



ASARECA

Transforming Agriculture
for Improved Livelihoods

MANUAL FOR
Sustainable Land Management

**Bye law development and
implementation in Uganda**



November 2010

About ASARECA

Association for Strengthening Agricultural Research in Eastern and Central Africa (ASARECA) is a non-political not-for-profit sub-regional organization of the National Agricultural Research Systems (NARS) in ten countries of Eastern and Central Africa (ECA): Burundi, Democratic Republic of Congo, Eritrea, Ethiopia, Kenya, Madagascar, Rwanda, Sudan, Tanzania, and Uganda. ASARECA serves as a platform for promoting regional collaborative research to address trans-national problems and sharing of benefits and spillovers arising from such research, thereby adding value to what can be achieved at national level. The Mission of ASARECA is to *“enhance regional collective action in agricultural research for development, extension and agricultural training and education to promote economic growth, fight poverty, eradicate hunger and enhance sustainable use of resources in Eastern and Central Africa.”* ASARECA delivers its research through seven research programmes: Staple Crops; High Value Non-staple Crops; Livestock and Fisheries; Agro-biotechnology and Biodiversity; Natural Resource Management and Biodiversity; Policy Analysis and Advocacy (PAAP); and Knowledge Management and Up-scaling. Support units are: Partnerships and Capacity Development; Information and Communication; Monitoring and Evaluation; and a gender mainstreaming specialist housed at PAAP.

PAAP evolved from the Eastern and Central Africa Programme for Agricultural Policy Analysis (ECAPAPA) in 2007. ECAPAPA was created in 1997 to address the perceived need to improve regional agricultural policy action with the National Agricultural Research System (NARS) playing more active role. PAAP undertook to build on the foundations laid by ECAPAPA and added a stronger emphasis on advocacy for implementation of policies. PAAP's purpose is *Enhanced utilization of appropriate policy options for sustainable agricultural growth in the ECA sub-region.*

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List of Acronyms

ASARECA	Association for Strengthening Agricultural Research in Eastern and Central Africa
AHI	African highlands Initiative
CBO	Community Based Organization
DEO	District Environment Officer
IDRC	International Development Research Centre
INRM	Integrated Natural Resource Management
IP	Innovation Platform
LC	Local Council
NARO	National Agricultural Research Organization
NARS	National Agricultural Research System
NEMA	National Environment Management Authority
NGO	Non Governmental Organization
PAAP	Policy Analysis and Advocacy Programme
PRA	Participatory Rural Appraisal
SLM	Sustainable Land Management

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Producing this manual would not have been possible without inputs from the District Technical Staff, Local Leaders and members of the Innovation Platforms (IPs) from the Districts of Bukwo, Kween and Kapchorwa, who are greatly acknowledged. Special gratitude goes to the local communities in the project site, who actively participated in the study on SLM policy environment that generated information for use in developing the manual.

Development and publication of this manual has been made possible through funding from the International Development Research Centre (IDRC). They are gratefully acknowledged.

Foreword

Low levels of land productivity pose a major threat to household and national food security in the highlands of Eastern and Central Africa. Identification and promotion of appropriate strategies to accelerate the uptake of successful natural resources management innovations therefore remains a major challenge in the highlands of Eastern and Central Africa. In these areas, it has been recognised that wherever natural resource management research interventions have been successful, impacts tend to be limited to a relatively small number of farmers. Yet significant contribution to rural livelihood demands accelerated uptake and scaling up of natural resource management innovations by more farmers over wider geographic areas.

Over the years, technologies, institutional options, approaches and tools have been tested in several pilot sites Uganda and Ethiopia. To a limited extent, knowledge that has been generated and adapted technologies on natural resource management issues have also been mainstreamed into the national development strategies of countries in the region. This has not resulted in implementation of appropriate natural resource management policies at the grassroots where they are needed most. A range of factors including inappropriate policies, a top-down approach to policy formulation, limited awareness of existing laws and regulations and lack of a supportive institutional base have resulted in limited ownership and lack of policy influence on effective natural resource management processes. It is against this background that the project on *“Going to scale: Enhancing the adaptive management capacities of rural communities for sustainable land management in the highlands of eastern Africa”* was designed to address these challenges.

Foreword *(cont.)*

A unique aspect of this project is that it operates through an innovation platform. Partners in this platform, build on their most specialized and recognized strengths in an effort to enhance capacity to foster and catalyze participatory action research in integrated natural resource management. This facilitates actions by key local players and builds successful strategies and modalities for out-scaling. Such an undertaking is not straight forward and one needs road maps to navigate through. The key partners in this initiative are the National Agricultural Research Systems, the African Highlands Initiative (AHI), ASARECA and Local Governments in Kapchorwa, Bukwo and Kween Districts in Uganda.

As a road map, this manual is intended to strengthen the capacity of rural communities to enhance their sustained adoption of innovations in land management. This will be through promotion of collective action in the formulation of sustainable community based policy options namely by laws. It documents seven steps that are needed for that process: agenda setting; consultations and formulation; review and feedback; approval process; endorsements; implementation, monitoring and evaluation; and review. It provides the reasoning behind each step, who should lead what actions, collaborators, what needs to be done, expected outputs and deliverables. We hope the manual will contribute to different efforts aimed at promoting sustainable land management.

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Introduction

This manual outlines the process necessary for development and implementation of bye laws for Sustainable Land management (SLM). It is based on the experiences in SLM related rules and regulations formulation in different parts of Uganda. Lessons and experiences have also been drawn from the process used during formulation of the bye law for Benet Sub-county and Kabei Parish in Kapchorwa and Bukwo Districts respectively.

Definition of terms

Sustainable Land management

Sustainable land management (SLM) is a process that helps integrate land, water, biodiversity, and environmental management to meet rising food and natural resource demands while maintaining ecosystem services and livelihoods. For purposes of this manual, SLM is defined as management and use of land resources sustainably for provision of different goods and services such as food production and provision of adequate clean water. It therefore includes actions to stop and reverse degradation, or at least to mitigate the adverse effects of earlier misuse, which is increasingly important in the highlands and watersheds, especially those where pressure from the resident populations is severe and where the destructive consequences of highland degradation are being felt in areas “downstream.”

Bye laws

Bye laws can be defined as rules or regulations initiated by communities and passed by local governments at sub-county or lower levels through Local government council resolution. It can also be defined as a rule relating to a matter of detail; as, civic societies or corporations often adopt a constitution and by-laws for the government of their members. In Uganda, bye laws are made at sub-county and other lower local government levels e.g. parishes and villages.

Ordinances

Ordinances are defined as rules or regulations passed by Local Government through a District Local Government Council Resolution to cover management of aspects of the whole district.

Policy

A statement of goal, objectives and principles and course of action intended to influence and determine decisions and actions of particular institution or government.

Innovation Platforms

Innovation Platform (IP) refers to a forum providing different actors an opportunity for knowledge production, sharing, use and mobilizing various resources and capacities, to address issues of SLM. For this manual, IP is considered to operate at district level bringing together different district and sub-county level actors to address SLM issues. Participation of actors in the innovation platform must be inclusive accounting for location, age, gender and other socio-economic differences.

Why Bye laws and Ordinances?

Bye laws and ordinances are tools to help govern society members towards acceptable social behavior and to allow society to achieve justice that is predictable, fair and right. In the context of SLM, bye laws are made to put in place local means to implement community objectives and development policies to guide rational use of the relevant land and land resources. They help put the national laws in the local context and put in place mechanism for actions on use, misuse and abuse of natural resources. Bye laws and ordinances therefore help to:

- empower all categories of people in the communities in deciding on natural resource management issues and concerns that affects their livelihoods
- put in place measures and regulations to sustain the benefits for future use, bearing in mind the livelihood aspects.
- contribute to national, regional and international objectives to prevent land degradation

Why involve communities in bye law development?

