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**A REPORT ON THE PARLIAMENTARY FORUM ON  
FORESTS ACCOUNTABILITY**

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**HELD ON 31<sup>ST</sup> AUGUST, 2016 AT HOTEL AFRICANA**

<b>TABLE OF CONTENTS</b>	<b>PAGE</b>
<b>TITLE.....</b>	<b>1</b>
<b>TABLE OF CONTENTS.....</b>	<b>2</b>
<b>1.0 INTRODUCTION.....</b>	<b>3</b>
1.1 Introduction of the main guests.....	3
1.2 Objective of the Forest Accountability Forum.....	3
1.3 WEMNET video clip.....	4
<b>2.0 OPENING REMARKS.....</b>	<b>4</b>
2.1 Remarks from Panos Eastern Africa.....	4
2.2 Remarks from CARE International in Uganda .....	5
<b>3.0 PRESENTATIONS.....</b>	<b>6</b>
3.1 Summary from NFA.....	6
3.2 Summary from ACODE .....	7
3.3 Summary from ACCU.....	8
<b>4.0 PLENARYDISCUSSION.....</b>	<b>9</b>
<b>5.0 ACTION PLAN TO ADDRESS THE ILLEGAL LAND TITLES AND FOREST LAND CONVERSION.....</b>	<b>16</b>
<b>6.0 SUMMARY OF THE SPEECH FROM THE MINISTER OF STATE FOR LANDS.....</b>	<b>18</b>
<b>7.0 CLOSING REMARKS AND CONCLUSION.....</b>	<b>19</b>

## **1.0 Introduction**

Matters of forest conservation and the sustainable utilization of forest resources in Uganda are well documented in the 1995 Uganda Constitution, Forestry Policy Act, 2001 and National Forestry and Tree planting Act (NFTPA), 2003.

There are also other policies, laws and international obligations that provide for the protection and sustainable management of forest resources. For example, the Uganda Wildlife Act, the National Environment Management (NEMA) Act, the Forests Reserve Order, 1998; the Bonn Challenge on Forest Restoration, 2011; the International Convention on Biological Diversity Species, 1979; the Convention to Combat Desertification, 1994, among others.

Besides the fore mentioned rich legal framework on forests conservation, there is a broad institutional framework for forest resource governance in Uganda, comprising of various central and local government agencies such as the National Forestry Authority (NFA), NEMA and District Forestry Department, the private sector, Civil Society Organizations and local communities each playing a complimentary role in the sustainable management of forests resources.

However, in spite of the existence of plethora of legal and institutional framework, the available information reveals that forest cover in Uganda reduces at an alarming rate of 200,000 hectares per annum (WWE, 2015). It is against this background that Panos Eastern Africa in collaboration with Care International in Uganda and Anti-Corruption Coalition Uganda (ACCU) organized a Forests Accountability Forum targeting the Parliamentary Committee on Natural Resources and other key stakeholders to sensitize them on the current forest status in Uganda and to bring to notice the forest cover destruction due to governance excesses.

Other convening organizations in attendance were; members of the Parliamentary Forum on Climate Change –Uganda, Parliamentary Committee on Natural Resources, representatives from the National Forestry Authority (NFA), representatives from the Ministry of Lands, Housing and Urban Development, Civil Society Organizations (CSOs), academicians, researchers and the media, among others.

### **1.1 Introduction of the main guests**

The main guests were introduced by Mr. Mwanguhya Charles Mpagi, journalist of the East African News Paper, who worked as the MC of the day.

### **1.2 Objective of the Forests Accountability Forum**

The objective of this forum was to inform key stakeholders, responsible for the management of natural resources in Uganda, of the status of Uganda's forests as well as the drivers for forests destruction in the country. This was besides providing a platform for these stakeholders to discuss issues affecting the forest sector and ways in which these issues could be addressed.

### 1.3 WEMNET video clip

A WEMNET video clip showing the current status of Bugoma Forest Reserve (BFR) which is currently under land ownership discrepancies was played and members (in the forest forum) viewed



Figure 1: Members in the Forests Accountability Forum watching WEMNET Video Clip

## Opening remarks

### 2.1 Remarks from Panos Eastern Africa

While addressing the gathering, Mr. Hassan Muloopa, the acting Executive Director, Panos Eastern Africa, welcomed members to the Forest Accountability Forum.

