

**Critical Stocktaking Assessment and Report on communal  
and freehold Conservancies to explore areas of mutual  
cooperation, collaboration and synergy**

Consultancy Report for the Conservancy Association of Namibia (CANAM) and  
the Namibian Association of CBNRM Support Organisations, (NACSO).

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## 1. Background

Conservancies in Namibia are institutional mechanisms to enable group management of natural resources in a sustainable manner that provides a range of benefits for conservancy members. There are currently two broad approaches to conservancy development based on the dual land tenure system in Namibia. On freehold land<sup>2</sup> individual farm owners with conditional rights over the use of wildlife voluntarily form conservancies through agreeing to collaborate in the management of wildlife and other natural resources. There are currently 25 freehold conservancies, covering about 4.7 million ha and supporting some 30 000 people (see Map 1.). On communal land residents acquire conditional rights over wildlife use and commercial tourism through the formation of a conservancy and its registration by government. There are 31 registered communal area conservancies covering almost 8 million ha and supporting more than 100 000 people (see Map 2.).

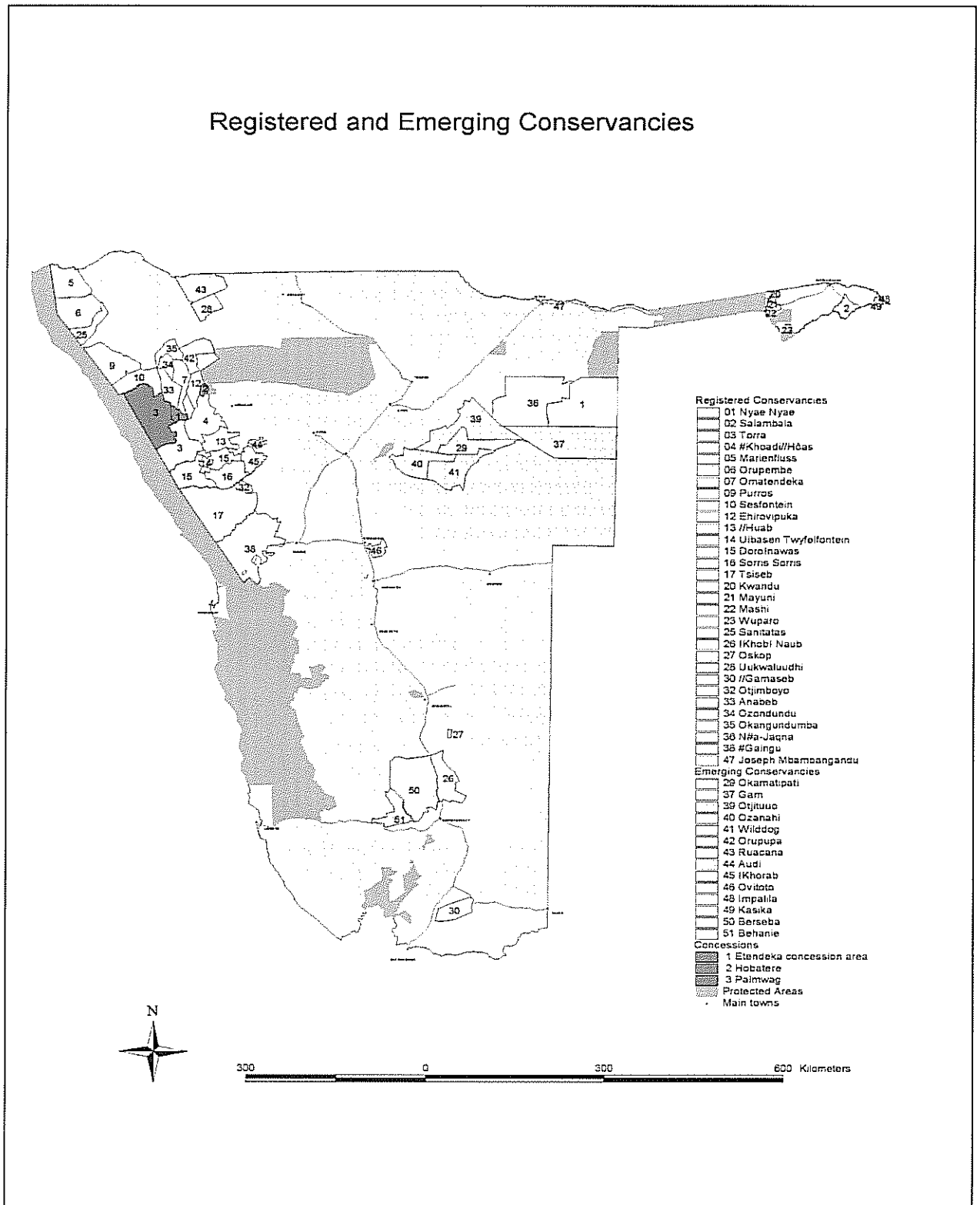
This assessment has been commissioned by the Conservancy Association of Namibia (CANAM), which represents conservancies on freehold land, and the Namibian Association of Community-based Natural Resource Management Organisations (NACSO), which represents NGOs and individuals that work with communal area conservancies. The assessment has been commissioned in order to take stock of the two conservancy approaches and to identify key issues, constraints and opportunities for collaboration between communal and freehold conservancies in Namibia (see Annex 4 for the full terms of reference for the consultancy). The assessment has been carried out using available documents and interviews with key stakeholders. A list of persons consulted is provided in Annex 3.

This report is divided into two main sections for easy reference and quick access to the main analysis and recommendations for action. The stocktaking components of the report are contained in Annexe 1. The analysis and recommendations regarding potential cooperation and recommendations for action plans are contained in the main section of the report.

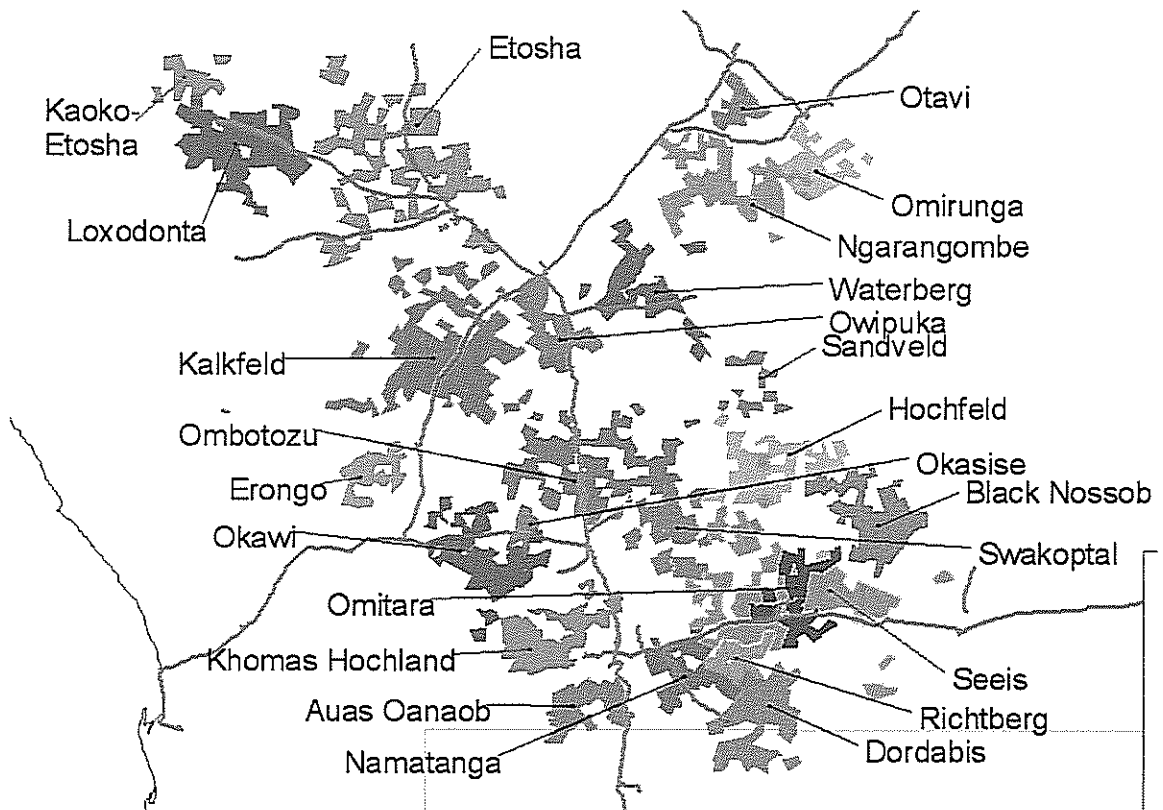
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<sup>2</sup> Land alienated under freehold title is commonly referred to in Namibia as "commercial" farmland while tribal land owned by the state is known as "communal" land. However, it is more useful to refer to alienated land as "freehold" as the main difference with communal land is the tenurial status of the land rather than economic activity. Many farmers on communal land do in fact farm commercially.

Map 1. Communal Area Conservancies (Source: LIFE Project/MET 2004)



Map 2. Freehold conservancies (source: CANAM)



## 2. Potential areas of cooperation and collaboration between communal and freehold conservancies

### 2.1 Rationale for cooperation and collaboration

Before identifying areas of collaboration, it is useful to first consider some of the main reasons for promoting collaboration and some of the factors that are likely to enable collaboration to take place. Although there are a number of key differences between communal and freehold conservancies that are identified in Annex 1 of this report, there are also a number of important similarities. These similarities provide good reasons for both sets of communities to collaborate, share experiences, and learn from each other.

Both communal and freehold conservancies share similar objectives regarding conservation. Generally both sets of conservancies aim to conserve wildlife and the habitats upon which wildlife depends. They both subscribe to principles of sustainable use. In terms of management, both sets of conservancies face similar issues. They need to find ways of integrating livestock farming with conservation and sustainable use of wildlife, find appropriate ways to deal with problem animals, apply appropriate zoning of different land uses, monitor wildlife numbers and population trends, take decisions on off-take, and combat poaching.

Institutionally there are also similarities. Both sets of conservancies are dealing with the same issues that arise from collective management of natural resources. They have to determine how internal governance will be conducted, how governance will be transparent and accountable, how income and other benefits will be shared equitably, and how to determine membership or persuade non-members to become members. In both sets of conservancies, the different economic interests of members need to be accommodated.

Economically, both sets of conservancies are developing similar activities. In general most communal area conservancies are farming livestock on a subsistence basis. However, there are wealthy farmers in the communal sector that farm commercially and in certain communal areas (e.g. parts of Otjozondupa Region and the North Central Regions) commercial farming is well developed. Both sets of conservancies are active in various forms of wildlife utilisation, particularly trophy hunting. Some communal conservancies are beginning to explore other uses such as live sale and sport hunting which are more common in freehold conservancies. Non-consumptive tourism also takes place in both sets of conservancies. The types of tourism are similar in both but in communal area conservancies there is a greater emphasis on cultural tourism, and there is generally a wider variety of tourism activities in communal area conservancies. Both sets of conservancies need to find ways

to successfully combine trophy hunting with photographic tourism. In terms of livelihood strategies, it makes sense for both communal area and freehold conservancies to diversify their economic activities in view of the low and uncertain rainfall conditions across the whole of Namibia.

Although freehold conservancies are not specifically provided for in legislation, they are subject to the controls and regulations contained in the legislation that governs use of wildlife. The same controls and regulations govern wildlife utilisation in communal areas. As discussed in Annex 1 both sets of conservancies would like to see a reduction in the red-tape that governs wildlife use and increased decision-making authority being devolved to the conservancies.

Both sets of conservancies are made up mainly of livestock farmers who are also involved in wildlife utilisation. Efficient and productive range management is important to both and provides an area for potential cooperation and mutual learning. It should not necessarily be assumed that all the skills and management capacity for good range management lies in the freehold sector. Traditional Himba range management practices for example have much in common with what is now being practised as Holistic Resource Management on some freehold farms. Range management in north-west Namibia has evolved as part of a complex system of relationships between people that depends upon access to grazing being determined by kinship ties and reciprocity – the need to help someone with grazing today because in future you might need access to his grazing. Mobility and the ability to track rainfall form a crucial part of the extensive grazing systems that have evolved in the arid north-west and in the north-central regions. Some of these management approaches might be appropriate to freehold conservancies that were willing to farm livestock more extensively and collaboratively over the whole conservancy rather than on individual 5 000 ha units. On the other hand freehold farmers have considerable experience of more intensive farming methods that could benefit communal farmers. Further, there are many livestock farmers on communal land in Otjozondjupa who have fenced off parcels of rangeland and are farming commercially. There could be useful exchanges of range management experiences and practices between communal and commercial conservancies in this region.

