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**STRENGTHENING LEGAL MECHANISMS FOR FOREST PROTECTION IN
ZAMBIA: AN EXAMINATION OF THE FOREST ACT No. 4 OF 2015, IN LIGHT OF
INTERNATIONAL AND DOMESTIC ENVIRONMENTAL LAW: LESSONS DRAWN
FROM FINLAND.**

By:

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BACHELOR OF LAWS (LLB) DEGREE.**

2025

DECLARATION

I, Inonge Mubiana, declare that this dissertation entitled “**Strengthening Legal Mechanisms for Forest Protection in Zambia: An Examination of the Forests Act No. 4 of 2015 in Light of International and Domestic Environmental Law: Lessons Drawn from Finland**” is my own original work. It is submitted in partial fulfilment of the requirements for the award of the Bachelor of Laws (LLB) degree at the University of Lusaka.

I affirm that this work has not been previously submitted for a degree at this or any other institution of higher learning. I fully understand what constitutes plagiarism and am aware of the University’s policy in this regard. Where the work of others has been used, it has been duly acknowledged. Any errors or omissions in this work are entirely my own.

INONGE MUBIANA

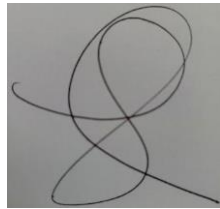
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RECOMMENDATION

I, Mr. Joy Mulambia, have supervised the preparation of this dissertation by Inonge Mubiana entitled “Strengthening Legal Mechanisms for Forest Protection in Zambia: An Examination of the Forests Act No. 4 of 2015 in Light of International and Domestic Environmental Law: Lessons Drawn from Finland.”

Having carefully reviewed the work, I am satisfied that it meets the requirements and standards set forth by the University of Lusaka, School of Law, for submission in partial fulfilment of the requirements for the award of the Bachelor of Laws (LLB) degree. I therefore recommend that it be accepted for examination.



.....

Mr. Joy Mulambia

Supervisor

2025

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DEDICATION

This dissertation is dedicated to the Lord God Almighty, whose unending grace, wisdom, and guidance have sustained me throughout the course of my studies. It is also dedicated to my beloved parents, Mr. Kelvin Silombwana Mubiana and Mrs. Claire Malala Mubiana, whose love, patience, prayers and sacrifices that have formed the foundation on which I stand today. Your steadfast belief in my abilities remains a continuous source of strength. I am eternally grateful to each of you and remain indebted for your constant encouragement and support.

TABLE OF CONTENTS

DECLARATION.....	ii
RECOMMENDATION	ii
ACKNOWLEDGEMENTS	iv
DEDICATION	v
ABSTRACT	x
CHAPTER ONE	1
INTRODUCTION	1
BACKGROUND OF STUDY	1
STATEMENT OF THE PROBLEM.....	4
OBJECTIVES OF STUDY.....	5
RESEARCH QUESTIONS	5
SIGNIFICANCE OF STUDY	5
SCOPE OF THE STUDY	6
DEFINATION ON KEY TERMS	6
ACRONYMS	7
LITERITURE REVIEW	7
RESEARCH METHODOLOGY	10
ETHICAL CONSIDERATIONS.....	10
CONCLUSION	10
CHAPTER TWO.....	12
INTRODUCTION	12
BACKGROUND OF THE LEGAL FRAMEWORK	13
LEGAL FRAMEWORK.....	14
THE CONSTITUTION.....	14
THE FOREST ACT No. 4 OF 2015	15
THE ENVIRONMENTAL MANAGEMENT ACT	16

INSTITUTIONAL FRAMEWORK	17
THE MINISTRY OF GREEN ECONOMY AND ENVIRONMENT:	18
THE FORESTRY DEPARTMENT:	18
ZAMBIA ENVIRONMENTAL MANAGEMENT AGENCY (ZEMA):.....	18
LOCAL AUTHORITIES AND TRADITIONAL LEADERS.	18
INTERPLAY BETWEEN THE CONSTITUTION, THE ENVIRONMENTAL MANAGEMENT ACT AND THE FOREST ACT	19
CRITICAL GAPS IN THE LEGAL FRAMEWORK.....	19
CONCLUSION	21
CHAPTER THREE	21
INTRODUCTION	21
BACKGROUND OF FORESTRY AND ENVIRONMENTAL GOVERNANCE IN FINLAND.....	22
CONSTITUTIONAL BASIS FOR ENVIRONMENTAL PROTECTION	23
THE FOREST ACT (1093/1996, AS AMENDED)	24
SUSTAINABLE USE AND REGENERATION.....	24
PROTECTION OF SPECIAL HABITATS.....	24
NOTIFICATION AND MONITORING PROCEDURES	25
ENFORCEMENT AND ADMINISTRATIVE SUPPORT	25
THE NATURE CONSERVATION ACT (9/2023)	25
PURPOSE AND SCOPE	25
PROTECTED AREAS AND HABITAT CONSERVATION	26
SPECIES PROTECTION.....	26
THE ENVIRONMENTAL PROTECTION ACT (527/2014)	26
PURPOSE AND SCOPE	26
ENVIRONMENTAL PERMITTING AND IMPACT ASSESSMENT	27
ENFORCEMENT AND ACCOUNTABILITY	27
THE ACT ON THE FINNISH FOREST CENTRE (418/2011)	28

MANDATE AND FUNCTIONS	28
COOPERATION AND PUBLIC ENGAGEMENT	28
INTEGRATION WITH EU AND INTERNATIONAL ENVIRONMENTAL LAW	29
INTERNATIONAL COMMITMENTS	29
EU LAW INTEGRATION	29
CONCLUSION	30
CHAPTER FOUR	31
INTRODUCTION	31
THE IMPORTANCE OF INTERNATIONAL STANDARDS	31
HISTORICAL EVOLUTION OF INTERNATIONAL FOREST GOVERNANCE	32
KEY INTERNATIONAL ENVIRONMENTAL FRAMEWORKS GOVERNING FOREST PROTECTION	33
THE CONVENTION ON BIOLOGICAL DIVERSITY (CBD), 1992	33
THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE (UNFCCC), 1992	34
THE PARIS AGREEMENT, 2015	35
THE UNITED NATIONS CONVENTION TO COMBAT DESERTIFICATION (UNCCD), 1994	35
THE RIO DECLARATION ON ENVIRONMENT AND DEVELOPMENT (1992)	36
THE SUSTAINABLE DEVELOPMENT GOALS (SDGS) AND THE SADC PROTOCOL ON FORESTRY (2002)	37
SYNERGIES AMONG THE RIO CONVENTIONS	37
SOFT LAW AND GLOBAL INITIATIVES	37
ROLE OF INTERNATIONAL ORGANISATIONS	38
REGIONAL AND MULTILATERAL COOPERATION	38
COMPLIANCE, REPORTING, AND MONITORING MECHANISMS	39
CHALLENGES AND RESPONSES	39
CONCLUSION	40

CHAPTER FIVE	41
INTRODUCTION	41
GENERAL CONCLUSION	41
Chapter One	42
Chapter Two	42
Chapter Three	43
Chapter Four	43
RECOMMENDATIONS	44
Institutional reform and coordination	44
Technology, Monitoring and Transparency	46
BIBILOGRAPHY	47

ABSTRACT

This dissertation intensively looks at the effectiveness of Zambia's legal framework for forest protection focusing on the Forest Act No. 4 of 2015. Analysing this act in light of both international environmental law and also comparative lessons from Finland.

In Zambia, forest play an extremely important role. They help with the country's ecological balance, socio-economic development and climate regulation. Unfortunately, rapid deforestation, illegal logging and unsustainable land use practices still continue to undermine the country's environmental stability. Despite the enactment of the Forest Act of 2015 having the aim to make the forest governance more modern through community participation, decentralization as well as alignment with international standards, enforcement challenges persist because of institutional weakness, corruption, inadequate funding, the list is endless.

This study used a qualitative research approach as it draws information from statutes, case law, scholar works, international conventions as well as policy documents. It also explores the constitutional and statutory framework for forest protection in Zambia, particularly focusing on the Constitution of Zambia, the Environmental Management Act No. 12 of 2011 and the Forest Act No. 4 of 2015, while also comparing Zambia's Framework with Finland's well established forest governance system.

After this study was conducted, it was revealed that although Zambia has made a substantial amount of progress legislative wise, weak institutional capacity, overlapping mandates between the Forest Department and ZEMA as well as limited community benefits heavily hinder the Act's effectiveness. The study also goes a step further and provides recommendations that speak on enhancing inter agency coordination, increasing enforcement capacity, promoting community forest rights. The study also looks at how Zambia's domestic framework aligns with what is provided for in international conventions like the Convention on Biological diversity, the UNFCCC as well as The Paris Agreement to name a few.

Overall, this dissertation argued that strengthening Zambia's forest protection laws requires both legal reform and institution revitalisation as this will definitely ensure that forest governance upholds principles of sustainability, equity and intergenerational justice.

CHAPTER ONE

INTRODUCTION

In Zambia, forests play a very important role in the country's environmental and economic wellbeing. Over 40 percent of the country's land is covered by trees and all sorts vegetation. Forests serve so many purposes, some of which being an ecosystem that supports biodiversity but also serves as great source of livelihood especially for rural communities. Forests provide us with a secure source of food, they provide raw materials that can be put to commercial and domestic use, and more importantly, they help to regulate climate change by acting as carbon sinks. However, forests are under serious threat due to human activities such as deforestation, illegal logging as well as unsustainable use of the land.

With that said, this study will examine how other jurisdictions have established well rounded legal mechanisms that protect forests and what can be employed from these frameworks to strengthen Zambia's own framework that governs forest protection. The goal of carrying out this study is to propose legal policy reforms that can improve enforcement, strengthen institutional capacity and also to make sure that Zambia is in line with its environmental obligations while in the same breath promoting sustainable development in turn promoting well rounded framework on forest protection.

