



## Forest Governance Learning Group - Mozambique

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.

### Work Plan January 2008 – January 2009

#### 1. Background on the Forest Governance Learning Group

Mozambique established a national FGLG group in November 2003 with support from IIED. FGLG Mozambique was initially convened by the Universidade Eduardo Mondlane – but in late 2007, there was a change in convenorship to Justiça Ambiental. The FGLG group in Mozambique is comprised of a number of key forest related NGOs who have previously grouped together under the name 'Amigos da Floresta' (Friends of the Forest), together with government and private sector forest decision makers at state and provincial level. FGLG members focus on exchanging lessons and developing ideas for improving forest governance in the country<sup>1</sup>.

#### 2. Problem statement

In Mozambique, 10,823,000 people out of a total of 15,278,000 live in rural areas mostly within 40km of the coast where subsistence agriculture, forest resources and artisanal fisheries constitute the main options for income generation. Poverty in these rural areas is widespread.

##### *2.1 National policy frameworks*

The broad principles of the Government of Mozambique's development strategy are set out in the Action Plan for the Reduction of Absolute Poverty (PARPA), which are further elaborated for forestry and the rural sector in the National Agricultural Programme (PROAGRI, phases I and II). The Government also recently signed the Yaounde Ministerial Declaration on African Forest Law Enforcement and Governance, committing itself, internationally, to 30 intentions and 42 indicative actions against illegal logging and hunting, their associated trade and corruption, and to promote improved forest governance.

For land based natural resources the policy context is in its infancy. The main legal frameworks are as recent as 1997 for the Land Law and 1999 for the Forestry and Wildlife Law – with the forest regulations only being approved in 2002. These provide the conceptual and legal frameworks for sustainable forest management and emphasising the requirement for processing in country, to promote job creation and the alleviation of poverty. The context for work on forest policy is rather unique – on the one hand providing rich opportunities to the technical annexes which make the law and regulations operational, but on the other without the established institutional processes for translating legislation into field realities. As the opportunities for legislative change diminish it is hoped the opportunities to implement it will increase.

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<sup>1</sup> For further information on the Forest Governance Learning Group (FGLG) in Mozambique contact Carlos Serra [cmanuelserra@gmail.com]

The introduction and establishment of private concessions is one of the tangible results of the 1999 Forestry and Wildlife Law that has an everyday impact on the life of the forest dependent populations. While other legal provisions aimed at benefiting communities are yet to be put into practice, the granting and management of concession areas is now an important element of the development of the forestry sector and one which can already be examined from the point of view of the actual success of legal implementation and the security of legally provided community rights and benefits.

### *2.2 Illegal and corrupt forestry*

In general terms, almost all the forestry enterprises in Mozambique are small mostly family run businesses. Many use less than 100m<sup>3</sup> per year and even the largest firms use less than 10000m<sup>3</sup> per year. These include micro operators with or without logging licences often without transport who sell to middlemen, small operators with simple licences and medium size concession holders. Middlemen / agents play an important role in the demand for timber – the most powerful groups of which are Chinese agents. A recent independent report from ORAM documented the substantial gap between the intentions of the Government as expressed in legislation and the field reality. For example, it was noted that, according to the last published inventory in the province of Zambézia, the annual allowable cut for 2003 of currently marketable species should be about 18,000 m<sup>3</sup>. Yet SPFFB set the quota for 2003 at 49,000 m<sup>3</sup>. This discrepancy is driven in part by strong demand for raw logs from China's booming economy, and the presence of Asian buyers providing easy credit to small loggers to produce timber, and a cash market for the logs of larger independent operators. The independent report concluded that too many operators, large and small, are being allowed to take too many logs, from too many places in a way that is rendering the resource unmanageable in the longer term, and abuses the rights of local communities, denying them opportunities for vitally needed employment and skills development that would come from sustainable forest management, processing industries and community based enterprise. Export of logs is starving local industry and threatening jobs.

### *2.3 Forest enterprise initiatives*

In a recent report on forest sector profitability, the consultancy company SAVCOR noted that if forest operations continue as in the past, it is quite likely that Mozambican forest resources will be gradually depleted with the loss of potential economic and social benefits. They noted that the most viable option for the use and development of natural forests were through concessions – with primary production next to the natural resource and value added production in the city next to the markets. They also noted that the real growth possibilities were in plantations. These would require a long gestation period and significant public investment to create the business conditions necessary for private sector investment. Both natural and plantation forest management would require a strategic vision of development that ensured sustainable management. While recent progress towards voluntary FSC certification is a positive development, there is need for considerable improvement to the mainstream non-certified producers in terms of sustainability.

