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## **Thematic Assessment Report for the Implementation of the United Nations Convention to Combat Desertification (UNCCD)**

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## **TABLE of CONTENT**

<b>TABLE OF CONTENT</b>	I
<b>ACRONYMS</b>	II
<b>EXECUTIVE SUMMARY</b>	IV
<b>1. INTRODUCTION</b>	1
1.1 Background	1
1.2 United Nation Convention to Combat Desertification	2
1.3 Objectives of the Study	3
1.4 Findings of the stocktaking report	3
1.5 Methodology	4
<b>2. STAKEHOLDER ANALYSIS AND ANALYSIS OF LEGAL AND POLICY FRAMEWORK</b>	6
2.1 Stakeholder Analysis	6
2.2 Timor-Leste Participation in the Convention	8
2.3 Particular obligation and responsible of each Ministry/Agency	8
2.4 Policy and Legal Framework	11
<b>3. ASSESSMENT AND PRIORITIZATION OF ISSUES</b>	14
3.1 Prioritization of Issues	14
3.2 SWOT Analysis	16
3.4 Capacity Constraints	21
<b>4. FINDING AND RECOMMENDATIONS</b>	23
4.1 Findings	23
Systemic level	23
Institutional level	23
Individual Level	24
4.2 Recommendations	24
Systemic Level	24
Institutional	24
Individual Level	25
<b>REFERENCE LIST</b>	26
<b>ANNEXES</b>	27
Annex 1. List of question to assess capacity need and constraints at three levels.	27
Annex 2. List of person interviewed during the TA activity	29

## ACRONYMS

AMCAP	Ainaro and Manatuto Community Activation Programme
ARP III	Third Agriculture Rehabilitation Project
CFET	Consolidated Fund for Timor-Leste
CRIC	Committee for the Review of the Implementation of the Convention
CoPs	Conference of Parties
EGSP	Environment Governance Support Programme
FAO	Food and Agriculture Organization
GEF	Global Environment Facility
GIS	Geographical Information System
GoTL	Government of Timor-Leste
IA	Implementing Agency
IMTF	Inter-Ministerial Task Force
IMWG	Inter-Ministerial Working Group
MAFF	Ministry of Agriculture, Forestry and Fisheries
MDG	Millennium Development Goal
MEA	Multilateral Environmental Agreement
MNRMEP	Ministry of Natural Resources, Minerals and Energy Policy
MOJ	Ministry of Justice
MPW	Ministry of Public Works
MSP	Medium-Size Project
NAP	National Action Programme
NCSA	National Capacity Self-Assessment
NDCF	National Directorate of Coffee and Forestry
NDES	National Directorate of Environment Services
NDP	National Development Plan
NDWS	National Directorate of Water and Sanitation
NFP	National Forest Policy
NFP	National Focal Point
NGO	Non-Governmental Organization
NRM	Natural Resources Management
NUTL	National University of Timor-Leste
OCAP	Oeccusi Community Activation Programme
PNAs	Protected Natural Areas
RESPECT	Recovery, Employment and Stability Programme for Ex-combatants and Communities in Timor-Leste
RTTL	Radio and Television of Timor Leste
SEA	South East Asia
SSECTOPD	Secretariat of State for Environment Coordination, Territorial Ordering and Physical Development
SIP	Sector Investment Plan
SLM	Sustainable Land Management
TFET	Trust Fund for East Timor
TL	Timor-Leste

TOR	Terms of Reference
UNCCD	United Nations Convention to Combat Desertification
UNCBD	United Nations Convention on Biodiversity
UNDP	United Nations Development Programme
UNDP	United Nations Development Programme – Country Office
UNFCCC	United Nations Framework Convention on Climate Change
UNTAET	United Nations Transitional Administration in Timor-Leste

## **Executive Summary**

The Government of Timor Leste (GoTL) acceded to the United Nation Convention to Combat Desertification (UNCCD) in August, 2003 as the 190<sup>th</sup> member country, and enforced in 18 November 2003. As a party, the GoTL recognizes and is aware that it has to fulfill its obligations under the Convention. In order to address the issues covered by the UNCCD and facilitate success of national initiatives, Timor-Leste (TL) needs to ensure they have sufficient capacity to respond to the provisions of the Conventions. TL recognizes that, it will needs a serious efforts from all component to provide the means to fully comply with the obligations, especially in a small country with limited natural, human and financial resources. TL, therefore, needs to assess its capacity needs, priorities and constraints at three levels – systemic, institutional and individual to meet TL’s obligations under the Convention.

The National Directorate of Coffee and Forestry (NDCF) under the Ministry of Agriculture, Forestry and Fishery (MAFF) have been assigned as National Focal Point (NFP) for the UNCCD. The implementation of the UNCCD remains under the responsibility of the NDCF. Since acceding in August, 2003 and ratification by the National Parliament of TL in 2006, there has been little progress by TL to meet its obligations as a party of the Convention.

The GoTL through its Secretariat of State for Environment Coordination, Territorial Ordering and Physical Development (SSECTOPD) has commissioned a National Capacity Self-Assessment (NCSA) project with funding support from the Global Environmental Fund (GEF) and the United Nation Development Programmes (UNDP). The project aims to facilitate the bridging of gaps, identifying capacity constraints and actions to remove these constraints in order to address global environmental management requirements, and in particular to enable the implementation of the three UN Conventions (biodiversity, climate change and desertification/land degradation) in a country-driven manner.<sup>1</sup> The main NCSA Project output will be a NCSA report and action plan.

The Thematic Assessment (TA) report on Land Degradation is intended to provide a summary and overview of the existing situation in TL regarding the thematic area covered by UNCCD. It is supposed to identify priority issues and assess capacity constraints on a systemic, institutional, and individual level, as well as recommend possible actions for addressing those constraints.

This report, together with the TA reports on Biodiversity and Climate Change will be the basis for in-depth analysis of the cross-cutting/synergistic issues with the purpose that resources are used more effectively.

To achieve the objectives of the TA activity, the Thematic Working Group (TWG) for land degradation undertook consultations and awareness activities over a 1-month period. The key stakeholders identified to be involved in the process of the formulation of the UNCCD TA report comprised the government institutions, NGOs and academic institutions. Participation of these stakeholders in the NCSA process has been commenced from the “inception activity” - the first step of the NCSA process. Those key stakeholders were selected based on their mandates and responsibilities which were relevant to the environmental management and development in TL.

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<sup>1</sup> NCSA Timor-Leste, Inception report

Chapter three of the Land Degradation TA report provides information on land degradation priority issues in TL, the SWOT analysis from those issues and a capacity constraints matrix.

The priority issues of land degradation were determined by the TWG based on the scale of the problem, level of concern, and ability of GoTL to address the issues. Over 27 issues were identified, which the TWG then rationalized and combined into 5 key issues which related to the TL obligations under the Convention. These issues are:

- Reporting and establishing a National Coordinating Body (NCB);
- Community awareness and public education;
- Research and database;
- Financial resource; and
- Legal and policy framework.

The consultations and awareness activities were followed-up with further consultations with key stakeholders and several focus group meeting. The SWOT analysis has been undertaken based on those identified issues. The results from the SWOT analysis were used to identify weaknesses, interpreted as capacity constraints, from which the specific capacity needs and priorities were identified.

The capacity constraints matrix provides information on constraints and bottleneck which are used as base information for capacity needs identification. The capacity constraints are briefly described as follows:

### **Systemic level**

The absence of legal and regulatory framework relating to land degradation issues is considered as a constraint and bottleneck for the implementation of the Convention.

Programmes and strategies of relevant government institutions to struggle against land degradation issues are still severely limited including financial support for the implementation of the Convention.

Overlapping mandates and responsibilities of the relevant ministries was recognized as challenges to developing integrated programmes and actions to meet country obligations under the Convention.

Although the issue of combating desertification and land degradation is more or less reflected in the general and sectoral strategies on social-economic development, in reality, it does not represent a priority for the country. The country's priority is reducing poverty and improving food security.

Long-term priorities for combating land degradation are not clearly scheduled in the NDP and other sectoral policies and strategies. Otherwise the GoTL has prepared a Sector Expenditure Program (SEP) and SIP that covers ten sectors with detailed accounts of the NDP for period up to 2007.

TL has still not unlocked access to Convention-financing mechanism.

### **Institutional level**

The GoTL has not established the NCB responsible for the implementation of the Convention. Otherwise the existing Inter Ministerial Working Group (IMWG) has been established but there is still a lack of progress made by the group in relation to their function.

