- FINAL REPORT -

DESIGNING INDEPENDENT MONITORING OF FOREST LAW ENFROCEMENT AND GOVERNANCE IN TANZANIA

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Jumuiko la Maliasili Tanzania
Tanzania Natural Resource Forum

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List of Acronyms

IM-FLEG – Independent Monitor of Forest Law Enforcement & Governance
REDD – Reduced Emissions from Deforestation and Degradation
PFM – Participatory Forest Management
MNRT – Ministry of Natural Resources and Tourism
FBD – Forestry and Beekeeping Division
GIS – Geographical Information System
FLEGT – Forest Law Enforcement Governance and Trade
GDP – Gross Domestic Product
PMO – RALG – Prime Minister's Office, Regional Administration and Local Government
PCCB – Prevention and Combustion of Corruption Bureau
REPOA – Research on Poverty Alleviation
REM – Resource Extraction Monitoring
TNRF – Tanzania Natural Resources Foundation
TFWG – Tanzania Forestry Working Group
FSU – Forest Surveillance Units
DFO – District Forest Officer
VEC – Village Environmental Committee
ERV – Exchequer Receipt Voucher
TRA – Tanzania Revenue Authority
DPG – Development Partner Group
NGO – Non Governmental Organization
EMA – Environmental Management Act
EIA – Environmental Impact Assessment
EIA – Environmental Investigation Agency
TFS – Tanzania Forestry Service
RNRO – Regional Natural Resources Officer
LAFR – Local Authority Forest Reserve
DHC – District Harvesting Committees
NEMC – National Environment Management Council
NAFOBEDA – National Forestry and Beekeeping Database
TZS – Tanzania Shillings
RNRA – Regional Natural Resource Advisor
RFO – Regional Forest Officer
VPO – Vice President's Office
DRC – Democratic Republic of Congo
DCCFF – The Department of Commercial Crops, Fruits and Forestry
CBFM – Community Based Forest Management
BRELA – Business Registration and Licensing Agency
WCST – Wildlife Conservation Society Tanzania
WWF – World Wide Fund
CSO – Civil Society Organizations
EIA – Environmental Impact Assessment
MoU – Memorandum of Understanding
ToR – Terms of Reference

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1 EXECUTIVE SUMM ARY

Following revelations about widespread illegal logging in Tanzania, in 2005 it was first suggested that the implementation of an Independent Monitor of Forest Law Enforcement and Governance (IM-FLEG) in Tanzania may help to improve forest governance and thereby reduce deforestation, increase government revenues and help protect rural livelihoods. Studies since have re-iterated both the scale of forest crime in Tanzania and the potential benefit an IM-FLEG may bring. This study and proposal was commissioned in order to analyse whether and how monitoring should be implemented in Tanzania, and to build consensus amongst stakeholder groups. The hope is that this will provide the springboard for implementation in the near future.

Desk and field research conducted for the study has found that while illegal commercial logging has fallen considerably from its peak in 2003-2005, illegal activity remains widespread with respect to all aspects of forestry in Tanzania, including harvesting, imports/exports, regional and domestic trade and processing. Illegalities are evident with regard to charcoal and timber, natural and plantation forest, and in all forested regions of the country. Though enforcement has improved in recent years with the roll-out of specialist Forest Surveillance Units across the country, these bodies are chronically under-resourced and too often diverted into supporting day-to-day management operations outside of their official remit. Meanwhile forest criminals are becoming more sophisticated. Though the overall legislative structure for forest management is relatively robust, its complexity coupled with the involvement of many different branches of government has led to governance problems. The detailed mechanisms supposed to ensure legal harvesting and trade (harvesting licenses, field-checking, hammer-stamping, transit passes and checkpoints) are being undermined by poor implementation, through a combination of ignorance, insufficient resources, and corruption.

Tanzania is unlike any other country where IM-FLEG has been implemented. The timber sector is very small and unconsolidated, with domestic consumption important and a large percentage of timber sourced from plantations. Illegal encroachment and harvesting for charcoal production and trade are more important drivers of revenue loss and deforestation than commercial timber harvesting. Timber trees in the open-canopy forests are easily accessible, and instead of large multinationals, the timber sector is characterised by numerous small companies, individual traders and middlemen.

This study has therefore gone back to basics in examining how IM-FLEG might be adapted to fit this very different environment. In particular, it has examined the options for including charcoal, encroachment, wildlife poaching, burning, and plantation forests within the mandate of an Independent Monitor. It has also had to examine how a monitor might relate to Participatory Forest Management (PFM), which is set to expand rapidly in Tanzania in coming years, and how it might connect with monitoring related to future REDD projects. The study also examines how IM-FLEG can be made to work in the context of the complex structure of Tanzania's forest governance systems, with a semi-autonomous Zanzibar and high levels of decentralization.

Though this study has been able to examine the potential benefits and pitfalls of including different aspects of forest governance in the remit of a monitor, in such an untried environment it is impossible to predict what challenges monitoring may face. In order to ensure flexibility, the study recommends that the mandate of the monitor in most cases is kept broad, but that it is allowed to choose priority areas, issues and themes – and exclude others - in collaboration with government

agencies. Charcoal production and trade, for instance, must be included in the mandate, but only priority locations examined and particular care taken to ensure enforcement does not prove unacceptably detrimental to livelihoods. The study recommends the inclusion of large scale commercial agricultural clearance (including environmental requirements), but concludes that encroachment by communities for small scale agriculture should not be a priority. PFM areas must be included, but care taken to ensure that monitoring does not hinder the growth of this form of management, but instead supports correct implementation. The study recommends that monitoring of illegal wildlife poaching and trade and illegal burning are excluded from the mandate.

The housing and mandate of the monitor will be critical if it is to have the necessary support and powers to be effective. While the day to day partner will be the FBD/MNRT, the Vice President's Office, Prime Minister's Office, Ministry of Finance and Zanzibar government will also need to be signatories to the monitoring agreement if all of the country and its forests are to be encompassed and the co-operation and active support of key agencies ensured. Memoranda of Understanding with other government bodies may also be necessary to ensure support and transparency and for this reason an MoU that can be signed up to by these and possibly other government agencies or departments is recommended.

While some impressive capacity building work on illegal logging is already being undertaken by NGOs in Tanzania, an external independent monitor will likely be required to facilitate a transition towards good governance in the short term. To enable local civil society monitoring in the medium term, it is strongly recommended that donors continue to support capacity building with civil society beyond the existing projects, in parallel with IM-FLEG. To ensure the transfer of working methods to local NGOs and others, we also propose that the terms of reference enable the Monitor to engage civil society in assisting with field missions and observing reading committee meetings.

The study concludes with a recommended text for a Terms of Reference for a 3 year monitoring initiative, and a timeline of next steps which could see an Independent Monitor in place and operating by the middle of 2010. For this to be achieved it is essential that government and development partners remain actively engaged.

2 INTRODUCTION AND BACKGROUND

2.1 IFM/IM-FLEG Defined

Independent Forest Monitoring (IFM), more accurately known as Independent Monitoring of Forest Law Enforcement and Governance (IM-FLEG)[1], centres on the establishment of a contractual relationship between an official "host institution" responsible for regulation in the forest sector and an independent monitoring organization ("the Monitor"), and the use of a Reading Committee for peer review. By providing robust evidence of where forest management and control systems, specifically forest law enforcement and governance, are failing, IM-FLEG encourages government agencies to find solutions to the issues raised by the Monitor.[2]

The Monitor's contract provides clear terms of reference. IM-FLEG typically starts by documenting illegal activity and observing the performance of government officials in the detection, reporting and suppression of illegal activity in the forest sector, both in the forest and through the analysis of official documentation. By complimenting official forest law enforcement with the objectivity and public credibility of an independent third party, IM-FLEG can quickly improve transparency whilst at the same time contributing to improvements in the legislative and regulatory regime.[3]

Minimum requirements for IM-FLEG to function effectively

a) **Access to information**:

- The Monitor needs access to concession, license and title permits, maps and other contractual documents.
- The Monitor must also have access to relevant government departments and personnel, including the legal, statistical, database, remote sensing, GIS, revenue and law enforcement units.
- The Monitor must have the authority to inspect any relevant part of the forest estate, forest authority offices and files, and milling, processing, trading or export centres.
- The Monitor must maintain confidentiality and follow reporting protocols. At all times, the responsibility for formal law enforcement and the prosecution of offenders remains with the appropriate state authorities.

[1] The term 'independent forest monitoring' (IFM) has caused confusion in the past, because it suggests aspects of monitoring (such as inventorying forest cover) which are not included. The term 'independent monitoring of forest law enforcement and governance' (IM-FLEG) is more accurate and less misleading, and this study uses this term instead.
[2] Global Witness, Independent Forest Monitoring and REDD, November 2008
[3] Ibid, November 2008

b) Freedom to investigate and monitor:

As far as possible, the Monitor accompanies forest officers on joint missions. At the same time the Monitor has the authority to undertake independent missions in order to detect illegal forest sector activity and verify the work of officials. Independent missions may also be appropriate in exceptional circumstances where it may be dangerous or inappropriate for officials to take part, but Monitors must avoid usurping official investigations.[4]

c) Reading Committee:

A Reporting Panel, or other peer review mechanism, checks that the conclusions and recommendations made in any report of the Monitor and the Ministry officials are fully in line with the evidence and the forest, environmental, social, labour and tax laws as well as international commitments and agreements. This panel enables authorities to share ownership of the reports and provides a forum for discussions of the implications of any IM-FLEG findings. Panel members - principally government - take responsibility for agreed corrective actions.[5]

d) Freedom to publish:

- The monitor remains independent and the Committee can neither change the evidence base nor suppress publication of reports but may present additional information of its own views and suggest changes of these. This information should be noted.
- All the Monitor's reports are published, after adoption by the Reporting Panel, with recommendations for improving the system of forest regulation and law enforcement.

The Monitor must be transparent and justified in its selection of cases for investigation, and treat any tip-offs or denouncements with diligence, fairness and professionalism.[6]

IM-FLEG monitors a system. IM-FLEG was originally conceived in the context of concession-based industrial scale logging. As described in detail in the Guide to Independent Forest Monitoring published by international NGO Global Witness, IM-FLEG has the potential to monitor the entire forest estate and a full range of forest-related activities, including but not limited to:

- ✓ Monitoring competitive auctions and administrative permit allocations for rights to logging.
- ✓ Tracking disputes and legal cases to monitor investigative and judicial authorities, and monitoring of community conflict resolution over rights, tenure and illegal activity.
- ✓ Monitoring certification of legality such as the European Union's Forest Law Enforcement Governance and Trade (FLEGT) legality assurance systems.
- ✓ Testing forest management database systems (including those that support extractive operations, measure forest cover, assess carbon balances, and determine revenue flows).
- ✓ Analysing international trade data through comparisons between what one party gives and the other receives, including physical timber products and the trade in non-tangible items such as carbon.
- ✓ Monitor environmental and social issues, including the impact of new regulations or management regimes.

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[4] Ibid, November 2008
[5] Ibid, November 2008
[6] Ibid, November 2008

- ✓ Monitoring revenue transparency and benefit distribution, including the relationship between the revenues generated and governance of such revenues at each level.
- ✓ Monitoring performance contracts, in particular where traditional public services are contracted out to the private sector.

There has never been a monitoring contract which explicitly identifies all these aspects, although Monitors have had the potential to cover most of these areas of investigation if deemed appropriate. Most monitoring has combined field investigations with desk-based research. In both cases the right to information is a key condition for the Monitor to be able to function. The basic competencies for effective monitoring are political and investigative as much as technical. A good track record of independence from vested interests, rigour and objectivity in reporting, and public credibility are all important in the selection of a monitor. In countries where there is a significant gap between the rhetoric and the reality of forest policies, an international presence in the monitoring team, together with the backing of an international organization, is recommended since a wholly local monitor is likely to come under more pressure. Commercial or technical audit organizations, guided by their system of professional accreditation, may not be prepared to risk working beyond these boundaries.

2.2 Justification for IM-FLEG

Since the first IM-FLEG type contract in Cambodia in 1999, projects have been implemented in Cameroon, Honduras, Nicaragua and the Republic of Congo. In addition, feasibility studies have been undertaken in Tanzania, Ghana, Peru, Mozambique and the Democratic Republic of Congo. IM-FLEG training courses have been delivered in Liberia and Indonesia, the Central African Republic and Gabon. The World Bank, European Commission and a number of bilateral donors have all advocated IM-FLEG as a component of forest sector reform programs, notably in the anticipated FLEGT systems.

The immediate impact of IM-FLEG is an increase in the quality and quantity of information about forest sector activity. In Cameroon, for example, the forest ministry started publishing lists of infractions and legal cases based on evidence collected by their own officials under observation by the Monitor. Mission reports led to an increase in revenue, as fines in the range of US$2,600 to US$3.5 million were brought by the forest authority against illegal operators (US$3.5 million is enough to fund an international Monitor in Cameroon for seven years). Other reports of improved procedures, transparency, accountability, law enforcement and changes to the legal framework and operating environment include the following:

- In Cambodia, the Monitor's activities were crucial for the cancellation of two major contracts operating illegally on a large scale.
- In Cameroon, the forest ministry published a comprehensive review of strategies and regulations for control of forest products based on evidence of weaknesses in the previous strategies provided by the Monitor
- In Congo, missions have documented 26 000 cubic metres of abandoned logs

2.3 History of IM-FLEG discussions in Tanzania

The decade 1985-1995 was characterized by elevated levels of forest harvesting and deforestation but did not correspond to increased government revenues or the sector's contribution to GDP. Economic policies led to an over-exploitation of valuable timber tree species, increased unregulated production of charcoal in areas accessible to urban markets and widespread conversion of forests to agricultural land uses. Decentralization policies also meant that forest officers were deployed to Districts, which accrued only limited benefits from forest resources.

Prompted in part by some high profile seizures, which highlighted the extent of the problems with forest law enforcement in Tanzania, in March 2005 the minister responsible for forestry hosted a meeting with development partners on developments in the sector and the ministry's efforts to regain regulatory control. As a way of increasing the reliability of information and transparency of decision making in forestry in Tanzania, an Independent Monitoring of Forest Law Enforcement and Governance (IM-FLEG) exercise was proposed.

At the same meeting it was agreed to conduct an independent case study of the situation experienced south of the Rufiji River to define the need for change in current practices and institutional arrangements that will hinder the occurrence of unsustainable and illegal resource utilization. The case study, produced by the NGO TRAFFIC, concluded that under the right conditions, independent forest monitoring could become a useful tool in improving forestry governance and law enforcement in Tanzania. Monitoring was seen as a tool that could improve both horizontal and vertical accountability, by firstly strengthening existing government monitoring and compliance mechanisms (horizontal), and secondly ensuring the involvement of civil society organizations, media and the private sector (vertical).

The report recommended that current initiatives to investigate the feasibility of IM-FLEG in Tanzania should consider the following country specific issues.

- ✓ **Development focus**: In addition to maintaining a focus on the legality of logging and timber trade (i.e. compliance with existing laws), monitoring in the context of Tanzania requires a stronger terms of reference to encourage a greater attention to rural livelihoods.
- ✓ **Government integration**: In addition to the MNRT (FBD), IM-FLEG in Tanzania should be formally linked to all relevant parts of government, either in the hosting arrangement or through the delivery of specific IM-FLEG outputs. Other relevant parts of government include the PMO-RALG, Vice President's Office (Division of Environment), Ministry of Finance, PCCB and Office of the Attorney general.
- ✓ **Civil society**: Whilst IM-FLEG is designed to complement existing government-led forest monitoring arrangements, ensuring long-term sustainability of non-government actors input into forest monitoring and good governance would be enhanced through the formalized involvement of locally-based civil society organizations.
- ✓ **Information dissemination**: Appropriate linkages with existing means of information dissemination should be forged, such as private sector associations, government reform programmes (e.g. Public Sector Reform Programme and Local Government reform

Programme), media, relevant internet websites (e.g. REPOA governance notice board) and civil society fora (e.g. Policy Forum).

In 2006, research was undertaken by Resource Extraction Monitoring (REM) to explore the possibility of implementing IM-FLEG in Tanzania. This brief analysis provided an initial overview of how IM-FLEG might be structured in Tanzania, and included a draft Budget and Terms of Reference for a potential monitor. For various reasons follow up to this document in Tanzania was slow; meanwhile important changes have occurred in the nature of illegal logging and forest regulation in Tanzania. As a result a more detailed re-assessment of the potential for IM-FLEG in Tanzania, drawing on REM's increasing experience in these types of projects and benefiting from the presence of local company HTSPE Tanzania, was commissioned. The results are the proposal of a more evolved structure, scope and project design. This project has also served to further educate and consult stakeholders, building consensus on IM-FLEG implementation and design.

