Chapter 13

Governance structures for REDD+

Experiences from Tanzania

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Abstract

This chapter discusses national governance structures for REDD+ in Tanzania. It also documents experiences from REDD+ pilot projects and discusses what findings from these imply for the national REDD+ strategy. The present strategy is advocating a national/fund whereas NGOs favour a market solution. Our research shows that establishing REDD+ will demand substantial developments in local land/forest governance structures including clarifying property rights and developing management plans. Capacities and competences at district,

but also at national levels are weak. There are also important challenges related to ensuring participation and handling of conflicts that REDD+ implies. In this regard, a 'fund'-based model seems favourable to ensure democratic accountability as well as national capacity building and avoidance of leakage. However, Tanzania's public administration faces serious problems regarding transparency and managing of decentralisation. Thus, involving NGOs in the REDD+ Fund will help enhance openness. Moreover, learning from their experiences with engaging local communities in REDD+ is also helpful in making decentralisation effective.

1.0 Introduction[1]

Establishing REDD+ demands the creation of new governance structures—i.e., institutions and actors—to manage forest resources. When the international engagement for REDD+ 'took off' at the UNFCCC COP at Bali in 2007, it was believed to be a cheap mitigation strategy (Stern, 2006) and fairly simple to introduce. According to the Norwegian Prime-Minister Stoltenberg, "The technology is well known and has been available for thousands of years. Everybody knows how not to cut down a tree" (Statsministerens kontor, 2007). And yet, experiences regarding establishing REDD+ governance structures in various countries have shown that it is demanding. REDD+ is based on the idea of paying forest owners for increased storage of carbon (Angelsen, 2008). It is technically challenging to establish the basis for such payments—e.g. measuring carbon stocks, clarifying property rights and creating institutions for payments. It is also politically demanding to handle the various conflicts of interest involved and to choose and establish systems for administering REDD+.

In this chapter, we have two objectives. First, we clarify which national governance structures have been advocated for REDD+ on mainland Tanzania and what overall direction that has taken. Second, we document experiences from REDD+ pilot projects and discuss what findings from these imply for the national strategy. One pilot project is in Kilosa district. The Tanzania Forest Conservation Group (TFCG) administers this project in co-operation with the Community Forest Conservation Network of Tanzania (MJUMITA)[2]. The second is in Kondoa district. The African Wildlife Fund (AWF) manages the project.

1 We thank Maria Nantongo, Cecilie Dyngeland, Elvis Mosi, Irina Pleva and numerous research assistants for participating in the collection of data from Tanzanian REDD+ pilots included in this chapter.

2 A membership organisation for village inhabitants. MJUMITA works in close relationship with TFCG.

2.0 Establishment of REDD+ governance structures – the key issues

REDD+ involves changes in the way forest resources are perceived, used and governed. A new 'product' is created—that of storing carbon. CO_2 from deforestation comprises about 12-15 percent of total global emissions. Hence, decreasing deforestation creates value in the sense of reducing climate change. At the same time, deforestation is a result of the existing institutions and the motivations they create for economic actors. Reduced deforestation therefore demands changes in the institutions governing forest/land use.

Institutions are 'rules' (North, 2005). They are conventions, norms and legal rules directing action, defining what is appropriate and meaningful action (Scott, 2014; Vatn, 2015). A key concept here is the resource regime. It includes which rights and responsibilities different actors have to resources such as property or use rights. It also concerns the rules established for the interaction between actors—e.g., whether it is based on trade, command or co-operation. Important also are institutions governing the political process—the institutions governing the processes that define the resource regimes.

Institutions form and are formed by actors. The governance structure as understood here (Vatn, 2015), therefore, also include the actors involved—economic, political and civil society actors. These actors are defined by the rights and responsibilities that they hold regarding access to resources—the resource regimes—and the political processes forming these regimes—the political institutions.

REDD+ implies a series of governance related questions. There are issues regarding how to raise and distribute funding, how to define who has rights to forest resources (especially carbon), how to motivate involved actors to reduce deforestation and forest degradation, and how to administer the system (see also Angelsen, 2009; Lederer, 2012). This regards the overall legitimacy of the systems created including whose rights should be protected. It regards, however, also more technical issues regarding how to organise payments, how to measure carbon stocks, and how to ensure additionality and avoid leakage. This is all about the creation of new institutions and probably also about defining new actors.

A key issue in REDD+ is clarification of rights. Most tropical forests are under legal pluralist regimes. Forest dwellers may have customary (use) rights whereas the state holds formal property rights by declaration (Sunderlin *et al.*, 2012; Larson *et al.*, 2013). In such situations, rights are typically contested. This becomes a special challenge in the case of REDD+ as defining a 'right to carbon' appears in an institutional landscape where the rights to land and trees are contested.

Rights should be defined in a legitimate way. Legitimacy may be defined as 'due process', as following the process of law. This definition does not however capture the quality of the decision: that the law itself may be viewed as unfair or inconsistent. More recent literature on legitimacy, therefore, distinguishes between input and output legitimacy (see e.g., Bäckstrand, 2006). The former concerns the acceptability and appropriateness of policy processes both on the grounds principle and the treatment of the interests involved. Issues such as responsibility, participation, transparency of the process and the accountability of decision-makers to wider constituencies are key (Vatn and Vedeld, 2013).