There are also a number of differences between communal and freehold conservancies that have been identified in this report. Some of these differences also provide good reasons for developing collaboration. For example, a number of communal area conservancies have more tourism attractions than most freehold conservancies. Those conservancies in the north-west offer the spectacular scenery of the Kaokoveld, desert-dwelling large mammals such as elephant, black rhino and giraffe, lions that include the Skeleton Coast as part of their range, and a rich variety of cultures, including that of the Himba. The north-eastern conservancies contain large

numbers of elephant, Namibia's main wetlands and rivers, and the richest birdlife in the country. The north-eastern conservancies are on well-developed tourism routes that link to Victoria Falls and the Okavango Delta.

It would clearly be in the interest of freehold conservancies that focus on tourism to develop business links with communal conservancies that have significant tourism attractions. Many communal area conservancies are able to offer a wilderness experience that cannot be matched on freehold farmland that is fenced, and several are able to offer the presence of high-value tourism species such as lion and elephant. For example Nyae Nyae conservancy can offer tourists the possibility of unfenced camping areas in the presence of the full-range of Namibian large predators: lion, leopard, cheetah, spotted hyena and brown hyena. It has a growing elephant population and can offer some of the best elephant trophies in the country. It can also offer tourists the opportunity to interact with the San people and buy well-designed and well-made crafts. Yet so far much of the tourism potential of this area is undeveloped.

It is being increasingly recognised that the wilderness experience offered by communal area conservancies is also becoming more attractive to foreign trophy hunters. These hunters are looking for the possibility to hunt in wild and open country that does not contain fences. Some hunters at least are looking for the opportunity to get hot and sweaty and lose a few kilograms in a long pursuit by foot, rather than hunt from the farm land cruiser.

There are also some differences between communal and freehold conservancies in terms of skills and capacity to manage businesses and to engage in the tourism industry. There are only a few camp sites and other tourism related businesses in communal area conservancies that are run efficiently and profitably. Often the reason is a combination of a lack of knowledge and understanding of the tourism industry (e.g. what foreign tourists are looking for), a lack of marketing knowledge or access to markets, a lack of communications infrastructure and a lack of business skills. Communal area conservancies could learn from the experience and skills of freehold conservancies in these areas.

During the course of this consultancy, a number of people mentioned the need to improve the political legitimacy of freehold conservancies and of white farmers as a motive for engaging with communal conservancies. While this motive is understandable, it is not necessarily a firm foundation for building links and partnerships with communal conservancies. If the communal conservancy perspective is considered, these conservancies might ask themselves whether it is strategic politically to be cooperating with white farmers. Further, communal conservancies have hitherto not necessarily enjoyed strong support within government. Some senior government politicians have been suspicious of the communal conservancies because



they appeared to be promoted in opposition areas<sup>3</sup>. Others are reported to be suspicious because they believed that communal conservancies were being promoted by white-led NGOs. Political legitimacy is best viewed as a potential outcome of building collaboration based on:

- Shared conservation and range management objectives
- Shared institutional problems
- Business opportunities
- Developing skills and capacity
- Building good relations and cooperation with neighbours

## 2.2 Sound principles for collaboration

While it is important to establish some sound foundations for promoting collaboration, it is also important to look at the *nature* of the collaboration that is being promoted. It is crucial that some key principles for collaboration are established. This is particularly important given Namibia's political history. It would be easy to assume for example, that because communal area residents have been previously disadvantaged under the *apartheid* system they have little existing capacity and few existing skills. It would be inappropriate though to assume that skills and capacity development will be a one-way flow from freehold to communal conservancies. There are some clear areas where communal area conservancy skills and capacity need developing (enterprise development, business management, tourism etc.), but there are other areas where communal conservancies have something to offer freehold conservancies. The possibility of sharing experiences and practices for range management has already been discussed above. Another area where communal area conservancies could share skills with freehold conservancies is in wildlife monitoring (see the description of the event book system in Annex 1). Collaboration therefore needs to be built on the principle of open-mindedness about sharing and learning from each other.

Building trust is clearly a key principle for collaboration and has been an ongoing activity within the freehold conservancies between the individual members. Experience of freehold farmers trying to collaborate with communal neighbours in Zimbabwe shows that building trust needs to be approached in the appropriate way. The Save Valley Conservancy in Zimbabwe's south-east lowveld decided to initiate a programme to create interdependence between the conservancy and its communal neighbours. The Conservancy developed an elaborate plan without discussion or negotiation with the communities and then presented it to local community and political leaders. The reaction by these leaders was that the process through which the plan had been developed was not conducive to developing

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<sup>3</sup> While this was true to some extent, the reason for targeting the initial areas for conservancy formation was because of the presence of significant numbers of wildlife and high levels of conflict between wildlife and people not because of political affiliation.

trust between the parties (Metcalfe 1996). The foundations for building trust are: Breaking down an 'us and them' mindset, exploring each others attitudes and motives, and being open and transparent about your own motives and attitudes. Once trust has been established it is possible to move on to identifying common interests and problems and looking jointly for solutions. But building trust takes time and is built on a series of interactions where each should reinforce positive experiences from the previous interactions. The Save experience also showed that relationships between communal area residents and individual farmers was crucial to the process of building trust. Where individual farmers in the conservancy had bad relationships with communal neighbours, this negatively affected the relationship with the conservancy as an institution.

Some attempts at collaboration have already been made by freehold conservancies to make contact with communal neighbours and with new farmers under the affirmative action loan scheme. So far little has come of these approaches as few 'new' farmers have attended meetings arranged by freehold conservancies or communal neighbours have appeared reluctant to engage with their freehold counterparts. This apparent reluctance to engage on the part of communal area residents has led to disappointment by freehold farmers who would like to co-operate with their neighbours. This assessment has not provided the opportunity for any field work so it has not been possible to investigate possible reasons for the failure of existing attempts at collaboration. It is clear however, that there needs to be a willingness to collaborate from all parties and cooperation cannot be forced if some parties are not interested. It is also possible, though, that the use of skilled facilitation could help break down the various barriers that exist and assist all parties in working together.

Another important principle is that of equality. It is essential to build collaboration and partnerships on a sense of equality between both parties. In order to do this it will be crucial to break down cultural barriers and racial stereotypes from the past if each party is to accept the other as an equal. It is also essential to recognise, as discussed above, that both parties have something to learn from the other.

As one freehold farmer said while being interviewed for this consultancy:

"We cannot take the approach that we are telling communal area people what to do and are manipulating them for our own interest. We need to build an honest relationship on an equal basis".

### 2.3 Potential areas for collaboration

CANAM, NACSO and MET have already carried out work to identify a number of areas where collaboration could be promoted between communal and freehold conservancies. The following sub-sections reflect this work as well as suggestions derived from interviews conducted as part of this consultancy and suggestions from the consultant. Three levels at which collaboration can take place have been identified – National, Regional and Local.

At National level, suggestions have been made in the past that a national conservancy association should be developed that includes both communal and freehold conservancies. This is not recommended for two reasons. First, there are sufficient differences between the conservancy approaches to merit having separate associations that can represent the different interests of communal conservancies and freehold conservancies. The main difference in this regard is land tenure. The two main features of communal tenure – state ownership of land and communal access to grazing land by large numbers of people provide specific challenges for communal conservancies. Second, the communal conservancies are still exploring the advantages and disadvantages of association formation and have yet to form a national association. So far, a number of regional groupings have been formed but consensus has not yet been reached on forming a representative association at national level.

Despite the lack of a national communal area conservancy association, there is still scope for collaboration between freehold and communal conservancies at the national level. While some activities might need the involvement of a formal national association, others can be explored without this being in place. The best course of action for CANAM and NACSO would be to work to establish a solid foundation of local and regional collaboration between conservancies that can be built upon to develop national level collaboration once a national communal area conservancy association has been formed. In the mean-time, the communal area chairman's forum that meets with MET could be used as a starting point for exploring areas of collaboration over common policy and legislative issues.

At Regional level there is a need to promote cooperation between conservancies over a number of issues. There is also a need for communal and freehold conservancies to develop better relationships with regional councils and their various structures as well as with MET regional offices. Improved relationships with the regional councils and MET could lead to the development of regional management plans and approaches for tourism and conservation. It could also lead to conservancies being able to participate in decision-making concerning regional development and land-use planning.

Regional level cooperation with MET should also focus on promoting good relationships between conservancies and adjoining protected areas.

Local level collaboration should focus on conservancy to conservancy relationships where these conservancies share a common boundary or are close to one another, and where one is communal and the other is freehold. Substantial and ongoing relationships between a freehold conservancy and a conservancy in Caprivi for example could also be regarded as local level collaboration.

The first steps in developing collaboration at the local level need to focus on developing trust, developing shared visions, breaking down cultural barriers and shedding some of the racial stereotypes from the past. Once this has been done, the two conservancies can identify areas for cooperation and joint business ventures and then draw up a legal agreement. This agreement needs to be between the two conservancy committees. This has implications for the internal agreements in freehold conservancies. Typically not every individual farmer is involved in tourism or trophy hunting on a freehold farm (see Annex 1). The expertise and experience in tourism and trophy hunting lies with individuals and not necessarily with the freehold conservancy as an institution. If freehold conservancies enter into agreements with communal conservancies for joint business ventures, the individual farmers within the freehold conservancies will need to agree on how each will be involved (or not) as investors and beneficiaries. Further, they will need to assess what they can bring individually to collectively provide a package that will be attractive to the communal conservancy. Thus one farmer might take the lead regarding tourism, another regarding trophy hunting, and another on range management issues. But they would be doing this on behalf of the conservancy as a unit. Box 1 provides an example of the types of collaboration that might be covered by an agreement between individual freehold and communal conservancies.

Most of the discussion so far around cooperation between communal and freehold conservancies on tourism development and skills transfer has been based on two assumptions – that appropriate skills and experience will be available within the freehold conservancy and that the freehold farmers are actually successful in running their businesses. Neither of these assumptions might be correct in all cases. For example, there might be opportunities within a communal area conservancy to develop an up-market tourist lodge or lodges that aim at the high end of the foreign market. If the tourism development in the partner freehold conservancy is only at the level of small-scale bed and breakfast/guest house facilities and service, then this might not be the best source of support for the communal area conservancy.

**Box 1. Example of potential co-operation between neighbouring communal and freehold conservancies**

Legal agreement between conservancy committees that provides for:

- ✓ Freehold conservancy gains access to communal conservancy for tourism and trophy hunting
- ✓ Freehold conservancy assists technically and financially in establishing tourism facilities (lodge/campsites) in communal conservancy
- ✓ Freehold conservancy brings hunters and tourists, provides marketing – pays use fees to communal conservancy, takes tourists to traditional village, etc.
- ✓ Communal conservancy provides the assets in terms of land and wildlife (this implies active management such as anti-poaching to maintain wildlife numbers and species and zoning land for wildlife and tourism)
- ✓ Freehold conservancy provides mentorship and training in tourism and as hunting guides etc.
- ✓ Freehold conservancy gets preferential option on live sales from the communal conservancy
- ✓ Game relocations/introductions
- ✓ Conservancies develop joint problem animal management strategy, joint game monitoring approach and programme
- ✓ Conservancies share range management practices and expertise and share grazing

It is likely that the freehold conservancy will not have the investment capacity to provide the capital for such a lodge or that not every individual member would be interested in trying to invest in such a venture<sup>4</sup>. Communal area conservancies therefore need to tailor their agreements with freehold conservancies to ensure that their development opportunities do not become restricted by the limits to the expertise available in a partner freehold conservancy. For example, a communal conservancy might have an agreement with a major tourism company such as Wilderness Safaris for up-market lodge development, but an agreement with the neighbouring freehold conservancy for trophy hunting and a mid-level camp/lodge and/or campsite development<sup>5</sup>.

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<sup>4</sup> Experience in tendering communal conservancy lodge concessions has shown that given the lack of tenurial security on communal land, only larger companies with sufficient reserves are willing to take the investment risk in developing lodges.

<sup>5</sup> Experience in the Okavango Delta in Botswana indicates that the potential conflicts between hunting and photographic tourism can be minimised if one company is handling both in a specific area. However, in Namibia the structure of the tourism and hunting industries is much more compartmentalised than in Botswana and such an integration of activities within one company would be more difficult to achieve.

There should also be a focus at local level on developing relationships between conservancies and adjoining protected areas. Collaboration could cover a wide range of activities. One such activity could be developing joint approaches to problem animal management. At the other end of the scale might be dropping the fence between the conservancy and the protected area to create larger conservation areas similar to those formed in Zimbabwe by Hwange National Park and neighbouring freehold and communal land and in South Africa between Kruger National Park and adjoining freehold game reserves.