3 ASSESSING FOREST LAW ENFORCEMENT AND GOVERNANCE IN TANZANIA

3.1 Objectives and methodology of the consultancy

Under a contract with the Tanzania Natural Resources Foundation (TNRF), on behalf of the Tanzania Forestry Working Group (TFWG), HTSPE Tanzania (the lead organization) is working in partnership with REM (Resource Extraction Monitoring) to investigate and help build consensus on what an IM-FLEG might look like in Tanzania.

TFWG members have realized that improved monitoring arrangements can strengthen accountability, management decision-making and a sense of rural-level ownership, all of which are needed to ensure improved forest governance during the ongoing decentralized forest management reforms. A well-designed IM-FLEG process in the Tanzanian context can catalyze the active involvement of a greater number of stakeholders, especially some rural communities involved in Participatory Forest Management.

3.1.1 Objectives

A single objective defines this work:

Establish a functioning broad-based and legitimate IM-FLEG process in Tanzania that contributes to good governance, effective forest management and national development with the full buy-in of government, civil society, local communities and the private sector.

The first step in achieving this objective is an inception and design phase which is required to:

a) Reconfirm and build the buy-in and support of key stakeholders, such as the Forestry and Beekeeping Division, the Ministry of Natural Resources and Tourism, other government ministries and key civil society organizations;
b) Develop an appropriate approach and design for IM-FLEG in Tanzania that is participatory and widely accepted by key stakeholders

3.1.2 Methodology

A: Desk Research

A broad review of relevant literature, data and other sources of documented information was conducted for the purposes of the study. This included numerous relevant Tanzanian laws and regulations; previous academic, NGO, government and donor studies on forestry, law enforcement and associated subjects in Tanzania; and a review of relevant documents on forest crime, forest law enforcement, and independent forest monitoring from other countries.

B: Field Missions and Research

As part of an assignment to design a proposal for the implementation of independent monitoring of forest law enforcement and governance in Tanzania, a series of field trips were undertaken by field researchers and consultants beginning in early February 2009. Accompanied by officers from the Forest Surveillance Unit of the Forestry and Beekeeping Division the consultants conducted field work and data collection in Dar es Salaam, Mwanza, Tabora, Itigi in Singida Region, 3 Regions in southern Tanzania and Zanzibar during two field missions in March and July 2009. In advance of

these visits, field researchers were deployed to Kigoma Region, Tabora Region and Kilwa District tasked with undertaking initial reconnaissance, intelligence and data collection.

Methods used to collect information included discussions with key directors and staff of the Forestry and Beekeeping Division. Meetings were held both individually and in groups, including group meetings with officers of the Forest Surveillance Units at the headquarters in Dar-es-Salaam, FSU South in Lindi, FSU Lake Zone in Mwanza and the FSU Western Zone in Tabora. Other meetings were held with: representatives of Development Agencies; NGO representatives; Regional Natural Resources Advisors; District Forest Officers (DFOs) and other Districts-based Forest Officers including checkpoint staff; forest products traders of charcoal, fuel wood and timber; transporters of forest products (truck, rail way, boat and bicycle); and members of Village Environmental Committees (VECs).

Personal observations of legal documents such as applications for certificates of registration to trade in forest products, certificates of registration, Transit Permits, ERVs, trade licenses, TRA business licenses, tax clearance certificates, checkpoint log books and District Council receipts were made and the documents often photographed. The consultants' missions to southern and western Tanzania in March and July collected such information in a systematic manner, something which was possible due to the high degree of access to documents and relevant persons that was made possible by the presence and full cooperation of officers from the FSU in the missions. A great deal of useful information was collected during these field missions.

C: Consultations

A range of consensus building and awareness raising meetings were carried out for the project. Initial meetings were held with all stakeholder groups in March 2009, at which the concept of IM-FLEG was explained and clarified and initial feedback collected. A draft options paper and debriefing note, based on desk and field research and on comments already received, was distributed to all stakeholders in June 2009. A further round of consultations followed, at which responses to the more precise proposals contained in the options paper and debriefing note were sought. Consultations were held with the following stakeholder groups:

Achieve the buy-in of other senior and middle level FBD staff:

Initial meetings were held in March 2009 with the FBD Director, a range of senior staff and with enforcement specialists. Further meetings were held with senior and middle level FBD staff during the summer of 2009 to discuss the outline IM-FLEG working proposal/options paper and dummy mission report and to seek their buy-in, inputs and ideas. Initial consultations were also carried out with Zanzibari authorities.

Consult with NGOs and Civil Society:

A first round of individual meetings were held with NGOs during March 2009, in which the IM-FLEG concept and fundamentals were explained, some misunderstandings clarified and concerns addressed. Following distribution of the draft options paper, a further meeting was held with NGOs and civil society to present the draft IM-FLEG proposal and seek specific inputs and feedback.

Ensure the Development Partner Group (DPG) is informed and engaged: Following initial consultations in March 2009, a meeting was held in September 2009 to present a working proposal and IM-FLEG design to the DPG, in order to obtain the DPG's continued buy-in and their contributions, with a view to building interest in financing the implementation of IM-FLEG after the design stage is complete.

Brief the Parliamentary Committee on Natural Resources and Environment:

Finally, a briefing was made to the Parliamentary Committee on Natural Resources and Environment on the significance and benefits of IM-FLEG for Tanzania, and how the committee might wish to use the emerging data.

D: Dummy mission report

To help stakeholders to understand and experience the process of independent monitoring, HTSPE/REM have field tested a potential system by going through a dummy process of drafting, review and publication of a single mission report, of the kind which a monitor would produce. Buy-in for this process has been obtained from both FBD and Development Partners. A dummy mission report has been produced based on a real life field mission conducted by HTSPE/REM in southern Tanzania in March 2009 (a copy is provided as an appendix to this document). The mission report, which makes specific requests for additional information from FBD, was officially submitted to FBD and discussed in a dummy 'reading committee' including HTSPE/REM, FBD, the Development Partners and a representative from civil society. A deadline will be set on which the final report (including comment and additional information from FBD) will be published.

3.2 Brief outline of policy and regulatory environment

3.2.1 Relevant Policies, Laws and Regulations

The National Forest Policy

The 1998 Policy, which was a revision of the Forest Policy of 1953, focuses on sustainable conservation of forest resources. It seeks to achieve the policy goal of "*enhancing the contribution of the forest sector to the sustainable development of Tanzania and the conservation and managements of natural resources for the benefit of the present and future generations*".

Specific objectives of the forest policy are as follows:

a) Ensure sustainable supply of forest products and services by maintaining sufficient forest area under effective management;
b) Increase employment and foreign exchange earnings through sustainable forest-based industrial development and trade;
c) Ensure ecosystem stability through conservation of forest biodiversity, water catchments and soil fertility; and

d) Enhance national capacity to manage and develop the forest sector in collaboration with other stakeholders.

Forest Act, 2002, and Regulations

The Forest Act of 2002 provides for the conservation and management of forest resources in Tanzania; it also regulates the trade of forest produce. Section 4 divides forests into four types: national forest reserves; local authority forest reserves; village forests; and private forests. These designations reflect the different government authorities with power to manage these different areas. The central government retains authority over the national forest reserves, though it can delegate such authority to "local authorities", including District Offices. Village forests are those declared by village governments on village lands, while private forests are often located within village boundaries and so though privately owned benefit from village government registration.

Village governments have the right under the Act to declare village forest reserves over any village land (Forest Act, Section 32). This includes existing natural forests or areas where the village government would like to create plantation forest through tree planting. This can be accomplished by a simple declaration, supported by the village assembly, after an adequate assessment of the forest values of the land. Village Forest Reserves may also be officially gazetted, which requires approval by the FBD. Few village forest reserves undergo this separate step, as it is not mandatory and it is unclear what advantage it provides.

After designation as forest reserves, villages must issue management plans governing the types of use allowed in the reserve. Village governments have wide discretion to manage these areas under their own authority and priorities, subject to overall consistency with the goals and purposes of the Forest Act (Forest Act, Section 34). This power includes the power to require permits for the extraction and use of forest products. This power extends over all forest lands within their area, including community and private forests. Management plans are required to be adopted for all forests, including forest reserves owned and controlled by the central or district governments. Village government authorities are required to issue by-laws or regulations to implement forest management plans.

Section 49 covering licenses and permits states that a permit must be issued before "*gathering or taking away any forest produce*". These powers are more specifically described for forest reserves owned by the central government, including setting specific standards for the size and number of trees that may be cut with a permit (Forest Regulations, Section 5, 6). Village governments have similar general power over their lands under forest management plans and by-laws. The Forest Act and Regulations allow the MNRT to set requirements for permits and associated fees required for the transportation of forest products. Under section 77 and 78 the Minister can prescribe a fee or

royalties for all forest produce. However, this is restricted to trees harvested from forest reserves. No royalties shall be set by the central or District governments for the harvesting or extraction of forest produce within a Village or private forest reserve. This power, as all powers for village forest areas, is reserved to Village governments.

The Forest Regulations set specific requirements for trade in forest products. For example, a charcoal or timber producer is expected to obtain an annual general license from the office of the District Forest Officer (DFO). No investigation of the past practices of the individual or the sources of the charcoal or timber that s/he trades in is required to obtain a license. In addition to this yearly license, under § 13, no person may remove charcoal or timber from a district without a transit pass issued by the DFO (no transit pass is necessary if movement occurs only within the same District. § 5(a)), Transit passes are to be issued by local governments, but not before the officer determines the "bone fide origin of such forest produce" (Regulations, § 13(2)). This pass indicates the amount to be transported and is valid for a specified number of days. A transit pass fee is collected with the transit pass. These fees are divided between the central (95%) and local (5%) governments.

Trucks or cars transporting forest produce shall not accept forest produce for transport unless it has a valid transit pass (§ 13(4)). The regulations also establish regular checkpoints for monitoring of transit pass requirements (§ 60). Trade in forest produce becomes an offence punishable by law if the person found with the produce does not possess permits allowing for the trade. Any forest produce that may be confiscated will be kept at the nearest police station having jurisdiction.

Environmental Management Act, 2004

Enacted in 2004, the Environmental Management Act (EMA) represents the first comprehensive framework law on environmental protection in the history of Tanzania. Its scope and powers are exceptionally wide. EMA includes powers that potentially impact on forestry practice.

EMA requires an analysis of the environmental impacts of activities undertaken or permitted by the Government of Tanzania. These environmental impact assessments (EIA) are detailed analyses of the environmental effects of a proposed action. Under EMA, activities in forest areas require EIAs. The Forest Act itself recognizes and clarifies the EIA requirement, stating that EIAs will be required for activities in forest lands that impact greater than 5 ha of land (§ 18). These requirements apply to central government, District and Village government managed forests.

3.2.2 Relevant Government Entities

a) Ministry of Natural Resources and Tourism (MNRT)

The mission of the Ministry of Natural Resources and Tourism (MNRT) is to formulate policies and strategies that lead to the sustainable management and conservation of the country's natural resources, increase the sector's contribution to government revenue collection, while simultaneously promoting and diversifying Tanzania's many tourist attractions. The MNRT is organized into four divisions - the Fisheries Division, Tourism Division, Wildlife Division and the Forestry and Beekeeping Division.

b) Forestry and Beekeeping Division (FBD)

The Forestry and Beekeeping Division of the MNRT is responsible for forest policy and legislation development and sectoral leadership. Through the FBD, the MNRT provides capacity building, facilitation, monitoring and evaluation of Regional and District government levels. FBD is organized into four sections - the Forest Development Section, Forest Utilisation Section, Research Training and Statistics Section, and Beekeeping Development Section. The Forest Development Section is

responsible for policy and planning, forest development, extension services, forest resource assessments, forest investments, project coordination and publicity. The Forest Utilisation Section is the revenue arm of the Ministry, responsible for forest product licenses and legislation. The Research, Training and Statistics Section is aptly named. The Beekeeping Development Section regulates bees and honey production. The FBD has approximately 2,000 staff some of whom are stationed in the regions of the country. In the field, FBD has primary responsibility for the management of the central government forest reserves, including softwood plantations. There are 150 national forest reserves in Tanzania.

c) Tanzanian Forestry Service

The Tanzanian Forest Service (TFS) is designed to be an executive agency. TFS is expected to be autonomous and self-financing. The TFS is not yet in existence but is intended to eventually take over some of the functions of the FBD. TFS as an executive agency is expected to overcome two constraints that are currently facing the forest sector. One is the chain of command in forestry, which is split between two different ministries and several District Councils. TFS would operate like other agencies such as Tanzania National Parks with a single, unified organization structure managing all of its own assets.

A second constraint that would be overcome is the jurisdiction over its own budget. As an executive agency TFS would be expected to generate its own income and manage its own affairs. Budgets would be rolled over into subsequent fiscal years, unlike the current case for the ministry which is subject to the government's fiscal envelope. By allowing the forestry agency to retain and re-invest the proceeds from successful enforcement and from effective revenue collection, improvements are encouraged.

d) Prime Minister's Office, Regional Administration and Local Government (PMO, RALG)

The Ministry responsible for Regional Administrations, Municipal and Local Governments, a division within the Prime Minister's Office (PMO, RALG), is the tutelary Ministry of the District governments and is responsible for implementing the Local Government Reform Programme. This is a programme of decentralization where administrative functions of the government are carried out at the level closest to the population. The central government is to provide technical assistance, backstopping and monitoring and evaluation.

The Regional Administrations are field offices of the PMO, RALG. As such they are parts of the central government administration tasked with linking line ministries such as the Forestry and Beekeeping Division of the MNRT and the independent District government authorities. The ***Regional Natural Resources Officer (RNRO)***, for example, from the Regional Administration advises and facilitates the implementation of Tanzania's forest policy and strategy downwards to District level. The RNRO is a central government employee reporting to PMO, RALG and not to MNRT.

District Councils are independent, elected bodies responsible for implementing government policy at the local level through leadership, extension, providing technical assistance and capacity building services and collecting revenue through licenses and taxes. The District Council also employs ***District Forest Officers*** that fill a number of functions. District Forest Officers are responsible to the District Council and not to PMO, RALG or to MNRT. DFOs might be engaged in managing (policing) a Local Authority Forest Reserve (LAFR, there are 60 Local Authority Forest Reserves in Tanzania), selling licenses to businesses for extracting forest resources (including wood for charcoal production) from village forest or an LAFR, training villages in PFM, or manning roadside check points and collecting taxes from charcoal traders. There are also ***Divisional and Ward Forest Officers.*** Revenues collected from the trade in forest products, like charcoal, are shared between the MNRT and the District.

e) District Forest Harvesting Committees

Established by the 2002 Forest Act, and further implemented by the 2006 Charcoal Regulations, the District Forest Harvesting Committee is the main instrument for implementation of the forest harvesting procedures. The main functions of the committee are to receive and evaluate applications for harvesting of forest products, such as firewood, charcoal, logs, timber and poles. Other functions include the determination of harvesting areas within the District, preparing and coordinating harvesting plans, and reviewing quarterly reports on harvesting activities from the District Forest Officer. The committee prepares and maintains a register of all charcoal and timber dealers in the District, held under the custodianship of a District Forest Officer (DFO). DHCs are chaired by the District Commissioner - a position which is a presidential appointee and is not part of the local government structure.

f) Village Governments (Councils)

The village government is elected by the village assembly and is headed by the Village Chairman. In the new era of decentralization of government administrative powers, the village government holds the primary responsibility for implementing government policy, acts and regulations at the village level. This, of course, includes implementing participatory forest management. However, many village assemblies and governments are not fully sensitized to the advantages and requirements of PFM.

g) Village Environmental Committees

Under the Environmental Management Act, every village is to form a Village Environmental Committee. The Village Natural Resources Committee is a sub-committee of the Village Environment Committee. The principal functions of the committee are to oversee and manage the harvesting of natural resources products, including forest products, from village forest, including firewood, charcoal, logs, timber and poles. The committee should determine harvesting areas within the village forest, preparing and coordinate harvesting plans, and reviewing quarterly reports on harvesting activities with the Ward and District Forest Officers.

h) Division of Environment in the Vice President's Office (VPO)

"The mission of the Vice-President's Office (VPO) is to formulate policies and strategies on poverty eradication, protection of environment and non-governmental organizations as well as coordinate all issues pertaining to the union of the Government of the United Republic of Tanzania and the Government of Zanzibar." The Vice-President's Office establishes environmental sector plans and budgets. The VPO is also frequently the chair of working groups sitting to meet, discuss and plan actions in the face of environmental concerns.

