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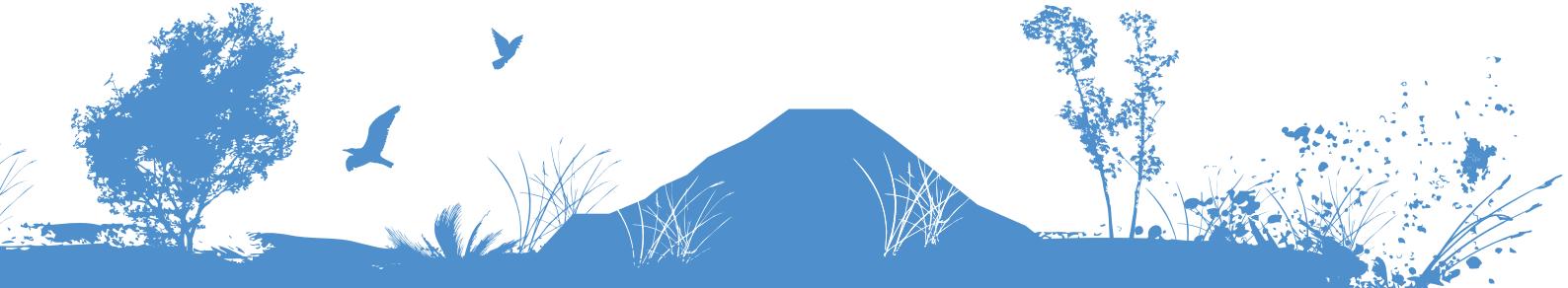
# Scaling up community participation in forest management through REDD+ in Zambia





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Food and Agriculture Organization of the United Nations  
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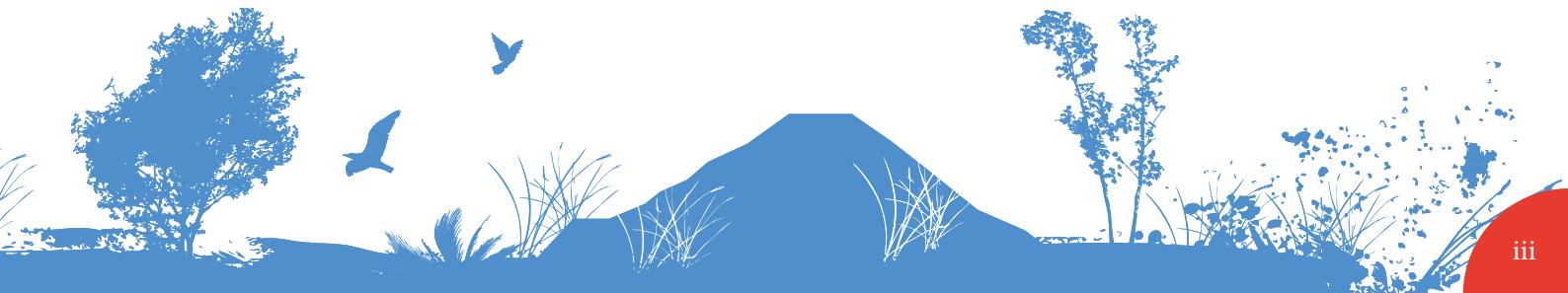
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# Key messages

- The existing policy and legal framework in Zambia is conducive to investment in Participatory Forest Management (PFM). The 2015 Forests Act and its subsidiary legislation create a strong legal foundation for community forestry management (CFM), joint forest management (JFM), and private forest management (PvFM), enabling community engagement and devolution of powers to the local level.
- Zambia's National REDD+ Strategy aims to promote more inclusive forest management regimes that enhance the involvement of local communities and traditional authorities, while recognizing the importance of ensuring tenure security for those in customary tenure regimes. Further harmonization between REDD+ frameworks, PFM, and wildlife management is recommended.
- An effective rollout of PFM will require improvements in the Zambian legal and policy framework including harmonized guidance on permits and licenses; clarification of institutional responsibilities and benefit-sharing arrangements; and recognition of 'home-grown' models.
- A national rollout of CFM, JFM, and PvFM is proposed, along with the integration of public private partnerships (PPPs) and incentive and market-based mechanisms such as bio trade, certification, and payment for environmental services. Partnerships with the private sector may provide opportunities for economic development in the medium term.
- In order for communities to meet their responsibilities under the Forests Act, they need detailed operational guidelines, generic templates, third-party facilitation, and capacity development.
- The establishment of district platforms is suggested in order to develop capacity for PFM delivery and to ensure government service delivery while engaging other stakeholders such as civil society organizations (CSOs).
- The requirement for a title deed in order to engage in PvFM excludes many of Zambia's 1.2 million smallholders whose land rights are based on customary tenure, and therefore a loosening of this regulation is recommended.





# 1. Introduction

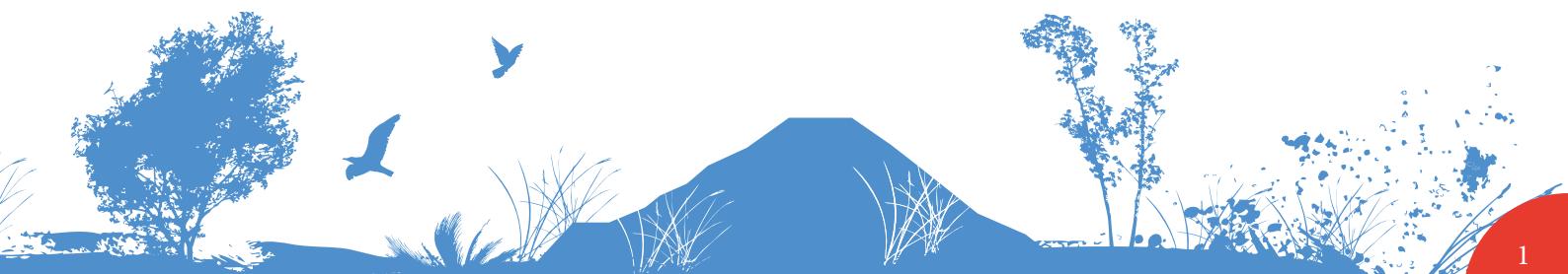
Reducing Emissions from Deforestation and Forest Degradation, Conservation, Enhancement of Carbon Stocks and Sustainable Forest Management (also known as REDD+) is a key outcome of the United Nations Framework Convention on Climate Change (UNFCCC) aimed to reduce emissions from tropical deforestation and degradation in developing countries. The Government of Zambia participates in REDD+ as an opportunity to directly address the drivers of deforestation and forest degradation in pursuit of its long-term development vision that emphasizes poverty reduction and development based on "sustainable environment and natural resource management principles" (Vision 2030).

The country's *National Strategy to Reduce Emissions from Deforestation and Degradation* (March 2017) emphasizes community involvement in sustainably managing land and natural resources in an integrated manner. The restoration and management of degraded woodlands is a key interest of the Government, and aims to promote forest regimes that are more inclusive and that enhance the involvement of local/traditional authorities and communities, notably through participatory forestry management (PFM).

Within the context of REDD+ and the expanded room-to-maneuver created by the Forests Act of 2015 and the more recent Community Forest Management Regulations (2018), the opportunities for integrated community based natural resources management have greatly increased. This brief presents the options for upscaling existing or developing new initiatives in participatory forest management (PFM), in particular, community forest management (CFM), joint forest management (JFM) and private forest management (PvFM).



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## 2. Legal and policy context

It is important to ensure that investment in PFM is aligned with laws and policies across relevant sectors. The Zambian legal and policy context is generally conducive to expanded PFM; however, a number of gaps and challenges may be highlighted. There are several key policy documents that underpin Zambia's commitment to combating climate change and implementing REDD+. These include the Nationally Determined Contribution (NDC, 2015), the National Climate Change Policy (NCCP, 2016), and the National REDD+ Strategy (NRS, 2015, launched 2017). These three documents put an emphasis on community-based forestry actions. In addition, there are some eleven Acts<sup>1</sup> that steer interventions in the forestry sector, including PFM and REDD+, of which the Forests Act (2015) is the most important.

### THE FORESTS ACT (2015)

The Forests Act explicitly provides for the recognition of community forest management groups, the declaration of joint forest management areas, and the registration of private forests as three vehicles for communities to participate in the management and development of forests (GRZ 2015a). The implementation of the Act is supported by subsidiary legislation for CFM (2018), whilst the regulations on private forestry and joint forest management are still under development.

