



Tanzania Natural Resource Forum (TNRF)

Forest Governance Hearing

**New Africa Hotel, Dar-es-Salaam
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Acronyms and Abbreviations

CSO	Civil Society Organization
DC	District Commissioner
DED	District Executive Director
DFO	District Forest Officer
DNRO	District Natural Resources Officer
EMNET	Environment Media Network
FGLG	Forest Governance Learning Group
FITI	Forest Industries Training Institute
GDP	Gross Domestic Product
IIED	International Institute for Environment and Development
JET	Journalists for Environment Tanzania
LEAT	Lawyers Environmental Action Team
MCDI	Mpingo Conservation and Development Initiative
MJUMITA	Mtandao wa Misitu ya Jamii Tanzania
PFM	Participatory Forest Management
REDD	Reduced Emissions from Deforestation and Forest Degradation
SHIVIMITA	Shirikisho la Viwanda vya Mazao ya Misitu Tanzania
SHIWARU	Shirikisho la Watetezi wa mazingira Ruvu
TAF	Tanzania Association of Foresters
TAFORI	Tanzania Forestry Research Institute
TBC	Tanzania Broadcasting Corporation
TFCG	Tanzania Forests Conservation Group
TFF	Tanzania Forest Fund
TFS	Tanzania Forestry Services Agency
TFWG	Tanzania Forestry Working Group
TNRF	Tanzania Natural Resources Forum
UK	United Kingdom
WWF	World Wide Fund for Nature
WWF CEAI	World Wide Fund for Nature - Coastal East Africa Initiative

1. BACKGROUND

1.1 PURPOSE OF THE HEARING

Information compiled in 1992 indicated that Tanzania possessed 33.5 million ha of forests and woodlands, 12.7 million ha of which were located in government forest reserves and other protected areas, and as many as 19 million ha which were located on un-reserved lands. There is high potential value in Tanzania's forests due to royalty collections, exports and tourism. In addition to timber products, forests also provide woodfuels that supply 92% of Tanzania's energy needs, beeswax and honey products, water catchment, carbon sequestration and they provide 730,000 person-years of employment¹. However, poor management has led to the actual contribution of the forestry sector to the national economy being unrealized.

Despite these forest resources being a significant contributor to people's livelihoods, by 1998 estimates of annual deforestation ranged from 130,000 to 500,000 ha with the greatest occurrence taking place in forests on unreserved lands². The main causes of deforestation were determined to be the clearing for land for agriculture, overgrazing, wildfires, charcoal burning and the over harvesting of wood. Underlying the situation throughout the 1990s was the fact that, despite contributing 3% to GDP and to 10% of the nation's exports, less than 1% of government's budget was allocated to forest management³. It was also evident that there was inadequate involvement of grass roots communities in forest planning and management.

As a result of the situation prevailing at the time, beginning in 1998 the government introduced widespread sector reforms, which included laws requiring that all forest reserves prepare management plans and that the management of forests on un-reserved lands by villages, communities and individuals is promoted. The Forest Act of 2002 recognized the rights of villages to demarcate forest, draft plans and by-laws for its management and to establish a committee to administer the forest on behalf of the community. As part of the reforms the government intended to strengthen its regulation of forest harvesting and trade by introducing a new forestry agency. These reforms have meant that Tanzania is among African countries with the strongest policies, laws and regulations in place that provide different stakeholders, including communities, with rights and responsibilities to sustainably conserve, manage and benefit from forest resources.

The reforms have been partially successful with the area under community management increasing from 323,000 ha in 1999 to more than 2,000,000 ha in 2006, now representing 12% of forests on unreserved lands. Similarly, the number of villages participating in forestry has almost doubled from 544 villages in 1999 to 1,020 in 2006⁴. At the same time the forestry authority has recently been

¹ United Republic of Tanzania, Ministry of Natural Resources and Tourism. National Forest Policy. 1998

² Ibid.

³ Ibid.

⁴ Blomley, T., Ramadhani, H., Mkwizu, Y. and A. Bohringer. 2008. Hidden Harvest: Unlocking the economic potential of community based forest management in

transformed from a government department dependent on a budget allocation to an executive agency that has autonomy over its budget and staffing levels. Yet despite these successes, challenges facing the forestry sector remain. In particular, governance shortfalls, including corruption, irregular trade and collusion are major limiting factors reducing the effectiveness of current measures.

Through discussion and debates, civil society in Tanzania agreed that the biggest challenge facing forestry at all levels is related to governance of resources. Therefore, in a Tanzania Forest Working Group (TFWG) meeting held in September 2012, it was agreed that the issue of forest governance needs to be brought to national attention. To do so, the TFWG agreed that community perspectives and opinions need to drive the national discussion related to forest governance, which is why a 'forest governance hearing' was decided as a first step towards bringing attention to these issues.

A one-day hearing was held on 26 February 2013 at the New Africa Hotel in Dar-es-Salaam. The hearing focussed on testimonies from community representatives in relation to forest governance practices in their communities. A panel of experts was also selected from various sectors including government, civil society, politics, private sector and the development partners, that provided their comments as a reaction to the testimonies made. The panellists debated and responded to issues raised from the grass roots. The hearing was meant to help find a way forward regarding forest governance issues in Tanzania.

