

Minutes of Community Forestry Workshop: Brussels, 3–4 April 2014

I. Participants' desired outcomes

The workshop opened with participants sharing their desired outcomes for the event. The most common answer was to share experiences with people from other countries with a longer history of community forests, and to inspire the development of an ideal model in countries where the concept is newer. Participants wanted clarity about the definition of a 'community', the difference between community forests and small-scale enterprises, whether it is necessary to have full property rights in order for community forestry to work, and how the Forest Law Enforcement Governance and Trade (FLEGT) Voluntary Partnership Agreement (VPA) and Reduced Emissions from Deforestation and Degradation (REDD+) processes can contribute to strengthening community forestry. They wanted to increase their advocacy skills to reform legislation and improve their ability to explain community forestry to communities and support them in implementing it.

What do we mean by 'community forests' and 'community forestry'?

Community forestry was defined by the participants as a situation where communities have the right to manage the forest resources on which they depend, with the aim of improving their lives.

Community forest refers to an area of land managed by communities in this way, and recognised by the state as such.

II. Case studies

The next section of the workshop consisted of a presentation of five case studies from four countries with a long experience of implementing community forestry: Nepal, Mexico, Cameroon and Guatemala.

1. Case study: Nepal

This case study was presented by Ghan Shyam Pandey from the Federation of Community Forestry Users Nepal (FECOFUN), a national network of community forests. Mr Pandey's message was that 'community forestry is designed for the people, by the people', which was well received by the attendees.

How do community forests in Nepal work? In Nepal, community forests are former state-owned forests that have been handed over to a community. The community needs to constitute itself as a legal corporate body and prepare a constitution and management plan; it can then manage, harvest and sell forest products. The government retains ownership rights to the land, while the community is given user rights for a maximum period of 10 years (with the option for renewal). The average size of a community forest is 100 hectares, but some community forests are smaller than one hectare, while others are larger than 5,000 hectares. The size of each community forest, and its boundaries, are based on traditional practice, as determined by participatory mapping. At first, the purpose of community forestry was solely

for conservation and to save the forests through replanting; the idea of using community forests to sell forest products is more recent.

Historical development of community forestry in Nepal: From the 1950s to the 1980s, the government owned and managed Nepal's forests, resulting in serious forest degradation as well as conflicts with communities. This led to successful lobbying for the creation of community forests and for communities to be given more control. The community forests were created first; they received their legal status later, through a series of statutory reforms throughout the 1990s and first years of the new millennium. Today there are 18,000 community forests across Nepal, over an area of 1.7 million hectares of forests managed by 14 per cent of the total population (almost the entire rural population).

Keys to success in Nepal and lessons learned for other countries

1. One important reason behind the success of community forestry in Nepal is that the practice of community forestry was developed before the legal framework. Legal reforms related to community forestry reflected and took account of the lessons learned from action practice on the ground. There was a strong belief that community forestry would not work if directed from the top; the design of an optimal model required participation.
2. Another important success factor was the support of various stakeholder groups. There was strong support from local and national government throughout the process, aided by the fact that in 1990 Nepal became a democratic government. Also important was the presence of a strong, well-organised civil society: non-governmental organisations (NGOs) have acted as a guarantor for community forestry, making sure that the government did not take back the rights once given. There was also strong support from international donors (from the UK, Switzerland and Iceland in particular) and the media. Success was enhanced by positive collaboration between all these different actors.
3. It is important to support capacity-building, networking and technology transfer between producers, and to give small forest producers access to the marketplace. Community forestry must have poverty reduction at its heart.
4. Women played an indispensable role as leaders of community forests in Nepal. This was achieved partly through a positive discrimination policy: the government mandated that each community forest committee, at every level from local to national, was composed of 50 per cent women. FECOFUN supported discussions among women, using smaller all-women groups to get their views on priorities for community forestry. (FECOFUN used the same method to consult other subgroups in the community, e.g. the poor and the elderly.) Women were also heavily involved in educational activities around community forestry practice.
5. One of the shortcomings of community forestry in Nepal is that it has not included land ownership rights for communities. National civil society has been pushing for this to be addressed in the new constitution.

2. Case study: Mexico

The second presentation was on the experience of Mexico, delivered by Ernesto Herrera Guerra of Reforestamos Mexico, an organisation that supports Mexican community forest enterprises to sell their products and push for policy change.