Output legitimacy regards obtained results. The literature tends to emphasise aspects such as effectiveness, efficiency and equity (Angelsen, 2008, 2009). Whereas effectiveness in our case regards the capacity to raise funds, reach carbon sequestration goals through ensuring additionality and avoiding leakage, efficiency regards cost-effectiveness, including transaction costs. The REDD+ literature refers finally to co-benefits emphasising both equity issues/poverty reduction and biodiversity protection.

Establishing REDD+ governance structures 'in a good way' is demanding and will typically take place in rather weak institutional environments. Moreover, it may demand profound changes in local practices (Hiedanpää and Bromley, 2014). Also, the financial basis is not clear. Today funding for REDD+ mainly comes from a few donor countries, with Norway being the most prominent even in the context of Tanzania. In fact, there is yet to be an agreement at the international level to create a global structure that facilitates the future financing of REDD+. Hence, countries face great financial risks when they invest a lot in capacities to support REDD+ (Mustalahti *et al.*, 2012).

3.0 Methods

This chapter is based on data gathered under the CCIAM project 'REDD Architecture in Tanzania: Assessment of REDD options for Livelihood Security and Sustainable Development'. Supplementary data were collected under the project 'Poverty and sustainable development impacts of REDD architecture: Options for equity, growth and the environment' led by IIED[3] and the project 'Man and forests – an evaluation of management strategies for reduced deforestation and forest degradation' led by Noragric, NMBU'[4].

3 International Institute of Environment and Development (London). The project was financed by Norad.

4 Norwegian University of Life Sciences (Aas, Norway). The project is funded by the Norwegian Research Council.

Regarding data sources, we have interviewed key informants at the national, district and village levels, people representing the Tanzanian government, the REDD+ Task Force, district (forest) officers, village executives and NGOs. At the village level, we have also acquired data from household heads and male and female focus groups. Finally, we have used printed sources including Tanzania's policy documents, materials from NGOs and material from research conducted by others that supplements our own data. Data were collected in the 2010-2016 period, hence, from the time REDD+ pilot projects were introduced in the villages, through to after the pilot projects were terminated.

4.0 Overall governance structures for REDD+ in Tanzania

In the literature on REDD+ governance, there is a distinction between a 'market' and a 'fund' based approach, for example, between compliance and donor-based funding. Highlighting markets reflects a trend towards more use of markets both in general (e.g., Pierre and Peters, 2000) as well as in the case of forests/ REDD+ (e.g., Corbera and Brown, 2010; Okereke and Dooley, 2010). Markets are expected to yield less bureaucratic, more adaptive and innovative solutions. An alternative to this neo-liberal trend emphasises the fact that a contracted state reduces accountability, results in losses of communication channels between the state and its citizens, and leads to more patchy and unreliable service delivery, as well as more power to less accountable local elites. Issues around markets and fairness are also emphasised (Pierre and Peters, 2000; Okereke and Dooley, 2010).

It has been argued that to create enough resources to make REDD+ effective, a (global) compliance market is necessary. Donor-based financing will be too small (e.g., Karousakis and Corfee-Merlot, 2007; Saunders *et al.*, 2008). However, as Vatn and Vedeld (2013) argue, by establishing a global REDD+ fund having the power to issue REDD+ credits to actors/firms under compliance, there will be no significant difference between the two models regarding the capacity to raise money.

The choice of national REDD+ structures in Tanzania must be understood in this wider context. The short story is that the Tanzania government prefers a type of fund-based solution established within the state structure whereas the NGOs have favoured a more market-oriented solution reserving state engagement mainly to monitoring—what they call a 'nested approach'. Below we describe the process regarding the establishment of a national REDD+ strategy for Tanzania, the decisions regarding relevant property rights, and finally the decisions made regarding the overall governance structure for REDD+.

4.1 The process of establishing the Tanzania REDD+ strategy

The National Strategy for REDD+ (URT, 2013) describes the planned REDD+ governance structure. This document exists in two publicly available drafts—URT (2010) and URT (2012). The Vice President's Office (VPO) has been responsible for formulating the strategy. Early in 2009, an interim National REDD Task Force (NRTF) was established to oversee the implementation of technical and operational issues in relation to REDD+ readiness, including serving as the secretariat for producing the national REDD+ strategy. From the outset, the NRTF included six members—three from the VPO and three from Forest and Beekeeping Division under the Ministry of Natural Resources and Tourism (MNRT/FBD). Later the same year, a representative of the government of Zanzibar was included. In 2012, the number of ministry representatives was expanded to 12 and involved ministries covering agriculture, energy, etc. A member from civil society was also included[5].

Two main forms of communication with the wider group of stakeholders were established. First, there was a series of awareness raising drive and consultative meetings organised regionally that included NGOs, regional, district and local representatives (URT, 2010:13). According to the Forest Carbon Partnership Facility (2014), seven such meetings have been held. Second, the various drafts of the national REDD+ strategy were shared with key stakeholders to invite comments and inputs (URT, 2012).

Although there have been civil society consultations, NGOs involved in forest management have criticised the process for being slow and increasingly closed/centred on the NRTF. According to Rantala and Di Gregorio (2014), NGOs organised public protest events. They also commented on various REDD+ documents. This way, they established themselves in the policy arena and obtained the position in the NRTF. Looking at the various versions of the REDD+ strategy, some influence from this coalition is observable, as we will discuss later. It is notable that NGOs dominantly are national and international organisations involved in nature resources management and protection, for example, AWF, MCDI, MJUMITA, TaTEDO, TFCG, and WCS. MJUMITA is the only organisation having a local membership base.

