



# WWF-SARPO Occasional Paper Series

## Synthesis of the CBNRM Policy and Legislation in Botswana, Malawi, Mozambique, Namibia, Zambia and Zimbabwe

Brian T. B. Jones

WWF - SARPO Occasional Paper  
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Botswana, Malawi, Mozambique, Namibia, Zambia and  
Zimbabwe**

# 1. Executive Summary

## **Background**

This report has been compiled as part of the WWF-SARPO Regional Project for Community-based Natural Resource Management (CBNRM) Capacity Building in Southern Africa funded by NORAD. The overall goal of the project is: *Contributing to poverty alleviation and sustainable livelihoods at rural household level from management of natural resources by communities in southern Africa.* One of the project's five main components is to support national policy and legislation that will promote and improve implementation of CBNRM and link it to regional policies and transboundary initiatives. This report provides a baseline of information, issues and ideas that can be used to design activities to support policy development in the region.

The report focuses on the status and implementation of CBNRM policies and legislation in Botswana, Malawi, Mozambique, Namibia, Zambia and Zimbabwe. The report aims to provide more than a general policy review, several of which have been carried out before. Rather, it also focuses on the processes and constraints of policy in these countries and the strategies used by them to overcome these constraints. The report also analyses the overall macro context for CBNRM and develops a set of regional assumptions for CBNRM success.

This report has been mainly compiled from existing reports and documentation, although some short field visits were made to project focal countries: Botswana, Zambia and Mozambique. A workshop was held on 24<sup>th</sup> March, 2004 to gain feedback on the report from key stakeholders in the region and provide suggestions to WWF-SARPO on follow-up activities.

## **Conceptual foundation for CBNRM**

Generally within southern Africa, the objective of CBNRM has been the devolution of authority over natural resources (particularly wildlife and forests) from the state to defined groups of resource users on communal land. However, the term CBNRM is often used in the region to cover a wide variety of activities along the continuum of community conservation approaches.

CBNRM rests on the central hypothesis that if a resource is valuable and landholders have the exclusive rights to use, benefit from and manage the resource, then sustainable use is likely to ensue. The benefits from management must exceed the perceived costs and must be secure over time. This hypothesis contains four main elements that provide the conceptual foundation for CBNRM in southern Africa: Sustainable use as a conservation paradigm; the provision of economic incentives; devolutionism and collective proprietorship. In essence CBNRM aims to create the right incentives for groups of resource users within defined jurisdictions to use natural resources sustainably.

## **The importance of policy and the policy process**

Policy and legislation are important for CBNRM because they are the main government instruments for restoring control over natural resources to local communities. Policy and legislation determine the institutional arrangements for natural resource management. They determine who has access and control over resources, who may benefit from use and the roles and responsibilities of different institutions and social actors.

CBNRM policy needs to be solidly based on the conceptual foundations of CBNRM: sustainable use, economic incentives, devolution and communal proprietorship. Good CBNRM policy needs to be enabling, flexible and dynamic. Policy change needs to have champions in government which is ultimately the institution that has the power to make the change. Policy reform needs to be viewed as a process that does not end with the promulgation of new policy. Policy implementation and progress need to be monitored, evaluated and any adjustments made if necessary. There needs to be a constituency of support for change, resources need to be allocated to implement change and implementing agencies might need to be reformed themselves in order to be in a position to carry out implementation. In general, within southern Africa, considerable attention has been paid to identifying policy gaps and proposing reforms for improving CBNRM. Less attention has been paid to the policy process, the means of achieving reform and the means of overcoming the constraints to improving the policy environment.

### **The status of CBNRM policy and legislation and a comparative analysis of regional frameworks**

A review of the status of CBNRM policy and legislation in the region is provided. Based on this review a comparative analysis of policy and legislation is made in relation to the key conceptual foundations of CBNRM. Although the conceptual foundations for CBNRM in the region have been fairly similar, it is clear that policy development and implementation have taken different paths in each country. These differences reflect the political, economic, social and institutional contexts of each country. The comparative analysis of the form and content of the different policy and legislation leads to the following conclusions:

#### *Economic incentives and disincentives*

CBNRM approaches in the region can be divided broadly between those that allow communities to keep 100% of the revenue from resource use and those that have instituted some form of revenue sharing between government (at different levels) and local communities.

#### *Devolution*

In terms of devolution there is a division between those countries that have taken a rights-based approach to giving up some of government's authority over resources to local institutions and those that have delegated responsibilities through some form of administrative decree. However, in all cases the use rights devolved or delegated are limited and often conditional.

#### *Collective proprietorship*

There is a division between those countries that allow communities to define themselves and those which define communities according to administrative boundaries. Management rights are often weak with government retaining

important decision-making control over when and how resources may be used. No governments have allowed communities to set harvesting rates and quotas for wildlife entirely on their own. Land is owned by the state and communities do not have secure tenure. A major exception in the region is Mozambique that enables communities to demarcate their land and gain a land certificate.

### *Institutions*

Throughout all CBNRM approaches in the region, new institutions are created at local level. Nearly all of them are some form of elected committee that is expected to take decisions on behalf of its members or local residents. In some cases government and/or the private sector are also included in these committees. None of the programmes in the region builds on existing or customary institutions.

### **CBNRM and national development goals**

Although at its core CBNRM is a conservation programme, a number of other outcomes flow from the implementation of CBNRM. These are income generation opportunities, improved governance at community level and improved community capacity. These outcomes are indicative of the way in which CBNRM can also be regarded as contributing to rural development. Based on this recognition, CBNRM has been adopted by most countries in the region as a rural development strategy and this is reflected in national development policy and strategy documents. However, the rhetoric of recognition does not seem to translate into the reality of more government resources for CBNRM. This might be partly because the real contribution that CBNRM can make to national development objectives is not always clearly articulated by CBNRM practitioners and exaggerated expectations are often created regarding CBNRM impacts on poverty. Donors and development agencies have in the past adopted CBNRM as a means of contributing to poverty alleviation, but more recently have questioned the impacts that CBNRM is having. A number of analysts have pointed to the poor performance of CBNRM in meeting poverty alleviation targets, particularly with regard to income generation. Some donors are now less inclined to support CBNRM activities under rural development budgets. It is important therefore to identify some realistic expectations of CBNRM with regard to poverty alleviation and rural development objectives. Poverty reduction can be viewed as not just a lack of income and health and education but also a lack of voice, a lack of empowerment and a lack of good governance. Rather than providing large amounts of income at household level, local empowerment and building capacity of communities to take charge of their own affairs, are two of the main contributions of CBNRM to poverty reduction. Further CBNRM provides communities and households with land use and livelihood diversification options which are important for reducing risk in a risk prone environment. Particularly in the more arid and the more remote areas of the region there appear to be few other appropriate development and conservation approaches.

### **A comparative analysis of regional CBNRM implementation**

A comparative analysis of CBNRM implementation in the region reveals mixed success. CBNRM has been fairly successful in providing income to communities, but less successful in generating large amounts of income at

household level. However, even small amounts of cash are important when the average income of rural households and the availability of jobs and income generating opportunities are taken into account. CBNRM also provides a range of other intangible benefits such as skills development, increased knowledge, greater community confidence and advocacy skills, and the institutional base for managing local affairs. CBNRM is contributing to increased wildlife numbers, improved fish stocks and improved forestry management, although the data to demonstrate this is sometimes weak and there is a reliance on anecdotal information.

### **Regional Assumptions for CBNRM implementation**

Most analyses of CBNRM tend to be inward looking in the sense that they focus on the immediate factors that affect the likelihood of success. Except for policy and legislation – the enabling framework – little attention has been focused on the overall context in which CBNRM operates. Yet the overall, or macro, context also sets parameters which help determine the likelihood of success or failure. However, the analysis of the report suggests that in most countries in the region the appropriate environment is problematic. CBNRM is being implemented in a context in which the macro-level conditions for its success are weak or emerging.

Based on the broad contexts in which CBNRM is operating in the different countries in the region a number of underlying assumptions for CBNRM can be identified. First and foremost, successful CBNRM implementation requires that governments will devolve rights over land and resources to local levels of jurisdiction. Without government commitment to devolution, CBNRM will become a series of empty promises that can never be met. However, a commitment to devolution assumes the existence of democratic political systems in which good governance is institutionalised. Second, successful CBNRM requires a stable macro-economic environment. Shrinking economies will place more pressure on natural resource capital and increase the demand for land. Declining economies characterised by deteriorating infrastructure cannot support the tourism markets that CBNRM increasingly depends upon. Third, successful CBNRM requires that appropriate economic incentives for sustainable resource management will be in place. This assumes the existence of a diversified range of products and that demand for these products can be maintained and expanded. Demand is also affected by external factors such as international agreements (e.g. CITES) and national legislation of other countries (e.g. US Fish and Wildlife Act).

### **Policy reform and influencing the policy process**

A central conclusion of this report is that policy and legislation in southern Africa do not go far enough in providing local communities with strong proprietorship and tenure over natural resources. There is therefore a need to promote further policy reform. A number of strategies have been developed in the region to promote such reform. First, CBNRM projects and activities need to have built in policy engagement strategies. It is also necessary to be aware of the policy processes that are taking place at any given time. There is need to track what policies are being developed and what legislation is being worked on that affects natural resource management and CBNRM in particular. Even

these activities imply the allocation of human and financial resources to policy analysis and tracking. Then strategies need to be developed to find opportunities to influence the process. This could involve participation in public consultations, addressing parliamentary committees, presenting data to officials etc. Other strategies for influencing policy include exposure visits for different levels of leadership and decision-makers, and focused seminars on specific issues for policy-makers. The provision of good, accurate and up-to-date information in data is also important. Key data sets on household income from CBNRM, jobs created, wildlife numbers, maintenance of habitat, etc. are crucial for promoting CBNRM and the argument for further fiscal devolution and further devolution of authority. It is important to take a rights-based approach to policy processes so that a strong civil society is built. Communities need to be aware of their rights and responsibilities under current policy and legislation and be in a position to advocate for change. Indeed, calls for policy change from local constituencies that are also represented at national level by umbrella CBO organisations can be one of the most powerful ways of influencing policy makers.

There are clearly different levels at which strategies to influence policy can be targeted. It is important to ensure that all these different levels – national level politicians and government officials, provincial/district level politicians and officials, local leaders, community members – are all included in a multi-faceted, but integrated and focused strategy. The likelihood of such a strategy working is improved if the approach is rooted in developing strong civil society “voices” for advocacy so that the demand for policy change is from a credible local constituency and is not driven by donors and expatriates.

To a large extent the ability to influence policy is dependent upon one of the key assumptions for CBNRM in the region: that there is an adequate level of democracy and good governance. What is interesting in the data from Zimbabwe, particularly Child *et al* (2003), is that despite the current situation in the country, there has been a degree of resilience in some local CAMPFIRE institutions, which bodes well for the future. The CAMPFIRE example reinforces the need to develop robust local institutions which have strong support from residents.

## **Conclusions**

A number of general conclusions can be drawn from the data presented in this report. In most of southern Africa, wildlife and tourism currently provide the opportunity to generate the highest financial benefits compared to other resources. But the benefit to *households* remains low, costs of living with wildlife remain high and community proprietorship over wildlife remains weak. This situation arises mainly through the way in which policy and legislation have developed in the region. The main conceptual foundations of CBNRM – economic incentives, devolution and proprietorship have only been applied in part. Governments prefer co-management and revenue sharing approaches where they retain a large degree of control over natural resources and a large share of the income from its use. The state still plays a major role in decision-making regarding the use of natural resources and in many cases use rights are conferred by administrative decree and management agreements rather than



through a rights-based approach entrenched in legislation. As a result many CBNRM activities in the region demonstrate characteristics of co-management rather than largely autonomous community management. However, where there is a relatively strong mix of economic incentives, devolution and proprietorship in policy and legislation, there is evidence of resource conservation taking place and of communities benefiting in a number of ways.

Although rural communities have embraced CBNRM across the region with enthusiasm, this interest could wane if household income and benefit do not increase and proprietorship over wildlife is not strengthened. At the same time it needs to be recognised that the relatively small amounts that do reach households have an impact, particularly if timed well, because cash incomes are extremely low. In several countries revenue sharing means that the percentage of income reaching communities from wildlife is low and this also reduces the potential impact of CBNRM. Further, many policy frameworks allow only limited forms of utilisation. In Zambia and Mozambique, for example, trophy hunting is the only form of income from wildlife use that goes to communities. In Namibia by contrast, communities can benefit from trophy hunting, live sale of game, sport hunting, and various forms of photographic tourism. In the forestry sector, governments generally retain control over lucrative timber concessions and share the revenue from other uses with communities. The potential impact of CBNRM policy and legislation is diminished by government officials holding on to power and by a lack of capacity in government departments to implement effectively or efficiently. NGO capacity in many countries is also weak. Progress appears to be improved where there are strong coalitions or alliances of organisations working towards a common goal, coordinating activities and able to lobby government.

There is considerable variability in the performance of community institutions. Experience suggests that in order to be sustainable, these institutions need persistent quality facilitation and support over time with particular attention being paid to governance issues such as transparency and accountability. Early CBNRM approaches have focused considerable time and effort on developing representative committees that were expected to act on behalf of local residents in a relatively large geographic area. It was expected that the relationships between the committees and residents would be sorted out at local level. However, in practice, the committees have often failed to develop accountability downward to residents and have been accountable upwards to government or NGOs and donors. This situation has partly come about because policy and legislation place emphasis on the formation of representative committees in one form or another, so this is where support agencies have focused their attention. It is now being realised that instead of building downwards from the committee to villagers, it is necessary to build upwards from village or locality level to area level. Participatory democracy at locality level should be the foundation for representative democracy at area level. Policy and legislation need to take these important shifts in thinking into account.

The rhetoric of all programmes in the region suggests that communities are involved in “management” of resources. However, in many cases management consists of enforcing government rules against poaching or against illegal

harvesting of forest products in return for a share of income derived from some form of resource use. In many cases, communities are managing the income from wildlife rather than the wildlife. This is partly because the state retains considerable management authority itself or management responsibilities are being carried out by the private sector without necessarily reflecting community needs. Policy and legislation need to enable communities themselves to take the key management decisions of who uses and benefits, how much of the resource should be used, when and how.

In some countries there is good data to demonstrate the conservation impacts of CBNRM, but in others there is a reliance on anecdotal evidence and perceptions of project implementers. The instances of good data supporting claims of positive ecological impact provide a basis for believing that CBNRM can promote conservation. But if CBNRM is to continue to gain support from national politicians and external donors as a conservation tool, there is a need to improve data collection and analysis.

In general, whether for conservation or socio-economic impact, it is difficult to measure progress because data has not been collected and/or analysed. A number of key data sets need to be developed across the region. These include household income and community level income broken down by source, the value of benefits such as meat from hunting, jobs created by source, wages from tourism ventures and community enterprises, and the value of forest products/fish that are sold or used. From a conservation perspective there is a need not just to measure wildlife numbers, but to measure the extent to which habitat is disappearing or being maintained. Simple maps that indicate the areas of communal areas that are zoned, formally or informally, for wildlife or community maintained forests or closed fishing areas, would provide very good illustrations of the conservation impact of CBNRM. We also need to find ways of measuring or demonstrating the social, intangible benefits that CBNRM brings and the ways that they support national development goals.

CBNRM can and does contribute to national development goals around the region and has considerable recognition in national development policies. However, there is need to be clear about the limits to CBNRM's contribution to development and ensure that this contribution is framed in realistic ways. This implies a focus not just on household benefits and income generation, but also on the contribution to local governance that CBNRM institutions can make and the intangible benefits derived from skills development, improved confidence etc. These contributions are real but often overlooked.

CBNRM practitioners need to develop a better understanding of policy processes and pay more attention to the way in which policy is influenced. Multi-faceted strategies are required that aim to influence policy not just opportunistically, but in an ongoing focused way. These strategies should be premised on rights based approaches that emphasise the building of a strong civil society constituency that can advocate for its own rights. At the same time, methods should be used to influence specific target groups. It is not enough to view policy and legislative change as an external factor. Although it is out of the direct control of CBNRM practitioners, it can be influenced. Democratic systems

and good governance are one of the main regional assumptions for the development of good CBNRM policy and for successful implementation. The two other key assumptions are the existence of favourable macro economic conditions and the existence of favourable markets for CBNRM products. CBNRM practitioners need to give more attention to tracking these assumptions and the external factors on which they are based. Adjustments need to be made if there are shifts in the state of these factors. Where possible, attempts need to be made to influence these factors, even if they are outside practitioners' direct control.

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## 5. Acronyms

<b>ADMADE</b>	Administrative Design Project
<b>BVC</b>	Beach Village Committee
<b>CAMPFIRE</b>	Communal Areas Management Programme for Indigenous Resources
<b>CBNRM</b>	Community-based Natural Resource Management
<b>CBC</b>	Community-based Conservation
<b>CBO</b>	Community-based Organisation
<b>CHA</b>	Controlled Hunting Area
<b>CITES</b>	Convention on International Trade in Endangered Species
<b>CRB</b>	Community Resource Board
<b>COMPASS</b>	Community Partnerships for Sustainable Resource Management Project
<b>CONASA</b>	Community-Based Natural Resource Management and Sustainable Agriculture Project
<b>DNPWLM</b>	Department of National Parks and Wild Life Management
<b>DWNP</b>	Department of Wildlife and National Parks
<b>EU</b>	European Union
<b>GMA</b>	Game Management Area
<b>IUCN</b>	International Union for the Conservation of Nature and Natural Resources
<b>LIFE</b>	Living in a Finite Environment Project
<b>LIRDP</b>	Luangwa Integrated Rural Development Project
<b>MET</b>	Ministry of Environment and Tourism
<b>NGO</b>	Non-governmental Organisation
<b>RDC</b>	Rural District Council
<b>SADC</b>	Southern African Development Community
<b>SASUSG</b>	Southern African Sustainable Use Specialist Group
<b>USAID</b>	United States Agency for International Development
<b>VAG</b>	Village Area Group/Village Action Group
<b>VNRMC</b>	Village Natural Resource Management Committee
<b>WMA</b>	Wildlife Management Area
<b>WWF-SARPO</b>	World Wide Fund for Nature Southern African Regional Programme Office
<b>ZAWA</b>	Zambia Wildlife Authority

## 6. Introduction

### 6.1 Background

This report has been compiled as part of the WWF-SARPO Regional Project for Community-based Natural Resource Management (CBNRM) Capacity Building in Southern Africa funded by NORAD.

The overall goal of the project is:

*Contributing to poverty alleviation and sustainable livelihoods at rural household level from management of natural resources by communities in southern Africa.*

The project purpose is:

*CBNRM adopted as a mainstream strategy for rural development in southern Africa.*

The project has five main components:

- *Regional Forum for sharing best practices, information and carrying out peer reviews made operational and establishment/strengthening of Peer Review Fora supported at country level*
- *Appropriate CBNRM training supported in formal and non-formal institutions*
- *Strategic institutional capacity-building of focal organisations involved in CBNRM in the public, private sectors, civil society and community levels implemented in the partners countries*
- *Policy and legislation support provided at country level to promote and improve implementation of CBNRM with linkage to regional sectoral policies and transboundary initiatives*
- *Strategic interventions implemented (HIV/AIDS, crosscutting, emerging issues, gender issues etc.)*

This report forms part of Component IV, which aims, among other things, to review existing country CBNRM policies and to identify gaps/overlaps and areas that need improvement. Component IV also aims to raise awareness of existing SADC protocols, identify common policy priority issues, compare the strengths and weaknesses of regional CBNRM policy and legislation and carry out policy research and advocacy in support of CBNRM.

This report aims to provide a baseline of information, issues and ideas that can be used in the implementation of Component IV. In order to lay a foundation for the findings and analysis of the report, short discussions of the conceptual framework underpinning CBNRM in the region and the importance of policy and legislation in the CBNRM context are provided. The report then reviews the status of CBNRM policies and legislation in Botswana, Malawi, Mozambique, Namibia, Zambia and Zimbabwe. Based on this status review, a comparative analysis of regional CBNRM policy and legislation in terms of conceptual foundation, form and content is provided. This is followed by a comparative analysis of policy implementation and performance. The report then discusses a set of regional assumptions and significant internal and external factors that



influence CBNRM success. A section is provided on suggested approaches for influencing policy reform. The report ends with a summary of conclusions and recommendations. The full Terms of Reference (TOR) for this report are contained in Annexe 2.

Although a number of policy reviews of CBNRM have been carried out in recent years, few have taken a comprehensive regional perspective that includes a comparative analysis of policy implementation and performance. This report also aims to look at what is being done by individual countries and at a regional level to deal with the policy gaps and problems that previous reviews have identified. Although previous policy reviews have focused on the policies themselves, this report pays attention to the policy process and looks at ways in which policy reform can be brought about. There has also been little previous work done at a regional level on linking the implementation of policy and legislation to the assumptions and external factors that provide the macro environment within which policy operates.

## **6.2 Methodology**

This report has been compiled mainly as a desk study reviewing existing reports and documentation. In particular, the report has been able to draw on up-to-date information from a number of recent studies including a recent review of CBNRM in Botswana (Arntzen *et al* 2003), and an evaluation of USAID support to CAMPFIRE in Zimbabwe (Child *et al* 2003). The country and synthesis chapters for a new book being produced by the Southern African Sustainable Use Specialist Group of the IUCN's Species Survival Commission, "*Parks in Transition: Biodiversity, Rural Development and the Bottom Line*" provided additional sources of information and analysis.

Short field visits were made to project focal countries, Botswana, Zambia and Mozambique, in order to corroborate existing data and identify future trends in policy development and implementation and obtain the views of key country stakeholders. A list of persons consulted is provided in Annexe 1.

A workshop was held on 24<sup>th</sup> March, 2004 to gain feedback on the report from key stakeholders in the region and provide suggestions to WWF-SARPO on follow-up activities.

## 7. A conceptual framework for CBNRM in the southern African region

This section first looks at what we mean by CBNRM and then discusses its conceptual foundations.

