



Forest Governance Learning Group – Malawi

Improving forest governance – Improving rural livelihoods – Thinking beyond trees to factors that affect poor peoples' livelihoods

An informal alliance of in-country groups and international partners currently active in seven African and three Asian countries. The FGLG tries to connect those marginalized from forest governance to those controlling it, and to help both do things better. We carry out focused studies, develop tactics and tools, hold learning events, and work as a group to effect change.

Workplan (Apr. 2008 – Jan. 2009): Year 4 of EC funding

1.0 BACKGROUND AND PROBLEM STATEMENT

Malawi established a Forest Governance Learning Group in February 2004 with support from International Institute for Environment and Development (IIED). The group is comprised of policy experts, researchers and forest practitioners that focus on exchanging lessons and developing ideas for improving forest governance in the country.

1.1 Problem statement

The problems and issues described below are a result of the findings from the two studies - Law enforcement, illegality and the forest depended poor in Malawi (Sibale and Banda, 2004) and Bridging the gaps: Opportunities for improved forest livelihoods-oriented governance in Malawi (Kafacoma et al., 2005). Other Issues arose in meetings and the lessons generated from the Mzuzu University forestry symposium held in August 2004. The problems and opportunities are described in relation to the expected outputs.

National policy frameworks

(This section refers to the EC-IIED head contract Output 1: Poverty reduction strategy, national forest programme and decentralisation programme enable improved forest governance).

Despite excellent paper documents such as Malawi's National Forestry Programme, implementation of the forest policy and legislation has generally been ineffective. By ineffective we mean that forest policies and legislation have failed to provide a framework for the sustainable wellbeing of Malawi's largely rural population. Instead they have criminalized those who have little option but to use forest resource for essential energy, food, and construction purposes. This ineffectiveness has been compounded by the non-functioning of the current Forest Management Board (FMB). The Forest Management Board was set up by an Act of Parliament in Part 3, Section 15 of the Forest Act 1997. Section 17 of the same Act specifies that the functions of the Forest Board are to advise the Minister responsible for forest affairs on all matters relating to tree and forest management in Malawi. The FMB failed to function because of lack of political will within the department and ministry. It was generally felt by many forest staff that the roles of

FMB were duplicating the roles of the Forestry Department. Therefore, in order to revamp the activities of the FMB, the FGLG (Forest Governance Learning Group) will among others advocate for the review of Part 3 Section 17 of the Forest Act. The FGLG will also advocate for the efficient implementation of the Forest Policy and allow the FMB performs its revised roles and functions.

The National Forestry Programme (NFP) has not been operationalized yet although the roles of government, communities, civil society, NGOs and the private sector are clearly defined in the NFP. It is apparent that many stakeholders are not aware of these roles. There is clearly a need for wider dissemination of existing published information about roles and responsibilities.

One of the mechanisms which were meant to build capacity of the Department of Forestry and the sector in general was the creation of Forest Management and Development Fund. Although this fund was created it did not function as it was meant to be. The Fund was being misused in the ministry and therefore was withdraw by the Treasury. The FGLG through this project will advocate for transparency and putting in place mechanism that will promote good governance of the fund.

The Department of Forestry has embarked on an encouraging process institutional reform. However, the reforms are slow in pace and not able to meet up with new developments in the sector – notably the rapid move to decentralize real authority for decision making to the district level. The department does not have enough resources to carry out most of its activities and its capacity to mobilise stakeholders to promote good forest management is currently low because of among other things the limited staff it has in the field. It is therefore clear that a wider alliance of government and non-government organizations need to be mobilised to achieve the NFPs aims – an alliance which the FGLG aspires towards. The findings also showed that District Assembly members give low priority to forestry in District Assembly Development Planning. Yet despite this there are several examples of highly motivated and profitable district level community forestry activities that could be built upon (e.g. in the district of Salima). For this reason, a priority is to establish a district level monitoring and training group that learn and spread good practice at this level.

It was also observed that forestry activities at grassroots level are not properly coordinated. But once again examples exist of good coordination and these need to be described, and shared and replicated.

It was observed that some NGOs in the natural resources sector have tended to be selective in their activities most of them basically promoting tree planting only. There has been much less attention to legitimizing important community forest enterprises such as charcoal production through constructive partnership with the department of forestry.