4.2 Rights to carbon

A key issue in the above debate regards the rights to carbon and hence to REDD+ carbon sequestration payments. In practice, this concerns what (bundle of) rights villagers have to the forests they use. The Land Act (URT, 1999a) defines three main categories of land: reserved, village and general land. Reserved land covers

5 Mr. Charles Meshack, Executive Director of TFCG

statutorily protected land such as national parks and wildlife reserves. It also includes land for harvesting resources by the state and districts—the so-called production forests. The Act stipulates that village land is "land declared to be village land under and in accordance with section 4 of this Act and includes any transfer land transferred to a village" (URT, 1999a: Section 2). On the other hand, general land "means all public land which is not reserved land or village land and includes un-occupied or unused village land" (URT, 1999a: Section 2). The Village Land Act defines, however, general land as "all public land which is not reserved land or village land" (URT, 1999b: Section 2).

According to the Land Act, village land has therefore to be declared ('formalised') whereas the Village Land Act includes also customary ownership. Using the former definition, the amount of forests on general land is about 54 percent of all forests (URT, 2012). According to the definition of the Village Land Act as calculated by the Ministry of Lands and Human Settlement Development (URT, 2011), the size is only two percent. The difference stems from what is considered village land, which in the latter source is defined as 70 percent.

As the government is responsible for general land, which definition is used has implications for who is eligible for REDD+ payments and for establishing leasing contracts with investors, etc. on large forest areas. It is notable that the Land Act will prevail if in conflict with other laws (URT, 1999a: Section 181). In fact, the Tanzania RPP and drafts of the REDD+ strategy based their estimates on the definition of the Land Act. This has been contested by NGOs such as the Tanzanian Civil Society Organisations (2010), TFCG and MJUMITA (2011), and Tanzanian Civil Society Organisations (2012).

In its second draft of the REDD+ strategy, the government acknowledged that there is "insecurity with the general lands stemming from the definition… There is little doubt that this definition raises concern of freeing 'surplus' land from villages, including forest lands, for external investors" (URT, 2012:25). In the final REDD+ strategy, however, the government shifted its position and defined general land *de facto* in line with the provisions of the Village Land Act (URT, 2013), while again including the above text from the 2012 draft on general lands.

Another issue regards the rights of local communities in reserved forests (state-owned). According to the principles of participatory forest management (URT, 2002), villagers may participate in the management of forest reserves through joint forest management. The REDD strategy states that "Joint Forest Management (JFM) is currently a strongly favoured approach to the management of state owned forests, with management responsibilities and returns divided between the state and the communities adjacent to the forest" (URT, 2013:11). Although almost 13 percent of reserved land on mainland Tanzania was under the JFM by 2008 (op.cit.), TFWG (2010) states that no guidelines for revenue sharing under the JFM has yet been released. In fact, the REDD+ strategy does not clarify the issue. It just notes that "cost-benefit sharing mechanism under JFM (is) still not fully operational" (URT, 2013:11).

4.3 Overall REDD+ governance structure

4.3.1 Responsible authority

The governance structure as specified in the REDD+ strategy—"the institutional structure for REDD+ implementation and reporting"—is complex (URT, 2013:22). It has been made part of the overall climate change governance structure. This is similar to ambitions of countries such as Brazil, while deviating from countries such as Indonesia and the Democratic Republic of the Congo that have established a separate REDD+ agency or Nepal whose REDD+ is under the responsibility of the Ministry of Forests and Soil Conservation (Vatn *et al.*, 2013).

There seems to have been some issues in the early stages, though. According to Manyika (pers. comm.), there were three options for organising REDD+: a) under the VPO including the Department of Environment; b) under the Prime Minister's—now under the President's—office as responsible for local government; or c) under forestry administration (MNRT/FBD). Option b) was soon discarded. Regarding the choice between a) and c) the issue seems to have prevailed for a while. A memorandum of understanding regarding REDD+ was signed in 2009 between UN-REDD and the MNRT/FBD establishing the latter as the REDD Focal Point of Tanzania. In the end, the argument that REDD+ should be part of the overall climate strategy of the country seems to have won. In this regard, the VPO/Department of Environment was made the main responsible body.[6] Ningu (pers. comm.) emphasised that there was really no doubt, as climate policy was the responsibility of the VPO/Department of Environment.

4.3.2 Three key issues on REDD governance structure

Regarding the presentation and evaluation of the REDD+ governance structure, we will focus on three issues. First, we look at the strategy for channelling REDD+ funds to eligible receivers. Second, we briefly cover the system for monitoring, reporting and verification (MRV). Finally, we include key points regarding the conditions for participation of villages in REDD+.

6 It is notable that the REDD+ strategy does not refer to a 'REDD+ Focal Point', being the international standard, but 'National Climate Focal Point'.

The REDD+ strategy specifies a national REDD+ Trust Fund to "consolidate and distribute funds to different stakeholders based on efforts in implementing REDD+ strategy. It will operate at the national level. The fund will observe issues of transparency and accountability. Also, the performance of past forest revenue management systems, benefit sharing and incentive schemes will be assessed to provide lessons for REDD+" (URT, 2013:20-21).

The fund solution has been criticised by the coalition of NGOs. They have favoured a nested model underscoring the fact that communities should be allowed direct access to REDD+ markets (e.g.; Tanzania Civil Society Organisations, 2010; Tanzania Civil Society Organisations, 2012). A key motivation for this alternative was a distrust in the government's capacity to ensure that resources would reach the forest communities where REDD+ action would be undertaken (Tanzania Civil Society Organisations, 2012; Rantala and Di Gregorio, 2014). It is also notable that TFCG— the most active NGO— together with MJUMITA has engaged itself in establishing a 'carbon enterprise' to support villagers trading carbon not least by pooling supply and offering support in negotiations. Hence, an alternative national model to a state-based system could be foreseeable.