Community involvement in bye law development is important to build consensus and community acceptance of the rules and regulations governing natural resources. In addition, communities are core stakeholders because of the knowledge and experiences they have on natural resource issues.

In many countries, bye laws are legally recognized in national laws. In Uganda, they are recognized under decentralization in the Constitution (1995, amended 2005), The National Environment Statute (1995) and the Local Governments Act (1997). Local governments have authority to formulate and pass bye laws, as long as they do not conflict with the national level laws and the Constitution. However, one of the key past shortcomings of Uganda's policy and legislation was the use of the "top-down" approaches to policy formulation, where governments took up planning, development, operations, and maintenance of development activities with limited involvement of local communities. This created a culture of dependence on the central government with respect to policy formulation. It also resulted in the local communities having a limited sense of ownership, understanding and willingness to implement the relevant policies and legislation.



2.1 Community involvement in bye law development is important to build consensus

Purpose of the Manual

This manual is intended for facilitators of bye law formulation and implementation. It details how to initiate and support a process of bye law development. The recommended process in the manual is based on the premise that it is critical and adds value to involve the local community and leadership. The process is meant to systematically guide bye law formulation and produce comparable outputs regardless of where it is applied. This manual outlines seven steps required to develop and implement a local level bye law in rural settings. It describes key tasks that should be accomplished to achieve outputs at each stage of bye law development and implementation.

The manual outlines preparations needed for conducting bye law sessions to help make the facilitation team prepare in advance. It also cross-checks the expected outputs and deliverables, at each stage of the process, during bye law formulation and implementation. Finally, it can be used as a reference document.

How to use the manual

While this manual can be used in parts, it is recommended to use it in whole. The facilitator should read the whole manual to get a general understanding of the contents and process of bye law formulation. Thereafter, it is recommended that the facilitator should give detailed focus on each of the steps and internalize the tasks, deliverables, outputs and how to accomplish the tasks. Each of the steps should be made interactive and participants should be given a lead role. Efforts should be made to ensure moderation, coaching and mentoring.

Who are the users of the manual?

The manual has been developed in a simple format that can serve dual roles for teams facilitating the process. Accounting for gender considerations where applicable. This may include the following:

- Extension Staff
- Local level policy makers
- Local Community groups
- NGOs and CBOs

It should be noted that facilitation of bye law development should be conducted by a team, comprised of a lead facilitator, who works hand in hand with technical officers and local based community leaders. The number of facilitators will be guided by the number of meeting participants and topics to be handled.



3.1 Facilitation of bye law development should be conducted by a team, comprised of a lead facilitator

The process and Key Tasks

Formulation of bye laws is a flexible undertaking that should allow including new experiences and lessons learnt during the process. The facilitator should therefore be sensitive to the prevailing situation and adjust according to the available circumstances. There are seven key steps that are necessary during bye law formulation and implementation (Figure 1). These steps are:

1. Setting the Agenda
2. Consultations and Formulations including gender analysis
3. Review and feedback to the communities and leadership
4. Formal Approval
5. Endorsement, Printing and Publicity
6. Implementation, Participatory Monitoring & Evaluation
7. Revision

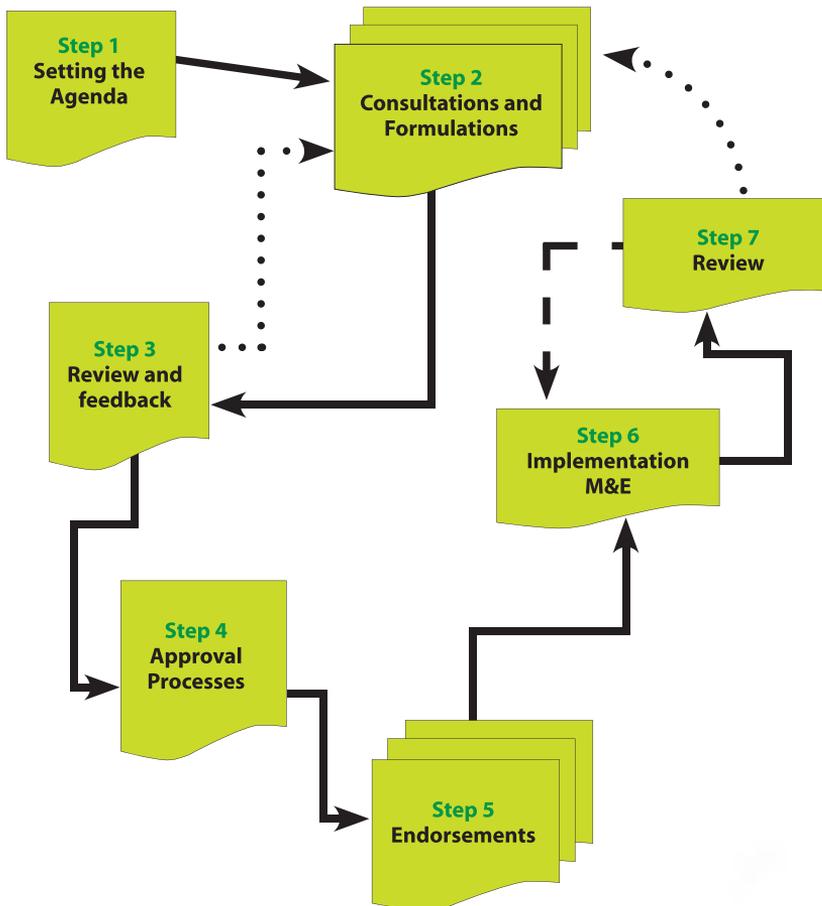


Fig 1:
Key steps in bye law development and implementation

Details of the steps, tasks to be accomplished and expected outputs are indicated in appendix 1. It should be noted that the process is not continuously unidirectional. In some instances, it may necessitate revisiting some steps, for example after reviewing the information collected during consultations and realizing that more consultations may be needed. Reviewing the bye law or ordinance may also reveal that it is okay and may be implemented in the old form or with minor amendments, without repeating the whole process.

Information gathering, synthesis, reporting and feedback

Information gathering require some basic skills including effective communication. At every meeting session, the facilitator should introduce the subject, build good relationships, and set the scene, share tools to capture relevant data and information. Before the end of the meeting session collected data and information should be analysed and summarised for sharing at the start of the next session. This information should be disaggregated by gender. The collection and analysis of sex disaggregated data is meant to support informed decision-making. Therefore, each of the tools described above, and others that you may use should lead to a clear set of conclusions, and a way forward, based on the data collected.

It is important to realise that the collected data, views, observation and ideas are not 'owned' by the facilitators, but should be understood and agreed by the people and resource users from the planning area. All the original data sheets should be returned to the community, while the community will have copies. Therefore the reports should be made with these users in mind and the ideas and data should be presented in a form that is easily understood by the community or village. The report should contain observations and conclusions, agreed by the community, which then forms the starting point for the next step.



