

Centre for Environmental Law and Community Rights

Final Evaluation Report

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Lilly Be'Soer
Yanny Guman
David Farrow

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Abbreviations

AGM	Annual General Meeting
BRG	Bismarck Ramu Group
CAN	Campaign, Advocacy and Networking
CBO	Community Based Organization
CELCOR	Centre for Environmental Law and Community Rights
CLE	Community Legal Education
DLA	Direct Legal Assistance
ED	Executive Director
EDO	Environmental Defenders Office
EFF	Eco-forestry Forum
ELAW	Environmental Lawyers Alliance Worldwide
ELC	Environmental Law Centre
FOE	Friends of the Earth
ICCO	Inter-Church Organization for Development Cooperation
ICRAF	Individual and Community Rights Advocacy Forum
IFI	International Financial Institution
LLG	Local Level Government
MOU	Memorandum of Understanding
NBPOL	New Britain Palm Oil Limited
NGO	Non government organisation
OD	Organizational Development
PACKARD	The Packard Foundation
PNG	Papua New Guinea
PRLR	Policy Research and Law Reform
PwM	Partners with Melanesia
RFN	Rain Forest Foundation Norway
SABL	Special Agricultural Business Lease
TOR	Terms of Reference
ToT	Training of Trainers
WNB	West New Britain

Report Summary

This report summarises the third evaluation commissioned by CELCOR and its main donors since the organisation was established in February 2000 on the initiative of the current Executive Director. Throughout those 12 years, the vision, mission and main objectives of the organisation have remained relatively consistent. CELCOR's mission states that it is:

Dedicated to promoting and defending environmental and customary rights in PNG through law and advocacy to ensure sustainable resource management for the benefit of present and future generations.

In the course of the evaluation field work, all but one of CELCOR's staff were interviewed at least once, and many on multiple occasions. The evaluation team also visited Oro and New Ireland provinces for meetings with local CELCOR partner organisations and CBOs and with members of communities who have experienced some of CELCOR's program. In Madang, one evaluation team member met with staff of NGOs with whom CELCOR has worked and with one of the two CELCOR staff members from its Madang office. In Port Moresby discussions were held with senior staff of the NGOs who have been most closely associated with CELCOR's work.

The evaluation Terms of Reference described the objectives of the evaluation as:

- To provide an overview of strengths and weaknesses in internal management, and recommendations for how challenges can be addressed and the organisation can improve.
- To provide an overview of the strengths, weaknesses, challenges and gaps in project implementation, and recommendations for how weaknesses can be addressed.

The time and resources available for the evaluation did not allow for a detailed assessment of CELCOR's program outcomes. Rather, it has been focused on the main content of the evaluation objectives, that is, the organisational and program implementation aspects of CELCOR's operations. It is important for readers to note that this almost inevitably leads to a "tough", but constructive, critical assessment of organisational performance along with a concomitant understatement of outcomes achieved by the program. The evaluation team was of the view that this approach will be of most value to CELCOR in strengthening its organisational and implementation capacity.

Findings

It is clear from the findings of this evaluation that CELCOR has the opportunity and the potential to play an important role in the continuing struggle for environmental commonsense and justice for rural communities. Its focus on working with communities gives it a practical credibility and knowledge that is not so readily available to other environment-focused organisations.

In our opinion, the latent potential of the CELCOR "model" can be realised and be of great benefit to PNG society provided that prompt and firm action is taken to address organisational and program issues identified in the evaluation. The services that it tries to offer to PNG communities under threat from resource "developers" are in demand but, to date, the organisation has struggled to meet expectations – its own and those of others.

The main findings of this 2011 Evaluation are that:

- There is an increasing need for the campaigning, advocacy, community education and litigation skills and capacity that CELCOR seeks to provide in the face of increasing pressure from private

companies and government on customary land owners for access to their forests and land resources

- CELCOR is able to demonstrate some success in each of these areas in its 11 years of operations, including a number of significant campaign and legal victories. Its staff are skilled and knowledgeable about their work and committed to CELCOR's vision and mission
- CELCOR's "productivity" throughout this time however, has been stifled by inadequate attention to fundamental features of successful organisations – particularly effective management, planning and internal communication. These problems are long-standing and have been high-lighted in previous evaluations in 2005 and 2008 but attempts to address them have been relatively unsuccessful
- If they are not properly addressed following this evaluation there is a serious risk that the organisation's capacity and performance will continue to decline due to: the loss of competent, experienced staff; decreasing support from donors; and reduced confidence of partner organisations.
- CELCOR is an important component of the environment movement in PNG and has the potential to become a powerful local agent of change. However, the solid base required for this role to be realised can only be built if decisive action is taken by CELCOR, well-supported by its main donors, to address the organisational and program weaknesses identified in this report.

The evaluation includes many recommendations. They are not, of course, independent of each other and successful implementation of the major recommendations will, likely as not, see many of the others flow on readily and quickly as direct consequences of improved functioning of the organisation. The greatest need is to create the conditions for an "enabling" organisational environment, providing the best possible circumstances within which staff and programs can flourish. Essential changes that will underpin this are:

Leadership and management To survive and prosper CELCOR must have high-quality modern management and leadership at all levels that is committed to the organisation's objectives; works constructively with staff; delegates authority appropriately; and is collectively strong in upholding the agreed principles, decisions and practices of the organisation.

Planning, implementation and decision-making Planning needs to form logical and realistic links between CELCOR's vision and mission; the capacity of its staff; the resources available to the organisation; the environmental and legal tasks it chooses to take on; and the activities it designs to do this. Plans should be regularly revised as implementation unfolds (the outcomes of which are almost always unpredictable) and circumstances and context change. Decision-making processes need to be appropriately broadened so that staff experience greater "ownership" of the organisation and the work (which, in turn, strengthens commitment).

Internal communication Procedures are needed to ensure that every staff member has an understanding of CELCOR's program and the reasons for its particular "content" at any time (why is this campaign important; why is that litigation being pursued; why are we conducting community education in these communities, etc). Staff also need to be kept informed of emerging issues or circumstances that are likely to affect their work or their personal circumstances.

Recommendations

All of the evaluation recommendations are listed here for convenience, referenced by the section headings under which they occur in the text. To understand their origin and purpose it is important that they are read in conjunction with their supporting findings and analysis in the relevant section.

2.1.1 (a) Improving management skills and awareness of good management at all levels

1. *The CELCOR Board should begin the process for recruiting a new ED as soon as practicable in order to allow time for at least two weeks overlap with the current ED and familiarisation with CELCOR's program and methods prior to the 2012 Strategic Planning workshop currently planned for February or March 2012.*

The 2012 Strategic Planning workshop is likely to be an important event in commencing the implementation of many of the evaluation recommendations. Thus, it is also recommended that if necessary, it is delayed until the new ED is appointed and available to attend.

2. *Clear criteria for a successful applicant should be agreed by the Board prior to the commencement of recruitment. To begin this process, we suggest consideration of the following requirements and qualities:*

- *successful management experience within a successful organisation (attested by referees)*
- *a "people-centred", transparent, mentoring, "listening" approach to management within ...*
- *a person who will be resolute in upholding the organisation's values; insists on high (but achievable) standards; and is able to make clear decisions after appropriate consultation*
- *commitment to CELCOR's vision and mission*
- *demonstrable leadership qualities.*

3. *We do not see a need to recommend changes to the macro structure of CELCOR at this stage. However, the new ED and staff should participate in a comprehensive review of the organisation's structure; functions (including the four component programs and their interrelationships); internal management; and management training needs as soon as practicable. It may be most effective to incorporate this with a detailed review and assessment of the findings and recommendations of this evaluation. As both these processes are likely to affect the nature and outcomes of the strategic planning process it would be preferable if they occurred prior to this.*

4. *Strengthening CELCOR's organisational and program management capacity should involve managers or coordinators in a mix of formal training; mentoring and short-term placement in other organisations. It should be an iterative process, as far as practicable tailored for each managers needs, and not a "one-off", one-size-fits-all approach.*

2.1.1 (b) Improving strategic planning, program coordination and plan implementation

5. *CELCOR's next Strategic Plan (for the period starting in 2012) needs to be of a form and with content that can provide guidance for decision-making about what the organisation will do at any time; why (for what purpose, especially with respect to CELCOR's vision, mission and overall goals); with whom; and where in PNG. A decision to undertake activities that fall outside the ambit of the Strategic Plan should only occur after due consultation and consideration by the Management Team of the strategic, program, staffing and budgetary impacts of the activity.*

6. *The best Strategic Planning outcomes are likely to be obtained if the process is facilitated by a person from outside CELCOR with good strategic planning expertise and good facilitation skills.*

7. *The resulting plan should be formally reviewed each year in a facilitated process involving the staff and Board and revised as necessary. This is probably most effectively done in the Annual Planning Workshop prior to the development of the Annual Plan for the coming year. A corollary to this is that each year's Annual Plan should be closely linked to the Strategic Plan but incorporating a greater level of detail – that is, describing what will actually be done in order to advance the implementation of CELCOR's strategies (set out in the Strategic Plan) for achieving its objectives and mission.*

2.1.1 (c) Establishing standard and inclusive decision-making procedures

8. *The Management Team should be formally constituted as the main decision-making body within CELCOR (apart from some specific decision-making powers that, for clear organisational reasons, need to be retained by the ED) and should meet at a fixed time at least every two weeks, but more frequently when circumstances make this necessary. The meetings should be held as scheduled as long as a quorum is present. A quorum should be at least half of the members. All decisions should be minuted including brief notes of arguments for and against each decision and details of who is responsible for taking action on the decision. Minutes should be circulated to staff (except for items that may be unsuitable for general circulation eg. were they include matters of a personal or private nature).*

2.1.1 (d) Improving communication and cooperation throughout CELCOR

9. *Staff meetings should be held at a fixed time each month (for example, 9am on the first Tuesday of each month). The main content of the meetings will be a report or presentation by each section (including a report on any completed patrols) followed by questions and discussion. The agenda should also include a brief review of progress in implementation of the Annual Work Plan and a short time for discussion of internal administrative issues. Important items of discussion and any decisions should be minuted and circulated to staff.*

2.1.1 (e) Establishing consistent HR policies and practice

10. *In order to become strong and remain viable, CELCOR is at a stage where it needs to address its Human Resource Management responsibilities. We recommend that this takes the form of:*

- *A review of staffing needs in relation to the new Strategic Plan and proposed programs for the organisation starting in 2012*
- *The responsibility for staffing and HRM matters to be delegated to an appropriate staff member (probably in the F&A section, however this is a decision for the incoming ED) who should receive training in basic HR management principles and practice*
- *The implementation of basic HRM procedures (at least job descriptions, contracts and possibly an effective grievance procedure in which staff can have confidence) for all staff as soon as practicable in 2012*
- *Research and gradual development of an appropriate feedback and appraisal process for CELCOR sections and staff. This does not necessarily imply an individual "performance appraisal" process which may well be considered impractical or inappropriate. There are also peer and group based methods that may be more suitable for providing constructive, systematic appraisal. The important issue is that staff are able to get constructive, reasonably objective feedback about their role in and contribution to the organisation.*
- *An induction and mentoring process for interns and new staff is developed and implemented as soon as practicable.*

2.1.1 (f) Update the Staff Policy and Procedures Manual

11. *The Staff Policy and Procedures Manual should be reviewed in order to reflect changes to CELCOR's procedures and practices as a result of the implementation of recommendations arising from*

this evaluation. In particular, statements related to “Core Values and Principles” should be written in more practical and realistic terms. Organisational decision-making procedures adopted following this evaluation should be incorporated into the Manual.

2.1.2 (b) Vehicle management

12. An effective system of vehicle management and allocation (with appropriate checks and balances) should be designed and committed to by all staff and managed by the F&A section. The initial system should be trialled for six months then reviewed and revised as necessary.

2.1.3 NGOs and Alcohol

13. In order to protect the reputation of the organisation and the quality of its work, CELCOR should adopt a policy of zero tolerance of alcohol misuse by any staff while engaged in CELCOR work or while representing the organisation or its partners at workshops, conferences or meetings. Breaching the policy would mean dismissal from the organisation. “Alcohol misuse” is deemed to be that which leads to behaviour that is disrespectful of staff of CELCOR or other organisations or that otherwise brings CELCOR into disrepute.

14. The Board of Directors should be responsible for implementing the policy and investigating any reported breaches brought to the attention of the Board by CELCOR staff members or staff of partner organisations.

15. The CELCOR staff manual should be amended to include a specific and separate section on the expectations and responsibilities of staff with respect to alcohol and the fact that dismissal from CELCOR is the consequence for not conforming.

2.1.4 The role of the Board of Directors in implementation of the evaluation recommendations

16. The Board of Directors should: in conjunction with CELCOR staff, review and revise where necessary, the evaluation recommendations; appoint a sub-committee to oversight implementation of the final recommendations; regularly monitor implementation at subsequent Board meetings; and participate in implementation review workshops at approximately six and 12 months after the recommendations are finalised.

2.2.1 (a) Strategic Planning

Implementation of recommendations 5, 6, 7, 8 and 9 above should also ensure a more strategic approach to program implementation in general accord with suggestions in this section.

2.2.1 (b) Program Coordination

17. In recognition of the effects of changes proposed for CELCOR’s organisation and program, the role and resources of the current program coordination unit should be expanded so that it can, in addition to its existing tasks, oversee the implementation and monitoring of the strategic and annual plans and ensure that the outcomes of CELCOR’s work are progressively assessed.

2.2.1 (b) What kind of community engagement?

18. All CELCOR field staff – that is, any staff required to participate in campaign, legal, education or other activities with communities – (but, if possible, all CELCOR staff) should be provided with training in effective community processes by BRG or another organisation or people with equivalent skills and understanding of the processes involved.

19. In order to maximise community mobilisation and partner organisation capacity development, whenever possible CELCOR should seek to work with communities in conjunction with other community

development organisations. This should be a consideration in strategic planning and annual work planning.

2.2.1 (c) Effectiveness of CBOs as vehicles for change

20. CELCOR should reduce emphasis on establishing and working with CBOs unless there are clearly assessable indicators of its likely success eg. an existing successful organisation; respected, popular, competent and committed leaders; or both. Instead, CELCOR should focus on working with existing village structures and leaders using skilled community processes that constantly emphasise the need for community self-reliance. This will demand skills from staff developed, in part, during their community development training.

21. As part of (or prior to) the 2012 strategic planning process it will be useful for CELCOR to review current relationships with its communities and CBOs (roles, level of activity, strengths, weaknesses, etc) as these may be affected by 2012 planning decisions.

2.2.1 (e) Gender considerations in the CELCOR Program

22. CELCOR should provide gender training for all staff. Ideally:

- Initial training should be conducted in two parts with several weeks in between to allow time for reflection and initial work on applying gender considerations within the program and the organisation
- The training should be conducted before the 2012 Strategic Planning Workshop but, if this proves logistically difficult the Strategic Plan should be formally revised by staff using a “gender lens” following the training
- The training should be conducted by an experienced Papua New Guinean gender training expert with intimate knowledge of local gender issues
- A follow-up workshop to support the integration of new understandings and practices into CELCOR’s work should be conducted approximately six months after the training and then every 12 months (preferably shortly before the annual strategic plan review and work planning workshop)

2.2.1 (f) Other program management issues – Enhancing program monitoring and evaluation

23. CELCOR, with donor support, should consider obtaining professional advice (possibly a series of short-term inputs over 12 months) to strengthen its monitoring and evaluation capacity and program design capability.

2.2.1 (f) Other program management issues – Consultancy work by CELCOR staff

24. A detailed cost/benefit analysis should be conducted of CELCOR’s consultancy work and its future prospects in order to assess whether, on balance, it is an effective means of enhancing the extent and effectiveness of the organisation’s activities.

2.2.1 (f) Other program management issues – Regional Offices

25. The Madang office should be closed as soon as current commitments allow and staff relocated to Port Moresby (if able to do so). Instead, resources should be directed to improving the quality and extent of collaboration with like-minded organisations and, when program activities require greater presence in a particular region or district, the use of extended and multiple field trips or the establishment of a temporary field office or other comparable strategies should be considered.

2.2.1 (f) Other program management issues – Effective use of media

26. With assistance from suitable experts, CELCOR should review, and revise where necessary, all aspects of its current approach to dissemination of information and messages and the various media

and techniques that it uses. The review should result in new strategies as well as procedures and guidelines to facilitate timely and responsive “media” action whenever opportunities are available. The value of the CELCOR website as a media tool should also be assessed and, if judged to be an important vehicle, the necessary commitments (of training and resources) should be made to ensure its regular updating.

2.2.1 (f) Other program management issues – Accepting and responding to requests for assistance

27. To build CELCOR’s reputation as a reliable and responsive organisation; to provide timely feedback to potential clients; and to assist in maintaining the integrity of CELCOR’s strategic and annual work planning, a standard procedure should be developed for assessing and responding to all incoming requests for assistance. The procedure should be conducted by the Management Team; regularly enacted; and based on an agreed set of criteria for selecting those requests for which CELCOR will provide support.

2.2.2 (a) Community Legal Education (CLE)

28. Following the forthcoming 2012 strategic planning process the CLE program should be revised to ensure that its focus and plans are properly integrated with CELCOR’s agreed strategic direction and priorities and that the content of its ‘learning and mobilising opportunities’ for communities is able to meet the needs of CELCOR’s overall program.

29. Implementation of the CLE program should be redesigned (in conjunction with appropriate advice from experienced organisations and practitioners) to ensure more comprehensive and effective delivery of ‘learning and mobilising opportunities’ for communities, CBOs or umbrella groups, eg. through the use of a series of connected activities conducted over several months.

30. CLE activities should only be facilitated by staff experienced in community and adult education and difficult technical material should not be presented to inappropriate audiences or at inappropriate times eg. during community-wide workshops.

31. The training skills and resources of CLE team could benefit from reviewing the kinds of innovative teaching materials produced by, for example, the organisation ‘Little Fish’ (the content of their best known resource, ‘The Moni Stori’, itself may be of limited value to the CLE program but it is an example of an approach suitable for use with village communities)¹.

32. The CLE team should be augmented by an additional staff member and, when available, a suitable intern.

2.2.2 (b) Direct Legal Assistance (DLA)

33. To remain viable in litigation work, CELCOR’s DLA Office has to be resourced and managed so that it can function as effectively and professionally as a private law firm engaged in environmental law. If this level of functioning cannot be established within about six months and maintained, litigation work should be briefed out to private law firms while CELCOR retains the solicitor’s (case preparation) role.

34. Cases to be investigated and potentially litigated should be selected by the Senior Lawyer in consultation with the Management Team. Criteria for selecting cases should include, at least: the strategic requirements of CELCOR and the wider environment movement in PNG; the implications of the case for each of CELCOR’s program components; the nature and circumstances of the case and the communities involved; and the capacity of the DLA team to proceed with the case at the time.

35. The eventual merger of ELC and CELCOR has the potential to result in a stronger, better focused and more efficient NGO environmental law and litigation capability. Apart from informal discussions however, it is likely to be counter-productive to embark on such a process before both organisations are stronger and better managed than at present. It is recommended that, at a suitable time within

¹ The Little Fish website is at <http://www.littlefish.com.au/web/home.html> .

approximately the next 12 months, all aspects of the feasibility of and possible process for such a merger be explored through a joint-consultancy reporting to the Boards of both organisations.

2.2.2 (c) Policy Review and Law Reform (PRLR)

36. The role of the PRLR function and the most effective way to make use of its experienced staff should be reviewed early in the tenure of the new ED and preferably in conjunction with the strategic planning deliberations in 2012.

37. A general review of support staff functions and capacity in relation to program needs throughout CELCOR should also be undertaken and additional administrative support provided if necessary.

38. Consideration should be given to transferring responsibility for the Marine Protected Areas project to the CAN section, with policy and legal review services provided by the PRLR section when required.

2.2.2 (d) Campaign, Advocacy and Networking (CAN)

39. The CAN component program should be reviewed following the appointment of the new ED (and probably as part of the 2012 strategic planning process). The review should include the desired role for CAN in pursuing the vision, mission and goals of CELCOR; establishing realistic limits and priorities for the content of the program; and the structure and staffing of the section.

1. Introduction

1.1 CELCOR Background

The Centre for Environmental Law and Community Rights (CELCOR) was established at the initiative of the current Executive Director (ED) in February 2000. Following many years involvement with local NGO Partners with Melanesia (PwM), the ED, acted on a perceived need for accessible and affordable legal assistance and advocacy for Papua New Guinean customary land owners. This was to back-up landowners – vulnerable through lack of understanding of PNG laws and the legal system and lack of money – in combating the influence and frequent corrupt practices employed by private (most commonly international) companies seeking to exploit the natural resources of the country. CELCOR had been preceded by two organisations with similar *raison detre* and overlapping program objectives: Individual and Community Rights Advocacy Forum (ICRAF) established in the late 1980s and Environmental Law Centre (ELC) which had been set up in 1999. Initially, CELCOR and ELC worked together on a number of legal cases but, as CELCOR’s program broadened to include community legal education and issues-based campaigning, the development of the two organisations proceeded more and more independently.

Under the ED’s guidance, early success brought pressure to build and maintain an increasing stream of donor funding to support growing demand and a widening field of operations – both geographically and with respect to issues being addressed. Eventually there were as many as 10 donors supporting CELCOR’s work, resulting in onerous management and reporting requirements and difficulty in maintaining clear program focus.

The first evaluation of the program and the organisation was conducted in 2005² and in subsequent years CELCOR sought to reduce the number of donors upon whom it was reliant. At the time of this evaluation it had been reduced to three major donors³.

CELCOR’s vision and mission have remained relatively consistent throughout (Box 1) and the organisation also subscribes to a set of “Core Values and Principles”⁴ although, as will become clear from the findings of this evaluation, these have proven difficult to maintain, setting as they do, a demanding challenge for any organisation.

The main objectives of the program have also remained

Box 1: CELCOR Vision and Mission

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

Mission Dedicated to promoting and defending environmental and customary rights in PNG through law and advocacy to ensure sustainable resource management for the benefit of present and future generations.

(2010 CELCOR Annual Report)

² The 2005 Evaluation made recommendations about strengthening the focus of CELCOR’s program and being more strategic in deciding in which issues and cases to engage. Progress in this and other 2005 Evaluation recommendations are summarised in Annex 3.

³ These are Rainforest Foundation Norway (including program and core funding); ICCO (work related to International Financial Institutions –IFIs); and the Packard Foundation (marine resources conservation). A decision was pending on funding from the DOEN Foundation for continuation of the Oil Palm campaign and a proposal was about to be submitted to AusAID’s *Savim Pipol, Savim Nesin* facility for funding to support components of the Community Legal Education program.

⁴ These are: (1) We believe in transparency and a participatory and collaborative approach at all levels of interaction (2) We are committed in striving for excellence (3) Being accountable to all stakeholders and exercise professionalism, commitment, integrity and honesty at all times (4) We believe in equality by demonstrating sensitivity and respect in all facets (5) We believe in fairness, justice, accountability and transparency in all our work (2006-2008 CELCOR Strategic Plan).

consistent (Box 2) and, likewise, division of the program into four components (Box 3). The components (or even specific activities within a component) are often funded by different donors but are intended to be inter-linked and complimentary in implementation. The effectiveness of this approach is discussed under several headings in Section 2.

Between 2005 and 2009, program objectives set out in successive Strategic Plans describe a shift in emphasis from predominantly legal advocacy and education towards a more strongly campaign focused approach⁵. However, this apparent change in emphasis has had only a marginal effect on organisational practices and program implementation.

1.2 The evaluation task⁶

The evaluation Terms of Reference describe the objectives of the evaluation as:

- To provide an overview of strengths and weaknesses in internal management, and recommendations for how challenges can be addressed and the organisation can improve.
- To provide an overview of the strengths, weaknesses, challenges and gaps in project implementation, and recommendations for how weaknesses can be addressed.

More specifically, in relation to management of the organisation and the four program components, the evaluation was asked to review the effectiveness of:

- The organization's development and its capacity in handling and implementing the program.
- The roles and responsibilities of program staff: definition, scope, appropriateness and workability
- Planning within CELCOR and how it can ensure that programs are being carried out according to plan.
- Quality assurance within CELCOR for proposals, project implementation, reporting, financial management/auditing etc. Is there any system for ensuring the quality of what is being done?
- The flow of information between management and employees
- Internal review/evaluation (if any) of program implementation and outcomes.