The following are the main areas of collaboration that could take place at the different levels:

### 2.3.1 Collaboration at National Level

- a) Information and awareness about conservancies – which is well advanced in the communal conservancy programme (e.g. the State of Conservancy Report for communal areas), but less well established for freehold conservancies.
- b) Data gathering, collation and impact monitoring systems – again these are well developed for communal area conservancies, but less so for freehold conservancies.
- c) Linking the conservancy 'movement' to key national development objectives – communal conservancies are starting to explore ways of showing how they contribute to poverty reduction and other development goals, but this is not being done yet for freehold conservancies.
- d) Develop 'one voice' on common concerns, e.g. advocacy on policy and legislative issues, reduction/removal of bureaucracy over permits, etc.
- e) Explore strategic marketing across and between conservancies

### 2.3.2 Collaboration at Regional Level

- a) Engage more closely with MET regional offices – some communal area conservancies enjoy good support from MET regional offices and this needs to be expanded to include freehold conservancies
- b) Explore establishing forums in the main conservancy regions that involve both communal and freehold conservancies – interestingly the MET policy on communal area conservancies (MET 1995) makes provision for the formation of regional 'Wildlife Management Committees' that would bring together the MET, conservancies, conservation NGOs and other key stakeholders. Further the MET draft Elephant Management Plan (MET 2005) proposes the formation of co-management forums for elephant management. In Kunene Region, MET will give a single elephant quota to a number of communal

conservancies, requiring these conservancies to cooperate on elephant management and the sharing of benefits from trophy hunting. In Caprivi three conservancies are already sharing one trophy hunting quota. This increasing level of cooperation could be institutionalised through the proposed regional wildlife management committee and broadened to include more stakeholders.

- c) Carry out skills and capacity assessments and develop regional mentorship and training programmes – these assessments should be carried out for both communal and freehold conservancies.
- d) Develop regional strategies for optimising tourism development, trophy hunting, and game translocations and reintroductions between and across communal and freehold conservancies – this could be carried out through the forums proposed in b).
- e) Explore collaboration between conservancies for the production of venison for local and export market

### 2.3.3 Collaboration at Local Level

- a) Explore joint actions between communal and freehold conservancies for problem animal management
- b) Explore ways of developing joint management approaches and carrying out joint activities such as monitoring, anti-poaching, and water maintenance.
- c) Explore ways of equitably optimising enterprise initiatives such as tourism, trophy and sport hunting, wildlife cropping, live sales, crafts, traditional villages etc. (see Box 1)
- d) Explore ways of collaborating over livestock management
- e) Publicise success stories in this collaboration
- f) Explore collaborative 'twinning' of initiatives between conservancies, particularly those linked to capacity building, skills transfers, support services such as marketing and reservations, and backstopping
- g) Provide support to resettlement farms and new freehold farmers under the Affirmative Action Loan Scheme (AALS) – freehold conservancies provide useful platforms for involving new AALS farmers in conservation and wildlife utilisation. Resettled farmers face similar issues of collective management as freehold and communal conservancies. Both sets of conservancies, NACSO and MET can assist resettlement farms in range and wildlife management and in establishing institutions for collective management.
- h) Develop stronger links between conservancies and protected areas over problem animal management, enterprise opportunities, joint anti-poaching, and joint monitoring systems and activities.

### 3. Types of benefits arising from collaboration between communal and freehold conservancies and prioritisation for action plans

#### 3.1 Assessment of types of benefit likely to result from collaboration and cooperation

The types of benefit likely to result from collaboration and cooperation between communal and freehold conservancies are assessed in Tables 1-3 below. The types of collaboration leading to benefits have been identified from the previous section and are also divided in the tables by national, regional and local level. The types of benefit deriving from each form of collaboration are then identified, the main beneficiaries are identified and the extent of the benefit is discussed.

It is clear from the tables that collaboration has potential benefits for freehold conservancies, communal conservancies, for the national economy and for national biodiversity conservation. These benefits occur at national, regional and local levels and each level of collaboration has impacts on other levels. Thus collaboration at national level to improve the profile and acceptance of conservancies by the public and decision-makers will have a positive effect on cooperation with government agencies at a regional level and ultimately on the performance of individual conservancies. At the other end of the scale, collaboration between neighbouring conservancies on natural resource management can contribute to achieving national biodiversity conservation goals.

Generally the greatest overall impact across different levels is likely to be achieved by collaboration at local level as there are a number of possible multiplier effects. This is particularly true of collaboration in skills and capacity development and in optimising economic opportunities from hunting and tourism, all of which will have positive impacts at regional and national level.

There are four main types of benefit – improved economic performance, improved conservation, capacity building and improved profile of conservancies in terms of positive contribution to national development goals and improved political legitimacy. These benefits are inter-linked. Positive conservation impacts and economic performance at conservancy level will contribute to demonstrating a positive impact on national development goals, which should improve the profile of conservancies.

#### 3.2 Prioritisation of actions

Perhaps the main priority for action is avoiding the same mistake made by the SAVE Valley Conservancy in Zimbabwe when it wanted to collaborate with its



communal neighbours, and then drew up its own plan, only to be told by the neighbours that this was not true collaboration (see sub-section 2.2. above).

Communal area conservancies have not been involved in developing the ideas reflected in this report. There is a strong danger that they will react negatively if confronted with a series of ready made action plans regarding specific sets of activities. However, the lack of a national communal area conservation association makes it difficult for prospective partners to engage with communal areas on some of the potential areas of collaboration. At the same time there are some activities that do not necessarily need national level agreement before action can be taken. These are the initiation of conservancy to conservancy collaborative activities.

At national level the first actions that are undertaken should be to initiate steps that will lead to the building of a shared vision with communal area conservancies so that specific action plans can be identified based on joint needs and priorities. In the absence of a national communal area conservancy association, CANAM could liaise with the forum of communal area conservancy chairmen that was formed to hold meetings with the senior management of the MET. The first step could be a meeting between CANAM and the communal chairmen's forum to build a joint vision and consensus for future collaboration. Such a meeting could then identify areas of further collaboration.

The main priority for action at national level once a joint vision has been developed with communal area conservancies should be advocacy on policy and legal reforms aimed at strengthening devolution of authority over natural resources to conservancies and removing the bureaucratic constraints to optimising sustainable use of wildlife. This could also be pursued with the communal conservancy chairmen's forum. However, it would also be useful for the CANAM Executive Committee to visit a communal area conservancy in order to gain an idea of how such conservancies operate on the ground and to hear about the opportunities and constraints that the communal conservancies face. Perhaps the best way to achieve this would be for the CANAM Exco to visit one of the regional communal conservancy quarterly planning meetings, such as the one held at Wereldsend in Kunene Region. Several conservancy committees present their quarterly plans and discuss successes and problems at these meetings. The Exco could hold separate meetings with one or two committees or spend more time with one conservancy.

At the same time as activities are initiated at the local level, there is much that can be done at the local and regional levels in parallel. A possible strategy is for NACSO and CANAM to support conservancy to conservancy interactions and then to work with communal conservancy groupings at the regional level. This approach has the advantage of building cooperation and collaboration

gradually from direct interactions between conservancies, enabling others to see the advantages of cooperation. Once a number of such local level partnerships have been developed a critical mass can emerge that leads to scaling up at regional and national levels. Much depends upon the extent to which conservancies feel they need assistance in the process of developing local partnerships. However, given the need to break down cultural barriers, establish common interests and build trust initially, this process is likely to require support through facilitation. The use of a neutral facilitator to help guide structured discussions can be very useful for helping all parties to identify areas of common interest and to develop common action plans.

The sequencing of activities is important. It might for example, be useful to focus first on developing a successful conservancy to conservancy partnership before promoting regional or national partnerships and activities. Much will depend upon the pace at which a national level communal conservancy association emerges. It might be possible to develop some activities at national level while also working at the local, if such an association is formed in the near future. Specific action plans are suggested in Section 4. As the initial actions proposed focus on first establishing a vision and consensus for collaboration at each level, it is difficult to provide such detailed action plans as provided for in the Terms of Reference (see Annex 4). The action plans proposed in this report provide a guideline that can be developed further once consensus is reached on what should be done. For example, budgets for some activities depend upon whether internal expertise is used or a consultant is hired.

Table 1. Types of benefits, main beneficiaries and extent of benefits arising from collaboration at the national level

Type of collaboration	Type of benefit	Main beneficiaries	Extent of benefit
1. Information & awareness	<p>1.1 Improved profile of conservancies among public &amp; decision-makers</p> <p>1.2 Improved relationship with MET</p>	<p>1.1.1 Conservancies (committees &amp; members)</p> <p>1.2.1 Conservancies (committees &amp; members)</p>	<p>1.1.1.1 An improved national profile for conservancies should extend also to the regional &amp; local levels</p> <p>1.2.1.1 An improved relationship with MET at national level should extend to local and regional levels</p>
2. Data gathering, analysis & establishment of impact monitoring systems	<p>2.1 Increased understanding of impacts of conservancies leading to:</p> <p>a) improved management and implementation</p> <p>b) improved profile of conservancies among public &amp; decision-makers (assuming positive impact!)</p>	<p>2.1.1</p> <p>a) Conservancies (committees &amp; members)</p> <p>b) Conservancies (committees &amp; members)</p>	<p>2.1.1.a) increased understanding of the impacts of conservancies on wildlife, habitat, income generation etc. should lead to improved performance at all levels</p> <p>b) An improved national profile for conservancies should extend also to the regional &amp; local levels</p>
3. Linking conservancies to national development goals	<p>3.1 Improved profile &amp; legitimacy of conservancies among public &amp; decision-makers (assuming positive impact!)</p>	<p>3.1.1 Conservancies (committees &amp; members)</p>	<p>3.1.1.1 An improved national profile for conservancies should extend also to the regional &amp; local levels</p>
4. Advocacy	<p>4.1 Improved policy and legislative environment for conservancies</p>	<p>4.1.1 Conservancies (committees &amp; members)</p> <p>4.1.2 Biodiversity conservation</p>	<p>4.1.1.1 An improved policy &amp; legislative environment will enable improved local decision-making &amp; lead to optimising local sustainable use, &amp; optimising income</p> <p>4.1.2 Increased devolution to conservancies &amp; deregulation will lead to improved conservation</p>
5. Marketing across & between conservancies	<p>5.1 Increased market share</p>	<p>5.1.1 Conservancy members</p>	<p>5.1.1.1 Increased market share will lead to increased conservancy income</p>

Table 2. Types of benefits, main beneficiaries and extent of benefits arising from collaboration at the regional level

Type of collaboration	Type of benefit	Main beneficiaries	Extent of benefit
1. Engage with MET regional offices	1.1 Improved relationship with MET leading to improved support & services from MET	1.1.1 Conservancy committees & members	1.1.1.1 Improved relationship with MET will extend to local level, improved support & services will lead to increased performance by conservancies
2. Regional co-management forums with MET	2.1. Improved planning & coordination of wildlife conservation & utilisation activities & links to protected areas  2.2. Platform for developing regional strategies on tourism, game translocation etc.	2.1.1 Conservancy committees & members  2.1.2 National biodiversity conservation  2.2.1 Conservancies  2.2.2 National biodiversity conservation	2.1.1.1 Improved planning & coordination will lead to better management at conservancy level 2.1.2.1 Better management will lead to better conservation regionally & locally 2.2.1.1 Conservancies will benefit from better planning & regional co-management 2.2.2.1 Coordinated & planned game translocations/reintroductions will lead to improved conservation
3. Skills & capacity assessment/ mentoring & training programmes/sharing best practices	3.1. Improved skills for communal conservancies to run businesses  3.2. Communal conservancy members trained in providing services to tourists  3.3. Communal conservancy members trained as PH, master hunting guide, hunting guide  3.4. Improved understanding for communal conservancies (committees & members) of tourism industry  3.5. Sharing of experience & practice on range management	3.1.1 Conservancy committees & members  3.2.1 Conservancy members  3.3.1 Conservancy members  3.4.1 Conservancy committees and members  3.5.1 Conservancy members 3.5.2 National biodiversity conservation	3.1 – 3.4 Improved skills & capacity to run businesses, provide tourism services & conduct trophy hunting will improve the efficiency of conservancies & increase livelihood opportunities for members. Ultimately the standard of communal area tourism will be raised & so will the national tourism profile, which will in turn benefit freehold conservancies working with communal conservancies.  3.5.1.1 All conservancies will benefit from improved range management, which contributes to national conservation

Table 2 continued

Type of collaboration	Type of benefit	Main beneficiaries	Extent of benefit
4. Regional tourism, hunting, game translocation/reintroduction strategies	4.1 Improved planning and coordination	4.1.1 Conservancies	4.1.1.1 Improved planning & coordination will lead to better management at conservancy level 4.1.2.1 Better management will lead to better conservation regionally & locally. Coordinated & planned game translocations/reintroductions will lead to improved conservation
	4.2 Improved resource base	4.2.1 Biodiversity conservation	
5. Venison production & marketing	5.1 Increased income	5.1.1 Conservancy members	5.1.1.1 Will benefit communal & freehold conservancies
		5.1.2 Regional/National economy	5.1.2.1 Establishing a venison market & Increased incomes will have multiplier effects
	5.2 Diversified economic activity	5.2.1 Conservancy members	5.2.1.1 Conservancy members will be able to diversify their sources of income, reducing vulnerability to droughts etc.