Poor coordination among government institutions as well as with NGOs and academic institutions and among central and local authorities is recognized as constraints to meet country obligations under the Convention.

There is an absence of modern reliable data and research institutions to address land degradation issues and to develop integrated programmes and actions. In addition, the research conducted is very obscure as most of the institutions face problems with the lack of equipment, such as, computers, vehicles and laboratory equipment, to support their research activity.

Socialization of the Convention in the country is fairly modest and several institutions relevant to the Convention are still unfamiliar with the UNCCD. On the other hand, many institutions experience bottlenecks and constraints due to the lack of clearly defined organisational structures at the lower levels of line ministries.

Generally, training and courses for government staff have been conducted to address environmental issues; however, there is still a lack of training courses in terms of addressing land degradation issues.

Community awareness and public education on the Convention presently is not available due to the lack of long term integrated programmes and strategies which involved all institutions government, NGOs and academic institutions.

### **Individual Level**

Human resources are the most crucial resources that are relatively weak in TL, including the time, expertise and number of employees in the government that can work on land degradation issues.

Government employees face frustration particularly in liaison with the field activities due to bureaucracy in financial processing and lack of equipment including vehicles and computers.

Short-term training for government employees is ineffective to improve staff capacity and training for those who are affected by land degradation such as woman and children are still not in place.

Findings and recommendations are provided in chapter four of the land degradation TA report.

# 1. INTRODUCTION

## 1.1 Background

The purpose of the NCSA Project – a joint initiative developed by the GoTL and UNDP with support from the GEF – is to facilitate the bridging of gaps, identifying capacity constraints and actions to remove these constraints in order to address global environmental management requirements, and in particular to enable the implementation of the three UN Conventions in a country-driven manner. Furthermore, the project aims to contribute to the creation of a sustainable institutional system and processes for continued assessment and improvement of national capacities for sustainable development and environmental management.

The NCSA process will allow TL to conduct a thorough self-assessment and analysis of the national capacity needs, priorities and constraints facing its efforts to manage its national environment and, at the same time, to fulfill its international responsibilities. In addition, the process will also facilitate cross-sectoral consultations, stocktaking, and prioritization of capacity needs, especially to identify problems that hinder the country's ability to comply with its obligations under the relevant Conventions, engaging a wide range of stakeholders in this process.<sup>2</sup>

The NCSA project is a participatory process which allows all relevant institutions including government institutions, NGOs and academic institutions to inputs at all stages of the process including, providing information regarding capacity needs and capacity constraints, and providing input during the identification of the priority issues. Each institution is given the opportunity to be represented during the conduct and implementation of the NCSA project. Their participation was included at the first process called the inception stage, followed by supporting the compilation of information at the second stage called stocktaking and then through the TWG for the TA

The GoTL has to undertake a nine step process under the NCSA. The inception and stocktaking steps have been finalized and this report is made pursuant to the third step of the NCSA project, that is, the TA. The purpose of the UNCCD TA is to identify capacity constraints and needs at three levels (i.e. systemic, institutional and individual) in order to fulfill TL obligations under the Convention, to identify TL priority issues regarding the implementation of the Convention and provide recommendation on capacity needs at three levels to fulfill TL obligations under the Convention.

The Final TA report was prepared from the inputs of various stakeholders in the sector, following a wide participatory consultation that was held in April 2006. This report, together with the TA reports on Biodiversity and Climate Change will be the basis for in-depth analysis of the cross-cutting / synergistic issues with the purpose that resources are used more effective.

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<sup>2</sup> TL Inception report



## **1.2 United Nation Convention to Combat Desertification**

The United Nations Convention to Combat Desertification (UNCCD) was adopted in Paris on June 17, 1994 and entered into force on December 26, 1996, ninety days after the fiftieth ratification was received. June 17 has been observed as World Day to Combat Desertification and Drought since the beginning of 1995.

The UNCCD places human beings at the center of its concern to combat desertification and mitigate the effects of drought. It recognizes that National Governments play a critical role in combating desertification and mitigating the effects of drought and that progress depends on local implementation of programmes in affected areas.

The international community has long recognized that desertification is a major economic, social and environmental problem of concern to many countries in all regions of the world. Over 179 countries are Parties (as at March 2002). TL officially acceded to UNCCD in August 2003, as the 190<sup>th</sup> member country.

As a Party to the UNCCD, TL acknowledges the obligations of the Convention. TL recognizes that it does not have the capacity to fully comply with the obligations, and it will need serious efforts from all components in the society, especially in a small country with limited natural, human and financial resources.

Articles 5, 9 and Annex II of the UNCCD are considered as the most important provisions in terms of relevance to TL, which are outlined below:

Article 5 of the UNCCD emphasizes all affected country Parties undertake to:

1. Give due priority to combating desertification and mitigating the effects of drought, and allocate adequate resources in accordance with their circumstances and capabilities;
2. Establish strategies and priorities, within the framework of sustainable development plans and/or policies, to combat desertification and mitigate the effects of drought;
3. Address the underlying causes of desertification and pay special attention to the socio-economic factors contributing to desertification processes;
4. Promote awareness and facilitate the participation of local populations, particularly women and youth, with the support of NGOs, in efforts to combat desertification and mitigate the effects of drought; and
5. Provide an enabling environment by strengthening, as appropriate, relevant existing legislation and, where they do not exist, enacting new laws and establishing long-term policies and action programmes.

Article 9 of the Convention providing basic approach:

1. In carrying out their obligations pursuant to Article 5, affected developing country Parties and any other affected country Party in the framework of its regional implementation annex or, otherwise, that has notified the Permanent Secretariat in writing of its intention to prepare a national action programme, shall, as appropriate, prepare, make public and implement national

action plan, utilizing and building, to the extent possible, on existing relevant successful plans and programmes, and subregional and regional action programmes, as the central element of the strategy to combat desertification and mitigate the effects of drought. Such programmes shall be updated through a continuing participatory process on the basis of lessons from field action, as well as the results of research. The preparation of NAP shall be closely interlinked with other efforts to formulate national policies for sustainable development.

2. In the provision by developed country Parties of different forms of assistance under the terms of Article 6, priority shall be given to supporting, as agreed, national, subregional and regional action programmes of affected developing country Parties, particularly those in Africa, either directly or through relevant multilateral organizations or both.
3. The Parties shall encourage organs, funds and programmes of the United Nations system and other relevant intergovernmental organizations, academic institutions, the scientific community and non-governmental organizations in a position to cooperate, in accordance with their mandates and capabilities, to support the elaboration, implementation and follow-up of action programmes.

## **Annex II**

### **Regional Implementation Annex for Asia**

Annex II of the UNCCD provides guidelines for a country in the Asian Region for the implementation of the Convention. There are 8 articles as follows:

Article 1 – Purpose

Article 2 – Particular conditions of the Asian region

Article 3 – Framework for NAP

Article 4 – National Action Programmes

Article 5 – Subregional and joint action programmes

Article 6 – Regional activities

Article 7 – Financial resources and mechanism

Article 8 – Cooperation and coordination mechanism

### **1.3 Objectives of the Study**

The objectives of the land degradation Thematic Assessments are:

1. To assess capacity needs, constraints, and bottlenecks within the land degradation thematic areas;
2. To identify TL priority issues contributing to land degradation in relation to the implementation of the Convention; and
3. To provide recommendations on capacity needs at *systemic, institutional and individual* level to fulfill TL's obligations under the Convention.

### **1.4 Findings of the stocktaking report**

The stocktaking activity for land degradation was undertaken during the 2 months over the period of January to February 2006. The purposes of the stocktaking activity were to compile and examine preliminary information that was collected including project documents and study papers on environmental issues and management that were initiated by the country for combating land degradation and environmental management.

The stocktaking activity was undertaken by the land degradation TWG which comprised 6 persons including representatives of the government institutions, NGOs and representatives from academic institutions. Several meetings were convened by the group to formulate the report. The reason for preparing this report is because the report is a substantive aspect of the NCSA project. Much of the information which was used in the TA were taken from the stocktaking report, for example, information in Table 2, concerning the list of institutions involved in activity for combating land degradation.

