



**EAST AFRICAN COMMUNITY
EAST AFRICAN LEGISLATIVE ASSEMBLY**

**COMMITTEE ON AGRICULTURE, TOURISM AND NATURAL RESOURCES:
REPORT OF THE REGIONAL PARLIAMENTARIANS' WORKSHOP ON
FORESTS AND CLIMATE CHANGE**

Laico Hotel, Nairobi, Kenya

9TH-12TH JUNE 2014



Clerk's Chambers
EACHQ, EALA Wing
3rd Floor
Arusha - Tanzania

August, 2014

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Table on
Thursday 26/8/14*

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1.0. INTRODUCTION

1.1. Workshop Objectives and Methodology

The Regional Parliamentarians' Workshop on Forestry and Climate Change was convened from *9th-12th June, 2014 in Nairobi, Kenya* in accordance with the East African Community Secretariat and the East African Legislative Assembly Calendars of Activities for January-June 2014. The overall objective of the workshop was to sensitize regional parliamentarians on the status of forest management in the East African Community region in the context of adaptation and mitigation to climate change. The specific objectives of the workshop were to:

- (i) consider the existing international and regional policies, strategies and regulatory framework and instruments on forestry management and climate change;
- (ii) establish linkages between the concept of Agriculture, Forestry and Other Land Use (AFOLU) in the context of climate change; and
- (iii) review the draft Private Member's Bill on Forestry;
- (iv) Prepare a draft EALA Resolution on Forests and Climate Change.

The Workshop was conducted in a participatory approach that included technical presentations on various issues linked to forestry, agriculture and climate change followed by plenary discussions.

1.2. Participation

The Workshop was attended by Members of the East African Legislative Assembly (EALA) Standing Committee on Agriculture, Tourism and Natural Resources, staff members from EAC Secretariat, EALA and LVBC Secretariat.

2.0 FINDINGS OF THE WORKSHOP

2.1. PRESENTATIONS

2.1.1. International and Regional Policies, Strategies and Regulatory Framework and Instruments on Forestry Management and Climate Change

- a) **EAC Instruments on Environment and Natural Resources Management - Ms. Wivine Ntamubano, the Principal Environment and Natural Resources Officer (EAC Secretariat)**

Articles 111-114 of the **Treaty for the establishment of the EAC** address cooperation in

Environment and Natural Resources Management including conservation and management of forests. The Articles stipulate that Partner States agree to take necessary measures through:

- (i) adoption of common policies for, and the exchange of information on the development, conservation and management of natural forests, commercial plantations and natural reserves;
- (ii) the joint promotion of common forestry practices within the community;
- (iii) the joint utilization of forestry training and research facilities;
- (iv) adoption of common regulations for the conservation and management of all catchment forests within the community; and
- (v) harmonization of regulations for the utilization of forestry resources in order to reduce the depletion of natural forests and avoid desertification within the community and the establishment of Api-Agro forestry systems.

The 4th EAC Development Strategy 2011/12-2015/16) prioritizes promotion and protection of indigenous/ traditional knowledge associated with biological resources and ecosystems and strengthening including forest resources and promoting national plans, programmes and legislation for forest management, inventory and monitoring, information sharing on trade of illegally harvested forest products.

The EAC Climate Change Policy (2011) also seeks to ensure that the forest sector continues providing global services in mitigation of climate change while supporting sustainable development needs of the Partner States. The EAC Carbon Credit Exchange Mechanisms (EAC-CCX) has been proposed. The exchange is expected to provide a transparent and regulated trading platform on which buyers and sellers of credible compliance and voluntary carbon credits generated within the region are matched. The trading platform is envisaged to provide the medium for transactions and supporting structures in the form of brokers and local partners within East Africa. EAC is also in the process of applying for accreditation as a Regional Implementing Entity (RIE) that will complement the EAC Climate Change Fund's efforts to enhance the region's capacity to access climate change financing.