### Community Forest Management

The Forests Act and the CFM Regulations (2018) define a procedure for how members of a community, who derive their livelihood from a nearby forest, may apply for recognition by the Forestry Department as a community forest management group (CFMG). Key requirements for establishment include consultations (also with adjacent communities), assessment of user rights, drafting of key documentation, and benefit-sharing arrangements. The CFM agreement confers forest user rights to the group (e.g. timber and carbon), which the group may assign onward, in part or in full. The group must then prepare and implement a forest management plan. The community forestry agreement and the community forest management plan form the backbone for community engagement. The legislation also specifies that the forests eligible for community forest management may be open areas (e.g.. land under customary tenure), Game Management Areas (providing a reference to the Wildlife Act), or Local Forests (e.g. forest reserves) provided there is no prevailing forest concession or sawmilling license. The Director of Forestry also has the right to consider CFM outside these areas as well.

The Act and the regulations devolve significant rights to community forest groups to manage forests and engage in forestry value chain development. Well steered and supported, the process has the potential to bring forests under sustainable management, generate income and improve livelihoods in rural communities. The law designates comprehensive responsibilities and obligations to the communities, but it may be beyond the capabilities of many local communities to meet their responsibilities without detailed operational guidelines and generic templates, third-party facilitation, and training.

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<sup>1</sup> The Acts are: Forests, Wildlife, Lands, Agriculture, Energy Regulations, Environmental Management, Mines & Minerals, Local Government (Amendment), Water Resources, Zambia Development Agency and National Heritage Conservation Commission.



## **Joint Forest Management**

The Forests Act prescribes that a Joint Forest Management (JFM) area may be declared by statutory instrument in a Local Forest, botanical reserve, plantation, private forest or open area. The Act further provides for the establishment of a Forest Management Committee, with 9 to 12 members representing various Government Departments, the Chief, local community and other stakeholders. The Committee carries the formal responsibility to develop and implement a forest management plan. The purpose of the JFM area is to develop the forest area and distribute benefits among the local communities in the area. Revenue generated from JFM will support the costs of the committee and Forestry Department services. The surplus, if any, will be shared among the stakeholder parties, as defined in the forest management plan.

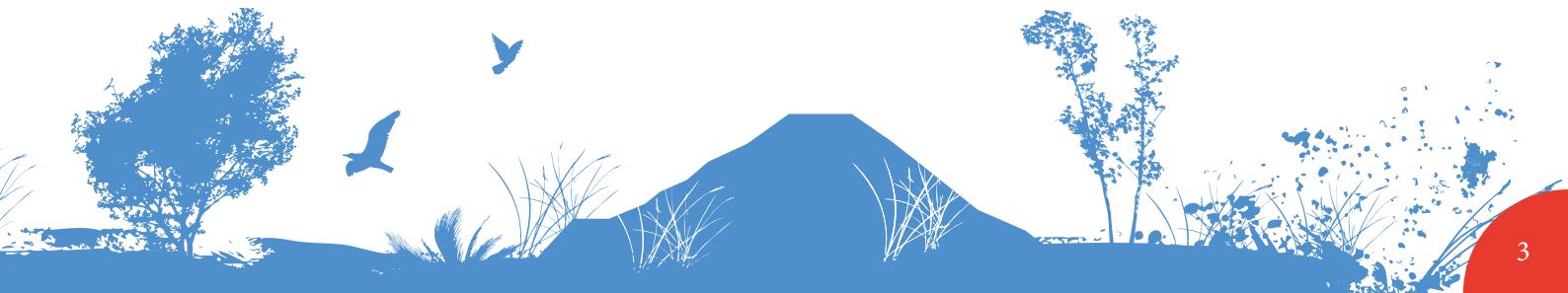
The legislation defines a robust model of PFM, well grounded in local government structures. The procedure for preparing a forest management plan is well elaborated, however, the model is bureaucratic and expensive. Revision of the subsidiary legislation, and possibly the Principal Act, is suggested in order to increase cost efficiency and encourage wider participation. Other needed measures include the provision of detailed operational guidelines, third-party facilitation, and capacity development of communities and district structures.

## **Private Forests Management**

The 2015 Forests Act describes a procedure for how private forests may be registered with the Forestry Department for the purpose of sustainable forest management. The application for registration should include a project plan for how the area will be used. In return for registration, the owner is entitled to technical advice and is exempted from production licenses and permits. The owner may apply for loans from the Forest Development Fund and may apply for exemption from payment of fees.

The Act provides incentives to large and medium scale farmers and landowners to embrace principles of sustainable forest management. However, Private Forests Management (PvFM) as currently prescribed in the Act, does not adequately support smallholder farmers or those holding user rights under traditional, customary tenure. Title deed or formal tenure is a requirement as private forestry is available only to an "owner or lessee of any land or plantation". Thus, the bulk of Zambia's 1.2 million smallholder farmers are not eligible for PvFM. However, small- and medium-scale farmers on commercial farm blocks appear eligible.

The government may consider a revision in order to include smallholders whose land rights are based on customary tenure. Regulations need to be developed taking into consideration group applications – i.e. smallholder farmers organized in associations wishing to establish PvFM. Similar to JFM, detailed operational guidelines, third-party facilitation, and capacity development are recommended.



### 3. Land and forest tenure considerations

Tenure refers to the relationship, whether legally or customarily defined, among people as individuals or groups, with respect to land and associated natural resources. Rules of tenure define how access is granted, and cover issues ranging from use to transfer to exclusion of others. Depending on the context, these different rules may be "bundled" in different ways based on a mix of tradition and formal law (FAO, 2012). Clear and secure tenure rights can incentivize sustainable management and conservation of forests, since those with secure tenure rights tend to have a stronger interest in maintaining, investing in and improving the resources. The *Voluntary Guidelines on the Responsible Governance of Tenure* (VGGT, 2012) lay out an internationally-accepted framework with principles to guide countries in improving tenure governance and in establishing tenure conditions that enable sustainable management of forests and implementation of REDD+.

The Zambian legal framework recognises the importance of security of land tenure, and there are clear processes of acquisition and conversion of land tenure from one system to the other. While implementation varies, dispute management mechanisms are also mentioned in law and policy. Notably, in Zambia, tree tenure and land tenure are not always connected, as rights to trees do not necessarily follow rights to land.

Draft policies aim to address shortcomings in registration and documentation of customary rights, while amendments to the law aim to harmonise and distribute power over land administration and management. The legislation provides compliance and monitoring mechanisms as well as promotes principles of effective participation including free prior and informed consent<sup>2</sup>, which are essential for PFM.

Each mode of PFM, in the form of CFM, JFM, and PvFM (for smallholder farmers), is suited to a particular land tenure type as outlined in the table.

**TABLE 1.** Suitability of PFM to customary and state land tenure types

| Mode of PFM | Customary land tenure types  | State land tenure types  |
|-------------|--|--|
| CFM         | ➔ Community forests<br>➔ Community woodlots<br>➔ Game Management Areas | ➔ Forest reserves  |
| JFM         | ➔ National Heritage Sites*<br>➔ WARMA sites*                           | ➔ Forests Reserves<br>➔ Protected Areas (not National Forests)   |
| PvFM        | ➔ N/A  | ➔ Farms held on individual title<br>➔ Associations/networks of private medium- scale farms on farm blocks, schemes, etc. |

\* The legal frameworks for national heritage, water resources and forestry are not yet harmonized. Alignment would be needed to confirm that National Heritage and WARMA sites are eligible for JFM.

<sup>2</sup> FPIC is introduced as one of the key principles in the Forest Policy and in the REDD+ strategy. The Forests Act itself does not require FPIC, but it is proposed in subsidiary legislation.



All three forms of PFM illustrate a number of tenure-related challenges, risks, and benefits. Challenges include the incidence of re-allocation of forested land by some traditional chiefs who lack appreciation of forest management and believe forested land is underutilized. For example, some traditional leaders have repossessed forestlands on the Copperbelt because they were not developed. In a study in Eastern Province, community members expressed their greatest concern as being that the chief would reallocate or take land without village consultation (Huntington et al., 2016)<sup>3</sup>. Moreover, land may be allocated for agricultural investment causing conflict related to state and customary tenure systems. Corruption has been indicated as one of the problems associated with land deals in Zambia (TIZ, n.d.<sup>4</sup>).