The summary of the output of stocktaking report are as follows:

1. The environmental and capacity building programs and actions have been implemented by the GoTL and it was shared among different Ministries. Several legal frameworks were adopted for the environmental issues but were not specifically focused on land degradation issues;
2. There appears to be little progress in implementing the Convention since its accession in August 2003. It was identified that at least five initiative actions have been undertaken by the GoTL, with funding support from GEF and the UNDP, to implement the Convention;
3. The National Parliament of Timor-Leste ratified the UNCCD by law 35/04/2006; and
4. The report found that the formulation of the NAP as well as the formulation of the first country report to the UNCCD secretariat as two immediate obligations of for TL.

## 1.5 Methodology

The UNCCD TA was conducted with guidance from the “NCSA resource kit”<sup>3</sup> (publishing in 2005) and “Guide for Self-Assessment of Country Capacity Needs for Global Environmental Management”<sup>4</sup> prepared by GEF. Base on the guidance the TWG for land degradation followed the four step processes for undertaking assessment on TL capacity constraints and capacity needs at systemic, institutional and individual level to address requirements under the Convention. These steps included the preparation of a thematic profile, identifying priority issues, identifying capacity constraints and identifying opportunities for capacity building.

To achieve the objectives of the UNCCD TA, the TWG for land degradation adopted several methodologies during the assessment, as follows:

1. *Review of documents and reports/desk study*: in the review of documents and reports, a desk study was undertaken which involved reviews of existing documents, including all findings of the stocktaking report, documents from UNCCD Secretariat and other existing national documents. The main objective of this review was to strengthen information from the key stakeholders involved during the consultation and awareness exercise conducted by the land degradation TWG.
2. *Interviews with key stakeholder/consultation and awareness activities*; Interviews with key stakeholders were conducted to get information on capacity issues, constraints and

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<sup>3</sup> NCSA, resource Kit, 2005, Step 3: Thematic Assessments pg 1-5

<sup>4</sup> GEF, September 2001, pg 19-28

bottlenecks at systemic, institutional and individual levels from government institutions, NGOs and academic institutions. During the interviews, the land degradation TWG also tried to identify important issues from these institutions and used the data as base information to analysis capacity constraints. Interviews were conducted in a formal process with guidance question from GEF, set out at Annex 1.

3. *Focus group meeting*; Focus group meetings were held by the TWG for land degradation to exchange information between members of the group. These focus group meetings were held on a weekly basis. In addition meetings were held with the NFP and the draft TA report was circulated to stakeholders and members of the NCSA Project Steering Committee. This was aimed primarily at getting the input of as wide a cross-section of relevant stakeholders as possible.

## 2. STAKEHOLDER ANALYSIS and ANALYSIS of LEGAL and POLICY FRAMEWORK

### 2.1 Stakeholder Analysis

The key stakeholders identified to be involved in the process of the formulation of the UNCCD TA report comprised the government institutions, NGOs and academic institutions. Participation of these stakeholders in the NCSA process has been commenced from the “inception activity” - the first step of the NCSA process. Those key stakeholders were selected to be involved in the NCSA process based on their mandates and responsibilities which were relevant to the environmental management and development in TL.

The purpose of the consultation and awareness activities which were conducted by the land degradation TWG was to get information on the existing capacity, capacity constraints at systemic, institutional and individual level, including capacity needs and actual action, programmes and strategy undertaken by these institutions to address the issues under the three Rio Conventions. The list of the stakeholders interviewed is presented in the following Table 1.

Table 1 - Stakeholder Analysis

Government Ministry/Agency	Reason for inclusion	Possible / Actual Role
National Directorate of Coffee and Forestry (NDCF/MAFF)	Importance of forestry & management of forests to watershed management etc.	NFP, develop & implement NAP Ensure the sustainable management of TL's forest resources; Develop appropriate policies, legislation and management strategies as the basis for the formulation and implementation of forestry management plans to facilitate the sustainable management of forest resources in TL.
National Directorate of Environment Services (NDES)	Importance of environmental unit as center for environmental development in TL	Monitoring and evaluation of the implementation of NAP; Protect and enhance the natural environmental of TL, raise community awareness about the importance of protecting the environment and behaving in ways that support such protection, Increased awareness of environmental issues amongst the public and Government agencies through publications, campaigns and environmental curricula, and air, water and soil pollution will be managed, particularly in urban areas.
Ministry of Natural Resources, Mineral and Energy Policy (MNRMEP)	Importance of small scale industry of alternative energy	Support the implementation of NAP Promote solar, wind and water as an alternative energy use for community
National Directorate of Agriculture (NDAL/MAFF)	Importance of agriculture sustainable land management for combating land degradation	Support the implementation of NAP Increased emphasis on improving the productivity of farming systems in upland and dryland areas
National Directorate of Water and	Responsibility for management & control	Develop & co-ordinate Drought Management Plan

Government Ministry/Agency	Reason for inclusion	Possible / Actual Role
Sanitation (NDWS)	of country's water resources	Ensure the communities of TL have access to such water supply and sanitation services are considered essential for public health, protection of the environment, and for the promotion of economic growth.
Department of Research (MAFF)	Importance of research in land degradation areas	Provide support in the derivation and dissemination of important technical, management and other information; Provide essential agricultural information and transfer of knowledge and skills to farmers Improve household and food security of farmer families through the provision of basic diagnostic laboratory services for soil quality, pests and diseases.
Agriculture and Land use Geographic Information System (ALGIS/MAFF)	Importance of data base to support implementation activity under the Convention	Use of Database & GIS systems in drought management and other UNCCD related activities; Support MAFF in the planning and delivery of geographic information and high quality maps on current land use, land use potential, agricultural production and production trends, and socio-economic information, as a basis for natural resource management and decision making.
National Disaster Management Office	Importance for mitigating the effects of drought	Develop early warning system for drought management (Member of Drought Monitoring/Early Warning Systems team) NAP development and Land Degradation assessment; Providing disaster risk management coordination and technical support to the government and community in TL .
Capacity Development Coordination Unit (CDCU)	Importance as coordinator for training needs	Develop planning for enhancing capacity in drought management; Manages and undertakes coordination of capacity development initiatives in order to avoid duplication of efforts, wastage of resources and ad hoc approaches to capacity development issues.
HABURAS Foundation	Importance for environmental advocacy and training for developing farmer capacity in alternative livelihood and develop traditional law for environmental protection	Assist in the development & implementation of NAP.
National University of Timor-Leste	Importance for research and development and public education to achieve Convention requirements	Assist in the development & implementation of NAP.

## **2.2 Timor-Leste Participation in the Convention**

As a party to the Convention, TL has a commitment to fulfill its obligations to meet requirements under the Convention. Several actions have been identified to have been made by the GoTL to fulfill these obligations, these are:

1. Participated at Sixth Conference of the Parties (COPs), in Havana, Cuba. TL officially acceded to the UNCCD (2003) at the Sixth COPs.
2. NFP for UNCCD designated under the MAFF (2003).
3. Participated at third round of the Committee for the Review of the Implementation of the Convention (CRIC) in Bonn, Germany (2005).
4. Participated at Seventh COPs, in Nairobi, Kenya (2005).
5. Participated in the South East Asia Sub-Regional meeting, Ho Chi Minh City, Vietnam to formulate Sub-Regional Action Programmes (2005).
6. Formulation of the Medium Size Project for Sustainable Land Management.
7. Timor-Leste Parliament ratified the UNCCD by Law 35/04/2006 (2006).

Several initiatives are in progress and pending finalizing such as:

1. Formulating the NAP (planned) (2006).
2. Formulating the First Country Report to UNCCD Secretariat (on-going) (2006).

## **2.3 Particular obligation and responsible of each Ministry/Agency**

As a Party to the Convention, there are several identified obligations that the GoTL needs to address. These obligations will be shared amongst government institutions, NGOs and academic institutions. The following Table 2 describes the particular obligations of TL as Party to the UNCCD and responsible ministry/agency.

