COMMUNITY-BASED NATURAL RESOURCE MANAGEMENT IN ZAMBIA

A REVIEW OF INSTITUTIONAL REFORMS AND LESSONS LEARNED FROM THE FIELD

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COR: Sarah Lowery
USAID Office of Land and Urban
Contractor Name: Tetra Tech
Author(s): Anna-Louise Davis, Tom Blomley, Gordon Homer, Matt Sommerville, & Fred Nelson

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Tetra Tech Contact(s): Megan Huth, Project Manager
159 Bank Street, Suite 300
Burlington, VT 05402
Tel: (802) 495-0282
Fax: (802) 658-4247
Email: megan.huth@tetratech.com

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Submission Date: 29 April 2020 (originally submitted 7 January 2020)
Submitted by: Melissa Hall, Deputy Chief of Party
Tetra Tech
159 Bank Street, Burlington VT 05401, USA
Tel: (802) 495-0282
Fax: (802) 658-4247

Contract Number: 7200AA18D00003/7200AA18F00015
COR Name: Sarah Lowery
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DISCLAIMER

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LIST OF ACRONYMS

ADMADE	Administrative Management Design for Game Management Areas
BCP	BioCarbon Partners
CBNRM	Community-Based Natural Resource Management
CBO	Community-Based Organization
CCB	Carbon Certification Body
CCA	Community Conservation Area
CCP	Community Conservation Plan
CEO	Chief Executive Officer
CFMA	Community Forest Management Agreement
CFMG	Community Forestry Management Group
CFP	Community Forests Program
CLUSA	Cooperative League of the USA
COMACO	Community Markets for Conservation
CPP	Community Partnership Parks
CRB	Community Resource Board
DANIDA	Danish International Development Agency
DFNRMP	Decentralized Forests and Other Natural Resources Management Project
DNPW	Department of National Parks and Wildlife
FAO	Food and Agriculture Organization of the United Nations
FPIC	Free, Prior and Informed Consent
GMA	Game Management Area
GRZ	Government Republic of Zambia
IFAD	International Fund for Agricultural Development
ILRG	Integrated Land and Resource Governance
JFM	Joint Forest Management
JFMC	Joint Forest Management Committee
KAZA	Kavango Zambezi
KNRT	Kaindu Natural Resources Trust
LIRDP	Luangwa Integrated Rural Development Project

NGO	Non-Governmental Organization
PFAP II	Provincial Forestry Action Programme
PPF	Peace Parks Foundation
REDD+	Reduced Emissions from Deforestation and Forest and the role of conservation, sustainable management of forests, and enhancement of forest carbon stocks
SCC	Simalaha Community Conservancy
SI	Statutory Instrument
TFCA	Transfrontier Conservation Area
TNC	The Nature Conservancy
UNDP	United Nations Development Programme
USAID	United States Agency for International Development
VAG	Village Action Group
VCS	Verified Carbon Standard
WCS	Wildlife Conservation Society
WPAZ	Wildlife Producers Association of Zambia
WWF	World Wildlife Fund
ZAFCOM	Zambia Forestry Commission
ZAWA	Zambia Wildlife Authority
ZNCRBA	Zambia National Community Resources Board Association

EXECUTIVE SUMMARY

Zambia is one of Africa's most resource-rich countries. Roughly two-thirds of Zambia's land area is forested, and nearly 40 percent of the land area is contained within a network of national parks and forest reserves, and co-managed areas that overlap with customary community lands. Rural livelihoods depend heavily on small-scale agriculture, harvesting forest products, and use of wildlife and other natural resources.

Given the close interrelationship between local natural resource use and livelihoods, and management of wildlife and forests on a national scale, community-based natural resource management (CBNRM) is central to both livelihoods and conservation outcomes locally and nationally. Like many countries in southern Africa, Zambia has a long history of working to develop various approaches to forest and wildlife management that involve local communities and attempt to develop various forms of CBNRM. However, for both wildlife and forest management, community management of natural resources has been constrained by key institutional and governance barriers that limit community rights and access to the benefits from sustainable use and related enterprises.

Over the past five years a number of important shifts have taken place in Zambia that are reshaping the potential for CBNRM. A new Forests Act passed in 2015, and subsequent community forest management regulations (GRZ, 2018b), create provisions for community forest management groups (CFMGs) to secure rights for management over forests and capture the benefits from use of forest products. These provisions, though quite recent, are already being used on a fairly large scale in different parts of Zambia to strengthen community-based forest management. In Eastern Province, social enterprises such as BioCarbon Partners (BCP) and Community Markets for Conservation (COMACO) are working with communities, the Forestry Department, and the Department of National Parks and Wildlife, to develop community forest management on over one million hectares of forests and key wildlife habitats.

Zambia's wildlife sector is undertaking a number of policy and legal reforms. A new Wildlife Policy (GRZ, 2018a) provides strong language on the importance of devolved community management and empowerment; however, the most recent Wildlife Act (2015) does not provide for significantly enhanced local management rights. Chronic institutional challenges in game management areas (GMAs) created by the lack of community authority and ability to benefit from trophy hunting and other wildlife uses remain in place. Field-level experiments with community game ranching, community trusts, and "conservancies" are working to try and develop new approaches to CBNRM at the local or landscape scale, but remain limited by the national legal and policy context in the wildlife sector.

Overall, though, CBNRM in Zambia stands at a potentially important period of reform and innovation, driven largely by the combination of institutional reforms in the forestry sector, growing entrepreneurial efforts to combine community forest management with new forest-based products such as carbon credits produced through REDD+, and ongoing efforts to develop new approaches to CBNRM despite the longstanding institutional constraints in the wildlife sector. Key opportunities to build on these trends going forward include:

- Increasing cross-learning and exchange from field-level experiments that are applying the new community forest management regulations, or developing new locally-adapted CBNRM models. In particular, integrating wildlife and forest management efforts, as well as devolving responsibilities and revenue streams to communities, is expected to improve outcomes.

Learning and exchange across community forest management efforts and wildlife management in the GMAs will be particularly important and will facilitate integrated approaches to CBNRM at the community level.

- Investing in wider uptake of community forest management and building on the relatively rapid progress made in creating community forestry management agreements to further scale this promising model over the vast areas of forest on customary land both within GMAs and in undesignated "open areas" around the country.
- Supporting the development of forest-based enterprises at the community scale, from products such as carbon, timber, honey, mushrooms, and others, that can generate sustainable flows of revenue within newly designated community forests. Zambia has the potential to quickly move to the forefront of community forestry in Africa based on the new legal framework created by the 2015 Forests Act, the existing forest-based enterprises already working in key landscapes, and the significant economic potential of forests on customary lands.
- Promoting learning between field-level initiatives working to develop new ways of engaging communities in wildlife conservation and policy-makers developing new regulations that pertain to areas such as community game ranching. Key legal and regulatory reforms are required to enable greater community-level investment in wildlife management. This has been the case in Zambia for many years, but the continued development of field-level lessons, and the potential willingness of policy makers to consider new reforms, may open the door to new possibilities.
- Advancing each of the above opportunities is contingent on capacity support for community governance structures, whether community resource boards, CFMGs, fisheries groups, or village action groups. National-level bodies have emerged to advocate as a collective voice for these groups with government and coordinate governance and technical skills development for improved management at the local level.

1.0 INTRODUCTION

Zambia is one of Africa's most resource-rich nations. Its forests, wildlife, rivers, wetlands, and other natural landscapes provide key foundations for economic activities such as agriculture, forestry, and tourism, and provide the natural capital that sustains livelihoods at the local level. Its wildlife areas and natural features such as Victoria Falls and the Luangwa Valley support a tourism industry that generates roughly US$742 million annually in total receipts (WTO, 2019). Sustainable use and management of natural resources is core to the country's economic prosperity, wealth and job creation, and livelihoods at the local scale.

But Zambia also faces entrenched and chronic natural resource management challenges, which continue to erode its natural wealth and economic potential. Its extensive miombo woodlands and forests are being lost at roughly 250,000 hectares annually, representing one of Africa's highest rates of annual deforestation. While regional neighbors such as Namibia and Zimbabwe have developed wildlife industries based on an integration of private game ranching, well-managed protected areas, and nature-based enterprises carried out in partnership with local communities, Zambia's wildlife areas – both state protected areas and community lands – are highly depleted, with only about 10 to 20 percent of their original and potential wildlife stocks remaining (Lindsey et al., 2014).