BACKGROUND OF STUDY

Due to past studies, it has been determined that Zambia loses an estimated 250,00 to 300,000 hectares of forest per year which causes serious concerns regarding the wellbeing of the environment at large.¹ This damage to the environment greatly contributes to greenhouse gas emissions which does not greatly reflect the country's commitments under global climate change agreements like the United Nations Framework Convention that creates an important framework on climate change on Climate Change (UNFCCC) that sets out for international cooperation on climate change in turn requiring states to adopt measures that reduce greenhouse gas

¹ Kalinda T, Bwalya SM and Syampungani S, 'forest resource use, policy and governance in Zambia' (2013) 3(5) international journal of environmental law science 125.

emissions while still promoting sustainable management of natural resources.² To add on to this, the Paris Agreement equally obliges countries that are signatories to limit global temperature increase to well below 1.5 degrees Celsius.³ Given that forests have an important role to function as carbon sinks and play a very essential role in climate regulation, the conversion of biodiversity and sustainable livelihoods, it can be seen that Zambia's continuous and rapid loss of forest cover directly challenges its ability to follow the international agreements.

In addition, losing forest ecosystems greatly affects biodiversity, water sources, as well as the quality of the soil which in turn will affect agriculture and food production.

In an effort to respond to the challenges, Zambia enacted the Forest Act No. 4 of 2015 which had replaced the Forest Act of 1973.⁴ The main aim of the 2015 Act is to make the forest governance more modern by addressing the weaknesses of the 1973 Act. Which did not provide adequate provisions for community participation, sustainable forest management as well as aligning with international environmental commitments. When we compare the 1973 to the 2015 act, it can be seen that the 2015 Act introduces mechanisms that strengthen local government, promotes conservation and also ensures compliance with global agreements like the UNFCCC and the Paris Agreement.

Despite the Act proving to have a progressive framework, on the ground, this does not seem to be implemented, because of this, the effectiveness of the Forest Act of 2015 has been called into question. There has been weak enforcement of laws, insufficient funding to relevant sectors and lack of public awareness concerning forest protection which is hindering the full purpose of the law's objectives. Critics may even go a step further and argue that Zambia's legal framework may not be properly aligned with international environmental agreements and best practices,⁵ such as those outlined

² United Nations Framework Convention on Climate Change (adopted 9 may 1992, entered into force 21 march 1994) 1771 UNTS 107

³ Paris Agreement under the United Nations Framework Convention on Climate Change (adopted 12 December 2015, entered into force on 4 November 2016) UNTS No. 54113

⁴ Forest Act 1973

⁵ Forest Act 2015 (n 4)

in the convention on biological diversity (CBD)⁶ and the REDD+ mechanism under the UNFCCC.⁷

This research will look into the implementation of the Forest Act of 2015 by extensively analysing its provisions in relation to Zambia's domestic Challenges and international agreements.

Zambia has been depending on forest resources for economic stability for decades now. Forest provide important goods and services like fuelwood, timber as well as non-timber products.

This research sets out to evaluate the implementation of The Forests Act no 4 of 2015 by critically analysing its provisions in context of Zambia's domestic challenges and international commitments.

Zambia's dependence on forest resources for socio-economic and ecological stability has been evident for decades. Forests provide critical goods and services such as timber, fuelwood, non-timber forest products.⁸ This makes sense because approximately 60 percent of Zambia's population relies on forest resources to sustain their day to day lives in turn affirming the importance of forests.

In the past forest governance was guided by colonial and post-independence legislation that did not focus on sustainable development. The Forest Act of 1973 became outdated even though it seemed to provide a properly functioning framework for managing forests at the time of its creation. It was not created with the purpose of responding to alarming global challenges or Zambia's increasing involvement in international environmental treaties. This gap is what made it necessary to introduce community participation and climate focused policies.⁹

⁶ United Nations, Convention on Biological Diversity (adopted 5 June 1992, entered into force 29 December 1993) 1760 UNTS 79.

⁷ United Nations, REDD+ Mechanism (UNFCCC, Decision 1/CP.16,2010)

⁸ Ibid (n 2)

⁹ Musonda P, 'Legal Frameworks for Forest Governance in Zambia: A Critical Review' (2018) 7 (1) Zambia law journal 45

Unfortunately, even after the enactment, the Act's impact has been limited as Zambia still continues to lose forest cover at a very alarming rate due to weak enforcements, corruption and a lack of institutional coordination.¹⁰

This situation highlights the importance of assessing how well the current legal system is working and to also identify gaps that must be addressed through legal reform and alignment with global environmental norms such as the Convention on Biological Diversity (CBD) and the REDD+ framework.

STATEMENT OF THE PROBLEM

One of Zambia's most essential natural assets are forests, however they are still at a continued and rapid risk of deforestation and illegal logging. According to recent estimates, it has been observed that Zambia still continues to lose hundreds of thousands of hectares of forests each year. In turn this leads to severe land degradation, loss of biodiversity, and negative consequences on rural livelihood. These threats still continue even after the enactment of the Forest Act 2015 which has a purpose of offering a better and comprehensive framework for sustainable forest management.¹¹

The Forests Act of 2015 outlines various principles and structures for the sustainable use and protection of forest resources, including the establishment of community forests, forest management plans, and the role of forest officers.¹² However, the laws implementation has been hindered by practical limitations such as weak institutional capacity, insufficient budgetary allocation, lack of trained personnel, and limited public awareness.

The lack of clear enforceable penalties for forest related offences heavily contributes to continuous illegal logging and the misuse of forest land.

To add on, Zambia's forest network has yet to fully align with international obligations and conventions we are signatories to such as the Convention on Biological Diversity, The United Nations Framework Convention on Climate Change and the REDD+.

¹⁰ World Bank, Zambia: Climate Smart Forest Policy Analysis (World Bank, 2020)

¹¹ Musonda P (n 9)

¹² Forest Act 2015 (n 4)

These frameworks hold conservation, sustainable development as well as carbon strategies at a high degree. Even though Zambia's current laws prove to be progressive in theory, they have failed to insure compliance with these international agreements in practice.

This research discovers a very important need to comb through the gaps between legal theory and enforcement practice under the Forest Act 2015. It seeks to interrogate how existing laws could be reformed or better implemented to enhance forest protection.

Furthermore, it will also explore how Zambia can find a way to harmonize its domestic forest laws with global environmental standards to try to encourage compliance, to attract climate finance and importantly, promote environmental sustainability.

OBJECTIVES OF STUDY

1. To analyse Zambian legislation that protects forests, including the Environmental Management Act, the Constitution of Zambia, and other relevant statutes.
2. To examine the legal framework governing forest protection in Finland
3. To examine whether Zambia's forestry legislation is aligned with international environmental standards and obligations.

RESEARCH QUESTIONS

1. What provisions exist in the Environmental Management Act, the Constitution of Zambia, and other statutes for forest protection, and how effective are they?
2. What legal Mechanisms exist in Finland for forest protection and how do they ensure sustainable forest management?
3. To what extent does Zambia's forestry legislation align with international environmental standards and obligations?

SIGNIFICANCE OF STUDY

This study is significant both at the academic and practical levels. Forests are one of Zambia's most valuable natural resources, and the rate of deforestation has become an urgent concern.

This study will contribute to ongoing discussions on how legal frameworks can be used more effectively by thoroughly going through the Forest Act of 2015 with the aim to manage environmental degradation.

In addition, this research will provide a legal perspective on forest protection. Many environmental studies focus on the ecological and economic impacts of deforestation, there still remains limited studies that scrutinize the legal mechanisms that curb these issues.

This study will also benefit lawmakers, government agencies such as the forestry department and Zambia environmental management agency, non-governmental organisations community forest management groups. This study will highlight the existing enforcement challenges and propose practical legal and policy reforms.

Furthermore, by analysing Zambia's compliance with international environmental instruments such as the CBD and the REDD+ framework, this study supports Zambia's obligation under the UNFCCC and the Paris agreement. This helps promote accountability, improve governance and enhance Zambia's environmental credibility globally.

SCOPE OF THE STUDY

This study will focus greatly on Zambia's forestry legislation, mainly the Constitution of Zambia, the Environmental Management Act and the Forest Act of 2015 itself and their alignment with international environmental agreements.

It will also go a step further and analyse the legal framework governing forest protection in Finland as it has a well-rounded framework of which Zambia could draw inspiration from in light of strengthening the country's own legal framework.

DEFINATION ON KEY TERMS

Ecosystem: means a living functioning system which contains all organisms including human beings, their environment and the relationship that exists between them.¹³

¹³ Forest act 2015 (n 4)

Forests: means any land with a tree canopy cover of more than ten percent and area of more than zero point five hectares and includes young stands that have not yet reached, but are expected to reach a crown density of ten percent and tree height of five meters that are temporarily under stocked areas.¹⁴

ACRONYMS

CBD: Convention on Biological Diversity

UNCCD: United Nations Convention to Combat Deforestation.

UNFCCC: United Nations Framework on Climate Change

REDD: Reducing Emissions from Deforestation and Forest Degradation

LITERITURE REVIEW

While there are several scholars and researchers that have examined the relationship between forest governance and legal frameworks, both in Zambia and internationally. However, there is still a struggle in the enforcement of The Forests Act 2015.

Some of these scholars and researchers include:

Makweti Sishekanu in an article entitled: “Evolution of forest law and regulation in Zambia from 1973 to 2015” provided an in depth examination of the evolution of forest law in Zambia from the forest act of 1973 to The Forest Act of 2015. The author argues that although The Forest Act 2015 introduced more community participation and conservation incentives, it still operates under a command and control model that hinders effective implementation. The author stressed how The Forest Acts keep evolving without any visible change concerning implementation, in his words “it’s like a disabled person who fails to carry a 10kg bag because of his disability, but then is given an additional 25kg to lift without treating the disability”¹⁵

However, this study seeks to critically analyse how well The Forests Act 2015 stops issues to do with deforestation and illegal logging and whether the purpose of the act meets international standards.

¹⁴ Ibid

¹⁵ Makweti Sishekanu ‘evolution of forest law and regulation in Zambia from 1973 to 2015’

Ochieng, Visseren-Hamakers examined the institutional effectiveness of REDD+ monitoring, reporting and verification (MRV) systems in Kenya find that they include stakeholder participation, clear legal mandates and adequate technical support that are crucial for success.¹⁶ Their analysis of the Kenyan context is particularly relevant when considering **The forest conversion and management act of 2016**. The Act establishes the Kenya forest service and creates a clear mandate for protection, conservation and sustainable management of forests. The Act is often cited as a model for effective forest governance in Africa due to its emphasis on public participation, conservation incentives, and transparent enforcement mechanisms.¹⁷ This study seeks to draw learnings from other jurisdictions like Kenya on how to strengthen our forestry laws in light of enforcement and conservation.

