2.2 Forest governance: lessons from three African countries

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Introduction

In the effort to improve forest governance, a diagnostic framework can help assess the baseline, pinpoint the areas requiring improvements and build commitment among stakeholders to undertake reforms. The World Bank has created such a framework, and versions of it were recently applied in Burkina Faso, Kenya and Uganda. While these countries are all poor and poorly governed, they have quite different forests, forest economies, forest institutions and motivations for reform (see Table 1). Field applications in the three countries have yielded insights relevant to a diverse range of reform efforts.

The forest governance diagnostic framework

Underlying principles

A World Bank report defines the scope of forest governance through a framework of five pillars: transparency, accountability and public participation; stability of institutions and conflict management; quality of government administration; coherence of legislation and rule of law; and economic efficiency, equity and incentives (World Bank 2009). The pillars have specific components and sub-components.[1] Each subcomponent can be reported on through a general description of its status or through creation and scoring of specific indicators.

EVEN THOUGH THE ASSESSMENT ENCOURAGES LOOKING AT GOVERNANCE COMPREHENSIVELY, SPECIFIC REFORMS WILL PROCEED ON THEIR OWN SCALE AND AT THEIR OWN SPEED.

Country-specific assessment of the framework's components and subcomponents accomplishes several things: it sets a baseline for the quality of forest governance comprehensively yet precisely; it helps identify areas needing improvement and creates a priority list for reforms; and it helps to formulate targeted and actionable interventions. Participatory assessment can also provide a way to build consensus about reform among stakeholders.

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Table 1. Country context

Burkina Faso Per capita income: $ 253 CPI score: 3.0 Ranking: 100 out of 183 countries Deforestation: 1.0% per annum Depletion rate:[2] 1.6% of GDP	Burkina Faso has poor governance. The country has almost 21% of its area under dry savannah forests, contributing 3.65% to the gross domestic product (GDP). The country has experienced continued degradation of its natural resources (forests, farm and grazing lands, lakes, and rivers), on which nearly 90% of the population depends for their living. Combating environmental degradation is one of the pillars of its Ten-Year Action Programme on the Environment and Standard of Living. Burkina Faso is one among eight countries to have been chosen as a pilot for the Forest Investment Program (FIP).[3] Under this program. Burkina Faso could be allocated as much as $ 30 million for the preservation and increase of carbon stocks, with poverty reduction through sustainable management of forest resources. Poor governance has been identified as one of the most important causes of deforestation. Clearly, improving forest governance is critical to FIP, giving Burkina's Ministry of Environment and Sustainable Development (MEDD) a strong motive for using the forest governance diagnostic framework.
Kenya Per capita income: $ 432 CPI score: 2.2 Ranking: 154 out of 183 countries Deforestation: 0.35% per annum Depletion rate: 1.2% of GDP	Kenya is saddled with poor governance. About 2% of the land is under closed canopy forests and an additional 3.7% under open woodlands. Kenya is striving hard to fulfill its REDD+ commitments under the Forest Carbon Partnership Facility and needs to improve governance as a fundamental element of its REDD+ strategy. The law allows industrial harvesting only on government timber plantations and private farms. In 2000, due to multiple problems in these operations, the government imposed a logging ban on all forest plantations. |However, four large-scale operators are exempt from the ban, a situation widely seen as unfair and evidence of poor governance.
Uganda Per capita income: $ 320 CPI score: 2.4 Ranking: 143 out of 183 countries Deforestation: 1.6% per annum Depletion rate: 4.7% of GDP	Uganda also suffers from poor governance. The country has 15.2% of its land area under forests. Uganda is counting on its forests to contribute more to the nation's economy. Uganda's latest five-year development plan (Republic of Uganda 2010) identifies forestry as a key primary growth sector. Further, the country anticipates additional income from REDD+, which will require commitments to maintain and increase forest cover. Improving governance is a high priority.

CPI: Corruption Perceptions Index (on a worst-to-best scale of 0 to 10)

Use of the framework

The framework was applied in Kenya with support of the government of Finland[4] and in Uganda and Burkina Faso with the support of the World Bank. In each country, the assessment was undertaken with the consent or sponsorship of the government. The process involved both individual experts and consultation with a broad collection of stakeholders in a consensus-oriented workshop. The specific approaches differed in each country.