2. OVERVIEW

2.1 Forest Governance Hearing Objectives

Objectives:

1. Community perspectives, experiences and opinions on forest governance issues are shared with (and listened to by) a national level audience
2. Create a shared knowledge base about the challenges with forest governance in Tanzania and what needs to be done to address such forest governance issues
3. Initiate an agenda for action based on perceptions, information and discussions

Outcomes:

1. A shared knowledge base about the current situation on forest governance practices in Tanzania
2. Understanding and identification of the key challenges leading to forest governance
3. Identifying components to be addressed by the Tanzania Forestry Services Agency (TFS)

Other outcome:

1. Exploring some of the ground for a potential a Forest Law Enforcement, Governance and Trade (FLEGT) approach in Tanzania.

2.2 Approach to Forest Governance Hearing

The Forest Governance Hearing event was structured in a two phased process, which involved a pre-hearing meeting between the service provider and the testifiers one day prior to the hearing and **the full day hearing event itself.**

The Forest Governance Hearing event resulted in the production of two documents, one being this workshop report in addition to a four page information brief that summarizes the main points and recommendations from the hearing event. The brief follows the standard TNRF-format.

3. TESTIMONIALS

3.1 Introduction

The centrepiece of the Forest Governance Hearing event was testimonials from villagers and leaders of communities where forest harvesting is taking place in districts where the Mama Misisitu campaign has made visits.⁵ The Mama Misisitu campaign has spread messages promoting the participation of communities in forest management and the improvement of forest governance through increased education and awareness on forest rights.

Herein below are documented the testimonies of community members who have borne witness to the forest trade as it is practiced in Tanzania. It should be noted that a private sector representative of timber traders and entrepreneurs, who was invited to provide his testimony, became increasingly nervous about the tone of his fellow testifiers and the ensuing discussion. He eventually declined to speak during the testimonial session but did participate later during the plenary discussions.

3.2 Shomari Juma – Chairman of Kipangege Village Council (Kibaha District)

“From 2005 to 2007 we were provided with education regarding participatory forest management around Ruvu South forest. After being educated we understood that forest is not government’s property but rather the property of communities living adjacent to that forest. Since we were using many resources found in the forest without considering their sustainability, after all we thought it was government’s responsibility to protect the forest, which led to resources disappearing. Therefore, after receiving education regarding the sustainable management and utilization of Ruvu forest we prepared a forest management plan and by-laws to protect the forest.

It all looked to us like an experiment since we didn’t have an official agreement with the government. We were concerned about how we would protect our rights. In other words there was no written contract between us and the government regarding the roles, responsibilities and benefit sharing mechanisms. Nonetheless, we continued to benefit such as being paid twenty percent of the value of timber whenever illegal timber was confiscated. In addition we continued to benefit from other forest resources such as mushrooms and medicinal plants.

In 2007 an evaluation was undertaken of our ability to manage the forest. It appeared that our efforts were beneficial to the health of the forest. It was determined that the natural vegetation was recovering and that illegal footpaths through the forest had decreased significantly. We even began to see the number of wild animals such as water buffalo and antelopes increase after not having been

⁵ Mama Misisitu is a communications campaign aiming to improve the governance of Tanzania’s forests and reduce illegal forest harvesting, so that the people of Tanzania can increasingly benefit from sustainably managed forests. Details of the campaign can be found here - <http://mamamisisitu.org/>

seen for many years. After that we continued to protect the forest but we felt that our efforts would be in vain in the absence of a legal agreement with the government so our efforts were reduced from 2009 to 2010 at which time the health of the forest became very bad due to increased charcoal production and encroachment by pastoralists. Despite being encouraged by stakeholders we were demoralized.

When the Mama Misitu campaign and its stakeholders came in 2012 it resulted in raising our spirits and our desire to once again manage our forest. TFS has also been actively participating in the campaign by encouraging us to manage the forest but still we feel that their endorsement is not an official recognition. It is now a good time to have a legally binding contract between our communities and TFS that allow both sides to understand costs, benefits, rights and responsibilities”.

3.3 Mr. Subira Juma – Secretary for the MJUMITA network (SHIWAMARU – Shirikisho la Watetezi wa Mazingira Ruvu), Kibaha District

“No animal can live comfortably without a clean environment, especially a healthy forest. Our elders worship under the trees. What is alarming is how people are now harvesting trees unsustainably even in important catchment areas where humans access drinking water. After the good information provided by the Mama Misitu campaign I now recognize that the responsibility to manage the forest is not just governments but rather is the responsibility of each stakeholder. It is important that everybody who witnesses illegal forest activities reports such activities to the relevant authorities. This campaign has brought a good relationship between TFS and the community. After all we are now even rewarded in a timely manner whenever we capture illegal forest produce. The sharing of benefits with government has been a big incentive since we are sharing products such as timber, charcoal, building poles and even money, which are the result of selling confiscated forest products.

The Mama Misitu campaign has been very useful because I have now realized that the Village Environment Committee had not previously understood their responsibility, it was not calling meetings and it was not providing people with feedback. I have understood these things after the campaign informed us about responsibilities and good governance. We have now been able to call a meeting and hold certain delegates of the committee to account. We have been able to question the Village Council regarding revenues and expenditures in connection with the forest. The Village Council itself has now requested an update from the committee on their activities and this report will be presented to the upcoming village assembly meeting.