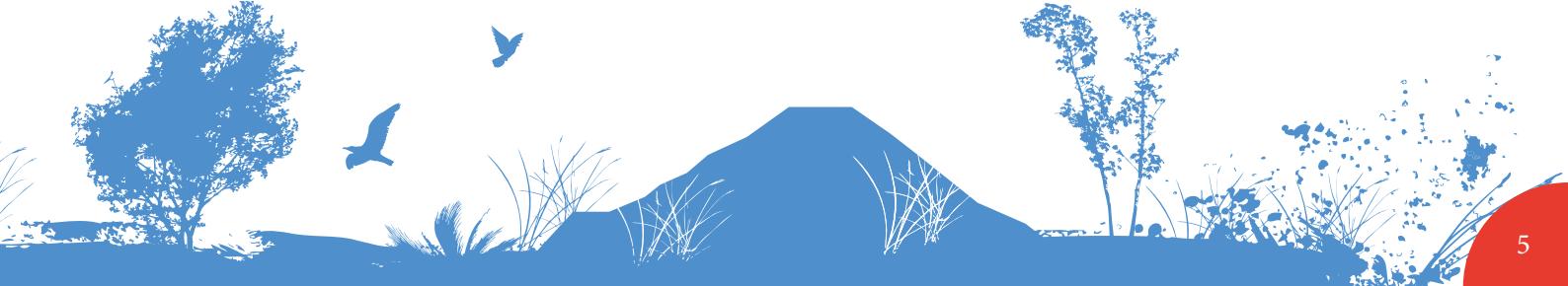
The legal framework under which rights to trees and forests do not necessarily accompany rights to land creates incentives to deforest and thereby reduces community interest in forest enterprises. While land can be owned customarily, communities only have subsistence use rights to forest products, and for commercial rights to timber, they must currently apply for specific licenses, even on their own lands. In customary areas, rights to agricultural land are stronger and easier to enforce than rights to forests. This leads to incentives to deforest, as secure and private ownership rights to land may be claimed through clearing land (Sommerville, 2013).

Forestland encroachment, mostly linked to charcoal and agricultural production, has also caused a sense of tenure insecurity, and encumbered involvement in PFM initiatives. Some encroachment is endorsed by chiefs, and has caused pilot PFM schemes to collapse. In general, *the lack of secure tree tenure for the local populations is recognized as an underlying driver of deforestation*. Local communities often have few incentives to enforce rules when their own rights are unprotected (Sommerville, 2013). Land tenure insecurity also generates displacement, especially if associated with conventional land transfer (without consultation). Without legal clarity, transaction costs and the potential for abuse are high. By contrast, clear and secure tenure systems, along with the recognition of customary land rights and the association of tree tenure with land rights, can enhance coordination among institutions and reduce the likelihood of land conflict.



<sup>3</sup> Heather Huntington, Aleta Haflett Starosta, Stephanie Fenner, and Ben Ewing, with contributions from Britton Gibson and Aidan Schneider 2016. Report on Baseline Findings Community-Based Forest Management Program Impact Evaluation. July 2016. United States Agency for International Development.

<sup>4</sup> TIZ/Ministry of Lands, n.d. Land administration in Zambia. A guide to a corruption free acquisition of land.



# 4. Good Practices in Participatory Forest Management in Zambia

Between 1999 and 2008, the Forestry Department of Zambia engaged in piloting joint collaborative forest management across seven provinces in Zambia. Two models were developed: the "PFAP-model" (Ministry of Foreign Affairs, Finland) and the "CLUSA-model" (USAID). In total more than 20 pilots were undertaken however almost all were abandoned due to the lack of a clear legal framework along with other factors. A post-programme evaluation of PFAP suggested that JFM was viable, provided the legal challenges could be addressed.

During the early 2000s, a range of 'home-grown' initiatives emerged, most prominent of which was the COMACO initiative established under the Wildlife Act by a network of woodland-based beekeepers. Groups of honey producers were certified based on protocols for sustainable forest management of shared woodland areas, where hives were hung (Mickels-Kokwe 2005). A broad review of existing PFM initiatives highlighted eight examples with elements of good practice as described in table 2.

**TABLE 2.** Participatory forest management case studies of particular interest (in alphabetical order)

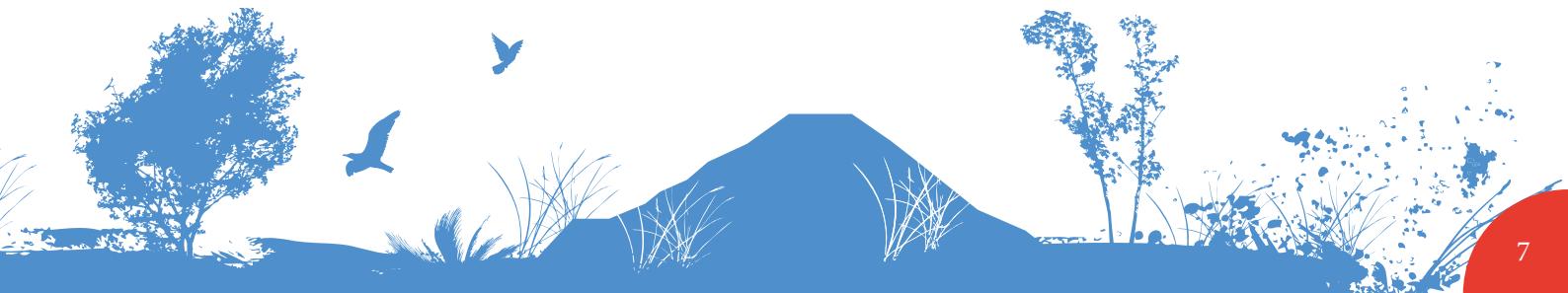
| Case Study   | Description   |
|--|---|
| <b>1. BeeSweet Honey Ltd., Luanshya</b>  | Beekeeping micro-franchise scheme. 13 800 families benefit from a total of 74 000 hives. Total forest area is being mapped. <i>Does not qualify for CFM, JFM or PvFM</i>  |
| <b>2. Chiulukire JFM Project, Katete</b>   | CLUSA-FD JFM pilot. The forest reserve No. P.158 is 12 040 ha involving 46 villages situated within 5 km radius from the Local Forest reserves. <i>Suitable for JFM or CFM</i>  |
| <b>3. Community Markets for Conservation, Eastern Province</b>                   | Market-driven incentive to manage private farm land and commons sustainably. Premiums paid on produce from smallholder farms under customary tenure against good management of forest commons. <i>Does not qualify for CFM, JFM or PvFM.</i>  |
|  | Forest commons allocated for community forestry by chief through a charter. The 29 CCAs in Eastern Province are spread over a total of 550 664 ha of customary land located in 5 districts and 17 chiefdoms. <i>Eligible for CFM.</i>   |
| <b>4. Dambwa Forest Trust, Livingstone</b>                                       | PFAP pilot. The site is a 10 690 ha-forest reserve No. F22 involving more than seven ethnic groups living in eight villages in Musokotwane and Mukuni chiefdoms. <i>Suitable for JFM.</i>   |
| <b>5. Kaloko Trust: Beekeeping to Reduce Poverty and Conserve Forest</b>         | CSO partnership approach. Backyard beekeeping hanging hives on smallholder farms under customary tenure. The initiative site spreads across three provinces and three chiefdoms. Involves 640 former charcoal producers organized into groups of 40 across 16 zones. <i>Does not qualify for CFM, JFM or PvFM</i>           |
| <b>6. Kasanka Trust: PFM in Mulembo L. F.</b>                                    | Planned for JFM, but is likely to adopt CFM if re-started. Local Forest Reserve is 19 295 ha and is located within Chief Chitambo's chiefdom. <i>Suitable for JFM or CFM.</i>   |
| <b>7. Lubofu CFM Group, Kasempa</b>  | Donor-funded pilot project to establish district structures for INRM. The site is 6 219 ha in Lubofu Ward located in Senior Chief Kasempa's chiefdom. <i>Eligible for CFM.</i>  |
| <b>8. WeForest – Rainlands: Engaging smallholders in reversing deforestation</b> | Planned for farmer association/ cooperative model. The initiative is in four farm blocks where there is a total of 217 cooperative societies all of which fall under Luanshya District Cooperative Union but only ca. 30 percent (66) societies are paid up. More than 500 farmers are involved. <i>Qualifies for PvFM.</i> |



The review of experience in PFM also revealed key challenges and possible appropriate response measures as suggested in Table 3 below.

