreed procedure  
 Implement specific strategies to reduce environmental footprint of operations – eg reduce consumption of energy and paper, increase recycling  
 Purchase carbon offsets  
 Develop partnerships with other legal organisations and courts and tribunals to reduce the environmental footprint of the legal sector (with an initial focus on reducing paper use)

**Performance Indicators**

Achieve a reduction in consumption of energy and other resources  
 Increase the use of recycled, recyclable and renewable resources  
 Increase recycling and re-use of waste  
 Decrease the environmental footprint of EDO Australia-Pacific

**Goal 1.8: EDO Australia-Pacific meets its governance responsibilities**

**Strategies**

**Performance Indicators**

**Time critical strategies - Years 1-5 (to be inserted in Operational Plans)**

Fulfill all statutory obligations including those relating to corporations, taxation, fundraising, employment and provision of legal services

Fulfill all contractual obligations to funders

Provide Board members with timely reports and proposals to enable them to make sound decisions and monitor the performance of the organisation

Delegated authority exercised by staff in a timely manner

Board approves annual budget and mid-year review

Audit annual financial statements and external examination of trust account completed in accordance with standards

Maintain adequate level of insurances

Maintain membership at a level not less than 60 for compliance purposes) but ideally at around 300-400 (see below)

Invite members from existing offices to automatically become members of EDO Australia-Pacific

Continue to meet statutory obligations

Continue to meet contractual obligations

Ensure timely decisions are made at appropriate levels in the organisation

Ensure the Board exercises its governance role

Maintain sound financial management and control

Continue to identify and manage risks

Maintain membership numbers at a level approved by the Board

## Objective 2: Effective legal protection of the environment<sup>2</sup>

### 2.1 Climate change and energy program

<b>Goal 2.1: An effective regulatory framework for climate change and energy</b>	<b>Strategies</b>	<b>Performance Indicators</b>	<b>Time critical strategies - Years 1-5 (to be inserted in Operational Plans)</b>
<p><b>Sub-goal 1:</b> An effective regulatory framework for climate change and energy includes:</p> <ul style="list-style-type: none"> <li>▪ mitigation measures that facilitate               <ul style="list-style-type: none"> <li>○ renewable energy initiatives</li> <li>○ energy efficiency initiatives</li> <li>○ the transition to a low carbon economy</li> </ul> </li> <li>▪ adaptation measures that increase resilience</li> <li>▪ a gatekeeper role for the Commonwealth around matters of national environmental significance (MNES) and other Commonwealth initiatives</li> </ul>			

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<sup>2</sup> Objectives 2, 3 and 4 of the ghost plan have an external objective – effectively protect, empower, lead and influence. The services of EDOs can be built into each of these objectives – for example, empower may mean getting someone into court (litigation), running a workshop (community legal education) or writing a briefing note advising on a major policy and law reform proposal. Similarly, communications actions are integrated into all four objectives, rather than being stand-alone. This is a different approach to most strategic plans from EDO offices which have as their objective providing litigation and legal services in X ways, undertaking policy and law reform in Y ways etc (see EDO WA objective 1, focus areas 1.1 to 1.5 and the structure of EDO TASs plan - 1 Education and Outreach, 2 Legal Advice, 3 Litigation, 4 Law Reform). The advantages of this structure is that all EDO solicitors and staff can have input on all aspects of the plan, avoiding silos and creating a deeper understanding of the work and values of the new entity.

## 2.2 Natural resource management program

### 2.2.1 Mining and coal seam gas

Goal 2.2: An effective regulatory framework for mining and coal seam gas	Strategies	Performance Indicators	Time critical strategies - Years 1-5 (to be inserted in Operational Plans)
<p><b>Sub-goal 2:</b> An effective regulatory framework for mining and coal seam gas includes:</p> <ul style="list-style-type: none"> <li>▪ a unified approach to the regulation of mining and coal seam gas supported by best available science</li> <li>▪ a scientifically-based regulatory framework</li> <li>▪ a proper balance between community and industry interests</li> <li>▪ an empowered community, through consultation and review rights, and open standing provisions</li> <li>▪ compliance and enforcement of current recommended practice</li> <li>▪ fully costed environmental impacts</li> <li>▪ a hierarchy based on avoidance first, then minimisation and mitigation</li> <li>▪ red light areas for high biodiversity and prime agricultural land</li> <li>▪ a gatekeeper role for the Commonwealth around matters of national environmental significance (MNES)</li> </ul>			