A key underlying challenge facing natural resource sustainability and conservation in Zambia, as in other parts of Africa, is to align local communities' social and economic interests with those of resource stewardship and sustainable use. That means enabling communities to secure rights over wildlife, forests, and fisheries; develop local rules and management institutions; and create economic incentives for long-term stewardship through sustainable use and enterprise. These provide the core foundations of community-based natural resource management (CBNRM) (defined in Box 1).

Box 1: Defining CBNRM

We define community-based natural resource management (CBNRM) as pertaining to the management by local communities of natural resources on community or customary lands. CBNRM is generally based on a key foundation of defined rights over natural resource management use, vested in some sort of locally accountable institution with a mandate to make decisions, develop management rules and procedures, and receive and allocate benefits to their constituency.

For at least the past three decades, a wide range of initiative, projects, and programs have attempted to strengthen Zambia's institutions and governance arrangements for community management of natural resources. A number of key contextual realities in Zambia make CBNRM particularly central to both biodiversity conservation and economic development outcomes in the country:

- Most of Zambia's land area (94 percent) is customary land under the authority of traditional authorities.
- State protected areas such as national parks cover about eight percent of Zambia's land area, while forest reserves cover ten percent of the country. Game management areas (GMAs), which overlap with customary lands and include many settlements, cover approximately an additional 23 percent of the country. Land use in GMAs is effectively under the control of traditional authorities and shaped by local livelihood and land use decisions. These areas, which include key buffer zones and migratory corridors between national parks, depend heavily on community engagement and local conservation measures. The Department of National Parks and Wildlife (DNPW) has wildlife management and planning responsibilities in these GMAs; thus, balancing community and state rights and responsibilities has a critical role in effective management.

- Forests cover up to 50 million ha of Zambia's total land area – perhaps two-thirds of the country – and most of the forests also fall on customary lands, subject to local land use and resource use decisions.
- About two-thirds of the population of roughly 17 million people in Zambia live in rural areas, where livelihoods are largely dependent on small-scale agriculture, harvest of wild fish and animals for food, and other forest products used for energy, housing, food, and trade. Rural livelihoods and natural resource management are closely intertwined in this context.

Despite the centrality of CBNRM to conservation and rural livelihoods in Zambia, a range of factors have constrained the progress of CBNRM in the country over the past several decades. In particular, the two greatest barriers have been: the lack of devolved collective rights over natural resources such as wildlife and forests to local communities, and weaknesses in local management institutions related to their performance as collective, community-level natural resource governance (Gibson & Marks, 1995; Gibson, 1999; Lubilo & Child, 2010; Lindsey et al., 2014). A wealth of existing analyses and research has been compiled over many years on these two chronic challenges, which have prevented Zambia from capitalizing on the great potential of its rich natural assets.

1.1 EMERGING INNOVATIONS AND REFORMS

Despite these historic challenges, during the past decade new opportunities for greater progress on CBNRM in Zambia have emerged. At the field level, a number of new experiments and management models have been developed by a range of organizations and private businesses that seek to build more effective local natural resource institutions and management practices. These span efforts around wildlife, forestry, and fisheries, and are working with a range of different local institutions, including community resource boards (CRBs) as well as novel organizational structures such as trusts or other bodies.

Moreover, a major legal reform in the forestry sector, in the form of the 2015 Forests Act, has created new opportunities for devolved community forest management, which some of these initiatives are now capitalizing on.

The combination of "bottom-up" experimentation in the field with important new and ongoing policy and legal reforms at the national level is creating what appears to be a new window of opportunity in Zambian community natural resource management and conservation. New opportunities at the local level, including greater integration of the forestry and wildlife sectors, are emerging. New rights over forest management are supporting the development of community-based enterprises related to forest products including timber, honey and carbon credits. In the wildlife sector, new experiments with community game ranching and "conservancies" are attempting to circumvent long-standing institutional barriers to community wildlife management.

1.2 STUDY OBJECTIVES

This context of both long-standing challenges and emerging new opportunities in Zambia creates a timely point to take stock of CBNRM in Zambia. This includes reviewing both the changing legal and policy environment – particularly the recent reforms in the forest sector – and how those are interacting with and shaping local innovations and new models at the community or landscape level. The purpose of this study is to provide a review of CBNRM in Zambia, combining a synthesis of the changing institutional environment with new developments and lessons learned at the local and field levels, and how these local and national scales are interacting and shaping each other. The study aims to help catalyze the sharing of lessons and continued learning and innovation at a critical time for Zambia's natural resources, communities, and economic development.

The study combines a review of the institutional environment and key reforms in the forestry and wildlife sectors with a set of field-level case studies that are working on both community forest management and wildlife conservation. The case studies and the sectoral legal and policy reviews are woven together in two core sections of the report, which are then brought together at the end in an overall analysis that identifies key opportunities and potential directions for CBNRM in Zambia in the near future.

A few important caveats about the limitations of the study should be born in mind at the outset. This review covers a great deal of ground and multiple sectors, as it seeks to be integrative (CBNRM in Zambia, as elsewhere, has typically been approached in a sectoral way, with limited cross-learning and integrated analysis of both wildlife and forestry) and draw connections between lessons from the field and reforms at the national level. As always, time and resources were limited, and each one of the case studies presented here could (and should) be the subject of multi-year dissertation-level field research. The team had time and resources for a limited number of interviews and background research, and depended largely on information provided by the organizations described in the case studies for data and analysis. These case studies aim to briefly document and synthesize key features of these initiatives, and cannot capture their multiple layers of institutional complexity, evolving scope, and learnings, nor substitute for in-depth third-party analysis. In general, our core aspiration with this study is for broad coverage across multiple sectors and a diverse set of field initiatives, which inevitably will be at the expense of depth of analysis of any specific case study. We would encourage other researchers and practitioners to dive deeper into the lessons and implications of the case studies, recognizing we are only scratching the surface of the important CBNRM experiments being carried out in Zambia at present.

Finally, a central premise of this study that informs its scope and purpose is that it is critical that different organizations working to advance CBNRM in Zambia are able to capture and share practical lessons on the design and outcomes of new initiatives and field-level experiments, while building broader links and connections for learning across those different field sites and locales. At present, there has been limited cross-fertilization between different initiatives and organizations, or platforms for shared learning and collaboration around CBNRM institutional design. This creates an opportunity for collective forums, such as the Zambian CBNRM Forum, the Zambia National Community Resources Board Association (ZNCRBA), and the CBNRM Task Force to facilitate such learning processes and design thinking, and lessons from initiatives across the country. This study is one input into

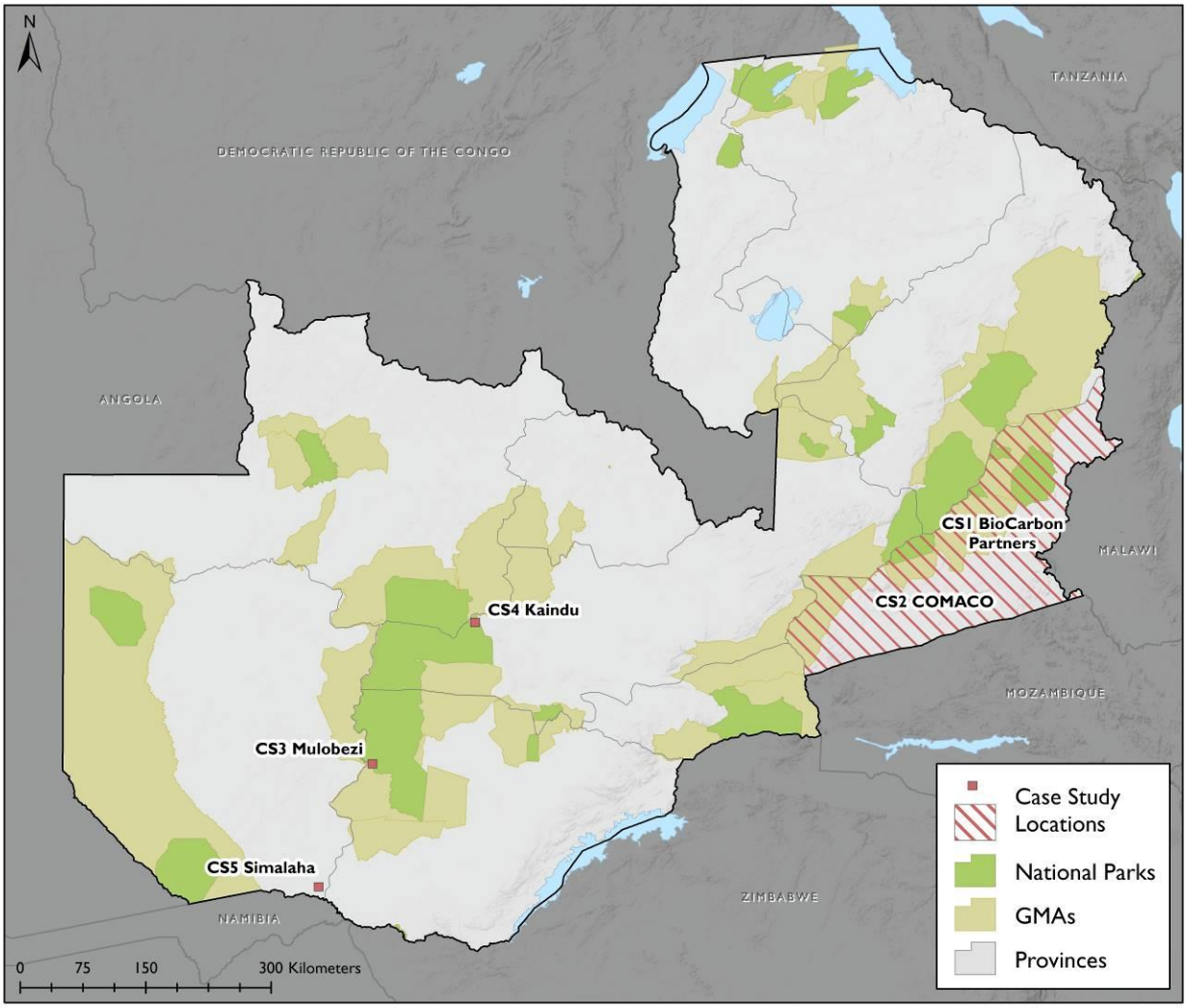
Box 2: Zambian Civil Society Networks Supporting CBNRM

