

IN SEARCH OF FOREST GOVERNANCE REFORM IN UGANDA

**Results from the testing the Questionnaire
to Establish the Baseline Forest
Governance Situation in Uganda**

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Forestry Sector Reform in Uganda

- 1998: major restructuring programme in all government institutions and ministries aiming at creating conditions for long-term economic growth
- Forestry sector took the National Forestry Programme approach so that by 2004:
 - New policy & legal framework was in place
 - First ever National Forestry Plan prepared
 - New institutions created (National Forestry Authority, Forestry Inspection Division, District Forestry Services, Private Forest Owners)



What did the Reform Come with (cont'd)?

- Legal provisions to manage forests according to forest management plans
- Independently verifiable SFM
- Promotion of partnership, especially with local people thru' collaborative forest management
- A sector “coordination structure” and a “national consultative forum”
- Progressive gov't disengagement from commercial timber plantations as the private sector takes up investment therein



Following the Reform....

- NFA performed well for the first 4 years; then it began to falter under gov't and private sector pressure to change land use
- Top NFA management resigned and the new leadership came with predatory tendencies towards the forest resources in CFRs
- The Forestry Inspection Division performed below expectations because it was not adequately resourced
- *Ditto* for the Forestry Departments under local governments

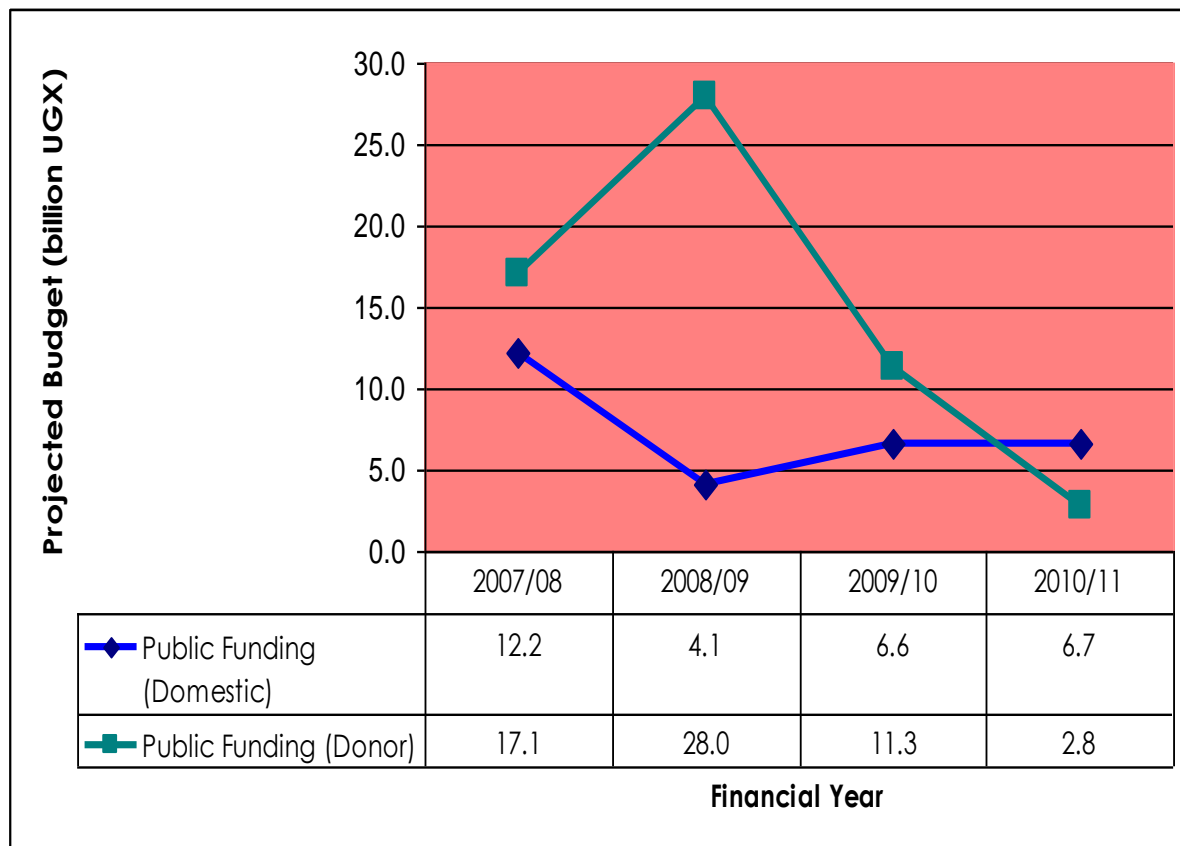


Following the Reform....