“Allow me welcome you to this high profile Forest Accountability Meeting, on behalf of Panos and my own behalf”, said Muloopa.

Muloopa informed members that majority of the participants were politicians and policy makers. He implored them to make appropriate policies which would enhance our wellbeing and livelihoods.

“When you pass policies that enhance our wellbeing and livelihood, we hold you in high esteem but when you pass policies that hurt our livelihoods at grassroots, we actually despise you to say the least”, he said.

He expressed concern about the rate at which our forests are disappearing and blamed it on bad politics and reckless politicians.

“I stand here to put it to you that Uganda’s forests are disappearing fast. Some people may blame this on the ever increasing population. In my opinion, forests are disappearing because of the bad politics and reckless politicians of the day”, Muloopa said.



Figure 2: Mr. Hassan Mulooa, the Acting Executive Director, Panos Eastern Africa, making opening remarks

He appealed to members especially legislators to do serious things for this country by coming up with a clear action programme that would help reverse the trend of illegal forests encroachment and deforestation, which acts are complicating human life especially at grass root level.

## 2.2 Remarks from Care International in Uganda

On her part, Ms. Pinault D., the Country Director, Care International in Uganda, saluted all the members present (in the forum) and congratulated the MPs for being elected into the 10<sup>th</sup> parliament. She challenged them to live up to the task they had signed up for.

“I would like to congratulate all of you upon your election to parliament. Our appeal as Care International to this new parliament is to fulfil the responsibility that the electorates entrusted you with by electing you to parliament”, she appealed.

She highlighted on the numerous challenges facing the forest sector which threaten the livelihoods of the majority of Ugandans besides being a serious cause of environmental degradation and climate change.

“...the forest sector is under financed; we’re struggling with significant governance issues such as transparency challenges, corruption, the rights of women being undermined, and we are also talking about communities suffering as a result of deforestation as their livelihoods are put at stake. In addition, deforestation has a huge impact on our capacity as a country to cope with the effects of or mitigate or adapt to climate change”, Pinault said.

She reminded members of the recent government report which cautions that around 40 percent of the current agricultural production will disappear if nothing is done to reverse the current trend of environmental degradation in Uganda.

Pinault appealed to the Parliamentary Committee on Natural Resources to address the financial problem affecting forest sector and environment in general.

“Care Uganda is appealing to this Committee on Natural Resources to address the financing challenge of the (forest) sector. We need more resources to protect the environment since majority of Ugandans depend on natural resources. It should be distributed equally and in a transparent manner”, she said.

She encouraged MPs to continue attending such forums where the evidence is readily availed to them to effectively execute their oversight role.

### **3.0 Presentations**

#### **3.1 Summary from NFA**

Mr. Paul Buyera, the NFA director for corporate affairs, started by giving an overview of the status of forests in Uganda as of 2015. He presented a summary showing the statistical and graphical trends of forest cover per hectare and forest cover loss per hectare over the years from 1990 to 2015. He also presented data showing a comparison in percentages of forest cover between protected areas and private land over the years from 1990 and 2015.

Buyera, however, expressed his worry about this alarming rate of forest cover disappearance by saying, “If the trend (of deforestation) continues, Uganda will be a desert in the next 40 years”.

He highlighted the challenges duty bearers face in addressing forestry issues which include; unclear forest boundaries, lack of integrated approaches for the management of forests, illegal land leasing, inadequate funding, poor forest infrastructure, uncontrolled movement/migration of people, demand for livelihood, urbanization and industrial growth, as well as political intervention and interference by local councils.

Buyera enumerated on the issues affecting forests which include conflicting interests and mandates since forests are multi-sectoral resources, inadequate managerial and technical expertise and low levels of technology, illegal grazing, charcoal burning and illegal timber production among others.

He outlined the on-going measures to address the problem of deforestation which include; tree planting, law enforcement, political mobilization and awareness, restoring degraded areas, enacting forestry regulations and operationalizing the tree fund, among others.

He concluded by making recommendations like; the need for the restoration of the legal and physical integrity of forest and establishment of new forests, political compliance and respect of legal tools at local levels, support and sustained Private-Public partnership through forestry enterprises and strengthening capacities of all key players, among others.