### 7.1 What is CBNRM?

Before looking at the conceptual foundations of CBNRM in southern Africa, it is useful to define what community-based natural resource management means. This is a modern term that has emerged in general environmental and development usage over the past 15 years or so. However, it should be acknowledged that CBNRM is nothing really new. It is simply what rural communities have been doing for centuries. Through local institutions such as traditional leadership, religious beliefs and cultural norms people have been managing their natural resources. Rules have evolved for regulating the use of natural resources, and community pressure and the use of sanctions by chiefs and headmen helped to enforce those rules. In many cases, however, these institutions, norms and rules have become weakened by factors such as colonialism, centralisation of authority in government, weakening of traditional authorities, population increase, war etc. What is new about modern CBNRM activities is that they reaffirm the importance of community management of natural resources and attempt to create or recreate the conditions under which such management can successfully take place.

The following can be regarded as the essential elements of community-based natural resources management:

- a) Management is based in a *community*. It is difficult to define a “community” partly because there is clearly differentiation within groups of people based on wealth, gender, age, status, main economic activity etc. Murphree (2000a) warns against trying to base community-based conservation (CBC) on idealised or pre-defined notions of community. He suggests that it is more useful to look at what CBC (synonymous in this case with CBNRM) is trying to do (i.e. its *function*) and how it is trying to achieve this organisationally. Functionally, CBC is concerned with the collective management, use and control of common pool resources. Organisationally, CBC is “directed at locality levels below those of the larger-scale bureaucratic units which governments have created at national or district levels, is conducted through primary relationships, is governed by normative consensus, is legitimated by a sense of collective interest and operates over a defined jurisdiction. Put succinctly, CBC is about collaborative regimes of natural resource management with defined membership and jurisdiction” (Murphree 2000a:4-5). He suggests that these regimes can be called local and communal because of the social size (usually small) and their mode of interaction (primary, or “face to face” relationships between individuals within a group). These regimes do not necessarily correspond with a typical African village or cluster of villages. Under Murphree’s framework, they might correspond to a defined group of people who have access to and control over a specific resource (e.g. a group of fishing people), rather than

the whole population of the village or locality. Thinking of the “community” in community-based natural resource management as a defined group of resource users below the district level helps to avoid tedious academic arguments about differentiation and power struggles between interest groups or economic classes.

- b) CBNRM encompasses *natural resources*, which generally mean renewable natural resources, including water, forests, fisheries, rangeland and wildlife i.e. the resources people depend upon for their livelihoods. In many countries within the southern African region these are common pool resources for which previously established management regimes have broken down and access is open. Even though the state might claim regulative authority over these resources, it is often unable to enforce laws governing access and use. As suggested in a) above, CBNRM is about supporting, establishing or re-establishing local collective management regimes over these resources.
- c) CBNRM involves *management*. This implies that there should be some rules or regulations governing how, when, or in what quantity the resource can be used. These rules do not need to be formal, i.e. written, or contained in a legal document. The most important factor is that they are understood and agreed to by the resource users. Management might involve some formal local community “policing” of the use of the resource supported by government or conformity to rules might be induced by peer pressure. In more sophisticated resource management systems, management might also include formal monitoring of the resource health and status to inform new management decisions. The presence of such management rules for use, access and benefit distinguish a communal management regime over a common pool resource from an open access regime where there are no rules or the rules are ignored.

From the above, it can be seen that CBNRM is primarily about the *management* of natural resources by groups of resource users on communal land outside protected areas. CBNRM is different therefore to other forms of what Adams and Hulme (2001) call “community conservation” which they define as “those principles and practices that argue that conservation goals should be pursued by strategies that emphasise the role of local residents in decision-making about natural resources” (Adams and Hulme 2001:13). CBNRM should not be confused with other forms of community conservation that include strategies such as consultation of communities while the state retains decision-making authority, park outreach, revenue and resource sharing and co-management. Generally within southern Africa, the objective of CBNRM has been the devolution of authority over natural resources (particularly wildlife and forests) from the state to defined groups of resource users on communal land. However, the term CBNRM is often used in the region to cover a wide variety of activities along the continuum of community conservation approaches. Indeed the region displays considerable diversity in the types of community conservation that are being carried out, largely because of the diversity of national contexts. With regard to wildlife for example, countries such as Botswana, Namibia, Zambia and Zimbabwe, provide the opportunity for devolving rights to local

communities because rural populations are relatively small and wildlife is still present in significant numbers on communal land. By contrast, in countries such as Malawi and South Africa, wildlife-based CBNRM is not an option because game species have largely disappeared from communal land. In these circumstances community involvement in wildlife conservation is mainly linked to relationships with protected areas. Further, due to the limited rights given to communities by policy and legislation in the region, the state still often plays a major role in decision-making regarding the use of natural resources. As a result many CBNRM activities in the region demonstrate characteristics of co-management rather than largely autonomous community management.

It should be recognised that CBNRM and other forms of community conservation are strategies, whether applied as conservation or rural development tools. They are not necessarily the appropriate strategy or tool for dealing with all conservation or rural development problems. In some cases, an endangered species or habitat might be under such immediate pressure that strict protection by a state authority becomes the appropriate conservation strategy. In some circumstances it might be more appropriate to promote job creation in urban areas in order to get people off the land, rather than promoting CBNRM or other rural development approaches that enable people to stay on the land in resource poor areas (usually a combination of both are necessary).

## **7.2 Conceptual foundations<sup>1</sup>**

A number of statements and principles have been developed concerning CBNRM in southern Africa (e.g. Murphree 1991, Steiner and Rihoy 1995, Bond 2001). These can be distilled into the central hypothesis that if a resource is valuable and landholders have the exclusive rights to use, benefit from and manage the resource, then sustainable use is likely to ensue. The benefits from management must exceed the perceived costs and must be secure over time. This hypothesis contains four main elements that provide the conceptual foundation for CBNRM in southern Africa:

### a) *Sustainable use as a conservation paradigm*

CBNRM is strongly linked to sustainable use theory which suggests that the main threat to wild habitats and resources in Africa is not overuse, but the conversion of land for agriculture and livestock (SASUSG 1996). This suggests that biodiversity conservation depends not upon technical and scientific interventions to prohibit or limit use, but in providing the right incentives for landholders to adopt appropriate land uses that do not lead to environmental degradation and loss of biodiversity. "This in turn implies that conservation is a social, economic and political issue. The solutions to conservation problems will be achieved through providing the appropriate economic and institutional framework within which landholders can exercise choice about how to use their land and its natural resources" (Jones and Murphree In press.). SASUSG (1996) suggests that sustainable use is the use of resources that allows continued derivation of benefits,

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<sup>1</sup> The material for this section is drawn from Jones and Murphree (In press), and Jones (2003a).

tangible or intangible. The perspective for assessing sustainability should be the ecosystem level and provided a species population is not threatened with extinction, then use can be regarded as sustainable. SASUSG also suggests that adaptive management based on a monitoring system that provides data for adjusting take-off levels as necessary is the most suitable technical intervention.

b) *Economic incentives*

CBNRM approaches assume that the most critical decisions regarding the allocation of land, resources and management investments are based primarily on economics rather than conservation considerations. It is therefore necessary to give a resource such as wildlife a focused value that can be realised by the landholder. The landholder will be unlikely to invest time, effort and finances into managing a resource if the benefits do not exceed the costs. Such benefits need not only be financial, but might include a range of “intangible” benefits such as a sense of empowerment, or cultural and aesthetic benefits derived from the existence of wildlife. However, economic benefits have been assumed to be the major driver for sustainable use within CBNRM in southern Africa. An important implication of such economic instrumentalism is that where wildlife cannot be made economically competitive, other forms of land use will pre-dominate.

c) *Devolutionism*

In all southern African states, authority over natural resources such as forests and wildlife was centralised by colonial governments, and this situation was maintained by post-colonial governments. In order to create positive conditions for landholders to manage wildlife sustainably, the authority to take crucial management decisions needed to be devolved from the state to the landholders. This authority includes the right to manage, the right to benefit and the right to dispose or sell, which amounts to proprietorship over the resource.

d) *Collective proprietorship*

Many commentators (e.g. Cousins 2000, SASUSG 1996, Lynch and Alcorn 1994, IFAD 1995) have emphasised the importance of tenure and property rights or “proprietorship” for sustainable natural resource management. Murphree (1994) defines proprietorship as “sanctioned use rights, including the right to determine the mode and extent of management and use, rights of access and inclusion, and the right to benefit fully from use and management.” The term tenure includes a temporal dimension and relates to the period of proprietorship. Secure tenure is important for resource users to be confident that they can invest time and effort in management and reap the benefits. “Collective proprietorship” is where a group of people is jointly given sanctioned use rights over land and/or resources which they are then able to manage according to their own rules and strategies. CBNRM has therefore been based largely on the concept of a communal property regime, i.e. where a defined group of people collectively manages and uses the common property resources within a defined jurisdiction. This further implies the development of some form of local institutional arrangement that governs decision-making.

In summary, at its core CBNRM aims to create the right incentives for groups of resource users within defined jurisdictions to use natural resources sustainably. These incentives include enabling the resource users to realise tangible economic benefits from resource use and providing strong proprietorship over the resource. CBNRM also aims to support the development of appropriate institutions and institutional arrangements for groups of resource users to control resource use. From this perspective, CBNRM is fundamentally a conservation programme aimed at promoting sustainable use of natural resources. However, a number of other outcomes flow from this foundation<sup>2</sup>:

Some high value resources, such as wildlife, can generate significant income for local resource users. This income can be used for various rural development purposes including cash dividends to households, community projects or investment in local businesses. The improved and sustainable use of other natural resources can also contribute to a base for improved household livelihoods.

Where CBNRM results in the devolution of authority from government to communities and the development of accountable and representative decision-making institutions at community level, the outcome is improved local governance.

CBNRM also results in improved local capacity and confidence enabling residents to take a stronger role in determining their own future, accessing government services and negotiating with government over rights and access to resources.

## **8. Role and importance of policy in the CBNRM context and the development of policy as a process**

### **8.1 What is policy?**

Policy is essentially a statement of intent to achieve certain goals. Policy often defines the ideal state that we want to achieve. For example, a government might state that its policy is to reduce poverty. Strategies and programmes will then be developed in order to implement this policy statement. One means of implementing policy is to enact legislation. Such legislation can either enable things to happen in order to implement the policy or it can be restrictive and prohibit people from carrying out certain actions (e.g. no killing of wild animals without a government permit). Often policy and legislation can create incentives for people to follow the course of action desired by government. In many respects legislation can be thought of as part of the policy framework.

However, policy is not just formal instruments such as approved government policy statements or legislation. Policy can also be made by what happens in

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<sup>2</sup> These outcomes are discussed in more detail in Section 7.

practice on a day to day basis. If formal government policy is to promote a certain course of action, but in reality government officials promote a different course of action then over time what is actually promoted becomes in effect government policy. Furthermore, policy can be interpreted differently by different social actors. As a result, implementation may not reflect entirely or even partly what the policy makers intended. In some cases, the state may introduce policy and legislation that it cannot enforce due to lack of financial and human resources<sup>3</sup>. Some policies are introduced with good intentions, but have unintended negative results. This is called “policy failure”. A good example is where drought relief subsidies to farmers in Namibia were aimed at helping farmers to get through the drought in order to support their livelihoods. But the subsidies had the effect of keeping livestock on the land. The result was a die-off of livestock and land degradation.

## **8.2 Why are policy and legislation important for CBNRM?**

Policy and legislation are important for CBNRM because in the past, colonial governments, and to a certain extent post independence governments, have taken away control over certain types of natural resource management from local communities and vested control in themselves. Thus, whereas wildlife and forests were once under the control of chiefs and local headmen in pre-colonial times, the state gradually took control of these resources and established formal wildlife and forest conservation areas that excluded local people.

As a result, if government wants to restore control over natural resources to local communities it needs to change existing policy and legislation that entrenches the state as the owner of resources such as water, wildlife, forestry, fisheries and land. Policy and legislation determine the institutional arrangements for natural resource management. They determine who has access and control over resources, who may benefit from use and the roles and responsibilities of different institutions and social actors.

Based on the conceptual foundations for CBNRM outlined above, it is possible to identify some generic elements of good CBNRM policy *content* i.e. what the policy should provide in order to promote sustainable use of renewable natural resources (Jones, B. 2003a).

Good CBNRM policy should ensure that:

- a) Economic and other incentives are in place that make investment in resource management worthwhile. Policy should enable landholders to realise the value of wildlife and wild land. Policy should also seek to confer high economic values on wildlife and wild land through removing subsidies or taxation structures that favour other land uses, removing restrictions on the use and marketing of wildlife which do not apply to livestock and encourage the wildlife and tourism industries with appropriate infrastructure and pricing structures (Jones and Murphree *in press*).

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<sup>3</sup> State policies and laws regarding the use of wildlife and forest products in southern Africa are good examples of what Murphree (2000b) describes as the authoritative reach of government exceeding its implementational grasp because governments have not had the resources to enforce its laws.

- b) Authority over resources is devolved by the central government to resource users/land holders;
- c) Proprietorship (rights and tenure) over land and resources is vested in a defined group of people within a defined jurisdiction;
- d) Provision is made for the establishment of effective community institutions that can exercise devolved authority and for the definition of the relationships between these institutions and existing state institutions at different levels (e.g. central government, regional or district).

It is also useful to consider the *nature* of good CBNRM policy i.e. are its characteristics appropriate for the implementation of CBNRM. Within the CBNRM context, a number of important characteristics of policy and legislation can be identified. These characteristics are (Jones, B. 2003a):

- i. Policy should be enabling rather than restrictive.
- ii. CBNRM policy should provide incentives for appropriate actions by resource users rather than be coercive. Policy and legislation need to provide a broad framework within which landholders and resource users can take decisions themselves without always having to have decisions endorsed or sanctioned by government. If wildlife use entails excessive bureaucracy, ultimately land holders will turn to land uses where transaction costs are much lower.
- iii. Policy should be flexible not prescriptive. CBNRM policy needs to be flexible in order to take into account the diversity of cultures and of social organisation within each country. CBNRM policy and legislation should enable local communities to find the best way to order their own affairs within their own local contexts, rather than trying to prescribe uniform approaches that government officials have then to enforce. Ultimately, the institutions developed for CBNRM need to be socially acceptable or they will not work. This implies some degree of compatibility with the traditions of rural society (Corbett 2002). CBNRM policy and legislation should also take into account the diversity of climatic regions and different resources found even within the same country. Uniform blueprints that prescribe the same approach for all regions, resources and communities should be avoided.
- iv. Policy should be dynamic not static. It is unlikely that policy and legislation will “get it right” the first time. Problems should be expected. Policy and legislation therefore need to be reviewed, based on lessons learned from monitoring and evaluation, and revised as appropriate.

### **8.3 Policy as a process**

In an ideal world, policy development would be a rational and planned process that would follow a clear framework, for example:



- Identifying the problem/challenge
- Defining the objectives
- Identifying policy options
- Choosing a policy option or plan and developing policy statements (and possibly targets)
- Developing implementation strategies (including formulation of legislation if necessary)
- Monitoring and evaluation of implementation
- Reviewing and revision of policy based on lessons learned from the monitoring and evaluation
- Involving relevant stakeholders in all these steps

Within this framework, there is a clear step-by-step approach that begins with identifying the problem or issue to be addressed. The framework implies a technical approach to policy development where clear objectives are defined and the policy options are identified and considered. It also indicates that it is not sufficient to end the process when policy has been formulated. The next step is to consider how policy will be implemented and if the revision of or introduction of legislation is required. The framework indicates that policy development should be an ongoing process. Implementation of the policy needs to be monitored to see whether the policy approach is working. If not, then adjustments to the policy and implementation strategy will be required. A good policy process will involve stakeholders in the development of policy, thus ensuring that there is consensus about the policy approach and legitimacy for implementing and/or enforcing its provisions.

Unfortunately, it is rare within southern Africa that policy development follows this framework. Examples abound of where legislation is enacted before governments develop a clear policy approach and implementation strategy, often leading to the need for legislation to be amended. In reality the policy formulated does not often reflect the best technical option. Policy formulation can be affected by political expediency shaped by the need for ruling parties to cling on to power or to satisfy the needs of powerful interest groups. Even when there has been considerable public consultation, the final outcome of policy formulation is often the result of compromises made between decision-makers during the formulation process. Jones and Murphree (2001) show how the intended policy approaches for CBNRM in Namibia and Zimbabwe were modified as a result of strategic compromises made to ensure that the process would not be derailed. Compromise was required because some elements of policy were not politically acceptable to some key stakeholders (e.g. Rural District Councils in Zimbabwe) or because there were ideological differences between the policy planners and other government officials that could not be easily reconciled. The compromises affected outcomes and created problems that still need addressing partly through further policy revision<sup>4</sup>.

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<sup>4</sup> See Section 6 for further discussion of the problems caused by the strategic compromises and the need for policy revision in Namibia and Zimbabwe.

Anstey (2001) suggests that despite the policy and legislative changes in Mozambique that have favoured CBNRM, they have not provided the legal mechanisms to promote community-based conservation. Compromises led to the watering down of the original policy intentions when legislation was drafted. He suggests that compromises were imposed “either by the new elite, who are threatened by the devolution of power and management to lower levels or by contradictions of the positions held by donors and technical agencies (Anstey 2001: 78).

Crosby (2002) identifies a number of other important factors affecting the policy development process:

- a) First, there is the need to gain political support or legitimisation for the policy approach. This is particularly important where policy reform is part of an externally funded donor project. It is necessary to find a person or group of people internally who can ‘champion’ the policy reform. It is crucial that there are champions within government that can lead the process. Without government support, policy change will be impossible unless there is very strong public pressure for change.
- b) Linked to gaining legitimisation is the need to build a constituency of support for the policy reform. This constituency needs to provide active support for the policy change, and to carry out advocacy on behalf of change. Such a constituency should be broader than a group of government officials and should include those likely to benefit from the policy reform.
- c) It is also important to ensure that there are sufficient resources available to implement the new policy approach. If the policy change is to make any real impact, then government needs to include funding for implementation in its budget.
- d) The impact of new policy can be considerably reduced if the reform is not accompanied by changes within implementing agencies. Bureaucracies are often slow to change or resist change. Murphree (1993) refers to the bureaucratic instinct to hold on to power and not to surrender control to others. Implementation will be hindered if there is a gap between the policy approach and the way that most officials believe things should be done. For example, new wildlife policies that favour community involvement and decision-making may be introduced, but may not be implemented if officials still believe that people are the problem and not part of the solution.
- e) It is also important to realise that policy reform creates winners and losers. Policy change is likely to result in a reallocation of access to rights, revenues and resources, thereby affecting existing power relations. Those likely to lose as a result of policy change are likely to resist change.

In summary, good CBNRM policy needs to be solidly based on the conceptual foundations of CBNRM: sustainable use, economic incentives, devolution and communal proprietorship. Good CBNRM policy needs to be enabling, flexible and dynamic. Policy change needs to have champions in government, which is

ultimately the institution that has the power to make the change. Policy reform needs to be viewed as a process that does not end with the promulgation of new policy. Policy implementation and progress need to be monitored, evaluated and any adjustments made if necessary. There needs to be a constituency of support for change, resources need to be allocated to implement change and implementing agencies might need to be reformed themselves in order to be in a position to carry out implementation.

In general, within southern Africa, considerable attention has been paid to identifying policy gaps and proposing reforms for improving CBNRM. Less attention has been paid to the means of achieving reform and overcoming the constraints to improving the policy environment. Some countries have begun to address these issues and are finding ways to influence the policy process. This report aims to focus not only on policy gaps and problems, but also on some of the methods for influencing the policy makers and achieving the desired reforms.

## **9. Status of country policies and legislation<sup>5</sup>**

### **9.1 Botswana**

#### *CBNRM policies and legislation*

A number of policies and laws make general provision for greater community involvement in wildlife use and management (The Wildlife Conservation Policy of 1986, the National Conservation Strategy of 1990, the Tourism Policy of 1990, the Tourism Act of 1992 and the Wildlife Conservation and National Parks Act of 1992). However, none of these instruments contain any specific provisions on *how* greater community involvement is to be achieved.

It is in fact an administrative arrangement in the form of a government directive on “Community tourism and hunting development activities” that provides the foundation in Botswana for local communities to gain rights over wildlife and tourism. This directive was agreed upon by the Ministry of Commerce and Industry (which formerly housed the wildlife department) and the Ministry of Local Government, Lands and Housing in November 1995. It sets out the minimum conditions that communities need to meet before they can be awarded a community wildlife off-take quota or a resource use lease for tourism or hunting.

Essentially a community in, or adjacent to, a controlled hunting area zoned for community management may apply for a wildlife quota provided it has

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<sup>5</sup> This section focuses on policies and legislation that specifically provide for some form of devolution of rights to communities or provide for community involvement in management of resources. Attention is also given to land policy and legislation; land tenure has an important effect on the ability of communities to manage their resources sustainably.

organised itself in a participatory and representative manner that is sanctioned by the district authorities and the Department of Wildlife and National Parks.

If the community wants more secure access to the wildlife quota and to enter into a joint venture with the private sector for tourism or trophy hunting, it has to meet three conditions:

- The community has to organise itself into a representative and legally constituted entity such as a Trust or Co-operative and has to demonstrate to district authorities that a participatory process was followed.
- The representative community body must design a constitution and bylaws that define the body's natural resource management functions and the body's accountability and responsibility towards community members.
- The community body must prepare a land use and management plan conforming to the regulations of the Wildlife Management Area in which the controlled hunting area is located, and approved by the District Land Board and the Department of Lands.

Once these conditions are met, the community may obtain a 15-year wildlife and tourism resource lease from the Land Board and the Department of Lands. The community-based organisation (CBO) may then enter into a sub-lease and/or joint venture agreements with private hunting and tourism operators. Current policy guidelines limit the sub-leases to three renewable five-year periods.

CBNRM draft policy (March 2003) aims to create an integrated enabling environment for CBNRM and to link CBNRM with rural development (Arntzen *et al* 2003). It includes a range of resources including wildlife, veld products, fisheries and wood resources and addresses the issue of community benefits from National Parks and Game Reserves. In terms of the policy the government would undertake to assist communities and individuals to maximise benefits from the exploration of traditional knowledge of practical uses of natural resources. The policy commits the government to providing support for CBNRM implementation in Botswana.