Thomson Kalinda and Samuel Bwalya in their article entitled: “Use of integrated land use assessment(ILUA) data for forestry and agricultural policy review and analysis in Zambia” observed that forest degradation in Zambia is largely attributed to agricultural expansion, charcoal production, and unsustainable logging practices, activities often driven by rural poverty and lack of alternative livelihoods. Their study highlights that despite increasing awareness of forest degradation’s ecological consequences, legal and institutional responses have been insufficiently coordinated. The author notes that while The Forests Act No. 4 2015 was enacted to create a more coherent framework for sustainable forest management, its implementation has been hampered by limited financial resources, inadequate staffing and poor technical capacity at both national and local levels.¹⁸ However, their study did not address the extent to which Zambia’s forestry legal framework aligns with international obligations. This study seeks to bridge that gap by evaluating Zambia’s compliance with global forest protection standards and recommending legal reforms to enhance the effectiveness of The Forests Act 2015.

Similarly, **Monica Chundama in her article entitled: “Investigating the options and potential strategy for REDD payments in Zambia” (IUCN 2009)** pointed out the fragmentation of environment laws in Zambia and the weaknesses of enforcement mechanisms, especially the problem of superficial community participation in forest

¹⁶ Ochieng RM, ‘Institutional effectiveness of REDD+ MRV’

¹⁷ The Forest Conservation and Management act 2016

¹⁸ Kalinda T (n 1)

management. His work mainly critiqued the structural and institutional barriers that weaken environmental governance.¹⁹ However, the author did not critically assess the specific content and enforcement provisions of The Forests Act 2015 as it had not yet been enacted at the time. This study will build upon Chundama's concerns by specifically evaluating the effectiveness of the 2015 Act and examining its alignment with international environmental frameworks.

Nansikombi conducted a compressive study assessing forest governance quality in Zambia's miombo ecoregion, a significant forest type covering about 45% of the country's land area. Utilizing the governance of forests incentives indicator framework developed by the world resources institute, they evaluated governance performance across 24 communities in the copper belt, north-western and eastern provinces.

Their analysis revealed consistently low scores across various governance indicators, highlighting challenges such as inadequate enforcement of forest rules, limited financial and technical capacities and insufficient participatory land use planning.²⁰ This study underscores the necessity of strengthening institutional capacities and enhancing coordination mechanisms to effectively enforce forest regulations. However, this study aims to go beyond perceptions by conducting a legal doctrinal analysis of The Forest Act 2015, specifically, it assesses the extent to which the Act aligns with Zambia's obligations under international environmental treaties.

Kleinschmit explores global forest governance and international forest law, including treaties like CBD. They argue that national forest legislation must align with international environmental objectives to be effective in combating global forest loss. This study outline key principles of international environmental law such as participation, equity, transparency and suggests that many developing countries struggle to integrate these norms due to limited legal infrastructure.²¹ Although the author discusses broader institutional challenges in forest governance, they do not specifically evaluate The Forests Act 2015 or its compliance with international legal

¹⁹ Monica Chundama 'investigating the options and potential strategy for REDD payments in Zambia (IUCN 2009)

²⁰ Nansikombi V, ' Exploring Patterns of Forest Governance quality: Insights from forest frontier Communities in Zambia's Miombo Ecoregion' (2020) <https://eprints.soas.ac.uk/33062/1/a1603.pdf> accessed 30th March 2025.

²¹ Kleinschmit D, ' EXPLORING Patterns of Forest Governance quality: insights from forest frontier communities in Zambia's Miombo Ecoregion' (2020) <https://eprints.soas.ac.uk/33062/1/a163.pdf> accessed 4th April 2025

instruments. This research therefore seeks to bridge this gap by offering a critical doctrinal analysis of the acts provisions against global best practices in forest protection.

Mulenga, C., “Judicial Mandate in Safeguarding Environmental Rights from the Adverse Effects of Mining Activities in Zambia” (PER/PELJ, 2019)²² explores how Zambian courts have applied environmental and constitutional mandates when adjudicating mining-related environmental disputes. This study offers insights into judicial oversight as a tool for environmental protection in Zambia.

Makondo, C. C. et al., “Environmental Management Compliance, Law and Policy Regimes in Developing Countries: A Review of the Zambian Case” (International Journal of Environmental Protection and Policy, 2015)²³ analyses the challenges faced in enforcing Zambia’s environmental regulations, highlighting issues such as institutional weaknesses, centralized governance, and technical capacity shortfalls.

RESEARCH METHODOLOGY

The research will be qualitative in nature, as this study does not involve any numerical research. Furthermore, this research shall be conducted through the use of information gathered from statutes, books by prominent authors, articles, case law, journals and published legal reports.

ETHICAL CONSIDERATIONS

In order to ensure the complete adherence to ethical standards, the researcher affirms that any information collected will be solely for academic purposes. The researcher will insure that the collected information remains confidential and in addition, the researcher will also ensure sufficient and proper acknowledgment of the works of other authors.

CONCLUSION

It can be concluded that Forests are vital to Zambia’s environment, economy and rural livelihoods, yet they face significant threats from deforestation, illegal logging and

²² **Mulenga, C.**, “Judicial Mandate in Safeguarding Environmental Rights from the Adverse Effects of Mining Activities in Zambia”

²³ **Makondo, C. C. et al.**, “Environmental Management Compliance, Law and Policy Regimes in Developing Countries: A Review of the Zambian Case”

unsustainable land use. These challenges negatively affect over all sustainability and Zambia's compliance with international agreements such as the UNFCCC, Paris Agreement and Convention on Biological Diversity.

The Forest Act of 2015 had its main purpose to make forest governance more modern by introducing things like community participation, sustainable management and also aligning with global standards and obligations. These challenges undermine ecological stability and Zambia's compliance with international commitments such as the UNFCCC, Paris Agreement and Convention on Biological Diversity.

The Forest Act No. 4 of 2015 modernized forest governance by introducing community participation, sustainable management and alignment with global standards.

This chapter has uncovered the need for a detailed legal analysis of Zambia's forest laws. The chapters that follow shall examine the Forest act of 2015 and other relevant statutes in depth to identify gaps and also provide recommendations that will strengthen forest protection in Zambia in line with international standards.

CHAPTER TWO

THE LEGAL AND INSTITUTIONAL FRAMEWORK FOR FOREST PROTECTION IN ZAMBIA.

INTRODUCTION

This chapter analyses the domestic legislative framework for forest protection in Zambia. It focuses on three pillars of legislation: The Constitution of Zambia, the Environmental Management Act No. 12 of 2011 (EMA), and the Forests Act No. 4 of 2015. These statutes together form the backbone of Zambia's legal system for environmental governance. This chapter will work towards highlighting Together, these laws form the backbone of Zambia's legal system for environmental and forest governance.

It is a known fact that forests play a very important role in Zambia as they affect the country's ecological stability, its socio-economic development. From preventing soil erosion to regulating climate change and even being a source of food and raw materials, despite being this important, forest still continue to face extreme rates of deforestation by activities such as illegal logging, charcoal production even agricultural expansion.²⁴ these challenges highlight the need for a change in the current legal framework on forest protection, a framework that is needed is one that not only provides for sustainable management of forests but also aligns with constitutional principles and international obligations.

BACKGROUND OF THE LEGAL FRAMEWORK

The legal framework that provides for forest protection in Zambia has evolved over time. It reflects both colonial priorities and also current efforts to address environmental sustainability. In the past, forest reserves were mainly created to safeguard valuable timber species and protect watershed areas. One of the earliest statutes was the Forest Ordinance of 1949. It provided the basis for centralized control when it comes to forest resources. This framework was later repealed by the Forest Act of 1973 which put the task of forest management in the hands of the state. These early laws generated revenue from timber production rather than focusing on long term sustainability or recognising the role that local communities play in forest stewardship. The disadvantages of this model started to become even more clear by the 1990's. from the rapid deforestation rates, to the growing awareness of global environmental challenges, Zambia was provoked to rethink its approach.²⁵ The country's ratification of key international agreements such as the Convention on Biological Diversity (CBD) and the United Nations Framework Convention on Climate Change (UNFCCC), which required domestic legal alignment, signalled a shift towards integrating international environmental principles into domestic law. These commitments created pressure for Zambia to modernise its legal framework to align with global standards on sustainable resource use and conservation.

In response to this, the country enacted a very important environmental statute, which was the Environmental Management Act. This was a big step in the right direction as this act took a more comprehensive approach as it took in environmental protection

²⁴ Food and Agriculture Organisation (FAO), Global Forest Resources Assessment 2020

²⁵ Makweti Sishekanu 'Evolution of forest law and regulation in Zambia'

seriously by including it in national development instead of treating it as a separate issue. To continue in this step towards greatness, the Forest Act 2015 repealed the 1973 Act and introduced important innovations like Joint Forest Management and also legally recognised community forest rights. These provisions showed an acknowledgement to how forest protection cannot be achieved by state control only but it is a team effort that requires the involvement of local communities whose day to day lives are linked to these resources.

When we look at all these reforms together, there is a noticeable shift from a rigid, state centred regulatory framework to a model that promotes sustainability, decentralization and public participation. This transformation was further solidified through constitutional amendments which declare environmental protection as part of Zambia's national principles. The historical trajectory therefore demonstrates a gradual but important movement, from colonial exploitation and state monopoly to a modern legal framework that has an aim to balance environmental protection, community rights and national development.

LEGAL FRAMEWORK

The legal framework that provides for forest protection in Zambia includes the Constitution of Zambia, the Environmental Management Act and the primary statute that provides for forest related activities such as forest protection, the Forest Act of 2015.

THE CONSTITUTION

The Constitution of Zambia is the supreme law of the land and provides the overarching principles that guide statutory and policy frameworks. Article 8 lists sustainable development as one of the national values and principles.²⁶ Article 9(1) further requires that these principles guide the interpretation of the Constitution, the enactment of laws, and the implementation of state policies.²⁷ This elevates environmental protection and sustainable development from policy aspirations to constitutional imperatives.

²⁶ Constitution of Zambia of 2016, Art 8

²⁷ Ibid, Art 9

More directly, Article 256 places a duty on every person to cooperate with state organs and others to ensure the sustainable development and use of natural resources.²⁸ This provision establishes not only state responsibility but also citizen responsibility for protecting the environment, including forests. It is reinforced by Article 257, which requires the state to establish and implement mechanisms to address environmental degradation and climate change.²⁹

The constitutional framework therefore sets the stage for laws such as the EMA and Forests Act to give concrete effect to these broad principles. Courts in Zambia are also starting to acknowledge the constitutional aspect of forest protection.