Observations

- (i) The Partner States have recognized the importance of forests and the need of having regional forests policy to , among other things, maximize the contribution of forest sector in improving people's livelihood conservation and economic prosperity through developing a Regional Forest Policy and Strategy;
- (ii) The EAC Secretariat is in the process of implementing a directive of the 3rd Meeting of the Sectoral Council on Environment and Natural Resources to prepare Terms of Reference for the development of the EAC Forestry Policy and Strategy for consideration by the 4th Sectoral Council; and

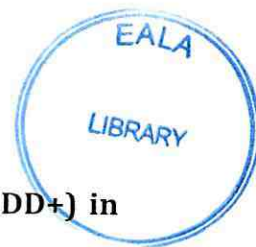
- (iii) LVBC Secretariat is currently implementing some trans-boundary ecosystems management initiatives on forestry such as the Mt. Elgon Regional Ecosystem Conservation Project (MERCEP), Mara Ecosystem, Lake Chala-Jipe and Forest Law Enforcement Governance and Trade (FLEGT) process.

b. Developing a Strategy for Enhancing Forestry Law Enforcement, Governance and Trade (FLEGT) In East Africa by Dr. Ally-Said, MATANO, LVBC Secretariat

Lake Victoria Basin Commission has been spearheading the Forest Law Enforcement, Governance and Trade since 2006 on behalf of the East African Community Secretariat. A number of key outputs have been realized. In the workshop held on 27th to 29th May 2013, in Nairobi Kenya on Forest Law Enforcement and Governance, with the theme "*moving the East Africa FLEGT agenda forward*", the workshop was informed that under the stewardship of the process by the Commission, relevant information and constructive mechanisms for evaluating and rationalizing FLEG process in the EAC region had been generated. A number of studies, roundtable consultations and analysis have provided useful lessons in understanding the EAC FLEGT initiative.

2.1.2. Existing Programmes and Case Studies in the EAC Region

a. Reducing Emissions from Deforestation and Forest Degradation (REDD+) in EAC Region by Justine N. Jjumba, Makerere University



Reducing Emissions from Deforestation and Forest Degradation is one of the climate change mitigation instruments under the United Nations Framework Convention on Climate Change (UNFCCC). The Plus (+) includes sustainable management of forests, conservation of forest carbon stocks and enhancement of carbon stock. The actors of REDD+ have been classified into two: funders which are international organizations and financial institutions for example World Bank and UN-REDD as well as government support from Norway, UK, Finland, and Australia. Implementers have been at National-level programmes, sub-National initiatives, and indigenous/local people and forest dependent communities.

REDD+ Constraints

- (i) at national level, there is lack of clear forest tenure; lack of institutions for coordination across sectors; lack of political will or motivation factor; and lack of institutions for REDD+ finance and benefit sharing.
- (ii) at international level, there are demand for commodities that convert or degrade forests; lack of an overall climate agreement and roles for REDD+; availability of finances for activities that convert or degrade forests; and



(iii) lack of a market for forest carbon credits.

Observations

- (i) Need for Partner States to focus their attention on land tenure and rights, poverty reduction, gender equality, biodiversity and food security as priority attention to safeguard REDD+
- (ii) The effects of climate change do not have political boundaries so it is a common problem;
- (iii) Developing countries are most vulnerable to the effects of climate change;
- (iv) Forest conservation and management do contribute to both climate change mitigation and adaptation;
- (v) Developing countries are endowed with forest resources;
- (vi) REDD+ is also used as a financial mechanism to add value to standing forests;
- (vii) Countries are at different stages of REDD+ but heading the same way.

The status of REDD+ Readiness Activities in the EAC Partner States is attached as *Annex II*.

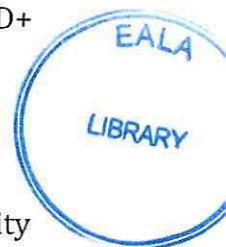
b. Reducing Emissions from Deforestation and Forest Degradation (REDD+): Mount Elgon Regional Ecosystem Conservation Project Case Study by George Sikoyo, LVBC Secretariat

The policy discourse on Reducing Emissions from Deforestation and Forest Degradation (REDD) describes an effort to create a financial value for the carbon stored in forests, offering incentives for developing countries to reduce emissions from forested lands and invest in low-carbon paths to sustainable development. However, "REDD+" goes beyond deforestation and forest degradation, and includes the role of conservation, sustainable management of forests and enhancement of forest carbon stocks. It is in this context that the Lake Victoria Basin Commission in September 2012 facilitated the preparation of a REDD+ Strategy for Mt Elgon trans-boundary ecosystem. The aim was twofold:

- (i) To create an environmentally, socially and economically sustainable management programme and institutional framework for the trans-boundary Mt Elgon forests as one core output that can deliver verifiable net mitigation benefits from REDD+ interventions in Kenya and Uganda; and
- (ii) to assist the governments of Kenya and Uganda in the development and implementation of their national REDD+ strategies by piloting approaches, activities, methodologies and by leveraging additional international and national support.