THE SLM Bye law Development Process

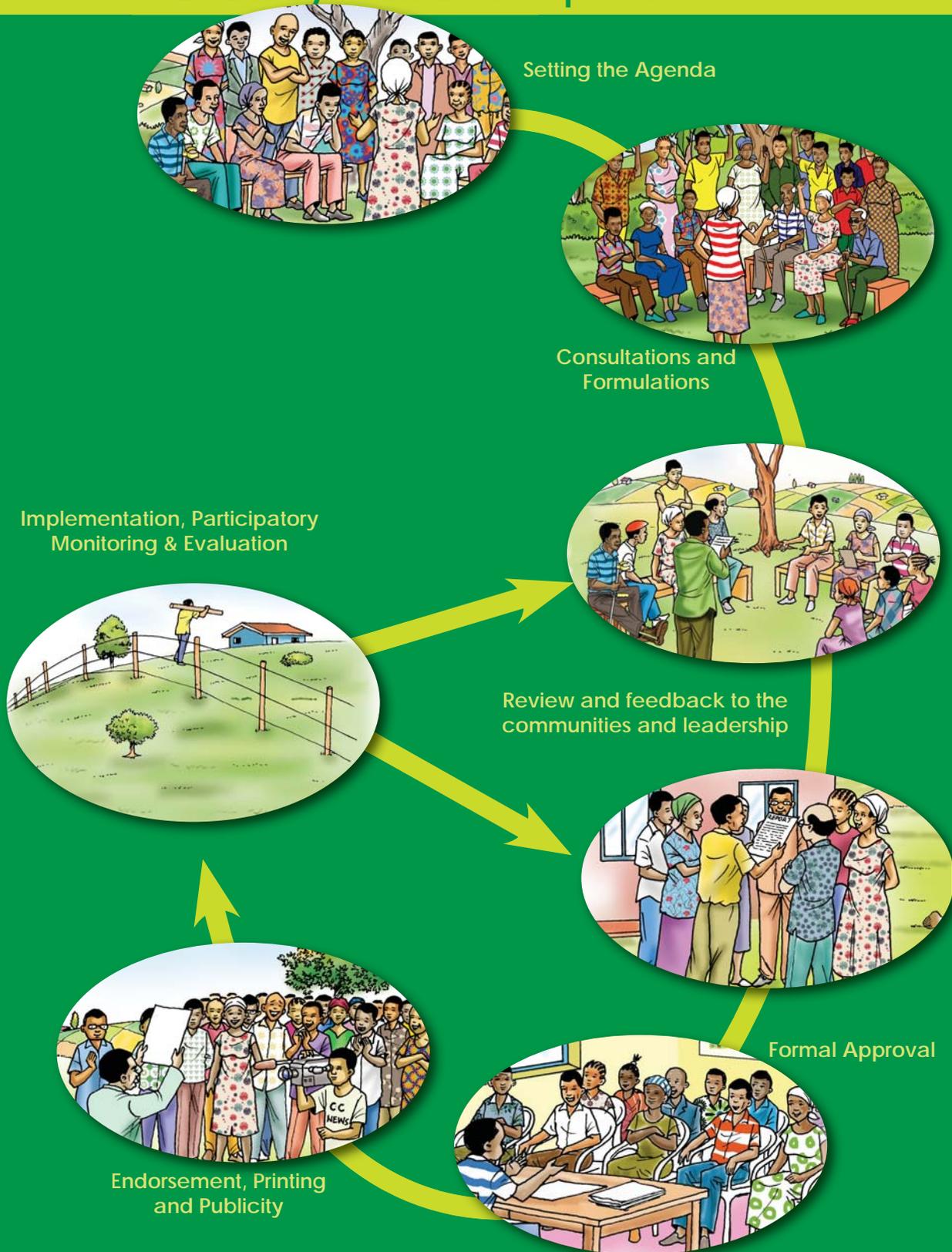


Fig 2: THE SLM Bye law Development Process

Step 1: Setting the Agenda

This is the initial step in bye law development. It kick starts the whole process in the context of the need for bye law, the process and bringing on board the key actors. The local government teams and partners are guided on how to identify organizations or people in different communities, who are capable of implementing and monitoring the process as well as making sure that once the bye law is in place it can be operationalized. The duration of this step is at least three (3) contact meetings with the district and other lower levels.

Tasks

The step involves the following tasks:

- Detailed information review by all categories including men, women and youth
- Awareness, mobilization and building interest (buy-in)
- Consensus with administration and political leadership and communities on need for policy reforms
- Securing formal approval/ endorsement to embark on bylaw formulation
- Identification of issues and problems to be addressed by the bye law
- Defining the byelaw process and resources needed

Who should be involved?

The step should be coordinated by Local Government with lead facilitation by the District Officer in charge of Natural Resources. The lead facilitator should work with a team involving other relevant technical officers and local authorities including agriculture, forestry, community development and gender. Initial contacts should be made with the Sub-county authorities and extension staff to guide on the local context of the SLM issues. Special effort should be made to ensure active participation by resource users, producer groups, local community leaders, and the participation of men, women and youth.

Outputs

By the end of this step, the following outputs should be achieved:

- Background information about the area, with details on SLM issues described and disaggregated by men, women and youth
- A general checklist of the priority issues and problems that justify the need for a bye law in the area identified and disaggregated for all categories of people

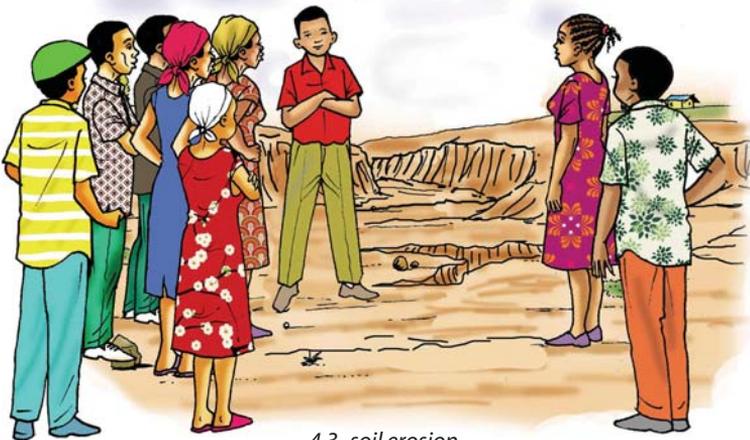
4. *Priority issues and problems that justify the need for a bye law in the area identified*



4.1 bush burning



4.2 gullies



4.3 soil erosion

- A tentative work plan for the bye law process agreed
- Stakeholders Analysis and selection of bye law formulation teams SLM/ INRM issues
- The resources and capacity needed, including time, personnel and money estimated
- Documents introducing the planning team to the relevant authorities, leaders and the community discussed, approved and endorsed

Step 2: Consultations and Formulations

Key tasks

This step involves intensive consultations among the key stakeholders in SLM. It involves direct interactions with land users and field visits to representative sites with pertinent issues that justify bye law development and implementation. Its duration varies depending on the number of interest groups and may involve several contact meetings with the community level land users and producer groups until the bye law is drafted and the prevailing conditions. The step should consider provisions in relevant SLM policies and legislation, to avoid conflicting approaches by the bye law to be developed. The consultation and formulation step includes the following key tasks:

- Preliminary visits to key sites and landscapes
- Setting a vision for the bye law formulation exercise
- Problem and conflict identification and analysis at local level by gender
- Development of management measures as provisions for the draft bye law
- Share the provisions and measures and linking problems, conflicts and relevant actions by costs and by gender
- Identification of actions in form of rewards and punishments
- Development of Policy Actions /interventions to address the SLM/ INRM problems by gender
- Draft summary information for policy makers
- Development of an action plan and implementation Strategy
- Drafting the actions, sanctions and rewards into a draft bye laws
- Identify success factors to consider for the bye law review
- Solicit for input from the District Officer responsible representing Ministry of Justice

5.1 Intensive consultations among the key stakeholders and direct interactions with land users



Outlines of relevant tools to be used in accomplishing the different tasks are given in Annex 1.

Who should be involved?

Since it is not possible to meet the whole community, it is important that a bye law development team should be nominated, representing different interest groups and gender aspects of the community. Decisions on which interest groups should be represented on the bye law development team will be guided by the stakeholder analysis. The facilitation team should include members of the district and sub-county Innovation Platforms (IPs) and extension staff and administration.

