



# ENPI FLEG

Improving Forest Law Enforcement and Governance in the European Neighbourhood Policy East Countries and Russia



## Arboreum Georgia

December 2010 - February 2011  
[www.enpi-fleg.ge](http://www.enpi-fleg.ge) [www.enpi-fleg.org](http://www.enpi-fleg.org)

## Editorial



*Join us in celebrating all that's wonderful about the world's forests — and what they mean for the well-being of people and the planet. The United Nations has proclaimed 2011 as the International Year of Forests (Forests 2011) and IUCN is helping to promote awareness of the critical role that forests play, not least as the source of food security and livelihoods for more than 1.6 billion people.*

*ENPI FLEG program supports the International Year of Forests. We care and we are trying to help...*

## ENPI FLEG Program News

### SELF-SUSTAINABLE BUSINESSES FOR LOCAL COMMUNITIES WITHOUT DEGRADING THE FOREST



photo E. Subotina

**On December 2010 IUCN in the framework of ENPI FLEG Program contracted TBSC Consulting in Consortium with CENN for the activity “Strengthening of capacity of the local communities for revenue collection from sustainable utilization of timber and non-timber forest products” in four regions of Georgia.**

The activity is based on the report on the “Assessment of the Economic and Social Impact of Inefficient, Unsustainable Forest Practices and Illegal Logging on Rural Population of Georgia” carried out by Vasil Gulisashvili Forest Institute (VGFI).

The report revealed a need for pilot projects to be conducted in the areas where the population is heavily dependent on forest resources. Therefore, the TBSC and CENN consortium was selected to carry out a project in order to strengthen the capacity of local communities for revenue collection from sustainable utilization of timber and non-timber forest resources. Up to now, the Consortium conducted

several meetings with VGFI experts, collected other relevant information, organized internal meetings and based on these activities formed a vision on the implementation of the Project.

The selected regions are rich in forests. In fact, more than half of the territory of these areas is covered with natural forests. Inhabitants of these regions used to generate revenues from timber resources of the forest. After the introduction of several changes to the forest related legislation in Georgia and strengthening its enforcement local communities in these target areas lost a significant portion of their revenues. As a result, illegal activities have increased in their neighbouring forests. The ENPI-FLEG Program decided to support the reduction of illegal activities in the forests as well as ease pressure on these households, by helping them in setting up sustainable businesses. TBSC and CENN will contribute to capacity building of local communities in planning, management and implementation of small scale projects related to sustainable use of timber and non-timber forest resources, while respecting the forest law and the environmental concerns. As a result, these projects can help reduce the poverty and unemployment levels in these four regions. Furthermore, in case if these pilot projects prove to be successful, they can be replicated in other parts of Georgia, which can have positive effects on the country's economic situation as a whole, and all this by preserving the valuable forest resources.

Expected result of the project is to obtain four self-sustainable businesses generating profits for local communities.

Next steps of the project include visiting selected areas, meetings with stakeholders, preparation of Integrated Resource Management Plan (IRM) and Implementation plan of the project.

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## BEST GREEN BLOGGER ANNOUNCED

**On January 23, 2011, in Sheraton Metechi Palace, Manana Kveliashvili was nominated to be a winner of the Best Environmental Blogger contest.**

The awarding ceremony took place during Second Meeting of the Georgian Charter of Journalistic Ethics; a personal notebook and award certificate were granted to the winning blogger.

The main objectives of the Charter of Journalistic Ethics are in close agreement with the ENPI FLEG Program goals; the issues of journalist professionalism, ethical principles and civil awareness are especially important for law enforcement and better governance in the forestry sector, as well as for civil society building in general.

Therefore, the ENPI FLEG Program closely cooperates with journalists, especially for their capacity building and professional development. Various trainings, media monitoring and other media related activities constitute an essential component of the Program. In May 2010, a training in Environmental Civil Journalism was held in Abastumani. As a result of the training, journalists were trained in new media/ blogging issues, many of them have created interesting and active internet blogs. After 6 months of monitoring, the best blog was revealed by the IUCN selection committee: - <http://mokhetiale.wordpress.com/> - moderated by journalist Manana Kveliashvili.

The addresses of other participant blogs are available [here](#).

The ENPI FLEG program congratulates Manana Kveliashvili upon this valuable nomination and looks forward to seeing her new successful work in the field of environmental journalism.