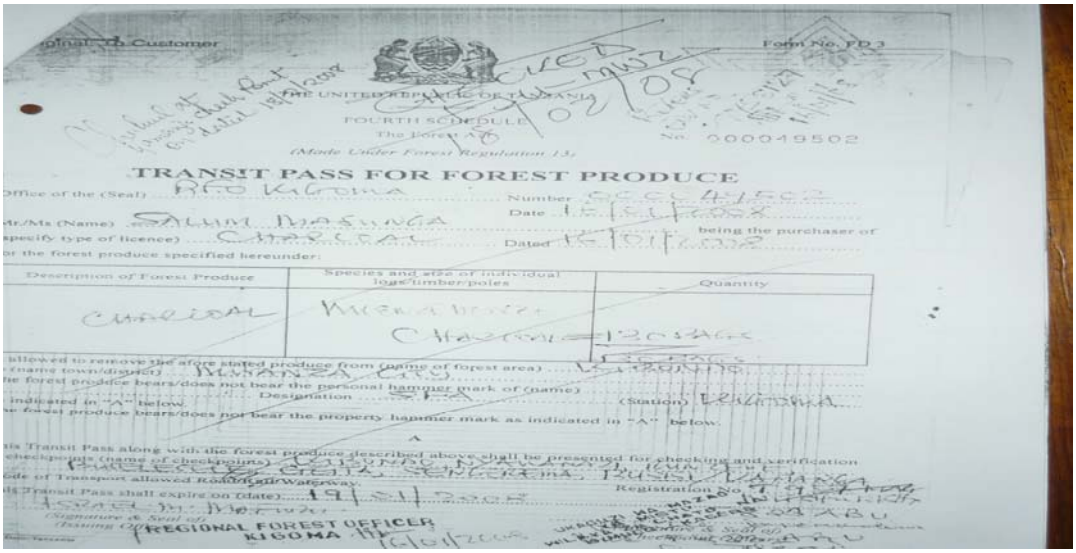
i) National Environment Management Council (NEMC)

The National Environment Management Act of 1983 created the National Environment Management Council (NEMC). The 1983 Act was superseded by the Environment Management Act of 2004, which gives the NEMC and its staff of 100 professionals the mandate to enforce completion, monitor and ensure compliance with environmental impact assessments, conduct research related to environmental management, facilitate public participation in environmental decision making, raise environmental awareness and collect and disseminate information related to protection of the environment.

3.3 Key findings from field missions and research

3.3.1 Current Forest Law Enforcement; FBD, FSU, Regional and District Forest Officers

Relevant regulations exist. Regulations, government notices and guidelines exist for regulating harvest and trade in forest products. These regulations are often, but not always, translated into Kiswahili and posted at easily accessible locations such as Regional or Zonal Forest Offices, District Councils and checkpoints. In some instances, forest officers also provide copies of the guidelines to traders at their place of business. The most useful, most widely circulated regulations are those contained in the Guidelines for Sustainable Harvesting and the Trade of Forest Produce of 2007. These guidelines exist in Kiswahili and as an unofficial English translation produced by the consultants for the purposes of this study (available on request). They govern all aspects of harvesting, licensing, transporting and processing of forest produce by central and local government authorities. The guidelines are divided into seven major chapters: District Harvesting Committees; Harvesting Licenses; Harvesting for Forest Products; Trade in Forest Products; Transit Permits; Sawmills and Forest Industries; and Control of Forest Harvesting and Trade. These guidelines are read together with Government Notice No. 231 of 23 November 2007 - New Royalty Rates for Forest Products.


Form No. FD 3

THE UNITED REPUBLIC OF TANZANIA

FOURTH SCHEDULE

The Forest Act

(Made Under Forest Regulation 13)

No. 000049502

TRANSIT PASS FOR FOREST PRODUCE

Office of the (Seal) RFO KIGOMA Number

Date

Mr/Ms (Name) SALUM MASUNGA being the purchaser of

specify type of licence) CHARCOAL Dated

or the forest produce specified hereunder:

Description of Forest Produce	Species and size of individual logs/timber/poles	Quantity
CHARCOAL		

allowed to remove the afore stated produce from (name of forest area)

(name town/district)

he forest produce bears/does not bear the personal hammer mark of (name)

indicated in "A" below. Designation (Station)

he forest produce bears/does not bear the property hammer mark as indicated in "A" below.

his Transit Pass along with the forest produce described above shall be presented for checking and verification

(name of checkpoint)

ode of Transport allowed Road/Rail/Waterway Registration No.

his Transit Pass shall expire on (date)

Signature & Seal of

Issuing Officer

REGIONAL FOREST OFFICER

KIGOMA

Copy of Transit Pass issued in Mwanza

Other important guidelines are the Community Based Forest Management Guidelines of April 2007. These refer to the establishment and reporting of Village Land Forest Reserves, Community Forest Reserves and Private Forests that are located on Village Land. These guidelines are divided into 6 stages which direct communities to: identify the forest area and establish Village Natural Resources Committees; Assessing and Management Planning; Formalizing and Legalizing through the enactment of village by-laws; Implementing; Revising and Gazetting; and finally Expanding to New Areas. Stage 4, relating to implementation, also instructs on essential record keeping and supportive monitoring in which the following records are to be maintained: Receipt Books, Offences and Fines Books, Permit Books, Income and Expenditure Books, Minutes Books, Patrol Books and a Quarterly Reporting Form, which draws from these books and is submitted to the DFO for eventual forwarding to NAFOBEDA in FBD. Once PFM forests begin to harvest and enter commercial contracts these provisions will become important for any independent monitor.

FBD has been strengthened. Since the publication of the TRAFFIC Report substantial reforms have been made within the Forestry and Beekeeping Division. In addition to personnel changes there has also been a strengthening of management responsibilities with regards to forest law enforcement; surveillance and monitoring of forest harvesting and trade; and revenue collection. Presently these responsibilities fall under the office of the Assistant Director, Utilization. The Assistant Director is supported by a Senior Forest Officer responsible for Forest Surveillance Units, another Senior Forest Officer is responsible for a Revenue Collection section and there is one Forest Law Enforcement officer. These officers receive information on the number of licenses issued, volumes of produce harvested and transportation and trade data for different forest produce. Information from informants is also received in this section. The improved collection and analysis of data on harvest, trade and trends has allowed FBD to better monitor legal and illegal practices in the forest sector in Tanzania. Response time has improved to issues that arise in the field. However, the experience of REM/HTSPE with the dummy mission report process has revealed that key data from the field (including information from DFOs, RNRAs and checkpoint staff on imports, licensed harvest and shipments of forest products in transit) which could be very useful in identifying patterns of illegality and directing enforcement is not being received or analysed in this manner by FBD headquarters. Some such information is not currently required to be sent, and other information is not being supplied as requested.

Forest Surveillance Units are FBD's monitors. Under the mandate of the Assistant Director, Utilization several Forest Surveillance Units have been established. The first three were established in 2006 and since then five more units have been established in a total of seven terrestrial zones and an additional marine unit. The intention is for each unit to be fully equipped and staffed by 15 Forest Officers in addition to support staff. The duties of the FSUs are described in comprehensive guidelines that draw from Government Notices. These guidelines are therefore legally binding under the Forest Act No. 14 of 2002.

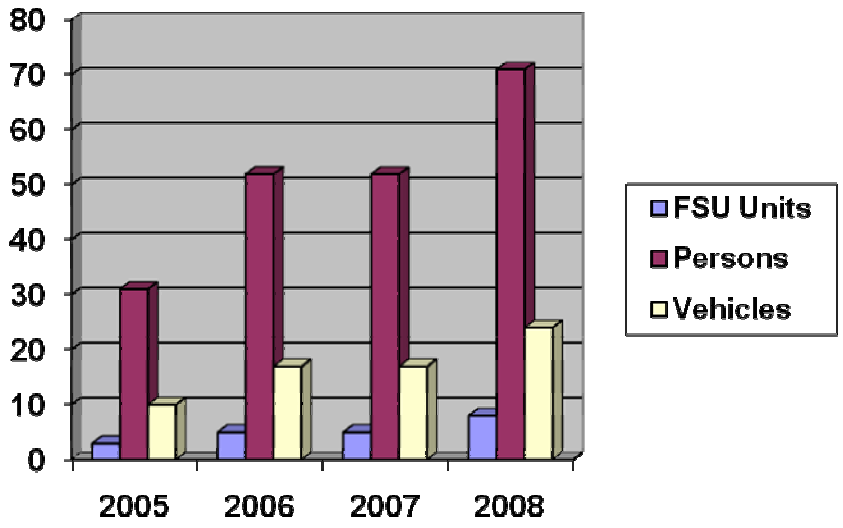


Figure 1: Increase in establishment and staffing of Forest Surveillance Units in Tanzania

There are currently a total of 71 staff within the 8 FSUs, of whom 14 are degree holders and 51 are diploma holders, in keeping with FBD's intention that qualified forest officers be promoted to undertake these responsibilities that require a good understanding of forestry regulations and an

ability to properly monitor volumes and values of forest products. Four of the eight units, namely the Lake, Western, Southern and Eastern Zones are leading in captures of illegal forest produce. This reflects the reality that the Southern and Western Zones represent areas of supply whereas the Lake and Eastern Zone represent the largest markets for forest produce in Tanzania.

Compliance has increased, but enforcement remains under-resourced. Captured forest products have increased due to the FSUs, before falling partly due to increased surveillance. Data provided by FBD indicates that captured forest products, predominantly timber and charcoal, have increased with the establishment of FSUs before declining again. This trend was also evident from records kept by the Southern and Western Zonal FSUs in Lindi and Tabora respectively. Interviews with both Forest Officers and traders point to increased controls and the increase in the cost of doing business as contributing to this situation. This implies that the observed drop in captures results at least in part due to increased compliance and not due to decreased surveillance effort. Southern zone FSU staff also noted that seizures were at their greatest when the unit was first set up, because illegal traders had been making little effort to hide their activities. Their experience suggests that after this initial surge, illegal loggers and timber smugglers become more sophisticated and more difficult to catch; this effect contributes to the decline in seizures, though an actual decline in levels of illegality is also felt by officers to be occurring at the same time.

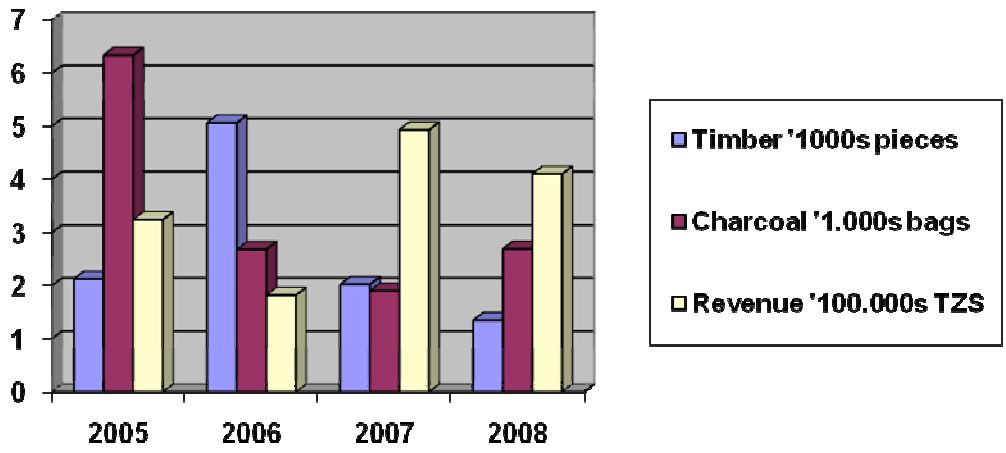


Figure 2: Seizures of illegal forest products and revenue collected by Forest Surveillance Units in Tanzania, 2005-2008

The trend for collected revenue is less obvious because some revenue increase stems from increased royalty rates rather than the volume of captured products. It is also difficult to draw conclusions from seizure data, since changes in seizure quantities can occur as a result of a range of factors, including enforcement resourcing and efficiency and the general level of illegality. Nonetheless, it is interesting that the revenue collected for the period July – December 2008 is double for revenues collected for all of the Fiscal Year July 2007 to June 2008. Despite these positive results, the FSUs remain resource constrained. Though the number of FSU units, staff and vehicles has steadily increased since 2005, the units remain well below the legally mandated levels of staffing and expertise. In addition, information from the FSU South region suggests that operational budgets for individual FSU units might actually be falling. Staff at FSU South informed the consultants that in their first year they received a budget of TZS 100 million but this budget has been reduced in every year since 2006. Office space remains a major constraint for the FSUs. It may be that as the FSU

system is expanded to cover more areas, existing resources are simply being spread more thinly. Analysis of FSU South figures shows that the unit brings in considerably more money in fines, fees and auctions of stolen timber than it costs to run. These revenues should be re-invested into an urgent expansion of FSU funding, which is actually a net revenue generator for the Tanzanian government. Something similar could be said about FBD as a whole. In this regard, concerns raised by FBD during the dummy mission report process about the extent to which FBD as whole is not currently receiving the due proportion of revenues retained by MNRT (see Dummy Mission Report annex) must be addressed. It is important that action is taken by MNRT to ensure that the full due proportion of benefits of improved revenue collection by FBD are ploughed back into the Department. Such increased revenue retention would enable significant increases in budgets for field officers, including FSU, RNRAs and DFOs, and for improved intelligence analysis at headquarters. This should serve to counter some of the problems capacity problems identified here, thereby improving enforcement, increasing revenues further and helping protecting forest resources,

The capacity of FSU units to effectively enforce forest laws is also being seriously compromised by the units being drawn into assisting underfunded DFOs and RNRAs in carrying out their duties.

At local government level the system is increasingly compromised. According to the guidelines for sustainable harvesting and trade in forest products, District Forest Officers are on the frontline of regulating forest management. DFOs are advisory to the District Harvesting Committees, which are chaired by District Commissioners. DFOs issue harvesting licenses and are required to assess harvesting inside the forest before hammer marking logs and stumps. Forest produce is transported within the District according to permits issued by the DFO. The DFO is responsible to the District Council and not to FBD. DFOs are often under pressure to optimize collection of revenues at the expense of sustaining forests. Furthermore, the share of forest royalties collected at local level is skewed 95% to 5% in favour of FBD. DFOs may not be allocated a fair share of the District's budget since it is perceived that little benefit returns to the District. Problems were also exposed during the Dummy Mission report process about the failure of DFOs and RNRAs in many cases to send requested data to FBD headquarters on licensed harvesting, fines issued, transit passes issued and so on. The ability of FBD to enforce this requirement is hampered by the fact that these local officials are no longer directly under the remit of the Department but are instead under the remit of PMO-RALG.

Regional Natural Resources Advisors (or, where they exist, Regional Forest Catchment Officers) are mandated to issue inter-Regional Transit Permits. These are issued only after ensuring that harvesting licenses and hammer marks are in order and according to procedures. The RNRA is a PMO, RALG employee whereas the Regional Catchment Officer is employed by FBD. Most regions, except Morogoro, Coast, Kilimanjaro, Tanga, Tabora, Mbeya and Iringa, use RNRAs to issue Transit Permits. For PMO, RALG, forests are not an important sector and therefore RNRAs are rarely funded sufficiently to fulfil their forestry duties. Furthermore, not all RNRAs are foresters by profession.

It is increasingly the case that RNRAs are delegating their responsibility to issue Transit Permits to the very DFOs they are supposed to independently verify. This is the case in Lindi Region where transit permits are issued by DFOs in Kilwa and Liwale. In the case of both Lindi and Mwanza RNROs or RFOs are dependent on FSUs for transport and other services. This also undermines the checks and balances in the system as the one side of government becomes reliant on the arm of government that is supposed to be counterchecked.

DFOs are rarely checking the forest product at source (as required by law) but rather are hammer-stamping at the road side and sometimes even at the DFO office. In Mwanza receipts for charcoal are being issued in the absence of harvesting plans and licenses. DFOs recognize that Mwanza has no forested areas for harvesting but are issuing receipts nonetheless because they fear that harvesting will continue unabated and rather than lose all revenue it is better to collect some royalty on what is obviously illegal charcoal. Once a District has collected royalties in this manner, FSUs and RFOs allow it to continue in the trade chain.

Softwood plantations are owned by the government and managed by FBD. A forest manager is placed in the plantation to implement management plans and issue licenses and transit permits. Nonetheless, a check of records at Vigwaza checkpoint on the Morogoro-Dar-es-Salaam highway shows that transported softwood planks are often travelling without harvesting licenses or without indicating the end of the permits use.

The study found many examples where the effectiveness of licensing and control procedures on paper was largely irrelevant, because their application was impossible: instead local officials were commonly 'making do' by adapting the systems to match available resources (see table 1 below). This chaotic situation plays into the hands of illegal loggers and timber traders, providing ample loopholes and opportunities to harvest and transport illegal timber without being caught. If illegal harvesting is to be brought under control in Tanzania, and if any IM-FLEG is to be effective, it is essential that either the control system is changed to make it cheaper and easier to implement, or resources are increased to enable the current procedures to be followed.