Out of the REDD+" strategy, the LVBC has developed the Project Idea Note (PIN) as a step towards engaging important stakeholders including the private sector, local communities, governments of Kenya and Uganda and potential investors. The PIN is the first step

towards developing and implementing a REDD+ programme in order to conserve, and enhance the valuable trans-boundary Mt Elgon ecosystem. Recognizing that there is currently no multilateral framework on REDD+ that could provide the basis for attracting funding of REDD+ projects/programmes from development partners, the LVBC secretariat has opted to look for funding under Voluntary Carbon Standards (VCS) market. As a result of this, LVBC has identified a potential funder Simplon Services from Switzerland to support LVBC secretariat to prepare the Programme Design Document (PDD) for a REDD+ programme in Mt. Elgon. The LVBC is following up this further with the investor.



c. Climate Smart Agriculture (CSA) - Mr. Nathaniel Mtunji, EAC Secretariat

Climate change and food security are the two most challenges facing the global community today and increasing small holder production systems is a key response to both. Strengthening agricultural production systems is a fundamental means of improving incomes and food security for the largest group of food insecure in the world. Being the key economic sector of most low income developing countries, improving resilience of agricultural systems is essential for climate change adaptation. Climate Smart Agriculture (CSA) is land management practice that sustainably increases productivity and system resilience while reducing greenhouse gas emission. "Climate-smart" agriculture as "agriculture that sustainably increases productivity, resilience (adaptation), reduces/removes GHGs [greenhouse gases] (mitigation), and enhances achievement of national food security and development goals."(FAO) The emphasis being on agro ecological approaches to soil, nutrient, water and ecosystem management and preserving genetic resources of crops and animals.

Benefits of Climate Smart Agriculture

- (i) crop production is not keeping the pace with population growth: rising population growth in developing countries has forced farmers to abandon the traditional practices that allowed land to rest. Intensive tilling and hoeing produces a hard pan in the soil that restricts growth as well not allowing water penetration, allowing run off removing the valuable top soils, forcing farmers to apply more fertilizers. With little moisture in the soil, plants are more vulnerable to drought.
- (ii) Through Climate Smart Agriculture practices, farmers are able to reverse the trend and prevent hard pans from forming in addition to protecting the soil, increasing soil moisture and restoring soil fertility and thus stabilizing yields and in the long term improving production.

Observations

- (i) The need for policy and institutional change to create an enabling environment for climate-smart agriculture is paramount;
- (ii) Major challenges in adoption of Climate Smart Agriculture is investment costs. Investments for equipment and machinery, materials and labour to build on farm structures; Variable and maintenance costs; recurrent expenses required to purchase for instance seeds fertilizer, or additional hired labour as well as periodic costs required to maintain physical structures. All these are challenges which need to be addressed.

3.0. CONSIDERATION OF THE DRAFT BILL ON FORESTRY PROTECTION AND MANAGEMENT

The participants considered and deliberated on the Draft Private Member's Bill on Forestry Protection and Management initiated by Hon. Christopher Bazivamo whose object is to promote the sustainable management of forests resources. The justification of the bill indicates that Forests play an important role in climate change mitigation, as captured in articles 112 and 114 of the Treaty for the Establishment of the East African Community.

General observations on the draft Bill on forests management include the following:

- (i) responsibilities of Partner States ;
- (ii) need to harmonize practices, policies and laws;
- (iii) prevention of massive deforestation;
- (iv) protection of flora and fauna;
- (v) institutional arrangements;
- (vi) enforcement mechanisms; and
- (vii) harmonization of the regulations governing trade in forests products.



