

SECTION 3

OPERATIONAL GUIDELINES FOR ENHANCING THE INSTITUTIONALIZATION AND IMPLEMENTATION OF COMMUNITY BASED FOREST MANAGEMENT

Although many constraints still limit wide scale adoption of CBFM, it is increasingly recognized that CBFM has reached a position where it can make a shift from experimental projects to becoming institutionalized as an accepted model of forest management.

This section discusses practical guidance on policy orientations and field implementation processes for Sub-Saharan African countries that wish to introduce, replicate or upscale community-based forest management practices. The objective is to:

- provide guidance on steps that need to be taken by governments to create the enabling conditions discussed above for institutionalizing CBFM; and
- advise on concrete actions that need to be taken by communities and other stakeholders to actually develop and implement community-driven management plans.

The guidelines are organized around the points identified in the review of lessons learnt and enabling conditions:

3.1. Building a Shared Vision of Community-Based Forest management

A key step of the CBFM process involves reaching informed agreement among all categories of stakeholders, especially government agencies and community-based organizations, on what CBFM means and what are its requirements and implications, including roles, responsibilities and expected benefits for the various categories of actors involved.

The need for shared understanding and vision of CBFM

Ensuring a sense of ownership of the main features of the CBFM concept by all parties to be involved in its promotion and implementation is not only desirable, it is essential. The transition from yesterday's forests to wide scale adoption of CBFM across Africa will be possible and most effective if members of the coalition of stakeholders have developed a shared understanding and vision of CBFM. A shared vision will enhance stakeholders' ownership of CBFM and also align it with the country's national development plan, thus providing a niche for it in national policies and development strategies. For a shared vision to be achieved, there is need to:

- Initiate a process of information sharing on CBFM,
- Clearly identify actual stakeholders and their stakes,

- Carry out a critical examination of the potential benefits and costs of CBFM to stakeholders,
- Clearly identify and agree on rules and mechanisms for sharing anticipated costs and benefits,
- Clearly identify what institutions, capacity building and funding strategies need to be put in place to sustain CBFM,
- Finalize shared vision and implementation strategy,
- Develop communication strategies to enhance popularization of CBFM.

Broad categories of stakeholders and their roles in CBFM are shown in Table 2.

Table 2: CBFM stakeholders and their roles

Stakeholder	Role
Community (local traditional or modern organization, elected communal council)	<i>de facto</i> land and forest managers and beneficiaries of forest resources
Private sector	<ul style="list-style-type: none"> • Resource mobilization • Provision of goods & services
Civil Society Organizations (NGOs, Farmer organizations, Associations)	<ul style="list-style-type: none"> • Public awareness • Advocacy • Dissemination of innovations • Capacity building
Public sector (Central government and decentralized administrative authorities)	<ul style="list-style-type: none"> • Creation of enabling national environment policies, laws and regulations • Planning and implementation of strategies (development, research, education/training, extension, etc.)
Academics (Research Institutes and Training/Education institutions)	<ul style="list-style-type: none"> • Creation of new knowledge • Management of knowledge and capacity development
Sub-regional and regional policy makers (RECs, AU, NEPAD, UN Agencies)	<ul style="list-style-type: none"> • Creation of enabling environment at sub-regional and regional levels • Promotion of cross-boundary cooperation (policy, trade, etc.)

Enhancing ownership of CBFM by stakeholders

Community based forest management's dual objective of achieving the conservation of forests while at the same time contributing to livelihoods improvement and general economic development is attractive, but it is not a panacea. Prior understanding by each stakeholder of CBFM strengths and weaknesses is crucial for securing their responsible and sustainable engagement.



Community forestry meeting in Namibia (Photo: FAO)

Steps to facilitate stakeholders' ownership of CBFM include:

- Clear identification of stakeholders' expectations;
- Critical examination of the benefits and costs of CBFM to all participating stakeholders. This should include addressing the question of whether CBFM is the most effective strategy to achieve sustainable and equitable improvement of rural livelihoods in their respective contexts.

3.2. Developing Enabling Policies, Legislations and Institutional Arrangements

CBFM is more than solving legal and technical problems. CBFM requires innovative policy and legislative reforms that effectively increase the direct involvement of local communities and other non-State actors in forest management. It is now widely accepted that this requires key changes that will:

- Clarify and promote land and forest tenure security;
- Promote decentralization of forest management;
- Ensure that forest sector policy and legislation are coherent with policies of other sectors, with international agreements, and with local bylaws;
- Facilitate inclusive participation and partnership building.

Clarify and promote land and forest tenure security

Tenure determines who can use what resources, for how long and under what conditions. Tenure can be formal (recognized by statutory law) or informal (locally recognized rights without formal state recognition). Prevailing forest tenure regimes in the region are combinations of both statutory laws and customary practices.

Developing policies that ensure land and forest tenure security for communities is a major step for enhancing the institutionalization and implementation of CBFM. To achieve this, incorporation of the basic rights into the regulatory framework should be as “hard” rights into the higher levels of the regulatory framework such as the Constitution or law, where any changes require high political decision and a complicated process, rather than “soft” rights in the lower levels such as implementation guidelines that can be modified relatively easily by bureaucratic discretion (FAO, 2010).