**TABLE 3. Challenges to successful PFM in Zambia with proposed response measures**

| Key Challenges   | Response Measure   |
|--|--|
| <b>Forest Potential.</b> Most community forest areas are too small or degraded to pay for the management cost and yield a surplus.   | <ul style="list-style-type: none"> <li>➔ Economic modelling of CFM / JFM /PvFM</li> <li>➔ Provide adequate external funding for start-up phase, with plan for self-sustainability</li> <li>➔ Payment for forest conservation through agriculture, value addition and payments for environmental services (PES)</li> </ul>  |
| <b>Enabling Environment.</b> Though significant strides have been made to address legal and policy-related challenges, some remain, along with substantial inertia and misapplication of effort.               | <ul style="list-style-type: none"> <li>➔ Address legal and policy related challenges with inter-sectoral, multi-disciplinary discussions of key legislative challenges</li> <li>➔ Ensure cross-disciplinary debate of subsidiary legislation at an early stage (while regulations can still be amended)</li> </ul>   |
| <b>Partnerships.</b> History shows that collaboration between the community and government facilitated by a third party results in more steady and substantive progress.                                       | <ul style="list-style-type: none"> <li>➔ Bring in complementary skill sets and leverage external financing through partnership</li> <li>➔ Hold partners accountable and bring the community on board as a negotiating partner when selecting a third party institution</li> <li>➔ Bring local government on board as a new partner and explicitly recognize its role in relevant subsidiary legislation and guidelines</li> </ul>    |
| <b>Community Structures.</b> Current community structures are very weak in organization, transparency and accountability. Without support they are not likely to be able to meet the necessary REDD+ criteria. | <ul style="list-style-type: none"> <li>➔ Allocate adequate resources to the development of strong community structures to develop capacity of community members and establish support structures, both through Government and civil society</li> </ul>   |
| <b>Checks and Balances.</b> Much emphasis is given to internal control systems in communities – but past experience shows that Government and donors have a much poorer accountability track record.           | <ul style="list-style-type: none"> <li>➔ Enhance government accountability by mainstreaming PFM into government planning and budgeting, not just under REDD+ but as a national programme</li> <li>➔ Build accountability mechanisms into partnerships, including participatory MRV systems at community level</li> <li>➔ Support FD and NGOs to be performance-based and monitored at provincial/district/community level</li> </ul> |
| <b>Incentives.</b> Household income from PFM must exceed income from illegal forest use.   | <ul style="list-style-type: none"> <li>➔ Conduct realistic economic modelling with rural households as independent economic actors</li> <li>➔ Communities must have the right to decide whether funds are distributed directly to families in the form of individual payments or invested in public works</li> <li>➔ Address gender concerns in distribution of benefits through gender quotas and preferential action</li> </ul>    |



| Key Challenges   | Response Measure   |
|--|--|
| <b>Cost-Benefit Sharing.</b> Issues have not been resolved at national level. Current trends suggest issues of fairness and transparency that may result in increased threat levels and leakage.                     | <ul style="list-style-type: none"> <li>➔ Work out principles for access and cost-benefit sharing at national level with generic procedural guidelines provided to ensure that free and fair conditions of participation prevail</li> </ul> |
| <b>Drivers of Participation.</b> PFM imposed from outside may have low buy-in unless matched with genuine interest and tangible benefits to community members, expressed as both short- and long-term benefits.      | <ul style="list-style-type: none"> <li>➔ Emphasize tangible community and individual benefits</li> <li>➔ Adapt PFM to the needs of the communities integrating home-grown initiatives</li> </ul>   |
| <b>Financial Viability.</b> Minimum of 5 years secured start-up funding has rarely been achieved in the past.<br><br>(Juxtaposed against a yardstick of an estimated 8 years needed for a PFM initiative to mature). | <ul style="list-style-type: none"> <li>➔ Develop pilot projects that have an explicit scaling and sustainability strategy</li> <li>➔ Aim at investments with national coverage within the shortest time possible</li> </ul>                |

## MICRO-FRANCHISING: THE BEESWEET BEEKEEPING EXAMPLE

Currently 13 800 families benefit from the BeeSweet company beekeeping activities. The goal is to upscale to 100 000 families. The arrangement is called micro-franchising – the company supplies the hives and arranges for the harvesting and management of the hives. The smallholder farmer provides the land / bee forage for the bees, slashes the grass around the trees to prevent fires, and provides security for the hive. Very few cases of theft have been recorded.

Whereas the farmers are empowered with hives to start beekeeping, the hives, however, remain the property of the company. Farmers started off with 5 hives, but now 10 wooden top bar hives are usually provided by the company. A total of 74 000 hives have been placed through the scheme. Recently, a top bar hive made from food-grade plastic board has been introduced. It is light and durable and estimated to last 15 years. The hives are hung in the trees, as this improves occupancy (estimated at 60-80 percent).

Each hive is estimated to yield a gross income of 60 USD/year. The farmer is given 25 percent of the sales price, the investor gets a 50 percent return on his/her money, and the company gets 25 percent. If the company share yields a profit after deducting costs, this will be invested back into the business. In the December 2016 – January 2017 Musamba season, the farmers earned an income of 7 ZMW per kg (USD 0.70).



# 5. Participatory Forest Management REDD+ investment activities in Zambia

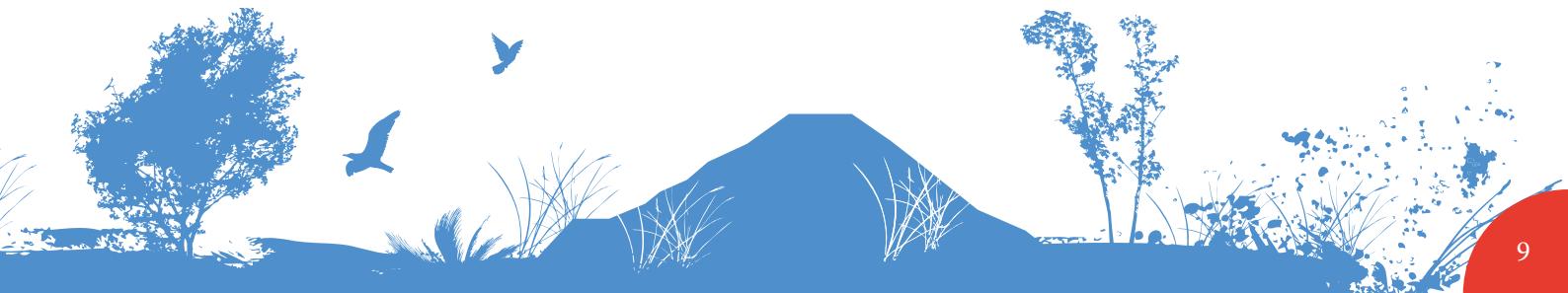
## VISION

By 2030 participatory forest management is an accepted and widespread mode of land use that sustains ecosystem health and delivers livelihood benefits to rural communities. Community forestry groups, in partnership with NGOs and private sector operators, are effective stewards of forests and operators of 'green businesses', earning income from sustainable forest management, sharing benefits equitably and fairly in the community.

Participatory forest management has the potential to mitigate destructive land use practices and to create carbon sinks through forest regeneration, afforestation and reforestation. PFM also has the potential to enhance the resilience of local communities to climate change through adaptation of the productive systems. This brief proposes seven investment activities that would together provide a framework for how the Government of Zambia may strengthen community participation in sustainable forest management. The list of activities is presented in Table 4 below.

**TABLE 4.** Participatory Forest Management activities for REDD+ investment in Zambia

| Activity  | Description   |
|---|---|
| 1. District platforms for capacity development and PFM delivery                                 | Build capacity at district level, ensuring government service delivery to communities, and the support by other stakeholders to communities in sustainable forest management.   |
| 2. Revision of legal and policy framework   | Address PFM related policy and legal challenges including issues in coherence that affect the implementation of PFM activities.   |
| 3. Community Forest Management (CFM) for SFM and poverty reduction                              | Enable local communities alone, or in partnership with NGOs and the private sector, to manage forest resources sustainably, for livelihood diversification and poverty reduction.   |
| 4. Joint Forest Management (JFM) to restore local forest reserves                               | Enable the Forestry Department in partnership with communities, other government departments, NGOs/CSOs and private sector partners to manage forest reserves sustainably, for REDD+ and co-benefits.                                   |
| 5. Community Forest Buffers and Public Private Partnerships (PPP) around Forest Protected Areas | Integrate PFM into public-private partnerships for the management of Forest Protected Areas, e.g. National Forest reserves, through combinations of CFM, JFM (and possibly PvFM) interventions  |
| 6. Smallholder private forest management (PvFM)   | Enable networks of smallholder farmers to sustainably manage farm forests as a complement to farming, increasing household income and managing private forests sustainably.   |
| 7. Incentive and market-based mechanisms (IMBM) for community forestry                          | Support incentive-driven forest conservation and private-community partnerships for sustainable forestry businesses within the context of PFM, through the adoption of market-based mechanisms, e.g. bio trade, certification, and PES. |



# ACTIVITY 1

## District platforms for capacity development and Participatory Forest Management delivery

The district level is the interface between communities and government and the locus of decision-making within the decentralized structure for government service delivery. Under this activity, district teams would be established to provide services related to integrated natural resource management including PFM. The team members would be drawn from relevant line departments and local government to support communities and stakeholders in implementing PFM. However, the teams could also be engaged by other projects and programmes contributing to national mitigation and adaptation goals. The platforms could eventually cover most of the country's 106 districts, building preparedness for government service delivery in all forms of PFM. Possible challenges affecting implementation include delays in decentralization and difficulties in inter-ministerial and inter-departmental coordination.