According to Manyika (pers. comm.), the issue of establishing a national fund created heated debates at both the stakeholder meeting held in Kibaha in 2009 and at an 'extended' task force meeting held in Tanga in 2011. According to him, representatives of, for example, the UN-REDD supported the NGOs' emphasis on the need for a transparent system that is inclusive and adheres to good governance practices. Experiences with corrupt public practices are key here (see also Section 5). Representatives of the government emphasised that NGOs do not have the national coverage, and that there will be serious problems with leakage, that REDD+ must balance against development needs and that there are several risks involved in embarking on a market/project based governance structure (op.cit.). Certainly, if TFCG/ MJUMITA were successful in creating a nationwide carbon enterprise, this could challenge the role of the state as a responsible for country-wide land use planning.

The NGOs acknowledged some of the challenges of a market-based system with price fluctuations and higher implementation costs than a single national approach (e.g., TFWG, 2010). They still supported a market-oriented strategy as they believed it would raise more funds and because the large risks local communities face regarding getting their fair share in a state based payment system.

The REDD+ strategy also somewhat presents a caveat on the part of the government. First, the strategy notes that while the fund-based solution is favoured, "the on-going global processes through UNFCCC will inform the appropriate financing mechanism" (URT, 2013:17). Second, the strategy realises that sustainable forest management has not been "fully realised due to among others poor governance at local as well as district, regional and national levels" (op.cit:19), referring to corruption, elite capture, minority marginalisation, low accountability, inadequate transparency and weak law enforcement. According to the Strategy, REDD+ must offer benefits to villagers, or they may "withdraw their co-operation" (op.cit:10). Observing this is one thing, being able to reform public systems duly is another. REDD+ could offer enough resources also to make reforms of relevant public systems possible. Great uncertainties prevail, however.

In relation to this, it is notable that the management of the fund and how resources would be channelled down to the local level is left without any clarification in the strategy. Indeed, the roles of various actors at the national level are not specified and there are no principles clarifying how funds should be managed. The overall structure is very complex adding a REDD+ Fund to a structure including all three systems of relevance for REDD+, for example, the environmental administration, the forest sector, and finally the regional administration and local government under the President's Office. The district natural resource and forest offices are actually under this latter jurisdiction. What role each administration is supposed to play is not discussed.

A second key issue concerns the system for **MRV**. The REDD+ strategy envisaged the establishment of a National Carbon Monitoring Centre (NCMC). This was a less conflictual topic than the one regarding the REDD+ Fund management. Certainly, some NGOs such as TFCG argued that the nested approach should include local monitoring and that this data could be fed into a national system (Manyika, pers. comm.). According to Rantala and Di Gregorio (2014), NGOs accept that there has to be a national accounting system.

Establishing NCMC has, nevertheless, been slow. It took time to decide who should host the centre. In 2012, the VPO decided that it should be hosted by Sokoine University of Agriculture (SUA). The decision was, however, announced first in March 2013 (Ngaga, pers. comm.). This delay seems to relate to the uncertainty regarding the funding of NCMC. The Tanzania government has been reluctant to establish the centre before financing was more secure. Given the slow developments of the international structure for REDD+, this has been a serious limitation (Norad, 2013).

Finally, the format for village/forest community participation is a very important aspect of REDD+ in Tanzania. There seems to be no conflict regarding the importance of Participatory Forest Management (PFM) as a basis for REDD+ either in the form of Community-Based Forest Management (CBFM) or through JFM. The government/REDD+ strategy and the NGOs both emphasise PFM.

However, the functioning of PFM may be different if part of a 'market'/'nested' or 'fund'/'national' model.

The legal basis for PFM is found in the Forest Act of 2002 (URT, 2002). The REDD+ strategy sees PFM as "by far the most promising option for restoration of the large areas of degraded land in Tanzania" (URT, 2013:13). Moreover, it is stated that "To improve governance at local level that will eventually facilitate sustainable PFM, the village institutions need capacity development in areas such as planning, mobilisation, finance management, good governance, and lobbying" (op.cit.:19).

Hence, the government acknowledges that it has been demanding to establish PFM. In the case of CBFM, NGO representatives have claimed that this is due to lack of recognition of village land and that the process is too complex and formalistic (e.g.; TFCG and MJUMITA, 2011; Rantala and Di Gregorio, 2014). The government acknowledges that the process is slow stating that "access to REDD+ finances through fund based financing arrangements could facilitate and speed up this process" (URT, 2013:xv). So, according to the government, REDD+ may offer resources to do what one has already decided, but failed to accomplish.

5.0 Establishing REDD+ at the local level7

Section 4 has raised several issues regarding the REDD+ governance structure with implications for local communities. In this section, we will try to shed some further light on these by documenting experiences from the establishment of two REDD+ pilots—the TFCG/MJUMITA pilot in Kilosa and the AWF pilot in Kondoa, both funded by the Norwegian government. After situating the two pilots, we briefly cover the following topics:

- The process of introducing REDD+ at village level
- The establishment of village forest governance structures
- The payment to villagers for REDD+ efforts

These processes cover the main steps of the pilot developments. Both pilot projects were based on the national systems for PFM. In the Kilosa case, only CBMF was involved as all forests were on village land. In Kondoa, JFM was the dominant strategy.[8]

7 Some of the data presented here have already been published in Mosi (2013), Vatn *et al.* (2013); Dyngeland *et al.* (2014); Kajembe *et al.* (2015)

8 All pilots in Tanzania were funded by the Norwegian government and administered by NGOs. The choice of NGOs can largely be explained by the fact that at the same time as the pilots were initiated, there were issues raised regarding mismanagement of funds previously transferred from the Norwegian government to the MNRT.