Two major CBNRM umbrella organizations currently exist in Zambia. The Zambia CBNRM Forum was originally established in 2005 with support from the World Wildlife Fund (WWF) Norway. The CBNRM Forum is an umbrella organization for community-based organizations (CBOs), non-governmental organizations (NGOs), private sector, public sector organizations, and donors that have an interest in or support CBNRM in Zambia. The Forum is governed by an elected Board of Directors that is made up of between nine and thirteen members elected at the annual general meeting, of which 60 percent represent CBOs. The Forum received critical support from the Norwegian Agency for Development Cooperation-funded Regional CBNRM Capacity Building Programme hosted through WWF which ran between 2003 – 2014. Despite being independently registered, the forum continues to be hosted by WWF Zambia and has become more active in the last three years. Despite the 60 percent CBO representation on the Forum's board, the majority of the Forum's members and participants were Lusaka-based; in an effort to give voice and representations to communities themselves, the Zambia National Community Resource Board Association (ZNCRBA) was established. The ZNCRBA is a membership and representative body of the 88 CRBs established across Zambia's GMAs. In 2017 the ZNCRBA appointed a national coordinator and a national administrator (funded by Frankfurt Zoological Society through a USAID grant). The ZNCRBA is currently supported mainly by the USAID-funded Integrated Land and Resource Governance (ILRG) program and is focusing on consulting and connecting with its member CRBs across the country and participating in the formulation of the national CBNRM policy.

those learning processes and the adaptive progression of CBNRM in Zambia today.

The Zambia CBNRM Forum is currently working closely with the ZNCRBA as part of the Zambia CBNRM policy task force. The task force is working to develop a policy for CBNRM that is cross-cutting and multi-sectoral in nature, making provision for CBNRM related to wildlife, forestry, fisheries, mining rights and rangeland. The task force is currently working on both the content and the official home of the policy. In order to be elevated beyond a single ministry or sector, the task force has been in discussion with the Office of the Vice President, the Ministry of Tourism and Arts, and the Department of Climate Change in the Ministry of Lands and Natural Resources to establish a suitable institutional home for the policy.

Figure 1: Location of Protected Areas and Case Studies



2.0 COMMUNITY FORESTRY IN ZAMBIA

2.1 BACKGROUND

Forests are an important component of the natural capital of Zambia and provide benefits critical for rural populations, urban areas, the national economy, and the global community. Out of the country's total land area of 75.3 million hectares (ha), estimates of the remaining forested areas range from 39 to 50 million ha. However, the country's deforestation rate is estimated to amount fo the loss of between 79,000 and 150,000 ha of forest annually, or an annual loss of between 0.17 and 0.32 percent (GRZ, 2016). Key drivers of deforestation include agricultural expansion, mining and infrastructure development, woodfuel extraction (firewood and charcoal), and widespread forest fires (Mwita et al., 2012).

A key factor behind the high levels of deforestation has been the tenure and governance context for forests in Zambia. Eighty-two percent of forests in the country are found on customary lands and management and use rights in these areas are contested and overlapping, with traditional authorities, local governments, and national government all holding various rights. Although rights and responsibilities are defined in law, they often are not enforced and create perverse incentives for effective forest management. Traditional authorities have an established role in allocating and administering customary land. Chiefs authorize land allocations and have a broad role in establishing customary rules for communal grazing and use of wetland areas, as well as charcoal production, brick making, and timber collection for personal use. These decisions result in conversion of forest to smallholder agricultural land, though the actual conversion is overseen at the local level by village headpersons. While customary leaders have responsibility for management of forests for subsistence purposes on customary land, the Forestry Department manages all commercial use of the same forested land. This can result in conflicting roles and overlapping mandates, which create inefficiencies and insecure rights, resulting in an environment that supports unregulated, unsustainable, and illicit harvesting of forest resources. Prevailing legislation (until recently) has emphasized that monetary benefits from forest resources fall under the authority of central government and opportunities for local-level commercial use have been limited and highly regulated.

2.1.1 INSTITUTIONAL FRAMEWORK FOR COMMUNITY FORESTRY

In line with a number of other countries across sub-Saharan Africa (notably Tanzania, Cameroon, and Gambia) as well as Asian countries (e.g., Nepal and India), there was growing interest in Zambia from the early 1990s onwards to adopt a more participatory and inclusive approach to forest management that addresses some of the shortcomings associated with strictly centralized, top-down governance regimes. Within Zambia's gazetted national forest systems, joint forest management (JFM) was identified as a suitable approach to support decentralization of the forest sector through the establishment of local committees and forest guards, in a strategic planning exercise (supported and funded by the government of Finland) through the Zambian Forest Action Plan (1996). In 1998, the Government of Zambia issued the Forest Policy, which officially recognized JFM as a key strategy. Also in 1998, a new Forest Act was passed, though never went into effect, which identified a multi-stakeholder approach to forest management and proposed the establishment of the Zambia Forestry Commission (ZAFCOM) and the establishment of local-level village management institutions to support sustainable forest management and locally viable forest-based enterprises. These approaches notably left out the engagement of communities in the vast majority of Zambia's forested area.

To support JFM within government-administered forest reserves, a statutory instrument (SI), SI 52 of 1999, later superseded by SI 47 of 2006, outlined the official procedures for establishing JFM. The 1998

Forest Act clearly stated that JFM is limited in scope to the harvesting of non-timber forest products (fruits, fibers, medicinal herbs, grasses) and as such, more economically profitable commodities such as timber, firewood, or charcoal were not permitted. JFM guidelines produced by the Forest Department described in detail the step-wise process of legally granting an area of forest under a JFM agreement, but they were silent on how any kind of benefits should be shared, leaving it to the management plan to determine how this should happen.

Between 1999 and 2008, the Forestry Department piloted JFM across seven provinces, in most cases with strong support from international donor agencies. The Government of Finland, through the Provincial Forestry Action Programme (PFAP II), facilitated the piloting of JFM in one open area and eight forest reserves in Central, Copperbelt, Luapula, and Southern Provinces. The United States Agency for International Development (USAID), through the Cooperative League of the USA (CLUSA), played an important role in developing the JFM methodology when preparing forest management plans in Katete and Mambwe Districts in Eastern Province. Various other organizations, including the Food and Agriculture Organization of the United Nations (FAO), International Fund for Agricultural Development (IFAD), and the United Nations Development Programme (UNDP), supported pilots in Central, North-Western and Luapula Provinces. In total, more than 20 pilots were undertaken. While all these pilots were able to develop useful experiences and approaches to JFM under different social and ecological circumstances, the lack of a clear legal framework on how benefits would be shared between community members and the state, as well as the strong focus on lower-value non-timber forest products, meant that agreements went unsigned and the process stagnated.