Table 3. Types of benefits, main beneficiaries and extent of benefits arising from collaboration at the local level

Type of collaboration	Type of benefit	Main beneficiaries	Extent of benefit
1. Problem animal management	1.1 Reduced livestock losses/crop damage/damage to infrastructure	1.1.1 Conservancy members	1.1.1.1 Costs to communal & freehold conservancy members will be reduced by reduced losses & damage
2. Joint management: monitoring, anti-poaching, water maintenance	2.1 Improved resource base for sustainable utilisation	2.1.1 Conservancy members	2.1.1.1 Improved management through cooperation will improve the resource base on neighbouring conservancies
	2.2 Improved biodiversity conservation	2.2.1 National biodiversity conservation	2.2.1.1 Improved local management will contribute to national biodiversity conservation
3. Optimise enterprises	3.1 Increased income	3.1.1 Conservancy members	3.1 – 3.2 Optimising enterprises will increase income & employment in both freehold & communal conservancies, and will also diversify livelihoods, providing protection against shocks such as droughts. This will also benefit the regional & national economies
	3.2 Diversified livelihoods	3.1.2 Regional/National economy 3.2.1 Conservancy members 3.2.2 Regional/National economy	
4. Livestock management	4.1 Improved range management	4.1.1 Conservancy members	4.1.1.1 Improved range management will benefit freehold & communal conservancies (& ultimately the national economy)
	4.2 Improved habitat	4.2.1 National biodiversity conservation	4.2.1 Improved habitat on rangelands will contribute to national biodiversity conservation

**Table 3 continued**

Type of collaboration	Type of benefit	Main beneficiaries	Extent of benefit
5. Twinning initiatives	5.1 Improved capacity and skills and business efficiency in communal conservancies	5.1.1 Communal conservancy committees & members	5.1.1.1 This will lead to improved operation of communal conservancies, improving income as well as the profile of communal conservancies and the tourism & hunting services they offer
6. Support to resettlement farms/AALS farmers	5.2 Access to communal conservancy assets for freehold conservancies  6.1 Conservation and wildlife as a land use adopted by new farmers	5.2.1 Freehold conservancy members  6.1.1 National biodiversity conservation	5.2.1.1 Freehold conservancy members will gain access to tourism & hunting opportunities on communal land, diversifying their product base  6.1.1.1 Involving new farmers will increase the area of land under wildlife management and provide them with incentives for managing wildlife sustainably
7. Develop links with protected areas	6.2 Improved relationships/good relationships established with new farmers  6.3 Improved profile of conservancies with public and decision-makers 7.1 Improved enterprise opportunities for conservancies 7.2 Improved problem animal management 7.3 Improved resource management/expansion of land under conservation	6.2.1 Conservancy committees & members  6.3.1 Conservancy committees & members 7.1.1 Conservancy members 7.2.1 Conservancy members/protected areas 7.3.1 National biodiversity conservation	6.2.1.1 Improved/good relationships with neighbours can reduce costs and improve the possibility of further cooperation over wildlife management  6.3.1.1 This will lead to improved political legitimacy of conservancies 7.1.1.1 This will have impact at regional & national levels 7.2.1.1 This will reduce livestock losses and unnecessary killing of problem animals 7.3.1.1 Impacts regional & national levels

#### 4. Action plans for priority areas of collaboration between communal and freehold conservancies

##### 4.1 Initial actions at local level

NACSO and CANAM should identify a communal and a freehold conservancy willing to develop a partnership and willing to accept support in this process. There are some emerging partnerships that could be supported in this way (See Annex 1, Section 5).

<b>Action: NACSO and CANAM support to a pilot partnership between a freehold and a communal area conservancy</b>			
<b>Objective</b>			
To support the development of a partnership between one freehold and one communal area conservancy			
<b>Outcomes</b>			
<ol style="list-style-type: none"> <li>1. Partnership established between one freehold and one communal area conservancy</li> <li>2. Memorandum of Understanding that identifies areas of cooperation and joint action between the two conservancies</li> <li>3. Action plan that sets out activities to be jointly carried out and to be conducted by each conservancy</li> </ol>			
<b>Activity</b>	<b>Task allocation</b>	<b>Time frame</b>	<b>Budget</b>
1. Identify potential conservancy partnership that wishes to be supported	NACSO and CANAM	By end August 2005	1 or 2 Windhoek based meetings
2. Develop process for facilitating development of joint vision, breaking down cultural barriers, identifying common interests and problems and for finding common solutions.	NACSO and CANAM	By end September 2005	1 or 2 Windhoek based meetings (depends if internal expertise used or consultant hired)
3. Hold facilitated meeting between two conservancies using process developed in 2	Conservancy committees, NACSO & CANAM  NACSO provides facilitator	By end October 2005	Conservancies pay meeting costs  NACSO/CANAM pay for facilitator if external consultant and provide meeting materials (e.g. flip charts etc.)
3. Based on outcomes in 3 assist conservancies to develop an MOU, identify priority areas for action and develop action plans	Conservancy committees, assisted facilitator	By end September 2005	No additional costs apart from stationery



## 4.2 Actions at regional level

Consideration should be given to first enabling a successful conservancy to conservancy partnership to develop in a specific region. Once this has been established and forms an example of collaboration, then cooperation can be promoted between all conservancies at regional level. NACSO and CANAM should support the holding of a meeting for all conservancies in a region to meet to identify the key issues over which they need to collaborate and how collaboration would take place.

<b>Action 1: NACSO and CANAM support to cooperation between conservancies at a regional level</b>			
<b>Objective</b>			
To support the development of a partnership between freehold communal area conservancies at a regional level			
<b>Outcomes</b>			
<ol style="list-style-type: none"> <li>1. Meeting between all freehold and communal area conservancies to discuss regional collaboration</li> <li>2. Vision and action plan for future collaboration</li> </ol>			
<b>Activity</b>	<b>Task allocation</b>	<b>Time frame</b>	<b>Budget</b>
1. Identify region for potential conservancy partnership that wishes to be supported and engage with conservancies in the region	NACSO and CANAM	To be decided, but should be initiated before the end of 2005	
2. Develop process for facilitating development of joint vision, breaking down cultural barriers, identifying common interests & problems and for finding common solutions.	NACSO and CANAM		
3. Hold facilitated meeting between all conservancies to discuss regional collaboration using process developed in 2	NACSO and CANAM arrange meeting, NACSO provides facilitator		
4. Based on outcomes in 3 assist conservancies to develop an MOU, identify priority areas for action and develop action plans	Conservancies and facilitator		

Such a process of starting collaboration at the region level might lead to identification of the need for an assessment of capacity in conservancies for wildlife, tourism and livestock management and the development of training and mentoring programmes and exchange of best practices. An outline of such an action is provided:

<b>Action 2: Assessment of skills and capacity of conservancies in wildlife management, tourism operations and livestock management</b>			
<b>Objective</b>			
To assess the skills and capacity of communal and freehold conservancies in wildlife management, tourism operations and livestock management at a regional level and to make recommendations for the development of in-region mentoring and training programmes and the exchange of best practices			
<b>Outcomes</b>			
<ol style="list-style-type: none"> <li>1. Assessment of skills and capacity completed in one region</li> <li>2. Recommendations made for development of mentoring and training programmes and exchange of best practices</li> </ol>			
<b>Activity</b>	<b>Task allocation</b>	<b>Time frame</b>	<b>Budget</b>
1. Identify scope of the assessment and develop terms of reference	Regional conservancy forum supported by NACSO/CANAM	To be decided	
2. Identify person(s) to carry out assessment	Regional conservancy forum supported by NACSO/CANAM		
3. Based on recommendations from assessment, develop training, mentoring programmes and exchanges of best practices	Regional conservancy forum supported by NACSO/CANAM		

Another action that might follow from the initial process to establish collaboration at the regional level is the establishment of a co-management forum with MET and other stakeholders.

**Action 3: Establish regional co-management forums****Objective**

To establish a pilot regional co-management forum that a) develops and implements regional policies and plans for the management of wildlife species or populations that need to be managed at a larger scale than a single conservancy; b) develops regional policies and plans for the translocation and reintroduction of wildlife; c) develops plans and strategies for optimising regional tourism development; and d) promotes collaboration between conservancies and protected areas

**Outcomes**

1. One pilot regional co-management forum established that includes MET, conservancies and other stakeholders
2. Authority, functions, roles and responsibility of the forum and of stakeholders is established

<b>Activity</b>	<b>Task allocation</b>	<b>Time frame</b>	<b>Budget</b>
1. Establish joint MET, NACSO, CANAM, communal conservancy task group	MET/NACSO/CANAM/ conservancies	To be decided	
2. Group identifies region where communal and freehold conservancies are interested in forming a co-management forum, and where this is a priority for MET	MET/NACSO/CANAM/ Conservancies  Lead agency to be decided		
3. Group develops proposals regarding the functions and responsibilities of this co-management forum, drawing on existing policy and policy proposals (e.g. Communal conservancy policy document and draft Elephant Management Plan)	MET/NACSO/CANAM/ Conservancies  Lead agency to be decided		
4. Group submits proposals to MET for approval	MET/NACSO/CANAM/ Conservancies		
5. Work with MET to establish pilot co-management forum	MET/NACSO/CANAM/ Conservancies		

#### 4.3 Actions at the national level

CANAM and NACSO should explore the possibility of setting up a meeting with the communal area chairmen's forum to build a joint vision and consensus for future collaboration. The communal conservancy chairmen's forum meets with MET several times a year. CANAM could work with NACSO to set up a meeting back to back with the one of the forum's regular meetings with the MET.

<b>Action 1: Building of joint vision and consensus for future action between CANAM and Communal Area conservancies</b>			
<b>Objective</b>			
To build a joint vision and consensus for future collaboration between CANAM and the communal area conservancy chairmen's forum			
<b>Outcomes</b>			
<ol style="list-style-type: none"> <li>1. Meeting to discuss future collaboration between CANAM and the communal area chairmen's forum</li> <li>2. Vision and action plan for collaboration</li> </ol>			
<b>Activity</b>	<b>Task allocation</b>	<b>Time frame</b>	<b>Budget</b>
1. Develop process for facilitating development of joint vision, breaking down cultural barriers, identifying common interests and problems and for finding common solutions.	NACSO, CANAM,	To coincide with a meeting of the communal area chairmen's forum and MET, but before end of 2005.	Additional night's accommodation for members of chairmen's forum. Travel costs of CANAM Exco members. Possible hire of meeting venue.
2. Hold facilitated meeting to discuss collaboration using process developed in 1	NACSO, CANAM, arrange meeting NACSO provides facilitation		
3. Based on outcomes in 2, assist CANAM & chairmen's forum to develop an MOU for further collaboration to develop action plans	Facilitator assists communal conservancy association/CANAM		

Once a consensus has been reached on collaboration between CANAM and the communal area chairmen's forum, one of the main priorities for action should be joint advocacy on policy, legislation and de-regulation.

