

A LEGAL ANALYSIS OF SUSTAINABLE FOREST MANAGEMENT IN UGANDA

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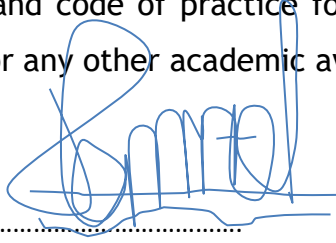


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DECLARATION

I **NAKIGUDDE CAROLYNE**, do hereby declare that this dissertation has been carried out in accordance with the requirements of the Uganda Christian University's regulations and code of practice for research degree programs and that it has been submitted for any other academic award.

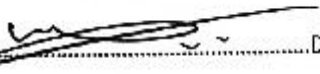
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APPROVAL

This dissertation has been submitted for examination with my approval as University Supervisor

Dr. Peter Davis Mutesasira

Sign  Date 22 May 2026

DEDICATION

This dissertation is dedicated to my family especially my mother Miss Ntangadde Deborah, my two brothers Kafeero Morris Kenneth and Ssewanonda Geoffrey Praise for their unwavering support, prayers, love, constant encouragement, and sacrifices which have been my source of strength throughout my academic journey I am especially grateful for their patience and belief in me which inspired me to persevere through the challenges of this study. Secondly, I dedicate this work to the people of Nakasongola district especially the district headquarters which has sustained forests by emphasizing people to plant more trees through giving them free trees for planting in their local areas.

Finally, I'm thankful to God for the mercy and blessings throughout the four years of my law school in Uganda Christian University.

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Finally, I thank all authors, institutions, and researchers whose works were consulted and cited in this dissertation. Any omissions or errors remain solely my responsibility.

LIST OF ABBREVIATIONS

SFM: Sustainable Forest Management
UNFF: United Nations forum on forests
NCCP: National Climate Change Policy
NFA: National Forestry Authority
UWA: Uganda Wildlife Authority
MWE: Ministry of Water and Environment
FSSD: Forest Sector Support Development
NEMA: National Environmental Management Authority
FSC: Forest stewardship council
PEFC: Programmed for the Endorsement of forest certification
MWE: Ministry of Water and Environment
EIA: Environment Impact Assessment
UNFF: United Nations Forum of Forest
UNFCCC: United Nations Framework Convention on Climate Change
CBD: Convention on Biological Diversity
UNCCD: United Nations Convention to Combat Desertification
ITTO: International Tropical Timber Organization
CLA: Communal Land Associations
DFS: District Forestry Services
UNCED: UN Conference on Environmental and Development
UNCHE: The United Nations Conference on the Human Environment
FRA: Forest Resources Assessment
FAO: Food and Agriculture Organization
UNFCC: United Nations Framework Convention on Climate Change
UNCCD: United Nations Convention to Combat Desertification
ITTA: International Tropical Timber Agreement
CBD: Convention on Biological Diversity
UNFCCC: United Nations Framework Convention on Climate Change
UNCCD: United Nations Convention to Combat Desertification
ITTA: International Tropical Timber Agreement
FRA: Forest Resources Assessment

ITTA: International Tropical Timber Agreement
NFTP: National Forestry and Tree Planting Act
NFA: National Environment Act
FAO: Food and Agriculture Organization
CBD: Convention on Biological Diversity
SDG: Sustainable Development Goals

ABSTRACT

This dissertation examines the legal, institutional, and policy framework governing Sustainable Forest Management (SFM) in Uganda. Despite the existence of comprehensive forestry and environmental laws, Uganda continued to experience significant deforestation and forest degradation. The study adopts a doctrinal and qualitative research methodology, relying on statutes, case law, policy documents, international instruments, and scholarly literature.

The research finds that Uganda has a strong constitutional and statutory framework that recognizes environmental protection, sustainable development, and community participation. However weak enforcement, institutional inefficiencies, and limited community involvement continue to undermine sustainable forest management. Judicial decisions such as *Greenwatch v Attorney General* and *ACODE v attorney General* demonstrates the courts' supportive role in environmental protection, through practical challenges persists.