Over the next 10 years the situation remained unresolved and no formally recognized JFM initiatives were started. Ultimately most efforts to engage communities in JFM made limited progress as a result of these institutional constraints. A 2014 review of JFM concludes that, "The lack of tangible and promised benefits has created a general feeling amongst the communities of being used by the forest department;" and: "Because the rules of [JFM] participation do not deliver tangible benefit, and do not allow the communities to manage all aspects of forest use, rules are not followed by the communities" (Leventon, Kalaba, Dyer, Stringer, & Dougill, 2014). A more recent brief by the FAO concludes: "In total more than 20 [JFM] pilots were undertaken however almost all were abandoned due to the lack of a clear legal framework along with other factors" (Bradley, Mickels-Kokwe, & Moombe, 2019).

During the 2000s, as key barriers in forest legislation remained unresolved, community engagement in forest management took other forms. A range of "home-grown" initiatives emerged, such as the organization of woodland-based beekeepers in open areas. For example, the beekeepers in North-Western Province organized themselves into an association to protect their tenure rights, relying on the protection by traditional chiefs. For twenty years, this enabled their company, North-Western Bee Products, to maintain organic and fair trade certification over large areas of Kabompo, Mufumbwe, and Mwinilunga Districts and export honey to Europe. Groups of honey producers were certified on protocols for sustainable forest management of shared woodland areas, where hives were hung (Bradley et al., 2019).

2.1.2 LEGAL AND POLICY REFORMS

In 2014, a new National Forestry Policy was issued with a strong emphasis on sustainable use and management of forest resources – including the goals of climate change mitigation, income generation, poverty reduction, job creation and protection and maintenance of biodiversity (GRZ, 2014). One of the ten policy objectives is local community empowerment. The policy states that "public participation in forestry and/or natural resource management [is] an end in itself, or a means to an end. Community empowerment is central to participatory forest management." The objective is "to empower local communities and traditional leaders in order to ensure adequate protection and management of forests" (GRZ, 2014).

In 2015, the policy was followed by the passage of the Forests Act. A key provision within this legislation is the recognition of a range of participatory forest management approaches and the creation of new forest reserve categories. Of most significance is the establishment of "community forest management" which provides the legal basis for communities living near or within a forest area to obtain user and management rights, through a legal agreement with the Forestry Department. Prior to 2015, user rights by local communities for forestry had been subsistence only and did not recognize any form of commercial use. The Forests Act permits community groups to apply for recognition by the Forestry Department as a community forestry management group (CFMG). Once recognized, the CFMG may enter into an agreement with the Forestry Department for the purpose of managing the forest. The agreement confers forest user rights to the group. The group must then prepare and implement a management plan. These two documents – the community forestry agreement (CFMA) and the community forest management plan – form the foundation for community engagement.

The Forests Act of 2015 (GRZ) further specifies that the forests eligible for community forest management may be "open areas" (which is defined as land outside of officially designated protected areas where wild animals are found, often in customary areas) or local forests (forest reserves managed by local authorities with the Forestry Department) provided there is no prevailing forest concession or sawmilling license. Key responsibilities of CFMGs include: protecting and conserving the forest area in question; formulating and implementing a forest management plan; and informing and reporting to Forestry Department staff regarding management and threats to the forest. User rights (both domestic and commercial) for CFMGs include rights over medicinal herbs, honey, timber and fuelwood, grazing and grass, eco-tourism, and plantation establishment (through non-resident cultivation) (Section 32 (2)). The Act designates comprehensive responsibilities and obligations to the communities. In practice, significant external support from third party-facilitation and guidance from government is required to develop the required management plans.

Importantly, Section 31 (4) of the Act permits CRBs to apply for a community forestry agreement "as if the community resource board were a community forestry management group" (GRZ, 2015a). This is reinforced in the 2018 Community Forest Regulations, which state in Section 4 (1) that community forest management may be applied in GMAs.

Luangwa River
RENA SINGER

The Forests Act prescribes that a JFM area may be declared by statutory instrument in a local forest, botanical reserve, plantation, private forest or open area, provided the local community or forest owner consents to such a declaration. The Act further provides for the setting up of management structures in the form of a joint forest management committee (JFMC), with nine to 12 members representing various government departments, the chief, local community, and other stakeholders. The JFMC has a formal responsibility to develop and implement a forest management plan, a complex procedure requiring preparation of maps, consultation with local and national stakeholders, and a good understanding of prevailing natural resources, lands, and environmental legislation. As such, external facilitation and support is needed.

Additionally, the 2015 Forests Act describes a procedure for how private forests may be registered with the Forestry Department for the purpose of sustainable forest management. The application for registration is to be backed up by a simple plan for how the area will be used. In return for registration, the owner becomes entitled to technical advice, is exempted from production licenses, permits, and fees, and has full decision-making authority over use and disposal of forest products. A prerequisite for private forestry is evidence (in the form of a leasehold title deed or lease agreement) of tenure. Smallholders holding traditional or customary rights over land and forests are not eligible for private forestry (which excludes most households and small farmers), which by definition favors larger, more formalized farmers and agricultural enterprises with formal tenure documentation.

In 2018, regulations were issued relating to community forests in the form of a statutory instrument (GRZ, 2018b). The SI provides more details regarding:

- Application for registration of a CFMG;
- Application procedure for CFMA; and
- Rights and responsibilities of CFMGs.

In terms of rights, the 2018 regulations do not provide significantly more detail than the 2015 Act. However, it is clearly stated in Section 9 that the "community forest management area shall be for the exclusive use of the local community" (GRZ, 2018b). Although not explicitly stated, it appears that revenues generated from harvesting within community forests are not taxed or shared with other levels of government. While SI 11 of 2018 provides for the appointment of Honorary Forest Officers, the regulations do not specifically assign roles and responsibilities for enforcement, fines, confiscation of illegal produce and equipment. They do note that the CFMG shall "report forestry related offences to the forest officer" and the group has the right to retain revenues from these fines (GRZ, 2018b).

The regulations provide more detail on local consultation – and state that any application for community forestry must be supported by local users, traditional leaders and other rights-holders with interests in the forest. Furthermore, Section 3 of the regulations emphasizes the role to be played by local governments in "the promotion of community forests for forests within the jurisdiction of the local authority" (GRZ, 2018b).

Community forestry guidelines were also issued in 2018 (Ministry of Lands and Natural Resources, 2018) that provide a detailed description of the seven steps required to establish community forestry, namely:

1. Process initiation and awareness raising;
2. Boundary negotiation, mapping, and signing of map;
3. Management group constitution and election;
4. Management planning and forest management rules;
5. CFMA preparation, application, and signing;
6. Implementation of the forest management plan, for forest protection, development, domestic use, and forest-based income generation; and
7. Joint monitoring, evaluation, and lesson learning.

2.1.3 REFORM OPPORTUNITIES AND CHALLENGES

The new forest legislation provides new opportunities to expand and scale up community management of miombo woodlands, establish community forestry enterprises, and develop effective and equitable partnerships between community forestry groups and responsible private sector actors with strong market links and a track record in sustainable forest and woodland management. Of the models described in the Forest Act, community forestry appears to offer the most promise in terms of creating incentives for sustainable, community-based forest management because of its broad applicability across Zambia's customary communities. The legal provisions around JFM appear to answer some of the earlier criticisms by allowing communities to benefit directly from commercial harvesting of timber resources – but only through a benefit-sharing approach which is ultimately controlled by central government and over which communities have little real control or power. JFM is also confined to gazetted forest reserves, which are of limited number, location, and size.

The Decentralized Forests and Other Natural Resources Management Project (DFNRMP), funded by the government of Finland, operated from 2015 to 2018 in six districts within Muchinga and North-Western Provinces. The goal of the project was to support the implementation of the new Forests Act as well as contribute to subsidiary regulations and guidelines. A key learning from the DFNRMP was that there is limited trust between communities and government, following multiple cases of customary lands being allocated to investors and private sector operators. When the community forestry initiative was introduced at the local level, communities were understandably initially wary, so they selected smaller, degraded, and distant forests for community forestry as a way of minimizing risk. With time, communities began to see that benefits outweighed risks and expressed interest in expanding the area of forest under community forestry (DFNRMP, 2018). This underscores a broader challenge of introducing new CBNRM approaches in a way that builds trust among government and communities.