Communities also have to deal with the bureaucratic barriers in the process of seeking and soliciting support for forest management activities. As a result, communities also tend to place low value on economic and environmental roles forests play. If these bureaucratic barriers can be stripped away and replaced with real economic alternatives, community priorities and involvement may take a turn for the better.

Other problems included the issue of incorporating gender and HIV/AIDS into forest management planning.

Illegal and corrupt forestry

(This section refers to the EC-IIED head contract Output 2: Illegal and corrupt forestry practices that degrade livelihoods are reduced through the adoption and spread of practical approaches to improve forest governance.)

The government and the forest sector in general are not able to fight the illegality committed by both law enforcement agents and community members or forest users. In part this is because it is the government that has imposed unworkable requirements upon communities without identifying simple ways for communities to comply (for example in charcoal production). In addition there is very little accountability among change agents and forest users and it has been difficult to prevent corruption in forestry. Experience on the ground shows that there is a general disregard for the rule of law among forest users. It also does not help matters when the current legislation mostly provides for curative enforcement other than preventive one.

Almost all of the charcoal is increasingly produced illegally, in forest reserves by encroachers, which are most of the time controlled and even protected by the cartels in control of the trade in this natural resource. Major wood fuel users are urban households, the tobacco and tea industries. In general it was observed that there are some political influences in law enforcement.

Forest enterprise initiatives

(This section refers to the EC-IIED head contract Output 3: Forest enterprise initiatives and private sector associations comply with the law and spread practical approaches to improve forest governance.)

In part because the historic role of the Department of Forestry has been to control entrepreneurial activity and stamp out unsustainable forest use, little thought, and even less support, has been given to enterprise development. But with the growing realization that a healthy department of Forestry requires thriving and legal forest entrepreneurship from which legal revenues can be deducted – this is set to change. As power is transferred to district level through the process of decentralization, a real opportunity exists to invert the current situation. For example, where current Department of Forestry revenues are derived from the confiscation and subsequent sale of 'illegal' charcoal – there exist an opportunity to encourage legitimate and taxable charcoal production.

While currently there is very little work to promote small scale forestry enterprises at community level – an opportunity exists to review functioning examples of successful entrepreneurship and learn how they might be replicated. Particular attention will need to be given to the market links and support structures that are necessary to build successful community businesses. Details of the groupings / associations and decision making structures that are used will be important preliminary information to collect.

Community ownership and access rights

(This section refers to the EC-IIED head contract Output 4: Ownership, access rights, policy and management frameworks are improved to support local control and benefit sharing.)

As noted above, there are good examples of community nursery establishment, seedling sales, reforestation and use of timber and non-timber forest products. Government support for such positive activities has been hampered to date by the lack of clarity

regarding the distribution of resources to communities (either from central revenues or from redistribution of profits from the sale of confiscated goods). There is no current 'benefit sharing mechanism' in place both at district assembly and community level. Once again, examples exist but have not been captured, legitimized and spread by the Department of Forestry. There is also little promotion of community participation in forest governance activities.

At the community level, complex local rules govern the protection and use of forest resources. With the deficit in enforcement capacity within the district forest offices, it is these community rules that serve to protect the forests. Recent legislation allows for these laws to be formally recognized as bye-laws. Yet the process of formulation of bye-laws and their approval is frustratingly slow. Simplifying and speeding up this process – perhaps providing target based incentives for government administrators responsible for it – would seem to be an obvious priority.

The issue of land holding in Malawi is currently under review and this has an effect on tree tenure as well. It has been shown that clarity on land holding affects motivation for investment, protection and use of forest resources on that land.

In addition it was observed that where traditional leadership and practices are strong, cultural practices may be in conflict with national forest laws. For example, people from Ntcheu and Dedza districts like game meet and therefore like hunting wild game. Most of the times when they go hunting, they set forest fires which is against the national forest laws.

Where the traditional leadership and central government institutions are weak, forest areas in communal areas tend to become open access areas, a situation that leads to a range of illegal activities, especially poaching, illicit logging and conversion of land to other uses. There are no mechanisms to assist forest dependent people to demand services from various institutions at district level and little capacity at grassroots level to embark on forest governance activities.