Context: A third of Mexico is covered by forests, with 12 million people dependent on them. Nevertheless, forestry is a small sector (0.8 per cent of Gross Domestic Product (GDP)), and most of the timber consumed in Mexico has to be imported. Illegal logging is a serious problem, and 30–70 per cent of Mexico's timber is produced illegally.

Historical background: In the 19th century, land in Mexico was owned by a small number of people. The 1910 Mexican Revolution brought about a new constitution, which gave communities the right to own the forest but not to exploit it commercially: only private companies were allowed to hold logging concessions. Later in the century, community action led to them gaining the right to hold logging concessions on their own land. Today, 85 per cent of Mexico's forest land is owned as common land by communities.

What is community forestry in Mexico?

There is no law defining community forestry, nor what a community is (all Mexicans are just Mexicans; there is no distinction in law between indigenous and non-indigenous peoples). Community forestry is the practical process by which communities are organised to manage their forests, and to produce and sell forest products. The legal framework around community forests is old, but it has been adapted to changing circumstances.

Community forests are governed by democratically elected institutions. A general assembly of all community members defines how the common land is used. Underneath this general assembly are various committees to run specific aspects of the community forest.

There is no privately owned industrial logging activity in Mexico. A tenure rights reform bill forbids private companies from owning large areas of land; communities own the land and the timber-processing machinery, and pay private foresters to harvest the timber for them. Timber accounts for nearly all harvested forest products (amounting to over 90 per cent of the income from community forests), as it is difficult to get non-timber forest products on the market, particularly in the limited quantities often produced. Communities are also eligible to receive Payments for Ecosystem Services (PES) from the government, based on the proportion of forest cover (areas with over 80 per cent forest cover are eligible for PES), and looking at the value of the land in terms of biodiversity, hydrological services, etc.

Although forestry is only a small industry in Mexico, the government was aware that deforestation had started to cause environmental problems, and that it needed to reverse this. The focus of the community forest programme in Mexico thus far has been on planting trees rather than on managing existing forests.

The economic benefits of community forestry for communities are clear. Currently, 80 per cent of Mexico's legal timber is produced by communities. Key factors behind the economic success of community forestry in Mexico include its large internal market, and the work of NGOs and national networks to build capacity amongst community forest producers to help them make better forest products and improve market access. On the other hand, the costs of community forestry are very high for communities in Mexico – higher than in many other countries – because they have to pay foresters to help them manage the concessions. The solution to this is to increase the communities' capacity to manage the forests themselves.

Threats to community forestry: One major threat to community forestry in Mexico is the complexity of the legal framework, which makes it hard for communities to compete with bigger companies and pushes them into operating illegally, where they are vulnerable to government sanctions. Political will is also too focused on urban issues and non-forestry sectors. Communities lack capacity, particularly on the business side, and the current rule that community presidents must step down after three years means that community forests frequently lose valuable expertise. The internal organisation of communities is currently driven too much by internal politics rather than what is best economically. Women are often not sufficiently involved; nor are young people, who are increasingly moving to the cities, meaning that older forest managers have no one to replace them. Government financial support has been excessively paternalistic, removing incentives for community forest producers to improve; because communities can receive subsidies without having to do anything to earn them, it discourages them from being entrepreneurial or even efficient. In addition, subsidies are only available for conservation-based activities; they need to start being available for sustainable forest management as well. By contrast, Guatemala has been more successful because it has been less paternalistic, tying subsidies to environmental results. Community forests in Mexico are also threatened by competition from other timber-producing countries (for example the import of cheap timber from Chile), corruption and lack of transparency, drug cartels, and the impact of climate change on forests.

Lessons learned: Capacity-building and outsourcing of production to private operators was crucial because communities did not have a tradition of forest management, and lacked expertise. Outsourcing to private producers was also useful because it kept production separate from communities' internal politics. Another important element was capacity-building to help communities learn how to access markets and develop an entrepreneurial mind-set (on the principle that it is important not only to teach someone how to fish, but also how to sell the fish). A third key element was the presence of alliances between community forests, which enabled them to influence public debate.

An important step forward in Mexico would be to start ranking and certifying private operators, to help communities distinguish between the good and the bad when they decide who to hire to harvest their timber. The government also needs to start providing PES for sustainable forest management, not only for conservation.