Table 2 - Particular obligation and responsible of each Ministry/Agency

Obligations	Responsible Ministry / Agency	Implementing Ministry / Agency	Comments
<p>Article 4 – General Obligations</p> <p>Article 4(1)</p> <p>The parties shall implement their obligations under this Convention, individually or jointly through existing or prospective bilateral and multilateral arrangements or a combination appropriate, emphasizing the need to coordinate efforts and develop a coherent long-term approach at all levels</p>	MAFF, S SECTOPD	NDCF, NDAL, NDES,	NFP can include projects identified into NAP and include NGOs
<p>Article 5 - Obligations of affected country Parties</p> <p>In addition to their obligations pursuant to article 4, affected country parties undertake to</p> <p>Article 5(a) give due priority to combating desertification and mitigating the effects of drought, and providing adequate resources in accordance with their circumstances and capabilities</p>	MAFF, Ministry of Interior (MI)	National Disaster Management Office (NDMO)	The NDMO will be acting as TL center for disaster risk reduction activities and knowledge, collecting information, monitoring, overseeing and proposing data developments for incorporation into the national disaster risk reduction system, the NDMO will also Developing or identifying the sources of baseline data for use in disaster preparedness and response activities
Article 5(b) establish strategies and priorities, within the framework of sustainable development programmes and policies, to combat desertification and mitigate the effects of drought.	SSECTOPD, MAFF	MAFF, NDES, NDAL, NGOs.	Focal Point Ministry Comprehensive Drought Plan for the country is still outstanding
Article 5 (c) address the underlying causes of desertification and pay special attention to the	SSECTOPD	NDCF, HABURAS,	Focal Point Ministry



Obligations	Responsible Ministry / Agency	Implementing Ministry / Agency	Comments
social factors contributing to the desertification programmed		UNTL	
Article 5 (d) promote awareness and facilitate the participation of local populations, particularly women and youth, with the support of non-governmental organizations, in efforts to combat desertification and mitigate the effects of drought.	NDES	NDCF, NDAL, NDES, NGOs, UNTL	Focal Point A need to develop integrated planning and programmes from all government institutions, NGOs and academic institutions
Article 5 (e) provide an enabling environment by strengthening, as appropriate, relevant existing and, where they do not exist, enacting new laws and establishing long-term policies and programmes	NDES, MAFF	NDES, NDCF, NDAL NGOs, UNTL	Draft laws on EIA and Pollution Control needs to seek approval from the government and the National Parliament of TL.
Article 10 (2) NAP shall specify the respective roles of government, local authorities and land users and the resources available and needed.  Regional Implementation Annex for Asia  Article 3 (2) The affected country Parties shall, as appropriate, develop NAP pursuant to articles <u>9</u> , <u>10</u> , <u>11</u> of the Convention, paying special attention to <u>article 10</u> , paragraph 2 (f). As appropriate, bilateral and multilateral cooperation agencies may be involved in this process at the request of the affected country Party concerned.	MAFF, NDES	NDCF, NDA, MoJ	NFP

## 2.4 Policy and Legal Framework

There is no single specific law or government regulation addressing land degradation and capacity development that has been formulated or promulgated by the GoTL. Several laws and regulations on environmental issues have been adopted, but they do not specifically address land degradation issues (see Table 3 below).

The Constitution of TL is the principal document that assures and institutionalizes environmental protection. Article 6 (f) of the Constitution of TL confirms that one of the objectives of the state is “to protect the environment and to preserve natural resources”. In addition to this, Article 61 (paragraphs 1, 2 and 3) on the **environment** state that:

1. Everyone has the right to a humane, healthy, and ecologically balanced environment and the duty to protect it and improve it for the benefit of the future generations.
2. The State shall recognise the need to preserve and rationalize natural resources.
3. The State should promote actions aimed at protecting the environment and safeguarding the sustainable development of the economy.

Furthermore, Article 139 paragraphs 1, 2 and 3 of the Constitutions on natural resources states that:

1. The resources of the soil, the subsoil, the territorial waters, the continental shelf and the exclusive economic zone, which are essential to the economy, shall be owned by the State and shall be used in a fair and equitable manner in accordance with national interests.
2. The conditions for the exploitation of the natural resources referred to in item 1 above should lend themselves to the establishment of mandatory financial reserves, in accordance with the law.
3. The exploitation of the natural resources shall preserve the ecological balance and prevent destruction of ecosystems.

The natural resource and environment development strategy is also set out in the NDP, which refers to broad strategies for the management of natural resource and environmental strategic development.<sup>5</sup> It is stated that, TL is relatively poorly endowed with natural resources apart from the oil and gas reserves of the Timor Sea. Fishery stocks are poorly understood, but might also comprise an important economic resource. Strategies proposed in the NDP recognize these limitations, but seek to develop sustainable domestic capabilities that optimize natural resources while also protecting the natural environment.

The GoTL in cooperation with UNDP has also published the first TL MDG report in February 2004. Goal seven of the MDG laid out the TL target for 2015, and which is relevant to action to combat land degradation: “The proportion of land area covered by forest should be at least 35%, and land area protected to maintain biological diversity should be at a reasonable level. The GDP per unit of energy use should also be augmented”. Therefore, TL has set out several actions needed to be done to achieve the target such as:

- Invest in capacity development of technical and managerial aspects of the sector;

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<sup>5</sup> NDP, Natural resource and environment development strategy, pg 11

- Development of key national policies, including forestry and sustainable land management, rural energy policy, and appropriate measures to mitigate illegal logging activities;
- Promotion of agricultural practices to avoid shifting agriculture and free, uncontrolled grazing;

Table 3 - Lists of policy and strategy and plan

Policy/strategy	Description	Ministry/ Agency Responsible	Status
MAFF Policy and Strategic Framework (2004)	This Policy and Strategy Framework is the first agriculture and natural resources framework in TL. There are three priority issues on forestry sector addressed in this document, and which is relevant to the Convention: continuing forest degradation and deforestation, lack of forest policy, forest law and regulation and limited human and institutional capacity and lack of reliable data.	MAFF	Adopted
Forestry Policy, Goals, Objective and Strategy, Department of Forestry (2005)	Under this policy the goal of forestry department is: the sustainable management of forest resources and watersheds to provide environmental, social and economic benefits to the people of TL. This goal is facilitated by six objectives: Protection of forests, Community participation in forestry development, Watershed conservation, Afforestation and land restoration, Development of a Private Sector, Business Environment, Forestry sector institutional development.	NDCF/MAFF	Awaiting government's approval
Regulation No19/2000 on protected areas (2000)	The regulation reflects the basic principles of UNCBD as its objective is to protect and promote conservation in-situ and promote sustainable use of biodiversity.	UNTAET	Adopted
Regulation No17/2000 on the Prohibition of Logging Operations and the Export of Wood from TL (2000)	This regulation reflects the basic principles of UNCCD and aims to establish sustainable forest resources in TL.	UNTAET	Adopted
Law on Environmental Impact Assessment (2006)	Requires environmental impact statement and environmental management plan from person or company which is a comprehensive study regarding a likely impact of activities and establishing management plan to monitor or evaluate the impact of activities prior to implement the intended activities.	NDES	Awaiting government's approval
Law on Pollution Control (2006)	Establishes the legal framework for prevention, control and minimization of pollution of water, air and soil, in land or sea, for a more efficient use of the resources of Timor-Leste	NDES	Awaiting government's approval
National Disaster Risk Management Plan 2005	Plan aims to further develop and strengthen national response capabilities in disaster-prone TL. It is intended to enable the country to better prepare for and respond to natural and technological disasters as well as human induced emergencies.	MI	Adopted
Medium Term Capacity Development Strategy, Part 1 and 2 (2005)	Identifies training needs of civil servants for each ministry and develops strategies to address these needs. The strategy has three objectives: - Develop a strategy for capacity development training; - Provide a program of proposed training activities for	CDCU/ Office of the Prime Minister (OPM)	Adopted

Policy/strategy	Description	Ministry/ Agency Responsible	Status
	the next three years; and - Provide a budget for the proposed program of training activities.		
Water Services Decree (2004 )	The management of domestic water services delivery, identification of areas to supply and provides for the introduction of water services user charges.	NDWS	Adopted
Sanitation Management Decree	Management of sanitation services, identification of areas to supply, establishment of a management system for septic tanks and wastewater treatment system, and provision for the introduction of sanitation service user charges.	NDWS	Awaiting government's approval
Decree Law RDTL no. 4/2004 about Water Use Management	Provides for water resource management for drought resulting from climate change with aim to ensure potable water is sustainable for the community. The law has been applied by National Directorate of Water Supply and Sanitation (WSS) to regulate urban water use management addressing drought and flood as part of climate change problems.		
Water Resource Management Decree	The introduction of basis controls over the management of the quality and quantity of water resources (other than regulating matters for agricultural irrigation).	NDWS	Awaiting government's approval
MAFF Sector Investment Plan (SIP) (2005)	The SIP is designed to support the implementation of MAFF new Policy and Strategic Framework.	MAFF	Adopted
Natural Resource and Environment SIP	The SIP addresses, in summary: TL's development status, highly dependent on natural resources with land, forests, and coastal zones providing livelihoods for at least three quarters of the population; Mineral and petroleum deposits expected to provide significant sources of income and foreign revenue for many years; And finally, many of TL's resources are a world heritage and deserve to be protected.	NDES	Adopted
MDG	The seventh goal of the MDG is to ensure environmental sustainability, targeting the integration of the principles of sustainable development into country policies and programmes, reversal of the loss of environmental resources, and halving the proportion of people without sustainable access to safe drinking water and basic sanitation by 2015 <sup>6</sup> .	NDES, MAFF, NDWS	Adopted

<sup>6</sup> TL MDG report, goals seven, 2004

### 3. Assessment and Prioritization of Issues

#### 3.1 Prioritization of Issues

Identification of priority issues for TL under the Convention was compiled through several consultations and awareness activities with key stakeholders. The consultations and awareness activities were conducted by interviews with the representative from government institutions, NGOs and representative from academic institutions.