## 2.2.2 Biodiversity and native vegetation

Goal 2.3: An effective regulatory framework for biodiversity and native vegetation	Strategies	Performance Indicators	Time critical strategies - Years 1-5 (to be inserted in Operational Plans)
<p><b>Sub-goal 3:</b> An effective regulatory framework for biodiversity and native vegetation includes:</p> <ul style="list-style-type: none"> <li>▪ proper integration of biodiversity, native vegetation laws and planning laws</li> <li>▪ a scientifically-based methodology underpinning and/or informing decision-making, including for offset schemes and policies</li> <li>▪ good biodiversity outcomes deriving from a focus at the appropriate scale and supported by best available science</li> <li>▪ limited exemptions on clearing native vegetation</li> <li>▪ a unified regulatory framework for terrestrial and marine biodiversity</li> <li>▪ increased uptake of private conservation initiatives</li> <li>▪ significant penalties for non-compliance in line with other environmental laws</li> <li>▪ open standing and other community rights of enforcement and accountability</li> <li>▪ compliance and enforcement of current recommended practice</li> <li>▪ improved climate readiness of biodiversity conservation and native vegetation laws</li> <li>▪ separation of the institutional responsibilities for funding native vegetation conservation and management, and compliance and enforcement</li> <li>▪ a gatekeeper role for the Commonwealth around matters of national environmental significance (MNES) rather than through RFA and other processes</li> </ul>			

### 2.2.3 Water

Goal 2.4: An effective regulatory framework for water resources	Strategies	Performance Indicators	Time critical strategies - Years 1-5 (to be inserted in Operational Plans)
<p><b>Sub-goal 4:</b> An effective regulatory framework for water resources includes:</p> <ul style="list-style-type: none"> <li>▪ the legal prioritisation of environmental water over other uses</li> <li>▪ significant penalties for non-compliance in line with other environmental laws</li> <li>▪ open standing and other community rights of enforcement and accountability</li> <li>▪ a scientifically-based approach to the management of surface and underground water resources under the Murray Darling Basin Plan and under water sharing plans</li> <li>▪ compliance and enforcement of current recommended practice</li> <li>▪ the proper consideration of water in planning proposals</li> <li>▪ the periodic reassessment of water licences</li> <li>▪ a gatekeeper role for the Commonwealth around matters of national environmental significance (MNES)</li> </ul>			

### 2.2.4 Forestry

Goal 2.5: An effective regulatory framework for public and private forests	Strategies	Performance Indicators	Time critical strategies - Years 1-5 (to be inserted in Operational Plans)
<ul style="list-style-type: none"> <li>▪ Sub-goal 5: An effective regulatory framework for public and private forests includes:</li> <li>▪ a scientifically-based methodology underpinning decision-making supported by best available science</li> <li>▪ a precautionary approach in applying forestry methodologies</li> <li>▪ an accreditation scheme with ecologically sustainable forest management as the benchmark based on the highest levels of current recommended practice</li> <li>▪ open standing and other community rights of enforcement and accountability and, by extension, no privative clauses or exemptions</li> <li>▪ significant penalties for non-compliance in line with other environmental laws</li> <li>▪ compliance and enforcement of current recommended practice</li> <li>▪ stricter auditing requirements</li> <li>▪ a gatekeeper role for the Commonwealth around matters of national environmental significance (MNES)</li> </ul>			

## 2.3 Environmental planning program

Overall goal 2.6: An effective regulatory framework for environmental planning	Strategies <sup>3</sup>	Performance Indicators <sup>3</sup>	Time critical strategies - Years 1-5 (to be inserted in Operational Plans)
<p><b>Sub-goal 6:</b> An effective regulatory framework for environmental planning includes:</p> <ul style="list-style-type: none"> <li>▪ a focus on strategic planning</li> <li>▪ a facilitative approach to Ecologically Sustainable Development (ESD)</li> <li>▪ improved and objective environmental assessment</li> <li>▪ genuine community participation</li> <li>▪ transparent and accountable large-scale projects</li> <li>▪ a central role for specialist environmental courts and tribunals</li> <li>▪ a scientifically-based regulatory framework, such as a “maintain or improve” or “no net loss” environmental standard`</li> <li>▪ red light areas and no go zones for high biodiversity conservation and prime agricultural land</li> <li>▪ cumulative impact assessment</li> <li>▪ improved climate-readiness</li> <li>▪ the integration of planning with other regulatory frameworks</li> <li>▪ compliance and enforcement of current recommended practice</li> <li>▪ regular review</li> <li>▪ a gatekeeper role for the Commonwealth around matters of national environmental significance (MNES)</li> </ul>	<p>Advices and, where necessary, litigation in order to achieve outcomes in accordance with the environmental planning objective</p> <p>Use tribunal and related forums to highlight merits issues associated with environmental planning matters</p> <p>Submission work to government and policy engagement (such as stakeholder forums and evidence before inquiries) that reflects the environmental planning objective, as needed</p> <p>Consultancies for community and conservation groups that reflects the environmental planning objective, as needed</p> <p>Undertake media work to promote environmental protection through law for environmental planning and to articulate positions taken in policy work</p>	<p>Achieve quality submissions, Discussion Papers and Briefing Notes on planning with demonstrated impact</p> <p>Achieve quality and timely advices and litigation with demonstrated impact</p> <p>Achieve increased volume, quality and scope of media coverage regarding EDO Australia-Pacific work on planning</p>	