It is important to realize that in most African countries, the land tenure issue and the overlap between customary and official rules and regulations have an important impact on forest tenure. Fundamental policy and regulatory changes will not take place unless there is potential within government institutions to move towards change. This requires strong political will and leadership. In order to develop policies to clarify and promote land and forest tenure security there will be need to:

- Review existing policies to assess their relevance and/or appropriateness for CBFM and revise where necessary to allow genuine involvement of communities and other stakeholders in forest management.
- Take stock of traditional laws and customary practices and assess their relevance and /or compatibility with national policies and CBFM requirements, bearing in mind that concerns have been raised in relation to many customary systems, particularly with respect to gender and more marginalized groups. While the position of women under customary tenure varies considerably, many such systems contain norms and practices that are gender-discriminatory. Key characteristics of tenure security are shown in Box

Box 3: Characteristics of tenure security

1. Security requires that there be clarity as to what the rights are.
2. Security requires certainty that rights cannot be taken away or changed unilaterally and unfairly.
3. Security is enhanced if the duration of rights is either in perpetuity or for a period that is clearly spelled out and is long enough for the benefits of participants to be fully realized.
4. Security means that rights need to be enforceable.
5. Security requires that the rights be exclusive.
6. There must be certainty both about the boundaries of the resources to which the rights apply and about who is entitled to claim membership in the group.
7. The government entity entering into the agreement (in the case when co-management arrangements are involved) must have clear authority to do so.
8. Security requires that the law recognizes the holder of the rights.
9. Security requires accessible, affordable and fair avenues for seeking protection of the rights for solving disputes and for appealing decisions of government officers.

Source: *FAO, 2011*: Reforming forest tenure.

Lessons learned from successful tenure reforms clearly indicate that the process of reform is as important as the actual tenure arrangements themselves. Developing tenure arrangements that work and match stakeholders' needs and capacities should therefore consider:

- allocating sufficient time for consensus building;
- identifying the stakeholders involved and developing their capacity as well as empowering them with relevant negotiation and lobbying skills

A contrario, a regulatory framework for forest management that focuses solely on technical issues such as inventory techniques, cutting rates, etc., and neglects important social aspects such as forest tenure rights, livelihoods, income generation potential, and public participation will not be considered a good approach.

Ensure cross-sectoral coherence of policies and legislations

Inter-sectoral issues and the need for cross-sectoral cooperation and coordination are important factors in the success of CBFM. Forests occur within a landscape of other land use categories, such as water resources, grazing and agricultural land,

etc. Antagonistic interests in land use by herders, gatherers, farmers, etc. sometimes degenerate into violent conflicts and can defeat the purpose of the intended CBFM if appropriate mechanisms for conflict prevention/resolution are not in place. Despite these threats, integrated management and landscape approaches to develop synergies and reduce conflicts are often underutilized. It is therefore important to keep in mind the fact that forest management does not occur in a vacuum. It is influenced by what happens in other land use systems such as agriculture, rangelands, water, etc.

Many factors that contribute to forest degradation and deforestation originate outside the forest sector, such as conversion of forests into farmland or settlements, overgrazing or unchecked wildfires, mining, and infrastructure development. Indeed, it is the norm that forest-related concerns are defeated by those of agricultural expansion and of industrialization. On the other hand, a number of other sectors depend on many of the goods and services provided by forests.

A review by FAO on forest tenure reform in Africa shows that although regulatory frameworks for non-forest sectors are not necessarily explicitly related to forest management or policy, they may nonetheless have direct impacts. For example, people may have formal rights under the forest law to collect NTFPs but may be prevented from getting the products to market and selling them due to transport or market regulations which may limit the ability of smallholders or local communities to transport or market forest products, even if the reformed forest sector empowers them to do this (FAO, 2010). Therefore, communities' ability to operate within one law is constrained by another law.

Developing guidelines for successful tenure reform to support CBFM therefore needs to look outside the forest sector to analyze regulatory frameworks applied to other sectors so as to ensure cross-sectoral coherence in policies and legislation. It is important to identify what changes are needed within other sectors to support forest tenure reform and seek to: i) influence those sectors to make the necessary changes as well as ii) properly assess negative impact of forest reform on other sectors and seek to minimize such impacts.

Forest management strategies under CBFM approaches therefore need to:

- Reach outside the traditional forest sector and engage in partnerships with a range of stakeholders in other related development sectors;
- Institutionalize the use of ecosystem approach to ensure biophysical and socio economic integration between forests and other related land use systems
- Develop and implement strategies for conflicts prevention and resolution.

Consolidate the process of decentralization

Decentralization of forest management involves the transfer of control over forest resources from central government to local authorities, which may be lower levels of government administration or local institutions of user groups. Forest administrations in many countries are now decentralized at local level and work with local institutions, but the process of mental and attitudinal change of stakeholders' behaviour takes time. Yet, as discussed above in the section on enabling conditions decentralization is key to CBFM. There is need therefore to consolidate the process of decentralization of forest governance that is on-going in many countries of the region.

Different levels of empowerment of local institutions are realized through various mechanisms, including **decentralization** and **deconcentration** through which central government remains the main authority, and **devolution** which transfers rights and responsibilities to user groups.

Successful decentralization requires more than handing over of responsibility. Because decentralization involves the transfer of authority over natural resources to local communities, including of potentially valuable resources such as wildlife and timber, it often requires major institutional reforms and fundamental changes in power, and may encounter stiff resistance to change by central authorities, especially in the case of high value forests. Moreover, effectively **devolving** authority over resources to local communities may not go down well with central governments, as this will create precedence in the administration of other natural resources such as crude oil! Those communities that have gold, oil and other highly priced natural resources would want the government to use the same principle as used in CBFM .

Mistrust between central government and local user groups as well as power struggle between individuals or groups within local communities themselves constrain actual decentralization of forest governance.

For local institutions to effectively contribute to the promotion of CBFM they need to overcome internal problems, acquire and/or strengthen their legality, legitimacy and credibility. Also they need to develop good functional relationships with partners at district and national levels.

Successful decentralization therefore requires:

- Strengthening local institutions that are truly representative –and are perceived to be so by stakeholders and partners;
- Ensuring that different stakeholders and groups within a local population have their views represented and seriously considered through