In addition, it has been agreed that ICCO will conduct a

⁵ See Annex 1.

⁶ The full Terms of Reference for the evaluation are included in Annex 2.

Box 2: CELCOR Long-term Objectives

1. Environmental, Customary and Community Rights in PNG are promoted, secured and defended.
2. Just and responsive Environmental Laws and Policies are advocated and promoted in PNG.
3. Environmental issues are publicly exposed to secure support of stakeholders at all levels and problems arising from development of resources are resolved through the use of law and appropriate dispute resolution.
4. Established and strengthened Networks with other like-minded organizations at all levels including training and skill sharing of Public Interest minded lawyers, individuals and communities.
5. Strengthened Organisational Structure and Systems at all levels.

(2011 Evaluation Terms of Reference)

Box 3: CELCOR Core Programs

1. Direct Legal Assistance (DLA)

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

2. Policy Research and Law Reform (PRLR)

To analyse, research and develop policies relevant for the protection of community based property rights, protection of the environment and promotion of community based natural resource management.

3. 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.

4. 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.

review of CELCOR's financial management procedures and performance⁷, the findings and recommendations of which are to be included in this report if they are available in sufficient time.

1.3 Information collection

Following initial review of CELCOR documentation, two of the evaluation team members met in Port Moresby on Tuesday 13 September to finalise planning of field work and information collection. The third team member joined the team on the following day⁸.

Field work included visits to communities that had been assisted by CELCOR during the previous 10 years in Collingwood Bay; Popondetta; New Hanover and the northern part of "mainland" New Ireland Province. Meetings were also conducted with representatives of six CBOs in Collingwood Bay and, in Popondetta, CBO representatives from Managalas communities and the Managalas Development Foundation. Representatives of Oro Conservation and Environment Advocacy Network (OCEAN) and the Women in Oil Palm Association (WOPA, in both Popondetta and New Ireland) were also interviewed.

Within CELCOR, discussions were held with all of the Port Moresby staff and one of the two staff in Madang – most on at least two occasions. In addition, interviews were conducted with senior representatives of NGOs with whom CELCOR is in regular communication or cooperation⁹.

Further documentation was collected and reviewed as the evaluation progressed, including a summary by each of the program teams of their progress in implementation of the 2009-2011 Strategic Plan activities. The field work concluded with a one-day workshop with staff to review the evaluation's main preliminary findings and to begin some initial work on how CELCOR might evolve over the next few years.

The evaluation team worked together for most of the three weeks of the field work except during the New Ireland and Madang visits which were held at overlapping times. When together, the team debriefed about each day's events during the evening. While in Port Moresby, these discussions were often enriched by the participation of RfN representative Rune Paulsen and CELCOR's Organisational Development consultants Natalie Moxham and Gabriel Iso¹⁰.

1.4 A note on the scope of the evaluation

Given the main objectives for this 2011 Evaluation, the time and resources available did not allow for a detailed assessment of CELCOR's program outcomes¹¹. Also, very early in the evaluation it became clear that the most important determinants of CELCOR's effectiveness and hence, the outcomes of its program, were management and planning and the interplay between these two most difficult of areas for any organisation – let alone for a small, advocacy-orientated NGO in PNG. As interviews unfolded, it was evident that all of CELCOR's work – the successes as well as activities that did not work out according to the script – was affected by these overarching factors. They had been similarly noted in the 2005 Evaluation.

As a result, the evaluation team chose to focus more on these aspects – at the expense of a more detailed analysis of the effects of the program for intended beneficiaries. This report reflects that

⁷ Scheduled to take place in the week of October 24 2011.

⁸ Team members were Lily BeSoer, Yanny Guman and David Farrow.

⁹ A list of people interviewed is included in Annex 7.

¹⁰ An itinerary for the evaluation field work is included in Annex 8.

¹¹ For example, this would have, at least, entailed field visits to additional sites.

emphasis and deals mainly with organisational and program management changes we believe will be necessary to enable CELCOR to provide consistently good outcomes for communities and organisations with whom it engages. It is important for readers to note that this almost inevitably leads to a “tough”, but constructive, critical assessment of organisational performance along with the concomitant understatement of outcomes achieved by the program.

2. Evaluation Findings, Analysis and Recommendations

It is clear from the constant stream of requests for assistance received by CELCOR¹² that people in rural communities want the legal, education and campaign services that CELCOR can provide. In addition, NGO and CBO representatives interviewed for this evaluation were unanimous in expressing the need for an effective legal assistance and campaigning organisation to support and complement their own work. In the past few years there have been notable successes – for example the legal victory in the Kiunga-Aiambak logging compensation case and success in pressuring the government to establish a Commission of Inquiry into the Special Agricultural Business Leases (SABLS). CELCOR also maintains an active network with national and international NGOs including environmental law organisations such as the Environmental Defenders Office (EDO) in Australia and the Environmental Lawyers Alliance Worldwide (ELAW).

From CELCOR's point of view, the organisation is potentially strong – more than 10 years of experience; many committed, knowledgeable staff; successful campaigning and court cases – but, as in the case of many NGOs of comparable characteristics and history, the organisation is being undermined by its inability to successfully plan and manage its program. This is the crux of the main findings of this evaluation. If the problems related to planning and management that are detailed in this report can be satisfactorily addressed then we believe that CELCOR's latent potential – so far unrealised – can transform it into a stronger, more effective and more accountable organisation. An organisation that will have a continuing important role in the struggle against corruption and bad policy in the exploitation of PNG's natural resources and the accompanying abuses of customary land rights.

This main section of the report is divided into two parts. The first part, Section 2.1, deals with aspects of CELCOR's organisation and recommends changes to improve its functioning. Section 2.2 reviews the implementation of CELCOR's program. In accordance with the major tasks assigned to the evaluation, a detailed analysis of the outcomes achieved by each of the four component programs has not been undertaken but is adequately reported in the various reports to donors over the past several years.

2.1 The Organisation

CELCOR is a small organisation with a potentially powerful intent. Staff are competent and many now have five or more years of experience with the organisation. In general, they enjoy working for CELCOR¹³ and are able to work well together most of the time. Like many organisations of similar provenance however, CELCOR's effectiveness has been severely compromised, if not at times crippled, by difficulties in planning and management. Fast growth coupled with an inevitable focus on the imperatives of legal action, campaigning and awareness-raising have led to neglect in developing the skills and knowledge essential for successfully creating and managing a strong, dynamic and responsive organisation and, at the same time, providing an enabling environment for recruiting, mentoring and retaining staff.

The literature on NGOs and non-profit organisations indicates that successful organisations – even small ones such as CELCOR – need to work towards: (a) quality, people-centred management including human resource management that is geared to the organisation's needs while responsive to and

¹² At both Madang and Port Moresby offices and through staff in the field.

¹³ The most common reasons given were about wanting to assist in improving the lives of fellow Papua New Guineans and positive feelings about working with other CELCOR staff.

respectful of staff; (b) consultative, transparent decision-making processes; (c) effective planning and plan implementation; (d) open communication throughout the organisation¹⁴.

It is noteworthy that, addressing similar issues in the 2005 Evaluation Report, it was observed that: *Issues ... relate to the lack of clarity around lines of accountability, lack of coordination between program areas, communication difficulties, and lack of participatory decision-making processes*^{15 16}. The 2008 evaluation, while mainly focused on assessing the achievement specific program targets, also noted the existence of CELCOR's management problems and generally endorsed the findings of the 2005 Evaluation. The persistence of these issues warns of the need for decisive action.

2.1.1 General considerations for organisational strengthening

This 2011 Evaluation found few problems with the macro structure of the organisation (ie. Executive Director, four component programs and a finance and administration section) but it is clear that a major opportunity to strengthen the organisation was missed in the years following 2005 because the issues identified in the current evaluation correspond closely to those listed above. This section discusses the evaluation findings and recommendations for CELCOR with respect to each of the "successful organisation" characteristics noted above¹⁷.

(a) Improving management skills and awareness of good management at all levels

CELCOR decision-making is highly centralised. The Executive Director (ED) continues to hold on to almost all management responsibility within programs and administration in addition to partially fulfilling the role of Principal Lawyer¹⁸. None of the staff with notional "management" responsibility within the component programs nor the ED has had any significant management training and, if they are aware of the roles and responsibilities of an effective manager, these are rarely being practiced. The Management Team (consisting of the ED and the coordinators of each of the other sections) is considered ineffective by other staff and also by most of the Management Team members. There is no tradition or experience of "professional" management nor awareness of the benefits and power that it can bring to an organisation.

CELCOR was created as a result of the initiative of the current ED, and his commitment to natural resource conservation and defence of customary land rights has been instrumental in guiding the organisation since its formation. He recognises that management is not his strength and has said that he would prefer to work where his strengths lie – in more hands-on roles of campaigning; building alliances; and legal work. Two previous attempts to facilitate this change and employ an ED with appropriate experience purely to "manage" the organisation were unsuccessful. Various reasons have been advanced to explain these outcomes but it is likely that inappropriate selections were a factor in each case.

One of the most important findings from the evaluation is that many of the organisation's problems stem from lack of attention to good management practice at all levels. This is the third evaluation in which this has been identified as the key weakness in the organisation. The need to employ a person

¹⁴ See the literature on leadership, management and organisational development for NGOs and non-profit organisations for various renderings of good management principles for NGOs and non-profit organisations.

¹⁵ CELCOR Evaluation of Program Activities Supported by Rainforest Foundation Norway, April 2005, p vii.

¹⁶ Comparison with other recommendations from the 2005 Evaluation will be made from time to time in this report. A summary of the April 2005 recommendations with brief notes on their continuing relevance and progress in their implementation is included in Annex 3.

¹⁷ This section incorporates discussions with CELCOR's organisational development consultant at the time of the evaluation and may need to be adapted as that process continues to unfold.

¹⁸ The 2005 Evaluation Report also noted that "The ED is overburdened by attempting to manage program, legal and administrative aspects of the organisation".

as ED who has excellent knowledge of, and skills in, modern management practice is imperative for the continued survival of CELCOR. The expressed intention of the current ED to move on from the organisation, the stage of development of CELCOR, and the ever-increasing complexity of its operational context makes it the appropriate time for CELCOR's Board to employ an experienced management professional, female or male, who can bring increased coherence and coordination to the organisation, and who can help to train and mentor other staff into organisational and program management roles. If this is not done, evidence from the evaluation indicates that CELCOR will be at serious risk of losing talented and experienced staff; the confidence of donors; and the trust of partner agencies.

The recruitment net should be cast as wide as possible – the most suitable candidate may not have environmental or legal experience (but would need to demonstrate commitment to CELCOR's vision and mission). For example, they may come from the private sector, government or academia but the most important consideration should be that they can demonstrate ability in managing organisations and people and programs.

Recommendations

1. *The CELCOR Board should begin the process for recruiting a new ED as soon as practicable in order to allow time for at least two weeks overlap with the current ED and familiarisation with CELCOR's program and methods prior to the 2012 Strategic Planning workshop currently planned for February or March 2012.*

The 2012 Strategic Planning workshop is likely to be an important event in commencing the implementation of many of the evaluation recommendations. Thus, it is also recommended that if necessary, it is delayed until the new ED is appointed and available to attend.

2. *Clear criteria for a successful applicant should be agreed by the Board prior to the commencement of recruitment. To begin this process, we suggest consideration of the following requirements and qualities:*

- *successful management experience within a successful organisation (attested by referees)*
- *a "people-centred", transparent, mentoring, "listening" approach to management within ...*
- *a person who will be resolute in upholding the organisation's values; insists on high (but achievable) standards; and is able to make clear decisions after appropriate consultation*
- *commitment to CELCOR's vision and mission*
- *demonstrable leadership qualities.*

3. *We do not see a need to recommend changes to the macro structure of CELCOR at this stage. However, the new ED and staff should participate in a comprehensive review of the organisation's structure; functions (including the four component programs and their interrelationships); internal management; and management training needs as soon as practicable. As this process is likely to affect the nature and outcomes of the strategic planning work it would be preferable if it occurred prior to this.*

4. *Strengthening CELCOR's organisational and program management capacity should involve managers or coordinators in a mix of formal training; mentoring and short-term placement in other organisations. It should be an iterative process, as far as practicable tailored for each managers needs, and not a "one-off", one-size-fits-all approach.*

(b) Improving strategic planning, program coordination and plan implementation

CELCOR has strategic plans for 2006-2008 and 2009-2011. The current plan is in the form of a complicated and prescriptive campaigns "action plan" (including eight goals, 34 objectives and 180

activities). It sets out programs for five distinct campaign areas¹⁹, activities to strengthen the finance and administration functions²⁰ and some broad targets for the community legal education function²¹. However, it does not provide, for example, decision-making criteria and a rationale for:

- which issues in which parts of the country should be given priority
- in which campaign activities and legal scenarios, and for what reasons, CELCOR should work collaboratively with other organisations
- how and under what circumstances CELCOR's component programs and supporting resources will be applied cooperatively in focusing maximum organisational capacity on agreed priority issues and situations.

In addition, the current strategic plan has not been able (or has not been used) to provide a framework within which "unplanned" activities (that is, activities not included in the current work of the organisation and for which there is no budget allocated) can be assessed and appropriate decisions made about their value and priority. Consequently, many *ad hoc* decisions have been made to pursue unplanned activities with significant flow-on consequences for the budget and other planned activities.

In reviewing implementation progress in the approximately 180 activities listed in the 2008-2011 Strategic Plan, it is instructive to note that, 42 were considered by staff to have been completed or were "on schedule". Of the remainder, 101 had not been started or had been dropped and 39 were judged as being behind schedule. The reasons for this included: lack of funding for particular activities (often caused by funds being re-allocated to "unplanned" activities); activities linked to others that have not proceeded or are behind schedule – a cascading effect; and activities dependent upon input from outside organisations. CELCOR's annual work plans reflect the effects of unplanned activities but bear only a passing relationship to the Strategic Plan, the content of which has not been revised since its completion in 2008. Not surprisingly, staff were ambivalent about its value. Some were unfamiliar with its content and one senior staff member, who had been at CELCOR for more than two years, only saw it for the first time during the evaluation.

The lessons from this are not that the 2009-2011 Strategic Plan and the process that produced it have necessarily been a failure²² but, rather that it has not been used to provide value for CELCOR. Any plan has to be a "living" document that is regularly reviewed as events and changing circumstances unfold. A plan is both a management tool and an important component of monitoring and evaluating a program. It also helps to ensure that the search for funding and its subsequent use are done in accordance with the agreed strategic direction and priorities of the organisation.

Recommendations

5. *CELCOR's next Strategic Plan (for the period starting in 2012) needs to be of a form and with content that can provide guidance for decision-making about what the organisation will do at any time; why (for what purpose, especially with respect to CELCOR's vision, mission and overall goals); with whom; and where in PNG. A decision to undertake activities that fall outside the ambit of the*

¹⁹ Utilisation and management of forests on customary land; Stopping Oil Palm expansion into customary land; Protection of customary marine tenure and sustainable management of marine environment and resources; Minimising negative impacts of IFI funded projects; Minimising climate change effects and protecting people's rights.

²⁰ Many of the finance and administration activities in the Strategic Plan resulted from recommendations in the 2005 Evaluation that were still to be followed up.

²¹ For example, "Conduct at least 10 Community Legal Education Workshops in target communities annually. Facilitate at least 4 LLG Workshops annually".

²² Although the structure, prescriptive nature and level of detail of the current Strategic Plan would have made it difficult for any organisation to use effectively given the inevitable uncertainties present in any multi-year planning process, especially in a country such as PNG – "the land of the unexpected".

Strategic Plan should only occur after due consultation and consideration by the Management Team of the strategic, program, staffing and budgetary impacts of the activity.

6. The best Strategic Planning outcomes are likely to be obtained if the process is facilitated by a person from outside CELCOR with good strategic planning expertise and good facilitation skills.

7. The resulting plan should be formally reviewed each year in a facilitated process involving the staff and Board and revised as necessary. This is probably most effectively done in an annual Reflection Workshop prior to the development of the Annual Plan for the coming year. A corollary to this is that each year's Annual Plan should be closely linked to the Strategic Plan but incorporating a greater level of detail – that is, describing what will actually be done in order to advance the implementation of CELCOR's strategies (set out in the Strategic Plan) for achieving its objectives and mission.

(c) Establishing standard and inclusive decision-making procedures

Most of the decision-making within CELCOR is done by the ED – from deciding to engage in a new campaign or legal case to deciding whether to have the vehicle serviced or the photocopier repaired. Decisions about maintenance and repair of office facilities, in theory, have been delegated to the F&A section but, in practice, this does not seem to be occurring regularly. The Management Team meets irregularly with the ED but does not appear to have a lot of influence in decisions. This is causing frustration within the Management Team but also amongst other staff who do not feel confident that the Management Team can effectively represent their issues and views to the ED.

Some collective decision-making is undertaken at CELCOR's annual planning workshops. For example, according to a number of staff, the 2010 Annual Planning Meeting agreed to: the establishment of regular staff, management team and section meetings; all proposed activities being assessed against the available budget; and reducing the incidence of unplanned activities. None of these decisions has been effectively implemented.

Many staff feel severely disempowered and disgruntled as a result of being alienated from decision-making within the organisation. Some are intimidated by the fear of losing their job if they disagree with decisions made by the ED. Others said that they have simply "given up" trying to influence decisions within CELCOR. Some are talking openly about resigning. The atmosphere in the office is generally subdued and enthusiasm for pursuing the organisation's work clearly compromised.

To work with enthusiasm and commitment, staff in any organisation need to feel valued and trusted, and that they can be heard on issues that are relevant to their work or the well-being of the organisation. Transparent decision-making forums and procedures are an important component of this process. In CELCOR's case, there is a need to change the decision-making culture of the organisation and to develop the skills and role of the Management Team so that it becomes an effective decision-making body. Effective delegation of decision-making, when appropriate, to the relevant operational sections also needs to be developed.

Recommendations

8. The Management Team should be formally constituted as the main decision-making body within CELCOR (apart from some specific decision-making powers that, for clear organisational reasons, need to be retained by the ED) and should meet at a fixed time at least every two weeks, but more frequently when circumstances make this necessary. The meetings should be held as scheduled as long as a quorum is present. A quorum should be at least half of the members. All decisions should be minuted including brief notes of arguments for and against each decision and details of who is responsible for taking action on the decision. Minutes should be circulated to staff (except for items that may be unsuitable for general circulation eg. were they include matters of a personal or private nature).

(d) Improving communication and cooperation throughout CELCOR

While the CELCOR office is small and staff work in close proximity there was a surprising lack of communication within the office about the work being undertaken within each section. Staff said that they wanted to know what was being done in other sections but were usually busy and focused on their own work – in relative isolation. Most felt that better understanding of each other's work would make the organisation more effective. Staff meetings are held at irregular intervals and deal mostly with administrative matters and rarely with program issues or information. Some staff said that staff meetings were supposed to happen fortnightly following regular management team meetings but both events were irregular and infrequent.

Given the opportunity, almost every organisation will list "communication" as a problem but, in this case, the situation appears to be particularly acute and probably a symptom that is being intensified by the organisational issues described above. Good management will go a long way towards restoration of trust and a stronger team ethos. Ensuring the necessary sharing of information about program activities and other organisational matters affecting program implementation (eg. regular updates on the budget situation) however, requires regular formal opportunities for presentation and discussion of material.

A regular (monthly, or possibly fortnightly but this may be more than necessary), well facilitated staff meeting with a fixed agenda can overcome many of the current communication issues and reduce the isolation of the sections. The agenda should include, at least, concise verbal reports or presentations from each section (with follow-up questions and discussion) on progress, outcomes and current and future work. It can also include a review of overall progress against the Annual Work Plan and ways to enhance linkages (and therefore, effectiveness) between sections and with outside organisations. It should also include a verbal report on all patrols completed since the previous meeting and, at this meeting or the next, a discussion of any recommendations or other important issues arising from the patrol.

When fully developed and well facilitated, regular staff meetings can become an important component of the monitoring of program activities and evaluation of outcomes and, as a result, provide important input into forthcoming decisions. They can also provide opportunities for staff to develop their skills in critical analysis of issues affecting CELCOR's program and the environment movement in general. Program reports to staff meetings should be factual and probably limited to about 10 minutes with additional time allowed for discussion. Time for discussion of basic administrative issues (eg. reporting on or organising repair of office equipment) should also be restricted (eg. a total time of 20 minutes) unless some are of major consequence and can't be dealt with by the Management Team. Agenda items and key discussion points or decisions should be minuted and circulated to staff.

Recommendations

9. Staff meetings should be held at a fixed time each month (for example, 9am on the first Tuesday of each month). The main content of the meetings will be a report or presentation by each section (including a report on any completed patrols) followed by questions and discussion. The agenda should also include a brief review of progress in implementation of the Annual Work Plan and a short time for discussion of internal administrative issues. Important items of discussion and any decisions should be minuted and circulated to staff.

(e) Establishing consistent HR policies and practice

It is not surprising, given the speed and the way in which CELCOR has grown – a small organisation constantly forced to react to multiplying threats to land owners and the PNG natural resource base – that little attention has yet been paid to human resource management aspects of the organisation. Now however, given the views expressed by staff during the evaluation, future viability will depend partly on how well this challenge is addressed²³.

At present (and despite the fact that the Staff Manual specifies some of these things) there are almost no basic HR management procedures in place. Many staff do not have job descriptions or current contracts; formal inductions for new staff are rare²⁴; there is no formal salary structure resulting in salaries that are inconsistent across similar job categories; and the last performance appraisals were done about five years ago. There is little systematic mentoring of new and inexperienced staff and many staff reported that criticism is frequent while constructive and supportive feedback is rare. These things, allied with the communication and management issues discussed previously, have contributed strongly to the negativity expressed by staff about current working conditions at CELCOR²⁵. It has also contributed to rapid turnover of staff, most noticeably in the Direct Legal Assistance section.

Some staff also commented on the fact that the skills and experience available within the organisation are not always utilised to their best advantage and that some of the experienced, professionally qualified staff spend too much time doing basic administrative tasks such as photocopying, making travel arrangements and organising food for workshops and other CELCOR functions.

These issues point to the need for a review of staffing and HR management policies and practice. How this is conducted should be a decision for CELCOR management early in 2012 but it may well be convenient and constructive to include an analysis of staffing needs as part of the Strategic Planning work to be done in the first quarter of 2012. The fact that 2012 is an election year in PNG may also allow CELCOR a “breathing space” enabling it to take time to work through the ideas and recommendations posed in this evaluation.

Recommendations

10. In order to become strong and remain viable, CELCOR is at a stage where it needs to address its Human Resource Management responsibilities. We recommend that this takes the form of:

- *A review of staffing needs in relation to the new Strategic Plan and proposed programs for the organisation starting in 2012*
- *The responsibility for staffing and HR matters to be delegated to an appropriate staff member (probably in the F&A section, however this is a decision for the incoming ED) who should receive training in basic HR management principles and practice*
- *The implementation of basic HR Management procedures (at least job descriptions, contracts, a salary structure that is consistently applied and possibly, an effective grievance procedure in which staff can have confidence) for all staff as soon as practicable in 2012*
- *Research and gradual development of an appropriate feedback and appraisal process for CELCOR sections and staff. This does not necessarily imply an individual “performance appraisal” process*

²³ For example, several staff expressed views along the lines of CELCOR being “at a crossroad” or “hanging in the balance”.

²⁴ For example, a relatively new receptionist had not received any induction training and, as a result and despite being the first point of contact in the organisation, did not have a clear understanding of the organisation and its programs. This made it more difficult for her to be effective as a “first filter” on incoming calls or visitors (through no fault of her own) which then had an impact on the productivity of the organisation.

²⁵ Staff provided a number of examples of HR and management practices and lack of communication that they had found extremely difficult to deal with.

which may well be considered impractical or inappropriate. There are also peer and group based methods that may be more suitable for providing constructive, systematic appraisal. The important issue is that staff are able to get constructive, reasonably objective feedback about their role in and contribution to the organisation.