### *2.4 Community ownership and access rights*

The main rights and benefits of the forest dependent communities envisaged under the Forestry and Wildlife Law are the following: subsistence level use of the resources; participation in co-management; community consultation and approval prior to allocation of exploitation rights to third parties; development benefits derived from exploitation under a concession regime; return of earmarked 20% of forestry tax revenue to the communities; and 50% of the value of fines received by the individual contributing to law enforcement.

The main shortcomings identified in securing community benefits stemming from recent legal provisions are the lack of: adequate consultation procedures; clear guidelines on how stakeholders are to engage with each other; and clearly defined responsibilities at local government level (both provincial and district) to assist and monitor the process. In addition, stakeholders do not demonstrate sufficient capacity to fulfil their legal obligations vis-à-vis community engagement and

development issues. Government forestry staff is only trained to deal with natural resource issues, communities do not have the capacity to create the appropriate representative and legally recognised bodies and private sector does not have the experience or incentive to play the role of a development agency without properly defined parameters of intervention and support.

Finally, the formulation of the Forestry and Wildlife Law must be examined in conjunction with the 1997 Land Law and the state decentralization reform currently underway. Local government and community structures need to have clearly defined powers, responsibilities and institutional context within which to function. Therefore, clear relationships must be established between the proposed institutional developments at community level and the newly defined decentralised district level state organs.

In light of the above, the main challenge Government faces is to successfully implement and enforce existing legal provisions, closing the gap between legal intent and reality. In doing so, this priority must be given to:

- Community consultation must be defined as part of a process of establishing a working relationship between government, private sector and the community;
- Better definition of roles in monitoring and evaluation, encompassing social development aspects and mechanisms for effective conflict resolution;
- Capacity-building of local government, community organisations and private investors on issues of social consultation and sustainable multi-stakeholder cooperation;
- Co-management structures and related statutes should be formulated in accordance with the principles and practice of the broader decentralisation process;
- Transparent and publicly available information that provides clear and assessable data regarding the state of forestry exploitation and provides regular and uniform information flows between provincial and national levels;
- Financial systems – separation of the earmarked 20% community tax return from the general revenue basket by opening of separate accounts and accumulation of this revenue stream until mechanisms for distribution and use are put in place and made operational;
- Concession allocation through open competitive process based on set criteria with independent review;
- Investor screening strategy as part of measures targeting compliance and securing benefits for the forest-dependent poor.

### **3. Aims of the Forest Governance Learning Group – Mozambique**

The *overall objective* is the conservation and sustainable management of forests in Mozambique so as to meet the economic social and environmental demands placed on forests at local, national and global levels (matching the EC Programme on tropical forests and other forests in developing countries). The main target groups for the outputs of the FGLG work in Mozambique will include:

- key forest policy and decision makers within DNTF and other Ministries and Departments;
- leaders in forest enterprise and the new forest industry associations;
- champions of local community rights.

### **4. Achievements to date**

In November 2003 FGLG-Mozambique started its life as the 'governance branch' of the National Forest Forum convened by the Universidade Eduardo Mondlane. It started by drawing lessons from prior work to support forest policy formulation and implementation in the multi-donor support process ProAgri.

In 2004/05 it helped to research and then stimulate debate around key issues such as: the need for better provisions for forest communities in unfinished legislation; the need for clearer guidance on negotiations between forest companies and communities; ways in which the ongoing governance tactics could be built upon. In 2005/06 it developed an independent website to make available the multiple policy documents and reports that are nowhere else collected and disseminated

(<http://www.terrafirma.co.mz/modules.php?name=Downloads>). It also began to analyse the possibility for a new timber tracking system to help curb illegality and help reward timber industries that were carrying out the mandatory processing in country.

In 2006/07 FGLG Mozambique catalysed debate on: timber extraction and use in Cabo Delgado and the influence of Chinese log exporters on the industry. In addition, a report commissioned through IIED by the Chinese Ministry of Commerce explored the challenges and opportunities for the Chinese timber trade to improve its poverty and environmental impacts in Mozambique.