According to Arntzen *et al* (2003), among the specific objectives of the draft National Forest policy are:

- To strengthen the role of forestry in alleviating poverty and increasing equity in forest resource and land management and utilisation, and
- Promote economic development in meeting demand for forest products

The current forest legislation covers forest reserves and does not deal with forest resources on communal land. The Agricultural Resource Conservation Act covers a broad range of resources, however, including woody vegetation. Under the Act, the Agricultural Resources Board (ARB) issues permits to individuals for use of various resources including plants such as devil's claw or grapple plant (*Harpagophytum procumbens*). According to Cassidy (2000) proposals in the draft CBNRM policy would enable the ARB to issue user

licences to groups of people that would enable the group to exclude others from using the resource. The policy also proposes that new regulations for fish resources be introduced that would designate community use zones on rivers and allocate a quota to a specific community.

#### *Land policy and legislation*

Under land policy and legislation there are three forms of tenure in Botswana, namely: State land owned by the state, freehold land owned by individuals or corporate bodies and tribal land which is held in trust by the State. Cassidy (2000) notes that under a 1993 amendment tribal land is held in trust for the *citizens* of Botswana rather than on behalf of a specific tribal group or the people living in a specific area.

Land Boards grant access rights to land under either Customary or Common Law. Communities gain their tourism and hunting leases from the Land Boards under Common Law and the lease specifies the user rights and responsibilities of the community (Cassidy 2000).

#### *Key policy issues*

While the establishment of a community trust potentially provides for a strong collective decision-making body, the resource rights obtained are through a commercial process in which the community is favoured by policy directives. This does not provide for strong proprietorship or tenure for a number of reasons.

If rights are not entrenched in legislation they can be easily removed by administrative actions because of policy changes or even at the whim of senior officials. Indeed early in 2001, a directive from the Permanent Secretary of the Ministry of Local Government unilaterally declared that “funds earned from these projects (CBNRM) should be managed in trust by the District Councils and whatever is decided regarding their use should be done in consultation with the affected communities.” One of the justifications cited in the directive is “These funds are earned from natural resources and as such there is a strong feeling that there shouldn’t be a departure from the policy of these resources benefiting the whole nation, as is done with diamonds and other revenue earning natural resources.” Government was also concerned because trust income was being spent on running costs rather than reaching household level.

This issue was resolved partly because practitioners and communities could argue that the community trusts were legal entities and government could not interfere in their operations. Further, communities and practitioners were able to lobby government not to implement the directive. They were able to persuade government that measures were being taken to ensure that income would reach household level. New guidelines would be issued that allowed trust boards to spend only up to 25% of income for administration and running costs (Rozemeijer *pers. comm.*).

A key aspect of the Botswana approach is that communities are restricted to gaining wildlife and tourism rights in community designated Controlled Hunting Areas (CHAs). Practitioners in Botswana are questioning this approach (Cassidy and Madzwamuse 1999) because reliance on the CHA system means that the

definition of the “community” that gains rights is pre-determined by government administrative boundaries. There is no scope for self-definition of communities, an important component of collective proprietorship. In some cases there is more than one “community” resident in a CHA who do not necessarily cooperate or work together. However, because they are in the same CHA they are forced to form a trust together and conflict has resulted. Practitioners conclude that where social cohesion is weak there is a need to devolve authority to smaller units.

Further, many CHAs in prime areas around the Okavango Delta are designated for the private sector so communities do not have access to these. In the past it was argued that areas designated for the private sector do not belong to any tribal group, but this is highly unlikely to be the case. It is true, though, that some of these areas are contested by different communities so it is easier for government to leave them with the private sector than sort out the disputes.

The restrictions on the period for which communities can lease and sub-lease tourism and hunting rights from land (fifteen years broken into three renewable five-year periods) have been criticised by CBNRM practitioners and analysts (Arntzen *et al* 2003, Rozemeijer and Van der Jagt 2000, National CBNRM Forum in Botswana 2000). It is argued that these lease periods are not sufficiently viable commercially for the private sector (particularly photographic tourism companies) and do not provide sufficient long-term security of tenure to promote community investment in natural resource management.

CBNRM practitioners in Botswana are also concerned that communities tend to be passive recipients of income from private sector activities, rather than active resource managers (National Forum on CBNRM in Botswana 2000, Gujadhur 2001). Very little monitoring of resource use takes place by community trusts, and there is little resource use planning. Most “management” takes place at a basic level by the private sector partners, driven mostly by their own commercial interests rather than the interests of the communities.

Maluwa (1998: 33) concludes that the involvement of local communities in wildlife and tourism “still falls short of actual incorporation of the communities into management and planning processes and a full recognition of their inherent right to the resources in question.” In an assessment of the policy environment for CBNRM in Botswana, Arntzen *et al* (2003) concluded that the lack of an approved comprehensive, integrated CBNRM policy left room for confusion, resource management gaps and inconsistencies in the application of CBNRM. They found that the draft CBNRM policy appears to be a collation of the provisions of existing legislation, bringing together wildlife and other resources in one document. However, it failed to provide practical mechanisms for integration leaving it difficult for community organisations to acquire rights over the different resources. They also concluded that the existing legislation was fragmented and did not reflect the current understanding of environmental issues. They recommended that the provisions of CBNRM policy should be included in legislation, particularly giving attention to community entitlements over resources and the role, duties and responsibilities of CBOs. Practitioners

believe the draft policy must give more attention to entrenching rights of communities over resources.

Practitioners hope that the recent establishment of a new Ministry of Environment, incorporating forestry, fisheries, wildlife, tourism, the National Conservation Strategy Agency and the Agricultural Resources Board will facilitate better integration both with regard to policy and legislation and the implementation of the policy framework. They further hope that the Board will be given the necessary legal powers to devolve authority over forestry, fish and veld products to local communities.

#### *Policy constraints*

Although CBNRM seems well established as an approach in Botswana, practitioners are concerned that it does not have the full support of key decision-makers such as politicians, top wildlife officials and district councils. One reason suggested for this lack of support is that key people are not convinced that CBNRM works. And this is partly due to a lack of good data on key indicators such as wildlife numbers in community controlled CHAs and on overall benefit from CBNRM activities to communities and households. There is a need to strengthen monitoring and provide good data in an accessible form to politicians in particular. Further, the residents living in CBNRM areas of Botswana are often from minority groups and have little political clout nationally. Another reason suggested is that the CBNRM approach was “parachuted” in by a donor and supported by expatriates in senior government positions. But there were no local “champions” for CBNRM within the government who would promote it once the expatriates left.

Another problem is that although the Department of National Parks and Wildlife is committed to CBNRM in a general sense, this does not always translate into action. There is need for institutional change within the Department so that CBNRM is mainstreamed as an approach to conservation outside protected areas.

Practitioners suggest that a major constraint is that politicians, government officials and district councillors do not fully understand the CBNRM approach. A typical response is that since diamonds are a natural resource that benefit the whole country, so should wildlife. Many decision-makers do not see that people living with wildlife and bearing the costs should benefit more than people living elsewhere, nor do they understand the incentive approach to promoting sustainable natural resource management.

Practitioners suggest that politicians at national and district level have largely been left out of the planning of CBNRM and there is an urgent need to increase their awareness, understanding and involvement.

## **9.2 Malawi**

### *CBNRM policies and legislation*

Malawi differs from several of the other countries covered by this assessment as it does not have significant populations of wildlife outside of protected areas. Malawi

is much more densely settled and the land has been converted to agriculture on a far greater scale than in Namibia, Botswana, or Zimbabwe.

Between 1996 and 1999 Malawi introduced legislation that promotes community involvement in the wildlife, fisheries, and forestry sectors. Since 2000 there have been new policies on land reform, wildlife and fisheries that advocate collaborative management of natural resources, the strengthening of land tenure and provide for greater revenue sharing between government and local communities.

The wildlife policy and legislation aims to increase cooperation between Protected Areas and neighbours on communal land through revenue sharing and controlled access to some resources within protected areas. In areas neighbouring the Nyika National Park and Nwaza Wildlife Reserve, prior to the introduction of new policy, the wildlife authority had instituted revenue sharing with local communities and promoted the establishment of natural resource management committees which manage the use of resources by community members within the national park. The wildlife policy also provides for the establishment of Multiple Use Wildlife Areas by customary groups. Although limited use rights are given to local communities outside protected areas, there is little wildlife left outside protected areas. The benefit sharing approach by the wildlife authority has implications for CBNRM through the institutions it is creating at village and district level.

The fisheries sector in Malawi has gone the furthest in developing CBNRM approaches. At Lake Malombe in 1993, fishermen began to work together to address a decline in the fish resource and with the assistance of government began to develop and enforce their own management rules. As a result of the success at Lake Malombe, other fishing groups have taken similar initiatives. Fishermen are limiting the number of people who may fish, enforcing the use of appropriate size nets and in some areas communities have tried offenders and fined them for over fishing. Despite these achievements at local level the Fisheries Conservation and Management Act of 1997 retains virtually all powers and responsibilities associated with protecting and using fisheries resources with the Director of Fisheries (Trick 2000). The main provision that promotes community involvement of fisheries management authorises the director to enter into fisheries management agreements with fisheries management authorities. The Act also enables the director to establish local fisheries committees to which the director may “delegate some powers”.

The National Fisheries Management and Aquaculture Policy of 2001 is much stronger in its approach to CBNRM. The policy states that government will promote the formation of local fisheries management authorities such as Beach Village Committees (BVCs) to co-manage fish resource with the government. The government will strengthen the capacity of these authorities to participate effectively in fish resource management. Government will also establish distinct boundaries for fishing areas for local fisheries management authorities (Government of Malawi 2001a).

Fisheries Conservation and Management Regulations enable implementation of the policy. Regulations empower BVCs to scrutinise licenses, enforce fishing regulations, close seasons, enforce conditions, seize vessels, formulate and



review regulations and undertake environmental conservation. The regulations establish an organisational structure for BVCs and provide a model BVC constitution.

Forestry policy changes made in 1996 and the Forestry Act of 1997 provide the foundation for CBNRM in the forestry sector in Malawi. The Forestry Act (1997) aims to promote community involvement in forest conservation and to meet the fuelwood and forest produce needs of local communities. It provides for the establishment of village natural resource management committees (VNRMCs) which are given the powers to police the use of local forests. The approach is based on co-management, with the Director of Forestry being responsible for facilitating the development of rules for village forest areas. Under village forest management agreements with government the VNRMCs gain management authority over forestry practices and the use and disposition of produce and revenues.

According to the 1997 Act, ownership of trees and forests can be transferred from government to the landholder that is protecting the trees or forest and the landholder will have the right of sustainable harvesting and disposal of the produce.

In general, the Forestry Act of 1997 constitutes a significant shift from total government control to community partnership and provides for community involvement in all aspects of forest management - planning, policing, harvesting, revenue sharing, regulating, and enforcing (Trick 2000).

A Community Based Forest Management Forest Policy Supplement of 2001 further elaborates on the community-based approach to forest management (Government of Malawi 2001b). The document states that the policy for customary forests is to halt the destruction of forests on customary land and encourage the development of customary forests as economic assets for local communities. The policy supplement aims to assign forest user rights to landholders and to give landholders the legal power to protect and sustain these rights. The policy elaborates on the roles and responsibilities of the VNRMCs and moves the whole approach further away from co-management and more towards community management. It makes provision for the designation of a Village Forest Area which is the area that will be actively managed by the community and will be the area to which the Forest Management Agreement with government will apply. The management agreement is the mechanism for the formal transfer of forest tenure and management responsibility from the government to a community. A condition for government signing the Forest Management Agreement is the development of a Forest Management Plan. This plan will be developed by the community with the assistance of forestry extension agents. The community is able to develop its own local forest use rules which will be enforced by the VNRMC. The policy states that these local rules will no longer have to be approved by the Minister of Forestry, but communities may request this in order to give the rules the force of law. The policy supplement makes clear that communities receive conditional use rights from the government and continued use rights are dependent upon adherence to the terms of the management agreement.

### *Land Policy and Legislation*

A new Land Policy was adopted in 2001. Under the policy the Government will allow all land belonging to Traditional Authorities to be registered and protected by law against arbitrary conversion to public land. All customary landholders, defined to include entire communities, families or individuals will be encouraged to register their holdings as private customary estates with land tenure rights that preserves the advantages of customary ownership but also ensures security of tenure. Registered customary estates will be able to grant leases for the use of their land. The policy states that government supports community participation in the management and the right to a share of the revenue derived from public land established on land belonging to a Traditional Authority. This includes land reserved for national parks, forest reserves and protected areas. This policy goes a long way in providing for secure group tenure over land and provides an important foundation for sustainable management of natural resources.

The National Land Resource Management Policy and Strategy of the Ministry of Agriculture and Irrigation Development recognises the importance of social and economic incentives to influence land users in adopting sustainable natural resource management. The policy also adopts as a guiding principle the recognition that equitable and secure tenure over land and resources for users is a fundamental requirement for encouraging the adoption of sustainable natural resource management (Government of Malawi 2000).

### *Key issues*

The policy environment for CBNRM in Malawi has improved considerably since the mid 1990s and there is potential, particularly within the fisheries and forestry sectors, for CBNRM approaches to spread. However, although the Forestry Act of 1997 provides for considerable local level ownership and management of forest resources, government still retains a degree of control. “Although the Act clearly endorses community involvement, there is a persistent theme that the government will issue the rules, approvals, plans and licenses that will govern all community-based management. Insistence on government oversight and control may dampen initiative, enthusiasm and participation” (Trick 2000:9).

The Forestry Act has also been criticised for being too complicated. “As a result, ambiguities exist with regard to key actors, their management rights and responsibilities, and the mechanisms used to impart stewardship. The relationship between traditional authorities, village management authorities, and village natural resources management committees with regard to management of village forest areas, unallocated customary lands, and public lands is, at best, confusing” (Trick 2000:9).

The policy framework for fisheries management in Malawi is very supportive of CBNRM, but the legislation such as the Fisheries Conservation and Management Act needs to be brought in line with the policy approach. According to Trick (2000), critical activities like demarcation of the jurisdiction of village fishery management areas and legal transfer of ownership need legal sanction to be more effective. Further there is a need to establish explicit roles

and responsibilities for traditional authorities in demarcating fishing areas and adjudicating disputes and violations.

In Malawi, as in other countries in the region, the trend seems to be the establishment of a plethora of committees at village and district level focusing narrowly on only one resource. As far as possible, policy and legislation needs to be harmonised, so that resource management can be integrated through the same or similar and related community institutions. A further concern is that while the policy environment is good, implementation is slow because the government can not assist communities in developing new institutions and facilitating accountability and transparency of these bodies.

#### *Policy constraints*

Much has been achieved in recent years regarding policy reform in Malawi. The main constraint appears to be the implementation of the reforms. Concern about government willingness to fully implement CBNRM has been expressed by those managing the USAID-funded COMPASS Project: “Legislation supportive of CBNRM is strong, though we note with some concern that few of the natural resource sectors have acted on the opportunities for implementing CBNRM that the laws provide” (COMPASS 2002). This has been recognised by the Minister of Natural Resources and Environmental Affairs, who told a national CBNRM conference that some sectors had not fully embraced the principles of CBNRM. Consequently, the funding of such activities was poor and performance over the past ten years had been unsatisfactory. Another speaker at the same conference suggested the following:

- There has been half-hearted implementation of CBNRM
- While policies have changed, we have tended to choose when to embrace CBNRM or not
- While the policies have changed most of the practitioners have not changed
- Communities are yet to be convinced that CBNRM is not just another name for the same actions

There seems consensus among practitioners that government lacks the political will to devolve the current highly centralized authority to District Assemblies, Traditional Authorities and rural communities. However, the problem is not just political will, but a lack of human and financial resources at district and community level. Institutional reform is necessary within government agencies so that extension officers understand their new roles and responsibilities toward local communities. The application of key aspects of democracy and good governance such as transparency and accountability is needed at all levels.

### **9.3 Mozambique**

#### *CBNRM policies and legislation*

Early CBNRM approaches in Mozambique, represented by the Tchuma Tchato (Our Wealth) initiatives, were influenced by the CAMPFIRE Programme in Zimbabwe and the ADMADE programme in Zambia (Nhantumbo, Chonguica

and Anstey 2003, Jones, B. 2002). Tchuma Tchato originated in the early 1990s in an attempt to resolve conflict between a safari operator who was given a government hunting concession on communal land and the local residents. A special government dispensation allowed the local community to gain a share in the proceeds from the hunting, but did not allocate any land or resource rights to the community. The implementation of Tchuma Tchato influenced later CBNRM policy development and provided several lessons for policy planners.

To a large extent, more recent policy and legislative developments have overtaken the Tchuma Tchato approach. While Tchuma Tchato still operates revenue sharing under special dispensation, national legislation now provides for greater management rights to be devolved to communities. CBNRM has been incorporated into the national Forestry and Wildlife Policy of 1999 as a specific strategy. The aim is “achieving the social objective of the policy through promotion of sustainable use practises, generation and distribution of resulting benefits and involvement of the community in actual management of natural resources as well as law enforcement” (Nhantumbo, Chonguica and Anstey 2003).

Article 33 of the 1999 Forestry and Wildlife Law (10/99) provides for the state to delegate powers of management of fauna and flora to local communities and the private sector. With regard to community-based forestry, government and local communities carry out a resource assessment and zoning of the forest area. This leads to the development of a management plan which documents the main rules for the use of natural resources. It is developed in a participatory process involving the different stakeholders in the area (e.g. women, charcoal makers, traditional leaders, fishermen, students and teachers, local government authorities, private sector, etc.). The plan is summarised in a document called a management agreement which has to be approved by local community authorities, forest user groups and the local government authorities. According to Mansur and Cuco (2002), these participatory management plans and agreements are useful in a variety of situations, such as: To support the process of obtaining land tenure registration as the community can demonstrate they have a “plan” for the sustainable use of the resources; to promote law enforcement; to maintain forestry production within sustainable limits; and to support negotiations with potential partners from outside the community.

Under the Forestry and Wildlife Law the private sector, communities or community members are also able to exploit forestry resources by obtaining a licence or a concession in forests designated “productive” or “multiple use”. The law makes provision for sport hunting and trophy hunting to take place on specific types of land.

The law also makes provision for the creation of local resource management councils made up of community representatives, the private sector, associations and local state authorities. These councils are responsible for protecting and conserving resources and for the promotion of sustainable use of forest and wildlife resources. A specific duty of the councils is to ensure the participation

of local communities in the exploitation of these resources and in deriving the benefits of exploitation.

If communities gain certification of their land and the management rights over wild fauna and flora, they are able to negotiate joint venture contracts directly with the private sector and receive the full amount of the income derived from these contracts.

There are also some other institutional options that communities can explore for constituting themselves so that they can take on additional rights (Jones, B. 2002). One option is to establish a legal association or 'Sociedade Anonima' which is like a not for profit company. Under a government decree, all districts in the Zambezi Valley fall under a special tax regime so associations or companies are exempt from taxes for 10 years.

Within the water sector, communities are responsible for managing the infrastructure such as bore holes, and for setting up management committees.

#### *Land policy and legislation*

Within the region, Mozambique has gone the furthest in enabling local communities to gain secure tenure over their land. Under recent policy and legal changes in Mozambique, communities are able to gain stronger proprietorship over their land and resources than in the past. Provisions exist within the Land Law of 1997 (19/97) and a Ministerial Decree of 1999 for communities to gain recognition of their customary rights over their land through a relatively simple certification system based on delimitation of the community area. Further, the local community has to be consulted before private concessions on communal land can be approved.

The following are the results of the reform process (Norfolk *et al* 2003):

- i. The introduction of legal protection for occupancy rights acquired by local communities occupying land according to customary norms and practices and by individuals whose occupation of land had been for at least 10 years and in good faith.
- ii. The introduction of a legal requirement that local communities must be consulted by private sector applicants for use of communal land.
- iii. The recognition of the role of local communities in the resolution of conflicts regarding land.
- iv. The introduction of an annual rental for land use, payable by private land holders, but not community groups or individual occupants who acquired rights through occupation.
- v. The introduction of a mechanism for registration of communal land through delimitation and for registration of individual land rights acquired through occupation

Significantly, communities are able to define themselves. According to the land law, a local community is "a group of families and individuals living within a geographical area at the territorial level of a locality or subdivision thereof and which seeks to safeguard its common interests through the protection of areas

for habitation, agriculture, including both fallow and cultivated areas, forests, areas of cultural importance, pasture land, water sources and areas for expansion.” As Norfolk *et al* (2003:9) suggest “the customary tenure that is being recognised is nothing more than a set of rules and institutions that derive their legitimacy from within the community.” The self definition of a community and this internal legitimacy provide a very solid foundation for the emergence of communal management regimes over land and natural resources.

The provision that communities have to be consulted by private sector applicants for use of communal land has led in some cases to formal agreements regarding community benefits between the private sector and the communities’ whose land they are using. These agreements tend to provide for employment for local community members (Norfolk *et al* 2003). No such agreements cover wildlife hunting or forestry concessions.

According to Nhantumbo *et al* (2002), implementation of the new land laws has been slow and piecemeal, with most attention being given to private business concessions. Delimitation of community lands has only taken place with donor support despite a government budget available to support communities.

#### *Key policy issues*

Even though the policy and legislative framework seems to favour local communities, it is not so easy for them to gain rights, licences and concessions. They are very much dependent upon NGOs for information about their rights and opportunities and there is often little follow up after they gain their land certificate.

While land certification for communities is a fairly straightforward and transparent process, that does not carry high transaction costs, communities face severe competition over land from large private companies. Even where communities gain land rights, the concession rights for resource exploitation might already rest with a private company or might be awarded to the private sector by government. The private sector is able to “use their financial capacity and power to influence the process to gain the rights over the more rich land” (Nhantumbo, Chonguica and Anstey 2003:4). With regard to gaining rights over forestry and wildlife resources, the transaction costs for communities are high because they need to acquire or hire the technical expertise to carry out resource inventories and design a management plan. Further, the overall process is lengthy and bureaucratic (Nhantumbo, Chonguica and Anstey 2003).

Although communities living on communal land are able to acquire clear land and resource rights, communities living within protected areas such as Niassa and Gorongosa do not enjoy these opportunities. Government is still debating how best to deal with the issue of people living within protected areas. In the case of Coutadha 16, which forms part of the Greater Limpopo Transfrontier Conservation Area, it appears government has decided to remove people from this former hunting area. Discussion is continuing on the form of compensation the people should receive. According to Nhantumbo, Norfolk and Pereira (2003), the issue of the rights of access for communities living in and around protected areas is a policy issue that requires attention.