The following Table 4 provides information on priority rankings of the issues which were identified during the TWG focus group meetings in May, 2006. The priority issues were identified base on the scale of the problem, level of concern, and ability of GoTL to address the issues.

**Table 4 Prioritization issues**

Priority Issues	Scale of Problem <sup>1</sup>	Level of Concern <sup>2</sup>	Ability adequately address issue	Priority Ranking <sup>3</sup>
1. Development of NAP and Sub-Regional Action Programmes in terms of capacity building	N/R	H	M	1
2. Development of first country report to the UNCCD Secretariat	N	H	L	1
3. Defined the roles and responsibilities of the NFP	N	H	L	1
4. Increasing education and public awareness	N	H	M	1
5. Development of National strategy and action for integrated approach to land degradation and drought	N	H	L	1
6. Mainstreaming sustainable land management into NDP and sectoral policies and laws	N	H	L	1
7. Establishment of National Body (under the Convention) responsible for land degradation, desertification, and drought	N	H	L	2
8. A general reduction in forest areas under deforestation, demographic pressures, unsustainable agriculture practices and deterioration of social and economic circumstances in rural areas	N	H	M	1
9. Continuing degradation of forests through unauthorized or illegal harvesting of trees, uncontrolled livestock grazing and careless use of fire.	N	H	L	1
10. Improvement in the management of major watershed areas mostly in the upper catchments areas	N	H	M	1
11. Lack of managerial skills to manage major watershed areas mostly in the upper catchments areas				
12. Plans and policies to deal with the socio-economic impact of desertification and drought	N	H	L	2
13. Lack of staff capacity in the areas concerning drought, lands degradation and desertification	N	H	L	2
14. Establishing an early warning system to mitigates the effect of drought and climatic variability	N	H	M	1

Priority Issues	Scale of Problem <sup>1</sup>	Level of Concern <sup>2</sup>	Ability adequately address issue	Priority Ranking <sup>3</sup>
15. International, regional and sub-regional cooperation within the land degradation issues	N	H	H	1
16. Development of national information center on land degradation	N	H	L	1
17. Conducting study on soil erosion, land slide and development of soil map	N	H	L	2
18. Establishment of centre for training and technology transfer including Research and development	N	M	L	2
19. Promotion of new alternative and renewable energy resources for reducing dependence on fuel wood	N	H	M	1
20. Promotion of alternative livelihoods including providing new skill to decrease deterioration of forest resource through developing stove for cooking	N	H	M	1
21. Training of decision-makers, managers and personnel responsible for collection and analysis of data.	N	M	M	3
22. Information collection, analysis and exchange to assess the processes and effects of drought and desertification	N	H	L	2
23. Joint research programmes (also involving public and private sector) for the development of improved, affordable and accessible technologies for sustainable development	N	M	L	3
24. International and regional research projects for drought mitigation and combating of desertification	R	H	L	3
25. Empowerment of those directly affected by land degradation	N	H	M	2
26. Participatory processes involving civil societies, NGOs and community based organizations to address land degradation issues	N	H	M	1
27. Shortage of staff within the relevant institutions for implementing programmes and actions to combat land degradations	N	H	H	1

<sup>1</sup>Enter: Local, Regional, National or Global

<sup>2</sup>Enter: low, medium or high

<sup>3</sup>Provide relative ranking from 1 to 5 of the problem faced by the country (1 = most severe problem, 2 = second most severe, etc. The same ranking can be given to different issues where appropriate).

The TWG selected and combined the identified 27 issues into 5 principle priority issues through focus group meetings. These issues are:

- Reporting and establishing NCB;
- Community awareness and public education;
- Research and establishing database;
- Financial resources: and
- Legal and policy framework.

The SWOT analysis was done based on these 5 principle priority issues.

## 3.2 SWOT Analysis

### Purpose and Method

The purpose of the SWOT analysis is to engage stakeholders and assist in identifying gaps by looking at strengths and weaknesses in existing structures, policies and approaches in relation to the obligations and commitments under the Convention.

The participants included the NFP, representatives from government institutions, NGOs and academic institutions.

The issues covered were:

- Reporting and establishing NCB;
- Community awareness and public education;
- Research and establishing database;
- Financial resources; and
- Legal and policy framework.

The results from the SWOT analysis were used to identify weaknesses, interpreted as capacity constraints, from which the specific capacity needs and priorities were identified.

The following is the results of the SWOT analysis:

### REPORTING AND ESTABLISHING NCB

Strengths	Weakness
Availability of funding from GEF for development of first country report for UNCCD Secretariat. The NFP for UNCCD was selected under the NDCF/MAFF. The Parliament of TL has ratified the UNCCD in law No. 35/04/06. The inter-ministerial working group for national environmental coordination was established. TL has become a member of South East Asia Sub-Regional and has participated at workshop for Sub-Regional Action Programmes.	Lack of expertise for formulating the NAP and first country report. Lack of achievement made by the IMWG in relation to their function. Financial support from Government for NAP formulation is not available. Mandates and responsibilities of the NFP remain unclear. Lack of coordination of relevant stakeholder for land degradation. NCB responsible for the implementation of the Convention is not established yet.
Opportunities	Threats
The GEF has approved \$ 450,000 total budget for SLM and NAP formulation. Bilateral cooperation and donor support for the environmental issues are available including combating land degradation.	

As a party to the Convention, TL is required to prepare the NAP along with numerous reports to inform the current status of the implementation of the Convention. To fulfill these requirements require strong institutional capacities along with individual capacities to prepare reports and requires dedicated financial support from the GoTL. The formulation of the TL's (first) country report used external financial support from GEF and the report was prepared collaboratively with the assistance of an international consultant. The NAP formulation for the

UNCCD has also being hampered by the lack of financial support and there are no clearly defined duties and responsibilities of the NFP. To complicate matters, the current designated NFP was appointed after the previous NFP went on study leave to pursue further education.

Many decision makers are not familiar with the Convention. Consequently, there is still no dedicated budget allocated from the GoTL or Parliament for the implementation of the Convention. The formulation of TL's first country report has been postponed for several months due to the lack of expertise and human resource. Additionally, the NFP for the UNCCD is also Director of Protection and Forest Conservation under the NDCF and he performs these functions contemporaneously.

To facilitate implementation and exchange of information on the conventions, there are in place two Inter-Ministerial governmental institutions, namely, the IMWG on Sustainable Development and the Inter-Ministerial Task Force (IMTF) on Environment and Natural Resources. Although all relevant Government institutions are represented in the IMWG and IMTF, the achievements made by them have been limited and there are no clear mandates and agenda of either grouping. Additionally, the NDES has also plans to establish an MEA Secretariat which will then respond to the need for a NCB for the three Rio Conventions. Mandates and responsibilities of the Secretariat are still in the process of discusses.<sup>7</sup>