The study concludes that effective sustainable forest management in Uganda requires strengthened institutional capacity, meaningful community participation, and effective domestication of international environmental obligations. Finally, the key findings of the study, conclusions and recommendations were added to the last chapter.

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CHAPTER ONE:

INTRODUCTION TO THE STUDY

1.1 Introduction

Forests are vital ecosystems for the planet as they produce oxygen that supports biodiversity, regulate climate, play a key role in the water cycle, and provide livelihoods for millions of people. A forest can be defined as a large area dominated by trees, forming a complex and interconnected ecosystem that supports a vast range of plants, animals, and microbial life.

The importance of forests is reflected in religious and historical perspectives. The Good News Bible in the book of Genesis 1:1-2 describes the beginning of creation when the earth was formless and desolate. In Genesis 1:11-12, God commands the earth to produce all kinds of plants, and the earth produces them accordingly. In Genesis 2:8-9, God plants a garden filled with beautiful trees and instructs man to care for nature, emphasizing environmental stewardship.

Globally, the World Charter for Nature adopted by the United Nations General

Assembly on 28 October 1982 is a non-binding declaration outlining principles for conservation of nature. It emphasizes respect for nature, maintenance of ecological processes, and safeguarding of genetic diversity and habitats. It states that nature should be respected and its essential processes should not be impaired.

The Constitution of the Republic of Uganda (1995) provides for environmental protection and sustainable use of natural resources. It obliges the state to promote the sustainable use of natural resources so as to safeguard and protect biodiversity in Uganda.

The United Nations also established the International Day of Forests, observed every 21st of March annually, to recognize the importance of forests and encourage global action towards their protection.

According to the Food and Agriculture Organization (FAO, 2022), forests cover approximately 31% of the world's land area; however, over 10 million hectares are lost annually due to deforestation and land-use change. Forests play a critical role in maintaining ecological balance and supporting global economic and social development. They provide essential goods and services such as timber, non-timber forest products, carbon sequestration, water purification, and biodiversity conservation.

However, unsustainable exploitation and climate change have led to increasing forest degradation. In response, the concept of sustainable forest management emerged in the 1990s as a framework to balance ecological integrity with socio-economic development. It promotes the conservation and sustainable use of forests in a way that maintains biodiversity, productivity, and regeneration capacity, ensuring that current needs are met without compromising the ability of future generations to benefit from forest resources.

A Ugandan case in *Greenwatch v Attorney General and Others (Misc. Cause No. 140 of 2002)* highlighted the environmental impacts of pollution and the need for stronger environmental protection measures, including sustainable resource management.

Despite the existence of global and national frameworks such as the United Nations Forest Instrument (2007), the Convention on Biological Diversity (1992), and the Paris Agreement (2015), the implementation of sustainable forest management remains

inconsistent. This is due to weak governance, inadequate financing, corruption, lack of community involvement, and conflicting economic and conservation interests.

This study therefore seeks to investigate and analyze the economic benefits of sustainable forest management, identify key challenges hindering its implementation, and propose practical and policy recommendations using selected case studies and forest-related laws.

1.2 Statement of the problem

While global and national laws advocate for sustainable forest management, deforestation and forest degradation continue due to weak implementation and limited economic incentives. Many forest-dependent countries prioritize immediate economic returns from timber extraction and agricultural expansion rather than long-term sustainability.

Forests are often undervalued economically, leading to overexploitation and environmental degradation. As a result, the economic potential of sustainable forest management—such as sustainable timber production, carbon credit trading, ecotourism, and ecosystem services—remains underutilized.

Despite growing awareness of environmental degradation, unsustainable forest use continues due to economic pressures, weak enforcement, and market demand. Consequently, sustainable forest management remains poorly implemented in many regions.

This research therefore seeks to explore how sustainable forest management can balance environmental protection and economic gain within existing legal and institutional frameworks, and how case studies can inform better policy and practice.

1.3 Objectives of the study

1.3.1 General Objective

The general objective of the study is to analyze the economic benefits, challenges, and legal frameworks supporting sustainable forest management and to propose solutions for effective implementation within specific national or regional contexts.