To sum it all up, the constitution serves as the backbone for forest protection. In the same breath, the constitutional provisions are very broad which means that their impact would depend on the statutes that will use them as inspiration. An example of such a statute is the Environmental Management Act which translates these principles into enforceable obligations.

THE FOREST ACT No. 4 OF 2015

The Forest Act of 2015 is currently the central environmental statute as it regulates the management, conversion and sustainable use of Zambia's forests. It was introduced to make Zambia's framework governing forest protection more modern by aligning its provisions with the constitutional principles that promote sustainability not forgetting Zambia's obligations under international environmental agreements. The Act strayed away from earlier laws by recognising the importance of sustainable development, community involvement and the effects of climate change.

One outstanding feature that the Act has is that it has provided for community and joint forest management. Part IV of the Act grants communities the right to participate in managing forest resources. The intention behind this was to empower local populations who depend heavily on forests for their livelihoods.³⁰ This shows that there is an understanding that sustainable forest management is more likely to succeed when local communities play part in decision making.

²⁸ Ibid, Art 256

²⁹ Ibid, Art 257

³⁰ Forest Act of 2015, Part IV

The Act also provides for institutional responsibilities as Section 5 outlines the functions of the Forestry Department which include managing forest reserves, issuing licenses and promoting conservation among other functions.³¹ Adding on to this, Section 6 to 9 establish mechanisms for declaring forest reserves and protected areas in turn creating legal safeguards for ecosystems.

Even though the act has these strengths, implementing it has been a challenge. Makanday conducted an investigation that revealed that there is an alarming widespread illegal logging of Mukula which is a high value special species. These illegal loggings are enabled by corruption and weak enforcement mechanisms.³² which is in turn undermining the credibility of the Acts regulatory framework. On a similar note, Joint Forest Management provisions promised to give communities more control and benefits from forest resources which in practice is a good idea but due to inadequate funding and limited support from the government, this has proved to be a challenge in practice.³³ Because of this, communities do not have the capacity to participate effectively in forest management, defeating the purpose of Joint Forest Management.

Despite the information provided above, the Forest Act of 2015 took a significant step forward in terms of aligning Zambia's forestry laws with principles of sustainability, community participation as well as international environmental standards. However, the gap between what it was enacted to do and what's happening in reality in terms of implementation shows that there are still challenges like weak institutional capacity, corruption as well as insufficient community empowerment. Bridging this gap is of great importance if the Act is to fulfil its purpose of sustainable and inclusive forest governance.

THE ENVIRONMENTAL MANAGEMENT ACT

This Act is Zambia's primary environmental statute as it was enacted to provide for modern and comprehensive environmental management, it established the Zambia Environmental Management Agency and also to ensure there is sustainable use of natural resources.³⁴

³¹ Ibid, S5

³² Makanday, "Mukula is Gone, they are now after Mukwa"

³³ Global Land Alliance, Zambia Forest Act: Gender and Youth Responsive Legal Analysis

³⁴ Environmental Management Act of 2011

One of its core strengths is the requirement for Environmental Impact Assessments (EIAs). Section 29 provides that no project likely to have an effect on the environment may be implemented without prior approval from ZEMA.³⁵ This provision is critical for forestry projects such as large-scale logging concessions, road construction in forest areas, and mining projects within forest reserves. EIA's are essential as they make sure that potential impacts on forests are assessed and taken care of before they worsen.

The Environmental Management Act also provides for the inclusion of public participation when it comes to decision making in environmental related matters. Section 5 of the Act places a duty on every person to take care of and enhance the environment and also requires that citizens should report activities that prove to be harmful to the environment to the rightful authorities.³⁶ This places a shared responsibility on both the state and individuals when it come to the protection and wellbeing of the environment.

Despite proving to have a number of provisions that are progressive in nature, the Act still has some weaknesses that are very notable. Starting with how it delegates forest specific management functions to the Forest Act in turn creating and institutional overlap. For example, while ZEMA has the task to approve EIAs, the Forestry Department still has authority concerning the task of giving out licenses and permits in forest reserves. This has lead to confusion when it comes to coordination and decision making amongst these institutions. Moreover, ZEMA's enforcement capacity is limited by inadequate resources, resulting in weak monitoring of forestry-related projects.

Even though the Environmental Management Act provides for a comprehensive legal framework when it comes to forest protection, it requires other legislation that will complement it to address specific issues that have to do with forest protection. The Forest Act of 2015 serves this function as it takes in the ideas of constitutional principles and some EMA requirements within the forestry sector.

INSTITUTIONAL FRAMEWORK

³⁵ Ibid, S29

³⁶ Ibid, S5

The responsibility of forest governance in Zambia is on the shoulders of a single body but joint effort of several institutions as they each have distinct functions that sometimes overlap.

THE MINISTRY OF GREEN ECONOMY AND ENVIRONMENT:

the purpose of the Ministry of Green Economy and Environment is to set direction and priorities for sustainable development at policy level. It also aligns Zambia's policies its own national development goals as well as international commitments.

THE FORESTRY DEPARTMENT:

On the ground, the forestry department is the primary agency responsible for implementing the Forest Act. Its work includes managing forest reserves, issuing licences for timber harvesting and ensuring compliance with forestry regulations.

ZAMBIA ENVIRONMENTAL MANAGEMENT AGENCY (ZEMA):

Alongside the forestry department, ZEMA plays a crucial role under the Environmental Management Act. The functions of ZEMA are broad as they include the conducting and reviewing of Environmental Impact Assessments for activities that could affect forest ecosystems.

LOCAL AUTHORITIES AND TRADITIONAL LEADERS.

These come in and serve importance in community forest management. Traditional leaders control customary land, their involvement is important in fostering community ownership of forest conservation. This is very important in rural areas where the locals depend on forest resources to carry out their day to day activities.

Despite there being a broad network of institutions, coordination among said institutions is a major challenge. Notable overlaps can be seen between ZEMA and the Forestry Department especially when it comes to licensing and monitoring functions.³⁷ On the ground, these overlaps cause duplication and enforcement gaps in one breath because weak coordination can create loopholes that are taken advantage of which contribute to the already existing problem of illegal logging and unsustainable practices.

This institutional reality underscores an important point which is that strong legal provisions alone are not sufficient for effective forest protection. The interaction

³⁷ World Bank, Forest Tenure and Drivers of Degradation and Deforestation

between the Constitution, the EMA and the Forest Act must be supported by clear institutional roles and robust cooperation among agencies. Without such coordination, even the most progressive laws risk being undermined by fragmented implementation.

INTERPLAY BETWEEN THE CONSTITUTION, THE ENVIRONMENTAL MANAGEMENT ACT AND THE FOREST ACT

The Constitution, the Environmental Management Act (EMA), and the Forests Act serve as the cornerstones of Zambia's forest conservation framework. The broad concepts are provided by the Constitution, which incorporates citizen accountability, intergenerational equality, and sustainability as guiding principles for governance. Legislation gives these ideas real meaning; they are not intended to stay abstract. By creating the Zambia Environmental Management Agency (ZEMA) and mandating Environmental Impact Assessments (EIAs) for projects that could have an impact on the environment, the EMA converts constitutional ideals into legally binding procedures. By doing this, it guarantees that decisions about development are examined from an environmental perspective. The three instruments, the Forests Act's precise forestry regulations, the EMA's operational monitoring, and the general constitutional principles are meant to work together as a chain.

However, in real life, this does not always align perfectly. From institutional overlaps, inadequate funding and also weak enforcement, the legal framework is greatly affected. An accurate example is a situation where the constitution demands the state to work towards sustainable development, there are situations where logging permits are granted without proper EIAs putting the functions of both the EMA and the Forest Act into question. The gap between the law and practice that is created by this gives a proper example on legal frameworks can be fragile when implementation is inconsistent. As a result, the conflicts between these tools draw attention to more general governance flaws. Understanding these flaws is crucial to determining how Zambia's legal system might be improved, a topic that will be covered in the following section.

CRITICAL GAPS IN THE LEGAL FRAMEWORK

Zambia has strengthened its framework for forest governance, but there are still large gaps that make it less effective.

On paper, laws and rules may be extensive, but their proper implementation is frequently hampered by corruption, insufficient money, and a lack of technical expertise.

Overlaps between institutions make things much more difficult. ZEMA and the Forestry Department both have licencing and monitoring authority, but the lack of collaboration between them often leads to redundant responsibilities or supervision gaps. These organisations may operate against one another instead of supporting each other, leaving gaps that can be easily taken advantage of by individuals partaking in illegal forest activities.

The issue of community benefits is another crucial gap. Although community forest rights and joint forest management are officially recognised under the Forest Act, the actual situation is very different. Local incentives for conservation are weakened and the spirit of participatory forest management is undermined since communities rarely see real benefits from the same forests they are supposed to assist in protecting.³⁸

The insufficiency of punishments also limits the law's ability to discourage. When compared to the earnings made from large-scale wood trafficking, some fines and penalties for illicit logging are still disproportionately modest. Therefore, rather than seeing sanctions as a true deterrent, well-funded perpetrators frequently see them as just another expense of doing business.

Lastly, Zambia's domestic laws do not yet fully align with its international obligations under accords like the UN Convention to Combat Desertification (UNCCD), the UN Framework Convention on Climate Change (UNFCCC), and the Convention on Biological Diversity (CBD). Zambia's capacity to fulfil its responsibilities and gain from international frameworks and collaboration is weakened by this misalignment.

When considered collectively, these flaws show that the gap between law and practice rather than the lack of a legal framework is Zambia's biggest problem. More than piecemeal law reform is needed to address this; improved agency cooperation, increased institutional capacity, significant community involvement and conscious attempts to harmonise national legislation with global norms. The promise of Zambia's forest governance system won't be fully achieved until then.

³⁸ Global Land Alliance (n 83)

CONCLUSION

It can be concluded that Zambia's legal framework for forest protection has evolved significantly, with the Constitution, EMA, and Forests Act 2015 forming a strong basis for sustainable forest governance. The Constitution enshrines sustainability as a guiding principle, the EMA ensures environmental oversight through EIAs and ZEMA, and the Forests Act provides detailed provisions for forest management and community participation.

