

Legalising the informal markets FLEGT impacts for smallholders

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The blind eye



- Efforts for Sustainable Forest Management focus on environmental and economic goals and assume that this (automatically) benefit to local people
- “Innovation Bias” (Rogers, 2003)
 - Innovations, besides the intended positive impacts, also have unpredicted consequences - positives as well as negatives often only indirect and only visible in the long term
 - Innovators highlight on the success of the proposed innovation rather than searching for the negative effects

Effects on local forest use

- Legalisation creates requirements incompatible with local capacities
 - Formal barriers, bureaucracy, unavailable technical capacities, unrealistic capital requirements
- Moderate success of efforts for inclusion of local people
 - Simplification of regulations and procedures
 - Pilot projects
 - Locals proofed capacity to comply with legal requirements, if massively supported
 - No replication or continuation of the initiatives without external support
- The legal and institutional schemes are not sufficiently attractive, and too far away from local realities



Local responses

- Continuation of traditional “informal” use (shift from informality to illegality)
- Stop of forest use (in the case of effective law enforcement)
- Support by NGOs (creation of dependencies)
- Collaboration with loggers (the new old approach)



Indirect costs and benefits

- Clarification of land tenure
 - **Acknowledgement of traditional rights**, but:
 - conflicts about land and resources
 - limitation of future options
- Long-term investments in remote areas by concessionaires
 - **Infrastructure and income opportunities**, but:
 - Infrastructure remains at a basic level
 - Relatively few jobs (1 permanent forest job per 2.000 ha)
 - Concessionaires might (will) leave
 - Land becomes attractive for agro-industry and migrants (correlation between roads & deforestation)
 - Long-term threat to forests difficult to control

Synopsis



- Forest management as defined by law requires capacities and resources not available at local level and therefore tend to exclude local people from markets
- Legalising markets may generate local benefits, however, they are limited and questionable in the long run
- Legalising markets does not automatically achieve social goals

Options for action to increase forests' benefits to local people

- Regarding concessions
 - Be aware about the challenge of the post-concession phase
 - Set up a clear development vision
 - Expand concessions in accordance with existing capacities
 - Focus control on the “bad” actors



Systematically explore the potential of local people to contribute to a sound local development

- Accept the impossibility to control and individually support the huge number of poor families
- Valorise and trust in locals' proofed capacity to manage natural resources
- Instead trying to adapt locals to externally defined contexts, explore possibilities to adapt contexts to local realities
 - Legally acknowledge traditional tenure, access or user rights
 - Legalize local ways of using forests
 - Set up local forest governance schemes
 - Establish markets compatible with local capacities and interests
 - Consolidate the institutional context
 - Protect local families from actors trying to take advantage

Thanks a lot.
Merci beaucoup

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