

nfp UPDATE - information as of 2004

Nfp process

This section brings a brief chronology of the nfp process, from its early phases to the latest developments. Details are given on the mechanisms, procedures and structures put in place to advance the implementation of the nfp, as well as on the main issues constraining its progress. A final overview on the forthcoming actions and activities closes the section.

Chronology of the nfp process

1990 - Following the massive damage to the forest estate caused by Hurricane Gilbert, the government requested assistance from the international donor community with its plans to rehabilitate and develop the dwindling forest resources of the country on a sustainable basis.

A **National Forestry Action Plan** was prepared in 1990 and the government began implementing some of the priority activities in the Action Plan:

- to acquire accurate information on the extent, composition and condition of the country's forest resources;
- to address the institutional limitations of the sector particularly with respect to legislation and policy framework;
- to increase the strength and capacity of the Forestry and Soil Conservation Department.

1996 -Following the **National Land Policy**, the Government of Jamaica approved a document entitled "**Forestry and Land Use Policy**" in October 1996. The document has a strong focus on biodiversity and forest conservation.

2001 -The Forest Policy 2001 and the [National Forest Management and Conservation Plan](#)(the "Forest Plan"), both approved by Cabinet in July 2001, clearly recognise the role of forests in protecting and conserving the primary resources of water, soil, biological diversity and air quality. Owing to the mountainous and rugged nature of the island, a large proportion of the forest estate has a primarily protective function, conserving water supplies and reducing erosion and flooding.

The purpose of the Forest Plan is to promote and improve the conservation and sustainable use of the forest resources of the country to meet local and national needs through protecting, managing and restoring the resource for the benefit of present and future generations.

Mechanisms and procedures

The preparation of the Forest Plan was guided by principles recognised by the United Nations Commission on Sustainable Development and the FAO as enhancing the efficiency and effectiveness of national planning and implementation of forestry activities.

The draft Forest Plan was widely distributed to all Government ministries, relevant Government agencies, environmental NGOs, the international development agencies, and other stakeholders with an interest in forest management. Private citizens were informed of the draft Forest Plan and consulted during a series of public fora.

The process used in formulating the draft forest management plan involved: analysis of problems, setting of goals and objectives, definition of courses of action, identification and use of policy tools, implementation and monitoring - all of which are also part of the policy process.

Hence the Forest Plan contains many elements that amount to policy statements.

The development of the Forest Plan took into consideration a number of national policies and plans:

- National Industrial Policy (1996);
- National Land Policy (1996);
- Policy for Jamaica's System of Protected Areas (1997);
- Watershed Policy (draft) (1999);
- Jamaica National Environmental Action Plan (first edition 1995); and
- National Environmental Education Action Plan for Sustainable Development (1998).

Two other initiatives with a bearing on Forestry Department activities are the National Biodiversity Strategy and Action Plan and the National Integrated Watershed Management Programme.

To update the 1996 policy statement, a **workshop** for Forestry Department staff was held in early February 2001 to prioritise policy issues and identify strategic policy tools.

Additional input was received during individual meetings with the NRCA/NEPA, Jamaica Bauxite Institute, Petroleum Corporation of Jamaica and the Environmental Foundation of Jamaica.

Updates relative to the 1996 policy statement reflect legislative, institutional and other developments that have occurred since 1996, and public input received during the development of the National Forest Management and Conservation Plan. (the Forest Plan, 2001)

Main constraints

Insufficient funding is the main constraint impeding implementation of the Forest Plan since its adoption in July 2001. The initial high cost of investing in forestry and the long-term commitment also discourages private investment, and budget allocations of public funds are inadequate to support forestry investment programmes.

Lack of information about the financial returns of growing trees further limits the participation of the private sector.