However, gaps in enforcement, institutional coordination, and benefit-sharing weaken the framework. Without addressing these challenges, Zambia risks continued deforestation and loss of biodiversity, undermining both national development and international commitments. The next chapter will situate these domestic challenges within the broader context of international law and best practices.

CHAPTER THREE

LEGAL FRAMEWORK GOVERNING FOREST PROTECTION IN FINLAND

INTRODUCTION

Finland is one of the most heavily forested countries in the world, with trees covering nearly three-quarters of its landmass.³⁹ The forests are central to Finnish life, supplying timber for industry, providing livelihoods for rural communities, and acting

³⁹ Food and Agriculture Organisation (FAO), State of the World's Forests 2022

as carbon sinks vital to the nation's climate policy. Over the years, Finland has developed an extensive body of legislation to secure these forests for present and future generations. The main legal instruments are the Forest Act (1093/1996, as amended), the Nature Conservation Act (9/2023), the Environmental Protection Act (527/2014), and the Act on the Finnish Forest Centre (418/2011), all operating within the broader framework of the Constitution of Finland (731/1999).

Unlike many systems that treat forest law and environmental law separately, Finland integrates the two. The result is a coherent regime that balances ecological integrity with economic utility.

This chapter examines that regime, beginning with the historical background before analysing each major statute. This chapter analyses Finland's legislative framework governing forest protection. It examines the constitutional basis for environmental rights and the principal statutes regulating forest management, biodiversity conservation, and environmental protection. The chapter will also highlight how Finland's laws operationalise international obligations under instruments such as the Convention on Biological Diversity and the Paris Agreement.

BACKGROUND OF FORESTRY AND ENVIRONMENTAL GOVERNANCE IN FINLAND

Forestry has shaped Finland's economy since the nineteenth century, when sawmilling and pulp industries emerged as national drivers of growth.⁴⁰ For much of the twentieth century, forest law focused on productivity, ensuring that timber yields met industrial demand. By the late 1980s, however, growing environmental awareness prompted legal reform. Finland embraced the concept of sustainable forest management (SFM), which aims to use forest resources without compromising biodiversity or regeneration.

The Forest Act 1996 was a turning point. It replaced earlier rules centred on economic efficiency with provisions that recognise ecological, social, and cultural sustainability. The Act's adoption coincided with Finland's accession to the European Union, which brought new environmental obligations under the Habitats Directive (92/43/EEC) and

⁴⁰ Ministry of Agriculture and Forestry of Finland strategy 2035 (2023) 4

the Birds Directive (2009/147/EC).⁴¹ The integration of these directives into domestic law created the Natura 2000 network which is an EU-wide system of protected habitats covering significant parts of Finland's forests.⁴²

This evolution shows how Finland's forest governance grew from national priorities into a model aligned with international and regional sustainability standards.

CONSTITUTIONAL BASIS FOR ENVIRONMENTAL PROTECTION

Environmental stewardship in Finland is grounded in the Constitution of Finland (731/1999). Section 20 declares that "Nature and its biodiversity, the environment and the national heritage are the responsibility of everyone. Public authorities shall endeavour to guarantee for everyone the right to a healthy environment."⁴³ This provision transforms environmental protection from policy into a constitutional duty. It binds both government and citizens, ensuring that environmental considerations permeate every area of law.

Moreover, Section 22 obliges public authorities to secure the observance of basic rights and liberties, reinforcing the enforceability of environmental rights.⁴⁴ Together, these clauses establish an overarching constitutional principle, which emphasizes that environmental protection is not optional but integral to Finland's legal order. All subordinate legislation, including forest laws must therefore be interpreted in light of this duty.

The constitutional recognition of environmental rights also reflects Finland's participatory approach. Citizens are entitled to influence decisions concerning their living environment, echoing the democratic ideals later codified in the Aarhus Convention (1998).⁴⁵ Thus, constitutional and international norms converge to support both the right and the responsibility to protect Finland's forests.

⁴¹ Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora [1992] OJ L206/7

⁴² Directive 2009/147/ec of the European Parliament and of the Council on the Conservation of wild birds [2010] OJ L20/7

⁴³ Constitution of Finland 731/1999 S20

⁴⁴ Ibid S22

⁴⁵ Aarhus Convention on Access to Information, Public Participation in Decision making and Access to justice in Environmental Matters (adopted 25 June 1998, entered into force 30 October 2001) 2161 UNTS 447

THE FOREST ACT (1093/1996, AS AMENDED)

The Forest Act 1996 is Finland's central statute for regulating forest use. Its primary goal, expressed in section 1, is to promote the economically, ecologically, socially and culturally sustainable management and use of forests in such a way that forests provide a sustainable yield while their biological diversity is preserved.⁴⁶ This multidimensional objective sets Finland apart from systems that emphasise economic output alone.

SUSTAINABLE USE AND REGENERATION

A key innovation of the Act is the legal duty of regeneration. After logging, forest owners must ensure re-growth. Either through natural seeding or replanting, within a specified timeframe.⁴⁷ The Finnish Forest Centre, the supervisory authority created under later legislation, monitors compliance. If regeneration fails, the Centre may issue corrective orders or impose administrative fines.⁴⁸ This mechanism guarantees continuity of forest cover and underpins Finland's success in maintaining near-zero deforestation rates.

PROTECTION OF SPECIAL HABITATS

Beyond regeneration, the Act protects small but ecologically significant habitats, described in section 10 as "habitats of special importance." These include old-growth stands, herb-rich forests, and natural springs.⁴⁹ Such micro-habitats often shelter rare species and are therefore shielded from felling or soil disturbance. By embedding habitat protection directly into production-forest legislation, Finland avoids the common problem of segregating conservation and commercial forestry.

⁴⁶ Forest Act 1093/1996 S1

⁴⁷ Ibid S5

⁴⁸ Ibid S14-15

⁴⁹ Ibid S10

NOTIFICATION AND MONITORING PROCEDURES

Before any harvesting occurs, landowners must submit a forest-use declaration to the Finnish Forest Centre at least ten days in advance.⁵⁰ This notification enables pre-harvest checks on sustainability criteria and biodiversity impacts. Non-compliance may lead to suspension of operations or restoration orders.⁵¹ These procedural safeguards make the Act preventive rather than merely punitive.

ENFORCEMENT AND ADMINISTRATIVE SUPPORT

While the Act provides for penalties, unauthorised felling can attract fines under section 21, its philosophy leans on guidance and cooperation.⁵² The Forest Centre works closely with private forest owners, who manage roughly two-thirds of Finland's forests, offering technical advice and training on sustainable practices. This blend of legal obligation and administrative support has created a culture of voluntary compliance grounded in shared environmental values.

THE NATURE CONSERVATION ACT (9/2023)

Complementing the Forest Act, the Nature Conservation Act 2023 provides Finland's main legal basis for biodiversity protection. It modernises earlier conservation law to reflect climate goals and the EU's 2030 Biodiversity Strategy.⁵³

PURPOSE AND SCOPE

Under section 1, the Act seeks to safeguard biodiversity, protect valuable habitats, and ensure the sustainable use of natural resources so that nature's diversity and ecosystem services are preserved for future generations.⁵⁴ The scope is broad, covering all ecosystems from forests to wetlands and marine environments and ensuring that conservation duties cut across sectoral boundaries.

⁵⁰ Ibid S12

⁵¹ Ibid S13

⁵² Ibid S21

⁵³ Nature Conservation Act 9/2023 (Finland)

⁵⁴ Ibid S1

PROTECTED AREAS AND HABITAT CONSERVATION

Chapter 3 establishes several categories of protected land, including national parks, nature reserves, and Natura 2000 sites designated under EU law.⁵⁵ Activities that could damage or alter these areas are generally prohibited unless authorised by the Centre for Economic Development, Transport and the Environment (ELY Centre). Importantly, the Act introduces the principle of ecological compensation, allowing unavoidable environmental damage to be offset through restoration elsewhere.⁵⁶ This mechanism aligns with the “no net loss” approach adopted across the EU.

SPECIES PROTECTION

Chapter 8 prohibits the killing, capture, or disturbance of endangered species and the destruction of their habitats.⁵⁷ Lists of protected species are periodically updated by government decree in consultation with scientists, ensuring that protection remains evidence-based. Breaches may attract criminal penalties under section 58, which authorises fines or imprisonment for severe violations.⁵⁸ Together, these provisions integrate conservation science into enforceable legal duties.

THE ENVIRONMENTAL PROTECTION ACT (527/2014)

While the Forest Act and the Nature Conservation Act directly govern forest use and biodiversity, the Environmental Protection Act 527/2014 provides the broader environmental safeguards that indirectly shape forestry operations. Finland treats environmental quality as an integrated concept; therefore, any activity affecting air, soil, or water, including forestry must comply with this Act.⁵⁹

PURPOSE AND SCOPE

Section 1 of the Act sets out its goal as “to prevent pollution, to safeguard a healthy and pleasant environment, to ensure the sustainable use of natural resources, and to

⁵⁵ Ibid Chapter 3

⁵⁶ Ibid S28

⁵⁷ Ibid Chapter 8

⁵⁸ Ibid S58

⁵⁹ Environmental protection Act 527/2014 (Finland)

prevent climate change and its harmful effects.”⁶⁰ This statement demonstrates how Finnish environmental legislation treats forests not merely as economic resources but as ecological systems whose condition affects the wider environment.

The Act applies to both private and public undertakings. For example, pulp and paper industries, sawmills, and energy producers using biomass must obtain environmental permits before operating. By linking forest-related industries to pollution control, Finland ensures that forest utilisation remains consistent with climate and environmental objectives.

ENVIRONMENTAL PERMITTING AND IMPACT ASSESSMENT

Sections 27 and 28 require permits for any operation likely to cause significant environmental effects.⁶¹ The permit process involves assessing emissions, waste management, and resource efficiency. In addition, large-scale forest clearances or infrastructure developments within forested zones trigger a mandatory Environmental Impact Assessment (EIA) under the EIA Act 252/2017.⁶² These procedures ensure that ecological considerations are examined before decisions are finalised, promoting preventive environmental management rather than remedial action.

ENFORCEMENT AND ACCOUNTABILITY

The Act’s enforcement provisions empower supervisory authorities to impose binding orders or suspend operations for non-compliance. Section 122 authorises administrative fines and, in serious cases, criminal proceedings.⁶³ Oversight is exercised by the Environmental Authorities and the Centres for Economic Development, Transport and the Environment (ELY Centres). Because the same ELY Centres also implement the Nature Conservation Act, coordination between conservation and pollution-control functions is strong. This integrated enforcement structure prevents legal gaps that could otherwise allow environmentally harmful practices to persist.