Table 1: Examples of compromised controls due to a lack of awareness, resources or willingness

Legal Requirement	**Actual Procedure**
DFOs supposed to visit actual cutting location to check and stamp timber and associated stumps; no timber is allowed to be transported from a cutting site without a transit pass	DFOs allow timber to be moved to landing sites without checks or transit passes, then process the wood at these sites
Forest produce is harvested only where District Harvesting Plans exist and where a harvesting license has been issued by DFO.	Evidence from Mwanza Region and Bagamoyo District show that transit permits and receipts are being issued, especially for charcoal, even in the absence of harvesting licenses.
The District Harvesting Committee will review and decide on requests for harvesting on a commercial basis. DHCs will report to the Director of Forestry on harvesting trends on a quarterly basis.	DHCs rarely meet. Requests for harvesting are left pending for months at a time. This is caused by the busy schedule of the District Commissioners. The result is that harvesting in some Districts is taking place without any regulation.
Licenses as well as transit passes for timber or logs which originate from national forest plantations will be issued by the Forest Plantation's manager.	Vigwaza Checkpoint is first point of inspection after Sao Hill. Lorries originating from Sao Hill have TPs but often not Harvesting Licenses. Permits from Sao Hill rarely indicate when a

	permit has been exhausted.
Traders are required to pay a government levy of 2,000/= for each 28 kilogram bag of charcoal and Districts can charge cess of 5% on the government levy.	Many Districts, including Bukombe and Bagamoyo, are charging cess of much more than 5%, sometimes reaching 100%.
Traders will maintain a stock register of purchases and sales of forest products	This is being widely ignored by timber traders interviewed in Mwanza, Tabora and Dar-es-Salaam.
The preparation of charcoal will be through the use of earth kilns, in which fuel wood will be buried inside up to the level of the ground, and covered with soil or by using a chimney.	This requirement is not verified as charcoal is legalized at the road and not inside the forest.
Forest produce exceeding 5% of the volume indicated on a license or a permit shall be seized	Evidence from Itigi checkpoint shows that loads in excess of 5% are often fined and the trader allowed to proceed rather than the produce being seized.
RNRAs supposed to be responsible for issuing inter-regional transit passes for domestically harvested and imported timber	RNRAs in Mtwara and Lindi have handed this responsibility to FSU South for Mtwara and Lindi District, and to DFOs for Kilwa and Liwale districts
Timber is only permitted to be imported at official entry points	RNRAs/FSU are allowing timber to be imported at additional landing sites
Confiscated produce is being auctioned at police station, government office or checkpoint closest to the point of capture	Auctioned timber is often sold at a low price since auctions are held in locations remote from the market. The illegal trader is not barred from attending auction and is allowed to buy his own produce, which has now been conveniently legalized.
Institutions, industrial fuel wood users and tobacco farmers are all obliged to plant woodlots to offset the wood that they harvest	39 salt mining licenses have been issued by Ministry of Minerals in Kigoma. There is no EIA of this activity so far conducted and neither do the Uvinza Salt Mines have planted woodlots

3.3.2 Other government departments - Police, Armed Forces, Courts, TRA, Anti-Poaching Units, Environment Agencies

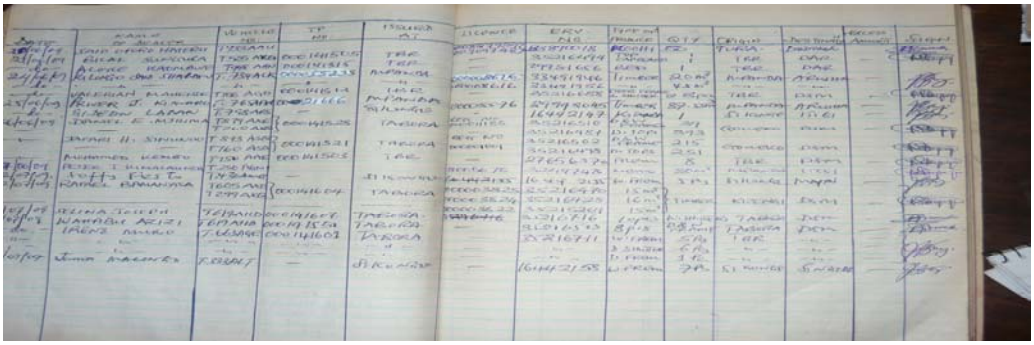
Table 2: List of government departments that collaborate in the field with forest officers

Police	In many locations the relationship between forest officers and police is not good. In the Lake Zone and to a lesser extent in Tabora forest officers

	expressed the feeling that police sometimes collude with illegal timber traders
Armed Forces	The armed forces were perceived to be a law unto themselves. Cooperation with foresters in the field is very limited
Courts	The courts are seen to be ignorant of forestry issues. Foresters are intimidated by appearing in court to pursue cases. Judges were seen to be passing light sentences on forest offenders.
Tanzania Revenue Authority	Cooperation was seen as being very good with the tax authorities. This is especially true at checkpoints and at border crossings. TRA would often seek advice from foresters on forest procedures and royalties.
Anti-Poaching Units	Cooperation was mostly good in western Tanzania and the Lake Zone. There is no legal obligation on the Anti-Poaching Unit to assist FBD but they do belong to the same parent ministry.
National Environment Management Council	There is some cooperation between the National Environment Management Council and FBD. Forest officers are normally consulted during Environmental Impact Assessment processes when forested land is being assessed. Nonetheless FBD are not systematically following up EIAS that they participated in. Forest Officers are not accustomed to lobbying for their interests to be taken on board in other sectors.

3.3.3 Availability and access to information/documentation

The forest legislation and regulations require much in the way of recorded information to be held by various stakeholders in the forest sector. This information includes several types of receipts as well as permits and licenses. During the course of this assignment several offices were visited where documents were observed containing forest trade and harvest information. Access to these documents were never denied to the consultants who travelled in all cases with senior staff from FBD headquarters but the same courtesy was extended to the field researchers when they presented letters of introduction from FBD. In addition to FBD headquarters, the consultants also visited District Forest Officers in 4 Districts, Regional Forest Officer in Mwanza Region, Regional Catchment Officer in Tabora and Forest Surveillance Unit offices in Dar-es-Salaam, Lindi, Mwanza and Tabora. Sawmill representatives were visited in Ikwiriri, Rufiji and Tabora, and a cooperative association's timber yard was visited at Ilemela, Mwanza. In all cases requests for information were respected.



Ledger book entries of Itigi checkpoint

The District Forester's office maintains records on minutes of the District Harvesting Committee meetings; approval letters from Village Councils, harvest licenses issued, Certificates of Registration, Business Licenses, Tax Identification Numbers, Transit Permits and central and local government receipts. In most cases these documents were well kept and easily accessible. Districts compile their records and report to FBD on a quarterly basis but there was dissatisfaction noted that the reports are too generalized and not disaggregated.

Visits to checkpoints at Kibiti, Itigi and Vigwaza indicated that ledger books are being constantly utilized and maintained. Slight differences were observed in entries between Itigi and Vigwaza, though books at both sites were well kept and availed readily.

*Table 3: Ledger book entries at checkpoints in Itigi and Vigwaza*Common Items	Only Itigi Items	Only Vigwaza Items
Date	T.P. issued at	Amount Paid
Vehicle No.		Registration
Purchasers name		Forest Officer
Produce		Time
Quantity		
Excess		
Origin		
ERV No.		
T.P. No.		
License		
Destination		

Information on upcoming auctions appears in the print media on an ad hoc basis. The location of the auction, the volume and type of timber is also described. These advertisements are usually in Kiswahili and hence accessible to the general population. Auction notices are also put on notice boards at or near to where the auction will take place if it is taking place in the Regions. The NEMC website also carries information on EIAs, including which projects have received certificates. This should be the case for forestry projects or projects to be conducted in sensitive forest areas. NEMC is a statutory body in the Vice President's Office (VPO). VPO is responsible for reporting on the state of environment to parliament and also for upholding the freedom of access to environmental information as enshrined in the Environmental Management Act.

3.3.4 Monitoring transportation of forest products

Checkpoints are maintained on Tanzania's roads at key points and intersections for the purpose of inspecting cargo. Several checkpoints have been established specifically for inspecting forest produce but not all of these checkpoints are established under the jurisdiction of FBD. Most of the country's forestry checkpoints are in fact established by District Councils and cooperation with central government forestry staff is sometimes not good. Central government forest officers stationed at Kibiti, Vigwaza and all of the FSUs that were visited complained that District Councils were mostly concerned with maximizing revenue collection and cared little for the sustainability or legality of forest products. The Tanzania Revenue Authority checkpoints were identified as being the most effective and cooperative checkpoints for forest officers.

REM/HTSPE's research in Southern Tanzania suggests that the performance of FBD checkpoints has dramatically improved in the last few years (see Dummy Mission Report), and this has been aided by the policy introduced in 2006 of regularly revolving checkpoint staff from one location to another, reducing the opportunity for corrupt relationships between officials and traders to develop.

Table 4: Authority over checkpoints in western and northwestern Tanzania

Leading to/from **Mwanza**	**Leading to/from** **Kagera Region**	**Leading to/from** **Tabora Region**
Usagara – Misungwi (FBD)	Tinde – Shinyanga (TRA)	Nzega – (District)
Busisi – Sengerema (District)	Kaniha – Biharamulo (District)	Pangale – Sikonge (District)
Kamanga – Sengerema (District)	Bwesesere – Geita (FBD)	Ipole – Sikonge (District)
Hungumarwa – Kwimba (District)	Bwanga – Geita (District)	Kiyombo – Sikonge (District)
Katoro – Geita (District)	Nyakanazi – Ngara (District)	Itigi – Manyoni (FBD)
Magu – (TRA)		

Buses travelling between Regions have become an increasing challenge for forest officers. This is because timber is increasingly being semi-processed into unfinished furniture inside the forest. Once in this condition it is packaged to appear as personal luggage and packed into buses thus avoiding

detection and inspection. When FBD has received intelligence to this effect, forest officers have often not received sufficient cooperation from the crew of the bus or from the bus owner.

Bicycles are also used to transport small loads of both timber and charcoal. This type of transportation presents a challenge in being much more flexible than motorized vehicles. Bicycles often use tracks and paths which are inaccessible to other vehicles. Bicycle transportation of forest produce is also often treated less severely under the assumption that what is carried is for domestic consultation only and not for commercial use, yet there is evidence that commercial traders have sometimes exploited this leniency and used multiple bicycles to ferry large cargos past checkpoints without checks being made. Many of the District checkpoints only operate during daytime hours from 06:00 to 18:00.

Although FBD maintains 24 hour checkpoints such as at Vigwaza and Kibaha, these are actually few in number. Night time inspections are perceived to be riskier and forest officers prefer to be escorted by armed colleagues. However, it is claimed by FSU staff that police have been known to escort illegal night time vehicles in Mwanza. At Vigwaza checkpoint night time inspections used to take place in the past when the police checkpoint was also located adjacent to the forestry checkpoint. However, when the police checkpoint was relocated a year ago night time cargo inspections ceased.

FSU are expected to conduct spot checks of checkpoints and the transportation network but this is hampered by resource constraints. In Mwanza the FSU visits each of its 3 Regions only once in a quarter, staying in the field for a week at a time. The FSU Marine Unit, which has been successful in terms of captures at sea, is expected to patrol twice a month but is only resourced to patrol once a month, also patrolling for a week at a time. Patrols on Lake Victoria take place in hired boats and costs are shared with the Wildlife Division's Anti-Poaching Unit. These lake patrols take place only occasionally.

Forest Officers have been placed at railway stations in Tabora, Mwanza and at the Ilala Goods Shed in Dar-es-Salaam. Depending on the cargo that is declared on the manifests, and also considering intelligence from informers, FBD is allowed to seize railway cargo and even to open wagons. Despite this limited cooperation at the major railway stations forest officers complain about the low level of cooperation from railway staff at minor stations. Itigi checkpoint is located less than 50 meters away

from Itigi train station, however, inspections are not allowed by the railway staff. This is despite the fact that forest officers possess information that illegal forest produce is being transported on specific wagons.The consultants did not receive any complaints regarding access to ports on the Indian Ocean or on any of Tanzania's lakes.

3.3.5 Imports

Some information has been gathered from both desk and field research in relation to regional trade in timber between Tanzania and neighbouring countries, and is presented below. A more extensive research project on this subject is currently being undertaken by TRAFFIC and should provide more information. Though the sourcing of timber imported into Tanzania is not directly relevant to the country's own forests, imports are a source of important revenues and potential illegal revenue losses, and can also be used as a means to launder illegally harvested domestic timber. The consultants were informed that Tanzanian timber, especially hardwood, is becoming increasingly hard to procure and that the quality is poor. This has apparently led to increased interest in importing timber from neighbouring countries.

a) Imports from Mozambique

Based on data collected from the road checkpoint at Kibiti, approximately 12,000m3 of sawn timber is being imported from Mozambique annually, worth around $6 million. The timber is being undervalued by TRA, and consequently only an estimated $0.5 million in import taxes and VAT are being collected each year, when the amount actually due may be as high as $2 million/yr. The amount of timber being imported from Mozambique has been steadily increasing since 2006, with Tanzanian traders moving to Mozambique due to a combination of increased royalty rates, reduced issuance of harvesting licenses and increased enforcement in S Tanzania. Imports are likely to increase further when the Ruvuma river bridge at the border at Mtambaswala in Masasi district is completed (expected late 2009).

Timber enters Tanzania from Mozambique at four official entry points – by dhow at Mtwara port (Shangani beach), and by dugout canoe or boat across the Ravuma river at Mwambo, Newala and Mtambaswala. The bulk of the timber (around 90%) enters at Mtambaswala, about 250km inland from the coast and at three unofficial entry points downriver between Mtambaswala and Newala. The FSU/RNRA visit the inland import locations twice a month, on the 15th and the 30th of each month; over the course of 2-3 days, the officials travel to the official and unofficial entry points, check origin paperwork, hammer stamp the timber which has built up at collection points in nearby villages, and issue letters to Tanzanian Customs (Mtwara TRA) confirming the legal origin of the wood and the quantity. Traders are then required to visit the Mtwara TRA office to pay import duties before FSU/RNRA issue a transit pass to remove the timber to Dar es Salaam. Officials allow timber to enter the country at unofficial entry points, despite this contravening regulations; they justify this on the basis that the cutting areas across the river are cut off on the Mozambique side so that there is no way the timber can be brought to the official sites. Timber is coming from the two border provinces within Mozambique – Niassa and Cabo Delgado. While some harvesting is taking place relatively close to the border, much is occuring at least 2-3 hours journey inland.

According to figures seen on Mozambican paperwork, Mozambique customs officials appear to be charging approximately $10-$24 per cubic metre in export taxes.

Left: *Dug out canoes and bridge under construction, Mtambaswala, Mozambique border*

Right: *Timber from Mozambique, Mtambaswala*

All Mozambican timber is sent to Dar es Salaam in large closed trucks and 'truck and trailer' trucks each carrying between 10 and 35 cubic metres (500-1500 pieces). In Dar it is reported to be being used in the production of furniture for the domestic market. Most is said by RNRA Mtwara to be Afzelia or Pterocarpus species. During sample months of October 2008 and February 2009, around 25 different Tanzanian traders imported timber from Mozambique. Most are individuals rather than companies. Around 5-8 larger traders handle the bulk of the timber. The largest traders are JS Timber (Ms Jamila S. Mtaly) and Mr Zaidi Hamdan; the latter is conducting his own harvesting in Mozambique and works through a number of Tanzanian importers.

It does not appear that significant quantities of illegal Tanzanian timber are being laundered as originating in Mozambique at or near the border itself. The FBD have gone to considerable lengths to ensure the legal origin of the timber being imported, requiring presentation of a range of Mozambican documents including harvesting licenses, transit permits and phytosanitary certificates, examples of which have been sent to the Mozambican embassy in Dar es Salaam for translation and verification. Such requirements go beyond Tanzanian law (which requires only that import duties are proven to have been paid), and are significantly more stringent than official checks on legal

origin of timber imports conducted elsewhere in Africa or indeed anywhere in the world.[7] Variations in the forms received suggest that forgery may be occuring, however, and it is impossible in many cases to reconcile quantities on harvest and transit permits with actual imports.