## COMMUNITY AWARENESS AND PUBLIC EDUCATION

Strengths	Weakness
<p>Potential natural energy including, solar, wind and water are available for developing alternative energy.</p> <p>Education campaign on the importance of forests and environment in general for community in the rural and urban areas and in schools are being extended.</p> <p>Trainings for the community within the forest areas for alternative livelihoods are available.</p> <p>Many projects on community based natural resource management (CBNRM) are available.</p> <p>The permit for fuel wood cutting is available and has been used for reducing illegal cutting of fuel wood.</p>	<p>Lack of legal and policy framework from government institution for raising community awareness and public education.</p> <p>Poor integrated programmes and strategies from government institutions, NGOs and academic institutions for raising community awareness.</p> <p>Lack of capacity for developing alternative energy including solar, wind and water.</p> <p>Many projects are implemented in donor-driven and there is also lack of follow up.</p> <p>Lack of information from local television and newspapers and lack of training focusing on land degradation.</p> <p>The country has a high price of kerosene which increases demand for fuel wood.</p> <p>Lack of community involvement in planning and implementation of public awareness and information initiatives.</p>
Opportunities	Threats
<p>Programmes and projects for community awareness and in developing alternative energy were introduced within the SIP from all relevant ministries.</p> <p>Donors supporting alternative energy are available.</p> <p>There are possibilities for introducing environmental education within school's curriculum.</p> <p>Development of private sector investment in forestry (e.g. under the Forestry Policy Paper) as well as in renewable energy.</p>	<p>Demand for fuel wood is increasing.</p> <p>Number of land degraded areas and soil eroded has been extending.</p> <p>Population illiterate to the affects of land degradation</p>

<sup>7</sup> NCSA Project Coordinator



Community awareness and education is considered one of the fundamental tenants of the UNCCD. While community is not involved in the process of the action to address the land degradation issues it will become the greatest threat for increasing the land degradation problem. In case of TL, the strategy and programmes for raising community awareness with respect to the land degradation issue has been developed for each sector. But the problem is that there is still lack of coordination at institutional level to create integrated strategy and programmes together with NGOs and agencies. Additionally, there is also lack of capacities at individual level including shortages of staff, background education, and lack of equipment. On the other hand, public interest in land degradation/desertification issues is also insignificant due to their lack of awareness and the presence of more important social-economic priorities.

The other constraints identified is that many programmes and actions for raising community awareness are implemented in a short term basis and have not a regular character and are conducted only within the frame of trimester programmes. Furthermore, the strategy and action for raising community awareness do not specifically address the land degradation issues and obviously it covers broad environmental issues and problems.

Raising community awareness through mass media is also very limited due to insufficient power supplies and the scope of Radio and Television of Timor Leste (RTTL) and local newspapers which is circulated only in the capital.

## RESEARCH AND DATABASE

Strengths	Weakness
<p>The Department of Research for MAFF was established and it has conducted several research activities for combating soil degradation and landslides.</p> <p>The Agriculture Geographical Information Services (ALGIS) was established under the MAFF.</p> <p>The NDMO was established for controlling climate variability and drought mitigates.</p> <p>University of TL has conducted several studies and research for combating land degradation.</p> <p>Having a formal regional network with Australian Bureau Meteorology</p>	<p>Absence of clear policy and entity responsible for research and database.</p> <p>Lack of coordination among research institutions including; expertise for conducting study and research on land degradation.</p> <p>Research center to deal with land degradation issues is not available including lack of database on the impact of land degradation and the effects of drought.</p> <p>Lack of national specific strategy for combating land degradation and to mitigate effects of drought</p> <p>Inadequate equipment in research institutions and laboratory.</p>
Opportunities	Threats
<p>Training and study tours for Government staff on research are conducted in bilateral country.</p> <p>As a member of the SEA sub-regional group TL will have an opportunity for cooperation in research and transfer of technology.</p>	<p>Outdated baseline information.</p> <p>Disaster prediction and management compromised out of date data and systems.</p>

TL lacks research institutions and also lacks any database in terms of land degradation. The available data were taken during the Portuguese and Indonesian administration, this data is out of date and irrelevant for the current circumstances of this country. Important data such as, soil type, soil fertility, pollution in soils, soil erosion is not available. Programmes, strategy and actions made by the country in term of research and developing database for land degradation are very scarce. Lack of the uniform system of environmental information is also a serious problem today.

Moreover, the capacity for reporting on weather condition on land or in territorial waters is also weak. Consequently, the government has a very limited ability to inform people regarding severe weather conditions or to anticipate weather-related disasters, such as, droughts and flash floods, which may put lives and livelihoods at risk. The country also lacks the resources to collect meteorological data on basic parameters as rainfall, temperature, humidity, evaporation and stream water levels.<sup>8</sup> This data are essential for developing agriculture programmes - the design of irrigation system, for example, requires data on long-term rainfall patterns and intensities.

Poor coordination among government institution, NGOs and university is a significant constraint for this country. Many NGOs working on environmental issues have accumulated huge information through ongoing environmental programs with donor support. However, this information is often unavailable to the wider strata of persons and governmental institutions, and if available, they are not widely used in the decision-making process. Therefore, it is necessary to create a uniform information system – database, which will be available for various consumers.

## FINANCIAL RESOURCES

Strengths	Weakness
<p>Budget allocated from CFET for developing environmental sector in TL is available.</p> <p>The GEF has approved \$450,000 for undertaking the Sustainable Land Management (SLM) project.</p>	<p>Inadequate existing legal framework for addressing land degradation issues.</p> <p>Poor coordination among relevant government institution, NGOs and others agencies.</p> <p>Lack of awareness of decision-makers on importance of the Convention.</p> <p>Bureaucracy in financial institution</p>
Opportunities	Threats
<p>International funding mechanisms well established over time need to capitalize on this relationship.</p> <p>The SIP from all relevant ministries are formulated, consist of priority programmes which can be supported by donors.</p> <p>Bilateral and international agency is available for investing in struggle against land degradation.</p>	<p>Lack of enforceability of multi-lateral agreements</p> <p>Country priority needs for reducing poverty and improving food security.</p>

The GoTL has committed itself to struggle against land degradation throughout the territory of the country. Budget allocated from CFET and Trust Fund for East Timor (TFET) for the implementation of activities to combat land degradation is sufficient, but the problem with financial management at the institutional and individual level creates hurdles for implementing valuable projects. In addition to this, bureaucracy in financial process has also hampered many activities that have been planned. Poor coordination between institution, government and NGOs has created duplication of projects in many areas and the results of those projects were also unsatisfactory.

TL has prepared a Sector Expenditure Program (SEP) and SIP that covers ten sectors which detailed account of the NDP for period up to 2007. The SIP/SEP covers capital and recurrent expenditures and aims to present a total picture of development spending in TL.<sup>9</sup>

<sup>8</sup> SIP Communication

<sup>9</sup> Agus P. Sari, strategy paper: accession to implementation of Multilateral Environmental Agreements in Timor-Leste: the case of Desertification, the loss of biodiversity and climate change.

There is still an unappreciable awareness especially at a higher level of decision-makers and this affects the budget allocated for the implementation of the Convention. TL's participation in focused programmes to meet its obligations as Party to the Convention is still limited. Budget allocated for the implementation of the Convention is yet to be allocated. The formulation of the NAP has been hampered due to unavailable financial support from government institution.

As Party to the Convention, TL therefore needs access to Convention-financing mechanism, which can support TL increasing its activity to struggle against land degradation.

## LEGAL AND POLICY FRAMEWORK

Strengths	Weakness
<p>MAFF Policy and Strategy Framework has been adopted.</p> <p>UNTAET Regulation No.17/2000 on prohibition of logging and timber exports and regulation No. 2000/19 on Protected Natural Areas adopted.</p> <p>Forestry Sector Policy, Goals, objective and strategy are formulated including sustainable land management and actions for combating land degradation.</p> <p>Two environmental laws from NDES are underway and pending approval.</p>	<p>The lack of synchronization of national policy, legal and regulatory frameworks leads to confusion between sectors and between national, regional and local levels.</p> <p>Lack of regulations and legislations for implementation of the obligations of the Convention as well as sustainable land management issues.</p> <p>Weaknesses in the overall preparation of policies, in the system of planning and setting priorities</p> <p>Lack of expertise for formulating regulations and legislations on land degradation issues.</p> <p>Inadequate regulations and legislation for addressing land degradation issues.</p> <p>The existing regulation is incapable of addressing issues and problems faced by the government institutions.</p> <p>Lack of enforcement of the existing regulations</p>
Opportunities	Threats
<p>The SIP from all relevant ministries is formulated, consists of priority programmes which can be supported by donors.</p> <p>Bilateral and international agencies are available for investing in struggle against land degradation.</p>	<p>Indiscriminate use of land.</p> <p>Unabated misuses of land and demographic pressures.</p>

As indicated in the NDP (2002-2007) “real lasting poverty reduction is only possible if the environment is able to provide service people depend on, and if natural resource is used in a manner that does not undermine long term development”.