Data from the Forestry Department (Table 1) also shows the application for recognition of over 789,000 ha of community forest management areas, only about a year after the passage of the community forest regulations (SIs). More recent figures suggest that this has already exceeded one million hectares. However, according to the Forestry Department, the final stage of registering a community forest is through publishing in the national gazette, yet to date this has reportedly not been done for any community forest. The requirements for registering a community forest agreement would benefit from streamlining and rapid approval to avoid demotivation of community forest management groups.

TABLE 1: REGISTERED CFMGS IN ZAMBIA AS OF 2019. SOURCE: FORESTRY DEPARTMENT.

NAME OF CFMG	PROVINCE	DISTRICT	AREA (HA)
Chapalakata	Muchinga	Chinsali	350
Pawa	Muchinga	Shiwangandu	137
Filamba	Muchinga	Shiwangandu	558
Chisoso	Muchinga	Shiwangandu	98
Kafwaya	Muchinga	Shiwangandu	439
Mwilwa-Mutemeni	Muchinga	Shiwangandu	126
Kateshi	Muchinga	Shiwangandu	128
Ngosa-Milambo	Muchinga	Shiwangandu	98
Ulubano	Muchinga	Shiwangandu	39
Isalala	Muchinga	Nakonde	108
Nyambala	Muchinga	Nakonde	343

NAME OF CFMG	PROVINCE	DISTRICT	AREA (HA)
Msoro	Eastern	Mambwe	24,659
Mwanya	Eastern	Lundazi	87,417
Nsefu	Eastern	Mambwe	39,800
Jumbe	Eastern	Mambwe	16,212
Mnkhanya	Eastern	Chipata	34,484
Nyalugwe	Eastern	Nyimba	61,088
Luembe	Eastern	Nyimba	289,934
Mphanshya	Lusaka	Rufunsa	84,663
Shikabeta	Lusaka	Rufunsa	118,348
Kelondu	North-Western	Ikelengi	397
Kamanengu	North-Western	Mwinilunga	103
Makasa	North-Western	Mwinilunga	149
Chilembalemba	North-Western	Mwinilunga	256
Kalasa Ngubo	North-Western	Kasempa	6,353
Kayola-Mukunashi	North-Western	Kasempa	4,587
Kamakechi	North-Western	Kasempa	7,010
Lijika	North-Western	Kasempa	4,406
Lubofu	North-Western	Kasempa	6,219
Mpungu	North-Western	Kasempa	589.6
Total			**789,098.60**

2.2 CASE STUDY 1: BIOCARBON PARTNERS – DEVELOPING REDD+ THROUGH COMMUNITY FOREST MANAGEMENT

2.2.1 OVERVIEW

BioCarbon Partners (BCP) is a conservation-focused social enterprise established in Zambia in 2012, with the mission of making conservation of wildlife habitat valuable to people. BCP does that by working with private landholders and rural communities to improve forest protection and management, and then working to convert forest products into sustainable sources of income and improved livelihoods. Their main business focus since their founding has been in the global carbon market; by avoiding deforestation, carbon credits can be developed according to internationally specified methodologies and standards, which are then sold to a range of buyers to offset their carbon emissions. This can include companies that are emitting CO_2 through their

Community involvement is central to the the REDD+ approach
BIOCARBON PARTNERS

business activities, or individuals such as travelers who offset their air travel and other personal activity. With deforestation and forest degradation accounting for about 15 percent of all human-caused global carbon emissions, using carbon markets provides a way to generate revenue and incentives for improved forest protection. In Zambia, BCP has been the pioneer in this forest-linked carbon market (known as REDD+). BCP's goals are simply to increase household level incomes and wildlife recoveries through the tool of the forest carbon market.

BCP's first major project, which pioneered REDD+ and forest-based carbon credit projects in Zambia, was the Lower Zambezi REDD+ Project, based on Rufunsa Conservancy, a 40,000-ha private ranch located adjacent to Lower Zambezi National Park. Subsequent to developing that project, BCP secured a $14 million grant (2014 – 2019) from USAID to develop the Community Forests Program (CFP). This project was designed to adapt BCP's REDD+ model to customary communal lands, aiming to establish REDD+ across a minimum of 700,000 hectares in eastern Zambia, primarily focused on the Luangwa Valley ecosystem, the country's richest wildlife area and a key site for conservation.

Communities and government partner on enforcement.
BIOCARBON PARTNERS

The project ultimately worked across 12 contiguous chiefdoms, encompassing roughly 1 million ha in Eastern and Lusaka Provinces, and including 69 village action groups (VAGs). For the project to be successful in creating and eventually marketing certified carbon credits, the key management focus under the project has been working with CRBs, traditional authorities, government, and other stakeholders to improve forest management in this region. As of late 2019, BCP had worked with 12 chiefdoms to establish 12 community forest management areas, encompassing 943,676 ha that create a corridor along the Luangwa Valley and towards the Zambezi Valley (BCP, 2019).

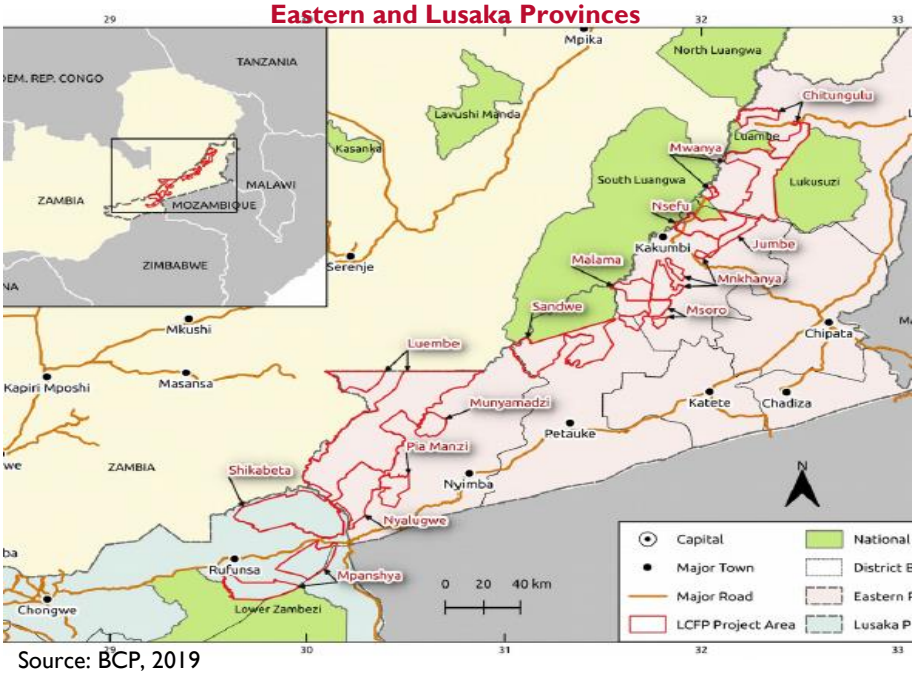
This project, and all of BCP's work, is based on creating carbon credits from improved forest management, which the CFMAs are designed to deliver. The project recently achieved verification by a global carbon certification body, Verified Carbon Standard (VCS)/Carbon Certification Body (CCB). The project is based on a 30-year crediting period, and calculates emission reductions of roughly 2.9 million tons of CO_2 equivalent annually. Once the project completes verification and issues credits, it estimates revenue from sales of roughly $4 – 5 million per year ($40 – 50 million over 10 years).

2.2.2 INSTITUTIONAL FRAMEWORK

All the LCFP project sites are located within GMAs. As a result, CFP engaged with traditional authorities and other community institutions with legal recognition such as CRBs and the associated VAG membership, as well as with the Department of National Parks and Wildlife (DNPW) and the Forestry Department. The institutional framework for BCP's work in the Luangwa Valley has been to establish CFMAs under the management of CRBs, with CRBs as the entities that create the CFMAs with the Forest Department.

BCP facilitated the recognition of the CRBs as CFMGs by the Forestry Department, each of which became responsible for a community forest in each CRB's respective chiefdom through a CFMA (see example in Figure 2). These agreements include specification of the resource use rights granted to the CFMGs. A key part of BCP's work has been the inclusion of carbon rights in the CFMAs, which is the first time that CFMAs have explicitly included rights over carbon.

