

A MODEL BYLAW FOR WAJIB¹

Seyoum G/Kidan and Tsegaye Tadesse

1. INTRODUCTION

The forest in Adaba and Dodola once covered vast areas of part of the Bale Mountains. However, due to improper utilization during the past decades, this precious resource is heavily damaged and degraded. We understand that if this situation continues, it will become a threat to our livelihood as we very much depend on the forest. We also understand the significance of the forest at the regional and national levels as it is the source of the Wabe and other rivers.

To make sure the forest is conserved for the benefit of present and future generations, we the forest dwellers of block in village district have agreed to implement a new forest conservation approach called 'WAJIB' (*Waldaa Jiraattota Bosonaa* meaning 'Forest Dwellers Association' in the local language), a legal institution to manage the existing degraded forest in our locality. Joining in partnership, we have concluded an agreement with the district Rural Land and Natural Resources Administration Authority (RLNRAA) that represents the government. This is an outcome of a series of consultations that involved us, professionals and other stakeholders.

We are aware of our rights, duties and obligations. To help us adhere to the terms of agreement we signed with the government and perform our duties of conserving the forest, we have produced this bylaw. This bylaw is made in accordance with articles 7 and 9(d) of the Forest Block Allocation Agreement (FBAA) that was approved by the Oromia Regional Government in April 2000.

2. OBJECTIVES OF THE BYLAW

- a) To give the WAJIB leadership management powers and accountability for the proper protection of the forest.
- b) To make sure the forest is utilized in a sustainable way.
- c) To ensure conservation of the forest through the active involvement of all members.
- d) To punish those members who break the rules agreed upon.

3. ORGANIZATIONAL PROCEDURES OF WAJIB

3.1 The General Assembly

- a) The highest decision making body of the WAJIB is the general assembly that includes all recognized members.
- b) WAJIB general assembly meetings shall be conductedtimes per month.
- c) The quorum for WAJIB general assembly shall be of the total number of members.

¹ WAJIB is an association of forest dwellers that has signed an agreement with the government for natural forest management in the Adaba-Dodola forest.

- d) Members that are unable to attend meetings for a good reason may be substituted by a family member that is accepted by the general assembly. Substitutes are not allowed to make votes.
- e) Relevant bodies such as representatives of village administration and district administration may participate in WAJIB general assembly meetings by invitation.
- f) In the event of a conflict between members, the executive committee and the general assembly shall take the necessary measures to resolve it. A higher level involvement (village administration or court) may be sought if the conflict cannot be resolved by them.

