



Forest Governance Learning Group - Uganda¹

Work-plan for January-December 2008

1. Introduction

(i) FGLG in Uganda

Uganda is one of the countries participating in the internationally evolving Forest Governance Learning Group (FGLG)². This consists of small, country-based groups of opinion-formers and decision-makers exchanging learning and developing ideas on forest governance – and linking with similar groups in several other African countries. The FGLG Work Plan derives from current sector priorities and developments initially framed during the policy and institutional reforms that took place from 1999-2005. The Uganda group has operated since 2004, and from mid-2005 it has been convened by a national NGO - Advocates Coalition for Development and Environment (ACODE).

The purpose of the work in Uganda is threefold: to (i) spread learning about workable approaches to good forest governance; (ii) make measurable progress in improving sustainable local returns to livelihoods from law enforcement, private sector responsibility and enhanced local ownership and access rights; and (iii) build long-term capacity to spread these improvements. The main direct target groups are forest policy decision makers; leaders in forest enterprise; and champions of local community rights. Activities involve participatory analysis, learning and training events, network building, supported uptake of governance tools, and taking direct opportunities for governance reform.

In the inception phase (2004-2005), the group in Uganda was convened by individuals in the National Forestry Authority (NFA) and stimulated creative work by some non-governmental opinion-formers in the sector on: an improved timber tracking system; more effective information flow; better forestry integration with the penal code; a light but effective local reporting and rapid response system at source of production and in the domestic trade chain; and a stronger system of adherence and accountability to a professional forestry code. During 2006 FGLG-Uganda made considerable progress in using policy research work to advocate for governance change. It was particularly active

¹ Convened by Advocates Coalition for Development and Environment (ACODE) in Uganda (Contact: acode@acode-u.org)

² The Forest Governance Learning Group (FGLG) is facilitated internationally by the International Institute for Environment and Development (IIED). A FGLG framework document is available from IIED (james.mayers@iied.org) and the initiative's website is: <http://www.iied.org/NR/forestry/projects/forest.html>

in the campaign against proposed degazettment of Mabira and Kalangala forest reserves and in lobbying for increased government budgetary support to key institutions in the natural resources sector.

The proposals to degazette Mabira and Bugala Island forest reserves stretched over to 2007 with additional reports of over ten other central forest reserves across the country that were scheduled for degazettment. FGLG-Uganda played a key role in stopping degazettment of any reserve – the centre-piece of attention being the hotly contested Mabira Advocacy campaign. Consequently, government has for the moment dropped plans to degazette the reserves. Meanwhile, the long advocacy campaign for increased budgetary allocation for the environment and natural resources sector began to bear fruit as the budget ceiling was raised from 26.03 billion Uganda Shillings in 2007/2008 to 45.36 billion in 2008/09. Major policy research, guidance and advocacy outputs from FGLG-Uganda are shown in the box below:

Available written outputs from FGLG Uganda to date

- ❑ *Forestry justice: combating illegality for forest livelihoods in Uganda*. Cornelius Kazoora and John Carvalho, Sustainable Development Centre and International Institute for Environment and Development, London, UK [Available on CD-Rom]
- ❑ Geller, S. and Thornber, K. 2005. *Targeting livelihoods evidence*. Power tools series. LTS-International, Edinburgh, UK and International Institute for Environment and Development, London, UK. <http://www.policy-powertools.org/Tools/Engaging/TLE.html>
- ❑ Kazoora, C. and Carvalho, J. 2005. *Improving forest justice*. Power tools series. Sustainable Development Centre, Kampala, Uganda and International Institute for Environment and Development, London, UK. <http://www.policy-powertools.org/Tools/Ensuring/IFJ.html>
- ❑ Forest Governance Learning Group – Uganda. 2006. *Brochure* describing objectives, make-up and modalities of the Group. Available from ACODE. acode@acode-u.org
- ❑ ACODE. 2007. A Review of Budgetary Flows to the Environment and Natural Resources Sector (Draft Report). Available from ACODE. acode@acode-u.org
- ❑ ACODE. 2007. A Review of Disbursements to the District Forestry Services (Draft Report). Available from ACODE. acode@acode-u.org

(ii) NFP process in Uganda

The National Forest Plan process was launched by the Government as a means to replace the oldest civil service department in Uganda - the Forestry Department - with a new modern business-like organization. As a result, the NFP process has supported substantive change in the forestry sector: moving from a period of complete lack of trust in the main institution charged with management and oversight of Uganda's rapidly

dwindling and degrading forest resources, to a period where public confidence and government trust is being rebuilt in a new institutional environment.