3. Case study: Cameroon

The third case study presentation, on the experience of Cameroon, was delivered by Cedric Vermeulen of the University of Gembloux. He started by distinguishing between community forestry (in which

communities are the primary actors) and participative forestry (where populations may be more indirectly involved). He went on to describe community forests in Cameroon.

The law creating community forests was passed 20 years ago. The community forest is based on a contract between the government and the community for a set period of time. The government retains ownership over the forest, with communities holding usage rights. The government is supposed to provide technical support to the community to help them manage the forest.

The creation of a community forest involves a long process with multiple steps including the submission of a formal application, the preparation of a forest inventory and socio-economic impact study, and a management plan. This is a very complex and time-consuming process. The sole respite comes from the fact that, once the application to create the community forest has been received, the land is reserved for the community for 18 months whilst the various studies and management plan are developed.

Positive gains: Community forests have created some local jobs, which has done a little to slow down the general exodus to urban areas. There has also been some successful technology transfer from private timber operators to communities, particularly in the processing of local wood and non-timber forest products.

Problems: In practice, hardly any community forests have been created in Cameroon. The legal procedures to create them are complicated, time-consuming and expensive: an initial scoping study alone costs US\$16,000 (8 million Central African Francs (CFA)). In addition, once all these steps have been completed, the community must obtain a new exploitation certificate every year. The management plans require communities to implement production techniques that are outside their capacity, and the legal entities that communities must create to manage the forests themselves are poorly adapted to the pre-existing customary structures. Communities are treated as if they are industrial logging concessionaires, with the same capacity to carry out studies and develop and follow management plans. FLEGT and other certification procedures only add to the complexity. What is more, the complex legal requirements are also outside the monitoring and enforcement capacity of the government. When the Cameroonian government tried to simplify the law, it came out with a document that was even more complicated. Some participants suggested the government has an interest in maintaining this complexity, as it allows corruption to persist: the multiple steps entailed in creating a community forest allow multiple opportunities for profit.

Corruption is also a problem at the community level; decision-making is often not very inclusive, although some communities are better than others. The local administrative bodies were imposed by central government and are not well integrated in community life.

Another major problem is caused by the fact that communities do not own the community forest, but only have usage rights, meaning that the government can take back those rights at any time. There is not much space available for community forests in practice; traditional lands have often already been granted to industrial timber concessions. This means that much of the land left for community forests is degraded forest land. In addition, community forests are not allowed to be larger than 5,000 hectares, even if the area traditionally managed by the communities was greater. Community forest land often

does not correspond to the land traditionally occupied by the community, which can be hard for the community to understand.

Revenues from community forests have also been limited. Communities are making some revenue from the sale of non-timber forest products, but some of these products only come to fruition every few years so do not provide a continuous revenue source. Communities also face difficulties in accessing markets. In addition, even those revenues that communities do earn have not led to improved living conditions, in part because community members cannot agree on how to spend them.

Finally, community forests have also not led to improved conservation of the environment. They can lead to even greater forest exploitation, because communities are given the 'right' to cut down the trees. Professor Vermeulen mentioned the example of a Baka community which cut down all their trees as soon as they were identified in an inventory as 'theirs'. A comment from the floor pointed out that this was because communities in Cameroon have never been given long-term rights to the forest, unlike in Mexico, so they had no incentive to preserve the forest in the long term. Professor Vermeulen said the lesson from this is that if rights over the forest are to be given to communities, the communities must be monitored and given more training and support.

4. Case study: Guatemala

The fourth presentation came from Silvel Elias of the Université Nacional de San Carlos, Guatemala.

He began by explaining the context behind community forests in Guatemala. Forests are very important to Guatemala, both economically and culturally. Land is distributed very unevenly, with 85 per cent of land held by 15 per cent of landowners, and it is used largely for export-driven industrial agriculture: coffee, sugar cane, bananas and palm oil. This land-use pattern is an important driver of Guatemala's rapid deforestation rate, as forests are converted to industrial cropland and grazing land.

What is community forestry in Guatemala? There is no specific law for community forests, and the state retains ownership. There are three different types of community forest in Guatemala.

