

Forest Governance in Tanzania – A citizen's perspective

Key messages:

- 1. Communication and education on community rights and responsibilities needs to be provided in user friendly language;**
 - a. A Nachingwea District forest trader claimed that; although he had been participating in forest trade since 2010, he only became aware of the proper procedures in 2013, after being introduced to the Mama Misitu Campaign;
 - b. The Kipangege Village Council Chairperson explained that the 2013 JFM guidelines were in a language that he and his fellow villagers could not understand. Kipangege only began to pursue the opportunities for JFM after Mama Misitu Campaign translated the guidelines into Kiswahili;
- 2. Endorsement of JFM and benefit sharing arrangements needs to be accelerated;**
 - a. Kipangege Village began the process of JFM in the Ruvu South Forest Reserve in 2005 but by 2013, when the JFM guidelines were published, an agreement had still not been signed by TFS;
 - b. Despite the publication of the 2013 JFM guidelines, there continued to be confusion around the appropriate signatory on the part of the central government. Mama Misitu Campaign facilitated a meeting between Kipangege, TFS and Kibaha District Council in 2015 that eventually resolved the issue of TFS signatory;
 - c. The MJUMITA Eastern Zone board member claimed that they had been told that a lack of village bylaws in some villages had resulted in delaying the signing of the JFM agreement. He urged TFS to invest funds into supporting the remaining villages to finalize their bylaws;
 - d. The Director of the Forestry and Beekeeping Division pointed out that accelerating the endorsement of JFM agreements was often just a question of better educating forest officers in the field.
- 3. Setting minimum revenue targets without also setting maximum harvesting targets based on allowable cut calculations should be abandoned;**
 - a. An NGO spokesperson described the perception among many communities that District Forest Managers continued to issue harvesting permits on village lands because they were given revenue targets that could not be met from Government Forest Reserves alone;
 - b. The NGO spokesperson speculated that the ban on the donor funded Sustainable Charcoal Project in Kilosa had resulted from the fact that CBFM led to a reduction in TFS revenues by channeling revenues into village coffers;
 - c. A MJUMITA field officer explained that in Rufiji District, that TFS had set a one year revenue target of TZS 700 million. He then pointed out that it was impossible for the Government Forest Reserves in the district to generate this level of revenues in an ecologically sustainable manner.
- 4. Translate and disseminate the MNRT/PO-RALG MoU as a means of establishing checks and balances between DFOs and DFMs in regulating forest trade;**
 - a. The Kilwa District Chairperson explained how the DFM was responsible for overseeing all of the forest trade procedures on general lands, meaning that there was an absence of checks and balances. A Rufiji trader described how poor DFO/DFM relations led to unnecessary procedures that added to the cost of doing business. He referred to TFS staff insisting that harvesting permits be stamped by Village Executive Officers, a step that is not in the guidelines;
 - b. The President's Office, Regional Administration and Local Government representative acknowledged the need to disseminate the MoU widely. The Director of the Forestry and Beekeeping Division explained how a committee had been established under the MoU where DFO/DFM issues would be discussed;

- c. A senior TFS officer described how the harvesting guidelines were designed to separate roles, with DFOs issuing harvesting licenses and collecting revenues, whereas DFMs hammer marked timber and issued TPs. He insisted that any conflict was a personal issue between officers;
 - d. The Kilwa DFO lamented that DFOs were meant to collect revenue and issue receipts but that TFS had recently withdrawn receipt books from the DFOs. He stated that if the law can be compromised then guidelines could just as easily be compromised.
- 5. TFS and Districts cease from issuing harvesting permits for village land forests without the prior, informed and written consent of the affected villages;**
- a. The Vice Chairperson of the Nachingwea District Council declared that several villages in his district were now benefitting commercially from their VLFRs but he lamented that TFS was issuing licenses on their lands for which they had no authority;
 - b. The PO-RALG representative claimed that all villages in Tanzania have been surveyed and possess land certificates. Therefore, there is no more general lands, the land is village land entrusted to the Village Council on behalf of the Village Assembly. He asked that the situation of harvesting permits being issued on village lands be resolved urgently;
 - c. The CEO of TFS admitted that there existed confusion around the issue of land classification and that TFS needs to be more careful to apply the correct classification and thereby avoid issuing harvesting permits on village lands;
 - d. An NGO spokesperson described how he had once been told that management and harvesting plans cannot be developed for general lands and this is why TFS continued to issue harvesting licenses for these lands within the village;
 - e. The TFS Director of Planning and Resources Utilization explained that from hereon in DFOs and DFMs would use the zonal meetings to determine where harvesting will take place. He expected there would no longer be harvesting on village lands without local approval.
- 6. Improve the process by which communities and private sector are involved in providing information to forest authorities;**
- a. The Nachingwea trader complained that although they were formally registered they were still marginalized by government when establishing tax levels. He lamented how taxes are too high and that they change frequently, sometimes more than once in a single year. He claimed that honest forest traders are willing to act as informers to TFS but that they are not listened to;
 - b. The Kilwa District Chairperson expressed the belief that by not involving communities in the management of general lands forests, TFS was losing revenue. This because much of the illegal practices were taking place using bicycles and motorcycles, which allowed forest poachers to evade detection by TFS patrols;
 - c. The Chairperson of a saw millers association asserted that the private sector has become more organized and that SHIVIMITA, one of the sawmill associations, had been given an audience with the parliament. However, the SHIVIMITA chairperson claimed that neither MNRT or Ministry for Industry and Trade (MIT) had a department responsible for dealing with sawmills;
 - d. The TFS Director for Planning and Resources Utilization expressed the desire that meetings such as the Forest Governance Hearing be conducted more often and not only at the launch of a publication.
- 7. MNRT, PO-RALG and MLHSD collaborate to amend any legislation that prevents communities exercising tenure over all trees on village lands;**
- a. The Nachingwea District Vice Chairperson described how a lorry full of illegal timber had been apprehended on village land by TFS after the villagers themselves had alerted them. He complained that thereafter TFS confiscated the timber instead of returning the timber to the villagers;