Some of the anticipated activities needed to provide functioning district platforms are:<sup>5</sup>

1. Capacity development of district staff and key partner NGOs/CSOs
2. Development of guidelines and procedures for PFM, including models for conflict resolution, access, and benefit sharing
3. Local level participatory planning for PFM initiatives
4. Institutional strengthening of the Forestry Department and coordination with line departments
5. Development of monitoring and reporting systems

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<sup>5</sup> The teams may be designed to also advise on other REDD+ processes and requirements, through the interpretation of guidelines, procedures, standards and indicators; conduct awareness campaigns; advise the general public on FPIC and benefit sharing; support communities in the establishment of private-public-partnerships with private sector operators and NGOs/CSOs; ensure multi-stakeholder coordination; and support national bodies in the generation of MRV and LULUCF data.



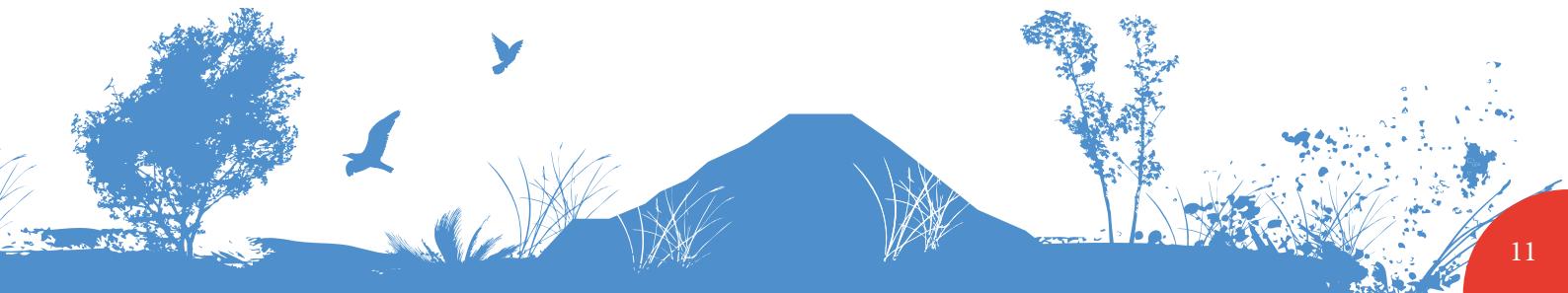
# ACTIVITY 2

## Revision of the legal and policy framework

The operationalization of PFM hinges on overcoming some institutional, policy, and legal challenges. The table below summarizes some of the key challenges and recommended response measures.

**TABLE 5.** Key policy and legal challenges to Participatory Forest Management

| Key challenge   | Response measure  |
|---|---|
| <b>Harmonisation of licensing and levies policy</b><br><br>The 2015 Forests Act grants communities the right to issue community permits and collect revenue but operationalization remains a challenge. | <ul style="list-style-type: none"> <li>➔ Provide explicit guidance on how the introduction of community permits and licenses will be harmonised with existing Forestry Department production, conveyance and concession licenses.</li> </ul>  |
| <b>Revision of Forests Act 2015</b><br><br>Several clarifications and amendments are needed for effective operationalization of PFM.  | <ul style="list-style-type: none"> <li>➔ Clarify Forest Management Plans and Conservation Orders (Part IV) to define to which jurisdictional areas the text applies.</li> <li>➔ Clarify the roles and responsibilities in the design of key instruments, i.e. benefit-sharing arrangements.</li> <li>➔ Allow for 'home-grown' models and market-based PFM initiatives, e.g. community conservancies, women's group woodlots, organic and Forest Stewardship Council certification.</li> <li>➔ Clarify cost-benefit sharing under JFM and reduce prescriptiveness in the Principal Act.</li> <li>➔ Recognize the rights of smallholder forest owners currently holding land under customary tenure, by providing formal recognition of customary land holding certificates.</li> </ul>   |
| <b>Subsidiary legislation</b><br><br>Several regulations need revision and amendment to adequately support PFM implementation   | <ul style="list-style-type: none"> <li>➔ Reduce fees for production and conveyance licenses for selected NWFPs under SI 52 of 2013 to facilitate trade.</li> <li>➔ Update JFM regulations to match the 2015 Forests Act, including amendments to cost-benefit sharing, licensing procedures, and handling of Government revenue. Reduce administrative costs.</li> <li>➔ Revise regulations to reduce community obligations for extensive consultations, assessment of user rights, drafting of key documentation and design of key instruments.</li> <li>➔ Harmonize all sets of regulations (carbon, charcoal, licensing, fee schedules), also taking into account that some of these regulations are still under development.</li> <li>➔ Allow for networks of smallholder forest owners to apply for PvFM.</li> <li>➔ Mainstream climate change, environment, gender, governance, HIV/AIDS and other cross-cutting issues.</li> </ul> |



| Key challenge   | Response measure   |
|---|--|
| <p><b>Operationalisation of PFM</b></p> <p>Standards, guidelines, generic models, and procedures are needed to operationalize PFM</p> | <ul style="list-style-type: none"> <li>➔ Standards and guidelines for CFM, JFM, PvFM.</li> <li>➔ Generic models for community business trusts, cost-benefit sharing, forest management plans, forest management agreements.</li> <li>➔ Generic procedures for sanctions, conflict-resolution, and FPIC.</li> <li>➔ Procedures for stakeholder consultation in the revision of policy and legal instruments.</li> <li>➔ Mainstream climate change, environment, gender, governance, HIV/AIDS and other cross-cutting issues.</li> </ul> |



## ACTIVITY 3

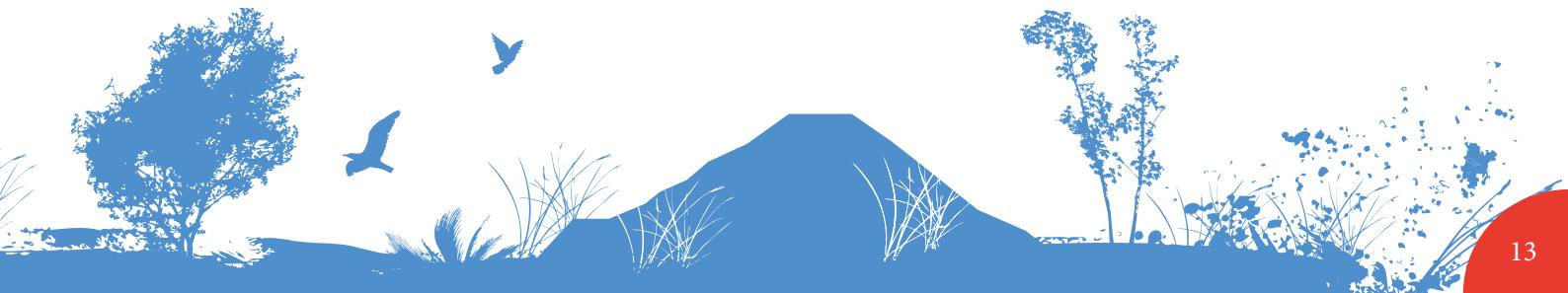
### Community Forest Management for Sustainable Forest Management and poverty reduction

There is widespread interest among local communities across the country to engage in the management of local forests in open areas for community use. Communities have a desire to ensure a regular supply of dwindling forest resources, to earn income from forest products, and to bolster tenure and forest rights threatened by increasing competition over land. Throughout Zambia, identifying land suitable for community forests is no longer an easy task. Generally speaking, open forest is still available on the sparsely populated watershed areas (e.g. North-Western Province), whilst in the more densely populated areas most land has been allocated to farming and other land uses (e.g. Eastern Province plateau). A partnership approach is recommended where a neutral third party 'broker' – an NGO, Trust, or CSO – facilitates the establishment of structures in the community, supports training and capacity development, and helps source technical advice and markets. A two-tier approach for CFM is proposed:

The first tier is a smaller scale version of CFM (< 2 000 ha) intended for communities wishing to set up woodlots, manage degraded village lands, and establish village forests for subsistence income, food security, socio-cultural and other purposes. Many of the national heritage sites may be considered in this category while also complementing the current National Tree Planting program operational in Zambia.

A second tier would be designed to manage bigger forest areas (> 2 000 ha) for production and commercial purposes. Substantive initiatives would be based on economic feasibility studies, development of enterprises and partnerships between communities, NGOs and private sector operators. Some of the envisaged activities are:

1. Piloting market-driven CFM. The full range of products from wood processing to non-wood forest products (NWFPs) would be explored. Also needed are mechanisms for internal capitalization through savings and loans associations and regulations and procedures for business transactions.
2. Preparation of operational guidelines following testing, including guidelines on structures, procedures, cost-benefit-sharing arrangements, and mechanisms for conflict resolution.
3. Identification of NGOs and CSOs for facilitation support.