Outputs

The key outputs from this process include:

- Key stakeholders for SLM in the area and their roles in bye law development and implementation identified
- Sub-county bye law development teams formed
- Key SLM rewards, problems and conflicts synthesized
- Demand driven appropriate actions to address the relevant problems suggested
- Policy issues paper for the SLM bye law drafted
- Objectives of the bye law and relevant provisions formulated
- SLM bye laws with rewards for compliance and sanctions for non-compliance drafted
- Strategy and mechanisms for the bye law implementation drafted

This can be considered as the core step in bye law formulation, which involves intensive and iterative consultations with members of the IPs, local communities and other local level stakeholders. During the process, practical sessions will be held to demonstrate how local communities can be facilitated in Participatory Rural Appraisal (PRA) meetings. The PRA sessions will be used to identify SLM issues, including areas for rewards, conflicts and problems. They will also be requested to rank the types of natural resource conflicts experienced in their areas, to identify the most challenging conflicts, for which byelaws could be formulated. The process will also identify communities likely to benefit and those likely to lose, by proposed byelaws, with consideration of the gender perspectives. Identification of the beneficiaries and losers from the process will guide the form of monitoring and dialogue to be established with the different community groups. Suggested correction and

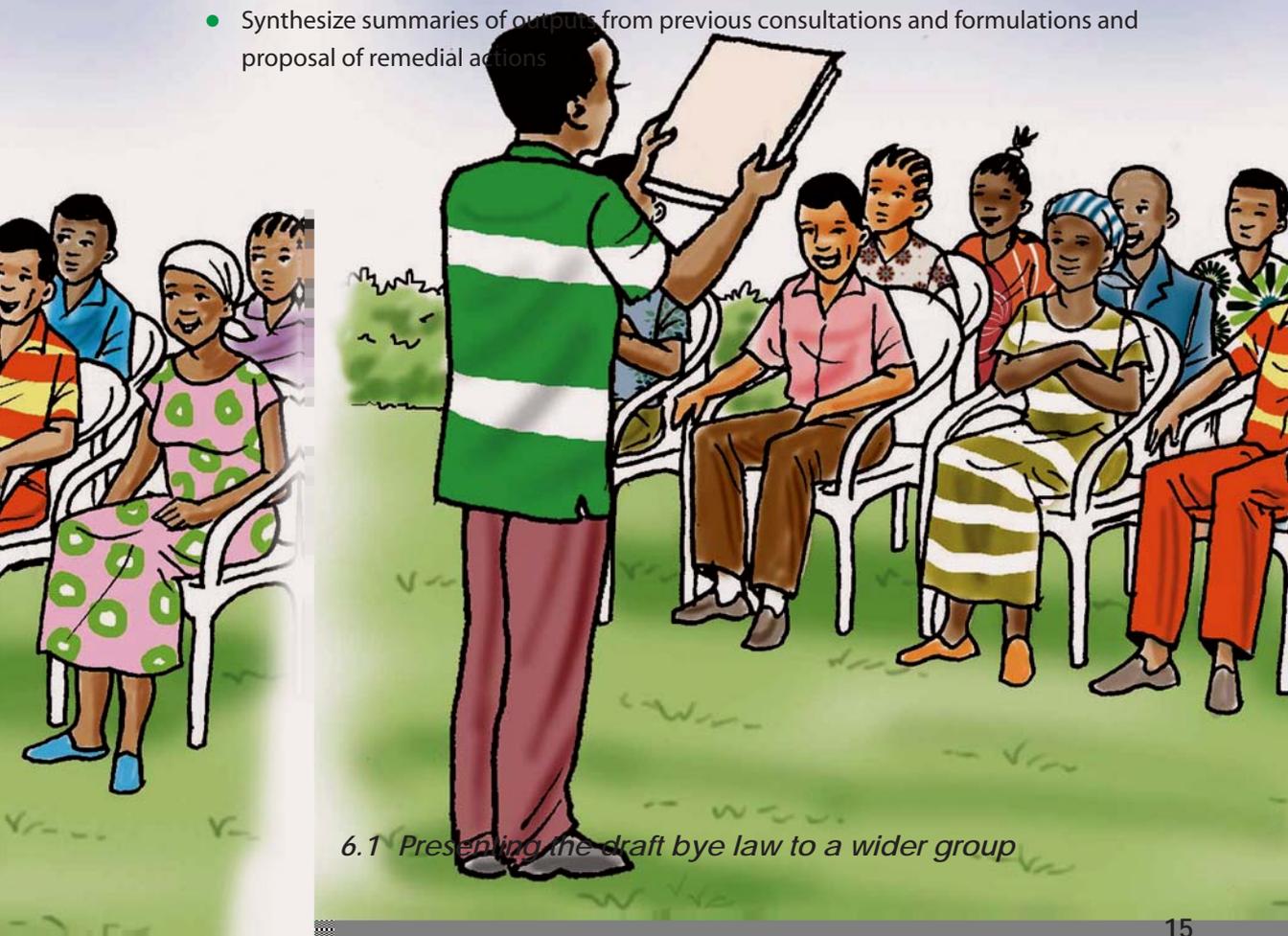
compliance measures to byelaws and the capacity of local stakeholders to implement and monitor proposed byelaws will also be made.

Step 3: Review and feedback to the communities and leadership

Tasks

This step involves a forum for presenting the draft bye law to a wider group including local leaders, communities, IP members and other stakeholders. In this forum, the bye law development team should give feedback to the rest of the community on deliberations for the different sessions and the key outputs. This forum should preferably be facilitated by a person, who actively participated in the consultations and formulations stage. The key tasks include:

- Planning the forum including resources required
- Identify and invite participants to the forum
- Analysis of issues
- Synthesize summaries of outputs from previous consultations and formulations and proposal of remedial actions



6.1 Presenting the draft bye law to a wider group

- Reach consensus
- Develop implementation plan and strategy

Outputs

Deliverables from this step include:

- Outputs from consultations and formulations validated
- Draft bye law agreed upon by the wider community
- Implementation plans and strategies agreed upon

Step 4: Formal Approval

During this step, the draft bye laws are presented to sub-county and district councils for formal approval. To have the bye laws legally recognized, there is need to have them discussed and approved by the local government policy makers, especially the sub-county and district executive committee and councils. This will also increase political will which can strengthen implementation of the bye laws. Inputs from the sub-county and district councils should be shared with the bye law development committee, before submission for final approvals by the Attorney General's office. This step demands lobbying and building the interest of the policy makers so that the bye law is considered as an agenda item of council sessions. In some case, it may necessitate facilitating of special council sessions for the bye law approval.

Key tasks

This step is carried out at both district and sub-county levels for formal approval, with provisions feedback meetings to the bye law development team. The Lead Facilitator presents the drafts on behalf of the bye law development team. It should be noted that provisions should be made to incorporate inputs from the district and policy making institutions, the councils. In the event that the councils feel that there is need for some more consultations, these should be facilitated for open buy-in. The following major tasks are anticipated during this step.

- Presentation of the draft bye law to the sub-county (LC III) Executive and Council
- Update and revisions with inputs from the LC III Council
- Presentation to District Sectoral Committee of council responsible for natural resources

7.1 *The draft bye laws are presented to councils for formal approval*



- Presentation to District Council
- Feedback to the bye law development team
- Harmonization, submission and endorsement by Attorney General's Office

Who should be involved?

The District and Sub-county Innovation Platforms should take a strong lead role to coordinate linkages to the District and Sub-county policy makers, respectively. Given the legal mandate, the office of the Resident State Attorney, who is the representative of Ministry of Justice at district level, should be involved in technically coordinating approvals and subsequent submission to the Attorney General's Office. The office of the District and Sub-county Speakers and Clerk to the Councils should also be involved.