- Forests outside protected areas (PAs) continued to decline (deforestation rate of 2.3% during 1990-2005, compared to 0.8% in PAs)
- Private sector investment in commercial timber plantations climbed from UGX 4.6b (US\$ 2m) in 2002 to UGX 19.6b (US\$ 9m) in 2008
- Collaborative forest management (CFM) continued to expand
- The “coordination structure” & “national consultative forum” were not put into practice



Then, What Happened? (cont'd)



- Public budget provisions generally declined and official development assistance plummeted



Where Did We Go Wrong?

- Stakeholders are asking: with good policies & laws on paper, and a practical institutional framework where is the problem?
- Enter the World Bank (WB) with the forest governance diagnostics tool
- The tool is essentially questionnaire that was used to analyze weaknesses of forest governance & point to actions that would lead to a reform strategy

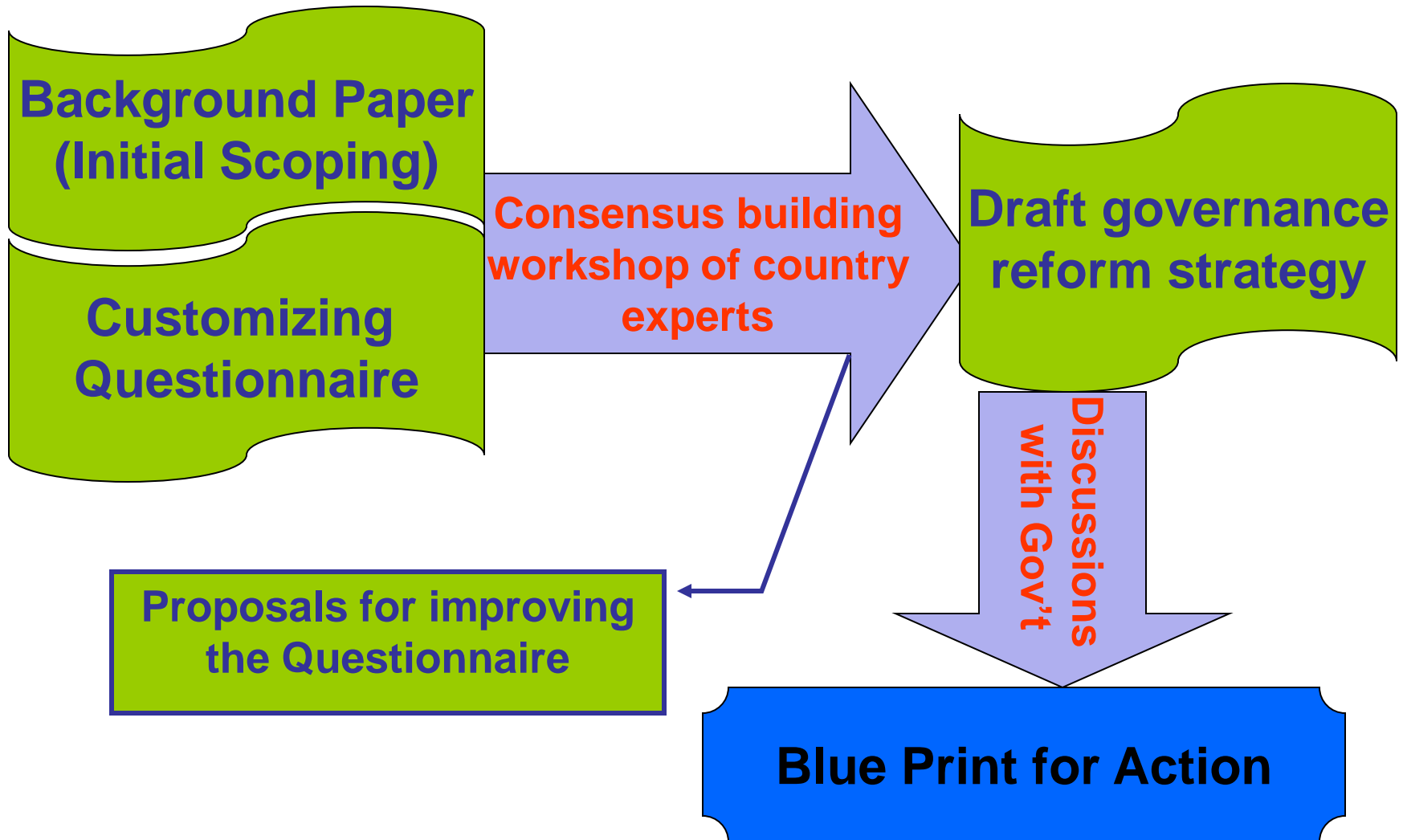


Forest Governance Building Blocks

1. Transparency, Accountability and Public Participation
2. Reliability of Forest Institutions and Conflict Management
3. Quality of Forest Administration
4. Coherence of Forest Legislation and Rule of Law
5. Economic Efficiency, Equity and Incentives



How Did We Do It?