### *Policy constraints*

A major constraint to CBNRM implementation in Mozambique appears to be the reluctance of government to let go of real control over resources to communities. Nhantumbo, Chonguica and Anstey (2003) suggest that one factor affecting this has been the slow pace of wider democratic decentralisation and in particular the evolution of elected local government which despite legislation has not developed in rural areas. Further, government is unwilling to let income go to communities that it needs itself. The Mozambican approach is based on revenue sharing with communities getting only 20% from forestry or hunting concessions, unless the community can strike a direct deal with the private sector. But communities do not have the skills and capacity to meet the requirements to do this. Government has held on to control of the “productive” forests designated for large-scale commercial exploitation. This is important, as Mozambique is richer in forest resources than it is in wildlife and so forest products provide the greater opportunities for generating significant income at present. However, the forest areas available to communities are more of medium to low productivity (Nhantumbo, Chonguica and Anstey 2003). Practitioners suggest that government is afraid to fully empower rural communities, does not want to let go of power and is happy with a weak civil society.

As a result of government reluctance to give up power, communities do not have strong rights over natural resources. This means that there is no compelling reason for the private sector to involve itself with communities when it can deal directly with government. Further, policy and legislation do not provide for communities to engage in multiple uses of wildlife. The main source of income is from trophy hunting, but other activities such as live sale of game are not provided for (although it should be recognised that at present there is probably not a market for live game).

Practitioners suggest that Mozambique needs more of a rights-based approach to CBNRM and a focus on promoting participatory democracy at the local level.

## **9.4 Namibia**

### *CBNRM policy and legislation*

Namibia’s policy and legislation goes further than any other in the region in giving direct rights over resources to local communities, and in providing for community level common property resource management institutions.

Rights over wildlife were conferred on white freehold farmers through the Nature Conservation Ordinance (No. 4 of 1975). The Ordinance gave conditional ownership over certain of the more common species of game and limited use rights over other species through a permit system. Ownership and use rights were conditional upon a farmer owning land of an appropriate size, which had to be enclosed by game-proof fencing. None of these rights were extended to

people in communal areas, who only had access to game through an annual hunting season declared by the State or through permits for traditional feasts. Trophy hunting could take place on communal land, but the income went to the State.

The changes in legislation affecting freehold land had important results. Namibia now has about 75% of its wildlife outside protected areas, and much of this is on freehold farms. A multi-million dollar industry has developed on commercial farms based on both consumptive and non-consumptive use of wildlife.

Driven by the need to remove discrimination and a belief that what worked on commercial land could work on communal land, the post-independence government developed a new conservation approach for communal land which was set out in the Policy on Wildlife Management, Utilisation and Tourism in Communal Areas (MET 1995). Two of the important objectives of the policy were to enable rural communities to gain the same rights of use and benefit from wildlife as commercial farmers, and to gain rights over tourism concessions. These rights would be conferred on a community that formed a collective management institution called a 'conservancy', which needed to be legally constituted, have clearly defined boundaries, a defined membership, a committee representative of the membership and a plan for the equitable distribution of benefits to members.

The MET also developed a policy on the Promotion of Community Based Tourism (1995). This policy recognises that where tourism is linked to wildlife and wild landscapes, the benefits to local communities can provide important incentives for conservation of these resources. The policy document states that MET will give recognised communal area conservancies the concessionary rights to lodge development within the conservancy boundaries.

The Nature Conservation Amendment Act of 1996 puts these policies into effect, enabling the Minister of Environment and Tourism to declare communal area conservancies once he/she was satisfied that they met the conditions contained in the Act. Conservancies are able to use certain species of wildlife for their own consumption without a permit and can gain trophy hunting quotas from government. They can also gain permits to allow sport hunting on their land and to sell live game. Important features of the Namibian legislation are that a) communities wishing to form a conservancy are able to define themselves, rather than be defined according to administrative units; and b) conservancies receive income directly rather than through government.

Proposed revisions to the legislation would enable the government to extend the rights of conservancies by exempting them from provisions that limit utilisation of wildlife.

Namibian Forestry Policy recognises the need to involve local communities in forest management. Forestry legislation makes provision for the establishment of various types of "classified forest" area including a category of community forest. The approach is similar to that of communal area conservancies, except



that the community forestry committee must enter into a forest management agreement with the government.

In the water sector, legislation has been introduced to implement the government policy of cost recovery for water supply on a national basis. At community level, residents are expected to form water point committees to take decisions about the management of water points. These committees are expected to collect fees from water users and eventually to take over from government the costs of maintaining and operating water pumps. Although these approaches have been introduced primarily to reduce government costs, they have the effect of promoting community-based management of local water resources.

The Inland Fisheries Resources Act was promulgated in 2003, which allows for local communities to develop, in consultation with government, an effective system for the co-management of fisheries.

#### *Land policy and legislation*

Namibia's national land policy (1998) provides that tenure rights allocated according to the policy and consequent legislation will include all renewable natural resources on the land, subject to sustainable utilisation and the details of sectoral policy and legislation. These resources include wildlife, tourist attractions, fish, water, forest resources and vegetation for grazing. Tenure rights will be exclusive, enforcement of which will be supported by law. Among the categories of land rights holder provided for are "legally constituted bodies and institutions to exercise joint ownership rights (and) duly constituted co-operatives". This definition would include such bodies as wildlife conservancies and community forest management bodies.

The Communal Land Reform Act, which came into force in March 2003, provides for the establishment of Land Boards, their composition and functions. Customary land rights will be allocated by a Chief or Traditional Authority, but must be ratified by the Land Board, which will then register the grant. Provision is made for residents to have access to common grazing lands subject to conditions made by a Chief or Traditional Authority including limits on stock numbers or where grazing may take place. The Chief or Traditional Authority may also grant grazing rights to non-residents for a specified or indefinite period. These rights may be withdrawn. Legal action can be instituted for the eviction of illegal occupiers of land. The Land Boards will control the allocation of leases for land. Land Boards are required to take into account any management or utilisation plans developed by conservancies, and may not grant a lease for a purpose that would defeat the purpose of such plans. Conservancies will also be represented on Land Boards.

The Act does not specifically provide for secure group land tenure. However, the Act does not specifically preclude group tenure rights. When read with the section of the National Land Policy that provides for legally constituted bodies and institutions to exercise joint ownership rights as a category of land holder, the Act could be used by conservancies, for example, to try to obtain group tenure.

### *Key policy issues*

The proprietorship given to Namibian communal area conservancies is conditional and limited. The rights that conservancies enjoy are dependent upon the conservancy being able to meet the conditions for registration as set out in legislation. These conditions are fairly onerous for communities to meet (Jones, B. 2003b), usually requiring frequent meetings in order to form a committee, register members, negotiate boundaries with neighbours, develop a constitution and develop a benefit distribution plan. If carried out according to the expectations of NGOs, the MET and Government, i.e. in a highly participatory and transparent manner, then these activities are very time consuming. In terms of decision-making, most management decisions (when to harvest, how to harvest, off-take levels, and species to be harvested) are still taken by government (Jones, B. 2003b). Further, although the overall policy approach favours conservancies gaining tourism concessions on their land, the legislative foundation for this is weak. As yet, these constraints do not seem to have deterred communal area residents from forming conservancies. But if expectations of significant income from wildlife and tourism are not met at household level and proprietorship remains weak, the current enthusiasm for conservancies could wane.

The lack of secure and exclusive group land tenure remains a key policy issue in Namibia. Local communities are finding it difficult to keep outside livestock owners from moving into their land zoned for wildlife and tourism. Essentially policy and legislation have given local communities in Namibia rights over wildlife (and increasingly forest and water resources), but not over the land itself. If communities cannot prevent other people using the land they wish to set aside for wildlife and tourism then there remains little incentive to maintain wild habitats. There is little likelihood that management inputs and investments will be rewarded and the land might as well be converted to grazing for livestock or crop lands. Further, a lack of secure land tenure means that communities cannot easily raise capital loans themselves based on their land as security. It is also more difficult for communities to attract investors as partners in tourism joint ventures where rights to the land are not secure and the investment risk is therefore higher (Jones and Weaver 2003).

### *Policy constraints*

Government officials in Namibia have shown themselves reluctant to give up power to conservancies. Through implementation and reinterpretation of policy and legislation they placed additional conditions on the rights given to conservancies, negatively affecting their ability to take crucial management decisions (Corbett and Jones 2000, Jones, B. 2003b). Although some conditions have been removed as a result of lobbying and gaining legal opinion, some remain. Although some top government officials are fully supportive of CBNRM and understand the incentive approach, others take the view that wildlife should be a national asset from which all should benefit equally. This sometimes makes implementation by government difficult when communities get different messages from different officials or different levels.

There is a need to strengthen conservancy rights over tourism through inclusion in tourism policy and legislation. However, the capacity in the tourism directorate in the Ministry of Environment and Tourism is weak. Draft policy and legislation have been developed since 1998, but remain incomplete and have not been submitted to Parliament.

The Ministry of Environment and Tourism is showing a renewed commitment to CBNRM and practitioners hope this will translate into further policy reform giving more rights to communities and into increased government support for implementation.

## **9.5 Zambia**

### *CBNRM policy and legislation*

In 1988 the National Parks and Wildlife Service (NPWS) of Zambia adopted a revenue sharing approach to community-based wildlife management known as the Administrative Management Design Programme (ADMADE). The objectives of ADMADE programme were, and still are, to raise and improve the welfare of communities living in Game Management Areas (GMAs), while at the same time promoting wildlife conservation. There are 36 GMAs in the country, covering the equivalent of 31% of Zambia's surface area. ADMADE established a wildlife revenue revolving fund through which 35% of revenue from trophy hunting was channelled to local communities. Funds used to be allocated to a Wildlife Management Sub-authority (WMSA) consisting of government officials and community leaders, and then spent on community projects and the employment of village scouts to deal with poaching. Chiefs played a strong role in the early ADMADE system and often appropriated the income for their own purposes.

A second early approach involving local communities in wildlife conservation was developed in the Luangwa Integrated Rural Development Project (LIRDP). This project intended to develop wildlife and tourism-based rural economy that could pay for local infrastructure and services.

However, the first legislation to make provision for community involvement and benefit was the National Parks and Wildlife Act of 1991. The Minister was enabled by the legislation to appoint integrated resource development committees to manage any national park or GMA. All revenues generated from the use of wildlife could be payable into a fund set up by the committee. However, this approach did not prove successful because of several ambiguities in the legislation. Further, both the ADMADE approach and the LIRDP continued to operate in parallel as the main mechanisms for involving local communities in wildlife conservation.

The Policy for National Parks and Wildlife in Zambia, which was adopted in 1998, further developed the government's approach to community involvement. It recognised that local people and other landholders are the best custodians of wildlife and other renewable natural resources on their land (HURID 2002). It also made provision for the establishment of Integrated Resources Development Boards (IRDBs) that could collect revenue from the use of wildlife and other resources. This approach is similar to that of the 1991 legislation, but it went

further by specifying that local communities residing in chiefdoms and geographic areas which are contiguous to any wildlife estate or open area could apply and register as IRDBs with the new Zambia Wildlife Authority (ZAWA). Representatives of the board would be elected rather than appointed by government as under the 1991 legislation.

In order to put the new policy into effect, the government adopted the Zambia Wildlife Act of 1998. The Act created ZAWA as a parastatal organisation. It makes provision for the establishment of Community Resources Boards (CRBs) which replace the Wildlife Management Sub-authorities under the ADMADE system. The CRBs often (but not always) cover the area of a chiefdom in geographical extent. Within a Game Management Area there can be potentially more than one CRB. The board committees consist of elected community representatives, a representative of the local authority and a representative of the chief for the area. Chiefs are assigned the role of “patron” of the board.

A CRB, in conjunction with the new Zambia Wildlife Authority (ZAWA) established by the Act, is expected to negotiate “co-management agreements” with hunting and photographic safari operators, “manage” the wildlife under its jurisdiction within quotas specified by ZAWA, appoint village scouts and, in consultation with ZAWA, develop land use management plans.

At the same time, changes to the ADMADE implementation approach have led to the promotion of more local level institutions called Village Area Groups (VAGs) which would interact with Community Resources Boards to provide improved community involvement.

The CRBs and VAGs represent a significant shift within ADMADE towards a more democratic approach to community involvement than in the past when chiefs dominated the decision making at community level. However, the income from hunting and tourism concessions will still first be paid into the ZAWA and only then will a percentage be passed on to the CRB. The most recent revenue sharing formula has been determined as follows:

CRBs	45 %
Patrons (chiefs)	5 %
ZAWA	40 %
Government	10 %

Hunting quotas are set by ZAWA, although communities are asked to comment on these.

The National Forestry Policy of July 1998 encourages a participatory approach in the management of forests in Zambia by promoting partnerships between State agencies, local communities and individuals in the areas of conflict resolution and cost-benefit sharing among stakeholders. The Forests Act of 1999 makes provision for joint forest management that would include the participation of government, local communities, traditional authorities, NGOs

and the private sector. Joint management takes place through the establishment of forest committees. The Act assigns a strong role to traditional leaders on behalf of their communities. Forest committees may receive a percentage of income derived from the use of forest products in a declared joint forest management area.

Zambian fisheries legislation does not provide a legal framework conducive for CBNRM and does not consider local communities as a unit of management (HURID 2002). However, a draft policy calls for legal reform that would recognise community participation in the management of fisheries resources, although it does not provide about how this would be achieved.

#### *Land policy and legislation*

Communal land in Zambia is owned by the State. The Land Act of 1995 was introduced to increase the security of tenure of land holders and provides for the conversion of customary land to leasehold tenure. However, the Act “has adverse implications for the poor who can not afford to go through the process of securing documentary proof of ownership of land and the unintended reduction of power that traditional authorities have over their subjects” (Mwape 2003). The Act does not provide for secure group (community) tenure.

#### *Key policy issues*

The Zambian CBNRM approach still rests heavily on a model of revenue sharing that leaves only 50% of income with communities. This threatens the CBNRM/wildlife sector’s potential for growth and its contribution to national poverty reduction goals (Child 2003). A study of the ADMADE and LIRDP projects in Zambia (Gibson 1999) concluded that illegal off-take of wildlife in the late 1980s and early 1990s was continuing at pre-project intervention levels partly because the individual returns from hunting far outweighed a resident’s share in the benefits that the projects could deliver. There are strong reasons why the revenue sharing approach is unlikely to change in the near future. The new wildlife parastatal, ZAWA, has to fund itself, and one of its main sources of revenue is the income from hunting and tourism concessions. ZAWA is not going to implement approaches that cut off its own funding.

The management rights given to communities by the Wildlife Act of 1998 are not specified. While the Act can be interpreted to provide strong devolution to communities, in the absence of specific provisions detailing community rights, government officials are unlikely to implement such devolution. In the absence of clearly defined rights, the allocation of hunting concessions has remained highly centralised and has been subject to political/bureaucratic manipulation with the result that communities have lost considerable revenue (Child 2003). According to Mwape (2003:6) “there are pockets of resistance to full implementation of the CBNRM concept by powerful stakeholders with vested interests. This is evidenced by incidences of community benefits being captured by local community elites, government and political officials and private sector players.”

The fragmented sectoral legislation in Zambia that provides for different committees or boards at different levels according to the sector is seen by local analysts as leading to unclear and overlapping jurisdictions and duplication of effort (Child 2003, Mwape 2003, HURID 2002). This situation can lead to conflict between natural resource management institutions (Mwape 2003). The fragmentation of implementation activities does not provide for an integrated or holistic approach to natural resource management. According to HURID (2002:88), “the implication is that one sector, the natural resources sector, is being serviced by too many institutions (including community based organs) some of which have the same roles and are all chasing after the same financial resources from more or less the same users of these resources.”

#### *Policy constraints*

Practitioners suggest that the main policy constraint in Zambia is a reluctance by government to let go of power, despite policies and legislation that call for some form of co-management. According to Child (2003:8) “the rhetoric of community empowerment in the legislation is not systematically matched by political will to pursue devolved resource management with vigour.” Combined with reliance by government agencies and parastatals like ZAWA on income from natural resource use, the result is that communities gain few management rights and little income. In the wildlife sector, policy and legislation do not enable communities to enter into business relationships directly with the private sector and retain the income.

Political interference and a lack of transparency have affected CBNRM in the past and this will take time to change. Zambia is also still emerging from a highly centralised command and control economy, and it is taking time for government and communities to adjust to market economy approaches.

## **9.6 Zimbabwe**

#### *CBNRM policy and legislation*

The CAMPFIRE programme in Zimbabwe is a national approach to promoting community involvement in natural resources conservation. CAMPFIRE rests on a number of policy and legal instruments that need to be read together to gain a full understanding of the allocation of rights and responsibilities for natural resource management. The CAMPFIRE approach is based on the sustainable use of natural resources. This principle is articulated in the 1989 Policy for Wildlife, which consolidated into official policy the thinking that had developed in the Department of National Parks and Wild Life Management (DNPWLM) concerning wildlife use, proprietorship and incentives for sustainable management. Apart from commitments to protected areas and the preservation of endangered species, the policy also contained the following statement, which underlines the economic foundation of the DNPWLM’s approach to conservation:

*"Outside the Parks and Wild Life Estate, government views wildlife as a resource capable of complementing domestic livestock and will favour neither one above the other in the development of the country. It will*

*rather allow economic processes to determine the outcome of competition."*  
(Government of Zimbabwe, 1989: 7)

CAMPFIRE is also based on the principle that landholders who live close to the resource and suffer the costs of living with wildlife should be those who benefit from sustainable management. Thus, the 1975 Parks and Wildlife Act gives freehold farmers "Appropriate Authority" (AA) or custodianship over wildlife, fish and plants. The Act effectively makes freehold farms and ranches into proprietorial units for wildlife management. Farmers are able to make nearly all of the significant management decisions over the use of wildlife. These include the right to hunt, to allow someone else to hunt, the right to buy and sell game, and to carry out trophy hunting. The Act allows for the exemption of specially protected species and for Government to impose restriction orders in cases of flagrant abuse.

The devolution of rights over wildlife to freehold farmers led to the development of a multi-million US dollar wildlife industry on freehold farmland and improved conservation of wildlife. Following this success, the DNPWLM aimed to establish the same incentive-based approach to conservation on communal land. In 1982 an amendment to the Parks and Wild Life Act gave the Minister power to designate Rural District Councils (RDCs) as Appropriate Authorities over wildlife on communal land. If an RDC is designated as an Appropriate Authority, it gains the same rights over wildlife as the owners of freehold farms. Martin (2003) suggests the Zimbabwean legislation is the *only* example in southern Africa of the *full* devolution of authority over wildlife to entities outside the state. However, devolution of authority over wildlife on communal land stops at the level of the RDCs which are government bodies.

A number of other laws give the RDCs considerable control over natural resources. The Natural Rural Resources Act provides for Councils to establish conservation committees and these committees are able to make bylaws on the use of natural resources, including wildlife.

The Communal Land Act vests ownership of communal land in the State and the administration of communal land in the hands of the RDCs. The Rural District Council Act gives the councils power to take measures to conserve natural resources, permit grazing and cultivation, develop land use plans and make bylaws for the protection of natural resources. The councils may issue permits for catching fish, hunting, cutting firewood, cutting grass and collecting honey.

The Forest Act allocates large areas of former communal land to the Forestry Commission, which leases timber, hunting and photographic tourism concessions. The Commission has adopted the policy of encouraging RDCs to share 15% of their income from timber royalties with local communities. The Communal Land Forest Produce Act restricts the use of forest products to "own use" and excludes use of products from protected forest areas and areas where a license to cut trees has been granted to others. The use of certain trees is restricted. According to Chitsike (2000:11) under the Act, "without a permit or license, virtually any use of woodland is illegal".

The Environmental Management Act (2002) aims to establish a general legal foundation for all environmental laws based on sustainable development and

addresses inconsistencies, overlaps and duplication in environmental and natural resource legislation. The Act contains limited references to devolution and decentralisation and does not provide for empowering sub-district levels.

The Traditional Leaders Act provides for Ward and Village Assemblies that would “consider and resolve” all issues relating to land, water and other natural resources. This statement is somewhat ambiguous with regard to actual decision-making powers of the Assemblies. Further, the Act does not provide land rights to the Assemblies and it does not give them any legal status beyond being sub-committees of council.

In contrast to other natural resource legislation, the Water Act makes provision for the establishment of Catchment Councils, which would be responsible for water management in the river systems for which they are established. The Act provides for Catchment Councils to be a body corporate with a legal personality. The Catchment Councils are able to delegate functions to Sub-Catchment Councils that are able to levy rates and fees and open an account in which the income can be held.

#### *Land policy and legislation*

The Communal Land Act of 1982 assigns control over communal land to the State with administration carried out by the RDCs, rather than traditional leaders as was the case under colonial legislation (Chitsike 2000). Agricultural land is held under customary law and each farmer has usufruct rights but no ownership rights while rangeland, woodland and wildlife resources are considered a collective commonage (Murphree and Mazambani 2002).

#### *Key policy issues*

With the exception of the Water Act, natural resource legislation in Zimbabwe concentrates considerable power in the hands of Rural District Councils. Policy guidelines in the wildlife sector attempt to promote the “administrative devolution” of some functions and decision-making to sub-district levels. However, RDCs cannot legally be forced to apply the policy guidelines although DNPWLM has stated in the past that it would withdraw Appropriate Authority status if councils did not comply. Particularly in the current poor economic circumstances in Zimbabwe, RDCs are unlikely to give up hunting and tourism revenue that is contributing to covering their operational costs.

The policy and legislative framework within which CAMPFIRE operates creates numerous local level institutions that operate in parallel, have overlapping functions and compete with each other for power and access to financial resources.

The resource rights given to RDCs are strong, but need to be devolved to lower levels of community organisation and backed up by land tenure reform. According to Chitsike (2000:83) “Any genuine form of devolution requires that communities have rights or meaningful rights over the land they occupy and the natural resources thereof. This right is considered the basis of empowerment.” Based on this premise Chitsike suggests that local communities in Zimbabwe at the village, ward, or inter-ward levels should be able to take out a lease on their land.



Recommendations for communal tenure reform were tabled by the Rukuni Commission into Land Tenure in Zimbabwe, but never implemented.

#### *Policy constraints*

The major policy constraints in Zimbabwe are provided by the current political and economic instability. The underlying principles of the CAMPFIRE programme have always sat uncomfortably with government officials used to command and control approaches. Now with the ruling party under political pressure and tightening political control, prospects for devolutionary and democratic approaches at community level have weakened further. The deteriorating economic situation places even further pressure on RDCs to resist losing control over the hunting and tourism revenue that they need to fund their basic operations in the face of almost non-existent central government funding.