(f) Update the Staff Policy and Procedures Manual

The Staff Policy and Procedures Manual was last updated in 2006. Page three of the current version includes a section titled “Core Values and Principles”. Like many such statements, the content of the principles and accompanying paragraphs bears only a passing resemblance to the current operational realities within CELCOR.

This evaluation is of the opinion that it would be beneficial for CELCOR staff to formally review the Manual - especially the section referred to in the previous paragraph – as part of the organisational change process foreshadowed throughout this report. The intention would be to bring the articulated philosophy of the organisation and its practice into a realistic relationship. The resulting “principles” should aim to set a demanding but more concrete and achievable framework of standards for CELCOR’s operations. The new version of the Manual should also set out the decision-making procedures adopted by CELCOR in response to section (c) above.

Following this review and revisions to the Manual, it should then be used proactively within the organisation – especially as part of the induction of new staff – and revisited every two or three years.

Recommendations

11. *The Staff Policy and Procedures Manual should be reviewed in order to reflect changes to CELCOR’s procedures and practices as a result of the implementation of recommendations arising from this evaluation. In particular, statements related to “Core Values and Principles” should be written in more practical and realistic terms. Organisational decision-making procedures and HR policies and procedures adopted following this evaluation should be included in the Manual. The Manual should also include an induction process that is implemented for all new staff as soon as they commence work with CELCOR.*

2.1.2 Other Issues in Financial and Office Management

A lot of the office and financial management issues discussed with staff are likely to be resolved or will begin to improve once some of the important changes proposed in the previous section have been implemented. In addition, ICCO has undertaken to review current financial management procedures in late October so comments related to financial management included here may be superfluous once the ICCO work is completed. Nonetheless some of the issues raised with the evaluation are noted here and some suggestions made about how they might be resolved in the short to medium term.

(a) Basic Office facilities

As is too frequently the case with fund-strapped NGOs, CELCOR’s work is being hampered by basic office facilities that are inadequate, unreliable or out of order. Spending limited funds on equipment and repairs is often resisted by organisations and donors, but to not do so can have major effects on an organisation’s productivity, especially when the work is so crucially information and communication dependent.

Problems noted by CELCOR staff during the evaluation and suggestions about how they might be addressed include:

Reported unresolved problem	Possible path to resolution
<p>The IT network is Linux-based but F&A has to use Windows in order to accommodate its Peachtree financial management software. A lot of time is wasted in changing systems in order to transfer files or print documents.</p> <p>The Linux system appears to be not sufficiently robust or stable, causing networking problems within the office and possibly internet and email problems.</p> <p>The Linux technical support person is based in Alotau and when the frequent problems occur is not readily available and then only at great expense for airfares and accommodation.</p>	<p>Linux is an “open-source” system that is free and is thus providing both economic and ideological benefits. However, <u>with technical support 400 km away it is not a viable option</u> and is severely compromising CELCOR’s productivity.</p> <p>Either: (a) Linux should be scrapped and money invested in appropriate Microsoft network and operating system software that seamlessly links the whole organisation and can be supported by a nearby, competent technical support organisation.</p> <p>Or: (b) A reliable, technically competent , POM-based Linux technical support organisation must be engaged to fix all of the current problems – including the incompatibility problem between the Linux network and F&A’s Microsoft system – and provide ongoing technical support.</p> <p>If the incompatibility problem cannot be fixed or an effective “work-around” cannot be provided then option (a) should be followed.</p>
<p>Unresolved virus problems – some staff reported problems with computer viruses that had been continuing for as much as six months</p>	<p>Engage a competent organisation (based on references, prior knowledge, etc) to fix the problem.</p>
<p>Problems with internet and email reliability and speed (especially following a supposed recent internet upgrade to higher levels of download capacity and line speed).</p>	<p>Either engage with the ISP to determine what the problem is and get it fixed or engage a competent technical support organisation to fix the problem.</p>
<p>Printer out of action for several months (estimates varied). Apparently some difficulties encountered in getting it repaired.</p>	<p>Either get the printer fixed or replace it with a new printer that is in common usage and is supported by a competent organisation.</p>
<p>No adequate document storage and retrieval systems for either hard-copy and soft-copy documents.</p> <p>No adequate shelf and filing cabinet storage for legal documents.</p>	<p><i>For hard-copy documents and files:</i></p> <p>Purchase the necessary shelving and filing cabinets and make one workday (or two if necessary) a working-bee for all staff to establish a well-organised library of all CELCOR’s hard-copy material.</p> <p><i>For soft-copy documents:</i></p> <p>Either: Investigate(with appropriate technical support) and organise to make use of the document storage and retrieval facilities within CELCOR’s IT network system (whether it remains Linux or changes to a Microsoft system)</p> <p>Or: Obtain advice on document storage and retrieval systems (including for legal applications) and assess the economic, technical and practical feasibility of establishing such a system for CELCOR’s current and future needs.</p> <p>The working-bee could also spend time making the office a clean, orderly and welcoming work place in which staff can take pride and are happy to work.</p>
<p>PRLR and CLE sections have no phone. Madang office phone was cut-off due to</p>	<p>Have additional phone connection points installed or, by the simplest means possible (eg. using an extension phone cable)</p>

non-payment of the account.	provide telephones for the two sections or a phone that can be easily shared.
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(b) Vehicle management

Effective vehicle management is a perennial problem for small organisations with limited resources. It is included here because it was considered to be a serious concern by almost all senior staff members. According to staff, CELCOR's one vehicle is often unavailable for priority business needs including banking (resulting in staff putting themselves at risk having to carry large sums of money using PMVs) and the lodgement of legal documents or for other court attendances. The vehicle is often away from the office at times when no staff member knows where it is or when it will be available. In addition, the vehicle has apparently been in poor repair for some time and is not regularly serviced.

Accountable vehicle usage is a very visible part of CELCOR's internal integrity. Vehicle misuse or inequitable access to its use are common sources of staff disenchantment within organisations and such is the case at CELCOR. Thus, it is important that the vehicle – as for any asset of the organisation – is used responsibly and accountably. This will not be easy to manage however, without an effective system known and committed to by all staff. Such a system should be designed by those who best understand the transport needs and priorities of the organisation. The following suggestions may also be of assistance:

- Vehicle usage, repair and maintenance should be managed by F&A²⁶
- By an agreed time each day staff list (probably on a whiteboard) their transport requirements for at least the next 24 hours with sufficient detail (what time; for how long; to where; for what purpose) to assist in determining priorities. If it's not on the list then it is not considered. Fixed or regular requirements remain on the list
- F&A (probably the Administration Officer) negotiates clashes (and possible alternatives) with staff
- The driver is accountable for ensuring that F&A is always aware of where the vehicle is going, for what purpose and for how long it will be away.

Recommendations

12. *An effective system of vehicle management and allocation (with appropriate checks and balances) should be designed and committed to by all staff and managed by the F&A section. The initial system should be trialled for six months then reviewed and revised as necessary.*

(c) Financial and Administration Management

CELCOR's F&A section appears to be a well-organised and effective team and, on the rare occasions when time allows, the three current staff take time to conduct their own internal training²⁷. It was apparent that a lot of progress has been made in correcting past financial management problems in the two years that the Finance Manager has been in the position. However, the team still sees one of its biggest tasks as educating CELCOR staff to understand that *"good financial management benefits the whole organisation and is everyone's responsibility"*²⁸ and to understand the external constraints on their work – for example, the time consumed in basic banking activities. The Finance Manager was

²⁶ Throughout the evaluation there are a number of functions that we recommend are taken over by F&A. Some of these, especially responsibility for HR management, will require specific expertise and staff time. It will be important to ensure that sufficient resources and appropriate training are provided to F&A section staff for each of the new tasks.

²⁷ Eleven of the F&A section's 30 Strategic Plan activities were rated as completed or on schedule. This was a higher proportion than all but one other section and happened despite the fact that the F&A Manager had not seen the current Strategic Plan until the evaluation.

²⁸ Interview with former CELCOR Finance Manager and now Organisational Development consultant, Gabriel Iso.

aware of the fact that a Financial Management Manual for CELCOR had been completed by a previous Finance Manager but had been unable to locate a copy.

In conjunction with this evaluation, an assessment of CELCOR's financial management arrangements was conducted by ICCO's Finance Officer²⁹. The full report is included as Annex 9 and includes 13 recommendations for strengthening CELCOR's financial management processes. From the ICCO assessment and discussions between the evaluation team and the F&A staff, overarching issues to be addressed are:

- The need amongst CELCOR staff for adherence to an effective process for assessing and approving proposed activities that will require budget revisions (such as "unplanned activities"). While an appropriate process is notionally in place – including initial verification of expenditure requests by the finance manager against budget – it is frequently not followed by staff and the ED
- Overall need for stronger budget and expenditure management allied with open consultation within the Management Team and with donors when seeking solutions to funding bottlenecks and support for program creativity
- The capacity to be able to make readily available to program staff, up-to-date budget data relevant to their activities so that they are always aware of the financial status of their activities
- Regular and open communication with staff about the state of the budget, especially so that difficult issues such as the possibilities of cuts to program budgets or pay reductions are known well in advance.
- Building stronger "financial management" focused relationships with donors and receiving more input from them, especially ICCO and the Packard Foundation

Recommendations

The ICCO assessment in Annex 9 includes 13 recommendations related to the detailed operation of the CELCOR financial management system. We are of the opinion that implementation of the ICCO recommendations along with the organisation-wide changes recommended in this evaluation report are likely to result in resolution of all of these issues.

2.1.3 NGOs and Alcohol

This is a sensitive issue and it is not the place of this evaluation to comment on the personal choices of individuals except when they affect their workplaces and colleagues or their ability to carry out their job.

Alcohol-related problems affect most societies including PNG. Unfortunately, over recent decades it has been a sickness that has afflicted and, at times, seriously handicapped the otherwise often inspiring work of many PNG NGOs including CELCOR. Many of the people interviewed for this evaluation spoke of this with the evaluation team – to the extent that we have a responsibility to report on the issue.

There was clear evidence that CELCOR's reputation and effectiveness over many years has, at times, suffered seriously from inappropriate alcohol-related behaviour by staff while involved in activities directly or indirectly associated with the work of the organisation. The effects noted by respondents included:

- Reduced work effectiveness and program outcomes, thus compromising the effective use of the organisations limited resources

²⁹ Mr Rajas Sinaga.

- Damage to workplace relationships and the loss of talented staff unwilling to tolerate bad behaviour and the inability or unwillingness of organisations to deal with it
- Damage to the reputation of the organisation (in PNG and internationally) resulting in loss of credibility and trust
- Hypocrisy in espousing progressive social programs (eg. in domestic violence; child abuse; violence against women) while not actively opposing the misuse of alcohol which is a recognised contributing factor to these and other social issues
- Undermining of the effectiveness of the environmental and social change NGOs as role models (compared with examples of illegal, incompetent or drunken behaviour by politicians, government or private sector workers) as a result of bad publicity and its exploitation by NGO opponents
- Collateral damage to the reputations of other NGOs who do not tolerate alcohol-related behaviour within their own organisations

It is the opinion of this evaluation that every organisation has a clear responsibility to its beneficiaries; partners; members and donors:

- to not tolerate bad behaviour by staff when involved, directly or indirectly, in the activities of the organisation
- to actively promote and practice a “no alcohol” policy in any activity related to the work of the organisation

Recommendations

13. *In order to protect the reputation of the organisation and the quality of its work, CELCOR should adopt a policy of zero tolerance of alcohol misuse by any staff while engaged in CELCOR work or while representing the organisation or its partners at workshops, conferences or meetings. Breaching the policy would mean dismissal from the organisation. “Alcohol misuse” is deemed to be that which leads to behaviour that is disrespectful of staff of CELCOR or other organisations or that otherwise brings CELCOR into disrepute.*

14. *The Board of Directors should be responsible for implementing the policy and investigating any reported breaches brought to the attention of the Board by CELCOR staff members or staff of partner organisations.*

15. *The CELCOR staff manual should be amended to include a specific and separate section on the expectations and responsibilities of staff with respect to alcohol and the fact that dismissal from CELCIOR is the consequence for not conforming.*

2.1.4 The role of the Board of Directors in implementation of the evaluation recommendations

As a part of the Organisational Development work being done by CELCOR around the time of the evaluation, a new Board of Directors was elected on Saturday 1 October, 2011 in the organisation’s first formal Annual General Meeting. Many of the previous Board members had been fulfilling the role for many years – some since the beginning of CELCOR in 2000 and had made significant contributions to the organisation.

Now, with the outcomes of the first comprehensive evaluation of CELCOR since 2005 in place, it is an opportune time for a new Board to take over the important task of shepherding new ways of operating into the organisation.

This evaluation report sets out a series of actions we feel are necessary to move CELCOR into the next phase of its development – equipping it with the management, structure and skills to be able to provide sustained and influential support to customary landowners; the environment movement and other stakeholders in PNG in the struggle to overcome the industrial scale exploitation of PNG’s

forests, land and marine resources. The new Board of Directors will have a vital role to play in this process in:

- Reviewing the evaluation recommendations in conjunction with CELCOR staff, revising and adapting them where necessary in order to get the best possible outcomes for CELCOR in the current context in which it is operating
- Appointing a sub-committee to oversight implementation of the recommendations over the next 12 months³⁰
- Monitoring progress in implementing the evaluation recommendations at each Board meeting and, where necessary, providing additional direction or support to the organisation
- After approximately six months and 12 months, participating with staff in two facilitated workshops to review: progress and process in implementation of the recommendations; the effects so far of the changes within CELCOR; and to revise future work on the recommendations in the light of the experiences so far.

Recommendations

16. *The Board of Directors should: in conjunction with CELCOR staff, review and revise where necessary, the evaluation recommendations; appoint a sub-committee to oversight implementation of the final recommendations; regularly monitor implementation at subsequent Board meetings; and participate in implementation review workshops at approximately six and 12 months after the recommendations are finalised.*

2.1.5 The role of CELCOR's donors in implementation of the evaluation recommendations

This evaluation recommends major changes in the way CELCOR is managed, its planning processes and the implementation of those plans. This kind of change is difficult for any organisation anywhere in the world – the more so when no one in the organisation has experienced such a process before; when resources and skills are scarce; and when it has to happen while program implementation demands continue apace³¹.

It is our view that, too often, donors shy away from taking a constructive role in facilitating change in the organisations that they fund. It is easy to understand why this is the case – as “outsiders”, not wanting to excessively influence decisions; not enough time “on the ground”; time and budget constraints and so on – but it also risks losing, or having to walk away from, investments in organisations whose development has involved a lot of time and funding and on which a lot of hopes have been built. The changes we are proposing at CELCOR, while not revolutionary or unusual, will demand a lot of the organisation if they are to be successful and, to be so, they will need constructive support from all quarters.

To this end, we encourage CELCOR's donors to, where possible, provide some “carrots”, but also occasionally and constructively, a gentle “stick” if the energy for implementing change noticeably flags or needs encouragement. “Carrots” will mainly be in the form of flexibility or creativity in helping CELCOR to fund the costs of the changes. Costs may include for example, training for staff and some short term consultancies; equipment purchase or repairs; staff reorganisation; and a short overlap in the employment of the current and new ED. “Carrots” should also include advice and encouragement

³⁰ The sub-committee to oversight the implementation of the evaluation recommendations was established at the first meeting of the new Board on Saturday 22 October, 2011.

³¹ Although, the slowdown in activity over the first half of 2012 that will accompany the forthcoming election may provide an opportunity for CELCOR to reduce the intensity of program implementation and concentrate more on its renewal process.

where appropriate. The form and constructive use of “sticks” is left to the discretion of the respective donors.

2.2 The Program

CELCOR’s program is implemented primarily through four “mechanisms” or components – Direct Legal Assistance (DLA); Community Legal Education (CLE); Policy Review and Law Reform (PRLR); and Campaigns, Advocacy and Networking (CAN)³². Conceptually, the impetus for the Program is derived mainly from the CAN and DLA components with the CLE and PRLR components in many respects providing community education and policy and law reform services to strengthen the effectiveness of the more “activist” components.

The Program is obviously affected by the overall planning, management and communication issues discussed throughout Section 2.1. Choices have also been made however, about the content of the Program itself – for example, what activities are chosen to be undertaken and in conjunction with which communities – and these also have an affect on the extent of success achieved. The first part of this section discusses a number of general factors affecting the make-up of the overall Program. Each of the four component programs are discussed in the latter part of the Section..

2.2.1 Program Management

(a) *Strategic Planning*³³

The framework and initial guidance for program implementation should come from the Strategic Plan. The current Strategic Plan is mainly organised around five discrete campaigns³⁴. It is heavily geared towards achievement of quite specific targets within each campaign but has little say about important program-wide strategic variables such as, for example:

- Where geographically and on what specific case examples should the program focus in order to maximise overall program outcomes. Which areas and issues are other organisations working in and is best value to be found in supporting these or working in other ways
- How, to what extent, and when (in the campaign cycle) should direct campaign work be supported by each of the other program components. More generally, how best can the program components be cooperatively deployed to maximise desired outcomes, ie. not necessarily starting from an existing campaign or existing issue
- How can DLA be most effectively used to maximise overall program outcomes
- What other “components” will be necessary to maximise outcomes and how can these be obtained or organised eg. enhancing effective use of the media, internet and social networks
- What kind and level of participation by which other organisations will be necessary to maximise outcomes

The lack of clear strategic guidance and limited integration between implementation of the component programs has probably contributed to:

- The fact that CELCOR, with only about a dozen “field staff”, has been working in 15 different provinces in recent years and, notionally at least, about 30 CBOs

³² Within CELCOR and CELCOR documents these are often referred to as the “programs” but, for clarity and to signal the need for increased coordination and cooperation between, “components” is our preferred term.

³³ Organisational aspects of CELCOR’s strategic planning have been discussed in section 2.2.1 (b). This section is focused on Program-related aspects. However, it is anticipated that the recommendations detailed earlier, in conjunction with other proposed organisational changes, will also result in strengthening of the strategic guidance for program implementation.

³⁴ Forests; Oil Palm; International Finance Institution programs; Marine and Climate Change.

- Many informants during the community visits for this evaluation commenting on how infrequently they had contact with CELCOR – in some cases, no contact for four or five years³⁵
- A view articulated by staff that the four components indeed, mainly operate as separate entities with staff predominantly focused on the goals and activities of their own component rather than the CELCOR’s overall objectives

From an overall strategic perspective, it may be most helpful to begin to understand the four components as CELCOR’s “tools” or “mechanisms” to be used in conjunction with each other; integrated in ways that are likely to be most effective in addressing CELCOR’s vision, mission and overall goals. Conversely, the current tendency to view them as separate “programs” is perhaps part of the problem that CELCOR has faced in attempting to plan and act strategically.

Adopting a more strategic, better coordinated approach to the Program as a whole is likely to:

- Result in more efficient use of CELCOR’s limited funds – for example, through a reduction in the number of sites needing to be visited; fewer, longer visits and with multiple objectives; and increased cooperation and sharing of activities with organisations working in the same area and on similar issues.
- Enable better program design and the provision of clearer advice to donors about CELCOR’s priorities and needs
- Provide clearer guidance on which funding opportunities are more consistent with the strategic direction and priorities to which CELCOR has committed, enabling development of a funding strategy less dominated by the idiosyncrasies of some donors.

Recommendations

Implementation of recommendations 5, 6, 7, 8 and 9 above should also ensure a more strategic approach to program implementation in general accord with suggestions in this section.

(b) Program Coordination

The main responsibilities of the two-person program coordination unit are: to ensure that periodic reporting to donors is completed on time and to a suitable standard; to work with program staff in developing funding proposals (the Program Director); and to maintain links with CELCOR’s partner organisations (the CBO Liaison Officer). In reality, responsibility for overall program coordination notionally rests with the Management Team but is mainly carried out by the ED. Previously, the CAN section had its own campaigns coordinator but the position was terminated when funding ceased. CAN staff believe that their program was more effective with formal coordination across the separate campaign areas.

There is clear evidence that both CELCOR’s staff and the program will benefit from stronger coordination between program components and with CELCOR’s many actual and potential partner organisations. Some of this enhanced coordination will naturally flow from the strengthening of management and strategic planning throughout the organisation and is detailed elsewhere in this report. With a more strongly integrated approach to program implementation however, and an ED role focused on managing the organisation and its relationships with key donors and partners, it will be important to establish a program coordination role with much broader scope than that of the current function. The new role would be intimately involved in managing and monitoring implementation of the strategic plan and annual plans; actively engaging in decisions about how, when and where to deploy the organisations limited resources most effectively in pursuit of current

³⁵ However, it is also only fair to note that the expectations of some individuals and communities are very unrealistic.

objectives and the long-term vision and mission of the organisation; and progressively assessing outcomes of the work. The re-tasked unit would retain its current responsibilities and, with the additional responsibilities outlined above, may need an additional staff member (although the time required for CBO liaison work may be reduced within a new strategic framework).

Recommendations

17. *In recognition of the effects of changes proposed for CELCOR's organisation and program, the role and resources of the current program coordination unit should be expanded so that it can, in addition to its existing tasks, oversee the implementation and monitoring of the strategic and annual plans and ensure that the outcomes of CELCOR's work are progressively assessed.*

(c) What kind of community engagement?

Another "strategic direction" issue related to all of the previous points is *What is the most effective mode for CELCOR to adopt in working with communities?* To date, CELCOR has mostly provided a range of "technical services" (legal; campaign assistance; community education; advocacy; etc) on a more or less *ad hoc* basis to a number of communities in widely dispersed locations. Typically these services have involved a small number of visits (sometimes only one) to a community and, as noted above, the ensuing relationships are necessarily tenuous. Does this matter?

At the opposite pole is the model characteristic of successful community development interventions where engagement with communities is usually intensive, detailed and long-term. Clearly, CELCOR is not in a position to take on this kind of model and neither, in our opinion, should it seek to do so. Nonetheless, evidence from the community visits and discussions with evaluation informants indicates that, along with the other changes proposed in this report, CELCOR's short-term "technical service" approach to communities is likely to be more effective:

- When working with communities already involved in community development processes with other organisations or ...
- By working specifically in conjunction with another community development organisation in instigating work with a community and ...
- Both methods would be significantly enhanced by CELCOR field staff receiving good quality community development training from one of the small number of people and organisations in PNG who are capable of providing it³⁶.

These options were the subject of strong recommendations in the 2005 evaluation and, while our emphasis this time is more towards CELCOR maximising the effective utilisation by communities of its potential to deliver a range of technical support skills, we are strongly supportive of the original intent of the relevant 2005 recommendations.

Recommendations

18. *All CELCOR field staff – that is, any staff required to participate in campaign, legal, education or other activities with communities – (but, if possible, all CELCOR staff) should be provided with training in effective community processes by BRG or another organisation or people with equivalent skills and understanding of the processes involved.*

19. *In order to maximise community mobilisation and partner organisation capacity building, whenever possible CELCOR should seek to work with communities in conjunction with other community*

³⁶ At the moment this is probably restricted to Bismarck Ramu Group (BRG) in Madang and Morobe Organisational Development (MODE) in Lae and an additional small group of individuals most of whom have had connections with one or other of these organisations in the past.

development organisations. This should be a consideration in strategic planning and annual work planning.

(d) Effectiveness of CBOs as vehicles for change

CELCOR, like many other organisations, has put considerable effort into supporting the establishment of community based organisations (CBOs) – in CELCOR’s case, as a tool in pursuing the legal rights of customary land owners and the protection of natural resources. Prior to the 2005 evaluation this included paying the registration fees for the CBOs however, in recent years this practice has ceased and CELCOR now only provides technical support; facilitation of the completion and lodgement of the necessary paperwork; and CBO governance and management training.

