

## 6. Preparing adoption and implementation of the forest policy

### PREPARING FOR FORMAL ADOPTION

Formal adoption of the forest policy, including the approach to implementation and the division of responsibilities, must be at a high enough political level to commit all relevant sections of government to actions that are needed to achieve the goals set by the policy. The authority and influence of the policy, particularly from the viewpoint of other governmental bodies and agencies, differs considerably depending on whether it is the Chief of the Forest Service, the Minister of Forestry, the Council of Ministers or Cabinet (e.g. Malawi, Mozambique, South Africa), Parliament (e.g. Estonia, Scotland [United Kingdom]), the Prime Minister (e.g. Viet Nam) or the President (e.g. Nicaragua) who signs off on the national forest policy. In many cases, the first option is to secure approval from the Council of Ministers (Cabinet).

**A new forest policy should be adopted at a high enough political level to be effective in committing those needed to reach the goals set.**

Because the body that ultimately adopts the policy will review and comment on it before its adoption, an influential representative of this body should be kept well informed of progress throughout the development process. Submitted new forest policies sometimes fail to be adopted as foreseen, for a number of different reasons, including government changes or procedural aspects. Policy developers thus need to be well informed about procedures, to follow the process closely, and to lobby and respond as needed to secure formal adoption. It is also useful to have a contingency plan to deal with different eventualities that can arise after the submission.

If the process by which the new policy was developed was broad based, well informed and based on consensus, the agreement among participating stakeholders can be made symbolically more important and manifest through formal adoption by representatives of the stakeholders. This can be done at different levels, from provincial to national. At any level, signing events should be given high political and public visibility.

Once the policy is adopted by the government, it is usually published and disseminated widely within the country. It would be difficult to overstate the importance of clear and transparent professional communication in disseminating the outcomes to the wider public. The more people know about, understand

and agree with the forest policy, the better. It is important to allocate sufficient time and resources for a communication campaign directed at different target audiences. Experience has amply shown that wherever communication is overlooked or is done in-house with limited capacity, all efforts to implement a new forest policy remain largely ineffective. Although it may seem costly to outsource communication to professional agencies, failing to do so is likely to be more costly.

**The importance of professional communication must not be overlooked. If people do not know about the new policy, it may as well not exist.**

### PREPARING FOR IMPLEMENTATION

Preparations to implement a new forest policy, in many respects, run parallel to the policy development process. Indeed, implementation issues may have been part of the reason why a new policy was required. Throughout the process, stakeholders consider different options, their implications and the practicalities of implementing them. Thus, the development of a new forest policy cannot be dissociated with its implementation at any stage. Preparing for implementation starts with involving field-level administrators in the development process, acknowledging that implementation decisions often make or change policy, and being flexible about the means of implementation while being clear about expected results.

After the policy is formally adopted, a number of steps need to be taken to maintain the momentum and put plans into action:

- align the institutional framework and institutions with the new policy;
- align forest-related legislation and other regulatory provisions;
- develop and/or adjust action plans, including for communication and capacity building, and set up financial arrangements and budgets.

There is broad agreement that the translation of the good intentions expressed in policies into action on the ground remains a major challenge, and that the complexities of implementation are often underestimated. In summarizing experiences in Asia and the Pacific, Enters, Ma and Leslie (2003) and

**Maintaining political will and using the momentum for change through concrete follow-up action is key for implementing policy.**

Durst (2003) observed that one of the reasons for weak implementation and a lack of impact is that policies sometimes are seriously flawed, out of touch with reality and outdated. In a number of countries, forest policies are insufficiently backed by legislation, inadequately funded and lacking the support of programmes, operational strategies or action plans. In many cases, the institutions and organizations are not able or willing to adhere to the agreed policies or plans because attitudes have not changed or have changed very little.

### Elaborating an implementation strategy, programme or action plan

More detailed implementation strategies, programmes or action plans are elaborated either as part of the development of a new forest policy or in a separate

process. The latter approach is useful in situations where the policy is likely to lead to radical changes in instruments, organizations and stakeholder involvement. It also allows more time to consult with stakeholders and discuss implementation arrangements without letting them interfere with the policy development process and without losing momentum. However, if the specifics of implementation are worked out at a later time, sufficient energy and resources may not be available. The important point is to ensure that the policy and implementation plan are complementary and that, taken together, they cover the implementation of the forest policy goals comprehensively.