During the 5-year intensive period of policy and institutional support, the Ministry of Water, Lands and Environment (MWLE) as the NFP convener has contributed to a comprehensive Forest Sector Review (2000), the successful launch of the Uganda Forestry Policy (2001), the National Forest Plan (2002), and the National Forestry and the Tree Planting Act (2003). The Forestry Department was officially divested into the Forestry Inspection Division (FID) under the parent ministry (2003) that has now been elevated into a department – Forest Sector Support Department (FSSD), the NFA as the lead parastatal managing Uganda’s central forest reserves (2004), and the District Forestry Services (DFS) under Local Government (2004 until the present).

Uganda’s NFP process is internationally regarded as a “state-of-the-art” sector reform intervention. In achieving these major outputs, the NFP process has:

- Established poverty and forestry linkages through Government budget support mechanisms, and clarified an entirely new institutional framework accepted by all main stakeholders;
- Successfully brokered a process of negotiation between central and local governments with civil society;
- Finalized business planning and new financing and legal arrangements, as well as incentive frameworks to balance commercial activities and public service obligations; and
- Supported decentralized governance through forestry livelihood and carbon sequestration pilots that have influenced priorities under the Plan for Modernization of Agriculture and National Agricultural Advisory Service.

While Uganda’s NFP process has clarified the prescriptions for good forestry governance, the implementation of the policy, legal and institutional provisions pose a challenge in practical terms. The FGLG therefore fills a niche by focusing on practical tactics to address governance issues relating to the contribution of forestry to poverty reduction, decentralised forestry functions, illegal forestry and livelihoods, and how to achieve the NFP objectives of raising the incomes and quality of life of the poor, increasing economic productivity and achieving sustainable forest resource management.

2. Outputs and Activities

This work plan, which is updated each year, has served as a useful focus to develop participation in the work of the group. FGLG-Uganda aims to work on: engaging in high-level policy processes; supporting the operationalization of the District Forestry Service; supporting small and medium scale enterprises including collaborative forest management arrangements; convening policy debate on land tenure, resource access, unlawful and corrupt practices and decisions in the sub-sector; and, advocating for and preparing practical guidance and tools and information materials. The details of each FGLG output and activities in Uganda are outlined below. The FGLG-Uganda activities are presented under the Output and Activity headings contained in the overall FGLG framework document (see footnote 2).

Output 1. PRSPs, NFPs, decentralisation programmes and related processes enable

improved forest governance

Activity 1.1 Entry points are identified, in the formation and implementation of PRSPs, NFPs, decentralisation and related programmes...

FGLG-Uganda Activity 1.1.1 Engagement with the PEAP and ENR-SWAp policy and budgeting processes

PEAP: With national aspirations and directions for long-term development having been brought into focus through the Vision 2025 exercise, poverty eradication is one of the main planks of Ugandan government policy, expressed in the PEAP. The Poverty Eradication Action Plan (PEAP) represents Uganda's response to the Comprehensive Development Framework initiative, and has been revised into the format of a Poverty Reduction Strategy Paper. It makes poverty reduction central to all areas of Government policy and action. It is coordinated by the MFPED, and is developed and revised every three years through a participatory process involving all sectors and civil society organizations (CSOs).