The work done by some CBOs has, at times, been invaluable in opposing bad practices and exposing illegal activities³⁷. On balance however, on the basis of the community visits conducted for this evaluation and the views of other informants, we have reservations that the continuing policy of facilitating the formation of CBOs is, ultimately, a productive one. For example:

- We found widely held expectations that forming a CBO would provide access to funding and that CELCOR would facilitate this. Unfortunately, this immediately undermines the likelihood of communities pursuing self-reliance and starts community engagement on the wrong path
- Rarely did CBOs seem capable of meeting expected governance, management and financial management requirements. Having to “manage” funding and the associated program without supervision is then difficult
- When CELCOR does assist in securing funds for a CBO it often has to use its own resources to do the reporting and acquitting of the funds
- Despite a lot of effort to assist CBOs with planning and management skills, it was evident that little activity takes place without external prompting or assistance
- Several informants said that, in their experience, most CBOs had proven to be ineffective and more often become unproductive distractions that consume limited resources unnecessarily^{38 39}.

Thus, we are doubtful of the “return on investment” in continuing to establish, support and work through CBOs except in cases where there are respected, competent and committed leaders, strongly supported by their community who are prepared to “champion” and manage the process. We are much more supportive of the views about working with communities that were expressed in the 2005 Evaluation, viz:

- Unless CBOs are formed as a community generated initiative they are likely to disempower communities and be unsustainable and CELCOR would be more successful working with existing community organisations
- Sustainable solutions to natural resource management problems are most likely to be achieved through community organisations that are already active with a strong sense of purpose and self reliance

³⁷ For example, the work of Ahora Kakandetta in Oro Province in exposing the problems being caused by the CDC/Cargill Oil Palm operations.

³⁸ One informant cited a case from a district boasting 50 CBOs. After an assessment of the 50 organisations only two were found to display any level of effectiveness.

³⁹ Work in the Managalas Plateau is also an instructive example. Partners with Melanesia (PwM) has had a long-term relationship with the Managalas Plateau communities. The variety of activities and support between the communities, Managalas Development Foundation (MDF) and various national and international NGOs including CELCOR, is an illustration of what more intensive engagement could be like and there have undoubtedly been successful outcomes. However, the much-referenced community consultation model is built around 11 CBOs – according to informants, only two of these are considered effective and the umbrella organisation is itself experiencing governance and management problems.

- Modern Board requirements are too different to traditional governance processes for many village communities. Continuing training on Board-based governance structures for village level organisations is likely to be an unproductive use of resources. It would be more productive to build the capacity of existing community organisations so that they can work effectively with CELCOR and apply the gains of CELCOR's intervention for the long term benefit of the community⁴⁰.

Recommendations

20. CELCOR should reduce emphasis on establishing and working with CBOs unless there are clearly assessable indicators of its likely success eg. an existing successful organisation; respected, popular, competent and committed leaders; or both. Instead, CELCOR should focus on working with existing village structures and leaders using skilled community processes that constantly emphasise the need for community self-reliance. This will demand skills from staff developed, in part, during their community development training.

21. As part of (or prior to) the 2012 strategic planning process it will be useful for CELCOR to review current relationships with its communities and CBOs (roles, level of activity, strengths, weaknesses, etc) as these may be affected by 2012 planning decisions.

(e) Establishing “umbrella organisations” for local CBOs

CELCOR has tried to more effectively support local action on environmental campaigns and land owner rights by supporting or helping to establish a number of umbrella organisations to provide a networking and campaigning focus in the regions. These include: Oro Community Environment Action Network (OCEAN) based in Popondetta; Collingwood Bay Campaign, Advocacy and Development Association (CCADA) based in Tufi; Aelan Awareness in Kavieng and the Women In Oil Palm Association (WOPA) which has a small number of representatives from each of the main Oil Palm producing provinces.

At the time of the evaluation, each of the organisations was struggling to find ways to operate effectively in relative isolation. OCEAN has recently suffered the loss of its main organiser (to employment elsewhere in PNG). It now has an office space and at least one committed Oil Palm campaigner but no one is in a position to establish the office and a local identity or to take on a coordinating role. CCADA is essentially one person with hardly any resources and, not surprisingly, community members that the evaluation team met with were confused about CCADA's role and concerned that it would be using resources which they considered should be going to their own CBOs. Some people in New Ireland were similarly confused about the role of Aelan Awareness. WOPA representatives met with in New Ireland and Oro provinces were clearly committed to trying to make a difference but said that they felt isolated and that Oil Palm campaigning was difficult and confronting without additional support. Despite this, the women in New Ireland had run 14 awareness raising workshops for women and had discussed issues for women in Oil Palm areas on provincial radio⁴¹.

In principle establishing local organisations is a good strategy and, as one informant put it, there are talented people in the regions that just need some assistance to be very effective. However, it embodies a dilemma. Each of the organisations needs some resources and technical support to maintain its presence, network with local communities and groups, and build its ability to influence issues. On the other hand CELCOR does not want to create a situation where the organisations are dependent on it and in any way paralysed without CELCOR taking the lead. An effective approach will require good planning, the allocation of adequate resources to implement the strategy that is agreed

⁴⁰ See Annex 3 for a full statement of the conclusions from the 2005 Evaluation concerning CBOs.

⁴¹ See summary of the main points from meetings with women during the evaluation fieldwork, Annex 4.

to, and good process. If at least a minimum of necessary resources are not able to be made available over time then the strategy is unlikely to be successful.

Further, it is unlikely that an effective approach can be based on a single workshop (such as in the case of WOPA⁴²). Rather it will need to be built around a plan of multiple inputs (training and other technical support) plus continuing field support when necessary, especially during the establishment years. Although related to a different aspect of CELCOR's work, the latter part of the discussion about Community Legal Education in Section 2.2.2 (a) contains more detail about the elements of a capacity development strategy that can also be applied in the development of community organisers and campaigners in local umbrella organisations. Any such strategy will also need to include education in good community engagement processes as it will be essential for local umbrella organisation representatives to be able to use these in their community organising and campaigning work.

(f) Gender considerations in the CELCOR Program

In every country, the issues of gender equity and equality need to be constantly acknowledged and addressed. In a country such as PNG – dealing with high levels of social and economic inequity including specific issues in domestic violence, poverty, illiteracy and HIV and AIDS – gender-related considerations are vital in all social interventions.

CELCOR has not yet incorporated gender considerations into its work on a routine basis and will need technical and funding assistance to do this effectively. The Women in Oil Palm workshop was a good step but other areas remain to be explored. For example, it has generally proven difficult to get women to attend CLE workshops, thus denying communities the potential benefits of their women bringing their experience and knowledge to bear on the issues dealt with during the CLE process. One response would be to conduct separate workshops for women and men. A possible further extension of separate workshops that is sometimes beneficial is to then bring together for further discussion the frequently very different perspectives and opinions voiced in the separate meetings. Proactive ways for CELCOR staff to respond to gender issues, such as in this example, should be explored in a series of gender training workshops and carried forward into the strategic planning process for 2012

The short paper on gender concepts in Annex 5 was prepared by one of the evaluation team members with experience in working with gender issues in PNG⁴³. It is intended to provide a brief introduction to gender considerations for CELCOR staff. It includes some pointers to what an organisation can do, both internally and in its program design and delivery in order to successfully incorporate gender considerations into its operations. As the paper points out, training and the chance to explore gender issues and their implications for the organisation are important components of “mainstreaming” gender – so that it becomes an automatic consideration in all of CELCOR's work and is not treated as some kind of “additive” or separate program. Improving CELCOR's gender practice will also facilitate progress towards achievement of the organisation's vision, mission and overall goals.

Recommendations

22. *CELCOR should provide gender training for all staff. Ideally:*

- *Initial training should be conducted in at least two parts with several weeks in between to allow time for reflection and initial work on applying gender considerations within the program and the organisation*

⁴² See Annex 4. Interviewees who had attended the WOPA workshop highlighted the need for follow-up after the inaugural meeting; their lack of experience and confidence in organising when it is in opposition to the majority view; and how to deal with resistance to their messages. They also expressed the need to be able to work in teams rather than alone.

⁴³ Lilly Be'Soer.

- *The training should be conducted before the 2012 Strategic Planning Workshop but, if this proves logistically difficult the Strategic Plan should be formally revised by staff using a “gender lens” following the training*
- *The training should be conducted by an experienced Papua New Guinean gender training expert with intimate knowledge of local gender issues*
- *A follow-up workshop to support the integration of new understandings and practices into CELCOR’s work should be conducted approximately six months after the training and then every 12 months (preferably shortly before the annual strategic plan review and work planning workshop)*

(g) Other program management topics

Enhancing program monitoring and evaluation

At the moment, monitoring of program implementation and assessment of program effects is largely an *ad hoc* process driven mainly by the reporting requirements of donors rather than being used as important management and learning tools. Patrol reports are the main source of “raw data” within CELCOR and each team also writes a monthly “progress” report. However, most staff who have written reports felt that, although circulated, they were only infrequently read; there was little or no discussion of any issues raised; and recommendations were not usually followed up⁴⁴. Both types of reports are constructed according to a template and, from a small sample of patrol reports reviewed, they are generally well written, informative and interesting. However, a significant proportion of staff workload is time spent writing various reports and simplifying the requirements even further would be of benefit. The monthly reports and the patrol reports are used by the program management team to compile regular narrative reports to donors.

In future, regular reporting of progress and outcomes at fortnightly or monthly staff meetings should assist in the dissemination and discussion of material from patrol reports and monthly progress reports and in strengthening management and learning outcomes. However, effective enhancement of CELCOR’s capacity for assessing progress and outcomes and responding to issues is likely to require professional assistance in developing simple monitoring and evaluation systems and tools. Strengthening M&E capacity, allied with work to strengthen proposal development, should also result in result in better quality program design and, in turn, better funding proposals.

Recommendations

23. *CELCOR, with donor support, should consider obtaining professional advice (possibly a series of short-term inputs over 12 months) to strengthen its monitoring and evaluation capacity and program design capability.*

Consultancy work by CELCOR staff

Over the last few years, CELCOR has developed a consultancy capability as a way to bring in additional income to support program activities. There is a conflict here in that consultancies require the time of CELCOR’s most experienced staff at the same time that the organisation is struggling to meet the demands of the programs which it has been contracted to deliver by its donors. Only a small amount of work had been done on this basis at the time of the evaluation but a cursory examination raised a question about whether the small amount of funds raised so far is justified by the staff time invested. There are also potential secondary benefits that need to be included in any assessment – for example, the value of broadening or deepening of staff experience and the strengthening of networks with organisations for whom the consultancies are conducted.

⁴⁴ One staff member described making the same recommendation in three consecutive patrol reports with no discussion or action ensuing in any of the three occasions.

Recommendations

24. *A detailed cost/benefit analysis should be conducted of CELCOR's consultancy work and its future prospects in order to assess whether, on balance, it is an effective means of enhancing the extent and effectiveness of the organisation's activities.*

Regional Offices

The experience of the CELCOR office in Madang provides some insight into how lack of a coherent strategy can effect an organisation's program. The office was established to extend CELCOR's presence into a region with major environmental and land rights issues brewing. In response, the CELCOR staff in Madang have been able to offer initial advice to some of the many people who have come to the office since its inception. Funding constraints have meant however, that a planned litigation lawyer was not able to be appointed and potential litigation cases have been referred to CELCOR's Port Moresby office or, when no action ensued, to lawyers in Madang. Generally, the Port Moresby office has not had the capacity to act on the additional work load from Madang resulting in an unsatisfactory situation for both the clients and CELCOR.

It is possible to understand how, lacking a well-grounded strategic framework, establishing another office in a currently "hot" region becomes attractive. However, there are probably more viable, less costly alternatives for enhancing CELCOR's effectiveness in such districts and regions, at least in the medium-term. For example, CELCOR can invest more resources in strengthening collaboration with like-minded organisations who can act as points of referral when appropriate (and congruent with CELCOR's strategic direction) and also as active partners in pursuing an issue⁴⁵. When particular issues or cases require a more extensive local presence, consideration can be given to alternative strategies – longer (eg. for four to six weeks) and multiple field visits; establishing a temporary field office (perhaps for three months or more); cooperating with a local organisation and local campaigners or people with paralegal skills when required.

We are of the opinion that the case for maintaining regional offices at present is weak and that the Madang office should be closed (and staff assigned to effective roles in the POM office if they are able to relocate). Any further consideration of regional offices should be postponed at least until management, coordination and communication within the Port Moresby office are strong; an effective strategic plan is in place; and alternative strategies for engaging more extensively in particular localities have been explored.

Recommendations

25. *The Madang office should be closed as soon as current commitments allow and staff relocated to Port Moresby (if able to do so). Instead, resources should be directed to improving the quality and extent of collaboration with like-minded organisations and, when program activities require greater presence in a particular region or district, the use of extended and multiple field trips or the establishment of a temporary field office or other comparable strategies should be considered.*

Effective use of media

In the political battle of ideas, effective use of the mainstream media (despite its drawbacks); internet capability; and increasingly, social media (blogs, Facebook, Twitter, Youtube, etc) is vital, especially as

⁴⁵ The conservation collaboration in Western Province between CELCOR, Greenpeace, FORCERT and FPCD may provide a useful example of how strengthened collaboration can be effective. While collaboration and communication between CELCOR and other PNG NGOs does occur, evidence suggests that there is little conscious effort to strengthen strategic alignment between the programs of different organisations and almost no cooperative planning. This represents a potential loss of leverage and successful outcomes.

opponents (and collaborators) are rapidly becoming more adept in its use. Mainstream media are often in search of good material to fill their timeslots and pages but are often wary of material that they judge to be “sensitive”. Thus, careful targeting and choice of content is important as is timeliness and responsiveness⁴⁶.

CELCOR has made effective use of the media in its campaigning work in the past. Currently however, a lot of CELCOR’s limited media capacity is being used to produce a newsletter at irregular intervals and the organisation’s website is rarely updated – ostensibly due to lack of funds to employ a suitably skilled person. Some informants suggested that newsletters are no longer a sufficiently productive way to disseminate information and campaign messages. A different issue is the need to ensure that material originated by CELCOR does not generate legal problems for the organisation. These issues and the rapidly changing nature of “media” suggest that CELCOR would profit from reviewing its current media strategies, including the level of resourcing. The greatest benefit would be obtained if this could be done in conjunction with a media expert (especially with experience in campaigning and environmental issues) or a number of people with skills in using different media.

Recommendations

26. With assistance from suitable experts, CELCOR should review, and revise where necessary, all aspects of its current approach to dissemination of information and messages and the various media and techniques that it uses. The review should result in new strategies as well as procedures and guidelines to facilitate timely and responsive “media” action whenever opportunities are available. The value of the CELCOR website as a media tool should also be assessed and, if judged to be an important vehicle, the necessary commitments (of training and resources) should be made to ensure its regular updating.

Accepting and responding to requests for assistance

Evaluation evidence indicated that a frequent criticism of CELCOR by clients or people who had asked for assistance was the lack of responsiveness – some said that they received no response and others that a response could take months. CELCOR does not have the capacity to respond to all of the numerous and various requests that it receives and, with a stronger strategic focus in future, the organisation’s willingness to respond (especially to requests outside of its strategic focus) is likely to be even more constrained. Clearly, an effective procedure is required to sift requests and quickly provide an initial response.

In some cases (eg. when people call at the CELCOR office) a questionnaire is used to obtain basic details about the request and the person or group making the request. In the case of requests for litigation assistance, ultimately it is the role of the Senior Lawyer to assess the case and make a decision about whether it will be legally viable to pursue. In both situations – aside from the legal viability of a potential case – there appear to be no firm guidelines about which requests to accept, either on strategic, budgetary or organisational capacity grounds. This is what, in part, has led to the proliferation of “unplanned activities” and, at times, the derailing of planned activities and the CELCOR budget.

An effective selection procedure for all requests for assistance (including litigation assistance) would need to include:

⁴⁶ There was evidence that CELCOR has struggled somewhat to be sufficiently responsive to media opportunities with potential stories and press releases sometimes taking weeks rather than hours (or, in the worst case, days) to wander through internal approval processes.

- Enactment of the procedure on a fixed schedule (eg. fortnightly or monthly) so that requesters can be given a reasonably accurate estimate of when they will get a response⁴⁷
- Decision-making conducted by the Management Team (because any decision to accept a request will potentially affect the work of all teams)
- A set of agreed selection criteria (including whether a request complies with the requirements of the Strategic Plan)⁴⁸
- A standard procedure for responding to requesters about the outcome of their request (this could be in the form of a number of more or less standard letters adapted each time to suit the particular situation)
- A Management Team planning process for “accepted requests” in order to incorporate them into existing activity plans and provide a basis for feedback to the requester on the likely priority and scheduling of action on the request.

Recommendations

27. *To build CELCOR’s reputation as a reliable and responsive organisation; to provide timely feedback to potential clients; and to assist in maintaining the integrity of CELCOR’s strategic and annual work planning, a standard procedure should be developed for assessing and responding to all incoming requests for assistance. The procedure should be conducted by the Management Team; regularly enacted; and based on an agreed set of criteria for selecting those requests for which CELCOR will provide support.*

In-house staff development

Improved communication between teams and regular, information-rich staff meetings will assist in strengthening staff “ownership” of the organisation and the Program. This can be further enhanced by providing in-house learning and training opportunities for staff whenever practicable. Learning opportunities in both workplace skills and relevant environmental issues will also increase versatility within CELCOR and work opportunities for staff. In a similar vein, the evaluation also supports the continuation, indeed the expansion, of the intern program where particular skills are needed and valuable experience and politicisation can be provided to a young worker in return..

2.2.2 The Program Components⁴⁹

(a) Community Legal Education (CLE)

The purpose of CELCOR’s community legal education program is to provide communities – most often at a time when there are overt threats to their “custom land” and natural resources – with basic information about their rights over their land; how the laws of PNG and the legal system may affect them; and what recourse they have through the legal system to protect their land and their interests. Workshop content is based on the wealth of legal and related material in CELCOR’s Community Legal Education Manual which is used selectively and tailored to suit each situation. The Manual has been substantially redrafted following concerns in the 2005 Evaluation about the technical difficulty of the material⁵⁰. A *Tok Pisin* version of the Manual recently became available and the evaluation team received some positive anecdotal feedback about this from workshop participants.

⁴⁷ One option would be to make “Decisions on current requests” a permanent agenda item for Management Team meetings.

⁴⁸ A process to develop selection criteria was conducted (and an initial list produced) at the concluding workshop of the 2005 Evaluation. As was proposed in the 2005 Evaluation Report, this draft list should be used as a starting point.

⁴⁹ Box 3 in Section 1.2 of this report contains the current objectives for each of the program components.

⁵⁰ As a result of recommendations from the 2005 Evaluation, more detailed and technical material is now incorporated into Para-legal Training (PLT, a little confusing for those trained when what is now an introductory level CLE Workshop was previously known as “PLT”) which is designed for selected community and CBO representatives. Two of these workshops

Over recent years the Community Legal Education section has conducted up to 10 CLE Workshops a year, each usually of about five days duration. In 2011, the target was six workshops and, at the time of the evaluation, none had been completed partly because earmarked funds had been used for other activities. The workshops are usually facilitated by the CLE coordinator (the only CLE team member) assisted by one or two staff members from other teams. In most cases, participants are drawn from a number of communities within a district or region but occasionally (for example the Women in Oil Palm workshop) from widely separated parts of the country.

During the evaluation community visits, anecdotal feedback about the quality of the workshops was positive⁵¹ although some people still reported finding a lot of the material very difficult. What was clear to the evaluation however was that, on completion of one workshop covering a lot of technical material (albeit well presented) and little if any follow-up, participants were rarely in a position to make effective use of their new knowledge.

In addition, CELCOR's litigation lawyers are still used from time to time to provide technical legal content in the workshops rather than experienced community educators and campaigners. Not only does this seem to be an inappropriate use of a particularly scarce resource, but several informants noted that many lawyers find it difficult to communicate effectively within communities and that the nature of interactions changes once people are aware that lawyers are involved⁵².

The CLE coordinator now has a lot of community education experience and recognises most of the limitations in the way in which the CLE program is conducted but, so far, has not had the resources or the imprimatur to make changes. Ways to strengthen the program fall into three areas: strategy; field practice; and resources.

CELCOR Strategy

The current approach to organising CLE workshops is a little *ad hoc* – sometimes done in support of other CELCOR program components; sometimes following an unsolicited request and with no planned follow-up or objectives beyond the immediate workshop outcomes. In some cases, responsive CLE support for a CELCOR campaign or legal activity has not been available due to prior commitments. The need for CELCOR to think, plan and act strategically has been discussed previously and is also important for its community education responsibilities. High quality awareness raising, skill training and community mobilisation can be a powerful tool in PNG but with limited available resources, effort needs to be expended in seeking out the most effective ways and places in which it can be used, and especially how it can be most effectively integrated to provide support for other CELCOR components⁵³. Improved strategic planning underpinning all of CELCOR's activities in future should result in better design and targeting of CLE activities.

Effective practice in the field

have been completed so far. Another planned training mode is CLE Training-of-Trainers but the program is yet to be designed.

⁵¹ It was not possible for the evaluation team to observe any workshops as none were scheduled during the evaluation.

⁵² From the comments received, one way to characterise this effect would be as a change in orientation from "learning about communities and the law" to "the lawyer is here to solve our problem". According to one informant, the practice of using the litigation lawyers in CLE workshops has decreased somewhat following the recommendations in the 2005 Evaluation.

⁵³ There is also a role for the section in providing community or para-legal education for other NGO's, especially those working in partnership with CELCOR in particular communities or regions. The work already done with the Foundation for People and Community Development program in Madang Province is an example of the kind of collaboration that is possible and which could be used more frequently and to great effect in future..

Single, “stand-alone” workshops have proven to be ineffective in bringing about change and community mobilisation in many contexts and is reconfirmed by the evidence from this evaluation. A “one-off” presentation of difficult technical content is also problematic for most participants. After “awareness” and learning about their “rights”, communities also need assistance in taking the next steps towards effective action. Consequently, consideration needs to be given (and additional professional advice, training or experience sought as necessary) to structuring learning and mobilisation opportunities for communities around a sequence of interventions over an extended period – perhaps six to eight months depending on a community’s particular circumstances⁵⁴. Linking the learning and mobilisation program with the needs of, or opportunities created by, the other CELCOR program components or other organisations working in the same locality is also likely to contribute to more effective outcomes.

This evaluation supports the development of a CLE Training-of-Trainers capability with qualification. ToT is a seductive concept. Unfortunately, a lot (probably most) of so-called “ToT” is of poor quality, failing to take account of the fact that, to be successful, ToT graduates have to become reasonably expert in both the content about which they are intended to educate people and facilitation and teaching skills. Mostly, this cannot be accomplished in a “one-off” workshop. It may require well-designed ToT training in a number of sessions spaced over several months as well as regular supervision and mentoring as new ToT graduates begin their work. The current version of CELCOR’s ToT training only deals with technical content. This evaluation is of the opinion that it is more important, and ultimately more beneficial, for CELCOR to first concentrate on reshaping the focus, structure and content of its CLE program before embarking on any ToT activities.

Adequate resources

Well-designed, strategically utilised community education and mobilisation can be a powerful tool in realising CELCOR’s mission and objectives. At present the CLE component has a coordinator and no other dedicated staff. The coordinator, as a senior staff member, is often required to undertake tasks other than the CLE work, with the result that even maintaining the planned schedule of current CLE workshops has been difficult, let alone updating manuals (for example, as laws and legal precedents change) or developing previously recommended new courses such as CLE Training-of-Trainers. Overall “busyness” means that there is little time for reflection on the effectiveness of the current work and no team members with which to do this.

In CELCOR’s overall plan, it is the view of this evaluation that effective, well-targeted community education and mobilisation should have a greater role. To do this it will require more resources – an additional staff member and a suitably interested and qualified intern – and time and resources provided for major work to be done on the its engagement strategy (in conjunction with the rest of CELCOR) and the structure and content of its program..

A final note on CLE

Currently, resources are being directed into trying to obtain National Training Council accreditation for CELCOR. For successful community education and mobilisation this is not relevant – the most relevant bench mark is the effectiveness of community organising and action that follows as a result of CELCOR’s work. If staff or communities think that certificates are important in this kind of work then they are probably missing the point and the education process needs to be reviewed. We suggest that training accreditation should not be pursued any further unless it can be done at no further resource cost (eg. staff time) or unequivocal benefits for CELCOR’s program can be demonstrated.