<sup>3</sup> The strategies and performance indicators are advisory only – providing guidance as to how the plan can be populated/filled in but not purporting to provide a top-down strategic plan which has no legitimacy or buy-in. Of course, objectives, goals and focus areas – and even vision and mission - could be seen in the same way – as advisory only.

## 2.4 Aboriginal culture and heritage program

Goal 2.7: Effective protection of Aboriginal cultural landscapes, culture and heritage	Strategies	Performance Indicators	Time critical strategies - Years 1-5 (to be inserted in Operational Plans)
<p><b>Sub-goal 7:</b> Effective protection of Aboriginal cultural landscapes, culture and heritage includes:</p> <ul style="list-style-type: none"> <li>▪ stand-alone legislation</li> <li>▪ institutional arrangements that vest responsibility with a recognised Aboriginal authority</li> <li>▪ strict liability offences for damaging Aboriginal culture and heritage</li> <li>▪ significant penalties for non-compliance</li> <li>▪ compliance and enforcement of current recommended practice, including open standing provisions</li> <li>▪ a proper process which addresses issues such as custodianship of culture and heritage, the distinction between culture and heritage, the definition of places of significance, who speaks for country and how this is recognised under law</li> <li>▪ a gatekeeper role for the Commonwealth around matters of national environmental significance (MNES) and other heritage laws</li> </ul>			

### Objective 3: Empowered community

Goal 3.1: The community has access to justice	Strategies	Performance Indicators	Time critical strategies - Years 1-5 (to be inserted in Operational Plans)
	<p>Maintain access to justice provisions in environmental laws through:</p> <ul style="list-style-type: none"> <li>▪ staffing the advice line, including assistance to disadvantaged clients</li> <li>▪ policy and law reform submissions</li> <li>▪ careful selection of cases in accordance with casework guidelines</li> </ul> <p>Use access to justice provisions in environmental laws through litigation and legal advice</p> <p>Extend access to justice provisions in environmental laws through:</p> <ul style="list-style-type: none"> <li>▪ pursuing appropriate litigation to empower the community</li> <li>▪ promoting value of provisions in policy work</li> <li>▪ litigation mechanisms, where appropriate (eg upfront or protective costs orders)</li> </ul> <p>Provide access to justice to community members involved in non-violent actions through representation and advice</p> <p>Across the Pacific, support the work of partner organisations in relation to access to justice issues through direct assistance and capacity building</p> <p>Assess the needs of remote communities regarding environmental law, and provide services as needed and within funding capacity</p> <p>Implement a communications strategy to ensure that the community is aware of EDO Australia-Pacific, its brand and the services it provides</p>	<p>Retain open standing etc provisions in existing and prospective environmental laws</p> <p>Extend open standing etc provisions through litigation in existing environmental laws</p> <p>Routinely use access to justice provisions in litigation</p> <p>Achieve increased capacity in partner Pacific organisations to undertake legal work on access to justice issues</p> <p>Achieve increased community awareness of EDO Australia-Pacific, and its services</p>	

**Goal 3.2: The community has current, accessible information on environmental law**

**Strategies**

**Performance Indicators**

**Time critical strategies - Years 1-5  
(to be inserted in Operational Plans)**

**Goal 3.3: The community participates in environmental decision-making**

**Strategies**

**Performance Indicators**

**Time critical strategies - Years 1-5  
(to be inserted in Operational Plans)**



**Goal 3.4: The legal and scientific community has an understanding of public interest environmental law issues**

**Strategies**

**Performance Indicators**

**Time critical strategies - Years 1-5  
(to be inserted in Operational Plans)**

**Goal 3.5: Specific communities –  
Aboriginal, rural and regional  
communities, and young people – have an  
understanding of environmental issues  
and their rights**