Uganda is at the forefront of PRSP development (being the first country to have one), so one would expect forestry issues to be well represented. Consultations suggest that during the NFP process a considerable effort was put into influencing the PEAP and aligning the strategies for forest sector development with the four PEAP pillars (now organized as 5 pillars in PEAP 2004). As a result, the current PEAP has outlined a healthy diagnosis of forest sector contributions to the overall economy and the problems being faced, it effectively demonstrates new policy research on linkages between forests and poverty, has understood the extra-sectoral issues influencing the sector (e.g., land ownership, energy consumption, decentralization and urbanization), often makes reference to the NFP strategic framework, and is coherent with the new institutional setting in the forest sector.

Thus, many ingredients are lined up to enable the PEAP to deliver useful outcomes for forest-linked livelihoods. By December 2007, a review of PEAP 2004-2008 was launched under the direction of the MFPED. Unlike the previous PEAP revisions, this revision is expected to culminate in a five year National Development Plan. ACODE was nominated by fellow civil society to take the lead in gathering CSO perspectives on environment and natural resources, peace and conflict, and public administration expenditure in the review process. This presents FGLG with an opening into the PEAP review and an opportunity to further profile and sharpen forestry governance in the national planning framework.

ENR-SWAp: In 2001, the MFPED constituted the Environment and Natural Resources (ENR) sector - represented by government institutions and departments from 3 separate ministries. The ENR sector comes in the wake of a strong commitment by the MFPED to rationalize public expenditure through embracing a more effective and efficient Sector Wide Approach (SWAp) to planning and budgeting. The establishment of the ENR sector coincided with other initiatives which aimed at raising the profile of environment and natural resources as a key player in the PEAP. Through the deliberations of these two processes, it became apparent that there was a need for a single Sector Investment Plan (SIP) for the environment over a period of 15 years (2006-2020), as well as increased recognition that the sector is crucial to poverty eradication strategies

The operations of the ENR-Sector Working Group (ENR-SWG) established by MFPED, is required to plan, budget and monitor resource allocation and implementation progress for all programs in the ENR sector. The importance of the ENR-SWAp and SIP now being prepared by the MFPED and ENR-SWG cannot be underestimated in Uganda's NFP process. When firmly in place, these policy instruments will play a key role in identifying priorities in the sector (through representing 7 sub-sectors including, lands, forests, wetlands, climate/meteorology, environmental management, fisheries and wildlife) and in allocating resources to these priorities. Forestry is a high profiled sub-sector in the ENR-SWG, and is therefore situated in a competitive position to leverage government subventions.

The ENR-SWG during the last 5 years has made substantial effort to improve on past performance in terms of linking Uganda's current Medium Term Expenditure Framework (MTEF) - its three year rolling budget system – with the PEAP goals and operational management. A consultative process drawing on the activities of sector working groups culminates in agreed sectoral Budget Framework Papers (BFP) that are normally completed by the end of April. For forestry, the ENR-SWG brings together key central ministries, the respective technical agencies, NGO's and the donor community in the process of preparing sectoral BFP's.

Uganda's FGLG Convenor (ACODE) has played an important role in drawing out the benefits of forestry for the PEAP and ENR-sector policy shapers. Through the MTEF and BFP preparations ACODE and other players have made a concerted effort to engage the ENR sub-sector institutions more closely with primary stakeholders. This has yielded prioritization of forestry among the ENRs. At the national resource basket, the MFPED is becoming more responsive to FGLG advocacy demands. According to a budget circular that was issued by finance in mid November 2007, the budget ceiling for ENR was raised substantially (see Introduction). This presents an achievement that FGLG must continue to consolidate.

In 2005, the ENR-SWG developed and agreed on a Road Map for fast tracking and completing the process of developing the ENR Sector Investment Plan. This process finally came to an end as the ENR-SIP was launched in December 2007. The SIP presents a tremendous opportunity to improve forestry's profile in the public policy arena and integrate aspects of forestry governance requiring public finance. Operationalizing the SIP within the SWAp framework is of the highest policy priority, especially if the ENR-SWG is to tackle cross-cutting issues that require cooperation with other government institutions. In this regard, FGLG-Uganda will act as a key platform for key actors in the ENR Sector to provide advice and lobby for the full integration of forestry governance issues in overall sector planning and investment priorities.