5.1 Kilosa and Kondoa before REDD+

The Kilosa pilot borders the Eastern Arc mountain range and is dominated by Miombo woodlands and sub-Montane forests. Although there are forest reserves and national parks in Kilosa, TFCG selected villages to participate in REDD+ that have forests only on village/ general land. The main loss of forests in the area took place in the colonial era – especially due to establishment of large sisal plantations. Recent key drivers of deforestation have been clearing for (subsistence) agriculture, charcoal production, firewood collection, timber extraction and bush fires (Hall *et al.*, 2009). None of the villages had been involved in PFM at the time the pilot started.

The Kondoa pilot is in the Kolo hills, central Tanzania. More specifically, it is concentrated on villages surrounding the Salanga (central government) and Isabe (local government) forests reserves. Miombo woodlands dominate. Drivers for deforestation are similar to Kilosa though grazing also plays an important role in the Kondoa pilot area. Between 1973 and 1996, SIDA, in co-operation with Tanzania authorities, had ran a project in the area called Hifadhi Ardhi Dodoma (HADO) focusing on reducing erosion through destocking. It was a controversial and quite top-down oriented project. The government continued the project but at a much-reduced level after SIDA had stopped its engagement (Sweti, pers. comm.). Finally, AWF started introducing PFM in villages in Kolo hills already from 2007.

5.2 Introducing REDD+ in Kilosa and Kondoa

Introducing REDD+ started in both districts by the NGOs approaching the districts. This took place in 2009. After both districts endorsed REDD+, a process was initiated where villages were visited to enquire if they were interested in joining REDD+. First, meetings were held with village councils. Later, village general assemblies were held where the villages decided whether they wanted to engage in REDD+. TFCG also included a meeting with villagers at sub-village level before the general assembly was convened. About 20 percent of those with the right to vote attended these meetings (Forrester Kibuga *et al.*, 2011; Matilya, pers. comm.; Pima, pers. comm.). Representatives both of the NGO and the district attended meetings, informing about REDD+ and its implications. Although the climate dimension was explained, REDD+ was nevertheless mainly coached in a more familiar way – that of resource conservation.

In the case of Kilosa, all 13 villages invited endorsed REDD+.[9] One village—Munisagala— opted out at a later stage, as there were opposition building up in the process of land use planning (see below). A study undertaken in five of

9 There was also a 14th village – Masugu. TFCG decided not to include it due to its incorporation into Kilosa town.

the villages in Kilosa in 2013— Chabima, Dodoma Isanga, Ibingu, Ilonga and Kisongwe (see Mosi, 2013; Vatn *et al.*, 2013)—documented that villagers were quite happy with the project and how it was introduced (N=125). Whereas the majority (72%) were 'positive', the minority (21%) were 'very positive'. The rest were mainly 'indifferent' while very few were 'negative/very negative'. The main reason for being positive was a felt need to conserve forests, as they were perceived to be in a bad state. People were in general also happy about the information offered. Although the overall impression is that meetings were dominated by TFCG, district representatives and village leaders, our data show that questions were raised and disagreements voiced. Some villagers feared that villages might lose their land. These issues came also through in focus group discussions, typically referring to previous experiences with 'land grabbing'. Some villagers felt that it was difficult to voice disagreements. Internal conflicts over land use also appeared. We will return to that topic in the section on land use planning. In relation to the above, one should note that TFCG seems to have emphasised mainly the gains from REDD+, both carbon payments and gains from conservation, agricultural development, etc. Risks were not emphasised and it seems to have been assumed that REDD+ would be able to cover lost income from reduced access and use of forest resources.

Introducing REDD+ in Kondoa seems to have been more conflictual than in Kilosa. Some 21 villages situated around the Salanga and Isabe forests reserves were invited. There was strong resistance against participating in REDD+ in five of these: Kisese-Sauna, Kisese-Disa, Mapinduzi, Mitati and Itololo. Political conflicts—the opposition dominated in some of these villages and REDD+ was seen as government related—and high forest dependence are among important explanations (Kasisi. pers. comm.; Matilya, pers. comm.; Mvungi, pers. comm.). In the end, Kisese-Disa and Itololo did not embark on REDD+. Mitati opted out in the process of land use planning. Here there were strong opposition at the general meeting called to discuss the land use plan. The meeting 'turned chaotic' and AWF/the district representative had to leave. It should also be mentioned that one village, Puhi, was not paid because the village did not comply with the rules defined. The REDD+ forest was highly degraded. In some of these cases, there were local actors— often leaders—that went against REDD+ and AWF. It seems like they had personal interests in maintaining the *status quo*, possibly because they had substantial interest in, for example, charcoal burning.

This situation also resulted into lower appreciation of the REDD+ project among Kondoa villagers than those from Kilosa. We made interviews in altogether seven villages (early 2014). Four of these were engaged in REDD+ (Kolo, Mnenia, Mapinduzi and Masange). The three other villages were Kisese-Disa (not involved), Mitati (withdrew in the land-use planning process) and Puhi (did not comply). People in the first four villages were actually slightly more positive than the villagers interviewed in Kilosa (N=121). In the three other villages, about 40 percent were negative/very negative (N=90).

