

PROTECTED AREAS AND CONSERVATION CONCERNS IN Uganda: REVIEW,
STAKEHOLDERS' PERSPECTIVES AND RECOMMENDATIONS FOR POLICIES
AND PRACTICE

UGANDA WILDLIFE SOCIETY POLICY BRIEF No. 1, 2013



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TABLE OF CONTENTS

CONTENT	Page
COVER PAGE	1
CONTRIBUTING AUTHORS.....	2
TABLE OF CONTENTS.....	4
INTRODUCTION	5
Definition	5
UGANDA’S PROTECTED AREAS CONSERVATION ISSUES AND RECOMMENDATIONS	6
FORESTS	7
Definition	7
Coverage	7
Governance	7
Management.....	8
Uganda Wildlife Society findings on Forests	9
WETLANDS.....	11
Definition	11
Coverage	11
Governance	12
Management.....	12
UWS findings on Wetlands	13
Conclusion and Recommendations.....	14
WILDLIFE AREAS.....	15
Definition	15
Coverage	15
Governance	15
Management.....	16
Uganda Wildlife Society findings on Wildlife	17
Conclusion and Recommendations.....	18
REFERENCES	19

INTRODUCTION

Definition

Protected Areas (PAs) are locations which receive protection because of their recognized natural, ecological and/or cultural values (WMD/IUCN/UWS/NU, 2012). They are areas set aside to maintain functioning natural ecosystems, to act as refuges for species and to maintain ecological processes that cannot survive in most intensely managed landscapes and seascapes.

Uganda has its own PAs categories defined later in this policy brief but internationally, the world union for the conservation of nature - International Union for Conservation of Nature (IUCN) recognizes the following six protected area categories:

- Category Ia- Strict Nature Reserves: Areas protected from all but light human use in order to preserve the geological, geomorphic and biodiversity features of the region.
- Category Ib- Wilderness Area: Areas generally larger and protected in a slightly less stringent manner than the strict nature reserves.
- Category II- National Parks: wilderness areas managed in a way to contribute to local economies through educational and recreational tourism on a scale that does not reduce effectiveness of conservation efforts.
- Category III- Natural Monument: Smaller areas specifically allocated to protect a natural monument and its surrounding habitats. It could be natural or include elements that have been influenced or introduced by humans.
- Category IV- Habitat/Species Management Area: Specific areas designated and protected for conservation of specific species and/or habitats that requires continuous protection.
- Category V- Protected Landscape/Seascape: An area covering entire bodies of land or ocean with a more explicit management plan in the interest of nature conservation but is more likely to include a range of for-profit activities.
- Category VI- Protected Area with sustainable use of natural resources: An area protected for its mutual beneficial correlation between natural conservation and sustainable management of natural resources in correspondence with the livelihoods of those who are dependent on both.

UGANDA’S PROTECTED AREAS: DEFINITION AND CATEGORIES

Uganda’s protected areas (PA) cover approximately 16.3% of the total land area (NEMA, 2009) and are largely divided into three major categories that include: National Parks, Wildlife Reserves and Community Wildlife Sanctuaries: Areas established for the purposes of wildlife conservation and managed respectively by Uganda Wildlife Authority (UWA) and Local Governments (LGs). Permanent Forest Estate (Forest Reserves): Areas designated and protected for forestry resources, currently managed by the National Forestry Authority (NFA). Ramsar sites: Protected areas designated and managed under international law of Conventions.