Other challenges and constraints in achieving the goals and objectives of Forest Plan include:

- Lack of trained and properly supported personnel;
- Weak understanding of forest management issues by local NGOs;

Future actions

- Between 2004 to 2005, the Government of Jamaica will begin the process to restructure the Forestry Department to an Executive Agency, This type of government structure confers greater autonomy and the potential to retain a portion of revenues generated from the forest resource managed by the agency.
- The Forestry Department is collaborating with the Ministry of Finance to access funds through a debt reduction agreement under the U.S. Tropical Forest Conservation Act to establish a Tropical Forest Fund.
- Cabinet, in January 2002, approved the establishment of a National Forest Management and Conservation Fund to assist in the implementation of the Forest Plan.
- The Forestry Department's Private Planting Programme will be expanded to promote the establishment of commercial-scale plantations and establishment of plantations for carbon sequestration
- A review of The Forest Plan 2001 will be undertaken 2006/2007.

Forest policy

The national forest policy and their main achievements are hereby pointed out, together with the draft or official policy statement, when available. Two specific sub-sections on forest tenure and financial issues provide a more complete vision on the socio-economic context influencing the forest policy.

Main achievements

The earliest statement on record that could be regarded as a national forest policy recommendation is contained in **Hooper's report (1886)** on the forests of Jamaica.

In **1935**, Wimbush also reported on the forestry problems of the country with emphasis on deforestation, the protection of existing forest lands, reforestation and shelterbelts.

Although there was a gap of almost 50 years between the two reports, their policy recommendations were essentially the same: " *to reserve, demarcate, survey, and protect against fire, theft, and trespass.*"

During this period, forest degradation escalated to the extent that the Jamaica Agricultural Society (JAS) passed a resolution expressing concern about what was described as frequent droughts and floods caused by deforestation.

The Swabey Policy Statement (1945)

This is considered to be Jamaica's first formal Forest Policy Statement. The document contains eight Basic Considerations, basically a list of guiding principles on which the Statement is based.

The section dealing with General Policy lists four recommendations listed below (followed by short comments on their implementation):

- **Establishment of adequate areas of forest reserves under public ownership** . The present publicly owned forest reserve system owes its existence to the wisdom and foresight of the early foresters who successfully implemented this policy objective.
- **Development of the use of native timbers and other forest products to provide the highest possible proportion of the island's requirements** . The achievement of this policy without adequate sustainable management plans can be measured by the extent to which the closed broadleaf forests have been cleared. The demand for immature smaller trees in the form of fuelwood, posts and yam sticks is now such that the natural recovery of the forest in many of the reserves can no longer be taken for granted.
- **Encouragement of sound forest management on private lands**. This was never achieved but in recognition of this need, the Forestry Department has, over the years, been providing advice and free seedlings to interested farmers.
- **Managing the reserves on the basis of conservation and development for multiple use**. Although the technical measures for managing forests on a sustainable basis are fairly well known, the forests of Jamaica are still not under sustainable management. This has been largely due to the fact that until recently, only very general estimates were available on the country's forest resource area, its location, species composition, volume, growth rates and site conditions as well as the lack of local management plans.

Although the record of the formal approval of this policy by Government was not found, there appears to be little doubt that successive governments and the forestry organisation accepted the above four recommendations as the national forest policy of Jamaica.

Development of Policy Statements (1980s-1990s)

In the 1980s, following a resurgence of interest in environmental protection and the need to revise the existing forest policy accordingly, two policy statements were prepared with assistance from the UNDP/FAO-funded JAM/82/006 project: one on **forestry** and the other one on **soil conservation**.

They represented broad long-term statements of Government environmental aims and were considered to be sufficiently wide to allow flexibility in coping with diversity and minor programme adjustments that might become necessary at a later date.

The need for two separate policy statements was due to the uncertainty of the survival of both subjects under the umbrella of a single agency, the Department of Forestry and Soil Conservation.

The policies were approved in **1984** at the level of a Forestry Development Committee under the chairmanship of the Director of Technical Services of the Ministry of Agriculture but **were never put into practice.**

During the planning process for the production of the **National Forestry Action Plan**(NFAP, 1990), Government's development policies relevant to the forestry sector were analysed to help identify development objectives for the sector.