In Kenya, the approach was descriptive. It began with a desk study of the existing literature and interviews with key informants in government, civil society and the private sector. A study team (comprising of staff from Indufor and local consultants) then prepared an initial written report on the status of governance, organized using the five-pillar framework. They vetted and enriched the report through a stakeholder workshop in April 2011. The team summarized the results in a May 2011 strategy note (Indufor 2011).

In Uganda and Burkina Faso, the approach was indicator-based. In both countries, a local consultant prepared a background report. This was shared with stakeholders. In workshops facilitated by a local expert (June 2010 in Uganda; October 2011 in Burkina Faso), the stakeholders then scored a set of indicators based on the components and subcomponents of the framework, but customized for their country by a study team of World Bank staff and local consultants.

In Uganda, the workshop lasted two days and scored and prioritized almost 100 indicators. The local consultants then prepared a report on the findings (Kiyingi 2010), which the study team shared with the government and others in July 2010. In Burkina, because of time constraints, a one-day workshop was held; participants scored 36 indicators. The study team collected additional information through stakeholder interviews. As of early January 2012, the report on the Burkina exercise was still in preparation.

Findings

Burkina Faso

Stakeholders in Burkina Faso were candid in discussing both strengths and weaknesses of governance (World Bank 2012). They perceived transparency, accountability and public participation as quite strong, but saw room for improvement. The downward flow of information is weak. Although stakeholders have opportunities to express their interests, they do not participate fully due to lack of awareness.

Stakeholders reported some serious community-government and community-community conflicts. Conflicts usually take a long time to resolve and sometimes prevent sustainable use of the forest.

In terms of forest administration, the country got high scores on its commitment to the environment and to the implementation of forest-related international conventions. However, mechanisms for cross-sectoral and inter-agency collaboration do not work well. Field foresters have inadequate resources, and up-to-date forest resource inventory information is largely unavailable (although a new inventory is currently underway). In addition, some stakeholders mistrust the forest agency, and political interference occasionally hampers management.

Regarding legislation and rule of law, the law clearly calls for sustainable forestry and clearly recognizes traditional and indigenous rights. The country's approach to forest law enforcement is adequate (although inter- and intra-agency collaboration needs improvement). Weaknesses include lack of clarity on sharing benefits with local communities, conflict resolution processes that are hard to access or unfair, and forest boundaries that are unsurveyed or unmarked.

Regarding economic efficiency, equity and incentives, stakeholders observed that government policies and decision-making give serious consideration to ecosystem services and traditional uses of the forest. Also, forest-dependent communities generally consider their access to forest resources to be fair. The government's ability to track expenditures is weak, however, as is its capacity to assess the impacts of such expenditures.

Kenya

The Ministry of Forestry and Wildlife (MFW), the Kenya Forest Service (KFS) and other stakeholders have recently made progress in promoting good forest governance, but the assessment identified a number of pressing challenges that remain (Indufor 2011).

Regarding transparency, accountability and public participation, the main challenges lie in making usable information on resources and revenue available both within the KFS and to the public. This is crucial given the bad reputation of the Forest Department and continuing allegations of mismanagement. The most urgent actions are needed regarding government-run plantations. Local stakeholders also urgently need capacity to enable them to use information. Given the limited capacities of many community forest associations, the assessment recommended that KFS should aim for Free Prior and Informed Consent when establishing and implementing joint forest management agreements.

Regarding the stability of institutions, national economic statistics persistently undervalue the forest sector, especially its contribution to the GDP. They omit contributions related to the value added through manufacturing; the subsistence economy; and the supply of critical cultural and environmental services. For this reason, the Kenyan forest sector institutions get too little funding from the government and must rely too much on donor funding.

Regarding forest administration, KFS is supposed to be largely self-supporting, based on income from fees and sale of forest products, while still providing free public services such as law enforcement and extension. This dual role may need rethinking given the financial burden that public services present to KFS. Also, Kenya needs to develop commonly agreed definitions for forests and sustainable forest management and to involve more women and other marginalized people in forest administration.

The KFS board is vulnerable to claims of conflicts of interest and unbalanced representation of stakeholders. Corruption within KFS is also a concern.