UGANDA’S PROTECTED AREAS: UWS CONSERVATION ISSUES ANALYSIS AND RECOMMENDATIONS FOR POLICY AND PRACTICE

The government has over the years taken concrete steps to ensure that conservation and sustainable management of biological resources are promoted. These steps include the adoption of the National Environment Management Policy 1994, the dissemination of the 1995 Constitution with provisions on environment and natural resources, the enactment of the National Environment Act 2005, the Wildlife Act 2000, the National Forestry and Tree Planting Act 2003, the development of several sectoral policies such as Wetlands Policy 1994, Wildlife Policy 1996, Fisheries Policy 2000, Forest Policy 2001 and National Energy Policy 2000. Despite the existence of these domestic policies, laws, action plans and frameworks as well as the international agreements, unsustainable human activities still pose a big challenge to the continued survival of Uganda’s rich biodiversity. In this policy brief, Uganda Wildlife Society documents stakeholders’ perspectives and presents recommendations for policies and practice for three of these protected areas namely Forests, Wetlands and Wildlife areas. The information presented in this brief was reviewed, generated and synthesized from:

- i. Uganda National policies and literature.
- ii. Eight policy dialogues that UWS convened in 2013 bringing together about 1200 individuals from government, academia, private sector, conservation agencies, local communities and the general public.
- iii. Experiences, lessons and knowledge generated from the society’s conservation initiatives and research in the different operational areas.

FORESTS

Definition

A forest is land spanning more than 0.5 hectares with trees taller than 5 metres and canopy cover of more than 10%, or the trees are able to reach these thresholds in-situ (FAO, 2010). Forest governance is a technique by which officials and institutions acquire and exercise authority in management of forest resources (Bodegon *et al.*, 2008). It includes government regulation and law enforcement for sustainable management and, the political, organizational and cultural frameworks through which diverse interests in the resources are coordinated and controlled.

Coverage

Forests cover 17% of Uganda's total land area, down from over 24 % early in the 19th Century. Over 60% of Uganda's forest lands are privately owned, 30% are managed by District Forest Service (DFS) and only 10% are Central Forest Reserves managed by National Forestry Authority (NFA).

Uganda lost 27% (1,329,570 hectares in total or 88,638 hectares per year) of its original forest cover between 1990 and 2005. At that time this rate indicated forest resources would be exhausted by 2050 (NFA, 2009). Forest resources are declining due to poor governance, characterized by non functional systems and practices: weak implementation and enforcement of underpinning policies and laws, inadequate funding to institutions mandated to manage forests and low prioritization of the forest sector in government development plans and budgets.

Governance

In 1967, Uganda's forest governance was centralized and subsequently communities' participation in decision making, monitoring and enforcement was weakened which resulted in deforestation and forest resources decline. To address the problem, in 1999 forest governance was restructured, roles and responsibilities of the different sectors streamlined, leading to adoption of the first ever Strategic Plan (National Forestry Plan, 2002) , new Forestry Policy in 2001 and enactment of the National Forestry and Tree Planting Act, 2003, to guide forest sector development in the country (Banana *et al.*, 2004).

The National Forestry and Tree Planting Act (2003) provided for the establishment of the National Forestry Authority (Section 52) and the District Forestry Services (Section 48) to manage Central Forest Reserves (CFR) and Local Forest Reserves (LFR) respectively. These bodies have discretion under Section 15 of the National Forestry and Tree Planting Act (2003) to enter or not enter into Collaborative Forest Management (CFM) arrangements between themselves and any forest user group(s). The same Act mandates Forest Inspection Division under the MWE to supervise activities of NFA and DFS. Section 28 of the National Forestry and Tree Planting Act (2003) commits the two bodies to prepare management plans for all forest reserves and further guides that this “*shall be in consultation with the local community*”.

The 2001 National Forestry Policy emphasizes government commitment to “promote innovative approaches to community participation in forest management on both government and private forest land”. The Policy puts a strong emphasis on public involvement especially, forest adjacent communities, and benefit sharing from sustainable forest management, including the application of CFM. The Local Government Act (1997) assigns management of forest resources to local government and sub-county councils (Local Governments Act Part IV). The National Forestry and Tree Planting Act 2003 (Section 48) further obliges the District Local Government to establish a forestry office that is responsible for management of forest resources in the district.