In both Kilosa and Kondoa, some villagers stated that they did not feel free to accept/reject REDD+ - as voiced by 13 percent and 18 percent in Kilosa and Kondoa, respectively (based on the total sample). Judging from the figures, it should be noted that it may have been very difficult to oppose REDD+ as it was backed by the district and village leadership in most villages. Moreover, information was almost without exception coming from the pilot organisers that obviously depended on the success of REDD+. Finally, the focus group data from Kilosa reflected somewhat more discontent than interviews with household heads. The issue most emphasised regarded the level of payments. We will return to this.

5.3 Establishing village forests and land use plans

As already emphasised, both TFCG and AWF based their projects on participatory forest management. Establishing CBFM focused on the demarcation of a village forest reserve, a land use plan, a forest management plan and attendant bye-laws. If a village land certificate did not exist, demarcating village borders needed to be undertaken before these processes could start. PFM is assumed to be both initiated and led by the district but administered by a Village Natural Resource Committee (VNRC) in each village.[10] According to the guidelines (MNRT-FBD, 2007), a participatory resource assessment forms the basis for developing plans and enacting bye-laws. The latter must be presented to the village council and assembly for endorsement before it goes to the district and later to the National Land-use Commission for formal approval.

The Kilosa pilot seems to have followed these guidelines. Members to VNRCs were elected already at the first village assembly meeting.[11] None of the villages had land certificates, so that had to be initiated. Thereafter, reserved forests were demarcated and village forest management plans and bye-laws were created. Management plans and by-laws typically vary across villages depending on a given situation. Bye-laws define utilisation that do not demand prior permission; utilisation demanding permit but no payment; utilisation demanding permit with payment; and finally activities not allowed. Farming, grazing and setting fire within forest reserves are generally not allowed. In many cases, village bye-laws also prohibit timber harvesting and charcoal burning, whereas some villages demarcated areas for both protection and utilisation and seem to have allowed (sustainable) charcoal burning and timber harvesting against a paid permit in utilisation zones.

10 A village land-use planning committee under the VNRC was also involved.

11 According to the law, each village should already have such committees. They were, however, not functioning at the time REDD+ was introduced.

The process was not without problems. We note three main issues. First, border conflicts between two of the 'REDD+ villages' and between a 'REDD+ village' and another village were observed. Second, there were conflicts regarding the relocation of people within the village forest reserve as settlements there became illegal. Finally, there were conflicts especially between charcoal-burners and other villagers regarding the size of the forest reserve and its regulations, as charcoal burning would be restricted. According to Pima (pers. comm.), some people claimed that TFCG was taking their land. This created distrust, although accusations diminished over time as TFCG showed that this was not their intention. In the focus group discussions, people noted that conflicts were largely resolved through mediation and explaining the importance of forest conservation.

As already mentioned, one village—Munisagala—opted out at the stage of land-use planning. According to Enos (pers. comm.), the fear of losing land was strong. There was also an issue regarding the proposal in the land-use plan to establish a common cemetery.

It is notable that the process of getting land certificates has been slow. According to Pima (pers. comm.), TFCG/MJUMITA went on establishing land use plans without, for example, waiting for the time-consuming formal approval of village borders from the national authorities. They did so to complete the pilot project within a given timeframe. By 2015, only two villages in Kilosa had received such certificates. The rest are awaiting signatures from the Commissioner of Land.

In Kondoa, all the villages seem to have land certificates from 2007 (Kasisi, pers. comm.). However, regimes had to be created for JFM and CBFM. Of the 19 villages engaged from the beginning, 12 had no village forests but bordered the Isanga or Isabe forest reserves. Five villages had only village forests whereas one village had forests under both regimes.

The creation of land-use plans/forest management plans and bye-laws seems to have followed the same system as in Kilosa. Land-use planning was in practice not led by the district, though. Instead, AWF engaged the National Land Use Commission as the district was found to have too little technical competence (Matilya, pers. comm.).

A main difference from Kilosa was the establishment of JFM. It implies that management responsibilities and returns are shared between the state and the communities adjacent to the government forest. As emphasized in Section 4, no resolution had so far been made regarding the benefit sharing under JFM, heavily restricting the functionality of the regime. Clarifying this, therefore, became a key issue in Kondoa. The forest reserves were gazetted long ago—Salanga in 1941 and Isabe in 1954. The JFM process followed the standards for PFM regarding the making of a forest management plan and bye-laws. That is, since there are two government forests and 13 villages involved, AWF, the district and Tanzania's Forest Service (TFS)[12] drafted one management plan and one set of bye-laws for both forest reserves. This draft was discussed with the VRNC in each village. The final draft was then submitted to each village council and taken to the general assembly for approval. The final document was signed by TFS, the district and a representative of JUHIBEKO, an association formed with representatives from the 13 villages (Kasisi, pers. comm.).

The JFM agreement allows free collection of non-timber forest products such as wild fruits and mushrooms. Collection of firewood and grazing (in defined periods) is allowed with a valid paid for permit. The number of animals per household is limited to four oxen. Farming, hunting wild animals, timber lumbering and charcoal burning are prohibited. The same goes for mining, collection of medicinal plants, destruction of water sources and removal of soil humus. Most of the villagers were familiar with these rules as they pretty much reflected already the existing restrictions as the forest was a catchment as opposed to a utilisation reserve. Certainly, the rules were weakly enforced and so in that sense REDD+ seems to have made a difference.