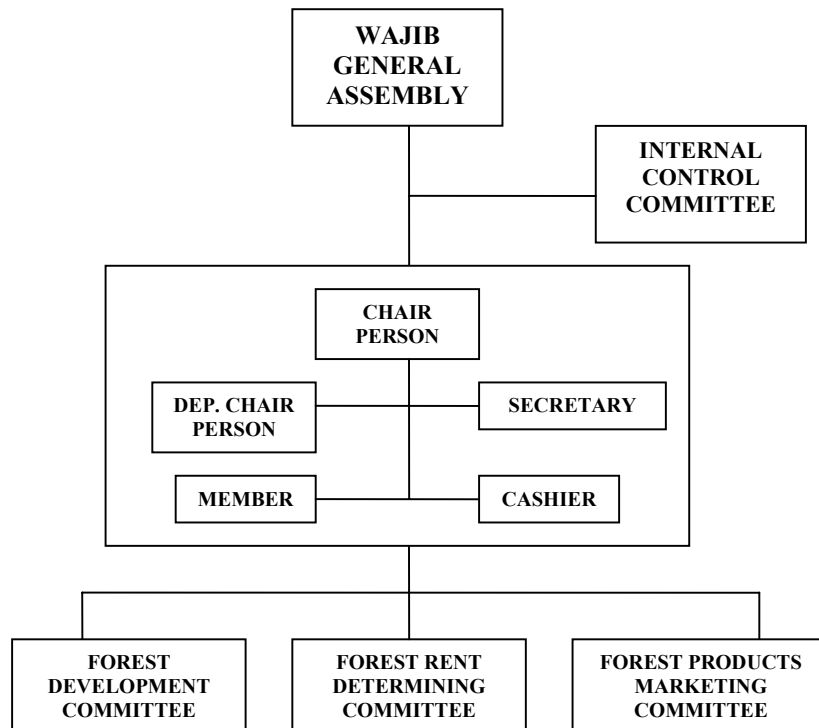
3.2 The WAJIB Executive Committee

- a) The WAJIB executive committee shall be elected democratically at a meeting attended by members according to agreed quorum in the presence of a representative from the district RLNRRAA.
- b) The executive committee shall report to the general assembly.
- c) The executive committee shall be functional for years before a new one is elected.
- d) Every member shall be eligible for being elected provided he/ she is competent, honest and posses other good qualities of leadership.
- e) The WAJIB executive committee shall be composed of: a Chairperson, a Deputy Chair Person, a Secretary, a Cashier and a Member.
- f) The minimum age of an executive committee members shall be years.
- g) There shall at least women in the WAJIB executive committee. In the absence of a woman member, one representative will be included in the executive committee.
- h) There shall be a by election in case of a vacancy in the committee. In case an elected executive member does not perform well and the replacement of such person is initiated by 1/3 of the WAJIB members and this is supported by 2/3 of the general assembly, then re-elections shall be conducted.
- i) A member shall not be allowed to serve for more than terms consecutively.
- j) The quorum of the executive committee meetings shall be members.

3.3 Other Committees

- a) An Internal Control Committee directly answerable to the general assembly shall be established.
- b) Other committees such as forest product marketing committee, forest development committee and forest rent determining committee shall also be set up for specific functions as necessary.

4 ORGANIZATIONAL STRUCTURE OF WAJIB



5. FUNCTIONS AND POWERS

5.1 The General assembly of WAJIB shall have the following functions and powers

- To approve utilizable forest products to individual members and to supervise the utilization.
- To approve saleable forest products and to supervise the procedures.
- To approve forest rent contributions from individual members.
- To provide all necessary support to the executive committee.
- To elect and if necessary, to demote WAJIB executive committee and other sub committees.
- To issue (including periodic revisions) and to supervise the implementation of the bylaw.
- To approve division of WAJIB related labor for individual members based on proposals by the district RLNRAA and the forest development committee.
- To pass regulations regarding common resources management, financial revenue administration and utilization, etc.
- To approve forest management plan and respective work plans of the forest block.

5.2 WAJIB executive committee shall have the following functions and powers

- To cooperate with other development committees in the village.
- To formulate a management plan for the forest block together with the district RLNRAA.
- To produce accounting reports and present to the general assembly.

- d) To deal with cases involving violation of bylaws by individual members.
- e) To develop measures to protect the forest use by non members.
- f) To make sure forest rent is contributed from individual members according to agreed criteria.
- g) To make sure forest rent is paid timely to the district RLNRAA (and part there of to the village administration).
- h) To submit major issues to the general assembly for resolution.
- i) To issue permits for the use of forest produce from the forest block.

5.3 Functions and Powers of Specific Members of the Executive Committee

Chair person

- To call and facilitate all regular and ad hoc WAJIB meetings.
- To represent the WAJIB group in meetings organized by district RLNRAA or other relevant bodies as necessary.
- To sign Forest Block Allocation Agreement (FBAA) by representing the WAJIB group.
- To prepare and present status reports for the general assembly meetings.
- To make sure the bylaws and other decisions made by the general assembly are implemented.
- To represent the WAJIB group in cases of litigation.
- To approve payments as per the decision of the general assembly.
- To approve and supervise daily patrolling.

Deputy Chair person

- To accomplish the duties of the chair person in his/ her absence.
- To assist the chair person in all his/ her duties.

Secretary

- To keep agenda items and minutes of meetings.
- To collect and register personal applications and other correspondences.
- Schedule and follow up daily patrolling activities.