Implementation strategies, programmes or action plans describe how to put the forest policy into practice and how to achieve each objective (when, where, by whom). Based on the agreed approach to implementation for each objective, and considering the necessary flexibility to allow adaptation to changing circumstances, concrete measures are devised. A wide range of policy instruments exist that can be adjusted and combined to fit a given context, goal and issue. They can offer incentives or disincentives and can be based on power (regulation), money (economic instruments) or information. Policy instruments can:

- assign rights (e.g. to communities, the private sector or the State, including contracts and adjudication) and regulate behaviour (command-and-control, enforcement);
- prescribe the practices to use or leave this decision to the target group;
- primarily address prices (taxes, subsidies) or quantities (marketable allowances);
- specify or address inputs (including processes) or outputs (performance);
- distribute abatement and damage costs between specific target groups or in society;
- be inflexible or allow flexibility over time (thus stimulating innovations).

Voluntary agreements between government and private bodies are another means of encouraging and facilitating voluntary action based on self-interest. Implementation strategies or programmes also spell out the range of financing sources to be used – public, private, national and international. Such documents, in turn, provide the basis for developing short- and medium-term action plans.

### **Planning for monitoring**

It is always advisable, even necessary, to monitor implementation and to evaluate whether a policy is achieving the desired outcomes. Therefore, arrangements for monitoring and review should be an integral part of the strategy and any follow-up plan. Monitoring of implementation identifies deviations from objectives and planned actions and thus allows corrections, if warranted. Contrary to some perceptions, monitoring is not about collecting data on results and impacts, determining the relevance of objectives and proposing how to improve performance. Rather, these questions are addressed through evaluations or reviews. While evaluations are often associated with grading the performance of organizations, most evaluations are based on the principle of participation – shared learning, dialogue and discussion. Periodically, perhaps at five-year

**Monitoring and periodic review are vital for effective implementation.** At regular intervals, the steering committee of an NFP process or other groups can be tasked to arrange a review of the policy. An in-depth review, for example on the achievement of goals, is usually undertaken near the end of the policy's planning horizon or implementation. Such reviews are often the starting point for revising the forest policy.

In the preparation and implementation of the policy, it is crucial to make accountability clear – who is responsible for what and the consequences of non-performance. It is important to ensure that responsibilities, authority and accountability are aligned – that people are not held responsible for occurrences over which they have no control, but that they also pay the price if they use their responsibility, authority and resources badly. Effective accountability again depends on good monitoring, to explain and justify conduct to different levels of government and to stakeholders.

### **Adjusting legislation to be in line with the forest policy**

Sometimes, national forest legislation is out of step with the policy changes being proposed and with the forest agency whose task is both to implement the new policy and to enforce the outdated legislation (Box 14). This situation arises when policy, legislation and institutions are reviewed and modified separately, at different times and with different frequency. It could happen, for example, that a country's policy is reviewed every ten years while its legislation hasn't changed for 20 years and its forest agency has been reorganized twice in the previous five years. This disconnect can manifest itself, for example, when a government's stated policy is to engage in community forestry but legislation precludes giving community groups access to forest resources.

Countries that have undertaken profound forest policy reforms (e.g. the Comoros and Syrian Arab Republic) have often reviewed forest legislation in a

#### **BOX 14**

##### **Adapting forest law to reflect a change in forest policy**

Forest policies and laws have traditionally provided little scope for local people to play a meaningful part in the planning, management and allocation of forest resources on which they have depended and which they have sustainably managed for centuries. Typically, the State has taken on this role and has given little or no recognition or protection to community-based systems and no alternative mechanisms by which local groups or individuals might assert effective control. In many countries, efforts to address these shortcomings in forest policy have been paralleled by law reforms to improve the legal environment for local participation in forest management through devolution, decentralization and better recognition of the historical land or territorial claims of local people.