Outputs

This process is meant to solicit for ideas to strengthen the bye law, create a strong sense of ownership and get formal approvals by the policy making organs of the local governments. The key outputs include:

- Views from the sub-county policy makers solicited
- Opinions from the district level policy makers consolidated
- Sub-county and district council resolutions approving the bye law minuted
- Bye law endorsed by the Attorney General's Office

Step 5: Endorsement, Publication and Publicity

Ratification involves the final official approval and endorsement of the bye law to have it ready for implementation. After having the bye law officially published, it is important to have extracts in simple messages, which can be printed in flyers and posters for publicity among the local government, local communities and other stakeholders.



Tasks

The key tasks under this step include:

- Publishing the bye law in the Uganda Gazette by the Government Printers
- Publishing the detailed bye law

8.1 Publicity through presentation to local communities, media and local leadership



- Preparing brochures, flyers and posters that bring out key message in the bye law, preferably in local language
- Publicity through presentation to local communities, media and local leadership

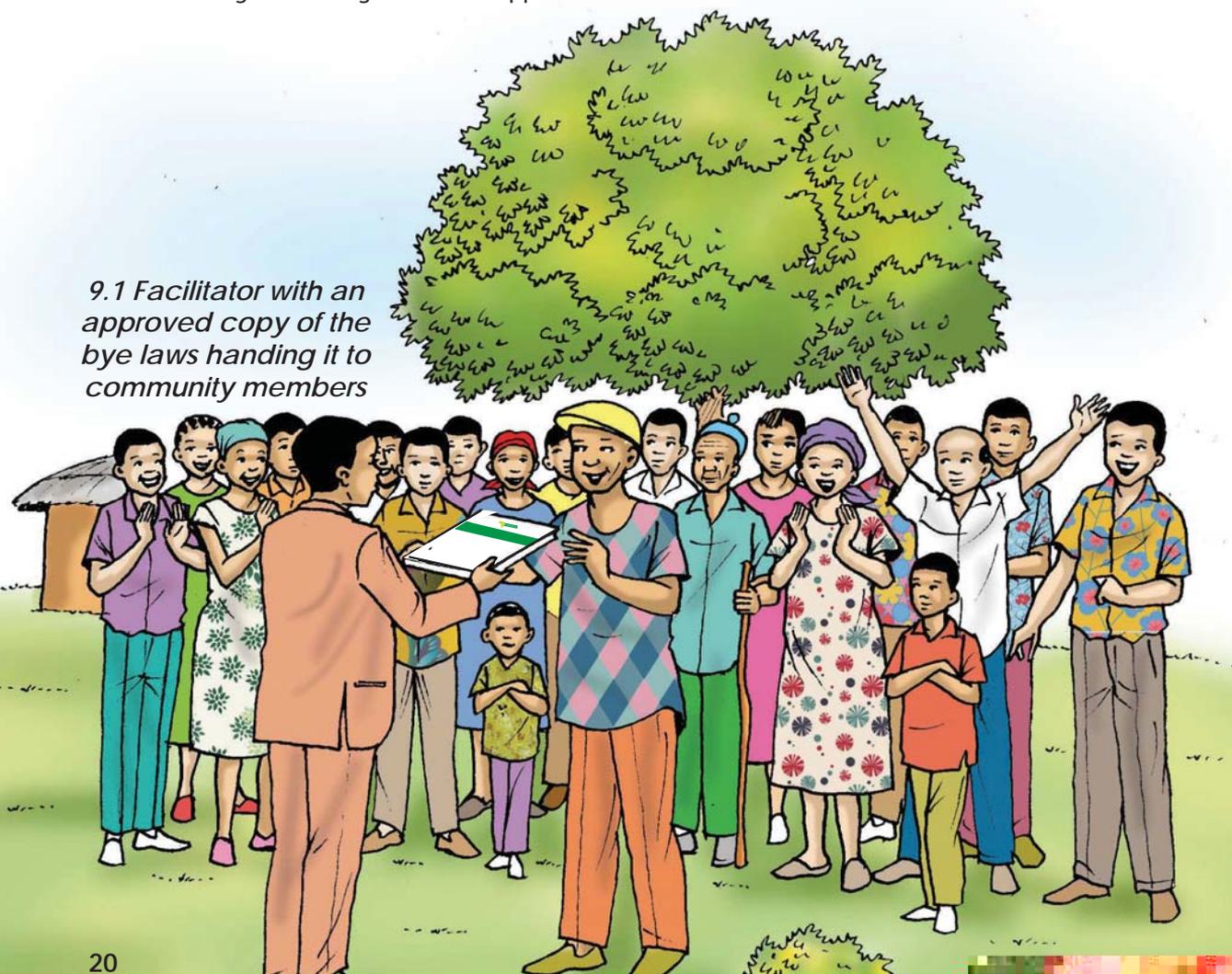
Who should be involved?

Ratification is spearheaded by the Attorney General's Office, in the Ministry of Justice. This involves having the bye law published in the Uganda Gazette. The process should be spearheaded by the Resident State Attorney in collaboration with the Attorney General's Office. After the official publication of the bye law, preparing of extracts for publicising the bye law should be coordinated by the Innovation Platforms.

Outputs

The ratification and publicity process should deliver detailed and synthesized materials that will be used in publicizing the bye law. To make the bye law understood by a wider audience, summary flyers and posters should be translated in the common local language and for different gender categories where applicable.

9.1 Facilitator with an approved copy of the bye laws handing it to community members



The following outputs are anticipated from this step:

- Bye law, in the recommended format of the Uganda Gazette published
- Extracts of the bye law for use in publicity prepared
- Posters and flyers for use in publicity, preferably in the local language prepared and disseminated

Step 6: Implementation, Participatory Monitoring & Evaluation

Key tasks

After appropriate publicity and popularization of the bye law, a mechanism for following up outputs and impacts of the SLM bye law should be implemented. This will be carried out based on the implementation mechanism, developed in the drafting step. Along the implementation, periodic reviews should be carried out that will guide revision and amendment of the bye law. The key tasks in this step will include:

- Implementation of the bye law
- Participatory Monitoring and Evaluation
- Periodic review of the bye law
- Revision of the bye laws, as deemed necessary

Who should be involved?

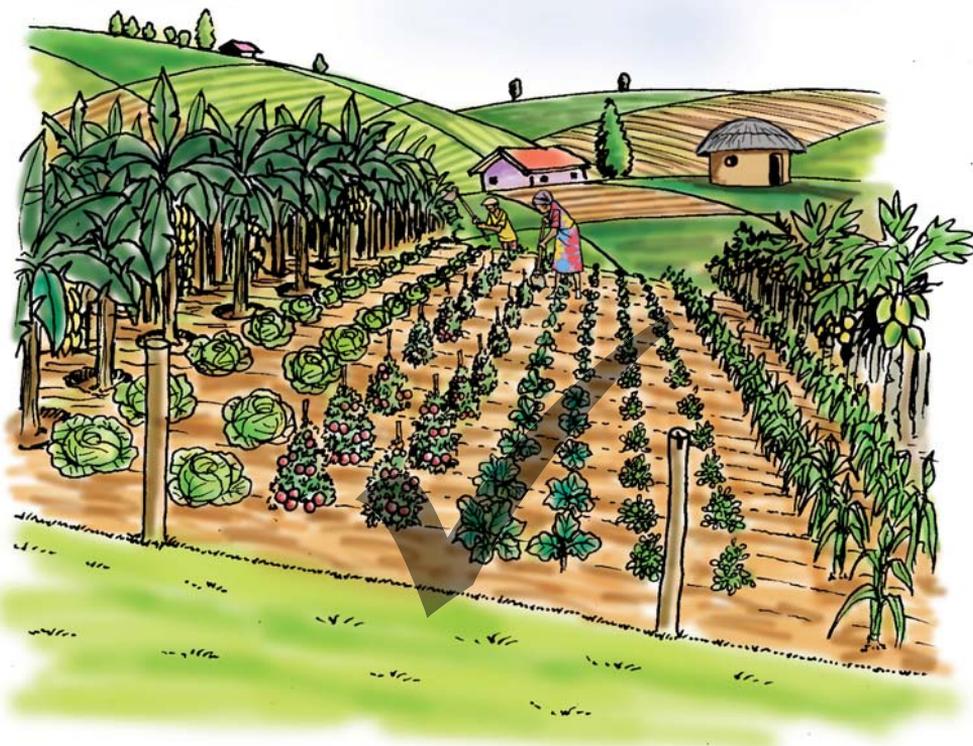
This step should be spearheaded by the Innovation Platform. Responsibilities for local level monitoring at local level can be delegated to producer and resource user groups and local councils. It is recommended that semi-annual reviews should be made by the Innovation Platforms and Clusters to review implementation of the bye law.