Based on these objectives, it was expected that a revised policy statement complete with priorities and strategies would have been formulated. Except for some minor editing, however, the NFAP did not make any changes to the 1984 version.

Instead it addressed forest policy as it related to two of the NFAP focus areas, namely "Forestry in Land Use" and "Fuelwood and Energy", but the NFAP policy statements were not formally endorsed by Government.

However, in the report submitted to the United Nations Conference on Environment and Development (UNCED) held in Brazil in **1992**, the Government confirmed, on the international stage, its commitment to sustainable forestry development and summarised the economic and social benefits gained from the sector.

Forest Land Use Policy (1996)

In 1996, the Parliament gave assent to a document entitled "Forest Land Use Policy".

On Section 2, the forest policy statement indicates " *how the Government intends to implement the Forest Land Use Policy by defining the roles and responsibilities of each of the agencies involved in forest land use*".

Following a brief introduction, the statement presents a list of 33 goals under the following subject areas:

- Conservation and Protection of Forests
- Management of Forested Watersheds
- Management of Forest Lands
- Promotion and Regulation of Forest Industries
- Forest Research
- Public Awareness and Environmental Education
- Forest Education and Training

The national Forest Management and Conservation Plan (2001)

Jamaica's 5-year **National Forest Management and Conservation Plan** (the "Forest Plan") was prepared in accordance with provisions set out in the Forest Act of 1996.

A draft plan was completed in January 2000 and widely distributed and presented to the public in a series of well-attended meetings and workshops. The consultative process generated valuable contributions to the Forest Plan. It was approved by the Minister of Agriculture in March 2001 and was adopted by Cabinet in July 2001.

It defined a target of 4 800 ha to be reforested between 2001 and 2005, of which 3 860 ha are to be reforested on private land. In total approximately 70 000 ha of land are considered to have the potential to be reforested and 97% of this land is privately owned.

Forest Land Policy document (2001)

http://www.forestry.gov.jm/PDF_files/LandPolicy2001.pdf

During the development of the draft for the National Forest Management and Conservation Plan, it became increasingly clear that the existing 1996 Forest Land Use Policy needed to be updated in light of the values, goals and strategies outlined in the Forest Plan.

After a long and articulated consultative process, the 2001 Forest Land Policy updated the 1996 Policy. It sets out the guidelines for the management and conservation of the nation's forest and is organised into three sections:

- Section 1 states the priorities and goals of the forestry sector.
- Section 2 lists the strategies and tools to achieve priorities and goals.
- Section 3 lists the roles and responsibilities of each of the agencies involved in forest land use.

The Forest Policy states that forest lands must be conserved and managed so as to:

- minimise the effects of flooding;
- minimise soil erosion, siltation of rivers and sedimentation of near shore marine environments to protect coral reefs and sea grass beds;
- ensure an adequate supply and quality of water for domestic consumption and other purposes; and
- protect and enhance the native and endemic flora and fauna of the island.

In regards to the latter point, no harvesting (of timber) will be permitted in primary closed natural forest in forest reserves, national parks or protected areas.

Forest, trees and land tenure

Ownership of forested land in Jamaica is vested in the Crown (Government) and on private individuals.

A particular feature of the Jamaica forestry sector is that a large proportion of land classed as forest is **privately owned (over 60%)**. It is recognised the greatest potential for reforestation is on private land and therefore a crucial task of the Forestry Department is to engage the interest and support of landowners in forest conservation, development and management.

Table 4: Area of Forest Land by Land Class, Tenure and Protection Status
(National data from the Concept Note submitted to the nfp-facility)

STATUS						GRAND TOTAL
Lands Owned by Government					Private Lands*	
Forest Reserve	Forest Reserve within a declared National Park	Other Protected	Total Protected	Proposed Protected	Un-protected	
52,765	35,400	28,398	116,563	5,833	213,519	335,915

*Note: A small portion of the unprotected forest lands are owned by the Government however it is not possible at present to identify the extent of these lands with any precision.