While on patrol we were able to capture twelve bicycles, each one carrying two bags of charcoal. When we informed TFS they told us they did not have any transport and would not be able to come immediately to the scene of the incident. They then advised me to use any means necessary to report the responsible parties to the relevant law enforcement authorities. We took the contraband to the Village Council office but when we were distracted trying to communicate with TFS the Ward

Executive Officer released the confiscated goods without consulting with us first. I took the decision to call our Mama Misitu advisor and he immediately called the Regional Commissioner who called the District Commissioner who in turn called the District Executive Director who called in the Ward Executive Officer who was made to apologize for what he had done”.

3.4 Ms. Pily Kondo Chamguhi – Counsellor for Masaki Ward, Kisarawe District

“After hearing the information from the experts at the Mama Misitu campaign launch I stood up and said in aloud voice that since becoming a counselor this was the very first time that I have been involved in any forestry activities. I used to believe that the responsibility to manage the forest was the governments through its division of forestry but now after receiving information from the campaign I realize that this responsibility is mine as well as everyone else without regard to who has the legal mandate. I therefore beseech the TFS and the District Forestry staff to collaborate with communities to protect these forest resources, after all the Mama Misitu campaign has made it clear that managing the forest is everybody’s responsibility.

In the beginning I came to listen only, just as I would listen at any other normal meeting. But I discovered something, which was very different. First of all, we were given brochures and detailed information about participatory forest management. This inspired me because I noticed that different from other meetings everyone at the meeting was involved in receiving the forest education. In truth everybody received the message about forest management, anyone who goes against what was taught should not be forgiven. In the past only a few people would get the forest education but they would not provide feedback to the community. But now we’ve all attended the forest seminar, so who needs to provide feedback when in fact everyone was in attendance?

I declare truthfully that since the campaign started there has been a big change since the community is now fully involved in protecting their forests. Therefore I support the Mama Misitu campaign by one hundred percent and I am ready to cooperate with stakeholders anytime in any activity. I also request that this education be provided to all counselors in their respective areas since they are very good representatives and mobilizers of the people”.

3.5 Mr. Mwinyi Saidi Ally – Villager from Kisangani Village, Masaki Ward, Kisarawe District, Coast Region.

“This Mama Misitu campaign has a noble aim of saving forests by bringing different stakeholders together and reminding them of their responsibilities and how to claim their rights to utilize those forests. However, I have discovered that the big problem are those few unscrupulous leaders who care more about their own interests than

the interests of the majority of us who are poor. Many times the truth is that the poorest people in the village don't know where to take their complaints and those are able to help them deal with their problems are not advising them to do so.

Allow me to recount an episode that I witnessed together with my colleagues who participate in forest patrols. I once saw a transporter of forest products who had been given a permit, which was valid for one week. However, in spite having the one week permit, there is no forest officer monitoring whether the permit has expired or not. We monitored his movements and determined that he had already transported a load of forest produce, however, he returned to the forest offices and applied for an extension to his permit period arguing that he had not yet been able to transport any forest produce on the permit period he had originally been provided. The forest officers then granted him another week on the same permit, without checking to see whether he had problems with his lorry as he had claimed. The timber trader was therefore able to transport more than one load on the same permit.

On another occasion we carried out a patrol and captured a vehicle and we reported the license number to the forest authorities. Despite having all the necessary evidence the forest authorities informed us that the vehicle had done nothing wrong and it was released in rather mysterious circumstances, to date we have not been provided with a satisfactory explanation of the incident.

At that point I also began to understand that there is something called a "trail blazer". In these cases a motorcycle goes on ahead of the vehicle carrying illegal timber in order to scout for forest officers manning the checkpoints to make sure that they are those who are agreeable to being bribed. When a strict forest officer is on duty at checkpoints then the message is sent to the vehicle to wait until the shift Changes.

In fact, when we report illegal practices to the forest authorities they sometimes follow up without involving us. We discovered that our reports were providing opportunities to forest officers to solicit bribes, which in turn was leading to bad relations between ourselves and the illegal timber traders who were blaming us for reporting them. The illegal timber traders would then scorn us claiming that they were above the law and no matter how we reported them they would remain free to continue with their illicit activities.

There was another day when my colleagues and I were patrolling when we encountered a people unpacking a charcoal kiln. While we were interrogating them two traffic police appeared, one female and one male. The female police had a walkie-talkie and the male police officer had a rifle. They then started to interrogate us with great anger and hostility as to what we were doing in the forest. We tried to explain to them that we were the forest patrol and we also showed them our identification cards but they accused us of being forest poachers and they told us we had no business in the forest. They accused us of forging our identification and told us to leave otherwise they would use their weapons against us. We had no choice but to leave the area but later we came across the charcoal burners who

informed us that they had been forced to pay the traffic police officers three hundred thousand shillings in order to be released. We then went to report the matter to the District Police Chief and to the Head of the Kisarawe Police Station, identifying the two police officers involved. The police chiefs promised to follow up the matter and when we followed up later we found that the traffic police had both been transferred out of the area. We followed up further and were informed that they had been given a severe reprimand and we were told that if we saw them again in the area we should report them immediately. Since we were dealing with state organs we decided to accept what we were told but we remained nervous because those officers could harm us at any time, if they so wished. We still see them both in Kisarawe from time to time”.