⁶⁰ Ibid S1

⁶¹ Ibid s27-28

⁶² Environmental Impact Assessment Act 252/2017 (Finland)

⁶³ Environmental Protection Act 527/2014 S122

THE ACT ON THE FINNISH FOREST CENTRE (418/2011)

Efficient institutions are necessary for effective legislation. In order to do this, Finland passed the Act on the Finnish Forest Centre (418/2011), creating the Finnish Forest Centre (Suomen Metsäkeskus), a semi-autonomous organisation tasked with enforcing forest policy, monitoring adherence, and encouraging best practices.⁶⁴

MANDATE AND FUNCTIONS

Section 2 states that the Centre's responsibilities include overseeing the Forest Act's implementation, keeping an eye on declarations of forest use, preserving data on forest resources, and offering forest owners technical assistance.⁶⁵ It gathers and distributes data on forest composition, ownership, and management practices across the country via the Forest Resource Information System.⁶⁶ This open-access database strengthens transparency and enables both policymakers and citizens to track how forests are managed.

COOPERATION AND PUBLIC ENGAGEMENT

Section 6 of the Act requires cooperation between the Centre, regional authorities, and private owners.⁶⁷ This cooperative approach represents Finland's long-held conviction that active involvement from individuals who rely on the forest is more important for achieving sustainable forestry than state control alone. Additionally, it satisfies the Aarhus Convention's requirements for information access, allowing citizens to participate directly in environmental governance.⁶⁸

By combining oversight with public service, the Finnish Forest Centre bridges the gap between legal obligation and practical implementation.

⁶⁴ Act on the Finnish Forest Centre 418/2011 (Finland)

⁶⁵ Ibid S2

⁶⁶ Finnish Forest Centre, 'Forest Resource Information System' <https://www.metsakeskus.fi/en> accessed 9 October 2025

⁶⁷ Act on the Finnish Forest Centre 418/2011 S6

⁶⁸ Aarhus Convention (1998) 2161 UNTS 447

INTEGRATION WITH EU AND INTERNATIONAL ENVIRONMENTAL LAW

Finland's system for protecting its forests is not isolated. Finland's domestic framework reflects international standards on biodiversity, climate change, and sustainable development because it is a party to several international treaties and a member of the European Union.

INTERNATIONAL COMMITMENTS

Finland has ratified all major environmental treaties relevant to forestry, including the Convention on Biological Diversity (CBD), the UN Framework Convention on Climate Change (UNFCCC), the Paris Agreement, the UN Convention to Combat Desertification (UNCCD), and the Convention on International Trade in Endangered Species (CITES).⁶⁹ These instruments commit Finland to conserve biodiversity, mitigate climate change, and regulate trade in endangered timber species. The Nature Conservation Act and Forest Act translate these commitments into enforceable national duties.

EU LAW INTEGRATION

Within the European Union, Finland implements the Habitats Directive (92/43/EEC) and the Birds Directive (2009/147/EC), forming the legal basis for the Natura 2000 network of protected areas.⁷⁰ The EU Timber Regulation (995/2010) prohibits placing illegally harvested timber on the EU market, reinforcing legality verification throughout the supply chain.⁷¹ Furthermore, the EU Forest Strategy for 2030 guides Member States toward sustainable forest management, afforestation, and restoration policies that contribute to climate neutrality.⁷² Finland's domestic laws, particularly its regeneration and habitat-protection rules already meet or exceed these EU requirements.

⁶⁹ United Nations Treaty Collection, 'status of multilateral environmental agreements: Finland' <https://treaties.un.org> accessed 9 October 2025

⁷⁰ Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora [1992] OJ L206/7

⁷¹ Regulation (EU) No 995/2010 of the European parliament and of the council laying down the obligations of operators who place timber and timber products on the market [2010] OJ L295/23

⁷² European Commission, 'EU Forest Strategy for 2030' <https://environment.ec.europa.eu/strategy/forest-strategy-2030en> accessed 9 October 2025

CONCLUSION

Finland's forest protection framework serves as an example of how environmental sustainability can be attained through institutional cooperation, thorough law, and constitutional commitment. Fundamentally, the Forest Act (1093/1996) mandates conservation and regeneration in productive forests. The Environmental Protection Act (527/2014) regulates pollution and the effects of industry, whereas the Nature Conservation Act (9/2023) protects entire ecosystems and species. Data transparency and implementation are guaranteed under the Act on the Finnish Forest Centre (418/2011). When used, these tools form a unified system that satisfies both domestic and global requirements. Finland's experience shows that effective forest law is a living framework based on involvement, accountability, and knowledge rather than just a list of restrictions. It is among the best illustrations of how legislation may effectively balance social and economic advancement with environmental preservation.

CHAPTER FOUR

ALIGNMENT OF ZAMBIA'S FORESTRY LEGISLATION WITH INTERNATIONAL ENVIRONMENTAL STANDARDS AND OBLIGATIONS

INTRODUCTION

Forests perform multiple essential functions, from preserving biodiversity, regulating water cycles, storing carbon, supporting local livelihoods, and preventing soil erosion. Not to mention how forests support rural livelihoods through the provision of timber, fuelwood, medicinal plants, and non-timber forest products. It is undisputed that forests are a very essential feature that the world at large cannot do without.

Recognising their crucial role, the international community has over the years established numerous legal and policy frameworks aimed at protecting forests and promoting sustainable use of natural resources. These frameworks include the Convention on Biological Diversity, the United Nations Framework Convention on Climate Change, the Paris Agreement and the United Nations Framework Convention to Combat Desertification. The purpose of these conventions is to collectively seek to conserve biodiversity, address deforestation, combat climate change and promote sustainable development.

Therefore, this chapter shall focus on these international treaties, conventions and multilateral organisations that have greatly influenced forest protection and environmental governance all around the world. The chapter will look into and examine their legal foundations, underlying principles, institutional mechanisms and global initiatives that aim at promoting sustainable forest management. It will also go a step further highlight how these global instruments operate and how their provisions set the benchmarks for national forest policies around the world.

THE IMPORTANCE OF INTERNATIONAL STANDARDS

In the field of environmental law, international environmental standards are crucial because they establish a shared basis for forest conservation by requiring governments to work together to solve issues like deforestation, land degradation, and climate change. In addition to encouraging sustainable use of forest resources, these

criteria highlight common expectations and a threshold for conservation and restoration. International standards are crucial because they provide procedures for accountability and transparency while promoting collaboration through financial aid, technological transfer, and capacity building. These frameworks will increase the efficacy of forest preservation measures by fostering connections between governments, international organisations, and civil society.

HISTORICAL EVOLUTION OF INTERNATIONAL FOREST GOVERNANCE

The roots of international environmental law can be traced back to the 1972 Stockholm Conference on the Human Environment, which established the first global environmental agenda and produced the Stockholm Declaration.⁷³ The declaration introduced key principles such as the sovereign right of states to exploit their own resources and the duty not to cause transboundary harm which are principles that continue to shape modern environmental treaties today.

Back in 1987, the Brundtland Report introduced the concept of sustainable development which linked environmental protection with economic and social progress. This philosophy became the very foundation of which the 1992 Rio Earth Summit stands on today, this discovery marked a turning point in global forest governance. The Rio Summit produced three major conventions which are the Convention on Biological Diversity (CBD), the United Nations Framework Convention on Climate Change (UNFCCC), and the United Nations Convention to Combat Desertification (UNCCD) which are collectively known as the Rio Conventions. These conventions today are inspiration for most environmental laws and frameworks all around the world today.⁷⁴

Apart from these conventions, the Non-Legally Binding Authoritative Statement of Forest Principles (1992) established broad guidelines for sustainable forest management, even though it did not carry binding force.⁷⁵ Despite being nonbinding in nature, most environmental law principle that we adhere to today came from it.

⁷³ United Nations, Stockholm Declaration on the Human Environment (1972)

⁷⁴ United Nations, Report of the United Nations Conference on Environment and Development (Rio de Janeiro, 1992)

⁷⁵ United Nations, Non-Legally Binding Authoritative Statement of Principles for a Global Concessions on The Management, Conservation and Sustainable Development of All Types of Forests (1992)

Together, these instruments laid the groundwork for the international community's long term approach to forest protection and the balance between conservation, development, and equity.

KEY INTERNATIONAL ENVIRONMENTAL FRAMEWORKS GOVERNING FOREST PROTECTION.

The legal framework that governs forests under international law is linked to a number of environmental agreements and soft law instruments that collectively create principles and obligations for states. Even though there isn't a single binding global treaty that exclusively deals with forests, there are a number of major conventions like the Convention on Biological Diversity (CBD), the United Nations Framework Convention on Climate Change (UNFCCC), the Paris Agreement and the United Nations Convention to Combat Desertification (UNCCD) all contain provisions that are directly related to sustainable forest management. In addition, frameworks like the Rio Declaration on Environment and Development (1992), the Sustainable Development Goals (SDGs), and the SADC Protocol on Forestry (2002) provide guiding standards for State practice. Together, they form a comprehensive international framework for forest protection to which Zambia is bound.

THE CONVENTION ON BIOLOGICAL DIVERSITY (CBD), 1992

The CBD remains the most comprehensive global treaty addressing forest biodiversity. It was adopted at the 1992 Rio Earth Summit, and has three main objectives: the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of benefits arising from genetic resources. This makes the Convention on Biological Diversity (CBD) represent the cornerstone of global environmental governance.⁷⁶

When we look at Article 6 of the CBD, it obliges States Parties to develop national strategies, plans, or programmes for the conservation and sustainable use of

⁷⁶ Convention on Biological Diversity 1992 1760 UNTS 79 (CBD)

biological diversity.⁷⁷ This is important because it ensures states are taking coordinated and relevant action in terms of conservation.

Article 8 of the CBD goes a step further and makes it a requirement for parties to establish protected areas and to develop regulatory frameworks for their management.⁷⁸ This helps with the conservation of protected areas to avoid their depletion.

One other thing of great importance is that the CBD recognises the role of local and indigenous communities in environmental stewardship under Article 8(j), which encourages States to respect and preserve traditional knowledge relevant to the conservation of biological diversity.⁷⁹ This principle has become crucial in forest governance as many forest dependent communities act as primary stewards of biodiversity. This brings light to how the need for community participation is of great importance when it comes to forest governance.

