



Lessons from forestry decentralisation

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- REDD+ is more likely to be just and locally legitimate if the design, implementation and allocation of benefits represent local needs and aspirations.
- Decentralisation of meaningful decisions to locally accountable and responsive (e.g., representative) local authorities would promote local engagement in REDD+ decision making.
- The level at which rules are made and benefits distributed will be a key issue in the legitimacy, effectiveness, efficiency and equity of REDD+.

Introduction

Decentralised decision making is critical for three aspects of reducing emissions from deforestation and forest degradation (REDD+) schemes:

1. overall design process,
2. protection of local people from exploitation and abuse, and
3. decision making on implementation and benefit allocation.

Decentralisation is a way of establishing local representation, an institutionalised mechanism for promoting local voices and engagement in decision making. This chapter explores the role of decentralised decision making in establishing representation in the design and implementation of REDD+.

What can we learn from experiences in decentralisation in the forestry sector that will help in the design of policies for REDD+? Decentralisation typically refers to a transfer of powers from central authorities to lower levels in the political, administrative and territorial government hierarchy (Mawhood 1983). This chapter refers primarily to democratic decentralisation, where the emphasis is on citizen participation through empowered, representative local government. Devolution policies that transfer powers from the state to non-state bodies (such as stakeholder groups or NGOs) can also facilitate the participation of individuals or communities in REDD+, for example, through community forestry (see Chapter 16).

REDD+ will intervene at multiple scales. But, if global carbon markets and the vagaries of Wall Street become more important than local needs, there is a risk that REDD+ will recentralise forestry and land-use decision making. How will REDD+ shape local participation in decision making? What kinds of institutions will best ensure that REDD+ interventions operate for and with the support of forest communities? Establishing representative and accountable authorities with meaningful decision making powers is an enormous challenge. Central governments often fail to implement democratic decentralisation. Local governments often find it difficult to take on new responsibilities that come without extra budgets. Local elites may usurp decisions and benefits. But REDD+ could help to overcome these problems in decentralisation. REDD+ provides two new points of leverage – a way to address multiscale drivers of deforestation, and a financial mechanism to attack those drivers by shifting economic incentives. Decentralisation of REDD+ could empower representative local decision making bodies to address the drivers of deforestation and provide them with the means to do so.

Lessons learned

One of the most important findings in the literature on decentralisation of forest management is that democratic decentralisation, even where legislated, is rarely implemented well. Decentralisation either transfers too little power (decision making authority and resources) to be meaningful, or transfers these powers to local authorities that are not representative (Ribot 2004; Ribot and Oyono 2006; Larson and Ribot 2007; Tacconi 2007a; Larson and Soto 2008; cf. Wittayapak and Vandergeest 2009). While there is progress, there is also retrenching (Ribot 2004; Ribot *et al.* 2006; Larson and Ribot 2007). Policies

that reversed decentralisation in Indonesia have resulted in forest fragmentation, with important implications for REDD+ (see Box 14.1). Decentralisation, and devolution, within the REDD+ framework risk duplicating these failures. REDD+ could set up an inclusive and empowering policy that turns out not to be inclusive or empowering in practice.

What are the constraints for implementing an inclusive and empowering REDD+ policy? Rather than promoting representation, the aims of decentralisation in forestry are often to reduce costs (Colfer 2005), boost forestry department revenues (Pacheco 2003) or even gain more control over local communities (Becker 2001; Contreras 2003; Sarin *et al.* 2003; Elías and Wittman 2005). State forestry personnel are reluctant to relinquish power and resources, and often find ways to retain these even when discourse and policies direct otherwise (Larson and Ribot 2005; Ribot and Oyono 2005; Ribot *et al.* 2006; Pulhin *et al.* in press). Some observers suggest that it is unlikely that democratic decentralisation could ever be fully implemented (Tacconi 2007a) and that more attention needs to be paid to the political incentives that would make a closer approximation more likely (Larson and Soto 2008; cf. Wittayapak and Vandergeest 2009).

The commitment of international REDD+ partners and central governments to decentralisation, together with training, will be needed if decentralisation is to be designed, implemented and monitored so as to be effective. A political incentive is demand 'from below' (Larson 2005b). Local governments are more likely to be given power by state forest agencies if they insist and, likewise, they are more likely to be accountable if local citizens have not only the right but also the capacity to hold them to account. Decentralisation legislation provides an infrastructure to support such demands and to set out clear channels of recourse if representatives are not accountable or transparent. Civic education can help local citizens articulate their concerns (Ribot 2003).