FGLG-Uganda Activity 1.1.2 Promotion and technical support for functional District Forestry Services

The FGLG recognizes that poverty will not be alleviated by macro-level policy debate alone. A strong district capability is necessary to drive ENR sector interventions at local levels where forestry-poverty linkages are manifest. Just as the argument for forestry's poverty-reducing contribution needs to be made in Kampala, so it does within district administrations where "decentralization is deepening". Forestry Units within Natural

Resources Departments of Productive and Environment Committees represent forestry's newly formed institutional home in the DFS. District Forestry Development Plans are anticipated – and they can be integrated into, what will effectively be, district-level ENR SWAs.

As forestry has historically been centralized, the decentralization of forestry services will be a challenge and Local Governments will need considerable support in order to implement this DFS effectively. It is therefore critical that the Ministry of Water and Environment and the ENR sector at large together with the Ministry of Local Government provide the necessary support to the DFS to develop its competence to deliver on its functions. The DFS will need considerable support in order to implement its new roles and mandates. This will require interventions to build the necessary capacity in local governments and other stakeholders. The influence brought to bear on the Ministry of Local Government to include the DFS in their BFPs is a key part of the process.

FGLG-Uganda aims to deepen the decentralization process by acting as a policy broker at various policy centers such as the legislature, local government commission and within the Ministry of Water and Environment. The FGLG will also seek to engage donors and members of the ENR SWG to ensure that the operations of the DFS and the Forestry Sector Support Department are better supported within the overall Medium Term Expenditure Framework as well through project funding from different development partners. In this way, FGLG-Uganda will act as a lobby group for increased and effective financing of the sector. In 2007, a research was undertaken on financing DFS of which a draft is in place. FGLG will complete and publish this study that will be used in advocacy.

Output 2: Illegal and corrupt forestry that degrades livelihoods is reduced through the adoption of practical approaches to improved forest governance

Activity 2.1 Initial findings from Sub-Saharan Africa, on practical approaches to address the impacts of illegality-poverty links, promoted widely

FGLG-Uganda Activity 2.1.1 Awareness and promotion of the “Improving Forest Justice” tool-kit

In preparation for a concerted effort to improve the prospects for sustainable livelihoods based on forest resources by fighting illegality and corruption in forestry and improving climate for equitable justice, the Government, through the NFA with support from FGLG commissioned the study on “Forest Justice: Combating Illegality for Forest-Linked Livelihoods” (see box on page 1). A major finding of the study was that the Justice Law and Order system institutions tend to delay the administration of justice. In fact, there is as much as a 5-year backlog of cases in Ugandan courts of law.

The FGLG study specifically sheds light on less discussed issues in the forest governance debate:

- Limited publicity and understanding of laws on forest governance
- Limited knowledge of the forestry law among enforcement agencies
- High transaction costs in seeking justice (eg, money, time, opportunity cost)
- Unfair forest regulations and rules dealing with renewals and cancellations

- Limited knowledge and access to relevant case law affecting forestry, environment and natural resource sectors
- Incurring the private cost (catering for identified suspects) for public benefit
- Conflict of interest in reporting offences against neighbors, friends and relatives
- Administrative failures by public authorities to implement the law

As a follow-up to the study, an “Improving Forest Justice” toolkit was prepared by FGLG. The objective of the policy tool kit is to provide practical guidance to forest institutions in Uganda and elsewhere on how law enforcement agencies and others can put in place systems to eliminate illegality and corruption and install justice for forest-linked livelihoods. The tool kit is mainly focused on timber. The use and trade of timber attracts more illegality and corruption compared to other forest products. It is thought that once a breakthrough is made in curbing illegal timber other products would apply.

The tool kit notes four reasons why a focus on improving the administration of justice is vital for forest linked livelihoods in Uganda. Firstly, different livelihoods draw on different forest resources and this is a source of conflict. Secondly, people have varying means and capacities to seek justice and their needs ought to be accommodated by enforcement agencies. Thirdly, Transparency International ranks Uganda among the most corrupt nations, and beginning to address this situation from the forestry sector shows much potential. Finally, reconciling the different interests of people through a transparent and effective system of justice is a strong basis for sustainable forest management in the short and long run.