1.2 Response to these problems through the FGLG concept in Malawi

A shared belief motivates the members of this alliance: that forestry can contribute to the eradication of poverty and sustainability, but only with good forest governance – the right leadership, institutions, policy decisions and practical systems. In recent years much progress in forest governance has been made in many countries: national policy has opened up to more stakeholders; rights of forest-dependent people have strengthened; and good forestry has shown potential to trigger wider governance reform.

Yet while lists of prescriptions for governance are getting longer by the day, practical approaches and real preparedness to implement them are in short supply – the challenge is not what to do, but how to do it.

The Forest Governance Learning Group is aiming for improved governance of forest resources in ten countries in Africa and Asia. Four main outputs are expected over the period 2005-2009:

- Poverty reduction strategies, national forest programmes, decentralisation programmes and related processes enable improved forest governance
- Illegal and corrupt forestry that degrades livelihoods is reduced through the adoption and spread of practical approaches to improve forest governance
- Forestry enterprise initiatives and private sector associations comply with the law and spread practical approaches to improve forest governance

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

The specific objectives of the Malawi FGLG during the four year period are:

- To identify, speed-up, and spread learning about workable approaches to good forest governance
- To make measurable progress in improving sustainable local returns to livelihoods from law enforcement, private sector responsibility and enhanced local ownership and access rights; and
- To build long-term capacity to spread these improvements.

2.0 ACTIVITIES IN MALAWI

2.1 Progress overview

FGLG activities in Malawi follow those agreed in the EC funded contract between IIED and the FGLG grant holder Centre for Development Management (CDM). Over the past three years, FGLG has achieved commendable progress in line with the agreed focus areas of its activities. During the 2005/06 year of the grant the FGLG was consolidated and began to design and implement its rolling workplan. Two key research activities on illegality in the forest sector and improved forest governance in Malawi were carried out. The research activity on improved forest governance led to the development of a Local Forestry Accountability Tool. During the 2006/07 year of the grant, the Malawi FGLG disseminated the research results carried out during the first year. It carried out new research activities on charcoal in collaboration with the EU IFMSLP and USAID Compass projects; began the development of tools and approaches to promote sustainable charcoal production; organised learning events / news events / products (e.g. the district post); and worked together with other institutions and programmes to promote change in forest governance in Malawi share experiences outside the country. During the 2007/08 financial year, the Malawi FGLG completed the charcoal study; participated in the organisation and facilitation of the Forest Based Enterprise Fair; engaged government on the sustainable charcoal production options; and carried out a study on “main policy opportunities and constraints for Malawi’s small and medium forest enterprises (SMFEs)” – linking to previous work on charcoal which is going to be completed during the next financial year (2008/09). FGLG also advocated on the piloting of sustainable charcoal production at a number of levels more especially at central level; participated in several forest governance fora and debates.

Despite good progress, FGLG faced a number of challenges including timely implementation of planned activities due to busy schedules of many governance members. However, these challenges did not significantly affect the performance and cohesiveness of the FGLG group in the country.

2.2 FGLG focus during 2008/09

FGLG will continue to implement the 2008/09 workplan following the four key outputs as outlined above.

Output 1: Poverty reduction strategy, national forest programme and decentralisation programme enable improved forest governance.

Activity 1.2 FGLG participation developed towards well targeted change

During this year the FGLG will continue to build linkages with SMFE work and Village Natural Resource Management committee (VNRMC) work with the EU IFMSLP project, USAID- Compass project, Malawi Environmental Endowment Trust (MEET) and Mulanje Mountain Conservation Trust (MMCT). FGLG will continue to promote the use the “Governance Gossip” format on a monthly basis to document and discuss key emerging issues in the forest sector by date.

CDM will also oversee the production of twice yearly ‘District Post’ newsletters. FGLG members and forest members of staff will be encouraged to contribute articles as well as send digital photos that are focusing on forest governance issues. The district post will be

circulated to all the district offices as well as the training institutions such as Malawi College of Forestry and Wildlife, Bunda College and Mzuzu University.

The budget line under this activity is intended primarily for CDM administration and reporting time – including quarterly governance gossip emails that are collected and edited for inclusion in quarterly reporting.