4. PANEL RESPONSE

4.1 Panel of Experts

The Forest Governance Hearing event was attended by a panel of forestry experts who were assembled in order to bear witness to the testimonials and who were able to respond to various concerns raised by stakeholders.

The panel was made up of Mr. Valentine Msusa of the central government's forestry agency called the Tanzania Forestry Services Agency; Mr. Ben Sulus the Executive Secretary of Tanzania's largest association of timber sawmillers, known by its Kiswahili acronym of SHIVIMITA; Mr. Abdallah Ulega Gala who as a District Commissioner is the highest ranking representative in Kilwa District one of the country's leading forest harvesting area; and Ms. Inger Naess the Counsellor for Environment and Climate Change at the Embassy of Norway, one of the Tanzania's development partners with many years of major support to the forestry sector.

Herein below is documented the response of the panel of experts to testimonials that were put forward at the Forest Governance Hearing.

4.2 Valentine Msusa – Director of Planning and Resources Utilization, Tanzania Forestry Services Agency (TFS)

Mr. Msusa first responded to Pily Kondo Chamguhi's comments. He informed the plenary that the week before he had worked together with UNDP on the issue of cost/benefit sharing, resulting in the drafting of regulations that will eventually be announced in the form of a Government Notice. The government has received \$700,000 from UNDP to address the information gap that had been mentioned by the testimonials. TFS are currently preparing regulations so that by July 2013 cost/benefit sharing will be legally regulated.

In responding to Juma Mshiru, Mr. Msusa stated that the Forest Act of 2002 was clear on the role of community's participation in forest management. Mr. Msusa did concede that environmental issues are often given low priority by government. He provided the example of the last budget of the Forestry and Beekeeping Division, before it was reformed to become TFS, where a budget of 15 billion shillings was projected, but only 6 billion shillings were received and only 3 billion shillings were allocated for operations.

TFS was now planning on deploying Forest Managers to every district and every forest reserve. Forest Managers for Kisarawe and Kibaha Districts were already in place. The new TFS structure called for Forest Zonal Managers to oversee the District Forest Managers. These Forest Managers will be responsible for promoting PFM. During the next annual budget TFS will employ graduates from Olmotonyi, FITI Moshi Forestry College and Tabora Beekeeping College on one year contracts, while they await establishment orders for full time employment. TFS is not yet free to hire staff as they wish.

TFS had set a 53 billion shilling collection target for the fiscal year 2012/2013. From May 2012 to February 2013, 3.7 billion shillings worth of illegal forest produce was captured through the use of informers. In addition to their target, TFS had 67 billion shillings in actual collections, and this attributed to better forest law enforcement.

Mr. Msusa in responding to Mwinyi Said and the issue of transporting contraband forest products explained that TFS is currently trying to break up collusion networks in the ministry. He explained that staff are being transferred so that they don't become too familiar and corrupted with traders in one location. Mr. Msusa offered to provide the telephone numbers of forest law enforcers, thereby inviting informers and whistle blowers to report forest crimes to TFS. He mentioned that many staff have been removed from checkpoints and are now working in Nature Reserves, where presumably there were fewer opportunities for collusion. The use of motorcycles to transport contraband is recognized to be a problem. Mr. Msusa admitted that many motorcycle owners who involve themselves in illegal forest trade are government employees, including members of the armed forces. The Forest Act directed that vehicles caught ferrying contraband should be confiscated.

Mr. Msusa stated that he recognized that the police and other state organs can be problematic. He promised that TFS will always support communities. Mr. Msusa mentioned that benefits to communities are only possible if forest resources continue to be available.

4.3 Mr. Ben Sulus - SHIVIMITA

Mr. Sulus stated that it was good to have fora like this Forest Governance Hearing Event, from time to time. He was pleased that TFS has experienced the benefit of meeting with governance and other stakeholder, as in his words, TFS is the lead forestry stakeholder. He stated that there was a need to work as a team amongst all forestry stakeholders.

Mr. Sulus reminded participants that the Prime Minister and the minister of finance had directed all government departments to procure their furniture from Tanzanian sources. However, local furniture factories were experiencing difficulty in accessing raw materials. Mr. Sulus wanted TFS to insist on increasing efficiencies in forest harvesting and processing, by improving recovery rates in sawmilling and in charcoal burning. Mr. Sulus called for a Code of Conduct amongst the private sector.

Mr. Sulus claimed that some of the problems in enforcing the forest laws were because the current harvesting guidelines are inadequate. He recommended that future guidelines be drafted in a participatory process. He also proposed that simple, user friendly language is used in government documents intended for the public. Mr. Sulus further proposed that TFS should document their accomplishments. Mr. Sulus feels that the issue of benefit sharing needs to be flexible over time.

4.4 Abdallah Ulega Gala – District Commissioner, Kilwa District, Lindi Region

Mr. Ulega noted that 90% of the testimonies were relevant for the government. He also said that he, although a District Commissioner in Kilwa, is a resident of Mkuranga District, Coast Region. Mr. Ulega felt that Coast Region residents have been long term victims of poor forest governance. The proximity to the Dar-es-Salaam market has been a curse and not a blessing. Coast Region is producing most of Dar's charcoal rather than producing environmentally benign horticultural products.