⁵⁴ BRG’s “Grassroots Training” model is an example of an extended education process. “Learning and mobilisation opportunities” could include a variety of learning activities and situations for example: workshops (possibly separately for women and men); representative visits to nearby or similarly challenged communities; meetings; and practical tasks such as (with assistance) communities working on their own legal or environmental issues.

Recommendations

28. Following the forthcoming 2012 strategic planning process the CLE program should be revised to ensure that its focus and plans are properly integrated with CELCOR's agreed strategic direction and priorities and that the content of its 'learning and mobilising opportunities' for communities is able to meet the needs of CELCOR's overall program.

29. Implementation of the CLE program should be redesigned (in conjunction with appropriate advice from experienced organisations and practitioners) to ensure more comprehensive and effective delivery of 'learning and mobilising opportunities' for communities, CBOs or umbrella groups, eg. through the use of a series of connected activities conducted over several months.

30. CLE activities should only be facilitated by staff experienced in community and adult education and difficult technical material should not be presented to inappropriate audiences or at inappropriate times eg. during community-wide workshops.

31. The training skills and resources of CLE team members could benefit from reviewing the kinds of innovative teaching materials produced by, for example, the organisation 'Little Fish' (the content of their best known resource, 'The Moni Stori', itself may be of limited value to the CLE program but it is an example of an approach suitable for use with village communities)⁵⁵.

32. The CLE team should be augmented by an additional staff member and, when available, a suitable intern.

(b) Direct Legal Assistance (DLA)

The need for legal assistance for customary landowners in opposing groups or private companies trying to obtain illegal (or otherwise contestable) access to their land and resources provided the initial impetus for the establishment of CELCOR's program in February 2000. Since then DLA has remained a sought after component of CELCOR's program and, as previously noted, can also boast some important successes. Its effectiveness has often been compromised however, by inadequate resourcing (including a portfolio of cases too large for the available resources); high turnover in litigation lawyers; and ineffective management, in part brought about by the ED trying to simultaneously fulfil the role of Senior Lawyer.

In addition, several external informants raised a number of other issues affecting the performance of the three or four PNG NGOs that have been involved in environmental and land rights cases⁵⁶. These were: limited cooperation between agencies with common interests in a case⁵⁷; the lack of a strategic focus in choosing cases to prosecute; and the fact that CELCOR had, at times, been an unreliable partner in prosecuting cases, leading to the need for engagement of private law firms at high cost⁵⁸. A common response to this frustration from some people was to suggest a merger of CELCOR and ELC based on an assumption that this would result in better capacity to conduct litigation. Others however, were equally clear that trying to conduct a merger of two organisations struggling with their own issues would generate more problems than it would solve. The 2005 Evaluation considered the same scenario and recommended that some exploratory steps be taken towards a possible merger⁵⁹.

⁵⁵ The Little Fish website is at <http://www.littlefish.com.au/web/home.html>.

⁵⁶ At various times these have included CELCOR, ELC, EFF and ICRAF. BRG has also facilitated the prosecution of cases but usually by using private law firms.

⁵⁷ Particularly between CELCOR, the Environmental Law Centre (ELC) and the Ecoforestry Forum (EFF). EFF recently appointed its own lawyer, partly from frustration with its perception of CELCOR's and ELC's inability to effectively manage cases through the courts.

⁵⁸ For example, both EFF and BRG have engaged private law firms to prosecute important cases when they judged that CELCOR and ELC would prove unable to manage the tasks.

⁵⁹ These were: 1. CELCOR should initiate a greater level of collaboration with the ELC with a view to pooling resources to increase efficiency and impact. Initially CELCOR could invite ELC to its strategic planning workshop and joint campaign

In general, this Evaluation supports this intention. However, both CELCOR and ELC are in the process of trying to resolve their own management and operations problems, and it is our opinion that any serious attempt to merge them into a single organisation must wait until both “houses” are in reasonable order.

The current situation of the DLA “office” is symptomatic of recent history. Between 2002 and the end of 2010 CELCOR had been engaged in 15 separate cases. Many of the cases, even from as far back as 2002, were waiting on action by CELCOR lawyers either to proceed or to be finalised⁶⁰. At the time of the evaluation, one case is in litigation and all others are pending for various reasons. DLA currently employs two lawyers with previous private practice litigation experience. They have been with CELCOR for less than six months following a gap of about four months when CELCOR had no litigation capacity. Prior to that there was a single lawyer for some time who resigned due to a lack of basic organisational support and management necessary to undertake the often intense work.

Recently, a legal secretary has been appointed but the office has no filing cabinet or sufficient shelf space for organising case files; there is no access to the PNG Law data base for researching prior cases and precedents⁶¹; delivering court documents on time is made difficult because of uncertain access to transport; and management remains problematic without a clear process and criteria for deciding which cases to take on. A potentially serious issue related to this unfortunate situation is that CELCOR risks being sued for professional negligence by a dissatisfied client or cited for breaching the requirements of professional legal conduct. Ultimately, the reputations of CELCOR’s lawyers are at stake along with the standing of the organisation in the perceptions of judges and other players in the PNG legal system.

If CELCOR is to maintain a viable litigation capability then, according to informants for the evaluation, major changes are required. In summary these are:

DLA staffing

The law office could function with one lawyer and a para-legal staff member however, two lawyers provide a major increase in flexibility as each can stand in for the other in court when necessary. In either case, a Senior Lawyer who can provide guidance and mentoring to other lawyers and CELCOR law interns is required. At least one legal secretary is also necessary along with access to additional administrative support at crucial times. In the past, CELCOR has employed as many as four litigation lawyers at one time, but not all proved suitable for the work and adequate resourcing of the function was a problem. The level of need and funding to support more lawyers may again arise, however, it is likely to be more effective to support fewer lawyers but ensure that they were provided with adequate legal secretary, administration and other general office support.

Facilities and resources

The CELCOR Law Office needs to be established and resourced so that, in the field of environmental law, it can function as effectively and professionally as a private law firm. This would require a fully resourced, secure office including good communication facilities (fax and internet as well as phone); reliable access to transport when required for court work; adequate office furniture (including shelving and secure filing cabinets); adequate access to legal documents including the PNG Law Database; and secure, automated backup for computer files and e-documents. If it proves to be beyond the available means or capacity to establish a CELCOR law office at this level then establishing

planning. 2. CELCOR’s Board and staff should discuss the feasibility, benefits and disadvantages of forming even closer links with ELC over time.

⁶⁰ CELCOR Internal Memo (Culligan to Ase), *Consolidated Brief on all Cases Handled by CELCOR Lawyer from 2002-2010*, 26 Nov 2010.

⁶¹ This is estimated to cost approximately K1000 per annum.

an effective solicitor or para-legal function and briefing out the cases to private law firms is likely to be the best option.

Case selection and workload

A decision-making process (to follow initial filtering of requests for legal viability, likely success, being within statutes, etc) is required to select the most strategic or important cases from all those that are potentially prosecutable⁶². The decision should be made by the Management Team to ensure that a strategically aligned decision is made after consideration of the implications for each of the component programs.

Finally, CELCOR puts energy into its relationships with international environment and legal organisations but has not always capitalised on the support that is potentially available as a result. In particular, the Environmental Defenders Office (EDO) in Sydney provides a range of consulting and capacity development services as part of its international program⁶³ and, according to their staff, CELCOR has not always taken full advantage of what is available. CELCOR has occasionally utilised these services and the EDO is keen to provide more, especially if CELCOR's internal systems, management and planning are enhanced to maximise the effectiveness of the assistance.

Recommendations

33. To remain viable in litigation work, CELCOR's DLA Office has to be resourced and managed so that it can function as effectively and professionally as a private law firm engaged in environmental law. If this level of functioning cannot be established within about six months and maintained, litigation work should be briefed out to private law firms while CELCOR retains the solicitor's (case preparation) role.

34. Cases to be investigated and potentially litigated should be selected by the Senior Lawyer in consultation with the Management Team. Criteria for selecting cases should include, at least: the strategic requirements of CELCOR and the wider environment movement in PNG; the implications of the case for each of CELCOR's program components; the nature and circumstances of the case and the communities involved; and the capacity of the DLA team to proceed with the case at the time.

35. The eventual merger of ELC and CELCOR has the potential to result in a stronger, better focused and more efficient NGO environmental law and litigation capability. Apart from informal discussions however, it is likely to be counter-productive to embark on such a process before both organisations are stronger and better managed than at present. It is recommended that, at a suitable time within approximately the next 12 months, all aspects of the feasibility of and possible process for such a merger be explored through a joint-consultancy reporting to the Boards of both organisations.

(c) Policy Review and Law Reform (PRLR)

The PRLR team has four staff – two “policy” lawyers in Port Moresby and a lawyer and program officer in Madang. The current objective for the PRLR team is quite specific viz. “to analyse, research and develop policies relevant for the protection of community based property rights, protection of the environment and promotion of community based natural resource management”. The Madang office has been reviewed in Section 2.2.1 (e) and the roles of its staff were different to those described in the objective. For the Port Moresby PRLR staff, the reality of their day-to-day work has also been quite different.

For some of its time, the PRLR team works in a support role for each of the other program components – participating in CLE workshops; advising on policies, laws, and human rights issues for

⁶² From their own experience, and depending of course on the nature, complexity, scale, etc of particular cases, the Environmental Defenders Office in Sydney suggests that the level of CELCOR's resources would probably best support one case in litigation and one in preparation at any one time, with all available resources concentrated on the case in litigation.

⁶³ For example, training, mentoring and staff experience visits; advice on particular cases and legal situations; facilitating networking.

the campaign team; collecting evidence and affidavits for DLA, researching legislation and occasionally undertaking scoping work for a potential case. Other time is absorbed in report-writing, proposal writing; and attending customary land registration procedures once or twice a week⁶⁴.

The PRLR staff estimated that they spend less than 50% of their time in actual policy review and law reform work, (including attending government reviews of proposed policy or legislative changes) which they believe is suffering as a consequence. They feel frustrated by what they consider to be insufficiently clear direction and terms of reference for the different pieces of work that they do with the other program components. They find that establishing priorities for work is complicated by the steady stream of *ad hoc* requests for assistance from other parts of the organisation.

The PRLR team has also been responsible for implementation of the *Strengthen Community Marine Protected Area Initiatives through Legal Support and Education for Coast Resource Owners, NGOs and Local Government in Papua New Guinea* project⁶⁵. The project has the potential to make a valuable contribution to the key debates around unsustainable resource exploitation and the rights of customary land owners and some positive outcomes have accrued. Marine deposition of mine tailings⁶⁶ and growing activity in deep sea mining has also strengthened the imperative for campaigning and advocacy by CELCOR (and other organisations) amongst affected coastal communities. For these reasons it is important that the project is maintained. Until now however, project implementation has suffered somewhat from a number of changes in staff, but particularly from the fact that most of the responsibility for implementation falls to one staff member with many other demands on her work time. Further, within the current structure and mode of operation of CELCOR, location of the project within the PRLR section has also reduced its linkages with the organisation's overall campaign and advocacy work with consequent reduction in potentially valuable communication and cooperation.

Staff having to fulfil multiple roles is a fact of life for small organisations with limited resources. At CELCOR however, it appeared to be endemic and, along with inadequate office facilities, is probably a major impediment to work productivity. Consequently, a review of current support staff functions and capacity in relation to program needs would be beneficial. The organisation has a long history of using interns (many of whom have eventually become full-time staff members) to fill entry-level positions and this may provide a financially viable way to provide additional administrative support to the program.

It is clear that the PRLR component will benefit from a Strategic Plan that deals specifically with their role in the overall Program and from more strategic and consistent management of their eventual function. What their future role should be and how their particular skills can best be utilised within CELCOR should be considered during the 2012 strategic planning process. As previously noted, we believe that the overall structure of CELCOR is reasonably sound. PRLR however, is one component where reconsideration of what can be its most valuable role within CELCOR would be worthwhile⁶⁷. Clearly, from the way in which it is frequently asked to provide expertise to each of the other program components, there are gaps to be filled in those "frontline" areas. Given also, the opinion of the PRLR staff that their work reviewing government policies and legislation is limited in its ability to effect

⁶⁴ It is a requirement that there is a Civil Society representative at these hearings and most often CELCOR is asked to attend.

⁶⁵ Funded by the David and Lucile Packard Foundation.

⁶⁶ For example, the Lihir Gold and Ramu Nickel mining operations.

⁶⁷ CELCOR's four component programs have been a "given" for many years now. Our support for the "macro" structure of CELCOR notwithstanding, given the extent of the organisational changes foreshadowed in this report, the 2012 strategic planning process should spend some time reviewing the make-up and current roles of each of the component programs and revise them where necessary.

government intentions, adjusting their main focus to supporting the other teams with policy and legal research skills may ultimately be a more effective path to change. That is, the policy and law reform work would be more clearly driven by the needs of the legal and campaign work.

It is our view that the most effective role for the PRLR section will also become clearer and stronger with the improved strategic planning and management proposed in other sections of this report.

Recommendations

36. *The role of the PRLR function and the most effective way to make use of its experienced staff should be reviewed early in the tenure of the new ED and preferably in conjunction with the strategic planning deliberations in 2012.*

37. *A general review of support staff functions and capacity in relation to program needs throughout CELCOR should also be undertaken and additional administrative support provided if necessary.*

38. *Consideration should be given to transferring responsibility for the Marine Protected Areas project to the CAN section, with policy and legal review services provided by the PRLR section when required.*

(d) Campaigns, Advocacy and Networking (CAN)

Funding supporting the CAN team currently covers work in Oil Palm and Special Agriculture Business Leases (SABL) and land rights issues; International Financial Institution (IFI) funded projects; forestry and climate change. It may be that CAN is the most effective component of CELCOR at the moment⁶⁸ although team members feel that their effectiveness has been reduced since funding for the Campaigns Coordinator position ceased and the coordinator had to leave. Now they work independently on their particular campaign areas and only communicate informally, despite sitting in close proximity in the office. The team was managed by the CLE coordinator for some time but this proved to be ineffective for both teams. The team of four (including one intern) have a good working relationship, are enthusiastic about their work and now have a lot of experience working with communities and organising campaign activities.

This situation highlights the problems created for small organisations forced to “chase” multiple funding sources in order to maintain their programs. Each portion of funding comes with its own “target area” and concomitant unique reporting requirements⁶⁹. Consequently, in CELCOR’s case, they are locked into working in and reporting on six different (but interconnected) broad areas⁷⁰ while being unable to afford a CAN coordinator – a role that previously, according to CAN staff, helped to make their work more effective and efficient. Again, strengthened CELCOR planning and management is likely to improve this situation but it may also be the case that, for such a small organisation, more effective advocacy and campaigning process and outcomes would eventuate if the number of campaign areas could be reduced without unduly affecting the level of funding needed to maintain the organisation and its program. These questions can only be adequately resolved through detailed facilitated discussions within CELCOR, probably as part of the 2012 strategic planning process.

The CAN team sees its main focus as working directly with communities, helping them to understand issues and building their capacity to respond effectively. In this respect they work in reasonable cooperation with the other CELCOR teams. They expressed frustration at their inability to spend more

⁶⁸ This is a very subjective judgement based mainly on interviews with the teams and individual staff members. They also appear to be the team most satisfied with their work at the moment, although not without qualification as is evident a little later in this section.

⁶⁹ Greater harmonisation in reporting requirements between different donors would go a considerable way towards reducing the required level of “busy”, relatively unproductive work required of small organisations.

⁷⁰ The five listed in the previous paragraph plus the marine resources work implemented primarily by the PRLR section.

time with communities and to provide better follow-up on work that they have started – a problem that was commented on by some community members and also informants from two other organisations. This seems to be the result of a CELCOR organisational imperative to frequently move on to new communities before earlier work is properly consolidated.

In a normal year the team would work with approximately a dozen communities but in 2011 this has been affected by further funding problems – a gap in funding for the Oil Palm campaign as well as campaign money being used to cover temporary short falls (due to cash flow imbalances) in other CELCOR areas. The team noted that the latter problem has resulted in the postponement of an important workshop on SABLs with little prior warning. In addition, the position of the most experienced CAN member is currently in jeopardy because of the funding gap and the fact that new funding to support the work has not yet been secured⁷¹.

Team members acknowledged that communication within CELCOR is poor and, despite periods of collaboration, they professed little knowledge of what each of the other three teams were working on at the present time. Having to cancel the SABL workshop they attributed to poor internal communication and noted that it also makes them appear unreliable. Nonetheless, collaboration does take place and usually begins with work in a new community. This often starts with a “scoping study”. Where possible this is conducted by a lawyer (to collect data on the legal situation) and the appropriate CAN team member. From the scoping study, decisions are made about what continuing involvement is warranted including whether there is a need for community education provided by the CLE team.

A number of informants – internal and external – suggested that CELCOR should concentrate on its legal work, especially litigation. They felt that this was the greatest area of need and, for obvious reasons, has to be done very well. This argument – which implies the cessation of most of CELCOR’s campaigning and advocacy work – has merit when it is so clear that the organisation has struggled simply to maintain its programs, let alone being able to implement them effectively and with efficiency. Nonetheless, and limited though effective collaboration has been, we are impressed with the potential synergy that CELCOR’s component programs can generate if provided with a strong operational framework to work within. Once again, this means clear strategic direction for the program and strong, effective management that is able to tap the creativity of committed and competent staff. In addition, the number of organisations in PNG able to provide the level of campaigning and advocacy work of which CELCOR is capable is very small and its continuing presence in these areas – especially if performance improves – is likely to be important.

Recommendations

39. *The CAN component program should be reviewed following the appointment of the new ED (and probably as part of the 2012 strategic planning process). The review should include the desired role for CAN in pursuing the vision, mission and goals of CELCOR; establishing realistic limits and priorities for the content of the program; and the structure and staffing of the section.*

3. Conclusions

⁷¹ Shortly after the evaluation it was learned that the CAN team member concerned, after approximately six years experience with CELCOR, had resigned to take up another job.

The main findings of this 2011 Evaluation are that:

- There is an increasing need for the campaigning, advocacy, community education and litigation skills and capacity that CELCOR seeks to provide in the face of increasing pressure from private companies and government on customary land owners for access to their forests and land resources
- CELCOR is able to demonstrate some success in each of these areas in its 11 years of operations, including a number of significant campaign and legal victories. Its staff are skilled and knowledgeable about their work and committed to CELCOR's vision and mission
- CELCOR's "productivity" throughout this time however, has been stifled by inadequate attention to fundamental features of successful organisations – particularly effective management, planning and internal communication
- These problems are long-standing and have been high-lighted in previous evaluations in 2005 and 2008 but attempts to address them have been unsuccessful
- If they are not properly addressed following this evaluation there is a serious risk that the organisation's capacity and performance will continue to decline due to: the loss of competent, experienced staff; decreasing support from donors; and reduced confidence of partner organisations.

CELCOR has the opportunity and the potential to play an important role in the continuing struggle for environmental commonsense and justice for rural communities. Its focus on working with communities gives it a practical credibility and knowledge that is not so readily available to other environment-focused organisations.

In our opinion, the latent potential of the CELCOR "model" can be realised and be of great benefit to PNG society provided that prompt and firm action is taken to address the organisational problems identified in this evaluation. The services that it tries to offer to PNG communities under threat from resource "developers" are in demand but, to date, the organisation has struggled to meet expectations – its own and those of others.

The evaluation includes many recommendations. They are not, of course, independent of each other and successful implementation of the major recommendations will, likely as not, see many of the others flow on readily and quickly as direct consequences of improved functioning of the organisation. The greatest need is to create the conditions for an "enabling" organisational environment, providing the best possible circumstances within which staff and programs can flourish. Essential changes that will underpin this are:

Leadership and management To survive and prosper CELCOR must have high-quality modern management and leadership at all levels that is committed to the organisation's objectives; works constructively with staff; delegates authority appropriately; and is collectively strong in upholding the agreed principles, decisions and practices of the organisation.

Planning, implementation and decision-making Planning needs to form logical and realistic links between CELCOR's vision and mission; the capacity of its staff; the resources available to the organisation; the environmental and legal tasks it chooses to take on; and the activities it designs to do this. Plans should be regularly revised as implementation unfolds (the outcomes of which are almost always unpredictable) and circumstances and context change. Decision-making processes need to be appropriately broadened so that staff experience greater "ownership" of the organisation and the work (which, in turn, strengthens commitment).

Internal communication Procedures are needed to ensure that every staff member has an understanding of CELCOR's program and the reasons for its particular "content" at any time (why is

this campaign important; why is that litigation being pursued; why are we conducting community education in these communities, etc). Staff also need to be kept informed of emerging issues or circumstances that are likely to affect their work or their personal circumstances.

Annexes

Annex 1: Changing Strategic Plan Objectives

2006-2008 Strategic Plan	2009-2011 Strategic Plan
<p>Goals</p>	<p>Component Objectives</p>
<p>1. Environmental, Customary and Community Rights in PNG are promoted, secured and defended.</p> <p>2. Just and responsive Environmental Laws and Policies are advocated and promoted in PNG.</p> <p>3. Environmental issues are publicly exposed to secure support of stakeholders at all levels and problems arising from development of resources are resolved through the use of law and appropriate dispute resolution.</p> <p>4. Established and strengthened Networks with other like minded organizations at all levels including training and skill sharing of Public Interest minded lawyers, individuals and communities.</p> <p>5. Strengthened Organisational Structure and Systems at all levels.</p>	<p><i>1. Finance and Administration Management</i></p> <p>By end of 2011, CELCOR will have improved administration and financial management systems to effectively and efficiently support all of its programs and projects.</p> <p><i>2. Community Legal Education</i></p> <p>Communities targeted for major development projects are educated on their rights and the laws governing resource management to ensure sustainable management of these resources to benefit present and future generations.</p> <p><i>3. Forest Campaign</i></p> <p>The recognition and adoption of best practice management (BPM) and free, prior-informed consent (FPIC) principles among stakeholders of forest resources in Papua New Guinea.</p> <p><i>4. Oil Palm Campaign</i></p> <p>Stop Oil Palm Expansion into Customary Land by 2012.</p> <p><i>5. Marine Campaign</i></p> <p>Protection of customary marine tenure and sustainable management of marine environment and resources.</p> <p><i>6. International Financial Institutions Campaign</i></p> <p>Minimise the negative impacts of IFI funded projects in Papua New Guinea.</p> <p><i>7. Climate Change Campaign</i></p> <p>Minimizing the effects of Climate Change and advocate for policies that protect people's rights.</p>

Annex 2: 2011 Evaluation Terms of Reference

CELCORs EXTERNAL EVALUATION OF THE ORGANISATION AND PROGRAMS 2005 - 2010

Evaluation of CELORs key programs of legal assistance, policy reform, environmental education and campaign and advocacy in protecting customary and environmental rights of resource owners in Papua New Guinea

1. Background

The Centre for Environmental Law and Community Rights, Inc (CELCOR) is a not-for-profit public interest environmental law and advocacy organization established in February 2000. The initiative was taken by Mr. Damien Ase to form this organization. At the time only Environmental Law Centre (ELC) and, to a certain extent, Indigenous Community Rights Advocacy Forum (ICRAF), were working on legal issues in PNG. The need to form another legal based organization was triggered by the steadily increasing presence of foreign logging companies on PNG soil. CELCOR was formed very much as a response to what was considered a growing need for legal support to affected and highly marginalized people who mainly resided in rural parts throughout the country. It soon became clear that the level of understanding of vital pieces of legislation regulating extractive industries was rudimentary at best. CELCOR arrived at the conclusion that if rural people could gain access to this knowledge then more people would be able to respond accordingly to what was happening on and to their environment. The organisation decided to take on the task of educating, in the form of training, such people all over PNG- based on request. Some of these trainings; called paralegal trainings- are supported through funds derived from Norwegian public sources while others are derived through a Norwegian student campaign which began in the year 2001.

CELCOR also undertakes legal work by representing clients in the courts for trial.

CELCOR has taken on quite a few cases over the years and this is an area of work which is both important as more and more people are becoming aware of their rights as resource owners and how these rights are being infringed. It is believed that this particular activity will grow in importance in the coming years.