Regarding legislation, the *Forests Act* 2005 and the 2010 Constitution provide a foundation for reform. However, in light of the new Constitution, the ongoing forest policy revision process, the National Forest Programme process, REDD+ strategy development, and the experiences gained so far in implementation, the *Forests Act* needs revision. This process has already begun, and the revisers are addressing some of the assessment's findings. Coordination within the MFW and between the MFW and other ministries is critical in this process.

On the economic front, revenue is limited by the logging ban (see Table 1), and by non-competitive allocation of logging rights, non-market setting of stumpage prices and illegal timber disposals, as evidenced by internal reports of KFS. There is also an urgent need to develop frameworks for charges for environmental services and carbon, and for revenue sharing.

Uganda

Workshop participants observed that Uganda has good policies, laws and plans, but lacks effective implementation. Participants complained of political interference, corruption, lack of capacity, inadequate attention to private and community forests, inadequate attention to fuelwood, pressures to generate revenue from public forests and lack of professional leadership. The workshop identified several priorities for action (Kiyingi 2010).

Regarding transparency and accountability, Uganda needs to improve the collection, packaging and dissemination of information about the forests, including private and communal forests. The government does involve forest-dependent communities in planning, but it also needs to involve them in management.

Regarding institutions and conflict, plans and budgets must give priority to addressing the main drivers of deforestation. Also, forest managers and users must resolve some long-standing conflicts that have been made worse by political interference.

Government forest administration should aim to increase accountability and restore public confidence. This will require independent auditing of agencies and improved reporting on forest management actions and outcomes. The government should insulate non-political aspects of forest management from political interference and should appoint only technically qualified people to forestry boards. In addition, it needs to better coordinate forest policies, plans and practices with other sectors.

Regarding the rule of law, the government needs to actually implement existing policies and laws, which now often fall victim to manipulation, circumvention, corruption or limited agency resources. Also, the law should clarify the ownership of non-traditional resources, particularly carbon.

Regarding economic efficiency and equity, distribution of benefits must be more equitable, and forest prices should reflect the environmental costs of production. Forest owners and users must be secure in their property rights, and businesses must be able to rely on enforcement of contracts. Management, harvest and processing should adopt appropriate technology and follow best practices.

Follow-up

Each of the three assessments unearthed new information about transparency and accountability gaps and institutional challenges that impede good governance. Each raised the profile of these issues and highlighted the need for reform. The discussion below describes how each country is handling the assessment as of January 2012.

Burkina Faso

The government has not yet received the official report on the assessment. The World Bank team is preparing the report, which will be presented to the Ministry for Environment and Sustainable Development (MEDD) for further discussion and consultation with development partners.[5] This should lead to priorities being set. Many of the highest priority needs should be addressed as components in the country's FIP Plan, to be implemented over the next three to four years.

Kenya

The governance assessment was summarized in a policy brief submitted to the government and disseminated to key development partners (Indufor 2011). The brief is supported by a list of required actions in six areas: priority issues of concern; current status and trends regarding these issues; relevance of the issues in light of stated government commitments; proposed actions and expected outcomes/indicators; responsible actor(s); and estimated time frame.

Kenya is accommodating some of the findings of the assessment in the review of its forestry legislation and in the formulation of the national forestry program. It is also considering using the assessment information as a baseline in its REDD+ strategy. Many of the required actions were integrated into the work plan of the forest sector reform program, and MFW is using the report recommendations to formulate its work plans.

A key recommendation was to improve communication and sharing of information. Internally, the governance assessment report has not been shared with all senior KFS staff; externally, there has been no deliberate effort to share the findings or make governance reform commitments to key stakeholders. Perhaps because most civil society organizations remain unaware of the report, they have not strongly pressed the government to follow up on the recommendations.

Another recommendation was to address the logging ban. KFS has administratively addressed the ban by allowing more timber merchants to participate in plantation harvests.

Uganda

The World Bank team discussed the results of the workshop in follow-up meetings with donors, stakeholders and government officials. The team presented the government with a workshop report that listed priorities and the specific steps that the government could take to address them.

The Norwegian Agency for Development Cooperation drew on the report in its own assessment of reform needs, and the Ugandan government referenced the report in its REDD+ plans. However, eighteen months after the workshop, there have been few reforms.