Figure 2: Community Forest Management Areas Created by CFP in Eastern and Lusaka Provinces

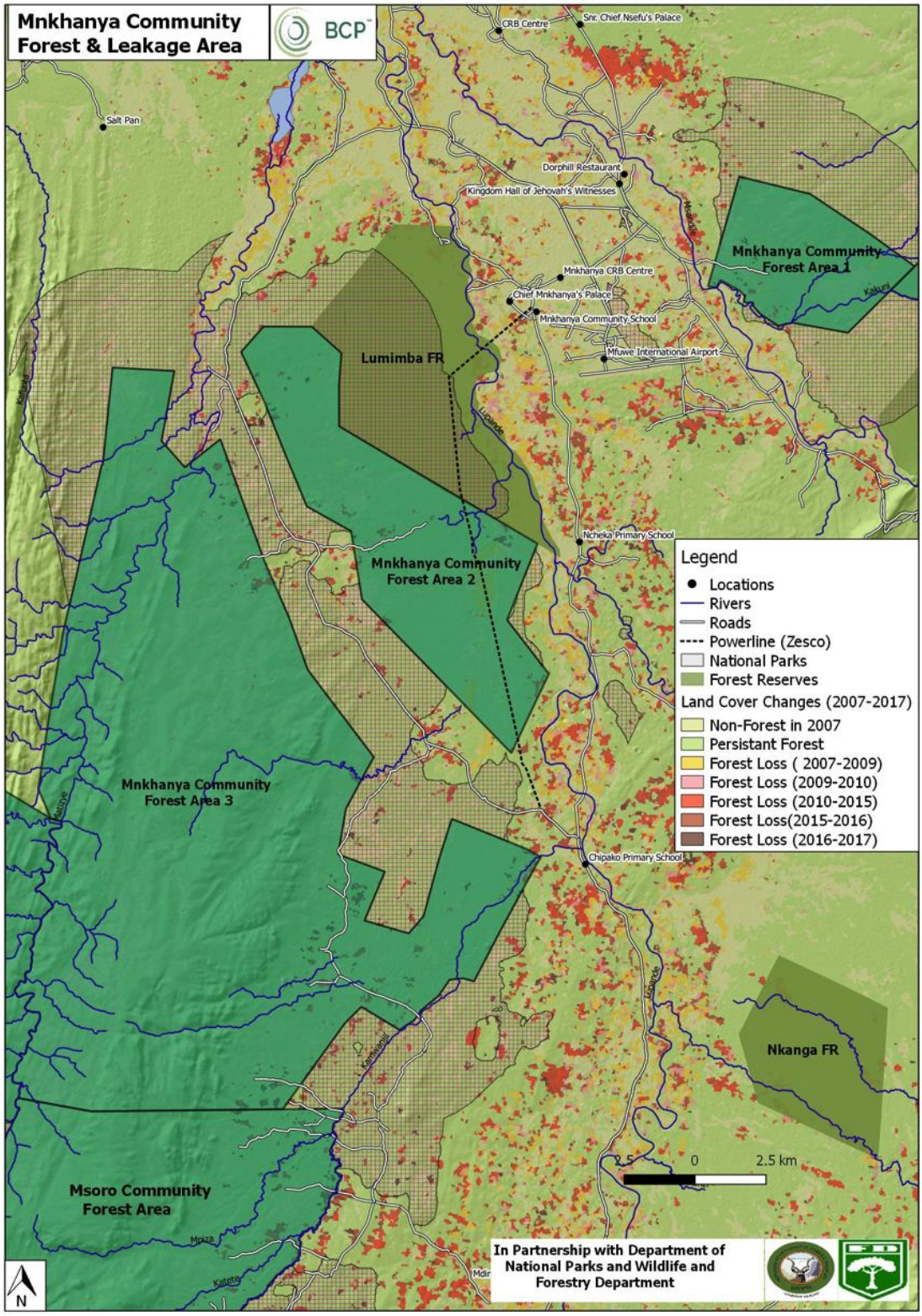


Source: BCP, 2019

To facilitate the formation of the CFMGs, BCP developed the following process:

- Introductory meetings to provide community members with critical information and to allow them to make informed decisions. Meetings were also held with the government (Forestry Department/DNPW), provincial and district authorities, chiefs, and CRBs and VAGs.
- Participatory learning and action/participatory rural appraisal to solicit community inputs to identify local drivers of deforestation and deforestation mitigation activities that could help to address/reduce these drivers, followed by participatory forest selection meetings where members of the community reviewed maps of their chiefdom forests, and had the opportunity to provide feedback in terms of areas of community forest to be protected and potential mitigation activities to be followed.
- Aerial surveys and consultations on forest management boundaries designed to ensure free, prior and informed consent (FPIC), as required by international REDD+ certification standards such as VCS. The FPIC process was initiated by consent letters from the 12 chiefdoms working with BCP to allow the project to conduct feasibility studies of the chiefdoms to get to a decision point whether the chiefdom would be a viable component of a large-scale REDD+ project in terms of the requirements for calculating carbon credits under REDD+ methodologies.
    - This led to another round of intensive engagement with district governments, chiefs, CRBs, and VAGs to seek clarity whether at the VAG level there was community consent to embark on a 30-year forest protection project.
- Following the chiefdom start date letters, a process with government, CRBs, and traditional authorities was embarked upon to develop a template for a 30-year community forest management agreement. This agreement describes the roles and responsibilities and benefit distribution plans, detailing how the proceeds from carbon credit sales would be used to ensure management of the forests and long-term development benefits for communities.

Figure 3: Map of Mnkhanya Community Forest Management Area



Source: BCP

2.2.3 PROGRESS AND CHALLENGES

In facilitating the establishment of 12 CFMGs covering 943,676 ha of forests in the Luangwa Valley's GMAs, BCP's work in eastern Zambia has been the largest-scale piloting of community forestry and application of the 2018 Community Forest Management Regulations in the country to date. Following CFMA establishment, BCP reports an emerging sense that forest encroachment is being reduced and there is more sense of ownership since the communities received rights over the forests.

A key concern for the project's long-term impact and effectiveness revolves around the capacity of the CRBs, which play the central role in CFMA governance and management, and will be responsible for managing the significant revenues from carbon credit sales that will be generated by the project as soon as 2020 (Ibsen, 2018). CRBs in principle should have experience with overseeing scouts and managing benefits from hunting revenue. But in reality, these activities are often carried out by hunting concession holders and government agents from DNPW. BCP has invested directly in CRB capacity development and provides direct mentoring to manage scouts and training in managing conservation fees.

The CRB conservation patrols responsible for forest protection initially failed to achieve their intended impacts due to CRB capacity constraints. BCP shifted its management of the project to a direct support model that enables BCP to have train/hire/fire control over community scouts that the REDD+ project supports for improved accountability. The community scouts are hired from REDD+ chiefdoms, and are contracted by the CRBs. BCP covers all costs with the net result being greater accountability to both the traditional authorities, CRB, and project needs, as the scouts are trained to a high level and paid on time.

As of 2019, most of the CRBs have gone through a second round of elections since first engaging with BCP, and are reportedly showing improvements in independence, governance, and management. BCP continues to provide mentoring support to all 12 CRBs. However, a challenge is that a three-year term is not long to enhance governance capacity, and turnover following elections leads to institutional memory loss. Other challenges at the CRB level can be the excessive influence of the chief (patron) in decision-making, elite capture, and attempts by the CRB to block access to the VAGs by the project (essentially the CRB member base).

BCP encountered a wide range of additional challenges in developing LCFP, many of which relate to piloting a range of new market and institutional arrangements (CFMG/CFMAs based on long-term contracted and carbon credits sales) on a large scale:

- Suspicion of the private sector by both government and communities, as well as misinformation pertaining to the nature of carbon projects (e.g. rumors that the carbon project would kill trees).
- Miscommunication / misinterpretation between DNPW and Forestry Department on legality of designating community forests in GMAs.
- The process of getting CFMG recognition and approvals for the transfer of rights from government to communities was further complicated by the fact that it was the first time the regulations had been applied in Lusaka and Eastern Provinces and as such it was a learning process for GRZ officers, CRBs, and BCP.
- Resistance from some hunting concession holders in the GMAs to the integration of community forestry, and BCP's role in partnering with the CRBs, within their trophy hunting concessions.

2.3 CASE STUDY 2: COMMUNITY MARKETS FOR CONSERVATION – LINKING SMALLHOLDER FARMERS AND COMMUNITY CONSERVED AREAS

2.3.1 OVERVIEW

Community Markets for Conservation (COMACO) is a social enterprise and registered non-profit company that focuses its work and services in the Luangwa Valley in eastern Zambia. COMACO was established in 2003 to address what it describes as "systemic changes" that were transforming the Luangwa Valley, Zambia's premier wildlife landscape, as a result of the intersection of widespread rural poverty and food insecurity; illegal poaching; inefficient small-scale farming practices and production systems; and locally unsustainable use of wildlife and forest resources (Lewis et al., 2018).