Regarding the rules for benefit sharing, AWF proposed that 80 percent should go to JUHIBEKO and 20 percent to the district and Tanzania Forest Service (TFS) for their respective areas. This proposal was contested, as TFS demanded a bigger chunk of the stake. According to Jalabai (pers. comm.), it wanted a 60-40 sharing rule. Communities mobilised and in the end the agreement between JUHIBEKO on the one side and TFS and the District Council on the other—signed in 2015—became 80-20 (Kasisi, pers. comm.).

Regarding conflicts, the toughest ones surfaced at the start of the REDD+ process. The 'stage' of land-use planning seems to have been less conflictual, except in the cases of Mitati and Puhi. None of these villages was adjoining the forest reserves and hence may have had more to lose/less to gain. This is in some way also confirmed by the fact that Kisese-Disa and Itololo—the two villages bordering the forest reserve that did not engage in REDD+—have now approached the district enquiring about the possibilities to participate in the established JFM system. Kisese-Disa actually signed the JFM agreement in December 2015 (Kasisi, pers. comm.). As the JFM agreement regards all forests in the reserves, the rules also apply for Kisese-Disa and Itololo. Hence, joining implies possible gains, with no extra costs, except that signing the agreement may make the village representatives feel more responsible for their village abiding by the rules.

12 TFS was established in 2010. It took over the responsibility of managing central government forests from MNRT/FBD.

5.4 Payment systems

Finally, with regard to the payments, both TFCG and AWF undertook so-called trial payments; however, they were organised in different ways. TFCG/ MJUMITA made payments based on 'mimicking' a performance-based system including estimated amounts of reduced CO_2 emissions per ha for each type of forest valued at the present market price for CO_2.[13] The latter was quite low at the time. A leakage factor included was related to how much forests there were in the village outside the village forest reserve. This system determined the total payment for each village. Regarding the rules for internal distribution at village level, TFCG/ MJUMITA developed three options regarding payments from which the villagers could choose: a) a system with individual payments; b) payments made to community development projects; and c) payments to the natural resource committee for protection projects (TFCG and MJUMITA, 2012). The first option included the possibility that the village assembly would decide on a certain fraction of the individual dividend to be retained by the community for use in community projects.

Regarding individual payments, the proposal was that they should be equal across individuals, that is, limited to a maximum five persons per household. The argument was that forests were communal. Meshack (pers. comm.) moreover clarified that payments according to individual opportunity costs went against local norms. Charcoal producers were perceived to be taking too large a share of a common resource. We note that this solution was also much less costly to administer than a system based on individual opportunity costs. Although the latter is the 'ideal' of a performance-based REDD+, such a procedure would easily have consumed all the money available for payments.

Most village assemblies chose the individual payment option with a fraction kept for community projects. Some decided, however, to keep the fraction for community projects with TFCG until they had sorted out internal governance issues. Some villages with low total payments chose a method without individual payments. It is notable that TFCG and MJUMITA seem to have favoured the first option, as it was believed to increase the sense of community-wide ownership over forests and ensure transparency (Pima, pers. comm.). The rules—formulated as REDD+ payment bye-laws—seem not to have been much contested. The level of payments, that is an average of about 10.000 Tsh (5 USD) per person, was however creating discontent. It seems significantly below expectations (Dyngeland and Waized, 2013).[14] We also observed a sub-village at

13 The money still came from the payment issued to the pilot by the Norwegian government.

14 It should be noted that in our analyses of preferred options for REDD+ payments made in 2010 – i.e., before REDD+ was instituted, villagers in Kilosa (N=180) seem to have favoured community projects rather than payments to individual households (Movik *et al.*, 2012). The evaluation report of REDD+ pilots in Tanzania by NIRAS states that the TFCG/MJUMITA payment model was popular (NIRAS 2015)

Lunenzi that did not get any payments as it was too far away for them to attend the payment meeting. Added to payments, there were some training, etc. for new or improved income-generating activities such as intensified agricultural practices, beekeeping and chicken rearing. This was also part of a strategy to increase income as well as to reduce pressures on forests.

The most novel part of the TFCG/MJUMITA pilot was the establishment of a so-called 'carbon enterprise', functioning within MJUMITA. The idea was to build an organisation with competence to trade carbon credits at international markets including a structure that could aggregate emission reductions across villages to increase volumes and reduce transaction costs (TFCG and MJUMITA, 2012). It also includes validating, monitoring, reporting and verification components (Meshack, pers. comm.). The carbon enterprise has so far not been able to enter the international carbon market. Accessing it seems to have been demanding (see also NIRAS, 2015).

AWF put much less emphasis on payments than TFCG/MJUMITA. According to Matilya (pers. comm.), it was not included in their original plan. The main strategy was to invest in changed/new practices such as agriculture that is more intensive, more energy effective stoves, bee keeping, and brick making. Certainly, it has been a challenge that the resources set aside for this made it possible to only reach a rather small fraction of the inhabitants.

In the end, AWF re-budgeted and was able to make a trial payment. Payments were made to village councils through JUHIBEKO who kept 15 percent. AWF paid based on rule compliance and the size of 'REDD+ forests'. The area of the state forest reserves was divided equally between the 13 participating villages. Here the payments varied between 6.9 and 4.9 million Tsh per village[15]. These resources were allocated to different community projects as decided at general village assemblies (Kasisi, pers. comm.). Payments to 'CBFM villages' were made based on similar rules.