We would like also to express our gratitude to the Journalist Ethics Charter for cooperation and strongly believe that we will work together for the further media development in Georgia.

## NEW REFORM IN GEORGIA - NATURAL RESOURCES IN ONE AGENCY

The World Bank named Georgia "the top reformer in the world". The reforms are especially rapid in the field of environment protection and natural resources management. Just half a year ago a serious reform was implemented in the forestry sector. It resulted in the transformation of the Forestry Department of the Ministry of Environment and Natural Resources into the Forestry Agency, which was assigned new status and new functions.. A special issue of the newsletter "Arboreum Georgia" in August-September has been dedicated to the reform. And now, in the beginning of 2011, the new changes broke out. In December 2010, President Saakashvili criticized the "system corruption" in the Ministry, especially in the Forestry Department, and committed the government to develop the plan of reorganization of the Ministry of Environment and Natural Resources.

Now the reforms are being carried out at the level of more than just one Ministry. According to the new legislative changes functions and responsibilities related to environmental protection and natural resources management were redistributed among various institutions of the government of Georgia.

Along with other sectors, serious changes have been applied to forest governance: the Forestry Agency that have had a status of the legal entity of public law, was reorganized. The national Agency of Oil and Gas, which was an institution within the jurisdiction of the Ministry of Energy of Georgia has been reorganized as well. Based on merge of these two entities, a new legal entity of public law has been established – the Agency of Natural Resources, that has been subordinated to the also reorganized Ministry of Energy and Natural Resources This Ministry is acting as a successor of the Ministry of Energy, the Ministry of Environment Protection and Natural Resources and the Ministry of Economy and Sustainable Development in the field of natural resources management. The Agency of Natural Resources is a successor of the Forestry Agency and the National Agency of Oil and Gas, as well as the Ministry of Environment Protection and Natural Resources and the Ministry of Economy and Sustainable Development in following:

- Management and usage of natural resources, including issues related to fisheries and hunting;
- Approval of quotes and stocks for extraction of natural resources according to the rules approved by Georgian Government;

In general, the goals and objectives of the Agency in respect of the forestry sector are as follows: governance and utilization of natural resources; forest care and reforestation; sustainable use of the components of biological diversity on the territory of forest land; demarcation of the forest fund territories; management of the forest fund; regulation of forest management; control of the territory of the forest fund etc.

The agency is guided by the chief of Agency, who is appointed to his/her post by the Prime Minister of Georgia, under the presentation of the Minister of the Energy and Natural Resources of Georgia.

The sources of funding of the agency are specific funds, allocated from the state budget of Georgia, grants, income received from the work fulfilled on the basis of agreements, service value and annual value of forest utilization (final price fixed on auction) envisaged by the legislation of Georgia and other incomes permitted by the legislation of Georgia.

After the changes one more institution got involved in forestry related issues in Georgia: the legal entity under public law – National Agency of Public Registry, which is an institution within the Ministry of Justice of Georgia, was given functions of the Ministry of Environment Protection and Natural Resources related to fixing State Forest Fund boundaries and enlargement or reduction of the State Forest Fund.

The statutes of the Ministry of Environmental Protection, the Ministry of Energy and Natural Resources, Agency of Natural Resources were adopted; also, amendments were introduced to the Forestry Code of Georgia, the Law on Forestry Agency and other relevant legislation acts. The texts of the legislative acts related to the implemented reorganizations are available on the ENPI FLEG web site.

## Environmental News in Georgia

### CHAIRMAN OF FOREST DEPARTMENT DETAINED FOR BRIBES AND MONEY-LAUNDERING

A joint operation by the Investigatory Agency at the Georgian Procurer's Office and the Department of Constitutional Safeguard has produced results: The Head of the Environmental Ministry's Forest Agency, Papuna Khachidze, and the Manager of the Department of Geoinformation (at the same Ministry), Giorgi Baghaturia, have been detained for bribery and money-laundering. As Deputy Public Prosecutor David Sikharulidze and Head of Investigative Force Zaza Kachibaya have stated, the detained individuals have been abusing their power and position lobbying private companies in both Government Purchases as well as in terms of the licensing of timber extraction; while in return for these abuses Papuna Khachidze and Giorgi Baghaturia were in receipt of various amounts. If they are found guilty they could be sentenced to 11 years, pursuant to the Cl. 1 of Article 238 and p. 3 of Article 194 of the Criminal Code of Georgia. (GHN)

### ENVIRONMENT MINISTRY'S DOWNSCALE PLAN

The Government submitted to the Parliament for consideration a package of legislative amendments envisaging a significant downscale of the Ministry of Environment, the move was slammed by the environmental groups.