## **10 Comparative analysis of regional CBNRM policy and legislation**

### **10.1 Analysis against CBNRM's conceptual foundations**

Although the conceptual foundations for CBNRM in the region have been fairly similar, from the above section it is clear that policy development and implementation have taken different paths in each country. These differences reflect the political, economic, social and institutional contexts of each country. A comparative analysis of the form and content of the different policy and legislation is provided in Table 1. The analysis is provided with regard to the key conceptual foundations of CBNRM discussed in section 2.2.

#### *a) Economic incentives and disincentives*

CBNRM approaches in the region can be divided broadly between those that allow communities to keep 100% of the revenue from resource use and those that have instituted some form of revenue sharing between government (at different levels) and local communities.

*b) Devolution*

In terms of devolution there is a division between those countries that have taken a rights-based approach to giving up some of government's authority over resources to local institutions and those that have delegated responsibilities through some form of administrative decree. However, in all cases the use rights devolved or delegated are limited and often conditional.

*c) Collective proprietorship*

There is a division between those countries that allow communities to define themselves and those which define communities according to administrative boundaries.

Management rights are often weak with government retaining important decision-making control over when and how resource may be used. No governments have allowed communities to set harvesting rates and quotas for wildlife entirely on their own.

Land is owned by the state and communities do not have secure tenure. A major exception in the region is Mozambique that enables communities to demarcate their land and gain a land certificate.

*d) Institutions*

Throughout all CBNRM approaches in the region, new institutions are created at local level. These are nearly all some form of elected committee that is expected to take decisions on behalf of its members or local residents. In some cases government or the private sector are also included in these committees. None of the programmes in the region builds on existing or customary institutions.

**Table 1. Comparative analysis of regional CBNRM policy and legislation**

	<b>Economic Incentives</b>	<b>Devolution</b>	<b>Collective proprietorship</b>	<b>Institutions</b>
<b>Botswana</b>	Community is able to retain 100% of income from contracts with private sector for trophy hunting and photographic tourism.	Central government provides community institutions with wildlife use quotas; policy enables community to lease land for wildlife use and tourism from land board. Government sets quotas and community can decide how to use quota.  Fiscal devolution (i.e. the right to benefit) but limited devolution of management authority over wildlife.  No devolution of rights over forests and forest products.	“Community” is pre-defined by the people living within a community-designated Controlled Hunting Area (CHA).  Proprietorship is weak. Use rights are given by policy, not entrenched in legislation. Tenure is not secure – leases are for an initial 15 year period only.  Leases are for resource user rights only. Communities do not have exclusive rights over land.	Community trusts with constitution and elected membership. Committee represents residents of the CHA.
<b>Malawi</b>	Revenue sharing from protected areas (including state forest reserves).  Revenue sharing of income from use of forest resources on communal land.  Improved livelihoods through better managed fish resources (though short-term costs because of limits on use).	Some fiscal devolution and management responsibilities for forests devolved. State retains some management authority for forests on communal land. Overall approach for forestry, fisheries and wildlife is co-management.	“Community” usually = village or clusters of villages.  Use rights are mainly through administrative discretion provided for by policy or legislation. E.g. forest and fishery use rights dependent upon management agreements with government.	Beach Village Committees (fisheries)  Village Natural Resource Management Committees (Forestry)

	<b>Economic Incentives</b>	<b>Devolution</b>	<b>Collective proprietorship</b>	<b>Institutions</b>
<b>Mozambique</b>	<p>Revenue sharing (wildlife - Tchuma Tchato).</p> <p>Theoretically communities have access alongside the private sector to timber or wildlife concessions and could retain the income. Communities can keep income from sub-leases.</p> <p>Income from sale of poles, thatching grass and other forest products.</p>	<p>Legislation provides for delegation of management responsibilities to local levels, but the main management rights come through the award of private concessions.</p>	<p>Communities are self-defining under the Forest and Wildlife legislation and land legislation.</p> <p>Communities can gain secure tenure over their land through demarcation and certification, but resource rights are subject to sectoral legislation and often dependent upon the award of concessions by government.</p>	<p>Village natural resources committees (Tchuma Tchato)</p> <p>Local resource management councils and village committees (Forestry and Wildlife legislation)</p>
<b>Namibia</b>	<p>Communities can retain 100% of income from wildlife (trophy hunting contracts, live sale of game) and tourism contracts with the private sector.</p>	<p>Legislation provides communities with rights over certain species and opportunities to apply for permits to use others. Government sets quotas and retains authority over protected and specially protected species.</p> <p>Legislation gives weakly defined rights over tourism.</p>	<p>Communities are self defining.</p> <p>Management authority is limited but tenure over certain game species is secure through legislation.</p> <p>No exclusive group rights over land.</p>	<p>“Conservancies” which must be legally constituted, have clearly defined boundaries, a defined membership, a committee representative of the membership and a plan for the equitable distribution of benefits to members.</p>

	<b>Economic Incentives</b>	<b>Devolution</b>	<b>Collective proprietorship</b>	<b>Institutions</b>
<b>Zambia</b>	Revenue sharing (wildlife and forest products). For wildlife (trophy hunting revenues only): CRBs 45 % Patrons (chiefs) 5 % ZAWA 40 % Government 10 %  LIRD – 80% to villages	Legislation provides Community Resource Boards (CRBs) with undefined management responsibilities.	Communities defined by boundaries of chiefdoms or Game Management Areas.  Management authority of CRBs not defined.	Community resource boards (elected community representatives, representative of local authority and representative of chief)  LIRD: Village Action Groups
<b>Zimbabwe</b>	Revenue sharing between local communities 55%; RDCs 26% for CAMPFIRE/NRM-related management activities and 15% as a general administration levy; CAMPFIRE Association 4% as a levy from councils.	Legislation gives Rural District Councils Appropriate Authority over wildlife; guidelines promote devolution to “producer” communities.	Communities defined by administrative boundaries of districts and wards.  Management rights lie with RDCs which delegate powers to local communities. Government allocates wildlife quotas with input from districts.	Rural District Councils Ward wildlife committees

## **10.2 Extent to which CBNRM is mainstreamed in national development policies**

It was suggested in sub-section 2.2 that although CBNRM is at its core a conservation programme, a number of other outcomes flow from the implementation of CBNRM. These are income generating opportunities, improved governance at community level and improved community capacity. These outcomes are indicative of the way in which CBNRM can also be regarded as contributing to rural development. They are why CBNRM programmes are adopted by donors who promote poverty alleviation and the inclusion of CBNRM in some countries' national development strategies.

In Namibia, CBNRM has been recognised at national level as contributing to national development goals. The role of tourism, community-based tourism and conservancies are recognised in the Poverty Reduction Strategy for Namibia. CBNRM is recognised as a means to diversify off-farm income-generating activities as part of the country's food security strategy and in the National Drought Policy and Strategy.

In Mozambique, the Agriculture Sector Investment Programme (PROAGRI) and the Poverty Reduction Strategy and Plan (PARPA) tend to focus on the private sector as an engine of rural development through a 'trickle down' approach with an emphasis on maximising foreign exchange earnings, encouraging public-private partnerships, and the creation of rural employment (Norfolk *et al* 2003). PROAGRI does, however, include a component in support of government implementation of CBNRM. The Poverty Reduction Strategy paper for 2001 to 2005 highlights access to secure resource rights as an important factor for rural development. Poverty reduction is one of the aims of the forestry and wildlife sector and this is reflected in the latest legislation.

In Zambia wildlife and tourism are recognised as having a potential contribution to poverty reduction in the country's Poverty Reduction Strategy Paper (PRSP). Under a section on Tourism, one of the objectives is to encourage community participation in wildlife conservation. The three indicators for this are the number of GMAs, wildlife populations and the amount of revenue shared with local communities.

In Botswana, national development policies and CBNRM are linked in a number of ways. For example, the government has developed a community-based rural development strategy and has adopted Participatory Rural Appraisal as an official methodology in rural development largely as a result of its use in CBNRM. The Community Based Strategy for Rural Development, 1997, is a strategy of the Ministry of Finance and Development Planning and reflects the government's general commitment to community-based approaches for sustainable development. It aims to reduce poverty by expanding economic activities in rural areas and reducing the dependency syndrome. One of its objectives is to improve the capacity of communities to actively participate in the planning, implementation and evaluation of programmes and projects carried out in their

areas. The strategy envisages that government, NGOs and the private sector will assist communities to develop their own development plans.

The Botswana National Ecotourism Strategy 2002 has the general objectives of making tourism development sustainable, increasing the involvement of Botswana, improving tourism promotion and marketing raising awareness about ecotourism and encouraging the development of infrastructure and developing industry standards. The policy recognises the role of communities in tourism and aims to promote mutually beneficial relationships between CBOs and the private sector.

The government's Vision 2016 recognises the role that sustainable natural resource use can play in supporting rural livelihoods while National Development Plan 9 recognises the role of CBNRM in contributing to conservation and development. The National Settlement Policy of 1998 aims at the protection of the environment through sustainable land use planning, which should be done in such a way that it pays regard to the conservation of community-based natural resources.

CBNRM is recognised in Malawi as a means of contributing to the government policies of decentralisation, to the Malawi Poverty Reduction Strategy (MPRS), and sustainable food production.

While it is clear that governments in the region are recognising the role that CBNRM can play in furthering national development objectives, it is not clear how much this translates into real synergy between the government departments that implement "development" and those that implement CBNRM, i.e. the wildlife and forestry departments. In most countries implementation on the ground seems to still take place in parallel with little cooperation and real integration. The rhetoric of recognition does not seem to translate into the reality of more government resources for CBNRM.

This might be partly because the real contribution that CBNRM can make to national development objectives is not always clearly articulated by CBNRM practitioners and exaggerated expectations are often created regarding CBNRM impacts on poverty. Donors and development agencies have in the past adopted CBNRM as a means of contributing to poverty alleviation, but more recently have questioned the impacts that CBNRM is having. A number of analysts have pointed to the poor performance of CBNRM in meeting poverty alleviation targets, particularly with regard to income generation. Some donors are now less inclined to support CBNRM activities under rural development budgets. It is important therefore to identify some realistic expectations of CBNRM with regard to poverty alleviation and rural development objectives.

A useful World Bank document: Community Driven Development in Africa (World Bank website) provides some useful guidance in this respect. The document notes that many people think of poverty as a lack of income, and a lack of health and education facilities. However, the document suggests that poverty is also:

- A lack of voice
- A lack of empowerment
- A lack of good governance

“Seen in this light, local empowerment is a form of poverty reduction in its own right, quite independent of its income effects” (Page 5). As a result, “Poverty reduction, broadly defined, requires processes that help people improve their capabilities and functioning that enable people to take charge of local affairs instead of being supplicants before higher authorities” (Page 6).

This perspective on poverty reduction is highly relevant for CBNRM, with its multi-faceted approach to supporting local communities. The next section of this report provides a summary of CBNRM implementation and performance within the region. It can be seen that while CBNRM does not generally provide large amounts of cash to households, it is contributing to poverty reduction by helping people to improve their capabilities and functioning and enabling them to take charge of local affairs through:

- a) Building a wide array of skills and capabilities such as financial management, business management, running tourism ventures, running committees, advocacy, natural resource management, etc.
- b) Building institutions that can act on behalf of residents at local level in a number of different ways and which often fill an institutional gap between traditional authorities and “modern” institutions of local and district/provincial government.
- c) Establishing good governance of natural resources, which can have an effect on broader governance at the local level through promoting accountability, transparency and responsiveness to local needs.
- d) Enabling access for individuals and institutions to a wide range of support agencies, and service providers.
- e) Providing access to information necessary for planning, decision-making and advocacy.
- f) Providing access to what the World Bank document calls “untied funds” which allow communities to choose their own priorities. In the World Bank scenario these untied funds would be grants of US\$5,000 to US\$10,000. Interestingly CBNRM is able to provide communities with funds of this magnitude, yet importantly the income is self-earned and is sustainable.

When promoting CBNRM as a means of contributing to poverty reduction, we should be focusing more on the overall capacity building of communities to take charge of their own affairs and the discretionary income that can accrue at community level. We should also be focusing on the extent to which CBNRM provides communities and households with diversification options. Throughout southern Africa, and particularly in the more arid regions, local communities have adopted diversification as a major livelihood strategy. This is manifested at different levels. Where possible, people adopt different forms of land and resource use, and even use inter cropping to ensure that in uncertain climatic conditions, at least one crop might survive and yield some produce. In terms of income generation, household livelihoods are supported by a range of different income sources that might include wage labour by a family member, sale of



surplus produce, and pensions. Diversification has evolved as a way of reducing risk in a risk prone environment.

CBNRM can and does contribute to diversified livelihoods. It can provide additional land use options for communities and can provide supplementary jobs and wages. We should be emphasising the different ways in which CBNRM supports livelihood diversification. For example, Arntzen *et al* (2003) argue that in Botswana, CBNRM does not have a strong impact at household level because income is not distributed in this way, and is at best an additional, but not a main source of livelihood. However, they argue that CBNRM makes a stronger contribution toward improving livelihood security by diversifying livelihood sources through:

- Providing a limited source of income from sources that were previously not available;
- Providing non-financial benefits that are important to rural livelihoods such as transport, insurance and funeral assistance;
- Reducing dependency on drought-prone agriculture;
- Empowering community members with assets that can support future livelihoods, including natural resource rights, financial assets and credit, physical assets and human skills.

An important conclusion made by Arntzen *et al* (2003:48) is that particularly in the remote and marginalised areas of Botswana, “there appear to be few alternative development and conservation approaches.” CBNRM can make the most impact in terms of national development objectives where other development opportunities are constrained by environmental conditions and/or remoteness from markets for other products. And it is in these areas, by definition, that many of the poorest people in society will be found.

For CBNRM to realise its potential as a rural development approach, implementers need to develop closer links to rural development organisations and become more familiar with rural development issues. Nhantumbo (pers. comm.) suggests communities need support and services that are not usually found within CBNRM programmes. These include marketing and business skills, access to new technology and access to credit. Further, more attention needs to be given to markets and gaining access to markets. It is no use developing new income generating activities or products if there are no markets or the existing markets are inaccessible to remote communities.

## 11. Comparative analysis of policy implementation performance<sup>6</sup>

This section attempts to provide a comparative analysis of the impacts of policy implementation across the region. Due to the different type of data available for each country, it has not been possible to analyse each country according to the same criteria. This section therefore provides summaries of the impact in each country according to the data available and not necessarily in the same format. As far as possible an attempt has been made to analyse impact in terms of community level institutions, socio-economic impact and environmental impact.

### 11.1 Botswana

The implementation of CBNRM in Botswana was driven initially by the USAID-funded Natural Resources Management Programme (NRMP). It helped develop some of the policy approaches and CBNRM guidelines, was instrumental in developing management plans for the community-managed WMAs, and piloted CBNRM activities with local communities (Rozemeijer 2003). The NRMP (1989-1999), which was housed in the wildlife department, tended to dominate CBNRM in Botswana, partly because there were few local NGOs with the resources and capacity to assist local communities. In more recent years the number of organisations involved in CBNRM has grown and the National CBNRM Forum provides coordination and direction. The Botswana Community Based Organisation Network (BOCOBONET) provides an umbrella body for community organisations involved in CBNRM. However, donor support for Botswana has decreased considerably, local NGOs do not have strong funding bases and government has not filled the gap left by donors (Rozemeijer 2003). As a result, the institutional support base for CBNRM is relatively weak, yet field experience in Botswana has shown that in order for communities to develop strong and effective resource management institutions, they need considerable support and facilitation over an extended period of time (Rozemeijer and Van der Jagt 2001).

Implementation has tended to focus on mobilising local communities to form trusts so that they can gain quotas from the wildlife department and enter into joint venture agreements for trophy hunting or photographic tourism with the private sector. Once the trust has been formed most external support focuses on assisting the trust to secure a joint venture agreement. Neither the wildlife department nor many of the NGOs have had the capacity to provide longer term facilitation that supports community institution building. Arntzen *et al* (2003) found that the withdrawal of external donor-funded support from trusts that were not yet mature enough to sustain themselves caused considerable problems in these trusts. Although the main focus of CBNRM implementation is on wildlife, a number of trusts have formed around the management of other resources such as veld products.

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<sup>6</sup> Parts of this section are drawn from Jones and Murphree (In press).

Since the first community in Botswana formed a trust and was awarded a quota by the Department of Wildlife and National Parks (DWNP) in 1993, 10 years later by 2003 there had been considerable growth. A total of 46 Community-based organisations (CBOs) have registered constitutions and are managing natural resources in different ways (Rozemeijer 2003). These CBOs cover 100 villages and 14 CBOs have signed Joint Venture Agreements with the private sector. These agreements generated P 9 million (about US\$1.6 million) in total income for the CBOs and provided employment for nearly 500 people. About 50% of commercial hunting now takes place in community designated areas with 100% of the concession and quota fees accruing to CBOs. This contrasts with the situation in 1989 when very little management took place in the Wildlife Management Areas, largely uncontrolled citizen hunting was taking place and the state controlled commercial hunting (Rozemeijer 2003).

### *Institutions*

Arntzen *et al* (2003) found that the performance of the 46 CBOs varied and was mainly determined by their capacity, which in turn depended upon several factors: their stage of development; the quality and quantity of the resource base; if they generated income; mechanisms for equitable benefit sharing; availability of support; and the effectiveness of management structures. Generally the CBOs assessed by Arntzen *et al* only partially met their long term objectives. Among the main accomplishments of CBOs are:

- Some have developed successful tourism enterprises
- Some are having positive socio-economic and environmental impacts
- Skills development in a number of different areas has taken place for community members
- A significant number have developed management plans
- CBOs have participated in national policy dialogue and have played an active part in lobbying on key issues affecting their interests

Arntzen *et al* identify a number of weaknesses among CBOs including:

- Problems at the staffing and operational level. Few employ managers and most experience problems in effectively implementing their activities.
- A lack of accountable decision-making. “Although some CBOs demonstrate a participatory management style and membership is involved in decision-making, the majority of CBOs show serious deficiencies in this area” (Arntzen *et al* 2003:18).
- Benefit distribution: The fact that few CBOs distribute income at household level means that the most vulnerable groups often do not benefit.
- Sustainability: With the withdrawal of external support CBOs have tended to either under-perform or collapse.

An important observation is that some of the older-established CBOs performed worse while more recently-established ones became successful. “The inconsistent performance of older and more recently established CBOs shows that organisational capacity changes over the life-time of organisations, and is determined by the ability of organisations to effectively respond to the

challenges they meet in both their internal and external environment” Arntzen *et al* (2003:15). There is indeed a growing realisation that CBNRM needs to be evaluated against a number of indicators of resilience over time rather than simply against the particular outputs of a project or CBO at any given period in its evolution (e.g. Jones 2003c).

Botswana also has a mixed performance in the NGO sector. The main problem is a lack of capacity due to insufficient staff, poorly qualified and inexperienced personnel, and insufficient funding. Government institutions suffer from similar problems and are often not clear about their roles and responsibilities in implementing CBNRM. However, the DWNP has created a Community Services Division which specifically focuses on CBNRM. Despite these problems, in general, Arntzen *et al* (2003) found that the capacity of CBNRM support organisations, including government departments, NGOs and donors has improved over the years and is having some positive effects on CBNRM in Botswana.

#### *Socio-economic impacts*

Arntzen *et al* (2003) found that financial revenues from CBNRM in Botswana had risen substantially, particularly for the wildlife-based trusts involved in joint venture agreements. Assuming that trusts generate an additional 25%, the average financial benefit per resident would be around P 1,050 (about US\$190) a year. In areas of the remote north west of Botswana average household income is estimated at around US\$52 a month and the Poverty Datum Line (PDL) for a family of seven at US\$202 (Arntzen 2003). In one CBNRM area in north-western Botswana, the wildlife income from trophy hunting divided per household per month amounts to around 87% of the estimated average household income or 23% of the estimated PDL. Arntzen (2003:26) concludes that such revenue is “highly significant in proportion to local incomes and needs.” Evidence cited in the study by Arntzen *et al* (2003) suggests that when small amounts of income are distributed to household level, they are highly appreciated and help to develop a sense of belonging to the trust.

Other uses of community income by CBOs have included (Arntzen *et al* 2003):

- Building community assets such a community hall and toilets
- Banking part of the income in order to build up financial assets and gnerate interest
- Training and scholarships for community members

Total employment from CBNRM is estimated at around 1,200 to 1,500 and again, it should be pointed out that most of these jobs are for people in remote areas where only a few jobs are available.

Other material benefits to community members include access to game meat and skins and improved access to other services and markets. Arntzen *et al* (2003) identify a wide range of intangible benefits from CBNRM of which the most significant are:

- Development of representative village institutions that can be used for other development activities
- Local empowerment, pride and self-confidence and reduced dependency on

government

- Development of skills and increased accountability
- Retaining educated and productive youth in rural areas

The poorest members of some communities - the Basarwa - have sometimes been disadvantaged by the CBNRM approach. The allocation of unified wildlife quotas to a community body has often meant that the Basarwa, who held Special Game Licences for subsistence hunting, were deprived of these licences. This is despite a provision in the government directive on community hunting and tourism activities that the community should demonstrate that the needs of Special Game Licence holders are being met.

#### *Environmental impact*

National wildlife population levels and trends from 1987 show that most species have remained stable, while steenbok, impala and elephant numbers have increased by up to 5%. Numbers of some water dependent species have declined probably because of the contracting of the water in the Okavango Delta, and burning of papyrus. CBOs, private sector companies and government personnel agree that poaching is low in CBNRM areas and seems to be decreasing, although there is no conclusive quantitative data to prove this. Figures for Ngamiland do show that poaching mostly takes place outside CBNRM areas (Arntzen *et al* 2003).

### **11.2 Malawi**

In 2001, the National Council for the Environment's CBNRM Working Group outlined a detailed Strategy and Action Plan to facilitate implementation of CBNRM in Malawi over the next few years. The goal and main objective for CBNRM in Malawi were defined as:

- Goal:** Responsible management and utilization of natural resources that maintain ecosystem functions and contribute to improved livelihoods.
- Objective:** Strengthened institutional capacity for sustainable management of natural resources founded on legitimacy and the participation of all resource users.