1.3.2 Specific Objectives

- a) To analyze the economic benefits derived from sustainable forest management
- b) To identify key challenges hindering effective implementation of sustainable forest management
- c) To propose legal and practical solutions to enhance the adoption and success of sustainable forest management
- d) To evaluate policy and institutional frameworks that support or limit sustainable forest management
- e) To assess case studies of countries implementing sustainable forest management policies

1.4 Research Questions

- a) What are the direct and indirect economic and social benefits of sustainable forest management?
- b) What international and national legal instruments support sustainable forest management?
- c) What challenges affect the implementation of sustainable forest management in different countries?
- d) What lessons can be learned from existing case studies and laws?

- e) How can legal and economic reforms strengthen sustainable forest management practices?
- f) What obstacles limit the widespread adoption of sustainable forest management?
- g) What policy and management strategies can enhance its effectiveness?

1.5 Significance of the Study

This study is significant because it bridges the gap between environmental conservation and economic development. It provides empirical and theoretical insights into how forest resources can be managed sustainably without compromising economic growth.

The findings will inform policymakers, environmental agencies, and development organizations on practical measures to promote sustainable forest management as a driver of green economic growth and rural development. The study also contributes to strengthening the relationship between environmental protection and economic development by providing practical recommendations for policymakers, forestry institutions, and communities.

1.6 Justification of the study

The study is justified by the urgent need to balance economic growth with environmental sustainability through effective sustainable forest management practices. It is relevant to policymakers, academics, researchers, and environmental institutions.

Environmentally, sustainable forest management supports climate change mitigation and biodiversity conservation in line with international commitments such as the Sustainable Development Goals (SDGs) and the Paris Agreement (2015).

Socially, it promotes community participation, reduces poverty among forest-dependent populations, and ensures equitable benefit sharing.

Economically, it provides long-term benefits through sustainable timber production, carbon credit trading, and ecotourism while preventing losses associated with land degradation and deforestation.

1.7 Scope of the study

1.7.1 Content scope

The study focuses on sustainable forest management, with emphasis on economic valuation of ecosystem services, policy frameworks, and stakeholder participation and governance in forest management.

1.7.2 Geographical scope

The study focuses on global perspectives with selected case studies from Africa and other regions to compare different approaches to sustainable forest management under varying legal and institutional frameworks.

1.7.3 Time scope

The study considers both historical and contemporary developments in sustainable forest management, with emphasis on recent global and national policy frameworks and current practices.

1.8 Chapter Summary

The Dissertation is organized into 4 chapters;

Chapter One: Introduction and background.

Chapter Two: Background to the Study

Chapter Three: Sustainable Forest Management in Uganda

Chapter Four: Overall Conclusion and Recommendations

CHAPTER TWO:

BACKGROUND TO THE STUDY

2.1 Introduction

This chapter presents a review of relevant literature related to sustainable forest management. It examines existing theories, concepts, and empirical studies that provide a foundation for understanding the subject. The chapter focuses on the definition and principles of sustainable forest management, the economic importance of forests, and the global policy frameworks that guide forest conservation and use. It also reviews the legal, policy, and institutional frameworks governing sustainable forest management in Uganda, as well as international conventions and certification schemes. The purpose of this chapter is to provide a theoretical and contextual background for the study and to identify gaps that the research seeks to address.

2.2 Definition and principles of sustainable forest management

Sustainable forest management is defined by the United Nations as the stewardship and use of forests in a way and at a rate that maintains their biodiversity, productivity, regeneration capacity, vitality, and potential to fulfill relevant ecological, economic, and social functions. This definition emphasizes a balanced approach that ensures forests continue to provide benefits not only for present generations but also for future ones. It highlights the need to integrate environmental protection with economic utilization and social well-being, making sustainability a central principle in forest governance and management practices.

2.3 Economic importance of forests

Forests are economically important because they provide raw materials such as timber and fuel, support industries, and generate income and employment through activities like ecotourism and the sale of forest products. In addition, forests provide essential services that underpin other economic sectors, making them a critical component of both local and global economies. They are a source of both direct cash income and non-cash economic benefits through services such as soil stabilization and air and water purification. From a broader perspective, even religious teachings, as reflected in Genesis 1:2, recognize the provision of grass and leafy plants for food, illustrating the longstanding importance of natural resources to human survival and development.