### 3.2 Summary from ACODE

On his part, Dr. Ronald Naluwayiro, a senior research fellow, ACODE and senior lecturer, School of Law, Makerere University, made a presentation based on the research conducted by ACODE which was partly supported by Care International in Uganda on comparison of the principal forest legislations of three East African Countries, that is; Uganda, Kenya and Tanzania. This is in terms of their (legislations) adequacy in ensuring forest justice.



Figure 3 : Dr. Ronald Naluwayiro of ACODE during his presentation

He presented the findings of the study which indicated that Uganda is losing an estimated 200,000 hectares of forests annually which is partly caused and exacerbated by increasing number of forest crimes and illegalities in the forest sector most of which go unresolved.

Naluwayiro outlined recommendations drawn from the lessons picked from Kenya and Tanzania experiences which among others include; Uganda forest law should be revised to establish more forest crimes, reduction in the discretion of the judicial officers in sentencing the convicts, increased penalties for crimes against forests, incentive provision for community policing and whistle blowers, and forest legislation should extend the right of access to forest information to foreign nationals.

He concluded his presentation by making an appeal to the Parliamentary Committee on Natural Resources to spearhead the process of forest legal reforms following the proposals in his presentation.

“As the parliamentary Committee in charge of our environment and natural resources, we request that you spearhead forestry legal reforms along the proposals summarized in this presentation. This would go a long way in saving our forests”, Naluwayiro implored.

### 3.3 Summary from ACCU

Felix Kafuuma, a representative from ACCU, started by highlighting on the current issues in the forest sector and listed the ten central forest reserves which have been affected by illegal issuance of land titles to individuals, groups and institutions. These forests include; Budongo, Namanve, Kituburu, Bufulu Mugomba, Matiri, Kyewaga, Gunda, Nonve, Sango Bay and Kajansi.



Figure 4: Mr. Kafuuma Felix of ACCU during his presentation

He gave the legal context particularly on the National Tree Planting Act, 2003, which stipulates the procedure for gazetting and degazetting a central forest, and outlined a summary of key issues particularly involving encroachment in gazetted areas and possession of illegal land titles in forest reserves.

Kafuuma then presented a case study of Nonve central Forest reserve together with the illegal land titles of part of this forest reserve possessed by some politicians and businessmen. He also showed correspondences from different authorities for example, one from Wakiso District Council to the Commissioner Land Registration titled ‘Cancellation of certificates issued within Nonve Forest reserve’, and another one from the Ministry of Water and Environment to all Chief Administration Officers titled ‘Encroachment of local and central forest reserves’. There was also another from NFA to the

Commissioner Land Registration titled 'Illegal land titles in Bugoma central forest reserve, Hoima District comprised of plot 216 Buhanguzi Block 2 at Kyangwali'.

He concluded by making some recommendations to the Parliamentary Committee on Natural Resources, NFA and the Ministry of lands, Housing and Urban Development. One of the recommendations to the Parliamentary Committee on Natural Resources reads:

"The Committee on Natural Resources should use the leads provided in the media and the ACCU research to commission an investigation into this matter".

#### **4.0 Plenary Discussion**

Hon. Lawrence Songa Biyika, the chair person, Parliamentary Forum for Climate Change, expressed concern over the rate at which forest cover area (in hectares) in Uganda is reducing at the expense of farming and other activities. He appealed to members to take immediate action to address the problem of environmental degradation.

"We need to take action to address the issue of land usage to mitigate climate change. The land we have is good but we have a challenge of settlement patterns", Songa said.

He informed members that a Bill on climate change will soon be tabled in parliament which will address most of the funding issues affecting our environment besides providing a way for them in negotiating for better policies that would address the environmental issues in the country.

He made the following suggestions;

- Tagging part of the money allocated to natural resources on environmental restoration.
- Provision of alternative cheap sources of energy in order to save forests from being destroyed for charcoal and firewood.
- Eco-system approach to planning in a bid to address the issue of productivity without degrading the environment.



**Figure 5: Hon. Biyika Lawrence Songa, Chairperson Parliamentary Forum for Climate Change making his point**

Hon. Fred Mwesigye, the MP for Nyabushozi County, Kiruhura supported the method of naming and shaming all the encroachers in the protected areas and encouraged his fellow MPs to embrace the idea and take the leading role in this endeavour.