The GoTL has taken some important steps to establishing a legal and policy framework to manage its environment. As summarized in Table 3 in chapter 3, TL has adopted two regulations taken from UNTAET administration and, currently, the GoTL has also drafted several laws and policies and some are awaiting approval. TL has also developed its Natural Disaster Management Plan (NDPM) for disaster-management. This plan is intended to enable the country to better prepare for and respond to natural and technological disasters as well as human induced emergencies.<sup>10</sup>

Although there has been some progress, much remains to be done on the legal and regulatory framework. There are still not formulated yet a legal and regulatory framework to address the issues of land degradation and land management. Additionally, the existing regulations have difficulty in being enforced because such regulations have not been clarified by way of a

<sup>10</sup> National Disaster Risk Management Plan

Directive. Lack of enforcement of the existing regulation has had an adverse impact on deforestation.

Therefore, there is a clear need to mainstream land degradation issues and sustainable land management into national policies and relevant strategic plans. TL needs to develop its specific law and regulations to address land degradation issue.

### 3.4 Capacity Constraints

#### *Capacity Constraints Matrix*

The capacity constraints matrix provides information on priority issues of the country and capacity constraints at three levels to meet its obligations under the Convention. It also identified the institutional responsible to address the issues as well as the key stakeholder.

Table 5 - Capacity constraints matrix

Priority Areas	Capacity Constraints			Comments
	Systemic	Institutional	Individual	
Reporting and establishing the NCB	Lack of policy and legal framework to address land degradation issues; No legal framework available for establishing the NCB; Financial allocated for the implementation of the convention is still limited.	Secretariat responsible for the implementation of the UNCCD is not available; Budget allocated for NAP formulation and other report is not available; Double duties as NFP and Director of Protection and Forest Conservation.	Lack of expertise to formulate report and other requirement under the convention; Unclear mandates and responsibilities of the NFP.	To deal with the implementation of the three Rio Conventions it is an urgent need to establish the NCB; Training for the NFP is necessary to address requirements under the Convention; NAP formulation must be addressed in short term.
Community Awareness and Public Education	Lack of community involvement in planning, development & implementation of public awareness and information initiatives; Many projects are implemented in donor-driven priorities; Lack of content on specific or general environmental topic at national curricula.	Limited financial support; Limited equipment to address community awareness issues; Limited information campaign from mass media concerning to deal with land degradation issues; Poor inter-sectoral coordination and consultation for developing programmes and actions; Lack of follow up to projects have been implemented.	Lack of technical and managerial capacity; Shortage of staff to cover all areas.	Forming a working group to develop & improving existing documents; Developing integrated strategies and actions to raising community awareness and public education; Follow up and monitoring for projects have been implemented should be undertaken .

Priority Areas	Capacity Constraints			Comments
	Systemic	Institutional	Individual	
Research and Data Base	Lack of awareness of decision-makers; Lack of policy from relevant ministries to address land degradation issues, including mitigation the effect of drought; Lack of integrated programmes and strategies to conduct research activity.	Limited financial support and equipments for research institutions; Lack of coordination amongst institutions and poor capacities to negotiate with donors to deal with research and data base; No uniform data available for environmental issues.	Lack of expertise and staff capacity; Lack of technical capacity including in data analysis.	Initiatives of any relevant ministries to undertake research and database collection should be supported; Training at institutional & individual level; Creating uniform data on environment.
Financial Resources	Lack of awareness of decision-makers to get access to Convention-financing mechanism; The SLM issue is not mainstreaming to the NDP and others sectors policy and program.	Lack of financial support to address land degradation issues; Lack of coordination between institutions to create integrated programmes and strategies Bureaucratic in financial process; Lack of capacity to access to Convention-financing mechanism.	Lack of expertise to get access to Convention-financing mechanism.	Strengthening institutional and individual capacities to get access to Convention-financing mechanism; Excessive bureaucracy in financial process must be eradicated; Improving capacity on project developing, planning, implementation, M&E and reporting.
Legal and Policy Framework	Lack of policy and legal framework to address land degradation issues; Lack of integrated programmes and strategies to deal with land degradation issues.	Limited financial support to formulate legal and regulatory framework; Poor coordination among institutions to deal with land degradation issues; Lack of enforcement of the existing laws and regulations.	Lack of technical and managerial capacity; Lack of expertise to formulate new laws and regulations.	The issues of land degradation should be mainstreamed into sectoral policies and actions; Political will from decision makers should be made; The existing laws and regulations should be enforced and strengthened.

## **4. Finding and Recommendations**

### **4.1 Findings**

#### **Systemic level**

The absence of legal and regulatory framework relating to land degradation issues is considered as a constraint and bottleneck for the implementation of the Convention.

Programmes and strategies of relevant government institutions to struggle against land degradation issues are still severely limited including financial support for the implementation of the Convention.

Overlapping mandates and responsibilities of the relevant ministries was recognized as challenges to developing integrated programmes and actions to meet country obligations under the Convention.

Although the issue of combating desertification and land degradation is more or less reflected in the general and sectoral strategies on social-economic development, in reality, it does not represent a priority for the country. The country's priority is reducing poverty and improving food security.

Long-term priorities for combating land degradation are not clearly scheduled in the NDP and other sectoral policies and strategies. Otherwise the GoTL has prepared a Sector Expenditure Program (SEP) and SIP that covers ten sectors with detailed accounts of the NDP for period up to 2007.

TL has still not unlocked access to Convention-financing mechanism.

#### **Institutional level**

The GoTL has not established the NCB responsible for the implementation of the Convention. Otherwise the existing Inter Ministerial Working Group (IMWG) has been established but there is still a lack of progress made by the group in relation to their function.

Poor coordination among government institutions as well as with NGOs and academic institutions and among central and local authorities is recognized as constraints to meet country obligations under the Convention.

There is an absence of modern reliable data and research institutions to address land degradation issues and to develop integrated programmes and actions. In addition, the research conducted is very obscure as most of the institutions face problems with the lack of equipment, such as, computers, vehicles and laboratory equipment, to support their research activity.

Socialization of the Convention in the country is fairly modest and several institutions relevant to the Convention are still unfamiliar with the UNCCD. On the other hand, many institutions experience bottlenecks and constraints due to the lack of clearly defined organisational structures at the lower levels of line ministries.

Generally, training and courses for government staff have been conducted to address environmental issues; however, there is still a lack of training courses in terms of addressing land degradation issues.

Community awareness and public education on the Convention presently is not available due to the lack of long term integrated programmes and strategies which involved all institutions government, NGOs and academic institutions.

### **Individual Level**

Human resources are the most crucial resources that are relatively weak in TL, including the time, expertise and number of employees in the government that can work on land degradation issues.

Government employees face frustration particularly in liaison with the field activities due to bureaucracy in financial processing and lack of equipment including vehicles and computers.

Short-term training for government employees is ineffective to improve staff capacity and training for those who are affected by land degradation such as woman and children are still not in place.

## **4.2 Recommendations**

While analyzing the capacities of implementation of the Convention at systemic, institutional and individual levels, the TWG for land degradation came to a conclusion that TL needed to enhance its capacity in all three levels, systemic, institutional and individual to meet its obligations under the Convention. A number of issues identified, including lack of existing legal framework and lack of human capacity and it will need serious efforts from all components including government institutions, NGOs, academic institutions and community members to fine tune and to remove the constraints faced by the country.

Based on the focus group meetings conducting by the TWG for land degradation, the following were identified as the key recommendations.

### **Systemic Level**

Creating a new legal and regulatory framework that specifically addresses land degradation issues and socialization of the existing regulations and laws needs to be strengthened together with law enforcement should be strengthened. Otherwise, the community will not recognize the laws without enforcement and it will remain ineffective.

Strengthening the implementation of the UNCCD by garnering political support and commitment to ensure the land degradation issues are successfully addressed. This requires targeted awareness programmes aimed at senior government officials.

It is suggested that priority be given to develop land laws and regulations including assessment of land ownership, land tenure and property rights.

Long terms plans and strategies for raising community awareness and public education in terms of the Convention is need to develop and the existing programmes and strategies need to be strengthened.

### **Institutional Level**

Strengthening the existing groups, including the IMWG, by formulating and soliciting buy-in of its term of references.

Strengthening coordination among relevant government institutions, NGOs and academic institutions, including coordination between various projects and donors, in order to avoid repetition and provide efficient and effective use of resources.

Creating the new land information system to address lack of database, and to set up monitoring services and create a uniform information system – database, as well as the exchange of information in research institutions, which will be available for various consumers.