On the other hand, one of the major problems facing Jamaica, and most developing countries, is the inaccessibility and unaffordability of land to a large portion of the population, particularly low-income households. The unavailability of legally accessible and affordable land has contributed to the chronic problems of squatting and other illegal development on both government and private lands, sometimes under severely precarious and environmentally unfriendly conditions. (daCosta, 2003)

Forest finance

- Insecure land tenure severely constraints private investment in the forestry sector, which requires long-term commitment and heavy investment. There is a need for new incentives to encourage private sector participation.
- Beneficiaries of forest conservation are not always identified and forest protection or production costs are typically not reflected in the pricing of services/products such as water, tourism or charcoal.

Institutions

This section presents an overview on the main forestry and forest-related public bodies operating at the national and local level. Details on the decentralization processes and structures are also provided, when available. A special sub-section on the major national and sub-national stakeholders outside the public sector completes the picture.

Decentralization

The Forest Act of 1996 (which replaced 1937 legislation) promulgates the appointment of "a forest management committee for the whole or any part of a forest reserve, forest management area or protected area".

Thus in 1999, the Forestry Department launched a pilot programme with the aim of organising local forest management committees (LFMCs) as instruments through which communities would become involved in the utilisation and management of nearby forest reserve lands.

To date, two LFMCs have been formed in the Buff Bay/Pencar Watershed Management Unit (WMU). The members of the LFMCs represent community groups such as citizens' and schools' associations and youth groups; NGOs; private sector entities including large agriculture land users; as well as relevant government agencies. The LFMCs' main input into forest management is through the Local Forest Management Plan (LFMP) for the Buff Bay/Pencar WMU. At the request of the committee members, an abbreviated version of the draft LFMP was presented to them in detail during a 1-day workshop in early 2003. Comments and suggestions were discussed and, where appropriate, incorporated into the plan.

At present the Forestry Department acts as the secretariat for the two LFMCs and provides the necessary technical advice and support to assist the committees in their functions. With the help of the Forestry Department one LFMC has secured a grant to start up a tree and coffee seedling nursery on (forest reserve) land leased to it by the Forestry Department. The second LFMC has put in a proposal to a local donor to start up an eco-tourism venture in the Lancaster Forest Reserve in the Buff Bay River sub-WMU.

In March 2004, the Forestry Department and the residents living in the vicinity of the Bull Head Forest Reserve in Clarendon parish agreed to establish a local forest management committee for the area.

Other stakeholders

Non-governmental Organisations

Several NGOs are actively involved in forest management, conservation and research projects in Jamaica. Their focus areas are forest reserves or protected Crown lands managed by the Forestry Department.

- **Environmental Foundation of Jamaica (EFJ).** The EFJ is funding a 230 hectare reforestation project in Bogue forest estate which is the catchment area for the Dunn's River Falls, a major tourism attraction in Jamaica. In addition, they have just prepared the Spinal Forest Project which has a budget of US\$1 million

over 5 years. Project activities will include forest management, reforestation, conservation, and development of recreational facilities on both public and private forest lands.

- **The Nature Conservancy (TNC).** The US based TNC has provided technical and financial assistance to various Jamaican entities, including the Forestry Department, for a number of forest-related activities and programmes.
- **Dolphin Head Trust.** The Trust was set up to promote the conservation of the Dolphin Head Mountains which is a gazetted forest reserve. The Forestry Department collaborated with the Trust in carrying out a biophysical inventory of the reserve and analysis of the collected data.
- **Jamaica Conservation Development Trust (JCDDT).** An agreement is in place between the Forestry Department, JCDDT and NEPA for the co-management of the Blue and John Crow Mountains National Park which is comprised of lands contained within the Blue Mountain Forest Reserve.
- **Windsor Research Centre.** This organisation is involved in research of the ecosystem of the Cockpit Country, an area of outstanding flora diversity. Except for areas around the fringes, the entire Cockpit Country is a gazetted forest reserve.
- **South Trelawny Environmental Agency (STEA).** In addition to its public education activities, the STEA offers eco-tourism tours to various sites in the Cockpit Country.
- **Caribbean Coastal Area Management Foundation (CCAM).** The CCAM was established to promote the effective management and sustainable use of the Portland Bight/Hellshire Hills area, a forest reserve managed by the Forestry Department. The Portland Bight/Hellshire Hills encompasses large areas of dry open forests and extensive areas of mangroves along the sea coast.
- **Caribbean Natural Resources Institute (CANARI).** CANARI has undertaken research on building capacity for participatory forest management in the Caribbean including a critical assessment of the Jamaica Forestry Department's experience with local forest management committees. CANARI is presently implementing a project in insular Caribbean aimed at increasing in-country capacity to assess the potential of market-based instruments to enhance watershed protection services and improve livelihoods.