The CBD's Conferences of the Parties (COPs) over the years have refined its forest related guidance. COP Decision VI/22 (2002) created a programme of work on forest biodiversity, encouraging ecosystem-based management and sustainable forest use. Later, COP Decision XIII/5 (2016) reaffirmed these commitments and linked them to the 2030 Agenda for Sustainable Development.⁸⁰ These decisions show how the CBD has evolved from a treaty of general principles into a dynamic policy platform for forest conservation.

THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE (UNFCCC), 1992

The United Nations Framework Convention on Climate Change (UNFCCC) was adopted alongside the CBD at the 1992 Rio Conference. It creates the very important framework for international cooperation on climate change and identifies forests as crucial carbon sinks essential for stabilising greenhouse gas concentrations in the

⁷⁷ Ibid art 6

⁷⁸ Ibid art 8

⁷⁹ Ibid art 8 (j)

⁸⁰ CBD COP Decision VI/22, Expanded Programme of Work on Forest Biological Diversity (2002); CBD COP Decision XII/5, Forest biodiversity (2016)

atmosphere.⁸¹ Zambia ratified the UNFCCC in 1993, the decision to do so commits the country to undertake measures to mitigate climate change and adapt to its effects.

Article 4(1)(d) of the Convention obliges States Parties to promote the sustainable management, conservation, and enhancement of sinks and reservoirs of greenhouse gases, including forests and other terrestrial ecosystems.⁸² This provision places forest protection at the heart of global climate action as it is an already established fact that forests play a very important role in carbon sinks essential for stabilising greenhouse gas concentrations in the atmosphere.

THE PARIS AGREEMENT, 2015

The Paris Agreement, adopted under the UNFCCC in 2015, represents a legally binding international treaty on climate change. It seeks to limit global temperature increases to well below 2°C above pre-industrial levels and to pursue efforts to limit the increase to 1.5°C.⁸³ Forests play a very important role by functioning as natural carbon sinks that absorb greenhouse gas emission and by doing so, the goal of the Paris Agreement would be achieved.

When we look at Article 5 of the Paris Agreement, it specifically encourages Parties to take action to conserve and enhance sinks and reservoirs of greenhouse gases, including forests.⁸⁴ It also recognises the importance of “results-based payments” for activities that reduce emissions from deforestation and forest degradation (REDD+).

Additionally, Article 13 of the Agreement establishes a framework for transparency and reporting, requiring Parties to provide information on emissions, removals, and the implementation of mitigation measures.

THE UNITED NATIONS CONVENTION TO COMBAT DESERTIFICATION (UNCCD), 1994

The United Nations Convention to Combat Desertification (UNCCD) was adopted in 1994 as a response to the growing problem of land degradation and desertification,

⁸¹ United Nations Framework Convention on Climate Change 1992, 1771 UNTS 107 (UNFCCC)

⁸² Ibid art 4 (1) (d)

⁸³ Paris Agreement 2015

⁸⁴ Ibid art 5

particularly in Africa.⁸⁵ Although primarily concerned with land degradation and desertification, the UNCCD plays an important role in global forest governance.

It defines desertification broadly as land degradation in arid, semi-arid, and dry sub-humid areas resulting from various factors, including climatic variations and human activities.

Article 5 of the Convention requires affected country Parties to develop strategies for combating desertification and mitigating the effects of drought through national action programmes.⁸⁶

The UNCCD's emphasis on community participation in sustainable land management, encourages reforestation and afforestation, and emphasises the role of vegetation in preventing soil erosion.

These participatory structures give local communities a legal voice in forest management, thereby satisfying the Convention's call for local-level engagement.⁸⁷

THE RIO DECLARATION ON ENVIRONMENT AND DEVELOPMENT (1992)

Despite not being a treaty, the Rio Declaration on Environment and Development is nonetheless one of the most important soft-law tools for environmental governance. It outlines 27 guidelines that help states strike a balance between socioeconomic development and environmental preservation.⁸⁸

Principle 2, which emphasises State sovereignty over natural resources along with the obligation to prevent environmental harm beyond national borders, and Principle 15, which introduces the precautionary principle and calls on States to take preventive action in the face of environmental threats even in the absence of complete scientific certainty, are among the most pertinent for forest governance.⁸⁹

Principle 10 of the Declaration highlights the importance of public participation in environmental matters and access to information.

⁸⁵ United Nations Convention to Combat Desertification 1994

⁸⁶ Ibid art 5

⁸⁷ Ibid art 10

⁸⁸ Rio Declaration on Environment and Development

⁸⁹ Rio Declaration Principles 2 and 15

THE SUSTAINABLE DEVELOPMENT GOALS (SDGS) AND THE SADC PROTOCOL ON FORESTRY (2002)

In 2015, the United Nations adopted the Sustainable Development Goals (SDGs) as part of the 2030 Agenda for Sustainable Development. Goal 15, titled Life on Land, calls upon States to “protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, halt and reverse land degradation, and halt biodiversity loss.”⁹⁰

At the regional level, the SADC Protocol on Forestry (2002) provides a binding instrument for cooperation among Southern African countries. The Protocol obliges member States to harmonise forest policies, promote sustainable forest management, and strengthen institutional capacity.⁹¹

SYNERGIES AMONG THE RIO CONVENTIONS

Although the CBD, UNFCCC, and UNCCD address different environmental dimensions, they are deeply interconnected. Forests are a unifying element among them as they are vital for biodiversity conservation under the CBD, carbon sequestration under the UNFCCC, and land stabilisation under the UNCCD. Recognising these overlaps, the secretariats of the three conventions have developed joint work programmes that promote synergy in data collection, policy design, and financial mobilisation.

For instance, joint initiatives such as the Global Environment Facility (GEF) provide funding for projects that simultaneously address biodiversity loss, climate change, and land degradation.⁹² The conventions thus operate as parts of an integrated system rather than isolated instruments, ensuring a comprehensive approach to forest conservation.

SOFT LAW AND GLOBAL INITIATIVES

Beyond binding treaties, soft-law instruments and voluntary declarations play a crucial role in shaping international forest policy. The New York Declaration on Forests (2014), endorsed by governments, corporations, and NGOs, set a target to halve

⁹⁰ United Nations General Assembly, Transforming our world: the 2030 Agenda for sustainable Development

⁹¹ Southern African Development Community (SADC), Protocol on Forestry 2002

⁹² Global Environment Facility (GEF), Integrated Approach Programs for the Rio Conventions (GEF 2020)

deforestation by 2020 and end it by 2030.⁹³ Although non-binding, it mobilised significant private sector engagement and funding commitments.

Similarly, the UN Decade on Ecosystem Restoration (2021–2030), led by UNEP and FAO, aims to restore degraded forests and ecosystems worldwide.⁹⁴ These initiatives complement legally binding treaties by rallying political and financial support for restoration and by fostering partnerships among governments, international organisations, and local communities.

ROLE OF INTERNATIONAL ORGANISATIONS

Several international organisations serve as the operational backbone of global forest governance. The Food and Agriculture Organization (FAO) leads technical work through its Global Forest Resources Assessment (FRA) and State of the World's Forests reports, which monitor forest cover, trends, and policy responses.⁹⁵ The United Nations Environment Programme (UNEP) promotes policy coherence and ecosystem restoration through initiatives such as the Ecosystem Restoration for People, Nature and Climate programme.

The Green Climate Fund (GCF) and the World Bank's Forest Carbon Partnership Facility (FCPF) provide large-scale financing for REDD+ and landscape restoration projects. Meanwhile, the UN-REDD Programme, a joint initiative of FAO, UNDP, and UNEP, assists countries in building institutional capacity for carbon accounting and safeguard compliance.⁹⁶ Together, these organisations translate international commitments into measurable, on-the-ground results through finance, research, and technical cooperation.

REGIONAL AND MULTILATERAL COOPERATION

Regional agreements complement global efforts by tailoring international norms to local realities. For instance, the African Union and the Southern African Development

⁹³ United Nations, New York Declaration on Forests (2014)

⁹⁴ United Nations Environment Program (UNEP) and Food and Agriculture Organisation (FAO), UN Decade on Ecosystem Restoration 2021-2030 Strategy (UNEP 2021)

⁹⁵ Food and Agriculture Organisation (FAO), Global Forest Assessment 2020 (FAO 2020)

⁹⁶ UN-REDD Programme, About the Programme (UN-REDD, 2023)

Community (SADC) promote harmonised forest policies and joint management of transboundary ecosystems. Similarly, the European Union's directives on habitats and biodiversity conservation illustrate how regional cooperation can strengthen the implementation of international commitments. Such frameworks enhance coordination among neighbouring countries, address illegal timber trade, and promote regional monitoring systems.

COMPLIANCE, REPORTING, AND MONITORING MECHANISMS

Implementation of international forest obligations relies heavily on compliance and reporting systems. Under the CBD, Parties must prepare National Biodiversity Strategies and Action Plans (NBSAPs) and report on progress toward global biodiversity targets. The UNFCCC requires Nationally Determined Contributions (NDCs), where countries outline their emission-reduction commitments, often including forestry measures. Similarly, the UNCCD mandates National Action Programmes (NAPs) focusing on sustainable land management.

These mechanisms not only enhance transparency but also encourage peer review and knowledge exchange. However, compliance often depends on states' capacity and resources. To address this, multilateral funds like the GEF and GCF provide financial and technical support to help countries meet their reporting obligations.⁹⁷

CHALLENGES AND RESPONSES

Despite these extensive frameworks, forest protection continues to face obstacles such as limited institutional capacity, weak enforcement, and competing economic interests. Many developing countries struggle to implement international commitments due to inadequate financing and lack of technical expertise. To overcome these challenges, international organisations have increased efforts to build capacity through training, technology transfer, and joint research programmes.

The integration of digital monitoring tools, including satellite imagery and open-access data platforms, has revolutionised global forest governance. For example, FAO's SEPAL (System for Earth Observation Data Access, Processing, and Analysis for

⁹⁷ Global environment Facility (GEF), Financing the Global Commons (GEF 2021)

Land Monitoring) platform enables countries to track forest change in near real time.⁹⁸ These innovations strengthen transparency and accountability while enhancing the effectiveness of international treaties.