With regard to outcomes, there is no established correlation between policies that have been implemented in the name of decentralisation (or devolution) and better forest management or improved livelihoods. Many variables affect outcomes (Agrawal 2001; Dachang and Edmunds 2003; Djogo and Syaf 2003; Namara and Nsabagasani 2003; Gebremedhin *et al.* 2003; Ribot 2004; Andersson and Gibson 2004, 2007; Larson 2005a; Jagger *et al.* 2005; Resosudarmo 2005; Colchester 2006; Wollenberg *et al.* 2006; Palmer and Engel 2007; Tacconi 2007a; Moeliono *et al.* 2008; Jagger 2009; see also Larson and Soto 2008 and Ribot 2009 for reviews). Box 14.2 discusses the limited livelihood and detrimental sustainability outcomes of forestry decentralisation in Uganda and the implications for REDD+. Some partly implemented forestry decentralisation schemes have, however, been responsible for better

Box 14.1. Decentralisation, recentralisation and devolution in Indonesia

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Almost a decade into Indonesia's extensive forestry decentralisation, good forest governance remains elusive. The underlying struggle for control of and access to forest resources remains unresolved. The national government is trying to regain control of the sector, and, at the same time, conflict is escalating with the introduction of carbon values and REDD+ schemes.

In a move toward recentralisation, Law 32/2004 severely curtailed the 'all inclusive' authority of districts. Provinces regained responsibility for supervision and monitoring, and authority for specific sectors was recentralised. In the forestry sector, for example, Technical Implementation Units which account to and are funded directly by the Ministry of Forestry (MOF) are now responsible for many functions. The law provides for forests to be managed as Forest Management Units where district governments have only technical responsibilities while decisions regarding design and establishment are made at higher levels. Despite what is laid down by law, many districts still lay claim to control of forests and REDD+ is likely to sharpen this conflict.

In general, however, even limited district autonomy seems to be profitable for local government. Central government is creating more and more districts and providing most of their budgets. This political and territorial fragmentation, however, is likely to have a significant effect on the way forest resources will be managed and how benefits will be shared under schemes such as REDD+. Some forest-rich districts have chosen to join the voluntary carbon market and have contacted brokers while others, foreseeing little benefit from REDD+, are trying to convert forest land to other uses for 'development' purposes.

Meanwhile, the MOF is experimenting with social forestry and community forestry programmes and, to some degree, reform of forest tenure. The law allows local people – individually or through cooperatives – to request different types of permits for varying degrees of access, e.g., for harvesting non-timber products, providing forest environmental services or tourism. A new community forestry scheme gives long-term (35-year) leases to villagers – usually in forests where, *de facto*, the community has taken control. The village forest concept, whereby a forest area is managed by the village for the benefit of the villagers, is also being revived as a strategy for empowering local people and improving access to forest resources. The people's plantation forest is another new initiative that gives individuals or cooperatives the right to use the timber planted for up to 60 years. This 'devolution process' however, only covers use and access rights, not decision making or ownership and, so far, has not addressed how local people can be involved in REDD+.

management and more equity (Ribot 2004). Three main factors appear to shape outcomes: the political environment, legal bounds and incentives for forest use.

The political environment is the way in which local governments are embedded in and supported by the government hierarchy, and how local governments relate to local populations (Chhatre 2007). For decentralisation to work in forestry, the responsibilities transferred to local authorities must be matched by funds or benefits (Wily no date; Larson 2002; Ribot 2002, 2004; Larson and Ribot 2005). Local governments need ongoing support and training from strong central government (Larson 2003). Multiple measures are needed to make local decision makers accountable to citizens (see Ostrom 1990; Conyers 2001; Ribot 2001; Shackleton and Campbell 2001; Wollenberg *et al.* 2001; Larson 2003; Wittayapak and Vandergeest 2009). Local elites are more likely to capture benefits in regions where power relations are highly skewed, for example, along conflictive agricultural frontiers in some parts of Amazonia; marginalised groups may be further excluded if decisions are made locally without national protection (Toni 2006b).

Legal bounds determine what can and cannot be done with forests and place boundaries on local discretion. Some rules are always set at national level, such as minimum standards for sound forest use (Ribot 2004). These rules should be minimised so as to maximise the decisions that can be made locally. Rules also include measures to redress the exclusion of indigenous populations, women or the poor, protect tenure rights and ensure human rights are respected. When designing decentralisation, inequalities must be taken into account and equity standards must actively counterbalance inequities – a neutral stance simply prolongs inequality (Bandiaky 2008; Dahal *et al.* in press). Well designed and enforced minimum standards permit greater local discretion and hence allow local leaders to make decisions that reflect the wishes of their people.