VISION

The Vision of CELCOR after a long and rigorous debate by staff, partners and other stakeholders, was decided as being; **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

The organization in declaring its mission also followed the same transparent and highly motivated discussion. At the end of the External Evaluation Workshop in 2005, the Mission was decided as being; **To see PNG communities living in harmony with the environment and culture in a just, holistic and sustainable way.**

GOAL

There are many aims and objectives that CELCOR undertakes to achieve. These could be summarized as:

- Environmental, Customary and Community Rights in PNG are promoted, secured and defended.
- Just and responsive Environmental Laws and Policies are advocated and promoted in PNG.
- Environmental issues are publicly exposed to secure support of stakeholders at all levels and problems arising from development of resources are resolved through the use of law and appropriate dispute resolution mechanisms.
- Established and strengthened Networks with other like minded organizations at all levels including training and skill sharing of Public Interest minded lawyers, individuals and communities.
- Strengthened Organizational Structure and Systems at all levels.

CORE VALUES and PRINCIPLES

CELCOR strives to achieve the following at all times in the undertaking of activities
With its different stakeholders:

- Believe in transparency, participatory and collaborative approach at all levels of interactions.

- Committed in striving for excellence.
- Believe in equality by demonstrating sensitivity and respect at all facets.
- Believe in fairness and justice in all our works.

PROGRAM

CELCOR has four core programs, a sub-program and a support program through which it implements its project activities.

Core Programs

1. *Direct Legal Assistance (DLA)*

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

2. *Policy Research and Law Reform (PRLR)*

To analyse, research and develop policies relevant for the protection of community based property rights, protection of the environment and promotion of community based natural resource management.

3. *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.

4. *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.

2. Introduction

CELCOR as an organization supports and embraces the activity of having an external evaluation as a core process that contributes to enhancing organization effectiveness and functionality. Since inception, two external evaluations have been conducted so far, the first and major one in 2005 followed by a program focused evaluation in 2008.

The evaluation will prove a vital tool in analyzing the progress of the organization, in identifying areas of improvement as well as improving efficiency and effectiveness in areas of strengths.

CELCOR has received substantial funding from and via the Rainforest Foundation in Norway (RFN) for a number of years and now feels the need to look back and evaluate what has been done to date before proceeding.

At the External Evaluation, the need to take a closer look at both the paralegal part of CELCOR's work and the work connected to court cases. Furthermore, CELCOR was founded by one person but has now grown into an organization of substantial size and complexity. It is strongly believed that an in-depth view be taken to look into the way CELCOR is working – as an organization – and determine whether ways can be found to improve the way the organization is currently working.

3. Scope of evaluation:

The main focus of the evaluation will be on CELCOR as an organization. In addition the evaluation should assess project implementation of the all four program components (DLA, CLE, PRLR and CAN) during the period 2005-2011.

The evaluation will be conducted within three provinces.. These provinces are New Ireland, Madang and Oro Province. Some specific areas which the evaluation will examine include:

1. Project management & organization

- Looking at the organizational development and its capacity in handling and implementing the project.
- The respective roles and responsibilities of project staffs: definition, scope, appropriate and workable?

- How does the organization make sure that all programs (whether it be support program, sub program or a core program) are being carried out according to plan? How is the planning process within the organization?
- Is there any system in place in order to secure the quality of what is being done in the organization; the project activities, the proposals, the reports, the audit etc? How effective is this system?
- How is the flow of information system between management and employees?
- Is there any form of internal evaluations taking place? If there is, how well does the system work?
- Recommendations for improvement of organisation and project management.

2. Relationship with donors, partners, CBO's, communities and other stakeholders (when applicable and relevant)

3. Approach, methodology, documentation and learning

Is CELCOR'S approach and methodology the best way of achieving results?

Just to a limited degree, has CELCOR's work been phrased within a so-called LFA frame work. This is important to bear in mind when the evaluation team is conducting their investigations as the goal hierarchy and indicators at the different levels have not been spelled out "according to the book". Bearing this in mind the following key words should provide guidelines for the evaluation team.

- 1 **Effectiveness**- the extent to which the purpose has been achieved. Whether this can be expected to happen on the basis of the outputs of the project.
- 2 **Efficiency** – how the results stand in relation to the effort expended. How economically inputs are converted to outputs. Whether the same results could have been achieved in another way. This is important in order for us to find out to what degree the outputs achieved derive from efficient use of financial, human and material resources. It means comparing inputs with outputs.
- 3 **Effect**-the changes, positive and negative, planned and unforeseen of the project, seen in relation to target groups and others who are affected.
- 4 **Sustainability** – an assessment of the extent to which the positive effects of the project will still continue after external assistance has been concluded.

4. Evaluation objectives

The evaluation has the following objectives:

- To provide an overview of strenghts and weaknesses in internal management, and recommendations for how challenges can be addressed and the organisation can improve.
- To provide an overview of the strenghts, weaknesses, challenges and gaps in project implementation, and recommendations for how weaknesses can be addressed.

What is the benefit of an evaluation?

- A. the evaluation will contribute to strengthening the organisational capacity of CELCOR.
- B. Increasing their ability to identify and address internal problems and issues in their fields of activity including external factors and challenges.
- C.
- D. Documentation of lessons learned will assist both RFN and CELCOR to build their capacities into future programming in order to support indigenious communities to better cope with human rights and environmental issues
- E. Enable a timely and appropriate action to redress such issues in the future.

6. Evaluation Methodology

To carry out the evaluation within the specified time frame and achieve the evaluation objectives. The evaluation will include a combination of a review of CELCORs documentation, field travel, key informant interviews or focus group discussions with CELCORs staff.

The methodology to be adopted during the evaluation should include:

- Literature review – program documents, news articles, reports and court cases.
- Discussions with CELCOR's staff members, former staff, board members, local CBOs and other NGO's.

- Discussions with lawyers, community leaders, members, and activists.
- Field visits - traveling to the communities, and observing CELCOR carrying out activities. Holding discussions with members of the village.
- Presentation of findings – the evaluation shall facilitate a workshop for the staff of CELCOR where preliminary findings of the evaluation are presented. This will give the staff an opportunity to provide feedback, for the evaluation team to validate findings.
- The writing of a final detailed report.

The report to be presented both in electronic Copy and written copy to Damien Ase, the Executive Director of CELCOR and to Kamilla Berggrav in RFN.

Confidentiality of information: all documents and data collected from interviews will be treated as confidential and used solely to facilitate analysis. Interviewees will not be quoted in the reports without their express permission.

Guiding Questions for Semi-Structured Interviews with Informants

1. What is the role of your organization? And your own specific role?
2. Who are your key allies?
3. Over the past few years what have been the most significant changes in environmental management/policy/company practice in PNG?
4. How does your organization work to influence change (who do you target? How?)
5. How would you describe the work of CELCOR?
6. What is your relationship with CELCOR?
7. What do you see as CELCOR's key strengths? Achievements? Weaknesses?
8. What have been key outcomes/impacts of joint work with CELCOR?
9. What have been success factors to date?
10. What have been weaknesses/constraints?
11. What key lessons have been learnt?
12. What should the next steps be in this work?
13. What will your organization be focusing on in the future?
14. Are new environmental issues emerging in PNG?
-New advocacy targets? Emerging threats/opportunities?
15. What role do you think CELCOR should play in future? Is there anything CELCOR could do differently? Why?

7. Evaluation Team

The evaluation team will be made up of three evaluators, two local and one international.

8. Responsibilities of parties

The evaluator

- Ensure that the field work is carried out **to the best of your ability**, the background information is read, and all other aspects of the evaluation are carried out **expediently**.
- Ensure that a draft report and a final report are presented to CELCOR and RFN as in line with the contract.
- **Furnish reports referred to in a timely fashion**
- Other?

CELCOR

- Responsible for providing all background information about the project to evaluator.
- Organize and ensure that communities/people are **present for** interviews by the **evaluation team**.
- Organize transportation and accommodation for the evaluation team.
- Organize translators if necessary.
- Give input to the draft report
- **Organize other logistical arrangement for the evaluation team**
- Other?

9. Timing and reporting

The tentative dates of Evaluation exercise is attached with this TOR. Overall Evaluation will be for duration of about 40 day. The schedule details will be provided later.

10. Follow up

Follow up of the report would be through: Kamilla Berggrav (RFN), Mr. Damien Ase (Executive Director) and or Ms Lynette Baratai Pokas (CLE Coordinator)

Annex A

List of Evaluation Informants

Table included in original TOR

12 Annex B

List of documentations

Listed below are documents that will be provided to the evaluation team by CELCOR

1. Evaluation of Program Activities Supported by Rainforest Foundation Norway _ April 2005
2. Evaluation of CELCOR's – Friends of the Earth PNG Programs _ 2008
3. Organizational Strategic Plan 2006 – 2008
4. Organizational Strategic Plan 2009 – 2011
5. Organization Constitution
6. Organization Staff Policy
7. Community Legal Support Services Profile
8. CLSS – Consultation to Managalas Development Foundation Report
9. RFN Project Proposal 2008 – 2012
10. RFN Project Contract
11. Community Legal Education (CLE) Manual
12. Community Legal Education Workshop Reports (2005 – 2010)
13. CLE: Saga Village, Kokoda Oro Province, 2009
14. CLE: Holion, New Ireland, 2009
15. CLE: Mu, East Pomio, East New Britain, 2009
16. CLE: LMMA, Kimbe 2009
17. CLE: IOMA Block 5, Oro Province, 2009
18. CLE: Tsiroge Bougainville, 2008
19. CLE: Aeka, Ioma, Oro Province, 2006
20. Training of Trainers Workshop Report, Rakunai, East New Britain 2006.
21. Momase Para-legal Training
22. Madang Lagoon Para Legal Workshop Report, Madang Province, 2005
23. Manus Para-legal workshop Report, Lorengau, Manus Province, 2005
24. Musa Pongani Legal Patrol
25. IOMA Block 5 FMA Legal Patro, 2008
26. Mamba Mill Patrol
27. Collingwood Bay Campaign Patrol: Proposed Agro-Forestry Project, 2008
28. Musa Pongani Legal Patrol and Awareness Report, 2007
29. IOMA Block 5 Legal Patrol Report, 2005
30. Lakekamu Legal Patrol Report, Gulf Province, 2005
31. Cape Orford Legal Patrol Report, East New Britain, 2006.
32. Kikori Legal Patrol Report, Gulf Province, 2006
33. Kimbe, Bialla and Bulu Legal Patrol Report, West New Britain, 2005.
34. New Ireland Legal Workshop Report, New Ireland Province, 2005
35. Siassi Island Legal Patrol Report, Morobe Province, 2006
36. Database of Associations registered by CELCOR
37. Legislative Drafting Workshop Report, 2009
38. Introduction to Monitoring , Documenting and Reporting on Human Rights Violation Report

39. Pacific Lands Workshop Report,2009
40. Women in Oil Palm
41. Women in Oil Palm Strategic Plan
42. The Corporate Responsibility and Accountability Lobby Report
43. World Environment Day Report 2009
44. Report of the 8th Synex Meeting of the Nature and Poverty Alliance; 1.7 Updates on Oil Palm Work Plan: Lobbying the Malaysian Government on Deviant Malaysian Companies in Indonesia and Papua New Guinea.
45. Global Warming and Climate Change Research, Campaign and Advocacy Project Report, 2008.
46. Climate Change and IFI Awareness Workshop Report, 2008.
47. Kokoda Campaign Resort, 2005
48. Environmental Impact Assessment Stages 2 & 3 of Kokoda River Report, Oro Province2005
49. Environmental Assessment Report Logging Operation in Sossi 1 Area, Vanimu, 2005
50. Biialla Patrol Report (Witnessing and Assessment of Environmental Damages), West New Britain, 2005
51. Newspaper articles
52. Environmental Defenders Office Attachment

Annex 3: A summary of the extent of implementation of the 2005 CELCOR Evaluation recommendations

2005 Evaluation Conclusions	2005 Evaluation Recommendations	2011 assessment of Implementation Progress	Comments
WORKING WITH COMMUNITIES			
<p>Creating Capacity for Community Development</p> <p>The evaluation’s findings demonstrate that good community process is essential for CELCOR’s interventions to achieve its goals. CELCOR currently lacks the capacity to implement this.</p>	<p><i>Training in Community Process</i> All staff should undergo training by the Bismarck Ramu Group in community process so as to gain a solid conceptual and practical understanding of community development; forms of community organisation; governance options appropriate for village level organisations; community entry, community engagement, participatory processes; gender issues; sustainable community based natural resource management; resource materials and messages appropriate for remote communities; effective teaching methods for trainer of trainer workshops</p> <p><i>Sourcing External Expertise</i> CELCOR should not undertake work with communities without partner NGOs or contractual arrangements providing for groundwork and follow-up. In situations where communities assisted by CELCOR are not already supported by community development NGOs, CELCOR should enter into arrangements with individuals or NGOs with community development expertise to conduct community development groundwork and follow-up. Such arrangements should be incorporated into program budgets and formalised through MoUs.</p>	<p>Partial implementation</p> <p>Limited</p>	<p>Three staff have experienced some BRG training and practice. A few others may have been exposed to good CD process.</p> <p>Other organisations fortuitously involved in some communities where CELCOR has worked.</p> <p>Negotiating to engage other experienced CD organisations in community groundwork not done – may have been considered inappropriate for the way in which CELCOR currently operates.</p>
<p>Selecting Communities for Legal Assistance CELCOR has not been discriminating in its selection of communities and issues to assist. This has resulted in a wide range of outcomes spanning failures to successes.</p> <p>Community Generated Organisations Whilst CELCOR encourages the formation of CBOs in communities, the evaluation’s findings indicate that unless CBOs are formed as a community generated initiative they are likely to disempower communities and be unsustainable.</p>	<p>CELCOR to refine a simple and user-friendly checklist of criteria for selecting communities. A basis for the checklist might be the criteria already developed by staff during the evaluation wrap-up workshop.</p> <p>CELCOR should cease encouraging the formation of CBOs and work instead with existing leaders and organisations.</p> <p>If communities request CELCOR’s assistance in registering their self-generated organisation with the IPA, then the community should meet the cost of registration fees and advertisements.</p>	<p>Unknown</p> <p>Not done in most cases.</p> <p>Implemented.</p>	<p>2011 Evaluation has no evidence that this was formally completed. It may be the case that decisions are, in part, based on similar tacit knowledge.</p>

<p>Sustainable solutions to natural resource management problems are likely to be achieved through community organisations that are already active with a strong sense of their own purpose and have an attitude of self reliance.</p> <p>Board structures, roles and responsibilities are often too complex for the capacity of village communities. Committees with a limited number of functions and simple governance procedures are more appropriate.</p>	<p>CELCOR should cease to conduct CBO governance training that promotes Board based governance structures for village level organisations. Instead, CELCOR could build the capacity of existing community organisations to work effectively with them and to apply the gains of CELCOR's intervention for the long term benefit of the community</p>	<p>Not done.</p>	
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<p>Promoting the Participation of Women CELCOR's approach to women's participation is passive and <i>ad hoc</i>. While CELCOR's female staff have begun to request greater female participation in PLTs and community meetings with positive results, there is still a need for an agreed organisational strategy.</p>	<p>CELCOR develop an organisational strategy to promote the participation of women from the outset of CELCOR's engagement with a community onwards</p>	<p>Not done.</p>	<p>Attracting women to CLE workshops remains difficult. Conscious strategies needed urgently.</p>
<p>CELCOR AS AN ORGANISATION</p>			
<p>Strategic Direction Whilst CELCOR possesses a unique combination of skills and resources, the lack of a clear focus has resulted in "hit and miss outcomes". It can also result in inefficiencies due to the diversion of CELCOR staff to meet external demands.</p>	<p>At its strategic planning workshop, CELCOR should review mission and vision and goal statements for the organisation and develop program level goals, objectives, activities, outcomes and performance indicators.</p> <p>These should be used to screen external demands from partner NGOs and potential new areas of work through a process of participatory decision-making amongst the Management Team.</p> <p>Once the above strategic planning hierarchy is in place, CELCOR should establish systematic process for monitoring and reviewing its activities.</p>	<p>Partial implementation</p> <p>Not done</p> <p>Not done</p>	<p>Work was done on the vision and mission and on the goal statements for each of the four programs.</p> <p>Work at the level of objectives and activities was only done for F&A, CLE and then for five campaign areas.</p> <p>Minimal Management Team involvement in decision-making. The structure of the Strategic Plan was not suitable to be used as a screening mechanism as proposed. Screening was mainly done by the ED.</p> <p>Only done informally through periodic reporting. No systematic process.</p>
<p>Reviewing Governance Style and Roles of the Board The Board feels that it lacks authority, as its members are non-elected appointments who do not represent particular sectors of society. In addition, competing demands for their time mean that CELCOR's board members cannot have an intimate knowledge of CELCOR's day-to-day operations. Thus, it would be useful for the Board to review the extent to which it should be involved in management.</p>	<p>CELCOR should revise the constitution to define the expertise and sectors of society it seeks on its board and the roles and responsibilities of the board, including in staff recruitment. These should balance the needs of CELCOR with the time that board members can realistically allocate.</p> <p>CELCOR should invite onto the Board representatives of NGOs and community organisations that have direct experience of grassroots community empowerment.</p> <p>Board could include a higher proportion of members from the private sector and/or from NGOs who don't routinely work with CELCOR to counter risk of conflict of interest inherent with members from NGO partners.</p>	<p>Not done</p> <p>Implemented</p> <p>Partially implemented</p>	<p>May have been decided that it was not a high priority or perhaps not considered necessary or appropriate.</p> <p>At least one Board member for most of the time had grassroots experience.</p>
<p>Management and Structure Issues that emerged relate to the lack of</p>	<p>CELCOR plan for restructuring the organisation, including moving the ED into a senior legal position, recruiting a new ED with expertise in human resource management and</p>	<p>Implemented but</p>	<p>Two ED's recruited at different times</p>

<p>clarity around lines of accountability, lack of coordination between program areas, communication difficulties, and lack of participatory decision-making processes. The ED is overburdened by attempting to manage program, legal and administrative aspects of the organisation. In this regard, it was found to be important to separate the roles of ED and Principle Solicitor. In conjunction with this, it is also noted that the current ED would prefer to work in a senior legal/policy capacity</p>	<p>administration, and setting in place a functional Management Team.</p> <p>CELCOR should review and amend staff policy and procedures and the constitution to highlight a commitment to participatory decision-making and active discussion with staff about all decisions that affect them. The ground rules and scope of the Management Team's decision-making should be clearly defined and formalised.</p> <p>Management Team members should be trained in staff management and supervision. They should be tasked with fulfilling a supervisory /mentoring role for their staff, which should rely strongly on verbal, rather than written communication</p>	<p>unsuccessful</p> <p>Limited</p> <p>Not done</p>	<p>but only stayed for short times. Several probable reasons for this.</p> <p>Some changes made to the Staff Manual but not put into practice. Management Team's role not formalised.</p> <p>Poor management practices persisted throughout the organisation.</p>
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<p>Financial Controls</p> <p>At the time of the evaluation, a qualified accountant managed CELCOR's finances and CELCOR routinely met its statutory requirements for annual audits and yearly financial reports. While there are no serious irregularities regarding financial management, there are a number of issues relating to budget management and the authorisation of the release of funds that do warrant attention.</p>	<p><i>Unplanned / Unbudgeted Activities</i> Approvals should be gained in advance from donor's whose funds are being diverted to cover the costs of unplanned activities or a formal contingency fund should be established. A mechanism by which to recover bank charges must be devised.</p> <p><i>Program and Project Budgets</i> The Finance Manager must check all program and project budgets and all revisions to these prior to their finalisation and submission to donors. Program managers should routinely consult the Finance Manager about the balance of funds.</p> <p><i>Expenditure Approval Limits</i> The Board should agree on the level of expenditure requiring Board approval, and the levels that the ED and finance manager respectively can approve. These approval limits should be formalised in the policy manual and staff duty statements.</p> <p><i>Cheque and Voucher Signatories</i> Two staff and two board members should be made account signatories with the requirement being for one of each to sign cheques. Additional signatories are required for the forms and vouchers required to raise payments.</p> <p><i>Financial Management Manual</i> The Finance Manager is in the process of drafting a financial management manual. In addition to documenting the operating procedures and systems it should also address the above issues.</p> <p><i>Back-up Financial Management</i> CELCOR should consider an "understudy" arrangement for a staff member to "back-up" the Finance Manager.</p>	<p>Partially implemented</p> <p>Partially implemented</p> <p>Partially implemented</p> <p>Unknown</p> <p>Partially implemented</p> <p>Implemented</p>	<p>Finance Manual written but "lost" – current Finance Manager unable to locate a copy.</p> <p>Finance officer undergoing in-house training.</p>
<p>Staff Management</p> <p>CELCOR employs 15 staff and currently supervises 2 student interns. It has a strong track record in recruiting and maintaining highly qualified and committed staff who benefit from opportunities for professional development. However, some inconsistencies were noted with regard to recruitment procedures, staff entitlements, job descriptions, and the treatment of</p>	<p><i>Recruitment and Conditions</i> Recruitment procedures should be formalised in the policy and procedures manual. Members of the Management Team should play a central role in determining job descriptions and selection criteria and in selecting candidates. The appropriate level of Board involvement in recruitment should be formalised. The recruitment (promotion) of existing staff into higher positions should also occur via a competitive process, with all appropriately qualified internal candidates invited to apply. Once recruited for a particular position, job descriptions must not change without the agreement of the Management Team and staff member concerned. The new ED together with the Management Team should establish a system for staff appraisal.</p>	<p>Not done</p>	<p>HR management remains a problem area and a strong source of dissatisfaction amongst staff.</p>

<p>successfully communicated by the PLTs is that customary land ownership is recognised in law and clans have power to decide how they want to develop/manage their natural resources. This message appears to have been a powerful factor in moving communities towards self reliance and conservation.</p> <p>Workshops raising awareness about fundamental rights would be best conducted by NGO community workers trained by CELCOR. They could also be trained to act as <i>true</i> paralegals ie: to assist CELCOR with drafting summons and affidavits and with simple aspects of litigation groundwork.</p>	<p>The Paralegal training manual would provide CELCOR staff with an accessible guide for teaching NGO staff or community members the skills required to conduct simple legal tasks such as the drafting of summons and affidavits and the collection of evidence.</p> <p>CELCOR should seek the assistance of NGOs with expertise in the development of training manuals and in developing resource materials for remote village communities. It is critical that the images used to convey messages promote the participation of women and not reinforce disempowering gender stereotypes</p> <p>CELCOR could investigate the use of radio drama, talk-back and songs to communicate important legal rights concepts to village communities. The portrayal of the roles of women should be an important consideration in developing content</p>	<p>Partially implemented</p> <p>Unknown</p> <p>Unknown</p>	<p>Limited suitable resource materials.</p> <p>PLT manual still in preparation??</p> <p>Some assistance obtained in preparing the CLE manual. Unsure whether the gender representation was dealt with.</p>
<p>Harnessing the Skills of CELCOR's Direct Legal Service (DLS)</p> <p>The DLS program offers free legal advice and litigation services to communities and NGOs. Although a valuable and much appreciated service, it is not well focused towards the achievement of CELCOR's goals.</p> <p>In addition, CELCOR's litigation capacity is currently limited to two lawyers, one of whom is assigned to the Policy and Research team. Both lawyers spend a significant proportion of their time travelling to the field to conduct PLTs and other community workshops. Consequently, the number of court cases that CELCOR can conduct is limited. There also appears to be scope for CELCOR lawyers to improve the efficiency of their case management and case filing systems.</p>	<p>CELCOR should pursue the following strategies for increasing litigation capacity and the effectiveness of legal assistance:</p> <ul style="list-style-type: none"> • DLS assistance to communities should be focused via the use of the selection criteria and pro-active case identification • Litigation lawyers should focus on conducting litigation and travel to the field only when essential • The use of <i>paralegals</i> trained by CELCOR to conduct basic legal tasks in the community • CELCOR lawyers with litigation skills should be assigned to the DLS • Recruiting additional litigation lawyers • In-house training of lawyers • Delegating less experienced CELCOR lawyers as counter-parts to the private lawyers retained by CELCOR <p>Modelling file maintenance and case-load management procedures on the for-profit sector.</p>	<p>Partially implemented</p>	<p>Some of these measures implemented but DLA is still a long way from functioning in a similar way to a commercial law practice.</p>

Annex 4: Summary of 2011 Evaluation discussions with women in rural communities

- Some initiatives taken by CELCOR to involve women in the organization's trainings, however, there still a greater need to do more.
- A focus group discussion with 22 women in Wanigela revealed that only four were aware of CELCOR and its activities. Some of the problems women mentioned that they are facing: women are depressed and over worked and have no or little time to take care of themselves. The women lack family planning services and some have children close together. A major problem is that women have limited opportunities for earning income.
- It was evident that males are benefitting more from CELCOR's trainings. There have been few women involved in the trainings – they are invisible; in the background preparing food for the men, minding the children and attending to household chores.
- Kavieng, NIP, meeting with Ms Rose Wanis revealed that women are greatly affected by the Oil Palm development taking place. Some of the problems highlighted are unwanted pregnancies, poor working conditions, prostitution, over work and underpay. Rose and one other woman, after attending a CELCOR training, carried out awareness on the negative impact of oil palm development in their communities mainly with women. A total of 14 awareness trainings were done. They also talked on provincial radio on the issue.
- Rose indicated that the women are responding positively because they or their daughters are affected. Women wanted to know more about the oil palm development and its issues.
- Currently, women are taking on changing roles eg. traditionally in New Hanover Island, men's role was to go fishing and hunting, but now the women are doing the fishing. Any new development that has an impact on coastal marine life will pose a threat to this livelihood and directly affect the women. Therefore it is important to involve women fully in any initiatives from the initial stages.
- Women in Oil Palm was initiated by CELCOR however it needs clear direction and processes to really get the association established. A committee or executive was set up after just one workshop but the executives are spread around the provinces that have oil palm plantations in place. What was the purpose of setting up this association? CELCOR needs expert input into developing proper strategies to go forward with this initiative. It can have a lot of positive impact because, one advantage of working with women is they can be easily mobilized and are more responsive to any developments affecting them and the community.