Cashier

- To keep proper record of financial transactions.
- To collect income from collective sales of forest products and fines against receipts.
- To collect and effect timely payment of forest rent.
- To effect payments against approved receipts.

6. DUTIES OF THE AD HOC COMMITTEES

6.1 Forest Product Marketing Committee

- To identify sources of income related to forest products.
- To collect and compile current information on prices of forest products.
- To compile relevant reports for the executive committee.
- To collect, store and safeguard forest products for market as required.

6.2 Internal Control Committee

- To control the utilization of cash and other resources on the basis of agreed guidelines.
- To check the cash book for proper management of financial resources.
- To prepare relevant reports for the general assembly.

6.3 Forest Development Committee

- The Forest Development Committee shall formulate a forest management work plan by identifying the necessary activities in the forest block such as seedling planting, closure of certain areas, weeding, climber cutting, thinning, etc. The plan shall specify among other things, operations to be conducted, amount, time and who is to carryout the operation.
- To submit the plans at a general assembly meeting
- To encourage members to actively participate in the forest management work plan.
- To follow up the implementation of the forest management work plan.
- To compile and submit activity reports to the executive committee.

6.4 Forest Rent Determining Committee

- To formulate criteria to be followed for rent determination considering such issues as family size, livestock ownership, engagement in forest product sales, etc.
- To collect necessary information on each household for level of dependency on the forest.
- To determine the amount of money each household has to pay as forest rent according to agreed criteria by the general assembly.
- To compile reports for the general assembly to get the rent determination approved.

7. RULES

7.1 General Rules

1. Increasing homesteads beyond the carrying capacity of the forest block is prohibited.
2. Unauthorized relocation of compounds within the forest block is prohibited.
3. Individual possession of pit saws is forbidden.
4. Members that have not attended meetings with or without permission shall not have the right to object any resolution that is passed by the general assembly.
5. Members must respect the obligation to pay their share of the forest rent in time.
6. Transferring membership rights to others (members or non members) without authorization by the general assembly is prohibited.
7. Sub leasing of use rights to members or non-members is prohibited.
8. All receivable money from collective sales of forest products or fines must be collected against receipts.
9. The WAJIB funds (income from various sources) may be used collectively or shared individually as per the decisions made by the general assembly.

7.2 Forest Management

1. Allowing access to non-members for activities that may have negative consequences on forest conservation (such as livestock grazing, farming, honey collection, etc) is regulated.
2. Expansion of farm plots, paddocks or homesteads is prohibited.
3. Allowing domestic animals to graze in restricted sites such as natural regeneration or newly planted areas is strictly forbidden.
4. Being in a possession of more than one homestead per member is prohibited.
5. Activities or practices that hamper tree growth such as debarking or burning of tree trunks is prohibited.
6. Unauthorized hunting or capturing of wild animals in the forest block is prohibited.
7. Unauthorized tree cutting, charcoal making, pit sawing or trading of forest products is prohibited.
8. A patrol team of persons will be assigned each day for regular inspection. A group of members may be given protection responsibility in certain sensitive areas to watch for intruders.

7.3 Forest Use

For Home consumption

1. Every member is expected to make careful use of fire wood for home consumption. No permission is needed for how much fire wood should be used by individual households as long as it comes from dead wood.
2. Only dead wood may be used for fire wood and construction of fences.
3. Any utilization that involves cutting of live trees must first be approved by the general assembly.
4. The utilization of wood involving the cutting of trees less than 40 cm diameter for group 1 tree species (Hagenia, Podocarpus, Juniperus, Olea and Ekebergia) and less than 25 cm diameter for Group 2 species (Pittosporum, Hypericum, Rapania, Erica, and others) should be regulated.
5. The utilization of other type of wood for example for construction or maintenance of houses must be authorized in advance. Written applications should be submitted to the executive committee that may present the case to the general assembly for decision.
6. No utilization of products other than dead wood collection, grass by cut-and-take away and minor non wood products is allowed in areas designated as protection zone.