Incentives for forest use are influenced (to some degree) by legal bounds or rules, the likelihood and consequences of enforcement, and economic opportunities. They are also shaped by markets. Devolving decisions without changing incentives is unlikely to decrease deforestation (Larson 2002). REDD+, by providing economic incentives, has an advantage over forestry decentralisation policies to date: REDD+ could change the economics of maintaining forests. However, economic incentives alone are not enough for REDD+ success. REDD+ incentives and opportunities could make the rich richer rather than reducing deforestation or improving the lives of the poor.

Box 14.2. Forest sector reform in Uganda: Implications for REDD+

Pamela Jagger

Uganda underwent a major forest sector reform in 2003, as part of a government-wide decentralisation programme to reduce the cost of government services and bring government closer to the people. The specific objectives of the forest sector reform included: addressing high rates of deforestation and degradation; increasing the role of forests in improving rural livelihoods; and engaging a larger number of rural households in forest product markets. The centralised Forestry Service was abolished and two new organisations were created: the District Forestry Service (DFS) oversees forests on private land (70%) and the National Forestry Authority, a for-profit parastatal, oversees forests gazetted as reserves (15%). Each of Uganda's 79 districts is expected to have at least a District Forestry Officer and additional forestry staff where forests are more important.

Nevertheless, districts are generally understaffed and have limited resources, for example, not enough vehicles or inputs to help farmers who want to plant trees. Given the pressure to earn revenues for local governments, the DFS primarily focuses on collecting taxes on timber and charcoal transported to major domestic markets.

The effect of the reform on rural livelihoods has been limited. An analysis of 180 households living near private forests in western Uganda found that the contribution of forests to household incomes declined slightly 4 years after implementation of the reform. Forest income increased for relatively wealthy households, whereas forest fragmentation impeded access to forest products for poor households. Fuel wood, wild fruits, vines and poles traditionally harvested by poor households from forests are now more frequently collected from fallow and bush land. In contrast, wealthier households can afford to maintain forest areas, and have the financial and social capital to deal in higher-value product markets, specifically for sawn wood.

Changes in the indicators of forest sustainability were striking. Households perceived a major deterioration in both forest cover and quality since the reform. Logging and clearing forest for agriculture are the major drivers of deforestation and degradation; forest sector decentralisation failed to address the incentives underlying these drivers. Agricultural commodity prices are high, increasing the opportunity cost of maintaining land under forest, and households establish property rights by clearing and cultivating land. Most logging is illegal, but continues unsanctioned because the DFS does not have the capacity or the incentive to monitor and enforce rules.

Uganda's experience with forest sector decentralisation has implications for REDD+. Efficiency and effectiveness will be determined largely by changes in incentives at the forest gate. Decentralised authorities charged with monitoring and enforcing rules to reduce deforestation and degradation must have enough resources to be effective. These include vehicles, technical knowledge and access to inputs, as well as appropriate salaries and recognition. From the equity point of view, project proponents, donors and other vested interests should be aware of the potential impact of REDD+ projects on poor households, and should make an effort to understand project outcomes not only in aggregate, but also as they affect different wealth categories.

Sources: Jagger (2008, 2009)

Options for REDD+

A decentralised REDD+ process could represent local needs and aspirations at all scales. But how this plays out in practice will depend on how participation in REDD+ is designed and implemented, and how decisions are made about allocating benefits. There is an enormous amount of room for exploitation and abuse of poor and marginal forest-based populations. Hence decentralised REDD+ decision making must have multiple checks and balances that include guarantees for democratic process, basic human rights, and procedural and distributional equity. Checks and balances must also include appeal processes that enable local women, minorities and whole communities to make abuses visible nationally and internationally.

Decentralisation of a national REDD+ infrastructure must consider *what* can or should be decentralised, and *to whom*. Determining *what* can be decentralised requires the development of principles and guidelines for forestry subsidiarity (see Ribot 2004, 2008). We consider two important options: rules for forest use and distribution of benefits. *Who* should have decentralised powers should be based on guidelines for choosing appropriate institutions (see Ribot 2003, 2008; Ribot *et al.* 2008).

With regard to forest use regulations, decentralisation would establish nested rules, under the umbrella of minimum national standards. Broad national standards to protect valued forest attributes would support decentralised flexibility (see Ribot 2004). More detailed standards could then be designed at the regional level and, in turn, appropriate rules and standards could be developed locally.