There does, however, appear to be a large discrepancy between the amount of timber being recorded as legally imported from Mozambique by the FSU and the amount of timber passing the Kibiti checkpoint near Dar es Salaam which is recorded as originating in Mozambique. FSU Lindi record 167,000 pieces of Mozambiquan timber entering Tanzania since January 2006, while Kibiti records 54,000 passing in just one month in October 2008. This suggests that illegally imported Mozambican timber or illegally logged Tanzanian timber may be being laundered as legal Mozambican wood using false or corruptly issued paperwork: additional data reconciliation analysis is needed to confirm this. The Dummy Mission Report process showed how the FBD do not currently receive the necessary data from DFOs, RNRAs, FSU Units and checkpoints with which to conduct such reconciliations. These data problems urgently need to be addressed. During the Dummy Mission Report process, REM/HTSPE also learned that FBD had sent additional staff to assist in processing imports, and had also recently reduced the official entry points from four to two. These measures should help reduce the burden on FSU South, though additional steps will be needed.

b) Imports from Zambia, Malawi and DRC

Trade with Mozambique was the only area for which detailed original field research was conducted for this study, but some limited additional information was collected during desk and field research with regard to trade with other neighbouring countries.

At Vigwaza checkpoint the consultants were informed that increasingly hardwood timbers were being recorded as originating from Zambia. In fact the Forest Officer who was present on 5 July had never recorded Tanzanian hardwood timber in the 12 months that he had been posted at Vigwaza. No evidence in the ledger books was shown to confirm this observation. Cheaper Malawi softwood timber was also said to be increasingly imported into Tanzania through the Kasamulo border crossing in Mbeya Region. This information was offered by the checkpoint officer and confirmed by a senior FBD officer, but no documentary evidence was provided.

A 2007 study produced by Forests Monitor on timber trade in the upper Great Lakes region[8] found that some rough sawn planks of natural hardwoods from the Democratic Republic of Congo (DRC) enter Tanzania across Lake Tanganyika from the town of Fizi in South Kivu, arriving via the ports of Balaka, Kilemie and Kigoma, while further quantities of such timber from eastern DRC are trucked via Uganda and the customs post at Nkurungu in sealed container trucks mostly bound for Dar es Salaam. It is thought that the wood is used for domestic furniture production. The study found that the value and volume of these shipments were being regularly under-declared and in some cases the origin falsified; it is likely that significant customs revenues are being lost by the Tanzania Revenue Authority as a result of such smuggling.

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[7] see for example, description of checks of origin paperwork carried out by Ugandan officials for timber arriving from the eastern Democratic Republic of Congo in Forests Monitor, *Timber Trade and Poverty Alleviation in the Upper Great Lakes Region*, 2007, pg33-34 - http://www.forestsmonitor.org/en/reports/556666

[8] Forests Monitor, *Timber Trade and Poverty Alleviation in the Upper Great Lakes Region*, 2007 - http://www.forestsmonitor.org/en/reports/556666

Without being shown any documents the consultants were informed during this study that in the fiscal year 2008/2009 the RFO Mwanza had on 3 separate occasions issued transit permits and hammer stamped hardwood timber from the Democratic Republic of Congo. The importing trader was identified as Mama Sadiqui who had transported the timber through Uganda to Mwanza with the final destination being Dar-es-Salaam. The impression in Mwanza is that the trend of sourcing high quality and cheaper timber from Congo through Uganda and Mwanza will continue.

The Forests Monitor Great Lakes study also noted that Tanzania is a major supplier of timber and wood products to Kenya and Uganda, and that small quantities are also sometimes shipped to DRC in the other direction across Lake Tanganyika. No information was available on the legality of these shipments, though large discrepancies between official trade data supplied by Tanzania and destination countries suggest potential problems.

3.3.6 Trade via Zanzibar

Figures obtained from both Zanzibar and the mainland confirm that around 1500 cubic metres of sawnwood is currently being traded from mainland Tanzania to Zanzibar each year (worth approximately $500,000), in addition to around 2000 tonnes of charcoal (worth another $500,000). The vast majority of this trade is illegal at origin, but legal at point of off loading. The amounts represent less than 0.3 per cent of overall production and consumption of each wood product in Tanzania as a whole, however, suggesting that the importance of the trade may have been overstated.

Mainland FBD officials explained that the trade in timber to Zanzibar from southern Tanzania takes place via a network of more than 30 illegal ports along the coast, mostly in Rufiji and Kilwa Districts; though officials are well aware of the locations, resources do not allow them to be monitored regularly. Dhows can only load timber during rare high tides (2-3 times per month), and can only transport the wood to Zanzibar when winds are also favourable. Aware of these facts, FSU officials are targeting enforcement efforts during these times. Zanzibari buyers normally visit the major coastal towns (such as Kilwa Masoko, Kilwa Kivinje and Somanga), where they do deals with local middlemen – normally registered timber dealers who are licensed to harvest. These middlemen, in turn, visit the various Villages in the cutting areas (principally in Liwale, Kilwa and Rufiji Districts), either purchasing planks which have been cut already or arranging timber to be cut to order. The timber is slowly collected together over a period of weeks in a house or yard at a village some distance from the coast, then trucked down to the shore and loaded on to the dhow in the space of a few hours. The few land-based seizures which have occurred have normally been as a result of tip-offs at the point where the timber is being transported by truck to the shore.

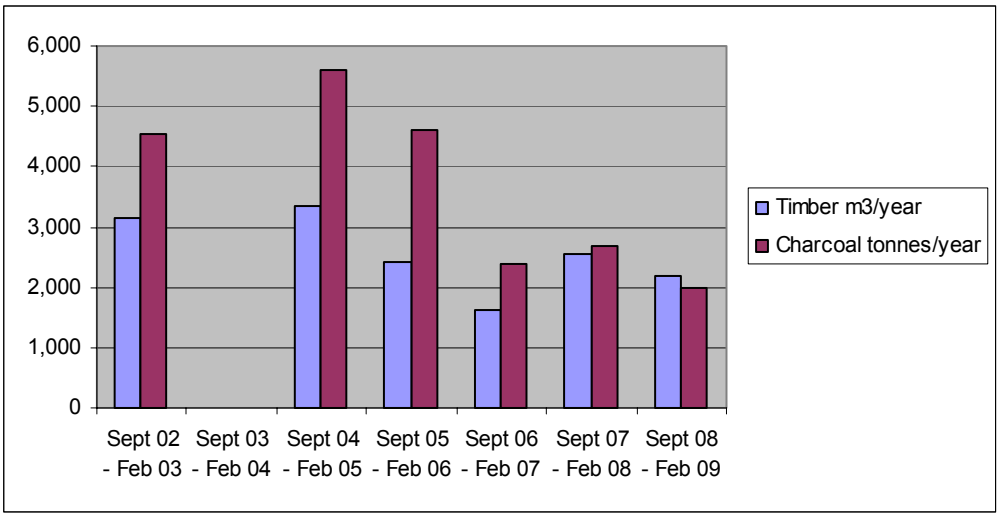
Though the illegal timber is not hammer-stamped and cannot easily be laundered, FSU officials explain that the middlemen nevertheless benefit from being registered and also handling some legal timber. This is because 'excess' illegal timber found in shipments of legally harvested wood are treated more leniently by officials: provided a small fine and harvesting duties are paid, traders are allowed to keep such excess where it is less than 5 per cent of timber in transit. This enables legal traders to transport illegal wood alongside legal wood with little risk.

The FSU marine unit, established in December 2008, had in its first three months already seized around 3000 pieces of timber from dhows heading to Zanzibar from southern Tanzania (1000 pieces/mth). Zanzibar official figures suggest around 4000 pieces of timber are arriving each month, while FSU officials estimate that around 5000 pieces a month are being transported from the 35 illegal landing sites spread along the coast. The estimates from FSU and the Zanzibar import records

tally closely, confirming the opinion of Zanzibari officials that most shipments arrive legally at the two permitted ports. The figures also suggest that the FSU marine unit is now intercepting around one in every five shipments.

Zanzibar official figures show that shipments of timber from mainland Tanzania have fallen by about 65% since 2003/2004 (see Figure 3 below), a consequence of harvesting restrictions and increased enforcement on the mainland; this data mirrors previous estimates from TRAFFIC which suggested that shipments amounted to around 300m3 per month in mid-2004, about double the current rate of approximately 150m3 per month.

Figure 3: Imports of timber and charcoal from mainland Tanzania at Malindi Port, Zanzibar



Source: Malindi port DCCFF officials; NB data for timber pieces and charcoal bags for 6-mth sample periods have been extrapolated to give approximate annual figures in cubic metres and tonnes; figures for Sept 03-Feb 04 were not collected

Timber and other wood products are permitted to enter Zanzibar at only two official ports Malindi (Zanzibar town) and Mkokotoni - and must do so during daylight hours. The vast majority of shipments arrive via Malindi. Though Zanzibari officials confirm that shipments do occasionally arrive illegally at the various illicit entry points along the coast, this is a rare occurence; this is confirmed for timber by the official import data, which tally closely with estimates of illegal trade by officials on the mainland. The reliability of the Zanzibar import data for charcoal are less certain, however, and the volume of charcoal being stored at Malindi port (an estimated 3000 bags) suggest they may be under-stated, as does recent research by the Tanzania Traditional Energy Development and Environmental Organisation, which found that 10,500 bags of charcoal were entering Zanzibar daily, 7,500 of them illegally[9] – more than 10 times the quantity recorded by authorities at Malindi.

[9] The Guardian (Tanzania), '*Use of Charcoal remains high*', 3/3/2009

Charcoal from mainland Tanzania at Malindi port, Zanzibar

The Department of Commercial Crops, Fruits and Forestry (DCCFF) maintains a team of four officials at Malindi port to handle the imports of forest products. Senior officials state that legal origin paperwork from the mainland is normally required for these shipments, but stress that various kinds of permit are presented and Zanzibari officials are not in a position to check that these are correct. Officials at the port also claimed to check that all timber is hammer-stamped.

Forest products arriving at the port are taxed on a per-unit rate and not as a percentage of value, and the unit rate is rarely updated. Perhaps as a result, tax rates are very low – equivalent to just $0.50 per cubic metre of timber and $1.5 per tonne of charcoal. As a result of these low rates, the Zanzibar government is earning as little as $5000 per year in revenue from the trade in timber and charcoal from mainland Tanzania. Though the trade is small compared with consumption in Tanzania as a whole, and though revenues collected are small, timber and charcoal from the mainland do appear to supply a significant percentage of the overall supply of these items in the islands. Such an assessment is supported by the fact that Zanzibari officials explained that in the past when the supply of timber from the mainland has suddenly reduced (due to harvesting restrictions or enforcement), this has led to a doubling of domestic prices for timber on the islands.

Though no equivalent official data could be obtained on the export of wood products from Zanzibar, port officials at Malindi told the consultants that none of the timber arriving in the port is being legally exported directly. The only exports said by officials to be passing through the port were domestically-harvested eucalyptus plantation logs exported for use as telegraph poles, and some domestically-grown cassuarina poles destined for mainland Tanzania. Senior officials at DCCFF also stated that legally-recorded exports of wood products were very small, though they are permitted. Senior officials admitted there may be some illegal exportation occurring, and in particular had heard rumours of illegal mangrove poles going to Kenya and the middle east, but insisted that the vast majority of the wood products arriving from the mainland were for domestic use. The officials noted that often shipments of illegal timber from the mainland destined for Mombasa or Dubai will claim to have originated in Zanzibar or will pass by the country in order to obtain additional paperwork to present at the destination, but the timber in such cases does not get unloaded in Zanzibar and no taxes are collected.

3.3.7 Sawmills and private sector traders

The private sector is made up of 3 different actors. Harvesting is dominated by numerous, unorganized and unregulated pit sawyers. Retailers are also numerous and largely unregulated but they are now being organized into associations in some jurisdictions in Tanzania. Retailers are selling timber, charcoal and furniture. The third group of private sector actors are the processors / saw millers. By virtue of the capital investment required, industrial saw millers are the most consolidated segment of the sector. For example, the company Tabora Misitu claims to have purchased western Tanzania's largest saw mill for $ 2.9 million in 2004. Nonetheless, many saw millers possess integrated business operations, acting as harvesters, processors and even retailers. Tabora Misitu, as well as being the biggest saw miller in Tabora, is also an important harvester of timber in its own right - records from the Sikonge DFO show that 40% of all of the Sikonge District's harvesting licenses in the period 2007 – 2009 were issued to the company.

Softwood timber is largely used in the construction industry, whereas hardwoods are now confined to the making of furniture. Most furniture is made artisanally, though there is increasing interest in industrial furniture manufacture for both domestic and export markets.

All traders interviewed in Mwanza, Tabora and Dar-es-Salaam complain that timber is becoming scarce and that this is because of both increased controls on harvesting and a scarcity of timber resulting from unregulated harvesting. Larger operators complain that pit sawyers and small retail traders are ruining business for legitimate tax paying businesses. They claim that there is too much illegal practice in the sector.

Large business owners claim that the government fails to consult with them before changing reguilations or imposing bans. Tabora Misitu state that after purchasing the saw mill in 2004 at great expense, a harvesting ban was imposed within months. Private sector representatives complain of harassment and rent seeking at checkpoints. Large private sector actors believe the only way to make profits is to export. Tabora Misitu claim to have export orders from Kenya, Uganda and China for hardwood timber. Apparently prices are as high as $ 1,200/cubic meter.

Mwanza City Council has attempted to regulate the retail private sector. The city allows timber products to be sold in only 3 registered timber yards. The city has registerd 148 charcoal dealers and 87 timber traders. The Saba Saba Ushirkia wa Wauza Mbao is the largest of Mwanza's 3 yards. Within the yard there are almost 100 traders but they all belong to a single cooperative association. In order to be accepted a trader must have a business license, trading registration and tax identification number. Some of the smaller traders belong to smaller sub-associations. There are also 4 large traders who both harvest and retail. The supply of wood is too small and softwood timber is sourced from Sao Hill to Mwanza, a journey of more than 2,000km by road, at a cost of TZS 4 million for one lorry.

In Mwanza also, traders complain of the unregulated part of the industry. They appreciate the city's efforts to consolidate the trade and claim they now have a voice in municipal affairs. The increasing consolidation of the sector will be an important trend for an Independent Monitor to be aware of.

Status of sawmills in Southern Tanzania, March 2009

The TRAFFIC report published in 2007 included a list of sawmills operating in Southern Tanzania at the time the research was conducted in 2004/2005. Information on many of these sawmills was obtained during the field investigation and is summarised below.

Table 5: Updated information on sawmills in Southern Tanzania mentioned in TRAFFIC report

District/ Region	Sawmill	Information obtained	Source
Rufiji	Badr East Africa (Ikwiriri)	changed name to Guledi, quite busy	Alvasis sawmill manager
	Portfolio Inv (Ikw)	very little activity	Alvasis sawmill manager
	Mahmood Int (Ikw)	closed down, moved to Mozambique where does own harvesting	Alvasis sawmill manager
	Alvasis (Ikw)	currently busy making pallets for brewery; 5 shipments/week	Alvasis sawmill manager
	Boleyn (Utete)	no information obtained	
	Mwaville (Ikw)	4th busiest sawmill in Ikwiriri – does own harvesting; records of 20 m^3 of 'firewood' from Mwaville passing Kibiti in Oct 2008; company not listed in TRAFFIC report	Alvasis sawmill manager; Kibiti checkpoint data
	Liku (Ikw)	3rd busiest in Ikwiriri – 56 m^3 of sawn wood and 10m^3 of logs to Dar during Feb09 – does own harvesting in Nyanjati; using Mkuruti to produce sleepers which are being processed into flooring in Dar for export; TPs issued in Kibiti; not listed in TRAFFIC report	Alvasis sawmill manager; Kibiti checkpoint data
Kilwa	Boleyn (Nanggurukuru)	no information obtained	
	Shand Rongwood (K Masoko)	claim to have been out of operation since Oct 2007 due to increases in harvesting royalties; have not been licensed for last 2 years; but 100m^3 of strips passed through Kibiti from the company en route to Dar in Oct 2008	HTSPE researcher visit to mill; DFO Kilwa; Kibiti checkpoint data
	Mingoyo Sawmill (Mnazi Moja)	making clarinet parts for export from Mpingo, harvested in Masasi district (saw truck carrying 5m3; licensed to hvst 50m3 in March 09); made 2	FSU Lindi; field observation; Kibiti

		shipments to Dar in Oct 08	checkpoint data
Lindi	Sameja sawmill (Lindi)	no information obtained	
	Vara sawmill (Lindi)	no information obtained	
Mtwara	Prime Timber	no information obtained	

The following information was also obtained on other companies and traders mentioned in the TRAFFIC report:

Table 6: Updated information on other timber traders mentioned in TRAFFIC report

Company/trader	Information obtained	Source
Jonathan Kitiza	Named in TRAFFIC report 2007 as owner of around 50 cubic metres of illegal logs found at landing sites in Rufiji in 2004; now shipping 200-300 bags of charcoal each month to Dar es Salaam	Kibiti checkpoint data
YGF Investment	On list of 28 exporters of hardwoods from natural forests during 2005/6 in TRAFFIC report; currently shipping 85-130m3/mth of mkuruti logs to Dar es Salaam, mostly harvested in Mibuyu, Mji Maya; also from Utete, Utunge and Nanjati; TPs issued in Kibiti; some YGF logs being transported under names Kijijich Utunge and Sogobwe	Kibiti checkpoint data

4 OPTIONS AND RECOMMENDATIONS ON SUBSTANTIVE ISSUES (INCLUDING RISK ANALYSIS)

Tanzania presents a very different context for independent monitoring than any other country to which the methodology has previously been applied. Typically, countries which have implemented IM-FLEG have had large tracts of dense, inaccessible closed canopy rainforest, very large timber industries focused on export, and forest management systems built around small numbers of very large concessions (100,000ha+) owned by a small number of big companies. Illegal logging in the timber sector has been by far the greatest cause of revenue loss and forest destruction in these countries. For these reasons, the work of monitors in countries such as Cameroon has focused on large scale, industrial illegal logging, with individual field missions targeted at specific concessions under the management of single companies.