COMACO was founded in order to develop a new approach to community-based conservation in the Luangwa Valley landscape, aiming to address the underlying causes of unsustainable natural resource use in the form of rural poverty and food insecurity. COMACO believes that by supporting local people to diversify their livelihood options and improve food security through sustainable agricultural practices, the economic incentives to poach wildlife, destroy forests, and use poor farming methods are reduced.

The core of COMACO's conservation approach was initially to "transform poachers" by teaching rural farmers who rely on unsustainable harvesting of game meat or charcoal for food and income to improve their farming and reduce their dependence on natural resource use. COMACO does this through providing year-round training programs that support farmers to transition to legal, sustainable jobs, such as farming, carpentry, or bricklaying, which support their families and the environment. Once they sign the COMACO Conservation Pledge, poachers are welcomed into a local cooperative and provided access to further support services. COMACO observes that many of these former poachers are amongst the fiercest advocates for conservation. Today, COMACO has taken this approach to impact not just wildlife, but forests and soils, helping to manage entire landscapes where wildlife is a component of the natural resource base.

COMACO's sustainable agriculture approach uses a business model that works with farmers who are organized into farmer groups (15 – 20 farmers) to become self-reliant in food security by adopting skills that improve soils and reduce input costs (low or no-tillage, use of crop basins, compost and crop residue use, and inter-cropping with nitrogen fixing species). Each farmer group selects a "lead farmer" recognized for their farming skill and know-how. Lead farmers report to a network of senior and principle lead farmers, who are overseen by an executive committee of cooperative board members. Farmers elect cooperative leaders through their VAGs (which is a similar structure to what CRBs work through), ensuring the process is open and inclusive.

These elected leaders serve on the cooperative's executive committee that negotiates contracts with COMACO to increase market value for crops grown using sustainable, climate resilient farming practices. Once farmers adopt these practices and crop yields start to increase, COMACO purchases crops, paying farmers premium market prices. COMACO then processes the crops into high-quality food products and sells them across Zambia under their brand *It's Wild!* All revenues are returned to farmers through continued support and programming.

COMACO provides additional incentives, including conservation dividend payments and carbon market transactions, that are tied to annual audits of agreed conservation standards. These standards go beyond agriculture to include compliance with regulations for protecting both wildlife and forests.

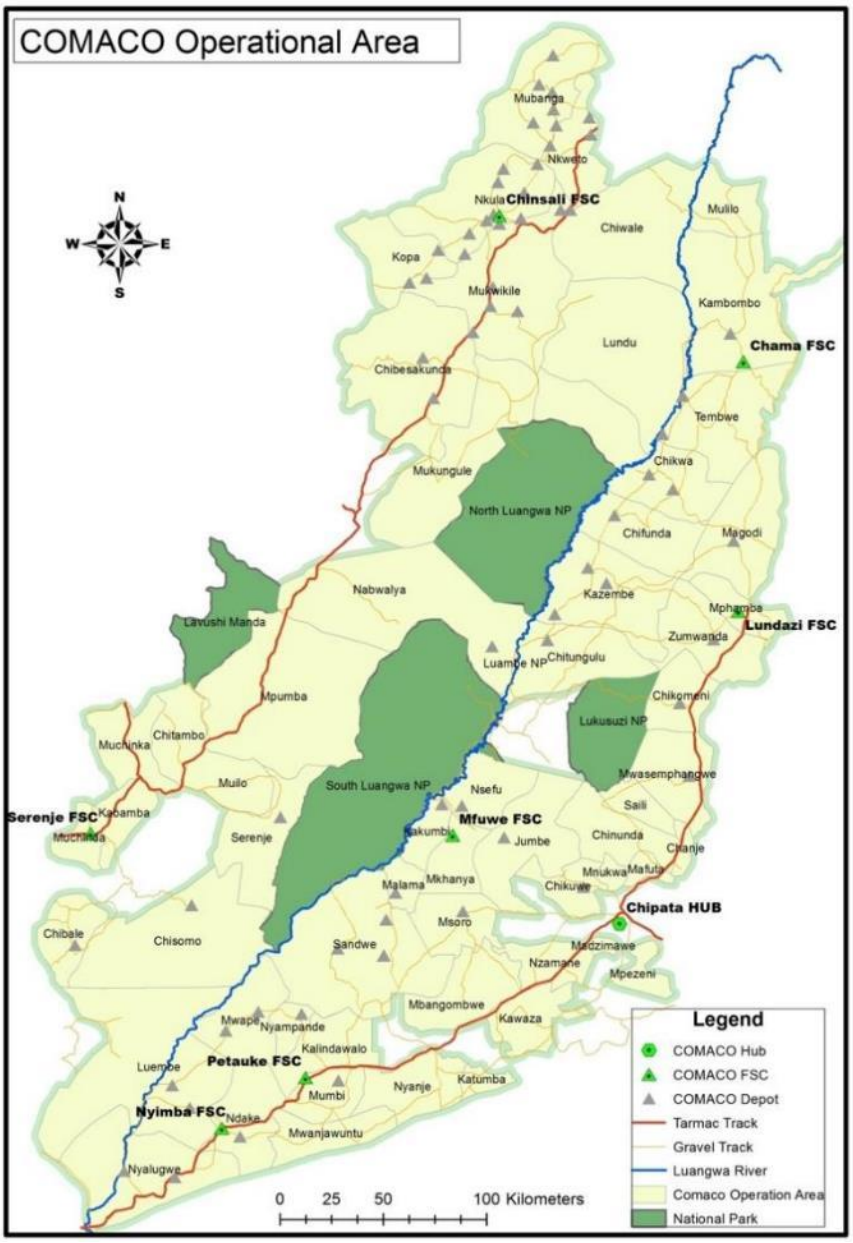
COMACO is now working with 81 cooperatives and roughly 178,000 farmers in the Eastern Province of Zambia, located in 76 chiefdoms across 15 districts (Lewis et al., 2018) (Figure 3 below). COMACO's turnover from the *It's Wild!* brand is now $3.5 - $4 million annually, and annual incomes for participating

farmers have increased as much as 450 percent (Lewis et al., 2018). More recently, it has expanded operations to Mumbwa and Itezhi-Tezhi Districts along the boundary of the Kafue National Park, adding an additional 10,000 farmers to the program.

2.3.2 INSTITUTIONAL FRAMEWORK

A key part of COMACO's overall strategy, beyond improving farmer yields through extension support, training, and improved market access, is developing locally zoned and managed conservation areas referred to as community conservation areas (CCAs). These areas are set up in partnership with traditional authorities and local councils, with incentives coming from COMACO's annual performance-based conservation dividend payment as well as opportunities to earn income from forest products such as honey that COMACO markets under the *It's Wild!* brand. COMACO reports that 38 CCAs have been established covering roughly 1.2 million hectares of land in total, including approximately 800,000 in Eastern Province.

Figure 4: COMACO Operational Area



Source: COMACO

The CCA approach has been fully implemented in 19 chiefdoms in Nyimba, Petauke, Mambwe, and Lundazi Districts, and partially in 13 other chiefdoms in Chipata, Katete, and Nyimba Districts. CCAs are formed in customary "open areas" – not GMAs (hence not overlapping with BCP-supported areas) – and are designated areas of community natural resource management.

CCAs are managed and overseen by locally-established chiefdom conservation task forces, which COMACO establishes, working with the farmer cooperatives in its areas of operation. The task force may include representatives from other local institutions, including CRBs, CFMGs, VAGs, and cooperative, and serves to unify local management institutions. Land use management in CCAs is governed through a community conservation plan (CCP) which is developed through community consultation and enforced with the support of the traditional authorities.