“Each MP should take it upon themselves to move around their constituents to establish the identity of all individuals or companies encroaching on forest reserves for prosecution”, Mwesigye said.

Mwesigye observed that there are many agencies managing forests and swamps with no clearly defined boundaries on their mandate. He called for immediate intervention by the relevant authorities to streamline the functions of these agencies for effective management of natural resources.

“Once the functions of the agencies are well streamlined, the task of management of these natural resources will be eased by effective supervision and protection from encroachers”, he said.

He suggested that a fund be created to encourage and facilitate entrepreneurs who want to venture in the area of turning garbage into alternative energy sources to reduce on forest destruction for charcoal and firewood.

Mwesigye also proposed that every person interested in planting trees should be encouraged and supported.

Hon. Jesca Ababiku, the Woman MP for Adjumani, appealed to her colleagues to work as a team in fighting illegalities.

“Let’s be all inclusive in fighting these illegalities so that we can be distinguished as leaders”, she said.

On the issue of limited funds and existing laws, she asked the concerned people/bodies to show what and how much conservation had been done with the 26 billion allocated per financial year.

She applauded the media for the job well done in exposing the on-going illegal activities that degrades our environment.



**Figure 6: Some of the members attending the Forests Accountability Forum**

Ababiku suggested that related ministries like the Ministry of Energy and Mineral Development and parastatals which in one way or the other affect natural resources should be represented in future meetings so that they get to know the plight of Ugandans such as high electricity/energy tariffs in order to enforce environmental laws.

Hon. Jacqueline Amongin, the Woman MP for Ngora, said the strategy of naming and shaming the encroachers on gazetted areas is long overdue. She informed members that some of these encroachers are policy makers.

“This is not the time for lamentation or blame. We should summon all those bodies or agencies like NFA and NEMA to explain why the situation is so”, she said.

Amongin suggested that more areas should be gazetted for environmental conservation instead of degazetting some protected areas.

Hon. Hatwib Katooto, the MP for Katerere County, Rubirizi wondered whether his fellow MPs and other members in the meeting have done much in as far as environmental conservation is concerned.

“How many of you have taken trouble to plant trees”, Katooto wondered.

He encouraged members to take a leading role in planting trees so as to set a good example to the rest of Ugandans instead of just lamenting.

Hon. John Baptist Nambeshe, the MP for Manyinja County, Bududa informed members that a lot of forests in Bududa have been destroyed yet it is not among those forests in spotlight that have been illegally encroached on.

“I request the authorities to include Bududa on the list of illegally encroached forests because many forests in this area have been destroyed and need to be restored”, he said.

As a means of fighting encroachment on forest reserves, he suggested that crimes related to forests including people entering a gazetted forest for whatever reason without permission and serious penalties be put in place to offenders.

Nambeshe proposed that serious penalties be put in place for NFA officials who connive with illegal forest encroachers.



Figure 7: One of the members making his contribution during the plenary discussion

Hon. Lawrence Bategeka, the MP for Hoima Municipality, presented some facts as one of the MPs in Bunyoro where a lot of encroachment on forest reserves like in Bugoma is on the spotlight.

He informed members that;

- There is serious land grabbing in forest reserves in Bunyoro sub-region and NFA does not have clear boundaries in all the gazetted forests in the area. Whenever they try to demarcate boundaries, they clash with the local leaders and individuals.

- Different institutions and individuals are making claims of land ownership in Bunyoro. The Kingdom, NFA, individuals etc.
- That 54 percent of Bunyoro land is a gazetted area occupied by either game reserves or forests. Part of that protected area is in towns. Such an arrangement was done by colonialists as a punishment to Bunyoro for resisting their rule. Besides, there is a problem of immigration of some other people in Bunyoro. So the kingdom is under pressure from its people to give them land for settlement.



**Figure 8: Hon. Lawrence Bategeka during the plenary discussion**

Bategeka wondered, “Who decides that a given land title is illegal”.

He requested the Committee to move on ground to establish who owns the land.

Hon. Jalia Lukumu Bintu, the Woman MP for Masindi Municipality expressed concern on the fact that most of the land in Bunyoro is covered by forest reserves amidst serious need for land for settlement, farming and other activities.

She said that it is necessary to establish the percentage area covered by forests per region and deliberate effort needs to be made to promote a reasonable forests distribution per region. Bintu doubted whether NFA knows all the boundaries of forest reserves in Bunyoro.