## ACTIVITY 4

### Joint Forest Management

JFM was found to have high potential as an entry point for REDD+ scoring well on criteria for sustainable forest management and REDD+, compliance and as a result, an enterprise-based JFM model was adapted to REDD+ (UNREDD-FAO-FD 2012). The updated model includes elements of integrating business enterprises, capacity building for the FD staff as a key facilitator, robust institutional linkages especially at the district level, and enhanced sustainability through innovative financing mechanisms. JFM is an appropriate option particularly where there is need for Government to intervene to ensure effective conservation, such as in protected forests managed for carbon, forest reserves under strict protection, and where multiple government departments are involved (e.g. in coordination with WARMA on watershed management).

JFM guidelines and procedures for operationalization are needed. As JFM is a relatively expensive model, it is important that the economic feasibility of a JFM initiative is adequately investigated prior to start-up. It is further proposed that, in light of legislative and other changes since the first piloting of JFM more than 10 years ago, the *updated* JFM model be tested on the ground in order to learn lessons and inform the subsequent process.

The JFM model appears suited to the management of forest reserves whose management objective is production and protection, in particular in forest reserves established on state land. The JFM model will apply primarily to Local Forests and may be combined with other protection measures in adjacent protected areas, e.g. fortress conservation in National Forests surrounded by community buffers through CFM, or as a means to organize the community in private-public partnership support structures for managing high value forests in open areas. Some issues to be aware of include the overly prescriptive nature of the model, the high level of degradation in some proposed areas, the lack of clear cost-benefit sharing mechanisms, the need to formally recognize partners, and institutional coordination.

The JFM activity may include, among others, the following activities:

1. Establishing working partnerships for JFM (government, private sector, NGOs).
2. Developing a roadmap for PPPs in high value forests in open areas and in Local Forests.
3. Preparing operational guidelines for enterprise-based JFM implementation.
4. Amending the Forests Act, statutory Instruments and JFM regulations.
5. Field-testing the updated model in selected sites.



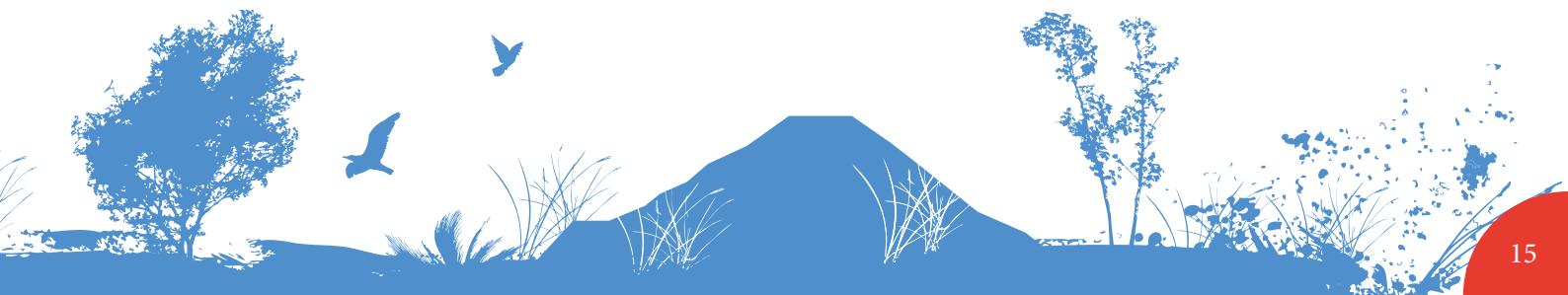
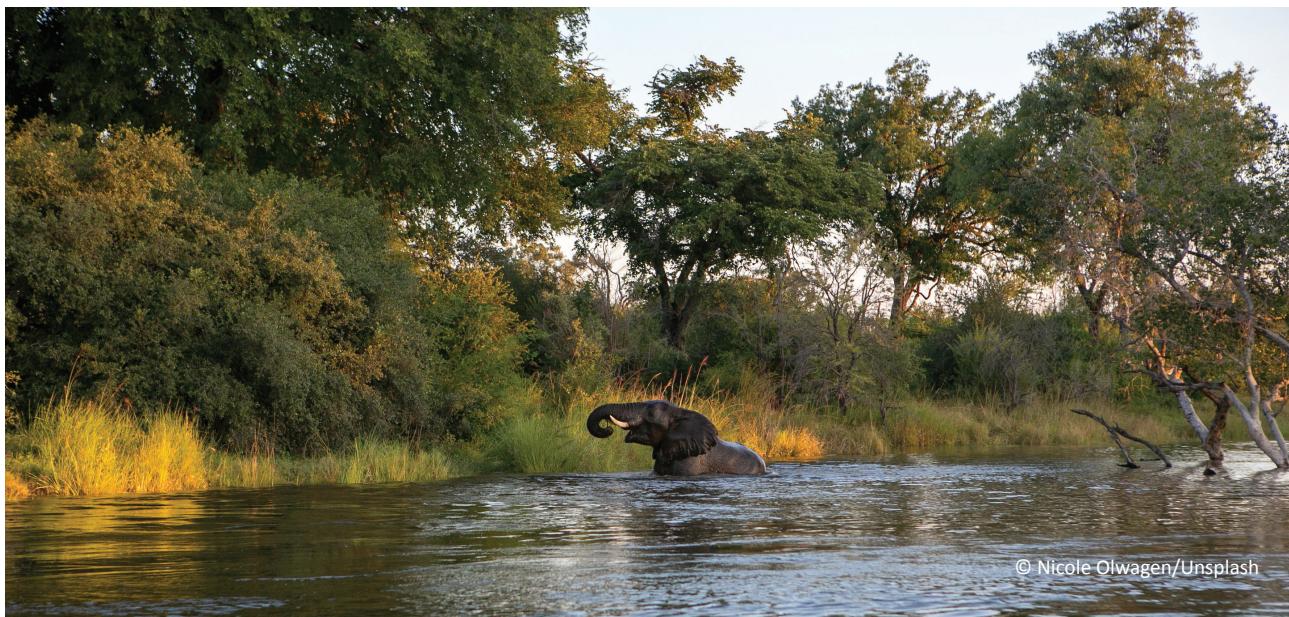
## ACTIVITY 5

### Community forest buffers and public-private partnerships around protected areas

Zambia's National REDD+ Strategy emphasizes the need to strengthen the protection of threatened and sensitive protected areas to ensure emissions reductions, biodiversity conservation and provision of ecosystems services. Traditionally, National Forests have been subjected to large-scale concession licensing for timber logging. They are not available for CFM or JFM due to their high protection status and community involvement in their protection must therefore take other forms. In recent years, the Forestry Department has entered into Memoranda of Understanding with private sector partners, mining companies and commercial farmers, for the co-management of National Forests on the Zambezi and Kafue headwaters. A potential way of enhancing community participation is through co-management of buffer zones around the National Forests and other Protected Areas.

Public-Private Partnerships (PPPs) have the potential to greatly enhance community participation in forest management provided adequate checks and balances are put in place. Often, the most successful PPPs have been formed where the private sector is a not-for-profit entity. Where commercial interests prevail, community interests need protection through Government or third-party oversight (e.g. NGOs/CSOs). Handing over the management of forest reserves to the private sector may also result in the conversion of natural woodland into plantations (UNREDD et al. 2017).

The establishment of community buffers through CFM and JFM surrounding high-conservation value PAs will reduce the risks of threats and leakages. Out-grower arrangements in partnership with the private sector, sustainable charcoal and wood fuel production, or Payments for Ecosystem Services (PES) may be considered (UNREDD-FAO- MLNREP 2012). This hybrid model may also enhance protection of National Forest boundaries and reduce risks posed by future expansion of mining and infrastructure development. Specific activities for developing this activity would be based on a review of current agreements with private sector partners, which were not available at the time of writing.