Forests play a significant role in direct resource provision by supplying timber, which serves as a raw material for construction, furniture, paper, and other products that support a global industry. They also provide fuel in the form of wood, charcoal, and other biomass, which remain essential energy sources for heating and cooking, particularly in rural areas, and can serve as substitutes for imported fossil fuels. In addition, forests produce non-timber forest products such as fruits, nuts, and medicinal resources, which can be sold to generate income. They further support other sectors, especially agriculture, by providing food for livestock and raw materials for local industries.

Beyond resource provision, forests contribute substantially to income generation and employment. The forest sector is a major source of employment, ranging from logging and processing activities to forest management and ecotourism. Ecotourism, in

particular, creates economic opportunities for local communities through tourism services, guiding, and conservation efforts. Moreover, many small and medium-sized enterprises rely on forest resources for raw materials, including furniture makers and businesses that produce unique goods from non-timber forest products.

Forests also provide vital ecosystem services that carry significant economic value. They contribute to climate regulation by helping to moderate local temperatures, reducing the need for artificial cooling and providing natural shade. They play a crucial role in water and soil protection by stabilizing stream flow, preventing soil erosion, and safeguarding land and infrastructure. Additionally, forests contribute to air purification by absorbing carbon dioxide and other pollutants, thereby improving air quality and supporting human health.

2.4 Global policy frameworks

Global policy frameworks supporting sustainable forest management consist of a combination of non-legally binding agreements, international conventions, and certification schemes. These frameworks are generally guided by a common set of seven thematic elements or criteria and indicators, which are used to assess and monitor progress towards sustainable forest management. Together, they provide a structured approach for countries and organizations to promote responsible forest use and conservation.

At the international level, United Nations and intergovernmental frameworks establish global political commitment and set the overarching agenda for sustainable forest management. The United Nations Forum on Forests (UNFF) serves as a key platform for policy dialogue and coordination. The United Nations Strategic Plan for Forests 2017-2030 outlines global forest goals aimed at reversing forest loss and enhancing

forest benefits. The Forest Principles, adopted during the 1992 United Nations Conference on Environment and Development (UNCED), also known as the Rio de Janeiro Earth Summit, represent a foundational agreement on sustainable forest management. Earlier efforts such as the 1972 United Nations Conference on the Human Environment (UNCHE) in Stockholm marked the first global recognition of environmental issues. Additionally, the Global Forest Resources Assessment (FRA), coordinated by the Food and Agriculture Organization (FAO), provides essential data for monitoring the state of the world's forests.

Legally binding international conventions also play a critical role in addressing specific aspects of forest management. The Convention on Biological Diversity (CBD) focuses on the conservation and sustainable use of biological diversity, including forest ecosystems. The United Nations Framework Convention on Climate Change (UNFCCC), together with the Paris Agreement, addresses the role of forests in climate change mitigation and adaptation. The United Nations Convention to Combat Desertification (UNCCD) emphasizes the importance of forests in preventing land degradation and combating drought. The International Tropical Timber Agreement (ITTA) promotes the sustainable management and trade of tropical timber.

In addition to global agreements, regional and national initiatives provide practical frameworks for monitoring and assessing sustainable forest management. These include the Montreal Process, the Pan-European Forest Process (Forest Europe), and the Tarapoto Process. Although these initiatives are non-binding, they offer valuable guidelines and indicators that help countries evaluate their progress and improve forest management practices.

CHAPTER THREE:

SUSTAINABLE FOREST MANAGEMENT IN UGANDA

3.1. Introduction

Uganda's framework for sustainable forest management is grounded in constitutional principles, legislative measures, policy guidelines, and institutional arrangements that collectively guide the conservation, use, restoration, and governance of forest resources.

3.2. The Constitution

The Constitution of the Republic of Uganda (1995) provides the foundation for environmental protection and sustainable resource management. Objective XIII emphasizes the protection of natural resources by requiring the government to ensure that forests, water, wetlands, minerals, fauna, and flora are managed sustainably. Article 245 mandates Parliament to enact laws that protect and preserve the environment from abuse, pollution, and degradation, ensure sustainable development, and promote environmental awareness. Furthermore, Article 237(2)(b) establishes the Public Trust Doctrine, under which the government holds forests and other natural resources in trust for the people, thereby supporting conservation and limiting destructive use.