6.0 Discussion and Conclusion

This chapter demonstrates that Tanzania faces some serious challenges and dilemmas in its process of establishing well-functioning REDD+ governance structures. Starting with the present REDD+ strategy, we have first-of-all observed difficulties related to defining clear responsibilities within the government. It actually involves three subsystems: a) the governance structure for climate policy; b) the sector competencies – e.g., forestry, agriculture and energy; and c) the system for local government.

15 Which is lower than in Kilosa – as calculated per person

Although all may have to be involved, a clear definition of responsibilities is lacking. Second, data from the pilots under review show that it is demanding to create rights and management rules ensuring reduced deforestation and next link payments to the villages where gains are obtained. A national/fund based model will similarly demand clarification of rights, effective procedures to motivate behavioural change and measure impacts. Inadequate capacity in an underfinanced natural resource sector at district level stands out. Capacity problems are observed also at the national level as illustrated by the slow process of gazetting village forests in Kilosa. Finally, the challenges regarding elite capture and corruption will demand much investment in transparent systems regarding resource transfers.

Given all these issues, would a system based on markets and projects managed by NGOs (or other intermediaries) fare better? The most important issue here is that of accountability. Making national policies dependent on organisations that are not part of the general system of democratic control is problematic. Although such control at present seems weak in Tanzania, this is not an argument for discarding accountability issues. To do what may seem easiest now is problematic in the longer run regarding strengthening democratic processes and political accountability. In relation to that, we note that the NGOs involved have—with one exception—no membership base. In that respect, they lack legitimacy as representing the interests of the civil society. Their legitimacy is based mainly on their capacity to engage local people in the process and to deliver good outputs. In the case of single projects, political accountability may not be a big issue. NGOs may at present be more effective and inclusive than the state. AWF and TFCG probably are, and their experiences may be important for building better engagements between districts and villages. Nevertheless, creating a REDD+ strategy for a whole country based on NGOs and market transactions is problematic in accountability terms.

Another aspect regards the ineffectiveness of a project/market oriented system to handle leakage. Our two cases only shed indirect light on this issue but we observed problems with leakage even within villages, hence raising a question about what authority an NGO-based system will have to handle situations where, for example, bye-laws are not respected and need to be enforced.

Concerning competence and capacity, we have noted that districts are weak. REDD+ could bring resources to strengthen them but this depends on the future scale of REDD+. It also depends on the selected governance structure. There is no mechanism in an NGO-based scheme that ensures expanded and maintained competence. Whereas a state is a 'permanent' structure, NGOs come and go. In Kondoa, it was mentioned that the district had problems with sustaining competencies because of fluctuating incomes that donor projects typically deliver (Kasisi, pers. comm.).

Emphasising these challenges and dilemmas, we note that observations from the two pilots presented in this chapter illustrate the importance of acting inclusively and transparently at the local level. Although there were issues such as NGO one-sidedness regarding the emphasis on gains with REDD+, challenges regarding making REDD+ processes inclusive, low payments as well as issues regarding corruption, elite capture or mismanagement of resources did not come through. Moreover, relying on NGOs does not represent a guarantee here as two of the nine REDD+ pilots were terminated due to irregularities or weak performance (NIRAS, 2015). Nevertheless, there are some clear lessons to be learnt from the Kilosa and Kondoa REDD+ pilots regarding not least ways to ensure transparency. We also note that AWF and communities in Kondoa managed to make an important step forward concerning benefit sharing in JFM.

From the perspective of deliberative democracy, processes should be bottom-up (e.g., Mustalahti and Rakotonarivo, 2014). Although we are very much in support of this, insufficient local empowerment and capacity makes it difficult to accomplish. Moreover, certain issues are of such a character that it is hard to foresee that they could start locally. REDD+ seems to be such a case. That does not imply that it has to be top-down. Certainly, there is room for active participation. The two pilots have illustrated both inherent challenges and opportunities. Demanding no conflict cannot, however, be a measure of success. Any change in governance systems—be it at local or national level— will create conflicts as interests are challenged and the distribution of costs and benefits is shifted. We observe that the conflicts the pilots created, to a large an extent, were between local interests and less between local communities and the NGOs.

So, what should Tanzania do regarding the establishment of REDD+ governance structures? Without any breakthroughs for REDD+ internationally, the resource base for REDD+ in Tanzania will not be there.[16] Under the present circumstances, our assessment of the experiences points towards developing a national system. It demands that the international structure facilitates national funding of REDD+ through a compliance-based system or a global carbon tax, as well as donations. As such, we would advise to choose a structure based on a national REDD+ Fund, with power to allocate resources directly to the owners of forests and in the case of villages via the districts. This solution will demand wide representation of relevant ministries on its board to ensure co-ordination with, for example, sector policies. Establishing a fund will in itself imply increased transparency compared to ordinary budget allocations. It would nevertheless be wise to include representatives from NGOs to strengthen even further transparency. Although unusual for public bodies, we find it a reasonable solution to handle some of the dilemmas mentioned above. REDD+ could offer resources to strengthen

16 The UNFCCC COP21 in Paris did not offer any such development. At the same time, REDD+ financing is still a key issue on the agenda of climate finance.

the capacity to manage forests at the local level as well as compensate village communities for their loss of livelihoods. It will however not be as cheap as we were made to believe in Bali. It will not be simple either. Although 'everybody knows how not to cut down a tree', cutting trees is a crucial element of people's livelihoods – not least in Tanzania.

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