Key deliverables (Bright Sibale or in his absence, Robert Kafakoma):

- Quarterly emails to elicit 'governance gossip' that is edited into:
- Quarterly written and financial reports based on these activities sent to IIED
- Distribution of twice yearly district post newsletter – with electronic copy and distribution list sent to IIED including any comments from recipients.

Activity 1.3 Monitoring implementation of the 2008/09 workplan

In order to strengthen coordination and monitoring of the FGLG work in the country, the Malawi FGLG through the Core FGLG Team headed by the Convenor will organise quarterly core group meetings of FGLG member and one general FGLG meeting. The focus of the FGLG general meeting will be on the Charcoal Options (STUDY 1) and SMFEs (STUDY 2) following the findings of the two research studies.

The responsibility for organising the core group meetings will be shared across Centre for Development Management (CDM), Training Support for Partners (TSP) and the EU-IFMSLP project led by the FD (FGLG-Convenor) as agreed in the governorship panel for running the FGLG. FGLG Malawi will also participate in the annual international event.

Key deliverables: (FGLG management team)

- Four sets of minutes of FGLG meetings copied to IIED
- One report on the FGLG international meeting

Activity 1.4 Lesson learning through the production of policy briefing papers

Upon completion of the SMFE study (STUDY 2), FGLG will produce / revise a policy brief which will be presented to government and the Parliamentary Committee on Agriculture and Natural Resources.

The case study in Ntcheu and the study findings on local forestry institutions will be used to lobby government more especially the Forestry Department and Local Assemblies on scaling up of the development of community-defined bye-laws and speedy approval of bye – laws at district level.

Key deliverables (FGLG management team):

- Copies of policy brief on SMFEs produced and submitted to IIED by July 2008
- Copies of policy brief on community defined bye-laws produced and sent to IIED in draft and final versions before August 2008.

Output 2: Illegal and corrupt forestry practices that degrade livelihoods are reduced through the adoption and spread of practical approaches to improve forest governance.

Activity 2.5 Facilitate training for district level forest officers and civil society

In liaising with the FD, the FGLG will initiate training for district forest officers and civil society organisations on how to implement best practice guidelines to ensure that

communities benefit from forest enterprise, including charcoal production. FGLG will facilitate organisation of an advocacy training session for district forest officers where charcoal is a major issue. FGLG will also provide support to selected district officers to attend advocacy meetings under 2.2.

Key deliverable:

- Summary of the meeting in one quarterly report.

Activity 2.6 Organise advocacy meeting with policy makers

In this financial year FGLG Malawi will ensure piloting of charcoal licensing – build links with the Parliamentary Committee on Agriculture and Natural Resources (PCANR) and organise an advocacy meeting to put pressure on that committee to endorse the charcoal option and pilot licensing schemes for sustainable charcoal production at local level. It will spread and use the policy brief and study to sensitise the FD of the need to pilot some mechanisms for sustainable charcoal production based on the findings of the charcoal study.

The budget line under this activity is intended for the staff time to organise one meeting with the PCANR – at which a facilitated discussion of the charcoal options and licensing will take place.

Key deliverables (FGLG management team)

- Summary of the meeting and follow up activities in one quarterly report by June 2008 submitted to IIED.

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

Activity 3.1 Complete the SMFE Study

The SMFE study (STUDY 2) was initiated during the 2007/08 financial year. The field work for study has already been completed and draft report had been produced. It will therefore be necessary before the report is finalized to organize an FGLG core group meeting to discuss the study findings. It is therefore the intention of the FGLG to complete the study during the 2008/09 financial year by organizing the peer review meeting to discuss the SMFE study findings.

Key deliverable:

- One reviewed and edited SMFE study report produced sent to IIED both in draft and final stages by May 2008.