Management

The Forest Sector Support Division (FSSD) is mandated to handle legal, policy and sector strategic dimensions and planning but little has been done to guide the operations of DFS and NFA because it is not adequately resourced. National Forestry Authority (NFA) receives limited funding from central government mostly to meet the wage bill, with limited funds to invest in the management of CFRs. Local governments (LG) are supposed to recruit staff for the DFS to manage local forest reserves and forests on private land but most of them have not done the staff recruitment. The enabling ministries mentioned in National Forest Plan are failing to effectively monitor the delivery institutions (NFA, FSSD, DFS & UWA) due to limited budget.

Political interference in forest management has hindered NFA to meet its mandate of managing CFRs. For example, political leaders and the judicial system interfere with eviction of encroachers from the CFRs. This has resulted in reduction of the Permanent Forest Estates

through illegal settlements, acquisition of illegal land titles and pressure applied on government to degazete urban CFRs. The NFA was designed to be self sustaining but it has become impossible. Most of the timber stocks in plantation forests are exhausted resulting in reduced revenue for NFA.

Poor forest governance in Uganda is evident in the low levels of transparency, accountability, public participation in decision making, enforcement of policies/laws, funding, benefit sharing and exclusion of community participation from forest management despite the existing policy and legal provisions aimed at good governance of Uganda's forests (Nyadoi *et al.*, 2013). In view of the above UWS undertook research and held public policy dialogues to generate information that would guide evidence based advocacy for good forest governance in Uganda.

Uganda Wildlife Society findings on Forests

Forests contribute significantly to local communities' livelihoods, economy and environment through direct products (timber, medicines, firewood, food) and ecological services like biological conservation. In spite of these, forests are being destroyed due to poor governance and no systematic study had been conducted to generate knowledge on forest governance from stakeholders-especially local communities' perspective. Uganda Wildlife Society undertook a case study of the status of forests and forest governance in Buliisa district in western Uganda aimed at determining from local communities and institutions' perspective, the status of forests and forest governance, so as to develop strategies to address them.

The Research Findings

1. Most communities in Buliisa district access and use resources from the forests. However, access to the resources is influenced by education level, with the educated people accessing more than those who are not or are semi educated.
2. Access to resources from the forest is constrained by government restrictions, resource decline and location of the forests. However it is largely due to limited awareness and use of the existing fora, guidelines, policy and legal framework/provisions for access to, benefit from and participation in forest resource management that is limiting community realization of their interests in the resource.

3. Buliisa district communities feel that forests are not managed well since benefits to them are limited, illegal activities, corruption are prevalent and the resources are declining.

Policy Dialogues Findings

1. Policy makers and practitioners at the Ministry of Water and Environment acknowledge that communities are largely not aware of the guidelines, policy and legal frameworks. Also they are not aware of the fora/avenues through which they can access and benefit from forest resources. Community sensitization programmes have not been implemented due to budgetary constraints.
2. The guidelines, policy and legal frameworks have also not been translated into local languages of the people for dissemination through radios, television and newspapers. Remote communities that do not access these media would be disadvantaged.
3. Lack of coordination between institutions mandated to manage Uganda's forests (FSSD, UWA, NFA and DFS).
4. National Forestry Authority (NFA) receives limited funding from Central government mostly to meet the wage bill, with limited funds to invest in the management of CFRs.
5. The FSSD mandate was to handle legal, policy and sector strategic dimensions and planning but little has been done to guide the operations of DFS and NFA.
6. Political interference in forest management has hindered NFA from meeting its mandate of managing CFR e.g. political leaders and judiciary interfere with encroachers' eviction from CFRs.



Dr. John Bosco Okullo, Makerere University submitting his view during Uganda Wildlife Society Public Policy Dialogue held on the 13th of December 2013 at Makerere University School of Forestry. The theme of the dialogue was *Status of Forests and Forest Governance in Uganda*.

Conclusion and Recommendations

To address forest governance issues in Uganda, there is a need for community participation in resource use and management. Public interest in conservation should be revitalized through existing fora for information sharing and debates on conservation issues in the country. Community sensitization programmes should be implemented.