The first type, in the uplands, is collectively held by communities and governed internally according to traditional laws. These forests are used mainly for subsistence production for the local economy. They have some of the lowest rates of deforestation, as traditional forest management methods are followed. Communities do not have any statutory legal rights over these forests; as a result their access and use of these lands is often restricted, and now under threat from the expansion of protected areas onto the lands.

The second type of community forest is small-scale forest production areas, which cover 15 per cent of the country. These are supported by a state-funded incentives programme, and they have been successful at creating employment and revenues for the local community. This type of community forest does provide legal user rights to communities. They are supported by an association of community forest organisations, which lobby the state for funding and policy reforms.

The third type consists of community forest concessions: parts of a conservation area that are given to communities for a period of 25 years. The goal is conservation, with communities selling sustainable quantities of Forest Stewardship Council (FSC)-certified timber and non-timber forest products, as well as engaging in tourism and artisanal production. Conservation has been possible in these forests because of strong local organisations at the community level that are able to define and enforce rules for resource management. These community forests also benefit from a national association to connect them to each other and lobby at the national level.

Obstacles to overcome: Problems arise from the lack of legal recognition for communities' property rights and collective ownership, and the limited timespan of the community forest concession. There is also a poor understanding of the outlook and forest management methods of indigenous peoples, and current policies do not adequately reflect these. Communities need better access to markets. Governmental support is insufficient and sometimes inconsistent, with the creation of protected areas on community forest land. Illegal logging continues, and community forests face further threats from land-grabbing from industrial agriculture and mining. The involvement of women also needs to be more actively promoted.

5. Case study: Guatemala and Cameroon

The final case study was a comparison of the experience of Cameroon and Guatemala, delivered by Michel Merlet of Améliorer la Gouvernance de la Terre, de l'Eau et des Ressources Naturelles (AGTER).

He began by discussing the similarities and differences between the two countries. Both Cameroon and Guatemala share a colonial history, with communities being dispossessed of their land and ownership passing to the state. One important difference between the two countries, however, is that Guatemala has a tradition of multi-level organisation within and between communities; community life in Cameroon is much more decentralised, with little history of defending land or resources from others. Another important difference is that community forests were created in very different contexts: in Guatemala they were fought for by communities at the end of the revolution, whereas in Cameroon they were created by a programme funded by the World Bank. This meant that in Guatemala, the communities had real power and were able to push for the legislative change they wanted. In Cameroon, on the other hand, the forests were created in peacetime, when the state felt very little pressure; this meant that communities got small and low-quality parcels of land, and national forestry policy was still based around large companies.

Lessons learned from the comparison: The first lesson is that it is less important to have the 'right' law in place, than to have practice on the ground going in the right direction. The second lesson is that it is important to have intermediate-level governance organisations between the state and the communities. Third, community forests must be appropriate to the context, particularly in finding the balance between individual and collective rights.

Another important feature is capacity-building, as communities will not necessarily know how to manage forest resources or finances. In Guatemala, the communities started by relying on logging

companies, but then received international support to learn how to do the logging themselves. Learning should be a gradual but continual process, with progressive incentives allowing communities the right to manage more as time goes on. Enforcement should not come from the state but from neighbouring communities: in Guatemala, associations of communities that are pursuing FSC certification for their timber 'cross-monitor' each other to check the certification requirements are being met. In addition, in order to change power relationships, community forestry must be a collaborative process between communities, collectively guarding against abuse by elites.

It is important to fully understand the incentives of different actors, and have the right counter-balancing incentives to encourage good behaviour. Local people also have incentives to deforest, which may increase if external actors come into the picture. Mr Merlet referred to Mr Vermeulen's example of the Baka in Cameroon, saying that the trees that the community cut down had never been valuable to the community as timber, but when their land was taken by an industrial concessionaire and they realised the trees were economically valuable to foreign buyers, they tried to get whatever they could. In order to develop an effective community forest policy, a different type of economic analysis is needed that goes beyond financial profitability, otherwise the interests of the various actors will not be properly understood.

A question from the floor: In light of the fact that Guatemala's success is based on its incorporation of customary governance systems, can customary systems be used in countries where they are no longer powerful? Mr Merlet answered yes, and gave the example of Niger, which is currently trying out a synthesis between customary and colonial laws, taking account of customary chiefs but also integrating them into the formal government.

III. Group discussions in response to the case studies

The next part of the workshop consisted of participants' responses to the case studies, which were discussed in small groups.