- b. The Kilwa District Chairperson claimed that whenever a village expressed an interest in establishing a VLFR, TFS responds by dragging its feet in providing support.

8. TFS and Districts allow CBFM communities to sell forest produce at any price that village assembly agrees to.

- a. The NGO spokesperson asked why communities with VLFRS should be forced to sell their forest products at the government royalty rate.
- b. The TFS Director of Planning and Resources Utilization described how TFS considered different variables in setting royalty rates but he made no mention of communities being free to set their own prices, independent of government royalties.

Background:

Civil Society Organizations (CSOs) in Tanzania have agreed that the biggest challenge facing the forestry sector at all levels is related to governance of these resources. This was agreed at the Hearing: “The State of Forest Governance in Tanzania – from a citizen’s perspective” which also meant to serve as a starting point for bringing attention to these issues.

The second Forest Governance Hearing was held on 30th August 2016 and was the venue for the launching of a report titled “Revisiting TRAFFIC’s 2007 Recommendations to Improve Forest Governance in Tanzania”. The report was launched jointly by the **Honourable Jumanne Maghembe, Minister of Natural Resources and Tourism** and **Mr. Simmo-Pekka Pervavien, Deputy Ambassador, the Embassy of Finland**. The hearing provided an opportunity for community members to testify in front of a panel of forest experts made up of government officials. The hearing also provided opportunities to NGO representatives, and traders – to share their main concerns and hopes for a sustainable and productive forestry sector in Tanzania. After listening to the testifiers, the issues were debated, helping to bring local level concerns to a national-level agenda.

Testimonials:

As with the first Forest Governance Hearing, the centrepiece of this year’s event was testimonials from villagers, community leaders and forest traders in areas where the Mama Misitu Campaign had visited. Mama Misitu 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 at - <http://mamamisitu.com/>.

Herein below are documented testimonies of community members who have borne witness to the forest trade as it is practiced in Tanzania. This year’s hearing, in comparison to the first hearing in 2013, was well represented by forest traders at local and national levels who were open to express themselves freely.

Frank Nganyanyuka, Forest Products Trader – Nachingwea District: *“I have been a forest products trader for approximately five years now. Around the year 2013 I began to gain a better understanding of the business that I was doing through the Mama Misitu Campaign project. Despite the official recognition of our association, we forest products traders continue to be confronted by many challenges, including our limited involvement in establishing the levels of taxes and various other payments. In conclusion, we ask the government to improve the business environment by increasing participation, by combating illegal harvesting, and by reducing the number of roadside checkpoints to increase efficiency”.*

Shomari Juma Mchee – Chairman of Kipangege Village Council, Kibaha District: *“We are jointly managing the Ruvu South Forest Reserve, which is located both in Kibaha and Kisarawe Districts. We began this process back in 2005 by implementing provisions of the forest policy regarding Participatory Forest Management. In 2013 the government released guidelines regarding Joint Forest Management, however, those guidelines were not in a user friendly language for us. Afterwards, the Mama Mitsu Project, in collaboration with the Forestry and Beekeeping Division, translated the guidelines into Kiswahili and we began to comprehend the opportunities that were available to us. The remaining challenge is the fact that the government has not invested in JFM. It is appropriate for the government to provide incentives to villagers who participate in forest management because the benefits to communities are now beginning to be visible”.*