Tanzania's timber sector is very small and unconsolidated by comparison, with domestic consumption important and a large percentage sourced from plantations. Illegal encroachment and charcoal production are more important drivers of revenue loss and deforestation than illegal logging for timber. Tanzania's forests are also typically of low timber value density and easy to access. Without the need to invest in constructing expensive access roads to reach valuable trees, the market has been open to the involvement of numerous small companies, individual traders and middlemen. Though a core of 20-30 relatively large sawmilling and export companies exist in Tanzania, they are tiny by comparison with the multinationals operating in places like Central and West Africa, and generally obtain their timber via multiple layers of even smaller middlemen and individuals involved in cutting.

For these reasons, a consideration of how any potential IM-FLEG project might work in Tanzania needs to go back to basics and examine how IM-FLEG might be done differently in order to fit this very different environment. To do this, the study has examined a series of aspects of the potential scope of an IM-FLEG one by one, examines the advantages and disadvantages of different options for dealing with them, and presents a recommendation for each. These questions and recommendations were a key aspect on which input from stakeholders was sought during the second round of consultations in the summer of 2009. It also lists separately the aspects of typical IM-FLEG considered by the consultants to be essential or non-negotiable for a working system of monitoring.

The major option areas for consideration on how IM-FLEG might work in Tanzania relate to both the *scope* and the *structure* of monitoring. The discussions and conclusions for the main issues identified under these headings are presented below.

The options and recommendations are summarised in a table for ease of reference at the end of this document.

4.1 Issues of scope

For many of the optional aspects below there are essentially three common options. One can explicitly ***exclude*** the given aspect from the remit and mandate of a future monitor, explicitly ***include*** it (contractually requiring the monitor to examine it) or one can make the examination of a given aspect ***optional***, by encompassing relevant legislation in the mandate of the monitor but not including a specific requirement that it be examined.

The research conducted for the purposes of this study is insufficient to be able to know for certain what aspects of forest-related governance can and should be actively monitored by a potential IM-FLEG. Monitoring is also a relatively long-term process, and it is impossible to know for certain what aspects of forest-related governance and management will be of most importance or relevance in future. Specifically excluding or including given aspects within the remit may limit the ability of the monitor to respond to changing circumstances and focus energies where they are likely to have the most positive effect. Specifically including aspects risks either forcing the monitor to make poor use of resources or raising false expectations amongst relevant stakeholders (e.g. NGOs working on wildlife trade) for action on issues that are judged to be of low priority.

The mandate in Cameroon leaves options open on all of these aspects, by simply defining the monitor's remit and mandate on the basis of overarching legislation. The monitor there has consequently been free to focus on priorities such as illegal logging by large-scale concessionaires, was able to shift focus to abuse of smaller-scale logging permits when evidence emerged of their importance, and is free in future to examine such things as artisanal logging or charcoal production if justification emerges for it to do so. In Cameroon, logging for timber has always clearly been the primary driver of deforestation and revenue loss.

For the above reasons, and given the nature of the relevant legislation, the consultants tend towards Option C for many aspects below.

Table 7: Advantages and disadvantages of different options for inclusion of specific aspects of forest governance within monitoring

	Advantages	**Disadvantages**
Option A: explicitly ***exclude*** the given aspect from the remit and mandate of a future monitor.	• Ensures that aspects the examination of which may overstretch resources or be counter-productive are not included in monitoring.	• Does not allow for aspect to be examined in future if new information or changes in the nature of the problem provide justification.
Option B: explicitly ***include*** the given aspect in the remit and mandate of a future monitor, including a contractual requirement that the aspect be examined.	• Ensures that the aspect will be attended to by the monitor.	• Monitor may be forced to carry out monitoring which is counterproductive or which is of low value, thereby reducing overall effectiveness. • May create unmanageable expectations amongst stakeholders that monitor will be able to address given aspect in depth.
Option C: make the examination of a given aspect ***optional***, by encompassing relevant legislation in the mandate of the monitor but not including contractual requirements that it be	• Ensures that aspects the examination of which may overstretch resources or be counter-productive are not included in monitoring. • Ensures that focus and scope of monitoring can	• Some risk of raising expectations, though less than with Option B. • Monitor may misjudge choice of aspects on which to focus at a given time.

examined.	respond to changes in the understanding and nature of the problem.	

4.1.1 Forest products (Charcoal)

Charcoal: *Should the monitor look at the issues surrounding charcoal production, trade, revenue collection and sustainability*?

Unlike other countries where IM-FLEG has been implemented in the past, the unsustainable and often illegal production and trade of charcoal is a major driver of deforestation in Tanzania, and a much more important driver than logging for timber. Charcoal production in Tanzania results in the clear cutting of at least 120,000 hectares of forest per year – between 25 per cent and 90 per cent of overall deforestation in the country.[10] Around half of the charcoal consumed in Dar es Salaam is from southern Tanzania – around 1.6 million cubic metres of wood are needed to produce this charcoal[11], compared with 0.5 million cubic metres of trees being logged annually for timber in the same area at the height of the logging boom.[12] While both legal and illegal logging for timber appears to have reduced during the last few years in southern Tanzania[13], consumption of charcoal in Dar es Salaam has doubled.[14]

There is also a wealth of evidence of significant governance problems related to charcoal in Tanzania. Recent studies have collected evidence of collusion between checkpoint officials and charcoal traders[15], and the consultants observed first hand the involvement of the military in illegal charcoal trade. Charcoal is illegally harvested and traded in large quantities, resulting in revenue losses which are as great as or greater than those for timber.[16] Studies suggest that as little as 10-20 percent of charcoal is traded legally.[17]

[10] Based on WWF, *Project Proposal: The Dar es Salaam Charcoal Project*, Oct 2007, pg 8
[11] TaTeDO/Sokoine University study, quoted in The Guardian (Tanzania), *Use of Charcoal remains high, leading to more environmental destruction*, 3rd March 2009
[12] TRAFFIC, 2007, ibid.
[13] REM/HTSPE field investigations, March 2009
[14] TaTeDO/Sokoine University, 2009, ibid.
[15] Tasonabi, Transport-based fees for charcoal and fuelwood: first report on a functional transport-based system, Feb 2009
[16] REM/HTSPE field investigations, March 2009
[17] TaTeDo, Supply & demand analysis of charcoal & firewood in Dar es Salaam and coast region, 2009

On the other hand, there are serious risks associated with suddenly enforcing regulations governing charcoal production and trade. Over a million urban households in Tanzania use charcoal as their primary source of energy for cooking.[18] There are currently no viable alternatives; hundreds of thousands of Tanzanians obtain their income from involvement in charcoal production and trade. Any attempt to suddenly increase enforcement is likely to reduce supplies and increase prices dramatically, leading to increased malnutrition and unemployment, simultaneously driving the trade further underground. The negative effects of an uncoordinated approach were demonstrated by the unforeseen consequences of a two-week long ban on charcoal production and trade implemented in Tanzania in late 2006.

To counteract these potential negative effects, studies on charcoal production and trade in Africa stress the importance of an integrated approach to dealing with the problem. Effective efforts to increase legal supplies, improve efficiency and promote alternatives must occur alongside or in advance of increased enforcement. These other aspects of the response would be outside the mandate of the independent monitor, and it will therefore be difficult for the monitor to encourage enforcement without the possibility of negative effects. On the other hand, it may still be valuable for the monitor to conduct investigations into the harvesting and trade without demanding or encouraging subsequent enforcement, but instead to help inform the policy response. There may also be circumstances in which enforcement of only some aspects of the trade or some regions of production might be conducted without serious negative effects. This may become easier if the regulations are revised, as is currently being explored. It is important to bear in mind that though an integrated response is necessary to tackle illegal and unsustainable charcoal production and trade, many key policy options (such as differential tax rates for legal or sustainably harvested charcoal) cannot work unless governance is improved.

Another problem with monitoring and enforcing rules on charcoal is that charcoal, unlike timber, is almost impossible to trace to source and cannot be effectively marked as legal. Timber can be hammer stamped, but charcoal cannot. There will therefore be natural limits on what can be achieved by a monitor with regard to charcoal. In addition, charcoal production, trade and consumption is very widespread and piecemeal, unlike timber where there are limited numbers of major traders, landing sites and sawmills. It is therefore unlikely that a monitor could examine more than a small proportion of the overall system in a given time period.

[18] WWF, 2007, ibid.

Stakeholders consulted for this study were unanimous that charcoal must be included in the mandate of any monitor, though there was also an appreciation of the likely difficulties which might be involved. There was consensus that a focus on the areas where the problem is worst would be most efficient.

Recommendation: Do not exclude charcoal from the mandate of monitoring, but allow the monitor to judge to what extent to examine the issue and when. Ensure expectations regarding improvements on charcoal resulting from the monitoring are realistic. The main focus of the monitor to begin with should be on timber and on the charcoal trade in the major commercial centres of Dar-es-Salaam, Zanzibar and Mwanza.

4.1.2 Geographical scope (Mainland, Zanzibar)

Geographical scope: *Should monitoring encompass Zanzibar as well as Mainland Tanzania? Should monitoring cover the whole of Tanzania? How should investigations be geographically defined?*

Evidence in the past has suggested that a considerable amount of illegal timber from mainland Tanzania is being consumed in or passing through the islands of Zanzibar. Examination of this issue for the purposes of this project suggests that the scale of the problem may have been exaggerated in the past, but it is nevertheless important. Even if transit trade is currently small the loophole certainly exists and must be closed if an effective system of governance is to be ensured in future. Officials of the Zanzibar Department of Commercial Crops, Fruits and Forestry (DCCFF) expressed a strong interest in involvement in monitoring during a visit in March 2009, and if this interest is to be harnessed it is important that the Government of Zanzibar is invited into the process as soon as possible and certainly during the design phase. In terms of the mandate, one option would be for the monitoring agreement to be signed by the federal office of the Vice President. Such a structure may risk that obtaining the engagement of such a high level of government may impede and seriously delay the implementation of monitoring. However, an alternative and potentially quicker option may be for the relevant Zanzibar ministry or ministries sign the monitoring agreement directly as equal co-signatories.

A second question of geographical scope relates to mainland Tanzania. The country is very large and many parts difficult to reach. Any monitor will have limited resources, and large areas of the country have limited or no forest cover. For these reasons it might be sensible to limit the formal mandate and scope of the monitor to high-priority areas of the country, thereby ensuring that resources are best utilised. However, as with other matters of scope, defining such limitations perfectly is difficult, and imperfect limitations might give rise to situations where the monitor is prevented from acting on an important issue of forest governance. For this reason it would probably be best for the mandate to cover all of Tanzania, with the monitor, in consultation with a steering committee, given the flexibility to determine geographic priorities and adapt them over time as needs dictate.

Finally, where IM-FLEG has been conducted in other countries each field investigation is normally targeted at a specific large forest management concession. In the absence of such concessions in Tanzania it is uncertain what geographical or thematic basis would be used to focus the work of the monitor. There are probably too many relevant Districts, and too little that could be achieved in selected individual Districts, to have such a focus. Even some individual Regions which have very limited forest resources would make unsuitable individual targets. Individual field investigations with thematic focuses across the country as a whole would be impossible due to distances and logistical constraints. On the other hand, FBD have already divided their coverage of the country

into enforcement zones for the Forest Surveillance Units. These Zonal Units are likely to be working closely with any future monitor. Individual field investigations should therefore be organised along these lines, with the monitor's focus shifting from one FSU Zone to another perhaps once a quarter.

Recommendation: Ensure that the Government of Zanzibar is included in the monitoring, engaging with authorities there as soon as possible during the design phase. Consideration should be given to the option of bringing relevant Government of Zanzibar departments directly into the process through individual MoUs instead of seeking to encompass Zanzibar by housing the monitor at a high level of the Union government. The mandate of the monitor should include the whole country, but allow the monitor to choose where to focus most attention. Individual field investigations should be targeted at specific FSU zones.

4.1.3 Forest ownership (PFM on Village Lands, plantations, Government natural forests)

Plantation forests and PFM: *Should the monitor's mandate encompass only natural forest or also cover plantation forests? Should the monitor look at logging in all forests including PFM?*

On the face of it, monoculture tree plantations have limited ecological value and would not normally be considered a priority. However, while governance failure in relation to such plantations may not have a direct impact on natural forests, it can lead to significant loss of revenue to government and the money involved can act as a driver for corruption. Plantation timber represents a large percentage of Tanzanian wood exports and revenues. In addition, there have been many instances in other forested countries where licenses for clearance of natural forest for the planting of such trees are corruptly issued. It is also possible that illegal traders might seek to launder illegally-harvested timber from natural forests through the plantation-timber supply chain. Research for this study has exposed some apparent illegalities in harvesting and trade of plantation timber in Tanzania, and FBD staff have also noted the existence of law enforcement problems in this sector. For these reasons, plantation forests and plantation timber should be part of the mandate of the monitor.

Participatory Forest management (PFM) has a long history in Tanzania and its implementation is spreading fast across Tanzania. At the last count, more than 4 million hectares were covered by PFM arrangements – around 12 per cent of the country's forest area.[19] Almost a quarter of Tanzania's villages are engaged with PFM at some level. Many of the areas already established have little legally and sustainably-harvestable timber, though areas of forest with such timber are increasingly being brought into Community Based Forest Management (CBFM). Most such areas are still under development. Thus far no significant volumes of PFM commercial timber have been sold in Tanzania, though CBFM projects in Suledo, Angai and in Kilwa are very close to producing timber for sale into the market. For this reason it is perhaps too early to say what governance issues may occur in relation to CBFM timber harvesting and trade in future. Though in theory the patrols and other enforcement mechanisms established and operated by the villages themselves should ensure good governance, it is likely that outside parties will seek to undermine such efforts for illegal gain, and it will be important for such villages to have external enforcement support. On the other hand, there will almost certainly be teething problems as timber begins to flow from CBFM projects and an overzealous enforcement response against timber licensed for harvesting which does not fulfil some other legal aspect due to such teething problems may hamper the development and growth of this model of management.

While there is a risk that over-rigorous monitoring and enforcement of the nascent CBFM-sourced timber industry may be counterproductive, evidence from other countries suggests that there are certainly serious risks that governance failures may undermine CBFM once money begins to flow. The monitor may be well placed to help prevent this. Independent monitoring of CBFM may be relatively difficult and resource intensive because information such as harvesting plans may be hard to obtain under such a highly decentralized system of management and control, but this can be managed by a focus on a limited range of priority areas chosen by the monitor on an ongoing basis. Information from which can feed into broader policy and enforcement responses on CBFM areas more generally.

Recommendation: The monitor's mandate should include plantation forests and PFM forests.

4.1.4 Encroachment and clearance

Encroachment and clearance: *Should the monitor examine illegal encroachment and governance issues related to forest clearance for agricultural plantations and other developments?*

Illegal encroachment and clearance for small-scale agriculture is one of the largest drivers of deforestation in Tanzania, and is particularly important in the less well studied forests in the west of the country. A strict and simple enforcement-only approach to this problem would be both inappropriate and impossible to implement. It might also result in serious negative impacts in terms of rural poverty. Addressing this issue requires a more holistic and long-term area-based approach of engagement with local communities than would be possible under any reasonable mandate of a monitor of forest law enforcement and governance. While the monitor should document and report on evidence related to any illegal commercial trade in timber resulting from such clearance, it should not focus attention on the clearance itself.