In 2007/08 work continued on more effective log-tracking systems since illegal logging, combined with deficient law enforcement and related corruption, threaten the sustainability of forestry in Mozambique. Some of its members (and its future convenor) participated in establishing Amigos da Floresta – an independent advocacy group to monitor government performance in the forestry sector. In late, by mutual agreement the convenorship passed from the Universidade Eduardo Mondlane to Justica Ambiental.

Some of the publications produced to date include:

Johnstone, R., Cau, B. and Norfolk, S. (2005) Forestry legislation in Mozambique: compliance and the impact on forest communities. Terra Firma and IIED. <http://www.policy-powertools.org/Tools/Engaging/AC.html>

Macqueen, D. and Bila, A. (2005) Gleanings on governance: learning from a two-year process of forest policy support to ProAgri. IIED. <http://www.policy-powertools.org/Tools/Ensuring/GAB.html>

Mayers, J., Bila, A., Khaukha, S., Opoku, K. and Simwela, W. (2005) Forest governance and social justice: practical tactics from a learning group approach in Africa. Proceedings of the 17th Commonwealth Forestry Conference 29 February to 5 March 2005, Colombo, Sri Lanka. Forestry Commission UK

Joaquim, E., Norfolk, S. and Macqueen, D. (2005) Avante consulta! Effective consultation. Power tools series. Terra Firma, Maputo, Mozambique and International Institute for Environment and Development, London, UK. <http://www.policy-powertools.org/Tools/Engaging/AC.html>

Johnstone, R., Cau, B., Norfolk, S. and Macqueen, D. (2005) Good, average, bad: law in action. Power tools series. Terra Firma, Maputo, Mozambique and International Institute for Environment and Development, London, UK <http://www.policy-powertools.org/Tools/Ensuring/GAB.html>

Norjamäki, I., Salmi, J., Bila, A., Muhate, A., and Vicente, P. (2007) Justification for Timber Tracking System Development in Mozambique. Savcor Indufor Oy and Forest Governance Learning Group-Mozambique, Maputo, Mozambique.

Bossel, A. and Norfolk, S. (2007). Global forest product chains: A Mozambique case study identifying challenges and opportunities for China through a wood commodity chain sustainability analysis. Terra Firma, Maputo, Mozambique.

Norfolk, S. (2007) Corruption skims profits from China-Mozambique timber trade. Haramata 52: 23-24.

Norfolk, S. and Ribeiro, V. (2008) Case study of timber production and its impacts in Cabo Delgado province [in Portuguese]. Forest Governance Learning Group-Mozambique, Maputo, Mozambique

## **5. Planned activities for 2008-2009.**

During the international FGLG meeting held from 3-7 December 2007 in Bhopal, India the FGLG-Mozambique team and new Convenor, Carlos Serra developed a set of activities for the final year

of this phase of EU-funded FGLG. The specific activities, methods, expected impacts and limitations are included below in Annex 1. In this section we summarise those activities under the agreed activity and budget lines of the EU-IIED head contract. Only those activities with which there is an associated budget in this final year of activities have been highlighted.

OUTPUT 1. Poverty reduction strategies, national forest programmes, decentralization programmes and related processes enable improved forest governance

Activity 1.2 Forest Governance Learning Group (FGLG) agrees to implement well-targeted change

Justica Ambiental will convene a national FGLG group based around (and using the name of) Amigos da Floresta that have interest in improving forest governance in Mozambique – where possible also drawing in members of DNTF, NGO, research and commercial organisations.

Activity 1.4 Lesson learning, capacity and support for FGLG develops

Justica Ambiental will organise regular meetings with members of Amigos da Floresta and especially CTV, Terra Firma, CIP, UEM, ORAM and FONGZA and trying also to include past work of FGLG members Savcor-Indufor / UEM / DNTF and IUCN and WWF and space within the national forest FORUM.