separate but related exercise to bring one in line with the other. When legislation is revised to conform to a new policy and is subsequently adopted, the entire government, in essence, is expressing its endorsement for both. Yet officials in other agencies still may not feel compelled to adhere to the changes, particularly if other legislation applying to their sector differs from the new forest legislation in fact or interpretation – a frequent occurrence. For example, officials of the agriculture, transport or environment ministry may say, in effect “I realize that the forest law requires *X*, but the legislation under which I am employed does not require me to enforce that, or may even require that I do something directly contrary to it”. Such issues can only be addressed in the context of a targeted policy dialogue with the main sectors affecting forests, aiming at policy coherence.

### Aligning institutions with forest policy

New or revised forest policies often have an impact on institutional frameworks and can provide the impetus to review, modernize and update them. In some instances a new forest policy also foresees changes in the distribution of rules, rights and responsibilities for forest management and use. When countries move towards devolution or decentralization, for example, adjustments to the institutional and organizational set-up are required to bring it in line with the new direction – as happened when China devolved land use rights and forest ownership to individual households. Some countries have established independent bodies or commercial enterprises to manage public forests. New Zealand took privatization one step further when the government disbanded the Ministry of Forestry, the Forest Service and the Forest Research Institute after changing its forest policy in the 1990s. In several countries a new forest policy was used to introduce participatory forest management.

**Institutional change requires changes in paradigms and beliefs, not just changes in formal rules or organizational charts.**

Institutions and institutional frameworks refer not only to formal rules, rights and responsibilities, and they extend beyond organizations *per se*. Above all, it is the underlying paradigms and related unwritten norms and beliefs that determine how rules and regulations are set and how individuals and organizations apply them. Such paradigms and mind-sets have changed over recent decades (Table 3). Moreover, in many instances, well-established informal rules have supplanted or remained parallel to formal ones, with which they are sometimes incompatible – for example, written laws versus customary rights governing the use of land and forest resources; or rules pertaining to formal voting systems versus patronage networks.

The functions and operations of forest administrations and government agencies have substantively changed over the years and continue to change. Many were established primarily to manage forests for timber and to enforce legislation. Over time, administrations and agencies have increasingly taken up more functions, especially in terms of communicating with and involving a broad range of stakeholders and government authorities outside forestry in policy implementation. As a consequence, there is a need for forest organizations to

TABLE 3  
**Changing paradigms and related institutional frameworks, 1950–2000**

Period	Main goals of forest policy	Main thrust or paradigm	Functions and structures
1950s	Exploit or use what grows under natural conditions (for example, logging natural forests) and safeguard future timber supplies for strategic reasons	Exclude others from exploiting the resources	Use of the hierarchical structure of organizations to police resources
1970s	Improve resources (invest in management and create assets such as planted forests)	Build resources using inputs such as land, labour, capital	Organization focused on resource management, with emphasis on technical and managerial skills
1990s	Empower/support other players – e.g. the private sector, communities, farmers – to develop and manage resources	Create enabling conditions for other players to manage resources efficiently	Organizations capable of responding to needs of various stakeholders by using negotiation, facilitation and conflict resolution skills

Source: Adapted from Nair, 2008.

reorient themselves and to develop new capacities so that they can deliver new services and functions.

Institutional change is needed if current approaches are not people-centred enough, focus too narrowly on the forest sector, require new capabilities to deliver different functions or are performed unsatisfactorily. Change may be needed to ensure that the institutional framework is compatible with new policies, contributes more effectively to development and is sized to fit its new role. In the recent past, institutional change has often been driven by the wish or need to enhance stakeholder participation in policy choices and programme implementation; to separate State and private-sector functions more clearly; to decentralize power and responsibility to local structures; and to substitute top-down decision-making with dialogue and collaboration.