4.0. RECOMMENDATIONS

From the technical presentations and emerging issues from the discussions, the Committee recommends as follows:

1. The Committee urges **EAC Partner States** to:

- (a) support appropriate mechanisms to reward or provide incentives for forest conservation and avoidance of deforestation;
- (b) reduce pressure on forests resources by promoting alternative energy



sources such as bio mass;

- (c) increase indigenous forest cover by promoting a variety of forestry species;
- (d) promote reforestation and afforestation using appropriate tree species;
- (e) undertake public awareness on the opportunities of forests as potential carbon sinks to benefit from carbon market;
- (f) strengthen research and promote data and information exchange;
- (g) develop guidelines for accessing carbon financing facilities;
- (h) promote activities that enhance the carbon storage capacity from forest ecosystems and address all drivers of deforestation and forest degradation taking into account specific national circumstance within the context REDD link REDD+ to poverty reduction, food security and adaptation to climate change;
- (i) Strengthen transparency on forest related information and accountability;
- (j) link REDD+ to transformational change with respect to land tenure, community and gender rights;
- (k) strengthen rules for benefit-sharing; and
- (l) link supply chain and REDD+ metrics at jurisdictional levels;
- (m) initiate policy and institutional arrangements to create an enabling environment of Climate Smart Agriculture practices.

2. The Committee recommends to the Assembly to:

- (a) urge Partner States which have not concluded the ratification of the Protocol on Environment and Natural Resources to fast-track the process to pave way for its entry into force; and
- (b) urge Council of Ministers to appeal to the International Community to do the following :
 - commit significant technical and financial resources for forestry conservation and management initiatives;
 - accelerate negotiations toward an overall climate change agreement;
 - make remotely- sensed data on forests more accessible; and
 - create markets for forest carbon credits.
- (c) recommend to the EAC Secretariat to develop a regional FLEGT strategy which is envisaged to set out sustainable development of Forestry and related natural resources to effectively respond to socio-economic, social and environmental challenges and opportunities in the region ;
- (d) urge the LVBC/EAC Secretariat, Partner States and relevant stakeholders to commence work on:
 - (i) Domestication of the Yaoundé (2003) Ministerial declaration and subsequent adoption by the Council of Minister of the East African Community;

- (ii) Development of the East African Community Forest Law, Enforcement and Governance (EAFLEG) Strategy;
- (iii) Approval and adoption of the strategy by the EAC Council of Ministers ;and
- (iv) Resource Mobilization for the implementation of the EAFLEG Strategy.



5.0. EALA RESOLUTION ON FORESTRY AND CLIMATE CHANGE

Arising from the presentations and discussions, the Committee adopted a Resolution on Forestry and Climate Change attached to this report as *Annex I*.

6.0 CONCLUSION AND WAY FORWARD

The workshop on Forestry and Climate Change considered the role of Agriculture, Forestry and Other Land Uses towards mitigating climate change and provided critical information to the Members. It also provided the Members of the Committee with an opportunity to review the draft Bill on Forestry Protection and Management and to prepare a Resolution on Forestry and Climate Change. Copies of the Report on "Socio-economic Valuation of Losses from non-compliance with Forest Law Enforcement Governance and Trade in EAC Partner States" were handed to the Chairperson of the Committee by Dr. Ally Said Matano for further distribution to Committee Members.

7.0. ACKNOWLEDGEMENT

The Committee appreciates the Speaker of the East African Legislative Assembly for her continued facilitation to the Committee to allow it fulfill its mandate. The Committee expresses its appreciation to Hon. Christopher Bazivamo for his invaluable efforts to bring a Bill on Forests which will contribute in harmonizing policies and laws on forestry in EAC Partner States.

The Committee extends its appreciation to Hon. Jesca Eriyo, EAC Deputy Secretary General-Productive and Social Sectors for her continued collaboration with Members of the Committee in the implementation of its core functions. Appreciation is also expressed to her technical staff from the Department of Environment and Natural Resources at the EAC Secretariat and LVBC Secretariat. The Committee also expresses its gratitude to the EALA Secretariat in facilitating the work of the Committee. Finally, the Committee acknowledges the financial support provided by EU, Government of UK and Northern Ireland through DfID and Norwegian Government under the Programme on Climate Change Adaptation and Mitigation in Eastern and Southern Africa (COMESA-EAC-SADC) Region.