Mr. Ulega noted that he could see people from Kisarawe/Mkuranga carrying bags of charcoal to Dar but he also felt that they did not benefit, there was no development from their efforts. Mr. Ulega felt that the charcoal trade was leading to environmental degradation and the drying up of water sources. He provided the example of how people in his community paid TSh 800 for a 5 - Litre container of water and paid Tsh 3,000 for buying water for each household per each day.

Mr. Ulega stated that there was a need to promote alternatives to producing charcoal. He questioned why income generating activities, such as rearing chickens, were not being promoted. He gave the example of how it cost TSh 300,000 for villagers to buy a chainsaw and move to Kisegese Village to make charcoal. He informed the plenary that many villagers near Kimanzi Chana are now making charcoal in Kisegese Village. He explained that charcoal is a quick cash provider. There were no viable agricultural alternatives.

The DC informed participants that he had banned timber harvesting in Kilwa District two weeks earlier. He stated that people were clearing forest for agriculture and that sesame production was the leading agricultural activity in Kilwa. He informed participants that TSh 450,000 was the median per capita income in Kilwa (which is less than 1,500/day or \$1/day) but that the government's target is TSh 850,000. He stated that sesame is a good cash crop, it is profitable but it stimulates land clearing and deforestation and it requires a lot of labour. He mentioned that migrants from Newala and Tandahimba Districts were moving to Nanjirinji Village in Kilwa District in order to grow sesame.

The DC mentioned that there are 28 illegal ports in Kilwa, which are used to transport illegal timber. He noted that logs are more difficult to transport than sawn timber, therefore, he felt it better to require traders to transport logs and thereby reduce illegal timber trade. The DC conceded that there is corruption in forestry. The DC stated that his constituents don't benefit from the timber trade but neither do they stop illegal forest trade. The DC mentioned that Nanjirinji Village received TSh 50 million from sales of African Blackwood to Sound N' Fair, which were facilitated by the NGO Mpingo Conservation and Development Initiative (MCDI). He stated that stakeholders must find ways to empower communities by surveying Forest Reserves so that communities can own the majority of forests.

4.5 Inger Naess – Counsellor, Environment and Climate Change, Embassy of Norway

Inger Naess – Counsellor, Environment and Climate Change, Embassy of Norway

Ms. Naess observed that the meeting and its discussions were promising, presumably referring to the positive responses of government representatives to community concerns. She felt that governance is the biggest problem in forestry that had resulted in forests continuing to disappear.

Ms. Naess expressed disappointment that there was a lack of willingness on the part of the government, since 90% funds for forestry came from donors. She stated that government relies on donors to support forests. Ms. Naess proclaimed that Development Partners are willing to support forestry but the available level of support is only limited compared to what is needed.

Ms. Naess stated that there was a need to cooperate between central government, local governments and NGOs. She said that MCDI in Kilwa District was a success story although activities in Kisarawe District were not as successful. Ms. Naess reminded the plenary that there was a need to address drivers of deforestation. There is a need for income generating activities and the issue of benefit sharing is so important.

5. PLENARY DISCUSSIONS

5.1 First Round of Plenary Discussions

David Yonaza – District Executive Director, Kibaha District, Coast Region:

Mr. Yonaza mentioned the coppicing/shifting agriculture system was disappearing with large pineapple cultivation, land leases and pastoralist migrations into Coast Region. He stated that land availability is now a problem in Kibaha and urged TFS to promote beekeeping, alternative energy and environmental education to all. TFS should promote the planting of fast growing trees. He said that since forestry was a cross cutting issue it required a cross sectoral solution.

Phillipo Mbaga – Farm Africa:

Mr. Mbaga called for a code of conduct for Villages, Wards, Districts, TFS and the private sector. He urged that there should be stringent monitoring in order to ensure that these codes of conduct are implemented. He enquired why modern technology, such as log tracking technology, could not be used. He advised that benefits need to be market based, and not just reliant on fines and captures. He stressed the need for chainsaws to be registered and regulated.

Valentine Msusa – TFS:

Mr. Msusa informed the plenary that in the upcoming fiscal year 2013/2014, 10,000m³ of logs will be processed by TFS in order to reduce prices of beehives from the current TSh 200,000/hive to TSh 50,000/hive. TFS wanted to produce easily assembled beehives and also wanted to expand beekeeping knowledge to Coast Region.

TFS planned to provide each district with funds that would be used to establish demonstration nurseries by using clonal eucalypts which have been developed by TAFORI. The intention was to have fast growing tree provenances such as teak trees with rotation periods reduced from 40 to 20 years.

Mr. Msusa also informed participants that the Tanzania Forest Fund (TFF) is providing funds to projects of between TSh 5 million and 50 million. He urged stakeholders to assist communities to write fundable project proposals. He reminded members that the government had previously began a log tracking initiative but that it had stopped suddenly. He promised to restart log tracking in the fiscal year 2013/2014 with pilots in some of the country's plantations.