Outputs

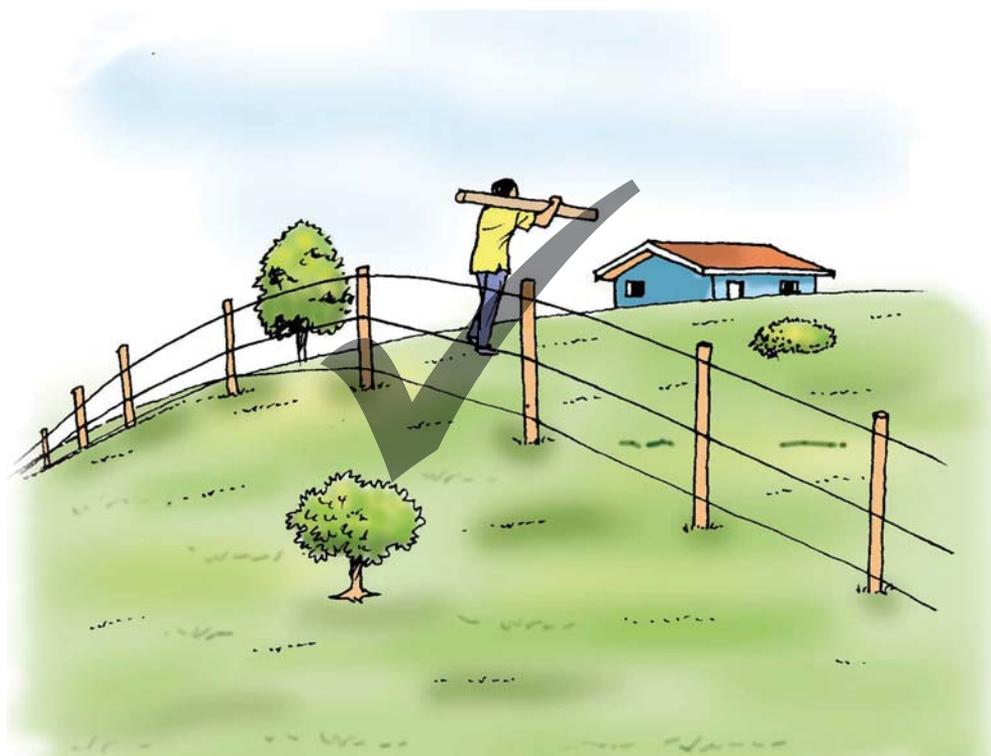
This step is vital in bringing out deliverables that will ensure continuity and sustainability of impacts of the bye law. The step will also guide revisions to address challenges and constraints to implementation of the bye law, which can be addressed during the revisions. Key outputs from this step will include:

- Monitoring and Evaluation reports by Innovation Platforms
- Synthesis of challenges and constraints during implementation
- Revised bye law

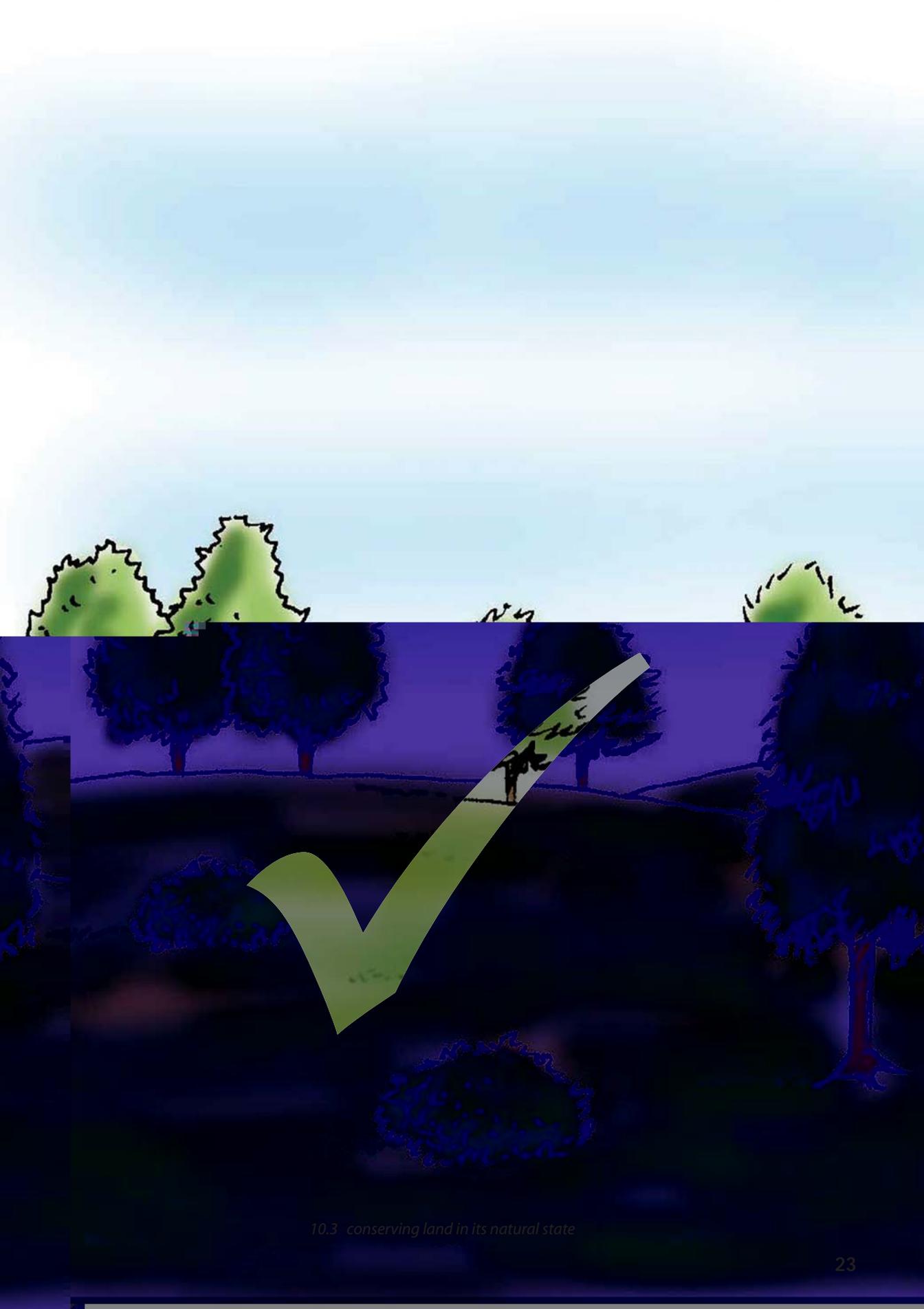
10. Community members implementing interventions in response to the bye law



10.1 intercropping



10.2 fencing



Step 7: Revision

This step will be guided by results from the implementation, monitoring and evaluation of the bye law. There are situations that will necessitate revision such as realities and practices during implementation, for example low fines, institutional changes, changes in national laws, unforeseen resistance from some sectors and individuals. The revision process should pass through the various steps recommended for the bye law development.