Annex 5: Notes on gender awareness for CELCOR staff and programs

Using the term “gender”

Gender is the social differences or roles allocated to women and to men. They are roles that are learned as we are growing up. They depend on our culture, ethnic origin, religion, education, standing in the community and the geographical, economic and political environment in which we live. Our gender roles are separate from our sex. Gender roles are capable of changing in response to changes in the environment in which we live.

In most societies, gender roles create inequalities between men and women which result in women being disadvantaged in many ways. In particular, women are often ignored as economic producers, even though they play an enormous role in the production of foods, goods and services. Women are at the heart of ensuring the day-to-day welfare of the family. Their labour is an important, and often unseen, part of community, social and cultural activities which are unique to Papua New Guinea. However, because women are often not given the same education and other opportunities as men and have a greater responsibility for family matters, the economic activities available to women are often more limited than those available to men. The need to balance economic activities and family responsibilities limit the extent to which women can participate in and benefit from other developments.

Gender is the primary organizing principle of all human societies. Children are treated differently according to their gender even in infancy, and are taught what is expected of “good” men and women from a very early age. Gender conditioning therefore runs very deep and is difficult to change. This is especially so when people believe that gender roles are biologically fixed, or when the system of gender relations is highly unequal and one sex (usually men) enjoys considerably more privileges and advantages than the other.

Gender analysis: the process of collecting and analyzing information about gender differences in behaviors, attitudes, beliefs, knowledge, needs, problems and strengths.

Gender equality: means that women and men have equal value, equal rights, and equal opportunities to participate in every aspect of life, at every level of society.

Gender equity: refers to fairness in the access to benefits for men and women, rather than absolute equality.

Gender balance: requires that both men and women be represented, either in equal numbers, or in proportion to their presence in relevant population.

Gender relations: are the ways in which men and women relate to each other, based on the expectations for male and female behavior in that particular culture or society.

Gender issues: are differences between men and women which need to be addressed for the achievement of gender equity. For example, power is a gender issue because men have more power over their lives than women do. Unequal power between men and women is therefore an important gender issue that needs to be addressed in policy and programming.

Interventions to address inequality at the national level in Papua New Guinea

At government level, Papua New Guinea has already taken steps to address inequalities between men and women.

The Constitution of Papua New Guinea calls for equal participation by women citizens in all political, economic social and economic activities.

The National Goals and Directive Principles, which underlie the Constitution talk about equality and equity for all people in Papua New Guinea. Any development within Papua New Guinea should be in accordance with the National Goals and Directive Principles.

The Millennium Development Goals (MDG) – gender equity is one of the eight MDGs which are aimed at ending poverty in developing societies. These Goals link to other International Treaties which Papua New Guinea is a signatory to it, such as CEDAW: The Convention on the Elimination of All Forms of Discrimination against Women.

The Importance of Women's Roles

Family Welfare: The Fresh Produce Development Agency's (FPDA) Korofeigu study found that women spent 75% of their income on their families, while men spend only 25% of their income on their families (Korofeigu 1996). The FPDA's Youth Survey indicates that youth are financially supported more by their mothers (64%) and fathers (22%).

Thoughts for CELCOR's current practices

- In what ways is CELCOR currently addressing gender equality issues?
- What input and resources does CELCOR draw on to address gender equality issues?
- In what aspects of the programs can the gender perspective be strengthened?
- Is there a common understanding within the office about what it should be seeking to achieve with respect to gender equality?
- Are staff knowledgeable about gender equality issues relevant to their work?
- Is gender equality seen as a professional responsibility shared by all staff?
- Are field activities planned and evaluated in the light of gender equality objectives?

Suggestions for CELCOR to respond to gender.

(a) Internally An organization's ability to practice and model gender equality in its own functioning, eg. to be equitable in its hiring and promotion practices, and recognize the links between the personal and professional responsibilities of staff and organizational structures, policies, procedures and culture. Having a clear policy committing to gender equality in the workforce and human resource practice that is sensitive to the needs of men and women.

(b) Externally The organization should contribute to gender equality in its program activities, eg. by including commitment and competence to work for gender equality. Achieving this may mean having to challenge staff beliefs and approaches to their work. Building the capacity of the staff to incorporate gender perspectives into their work and raising confidence in their ability to identify and respond to the needs of different groups in the community.

Some of the specific approaches are:

1. Organizational commitment

Organizational commitment to ensure staff of CELCOR understands and demonstrates attitudes and behaviors that promote gender equality and equity within the workplace and in their work with the community. It is important to raise staff awareness of the possible effect of gender differences on project outcomes. Any program that may be asking for attitude changes amongst staff, Board or managers needs very careful design, incorporating consultation at all organizational levels and workshops or seminars.

2. Staff training

Training in gender mainstreaming techniques will improve the quality of planning and service delivery across the board. The training would include:

- Cultural awareness: As individuals, we often are not aware of the extent to which our norms and values are shaped by the cultures in which we are living. PNG has many cultures and staff should be aware of the way in which culture affects participation in the horticultural value chain;
- Gender lens: Gender lenses for different purposes should be created with the participation of staff and applied on all appropriate occasions; and
- Gender analysis: A thorough gender analysis is a critical starting point for any program or project that aims to be more gender sensitive. Gender analysis is the collection and analysis of sex-disaggregated information. Men and women perform different roles. So do girls and boys. This leads to males and females having different experience, knowledge, needs, access to and control over resources. Gender roles can result in one sex having an unequal role in decision-making or being denied the benefits from income-generating activities. Gender analysis explores these differences so projects and activities can identify and meet the different needs of women, men, girls and boys. Gender analysis also facilitates the strategic use of their distinct knowledge and skills.

Gender analysis techniques can also be used to identify other groups, such as youth and the disabled, who may be marginalized by cultural and other constraints and are therefore less able to access CELCOR's services.

3. Planning and service delivery

Planning at program and project level is an essential tool for effective service delivery. Planning processes should include gender analysis and the application of a gender lens. Staff should incorporate gender analysis and using a gender lens, and these skills should be reinforced through regular workshops. Gender analysis, together with local knowledge, should be used to ensure service delivery methods, such as the provision of information and training, focus on what will ensure maximum benefit for the participants.

4. Monitoring, evaluation and ongoing support.

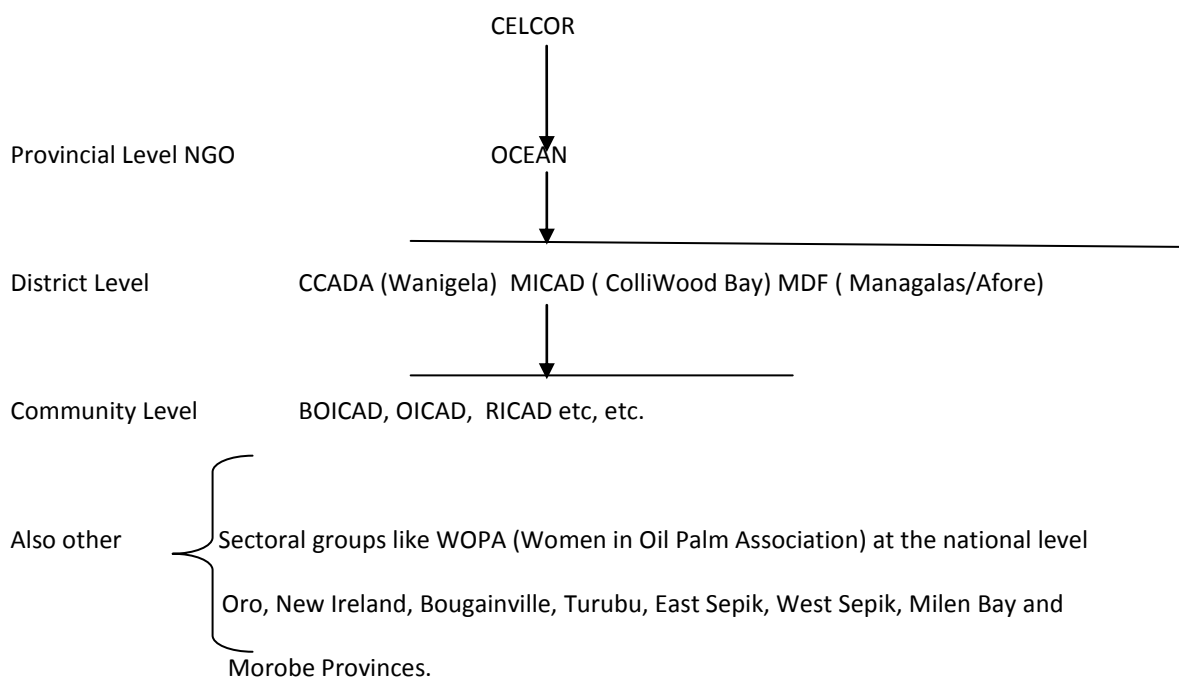
Good planning always includes a process for monitoring and evaluating the effectiveness of the program and project. Monitoring and evaluation should include appropriate gender-based data collection and analysis. From time to time staff will need to be reminded to apply gender lenses in appropriate situations. They will wish to seek advice on gender issues in particular situations. As part of a process of constant improvement, it will be useful to monitor and assess the activities undertaken and the involvement of women and its impacts.

Annex 6: Summaries of 2011 Evaluation discussions with communities in Oro and New Ireland provinces

Wanigela and Collingwood Bay Communities

Presents: BOICAD, SICAD, OICAD, RICAD. CBOs in Wangela. Chairman of each groups and all members of OICAD attended this meeting.

The impression we received on the structure of the different groups are that CELCOR is proposing and initiating in some instances all the CBOs in Oro Province to be hiyerechical to make it convenient for their work. Current as they see it.



1. General Assessment and Summary:

- There were lots of CBOs and NGOs set up by CELCOR in the hope of creating a network and synergy of initiatives for the cause of conserving their natural environment and manage and use those resource sustainably for now and for the future. They generally understood the threats of their natural and pristine environment by large scale extractive developments such as logging, fishing and mining.
- CELCOR supported the main ones at the District or Provincial level to be the point of network and contact for them through formal registration to IPA.
- The network and contact for any work in the respective communities are to be through those established CBOs. However, some are more active and vibrant, especially the ones who are already securing external funding and some material stuff. The others seemed to be just 'names on paper', although chairmen were present and talked about what they hope to do.
- Ogeya integrated Conservation and Development led by Leviticus is more proactive and vibrant because they acquired saw mill set, chain saws, computers, communication equipments etc. The others are reliant on OICAD to provide support for them. They see themselves as an Umbrella organisation in Wanigela Area.
- There are different opinions on CELCOR depending on what kinds of support has been received by them. In case of OICAD, they talked highly of CELCOR as one endorsing their applications to funding organisations and received some funding support. The ones that have not received any support, specifically RICAD (Rurukorat Integrated conservation and development) claimed their request to seeking support to shut

down the current logging company has not been responded by CELCOR to date. This is a reference to one existing Logging company which is now based there.

- According to the community CELCOR has conducted only one paralegal training in the community in 2005, in Ogeyu Village attended by many participants in Wanigela Community, facilitated a learning tour for 7 people there to go to the Highlands. Therefore, CELCOR active involvement has been very limited in the past.
- The one person who has been extensively used by CELCOR or supported most in terms of capacity building was Leviticus Iriso. He had been to many workshops, trainings and gathering organised by CELCOR. He seemed to be more informed about the work of CELCOR and other work related to logging, Oil Palm, Climate change. He is more confident to take his own group (OICAD) and even trying to support the other CBOs in Wanigela further and hope to take on the coordinating role as opposed to SICADA in Wanigela.
- Leviticus also seemed to know CELCOR strengths and weaknesses more than the others. He mentioned few of CELCORs weakness as , weak leadership and ED being not stable in his job, there was no meetings and active functioning of the Board, staff turnover being high, and some level of mistrust between them and community because of one of their approved funding from UNDP (K30,000) which was sent through CELCOR was never transferred to OICAD.

The general conclusion for this community is that with good intention of CELCOR to initiate those groups, there hasn't been much given to build their capacity in terms of knowledge based or organisational skills in order to be active. The ones that are active are the ones whose leaders have been given lots of opportunities for training workshops and support. If the current trend continues, the whole set up will fade away. Even the Provincial and District level structures seems non-existent. It revolves around one or two individuals and once they are gone, those structures will fail too as they was no good foundation of community mobilisation set.

There is also a bit of tension exist between those groups because it was not mandated by everyone. They could be set up through CELCOR facilitation without peoples involvement and mandate. It creates friction because of the unclear roles and power struggles to individuals who are in it, in the hope of something better will come by with CELCOR's support.

2. MAICAD – Uiaku, Collingwood Bay. Tufi. (About 20 community leaders present)

Maisin People through their peoples' organisation is called MICAD and it was established in 1995 with several partnerships from Green Peace, Conservation Melanesia and Partners with Melanesia. They had taken a mining exploration company (D Gold) to court and won the case and threw out the company. At that time, CELCOR provided some basic legal advice. The case lasted for about 3 years.

MICAD was once strong but now it lacks the voice and support it used to get with Conservation Melanesia (CM). As soon as CM collapsed, their work slows down too. However, few aspects of their work, like the arts and culture marketing still exist.

The relationships they had with CELCOR was reactivated with some of their community leaders attending the paralegal Training delivered by CELCOR. They were part of the participants from whole Tufi/Wanigela Collingwood Bay target.

The community in Uiaku did not know much about what CELCOR is doing. There was one instance where the retainers agreement was signed for CELCOR to take up their case a logging company but this was not forthcoming.

They would like more legal information is available to them but their relationships has been on ad hoc basis. There is no formal relationships between them and MICAD as the umbrella organisation for Collinwood bay, so there is no obligation on either sides of the potential partnerships.

3. Managalas Development Foundation (MDF).

(Hedrick Ninimiro Sustainable Livelihood officer PWM, Luke Mambe, Coordinator, Ezekiel Garu, Chairman NARCODA, Malcus Kajia Chairman MDF).

MDF started in 2002 with the consciousness building – as a way of mobilising the communities there in responds to the needs of local people. The goal of the organisations is to facilitate self reliance, revive and maintain communal identity in the use and management of their natural resources for now and the future generation. This came about as a result of Partners with Melanesia presence there since 1994. Also several other organisations are also there in the area at the time being PNG Trust and SIL. PNG Trust done it as a critical literacy project and further supported by Summer Institute of Linguistic (SIL).

MDF is working in an area of about 17,000 people divided between 11 LLGs and have a conserved area of 3600 ha of land. There were about 11 registered CBOs under MDF. The CBOs are in their cultural zones particularly focusing on language groups. (NARCODA, SAMOAL, SADA, DASK, ESE'EDA, ZOMBU, ZONGA BEFEFO, ASUYAK, KONA, BNEA, ELA) they all affiliated with MDF and registered themselves as organisation.

MDF adopted a community conversation through forums. It started of at the clan level and brought it to the zone (inter clan discussion) and further on to the district level forums (inter zones) every year. The annual district forum was attended by a wide range of stakeholders from different level and across different sectors within the Province as well as outside. The key discussion points were brought forth to the MDF strategic planning level in order to respond to needs as identified through that participatory processes.

CELCOR's involvement with Managalas Development Forum was the initiative of getting all the clan groups registered through IPA. As soon as they were registered, there were the targets of CELCOR's board training, paralegal trainings, and some work on policy and litigation activities of CELCOR, particularly on Musa-Pongane FMA and Goras Itukama FMA and eventually stopped the logging by the local people by chasing away the logging company.

An example of a significant outcome of CELCOR's paralegal training was the successful suing of a policeman for physical assault of a person who attended the training. The victim, having know the court processes successfully files an affidafit, summons, court appearances and eventually won the case.

Few significant activities carried out by MDF are with support of CELCOR:

- Facilitate learning tours to the Highlands by some representatives.
- Many of the registered CBOs in Managalas succeeded in getting small grants from donors.
- Worked closely with primary schools in the area.
- Women groups received assistance through home economic trainings assistances.
- Youth groups were supported with sporting activities and tournaments.
- Awareness and advocacy campaigns in communities.
- Boundary mapping for 3600 ha conservation area.
- Working and training Afore LLG members/councillors.
- (other extra ordinary support provided also includes, sponsoring of students to attend teachers college in Madang for them to return and teach their own children.
- Assisted communities during the natural disaster caused by Cyclone Guba.
- Supported one of the CBOs in MDF to seek support from DSIP to purchase a mobile saw mill for an amount up to K100,000.

There were additional support received from Partner with Melanesia.

- Capacity building training and support

- Core funding support for MDF
- Conservation area registered.
- Gender training.
- Communication facilities set up in Managalas. (two way radio with linkages to airline companies and health services.)

MDF views on CELCOR' performance in their partnership:

- CELCOR should give priority to women development initiatives. eg. A field officer should be field based and supported more on their gender program more.
- Support the placement of staff in Managalas community.
- Setting up of OCEAAN was just a network group. But not active involvement due to limited capacity (funding and people).

4. Kenneth Koja.

Kenneth is an independent campaigner on oil palm in Oro Province since 2001. He linked up with CELCOR after being aware of what CELCOR is doing with similar Oil Palm issue in 2004. He had long history. He was involved with OCEAAN, and more involved with Ahore/Kakendetta Community Pressure Group.

He voluntarily involved in OCEAAN as the provincial body to link up and support lots of marginalised land groups faced with similar issues as his in Popondetta.

Individual like him would be strengthened through body like OCEAAN if it had been properly set up and function effectively.

There were lots of scientific studies that has to be done in order to support Land owner cases in courts, CELCOR could do a substantive job in getting that done and supported through courts but CELCOR just could not risk it.

Kenneth seemed to be the few people who are active in land owner issues in Oro. The others who involved in OCEAAN or any other groups sided away. CELCOR has a responsibility for those bodies that were set up with support with their support.

Some general suggestions for CELCORS efficiency and effectiveness in Oro are:

- CELCOR to support specific studies to come and do impacts studies in order to better support the land owner cases through court cases. Also positions itself to take up the cases. In courts.
- CELCOR have to decentralised its operation in Port Moresby in order to make its work in Provincial centres more effective. Supporting many individuals like Leila and Kenneth work in the Provinces more effective and strong.
- Communication between CELCOR and partner in Oro province has been on ad hoc basis. They only called upon those individuals when needed their help.
- Campaign team to come more often or have an extended stay in Oro when they do come.
- Capacity building of CBOs in Oro is the biggest need if it wants to effect any lasting changes in Oro Province.

5. Angobe Village Elder (Hilford)

Angobe Village is about 5 km from Girua airport, towards Oro bay. It is situated amongst several Village oil Palm blocks. It is a village with no basic services and facilities although the people who owns the oil palms blocks may be earning K300/tonne. No apparent improvement in their standard of living, which signifies how limited economic impacts that would had on them.

- He claimed that oil palm is destroying their lives.
- Cocoa/Copra is an alternative option for cash crop but the limiting factor is the non availability of markets and no assistance from the government in terms of extension services.
- With Oil Palm mini estate setup on individual blocks, the amount of damages made are devastating. Water sources are polluted due to massive chemical use on the oil Palm plantations, rotten/decomposed palm bunches, land depletion of soil nutrients in the land.
- What CELCOR does is not known in the village. There was only one meeting facilitated by Campaigns, Advocacy and Network team during the visit of the WB Inspection Panel Claim.
- CELCOR could be doing more in this type of village all over Oro Province as the needs of people there is overwhelming.

6. Women In Oil Palm Association (WOPA). (Leila Repo) (21 September, 2011).

WOPA initiative is good intention. The women needed to have a voice to raise their concerns on issues facing them in relation to Oil Palm. They were only mobilized to set up the organisation comprising of women representatives from 6 Oil Palm growing provinces in the country.

Leila Repo was met in Popondetta. According to her:

- Introduced to CELCOR in 2008 and since attended a Oil Palm workshop in Kebara in Kokoda.
- CELCOR a second workshop to initiate WOPA and launch the association in Motupore Island. In that workshop, executives were appointed from all over 6 Provinces. She was the appointed an executive amongst another women who works for the Oil Palm company and a third from Oro Province.
- No communication about what they should do and find out about what they do in Oro Province by CELCOR. They were called upon to meet with the World Bank Inspection Panel Claim and now the external evaluation team.
- They faced persistent pressure from Oil Palm Company and they felt helpless to go ahead with any of the work against oil Palm. If they know we associated with CELCOR, we are seen as their enemy because CELCOR is on Cargill bad books.

Suggestion of how they would like to see how CELCOR would improve their working relationships with them.

- They wanted some capacity building for WOPA with key executives in order to be pro active and motivated in the kind of work they do. This would include such things as more training and information support, some funding to carry out some activities, regular communication from CELCOR to us and mechanism to communicate between ourselves as we are far away from each other (in locations).
- It was good that CELCOR is trying to make women inclusive in their campaign work, but have to really make it work... not just setting them up to fail. It has a responsibility to make that practically work at the ground/community level.
- More and consistent support to be provided by way of communication to these key targets on the ground, who are motivated and inspirational to some extend to take it forward.

New Ireland Province Meetings

1. John Aini. Coordinator for Ailan Awareness in New Ireland.

Ailan Awareness was started by John Aini in 1993, with support from Michal, Luke and John all closely related to John Aini. The organisation came about when John realised the fish stock decreased over time at the time he was working with the National Fisheries department in Kavieng. This was asserted to be caused by dynamite fishing, poison plant, and over fishing by large fishing vessels. When he resigned from his job, he went straight

into raising education and awareness under the banner of Ailan Awareness. The organisation was registered with IPA in 2005 with support from CELCOR and TNC.

AA through mobilisation of local volunteers have travelled the coastal areas and Islands of the Provinces to raise awareness about sustainable management of marine resources.

The organisation has adopted 3 main strategy to do its work. This includes Education and Awareness road-show throughout the Ireland, Community based resource management activities and Solwara School which supports primary schools on developing relevant curriculum, assist research and field extension related activities for National Fisheries College and Vudal Natural Resource University.

Currently they have supported 8 identified communities throughout New Ireland to do community based resource management projects and 12 more on the list to further support with similar project.

In these target communities, they raised awareness, facilitated the boundary mapping of marine area, facilitate the development of community based law to conserve the protected area. The Fisheries management committee (FMC) were trained to enforce the laws and manage the protected area. They did a six monthly monitoring visit to provide follow-up support.