Mr. Msusa reminded participants that Government Notice 69/70 of 2006 prohibits the use of chainsaws in natural forests. He added that because of chainsaws 38,000 hardwood planks were ceased in Mtambaswala, 6,000 hardwood planks were ceased in Tunduru and 8,000 hardwood planks were ceased in Liwale. He stated that in the upcoming fiscal year TFS plans to put District Forest Managers in 80 Districts and that 200 motorcycles have been ordered in order to make forest managers more mobile. He also said that PFM guidelines were being reviewed.

5.2 Second Round of Plenary Discussions

Merja Makela – Embassy of Finland:

Ms. Makela wondered who is looking after 19 million ha of general land forests, since only 12.5 million ha of Tanzania's more than 30 million ha of forest are managed by TFS. She wondered how PFM was being promoted in order to better manage the majority of forests not under government management.

Pily Kondo Chamguhi – Masaki Ward, Kisarawe:

Ms. Chamguhi claimed that collusion between traders and Forest Officers was widespread. She asked what Tanzania would do without the Development Partners and the NGOs, especially with regards to forestry. She felt that the government is not seriously monitoring challenging issues in lands and forestry.

Shafia Amiri – MJUMITA:

Mr. Amiri stated that good information flow was needed in the sector. He informed the plenary that although TFS had distributed beehives to staff in many districts, 100 of those beehives in Same District had not been provided to target communities. He also stated that beehives provided free of charge were not valued by villagers, as he was aware that beehives were being used as "chairs" in Msoga Village.

Issa Rwabusimbi – Mingoyo Sawmills:

Mr. Rwabusimbi proposed that, instead of the current fragmented timber trade, consolidated timber markets should be established in every major town in Tanzania.

Yahaya Mtonda – Tanzania Forests Conservation Group (TFCG):

TFS should continue to support Ruvu South Forest Reserve, including support to the Eastern Zone Forest Manager. He urged that more forestry information be provided to communities.

Evarist Moshi – Farm Africa:

Mr. Mushi said there was an urgent need to provide capacity building support to Village Executive Officers, who otherwise are leading in corrupt practices.

Geoffrey Mwanjela – Tanzania Natural Resources Forum (TNRF):

Mr. Mwanjela encouraged the use of study tours and exchange visits as valuable learning experiences.

Valentine Msusa – TFS:

The Forest Act of 2002 directs that general lands forest are to be managed by TFS. PFM will be financed through cost/benefits sharing agreements entered into between TFS and districts. Mr. Msusa accepted that TFS had learnt much from NGOs and from fora such as the Forest Governance Hearing event that was taking place. He mentioned that the Forest Policy and Forest Act were being reviewed in order to incorporate elements of REDD. Mr. Msusa informed participants that of TSh 67 billion that was collected by the agency, TFS were given only TSh 30 billion. TFS would like to have its own budget code within the Ministry of Finance, so that they can retain 100% of the revenues they collect. TFS would like to pay their own salaries and have

full control over staff and equipment.

Participants were informed that the former DNRO and DFOs in Same and Kigoma Districts had been stripped of their Forest Officer status. The Tanzania Association of Foresters (TAF) is currently developing a forester's code of ethics. The harvesting guidelines of 2007 were also being reviewed and all policies, laws and guidelines were being reviewed for subsequent dissemination to stakeholders.

Simon Milledge – IIED:

Mr. Milledge stressed the importance of good governance in forestry. He also stressed that benefits need to be prioritized more, by asking which forest based enterprises can lift the livelihoods of communities (e.g. woodlots, beekeeping or even sustainable charcoal).

Mr. Milledge explained that 4 conditions were necessary for sustainable forest enterprises to occur, namely 1) Tenure – by streamlining the process to make it cheaper, faster; 2) Markets – making exchange of goods and services possible; 3) Extension – by making information readily accessible; and 4) Representation – stakeholder voice in decision making fora.

6. CONCLUSIONS

The main governance issues raised by the testifiers included the need for:

- Communication and education on community rights and responsibilities increased
- Benefit sharing arrangements implemented
- Implementation of exiting legal frameworks including prosecutions
- Preventing corruption, illegal forest trade and collusion between authorities and unscrupulous actors
- Community and Private Sector engagement
- Improvements and Simplification of guidelines
- Alternative income-generation and Forest Enterprises promoted

A rather artificial distinction is often made between government, private sector and community when it comes to village level. This results in a polarised, accusatory debate. For example, it is apparent that many community members engaged in forest initiatives hold a position of responsibility at village or ward level, and are involved in some form of small-scale, mostly informal forestry related business. The need to encourage collective responsibility was highlighted by the fact that some testifiers are themselves local government leaders and are therefore obliged to contribute to solving governance shortfalls.

Private sector representatives were not very vocal, apparently fearful of reprisal from government officials present. The SHIVIMITA spokesman on the panel of experts mentioned the need to improve by simplifying the existing timber harvesting guidelines, the need for improved organisation of communities and the private sector, and the need for private sector self-regulation through a code of conduct. Useful piece of information was an initiative by the Tanzania Association of Foresters to develop a code of best practice for foresters although, it has apparently been ongoing for several years.

Numerous remarks regarding government commitments to improving community participation and governance were made by the TFS representative including, the imminent finalisation of benefit-sharing regulations, TFS mechanisms to return revenue to communities, increases in manpower to one manager per government forest, log tracking, district nurseries, and planned employment on contract basis all graduates from three training institutions using TFS resources. In addition the Tanzania Forest Fund is providing grants to community forestry projects worth between TSh. 5 million and 50 million.