FGLG-Uganda will spread the knowledge and use of the tool-kit applications through raising awareness on its application to key institutions on important chain of custody issues (e.g. how to deal with labeling of legally obtained forest produce and issuance of relevant documents for use in transit; how to monitor the legal nature of forest produce (especially timber) being moved from the forest to the market; how to work with key institutions to deal with complex situations in the field during control exercise; how to reward at the source those who contribute directly to the impounding of illegal forest produce/timber with monetary and non-monetary incentives; how to ensure effective information flow among the participating parties, and to document and share best practices). (See also Activity 3.1.1 below).

Output 3: Forestry enterprise initiatives and private sector associations comply with the law and spread practical approaches to improve forest governance

Activity 3.1 Understanding developed of the main opportunities and constraints for enterprises in legal compliance

FGLG-Uganda Activity 3.1.1 Engaging with the private sector on practical legal compliance

FGLG-Uganda will convene annual law enforcement, compliance and advocacy clinics bringing together key actors in the forestry sub-sector. The objective will be to strengthen practical systems for compliance with the laws and regulations that really matter for sustainability and local benefit from forest resources. Targeted information sheets, and potentially other communication products, will be developed.

Output 4: Ownership, access rights, policy and management frameworks are improved to support local control and benefit from forestry

Improving the role of Civil Society Organizations in supporting locally-controlled forestry (Activity 4.1 to 4.5)

Through its involvement in forest sector reform the Uganda Forest Working Group (UFWG), established in 2001, highlighted the need to enhance and support genuine stakeholder participation in the development of the forestry sector³. It remains evident that poor people are marginalized by the institutions implementing government policy. During its regular platform meetings, the UFWG members, working directly with communities, identified the difficulties they faced in accessing resources from central forest reserves. These included the imbalance in negotiating powers and the lack of skills among members to address some of these imbalances. FGLG-Uganda will work under the umbrella of the UFWG to help communities to engage actively with government - increasing their participation in forest sector activities and benefits. The following indicative activities are anticipated:

FGLG-Uganda activity 4.2.1 Provide legal and advisory support to at least 2 community groups to apply for collaborative forest management in accordance with the Forestry and Tree Planting Act

- Select the target forest reserves and communities to target;
- Conduct meetings and sensitize the selected communities on CFM;
- Assist the selected communities in preparation of their applications for CFM and reviewing existing agreements;

FGLG-Uganda activity 4.3.1 Organize annual policy dialogue meetings on land tenure, resource ownership and access rights in the forestry sub-sector

- Convene the dialogues;
- Prepare background materials for the dialogues;
- Prepare and publish briefing paper on land tenure and governance in the forestry sub-sector.

3. Implementation

Convening institution: The FGLG-Uganda convening institution is a lead NGO policy-think tank heavily engaged as an independent voice of forest sector reforms - Advocates Coalition for Development and Environment (ACODE). Key functions of the convening institution are:

- Serve as the FGLG secretariat
- Prepare, publish and use reports
- Participate in regional learning events
- Secure agreement and means to take policy work forward
- Capture the Group's thinking and exchange this with other country Groups

³ The UFWG comprises a wide network of over 60 CSOs, individuals, academic and research institutions engaged in the promotion and development of forestry activities and practices in Uganda. Its mission is "to ensure that poverty eradication and good governance remain the over-arching objectives of the forestry sector".

Group membership: As was the case during the inception year, FGLG-Uganda participants are identified on the basis of their willingness, experience, good connections and ideas, and the prospects they offer for developing strategic links between the forest sector and other sectors/influence-groups. The emphasis will be on engaging with a small ad-hoc, interested and motivated group. Participants are engaged in their individual rather than their institutional capacities.

