

In CAMEROON, the State retains 50 percent of royalties from forest concessions, district governments receive 40 percent, and local communities 10 percent. In MOZAMBIQUE, 20 percent of the revenues from forest and wildlife resources go to local communities, and 50 percent of the fines for misuse of forest resources go to the local people who participate in preventing and reporting it. The revenue from GHANA's forestry plantations is shared among the farmers (40 percent), the Forestry Commission (40

percent), tribal landowners (8 percent), traditional authorities (7 percent) and local communities (5 percent).

Fair benefit sharing systems need ... clarity and transparency about how and to whom benefits are distributed; and simple procedures for taking part.



Decentralization

Decentralization of forest management accelerated in the 1990s, when forests' potential roles in poverty alleviation and rural development started to receive global attention, and the need to halt forest degradation became urgent. Central governments are beginning to hand over management authority to local institutions, as a way of increasing forest communities' say in how resources are used (particularly when local institutions are democratically elected) and, therefore, encouraging sustainable forest management. In some cases, such as SOUTH AFRICA, central government monitors the performance of the agencies to which it has delegated authority, and can rescind that authority if the forests are not properly managed. Decentralization can also involve widening the focus of forestry planning to include non-forest sectors – such as education, tourism, market development and health – in the design of forestry policies and programmes that promote sustainable management and socio-economic development. Successful decentralization requires more than the handing over of responsibility. The institutions and individuals assuming responsibility need the funds and capacity to do so effectively; central government must ensure that they receive them.

handed back to local communities from 1980 until 2000, when the State took over all remaining private land for resettlement under short-term leases. The combination of sudden policy change and short leases left the occupiers of former private forests very unsure about their future tenure rights, and encouraged them to exploit their leased land for short-term gains from clearing forest for agriculture and selling wood and wildlife for immediate profit. Settlers with longer leases can take a longer-term view, so are more likely to manage their forest land sustainably.



The challenges

Not all of the efforts to improve tenure systems and increase their contributions to sustainable forest management and poverty alleviation in Africa have been successful. This does not mean that the efforts have been wasted, however. Some of the changes being introduced require an enormous social and political shift in ways of thinking and working that had changed little since the advent of colonialism more than a century ago. Such a shift takes time and is likely to encounter resistance and challenges. Reform efforts that have not reached their objectives highlight issues that need more attention, which for Africa include the following.

Ineffective legislation

Many potential beneficiaries of tenure reforms are not taking advantage of their new opportunities because laws are unclear and poorly implemented, and forest

dwellers are unaware of their new rights or how to apply them. As a result, forest communities in many countries are not benefiting from new tenure arrangements that would give them access to valuable resources and additional revenue. Sometimes, different bits of legislation contradict each other. For example, in MOZAMBIQUE, land-use and resource exploitation rights are dealt with in separate laws, so communities that have obtained land-use rights under one law may be prevented from exploiting the land's resources by another law. Some large-scale land reallocations are carried out too quickly, and most valuable land ends up in the hands of powerful individuals and groups, rather than forest inhabitants.

Insecure tenure under the new systems is another challenge. Under ZIMBABWE's Fast-Track Land Resettlement Programme, land held by private commercial farmers was

Laws can also be ineffective when they are seen as too restrictive, as is much of the legislation that aims to prevent or limit tree felling, the harvesting of forest resources or the use of fire to open up forest areas for agriculture or pasture; many forest communities have traditionally depended on these activities for their subsistence. The situation is compounded when governments lack the resources to enforce restrictive laws. A successful solution in the GAMBIA, the United Republic of TANZANIA and other countries is to make villages responsible for controlling the use of their forests and reporting illegal activities, in exchange for a share of the proceeds from fine revenues and confiscated produce and equipment.

Complex procedures

All too often, forest communities cannot take advantage of new forest tenure rights because the registration and implementation procedures are too complex and expensive, as in CAMEROON, SENEGAL and MOZAMBIQUE, for example. Communities wishing to establish and implement community forestry often lack the capacity to design management plans. Simple forest management tools that forest people can use are being introduced and piloted in SENEGAL, where communities set their own rules and prices for the harvesting and sale of forest products. Until such tools are ready for widespread application, governments should encourage forest concessionaires, non-governmental organizations (NGOs) and other bodies to support communities through the process of registering and implementing communal forestry.

Lack of incentives

Incentives for encouraging communities to invest time and money in establishing and implementing forestry agreements can be

economic, such as the provision of revenue or infrastructure, or non-economic, such as the granting of control over customary land. Many innovative incentive schemes fail because they make excessive demands on the rural communities they aim to benefit by not taking into account the circumstances of forest people. For example, many isolated villagers have no access to banks, and lack the official documents such as identity cards that are taken for granted in cities. Some rules for distributing benefits are unclear, or authorities are half-hearted about enforcing them, which tends to penalize the poorest and most vulnerable stakeholders in particular.

In GABON, many concessionaires do not contribute to local communities because the rules are vague and community interests poorly represented. Commercial enterprises must be encouraged to support local development, by making it a condition for forest exploitation licences and by providing tax breaks and other incentives.

Resistance to change

Particularly where forests provide income for governments or private bodies, tenure reform is likely to meet with resistance, which stems from a fear of losing power and control over valuable resources. Central governments are slow to devolve resources and management authority to lower levels, which in turn are reluctant to share decision-making and revenues with communities. Benefits that do reach the community level are often grabbed by powerful local groups, preventing the advantages of tenure change from reaching the poor and vulnerable and reducing the potential effects on sustainable forest management and poverty alleviation. In UGANDA, pressure from politicians (combined with an absence of proper guidelines) has discouraged communities from applying new legal provisions that allow them landownership through community land associations.

Forest users – from large commercial companies to poor small-scale farmers – will

oppose tenure changes that seem to threaten their existing sources of materials or income. In parts of GHANA, for example, illegal logging provides income to local people, particularly the young and unemployed, who are also well aware of the high profits earned by timber concessionaires. To curb illegal activities, governments should provide incentives that compensate for potential lost income, and must enforce laws effectively.

Lack of institutional capacity

Many of the local government institutions that are expected to assume new forest management responsibilities lack the capacity to do so. Information about reforms and their implications is often scarce, and central governments are reluctant to devolve funds, authority and expertise to local extension services and administrations. In UGANDA, newly established district forest services lack the resources to collect revenues, establish partnerships and produce management plans with communities, the private sector and forest land administrations. The result is encroachment on to local forest reserves, which have become open-access resources.

Many forest communities do not recognize or respect local administrations' authority, partly because previous top-down approaches to forest management paid little heed to the interests and views of local people. Giving people a say in who represents them in local government helps reduce this antagonism. In SOUTH AFRICA, however, attempts to install democratically elected administrations are provoking protests from traditional authorities, who see this as a challenge to their own power and privileges.

One of the most significant weaknesses identified in the case studies is the lack of support from extension services and local administrations to the beneficiaries of tenure reforms. Poor communications and information flows about laws and reforms penalize the poorer, less educated and more marginalized people in particular. Neither land redistribution in SOUTH AFRICA nor privatization in UGANDA have had the expected results because of this limitation.