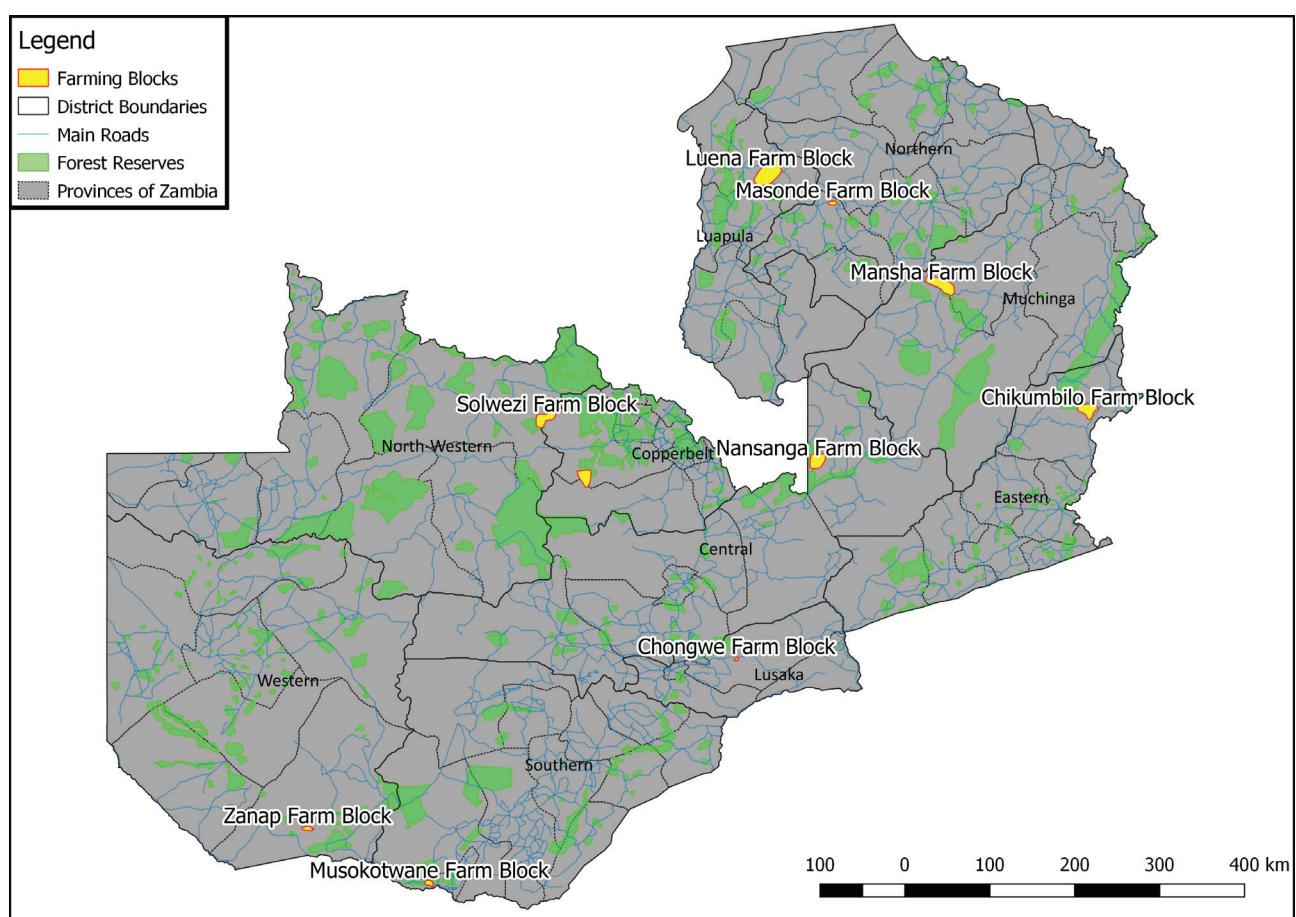
## ACTIVITY 6

### Private forestry management for smallholders

Investment in private forestry management (PvFM) would create incentives for smallholders to sustainably manage the natural resource base. Over the past 15 to 20 years, the value of land in Zambia has increased significantly, and approximately 58 percent of farmers experience land shortages (IAPRI 2016). Helping farmers manage their land sustainably presents an opportunity for REDD+, while contributing to poverty reduction by generating new income streams and business opportunities.

Under PvFM, smallholder farmers would be encouraged to invest in forestry as an alternative source of income. The identification of adequate short- and long-term incentives is a key issue. Incentive-based mechanisms such as premium access to agricultural markets for sustainably produced food, may be considered (e.g. COMACO). There must also be viable pathways and tenure security for individuals to develop their farms. Land ownership with title is very limited among smallholder farmers in Zambia. Nationally, only 2 percent of fields are titled with the majority of households (89.6%) holding land under customary tenure. Therefore, for purposes of private forestry, any evidence of tenure rights (e.g. traditional land holding certificate) could be promoted and accepted, at least in the initial stage. It is

**FIGURE 1.** Proposed farm blocks



therefore recommended that the Forests Act be amended to allow the vast majority of smallholder farmers who hold customary tenure rights to be brought on board in order to scale up the impact of this strategy.

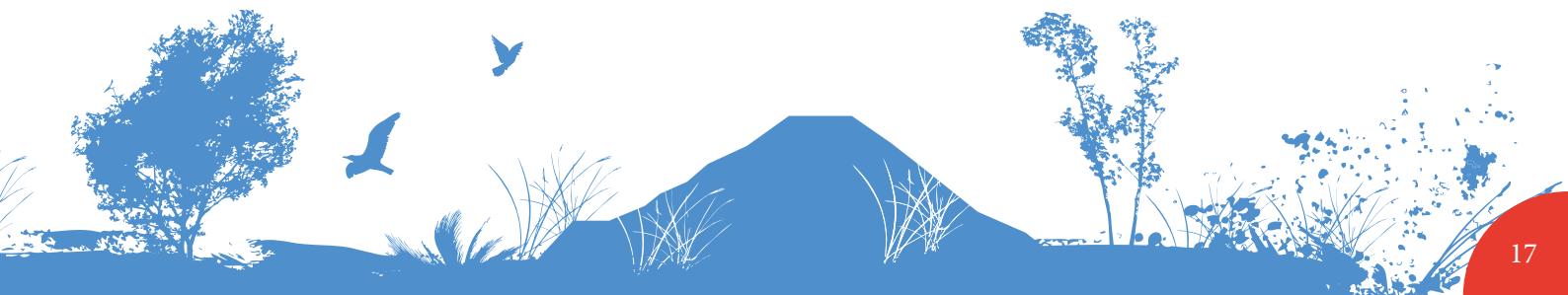
As a first step, smallholder private forestry could be developed on designated farm blocks. In 2013, the government announced plans to open a total of 11 new farm blocks to promote agricultural development at scale, one in each of Zambia's provinces (See figure 1). The targeted size of each farm block is 100 000 ha, totalling approximately 1.1 million ha of land. The first step will be to develop the model for PvFM and test it with smallholders on farm blocks and/or on titled land. Farm forestry could include agroforestry, private woodlots, orchards, production of NWFPs, assisted natural regeneration (ANR), and other forms of forestry. An important challenge to overcome would be institutional coordination between the Department of Forestry (MLNREP), Technical Services Branch (MAL) and Department of Resettlement (Office of the Vice-President).

Some of the envisaged activities:

- 1.** Identification of markets and value chains.
- 2.** Establishment of forestry association networks among smallholders on farm blocks to promote on-farm forestry.
- 3.** Partnering with NGOs and private sector operators for SFM.
- 4.** Training and capacity building of smallholders in forestry associations including business and forest management planning.
- 5.** Undertaking regular silvicultural management of forests.
- 6.** Monitoring and technical backstopping by the Forestry Department.



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## ACTIVITY 7

### Incentives and market-based mechanisms for Participatory Forest Management

Economic viability is one of the key concerns for long-term sustainability of PFM in Zambia. The objective of this activity is to identify and test financial and economic incentives and cost-benefit sharing mechanisms that support effective community engagement in PFM, referred to as incentive and market-based mechanisms (IMBMs).

The National REDD+ Strategy proposes a range of market-based measures that would co-finance sustainable forest management, including investments in certification of forest products, diversification of forest products and values, promotion of value addition through cottage industries, and introduction of price premium and market preference mechanisms from the sale of products processed from sustainably managed woodlots.

In 2012, MLNREP commissioned an exploratory review of IMBMs assessing their suitability and applicability to sustainable land management in Zambia. An incentive may consist of direct monetary payments, technical assistance or preferential market access. The review identified five IMBMs for Zambia, and recommended three models to test: payments for ecosystems services, forest certification and conservation concessions.

A UN-REDD Programme report from 2013 observed that these mechanisms had the potential to provide a quick start for REDD+ (UNREDD-FD 2013). Since there is very limited experience with these models in Zambia, plans for implementation would need to be elaborated after testing. In the long run, IMBMs could be integrated in all modes of PFM (i.e. CFM, JFM, PvFM) as a mechanism for ensuring that adequate revenue is generated to pay for forest management costs and provide a surplus to the community. Equitable benefit sharing mechanisms and effective grievance mechanisms would be key. Some of the anticipated challenges include difficulty to stimulate interest from the private sector and the difficulty of communities to negotiate fair returns.