**EAST AFRICAN COMMUNITY
EAST AFRICAN LEGISLATIVE ASSEMBLY**

RESOLUTION ON FORESTRY AND CLIMATE CHANGE

PREAMBLE

We, Members of the East African Legislative Assembly;

Having received the Report on Forestry Management and Climate Change in the Region from the Committee on Agriculture, Tourism and Natural Resources;

Recalling the provisions of the Treaty for the Establishment of the East African Community, in particular Articles 100, 111, 112 and 114 on Meteorological Services, Forestry, Environment and Natural Resources Management, respectively;

Recalling the ultimate objective of the United Nations Framework Convention on Climate Change (UNFCCC) and its Kyoto Protocol to achieve the stabilization of greenhouse gas concentrations in the atmosphere and their impact on forestry at a level that would prevent dangerous anthropogenic interference with the climate system;

Further recalling the objective of the Hyogo Framework for Action to reduce disaster losses by 2015 by building the resilience of nations and communities to disasters and its five priorities for action;

Aware of the forthcoming twentieth World Platform on Hyogo Framework of Action to take place in March 2015 in Japan;



Recalling also the Declaration of the 9th Extra Ordinary Summit of Heads of State on Food Security and Climate Change of 19th April 2011 where it approved the two documents; the EAC food security action plan (2011-2015) and the EAC climate change policy for implementation.

Noting that EALA is in the process of initiating a Private Member's Bill on Forestry Management and Conservation;

Noting that not all Partner States have ratified the EAC Protocol on Environment and Natural Resources Management;

Recognizing that climate change is a real and actual threat to sustainable development globally and particularly in the region with observable adverse impacts across all sectors of the economy including agriculture and food security, water resources, ecosystems, tourism, human health and settlement, industrial development and peace and security;

Further Recognising that efficient and effective forestry management is a key measure for adapting to, and mitigating adverse impact of climate change;

Noting that illegal logging of timber, expansion of agriculture to forested areas and overexploitation of forest resources are the major causes of deforestation;

Acknowledging that over 70% of natural disasters in the region are climate related and that the greatest impacts of climate change are evidenced in form of climatic disasters including floods and droughts;

Recognizing the opportunities for sustainable development accruing from climate change adaptation and mitigation measures, in particular those geared towards green economy and low carbon development;

Reaffirming our commitment to making every effort to contribute to climate change adaptation, including through disaster risk reduction and management measures;

Welcoming the progress made by EAC in the development and implementation of the Regional Climate Change Policy, Climate Change Strategy and Master Plan that aims to ensure harmonized and coordinated approach to addressing climate change in the region;

Noting efforts by the Lake Victoria Basin Commission in development of a Climate Change Strategy, the REDD+ Strategy including the ongoing East African Forest Law Enforcement and Governance (FLEG) process;

Aware of the forthcoming twentieth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change and the eighth Meeting of the Parties to the Kyoto Protocol, to be held in Lima from 2 to 12 December 2014;

Recognizing that a coordinated structure provides a link between the political and technical processes and also provides political guidance to the negotiators and enhances the region's visibility in the negotiations process;

Acknowledging that national and regional Parliaments have a critical role to play in fostering climate change adaptation and mitigation, disaster risk management and awareness creation;

Now, therefore, we do hereby resolve to:

- (i) Urge the United Republic of Tanzania to ratify the EAC Protocol on Environment and Natural Resources Management;
- (ii) Urge the Republics of Burundi and Rwanda to join and embrace Reduction of Emissions from Deforestation and Forest Degradation (REDD+), and the Agriculture Forestry and other Land Use (AFOLU);
- (iii) Create a Regional Parliamentary Forum on Climate Change to enhance the understanding of issues related to forestry and climate change;
- (iv) Urge the Council of Ministers to operationalize the Disaster Risk Reduction and Management Strategy and finalise the EAC Disaster Risk Reduction and Disaster Management Bill;

- (v) Urge for promotion of research by creating centres of excellence in forestry in the Region;
- (vi) Urge Partner States to support the proposed EAC Forest Management and Conservation Bill;
- (vii) Urge for educating local forest- dependent communities on adverse effects of deforestation, involve them in putting in place strategies for forest conservation and economically empower them to reduce their dependence on forest resources;
- (viii) Urge for development of a regional education programme on new agro-forestry techniques, tools and practices that are adapted to climate change and mitigate its adverse impacts through climate-smart agriculture;
- (ix) Urge the Secretariat to coordinate Partner States joint actions in the implementation of multilateral environmental agreements (MEAs) related to Forestry;

Adopted by the 3rd East African Legislative Assembly (EALA) on the.....