The main strategic actions to achieve the objective are:

- 1) Develop a commonly understood CBNRM concept and vision that we hope to accomplish through increased public awareness of the opportunities for engaging in CBNRM.
- 2) Maintain a dynamic policy reform process that engages Civil Society in discussions on possible improvements to existing policies and legislation.
- 3) Develop coordinated CBNRM sectoral strategies and action plans that will facilitate rural communities entering into a dialog with the State and Local Authorities and assist the parties to establish co-management agreements.
- 4) Develop planning and implementation tools that will help rural communities become involved in CBNRM activities right from the planning stage and will fast-track implementation in accordance with District development plans.

- 5) Provide strategic support to coordinated CBNRM implementation that will strive to establish synergy across the natural resource sectors enabling rural communities to become efficient and effective managers of their natural resources.
- 6) Invest in monitoring and evaluation that will enable all stakeholders from Civil Society to Central Government assess the performance and impact of CBNRM policies and implementation activities thereby allowing them to build on successes and address any shortcomings in a timely fashion.

CBNRM implementation in Malawi has focused mainly on local management of forest and fisheries resources. The main thrust of implementation has been to support local groups to find ways to better manage their fish or forestry resources due to growing scarcity. Interventions have included supporting the development of local institutions for controlling use of resources and developing sustainable harvesting technologies and techniques. With forestry and fisheries there is much more scope to develop active local management regimes, partly because people depend heavily upon these resources for their livelihoods and wildlife has largely disappeared from the communal lands of Malawi. In the forestry sector, some co-management plans and agreements have been signed for a small number of gazetted forests (including the Chimaliro and Liwonde Forest Reserves). However, even on customary land, some forests are still being controlled by government which also still controls all timber, the most valuable forest resource. An EU project has established 14 community forest management groups for managing forest products on customary land.

CBNRM approaches to fisheries management appear to have the most success. At Lake Malombe in 1993, fishermen began to work together to address a decline in the fish resource and with the assistance of government began to develop and enforce their own management rules. As a result of the success at Lake Malombe, other fishing groups have taken similar initiatives. Under new policy approaches, communities have established beach village committees (BVCs) which are enforcing locally made rules for fishing. The BVCs establish mesh size limits, control night fishing and declare closed seasons for certain areas. In order to make up for lost income and food as a result of the new restrictions, many fishing families have been assisted to take up farming. The COMPASS project has assisted the Fisheries Department and the Association of more than 50 Beach Village Committees on Lake Chilwa to develop fishing regulations and bylaws as part of the Department's Participatory Fisheries management policy.

With regard to wildlife, the main focus of implementation has been on linking local residents with protected areas, rather than on the management of natural resources on communal lands themselves. Implementation is focused on the development of a community outreach and co-management approach to improve relationships between protected areas and neighbouring communities, to give neighbours a greater economic stake in protected areas and to reduce the level of illegal use of resources in protected areas (Jones, M. 2003). The co-management approach focuses on villages neighbouring protected areas. Three communities in and around Lake Malawi National Park have developed their constitutions and are registering under the Trusts Act. Another six around

Mwabvi in the Lower Shire have done the same and several others around Lengwe are in the process. In the Northern Region, the Nyika-Vwaza Association has registered as a trust. However, the Department of National Parks and Wildlife has been slow to sign any agreements with the community trusts. Activities with communities around Lake Malawi National Park focus on providing economic alternatives to using park natural resources. Residents are encouraged to rear guinea fowl, keep rabbits, plant trees, process fruit into jam and grow vegetables.

Despite the very positive policy changes that have taken place in Malawi promoting community involvement in natural resource management, implementation of these policies has tended to lag behind. Kayambazinthu (2000) concluded that only a few CBNRM activities “have adequately contributed to enhancing the capacity of village level organisations, local communities and district level institutions to plan, implement and manage on their own. There has been too much emphasis on the technical aspects of natural resource development (e.g. indigenous forest management, tree planting etc.) rather than the socio-economic aspects (e.g. community needs, community organisation, etc.) such that communities have realised little benefit on a sustainable and self-reliant basis.” Kambazinthu also suggests that many communities have become dependent on government and NGOs and that often CBNRM activities have resulted in a shift of power from one level of authority and control to another, rather than empowering the communities.

Analysing the benefits that have accrued to communities through CBNRM approaches is complicated by the different approaches and systems that exist to involve communities across different sectors and even within sectors. Under co-management arrangements for state forest resources, 70% of revenue goes to the government and 30% to the community. But under co-management arrangements for customary land, the community retains 80% and the government 20% (Kambazinthu 2000). In one co-management arrangement for the Chimaliro Forest Reserve, the community appreciated gaining access to resources in the reserve, such as thatching grass, mushrooms, rope, caterpillars etc. However, they could not understand how the revenue sharing proportions were arrived at. By contrast in the community of Mangweru on customary land, government had not taken its 20% share of revenue from the sale of poles, firewood and timber. The community income was used towards the rehabilitation of a church, a school and villagers' houses, as well as the construction of bridges (Kambazinthu 2000).

Jones, M. (2003) highlights some of the problems encountered in the community outreach programme developed for the Nyika National Park and the Vwaza Marsh Wildlife Reserve. This programme had three main components: allowing neighbouring villagers to keep beehives in the reserves and allowing resource harvest groups to collect other forest resources; sharing park revenue from tourists fees and sale of game through a special fund; and the development of a border zone around the parks in order to increase the flow of benefits from the protected areas as an incentive for the collaboration of villagers in maintaining the parks. One major problem was that the implementers of the Border Zone project distributed handouts in the form of

social infrastructure and food aid without regard for the need to link development with conservation in order to provide an incentives framework. Resource harvest groups were allowed to collect resources before their responsibilities were agreed with the park management and before harvesting quotas could be determined and allocated. Further, the border zone was defined by rapid rural appraisal and a desk study without extensive discussions between park management staff and villagers (Jones, M 2003). Some revenue has been generated from the parks including about US\$22,000 from the sale of game (Kambazinthu 2000) but Jones M. (2003) suggests that the large numbers of people in the border zone make it difficult to ensure that the benefits that accrue are sufficient incentive for villagers to support the protected areas.

In the Northern Region, the Nyika-Vwaza Association has registered as a trust. Despite this significant progress on the part of the communities, the Department of National Parks and Wildlife has still not signed any co-management agreements with community organizations other than a weak agreement with Lake Malawi National Park's Chembe Trust – and even this has not been implemented.

Since early 2000, the USAID-funded Community Partnerships for Sustainable Resource Management Project (COMPASS) awarded 55 small grants totaling \$662,652 to support CBNRM activities in Malawi (COMPASS 2003). The COMPASS grants funded the following types of activities: reforestation/afforestation (11), public awareness (7), fish ponds (6), fruit tree nurseries (3), alternative energy (3), bee-keeping (3), capacity building (3), sustainable agriculture (2), eco-tourism (2), wildlife domestication (1), wildlife management (1), wildlife extension (1), medicinal herb production (2), forestry (1), co-management (3), and multiple/cross-cutting activities (6). The majority of these grants were awarded to community-based organizations (34) and non-governmental organizations (14). Government Departments received 5 and private enterprises received 2.

The total value of all COMPASS benefits for the period 2000 to mid-2003 is estimated at US\$279,782. In addition, the project is expected to generate additional annual benefits worth US\$231,348 for at least 3 to 6 more years, based on the expected life-span of existing productive assets. Fuelwood savings from improved stoves account for over half (62%) of project benefits. Village woodlots, orchards, and reforestation efforts together account for 27%. These are categorized as “other benefits” because they are current savings, or future benefits for which it is unknown what portion will be sold or consumed.

A CBNRM component is being implemented as part of the Sustainable Management of Indigenous Forest project under the Southern Africa Development Community (SADC) which started in October 1996 (Mauembeta 1999). The project is funded by the German Agency for Technical Corporation (GTZ) and co-ordinated by the SADC-Forestry Sector Technical Coordination Unit (SADC-FSTCU). The Wildlife Society of Malawi (WSM) is the Implementing Agency for the project in collaboration with the Department of Forestry of the Ministry of Forestry, Fisheries, and Environmental Affairs. The project is located in Mwanza District, in the Southern Region of Malawi.



Project activities include promotion of tree planting and management, conducting applied research on non-timber forest products (NTFPs), and assisting communities in developing by-laws, land-use plans and forest management plans. Ten village forest areas have been established/reserved comprising almost 24 ha. Off-farm activities are encouraged for generating household income and supplementary food sources. Some of these include:

- *Bee-keeping*: In 1999 there were 22 bee-keeping clubs with a total of 70 beehives. An individual bee hive could produce up to 20 kg of honey up to three harvests a year yielding US\$40 per hive per harvest (Mauembeta 1999).
- *Guinea fowl rearing*: In 1999 there were 25 guinea fowl rearing clubs keeping over 700 birds. Communities sold eggs and birds worth US\$900 (Mauembeta 1999).
- *Indigenous fruit processing*: The fruit from *Adansonia digitata* and *Tamarindus indica*, in particular have been processed into fruit juices which were sold commercially raising US\$1,200 in 1998 (Mauembeta 1999).
- *Bamboo furniture making*: Communities were trained in furniture-making, using fast-growing bamboos and creepers.
- *Fire briquette making*: Women in particular were being trained in this activity, as an alternative to fire wood utilisation and as an income-generating activity.

The project reported that increased areas of land were being set aside for forest areas, decreased illegal charcoal production, establishment of an institutional structure for resource management, and a more responsible attitude to tree cutting (Mauambeta 1999).

### **11.3 Mozambique**

CBNRM in Mozambique is being implemented against the background of a country emerging from two decades of war and the effects of centrally planned economic and political strategies. According to Anstey (2001), the country's colonial heritage, the revolutionary heritage and the current transformation to a market economy have not provided Mozambique with a strong state or administration at either the central or local levels. He suggests that the paradox of CBNRM in Mozambique is that elsewhere in Africa "a strong state has proved to be a critical prerequisite for the decentralisation and devolution required to empower local community institutions to manage and benefit from natural resources" (Anstey 2001: 76). The absence of a strong state and the presence of many donor agencies has led to a variety of implementation approaches to CBNRM in Mozambique. CBNRM is mainly based on forestry rather than wildlife resources. Nhantumbo, Chonguica and Anstey (2003) identify four main forms of implementation of CBNRM projects:

- Participatory approaches through large scale donor project implementation with externally imposed agendas such as gender principles, with an emphasis on resource rights and collaborative management by interest groups and some enterprise development
- Participatory approaches through partnerships between various organisations, relatively small investment, devolution in a hierarchy of nested institutions, land delimitation and partnerships with the private sector
- Participatory process for acquisition of land rights with relatively small investments, without initial strategy for resource use
- Government led implementation with a focus on community policing of resource use, but no clear strategy for resource use by communities

Some communities supported by NGOs or government and donor agencies are exploring the development of business agreements with the private sector. On Bazaruto Island, a long-running project has promoted the sharing of income from a US\$10 levy collected by the private sector. Half the amount goes to the local community and half to a fund for the marine park.

A degree of cooperation and information exchange is promoted by the holding of a national CBNRM conference by the Directorate of Forestry and Wildlife every two years.

Few aggregate data exist concerning the performance of CBNRM in Mozambique. Nhantumbo, Chonguica and Anstey (2003) refer to 61 individual CBNRM initiatives. Most of these activities focus on forest resources and because the government has retained control over most productive forests, the potential for income generation for local communities is low. However, income from and use of forest products is likely to positively impact households directly. With regard to wildlife, the main opportunities for income generation come from trophy hunting and photographic tourism. However, here communities are competing with government and the private sector for control over opportunities. Further, markets for other uses of wildlife, such as live sale of game have yet to develop.

In general, Nhantumbo, Chonguica and Anstey (2003) conclude that the main contribution of CBNRM in Mozambique has been in terms of resource conservation and the development of community institutions. The benefits to communities from CBNRM so far have been intangible such as land certificates, training, and the development of institutions. “So far the CBNRM projects have not demonstrated significant contribution to the ‘pocket of the citizen’, hence there is no clear indication of the change in the standard of living of the household as an independent entity” (Nhantumbo, Chonguica and Anstey 2003:11). One problem is that most CBNRM initiatives overlook the lack of infrastructure, the remoteness from markets and the likely costs of products reaching markets.

Some results have been documented from the pioneering Tchuma Tchato project operating in the Zambezi Valley in Tete Province. Jones (2002) reported that the project appeared to be contributing to a decline in poaching and a general upwards trend in wildlife numbers. Between 1996 and 2001, the project had generated US\$76,308 for local communities. This income was being spent on community services such as grinding mills, village shops, upgrading of school facilities, building of clinics etc. Given the extremely low incomes and amounts of cash in this impoverished area, these benefits had considerable impact (the revenue from trophy hunting in 2002 was higher than the budget of the administration of the district of Magoe where the project was taking place).

#### **11.4 Namibia**

CBNRM is implemented in Namibia as a national programme, with a spread across different regions of the country and involves various stakeholders, such as government, NGOs and the private sector tend to coordinate between themselves on a national level. The emergence of a national programme with stakeholders working towards a common goal in a structured manner helped to provide coordination and cooperation between institutional actors with different agendas and interests. Specialist support to local communities is provided through NGOs and national programme working groups that deal with enterprise development, institutional development, natural resource monitoring and strategic planning.

The initial focus of CBNRM implementation was on communities with high value wildlife and tourism resources, but attention is increasingly being given to communities who wish to establish management regimes over other resources or integrate resource management at the local level. Support is provided for communities to establish a conservancy in accordance with legislation, to develop the conservancy as an institution and to engage in partnerships with the private sector for trophy hunting and photographic tourism.

In January 2004 there were 29 communal area conservancies in Namibia covering just over 7 million hectares of land (LIFE 2003). This is an increase from four conservancies in 1998 covering an area of 1,682,100 ha. An additional 30 conservancies are being formed. This represents significant growth in a period of five years given that forming a conservancy can be a lengthy and time consuming process (particularly negotiating boundaries with neighbours and registering members).

Significantly a number of communities that do not have much potential to generate income from wildlife and tourism have formed conservancies. Although in some cases there might be unrealistic expectations concerning income generation, in others other motives appear to be important. Residents seem to believe that conservancies can provide useful institutional arrangements for managing other resources such as grazing and for gaining a stronger claim over their land.

### *Institutions*

As with CBOs in Botswana, the performance of conservancies as institutions in Namibia is mixed. Generally, the older conservancies are performing better because they have benefited from considerable capacity building, financial support and fairly intensive facilitation from NGOs. A recent evaluation of CBNRM activities in Caprivi in north eastern Namibia considered the performance of five registered conservancies (Bond *et al* 2004). The evaluation found that the conservancies were managing their own affairs (with varying quality) in the following ways:

- All committees are meeting regularly (although it was not known if they all kept minutes and feedback to villages needed improving).
- Three conservancies were managing grants from NGOs.
- Five conservancies were managing hunting contracts.
- Four conservancies were managing their own game guards and community resource monitors and IRDNC is in the process of transferring this function to one other.
- All were holding AGMs which were improving year by year in effectiveness.
- A wildlife monitoring system was in place and being implemented under supervision of committees.
- Committees were holding meetings with joint venture partners.
- Four committees were managing their own campsites.
- Conservancy committees had hosted four exchange visits, devising the programme for their guests and making their own local arrangements.

Concerns have been raised about the accountability of conservancy committees to members (Child *et al* 2001, WILD In Press). Conservancies tend to be accountable upwards to government from where they derive their rights over wildlife and to NGOs from where they gain financial and other support. Communications with members is often difficult either because of large distances (in the northwest) or because of large numbers of members (the north and northeast). Efforts are being made by CBNRM implementers to ensure that conservancy committees become more accountable to their members partly through the establishment of smaller units of decision-making within conservancies.

### *Socio-economic benefits*

Since communal area conservancies began to be registered by government in 1998, total direct income and benefits to conservancies and community members has risen to N\$14,606,431<sup>7</sup> or US\$1,763,976. The highest earning conservancy is Nyae Nyae Conservancy with an income of N\$865,079 (US\$104,473). In late 2003 there were four conservancies that had become financially independent, i.e. they can pay all of their staff salaries, vehicle

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<sup>7</sup> Based upon an average exchange rate of N\$8,2804 to US\$ 1.

operating costs, and infrastructure maintenance costs, while also distributing benefits to conservancy members (LIFE 2003). Seven more conservancies were expected to be in this position by end of 2004.

Conservancies derive a variety of benefits from CBNRM in Namibia. The 2003 benefits and income was as follows (LIFE 2002):

• Community-Based Tourism Enterprises/Campsites:	N\$5,055,512	35%
• Trophy Hunting & Meat:	N\$2,999,450	21%
• Joint Venture Tourism:	N\$3,901,627	27%
• Thatching Grass Sales:	N\$1,054,006	10%
• Game Donations (value):	N\$ 271,800	2%
• Craft Sales:	N\$ 640,522	4%
• Own-Use Meat (value):	N\$ 196,834	1%
• Interest Earned:	N\$ 181,353	1%
• Live Sale of Game:	N\$ 211,749	1%
• Miscellaneous (films, etc.):	N\$ 118,000	1%

CBNRM enterprises have resulted in the employment of 542 full-time and 2,933 part-time jobs (LIFE 2003). The diversification of income generating activities is important for conservancies because of a number of uncertainties, environmental, economic and political that they face. For example, for several years, until early 2002, tourism in the Caprivi Region in north east Namibia had come to a halt because of political unrest and the spilling over of the southern Angolan civil war into Namibia. While income from photographic tourism disappeared, trophy hunting continued so that conservancies still has a basic level of income.

Torra conservancy in northwest Namibia, provides benefits to members from a number of different activities. It has a diversified portfolio of wildlife utilisation activities that includes trophy hunting, live sale of game and culling for meat. It has a joint venture agreement for an upmarket lodge and is planning to develop its own mid-market lodge. Torra has a small number of residents, only 120 households, within an area of around 352,200 ha. In late 2002 the conservancy distributed a dividend of N\$630 (US\$63) to members, the first such household distribution the conservancy has made. It is the first conservancy to become almost fully responsible for all its own costs (start up costs for most communal area conservancies are provided by NGOs and international donors). It has a number of income generating activities including a successful joint venture agreement with a reputable southern African photographic tourism company, to operate an upmarket tourism lodge.

For some time it seemed as if few conservancies were willing to distribute income at household level. However, more recently during 2003 four different approaches to supporting households seem to have emerged (WILD 2004):

- Individual, equal cash payouts to registered members (Nyae Nyae Conservancy N620 to each of 770 members and Torra Conservancy

N\$630 to each member) where the number of members is relatively small and the revenue considerable.

- A conservancy “social fund” where members can request finances on a needs basis (Marienfluss and Purros conservancies).
- Payouts on a village base (Salambala Conservancy and the West Caprivi trust) where numbers of members are large and revenues modest in relation to numbers of members.
- Expenditure on social services such as support to schools and old age pensioners. In addition to its pay out to members, Torra Conservancy has distributed N\$20,000 for a school fence, N\$10,000 for a community kindergarten and N\$5,000 for a photocopy machine purchase and repairs. In addition, members over 60 years old were given a blanket and other items (men – socks, wallets and hats and women handbags and scarves) as a Christmas gift.

The amounts earned by the conservancy and the household dividend appear small in US dollar terms. Their significance becomes clear when one considers that the average income of subsistence farming households in Namibia is estimated at US\$700 a year and for the poorest 20% of households around US\$200 a year (Ashley and Barnes 1996).

#### *Environmental Impact<sup>8</sup>*

The development of conservancies has contributed to the maintenance of wild habitat and has helped to promote wildlife and tourism as legitimate land uses. Most of the registered conservancies have zoned specific areas of their conservancies as dedicated wildlife management areas in which trophy hunting and/or tourism is being promoted. This zoning precludes the use of these wildlife areas for settlement and cropping and, in many cases, for livestock. There are increasing demands for wildlife to be re-introduced on to communal lands. Since 1999, more than 2,500 mixed plains game animals have been re-introduced into six communal conservancies. CBNRM is contributing to a recovery of wildlife populations across large parts of northern Namibia, in particular the north-west. In particular, the population growth of such endangered species as black rhino and Hartmann’s zebra are well documented in north west Namibia, while elephant ranges are expanding in both the north west and north east. Figure 1 shows population trends of four species on communal land in northwest Namibia.

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<sup>8</sup> Based largely on Jones and Weaver 2003.

## WILDLIFE POPULATION TRENDS IN NORTH-WEST NAMIBIA

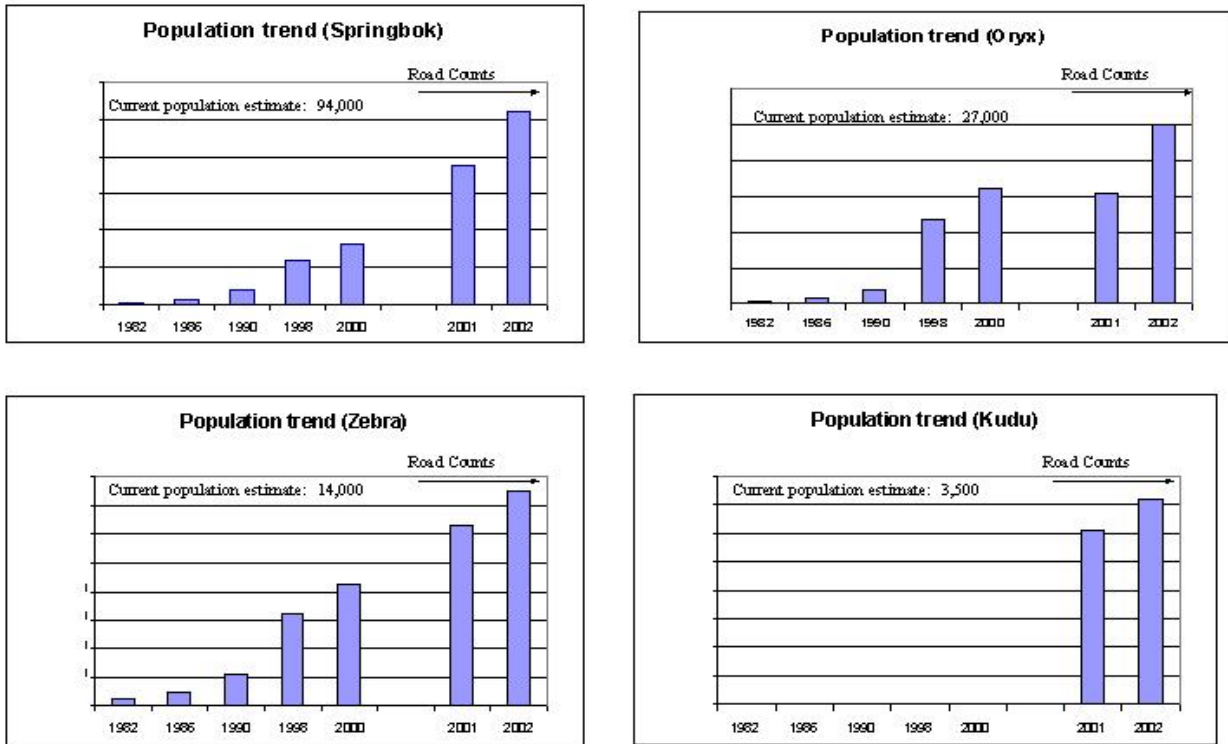


Figure 1. Growth trends (1982-2002) for springbok, oryx, Hartmann’s zebra, and kudu in north-western Namibian registered and emerging conservancies.