According to the voluminous package, which includes draft amendments to 45 laws, most of the Environment Ministry's functions will be transferred to the Ministry of Energy and some functions will be redistributed between the Ministry of Economy, the Ministry of Agriculture, the Ministry of Justice and the Ministry for Regional Development and Infrastructure.

The government has requested lawmakers to speed up discussions of the proposed draft. According to the Parliament's Vice Speaker from the ruling party, Mikheil Machavariani, the bill would probably be approved with its second reading by March 9. The third and final reading of draft laws is a technical procedure during which no significant amendments are made to the drafts. According to the proposed package, functions related with management and use of natural resources, as well as management of geological threats and geological environment and issues related with nuclear and radioactive regulations will be transferred to the Ministry of Energy.



The Forestry Agency of the Environment Ministry will merge into the National Agency for Oil and Gas, which will be renamed into the Agency of Natural Resources under the subordination of the Energy Ministry.

On February 22 PM Nika Gilauri said that the proposed “restructuring formula” of the Ministry of Environment had been agreed “with everybody” and “it will work much more effectively.”

The Reorganized Ministry of Environment “will have more strict control functions, as it will be focused on the issues related with protection of the environment,” PM Gilauri said. *Source: Civil Georgia, Tbilisi / 23 Feb. '11*

#### ENVIRONMENTALISTS CONCERNED OVER PLANNED DOWNSCALE OF ENVIRONMENT MINISTRY

Environmental groups have warned against planned restructuring in the government, which will see downscaling of the Ministry of Environment Protection and Natural Resources.

“The move is not in line with aspirations to integrate with Europe. With this move [Georgia] is making a step backward towards the Soviet mentality, wherein environmental protection was neglected,” non-governmental organization, the Greens Movement of Georgia, said in a statement.

Caucasus Environmental NGO Network (CENN) expressed “serious concern” about the plan and stated that the decision “may elicit the reduction in the capacities and efficiency of environmental agencies, jeopardize environmental protection in Georgia, and hinder the process of European integration.”

World Wildlife Fund (WWF) Caucasus Programme Office said that the plans to split the Forestry Department from the Ministry of Environment, as well as to transfer the Agency of Protected Areas from the Environment Ministry to the Ministry of Economy were of particular concern, because they may “end up with extremely negative consequences”.

As a result of planned restructuring, the functions of the Ministry of Environment Protection and Natural Resources will be downgraded with some of its agencies going under the subordination of other ministries.

PM Nika Gilauri said at a government session on February 8, that issues related with natural resources and licensing would be transferred under the subordination of the Ministry of Energy, which would be renamed to the Ministry of Energy and Natural Resources.

He also said that the Agency of Protected Areas would be transferred to the Ministry of Economy and Sustainable Development. “Many details still remain and we continue to work on them,” PM Gilauri said.

One of the options, he said, was to downgrade the Ministry of Environment into a State Ministry led by a minister without portfolio. The PM said that the relevant draft law would be prepared for the Parliament in coming days.

After criticizing the Ministry of Environment, in particular its forestry department for “systemic corruption”, President Saakashvili instructed the government in December to reorganize the entire ministry. Saakashvili, however, also said at the time that he was grateful to Minister of Environment, Goga Khachidze, for “having performed some good work.”

According to the statement by Caucasus Environmental NGO Network (CENN), “high-level corruption” in the Ministry was named by the authorities as the reason behind the planned restructuring.

“However, as exemplified by numerous other cases in Georgia, the solution to this problem does not require structural reorganization, and can be achieved by the transformation of the internal management group and the establishment of an improved monitoring system,” CENN said.