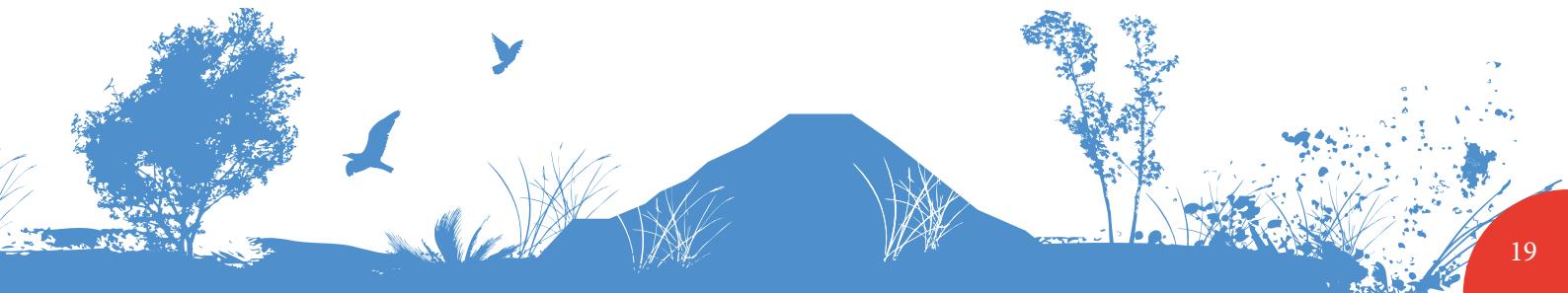
**TABLE 6.** Incentive and market based mechanisms for sustainable land management (Matakala & Sichilongo 2012)

| Category   | IMBM & Examples from Zambia   |
|--|---|
| Public payment schemes to private land and forest owners who implement sustainable land management practices that maintain or enhance ecosystem services   | A. Permanent conservation easements<br>B. Contract farmland set-asides<br>C. Co-finance investments<br>D. Payments for proven investments in land conservation<br>E. Subsidies<br>F. Environmental or green taxes   |
| Open trading between buyers and sellers under a regulatory cap or floor on the level of ecosystem services to be provided. The regulation created by the government creates a demand and allows buyers and sellers to trade                          | G. Conservation Banks<br>H. Tradable Development Rights<br>I. Trading of emission reductions or removals (e.g. carbon offset-trading*)  |
| Self-organized private deals in which individual beneficiaries of ecosystem services contract directly with providers of those services. These are direct deals between off site beneficiaries and land users responsible for providing the services | J. Purchase of development rights<br>K. Direct payments for ecosystem services (e.g. water management)<br>L. Conservation concession (e.g. hunting and timber concessions)  |
| Eco-labelling of products that assures buyers that production processes involved have a neutral or positive effect on ecosystem services. These products are sold to consumers who are willing to pay a higher price                                 | M. Marketing labels (e.g. COMACO It's Wild, Proudly Zambian, Mulobezi Teak)<br>N. Certification schemes (e.g. organic certification, Participatory Guarantee Systems (PGS,IFOAM), Forest Stewardship Council (FSC)) |

\* There is currently limited market potential for carbon trading.

Some of the envisaged activities include:

1. Computing PFM opportunity costs to rural households.
2. Developing portfolios of forest products suited to agro-ecological zones and markets.
3. Exploring value chains and links with premium markets.
4. Exploring the possible upscaling of the COMACO model to cover all the Luangwa Basin and to extend to other watersheds.
5. Evaluating benefits and opportunity costs from carbon offset trading pilots (Lower Zambezi and Luangwa Valley).
6. Piloting PES (e.g. based on assessment of Tz Village Companies).



## 6. Conclusion

In summary, this brief proposes seven viable investment activities for Zambia to upscale its PFM Programme in order to achieve emissions reductions under REDD+. Under the investment plan, district platforms throughout the country would coordinate among various stakeholders and build local capacity, thereby facilitating effective PFM implementation at the landscape or national scale. At the same time, greater legal and policy coherence would be pursued as a priority through reform of laws and policies to remove barriers and accelerate smooth implementation. Four further activities are oriented to on-the-ground support, outlining implementation proposals for CFM, JFM, PvFM (for smallholders), and community forestry buffer zones of protected areas focusing on public-private partnerships. The last investment activity highlights the importance of testing market-based approaches referred to as incentive and market-based mechanisms (IMBM). This activity recognizes that for PFM to be viable, income must exceed expenditure and generate a meaningful surplus for local communities.

In addition, some more general norms for implementation across the proposed PFM programme are recommended. The incentive structure will need to consider an equitable benefit-sharing mechanism to drive sustainable forest management with differentiation between the perpetrators of unsustainable harvesting, law-abiding citizens, and vulnerable groups that tend to be more dependent on wild harvesting. In addition, disincentives or sanctions will need to be an integral part of the structure. Communities need to consult with traditional authorities and local government in order to elaborate regulations including mechanisms for conflict resolution. The communities will need substantial support in the process of drafting and implementing these regulations.

As forestry traditionally is considered a 'male economic activity' in Zambia there is a need for specific measures to ensure that women, youth and vulnerable groups are adequately acknowledged and included in management and decision making.

The further design of the PFM programme will benefit from close alignment with the REDD+ safeguard process in order to invest in activities that are less likely to produce undesirable environmental and social risks, but instead prioritise land use activities that bring clear and immediate benefits to both the communities and the environment. The *Voluntary Guidelines on the Responsible Governance of Tenure* may be referred to in efforts to improve tenure governance. Secure land and tree tenure and harmonization of the legal frameworks, particularly on the extensive customary lands, will be an important element for PFM to succeed.

The promotion of PFM requires the reconciling of forest centralization and decentralization tendencies. The paradox between the desire to decentralize to increase incentives for active local management of forests, and the need to coordinate actions at the national level represents one of the fundamental challenges for REDD+ (Cotula and Mayer 2009 in Sommerville, 2013). While there is some will to devolve powers to local communities, draft subsidiary laws may be restrictive for the local communities in terms of their powers.

In conclusion, the need for broad-based participation and partnership cannot be overemphasized. It is recommended that stakeholders, including women, youth, and vulnerable groups, are fully brought into the REDD+ process to be included from design through to the formulation of working groups around implementation.



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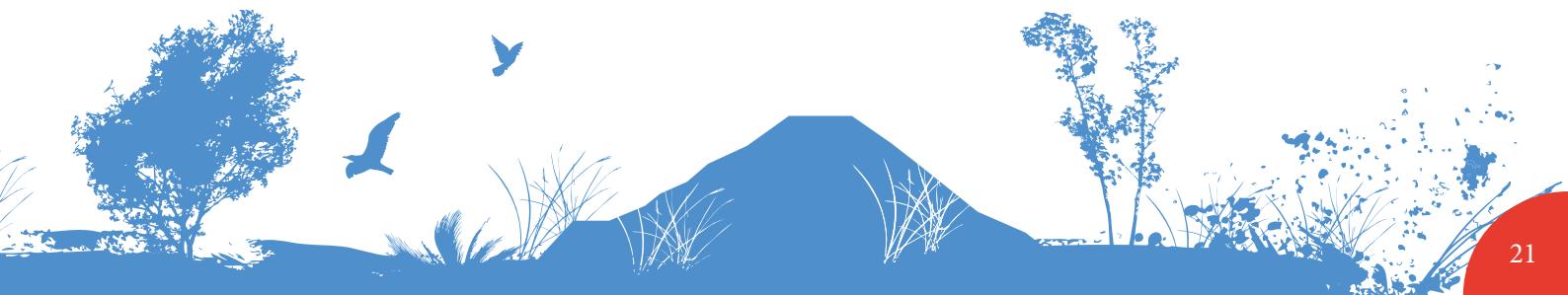
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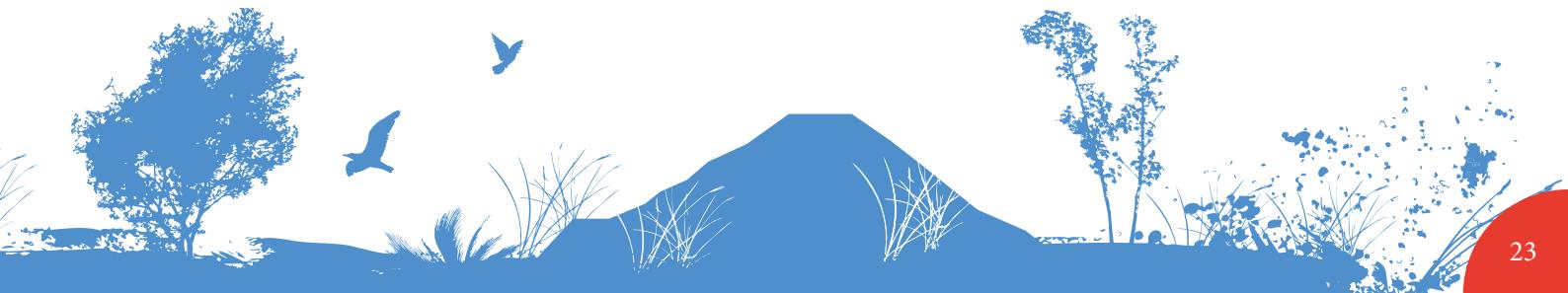
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