“How would people help NFA if they do not know their boundaries”, she wondered.

She encouraged NFA to work amicably with the local people in order to reach a consensus on the issues of boundaries and conservation.

Bintu pledged to support the amendments when the environmental issues are tabled in parliament by considering other necessary laws so that people's rights are not violated in the process of amending the laws.

“Impounding the local fuel (firewood) without putting in place alternative sources will be endangering the lives of women”, said Bintu.



**Figure 9: Members in the Forests Accountability Forum listening to the presentation**

Hon. Simeo Nsubuga, the MP for Kassada South, Mubende District observed that parliament has put in place a number of laws as far as environmental protection is concerned which simply need to be well implemented by the concerned authorities and agencies.

He suggested that a system comprising of specialized police, judges and DPP should be put in place to enforce those laws and ensure justice is done on such environmental issues.

“There are laws and more laws are coming. Let us put in place a system to work on those issues. With such an organized system, we shall be able to contain the situation”, said Nsubuga.

Nsubuga encouraged NFA to consider traditional and local leaders as partners in working out demarcations and other related issues if they are to succeed in that endeavour.

Mrs. Annet Kandole, FOREST programme, CARE International in Uganda recognized the commitment of parliament through the Natural Resources Committee in its effort to resolve issues affecting environmental conservation.

She appealed to members to come up with the necessary actions that would help them work with NFA to resolve the problem of encroachment on gazetted forest reserves starting with the Bugoma issue.

“We are eager to see how well you are going to help us sort out the Bugoma issue”, Kandole said.

Kandole expressed her disapproval of the idea of degazetting urban forest reserves for commercial and other purposes saying such forests are important in absorbing carbon dioxide and controlling pollution, among other benefits.

She suggested that such a forum needs to be organized annually in order to establish which actions parliament will have taken on the issues of interest discussed.

Professor John B.L. Okullo, Senior Lecturer, School of Forestry and Natural Resources Conservation, Makerere University suggested that parliament should make legislations that provide for a research and innovation fund which can help facilitate researchers to make cheap alternative energy sources, among other things.

Okullo also proposed that the issue of environment and climate change be put on the curriculum because such issues cuts across sectors and affect everybody in the long run.

He appealed to NFA to coordinate its activities with the District Forest Department for effective demarcation and conservation of forests instead of ignoring them since they know the local people and areas better.

“I teach these people at postgraduate level and they say you’ve rendered them redundant by ignoring them in most of your activities in areas where they work”, he said.

Prof. Okullo also suggested that parliament needs to organize monthly forums where researchers on environmental issues are invited to deliberate and share ideas on how well environment can be conserved.

Hon. Santa Alum, the Woman MP for Oyam suggested that massive sensitization and public awareness campaigns be conducted to inform and educate the public about the dangers of destroying the environment and the effects of climate change.

Hon. Robert F. Centenary, the MP for Kasese Municipality suggested that government should give subsidized energy alternatives like solar to heavy fuel users such as educational institutions, hospitals to help minimize the pressure on forests in search for firewood.



**Figure 10: Hon. Centenary Robert, the MP for Kasese Municipality making his contribution**

Hon. James Niringiyimana Kaberuka, the MP for Kinkizi West, Kanungu District, expressed concern about NFA on the issue of selling trees in his constituent without replacing them. He encouraged his fellow MPs to be in charge as leaders to address critical issues affecting environmental conservation.

“The Committee on Natural Resources should put foot on the ground to put things right as leaders”, he said.

Hon. Anifa Kawooya, the Woman MP for Sembabule, urged her colleagues, the parliamentarians to get serious with their supervisory role.

“We cannot continue coming here and nothing is going on to address environmental issues raised in such meetings”, said Kawooya.

Hon. Kawooya further expressed concern about lack of seriousness by NEMA and NFA saying, “NEMA and NFA officials have been coming in the Committee Meetings but nothing has been done to address the issues of concern”, she said.

She asked the environmental activists to determine what the MPs can do in order to effectively address these environmental related crimes that keep on coming up, even if it means bringing such people to parliament to a shame them.

## **5.0 Action Plan to address the illegal land titles and forest land conversion**

Hon. Beatrice Atim Anywar, the MP for Kitgum Municipality and Vice chairperson for Gender, Labour and Social Development, started by thanking the organizers for giving her the opportunity to make a contribution on such an important forum.