The process of creating institutional change can be organized along similar lines to the one used to develop forest policy. Basic questions cover essentially three dimensions:

- Are the right structures in place? Do these allow a consistent follow-up of forest policy? Are responsibilities clear, with no gaps or overlaps? Are the roles of State, parastatal and non-governmental organizations appropriate? Is delivery of services efficient and effective? Are mechanisms in place for monitoring and for providing and integrating feedback? Does the institutional structure provide stability but also flexibility? Can it balance interests?
- Are the right goals, strategies and principles in place? Are organizations and their leaders committed to achieving the new forest policy vision and goals? Are they people-centred and willing to embrace partnership approaches? Are the organizations able to contribute sustainably to national development?
- Are the right capacities in place? Do organizations and their employees have the proper skills to perform the services for which they are responsible?

Is the budget adequate? Can prioritization address limited or decreasing budgets? Is decentralization or outsourcing sufficiently supported? Are incentives adequate for the staff in the organizations?

Ideally, changes in paradigms, values and beliefs in institutions and organizations would improve service delivery in a cost-effective way and help to fulfil broader social, economic and environmental objectives that cannot be met more efficiently through alternative arrangements. However, these changes are difficult to make and take time. Leadership, determination and persistence are required to counteract the impulse to maintain the status quo, to persuade those who resist change to come on board, and to make fundamental rather than superficial changes to organizational structures. These aspects often touch the interests of powerful groups, individuals and informal networks within and across organizations, and thus must be addressed.

Adapting institutions mainly involves developing capacities of people and orienting rules (rights and duties) and organizations towards achieving the goals of the forest policy.

Often, a crisis will drive change and bring a new sense of reality to the values, paradigms and functions held by stakeholders. However, institutional development is ideally a continuous process of proactive adaptation. As adaptation happens in specific contexts and results are partially predictable, it is widely believed that successful institutional change comes through experimentation by those involved. External support might help to start or support the process but may not drive institutional innovations or changes in beliefs. Three approaches are frequently used to help institutions better respond to changing needs and contexts: differentiating functions to be performed among different bodies (e.g. between forest administration and state forest management); sharing rights and duties (e.g. through public-private partnerships); or full outsourcing (transferring property rights, decentralization, devolution, purchase of services to the private sector).

In most cases, the forest administration must fulfil considerable new tasks – at all levels – as it engages with a multitude of owners and service providers. Changing mind-sets and building capacity are long-term endeavours which require significant investment. It is therefore critical to identify and address the capacity-building needs of those responsible for implementing the new forest policy at various levels, including private stakeholders. Some countries assess capacity needs during the policy development process, while others formulate programmes or strategies as part of implementation efforts, taking into account the need to strengthen the capacity of government and non-government bodies at the local level to fulfil the roles and responsibilities expected of them.

## MAINTAINING A DIALOGUE DURING IMPLEMENTATION

Forest policies can provide solid and valuable guidance over time if they cover the most relevant topics and issues of a country over the long-term and if the assessment of possible future developments is realistic. However, implementation of forest policies requires accommodation and adjustment to complex realities, new challenges, new needs and new initiatives. It is thus of central importance to maintain a national

process, such as an NFP platform or forum, to coordinate, develop and adjust operational aspects of new policies, as Austria, Cambodia, Ghana, Liberia, Pakistan, Paraguay, Uganda, Viet Nam and others have done. This approach not only helps to ensure that parties stay engaged, but also provides an opportunity to negotiate details, adjustments and extensions of the agreement. Moreover, a continuous dialogue among stakeholders allows for monitoring, review and amendment of the forest policy, as warranted. In this way, the policy remains a dynamic agreement that continues to be relevant.

**NFP platforms such as national forest forums are a key mechanism for coordinating, communicating and promoting implementation of the forest policy.**

A new forest policy will have considerable influence on work plans, projects and budgets and, to some extent, can guide government and stakeholders in their day-to-day decisions on a multitude of tactical and operational issues. Continuous dialogue provides the opportunity to discuss operational issues on an ongoing basis, coordinate implementation and feed experience back into the process. There will be cases where it will not be feasible to put an agreed solution into practice either because government policies have changed or because new information was not available at the time a decision was made. In other instances, pressure might need to be exerted to persuade a party to take action or to identify alternative ways to conform to the agreement. Such issues can often be addressed bilaterally. When several stakeholders are involved or when progress can take place only after further discussion (including with other sectors and donors), meetings or workshops can be a more suitable venue for promoting a particular topic and its implementation or for moderating conflict. Last, but not least, forums or platforms for continuous dialogue in forest policy implementation are an invaluable way to foster learning among all involved.