Lessons learned

Several assumptions underlay these diagnostic assessments:

- thorough assessment was necessary for systematic reform;
- for such assessment to be seen as credible and unbiased, the involvement of an external party (i.e., a party seen not having any vested interest in the outcomes) would be beneficial;
- reform would need support from many sides, including the government, non-governmental stakeholders and donors;
- the process of diagnostic assessment would increase the desire for reform;
- the results of diagnosis would set the course for reform; and
- the diagnostic assessment would be a first step in a process of continuing stakeholder engagement, validation, monitoring, feedback and mid-course correction.

Although assessment seems to contribute to systematic reform, even systematic reform must sometimes happen in small and separate steps. Some problems of forest governance are narrow and can be addressed quickly and individually. Others are somewhat larger and require more effort. Still others are deeply entrenched or extend beyond the sector and require sustained attention or careful coordination.[6] Even though the assessment encourages looking at governance comprehensively, specific reforms will proceed on their own scale and at their own speed.

An assessment does gain credibility from the involvement of an unbiased external party, but it also needs credible local people, such as a trusted facilitator and reputable forest experts. The background research and analysis needs to be thorough and professional. Assessment recommendations gain credibility when they draw on accepted international norms while reflecting the practical constraints of local context.

Reform requires the support of many people. This includes social stakeholders, the donor community and economic stakeholders. In these three cases, donors and development agencies were catalytic in initiating the diagnostic assessments, but in-country support, especially by the government, was essential. Structuring the assessment and recommendations (and ensuing dialogue) in a way that holds the government responsible for its own international commitments, laws and stated policies provides high levels of legitimacy to those pushing for reforms.

The process of diagnosis does indeed increase the desire for reform. This was apparent in the reactions of participants, during and after the process.

Whether diagnosis sets the course for reform remains to be seen. In Burkina Faso, MEDD support to date has been unquestionable. Going forward, it is hoped that government commitment will remain firm in the face of potential resistance and tough decisions. This will be tested in the next few months. In Kenya, the conditions seem right for implementation to proceed, including kick-starting the process through the integration of policy actions into the forest sector reform program and into the ongoing revision of the *Forest Act.* In Uganda, although government officials expressed support for the assessment, follow-up has been lacking. This is in part because bad experiences have made donors reluctant to fund new reforms. It may be because key participants who expressed support for reform during the assessment are in practice cool to the idea.

This experience teaches that with assessment comes a danger of dashing expectations. One reason to involve stakeholders is to have them emerge with heightened awareness of problems, an understanding of possible solutions and enthusiasm for change. If what they get in the end is diagnosis without reform, this may breed skepticism and apathy, making eventual reform efforts more difficult.

Those who undertake these kinds of diagnostic assessments must be willing to follow up with support for reform. When the assessors are external actors, they must respect local sovereignty while promoting partnerships and other processes that lend strength to reform. They must also insist on transparency and accountability, support key players who are willing to lead change, and use the leverage of international initiatives such as REDD+, FLEGT and VPAs.

The ability of transparency and information to maintain momentum in the process cannot be overemphasized. This is the case both for making the governance assessment widely known among stakeholders, and for initiating the reform process by actions that make critical information on the sector widely available. In this respect, the diagnostic assessment contributes to building consensus for change.

An important supplementary benefit of the experience from field applications is that it has allowed for the refinement of the diagnostic framework, including improving its relevance and reliability. The World Bank is presently preparing a guide for those who wish to conduct assessments with the framework. It should be available from PROFOR later in 2012.

Endnotes

1. In 2011, an international process created a closely related three-pillar framework (PROFOR-FAO 2011; see article 2.1). The Burkina, Kenya and Uganda diagnostics used the bank's five-pillar framework. It is hoped that subsequent field åtests will use the three-pillar framework.
2. Forest depletion represents an estimated loss of future income and value that could have been realized through sustainable management.
3. The Climate Investment Funds — consisting of two separate funds, the Clean Technology Fund and the Strategic Climate Fund — are channeled through several international organizations, one of which is the World Bank. The goal of the funds is to assist developing countries to promote sustainable management of forests, increase energy access through renewable energy and mainstream climate-resilient development. The Forest Investment Programme is one such endeavour.
4. The main motivation was to help resolve governance-related bottlenecks that were obstructing the progress of ongoing forest sector reform.
5. The World Bank and the African Development Bank (as the key development partners) and MEDD are strongly interested in the diagnostics assessment, as it would provide critical inputs into the formulation of the FIP investment projects (see also Annex 1).
6. Corruption often falls in this category.

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