“On behalf of the Natural Resources Committee, I am glad to make a presentation on the action plan to address the illegal land titles and forest land conversion”, she said.

Anywar informed members that parliament of Uganda has enough laws to be used to conserve the environment including the forests and reiterated that the Committee of Natural Resources has the powers of the high court to make sure that such laws are enforced by the relevant institutions like NFA and NEMA.

She also said that the Minister of Water and Environment is answerable to the Committee of Natural Resources and that it (Committee) can make recommendations.

“As a committee, we enforced the cancellation of titles in the wetlands so we can equally make the Minister of Lands to do the same. The forest police was formed as the work of the committee and we need more to protect the forests”, said Anywar.

Anywar further informed members of the Committee position that:

- The Committee will have to increase funding to NEMA and NFA to enable them protect the environment.
- Government must provide funds for demarcating boundaries of our forests.
- Funds collected by NEMA and NFA should be allowed to be used, though corruption must be equally checked.
- NFA is giving out tree seedlings to MPs to distribute to their constituents for planting.
- Construction plans and road works must plant trees to increase forest acreage.



Figure 11: Hon Beatrice Anywar, the MP for Kitgum Municipality and Mr. Hassan Muloopa sharing an idea

Anywar highlighted some challenges encountered by the Committee in executing its mandate which include;

- Lack of political will. Some politicians play double standards to protect their voters and investors. For instance, the President had earmarked Mabira and Bugoma Forest Reserves for sugar cane growing.
- Our courts of law do not know how to deal with environmental crimes.
- The effects of climate change are not well understood and the government effort in combating this threat is not yet felt.
- Absence of alternative cheap energy sources which forces the high population especially the rural poor to exert pressure on forests for charcoal and firewood.

#### **Further areas for action**

- Specialized Courts and judges who have the knowledge of environmental laws should be used to handle environmental related crimes.
- The government should do all it takes to make the local people understand the mitigation and adaptation strategies to climate change.
- Government must subsidize alternative energy sources as well as fund researchers in new technologies.
- Biotechnology must be embraced in the mitigation and adaptation to climate change effects.
- Alternative use of forests like Eco-Tourism and Bee farming should be encouraged to help add value to forests.

Anywar concluded by making a pledge on behalf of the Natural Resources Committee saying, “The Committee will gladly take the recommendations generated from this meeting and try to implement them”.

### **6.0 Summary of the speech from the Minister of State for Lands**

On her part, Hon Persis Namuganza, the Minister of State for Lands thanked the organizers of the Forest Forum and insisted that the encroachment on forest reserves is due to lack of seriousness in enforcing laws by the responsible agencies.

“There has been some laxity on forests management which has given some people a chance to encroach on these forest reserves. It’s not about order from above”, she said.

Namuganza informed members that her senior colleague, Hon. Betty Amongi, the Minister for Lands, Housing and Urban Development, recently visited Hoima, one of the areas affected by illegal forest reserve encroachment and after consultation with other stakeholders they came up with a resolution to cancel all land titles in forest reserves.

She further informed members that in the Ministry of Lands meeting conducted late last month (August), it was resolved that all land titles that were created on wetlands after 1995 were going to be cancelled starting from those (wetlands) with few people settled on them.

Namuganza concluded her speech by suggesting that similar forums on environmental issues be conducted quarterly and not annually as one member had suggested.

## **7.0 Closing Remarks and conclusion:**

**Closing Remarks:** The closing remarks were given by Mr. Mwanguhya Charles Mpagi, the MC of the day and thanked members for attending.

Finally, members received logistics from Panos Eastern Africa followed by lunch and departure.

### **Conclusion:**

The move by Panos Eastern Africa, Care Uganda and Anti-Corruption Coalition (ACCU) to bring together key stakeholders in this Forests Accountability Forum was a good development as it has not only helped to expose some of the on-going illegal activities in forest reserves to a wider audience but also sounded the alarm bell to the relevant authorities for intervention. Since the Committee on Natural Resources which has powers of the high court was well represented (in the forum), we only pray that it (Committee) lives up to its mandate as well as the pledges as contained in their action plan to address the illegal land titles and forest land conversion'. However, the political will especially of the country's top leadership is paramount in this endeavour.

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