Activity 3.3 Radio debates on SMFE

In order to raise the profile and governance of SMFEs as well as promote the charcoal options in the country, FGLG will organise radio debates. Some of the FGLG members and other professionals in the area of forest governance will be invited to participate in the radio debates. The debates will include phone programmes and panel discussions

Key deliverables:

- Quarterly progress reports sent to IIED

Activity 3.4 and Activity 3.5 Organise awareness and training on Independent Forest Monitoring in Malawi in order to support a private sector monitoring and best practice

During the last financial year, the Malawi FGLG invited Global Witness to carry out an initial assessment on the possibility of establishing independent forest monitoring in Malawi. Global Witness produced an assessment report in which several recommendations were made. FGLG therefore intends to invite Global Witness to conduct a combined training and awareness workshop on Independent Forest Monitoring for FGLG members and forest practitioners in Malawi.

Key Deliverables:

- Workshop report and work plan or way forward on IFM in Malawi

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

Activity 4.1 Conduct study of Local Forestry Institutions including reform options on local tenure and forest resource access (STUDY 3)

Develop the ToRs and carry out a participatory review of the functions of the VNRMCS and develop a benefit sharing mechanisms for the Department of Forestry Revenues at the District level – building on the Ntanda-Ntcheu case study (see 4.2).

Using the TORs developed during the 2007/08 financial year; the FGLG will hire a consultant to carry out the STUDY 3.

Key deliverables:

- Final study report produced and sent to IIED by July 2008

Activity 4.2 Tools and guidance materials delivered to communities based on the Ntanda Hill (Ntcheu) Case study

The FGLG is trying to analysis options for improved forest governance at local level using the Ntanda Hill case study in Ntcheu District. These will be complete by March 2008. Nevertheless, during the 2008/09 financial year, the FGLG will disseminate the case study and its findings. It is expected that the main findings and conclusion of the case study will also input into STUDY 3 on Local forestry institutions (activity 4.1). Following the conclusion of the case study and study on local forestry institutions, the FGLG will produce leaflets in various local languages to inform forest dependent communities about policy provisions for accessing forest goods and services – and advocate and guide the development of forest management plans at the community level. The leaflets will form part of the district posts that will be produced twice during the financial year and the major cost for FGLG will the printing of the district post newsletters. The results of the cases and study findings will need to disseminate at local level. Apart from the district post newsletters, FGLG will organise one dissemination meeting involving local assembly members and local leaders. FGLG will liaise with the EU IFMSLP to jointly organise these meetings.

Key deliverables:

- Key conclusions and findings circulated to local assemblies and key figures involved in decentralization and copies sent to sent to IIED by July 2008

3.0 IMPLEMENTATION ARRANGEMENTS

The FGLG will work as an advocacy group convened by a governorship group involving 4 members (including the FD) with budget managed by the grant holder CDM, but comprising independent members of a fluid alliance. The FGLG shall continue to maintain a secretariat (with administrative funds coming from activities 1.2 and 1.3) with a coordinator who will link the group with all the institutions involved in the implementation of the forestry related programmes. The ultimate responsibility for ensuring a functioning secretariat falls to the grant holder (CDM). The FGLG will work with members of the District Assembly, i.e. CBOs, VDCs, VNRMCs and ADCs, through the District Forestry Officers and the district monitoring team to strengthen the links between these local level institutions and the district planning system. As a lobby/advocacy group, it will work with government institutions, civil society, NGOs and international organizations to solicit information and promote best practices and approaches to forest governance. The FGLG shall also be composed of key decision makers and other actors from different forestry related sectors with an influence on forest management and utilization at the community level.

4.0 IMPLEMENTATION SCHEDULE

First Quarter (April-June 2008)

Main Activity	Sub-activity	Key deliverables	Responsibility
1.2 FGLG participation developed towards well targeted change	Facilitate quarterly email governance gossip discussions	Gossip highlights included in quarterly report	CDM
	Produce one district post newsletter	Copies of newsletter and circulation list	CDM
1.3 Monitoring implementation of the 2008/09 work plan	Organise quarterly FGLG core group meeting	Minutes of the meeting	FGLG Convenor
	Produce quarterly report	Quarterly report	CDM
1.4 Lesson learning through the production of policy briefing papers	Distribute policy briefs on SMFEs	Copies of policy briefs and circulation list	CDM
2.5 Facilitate training for district forest officers and civil society	Support district forest officer to attend advocacy meetings with policy makers	Meeting and quarterly reports	FGLG management team
2.6 Organise advocacy meeting with policy makers	Organise with PCANR on charcoal options and piloting charcoal production	Minutes of the meeting	FGLG management team
	Organise advocacy meeting with FD Director and management team	Minutes of the meetings	FGLG management team
3.1 Complete SMFE study	Organise peer review meeting to review study report	Final study report	FGLG Management team
4.1 Conduct a study on Local Forestry Institutions	Develop TORs for the study	Agreed TORs	FGLG Management team
4.2 Tools and guidance materials delivered to communities based on the Ntanda hill (Ntcheu) Case study	Synthesise key finding and lessons from the study training materials	Synthesis report of lessons and key findings	TSP
	Circulate study report and case study synthesis reports	Final case study report and synthesis reports	CDM and TSP