The group called on the government to present a detailed reasoning and results expected from the restructuring plan, as well as how the move would be in line with European integration processes and to also involve all the stakeholders in the process of consultations. *Source: Civil Georgia, Tbilisi / 10 Feb. '11*

#### A NEW UNDERTAKING BY THE MINISTRY OF ENVIRONMENT: COLLECT WASTE PAPER AND SAVE FORESTS!

Deputy Minister of Environment and Nature Protection Giorgi Zedginidze, met with Directors of a Waste Paper Reprocessing Plant and proclaimed a new initiative of the Ministry. Its slogan is: Collect Waste Paper and Save Forests!

As Giorgi Zedginidze said, “the Ministry is about to launch this program calling on state/public and private enterprises to start collecting waste paper in order that the reprocessing agencies could make use of these secondary raw materials. Our Ministry is in continuous cooperation with various companies and agencies that use paper. Based on our discussion and consultation with them, we have seen that the demand is outgrowing supply. That is why we have called for many private enterprises and non-governmental organizations to join efforts and to let us know about their company, whether is it a customer or a supplier. The instrument will be

a “hot line” of the Ministry – ‘070’.

The Ministry of Environment and Nature Protection is calling upon both government enterprises and non-governmental organizations, as well as the private sector to take an active part in the action. In many offices, staff members tend to discard huge volume of waste paper as garbage rather than recycle it. The utilization and reprocessing of waste paper are of great importance to nature protection. According to the scientists’ calculations, one single ton of scrap paper can replace, that is, preserve up to five cubic meters of timber, i.e. 20-25 trees. “We produce second-hand paper from this waste paper. At this stage, the available raw material is just barely enough, so we desperately need it. From this standpoint, the initiative proposed by the Environmental Ministry is extremely valuable” – this is the opinion of Lela Chitadze, Director of Plant. “Collect Waste – Save Forest!” Event is about environmental thinking and awareness raising among the public This initiative should also contribute to environmental capacity building, the protection and rational use of natural resources, co-operation between the efforts of different sectors of the Georgian population under the aegis of an environmental goal. For a good start, the Ministry has handed 500 kilos of waste paper over to the Processing Plant. (GHN)

## Legislation

### FINE ON DAMAGING OR NEGLECTING GREEN PLANTATIONS

Tbilisi city administration will be granted the right to impose an administrative fine for damaging or neglecting green plantations. The appropriate regulation will be initiated in the draft of changes and amendments to the Administrative Code of Georgia. The city administration will also have a right to impose a fine for neglecting green plantations in the territory of the city, unauthorized cutting, squatting and the unauthorized use of land plots, being in the property of territorial units.

Squatting of land plots and their use without right of land tenure will be fined by 2000 GEL, and the same action repeated will be fined by 3500 GEL. The fine for damaging green plantations will be imposed in the amount of 500 GEL and for repeated action – in the amount of 1000 GEL.

The authors of the draft law believe that these changes will allow them to protect green plantations in Tbilisi and to create a favorable environment for them. The author of the draft law Andro Alavidze said to the GHN agency that these changes will suppress squatting and unauthorized use of land plots. (GHN)



### UNAUTHORIZED TRANSPORTATION OF TIMBER TO BE FINED AT 1000 GEL

The fine on the unauthorized transportation of timber will be 1000 GEL instead of 50 GEL. The appropriate changes in the Administrative offences code came into force on 23rd of December 2010. The Head of the Environment Protection Inspectorate, Levan Mkheidze, said, that no such offence has been fixed yet.

Control has become more strict on the identification of fir trees cultivated in nurseries and cut in forests. The selling of fir-trees cultivated in nurseries with the appropriate documents is permitted. There are nurseries in almost all districts of Georgia. (GHN)

## International News

### EXPERT PANEL RELEASES ASSESSMENT OF INTERNATIONAL FOREST GOVERNANCE

24 January 2011: The Global Forest Expert Panel on the International Forest Regime has released its assessment report on international efforts to improve forest governance. The report, titled “Embracing Complexity: Meeting the Challenges of International Forest Governance,” suggests that global efforts too often ignore local needs and fail to address the fact that deforestation is usually caused by economic pressures outside the forest sector.

For more information please visit site <http://biodiversity-l.iisd.org/news/expert-panel-releases-assessment-of-international-forest-governance/?referrer=biodiversity-update>

## WORLD'S POOREST BILLION TO GAIN FROM MANAGING OWN FORESTS

Gland, Switzerland, 21 March, 2011 (IUCN) – The lives of a billion of the world's poorest people could be improved through investing in community forest management, according to a recent IUCN study. As the world celebrates World Forest Day, IUCN urges decision-makers to recognize the various benefits of forests for forest dependent communities.