<b>Action 2: Advocacy on policy, legislation and de-regulation</b>			
<b>Objective</b>			
To jointly lobby MET for stronger devolution of authority over wildlife and other natural resources to conservancies and for the removal of bureaucracy that hinders the optimal sustainable use of wildlife			
<b>Outcomes</b>			
<ol style="list-style-type: none"> <li>1. Freehold conservancies recognised in legislation</li> <li>2. All conservancies given legally entrenched rights (not administrative privileges) over wildlife and other natural resources on their land</li> <li>3. All conservancies enabled to decide on own off-take for all forms of utilisation for all species except where there is a clearly justified overriding national or international interest that requires government intervention</li> </ol>			
<b>Activity</b>	<b>Task allocation</b>	<b>Time frame</b>	<b>Budget</b>
1. Establish joint CANAM, communal conservancy & NACSO task group	CANAM executive committee, chairmen's forum, NACSO	To be decided	Travel and accommodation for a series of meetings between CANAM executive committee and chairmen's forum
2. Identify key levels of authority that should be devolved to conservancies	Task group		
3. Identify remaining areas of bureaucratic regulation and procedure that hinder optimal sustainable use	Task group		
4. Formulate proposals to MET to devolve authority and remove bureaucratic constraints	Task group		
5. Meet MET top management to present and discuss proposals	Task group		

It is proposed that the CANAM Exco visits one of the communal conservancy quarterly planning meetings to gain a better idea of how communal conservancies operate. A suitable meeting would be the one held at Wereldsend in Kunene Region as this is close to the Torra Conservancy and the home of the NGO Integrated Rural Development and Nature Conservation (IRDNC) which supports several conservancies in the Kunene Region. This would also provide

an opportunity to discuss the capacity building needs of communal conservancies with IRDNC and other support organisations. The CANAM Exco could provide a presentation on CANAM and freehold conservancies and initiate a discussion on future collaboration. It could also spend time having more in-depth discussions with one or two conservancy committees.

<b>Action 3: Visit by CANAM Executive Committee to a communal area conservancy quarterly planning meeting</b>			
<b>Objective</b>			
To enable the CANAM Executive Committee to gain a better understanding of how communal conservancies work and their constraints and opportunities and to present information on CANAM and freehold conservancies			
<b>Outcomes</b>			
<ol style="list-style-type: none"> <li>1. CANAM Exco gains an understanding of the institutional arrangements, wildlife management activities and enterprises of communal conservancies and the constraints and opportunities they face</li> <li>2. Communal area conservancies gain a better understanding of CANAM and freehold conservancies</li> <li>3. Exchange of information, ideas and experiences between CANAM Exco and communal conservancies committee members</li> <li>4. Ideas for future collaboration between freehold and communal conservancies</li> <li>5. Meeting with IRDNC and staff of other support agencies to gain understanding of support being provided to communal area conservancies</li> </ol>			
<b>Activity</b>	<b>Task allocation</b>	<b>Time frame</b>	<b>Budget</b>
1. Arrange for CANAM Exco to visit Wereldsend communal conservancy quarterly planning meeting	CANAM executive committee, NACSO secretariat	To be decided, but before the end of 2005	Travel and accommodation for a series of meetings between CANAM executive committee and chairmen's forum
2. Exco attends quarterly planning and gives short presentation on CANAM and freehold conservancies			
3. Exco holds separate meetings with one or two conservancy committees to discuss communal conservancy operations, successes and problems as well as ideas for collaboration			
4. Exco holds meeting with IRDNC and other support organisations to discuss the support needs of communal area conservancies			

#### 4.4 Facilitation and funding

It has been suggested in a number of sections in this report that initial collaboration between freehold and communal conservancies should follow a structured framework and should be facilitated. This recommendation is based on experience in the communal area conservancy programme in Namibia and with freehold conservancies in Zimbabwe. Within the communal conservancies programme, support agencies and conservancies themselves have built up considerable experience in conflict management. In the early 1990s, the MET and NGOs such as IRDNC developed methodologies to work communities that were initially hostile to the Ministry and to conservation. A process that enabled each party to state its views, share concerns and information, then led to the identification of common concerns and problems. The next step was joint identification of solutions and action plans to implement the solutions. Such a process can also be useful in situations where collaboration is being promoted between people of different, social, economic and racial backgrounds and in a situation, such as Namibia's of past conflict between racial groups. In Zimbabwe, the freehold farmers that established conservancies as sanctuaries for black rhino translocated from protected areas, found it necessary to appoint community liaison officers to assist in establishing good relationships with communal neighbours. These officers had the time and the skills to spend on developing good communications and good relationships between freehold farmers and their communal neighbours. For these reasons it is proposed that the skills of the staff of NACSO members be used to develop processes that can be used to foster initial development of trust and mutual respect and to help in the process of developing a common vision and joint action plans.

The question of how the various collaboration activities will be funded is a crucial issue that needs to be addressed. Most of the activities proposed in this report do not require large budgets. In some cases there will be a need to cover the costs of communal conservancy delegates who need to travel and be accommodated in Windhoek for meetings. The travel and accommodation costs of freehold conservancy members also need to be taken into account. In some cases funding might be needed to pay for a meeting venue, and some activities might require the input of a consultant. An important principle should be that where possible, conservancies, communal and freehold, should cover the costs of the activities. In computer language, this should be the 'default setting". Where possible, NACSO and its member organisations should also cover the costs of staff involved in facilitation and activities that bring communal and freehold conservancies together. In some ways this approach is a test of whether an activity is really wanted and is really important, If so, then stakeholders will be prepared to invest some time, effort and funds in the activity. However, if it is clear that neither CANAM, individual freehold conservancies nor NACSO can cover the costs of activities then the various donor funded programmes that support communal area conservancies in Namibia should be approached for funding.

## ANNEX 1

### Stocktaking of existing policy, social and institutional arrangements, monitoring approaches, enterprises and collaboration for communal and freehold conservancies in Namibia

#### 1. LEGAL, POLICY AND OPERATIONAL ENVIRONMENTS FOR CONSERVANCY FORMATION AND DEVELOPMENT

##### 1.1 Freehold Conservancies

Currently there is no legislation that provides specifically for the establishment and operation of freehold conservancies. Conservancies operate under the provisions of the Nature Conservation Ordinance (No. 4 of 1975) which provides rights over wildlife to individual freehold farmers whose farms meet certain conditions. Freehold farmers are given ownership over huntable game (oryx, springbok, kudu, warthog, buffalo and bushpig) if they have a certain size farm and a certain type of fencing. They are able, as identified land owners, to use protected and specially protected species through a permit system. Legislation also allows trophy hunting to take place on commercial farms under certain conditions. Freehold farmers may buy and sell game on their land. Freehold conservancies therefore do not have any legal rights over wildlife as an institution themselves. Each farmer co-operates with others as an individual land owner and an individual holder of rights over wildlife.

Although there is no legislation providing for freehold conservancies, these land units are recognised in government policy documents. According to de Jager (1996) conservancies emerged on freehold land as a response to problems regarding the management of migratory game species such as oryx, springbok, warthog, hartebeest, eland and kudu. The over- and under-utilisation of these species in neighbouring areas was resulting in friction between farmers about the ownership, use and financial benefits from wildlife. It was thought that these problems could be overcome through farmers collaborating to develop joint wildlife management and utilisation strategies. In the early 1990s, encouraged by conservation officials, two groups of farmers applied to the then Ministry of Wildlife Conservation and Tourism (MWCT) for the establishment of conservancies. As a result a number of issues were identified that needed addressing (MWCT 1992):

- What is a conservancy?
- What are the aims of a conservancy?
- How a conservancy should operate
- What are the advantages for the state and landowner?
- What the involvement of the MWCT should be and;
- In which direction should the Ministry be driving the conservancy programme?



In order to address these issues, the MWCT approved a policy on the establishment of conservancies in Namibia that defined a conservancy as follows (MWCT 1992: 6):

A group of farms and/or area of communal land on which neighbouring landowners/members have pooled their resources for the purpose of conserving and utilising wildlife on their combined properties and/or area of communal land.

The policy emphasised a number of key points:

- a) That a conservancy should be operated and managed by the members themselves, with the minimum of interference from the MWCT
- b) Conservancies should operate according to a combined game management and utilisation plan that should be unique to each conservancy
- c) A conservancy management strategy should be designed by the conservancy members and not dictated by MWCT
- d) Conservancies should be legally constituted enabling them to be considered as a corporate body that can sue and be sued
- e) In order to maintain a "hands off" policy of minimum interference, MWCT would not develop legislation for conservancies
- f) MWCT should appoint a National Conservancy Coordinator and officials should promote and support the establishment of conservancies including the implementation of conservancy management plans
- g) MWCT should consider making game species available to conservancies at an agreeable price in areas where those species previously occurred
- h) The only restriction placed on conservancies should be that of sustainable use which would be ensured by MET through the existing permit system.

The policy stated that:

The MWCT recognises that the principle reason for the establishment of a conservancy should be to improve the status and variety of wildlife on private and communal land, and to improve the level of benefits obtained from the wise use of this wildlife resource (MWCT 1992: 6).

The policy also recognised that freehold conservancies can make a positive contribution to conservation in Namibia, particularly through improved management practices, the reintroduction of game species, the informal conservation of vegetation types which have no formal conservation status, and the creation of buffer zones around protected areas.

In 1999 the Ministry of Environment and Tourism (MET) developed a draft policy on the Registration and Management of Conservancies (MET 1999). This policy document was never formally approved within MET, but has formed the basis for various drafts of new conservation legislation, the proposed Parks and Wildlife Management Bill, which would replace the Nature Conservation Ordinance. The policy proposed that freehold conservancies should be registered with government in the same way as communal area conservancies. The policy also proposed that conservancies (freehold and communal) that are more than 100 000 ha in extent would be exempted from typical forms of permit control or wildlife use restrictions applicable to other land on the basis of a management plan. According to the policy all conservancies would have to submit a basic wildlife management plan 12 months after registration. The policy recognises the contribution that conservancies can make to biodiversity conservation and proposed that the MET would provide excess animals from protected areas to conservancies for restocking, provide preference to conservancies for relocation of species, promote the role of conservancies in the meta population management of rare species and strive to establish harsher penalties for illegal hunting on conservancies than on other land.

It is current MET policy to recognise conservancies as a single unit for trophy hunting so that quotas and permits can be allocated for the whole unit instead of for each individual farm.

Although the policy statements regarding freehold conservancies indicate recognition for their role in conservation and promote the provision of support for the conservancies, in recent years this has not necessarily been translated into practice by MET. It is believed by many stakeholders that a misunderstanding of the purpose of freehold conservancies by politicians led to suspicion that they were being used as a means to resist land reform. As a result MET officials have not been mandated to provide the level of support to freehold conservancies envisaged by the policy documents. Recent changes in the political leadership in MET provide the opportunity for freehold conservancies to address this issue and to strive to develop better relationships at a political level.

## 1.2 Communal Area Conservancies

In contrast to freehold conservancies, communal area conservancies are specifically provided for in legislation. Although the 1992 MWCT policy on the Establishment of Conservancies in Namibia (see 1.1 above) envisaged that people in communal areas could form conservancies, the policy did not clarify how this could take place. While individual freehold farmers had rights over wildlife under the Nature Conservation Ordinance, similar rights had not been

conferred on residents of communal lands. There was little incentive therefore for communal area residents to actually form conservancies. During the early 1990s MWCT (and later MET) carried out a series of socio-ecological surveys in communal lands in north eastern and north western Namibia. The results of these surveys showed clearly that most communal area residents did not want wildlife to disappear and wanted future generations to be able to see wildlife on their land (e.g. Brown and Jones 1994). It was also clear, however, that many people suffered costs from living with wildlife that included loss of livestock to predators, damage to crops by elephants and other herbivores, and damage to water installations by elephants. People involved in the surveys were aware of the rights over wildlife conferred on freehold farmers and said they wanted similar rights to utilise wildlife.

The MET then looked at ways in which this could be achieved and the key issue for the ministry was how to enable local people to manage wildlife when the land was held communally and there was no individual ownership of land. The conservancy approach being developed on freehold land appeared to be a good model that could be adapted for communal lands because freehold farmers were joining together to manage wildlife and other resources collectively as a group. Management by a group of people was exactly the way in which wildlife would have to be managed on communal land because of the tenure arrangements, where the land is state-owned and many people have user rights on that land. Further, the rights conferred on freehold farmers were conditional on certain types of fencing and on size of the land unit. If the same principles were to be applied for communal land, then the rights given to residents would also need to be conditional. As a result, the policy on Wildlife, Management, Utilisation and Tourism in Communal Areas (MET 1995) was developed which uses the concept of the conservancy as the mechanism for providing communal area residents with rights over wildlife and tourism.

The objectives of the policy were as follows (MET 1995:2):

- A. To establish ... an economically based system for the management and utilisation of wildlife and other renewable living resources on communal land so that rural communities can:
  - a) participate on a partnership basis with this (MET) and other Ministries in the management of, and benefits from, natural resources;
  - b) benefit from rural development based on wildlife, tourism and other natural resource management;
  - c) improve the conservation of natural resources by wise and sustainable resource management and the protection of ... biodiversity.