The fora, guidelines, laws and policies that enable local communities to access, share benefits and participate in forest management should be utilized. This should be designed to meet capacity building needs for the educated and none educated. Empowered with the necessary information about their rights and entitlements, local communities will be meaningfully engaged in forest governance. This will bring about more transparency, equity and accountability in the sector and consequently the sustainable use and management of forests.

WETLANDS

Definition

A wetland is an area where plants and animals have become adapted to temporary or permanent flooding by saline, brackish or fresh water (Uganda National Wetlands Policy, 1995). These include areas of open water, such as lakes and rivers; land that is permanently flooded, such as swamps; saturated land such as bogs; or seasonally flooded land as is the case with floodplains.

Coverage

The total area of Uganda's wetlands is 26,307.7 km²; about 11.9% of the country's total area (WMD, 2009). Wetlands across the world are of huge importance to the functioning of natural systems and supporting the livelihoods, basic needs and well being of people. However, wetlands are under threat from habitat degradation and over utilization of the constituent resources and conversion for agriculture, industrialization and human settlement. As a result, about 11,268 km² of the wetlands were lost between 1994 and 2008 (WMD, 2009) representing 4.7% loss in 14 years. The consequences have been reduced water quantity, deteriorating water quality, impact on fisheries and flooding among others.

Governance

Although wetlands are important for local livelihoods and national economic prosperity, they have for a long time been considered wastelands, harbouring disease, taking up valuable agricultural land. Many people still perceive wetlands in this way, in the densely populated areas there has been widespread filling of wetlands especially in urban areas for development of industrial and residential estates. It was only when serious flooding, micro climatic change and rural water shortages were experienced and linkage made to wetland degradation that a conducive policy environment for sustainable wetland management started to emerge and subsequently taken up in 1989 beginning with a ban on wetland drainage (WMD, 2005).

The Environment Management Act 1995 Section 37 states that it is illegal to reclaim or drain any wetland. The Uganda National Wetlands Policy, 1995 provides for environmentally sound management of wetlands. It states in part *“there will be no drainage of wetlands unless more important environmental management requirements supersede and only those uses that have been proved to be non-destructive to wetlands and their surroundings will be allowed and/or encouraged.”* The Uganda National Wetlands Policy, 1995 also provides for the tenure and use of wetlands. It states in part *“all wetlands are a public resource to be controlled by the Government on behalf of the public and there shall be no leasing of any wetland to any person or organization in Uganda at any given moment and for whatever reason.”* It also provides for Environmental Impact Assessment (EIA) and Monitoring as a requirement for all proposed modifications and restoration of a wetland. The Uganda National Wetlands Policy, 1995 also provides for public awareness and control of activities in wetlands.

Management

The implementation of policies and enforcement of laws have generally been weak. This has been due to political interference, inadequate regulations and guidelines, and weak inter-sectoral linkages. The Uganda National Wetlands Policy, 1995 empowers the respective district authorities to control all activities in wetlands by regulating brick-making, requiring that the brick-makers form a voluntary society and be licensed in accordance with the National Policy on the Management of Wetland Resources. However, this has not been operationalized.

Illegal dumping of solid wastes is rampant in wetlands all over Uganda mainly generated from municipalities, industries, medical facilities and construction sites. The waste pollutes the wetlands in addition to providing nutrient enrichment, thereby causing eutrophication. The proliferation of illegal dumping of waste is attributed to inadequate waste dumping sites. The mechanisms for monitoring, inspection and law enforcement regarding waste disposal are also inefficient.

Government has not paid much attention to the importance of wetlands at the cost of earning extra revenue. This has already or is in the process of creating severe changes in climatic conditions now and in the near future. Guidelines for Environmental Impact Assessment (EIA) and Monitoring as a requirement for all proposed modifications and restoration of a wetland are in place. However, these have been manipulated to fit the government's development goals.

The institutional arrangement for wetlands management in Uganda is adequate; there is a need to strengthen collaboration between the national institutions and local ones. The District Environment Committees and Local Environment Committees need to build their capacity and become more efficient and effective. The provisions in the available policies, laws, regulations and guidelines are not well known by stakeholders in Uganda. There is a need to scale up ongoing awareness by creating more effective compliance and public education programmes.