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

Activity 2.1 Initial findings on practical approaches to address the impacts of illegality-poverty links promoted widely

Justica Ambiental and FGLG-Mozambique members will develop and perform a theatre piece on forest – identifying a group of actors – funded under the Environmental Group off the Universidade Eduardo Mondlane – with performances at schools, communities (both rural and urban). This guide will also serve as a basic strip for a comic book to disseminate the message without words to appropriate audiences. Justica Ambiental will then publish a comic strip based on the theatre piece described above. A film documentary will be produced that highlights both positive and negative impacts of different types of forest use. The FGLG team / Amigos Da Floresta will continue to use popular musical culture to spread messages on environmental issues. The FGLG team will also use 23<sup>rd</sup> march (international forest day) and 5<sup>th</sup> June (international environmental days) to publish opinion pieces to mobilise the public around issues of forest illegality.

Activity 2.3 Findings shaped into specific guidance materials to effect change within strategic frameworks

FGLG-Mozambique will draw on its members to compile a book on the current status of the forest sector in Mozambique. It will unite various chapter inputs from different member organizations – including the detailed study of the production and processing of timber in Cabo Delgado overseen by Terra Firma.

Activity 2.5 Training events developed and held to build long term capacity to tackle illegality

FGLG members attempt to revitalise the National Forest FORUM to make it a more active platform for discussion of forest governance issues. They will also organise public debates / round tables on important forest issues – including tactics that work for law enforcement. Justica Ambiental will take the lead in preparing and submitting petitions to government institutions related to forestry.

OUTPUT 3. Forestry enterprise initiatives and private sector associations comply with the law and spread practical approaches to improved forest governance.

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

Justica Ambiental will help to revise and publicize relevant research – including helping Terra Firma to develop appropriate terms of reference for studies on simple licences / communities to be completed in this final year

Activity 3.2 Necessary steps to foster greater compliance identified and widely accepted

Justica Ambiental will review and use the Centro Terra Viva study on small and medium forest enterprises to push for improved governance support for community forest enterprises

OUTPUT 4. Ownership, access rights, policy and management frameworks are improved to support local control

Activity 4.2 Tools and guidance materials delivered to communities and their supporters about how to improve their control over ownership and access rights

FGLG members will work to create synergies between FGLG and the National Forum on CBNRM – to compile project lessons on what has worked in community forest management.

Activity 4.5 Process of participatory monitoring of changes in ownership, access and policy frameworks installed among active community organizations and local NGOs

FGLG members will attempt to use their links with communities to improve information collection on problems in the forest sector – and assist communities in dealing with those problems.

## Annex 1. Agreed workplan for FGLG Mozambique 2008-2009

	<b>Main Purpose /Objectives</b>	<b>Methodology</b>	<b>Potential impact</b>	<b>Potential limitations</b>	<b>Comments</b>
<b>1</b>	<b>General activities</b>	Convene a national FGLG group	Improved integration of stakeholders' interventions on the forestry sector	Possible lack of interest from the forestry department	The FD is not prepared to hear criticisms
		Organize regular meetings with member of Friends of the Forest			
<b>2</b>	<b>Public campaign on the importance of rational forest use</b>	Development of a theatre piece	Increased public awareness and interest on sustainability of forestry management	Attempts to link the campaign to foreign interests and to the West vs China debate	This has happened before
		Publish a comic strip based on the theatre described above			
		Compile a book on the current status of the forest sector in Mozambique			
		Produce a film documentary			
		Continue to use popular music cultural to spread messages on environmental issues			
		Use key dates to publish opinion pieces to mobilize the public			
<b>3</b>	<b>Research</b>	Help to revise and publicize relevant research	Technical and scientific data for improved forestry management widely available	None	

	<b>Main Purpose /Objectives</b>	<b>Methodology</b>	<b>Potential impact</b>	<b>Potential limitations</b>	<b>Comments</b>
<b>4</b>	<b>Spread models of sustainable development</b>	Use the CTV study on small or medium enterprises to push for better improved government support for community initiatives	Importance of community involvement in forestry management highlighted	None	
		Create synergies between FGLG and the Forum CBNRM			
<b>5</b>	<b>Actions to combat forest illegality</b>	Attempt to revitalize the National Forest Forum to make it a more active platform for discussion	Law enforcement improved at all levels	Possibility of threats and other challenges against involved NGOs.	Forestry sector has deep political and economic contours and the campaign has the potential to affect personal hidden interests
		Organize public debates on important forest issues			
		Prepare and submit petitions to governmental institutions related to forestry			
		Attempt to use FGLG members links with communities to improve information collection on problems in the forest sector			