- B. To redress the past discriminatory policies and practices which gave substantial rights over wildlife to commercial farmers, but which ignored communal farmers.
- C. To amend the Nature Conservation Ordinance (4 of 1975) so that the same principles that govern rights to wildlife utilisation on commercial land are extended to communal land.
- D. To allow rural communities on state land to undertake tourism ventures, and to enter into co-operative agreements with commercial tourism organisations to develop tourism activities on state land.

The policy makes provision for rural communities which form a conservancy to be given the same rights over wildlife as a commercial farmer. In addition the policy stated that the conservancy would also have the right to establish tourism facilities within its boundaries or engage in a commercial arrangement with a registered tourism operator to act on its behalf.

In order to gain the above rights the policy states that the conservancy needs to be legally constituted, it must have clearly defined boundaries agreed by neighbouring communities or conservancies, a defined membership, and a committee representative of the conservancy members. The policy makes provision for conservancies to receive income directly through its own business transactions, to retain all of this income (unless liable to existing taxes), and to decide how to use the income.

This policy approach was implemented through the Nature Conservation Amendment Act, 1996 (Act 5 of 1996). The Act amends the Nature Conservation Ordinance so the formation and registration of a conservancy is the condition upon which residents of communal areas can gain the same rights over wildlife and tourism as commercial farmers. According to the Act any group of persons residing on communal land may apply to the Minister of Environment and Tourism to have the area they inhabit or part of that area declared a conservancy (GRN 1996a). The Minister will declare a conservancy in the Government Gazette if:

- i. the community applying has elected a representative committee and supplied the names of the committee members
- ii. the community has agreed upon a legal constitution, which provides for the sustainable management and utilisation of game in the conservancy
- iii. the conservancy committee has the ability to manage funds

- iv. the conservancy committee has an approved method for the equitable distribution to members of the community of benefits derived from the consumptive and non-consumptive use of game in the conservancy.
- v. the community has defined the boundaries of the geographic area of the conservancy
- vi. the area concerned is not subject to any lease or is not a proclaimed game reserve or nature reserve.

Once a conservancy has been declared in the Government Gazette the Act gives the conservancy committee, on behalf of the community in the conservancy, "rights and duties" with regard to the consumptive and non-consumptive use and sustainable management of game "in order to enable the members of such community to derive benefits from such use and management" (GRN 1996a: 6).

The Act then confers on a conservancy committee the same rights, privileges, duties and obligations that the Nature Conservation Ordinance confers on a commercial farmer. The Act makes it clear that provisions in the Ordinance concerning fencing and the size of the land will not apply to a communal area conservancy.

The Nature Conservation Ordinance does not specifically deal with tourism. However, the Nature Conservation Amendment Act of 1996 gives conservancies rights over non-consumptive utilisation of game. The definition of non-consumptive utilisation contained in the Act includes use for "recreational, educational, cultural, or aesthetic purposes". Conservancies thus acquire rights over non-consumptive uses normally associated with tourism. This is intended, as far as possible within the powers of the Nature Conservation Ordinance, to give conservancies a concessionary right over commercial tourism activities within the conservancy.

In order to give more precise definition to certain issues relating to the formation of conservancies, the MET introduced new Regulations to accompany the Nature Conservation Amendment Act, 1996. The regulations require a conservancy committee to provide a register containing the names, identification numbers and addresses of the members of the community to be represented by the committee.

The regulations also specify certain issues which must be covered by the Conservancy Constitution (GRN 1996b):

- the objectives of the conservancy, including the sustainable management and utilisation of game within the conservancy in accordance with a game management and utilisation plan, and the equitable distribution of the benefits derived there from

- the procedure for election and removal of members of the conservancy committee
- the powers and responsibilities of the conservancy committee, including powers to enter into agreements relating to consumptive and non-consumptive use of game
- provisions relating to the holding of meetings of the committee, annual and ordinary meetings of the conservancy and the recording of proceedings of these meetings
- the criteria and procedure for being recognised as a member of the conservancy, provided that no-one may be excluded on the grounds of ethnicity or gender
- the rights and obligations of members of the conservancy
- the procedure for members of the conservancy to decide on the policy to be followed by the conservancy committee in the equitable distribution of benefits
- provision for the management of the conservancy's finances, including the appointment of a suitably qualified person to act as treasurer, the keeping of proper accounts, and the opening of a bank account in the name of the conservancy
- a procedure for dispute resolution
- a procedure for the amendment of the constitution
- any other issues the conservancy may wish to include in its constitution

### 1.3 Common issues regarding policy and legislation

Despite differences in the way conservancies are currently treated by legislation, there are some key policy issues that affect both communal and freehold conservancies. The thinking that has guided current legislation governing wildlife use on freehold and communal land is based on the premise that if land holders have sufficient decision-making authority over wildlife and are able to gain a benefit from its use, then they are likely to use wildlife sustainably and wildlife will be conserved outside of protected areas. This policy approach has clearly been successful with major increases in wildlife on freehold land since the early 1970s (Barnes and de Jager 1995) and major increases in wildlife in communal conservancies in Kunene Region and increases reported in communal conservancies in the north-east

(NACSO 2004). However, despite these successes, there is much that can be done to make wildlife a much more attractive land use to land holders than it already is. Rights over wildlife given to freehold farmers and communal area conservancies are conditional and limited. Government still retains much of the decision-making authority over off-take for a number of species and operates a cumbersome permitting system that considerably increases transaction costs for land holders. The success that has been achieved by providing land holders with conditional and limited rights over wildlife indicates that further devolution of authority to land holders and the removal of bureaucratic constraints would improve conservation rather than have negative impacts. Removal of bureaucratic barriers and providing farmers with the right to make their own decisions regarding off-take (e.g. how much, when and how) would provide even further incentives for land holders to adopt wildlife as a land use. This would not only have positive effects for conservation, but also for the economy.

One of the most significant features of current legislation is that rights over wildlife, although conditional and limited, are legally entrenched. The law clearly describes the rights that land holders gain, and these rights are linked to meeting certain conditions. These legal rights can be defended in court if necessary and they are secure over time. As long as the conditions are being met, the land holder knows that the rights will not be taken away. This security of tenure over time and in through knowing the rights will not be arbitrarily removed, provides the basis on which land holders can decide to make long-term investments financially and in terms of their own labour. This approach contrasts strongly to the situation when rights are provided as administrative privileges that government can remove at will (Ribot 2003, Lindsay 1998). Administrative privileges are usually framed in terms of the government being able to delegate authority to another person or entity or in terms of being able to decide that a person or entity should be exempt from the provisions of the law. These administrative privileges provide neither security over time nor security from arbitrary removal. They do not provide the necessary incentives for land holders to invest time and money in wildlife as a land use.

MET is currently designing new policy and legislation for wildlife utilisation on freehold and communal land and in conservancies. The Parks and Willdife Bill that is designed to replace the current Nature Conservation Ordinance and the Nature conservation Amendment Act of 1996, has gone through several iterations and policy is still evolving. Generally the thrust of policy is towards providing more rights to land holders over wildlife. However some iterations of the Bill have moved from the principle of legally entrenched rights to providing land holders with administrative privileges that provide little security. It is important that the new legislation be based on the following principles (Lindsay 1998)

- ✓ Rights need to be clearly defined in the legislation
- ✓ Rights should not be secure from arbitrary removal at the whim of officials
- ✓ Rights should be secure over time
- ✓ Rights should be defensible in the courts

Both freehold and communal area conservancies have a strong interest in ensuring that even though policy moves towards extending the use rights of land holders, the security of these rights should not be weakened in legislation. Security of rights and tenure is crucial in creating the package of incentives for conservation and sustainable use of wildlife outside protected areas.

## 2. SOCIAL AND INSTITUTIONAL ARRANGEMENTS FOR CONSERVANCY FORMATION, MANAGEMENT AND DEVELOPMENT

### 2.1 Freehold Conservancies

#### 2.1.1 Social factors

Freehold conservancies consist of individual farmers or companies that own land and who decide to cooperate over wildlife management with other conservancy members. Thus membership is entirely voluntary. One of the implications of this is that one or more farmers where a conservancy has been formed, may choose not to join. This can leave a gap in the conservancy in terms of land coverage, making cooperative wildlife and tourism management more difficult. Further, among conservancy members, there are likely to be a range of motivations for forming and operating a conservancy. Thus in one conservancy, some farmers might be interested in the economic aspects of wildlife utilisation, whereas others might be primarily interested in livestock farming and balancing livestock and game numbers. Some farmers might approach conservation from the perspective of sustainable use of wildlife while others might be more interested in the overall conservation of habitat. Not all conservancy members are interested in tourism development and amongst those with tourism facilities some aim at the high end of the market while others run small guest houses. There are thus some important differences in motivation among members and in the land uses that they pursue.



## 2.1.2 Institutional arrangements

The affairs and decision-making procedures within freehold conservancies are governed by a constitution, which also provides legal status for the conservancy so that it can sue and be sued. Members choose a committee or Board which represents the conservancy to outsiders and takes operational decisions. Members decide on rules and procedures for jointly managing wildlife and on levies and fees that should be paid to the conservancy as a body corporate. Apart from the founding members of a conservancy, membership is acquired through application, payment of membership fees and in some cases, signing the constitution.

## 2.2 Communal Area Conservancies

### 2.2.1 Social factors

Legislation allows communal area conservancies to be self-defining. This enables groups of people who wish to cooperate in natural resource management to join together to form the conservancy. Conservancies there do not necessarily follow any existing administrative boundaries. Conservancy boundaries are determined by the area of land deemed by a particular group of people to fall under their jurisdiction. In practice, in many parts of the country conservancies have followed the boundaries of the old headman's wards in the north-west or sub-units of areas falling under traditional authorities in the north-east. The main principle underlying self-definition is that as far as possible, conservancies should represent viable and sufficiently cohesive social units that enable collaboration, communication and participation in joint decision making. This approach has sometimes meant that conservancy formation becomes a lengthy process as boundaries have to be negotiated with neighbours and residents need to decide who they wish to collaborate with. In some cases, boundary negotiations have re-kindled existing and sometimes long-standing disputes over land between different groups. In all cases, so far, these disputes have been resolved, if not necessarily solved, such that conservancy formation could continue.

Membership of conservancies is voluntary, although regulations to legislation require that a committee applying for conservancy registration must submit a register containing the names, identification numbers and addresses of the members of the community residing in the area and who are represented by the committee. A number of issues regarding membership have emerged since the regulations were drafted. In conservancies with large numbers of residents (several thousand in Uukwaluudhi and Salambala), it is extremely time-consuming and onerous for the committee to register all those who wish to be members. In some cases the committees of emerging conservancies

have taken the view that all local residents should be members simply because of their being part of the local "community". In Caprivi, some residents believed they were automatically members because they fell under the traditional authority that was instrumental in forming the conservancy. These issues have prompted questions as to whether it is really necessary and practical to insist on a register of members. Further, the Forestry Act which makes provision for the formation of Community Forests on the same lines as a conservancy defines membership as all those persons who have rights over the communal land on which the community forest is to be located. Thus there would be automatic membership of a community forest based on a claim to rights over land, and often by implication membership of a particular group of people with rights over the land. However, the principle behind a register of members is that registration indicates that individuals have understood the reasons for forming a conservancy and have committed themselves to the aims and objectives of the conservancy. It is also argued that a register of members is useful for determining who is eligible for receiving benefits from the conservancy.

### 2.2.2 Institutional arrangements

The institutional arrangements for conservancies are to some extent governed by the legislation and accompanying regulations, but there is sufficient flexibility in the system to allow considerable variation among conservancies. All conservancies have to have a representative committee and a constitution. There are no prescriptions concerning the membership of the committee, but the regulations prescribe that certain issues need to be addressed in the constitution (see 2.2 above). In theory, a community could decide that an existing institution such as a traditional authority or the committee of a farmers' union could form the conservancy committee, but this has not happened in practice. However, in Caprivi and the north central regions traditional authorities have driven conservancy formation. In some areas of Caprivi, conservancies are viewed as an extension of the traditional authority, acting almost as a natural resource management sub-committee of the Khuta. The #Khoadi //hoas and Nyae Nyae conservancies both grew out of farmers' organisations. Elsewhere, conservancies grew out of organisations such as a residents' trust or a veld committee and in some cases conservancies emerged as entirely new institutions (NACSO 2004).