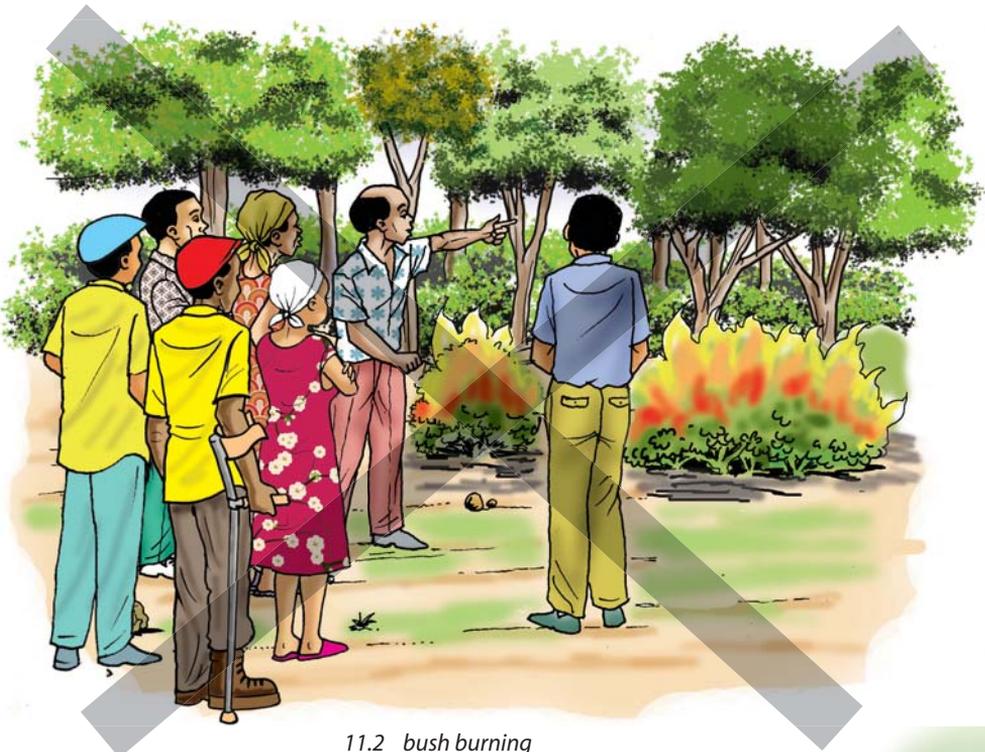


There may be unforeseen resistance from some sectors and individuals

11. Community members contravening bye law



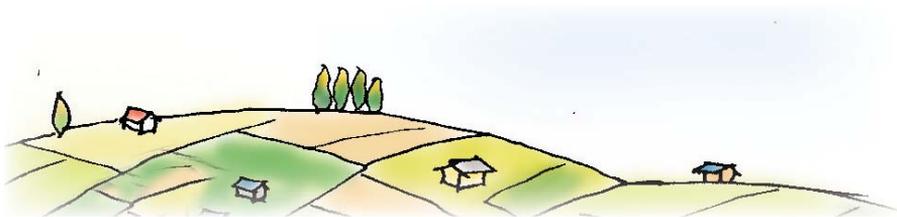
11.1 charcoal burning



11.2 bush burning

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Annexes

Annex 1

Relevant Tools to be used during bye law development

Visioning

This is used to create a targeted condition that the stakeholders would like to achieve after successful implementation of planned actions and relevant activities related to SLM

Stakeholder analysis

This is used to help identify different actors interested in the planned actions and activities and their respective roles and responsibilities, in order to guide how they can be optimally involved.

Problem and conflict analysis

This is used to identify and get details of different SLM related issues that should be addressed by relevant actions and activities

Participatory Monitoring and Evaluation

This is used to continuously follow up on progress of implementation of the planned work to help guide revision for better results.

Annex 2

Framework for bye law formulation

Key steps for bye law formulation

1: Inception and Scoping					
Key Step and Tasks	Why?	Lead Office	Collaborating Actors	How?	Expected outputs and deliverables
Detailed Information Review	<p>Build understanding of SLM issues in the area, district and countrywide</p> <p>Get guideline of formal bye law formulation processes</p> <p>Review local bye laws and regulations</p>	District IP Representatives (bye law formulation team)	DEO, Resident State Attorney, NARO, DAO, District Planner	<p>Review information available in central and local government institutions e.g. NEMA, NARO, District,</p> <p>Share information about existing SLM issues</p>	<p>Background information about area, SLM issues in the area, district and country, SLM/ INRM problems and relevant SLM/ INRM, policies and Legislation</p> <p>Road map on bye law formulation</p>
Identification of issues and problems to be addressed by the bye law	<p>Appraise issues to qualify that justify the need for a bye law as best approach to addressing them</p> <p>Ensure that the proposed bye law is consistent with the relevant policies and legislation</p> <p>Understand how bye laws are developed elsewhere</p>	IP	Extension workers	<p>Internal consultations about the pressing issues/ challenges</p> <p>Review of information about applicable laws and policies</p> <p>Review of ongoing related initiatives/ programmes</p>	Validated Topic/ issue being targeted for bye law
Defining the bylaw process and resources needed	<p>To ensure the process of bye law is well defined and the resources required (money, time, personnel, etc.) are spelt out and secured</p> <p>To confirm the mandate of lead actors and involvement of stakeholders</p>	IP	Extension Workers, DEO (Env.)	<p>Working out the formulation process methodology, resources needed (budget)</p> <p>Securing confirmation from identified actors</p>	<p>Work plan and budget</p> <p>Endorsement/ commitment from Stakeholder actors</p>
Securing approval/ endorsement to embark on bylaw formulation	<p>To ensure that the relevant Departments (for its approval and implementation) have authorised the formulation</p> <p>Publicity of the intended process to policy level actors</p>	IP	State Attorney, Extension Workers, DEO	<p>Submission and defending the proposals and budget</p> <p>Communication about the planned action</p>	Approved work plan and budget