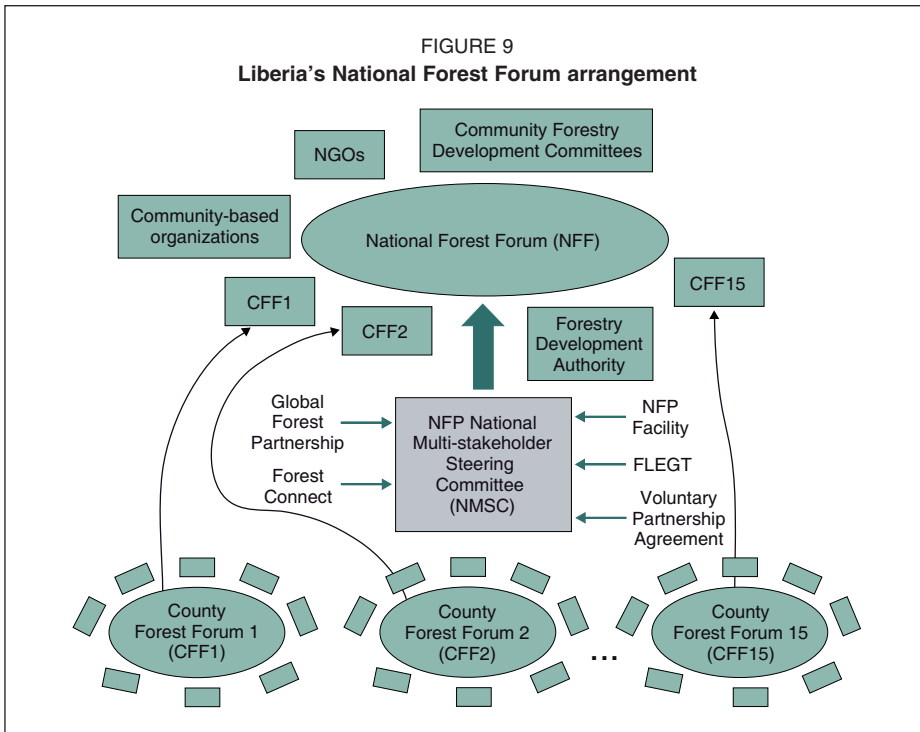
National forest forums or similar arrangements associated with a forest policy process are also useful mechanisms for mobilizing resources and forging alliances for financing. In The Former Yugoslav Republic of Macedonia, for example, round tables were organized to inform and align donors and to garner financial support to implement new policy. Forest financing strategies can also be developed in the context of such mechanisms.

Forest policies are also meant to guide and build the framework for new initiatives by the international and national communities and donors. The priorities and “fit” of such initiatives in the framework set by the forest policy, and ways to involve stakeholders, can be addressed by creating a more permanent arrangement for discussing the forest policy process. Liberia, for example, established its NFP platform – the National Forest Forum and the related Multi-stakeholder Steering Committee – explicitly in such a way that these bodies can in effect also serve as the steering bodies of a range of other forest-related initiatives (Figure 9). This set-up is geared towards enabling higher consistency of forest policy and other forest-related initiatives, and also towards better integration beyond the forest sector.

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for example, collect non-wood forest products, work in the wood industries or tend forests and trees as small-scale farmers. The degree to which the new policy is understood and the extent to which this understanding is widespread are indications of how well the participatory process functioned. Many countries have made significant efforts to communicate their new forest policies, for example, through meetings in villages, talk radio and easy-to-read colour brochures of the major changes, in local languages. Viet Nam, for example, conducted a massive campaign to make villagers across the country aware of the opportunities available to them as a result of the revised forest policy. Since policy development is an iterative process, individuals can learn about changes at different points in time. Thus, communication must consistently repeat the vision or strategy over time so that everyone hears the same message, the same mission and the same objectives. It is also important that communications address the question “what is in it for me?” and improve access to government information.