Participants first discussed the potential benefits of community forestry. These included access to revenues from forest exploitation, the preservation of forest cover, and the preservation of communities' traditional rights. Increased social cohesion was another important benefit, particularly the more active participation of marginalised groups. Finally, community forestry could deliver improved governance and a more balanced relationship between the state and local institutions.

The second theme was what participants thought were the key elements in designing a successful community forest model. The first was that decisions about management of the forest resources should be given to communities. Communities need autonomy: this encourages their commitment to the process. Second, communities need access to training opportunities, to gain technical and financial skills. Learning needs to be ongoing and include the right to make mistakes. Third, community forests need to bring revenues and improved living conditions, potentially through development of market access and/or the creation of businesses to manage the forest. Fourth, the structure of community forests needs to be adaptable to different local cultures, including allowing different types of benefit-

sharing (individual or collective, or tied to individuals' level of participation in the management of the resources). Fifth, active efforts need to be taken to involve women and marginalised groups. Sixth, legal procedures for creating and managing community forests need to be adapted to local contexts and capacities, as procedures that are too costly or complicated will restrict communities' ability to participate. Seventh, measures need to be in place to prevent monopolisation of the process by the state and/or by elites. Eighth, community forests must be of a sufficient size to satisfy communities' needs and traditional uses. Ninth, communities' rights to community forests need to be permanent or at least long-term, rather than expiring after a short period of time. Finally, community forests must be incorporated in national-level policy planning, to ensure they are not overridden by other sectors.

Finally, the participants explored what underlying conditions affect the success or failure of community forests in different countries. A legacy of activism and struggle was seen to be an advantage, particularly if it leads to a recognition of communities' customary rights as statutory rights. Also important were the historical strength of civil society, and the sense of shared culture and social cohesion between neighbouring communities. Political will is essential, as is the availability and quality of forest resources. Communities' pre-existing level of organisational and technical capacity plays a key role in determining whether or not community forestry policies are successful in an economic sense. Countries with high levels of corruption, poverty and illegal logging may face great difficulties in implementing community forests. Strong pressure for land from other sectors is also a threat to community forestry.

IV. Country presentations

The following part of the workshop consisted of discussions amongst the representatives of each country present, with each country group supported by one of the five case-study presenters. They set out the current state of affairs on community forestry in their countries, discussed what an ideal model might be, and developed strategies for how to get there.

1. Republic of Congo (Brazzaville)

Presented by Pierre Timothée Molebanda (Ngombe Community Development Area (SDC)) & Maixent Fortunin Haninmbat Emeka (FGDH)

Current state of affairs: At the moment, the only thing in Congo resembling a community forest is the community development area (SDC). This is an area created around villages within forestry concessions, where communities can carry out some commercial activities, but not sell timber. Management of the SDC is carried out by a multi-stakeholder committee. They have a maximum life span of 25 years, and require communities to prepare a management plan. Some communities lack the capacity to effectively manage their SDCs, but others are already quite well trained, particularly within FSC-certified forest management units.

The country is currently undergoing a review of its forest code, and the subject of community forests has been an important topic of debate. Civil society organisations claim that SDCs are not really community forests and have lobbied strongly for them to be replaced by something that gives communities more rights. The current draft of the forest code proposes a new model of community forest which is based

on the model of SDCs but adds some additional rights for communities. Further details have yet to be fleshed out in implementing decrees, but it is likely that communities will be able to sell timber, unlike in the SDCs. In addition, rather than being based within forestry concessions, community forests will be a separate type of forest area. Villages within a private logging concession will continue to be given SDCs, but these will automatically gain the status of community forests, with all the legal benefits.

Ideal community forest model: An ideal community forestry model would give communities permanent rights over their land. It would be based on communities' customary rights and actual use of the land, and it would be governed by local institutions put in place by the communities themselves. It would also give communities the right to extract resources, with the resulting revenues being managed equitably through a local fund governed by the community according to clear and fair rules. The process of creating a community forest should be simple, assisted by the state. There must be commitment to ensure that all community members are properly consulted and involved, for example through participatory mapping. The state must show sufficient political will, and there must be consistency across public bodies outside the forestry sector. It may be helpful to create a reflection group to refine ideas, as happened in Guatemala, as community forestry is a new concept in Republic of Congo.