Zaina Ramadhani Chezeni, Representative of the Chairperson, Kipangege Village, Kibaha District: *“The first set of JFM guidelines were produced in a difficult language, which made it hard for the community to understand them”.* She thanked MMC, which intervened to translate the guideline into Kiswahili, thereby allowing the villagers to understand and discuss them more thoroughly. Zaina finished her testament by claiming that the benefits of PFM are now evident in the villages surrounding Ruvu South Forest Reserve, Kisarawe, although the communities were lamenting the lack of investors in the forest.

Panel Response and Plenary Discussion:

The 2nd Forest Governance Hearing event of 30th August 2016 was attended by a panel of forestry experts who were assembled in order to bear witness to testimonials that had been provided earlier in the day. The panel was made up of **Prof. Dos Santos Silayo**, the Chief Executive Officer of the Tanzania Forestry Services Agency (TFS); **Dr. Ezekiel Mwakalukwa**, the Director of the Forestry and Beekeeping Division in the Ministry of Natural Resources and Tourism; **Mr. Sanford Kway**, representative of the President’s Office, Regional Administration and Local Government. This year’s panel was further supported by additional TFS forest officers, including Mr. Mohammed Kilongo, Director for Planning and Resources Utilization and Mr. Nurdin Chamuya who had been the National Coordinator for the National Forest Resources and Monitoring Assessment (NAFORMA).

Sanford Kway President’s Office Regional Administration and Local Government (PORALG): *“All villages in Tanzania are surveyed and have land certificates, as a result there is no more general lands – once surveyed the land is village land, entrusted to the VC on behalf of the Village Assembly (VA)”.* This situation must be straightened out so that these problems are resolved”.

Dr. Ezekiel Mwakalukwa, Acting Director of the Forestry and Beekeeping Division (DFoB), Ministry of Natural Resources and Tourism: *“FBD is happy that communities want to manage forests. The government finds that it is a good thing”.*

Mohammed Kilongo, Director of Planning and Resource Utilization, TFS: *“There is a problem with forest officers not knowing the law. Checkpoints are routinely blamed for post ante legalizing forest produce and thereafter collecting revenues. There shouldn’t be delayed issuance of TPs at checkpoints”.*

Nurdin Chamuya, Formerly NAFORMA National Coordinator, TFS: *“There is essentially no more general lands. Only a small extent of land in Kigoma Region could be considered as truly general lands”.*

Recommendations:

Regarding the provision of education on community rights to beneficiaries in easy to understand language - TFS and TNRF to translate into Kiswahili and disseminate any remaining land, forestry trade, and PFM regulations and guidelines that have not yet been translated, to communities.

Regarding TFS accelerating the endorsement of clear arrangements around JFM and benefit sharing - TNRF to monitor TFS process of clarifying the procedures required for JFM agreements to be signed and the requirement for bylaws to be approved beforehand and to disseminate this information to communities nationwide.

Regarding abandoning minimum revenue collection targets by TFS without setting maximum harvesting levels

based on allowable cut calculations - TNRF to collaborate with other NGOs to monitor TFS and LGA planning meetings and the setting of revenue collection and harvesting targets and holding TFS and the LGAs to account.

Regarding translating and disseminating the MNRT/PORALG MoU widely - TNRF to collaborate with other NGOs and PFM communities to monitor and document the application of the division of roles and responsibilities as stipulated in the MoU.

Regarding TFS and LGAs immediate cessation of issuing harvesting licenses on forested village lands - TNRF to revise the forest trade checklist to include documentation from village governments that provide prior, informed, consent to harvesting on village lands.

Regarding a process for communities and private sector to provide information on illegal activities to the forest authorities – TNRF, and her partners in the TFWG, to explore how to best continue whistleblowing and informant aspects of the MMC project

Regarding MNRT, PORALG, and MLHSD collaboration to amend legislation that prevents villagers being sole custodians of all trees on village lands - TNRF and TFWG to lobby, through MMC, the Forest Governance Hearings, and CBNRM Forum, the government to clearly aim to empower communities to manage all forest resources on village lands, including by allowing communities to set prices for those resources without having to follow government royalty rates.

Regarding Follow up of Forest Governance Hearing and an assessment of forest governance - TNRF and her partners to develop a timeline within a work plan for the process of following up the recommendation stemming from these forest governance hearing.