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16 FBD, Dec 2008, PFM Facts & Figures

The appropriate legal response of the authorities to encroachment into forested areas has not been defined in clear and coherent procedures such as has been done for forest trade in the guidelines for sustainable harvesting and forest trade. Any monitor expects to monitor systems that are elaborated in a standard set of procedures. Unless and until there exists an official process for the authorities to respond to forest land encroachment, the IM-FLEG will not be able to be effective.

Homes being destroyed as encroachers are evicted in Tabora Region

While encroachment and clearance for small-scale agriculture is the kind of highly unconsolidated issue to which a monitor is least well suited, there are other types of clearance which are more suited to monitoring, such as clearance for large industrial agricultural plantations. The study's research in southern Tanzania found that the largest and busiest sawmill currently operating in the region is run by a Dutch-owned biofuel firm and is using timber cleared from an 81,000 hectare jatropha plantation. The mill and the plantation may produce more timber than all licensed harvesting in the rest of the region combined during the next few years, and result in revenues to FBD which dwarf those from such harvesting. Concerns were raised about the Bioshape plantation during the Dummy Mission Report process (see annex). Other very large plantation licenses have been issued for biofuel feedstock in recent years.

In Indonesia and elsewhere there have been cases in the past where licenses to clear forest for plantations have been issued corruptly and where they have been sought as a cover for gaining access to timber resources. Though there is no suggestion that this occurred in this case, the large sums of money involved and increasingly tight controls on selective licensed harvesting mean it is a possibility in future for other such clearances. There is also a risk that weak government or plantation company control mechanisms may allow illegalities to become involved in this source of supply, or illegal timber from elsewhere to be laundered through it. It is essential that the monitor's mandate extend to assessing law enforcement and governance related to such plantations, including license issuance. This will have implications for the range of government entities which will have to be involved.

Recommendation: Illegal encroachment and forest clearance by communities for small-scale agriculture can not presently be a priority for any future monitor. Large scale permits to clear forest for agricultural plantations or other developments should be included in the mandate of any future IM-FLEG, including the process of license issuance. Monitoring of such licenses will require the cooperation of relevant agencies outside of FBD.

4.1.5 Wildlife & burning

Wildlife & burning*: Should the monitor's mandate and work include examining illegal burning and wildlife hunting and trade?*

The destruction of forest by the illegal setting of fires in Tanzania is an important problem. This is rarely carried out by companies of for commercial reasons, however, but is normally associated with illegal encroachment and clearance for small-scale agriculture by local communities, a subject which is addressed in the section on clearance above.

It is quite common internationally for links to exist between illegal timber and wildlife trade. REM/HTSPE's own short field investigation in Southern Tanzania found evidence that major timber dealers are also trading illegal wildlife products including elephant ivory. However, available evidence suggests that links between illegal wildlife poaching and associated trade and illegal timber harvesting and trade in Tanzania are relatively limited, and the two businesses have very different forms. A great deal of attention is also already being paid to tackling illegal poaching and wildlife trade by government, donors and NGOs; units operating in national parks and protected areas (where most wildlife is concentrated) are already well-funded and equipped by comparison to those government agents focused on forests operating outside such areas. Illegal wildlife poaching does not necessarily lead to forest loss or to loss of government forestry revenues, so tackling the problem may not directly serve to address the core issues of concern to monitoring. Including monitoring of illegal wildlife hunting and trade within the mandate of an IM-FLEG would create high levels of expectation which would be difficult for the monitor to meet or to ignore.

While wildlife-related law enforcement has never been included in the mandate of an IM-FLEG in any other country, wildlife-specific projects following the same principles as IM-FLEG (official, working with governments, but independent) have been established in a number of countries, including Cameroon, where the organisation LAGA (www.laga-enforcement.org) acts as an independent monitor of wildlife law enforcement (particularly the illegal wildlife trade) in parallel to the IM-FLEG, which is focused on forests and timber trade. Tackling this subject requires a different knowledge set and often requires interactions with different administrative groupings. These factors can distract one team from its core mandate and lead to a lack of progress in all areas. We believe it would be unwise to include wildlife within the IM-FLEG project and believe that independent monitoring of wildlife-related law enforcement, if it is felt to be required, should be treated as a separate, parallel activity provided through the engagement of a specialist organisation such as LAGA. Were a Monitor to encounter relevant evidence in the course of its duties, however, it would nevertheless be able to document and pass on this evidence to the appropriate parties and to include mention of it in official reports.

Recommendation: REM/HTSPSE believes it would be unwise to include wildlife within the IM-FLEG project. Were it to encounter relevant evidence in the course of its duties, however, the monitor would nevertheless be able to document and pass on this evidence to the appropriate parties and to include mention of it in official reports. We also believe it would be unwise to require the monitor to

examine illegal burning, though the monitor's mandate will allow it to examine such issues in relation to charcoal production.

4.1.6 Linkages to Forest Inventory/REDD/EIAs

NAFORMA, REDD, EIAs: *How will a Monitor relate to other forestry monitoring initiatives such as REDD, the Forest Inventory project or State of the Environment Monitoring?*

Discussions are quite advanced in Tanzania into the potential for the implementation of programmes for future payments to be made for Reduced Emissions from Deforestation and Degradation (REDD). The definitions of how REDD will be structured in Tanzania have yet to be agreed, and international standards have yet to be adopted. Though it is likely that some form of independent monitoring of REDD in Tanzania will be required, until the nature and design of REDD programs in Tanzania are finalized it is difficult to say for certain how an IM-FLEG might best co-ordinate or contribute to monitoring.

Improvements to forest law enforcement and governance, though important, are unlikely to be the only activities to prevent deforestation and degradation which a REDD programme in Tanzania will encompass. Monitoring of REDD will involve a much broader range of activities than those envisaged for an IM-FLEG, including monitoring the extent and condition of the country's forest estate, monitoring flows of money[20], monitoring the implementation of additional commitments (such as extensions to conservation areas or suspension of permits for large scale agricultural conversion), and monitoring impacts on the poor and forest dependent communities. For some of these aspects there may be other entities better placed to assist. For establishing baselines and monitoring the extent and condition of the forest, the FBD-FAO forest inventory project currently being rolled out will be important, for instance. Though an IM-FLEG might be able to be adapted to encompass part of the monitoring necessary with a REDD programme, especially the law enforcement and governance aspects, different structures and expertise will be required for other aspects.

A series of Monitors are likely to be needed for specific sub-sets of activity such as financial flows, governance and deforestation monitoring – the IM-FLEG would form just one of these. These different monitoring mechanisms could operate under one scheme (in which case a pre-existing IM-FLEG would be need to be brought under its remit), or as separate but complimentary oversight mechanisms (in which case a pre-existing IM-FLEG would continue as an entirely separate entity but may need to be adapted). In all cases formal terms of reference and contractual rights and responsibilities would need to document the scope and the mandate of each monitor.

What should be clear at this stage however is that an IM FLEG type project would not monitor the state of the forest or rates of carbon sequestration. An IM FLEG type project could, however,

[20] Particularly important given the previous revelations of embezzlement of donor aid at MNRT

potentially be involved in monitoring the application of rules and regulations surrounding the implementation of REDD projects and this could be explored during the implementation of this project.

Recommendation: Since REDD remains in its infancy in Tanzania, the potential place of an IM-FLEG in a broader programme of monitoring cannot yet be known. Though monitoring forest law enforcement and governance will be involved, REDD monitoring is likely to require a broader basket of functions, with different needs in terms of structures, funding and expertise. It is unlikely that the precise definitions and requirements for REDD monitoring will be known for some time, and it would be unwise for implementation of IM-FLEG to be delayed until this is the case.

IM-FLEG should be designed and implemented in its own right, with a traditional FLEG/IM-FLEG mandate. The precise nature, housing and structure of the IM-FLEG may need to be adapted as the broader needs for REDD monitoring become clear. It should be possible to expand or adapt the official mandate and terms of reference of the IM-FLEG to ensure it fits well into a broader monitoring programme.

4.2 Questions of structure

4.2.1 Institutional arrangements, incl. Housing/Hosting the Monitor

Mandate and housing of the monitor: *What official mandate will the monitor need in order to be effective, and what does this mean in terms of how any agreement is structured?*

The issue of mandate relates to two things, what parts of government have endorsed the TOR, and which pieces of legislation the monitor's mandate encompasses. As noted above with regards to geographical scope, there is need for the mandate to cover Zanzibar. The options to ensure this are either to seek the mandate of the Vice President's Office or to bring the relevant Zanzibar authorities in directly by means of equal co-signatories on any MoUs. Additionally, the day-to-day management of most forests is decentralised and operated by officials not reporting to FBD or MNRT but rather under the overall jurisdiction of the Prime Minister's Office – Regional Administration and Local Government. In order to ensure the regional structures are encompassed by the monitor, therefore, the mandate must be obtained at the Prime Minister's Office level, if not higher.

There will need to be transparency of information and co-operation of other agencies in order for IM-FLEG to function. Relevant agencies include the Tanzania Revenue Authority, Ministry of Justice, Tanzania Investment Centre, Ministry of Industry, Trade and Marketing, Ministry of Lands, Housing and Human Settlement Development, the Business Registration and Licensing Agency (BRELA), the Department of Environment, the National Environment Management Council (NEMC) and the Prevention of Corruption Bureau. Ideally the formal mandate should be agreed at a sufficiently high level of government to encompass all such agencies and ensure their cooperation, though additional MoUs may need to be agreed with specific departments to help ensure that obligations are followed

The legislation of relevance which should be included in the IM-FLEG Monitor's mandate is not limited to the Forest Act 2002. Although the Forest Act will provide the main mandate, circumstances can be envisaged where it would be in the interests of the general goals of the monitoring for the monitor's mandate to encompass monitoring of implementation of selected sections of other legislation such as the Local Government Miscellaneous Amendments Act 1982,

Environmental Management Act 2004, Land Act 1999, Village Land Act 1999 and the Tanzania Investment Act 1997.

The Ministry of Finance is a particularly important institution for the purposes of IM-FLEG. The central importance of the Ministry of Finance stems from its role in coordinating Tanzania's budget and hence in allocating resources to MNRT/FBD, this ministry has the role of signing the government to government agreements between development partners and the Government of Tanzania and also because the ministry has a key role in setting revenue collection targets for the government's departments. In addition to these factors this ministry also hosts the annual General Budget Support (GBS) Review that takes place at the end of every year. This multi-stakeholder review involves all the departments and ministries of government together with parliamentarians, development partners and civil society in an assessment of progress made in implementing MKUKUTA, the poverty reduction strategy.

The GBS review process involves the preparation of documents by the authorities and stakeholders that allow follow up of MKUKUTA implementation. These documents are not confined to the macro-level poverty and human development reports but also includes sector review monitoring reports and other analytical documents. Monitoring and assessing MKUKUTA is governed by a Performance Assessment Framework (PAF) that can form the basis for disbursements by some development partners. Indicators that have been monitored in the past, as part of the PAF, have included the production of a State of Environment Reports, with inputs from the sectors. Indeed two MKUKUTA indicators with relevance for IM-FLEG are i) Total value of revenues received from concessions and licenses for mining, forestry, fishing and wildlife as proportions of their estimated economic value and ii) The proportion of enterprises undertaking EIAs complying with standards.

Although past reviews have shown varying degrees of improvements in many outcome areas, results monitoring of budget support in the environmental management and natural resources has been hampered by the unavailability or low frequency of critical data and information on indicators. The reports of the Monitor could be developed to assist this process. Linking the Monitor's reports to the GBS Review process will add value to the review through the increased flows of timely, regular and analytical information. Linking outcomes from the IM-FLEG process to the PAF of the GBS Review is more likely to lead to actions that contain consequences. It is therefore critical for an Independent Monitor's reports to be included in the Ministry of Finance's GBS process and for the Ministry of Finance to be implicated in the project itself.

Once this linkage to the GBS review is accepted it must then be recognized that, although the day-to-day operational partner for the Monitor will be FBD, the point of entry within MNRT will be the Director of Policy and Planning (DPP) through the Permanent Secretary. The DPP is responsible for budget allocations within the ministry and is also responsible for monitoring the ministry's strategic plans, budget execution and revenue targets. MNRT is one of the Tanzanian government's ministries that enjoy a provision of retaining a certain amount of its collected revenues in order to streamline funding of key operations. The DPP is responsible for allocating these retained funds amongst MNRT's four Divisions, something which FBD staff feel is done arbitrarily and without sufficient clarity.

Recommendations: The monitor's mandate should be established at the highest relevant levels including the Vice President's Office, the Prime Minister's Office and the Ministry of Finance. The establishment and operationalization of the IM-FLEG should be linked to the PAF of the GBS Review. MoU should be agreed with MNRT, designating the FBD as the operational partner. An MoU will need to be agreed with the Zanzibar authorities to ensure their inclusion. Additional MoUs with

other central government ministries may also need to be sought in order to ensure their buy-in and co-operation. The Monitor's day to day partner will always remain the government forest agency with the mandate to monitor harvesting, trade and governance.

4.2.2 Communities, Civil Society and NGO capacity building

Civil Society: *How should the intervention be structured in order to maximize the involvement of civil society?*

As stated elsewhere, PFM is the central pillar of Tanzania's forest policy. Since it was first piloted in Babati in the early 1990's it had spread by December 2008 to encompass 4,122,500 ha (41,225 km^2) or 12.8 % of the forested land, managed by 2,328 Villages in 63 of the approximately 120 administrative Districts of mainland Tanzania. Despite these encouraging signs the pace of spread of PFM is seen as to slow to deal with the ongoing deforestation and uncontrolled timber harvesting. Reasons for the slow roll out include some of the same constraints to law enforcement and governance that bedevil the rest of the forest sector such as a lack of resources allocated to facilitation of PFM and the low prioritization of PFM by cash strapped Districts that are focused on maximizing revenue collection.[21]

Nonetheless there are other constraints to PFM that are specific to these types of management arrangements. Amongst these are the disagreements amongst various national and local level officials regarding the legal procedures for villagers to harvest and sell timber and charcoal from their own forests. For example, the request for bids to harvest in Suledo Forest in Kiteto District was advertised in newspapers countrywide in February 2009 but to date, 8 months later, no harvesting has taken place. The reasons for the delayed harvest remain unclear. Another problem encountered in PFM appears to be the hijacking of benefits by a village level elite or the marginalization of poorer, more disadvantaged members in some Villages. This alienation of some villagers could in itself lead to increased non-compliance with forestry regulations as a means of protest and revolt.

It is recognized that areas with low levels of education tend to be the very same areas that have greatest forest cover due to low human population densities and poor infrastructure and communications. Low levels of knowledge of community benefits from sustainable forest management makes for a fertile environment for illegal forest harvesting. Harvesting of forest

[21] Participatory Forest Management in Tanzania: Facts and Figures. URT December 2008.

products represents an important economic activity for young men in Tanzania's Villages. The challenge in such an environment is that of incentives, tradeoffs and opportunity cost at the local level. While PFM has the promise to deliver forest value to a significant number of people, poverty drives the desire to profit from forest extraction immediately, rather than waiting for potential benefits in the future.[22]

It is generally believed that communities that are aware of their rights and returns available under PFM are more willing to defend them through active patrolling, arresting and fining of illegal forest users and the confiscation of forest produce. Similarly, attempts by government staff to capture forest benefits are more strongly resisted in areas with higher levels of literacy as villagers are more able to appreciate and defend their rights. In an environment of low education and poor information flows, if an entrenched and corrupt system of patronage exists between Village leaders, District Council staff, illegal timber operators and government officials then breaking the web of patronage and reversing the lines of accountability will necessarily be a complicated process. [23]

The establishment of Independent Monitoring backed up with advocacy and communication campaigns within civil society and within the local press promises to change the climate of impunity under which illegal logging and the illegal charcoal trade have been operating. IM-FLEG in and of itself cannot solve the problem of low literacy amongst forest adjacent communities but it can be a useful tool in increasing the flow of relevant information towards Villagers. MJUMITA is an organization that is made up of, and represents, communities participating in PFM. There are ongoing efforts to strengthen MJUMITA's capacity to be able to reach communities located as remotely as Kigoma, Rukwa and Tabora Regions in western and Tunduru, Liwale and KIlwa Districts in southern Tanzania, where forest cover remains the greatest while access to Villages is the most challenging. A MJUMITA representative should be invited to be a permanent delegate on the Reading Committee. This delegate should represent the forest adjacent communities of Tanzania and voice their desire for PFM to be made more transparent and rewarding. In addition to a permanent delegate from MJUMITA as an organization, there should also be provision for visits from Village Environment or Natural Resources Committees members to participoate in specific Reading Committee meetings on a case by case basis. It goes without saying that MJUMITA's capacities should be strengthened in order to fulfil this important role.