3.3. Statutory Framework

The statutory framework is established through various Acts of Parliament that regulate forest management. The National Forestry and Tree Planting Act (2003)

serves as the backbone of sustainable forest management in Uganda. The National Environment Act (1995), which has been amended and harmonized with other sectorial laws such as the Forestry Act, Water Act, and Land Act, integrates forestry into broader environmental governance. The Land Act (Cap 227) supports sustainable forest use through land tenure systems, while the Wildlife Act (2019) protects forest ecosystems that host wildlife. The Local Government Act (Cap 243) decentralizes forest management by empowering local authorities to regulate activities such as charcoal production and to promote community participation.

Policy frameworks further strengthen sustainable forest management efforts in Uganda. The National Forest Policy (2001) provides the foundational policy direction, while Uganda Vision identifies forestry as a strategic environmental asset to be restored and protected. The National Climate Change Policy (2015) and the National Environmental Management Policy (2014) integrate forest conservation into broader national development and environmental planning.

Institutional arrangements also play a critical role in implementing sustainable forest management. The National Forestry Authority (NFA) is responsible for managing central forest reserves, including reforestation, forest inventory, plantation management, and licensing. The Uganda Wildlife Authority (UWA) manages national parks and forest habitats that support wildlife. District local governments oversee local forest reserves, regulate activities such as charcoal production, and promote community awareness. Community Forest Management Groups participate in reforestation, protection, and benefit-sharing initiatives. The Ministry of Water and Environment (MWE) provides oversight through policy formulation, monitoring, and national reporting under the Forest Sector Support Development framework. The National Environmental Management Authority (NEMA) coordinates environmental

management across sectors, ensuring compliance through environmental impact assessments, restoration orders, and stakeholder engagement.

3.4 Voluntary certification schemes

Voluntary certification schemes represent market-based mechanisms that promote sustainable forest management practices at the forest management unit level. These schemes enhance market credibility for sustainably sourced forest products by assuring consumers that such products are produced in an environmentally responsible and socially beneficial manner. Notable examples include the Forest Stewardship Council (FSC) and the Programme for the Endorsement of Forest Certification (PEFC), both of which provide internationally recognized standards and certification systems that encourage responsible forest management across the globe.

CHAPTER FOUR:

OVERALL CONCLUSION

4.1 Overall Conclusion

Sustainable forest management presents a viable strategy for harmonizing ecological integrity with economic prosperity. Its successful implementation can generate employment. Stabilize rural economics and contribute significantly to climate mitigation through economic incentives, effective legal frameworks and practical management solutions. The findings will guide governments, environmental agencies and development organizations in formulating integrated strategies that balance economic growth with ecological preservation.

This study adopted a mixed-methods research design, integrating both qualitative and quantitative approaches to provide a comprehensive analysis of sustainable forest management. Key sources will include materials from organizations such as the Food and Agriculture Organization (FAO), the United Nations (UN), and the World Charter for Nature.

4.2. Recommendations

The study identified key challenges affecting sustainable forest management, including weak governance structures, inadequate funding, and conflicting land-use interests. It will also determine the most effective legal and policy frameworks that support sustainable forest management. In addition, the research aims to provide a clear understanding of the economic benefits associated with sustainable forest practices. Finally, the study will develop policy recommendations aimed at

strengthening the implementation of sustainable forest management through legal reforms, economic incentives, and enhanced community participation.

4.3 Limitations of the Study

The study faced several limitations. These included institutional and governance challenges such as corruption and lack of policy coordination. Economic constraints, including high implementation costs, limited funding, and undervaluation of non-market forest benefits, may also affect the findings. Additionally, social and technical challenges—such as land tenure insecurity, limited local capacity, and difficulties in monitoring and enforcement—may impact the study. These limitations are often interconnected and vary across different forest ecosystems and local contexts, making it difficult to develop universally applicable solutions.

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