CONCLUSION

To sum it all up, the analysis above demonstrates how exactly international treaties such as the CBD, UNFCCC, UNCCD and Paris Agreement collectively create a strong legal foundation for global forest protection. These instruments show the interdependence between forests, biodiversity and climate stability. They also highlight necessity of cooperation among nations in achieving sustainable environmental outcomes. The global community acknowledges that by committing to these treaties, the conservation and sustainable use of forest resources are essentially for human survival and ecological balance.

While each of these treaties addresses the forest conservation from different perspectives such as biodiversity, climate change and sustainable development, they all look on the principle of shared responsibility and international solidarity. Their collective significance lies in shaping global norms that guide national and regional efforts towards forest protection and environmental stability.

Nevertheless, the effectiveness of these frameworks depends on political will, institutional capacity, and meaningful participation by communities and civil society. International law offers a roadmap, but the responsibility for realising its objectives ultimately rests with national governments and local actors. As the next chapter will demonstrate, translating these international obligations into practical national reforms remains the key challenge for ensuring the long-term sustainability of the world's forests.

⁹⁸ FAO, SEPAL – System for Earth Observation Data Access, Processing and Analysing for Land Monitoring (FAO 2020)

CHAPTER FIVE

CONCLUSION AND RECOMMENDATION

INTRODUCTION

This research was conducted to examine and strengthen the legal mechanisms governing forest protection in Zambia in light of international and domestic environmental law, drawing lessons from Finland. The goal of this study was to look into whether the Forests Act No. 4 of 2015 properly addresses the challenges of deforestation and aligns with international environmental standards. The study also looked into and identified the gaps in Zambia's legal and institutional frameworks and to propose measures for improving forest governance, enforcement, and sustainability. Furthermore, this chapter will bring out the general conclusion of the research, provide summaries of Chapters One to Four, and it will give recommendations which will help work towards strengthening Zambia's forest protection framework.

GENERAL CONCLUSION

The study found that forests play a very important role in Zambia's environmental and economic development yet forests still remain under serious threat due to ongoing deforestation, poor enforcement of existing laws as well as weak institutional coordination. The purpose for enacting the Forests Act No. 4 of 2015 was to modernise forest governance by including sustainable management, community participation, and alignment with international environmental instruments such as the UNFCCC, the CBD, as well as the Paris Agreement but unfortunately this has not been the case as the implementation of the Act has been affected by limited financial resources, overlapping institutional roles and inadequate public awareness of forest conservation laws.

The research found that even though Zambia's legal framework for forest protection is progressive on paper, it lacks effective practical enforcement. When we look at the overlap between the Zambia Environmental Management Agency and the Forestry Department and how it has led to inefficiency while in the same breath communities

have not been fully included in the management of forest despite the provisions for Joint Forest Management in the 2015 Forest Act. This shows just how progressive the legal framework that governs forest protection really is on paper without proper practical enforcement in reality.

In comparison with Zambia to Finland's legal and institutional framework concerning forest protection and management, it can be seen that Finland has very strong institutional structures, they have transparent decision making processes and they utilize modern technology in monitoring and data collection. Finland's legal framework demonstrates that sustainable forest protection is achievable when there is accountability, community involvement and government commitment. This research found that in order for Zambia to have a successful forest management, inspiration must be drawn from Finland's legal framework.

The study observed that Zambia's primary challenge is not that there isn't enough legislation governing forest protection, but the already existing legislation is not implemented and enforced adequately. However, by strengthening institutional capacity, improving coordination and encouraging public participation, Zambia will be able to achieve effective forest protection and sustainable development.

Chapter One

This chapter introduced the research and brought to light where Zambia's deforestation problem started. It noted that even though the Forests Act 2015 was enacted, the rate of forest loss still remains high, averaging between 250,000 and 300,000 hectares per year. The chapter brought out the statement of the problem, research objectives and questions which focused on examining whether the existing legal framework adequately protects Zambia's forests. The significance of the study was highlighted how much of a contribution this research will be to sustainable forest management.

Chapter Two

This chapter examined Zambia's legal and institutional framework for forest protection, focusing on the Constitution of Zambia, the Environmental Management Act No. 12 of

2011, and the Forests Act No. 4 of 2015. It was observed that although these instruments collectively promote environmental sustainability, enforcement has been weak due to inadequate institutional coordination and lack of funding. The chapter concluded that effective forest protection requires clearer institutional roles and stronger enforcement mechanisms.

Chapter Three

This chapter explored Finland's legal framework on forest management and conservation. It revealed that Finland's success is attributed to its strong institutions, public participation, and the application of advanced technology in monitoring forests. The Finnish Forest Centre and the Forest Resource Information System were identified as key bodies responsible for implementing sustainable forest management. It was concluded in this chapter that Finland's approach offers valuable lessons for Zambia in ensuring transparency, accountability, and community involvement in forest protection.

Chapter Four

This chapter looked into the international legal framework for forest protection. It focused on major treaties and conventions such as the Convention on Biological Diversity, the United Nations Framework Convention on Climate Change and the Paris Agreement. After examining the international legal framework for forest protection, it was highlighted that these instruments collectively promote the principles of sustainability, biodiversity conservation and global cooperation in addressing deforestation and climate change. The chapter also went a step further and emphasized that international treaties provide the foundation for global forest protection by encouraging countries to adopt sustainable management practices, reduce emissions and enhance forest conservation as part of broader environmental commitments. Which is something Zambia ought to do in order to strengthen its already existing legal framework on forest protection.

RECOMMENDATIONS

Having discussed in depth how even though Zambia has a solid legal framework for forest protection, there is a serious need for effective implementation and strong coordination among key institutions, this research paper proceeds to make recommendations accordingly. These recommendations intend to address the identified short comings and to propose practical measures that will make the enforcement and sustainability of forest governance in Zambia better. The following are the recommendations.

Institutional reform and coordination

To strengthen forest governance, institutional reform is essential. A central coordinating body should be established or strengthened to bring together various agencies responsible for forests, land, environment, and natural resources such as the Forestry Department and the Zambia Environmental Management Agency, as there is need for strong coordination among these institutions. The purpose of this body would be to have a clear purpose to harmonise all forest related activities, monitor implementation and to also ensure accountability. Carrying out regular inter-agency meetings, joint enforcement operations, and shared databases would significantly improve coordination and reduce duplication of roles. Having clear institutional boundaries would also help prevent administrative overlaps that often result in weak enforcement. If performance based evaluations are introduced to assess agency effectiveness and promote accountability within the forestry sector, forest governance will be strengthened greatly.

Legal and Regulatory Strengthening

To strengthen Zambia's Laws on forest protection, existing laws should be reviewed to ensure that penalties for illegal forest activities are severe enough to match the environmental and economic harm caused. Laws should define offences such as illegal logging, forest degradation, and encroachment with clarity to facilitate prosecution and stop or reduce violations. This will help by instilling fear into offenders because there will be a very heavy price to pay if they commit certain crimes. Legislative reforms should also focus on improving mechanisms for confiscating proceeds of forest crimes and ensuring that the recovered assets are taken towards

reforestation and community benefit projects. Strengthening legal frameworks in this manner will improve enforcement consistency and close loopholes that enable persistent forest crimes.⁹⁹

Justice and Prosecution

The judicial process must be equipped to handle forest related offences effectively. Specialised environmental courts or dedicated magistrates should be introduced to expedite cases and ensure that judges and prosecutors possess adequate technical understanding of environmental offences. By training of practitioners and law enforcement officers in particular areas of law that work towards the protection of forests will help setting a balance in the country's forest protection. Judges can also increase the conviction rate which will help in deterring future violations as forest offences will be treated with the seriousness they deserve.¹⁰⁰

Community Rights and Benefit-Sharing

From the lessons that have been drawn from Finland and its exceptional legal framework on forest protection, it can be seen that community participation in forest management is a proven strategy for achieving sustainable outcomes. To achieve this, Forest dependent communities should have access to equitable benefit sharing mechanisms that reward them for conservation efforts, whether through eco-tourism, sustainable harvesting rights, or payments for ecosystem services. By ensuring that local communities also benefit from forest resources, it will promote long term stewardship and reduce illegal exploitation because everyone will have a role to play and a say in certain decisions concerning forest management.¹⁰¹

Finance and Economic Incentives

One other way the legal framework on forest protection can be strengthened is through improving financial sustainability as this remains one of the challenges in forest governance. By creating a dedicated forest conservation fund, which would be supported by domestic levies, international climate finance, and private-sector

⁹⁹ Food and Agriculture Organisation, the State of the World's Forests 2022: Forest pathways for green recovery and building inclusive resilient and sustainable economies (FAO 2022)

¹⁰⁰ United Nations Environment Program (UNEP), Environmental Rule of Law: First Global Report (UNEP 2019)

¹⁰¹ Convention on Biological Diversity (CBD), Text of the convention (1992)

contributions, would provide long-term financial support for forest conservation initiatives. Additionally, fiscal incentives such as tax rebates or subsidies can encourage reforestation, agroforestry, and sustainable timber processing as extra revenue that would greatly help enhance forest protection in the country. By participating in global initiatives like REDD+ (Reducing Emissions from Deforestation and Forest Degradation) would also offer an avenue for accessing results based payments while promoting carbon sequestration.¹⁰²

Technology, Monitoring and Transparency

To strengthen forest protection, Zambia must Adopt modern technologies as this would enhance transparency and accountability in forest management. This is because the use of satellite based monitoring, open-access geospatial data and online reporting portals can provide near real time information on deforestation rates, forest health, and enforcement activities. Some international models like those supported by the FAO and UNEP, demonstrate that digital platforms significantly improve data accuracy and facilitate timely interventions. Furthermore, an independent monitoring system that actively involves civil society and academic institutions can strengthen the credibility of environmental governance and foster greater transparency as this would educate individuals, law officers as well as future offenders on the importance of forest protection.¹⁰³

¹⁰² United Nations Framework Convention on Climate Change (UNFCCC), The Paris Agreement (2015)

¹⁰³ Food and Agriculture Organisation (FAO), Global Forest Resources Assessment 2020 (FAO 2020)

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MECHANISMS FOR FOREST PROTECTION IN ZAMBIA: AN
EXAMINATION OF THE FOREST ACT NO. 4 OF 2015, IN LIGHT OF INTERNATIONAL
AND DOMESTIC ENVIRONMENTAL LAW LESSONS DRAWN FROM FINLAND.

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Chapter 3 –	Done	2/10/25	2/10/25
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Chapter 5 – Conclusions & Recommendations	Done	3/11/25	DR. 3/11/25
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