Marketing of forest products

1. Those members who support their livelihoods from selling of wood as identified and acknowledged by the general assembly are allowed to take 2 donkey loads of fire wood and 2 pieces of poles per week. They will pay to the WAJIB ETBper donkey load of wood taken.
2. Annual harvests will depend on THABO results. Forest products marketing committee shall facilitate the agreed harvest, preparation and selling of the wood.
3. Other forest products may be identified by the forest products marketing committee with approval of the general assembly.

8. PENALTIES

1. Any member found refusing to work a duty assigned to him/ her in the forest block shall be fined ETB for one day of work.
2. Any member found with unauthorized cutting of trees or pit sawing in the forest block shall be fined ETB the equivalent of the value of the trees cut as estimated by the forest products marketing committee and shall be taken to the police for trial and have his/ her membership cancelled.
3. Any member found with unauthorized charcoal making in the forest block shall be taken to the police for trial and have his/ her membership cancelled.
4. Any member found grazing animals in a closure area shall be fined ETB per animal.
5. Any member found practicing activities that damage the normal tree growth such as debarking, burning of trunks, etc shall be fined ETB twice the equivalent of the value of the tree/s as estimated by the forest products marketing committee.
6. Any member found abandoning his/ her homestead for up to three months without the knowledge of the executive committee shall be fined ETB If a member is absent for a period of more than three months, his/ her membership shall be cancelled.
7. Any member found starting a forest fire shall be taken to the police for trial and have his/ her membership cancelled.
8. Any member found with unauthorized hunting or setting traps to kill or capture wild animals shall be taken to the police for trial and have his/ her membership cancelled.
9. Any person found opening up a new homestead or starting up a new farm plot shall be fined by cancellation of membership. If the act has consequences of increasing forest rent on WAJIB, then this shall be borne by the owner of the homestead/ farm plot.
10. Any member found expanding existing farm land or fence structures shall be fined ETB for every m² of land converted and made to repair the damage he /she has caused.
11. Any member found selling forest products without authorization shall be fined twice the equivalent of the value of the product as estimated by the forest products marketing committee. Repeated action for 3 times shall lead to cancellation of membership.
12. Any member found transferring his / her membership without authorization shall have his/ her membership cancelled.
13. Any member found delaying his/ her share of the forest rent for more than one month after announcement shall be fined ETB If failed to pay within three months, his/ her membership shall be cancelled.
14. Any member found being absent from WAJIB meetings shall be fined ETB per unattended meeting. If a person is absent for more than three times without replacement, then his/ her membership shall be cancelled.
15. Any member found grazing livestock that are not his/ her own in the forest block shall be fined ETB per animal.
16. Any member found possessing a pit saw shall hand the material over to the executive committee and fined with a day WAJIB related public work under the supervision of the forest development committee.

9. PROCEDURES FOR HANDLING OFFENCES

- a. Offences leading to penalties of money, assignment of public works and cancellation of membership may be handled by the WAJIB general assembly.
- b. Offences that lead to other penalties may be handled by the *people's court* in the village administration or by the police for trial in a competent district court as necessary.
- c. Offences have to be verified to the general assembly before penalties are passed.
- d. Cancellation of membership leading to eviction of the homestead in question shall be enforced by the village administration.

10. AMENDMENTS

Changes which are not contrary to the concepts of this bylaw may be made if initiated by at least 2/3 of the members and supported by the district RLNRAA. Notifications on the changes shall be made to relevant bodies.

11. EFFECTIVE DATE OF THE BYLAW

This bylaw will enter in to force from the date of its approval by at least 2/3 of WAJIB members. The district RLNRAA and village administration shall acknowledge the sample copy of this bylaw by signing and putting their stamps on the document.

12. DISTRIBUTION OF COPIES

Copies of this bylaw shall be distributed to the Village Administration, district Court, district Justice Office, district Police, district Administration and district RLNRAA. A sample copy will also be provided to ORLNRAA. The WAJIB members shall have access to this bylaw including necessary explanations at any time.

13. NAMES AND SIGNATURES OF THE WAJIB MEMBERS