Source: LIFE Project Semi-annual Report April 01 – September 30, 2002.

### 11.5 Zambia

Two main programmes in Zambia have aimed at involving local communities in wildlife conservation. The ADMADE programme was initiated in the mid 1980s and is managed by the government with strong facilitation provided by the Nyamalunga Training Institute which is funded by the Wildlife Conservation Society of the United States. It was intended to be a National programme but has focused mainly on GMAs in the Luangwa Valley, around Kafue National park and in the lower Zambezi Valley. It is based on revenue sharing according to a formula set by government policy. The main strength of the programme with regards to implementation has been in law enforcement through Village Scouts and the development of a wildlife monitoring programme.

The Luangwa Integrated Rural Development Project (LIRD) was initiated in the Lupande GMA in the Luangwa Valley in 1988. The initial CBNRM design was similar to ADMADE and was implemented through six chiefs, with few benefits reaching ordinary local people. The aim of linking wildlife revenues with integrated rural development that included roads, water, credit, agricultural

research, etc., was generally unsuccessful. The project was changed in 1996 to focus on wildlife and to introduce a greater share of income to communities and village level decision-making.

A number of other broad based CBNRM projects have been developed in Zambia which focus on income generation from low value, household level resources such as honey, charcoal and agribusiness. In Western Province the Ministry of Environment and Natural Resources established a project under the Environmental Support Programme which focused on sustainable management of a variety of natural resources through Village Natural Resources Committees. A major CBNRM activity is the Community-Based Natural Resource Management and Sustainable Agriculture (CONASA) Project funded by USAID.

In the past there was no overall coordinating mechanism for CBNRM in Zambia although there are now some emerging forums. CBNRM support agencies are working more closely together and discussing ways of formalising their relationships at the national level. Practitioners are also working towards the establishment of a CBO Association to represent the interests of communities. Groups of Community Resource Boards in the same geographical area are starting to co-operate and some national level meetings have been held bringing all stakeholders together.

#### *LIRD*

Child (2003) suggests that LIRD (funded by NORAD) began to be most effective after it was restructured in 1996 and it was agreed that 80% of revenues would accrue to the 45 democratically elected Village Action Groups (VAGs) instead of to larger social units at Area level under the chiefs. As a result of the changes, Child (2003) documents the following changes:

- All 45 VAGs meet regularly, and account to the entire community, making this one of the few areas in Zambia with sub-district governance structures.
- Communities have embarked on a land use planning exercise to facilitate economic growth and funding.
- At village level, only 0.8% of the money was misused compared to 40% at Area level where there was significant involvement of traditional chiefs.
- In four years, VAGs constructed over 150 projects, compared to about ten in the earlier (seven year) project phase. This included 16 teacher's houses, 35 school renovations/construction, 14 clinics/health posts, over 100 wells by 26 VAGs, and 60 other projects including employment of teachers, food relief, shops, electric fences, etc.
- After four years, community appreciation of wildlife led to a reduction in poaching and employment of 76 community scouts, with the proportion of revenue allocated to wildlife management increasing with time: 1996 (0%), 1997 (1.4%), 1998 (4.4%), 1999 (13.3%).
- A comparison of attitudinal surveys shows that in the early 1990s, 88.2% of the community did not support safari hunting, whereas by the late 1990s, over 90% of people supported the programme. Similar surveys also show that people neither benefited nor understood the programme in the pre-1996



phase, whereas after 1996 20,500 people got cash each year and a large number of projects were also built.

Under the LIRDP, the VAGs share annual wildlife revenue of around US\$250,000.

#### *ADMADE*

The ADMADE programme was intended as a national approach, but did not spread to many GMAs throughout the country. In its area of focus in the Lunagwa valley, ADMADE initially made good progress, but its potential to expand and make significant impacts has always been constrained by its revenue sharing approach and reliance on trophy hunting without diversification into other wildlife uses.

Child (2003) suggests that although the ADMADE revolving fund was supposed to provide 35% of hunting income for community projects, less than half of this was actually paid out. "Thus communities ultimately got only 17.5% of revenues. Given the fact that fully three-quarters of the quota was under-utilized commercially because it was parcelled out cheaply (sometimes through political hands in Lusaka), and that many projects disproportionately benefited the chiefs, communities received less than 4% of the potential wildlife revenues" (Child 2003 7:8).

Despite the constraints on producing local benefits, ADMADE did manage to go some way towards controlling poaching, through the Village Scouts. But, although these were appointed locally, they were effectively working under the wildlife department. Initially, through ADMADE, a number of useful projects were built, but chiefs dominated decision-making and little benefit reached households (Gibson 1999).

The ADMADE programme was essentially suspended in early 2001 when the Zambian Government stopped the awarding of hunting concessions because of political interference. This *de facto* ban on hunting meant that for two years there was no income generated for the communities. In addition, many village scouts employed under ADMADE were laid off. This undermined community confidence in the system and emphasised that control over wildlife rested with government rather than the communities themselves.

Despite these problems, there appears to be strong demand by communities to establish CRBs. By October 2003 there were 57 with another 10 applying to ZAWA for recognition. The CRBs appear to provide a foundation for developing a new form of CBNRM in Zambia that moves beyond the original ADMADE concept although much will depend upon whether government retains revenue sharing as a central principle. Officials recognise that the current low levels of income to many GMAs is not a sufficient incentive for people to reduce poaching, but point out that ZAWA cannot survive without its share of the hunting revenue.

#### *CBNRM in other sectors:*

According to Child (2003) CBNRM in the forestry sector is in its infancy, with few working examples and several problems:

- Pilot programmes were initiated in depleted areas with limited economic potential (e.g. Joint Forest Management through the Provincial Forestry Action Programme).
- There are examples of working and certified community programmes being closed down and replaced by large timber extraction companies.
- There are few technical and economic models to guide the sector, even within the region. Professional technical capacity has not been adequately developed or has been lost from the sector.
- The Forest Department reversed a proposed 80:20 share to communities, effectively killing any incentives for serious community participation.

#### CONASA

The Community-Based Natural Resource Management and Sustainable Agriculture (CONASA) project works with five Community Resource Boards (CRBs) in three GMAs. They have 11,114 direct beneficiaries and 57,258 indirect beneficiaries (CONASA 2003). The project, as with LIRD, has focused on lower levels than the area-based CRBs and supported the development of community-based organisations responsible for the day-to-day running of community activities such as village area groups and village management committees. While these CBOs focus on governance issues, CONASA has also supported the development of “commodity groups” that form small businesses such as making and selling curios, beekeeping or contract farming.

The project aims at improved agriculture, increased natural resources production and enterprise and market development. Four crops (maize, sunflower, paprika and vegetables) were promoted for commercial production. More than 450 households participated in the growing of sunflower and maize for income generation and the estimated value of the maize production was approx. US\$47,000. The value of sunflower production was approx. US\$9,700. More than 200 households participated in growing cowpeas for food security and close to 10 mt were produced at a value of approx. US\$7,000. More than 13 tons of maize seed valued at approx. US\$2,000 was produced. New agricultural technologies were introduced which resulted in an increase in crop yields, a reduction in the use of fertilisers.

There has been increased awareness of the need for wildlife conservation with a growing number of confiscated/surrendered snares, guns and ammunition between 2001 and 2003. The project reports increased sightings of wildlife as a result of the reduction of threats to game animals. Some poachers have turned to vegetable farming as a new way of making a living. Enterprise and market development has included the development of seven sunflower commodity groups, a sunflower processing enterprise and the construction of a camp site for tourists. Craft producers have been linked to markets and they have sold crafts worth US\$725.

CONASA has also supported or engaged in a number of policy review initiatives and building the advocacy capacity of CBOs.

## 11.6 Zimbabwe<sup>9</sup>

CAMPFIRE was designed by the Department of National Parks and Wild Life Management in the mid-1980s, and was initially implemented with limited funding by creating a partnership with three NGOs and the Ministry of Local Government. This grouping – the CAMPFIRE Collaborative Group – provided the direction for the programme and enabled a cohesive approach to implementation. Early on in the evolution of the programme, the CAMPFIRE Association was created to represent wildlife producer communities. Because rights over wildlife were devolved only as far as Rural District Councils, the Association represented those councils with Appropriate Authority over wildlife. The collaborative group in 1991 passed the leadership of the programme to the Association with the intention of building its capacity as the legitimate representation of its rural constituency. Although the programme started with a focus on wildlife, and particularly trophy hunting, attempts have been made to diversify into photographic tourism and other resources such as veld products.

### *Institutions*

Zimbabwe policy and legislation devolve rights over wildlife to the Rural District Councils (RDCs), which are government bodies. Although the original CAMPFIRE guidelines encouraged RDCs to devolve down to lower levels, this has not often happened. Where such devolution has taken place, the implementing institutions are Ward Wildlife Committees. The wards are predetermined administrative units below the district level and consist usually of several villages. An evaluation carried out by Child *et al* (2003) of USAID support to CAMPFIRE found that even despite the constraining political and economic circumstances in Zimbabwe a number of councils and Ward Wildlife Committees were still functioning effectively. Wildlife numbers and hunting revenues were being recorded and income distributed at local level. However, wildlife management in most CAMPFIRE Districts still remains centralised at the council level.

In order to promote further devolution with CAMPFIRE, implementers have tried to encourage the formation of community trusts, mainly to oversee specific local activities such as community based tourism enterprises. The trusts are able to gain land leases from RDCs which place them in a strong position in terms of providing group rights over land and resources. However, only a few were functioning effectively and none had been established for very long at the time of the evaluation by Child *et al*. For the trust approach to be successful, the trusts need more capacity and support in developing appropriate accountable and transparent relationships between the trustees and the community members. Ultimately, however, trust formation still depends upon the willingness of councils to allow communities to take on increased management responsibility.

Child *et al* (2003) also found that the debate about further devolution within CAMPFIRE was still alive and was still lively. In many respects there are strong

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<sup>9</sup> Based mainly on Child *et al* 2003.

reasons for councils to hold to power. They receive the rights over wildlife through legislation and the exploitation of wildlife brings much needed revenue to RDCs particularly at a time when central government funding for RDCs has been cut to almost nothing. Despite the tendency of RDCs to hang on to power, there are some positive signs that further devolution can be achieved once broader political change takes place in Zimbabwe. Despite its centralising tendency, the present government has been willing to devolve authority over water management to institutions other than RDCs and to local level institutions.

At the local level, there is a strong demand for more rights and authority over natural resources (documented by Chitsike 2000) and communities are willing to pressure RDCs to establish concrete plans and time-tables for implementing devolution (Murphree and Mazambani 2002). The establishment of community trusts adds a new dimension to the debate on devolution within the CAMPFIRE community, as local level institutions have been established outside of the existing WADCO and VIDCO structures. Trusts can act relatively autonomously of council and could potentially lease land from council.

There has also been some progress in the devolution of management responsibilities from district to lower level institutions. Generally districts have devolved quota setting to Ward level and DNPWLM has accepted that there should be local participation in quota setting. Some Wards, such as Masoka Ward in Guruve District and Mahenye Ward in Chiredzi District, have been successful in demanding greater decision-making authority from the RDCs. In Mahenye, the contract with Zimbabwe Sun for ecotourism stipulates that 80% of revenue should be passed by the RDC to the ward. One RDC, Chiredzi, has agreed that the safari operator can pay the income from safari hunting directly to sub-district institutions.

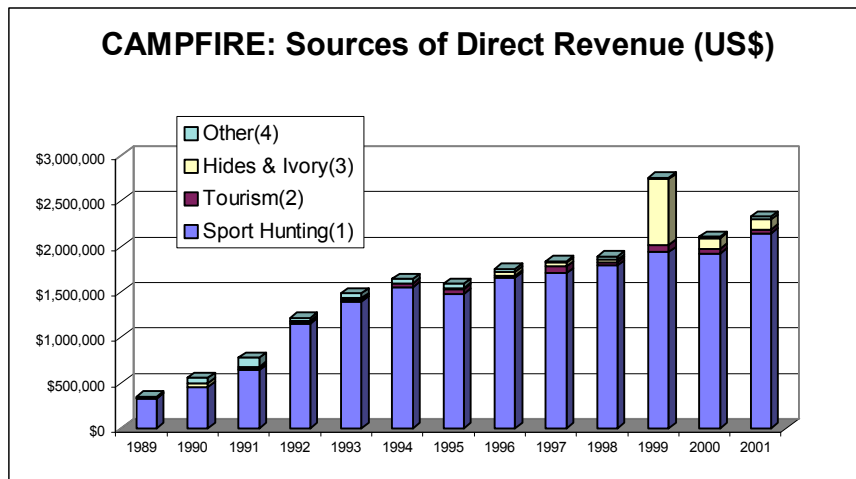
If implemented and enforced by the CAMPFIRE Association, new Revenue Guidelines should help to ensure that a) producer communities receive a fair and significant share of revenue; b) that other revenue sources are captured for distribution to producer communities and c) that management activities are decentralised to producer communities where appropriate.

#### *Socio-economic benefits*

CAMPFIRE has succeeded in increasing the value of wildlife and capturing some of this value for local communities. From 1989, the income from safari hunting increased rapidly to US\$ 2 million annually (Child *et al* (2003). In addition to direct revenues, a proportion of safari operating expenses is paid locally as wages and salaries (some US\$ 500,000 annually) and for the purchase of materials, though this is not captured in CAMPFIRE monitoring records. Figure 2 shows the main sources of CAMPFIRE revenue.

## Figure 2. Direct Income to CAMPFIRE

Source: Child *et al* 2003 based on WWF Zimbabwe data.



CAMPFIRE has delivered US\$ 20.3 million in direct income to RDCs and communities between 1989 and 2001. This derives from wildlife in some 90-110 Wards, and consistently benefits over 80,000 households or around 560,000 people (Child *et al* 2003).

Income to communities over the past three years in particular has suffered a double blow. Although trophy hunting has continued despite political and economic instability, in 2001 and 2002 safari operators generally paid for hunting at the official exchange rate of 55, compared to the parallel rate of 500 and 1,500. Communities' income was therefore less than 10% of what it should have been. Further CAMPFIRE has tried to diversify away from a reliance on trophy hunting into photographic tourism which while generating less income has an important economic multiplier effect and generates more jobs and wages. However, because of the political and economic instability, tourism to Zimbabwe has collapsed. To some extent the real value of tourism to CAMPFIRE is not clear because much of this revenue, including direct fees to RDCs, is not recorded directly as CAMPFIRE income, partly because RDCs do not want to be obliged to share it with communities.

Data on economic benefits generated by CAMPFIRE show that early in the programme RDCs appeared willing to reduce the amount of revenue they retained and increase the amount going directly to sub-district levels. By 1996 the proportion of income going to communities for use at their own discretion was 62%, with an additional 5% reaching communities but being managed by the RDC. By the year 2001, community benefits fell to only 38%, although there are exceptions such as Binga which allows communities to receive between 70% and 80% of the wildlife income.

The reluctance of RDCs to devolve income generation to lower institutions severely reduces the amount of income reaching households. Bond (2001) found that in real terms the median benefit per household from wildlife was US\$ 4.49 in 1996. In most years the financial benefit per household from wildlife revenue is low and constitutes less than 10% of gross agricultural production suggesting that in most wards wildlife is not financially viable at the household level.

#### *Environmental Impact*

CAMPFIRE protects an area of land roughly equivalent in size to Zimbabwe's Parks and Wildlife Estate taking into account land used for residential and crop growing purposes. Child *et al* (2003) suggest that this is a major indicator of the successful impact of the CAMPFIRE programme. Land under CAMPFIRE contains roughly 12,000 elephants, up from about 4,000 in 1989. The increase in elephants reflects the natural population doubling time of 13 years (elephant populations can grow cumulatively at 5-7% annually), but may also reflect movement from heavily overstocked national parks and increased protection in communal areas (Child *et al* 2003). Despite a serious drought in 1992, which resulted in buffalo die-offs in some protected areas, buffalo populations have at least maintained themselves in CAMPFIRE areas. And numbers are estimated at 14,000.

Importantly, plains game has also increased in CAMPFIRE Areas. According to Child *et al* (2003:50) "plains-game are a much more sensitive indicator of short-term changes in management, because they are easily poached, and mature more quickly with a shorter lag between increasing populations and the off take of mature trophy males. Plains game quotas have increased by 50% since 1993. This suggests a similar increase in populations, and lends credence to the anecdotal evidence that poaching is decreasing and wildlife populations increasing in CAMPFIRE areas."

Despite the rapid conversion of wild land to settlements and agriculture in much of Zimbabwe, most of the original twelve CAMPFIRE districts have been able to maintain substantial wildlife areas. In some districts this has been accomplished by designating and fencing settlement areas (e.g. Masoka, Binga); in others by fencing land to protect it from settlement (e.g. the Gokwe North wildlife corridor); and in others through tacit community support (e.g. Mahenye, Chiredzi, Bulalimangwe, Tsholotsho, Hwange). In the early 1990s, encouraged by the income from wildlife, a number of districts set aside wildlife areas or corridors. Some of these are still in operation. More recently, the communities in more highly populated areas wanting to diversify into ecotourism have also set aside small parcels of land that protect remnant habitats in otherwise highly populated areas that are under-represented by the Parks and Wildlife Estate.

## **12. Analysis of relevant assumptions and external factors that influence CBNRM success in the region**

## 12.1 Introduction

Most analyses of CBNRM tend to be inward looking in the sense that they focus on the immediate factors that affect the likelihood of success. Thus attention is focused on the capacity of government, NGOs and others to provide services for communities, on the capacity of communities to manage natural resources, on community institutions, local political dynamics and institutional conflicts, the extent to which benefits reach households, etc. Except for policy and legislation – the enabling framework – little attention has been focused on the overall context in which CBNRM operates. Yet the overall, or macro, context also sets parameters which help determine the likelihood of success or failure.

Perhaps the most attention given to the macro level occurs during the planning of donor projects. Logical frameworks and other similar planning tools usually attempt to identify the external factors or conditions that must exist if the project is to succeed, but which are outside the direct control of the project management. In terms of project planning, these external factors can then be framed as assumptions. For example, in CBNRM projects continued flows of tourists to a country might be deemed necessary for successful income generation at community level. But the continued flow of tourists depends to a large extent on external factors including stable conditions in the country concerned as well as world peace. Internal violence or international terror attacks can severely reduce the number of people travelling abroad. In this way a project would base its likelihood of success, not only on its own management actions, but the assumption that internal political/economic stability is maintained and there are no external reasons to stop tourists travelling to that country. Some external factors or assumptions can be of such a nature that if they do not occur, the project cannot succeed. These are called “killer” assumptions and mean that the project has to be amended or abandoned (NORAD undated).

Most projects go through the process of developing their assumptions, but few pay much attention to them thereafter. Yet just as other aspects of the project need to be monitored for change over time, so do the assumptions. Something that appeared likely to happen at the start of a project (e.g. crucial policy change) might not appear so likely later on. The project then needs to respond to this change and adapt where necessary or even undergo a re-design.

The preceding sections have shown that CBNRM within the southern African region generally has common conceptual foundations, and common goals and objectives but they are being implemented through a variety of strategies. These strategies have clearly been influenced by national contexts that have constrained or enabled the operation of the principles that form the common conceptual foundation. Whereas donor projects identify assumptions specifically according to the framework of the project, the external factors and assumptions for CBNRM at a national level are implicit in these national contexts. The next sub-section examines these national contexts in terms of the assumptions and external factors that provide the overall environment in which country-specific policies and laws operate.

## **12.2 Critical external factors and assumptions that provide the macro environment in which specific CBNRM policies and laws operate**

Section 2 of this report provides analysis of what is meant by CBNRM and the conceptual foundations for the approach. It was suggested that CBNRM was about promoting sustainable use of natural resources through providing appropriate economic incentives, through devolving authority from government to community institutions, and creating the conditions for strong community proprietorship and tenure over land and resources.

Section 3 suggested that good CBNRM policy and legislation should aim at providing economic incentives, devolving authority over natural resources to land holders, ensuring that strong proprietorship is provided to a defined group within a defined jurisdiction, providing for the establishment of community institutions that can exercise devolved authority and defining the relationships between these institutions and existing state institutions at different levels. It was also suggested that good CBNRM policy should be enabling, should provide incentives rather than be coercive, should be flexible not prescriptive and should be dynamic and not static. The question therefore arises: do national contexts provide an appropriate macro environment in which good CBNRM policy can be developed and implemented?

The picture that emerges from preceding sections suggests that in most countries in the region the appropriate environment is problematic. CBNRM implies a commitment to democratic processes, good governance and devolution of decision-making. In order to devolve, politicians and officials have to be willing to lose power and transfer it to others. It also implies willingness by governments to forego income that used to accrue to themselves. It implies that there is internal political and economic stability so that markets can function. CBNRM is therefore a highly political process: "Whether we want to admit it or not, CBNRM has plunged us into this political battlefield. In the technically inspired attempt to transfer the success of strong property rights over wildlife on private land to communal land proprietorial units, the khaki shorts ecology brigade has led us into a largely unrecognised struggle over property rights in rural Africa" (Murphree 1995:49).