Kilwa's District Commissioner mentioned buy-in of communities in Nanjirinji Village

as a result of owning their own forest and earning direct income from regulated sales of African Blackwood. The Kilwa DC mentioned a ban on sawnwood plank transport in Kilwa in order to encourage the transportation of logs, thereby reverting to a lower value-adding activity whilst arguably facilitating law enforcement.

The need for greater collaboration in land use planning and forest management plans, addressing drivers of deforestation and benefit sharing to pay for PFM in forests outside forest reserves was highlighted by development partners. Sustainable financing mechanisms for community and individually-owned forests is an area that would benefit from more focus, given the TFS mandate to manage government forest reserves, the realities of limited REDD financing, changing donor priorities and the nature of existing private sector investment. The need to diversify thinking beyond PFM arrangements, which are more likely to secure village-level benefits if and when benefit sharing arrangements are agreed and implemented, to forest-based enterprises that may better secure income generation at the household level was also discussed.

In terms of follow up a future event of a similar nature should encourage greater geographic spread of testifiers, as in the 26yh February meeting all the witnesses were from eastern Tanzania, from districts close to Dar-es-Salaam. The potential of harnessing the gathering of many community-based forest practitioners during annual MJUMITA meetings needs investigating. The idea of undertaking some form of follow-up, post TRAFFIC report, assessment of forest governance is valid. However, some background information, the proposed meeting with private sector and dialogue with government is needed first before determining the nature of the assessment. It will be useful to have a timeline for this process and inclusion within a work plan.

7. RECOMMENDATIONS

Recommendations: regarding the reluctance of private sector to engage publicly for fear of reprisals from government authorities.

Recommendations for TNRF organize a separate event for private sector only in order to ensure their voices are heard, although their sensitivities must be considered.

Recommendations: regarding Tanzania Association of Foresters initiative to develop a Code of Ethics for foresters.

Recommendations for TNRF and Tanzania-based partners to monitor and assist in the finalisation, adoption and mainstreaming of the Code of Ethics.

Recommendations: regarding TFS benefit sharing mechanisms, increases in manpower, log tracking, district nurseries, and contract employment of graduates.

Recommendations for TNRF to follow up on dialogue with government in order to quantify TFS commitments make them time-bound and therefore more monitorable and accountable.

Recommendations: regarding TFF funding of forestry projects for between TSh 5 and 50 million

Recommendations for TNRF to investigate methods of providing support to communities to develop fundable project proposals to submit to TFF for funding.

Recommendations: regarding Kilwa District Commissioner's ban of transporting sawnwood planks.

Recommendations for TNRF through MCDI, whom the DC spoke highly of, to assess the effectiveness and implications of the ban on sawnwood plank transport in Kilwa

Recommendations: regarding Nanjirinji Village receiving direct payments from regulated sales of African Blackwood from Village Land Forest Reserves.

Recommendations for TNRF and her partners to explore how to best highlight achievements in Kilwa in terms of securing village income from sustainable and legal timber sales, particularly the links between efforts to improve local governance and efforts to develop forest-based enterprises, as these areas are sometimes artificially separated during policy discussions.

Recommendations: regarding Income generating activities and forest based enterprises.

Recommendations for TNRF and TFWG to consider working on issues such as security of tenure, reasonable market terms and aggregation or representation.

Recommendations: **regarding Follow up of Forest Governance Hearing and an assessment of forest governance.**

Recommendations for TNRF and her partners to develop a timeline within a work plan for this process.

Annex 1: List of Participants

Name	Position	Place
Inger Naess	Counsellor, Environment and Climate Change, Embassy of Norway	Dsm
Pily Kondo Chamguhi	Counsellor, Masaki Ward	Kisarawe
Subira Mindili	SHIWAMARU	Kibaha
Shomari Juma	Chairman – Kipangege Village	Kibaha
Mwinyi Saed	UWAMIRU	Kisarawe
Merja Makela	Counsellor, Embassy of Finland	Dsm
Abdalla Ulega	DC - Kilwa	Kilwa
Yahaya Mtonda	TFCG	Kibaha
Polycarp Machira	The Citizen newspaper	Dsm
Abebe Haile	The Citizen newspaper	Dsm
Chifu Amiri	MJUMITA	Kibaha
Mussa Twangiko	TBC Taifa	Dsm
Andrew Mariki	MCDI	Kilwa
Jasper L. Makala	MCDI	Kilwa
Fredrik Werring	Embassy of Norway	Dsm
Simon Anstey	WWF CEAI	Dsm
Christine Tam	WWF	Dsm
Jumapili Chenga	TRAFFIC	Dsm
Simon Milledge	IIED	UK
Yohana Kadiva	EMNET	Dsm
Ernest Moshi	Farm Africa	Babati
Phillipo Mbagu	Farm Africa	Babati
Raziah Mwawanga	Tanzania Media Fund	Dsm
Valentine Msusa	Tanzania Forestry Service Agency	Dsm
Oscar Lwoga	World Vision	Dsm
Ben Sulus	SHIVIMITA	Moshi
Issa Rwabusimbi	Mingoyo Mills	Lindi
Judica Losai	TBC 1	Dsm
Elias Msuya	Mwananchi newspaper	Dsm
David Yonaza	DED - Kibaha	Kibaha
John Chikomo	JET	Dsm
Cassian Sianga	TNRF	Arusha
Masembi Tambwe	Daily News	Dsm
Deodatus Mfugale	JET	Dsm
Musa Mnasizu	LEAT	Dsm
Rashida Suleiman	TNRF	Arusha
David Kiputu	Mama Misitu	Dsm
Emmanuel Mlay	Mama Misitu	Dsm
Gwamaka	Mama Misitu	Dsm
Mwakyanjala		
Esther Yamat	TNRF	Arusha
Lodrick Mika	TNRF	Arusha
Jane Paul Mwita		Dsm
Geofrey Mwanjela	TNRF	Rusha