There are several working partnerships existed between AA and The Nature Conservancy (TNC), Wildlife Conservation Society (WCS). They come in with specific awareness activities to complement what they have been doing with their target groups.

CELCOR has started working with them in 2005 when he attended a communication and advocacy workshop organised by them. CELCOR started to help AA with the development of AA constitution and later submitted to IPA for registration as an association. AA is the link and contact for CELCOR's 3 paralegal trainings carried out so far in New Ireland. AA brings together all its target community representatives including TNC and WCS for eth paralegal trainings.

CELCOR also helped AA with a documentary film on Oil Palm in New Ireland and the training of the same with the resource person (Scott Waide).

AA sought legal advice on the recent case of the biggest Ireland in New Ireland (New Handover) being sold to Asian investors. There is nothing more than just getting information about the land whether it is under any government lease. It was found out that the whole Lavongai (New Handover) is under a mining lease.

General issues with CELCOR:

- CELCOR can never be trusted to be keeping up to its appointments. It never showed up on the days it said it will come or carry out a specific activity in New Ireland. This becomes a normal practice.
- Communication is a common problem. It never communicated well enough.
- When requested to attend to a specific issue faced in the village, they never commit to that. They are always busy.
- They do not have any network or would like to built any network with anyone working in New Ireland like the big International NGOs such as TNC, WCS, or WWF in the Province.

AA would like to provide a space at their setup just outside Kavieng for CELCOR to set up a sub office there so that it can be close enough to respond to a wide range of issues that are facing New Ireland province. This will help with transportation cost, minimize communication challenges.

2. Penias Peni.

- He is an elder in the village which saw many changes in his communities. He attended one of CELCOR paralegal trainings in Kavieng and thinks there should be lots of the same kind to many other people in New Ireland as well as other kinds of trainings and information should be disseminated to others in order to help them understand the issues that are affecting the communities in New Ireland.
- He had experiences of cultural, social and economic issues that are already facing New Ireland now. He saw lots of pressure are now on the land and the dwindling of natural environment (reduced fish stock, less garden land area due to over population and sale of customary land).
- He attended one of the paralegal trainings conducted by CELCOR in Kavieng. He thinks the training was a very useful, particularly in the understanding of relevant environment laws and the court processes. That knowledge helps him in doing his job as a land mediator and village court magistrate.
- He thinks that instead of getting any immediate result out of that training, the selection of participants has to come from strategic locations throughout New Ireland Province and several people from the same area. This will help bolster the number in any one village in order to take some local actions, such as awareness raising, mangrove planting, making and enforcing community laws to protect marine management areas.
- Also he suggested doing many of those trainings to a large group of people all over New Ireland so that they all understand issues relating to the natural environment as an awareness.

3. Lavongai Island (New Hanover).

The village was visited on the 24th September, 2011. We met with 18 men and 4 women (who were not part of the group meeting but the ones who were preparing meals). They were clan leaders, the local catholic priest, and local magistrate included in the meeting.

Lavongai was a village located in the western tip of New Hanover Island where Ailan Awareness has started their Marine Management areas around there. That led them to identify certain locations of their marine area for conservation and management. They developed management laws but had difficulty enforcing the law. The community organisation was weak. It seems Ailan Awareness just did the environment awareness and initiated the marine conservation without setting up the community based organisation properly..

The level of knowledge and skills gained by the local participants in CELCOR paralegal training has been limiting. Even if they understand the content information delivered under the paralegal training, the application or at least any initiative as a result of that training by the community is minimal.

The training materials that were shown to us by the participants were all too technical and all written in English. We have not observed a training in practice while we are doing the interview, but what remains to be the outcome of the training is not so obvious to us.

4. Peter Parahia (Ward Councillor) and 6 other men of West Coast New Ireland.

Through the work of Ailan Awareness (AA), this community is also the target of their environmental awareness and education. Their relationship with AA lasted for the last several years (3 or 4). However, the idea of initiating their locally marine management area took place even before working with them. Through the link of AA with CELCOR, they were able to receive the paralegal training in their community (ward). They mentioned that it is an important link because they can now understand the different environmental laws which are relevant to their natural environment. It reinforces the initiative they undertook in managing their marine environment. The kind of knowledge and awareness gained are in laws governing the marine, forestry, and mining in PNG. They now understand what it is, though, there is currently the sea bed mining which is significantly new endeavour within

their Province. It helps them to be proactive and very mindful of what will happen in cases of those types of developments happening in their province.

With the initiation of the Locally Marine Management Area, they formed their local Fisheries Management Committee (FMC) to enforce the related community laws regarding the marine management. The committee comprises of both male and female members of the community. The participants of the communities includes both village magistrate and the local police in their area.

Few recommendations put forward for both AA and CELCOR to consider are as follows:

- Request CELCOR to support them in understanding the environmental implications of sea bed mining undertaken by Nautilus SOLWARA II.
- There are fishing boats sighted beyond the 200 neautical mile zone.
- Increased population that puts pressure on the land.
- Their local association to have direct contact with CELCOR in order to support them .
- No linkage or knowledge of which other organisations can be of support to their different issues they face in their communities. They wanted information on those organisations.
- They can establish baseline data in order to established the extend of damages cause by the large scale developments in their area.

There has been a reinforcement with CELCOR's paralegal training in this community's initiative to managed their marine resources. However, there are even bigger threats to their natural environment which they wanted some specific support from CELCOR via AA or directly to them.

5. Christine Banis (WOPA rep in New Ireland)

Christine Banis is a representative in the Women in Oil Palm Association (WOPA). Rose and herself are two representatives from New Ireland who participated in CELCOR organised WOPA workshops. The first one was in 2008 when they went to Popondetta WOPA workshop. An additional workshop she participated was in 2009 for a climate change workshop in Port Moresby and the third occasion been the launch of the WOPA in Port Moresby..

She was one person who indicated taking immediate action on the trainings that were undertaken by CELCOR. She raised 4 awareness in her village targeting women. Rose may have undertaken up to ten awareness in her next villages. They both uses the Radio through the National Broadcasting Commission (NBC) for the whole of New Irelands Province.

Her formal link through CELCOR is through Youth Development Forum. There were some women who got together to discuss it but there has been opposition from the men-folks, particularly the village Oil Palm growers.

She felt she needed more training on a wide range of issues so that she can be aware of many things so that she can be able to respond to questions and challenges put forward by the community that she is targeting to raise awareness of the issues.

Basis resources such as awareness materials, transportation and communication costs to make her job easier was not been allocated as per her request to CELCOR. Even exploring other sources like the local Member of Parliament is not forthcoming when she did actually made one request earlier this year.

6. Paul Palosualrea Pavol Pomio Landowner (SABL Case that CELCOR took up).

This is a particular land case that CELCOR has taken up in court by filing the case due to fraudulent acquiring of the land through the SABL land acquisition means by a subsidiary company of Ribunan Hijau (RH). Their land case

was recommended by FORCET based in WNB who supports them in doing sustainable forest management initiative.

The land was found to be acquired through fraudulent means through a land investigation report. Total land acquired is between 36,000 – 40,000 ha in West Pomio, East New Britain Province. CELCOR filed the case in April 2011. This is one portion of the land that is currently on the list for Commission of Inquiry's (COI) investigation.

Paul mentioned that landowners have no one to turn to in such situations and CELCOR plays a very important and pivotal role in making sure we get our land back. It is worthwhile and we fully trusted CELCOR to fast track this case for us.

He believes that this a first case under SABL land issue for New Guinea Islands and wanted to make it a historic win for us and for CELCOR.

However, his concern is that so far it is taking so long to file the case. The case was brief out to Elemetry Lawyers which did not progress further on this and now taken back by CELCOR. In the process of transferring the case back and forth, important files and court documents have been missing. Fresh documents to serve as court evidence such as important photos were lost and that needed to be gathered again. This caused so much inconveniences for me who do have resources to go around and provide them.

Few suggestions that for CELCOR:

- CELCOR to help with support of basic funds to cooperate with CELCOR to take our case up quickly. Or in other instances, link us up with funding sources and capacity building so that we can sought needed funds to take up our case further.
- CELCOR committed to taking up our case right through to the end so that we want to seek justice and land given back to us.
- CELCOR to do a more regular visit to gather evidence and inform landowners what they should be doing in order to cooperate with this case.

Annex 7: People and groups interviewed for the 2011 Evaluation

Name	Date	Position/Organization/Community
Kenn Mondiai Rufus Mahuru	15 Sep	ED, Partners with Melanesia Program Manager
Leviticus Iriso Koreaf community members	17, 18 Sep	Chairman, OICAD (Okao Integrated Conservation and Development)
21 community leaders	17 Sep	Collingwood Bay communities
CBO representatives	18 Sep	Members of four Wanigela CBOs
Kenneth Koja	19, 20, 21 Sep	OCEAN; Independent campaigner on oil palm since 2001.
Edrick Ninimiro Luke Mambe Ezekiel Garu Malcus Kajia	20 Sep	Sustainable LVHs Officer, PWM Managalas Development Foundation (MDF) NACODA Chairman, MDF
Hilford Jauripsi	20 Sep	Elder, Angobe Village outside Popondetta
Leila Repo	21 Sep	Executive member, Women In Oil Palm Association (WOPA)
Christine Banis	22-25 Sep	Executive member, Women In Oil Palm Association (WOPA)
John Aini.	22-25 Sep	Coordinator, Ailan Awareness
Penias Peni	22-25 Sep	Land mediator, village court magistrate
22 community members – 18 men and 4 women	22-25 Sep	Lavongai Island (New Hanover).
Peter Parahia and 6 other men	22-25 Sep	Ward Councillor
Gabriel Iso	24 Sep	OD Consultant, former CELCOR employee
Jeff Smith BJ Kim	24 Sep, 4 Oct	Director, Environmental Defenders Office (EDO) International Programs, EDO
Fiona Selde John Mizeu	26 Sep	WWF, Madang
Clement Kipa	26 Sep	Forest Program Manager, TNC Madang
Carol Imun Mark Winai	26 Sep	Foundation for People and Community Development
Barry Lalley	25 Sep	Bismarck Ramu Group
John Chitua Rosa Koian	26 Sep	Bismarck Ramu Group
Paul Palosualrea Pavol	27 Sep	Pomio Landowners Association
Daisy Culligan	27 Sep	Lawyer, Melanesian Legal Services and CELCOR Board Member
Annie Kajir	29 Sep	ED, Environmental Law Centre(ELC)
Ted Mamu	29 Sep	Terrestrial Program Manager, WWF

Zolla Sangga		Coordinator Eco-forestry Program, WWF
Thomas Paka Mary Boni	30 Sep	ED, Eco-forestry Forum Program Director
Sam Moko	3 Oct	Forest Solutions Campaign, Green Peace
CELCOR Staff		
George Laume	14, 16 Sep	Oil Palm Campaigner
Eddie Tanago	14 Sep	IFI Campaigner
Rebecca Asiagau	14 Sep	Forests and Climate Change Campaigner
Charlotte Lauদিwana	14, 24 Sep	Intern, Communications
Paula Bariamu Nato	14, 23, 30 Sep	Senior Policy Lawyer, PRLR
Gracelyn Meauri	14, 27, 30 Sep	Policy Lawyer, PRLR
Lynette Baratai Pokas	15, 29 Sep	Lawyer, CLE Coordinator
Joseph Lai	15, 30 Sep	Senior Litigation Lawyer
Thomas Imal	15 Sep	Litigation Lawyer
Doris Taliva	15, 23 Sep	Legal Secretary
Kaia Baki	22 Sep	Accountant, Finance Manager
Ignatius Mokululabeta	22 Sep	Senior Accounts Clerk
Gavera Aura	22 Sep	Administrative Officer
Marjorie Warisaiho	22 Sep	CBO Liaison Officer
Grace Dom	26 Sep	Lawyer in charge of Madang office, PRLR
Damen Ase	28, 29, 30 Sep, 3 Oct	Executive Director
Harrison Owage	28 Sep	Acting program Advisor
Ebe Limia	29 Sep	Driver
Lineth Poka	29 Sep	Support staff
Christine Mahap	Not interviewed	Policy support officer, Madang Office

Annex 8: Evaluation Field Work Itinerary

Mon 12	Evaluation team travel to POM
Tues 13	Evaluation Team meeting CELCOR – Evaluation administration and planning CELCOR staff introduction to the evaluation TOR and plan
Wed 14 –Fri 16	CELCOR staff interviews Partner organisation interviews
Fri 16	Travel to Koreaf Village, Wanigella, Oro Province via Tufi
Sat 17	Travel to Uiaku Village, Collingwood Bay Interview CBOs/ Uiaku community, Collingwood Bay Interview Koreaf community members and Wanigela CBO representatives
Sun 18	Interview Koreaf community members and Wanigela CBO representatives Travel to Tufi Overnight Tufi Guest House
Mon 19	Travel Tufi – Popondetta Interview partner organisations
Tue 20	Interview partner organisations, oil palm community members
Wed 21	Interview partner organisations Travel: Popondetta – POM
Thur 22	DF – CELCOR staff interviews YG, LB – Travel to Kavieng
Fri 23	DF – CELCOR staff interviews YG, LB – Interview partner organisations, community representatives in NIP
Sat 24	DF - Interview partner organisations in POM YG, LB – Interview partner organisations, community representatives in NIP
Sun 25	DF – Travel to Madang YG, LB – Interview partner organisations, community representatives in NIP
Mon 26	DF - Interview CELCOR staff and partner organisations in Madang YG, LB – Interview partner organisations, community representatives in NIP YG, LB – Travel Kavieng-POM
Tue 27	DF – Travel Madang-POM Interview CELCOR staff, partner organisations in POM
Wed 28	Interview CELCOR staff
Thur 29	Interview CELCOR staff, partner organisations in POM
Fri 30	Interview CELCOR staff, partner organisations in POM
Sat 1- Sun 2 Oct	Preliminary evaluation findings Evaluation workshop preparation
Mon 3	Interview CELCOR staff, partner organisations in POM
Tues 4	Evaluation workshop with CELCOR staff

Annex 9: CELCOR Financial Management Assessment

Completed by Rajis Sinaga, Finance Officer, ICCO

31 October 2011

Meeting with :

- Kaia Baki _ CELCOR Accountant
- Ignatius Mokulabeta _ CELCOR Finance Officer
- Gavera _ Admin Officer

CELCOR was founded in 2000 to address the issue on legal environment and human rights in Papua New Guinea. CELCOR has 2 offices in Port Moresby and Madang. However, the office in Madang will soon to be close since the EU project has finished.

The project that funded by ICCO is CELCOR Progame 2011 that should end on September 2011. However, CELCOR have asked to ICCO during the ICCO Partner Meeting with Yoga on 23-26 October 2011 to have Neutral Budget Extension for another 1 (one) month to finished this project since there are some activities that are still outstanding and the fund is still available to complete that activities. Such approval shall be granted once the formal email from CELCOR is received by ICCO.

CELCOR currently has 18 (eighteen) staffs who works for 4 (four) section of activities. Those activities namely:

1. Community Legal Education.

This section is basically conduct awareness activity to the community about environmental issues, environmental laws and the rights of the people or community based organization to hold their land and used forest in sustainable way.

2. Direct Legal Assistance

When the Community Legal Education conducted, the people or the community who already have the awareness of their rights will file case against corporation or government for legal action with the assistance of CELCOR lawyer. The services by CELCOR are free of charge.

3. Policy Review and Law Reform Program.

The lawyer will influence the government of PNG and the policy makers on the environmental issues and Human Right issues for reviewed the law and regulation that affected the communities.

4. Campaign Advocacy and Network (CAN) Program

This activity particularly for media campaign or direct campaign on environmental issues and Human Rights issues as well. ICCO is specially funded this activity. Currently, CELCOR has 1 (one) lawyer for conducting the Community Legal Education activity, 2 (two) lawyers for Direct Legal Assistance and 3 (three) lawyers for Policy Review and Law Reform Program.

Financial Control and Procedures

CELCOR currently has 2 (two) staffs in finance and accounting, which is Kaia Baki as Accountant and Ignatius Mokulabeta as Finance Officer. They also have one Admin Officer, Gavera who assist Finance and Accounting in general administration tasks. Currently, CELCOR use Peach Tree Accounting Systems as their financial records and reporting.

The Admin Officer assisting the Finance Officer to prepare all cheque that need to signed by the bank signatories. Since the bank signatories usually not easy to find in the office, this task will time consuming for the Admin Officer to get their signature most of the time. After cheque was signed,

then the Admin Officer will also cashed it to the bank and bring the cash to Finance Officer or Accountant before it dispatch to the staff/vendor.

The Admin Officer will also as the courier to bring the cheque to all suppliers that can receive payment by cheque. The Finance Officer main task is to assist the Accountant in preparing the Bank Payment Vouchers and reconciled all the payment with the bank. The FO is also responsible to handle the accounts payable reports and payment. The FO is also handling the admin matters. The Finance Officer previously works for private company in retail industry. The FO has joined CELCOR since early 2011.

The main task of the Accountant are preparing for the Financial Report, Checking the FO's Bank Payment Vouchers, Checking the account code of the expenditures and posting it to the PeachTree Accounting Systems. The Accountant is also responsible to maintain the Account Receivable report on the systems. The accountant will assist the management in preparing the Auditor's Report. The Accountant is previously works for private company in retail industry as well as the Finance Officer. The Accountant has joined CELCOR for more than 2.5 years.

These are the some financial controls that were set up by CELCOR in the organization:

1. Petty Cash.

Petty cash was set up as much as PGK 400, and will be replenished if the petty cash has lower to the certain amount that needed. This replenishment of the petty cash will be done by issuing cheque that sign by Executive Director and one of the Board Members. We believe this current procedure is good for internal control of the petty cash. However, there are no Petty Cash Book Register and regular cash count for its petty cash. The Accountant could release the Petty Cash Fund not more than PGK 100 for small purchase of goods and services.

2. Cash on Hand

Aside of Petty Cash, CELCOR didn't maintain any cash on hand.

3. Bank Signatories

Currently, there are 3 (three) bank signatories for CELCOR, which are Executive Director and 2 (two) of the Board Members. Only two of them could sign for the cheque or bank transfer on behalf of CELCOR. This current practice is good to safeguard the assets and should be maintain. However, if 2 (two) of the bank signatories are not in town, then all payment will be delayed. That's why, their current practice now is that board member will signed blank cheque first, and the Executive Director will signed it once the Payment Request form was approved. It is important for CELCOR to aware of the Bank Signatories' schedule every day to prepare all cheque prior to their departure out of town, or addition one more bank signatories if needed.

4. Signing Cheque

Each of the cheque that was issued will be signed by 2 (two) of bank signatories prior to release of fund from the bank. The cheque wil be issued along with the Cash Payment Cheque with detail of advance cash request attached and signed by the Project Manager of each project and approved by Executive Director. Since the Bank signatories are not always in town, it is the current practice that one of the board member will have a Pre-Signed the blank cheque. This blank cheque will be use and signed by the Executive Director when the Cash Payment Cheque was approved. In our opinion, this current practice didn't show good practice to control over the assets. The Cash Payment Cheque should be checked first and attached with the cheque release before the bank signatories signed it.

5. Cash Payment Cheque

Cash Payment Cheque Form is the form that used by the CELCOR staff to request for the releasing of funds due to ongoing activity (cash advance) for travel to project site, payment for purchase of

supplies and equipments, rental cost, petty cash replenishment, and other cost. Cash Payment Cheque should be approved and signed by the Program Manager and Executive Director. The FO will write a cheque and get two bank signatories and cash it to the bank and give it the staff or vendor.

6. Budget Holder

Project Manager is the ultimate Budget Holder of each activity under his/her portfolio. The Executive Director is the ultimate Budget Holder for all projects in CELCOR. The Project Manager should approve all the Cash Payment Cheque in regards to the certain activity under his/her portfolio, and the Executive Director will also signed the Cash Payment Cheque form upon issued cheque.

7. Standard Operating Procedure (SOP)

There is no Standard Operating Procedure in place now. This SOP is vital to the organization to have a clear procedure on the operation and to safeguard of its assets. The Accountant has agreed that she will draft the new SOP and hopefully next year it will be approved by the board member.

8. Financial Report

Financial report was provided at the end of the fiscal year and/or when donor's reporting was due. There are no monthly Financial Report was produced regularly. The Executive Director will regularly monitoring and checking the bank balance to the Finance and Accounting for his/her guidance to control over the budget and actual cost and irregularly checked the budget vs actual report. This will cause the use of fund uncontrolled within budget lines items and will make big variance over budget. That's why, we strongly recommended that the Executive Director could spend more time to look over Financial Report by monthly to review its project activities within the budget approved. The Accountant has expressed her willingness to provide monthly financial report regularly and it will be her agenda to produce the Standard Operational Procedure (SOP) by next year and to include this provision in the new SOP.

9. Procurement

CELCOR didn't have procurement policy in their operational. All supplies, equipment and services that will procured will be selected by direct pointing of the vendor as long as it is within budget and within the quality of product that it's required. However, it is good if CELCOR could set up the ceiling price of the goods and service that could selected by direct purchase or should have quotation from 3 (three) different vendors for the same product.

10. Accounting System

CELCOR has use PeachTree Accounting Systems to support its Financial Report and Records. The system is good and could manage multiple donors report and could produce Financial Report at any time. CELCOR has use this system almost 2,5 year now, and the Finance Officer and the Accountant are capable to run this systems. However, since the approved budget didn't post to the systems, that's why they can't produce the Budget vs Actual report at anytime. The Accountant has makes the agenda to posting the approved budget for the next project to the systems.

11. Bank Reconciliation

The bank reconciliation was done only for the last 2010 report due to the shortage of the staff in the Finance and Accounting. Only in early 2011, the new Finance Officer join CELCOR and due the bank reconciliation. The bank recon for the 2011 still needs to be done within this year.

12. The Asset Register

The Asset Register has managed well by the Finance and Accounting with detail of the date of purchase, assets number, description, serial number, quantity, assets holder, location, category, supplier and the amount of assets when its acquired. All the assets are not depreciated using accrual basis as the donors asked to use the cash basis for each asset they funded. However, for some big

assets (eg. Vehicles) they still manage the depreciation cost for the use of reporting to the government office.

Recommendations

1. CELCOR should have the new Standard Operating Procedure (SOP) to manage their operational and assets.
2. All the cheque should not be Pre-Signed since the bank signatories should also checking all the documents before it signed.
3. CELCOR should produce monthly Financial Report and submitted it to the Executive Director so he can see and control the total operation/activity and budget.
4. The Accountant should posting/input the entire approved budget to the systems for the new contracts, so they can produce Financial Report at anytime.
5. Both Accountant and the Finance Officer have no experience in NGO sector before. However, they are have a good understanding in preparing financial reports and manage the accounts. That's why there is a need for them to have a training program on Finance and Accounting and also donor reporting for NGOs.
6. The Finance and Accountant should prepare the bank reconciliation by monthly to have proper control on cash on bank and records in CELCOR's account bookkeeping.
7. CELCOR should minimized the ad-hoc activities that is not planned on the original budget but if that activities is urgent and should be done immediately, it should be inform to ICCO to get approval.
8. CELCOR has have their own regulation, that the Payment Request form should be submitted to Finance and Accounting within is 2 (two) weeks before the time of collecting the cheque and get all the necessary formal approval. However, such regulation still needs to be stricken as there still lot of staff didn't follow that regulation. CELCOR should follow their own regulation.
9. The monthly bank statement should be kept by Accountant as the purpose of control the cash on bank and also for preparation for bank reconciliation.
10. CELCOR should have the procurement policy in their SOP to get the fair price and good quality within the budget.
11. CELCOR should have their back up data regularly to avoid missing data due to error and system failure. Such back up should be placed in CELCOR premises and outside CELCOR's premises to avoid fire or flood.
12. Finance and Accounting should seek preference vendor list that allowed CELCOR to have credit facilities and could paid by bank transfer to avoid using cash or cheque.
13. The Finance and Accounting staff should explore more on the using of the Peach Tree Accounting Systems, as there still lot of menu that could be used to produce the financial report.