Strategy: At the recommendation of Mr Pandey of Nepal, Congolese civil society needs to be clearer on what precisely its vision of community forestry is. Civil society will continue to engage in the process of drafting the new forest code, as well as its subsequent implementing regulations, to ensure this vision is met. Potential allies include NGOs, donors, and some government officials. Potential opponents include timber, agriculture and mining operators.

2. Cameroon

Presented by Nadège Nzoyem (SNV) and Victor Amougou (CEFAID)

Ideal community forest model: The ideal situation for community forests in Cameroon would be management of forests by and for communities. Community forests should secure customary rights (both usage and ownership), and generate concrete and regular revenues for communities.

Communities should also be helped to access markets: they need to develop commercial relationships with international and national buyers, and improve the quality of their forest products to make them attractive. This process should be facilitated by a neutral professional actor with contacts with the private sector, such as civil society or consultancy companies. Communities need to be able to access materials and production equipment; this may be achieved through subsidies, microcredit, or partnerships between communities and the private sector. To support all this, there is a need for networks of community forests, to share production tools and marketing techniques.

Communities should receive capacity-building on financial management, as well as forest management. They also need assistance to complete tasks like annual authorisation permits and environmental impact studies. Complicated procedures, including Cameroon's VPA, need to be simplified. Communities also

need fairer contracts: this requires the strengthening of their negotiating power, particularly through the provision of legal support.

There also needs to be more active participation within communities, particularly from women and indigenous populations. Local governance needs to be improved and made more transparent, particularly the functioning of management bodies. This may be achieved through capacity-building, better application of legal accounting requirements, and changing public attitudes.

Finally, community forests should bring increased environmental protection. They should improve the implementation of sustainable forest management practices, particularly through educating communities and other operators.

Strategy: Potential allies include international development partners, donors, local government bodies, forest product buyers, certification schemes, independent monitors, and conservation organisations. There needs to be more advocacy towards donors, as there is a threat they will lose interest. Another potential threat is competition from illegal logging; this needs to be addressed through increased application of sanctions, and implementation of the EU Timber Regulation and Cameroon's VPA. Corruption is another problem, which also requires implementation of sanctions, and publicising cases where sanctions are given. Communities need to strengthen their collective vision for what they want from community forests, which civil society can facilitate by organising regular meetings amongst the communities to help them develop this strategic vision.

3. Democratic Republic of Congo (DRC)

Presented by Alphonse Muhindo (Réseau CREF), Theophile Gata (independent consultant), and Maurice Nsase Soki (FODI)

Current state of affairs: A law on community forests was passed in August 2014. There is limited experience in the Nord-Kivu area with community forests. National and local forestry bodies are insufficiently informed about what community forestry entails.

Ideal community forest model: The new community forest law should receive widespread publicity and awareness-raising. Government forestry bodies should be strengthened from the national to the local level, with the establishment of an administrative structure to govern community forests. This new legal and administrative framework should allow for the differences between the different provinces of DRC. The new community forestry decree does not create any new administrative structure to govern community forests, and relies largely on existing government bodies; nor does it set out any measures to strengthen them. However, it does create a formal role for customary authorities and laws, and allows communities significant discretion for how to organise themselves internally, and how to use and manage the land. The new law thus has the possibility to promote stronger local governance and diversity between regions, though it is too early to be certain.

Another important feature of the ideal situation envisaged by the workshop's DRC participants is that monitoring needs to be done not only by the state, but also by other actors, in particular the communities themselves. However, this is not dealt with in the new community forestry decree.

Strategy: Communities must receive capacity-building to help them manage finances and forests. Community forestry must also deal with the dominance of customary governance in daily life. Customary governance systems and leaders should be integrated into the management and benefit-sharing mechanisms of the community forest. The new decree on community forests, promisingly, says that community forests are to be governed by customary norms as well as statutory laws, so long as they do not contradict statutory law.

One problem is the low capacity in the forest ministry to implement community forests; this should be overcome by information sessions organised by civil society, as well as capacity-building by technical and financial partners. Civil society should also get supportive government authorities (local and national) involved in lobbying for community forests at the national level.

There is some resistance from outside actors to community forests: from international conservation NGOs, and from development partners. These actors need to be shown that community forestry is essential to poverty reduction and conservation, and conservation needs to be integrated into the community forest management strategies.