Annex 2: Terms of Reference

Forest Governance Hearing

Position: Consultant to facilitate and write report on Forest Governance hearing

Start Date: 5th January 2013

Duty Station: Remote

Reporting To: Head of Programmes, TNRF

1. Project Overview

Tanzania is endowed with a wealth of natural resources that significantly contribute to the countries' GDP. Forest resources are not only a significant contributor to the GDP, but they also support a majority of rural livelihoods throughout the country.

Tanzania is among countries with strong policies, laws and regulations in place that provide different stakeholders – including communities - with responsibilities to sustainably conserve, manage and benefit from forest resources. Yet despite having these laws and policies in place, there are a lot of challenges facing the forestry sector in this country today. With this in mind Tanzania has reviewed the 1998 Forest Policy and is in the process of finalizing it.

Through discussions and debate, civil society has agreed that the biggest challenge facing the forestry sector at all levels is related to governance of these resources. Therefore, in a Tanzania Forest Working Group (TFWG) meeting held in September 2012, it was agreed that the issue of forest governance needs to be brought to attention – from local to national levels. To do so, TFWG also agreed that community perspectives and opinions need to drive discussions related to forest governance, which is why a 'forest governance hearing' was decided as a first step towards bringing attention to these issues.

This one-day hearing will focus on testimonies from community representatives in relation to forest governance practices in their communities. A panel of experts will also be selected from various sectors (government, CSOs, MPs, Private Sector and Development partners) that will also provide their comments as a reaction to the testimonies made. The panellists will debate the issues, but the topics will be informed from the ground. This hearing seeks to find a way forward regarding forest governance issues in Tanzania. This event can also create space for discussions on how to deal with the challenges and lessons on issues of forest governance and what we can do to move forward.

2. Objectives

The main objective of this assignment is to facilitate and document information sharing of the forest governance hearing. Specifically, the objectives are to:

- Support testifiers so that they are clearly able to present their opinions and experiences in regard to forest governance in Tanzania
- Ensure lively, informed and relevant discussion related to forest governance and clear recommendations and strategies for bringing these issues forward
- Provide a comprehensive overview of the issues discussed and debated and the key recommendations and strategies for moving forward.

3. Approach and Scope of Work

Prior to the Hearing: The Service Provider should be well informed about the purpose, objectives and goals of the forest governance hearings so that all activities are focused and targeted (see Annex I). The Service Provider will meet with the testifiers one day prior to the hearing so that he/she can become familiar with. This meeting should also help the Service Provider develop a set of questions that will help guide discussions during the hearing.

During the Hearing: The Service Provider will be responsible for facilitating the forest governance hearing. This will include:

- Providing introductory remarks, summaries and overviews of key issues
- Giving a background on forest governance issues in Tanzania
- Facilitating testifiers presentations and panellist follow up questions and responses
- Developing guiding questions to help lead discussion and debate
- Facilitate discussion on 'moving forward' and fostering discussions about recommendations for ways forward

Post-Hearing: The Service Provider will compile information from the hearings, including testifier's points, discussion topics, panel discussions and ways forward. This information shall be packaged in two forms: 1) a workshop report; 2) a 4-page 2,000-word information brief that summarizes the main points and recommendations. The brief should follow TNRF-format, and a sample brief will be provided by TNRF (see Annex II).

4. Outputs

The Service Provider will be responsible for the following outputs:

- Well prepared testifiers who can clearly articulate their points (opinions, concerns and challenges) regarding forest governance
- An informative and lively forest governance hearing that involves a diverse group of stakeholders in discussion and debate and provides strategies for moving forest governance issues forward.

- A workshop report outlining presentations, key issues discussed and ways forward
- A 4-page information brief that summarizes forest governance issues (from a citizens' perspective) in Tanzania

5. Required Qualifications

The Service Provider should have:

- Strong analytical and writing skills;
- Advanced degree in areas of sustainable development, natural resources or related field.
- A background in natural resource management issues, forest governance and or community based natural resource management.
- Knowledgeable with governance issues facing Tanzania.

6. Consultant and Timing

The Service Provider will:

Date	Issue
25 th February	Have a short meeting with testifiers
26 th February	Facilitate the hearing
28 th February	Present first/draft report
1 st March	Present draft brief
5 th March	Receive feedback from TNRF
8 th March	Provide final draft report and brief
10 th March	Receive feedback from TNRF
12 th March	Provide final report and brief incorporating TNRF