UWS findings on Wetlands

Despite the existing guiding policy/legal framework, the challenge still remains for duty bearers to inculcate positive attitudes among stakeholders on the need for wetland conservation and wise use. In that regard, UWS convened a debate to identify gaps in the conservation of wetlands. The key stakeholders' findings/recommendations for policy and practice were as follows:

1. Increased education on the importance of wetlands to all stakeholders as provided for by the Uganda National Wetlands Policy, 1995. School clubs such as the Wildlife club of Uganda provides good avenue for sensitizing youth in schools.
2. Provision of alternative sources of livelihood instead of relying on wetlands alone, for example ecotourism. Swamps must be allowed to re-grow naturally.

3. The government should strengthen the legislation against swamps and wetland reclamation. There should be detailed Environmental Impact Assessments (EIAs) which should be subjected to a public hearing and monitoring for all proposed modifications and restorations of wetlands.
4. Encouragement of vertical rather than horizontal expansion by urban authorities.
5. There is need to increase local and central government political support and funding to the wetlands sector. Wetlands Management Department requires increased support to improve and increase the human and logistical resources for monitoring purposes.



Mr. Isaac Nsibambi, Board member, Uganda Wildlife Society at the Uganda Wildlife Society Debate held on the 2nd of November 2013 at St. Lawrence Crown city campus. The theme of the debate was *Human activities in wetlands are possible without degradation*.

Conclusion and Recommendations

Conservation and sustainable utilization of wetlands in Uganda is constrained by inappropriate land tenure systems, unregulated and unplanned developments, sectoral policies that encourage drainage and conversion to unsustainable uses. The Government has conflicting ideologies over environmental protection vis-à-vis economic growth and, authorities in charge of wetland conservation are not effectively supervised. The situation is exacerbated by scanty and inadequate data, there is need for assessments on wetlands to guide evidence based advocacy for conservation.

WILDLIFE AREAS

Definition

According to IUCN, Protected Wildlife areas are areas managed in a way that may contribute to local economies through promotion of educational and recreational tourism on a scale that will not reduce the effectiveness of conservation efforts. Protected wildlife areas consist of National Parks, Wildlife Reserves, Community Wildlife Areas and Wildlife Sanctuaries. The 600 forest reserves of Uganda also contain some species that do not occur in other PAs.

Coverage

Wildlife Protected Areas (PAs) cover 11% of Uganda's total area, the estates managed by UWA hold about 50% of the country's wildlife and these include 10 National Parks and 12 Wildlife Reserves and (of international importance) 4 Ramsar sites, 3 Man and Biosphere (MAB) reserves and 1 site on the provisional world heritage list. Uganda is a convergence zone for 5 of Africa's important Ecological Zones and home to 53% of the World's Mountain Gorillas.

Governance

Uganda's legislation on wildlife conservation started in the 1920s with the establishment of the Game Department in 1926, followed by gazetting of National Parks in 1952. Uganda Wildlife Authority (UWA) was established in 1996 following the merger between Game Department and Uganda National Parks (UNP). Some of the existing policy and legal framework on wildlife conservation include the Uganda Wildlife Policy, 1999; Uganda Tourism Policy, 2003; Uganda Wildlife Act, Cap 200 and the Community Conservation Policy, 2004.

The Uganda Wildlife Act, Cap 200 of 2000, provides for revenue sharing where 20% of the park entry fees collected from a Protected Area (PA) is given to the local government(s) of the areas surrounding such PAs. Guidelines for the implementation of this scheme are in place. The same Act also provides for regulated access and use of resources in wildlife protected areas. It states in part "*where it is intended to harvest a resource within a wildlife protected area, the executive director may, subject to this Act, issue a permit to any person, in the prescribed form, absolving him or her from compliance with section 22(1) to the extent specified in the permit*". The Uganda

Wildlife Act, 2000 vests ownership of wildlife in the State but provides for any person to own wildlife that is lawfully taken. This involves implementation of Wildlife User Rights (WUR) with the private sector, land owners and local governments especially for management of wildlife outside protected areas on communal and private land.