**Strategies**

**Performance Indicators**

**Time critical strategies - Years 1-5  
(to be inserted in Operational Plans)**

**Goal 3.6: Landholders have an understanding of private conservation options**

**Strategies**

**Performance Indicators**

**Time critical strategies - Years 1-5  
(to be inserted in Operational Plans)**

Goal 3.7: EDO Australia-Pacific and other EDOs (on the integration path) have capacity to engage in public interest environmental law issues	Strategies	Performance Indicators	Time critical strategies - Years 1-5 (to be inserted in Operational Plans)
	<p>Take a leadership role in assisting other EDOs to build their capacity, for example, through a mentoring role</p> <p>Develop Memoranda of Understanding with key EDO offices around collaborative arrangements</p> <p>Develop systems – including procedures and technologies - to work more collaboratively, share information and coordinate resources across the EDO network</p> <p>Transform and maintain the EDOs of Australia website to an EDO Australia-Pacific website to promote EDO work across Australia</p>	<p>Achieve increased capacity by EDOA and other EDOs to engage in public interest environmental law issues</p> <p>Achieve increased access to justice for communities around Australia</p>	

**Goal 3.8: Interested communities from the Pacific and South East Asia have the capacity to engage in public interest environmental law issues**

**Strategies**

**Performance Indicators**

**Time critical strategies - Years 1-5  
(to be inserted in Operational Plans)**

- Maximise learning opportunities arising in the course of providing direct assistance
- Deliver training (both short-term and long-term) for Pacific lawyers at EDO's offices
- Deliver training for Pacific lawyers in country
- Build capacity for NGO partners and conservation groups to engage in international negotiations, where feasible
- Build capacity in Pacific and other countries through volunteer placements
- Deliver governance and management support and training
- Promote EDO Australia-Pacific services in the Pacific
- Pursue fundraising and grantmaking opportunities for work in the Pacific and South East Asia

Achieve increased capacity by interested Pacific and South East Asian communities to engage in public interest environmental law issues

## Objective 4: Leadership & influence

<b>Goal 4.1: EDO Australia-Pacific is a respected and influential advocate regarding public interest environmental law</b>	<b>Strategies</b>	<b>Performance Indicators</b>	<b>Time critical strategies - Years 1-5 (to be inserted in Operational Plans)</b>
	<p>Undertake test cases that explore:</p> <ul style="list-style-type: none"> <li>▪ best practice approaches to access to justice</li> <li>▪ best practice approaches to environmental management and protection</li> <li>▪ the principles of ecologically sustainable development (ESD), and enhance the practical understanding of them</li> </ul> <p>Undertake proactive policy and law reform work in program areas including:</p> <ul style="list-style-type: none"> <li>▪ Discussion Papers [see further under Objective 2 above]</li> <li>▪ articles in journals and periodicals (for legal, industry, government and community audiences)</li> <li>▪ papers/presentations</li> </ul> <p>Engage constructively in government working parties, stakeholder and industry forums etc in program areas</p> <p>Appear before parliamentary inquiries in program areas</p> <p>Ensure policy work is research-based, supported by best available science, and informed by Indigenous perspectives and current recommended practice</p> <p>Build on existing body of policy and litigation work so as to increase reach and efficiency through doing papers, presentations and seminars in identified program areas</p> <p>Present at industry and government conferences and universities, particularly on program areas and on ESD principles</p> <p>Host thematic and topical seminar series on program areas, including industry, government and local speakers and groups, where relevant</p>	<p>Achieve status as influential advocate regarding public interest environmental law through undertaking the strategies above</p>	

**Goal 4.1: EDO Australia-Pacific is a respected and influential advocate regarding public interest environmental law**

**Strategies**

**Performance Indicators**

**Time critical strategies - Years 1-5 (to be inserted in Operational Plans)**

Early adopters of EDO Australia-Pacific take a leadership role with other offices in developing:

- appropriate governance arrangements to deal with challenges to EDOs
- services for matters of national significance and, otherwise, on a case-by-case basis where capacity is lacking
- fundraising and communications and administrative support to other offices, where feasible and desirable

Participate in regional efforts (working groups and projects) to develop environmental law and policy

Implement a communications strategy that shows a leadership and influencing role by:

- ensuring that all EDO Australia-Pacific staff are aware of, and reflect, EDO Australia-Pacific brand in their work and behaviour
- providing current, comprehensive and accurate information to stakeholders about current policy and law reform and litigation work and achievements
- showcasing and promoting EDO Australia-Pacific content – e.g. educational materials, publications, case notes
- using new forms of social media (such as Twitter and Linked In) to network with and narrow-cast to specific communities and to highlight EDO Australia-Pacific services and successes
- producing self-published material through an EDO Australia-Pacific blog