Results of the Workshop: Transparency, Accountability & participation

- Development of the policy, law & NFP instilled a strong culture of public consultations
- Some information is available to stakeholders but some is packaged for the technical people & cannot be understood by many stakeholders
- Legal frameworks in support of transparency and accountability do exist (Forests Act, Public Procurement & disposal Act, Inspector of Government Act, etc.) but they are interfered with
- Technical guidelines for responsible forest management developed but not always respected



Results of the Workshop: Reliability of Forest Institutions & Conflict Manag't)

- At forest reserve level there are conflicts over boundaries and encroachment (exacerbated by local political manipulation).
- The conflicts affect the level of private investment, making it difficult for investment in commercial tree growing.



Results of the Workshop: Forest Administration

- Forestry is visible in the National Development Plan
- Policy & NFP express government commitment but the provisions are frequently ignored.
- A mismatch between the planning and budgeting processes
- Currently, there is a relatively poor public image of the forest sector (especially NFA, and more recently, Uganda Wildlife Authority)
- The LG & Forestry Sector Support Department operations are hampered by under-resourcing



Agreed: Forest Legislation & Rule of Law

- The laws are premised on principles of SFM; meaningful implementation is the problem
- Law enforcement strategies are wide-ranging but forest crime is still rampant.
- The judicial system is not sensitive to the gravity of environmental offences
- The cost of access to justice in courts of law is high. Only the big time suspects are able to afford it & even sometimes circumvent court action



Rule of Law (cont'd)

- Carbon & genetic resources are emerging benefits. Ownership is contestable
- CFM allows for sharing of forest management and use of forest resources but communities are still dissatisfied



Results of the Workshop: Economic Efficiency, Equity and Incentives

- Investment incentives in the forest sector target large scale investors with little consideration for small scale initiatives.
- Forest products prices are based on what the market offers instead of the true value of the products. Attempts to incorporate ecosystem value raised the prices of timber to a level that the market could not take
- The process for offer of concessions & licenses for harvesting is clear but often marred by corruption.



Results of the Workshop:

Recommendations

- A draft strategy for forest governance reform; it includes 14 priorities for action, each with a number of activities (see Workshop Report)
- Through credible data and information on the socio-economic contribution of forestry to local & national development, make a strong justification for positive political intervention
- Constitute a new and professional Board of Directors and appoint a new Executive Director, & introduce them to their responsibilities & the good ethics in managing public trusts



Recommendations (cont'd)

- Activate conditional grants for the District Forestry Services for full functionality
- Support private forest owners with proactive actions (e.g. thru' REDD+)
- Bring in third party institutions to monitor the sector to enable it to regain public trust.
- Alternatively, transform FSSD to enable it execute its responsibilities with less bureaucratic requirements
- Activate inter and cross sectoral linkages, to boost forest resources management.



Critiquing the Questionnaire

- Add questions relating to leadership of agencies. E.g. how is the Board of Directors recruited? How are senior staff of the institution recruited? How do we monitor performance of the leadership?
- Questions that assess the level of political intervention in forest resources management to encourage positive political intervention & insulate public institutions against opportunistic tendencies
- Questions that probe on synergies with sister institutions
- Added focus on stakeholder-based issues, e.g. NGOs involvement, problems and challenges faced by charcoal makers, issues with small-scale forest users (herbalists, arts and crafts, drum makers etc).
- Face the question of corruption head on



Using the Questionnaire

- Monitoring progress in forest governance. The baseline has been established. In Uganda, it is especially important to monitor:
 - **Transparency, accountability and Public Participation**
 - **Quality of Forest Administration**
 - **Rule of Law, especially compliance with the law**



Ending Remarks

- Governance is at the heart of deforestation & forest degradation in Uganda
- Main problems involve policy implementation & law enforcement, sometimes fuelled by political forces which often compromise professional management
- Current organisational superstructure can achieve a lot if professional performance is espoused by all, especially at high levels of management and administration
- The forest governance problems are common to other sectors. Therefore, solutions must cast a wide net to include education in schools, sermons in worship centres, structured public education programs, etc.
- This takes time, persuasion, & persistence because what is involved is re-alignment of attitudes and reform of the moral fabric of society as a whole.