Only a small fraction of the US\$ 12 billion spent on the forest sector each year by governments and aid agencies goes to help communities heavily dependent on forests to control and manage their resources, the study reveals. As a comparison, the investment in commercial forestry amounts to US\$ 150 billion a year.

"It sounds logical that the people who live in forests and are highly dependent on them for their food, fuel, and medicines, should also be the ones who control, manage and use these resources, but the reality is different" says Stewart Maginnis, IUCN Director of Environment and Development. "Our work in Africa, Asia and Latin America has shown that strengthening community rights and the control they have over their own forests helps to reduce poverty and also benefits forest biodiversity."

An IUCN-led project in Mount Elgon, Uganda, which worked to address long-standing conflicts between local people and national park authorities, improve their livelihoods, and restore degraded lands, resulted in the emergence of local businesses, negotiated use agreements between park authorities and communities to allow community members to sustainably extract specific resources in the park, which led to illegal logging being reduced by 80%.

In the Shinyanga region of Tanzania 825 villages and their 2.25 million inhabitants improved their livelihoods as a result of being given greater control over their own forest resources. They now have half a million hectares of new forests and earn an additional US\$ 14 per person per month compared to the national monthly rural average of US\$ 8.50.

"We don't have to wait for more research or analysis to start making more sustainable and informed investment decisions", says Stephen Kelleher, Deputy Head, IUCN Forest Conservation Programme. "Failing to invest in locally-controlled forestry may ultimately undermine many of the goals that so many public funds, effort and time are being channeled into: reducing poverty and ensuring sustainable development for all."

A total of 1.6 billion people depend on forests for their livelihoods. Most of those people, 1.4 billion, live in the developing world, and 1 billion live in extreme poverty – a great number being women, indigenous peoples and other marginalized groups. Recently released data by IUCN and the Global Partnership for Forest Landscape Restoration show that approximately 1.2 billion hectares of deforested or degraded areas could be restored through better, locally- controlled management.

To read the full report visit IUCN site. (<http://www.iucn.org/about/work/programmes/forest/?6853/valuelocally-controlledforestry>).

## Publications/ Online resources

### FORESTRY STANDARDS AND PRACTICES IN GEORGIA

Study on Forestry standards and Practices in Georgia was conducted in the framework of EC funded Program "Improving Forest Law Enforcement and Governance in the European Neighbourhood Policy East Countries and Russia (ENPI FLEG)".

Present study was carried out by forestry expert, Merab Machavariani. The report is available at ENPI FLEG web site.

### STUDY ON IMPACTS OF ILLEGAL LOGGING IN GEORGIA

In 2010 Vasil Gulisashvili Forest Institute conducted the study on economic and social impact of inefficient and unsustainable forest practices and illegal logging on rural population of Georgia. Final report in Georgian, as well as executive summary in English are available on ENPI FLEG site/ publications.

### ASSESSMENT OF GEORGIAN LEGISLATION WITHIN THE CONTEXT OF VERIFICATION OF THE ORIGIN OF WOOD – FINAL REPORT PUBLISHED

WWF Caucasus Programme Office in the framework of ENPI FLEG Program "Improving Forest Law Enforcement and Governance in the European Neighbourhood Policy East Countries and Russia" prepared an Assessment of Georgian Legislation within the Context of Verification of the Origin of Wood Harvested and Processed by Logging and Timber Processing Companies. The report was prepared by Michael Garforth, a specialist in forestry and natural resource management.



English and Georgian versions of the report are available at:  
[http://www.enpi-fleg.ge/enpi\\_fleg/index.php?option=com\\_content&view=article&id=58&Itemid=63&lang=en](http://www.enpi-fleg.ge/enpi_fleg/index.php?option=com_content&view=article&id=58&Itemid=63&lang=en)

## ECOLEX INFORMATION SERVICE ON ENVIRONMENTAL LAW

ECOLEX combines environmental law information holdings of the three partner organizations FAO, IUCN and UNEP. The pool of ECOLEX data is impressive; it contains comprehensive bibliographic and analytical information as well as full text links to more than 1,100 multilateral and bilateral agreements, 62,000 on national legislation, 420 court decisions and 28,000 records on literature on law and policy.