All conservancy committees are elected, but again there is considerable variety in the way that representation is organised. Some conservancies such as Salambala in the north-east elect village representatives to serve on the committee, while in Tsiseb Conservancy, representation is area based. Other conservancies, such as Torra, elect individuals to the committee based on merit. Large committees tend to elect an executive committee that deals with the ongoing conservancy operations and which meets more frequently than

the main management committee. Village or area based representation assists communication and accountability within the conservancy as the village or area functions as a constituency that can call representatives to account if necessary. In some conservancy committees, office bearers such as chairpersons, treasurers and secretaries are also salaried employees, while others employ staff such as managers, while administrative staff and office bearers serve in an honorary capacity (NACSO 2004). Conservancies face considerable challenges in establishing accountable and representative committees and in promoting good communication between committees and members. Conservancies are relatively new institutions promoting modern democratic approaches in remote areas that are under-developed and which were governed as *apartheid* homelands prior to independence. It is particularly difficult to develop strong lines of accountability based on good communication and local participation in conservancies with large numbers of members or in areas such as the north-west where settlements are scattered and far from each other and transport infrastructure is poor.

Conservancy constitutions are required by law and serve to govern the affairs and decision-making procedures within the conservancy. The constitution also provides legal status for the conservancy so that it can enter into contracts with the private sector for hunting and tourism activities.

### 2.2.3 Role of development support agencies

Communal area conservancies receive considerable support from external agencies such as the MET, NGOs and foreign donors. MET provides technical support in wildlife management and some support in conservancy formation. NGOs provide a range of technical support including conservancy formation, training in financial management, enterprise development, and wildlife monitoring. Foreign donors provide funding for these activities.

External support is based on the needs arising from the particular circumstances of Namibia's communal areas. Due to the country's *apartheid* history the communal areas have been underdeveloped and there are major backlogs in terms of education and infrastructure. Further, because of the land tenure situation, neither individuals nor conservancies are able to raise capital using land as security. This is a major constraint to enterprise development. External donor funding is used therefore as seed capital to kick start small enterprises such as camp sites, and in some cases, mid-market lodges. Where more capital is required such as for the development of up markets lodges funds are injected by private sector partners who enter into contracts with the conservancy. Attempts to provide enterprise development support through NGOs has had mixed results, partly because NGO personnel do not have experience themselves of running businesses and/or have little experience in the tourism industry.

The NGO support agencies working with communal area conservancies coordinate their activities through the Namibian Association of Community-based Natural Resource Management Organisations (NACSO). These support agencies have considerable experience in facilitating conservancy formation and in conflict resolution. This experience would be useful in helping to facilitate the initial trust building steps and activities necessary to foster cooperation between communal and freehold conservancies.

### 2.3 Gearing up

There are a number of ways in which both freehold and communal area conservancies can step up a gear and improve their performance. On freehold land there is the potential for much greater cooperation over tourism activities. Currently such activities are run by individual members on their own farms, with some agreements for tourists to visit other farms within the conservancy. However, tourism businesses are not run as a joint conservancy enterprise. There is also the potential for conservancies to build on the current level of cooperation over wildlife management to extend this to grazing management. It is generally accepted that the average 5 000 ha cattle ranch is not a large enough unit given Namibia's low and uncertain rainfall. Cooperation over grazing could enable a more extensive range management system to be put in place that could enable individual farmers to take advantage of better conditions on other parts of the conservancy. Increased cooperation between members over issues such as tourism and grazing, could lead to a further consolidation of the conservancy into a company with shareholding. Such an approach opens up a number of opportunities such as communal area conservancies becoming shareholders in a freehold conservancy. Such a development could contribute to reaching some of the government's land reform objectives in an innovative way.

The need for such "gearing up" is evident from some of the problems facing freehold conservancies. At the May 2005 CANAM AGM, one conservancy member asked the question: "If you are not involved in hunting, what is the gain from being in a conservancy?" There is clearly a need to look carefully at the advantages and disadvantages of conservancy membership. The advantages could be increased, if there was increased cooperation over all aspects of land use in a conservancy such as wildlife, livestock and tourism.

Communal area conservancies need to gear up in order to optimise their business opportunities, become more efficient and to diversify their enterprises. There is considerable scope for freehold conservancies to support this.

There is also the opportunity for both sets of conservancies to gear up in terms of relationships with protected areas. The Kaoko-Etosha freehold

conservancy constitution contains objectives of supporting the development of a buffer zone on the southern boundary of Etosha National Park and of becoming an integral part of the original area that the park covered historically. MET policy is moving towards the development of stronger partnerships with park neighbours and new opportunities should be available for developing links with parks ecologically and economically. Such links have already been developed between two Caprivi conservancies which operate camp sites inside the Bwabwata National Park. Similar opportunities could be explored for freehold and communal area conservancies elsewhere.

### 3. WILDLIFE AND NATURAL RESOURCE MANAGEMENT AND MONITORING APPROACHES IN CONSERVANCIES

#### 3.1 Freehold Conservancies

Different techniques are used by different conservancies. Some use full-moon water point counts for game counting while others used fixed road counts. Some employ staff to carry out anti-poaching patrols. Off-take quotas are agreed jointly based on game estimates. Game sales and purchases form part of the management approaches in most conservancies. Each member of the conservancy reports on off-take annually and the conservancy reports to MET. Many conservancies have management plans that determine how off-take will be decided and which contain basic strategies for management.

#### 3.2 Communal Area Conservancies

The foundation for wildlife and natural resource management and monitoring in communal area conservancies is the "Event Book" system. This is used by Community Game Guards (CGGs)<sup>6</sup>, employed by conservancies to record a variety of events, such as game counts by key species, predator activities, human/animal conflicts, illegal hunting, meetings attended, and fixed route game counts. The development of this system was led by the Natural Resource Management Working Group (NRWG) of NACSO and a modified version has been adopted by MET for use in protected areas. The data is recorded primarily on yellow cards in a file carried around by the CGGs in a strong waterproof bag. A list of "Ten Commandments" governing the use of the Event Book is contained in the file.

The implementation of the system is supported by staff of the NRWG in Windhoek. Event data recorded by the CCGs is aggregated and trends established through an array of specially printed dedicated cards of different colours, sizes and titles/graphics. The NRWG in Windhoek also manages the collection and analysis of data at the national level. Information from the yellow cards is transferred monthly onto blue cards in the conservancy office.

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<sup>6</sup> Some conservancies employ female Community Resource Monitors to monitor plant resources

At the end of each calendar year, the data from the blue cards is transferred onto red cards, which captures the information year on year. To find greater detail of data on red cards the blue cards must be accessed, and to interrogate the details on the blue cards, the yellow cards have to be accessed. This accessibility is assured by having all the cards stored in a dedicated wooden file in the conservancy office, and all CGGs are trained in using the filing system. An annual 'audit' of the system is carried out where all data is compiled into a conservancy's Annual Natural Resource Report which is sent to MET and NACSO.

The system is being implemented well in conservancies and has proved very successful. An evaluation of the IRDNC project in Caprivi (Bond *et al* 2003) found that the CGGs and the conservancy committees in the region had a strong sense of ownership and were very proud of the event book system. The event book had become institutionalized, not only by CGGs, but also at community level, with farmers complaining if they do not see rangers filling in reporting forms.

In Caprivi, the event book system is regularly reviewed and changes made based on local needs. Large laminated maps are used, where rangers plot problem animal incidents. The event book approach can be adapted for use in monitoring other aspects of conservancy development, such as enterprise income and institutional capacity. One of the gaps identified by the evaluation by Bond *et al* (2003) was that the system was not recording trophy animals hunted and trophy sizes. This information is useful for the conservancy to track payment for the trophies and provides a measure of trophy quality over time that can be used in quota setting. The event book system could be easily adapted to capture this information.

The monitoring activities of communal area conservancies have been well established and systems are being implemented. However, the information being gathered is not yet being fully used by conservancies for taking management decisions. This is partly because their management authority is limited by MET legislation. For example, apart from huntable game, off-take quotas are still set by MET<sup>7</sup> and permits are required for all other uses of wildlife.

In addition to the Event Book system, most conservancies carry out game counts. In the north-west a road-based count has been carried out annually over the past four years. The count conducted in 2003 covered an area of five million hectares and was a joint activity of the conservancies, MET and NGOs (NACSO 2004).

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<sup>7</sup> Although MET does take into account data generated by the conservancies when setting the quotas.

The CGGs play a major role in preventing poaching in conservancies. In Caprivi, three conservancies, Kwandu, Mayuni and Wuparo have combined their resources to form a Joint Anti-Poaching Unit, which also assists residents in problem animal management. Dealing with problem animal issues has become a major role of communal area conservancies. CGGs are used to scare aware animals such as elephants from fields or to shoot problem predators. In Caprivi and Kunene a Human-Animal Conflict Conservancy Compensation Scheme (HACCS) has been established that provides compensation for livestock killed by predators. The approach tries to promote active protection of livestock by residents through setting strict criteria for the award of compensation. For example, no compensation will be awarded if stock were killed at night and were not kraaled or if animals were killed inside a protected area. The scheme is supported by donor funding, but conservancies are expected to fund the scheme themselves once they earn sufficient income.

#### 4. ENTERPRISE AND BUSINESS ACTIVITIES UNDERTAKEN BY CONSERVANCIES

##### 4.1 Freehold Conservancies

Freehold conservancies are involved in a range of wildlife utilisation enterprises. These include trophy hunting, sport hunting, meat production, live sale and game purchases. Freehold conservancies are also involved in different types of tourism including lodges, guest houses, and camp sites. Not all conservancies have this full range of enterprises, and not all farmers within a conservancy are necessarily directly engaged in either tourism or wildlife utilisation. Tourism opportunities vary according to the location of the conservancy. Factors that increase the potential to develop tourism as a major component include proximity to established tourist routes, proximity to national parks and game reserves or other existing tourist attractions, the presence of a variety of wildlife species, and scenic attractions. Non-consumptive tourism and hunting are not always compatible in the same area and conservancies need to separate these activities spatially and/or temporally. Many farmers combine wildlife and livestock management, and in some areas crops are grown as well. Cooperation over wildlife management in conservancies enhances the ability of a farmer to balance wildlife numbers and livestock numbers. Even where a farmer does not engage in hunting himself, hunters from farms within the conservancy can hunt on his land. There is potential for conservancies to set stocking levels for wildlife and livestock for the whole conservancy.

No conservancies have converted totally to wildlife and tourism as their only forms of land use although there are examples of companies purchasing a number of farms and developing them as private game reserves. Zoning of land uses within a conservancy depends largely on the existing land uses that

individual farmers carry out. As yet, conservancies have not combined to manage their livestock in the same collective way as they are managing wildlife.

#### 4.2 Communal Area Conservancies

Although communal area conservancies have developed wildlife-based enterprises, the range is not as big as for freehold conservancies. Several conservancies are engaged in trophy hunting and meat production. Some communal conservancies are beginning to explore other uses such as live sale and sport hunting, but these activities are not yet common or well-developed. There is a wide range of tourism activities in communal area conservancies. These include up-market lodges, mid-level lodges, camp sites, game tracking, craft sales and cultural tourism such as dancing and traditional villages.

There are considerable capacity constraints to enterprise development in communal area conservancies. Members lack a good understanding of the tourism industry and the needs of foreign tourists and are not used to running businesses. Those enterprises with strong links to successful private companies and/or supported by NGOs are the most successful. Some enterprises are run by individuals, often with no link to the conservancy while other enterprises are run by the conservancy committee on behalf of members (e.g. the Nambwa and Bum Hill campsites in the Bwabwata National Park run by the Mayuni and Kwandu Conservancies respectively).

In general most communal area conservancies are farming livestock on a subsistence basis. However, there are wealthy farmers in the communal sector that farm commercially and in certain communal areas (e.g. parts of Otjozondupa Region and the North Central Regions) commercial farming is well developed. Not all communal area conservancies have large numbers of wildlife or have important tourism attractions. The main focus of these conservancies is on management of resources such as grazing and water. Communal area conservancies face considerable challenges in balancing their livestock management with wildlife management. In some cases, such as conservancies behind the Red Line veterinary fence, there are disincentives to destock livestock. Further, permits are required from MET to embark on any major culling of wildlife, unless for own use. Communal area conservancies often zone areas specifically for wildlife and tourism and retain areas that are primarily for livestock and settlement (and crops in the north and north east).



## 5. CURRENT ARRANGEMENTS, COSTS AND BENEFITS THAT CONSERVANCIES HAVE WITH EACH OTHER AND WITH NATIONAL PROTECTED AREAS.

### 5.1 Links between conservancies

No formal links have yet been formed between a freehold and a communal area conservancy. A number of links are being explored but have yet to develop into formal agreements between the conservancies as institutions. For example the Dordabis freehold conservancy is exploring the possibility of linking with the Sorris Sorris and the Doro !Nawas communal conservancies. Erongo conservancy (not a member of CANAM) has links with the Tsiseb communal conservancy through the trophy hunting activities carried in Tsiseb by one of its members. Auas Oanob conservancy has had plans to develop links with the Oskop communal conservancy. So far these initiatives are in their early stages. There have been some exchanges of game and game sales between freehold and communal conservancies brokered by NGOs working with communal conservancies. Some freehold conservancies have been exploring links with local communal area residents who are not organised in conservancies, but so far these have not progressed very far.