The Uganda Wildlife Policy (1999) recognizes the wildlife estate as an important resource for environmental education for people of all ages. The ultimate goal of conservation education and communication is *“to promote positive attitudes, knowledge and change of behavior of the neighboring communities and the general public towards wildlife conservation in general”*. The goal of the Community Conservation Policy, 2004 is *to strengthen conservation of wildlife resources through sustainable and equitable distribution of conservation benefits and/or costs among all stakeholders*. The Community Conservation Policy, 2004 provides for collaborative management arrangements and partnerships (Section 4.3.3), benefit sharing (Section 4.3.4) and community-based tourism management (Section 4.3.6) with local communities, local governments, private sector and others for wildlife resource sustainable management.

Management

Uganda Wildlife Authority (UWA) is a statutory body established by the Uganda Wildlife Act 2000 mandated with (1) management and conservation of wildlife in Uganda, both in and outside the wildlife protected areas (PAs) i.e. National Parks, Wildlife Reserves and Wildlife Sanctuaries (2) promoting public participation in wildlife management using mechanism such as wildlife use rights, as a means of eradicating poverty, through community conservation programs, and promoting wildlife as a form of land use (3) ensuring the protection of rare, endangered and endemic species of wild plants and animals, through provision of appropriate wildlife policies, management plans and promotion of wildlife management best practices (4) ensuring timely and appropriate response to reported problem animals, in collaboration with the concerned communities and respective local authorities (5) enhancing economic benefits from wildlife management through promotion of tourism and (6) implementation of relevant international treaties, conventions, agreements or other arrangements to which Uganda is a party.

However, UWA has not implemented some programmes to sensitize and motivate local communities and the private sector to sustainably manage wildlife on communal and private land

due to lack of awareness on the part of the local communities to claim for their rights and entitlements. For example, over 50% of the communities adjacent to PAs in Buliisa district do not perceive any economic benefits obtained from the tourists that visit the protected areas (Nyadoi *et al.*, 2013). This is mainly because community-based tourism enterprises do not exist.

Uganda Wildlife Society findings on Wildlife

The major challenges facing wildlife conservation remain human-wildlife conflicts, poaching, insecurity and poor infrastructure. Most the challenges stem from policy loopholes that this policy brief recommends to the policy makers. The following are some of the key stakeholders' findings and/ or recommendations for policy and practice:

1. Uganda Wildlife Authority should share with communities 20% of the total revenue collected and not gate collections only as an incentive to promote wildlife conservation.
2. Alternative income sources for generating revenue to support conservation instead of relying on tourism alone should be developed.
3. The Government should consider funding Wildlife Clubs of Uganda to inculcate conservation values and appreciation among the youth and the elites.
4. Uganda Wildlife Authority and Uganda Government should develop compensation strategy for human life lost due to wildlife attack.



Dr. John Makombo, Director of Conservation, UWA, giving his presentation at the Uganda Wildlife Society Public Policy Dialogue held on the 22nd of February 2013 at Hotel Africana. The theme of the dialogue was *How Best Can Uganda's Wildlife and, Communities Adjacent to Protected Areas Co-Exist in Harmony?*

Conclusion and Recommendations

Uganda's wildlife occurs in and outside PAs. However, present policies and legislation for the management of terrestrial biodiversity focuses on PAs moreover, existing land tenure systems (Communal, Mailo, Lease and Customary tenure) offer little incentive for protection and management of biodiversity in these. Maintenance of habitats and species outside of the PAs on the other hand remain at the mercy of individual land owners.

Largely, the status of biodiversity outside the PAs is not known for most species, the aquatic biodiversity is to a large extent outside the PAs and constantly suffer negative impacts as communities exploit them for livelihoods. The policy and legal mechanisms for wildlife conservation outside the PAs remain weak and there is a need for these to be strengthened.

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