The involvement of local civil society is crucial to tackling illegal logging and improving forest governance. In the long term, a strong civil society is one of the building blocks which should enable governance to reach a sufficiently high and stable level for an independent monitor to become unnecessary. Aware of this, the IM-FLEG project in Congo Brazzaville implemented by REM is run in parallel with a program of civil society capacity building implemented by UK NGO Forests Monitor. Local civil society representatives are provided relevant equipment and technical training in items such as GPS, and are given field training through inclusion in official monitoring missions. In addition to methodological training, the involvement of civil society in monitoring missions also serves to build better understanding between enforcement officials and NGOs, and helps ensure the independence and effectiveness of the monitor.

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[22] Going to scale with PFM: Blomley and Ramadhani, 2006.
[23] Ibid, 2006.

Ongoing projects are already working to build capacity amongst civil society in Tanzania to engage on forest governance issues. Mama Misitu, a broad-based NGO coalition, is rolling out a programme of civil society awareness building regarding illegal logging as part of a 2 year programme of work. The Mama Misitu campaign has already been very successful in harnessing the public's assistance in identifying forest crimes, and such intelligence could be very helpful to any future Monitor. The Environmental Investigation Agency (EIA) and local partner Wildlife Conservation Society Tanzania (WCST) are also in the early stages of a 3 year programme to build the capacity of Tanzanian civil society and community groups to have an increased influence on decision-making processes related to forest governance. WWF-Norway in collaboration with the WWF-Tanzania Programme Office is currently implementing the Programme to strengthen the capacity of environmental Civil Society Organizations in Tanzania. The programme purpose is for CSOs to more effectively participate in and influence decision making and governance for more sustainable and equitable management of natural resources, especially fisheries, forestry and wildlife resources. To begin with, rather than re-invent the wheel, a monitoring system should seek to form partnerships with these existing programmes, allowing civil society representatives to accompany the monitoring teams on investigations, providing clear channels for intelligence collected by civil society to be passed to the monitor, and perhaps also to carry out joint training. In the long term as these existing projects come to an end, stakeholders should seek to find ways to ensure a consolidated approach to forest governance by continuing to support such work as a structured parallel project to run alongside monitoring.

Two other ways in which civil society could be involved in monitoring would be for a local NGO to become the monitor, or for local NGOs to be represented on the reading committee where monitoring results and reports are discussed with government. The first option is not recommended. Experience from elsewhere suggests that local organisations may find it difficult to maintain a strong, independent stance in the face of pressure from government. Local NGOs may also find that acting as a monitor restricts their ability to carry out other campaigning and advocacy activities which they would normally conduct. In addition, it is uncertain whether local NGOs currently have the capacity to implement independent monitoring. In the meantime, alongside parallel technical and field training, another means by which the capacity of civil society can be built and by which monitoring can ensure buy-in from NGO stakeholders will be to allow representatives to attend reading committee meetings. Those attending would need to agree to abide by the committee procedures, including regarding rules that govern the sharing of findings.

Recommendation: Parallel to ongoing efforts to strengthen MJUMITA's role as a representative organization of forest adjacent communities in Tanzania, the IM-FLEG process should also provide for a permanent MJUMITA delegate on the Reading Committee. In cases where specific Villages are affected by issues raised in the Monitor's reports then members of VECs or VNRCs from those affected Villages should be invited to participate in those Reading Committee meetings, in addition to the MJUMITA delegate. Stakeholders should seek to follow the model from Congo-Brazzaville by simultaneously funding a parallel civil society capacity building and support programme to complement IM-FLEG. Such a programme should build on existing initiatives such as the Mama Misitu campaign and the capacity building work being conducted by WWF-Norway/WWF-TPO and EIA/WCST. The IM-FLEG operational structure should allow for civil society representatives to accompany official monitoring teams and for them to be represented at reading committee meetings provided they have agreed to the terms of those meetings. The proposed ToR for the Independent Monitor reflects these perspectives (see section 6.4) giving sufficient space for collaboration with a potentially diverse range local NGOs.

4.3 Summary table of Recommendations on Substantive Issues

Area	Questions	Recommendation
SCOPE		
Charcoal	*Should the monitor look at the issues surrounding charcoal production, trade, revenue collection and sustainability?*	Do not exclude charcoal from the remit of monitoring, but allow the monitor to judge to what extent to examine the issue and when. Ensure expectations regarding improvements on charcoal resulting from the monitoring are realistic. The main focus of the monitor to begin with should be on timber.
Geographical scope	*Should monitoring encompass Zanzibar as well as Tanganyika? Should monitoring cover the whole of Tanganyika? How should investigations be geographically defined?*	Ensure Zanzibar is included in the monitoring, engaging with authorities there as soon as possible and in the design phase. Consideration should be given to the option of bringing relevant Zanzibar government units directly into the process through individual MoUs instead of seeking to encompass Zanzibar by housing the monitor at a sufficiently high level of the federal government. The remit of the monitor should include the whole country, but allow the monitor to choose where to focus most attention. Individual field investigations should be targeted at specific FSU zones.
Plantation forest & PFM	*Should the monitor's mandate encompass only natural forest or also cover plantation forests? Should the monitor look at logging in all forests including PFM?*	The monitor's mandate should include plantation forests and PFM forests.
Encroachment & clearance	*Should the monitor examine illegal encroachment and governance issues related to forest clearance for agricultural plantations and other developments?*	Illegal encroachment & forest clearance by communities for small-scale agriculture should not be a priority for any future monitor. Large scale permits to clear forest for agricultural plantations or other developments should be included in the mandate of any future IM-FLEG, including the process of license issuance.
Wildlife & burning	*Should the monitor's mandate and work include examining illegal burning and wildlife hunting and trade?*	REM/HTSPSE believe it would be unwise to include wildlife within the IM-FLEG project. Were it to encounter relevant evidence in the course of its duties, however, the monitor would nevertheless be able to document and pass on this evidence to the appropriate parties and to include mention of it in official reports. We also believe it would be unwise to require the monitor to examine illegal burning, though the monitor's mandate will allow it to examine such issues in relation to charcoal production.
REDD & Other linkages	*How will a Monitor relate to other forestry monitoring initiatives such as REDD, the Forest Inventory project or State of the*	It is unlikely that the precise definitions and requirements for REDD monitoring will be known for some time, and it would be unwise for implementation of IM-FLEG to be delayed until this is the case. IM-FLEG should be designed and implemented in its own right, with a traditional FLEG/IM-FLEG mandate. The precise nature, housing and structure of the IM-FLEG may need to be adapted as the broader needs for REDD monitoring

	Environment Monitoring?	become clear. It should be possible to expand or adapt the official mandate and terms of reference of the IM-FLEG to ensure it fits well into a broader monitoring programme.
STRUCTURE		
Institutional Arrangements/ Housing	*What official mandate will the monitor need in order to be effective, and what does this mean in terms of how any agreement is structured?*	The monitor's mandate should be established at the level of the Vice President's Office, the Prime Minister's Office and the Ministry of Finance. The Ministry of Finance should convey to the Monitor the mandate to source documents and access offices and personnel. The Ministry of Finance should also arrange for the Monitor's reports to be inputs into the GBS Review process. An MoU should be agreed with the Zanzibar authorities to ensure the inclusion and active engagement of the territory. Additional signatures to the MoU from other central government ministries may also need to be sought in order to ensure their buy-in and co-operation. The Monitor's day to day partner will always remain the government forest agency with the mandate to administer the forest resource, issue licenses, monitor harvesting and trade.
Civil Society	*How should the project be structured in order to maximise the involvement of civil society?*	Donors should seek to follow the model from Congo-Brazzaville by simultaneously funding a parallel civil society capacity building and support programme to complement IM-FLEG; such a programme should build on existing initiatives such as the Mama Misitu campaign and the capacity building work being conducted by EIA/WCST. The IM-FLEG operational structure should allow for civil society representatives to occasionally accompany official monitoring teams and for them to be represented at reading committee meetings provided they have agreed to the terms of those meetings.

5 OPTIONS AND RECOMMENDATIONS ON TECHNICAL ISSUES

5.1.1 Initiation and Duration of monitoring contract

The IM-FLEG approach is a tool to tackle these problems and should therefore be implemented as soon as possible now that harvesting bans have been lifted and in order that the timber sector should operate on a sustainable basis.

The proposed duration for the monitor to be in place is three years. A three month inception phase is proposed to install the team, purchase and install necessary equipment and set up an independent functioning office. During this inception phase the monitor should establish the details of the working operations, establishing relationships with counterparts and test operational systems. The monitor should then be fully operational for the subsequent 33 months.

In the presence of sufficient political will a three year programme should provide sufficient time for a change in the working practices of staff on whose cooperation reform has to be built. This will provide sufficient time during implementation to also identify the most significant problems within the functioning of the central and local forestry administration. It is normal that it will take time for stakeholders to accept, adapt and implement the new reforms. This will be true for the ministry, for local governments and for the private sector.

Three years for the reform of a sector is an optimistic timetable, however with an effective exit strategy including the eventual replacement of the international expertise by increased capacity in civil society during this period, reform should continue and be an ongoing process. A mid-term evaluation of implementation and progress made should be undertaken to ensure that the initiative is realizing its objectives.

5.1.2 Reporting Panel (Composition, Frequency)

The Reading Committee is a technical meeting where each mission report is reviewed by the Committee members, a process that encourages constructive dialogue between members of civil society, senior forest law enforcement authorities, the Monitor and concerned development partners. The reading committee meetings are one of the central activities of the entire project. The function is multiple , serving not only as a process of approbation of the field mission reports prior to publication (see below) produced by the Monitor, but also providing a space for the transparent and frank discussion of the issues uncovered during investigations. This discussion, led by the ministry officials, allows the ministry (FBD) to demonstrate that it making decisions in accordance with established procedure and where those procedures are unclear, that it is working to clarify them. Once the presentation of the findings of field missions has been made then the conclusions and resulting actions can be decided upon. Recording these decisions allows follow up on their implementation at later committee meetings. The meetings also serve as an opportunity to review the performance by the department of their field officers and how they are fulfilling their duties.

It is clear in Tanzania that there are a range of government departments involved in the administration of forests. It may be relevant therefore for the chairman (normally a senior FBD staff member) to request the presence of officials from these other departments to facilitate progress towards reaching a conclusion to individual cases in a useful timeframe. It is normally the host ministry of the project that calls for and houses the reading committee meetings, increasing ownership of the process and results. The participation in the reading Committee will be determined in part by the establishment of links by the project and the FBD through the signing of MoUs (see section 3.5, Mandate and housing of the Monitor)

Strategically these meetings can be seen as enhancing FBDs capacity to take action where there is opposition to the application of the forest related laws from outside. It is therefore essential that civil society and the international community maintain their participation in the meetings, not just to criticise the administration, but to support it in taking the correct decisions in front of a concerned audience.

In terms of practical operation, field investigation reports should be submitted to the members of the Reading Committee 1 week before the meeting takes place for consideration. The mission reports should be completed within three weeks of the field investigation having taken place. Where the results of the investigation require additional information, this follow-up research should be considered to be part of the investigation.

The consultants recommend that reading committees take place not less than every 2 months, depending on the frequency of field investigations and the volume of reports that are to be reviewed.

5.1.3 Publishing

There are normally two different types of reports produced by an IM type project:

a) Field mission reports
b) Thematic or annual reports

The former are submitted to the reading committee for discussion and subsequent publication on the websites of the FBD and the Monitor.
The consultants suggest that thematic analysis reports are produced every 6 months. The content of the analysis reports should be thematic in their approach and document in detail selected major failings in forest governance and provide conclusions and recommendations for remedial action targeted at different stakeholders. The government would have a timeframe of 15 days to provide comments, after which the report will be considered to have been approved by the government and be published on the website of the Monitor. Content of analysis reports should be discussed in detail at Reading Committees and actions in response to the issues raised be devised and agreed as far as possible. The text of the thematic report however would remain the views of the Monitor. These actions should be documented in the minutes of the Reading Committee.

Depending on the funding arrangements a technical annual report may also be required for purposes of the steering committee review of progress on substantive issues, the results of the project and actions realized by the government as well as actions of the contracted organization. This report may or may not be published depending on the funding requirements.

5.1.4 Personnel required

The IM-FLEG approach requires the bringing together of a range of different skills. This includes and understanding of the legal, administrative and regulatory frameworks that the sector operates within, in addition to a field knowledge of the operations of the private sector. IM-FLEG is fundamentally a systems analysis approach to examine the actions of government and the private sector, particularly how the legislation and procedures are applied to achieve the objectives of the forest policy. The activities are all proposed to be undertaken in the context of the political economy of forests in Tanzania. The influences that this can bring to bear on a team charged with the responsibility of undertaking this important task are significant. It is with this focus on the independence of the monitor and to provide insulation from the sometimes strong political forces that can operate in the sector that the involvement of international specialists is proposed for the initiative.

5.1.5 Budget and funding modalities

The total budget requirement for the installation and operation of an independent monitoring project for 3 years is estimated at around US$ 2 – 2.5 million. The precise cost will depend on precise nature of the mandate and the exact nature of the final service to be delivered. Requiring extensive marine-based operations and observations, for instance, could add to this budget requirement by US$ 500,000.

A separate budget for the implementation of continued parallel civil society capacity building and monitoring recommended in Section 4.4.2 above should also be included as a counterpart activity. This could include extending the excellent work being carried out by Mama Misitu, which is generating good data about the activities in the sector. There is an assumption in this overall projected budget that such activities will continue and receive funding from elsewhere.

The funding modalities will ultimately depend on the precise funding and budgetary procedures of the funding agency or agencies, including questions of competitive call for tender and disbursement mechanisms. It is therefore difficult to conclude further on the modalities. It is strongly recommended, however, that funding does not pass through the government, as this can leave the Monitor vulnerable to having its independence of action compromised by the withholding of funds, something which has happened in other IM-FLEG programmes. Where the Monitor maintains its position in politically sensitive cases, this avenue of pressure can bring the project to a standstill.

5.1.6 Possible indicators of IM-FLEG impact

Indicators for the *impact* of a project and the *implementation* of the project should not be confused. The process of project implementation should itself generate information that can be used as indicators about governance reform. The final indicators for reform should be agreed with the government, increasing buy in from the partners, including government and establishing the common goal of reform in the minds of all partners. An indication of the types of indicators that might be considered are;

Joint Missions: In principle all missions should be conducted jointly. Whether joint field investigations are taking place or not is a key indicator of a successful collaboration between the independent monitor and the government's law enforcement agencies. Specific indicators therefore could be:

Number of joint field investigations realized
Percentage of joint investigative missions observed where infractions found.
Percentage of reports adopted by the reading committee.

Administrative action: Not all actions will be dependent on the FBD and its field staff and it is essential for other ministries to be implicated through the indicators that are agreed in the final project framework. Indicators implicating other parts of the administration could include:
The percentage of observed infractions leading to administrative or judicial sanctions by
District, the number of vehicles reported seized by district or the percentage of legal cases bought concluded successfully by district and the level of sanctions sought by government, level of sanction imposed by the court.
Regular District Reporting: Provision and analysis of the number and quality of regular DFO reports will enable the monitor and the central government to assess the functionality of the resources and send a significant signal to the DFOs that their reports are expected and will be examined. Ensuring information is available on which to base further policy decisions.
Transport bottlenecks: Tackling the transport bottlenecks in the timber trade is crucial in denying illegal products market access. This indicator should focus the attention of law enforcement and police officers on the fact that there are possibilities to seize significant capital items of equipment such as lorries used for the transport of illegal products as provided under Article 93.c of the Forest Act.

6 ROADMAP

If an IM-FLEG is to be implemented in Tanzania it is important that the momentum created by this project is maintained. This will require commitment and attention from government, donors and NGOs. An ambitious timeline of next steps towards implementation is proposed below, which would see a monitor actively operating by the middle of 2010.

Action	**Suggested Completion Date**
Government partners (principally the VPO, Ministry of Finance and FBD) and donors to finalize agreed Terms of Reference	30th Nov 2009
Development Partners to identify and commit necessary funding	31st Dec 2009
Discussions, sensitization and negotiations with other government partners (e.g. PMO-RALG, Government of Zanzibar, others)	Nov 2009 – Jan 2010
Final MoU and ToR agreed by all government signatory partners (Ministry of Finance, VPO, FBD/MNRT, Government of Zanzibar, others)	31st Jan 2010
Competitive tender document issued	31st Jan 2010
Deadline for submissions	15th Mar 2010
Monitoring organization chosen	30th Apr 2010
Tender document (including MoU and ToR) signed by chosen monitoring organization, Development Partners and government partners	31st May 2010
Inception phase complete (staff, vehicles, office in place) and monitor active	31st July 2010