Communal area conservancies have begun cooperating with each other through regional groupings of conservancies that meet on issues of common interest. Other forms of cooperation include sharing the management of an elephant hunting quota and anti-poaching activities (three Caprivi conservancies).

### 5.2 Links between conservancies and protected areas

Links between freehold conservancies and protected areas remain mainly informal and often *ad hoc*. Waterberg conservancy has informal links to the Waterberg Plateau Park and invites the park warden to attend conservancy meetings, there is some cooperation on anti-poaching, and informal arrangements regarding tourism access to the park for the conservancy. The main interaction between freehold and communal area conservancies around Etosha National Park and the protected area concerns problem animals causing livestock losses and sometimes damage to water infrastructure. As mentioned above, two Caprivi conservancies have tourism concessions within Bwabwata National Park for running campsites. This approach could form a model for other areas, particularly western Etosha, where there is currently no tourism development, but a number of neighbouring conservancies that are developing tourism activities. Some Caprivi conservancies are also carrying out joint anti-poaching patrols with protected area staff. This is also an approach that could be established elsewhere. Due to a lack of formal

institutional and economic links, protected areas probably remain a net source of loss for most neighbouring conservancies.

## ANNEX 2 REFERENCES AND BIBLIOGRAPHY

Barnes, J. I. and J. L. V. de Jager. 1995. *Economic and financial incentives for wildlife use on private land in Namibia and the implications for policy*. Research Discussion Paper No. 8. Directorate of Environmental Affairs. Windhoek.

Bond, I., B. Jones and J. Ledger. 2004. Mid Term Evaluation of IRDNC's WWF-UK funded Community Based Natural Resources Management Project in Caprivi, Namibia (NA00015). IRDNC. Windhoek.

Brown, C. J., and B. T. B. Jones. (eds.). 1994. Results of a socio-ecological survey of the West Caprivi Strip, Namibia: A strategic community-based environment and development plan. Ministry of Environment and Tourism. Windhoek.

CANAM. Undated. Minutes of Round Table discussion with NGO's dealing with conservancies on efforts to bring communal and commercial conservancies closer together.

CANAM. Conservancy Central Data Base.

CANAM., MET., and NACSO. 2004. Record of Meeting: To explore areas of collaboration and synergy between Communal and Freehold Conservancies 16<sup>th</sup> April 2004, Windhoek.

De Jager. M. 1996. The Establishment and Operation of Conservancies in Namibia. In: *Tarr. P. (ed). Namibia Environment. Vol. 1*. Ministry of Environment and Tourism. Windhoek.

GRN. 1996a. Nature Conservation Amendment Act, 1996. Government Gazette No. 1333. Government of the Republic of Namibia. Windhoek.

GRN. 1996b. Amendment of Regulations Relating to Nature Conservation. Government Gazette No. 1446. Government of the Republic of Namibia. Windhoek.

Lindsay, J. Designing Legal Space: Law as an enabling tool in community-based management. Paper presented at the World Bank International CBNRM Workshop, Washington, D.C., May 1998.

McGranahan, D, A. 2004. An Analysis of Conservation Ethics and Practice Among Members of Commercial Conservancies in Namibia.

MET. 2005. Draft Species Management Plan: Elephants *Loxodonta Africana*. Ministry of Environment and Tourism. Windhoek.

MET. 1999. Policy on the Registration and Management of Conservancies (draft). Ministry of Environment and Tourism. Windhoek.

MET. 1995a. Wildlife Management, Utilisation and Tourism in Communal Areas. Policy document. Ministry of Environment and Tourism. Windhoek.

Metcalf S. 1996. Report on Response of local authorities and neighbouring communities to the proposal by Save Valley Conservancy to establish a Community Development Trust. Zimbabwe Trust. Harare.

MWCT. 1992. The establishment of conservancies in Namibia. Policy document. Ministry of Wildlife, Conservation and Tourism. Windhoek.

NACSO. 2004. Namibia's communal conservancies: A review of progress and challenges. Namibian Association of CBNRM Support Organisations. Windhoek.

Ribot, J. C. 2003. Democratic Decentralisation of Natural Resources: Institutional choice and discretionary power transfers in sub-Saharan Africa. *Public Administration and Development*. 23. 53-65. John Wiley and Sons. Wiley InterScience ([www.interscience.wiley.com](http://www.interscience.wiley.com)).

## ANNEX 4 TERMS OF REFERENCE

### Terms of Reference for a

#### Critical Stocktaking Assessment and Report on communal and freehold Conservancies to explore areas of mutual cooperation, collaboration and synergy

##### **Focus of the work**

The two associations, CANAM and NACSO, wish to commission a short strategic assessment, based on a critical stocktaking exercise that will result in a concise report on the potential for communal and freehold conservancies to cooperate and collaborate in the achievement of their respective goals and objectives. The associations wish to appoint a consultant to carry out this work who is familiar with the conservancy approaches in Namibia, who has good analytical and writing skills and the ability to produce clear, strategic and well-grounded recommendations.

The assessment should be based on current approaches and practices applied by conservancies on communal and freehold lands, and should address ecological, social and economic aspects. The assessment should also address opportunities and constraints at different scales (levels) – national, regional and local.

##### **Background**

“Conservancies” in Namibia are institutional mechanisms to enhance group management of natural resources for sustainability and improve benefits. There are currently two broad approaches. The first is on freehold land, where owners have tenure of the land and conditional rights over wildlife. These owners voluntarily form freehold conservancies by agreeing to work together to manage their wildlife and natural resource-based enterprises for sustainable and improved economic benefits. Various forms of agreement are used to constitute these conservancies. Freehold conservancies deliver various ecological benefits, both to the landowners and the nation, through, *inter alia*, group accountability, more rational management and utilisation approaches over larger management units, corridors for movement, sharing of skills and knowledge, and generally improved biodiversity conservation with concomitant improved ecosystems functioning.

The second approach is on communal land, where communal residents acquire conditional rights (as per freehold landowners) over wildlife and commercial tourism through a conservancy registration process. The steps laid down in legislation require communal conservancies to have a membership, a representative committee, a constitution and defined geographical boundaries that are not in dispute. Once accepted by the Ministry of Environment & Tourism, the registration of the conservancy is published in the government gazette. Communal conservancies deliver ecological benefits similar to those on freehold conservancies, but there are perhaps three points to make. The first is that communal conservancies provide a mechanism for group management of natural resources that would otherwise be under common property open-access, with no way of regulating and avoiding a “tragedy of the commons” result. The second point is that communal conservancies confer conditional rights of use only over wildlife and commercial tourism. There are no overall tenure rights and rights of exclusion (as there are on freehold farms). And third, communal lands cover a far greater diversity of habitats and ecosystems than do freehold lands, and thus have a particularly important conservation role to play.

From an economic perspective the difference is even more important. The registration of conservancies on communal lands is the mechanism whereby communal residents can gain rights and unlock the economic potential of wildlife and tourism. Communal conservancies thus are vitally important to improve peoples' livelihoods and an important component of rural development and poverty reduction. For freehold conservancies it is argued that financial and economic benefits would accrue to the members through the joint management of a larger land unit and the other resources that go with it. The level of acceptance of this rationale determines the degree to which the individual landowners co-operate within their freehold conservancy.

There are currently some 25 freehold conservancies, covering about 4.7 million ha and supporting some 30,000 people; and 31 communal conservancies covering almost 8 million ha and supporting about 100,000 people. In addition, there are some 40 emerging communal conservancies in various stages of development, covering an additional 10 million ha and supporting over 100,000 people. Support to the development of freehold conservancies has come mainly from regional and professional staff within the Ministry of Environment and Tourism (MET), and from the farmers themselves. In 1996 some of the freehold conservancy members formed CANAM, the Conservancies Association of Namibia, to help facilitate the work of their members and to better liaise with the MET.

Support to the development of communal conservancies has come from both the MET (through policy reform and through the work of regional and professional staff), through support of non-governmental organisations, who coordinate their work through the formation (in 1999) and functioning of NACSO, Namibia Association of CBNRM Support Organisations, and through support from a wide range of donors. The fact that there is considerable emphasis by many players on communal conservancies resulted, legitimately, from both the past neglect of communal residents – and their past denial of rights in the wildlife and tourism sectors - as well as the disparate levels of poverty in communal versus freehold areas. Members of communal conservancies are currently exploring options for the formation of regional and/or national Conservancy Association(s).

Both conservancy programmes have been under development for well over a decade, and have embarked on important conservation, management, monitoring, economic, business, institutional and skills-enhancing initiatives. They have also looked at integrated and multi-sectoral approaches, and differing scales of management. These aspects differ from area to area and are too many and varied to set out here, but the consultant undertaking this assessment is expected to familiarise him/her self with these suite of approaches and activities. To facilitate this, the following websites are relevant: [www.nacso.org.na](http://www.nacso.org.na); [www.nacoba.com.na](http://www.nacoba.com.na); [www.nnf.org.na](http://www.nnf.org.na); [www.irdnc.org.na](http://www.irdnc.org.na); [www.canam.iway.na](http://www.canam.iway.na), and direct personal contact with key individuals is essential.

Members of the two associations consider it opportune to support stocktaking of the two broad conservancy approaches, with the specific purpose of assessing the potential for cooperation, collaboration and synergy between them at different levels (national to local) to promote mutual and optimal benefits for conservancy members, the conservancy movement and for the country at large.

#### **Scope of work**

- A. The first objective of this consultancy is to review and document:
- (i) the legal, policy and operational environments for conservancy formation and development on communal and freehold lands;
  - (ii) the social and institutional arrangements for conservancy formation, management and development for the two approaches, including institutions within conservancies (e.g. committees) and those outside (e.g. NGOs) that provide development support;
  - (iii) the range of wildlife and natural resource management and monitoring approaches used by the communal and freehold conservancies, as well as integrated and multisectoral activities;

- (iv) the enterprises and business activities undertaken by conservancies, including the ways that multiple uses across sectors (e.g. livestock, tourism, trophy hunting) are integrated and managed and the benefits thereof as perceived by the conservancy members, and also including likely future options.
- (v) the current arrangements, costs and benefits that conservancies (communal and freehold) have with each other and with national Protected Areas (Parks).

B. The second objective is to identify potential areas of cooperation and collaboration between communal and commercial conservancies, as well as with national Protected Areas (Parks) based on the above review. It is suggested that this analysis focuses at three levels:

- (i) national,
- (ii) regional (i.e. regions within country, and best aligned to MET regional offices), and
- (iii) local.

Indicative areas were identified by CANAM, NACSO and MET representatives at a short brainstorming meeting, and the attached "Record of Meeting" forms part of this TOR. It is emphasised that this attachment is provided just to assist the consultant get started. Any bottlenecks and constraints to these areas of collaboration should be identified.

C. The third objective is to:

- (i) assess the types of benefits that are likely to result from collaboration and cooperation, to whom the benefits will accrue (e.g. freehold and/or communal conservancy members, committees, profile of the programmes, the resource base, national biodiversity status, etc), and the levels/extend of the benefits;
- (ii) based on the above, prioritise the areas of potential collaboration – at national, regional and local levels;
- (iii) present the findings thus far to representatives of the client (CANAM, NACSO and MET) and, based on general agreement, identify about six priority areas of collaboration to be carried forward for development as short action plans.

D. The fourth objective is to prepare concise step-by-step action plans, based on the agreement reached above, for about six of the most promising areas of cooperation and collaboration. These action plans should have clear objectives and outcomes, a set of activities, tasks allocated to institutions (and individuals if possible), timeframe and modest budget. The action plans should also list potentially significant constraints and state how these should be overcome. The consultant will design the format of the action plans, which will be presented for discussion under C (iii).

E. The consultant should compile the findings and results from this work (covering all four objectives) into a concise report that follows (as appropriate) the sequence of the Scope of Work.

F. It is anticipated that this consultancy will take no more than fourteen (14) working days. It is suggested that objectives 1-3 (including their write-up) take eight (8) working days, that a meeting with CANAM, NACSO & MET representatives takes place on the 9<sup>th</sup> working day, and that two (2) working days are used to compile the short action plans. This leaves one day for revision of the report after receipt of comments from the client (CANAM, NACSO & MET).

D. The report should be completed and e-mailed to the NACSO office by June 5, 2005.