Second Quarter (July-September 2008)

Main Activity	Sub-activity	Key deliverables	Responsibility
1.2 FGLG participation developed towards well targeted change	Facilitate quarterly email governance gossip discussions	Gossip highlights included in quarterly report	CDM
1.3 Monitoring implementation of the 2008/09 work plan	Organise quarterly FGLG core group meeting	Minutes of the meeting	FGLG Convenor
	Produce quarterly report	Quarterly report	DM
1.4 Lesson learning through the production of policy briefing papers	Organise FGLG core group meeting to comment and finalise the policy brief note	Final policy brief note	FGLG management team
	Edit and print policy brief	Copied of policy briefs	CDM
2.5 Facilitate training for district forest officers and civil society	Facilitate advocacy training workshop for district forest staff and civil society organisations members of staff	Training report	FGLG management team
	Explore co-funding options for the advocacy training with other programmes and organisations	Progress report	FGLG management team
	Hire a consultant to facilitate the advocacy training workshop	Progress report	FGLG management team
3.3 Radio debates on SMFEs	Synthesise the study findings	Synthesis report	FGLG management team
	Organise FGLG core group meeting to review the synthesized report for use during the debates	Final synthesis report	FGLG management team
	Hire airtime on the radio	Aired debates	FGLG management team
3.4 and 3.5 Organise awareness and training on Independent forestry monitoring	Invite Global Witness to present assessment report and facilitate IFM training workshop		
	Organise the IFM training workshop	Training report	Global witness and FGLG Management team
4.1 Conduct a study on Local Forestry Institutions	Hire a consultant to carryout the study	Study report	FGLG/Consultant

Third Quarter (October- December 2008)

Main Activity	Sub-activity	Key deliverables	Responsibility
1.2 FGLG participation developed towards well targeted change	Facilitate quarterly email governance gossip discussions	Gossip highlights included in quarterly report	CDM
	Produce final district post newsletter including the synthesised lessons from the Ntcheu study	Copies of newsletter and circulation list	CDM
	Attend an international FGLG learning event	Report of the event circulated to FGLG Malawi members	FGLG management team/IIED
1.3 Monitoring implementation of the 2008/09 work plan	Organise quarterly FGLG core group meeting	Minutes of the meeting	FGLG Convenor
	Produce quarterly report	Quarterly report	CDM
1.4 Lesson learning through the production of policy briefing papers	Develop policy briefing note on Community defined bye-laws based on study in 4.1	Copies of policy briefs and circulation list	CDM
4.1 Conduct a study on Local Forestry Institutions	Organise peer review meeting to review study report	Comments on study report	FGLG management team
	Finalise study report	Final study report	Consultant/FGLG management team

Fourth Quarter (January- March 2009)

Main Activity	Sub-activity	Key deliverables	Responsibility
1.2 FGLG participation developed towards well targeted change	Facilitate quarterly email governance gossip discussions	Gossip highlights included in quarterly report	CDM
1.3 Monitoring implementation of the 2008/09 work plan	Organise quarterly FGLG core group meeting	Minutes of the meeting	FGLG Convenor
	Produce quarterly report	Quarterly report	CDM
	Produce final progress report for the project	Copies of the report	CDM
1.4 Lesson learning through the production of policy briefing papers	Develop and circulate draft policy brief note to FGLG members	Draft policy brief note	CDM and TSP
	Edit, print and circulate the policy brief note	Copies of the policy brief	DM and TSP
	Organise policy dissemination meetings	Minutes of meetings	FGLG management team