Decisions regarding REDD+ funds – who receives them and how they are spent – can be similarly distributed. The central government could make payments to subnational entities, for example, by establishing a system for states, provinces, municipalities or other entities to be paid based on their REDD+ efforts (Brown *et al.* 2008). Guidelines for the use of funds could be designed in the same way as forest use rules, through a nested approach, under the umbrella of national standards for equity.

Under previous decentralisation or devolution policies, many kinds of local authorities have been given powers: elected local governments, local forestry offices, traditional authorities, committees established for the purpose, forest user groups and NGOs, among others. REDD+ architects must choose between centralised and decentralised approaches, and among local actors. Each option has tradeoffs, which will be considered in the following section.

Analysis of centralised and decentralised options

Table 14.1 summarises the pros and cons of centralised and decentralised scenarios for effectiveness, efficiency and equity. Due to lack of space, the table and discussion primarily consider the option of setting rules and making decisions about compensation at the *same* scale. Each potential level of decision making is considered in turn with regard to effectiveness and efficiency, and equity is discussed at the end.

Effectiveness and efficiency

Central government. National policy reforms are recognised as a necessary, important and probably low-cost way to address deforestation. But implementing REDD+ initiatives centrally has important implications for effectiveness. First, decisions made by central institutions and imposed locally are more likely to meet resistance than decisions made locally. Second, if decisions are implemented without an understanding of local conditions (such as many place-specific drivers of degradation) they may have unintended effects or fail to meet goals. Even if central government institutions have a better understanding of technical aspects of forest management than local institutions, they are unlikely to grasp the importance of local social, political, economic, cultural and livelihood issues. Third, institutional mechanisms by which citizens can hold national officials accountable are rare. Corruption is often a serious problem in natural resources management (Kolstad and Soreide 2009). Fourth, forest services worldwide have an entrenched history of disrespect for local people. Finally, if central forest services do not deliver appropriate compensation, local people are unlikely to change their behaviour.

Decisions about rule making and payments do not have to be made at the same scale: rather, a decentralised payment system could be based on centrally determined rules. In that case, local people would make decisions about the distribution of benefits, but would not make decisions about compensation. In this case, they might be somewhat more likely to comply, but the problems with centralised decisions still hold.¹

Elected subnational government. In general, decentralised implementation by subnational governments can be expensive because of the need for capacity building and external support. Nevertheless, approaches decentralising powers to subnational governments allow for differentiated and targeted forest management and compensation payments, and a closer match between responsibilities (or the costs to forest users of new rules) and benefits.

Under a decentralised system, subnational governments could work with local citizens and forest communities to set targets for carbon reductions and develop rules and innovative initiatives – based on a collective understanding of local ecological, socio-economic and cultural characteristics – to meet them. Subnational governments typically include states in federal systems and municipalities, but they could also include indigenous territorial authorities chosen by local people.² Though elected governments are not always accountable in practice, the main difference between these institutions and those discussed below is that they have a legal mandate to represent all citizens within a territory and to be accountable to them.

Forest user groups and stakeholder committees. User groups and stakeholder committees usually involve a subset of the population that organises or is being organised around a particular interest, such as community forestry (Manor 2004). Such groups can be effective resource managers when they are cohesive or well organised, and empowered to make and enforce rules. Nevertheless, devolving rule making and benefits directly and only to this scale could undermine the effectiveness of reducing emissions for several reasons. Such committees do not involve or represent all local citizens; nonmembers may be unwilling to follow rules and are unlikely to receive benefits. The rules they set would only apply to a small area and leakage is more likely. Also, it should not be assumed that the leaders of such groups are representative of their members or accountable to them. Such groups are often constituted by outside projects and represent the interests of those projects rather than those of the local population.

1 Deconcentrated decision making (which refers to decisions made by central authorities at smaller territorial scales) also faces similar drawbacks.

2 Some marginalised groups may feel that other authorities reflect their interests better than elected local governments (Larson 2008). Traditional forms of decision making, such as through consensus, may have greater local legitimacy than governments elected on the basis of party politics.