Searching ECOLEX is easy. The portal offers a user-friendly Google-type feature through which the user can find information in all or selected datasets. For the more advanced user, ECOLEX includes specially tailored search forms for each of the datasets. ECOLEX covers all aspects of environmental and natural resources conservation, including subjects such as fresh and marine water, air and atmosphere, soil and land use, species and ecosystems, fisheries and forestry, hazardous substances and waste, as well as food and agriculture.

Global access to the portal is free of charge. It offers a trilingual user interface of ECOLEX attracts users in English, French and Spanish speaking countries and especially those in developing countries and countries with economies in transition. For additional information, please visit ECOLEX at [www.ecolex.org](http://www.ecolex.org)

## OFFICIAL FILM FOR THE LAUNCH OF THE INTERNATIONAL YEAR OF FORESTS

The United Nations mandated Yann Arthus-Bertrand to produce the official film for the launch of the International Year of Forests, 2011. Following the success of his film Home, seen by 400 million people, the photographer created a 7-minute short film on forests filled with aerial images from Home and the Earth from Above television series. The movie is available at: <http://www.goodplanet.org/forests/the-film.html>

## ANNOUNCEMENTS

### IMPACT OF THE ILLEGAL LOGGING ON THE RURAL POPULATION - COMPARATIVE ANALYSES COVERING 6 ENPI FLEG COUNTRIES WILL BE PREPARED

In 2010 Vasil Gulisashvili Forest Institute conducted the study on economic and social impact of inefficient and unsustainable forest practices and illegal logging on rural population of Georgia.

At the same time, similar studies were carried out in other 5 countries of the EU Program "Improving Forest Law Enforcement and Governance in the European Neighborhood Policy East Countries and Russia" (ENPI FLEG Program). FLEG process is an international initiative aiming at ensuring better forest law enforcement and governance practices.

In the framework of the ENPI FLEG program, under the leadership of Ukrainian NGO "Green Cross Society", implementation of the comparative analyzes of the study on the impact of inefficient and unsustainable forest practices and illegal logging on rural residents has recently started. The study will cover Armenia, Azerbaijan, Georgia, Moldova, Russia, and Ukraine. One consultant from each of these countries will contribute to the publication. Ms. Marika Kavtarishvili will participate in the preparation of the material relevant to Georgia.

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## About ENPI FLEG Program

The ENPI FLEG program supports governments of participating countries, civil society and the private sector in the development of sound and sustainable forest management practices, including the prevention of illegal forestry activities. Participating countries include Armenia, Azerbaijan, Belarus, Georgia, Moldova, Russia and Ukraine. This program is funded by the European Union.

[www.enpi-fleg.org](http://www.enpi-fleg.org)

## Program Partners



### World Bank

The World Bank is a vital source of financial and technical assistance to developing countries around the world. Our mission is to fight poverty with passion and professionalism for lasting results and to help people help themselves and their environment by providing resources, sharing knowledge, building capacity and forging partnerships in the public and private sectors. Learn more: [www.worldbank.org](http://www.worldbank.org)



### IUCN

IUCN, International Union for Conservation of Nature, helps the world find pragmatic solutions to our most pressing environment and development challenges. IUCN works on biodiversity, climate change, energy, human livelihoods and greening the world economy by supporting scientific research, managing field projects all over the world, and bringing governments, NGOs, the UN and companies together to develop policy, laws and best practice. IUCN is the world's oldest and largest global environmental organization, with more than 1,000 government and NGO members and almost 11,000 volunteer experts in some 160 countries. IUCN's work is supported by over 1,000 staff in 60 offices and hundreds of partners in public, NGO and private sectors around the world. [www.iucn.org](http://www.iucn.org)



### WWF

WWF is one of the world's largest and most respected independent conservation organizations, with almost 5 million supporters and a global network active in over 100 countries. WWF's mission is to stop the degradation of the earth's natural environment and to build a future in which humans live in harmony with nature, by conserving the world's biological diversity, ensuring that the use of renewable natural resources is sustainable, and promoting the reduction of pollution and wasteful consumption. [www.panda.org](http://www.panda.org)

## CONTACTS

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