Within the region, Botswana has a well entrenched and functioning democracy where there is open debate and a commitment to decentralisation. Namibia is an emerging democracy which has also instituted a degree of decentralisation but there are still politicians and senior civil servants who favour centralised approaches and strong government control. Botswana has a strong and well-managed economy, Namibia's economy is stable and average incomes are increasing. Both countries though have large disparities between rich and poor.

Zambia and Malawi are emerging from years of command and control economic policies and political dictatorship and have high levels of poverty. Mozambique is emerging from a similar situation, but has also gone through two periods of civil war. Zimbabwe having emerged from a liberation war and flirted with stability and economic growth has slid into political and economic instability.



All the countries covered by this report have suffered white colonial rule or influence.

CBNRM is therefore being implemented in a context in which the macro-level conditions for its success are weak or emerging. Practitioners in most countries in the region suggest that there is a lack of political will to implement CBNRM policies and legislation. Many politicians and government officials appear not to understand incentive approaches to natural resource management and believe wildlife is a national asset for the equal benefit of all citizens. Many CBNRM approaches are based on administrative discretion rather than legal rights that can be defended in court. Politicians and officials are reluctant to give up power in practice, despite policy provisions. The institutions expected to implement CBNRM policies and legislation are often still staffed with many personnel who are at worst opposed to and at best sceptical of CBNRM as an approach.

With the exception of Mozambique governments are not prepared to recognise strong community land rights and tenure. There are difficulties for both communities and officials making the transition from command and control approaches to localised decision making and the rule of market forces. Cash strapped governments and parastatals in weak economies are not prepared to give up revenue to local communities. Capacity in many governments remains weak to implement CBNRM policy and legislation. Officials do not have vehicles to get into the field, and are not trained in working with people. CBNRM is given to small under-funded units in government to implement and is not mainstreamed institutionally.

Although this report has not focused on macro-economic policies and legislation that conflict with or undermines CBNRM, this is often the case, particularly where there are subsidies to other forms of land-use such as agriculture. In addition to factors within each country that affect CBNRM policy and legislation, there are factors that are determined outside national borders. The policies of countries such as the USA and of international bodies such as CITES can affect the ability of CBNRM to market wildlife (including plant) products. Bilateral or international trade agreements can also have impacts, such as the EU subsidy to cattle in Botswana which has artificially supported beef farming as a preferred form of land-use.

### **12.3 Regional set of assumptions and significant internal and external factors that influence success**

From the above discussion of the broad contexts in which CBNRM policies operate, a number of underlying assumptions can be identified. First and foremost, successful CBNRM implementation requires that governments will devolve rights over land and resources to local levels of jurisdiction. Without government commitment to devolution, CBNRM will become a series of empty promises that can never be met. However, a commitment to devolution assumes the existence of democratic political systems in which good governance is institutionalised.

Second, successful CBNRM requires a stable macro-economic environment. Shrinking economies will place more pressure on natural resource capital and increase the demand for land. Declining economies characterised by deteriorating infrastructure cannot support the tourism markets that CBNRM increasingly depends upon.

Third, successful CBNRM requires that appropriate economic incentives for sustainable resource management will be in place. This assumes the existence of a diversified range of products and that demand for these products can be maintained and expanded. Demand is also affected by external factors such as international agreements (e.g. CITES) and national legislation of other countries (e.g. US Fish and Wildlife Act).

**Table 2. Regional set of Assumptions for CBNRM**

<b>Assumption</b>	<b>Area of Indicator</b>	<b>Indicator</b>
1.Favourable political environment exists in which devolution can take place	Democracy and governance	<i>Democratic institutions Good governance practices Strong and active civil society Decentralisation policies</i>
2.Favourable macro-economic environment exists	Macro-economic performance indicators	<i>Gross domestic product Gross domestic product per capita Gini-coefficient Infrastructure (transport, communications etc)</i>
3.Favourable markets for CBNRM products exist	Products developed and demand maintained/expanded	<i>Availability of diversified products Tourism numbers Gross value of trophy hunting Export figures (e.g. for veld products) External regulations (e.g. CITES)</i>

### **13. Methods for influencing policy makers and achieving reform**

A central conclusion of this report is that policy and legislation in southern Africa do not go far enough in providing local communities with strong proprietorship and tenure over natural resources. In many cases CBNRM turns out to be co-management and revenue sharing with little active management of resources by local people. This is not a new conclusion and has been drawn from existing reviews and country reports. But if this conclusion is not new what are the implications for further policy reform? Have we reached the ceiling in terms of devolution of proprietorship to local units of jurisdiction? Have governments gone as far as they are willing to go?

The data presented in this report suggests that there is potential for further devolution of authority and control to local communities. In many cases there has been considerable change over time that suggests an evolutionary process. Or at least a dynamic process with fluctuations over time as policy and legislation are subjected to different political pressures. Further, several countries have only relatively recently emerged from command and control economies, political dictatorship and even war. So in the bigger picture, perhaps some of the policy changes effected in these countries are revolutionary – both in terms of the contrast to previous ways of taking decisions and in terms of the potential to shift power away from governments. It is not surprising

then that there should be resistance to change. Despite these observations, it is also true that for CBNRM practitioners there is a sense of frustration at the slow pace of change. We know what should be done, but cannot achieve it because policy change is an external factor, out of our control, an assumption that we fear might even turn out to be a “killer” assumption. But are we really so powerless to influence policy, or is it that CBNRM has not really engaged fully and properly in the political arena? Are there means of engagement in policy processes that CBNRM practitioners can use to move CBNRM to where it needs to be – management of resources by communities?

Again, experience in the region suggests there are means of overcoming resistance to policy change and to real shifts in power. A first step is to realise that CBNRM projects and activities need to have built in policy engagement strategies. It is not enough to assume that policy change is an external factor that we have to live with. Proactive steps need to be taken to influence policy change. The next step is to be aware of the policy processes that are taking place at any given time. We need to know what policies are being developed and what legislation is being worked on that affect natural resource management and CBNRM in particular. Simply going this far implies allocating some human and financial resources to policy analysis and tracking. Then strategies need to be developed to find opportunities to influence the process. For example, in Namibia, CBNRM practitioners tracked the progress of new land legislation for communal areas. They ensured that they and local community representatives took part in consultation meetings organised by government. They helped develop policy briefs and documents that argued the technical case for strong group land tenure as a foundation for sound land and resource management. They also made use of formal procedures and targeted the Parliamentary Standing Committee on Natural Resources. The result wasn't first prize – secure group tenure wasn't included in the legislation. But it wasn't excluded and conservancies were recognised in a number of important ways. Second prize – but as they say in lusophone countries *a luta continua!* And that is really an important approach. It is not enough to win a battle and then withdraw from the campaign. The struggle really should continue with a focused approach to keeping issues alive in the public mind and in the minds of decision-makers.

In Botswana, the CBNRM movement managed to deal strategically with government attempts to remove the right of community trusts to retain their revenue from trophy hunting and photographic tourism. Through a mixture of lobbying, pointing out the legal rights of communities and negotiation, government was persuaded to drop proposals for community income to be held in trust by district councils. It was conceded that something needed to be done to ensure that community income was not misappropriated or used to further the aims of local elites. Guidelines were developed for the amount of community income that could be spent on trust administration. This process was considerably helped by the existence of the National CBNRM Forum. The Forum brings together all stakeholders in CBNRM in Botswana to debate issues, measure progress and provide policy direction. Acting as a unified group through the forum, helped develop a common position that could be put to government. The lobbying effort was strengthened by the existence of a body

representative of community trusts that could represent the interests and state the views of communities as a unified group.

In Zambia, the CONASA project deliberately devoted time, human and financial resources to policy issues. One of its strategies has been to ensure that communities themselves are aware of their rights and to impart knowledge and skills for communities and other stakeholders to identify other policy issues on which they should try to influence change through undertaking advocacy activities.

CONASA has also held specific meetings for local communities where policies and legislation governing Zambia's wildlife, land, forestry, fisheries, and water sectors have been discussed. The aim has been to try to summarise and simplify them for easier comprehension by community members.

At the local level CONASA has also helped target communities to develop good governance approaches. It has helped CRBs appreciate the purpose of by-laws to govern the management and utilisation of natural resources, including how benefits will be shared in an equitable fashion. CONASA first trained the communities on by-law formulation, and then facilitated meetings at which the by-laws were developed in a participatory manner at community level.

The CONASA approach has been built on a rights-based approach to development that recognises the need for a strong civil society. At the same time it has tried to build awareness of key issues among politicians and officials.

A number of other experiences suggest ways of engaging further in policy processes. Some practitioners emphasise the need for good information and data on CBNRM that can be put before policy makers. Is there data on human/wildlife conflict incidents to show that local people's livelihoods are being threatened by raids on crops and the killing of livestock? Or can the politicians just dismiss people's complaints as exaggerated and self-serving because there is no good data? Is there the data to show how communities and households are benefiting from CBNRM? How was income used and who benefited? Is wildlife really increasing? If we cannot answer these questions with good data, we cannot persuade politicians and officials that CBNRM is worth supporting. Again this implies time and resources being used to collect, analyse and package data as part of a focused strategy that uses specific methods for reaching specific target groups. What about short, easily digestible policy briefs for parliamentarians on a regular basis, not just when a crisis emerges? What about a regular CBNRM newsletter? This is more than just Public Relations – it is part of a strategy to improve the enabling conditions for CBNRM.

Practitioners also point to the value of exposure visits or seminars organised for politicians and top officials to CBNRM areas that work and can demonstrate the benefits of CBNRM in national terms. Such visits need to be carefully structured so that key issues are identified and debated, with a clear goal for changing people's level of understanding. From the data presented in this report, a major issue in several countries appears to be a lack of understanding by many politicians and top officials of the incentives based approach. This

would make a good focal point for an exposure visit or seminar for such people. It should be recognised that change will not come immediately as a result of individual exposure visits or seminars. These approaches need to be part of an ongoing strategy. It is necessary to reinforce and build on changes in knowledge and understanding so that there is an interactive process that can bring incremental change. Also politicians and officials change – it is necessary to repeat these events for new incumbents.

Exposure visits can be arranged for local politicians such as district or provincial governors and councillors. They can be given the opportunity to interact with villagers, to hear what the problems are, and how CBNRM approaches are helping them deal with problems. There is often a more direct link between local politicians and rural people than there is between national politicians and their constituents.

Exposure visits for community leaders can also be important ways of enabling local people to see what is being done elsewhere. If it is positive, then leaders will return home and use their positions to lobby their own authorities to follow what works elsewhere.

However, the strongest way in which policy makers and decision makers can be influenced is through the people who put them in power – the voters. Murphree (1995) suggests that politicians are unlikely to acquiesce to a fundamental devolution of power unless there are strong political reasons to do so. “This reason can only lie in a strong, politically potent constituency demand that this takes place.” Murphree suggests that the only source for this constituency demand can be the rural communities themselves and that the community “voice” needs to be “coalesced into an organised and channelled advocacy”. This suggests that community CBNRM institutions need to form organised representative bodies that can advocate on their behalf at national level. “The importance of this kind of representation at this stage is critical and should be a priority for CBNRM initiatives in each country of the region. Without it an essential feature of long-term national CBNRM sustainability will be missing” (Murphree 1995). Murphree’s exhortations to the CBNRM community on developing a strong political constituency with a national voice took place nine years ago. Around the region, progress has been slow in this regard. In Zimbabwe the CAMPFIRE Association fulfils this role as does the Botswana Community Based Organisation Network (BOCOBONET). In Namibia, there is an emerging conservancy association and there are regional associations of community resource boards emerging in Zambia. In some cases there are good reasons for the slow progress. Practitioners fear the fast-tracking of such organisations can lead to quick growth and high expectations which are dashed when donor funding is withdrawn and organisations can no longer provide all the services they envisioned. The organisation is left weak and unable to perform the functions originally intended. The need for organic growth at a pace that suits the needs of communities should be tempered by the recognition that such organisations, representing a political constituency, can play a crucial role in advocating for policy change. Support to the development of such organisations should be an integral part of any strategy to influence the policy process.

There are clearly different levels at which strategies to influence policy can be targeted. It is important to ensure that all these different levels – national level politicians and government officials, provincial/district level politicians and officials, local leaders, community members – are all included in a multi-faceted, but integrated and focused strategy. The likelihood of such a strategy working is improved if the approach is rooted in developing strong civil society “voices” for advocacy so that the demand for policy change is from a credible local constituency and is not driven by donors and expatriates.

Much of the above discussion depends upon one of the key regional assumptions developed in Section 7.3. The policy strategy advocated here assumes a level of democracy and good governance in which there is space for influencing the way decisions are taken. This will not always be the case and is probably not the case in Zimbabwe at present. However, what is interesting in the data from Zimbabwe, particularly Child *et al* (2003), is that despite the current situation in Zimbabwe there has been a degree of resilience in some local CAMPFIRE institutions, which bodes well for the future. These institutions will be able to play a strong role in advocacy once the political landscape changes.

## 14. Conclusions

A number of general conclusions can be drawn from the data presented in this report. In most of southern Africa, wildlife and tourism currently provide the highest financial benefits compared to other resources. But the benefit to *households* remains low, costs of living with wildlife remain high and community proprietorship over wildlife remains weak. This situation arises mainly through the way in which policy and legislation have developed in the region. The main conceptual foundations of CBNRM – economic incentives, devolution and proprietorship have only been applied in part. Governments prefer co-management and revenue sharing approaches where they retain a large degree of control over natural resources and a large share of the income from use. The state still plays a major role in decision-making regarding the use of natural resources and in many cases use rights are conferred by administrative decree and management agreements rather than through a rights-based approach entrenched in legislation. As a result many CBNRM activities in the region demonstrate characteristics of co-management rather than largely autonomous community management. However, where there is a relatively strong mix of economic incentives, devolution and proprietorship in policy and legislation, there is evidence of resource conservation taking place and of communities benefiting in a number of ways.

Although rural communities have embraced CBNRM across the region with enthusiasm this interest could wane if household income and benefit do not increase and proprietorship over wildlife is not strengthened. At the same time it needs to be recognised that the relatively small amounts that do reach

households have an impact, particularly if timed well, because cash incomes are extremely low. In several countries revenue sharing means that the percentage of income reaching communities from wildlife is low and this also reduces the potential impact of CBNRM. Further, many policy frameworks allow only limited forms of utilisation. In Zambia and Mozambique, for example, trophy hunting is the only form of income from wildlife use that goes to communities. In Namibia by contrast, communities can benefit from trophy hunting, live sale of game, sport hunting, and various forms of photographic tourism. In the forestry sector, governments generally retain control over lucrative timber concessions and share the revenue from other uses with communities. The potential impact of CBNRM policy and legislation is diminished by the government officials holding on to power and by a lack of capacity in government departments to implement effectively or efficiently. NGO capacity in many countries is also weak. Progress appears to be improved where there are strong coalitions or alliances of organisations working towards a common goal, coordinating activities and able to lobby government.

There is considerable variability in the performance of community institutions. Experience suggests that in order to be sustainable, these institutions need persistent quality facilitation and support over time with particular attention being paid to governance issues such as transparency and accountability. Early CBNRM approaches have focused considerable time and effort on developing representative committees that were expected to act on behalf of local residents in a relatively large geographic area. It was expected that the relationships between the committees and residents would be sorted out at local level. However, in practice, the committees have often failed to develop accountability downward to residents and have been accountable upwards to government or NGOs and donors. This situation has partly come about because policy and legislation place emphasis on the formation of representative committees in one form or another, so this is where support agencies have focused their attention. It is now being realised that instead of building downwards from the committee to villagers, it is necessary to build upwards from village or locality level to area level. Participatory democracy at locality level should be the foundation for representative democracy at area level. Policy and legislation need to take these important shifts in thinking into account.

The rhetoric of all programmes in the region suggests that communities are involved in “management” of resources. However, in many cases management consists of enforcing government rules against poaching or against illegal harvesting of forest products in return for a share of income derived from some form of resource use. In many cases, communities are managing the income from wildlife rather than the wildlife. This is partly because the state retains considerable management authority itself or management responsibilities are being carried out by the private sector without necessarily reflecting community needs. Policy and legislation need to enable communities themselves to take the key management decisions of who uses and benefits, how much of the resource should be used, when and how.

In some countries there is good data to demonstrate the conservation impacts of CBNRM, but in others there is a reliance on anecdotal evidence and



perceptions of project implementers. The instances of good data supporting claims of positive ecological impact provide a basis for believing that CBNRM can promote conservation. But if CBNRM is to continue to gain support from national politicians and external donors as a conservation tool, we need to be much better at data collection and analysis.

In general, whether for conservation or socio-economic impact, it is difficult to measure progress because data has not been collected and/or analysed. A number of key data sets need to be developed across the region. These include household income and community level income broken down by source, the value of benefits such as meat from hunting, jobs created by source, wages from tourism ventures and community enterprises, and the value of forest products/fish that are sold or used. From a conservation perspective there is a need not just to measure wildlife numbers, but to measure the extent to which habitat is disappearing or being maintained. Simple maps that indicate the areas of communal areas that are zoned, formally or informally, for wildlife or community maintained forests or closed fishing areas, would provide very good illustrations of the conservation impact of CBNRM. We also need to find ways of measuring or demonstrating the social, intangible benefits that CBNRM brings and the ways that they support national development goals.

CBNRM can and does contribute to national development goals around the region and has considerable recognition in national development policies. However, we need to be clear about the limits to CBNRM's contribution to development and ensure that we frame this contribution in realistic ways. This implies a focus not just on household benefits and income generation, but also on the contribution to local governance that CBNRM institutions can make and the intangible benefits derived from skills development, improved confidence etc. These contributions are real but often overlooked.

CBNRM practitioners need to develop a better understanding of policy processes and pay more attention to the way in which policy is influenced. Multi-faceted strategies are required that aim to influence policy not just opportunistically, but in an ongoing focused way. These strategies should be premised on rights based approaches that emphasise the building of a strong civil society constituency that can advocate for its own rights. At the same time, methods should be used to influence specific target groups. It is not enough to view policy and legislative change as an external factor. Although it is out of the direct control of CBNRM practitioners, it can be influenced. Democratic systems and good governance are one of the main regional assumptions for the development of good CBNRM policy and for successful implementation. The two other key assumptions are the existence of favourable macro economic conditions and the existence of favourable markets for CBNRM products. CBNRM practitioners need to give more attention to tracking these assumptions and the external factors on which they are based. Adjustments need to be made if there are shifts in these factors. Where possible, attempts need to be made to influence these factors, even if they are outside our direct control.

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## **ANNEXE 1**

### **LIST OF PERSONS CONSULTED**

Adolfo Bila	Project Coordinator: Legislation, Directorate of Forestry and Wildlife, Ministry of Agriculture and Rural Development, Mozambique
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Douglas Lecholo	Acting Executive Secretary, BOCOBONET, Botswana
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Peter Tilley	Chief of Party, CONASA, Zambia



## ANNEXE 2

### TERMS OF REFERENCE

**PROJECT REFERENCE No. 9F0751**  
**REGIONAL CBNRM PROJECT**  
**CBNRM Policy Review and Analysis in Selected SADC Countries**

**1. Objectives:**

- 1.1. To synthesise the current status of CBNRM policy in the region covering Zambia, Zimbabwe, Namibia, Botswana, Mozambique and Malawi;
- 1.2. To review links in regional sectoral policies and TFCA initiatives; and
- 1.3. To conduct a regional feedback and recommendations workshop on work undertaken.

**2. Activities:**

- 2.1. Provide a regional overview of CBNRM policy and legislation including:
  - i) Short discussion of the role and importance of policy in the CBNRM context and the development of policy as a process;
  - ii) Short discussion of the conceptual framework underpinning CBNRM in the region (i.e. economic incentives, devolution, collective proprietorship);
  - iii) Analysis of relevant assumptions and external factors that provide the macro environment in which these specific policies and laws operate; and
  - iv) A review of the status of country policies and legislation.
- 2.2 Undertake a comparative analysis of regional CBNRM policy and legislation in Botswana, Namibia, Malawi, Mozambique, Zambia and Zimbabwe, i.e. significant similarities and differences in conceptual foundation, form and content and to what extent CBNRM is being mainstreamed in national development policies, with particular reference to rural livelihood strategies and Poverty Reduction Strategy Papers (PRSPs).
- 2.3 Conduct a comparative analysis of policy implementation performance i.e. what impacts have policy and legislation had on the ground.
- 2.4 Generate a regional set of assumptions and identify significant internal and external factors that influence success; and identify gaps and opportunities for policy harmonization across the region.
- 2.5 Provide an overview of relevant regional sectoral policies and their links

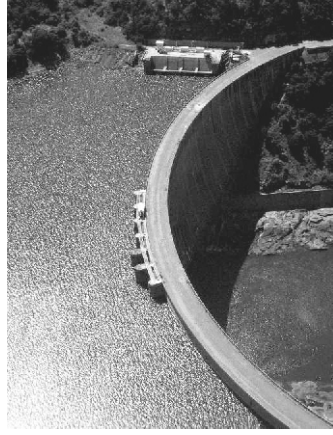
- to CBNRM policy and legislation (i.e. to what extent do SADC protocols and other regional policies support or contradict CBNRM policy and legislation and to what extent do they support or hinder CBNRM activities).
- 2.6 Provide a regional overview of links between CBNRM policy and legislation and TFCA activities (i.e. to what extent can CBNRM policy, legislation and implementation support TFCA activities, to what extent are TFCA activities compatible with CBNRM policy, legislation and implementation, and what policy and institutional lessons can TFCA activities learn from CBNRM).
  - 2.7 Generate a regional set of assumptions and identify internal and external factors that underlie the success or failure of TFCA activities.
  - 2.8 Generate a summary of lessons learned and best practice based on 2.1 to 2.7 above.
  - 2.9 Identify key participants and conduct a regional CBNRM policy review feedback and recommendations workshop.

**3. Outputs:**

- 3.1. Report synthesising current status of CBNRM policy in Zambia, Zimbabwe, Namibia, Botswana, Mozambique and Malawi.
- 3.2. Report reviewing links to regional sectoral policies and TFCA initiatives.
- 3.3. Final Report incorporating lessons learned and best practice, as well as comments and recommendations from the feedback workshop.



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WWF's mission is to stop the degradation of the planet's natural environment and to build a future in which humans live in harmony with nature, by:

- conserving the world's biological diversity
- ensuring that the use of renewable natural resources is sustainable
- promoting the reduction of pollution and wasteful consumption