Table 14.1. REDD+ decentralisation options

Level of rule setting and compensation	Effectiveness (including governance)	Efficiency	Equity
Central government		Positives	
	In macro context, driving forces of deforestation addressed	Lower transaction costs, economies of scale	Potential national protection for marginalised groups Indigenous organisations may have more influence
		Negatives	
	Imposed rules ignored and locally inappropriate Respect of rules unlikely without compensation or benefits Difficult to hold authorities accountable, fight corruption	Imposed rules not implemented if not appropriate, legitimate and compensated	Potential to favour elites and ignore marginalised groups
Elected subnational governments		Positives	
	Greater acceptance of rules if local citizens participate More targeted, locally relevant policies and compensation Better use of local knowledge (In theory) accountable to electorate	Differentiated incentive payments Lower local transaction costs for knowledge and labour mobilisation	Universal suffrage in choosing decision makers Potential for broad participation Potential for recourse and accountability
		Negatives	
	Technical support needed Leakage due to weaker rules in neighbouring areas Potential governance failures (corruption)	High transaction costs to set up nationally and monitor	Potential undue burdens on marginalised groups Could favour elites

Level of rule setting and compensation	Effectiveness (including governance)	Efficiency	Equity
Forest user groups, stakeholder committees, some traditional authorities	Greater acceptance if direct participation in rule setting	Differentiated incentive payments	Direct participation of interested groups
	Rules and compensation sharply targeted		
	Self-enforcement if group cohesive	Positives	
	Not representative of all local citizens	High transaction costs to set up nationally and monitor	Potential undue burdens on marginalised groups
	Leaders not necessarily accountable		
	Technical support needed	Likely group capture of public resources	Could favour elites
	Leakage due to weaker rules in neighbouring areas		
	Rules cannot include larger-scale influences		
	People outside group not subject to rules		
NGOs and projects	Rules and funds targeted	Positives	Potential to protect marginalised groups
	Technically sound rules	Less bureaucracy, more efficient	
	Less potential for corruption	National coordination transaction costs depending on scale of project	
	Imposed rules ignored	Negatives	Could favour special interests
	Not representative or accountable to citizens	National coordination transaction costs depending on scale of project	
	Could usurp significant benefits		Could burden marginalised groups
	Project timeframe rather than permanent institutionalised change		

Projects and NGOs. Projects and NGOs have an advantage over the public sector in that they are often more efficient, more technically capable and have a better control of corruption (cf. Chapter 5). Nevertheless, they are likely to have some of the same disadvantages as central control and user groups. Projects and NGOs may also be short term, driven by external aid and therefore less sustainable.

Traditional authorities. In some forestry decentralisation schemes, traditional authorities that have not been chosen by local populations and that are not accountable to them have been given important powers over natural resources or income from resources (van Rouveroy van Nieuwaal 1987; Porter and Young 1998; Brock and Coulibaly 1999, 152; Ntsebeza 1999, 2002; Manor 2000; Marfo *et al.* in press). This appears to be an expedient way to distribute powers, but may be completely ineffective as benefits seldom reach the intended recipients. Many of the limitations of user groups and NGOs also apply to traditional authorities.

Equity

Equity is a concern whether rules and compensation are centralised or decentralised, but marginalised groups, such as indigenous organisations, may have more influence at the national – and international – scale, rather than in contested forests. Research demonstrates that equity is unlikely to be taken into account unless it is an explicit, planned priority, and unless the design, implementation and monitoring of schemes actively take equity into account (Dahal *et al.* in press; also see Crook and Sverrisson 2001; Bandiaky 2008). Certainly, the main concerns in REDD+ are that elites will capture benefits, that marginal groups will be excluded and that forest peoples will be exploited.

Conclusion

Open and equitable forest management is critical for REDD+. Financial incentives and rules, rigorously applied, could change the status quo and promote substantial local engagement in forestry decision making.

The scale at which decisions are made will not, alone, guarantee effectiveness, efficiency or equity. Ensuring representative governance and preventing corruption and capture of benefits by elites are important both centrally and locally. Local people may have a better understanding of the incentives and management alternatives than central agencies, but they may still decide to deforest if deforestation is a lucrative option. Further, local and remote vested interests in deforestation, or local biases against the poor, may be hard to overcome locally without higher-level support. Hence, generally accepted

minimum standards for forest management, and for rights and wellbeing, must be established and enforced by central authorities.

If local needs and aspirations are to be taken into account, innovative REDD+ will transfer important aspects of design, implementation and benefit sharing to representative local authorities. Elected subnational governments, with the participation of local citizens, user groups and NGOs, could set targets and receive compensation based on their performance against agreed measures. The key to success lies in the process. The legitimacy of the whole REDD+ endeavour will depend on some kind of decentralisation, otherwise the fundamental goals of reducing deforestation and degradation will be compromised. In addition to broad participation in decisions regarding the structure of REDD+, decentralisation of rule making and distribution of benefits will be key issues in legitimacy.

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