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Forest Governance Learning Group - Uganda

Activities Plan: January - December 2008

Activities	Tasks	Expected Outputs	Expected Impacts	Time Frame
Engagement in macro and micro policy processes (Work plan activity 1.1.1)	→ Prepare the Environment and Natural Resources (ENR) sector paper to inform the Poverty Eradication Action Plan (PEAP) review	ENR Sector review paper produced	Increased visibility of forestry and environment in general in the PEAP/ National Development Plan (NDP)	Jan - April
	→ Publish a briefing paper on ENR budget allocation	Policy brief	Increased prioritization of ENR in the macro economic framework	May - September
	→ A briefing paper on the nexus of forests and climate change in Uganda	Briefing paper	Increased appreciation by policy makers of forests in mitigating climate change	
	→ Attend meetings of ENR Sector working Group (SWG), and utilize influence in other forums, to influence ENR in PEAP and NDP and inform the formulation of Budget Framework Papers (BFPs) for ENR	Decisions influenced in favour of locally beneficial ENR activity.	Increased prioritization and budget allocations for ENR and forestry related activities	Jan - June
Promote the functioning of District Forestry Services (DFS) (Work plan activity 1.1.2)	→ Publish and disseminate the research study on disbursements to the DFS	Study finalized, published and disseminated	Capacity of DFS to discharge its wide mandate enhanced	Jan -June
	→ Prepare and disseminate a policy briefing paper for the above study	Policy briefing paper produced and disseminated	Capacity of DFS to discharge its wide mandate enhanced	June - December
Develop and implement a campaign to reduce illegalities and improve forest governance (Work plan activity 2.1.1 and 3.1.1)	→ Organize law enforcement and compliance clinics	At least two clinics organized	Increased awareness of forestry law and policies in user communities	Jan - December
	→ Prepare a policy brief on governance of small forest enterprises (drawing on key	Brief prepared and disseminated	Increased awareness and decisions in favour of better governance for small forest	June - December

	findings and recommendations from recent studies ⁴)		enterprises	
	→ Organise practical compliance dialogues with private sector	Dialogues/meetings organized	Increased private sector compliance to the laws and norms	May-December
	→ Document the Advocacy campaign to save Mabira CFR and Bugala Island FRS	Documentation of the process	Ensure that future actions to save forests in Uganda learn from the experience	July-December
	→ Follow up the court cases instituted in 2007	Judicial decision on forest degazetment	Reduced pressure on protected forests	Jan - December
Support local control and increased benefits from forestry (Work plan activity 4.2.1 and 4.3.1)	→ Provide legal and advisory support to two communities interested in Collaborative Forestry Management (CFM) arrangements. Priority communities will be those around Mabira CFR	Workshops/clinics organized	Increased participation of forest adjacent communities in forest programmes	Jan - December
	→ Update and revise FGLG-Uganda brochure. Circulate brochure and prepare proposal targeting interest shown by Uganda-based funding sources	FGLG-Uganda brochure and proposal	Raised awareness of FGLG-Uganda and increased preparedness of funders to support national forestry conference and further FGLG-Uganda activity	Jan - December
	→ Organize a national forestry conference	National forestry conference organized	Increased collaboration of forestry institutions in pursuit of sector priorities	Jan - December
	→ Influence the national land policy formulation process to embody forestry issues and influence the retention of the Public Trust Doctrine	Land policy formulated with adequate provisions on forestry and citizens control over the natural resources	Increased prioritization of forestry in public policy	Jan - December

4 Notably: Auren, R. and Krassowska, K. (2004) Small medium forest enterprises in Uganda: a discussion paper. Ministry of Water Lands and Environment, Kampala and IIED, London; Kazoora, C. and Carvalho, J. 2005. Improving forest justice. Power tools series. Sustainable Development Centre, Kampala, Uganda and International Institute for Environment and Development, London, UK; Kazoora, C., Acworth, J., Tondo, C. and Kazungu, B. (2006) Forest-based associations as drivers for sustainable development in Uganda. Sustainable Development Centre, Uganda and IIED, London; and recent works by Jacovelli and Ash on charcoal.