2: Consultations and formulations

<i>Key Step and Tasks</i>	<i>Why?</i>	<i>Lead Office</i>	<i>Collaborating Actors</i>	<i>How?</i>	<i>Expected outputs and deliverables</i>
Reconnaissance visits to key areas	<p>Inform leadership of planned activities</p> <p>Mobilise the local communities for participation</p> <p>Articulate the need for SLM bye laws</p> <p>General assessment of the area and its people</p> <p>Validate and verify SLM issues in the field</p> <p>Get an understanding of the impacts of SLM issues on local livelihoods</p>	District and sub-county IP bye law teams	<p>Sub-county Extension staff</p> <p>Representatives of Sub-county administrative and political leaders e.g. Chief, Secretary for Production</p>	<p>Meet sub-county administrative and political leadership</p> <p>Visit selected areas with specific SLM issues</p> <p>Discuss with some land users in the selected areas</p>	<p>An understanding of local SLM issues;</p> <p>Consensus on participation by local teams and road map for bye law formulation</p> <p>Tentative schedules and venues for meetings</p>
Mobilisation and sensitisation of administration and political leadership and communities on need for policy reforms	Solicit for input and participation from the sub-county teams	District and sub-county IP bye law teams	<p>Sub-county leadership</p> <p>Sub-county extension staff</p>	<p>Hold meetings with sub-county administrative and political leaders</p> <p>Articulate SLM issues at hand</p> <p>Explain the need for focussed bye law development</p>	<p>Sub-county level teams sensitised</p> <p>Sub-county level bye law formulation teams formed</p>
Stakeholders Analysis and selection of bye formulation teams	<p>Identify relevant stakeholders in SLM</p> <p>Define the roles and responsibilities of the stakeholders in bye law formulation</p> <p>Select representatives of different stakeholders to the bye law formulation team</p>	District and sub-county IP bye law teams	<p>Sub-county extension staff</p> <p>Representatives of local land use groups</p>	<p>Hold meetings with different land users</p> <p>Conduct a stakeholder analysis with the teams, including land users</p>	<p>Representative policy development teams selected</p> <p>Stakeholder Analysis reports</p>
SLM/ INRM issues, Problem and Conflict identification and Analysis at local level	<p>Redefine key SLM problems and conflict</p> <p>Identify effects of the different problems</p> <p>Capture underlying causes and the resultant effects</p> <p>Identify the root causes of SLM problems and conflicts</p> <p>Suggest solutions to the problems and conflicts</p>	District and sub-county IP bye law teams	<p>Sub-county extension staff</p> <p>Representatives of local land use group</p>	<p>Conduct problem identification through group discussions</p> <p>Synthesise issues at LCI and Sub-county level</p> <p>Identifying and prioritising key SLM problems and conflicts at LCI and later sub-county Level</p> <p>Analyse root causes of the key problems and conflicts</p>	<p>Synthesis reports on key problems and conflicts; with broad cause-effect relationships</p> <p>Problem tree with root causes</p> <p>Suggested solutions to different SLM problems</p>

2: Consultations and formulations

<i>Key Step and Tasks</i>	<i>Why?</i>	<i>Lead Office</i>	<i>Collaborating Actors</i>	<i>How?</i>	<i>Expected outputs and deliverables</i>
Development of Policy Actions / interventions to address the SLM/ INRM problems	<p>Translate suggested solutions into policy actions</p> <p>Reflect on whether the policy actions can solve the problems</p> <p>Ensure that the proposed bye law is consistent with the relevant policies and legislation</p>	District and sub-county IP bye law teams	<p>Sub-county extension staff</p> <p>Representatives of local land use groups</p>	<p>In working groups analyse the problems and conflicts and work out recommended actions at sub-county level</p> <p>Explore feasibility of the policy actions through role plays</p>	Suggested policy actions to address the problems and conflicts
Draft Policy Issues Paper formulation	Translate policy actions in relevant objectives	District and sub-county IP bye law teams	<p>Sub-county extension staff</p> <p>Representatives of local land use groups</p>	Translating the problems, conflicts and actions into desired objectives for SLM/ INRM at sub-county level	<p>Major objectives to address key SLM issues</p> <p>Draft Bye law Issues Paper</p>
Development of provisions as measures and provisions formulation	Translating objectives and actions into measures or policy provisions	District and sub-county IP bye law teams	Sub-county extension staff	Synthesise the suggested solutions and objectives into a draft bye law	<p>Draft objectives of the bye law</p> <p>Draft provisions within the bye law</p>
Share the provisions and measures and linking Problems, Conflicts and needed and actions by costs	<p>Verify the objectives of the draft bye law</p> <p>Finding out feasibility of the suggested provisions</p>	District and sub-county IP bye law teams	<p>Sub-county extension staff</p> <p>Representatives of local land use groups</p>	Meet the local LCI and provide feedback and find out feasibility of the provisions	Re-confirmed provisions and objectives of the bye law
Development of actions into rewards and sanctions	Put in place measure to encourage compliance to the bye law	District and sub-county IP bye law teams	<p>Sub-county extension staff</p> <p>Representatives of local land use groups</p>	<p>Hold feedback meeting at LCI level</p> <p>Set sanctions and rewards for compliance to the actions</p>	<p>Draft rewards to bye law exemplary compliance and</p> <p>sanctions to the bye law non-compliance</p>
Development of Action Planning and Implementation Strategy	<p>Prepare measures for implementing the bye law</p> <p>Setting agenda for implementing the policy reforms</p> <p>Defining pathway to achieve desired objectives</p>	District and sub-county IP bye law teams	<p>Sub-county extension staff</p> <p>Representatives of local land use groups</p>	<p>In technical working groups, develop bye law implementation strategy including indicators</p> <p>Define indicators to measure success</p>	Bye law implementation strategy developed
Drafting the actions, sanctions and rewards into a draft bye laws	Incorporate local level views to prepare draft bye law	District and sub-county IP bye law teams	Sub-county extension staff	Technical team with draft the bye law, with sanctions	Draft text of bye law with sanctions and rewards

2: Consultations and formulations					
<i>Key Step and Tasks</i>	<i>Why?</i>	<i>Lead Office</i>	<i>Collaborating Actors</i>	<i>How?</i>	<i>Expected outputs and deliverables</i>
Review and get input from Resident State Attorney	Align the draft bye law into legal form	Resident State Attorney	District and sub-IP bye law Team DEO	Write the draft in technical formats of bye laws	Draft bye law
Feedback to the communities	Get community level validation of the draft bye law	District and sub-county IP bye law teams	Sub-county extension staff Representatives of local land use groups	Present the draft bye law to LC representatives for validation	Inputs on realities of practice and experience from land users
3: Review and feedback to communities and leadership					
4: Approval processes					
Presentation to the LCIII Executive and Council	Get in put from sub-county policy makers to the draft bye law	DEO	District and sub-county IP bye law teams Sub-county Council Sub-county extension staff	Technical working Group finalises bye law with comments/inputs	Input and approvals
Update and revisions with inputs	Update the draft bye law with local community and sub-county inputs	DEO	District and sub-county IP bye law teams	Technical working Group finalises bye law with comments/inputs	Input and approvals
Presentation to District Sectoral Committee	Get in put from District policy makers to the draft bye law	DEO	District Executive	Present the draft bye law for district approvals District IP	Input and approvals
Presentation to District Council	Seek final approval of the bye law	DEO	District Council	Present the draft bye law for district approvals	Input and approvals
Submission and Endorsement by Attorney General's Office	Seek final endorsement of the bye law	RSA	DEO	Present the bye law for final endorsement	Policy endorsed and enacted
5: Ratification and Publicity					
Printing detailed bye law and ordinance through brochures and posters	Seek publishing of the bye law	Attorney General's Office	Resident State Attorney	Present the endorsed bye law for publishing	Published bye law documents
Publicity through presentation to Local Communities	Publicise the published bye laws	District and sub-county IP bye law teams	Sub-county extension staff Representatives of local land use groups	Through public meetings, popularise the bye law	Reports on popularisation

6: Monitoring, Evaluation and Revision

<i>Key Step and Tasks</i>	<i>Why?</i>	<i>Lead Office</i>	<i>Collaborating Actors</i>	<i>How?</i>	<i>Expected outputs and deliverables</i>
Monitoring and Evaluation	Verify impacts of outputs of the bye law	Sub-county IP bye law teams	Sub-county extension staff Representatives of local land use groups	Using a simple M & E framework, monitor outputs and impacts of the bye law	Monitoring Reports on implementation
Review and revision of the bye laws	Lessons from implementation to revise the bye law	District and sub-county IP bye law teams	Sub-county extension staff Representatives of local land use groups	Conduct review of gaps and lessons Use the review to recommend revisions	Revised bye law

***** Ordinance process leaves out approval at sub-county and consultations start at sub-county level



Sustainable Land Management

About the Contributors

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