Finally, community forest lands are currently being threatened by logging, mining and agricultural operators. One solution is to push for the new community forestry law to be signed, and for civil society to take an active role in the reform of property, forestry and mining laws. To fight against the dominance of industrial logging, community forestry could be framed as a way to formalise artisanal logging and fight against illegality. It is also important that community forests are helped to gain certification, so that their products can compete with products from private operators.

For more information on the new community forests law in DRC, please see Rainforest Foundation UK's briefing note at:

<http://www.mappingforrights.org/files/37742%20RFUK%20CF%20Briefing%20Statement%20French.pdf>

4. Liberia

Presented by Jonathan Yiah (SDI)

Current state of affairs: There is a new community rights law with implementing regulations which gives sufficient legal basis for community forests. However, the regulations have not been implemented properly because of: insufficient government budget; lack of community collaboration or awareness about their rights; unfair collaboration between the government and international companies; corrupt chiefs; overlapping external uses on community forests; and excessive complexity of community forest management plans.

Ideal community forest model: Community forestry bodies have been constituted in every community forest. The community forest management plans are kept simple. There is widespread awareness and participation amongst communities, including women and the young: this will help them understand their rights, participate in management, and prevent corruption from their leaders. There are no overlapping land claims. Private sector operators follow international corporate social responsibility standards. There is a confederation of community forest groups to lobby at the national level. The Forestry Development Authority (FDA) acts to prevent and resolve conflicts.

Strategy:

Ideal	Strategy
Community awareness and empowerment, enabling the organisation of community management bodies	<ul style="list-style-type: none"> • Allocate sufficient government budget to allow this awareness and organisation to happen in forest regions • Moratorium on logging until this is done
Communities should not conclude Memorandums of Understanding (MOUs) with logging companies before approval of community forestry agreement	<ul style="list-style-type: none"> • Make sure communities have support from advisors before they engage with a third party
Community forests should not overlap with land uses by external actors	<ul style="list-style-type: none"> • Forestry authority should be empowered to resolve conflicts • Community forestry management plan should prevent overlapping • Moratorium to logging on community land until the community forestry management plan is authorised
Ensure participatory organisation of communities	<ul style="list-style-type: none"> • The law should specify how to ensure real and legitimate participation from all community stakeholders • Forestry authority should promote participatory processes
Management plans for community forests need to be simplified	<ul style="list-style-type: none"> • Confederation of community forest groups to lobby for simplified management plans • University/academic support
Create a confederation of community forest groups	Obtain financial support (from international donors, since government will not invest in this process)
Private sector organisations comply with international Corporate Social Responsibility standards	Raise awareness amongst the international community of violations committed by multinationals

5. Gabon

Presented by Carine Tsimba Mouity (Muyissi Environnement)

Current state of affairs: Communities are currently in a state of tenure insecurity, as they lack official property rights or even access rights. This puts them at constant risk of displacement by the state for reasons of ‘public utility’.

Community forestry has become a political goal, directed by the Ministry of Environment and the national timber industry association. There is a general legal basis for community forestry in Law 16/01 (2001) and a 2004 *décret*; but the necessary implementing regulation for community forestry was not passed until 2013. Five pilot sites have been chosen by the government: three from government-run projects funded by the International Tropical Timber Organisation (*Organisation Internationale de Bois Tropical (OIBT)*), and two run by WWF's Development of Community Alternatives to Illegal Forest Exploitation (*Développement d'Alternatives Communautaires à l'Exploitation Forestière Illégale (DACEFI)*) programme, and the University of Gembloux. Two community forests have been officially established; the others are in the process of being developed.

Under the new law, community forests have the following characteristics:

- They must be in the non-permanent forest domain.
- They must keep aside at least 5 per cent for conservation, including reforestation activities. Extraction of wood by an external actor is permitted, but heavy machinery is forbidden. Itinerant agriculture may be included.
- The community must constitute itself into a democratically representative legal entity.
- The community must prepare and follow a Simple Management Plan.
- The process of creating community forest should be as follows:
 1. Create a legal entity
 2. Map land use of the area
 3. Make application to reserve the area (by letter)
 4. Set up a coordination meeting between the community, their neighbours, and the government
 5. Submit an application file (a letter and a map)
 6. Sign a provisional management agreement
 7. Draft a Simple Management Plan
 8. Final agreement and establishment of the community forest