Excessive bureaucracy in financial processes and low efficiency of the management system need to be eradicated.

Cooperation among relevant institutions to mitigate the effect of droughts as well as to establish an early warning and forecasting system and identification of the root causes – social, economic and culture of fuelwood cutting as well as other forestry sector practices that contribute to land degradation.

### **Individual Level**

Strengthening the NFP by clearly defined its mandates and responsibilities.

Strengthening staff capacity including, technical capacity and managerial skills from government employees, NGOs and academic institutions.

Recruiting new government employees with high educational background and technical skills including capacity to analyze database.

Various expertise are needed to assist government employees in terms of research and developing database in respect to land degradation issues.

It is necessary to develop long-term and permanent programmes for training and courses including study comparative to enhance technical capacity of government staff.

Insufficient exchange of information between the individuals in the institutions and between the institutions on the state level could be reduced by setting up networks and associations, such as those specifically establishing interest groups.



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## ANNEXES

### **Annex 1. List of question to assess capacity need and constraints at three levels.**

Capacity building at the *systemic*. Guiding questions include:

- *Policy framework*: Is the overall policy environment conducive?
- *Legal and regulatory framework*: Is the appropriate legislation in place and are these laws effectively enforced? (These may be both formal and informal, such as cultural mores)
- *Management accountability framework*: Are institutional responsibilities clearly defined and are responsible institutions held publicly accountable?
- *Economic framework*: Do markets function effectively and efficiently?
- *Systems level resources*: Are the required human, financial and information resources available? (These may be in any or all of national and local government, private sector, and civil society – including NGO's)
- *Processes and relationships*: Do the different institutions and processes interact and work together effectively? (Including national and local government, private sector, and civil society)

Capacity building at the *institutional*. Guiding questions include:

- *Mission/strategic management*: Do the institutions have clearly defined and understood missions and mandates?
- *Culture/structure/competencies*: Are the institutions effectively structured and managed?
- *Processes*: Do institutional processes such as planning, quality management, monitoring and evaluation, work effectively?
- *Human resources*: Are the human resources adequate, sufficiently skilled, and appropriately deployed?
- *Financial resources*: Are financial resources managed effectively and allocated appropriately to enable effective operation?
- *Information resources*: Is required information available and effectively distributed and managed?
- *Infrastructure*: Are material requirements such as buildings, offices, vehicles, computers, allocated appropriately and managed effectively?

Capacity building at the *individual*. Guiding questions include:

- *Job requirements and skill levels*: Are jobs correctly defined and are the required skills available?
- *Training/retraining*: Is the appropriate learning taking place?
- *Career progression*: Are individuals able to advance and develop professionally?

- *Accountability/ethics*: Is responsibility effectively delegated and are individuals held accountable?
- *Access to information*: Is there adequate access to needed information?
- *Personal/professional networking*: Are individuals in contact and exchanging knowledge with appropriate peers?
- *Performance/conduct*: Is performance effectively measured?
- *Incentives/security*: Are these sufficient to promote excellence?
- *Values, integrity and attitudes*: Are these in place and maintained?
- *Morale and motivation*: Are these adequately maintained?
- *Work redeployment and job sharing*: Are there alternatives to the existing arrangements?
- *Inter-relationships and team work*: Do individuals interact effectively and form functional teams?
- *Interdependencies*: Are there appropriate levels of interdependence?
- *Communication skills*: Are these effective?

## Annex 2. List of person interviewed during the TA activity

Stakeholders	Reasons for inclusion	Possible roles and involvement	Degree to which affected or Interested high, medium, low <sup>*11</sup>
<b>Mr. Manuel da Silva</b> <i>National Focal Point for UNCCD/Dir. Of Natural Resource Mgt. &amp; Forest Conservation</i>	National Focal Point for Land Degradation	National Focal Point for Land Degradation, Coordinate all keys stakeholders involve in UNCCD	High
<b>Mr. Mario R. Nunes</b> <i>National Dir. of Coffee and Forestry</i>	Responsible for forestry sector in TL	Resource for coordination on forestry sector	High
<b>Mr. Lourenco Fontes</b> <i>Dir. of Research /Deputy ARP Project Mgr.</i>	Responsible for research department under the MAFF	Resource for training and development of relevant systems	Medium
<b>Mr. Antonio de A.S.</b> <i>Chief of industry promotion unit</i>	Responsible for development of small scale industry and identified possibility of alternative livelihood	Resource for alternative livelihood training in the degraded areas and prone to degraded	high
<b>Mr. Raimundo Mau</b> <i>AL-GIS Unit/MAFF</i>	Responsible for MAFF data base collection and produce agriculture and forestry maps	Provides all information and data on degraded areas in TL such as maps and data base	High
<b>Mr. Mario Gudinho</b> <i>Chief of Agroforestry Unit/NDCF</i>	Responsible for development and trainings of agroforestry system	Resource for coordination and implementation of agroforestry project	High
<b>Mr. Octavio da Almeida</b> <i>Dir. of Planning/MAFF</i>	Responsible for planning of MAFF	Developing financial planning and strategy	Low
<b>Mr. Vicente da Costa P.</b> <i>Dir. of Mineral and Oil</i>	Responsible for promote natural energy such as; promote wind energy, solar, and hydropower.	Resource for training and extension to promote new alternative energy	Medium
<b>Mr. Carlos Granadeiro</b> <i>Chief of food and crop production</i>	Responsible for crops production including, introduce the high quality of varieties an-organic agriculture practices	Providing planning for finding proper crop verities for climate adaptation	Medium
<b>Mr. Rob Williams</b> <i>Seed of Life, MAFF</i>	Support MAFF introduce new crops varieties and conduct field study on possibility of introduced variety	Providing information regarding better verities for climate adaptation, and reducing existing slash and burn system for reduction of carbon dioxide	Medium
<b>Jim Biscoe</b> <i>Information and Extension Adviser ARP III MAFF</i>	Support MAFF research institution including enhance staffs capacity on information and extension	Developing planning and strategy for agriculture and forestry extension	Medium

<sup>11</sup> High: They want to participate fully or their involvement is needed for a credible process.  
Medium: They want to play a secondary role or only want involvement in some steps.  
Low: They want only to be kept informed.

Stakeholders	Reasons for inclusion	Possible roles and involvement	Degree to which affected or Interested high, medium, low <sup>*11</sup>
<b>Mr. Fernando Santana</b> <i>Chief of Conservations Areas/NDCF</i>	Responsible for managing a 15 Protected National Areas including identification of important flora and fauna	Provides all information and data on conservation areas in TL and degraded areas within conservation areas	High
<b>Mr. Jacinto Soares</b> <i>Chief of Soil Conservation /NDCF</i>	Responsible for reforestation and soil conservation under the NDCF.	Provides information on degraded areas and all information regarding achievement made by the government through reforestation and soil conservation to struggle against desertification	High
<b>Mr. Elmo Drilling</b> <i>Agroforestry Research and Training Advisor/ NDCF</i>	Support development of agroforestry system and conduct study on six ecological zones in TL	Provides information and conducting study on possibility of the implementation of agroforestry system in six ecological zones	Medium
<b>Ms. Cathy Molnar</b> National park Advisor	Support development of national park in TL including coordination with donors	Provides information on National Park Network	Medium
<b>Mr. Feliciano Pereira</b> <i>CCT</i>	Development and promote shade trees for coffee plantations	Conducting training and education for coffee farmers and reforestation in coffee plantation areas	Low
<b>Mr. Fausto Gama</b> <i>Project Official/ Capacity Development Coordination. Unit</i>	Responsible for assessing capacity needs for all civil servants in all ministries and identified interesting donors to conduct trainings	Provides information on training needs in all ministries	Medium
<b>Mr. Aurelio Gutteres</b> Disaster Management/MI	Establish an early warning system including mitigate the effect of drought and weather analysis	Conducting training and socialization on the early warning system to mitigate the effect of drought	Medium
<b>Ms. Jane S.P. Mocellin</b> Support to Development Post/Disaster Management	Support disaster management unit to develop early warning system	Developing planning and strategy for early warning system	Medium
<b>Mr. Joao Antalmo</b> <i>Dir. of Forest Mgt. and Utilization (interim)/NDCF</i>	Responsible for forest management and utilization including, produce forestry policy, regulation, and publish forest license for firewood cutting	Developing policy and regulation within the forestry department. Strengthen the implementation of existing forestry policy and regulation	High