Private Sector

The Forestry Department has formal arrangements with private sector firms who are providing funds to support forest related activities.

- **Carreras Group Ltd.** During its first year of collaboration with the Forestry Department (2001/2002), the Cigarette Company of Jamaica has provided J\$1.25 million for a reforestation project at the Wallenford forest estate in the western Blue Mountains.
- **Alcoa Minerals of Jamaica LLC (JAMALCO).** The Forestry Department and JAMALCO have signed a memorandum of understanding. The partnership will undertake reforestation of mined out bauxite lands with Forestry Department providing technical and supervisory assistance and JAMALCO funding the production of seedlings and planting operations. Under the partnership, the Forestry Department also works with JAMALCO to deliver forest environment education programmes in schools located in districts where JAMALCO operates.

Legislation

The main forestry laws and regulations, either enacted or under development, are listed and shortly presented. Details are given on other significant legal instruments pertaining to sectors having a bearing on forestry, such as agriculture and environment. A complete list of legal papers from the joint ECOLEX database is provided.

Forestry legislation

The two main pieces of legislation supporting sustainable forest management in Jamaica are:

The Forest Act 1996

This repealed the Forest Act of 1937. The new Act provides the legal basis for the organization and functions of the Forestry Department.

The Forest Regulations 2001

These Forest Regulations originated from a review of the 1954 Forest Rules which took place after the entry into force of the 1996 Forest Act. They provide the mechanism by which the provisions of the Forest Act can be implemented.

http://www.forestry.gov.jm/PDF_files/Forest_Regulations.pdf

Other relevant legislation

Environment	
<p><u>Air Quality Regulations (2002)</u></p> <p>Defines licence requirements for air pollutants discharge, as well as emissions' standards, guidelines, testing and monitoring procedures.</p> <p><u>Endangered Species Act (2000)</u></p> <p>Provides for the protection, conservation and management of endangered species of wild fauna and flora, for the regulation of trade in such species and for connected matters.</p> <p><u>Wildlife Protection Act (1998)</u></p> <p>Defines game sanctuaries and game reserves for animals and birds, regulates hunting of protected and unprotected animals and birds in- and outside the protected areas, as well as fishing activities.</p> <p><u>Natural Resources Conservation Authority Act (1991)</u></p> <p>Establishes the Natural Resources Conservation Authority, its functions, staff, financial provisions etc...</p>	
Land Use	
<p><u>Land Development and Utilization Act (1966)</u></p> <p>Defines the criteria to be used on the designation of agricultural land, as well as the responsibilities of the occupier and the rules for dispossession. Establishes the Land Development and Utilization Commission and defines its duties and powers.</p> <p>During the broad-based participatory and consultative preparation process, consideration was given to both the terrestrial areas and territorial waters approximately 25 times the size of Jamaica, as well as the atmospheric and sub surface areas.</p>	
Water	
<p><u>Water Resources Act (1995)</u></p> <p>Defines the criteria to be used on the designation of agricultural land, as well as the responsibilities of the occupier and the rules for dispossession. Establishes the Land Development and Utilization Commission and defines its duties and powers.</p>	

Other legislation having a bearing on forest conservation and management include the Town and Country Act (1948), the Country Fires Act (1942, fines revised in 1988) and the Mining Act of 1947 (amended in 1988).

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