Obstacles: Systemic corruption persists. Most of the forest is already occupied by industrial concessions, protected areas, mines and infrastructure projects, and communities are not allowed to apply for a community forest within concession areas. The government sees civil society as an opponent, which limits negotiation space. Elites use the idea of community forestry for political reasons. The definition of 'community' in the new law is based on the local government body, which is not in line with customary organisation. There is an artificial imposition of a 'community' dynamic. Customary land claims will not provide a sufficient basis for declaring community forests: it will leave out recent immigrants to the area, itinerant indigenous peoples and landless groups. There is very little connection between the communities and the central government ministry responsible for establishing the community forests which are usually geographically very far apart; there are no government officials on the ground, and there is no governmental support.

Strategy: One way to overcome overlapping land uses would be to establish a hierarchy of permits, and better define the state forest domain. Civil society should fight against private permits, which are

competing with community forests. Communities should also be supported to apply for community forests. Multi-use models should be developed and supported (conservation, non-timber forest products, tourism, ecosystem services, timber, sacred sites). Civil society needs to investigate the workings of the commission that decides on the establishment of community forests, and make sure that they monitor them and provide input.

6. Southeast Asia: Vietnam and Laos

Presented by Nguyen Viet Dung (PAN Nature), Nguyen Quang Tan (RECOFT), and Sinthavong Phuangchampa (GAPE)

Current state of affairs: Currently, communities' forest land is controlled by the state. There is some progress towards control by communities, with state supervision. Communities can have a contract with the government to have legal user or access rights or rights to patrol and protect. In these arrangements, the community must prepare management plans. They can receive nominal benefits from non-timber forest products.

Ideal community forest model: Ideally the community would have genuine control, with the power to decide benefits and the right to refuse.

Obstacles: Widespread state ownership of land presents a significant obstacle. Single party states also mean there is little pluralism or public debate. There is a general lack of capacity amongst all actors. There is persistent prejudice against ethnic minorities, and lack of trust in their capacity.

V. Lessons learned and next steps

The workshop concluded with a discussion of lessons learned and useful next steps. There was a strong recommendation for establishing national networks.

Among the lessons learned, it was recognised that government support can be both a hindrance and a help; that women must be involved; and that more attention should be paid to community forestry, notably by NGOs focusing on land tenure.

Many of the participants said it was very useful to learn about the experiences of other countries, and wanted to maintain contact in the future. Mr Pandey of Nepal invited participants to organise exchange field visits to Nepal, to see community forests there. Several of the participants are planning to organise follow-up workshops with their civil society platforms to share lessons learned at this conference with fellow NGOs.

List of participants

Name	Country	Organisation
Silvel Elias	Guatemala	National University San Carlos (Guatemala)
Ernesto Herrera Guerra	Mexico	Reforestamos Mexico
Sinthavong Phuangchampa	Laos	Global Association for People and the Environment (GAPE)
Ghan Shyam Pandey	Nepal	Global Alliance of Community Forestry
Nguyen Viet Dung	Vietnam	PAN Nature
Nguyen Quang Tan	Vietnam	RECOFTC- The Center for People and Forests
Victor Amougou	Cameroon	Centre pour l'Éducation la Formation et l'Appui aux Initiatives de Développement (CEFAID)
Nadège Nzoyem Saha	Cameroon	SNV Cameroon
Samuel Nnah	Cameroon	Independent consultant
Theophile Gata	DRC	Independent consultant
Alphonse Muhindo	DRC	Réseau pour la Conservation et la Réhabilitation des Ecosystèmes Forestières (Réseau CREF)
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Carine Tsimba Mouity	Gabon	Muyissi Environnement
Kyereh Boateng	Ghana	Tropenbos Ghana
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Maixent Fortunin Agnimba Emeka	Republic of Congo	Forum sur la Gouvernance et les Droits de l'Homme (FGDH)
Pierre Timothee Molebanda	Republic of Congo	Serie de Developpement Communautaire de Ngombe
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Cedric Vermeulen	Belgium	University of Gembloux
Michel Merlet	France	AGTER
Simon Counsell	UK	Rainforest Foundation UK
Nathalie Faure	UK	ClientEarth
Cath Long	UK	Well Grounded
Julia Christian	UK	FERN
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