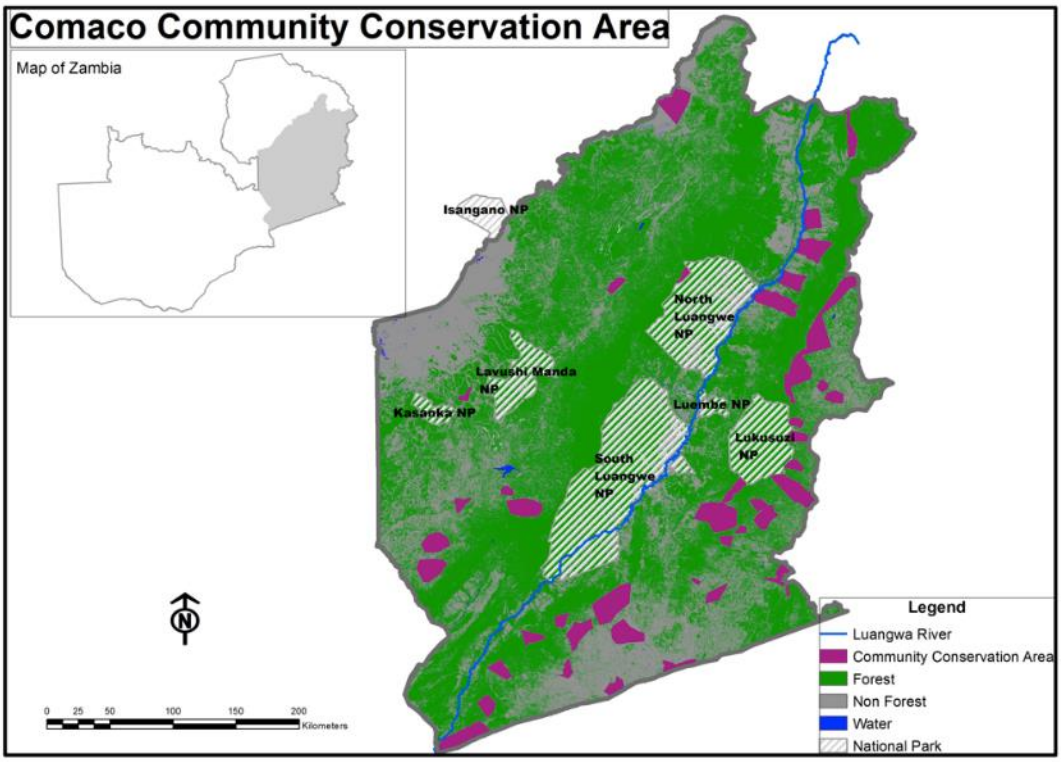
CCPs allow settlements and farming sites to remain if they existed at the time CCAs were established, but any expansion of farm fields, as well as any new settlements, are strictly forbidden without the written approval of the local chief. In addition, to reduce future risks of deforestation, certain crops like cotton and tobacco are banned, and residents are required to adopt agroforestry and minimal tillage farming practices.

CCAs are patrolled by teams of COMACO-trained community forest guards, who identify charcoal-makers and offer them alternative livelihood skills, such as the tools and knowledge to begin a small farm of their own. Local informant networks connected to CCA management structures and community forest guards help give early warning to local authorities for violations of CCPs and COMACO helps use local traditional courts to pass judgment and penalties for such violations. District conservation task forces chaired by the district commissioner to evaluate and strengthen CCPs and CCAs have also been put in place. In some areas, district conservation plans that build on CCPs are being compiled.

At the provincial level, COMACO helped to establish the Eastern Province Roundtable, chaired by the Provincial Permanent Secretary. This forum allows district commissioners and chiefs' representatives to report on the progress of their respective efforts. Meeting once or twice a year, roundtable meetings have proven helpful in galvanizing local commitment to conservation and building links to higher level government authorities for enhancing the decentralization process as contained in the Wildlife and Forests Acts.

CCAs have been developed as locally-based and adapted conservation areas that draw on the role of traditional authorities, COMACO's farmer cooperatives, and district government for their management and authority. To further strengthen these CCAs, COMACO is now moving to integrate CCAs with the provisions of the Forests Act for community forest management areas. COMACO has now registered nine CFMGs in nine chiefdoms, and is in the process of registering 18 more. Through participatory processes, community members, under the patronage of their chief and the chief's advisors (senior indunas), designate and map the CCA and enter into an agreement with the Forestry Department which is also endorsed by the district commissioner. The mapping of community forest management areas onto the established CCAs provides for greater national recognition and management authority for the CCPs and other

Figure 5: CCAs Established by COMACO in Eastern Zambia



Source: COMACO

management arrangements that have already been developed locally.

Like BCP, COMACO has also developed a REDD+ carbon credit project in eastern Zambia, based on the forest conservation and management activities taking place in the CCAs (VCS, 2016). This project includes 116,000 ha of CCAs in nine chiefdoms and was verified by VCS in 2016. From this REDD+ project, the World Bank has reportedly purchased a total of 214,659 tons of CO_2 sequestered at a total value of nearly US$814,500. Sixty percent of the total income, or nearly US$490,000, was distributed to nine chiefdoms to reward their good management of CCAs (Hou-Jones, Franks, & Chung, 2019). COMACO reports that the carbon revenue has been invested in community development projects, such as the drilling of new wells in regions with limited access to clean water, or the launch of additional income sources like community poultry farming and beekeeping.

2.3.3 PROGRESS AND CHALLENGES

COMACO has developed an innovative model for CBNRM that is working on a growing scale to address interconnected issues of rural poverty and sustainable natural resource management in a relatively complex and holistic manner that spans farmer extension support and training, marketing and brand development in agricultural products, creation of new forest-based income through REDD+ carbon credits, and improved land use planning and management through up to a million ha of CCAs. There is evidence that these interventions are improving household income and food security on a large scale (Lewis et al., 2018). COMACO has also published evidence that suggests declines in illegal wildlife use have taken place at their project sites as a result of the individual and communal incentives and behavior changes resulting from their agricultural interventions (Lewis et al., 2011).

Yet challenges and opportunities remain. There is less clear evidence of improvements in forest condition or land use management as a result of CCA establishment, though the fact that 116,000 ha of CCAs have been established as a VCS-validated REDD+ project, and a significant volume of credits sold, provides external endorsement of the land use benefits of the CCA framework. Converting CCAs to community forest management areas under the Forests Act, as COMACO has now started to do, should be a straightforward way of strengthening community-level forest management and providing greater national legal support for these local conservation areas.

2.4 CASE STUDY 3: COMMUNITY FORESTRY IN MULOBEZI GMA

2.4.1 OVERVIEW

Mulobezi is the fifth-largest (3,430 km^2) of the nine GMAs surrounding Kafue National Park and is located southwest of the park. Mulobezi is located in Kazungula District, and is remote and difficult to reach, with limited communications and infrastructure. The area used to have abundant wildlife and the former chief, a Zambia Wildlife Authority (ZAWA) board member, was interested in hunting and conservation. The area has one of the oldest teak businesses, which dates

Wood fuel and timber are important livelihood in the Mulobezi GMA
GARETH BENTLEY

back to the 1920s and is still in operation.

Following an internal strategic review of the Kafue area GMAs in 2012, The Nature Conservancy's (TNC) Zambia country program decided that the environmental, social, and economic attributes of Mulobezi bore considerable promise as a testing ground for a new approach to conservation. With little CBNRM activity in the area, communities in the GMA had very limited rights to manage and benefit from the wildlife or forest resources in their area. Despite having two hunting concessions in the GMA, Mulobezi reportedly did not receive their share of the hunting fees from 2016 to 2020, a situation that was taken up with the government by the ZNCRBA and Mulobezi CRB.

2.4.2 INSTITUTIONAL FRAMEWORK

With TNC support, the Moomba CRB (on behalf of the community) has been granted the first-ever timber license (concession) for a local forest reserve situated in a GMA. This enables the community to manage and earn money from its own timber logging and processing business. With TNC support, the Moomba CRB (representing the five VAGs in the Mulobezi GMA) established a community timber company known as Kabuzu Timber Dealers Limited. In early 2019, TNC donated much-needed equipment (two chainsaws, a tractor and a locus mill) to Kabuzu.

Alternative livelihood options are part of the implementation approach to community forest management
GARETH BENTLEY

Following a tender process, Kabuzu entered into a joint venture agreement with Taurus Sawmills Limited (formerly Capital Timber Limited) in January 2019. Taurus is owned by a timber merchant who has been operating in the area for many years. Taurus has a sawmill and brings capital, expertise, and other key private sector resources (access to markets, logistics, etc.) to the partnership. The joint venture contract clearly stipulates performance and benefit sharing (50 percent of profits kept for operations while the other 50 percent split equally between each partner) arrangements. In addition to this, the joint venture is purchasing timber from the CRB (under the concession license) for a harvest fee of 150 kwacha per cubic meter.

2.4.3 PROGRESS AND CHALLENGES

The joint venture has begun logging but neither harvest fees nor company revenue shares have been paid to the CRB as of yet. A review of progress is planned between the parties, and a number of challenges reportedly still need to be addressed, which include lack of local leadership and lack of community business capacity and understanding.

Concurrently, the Mulobezi community has begun working on establishing a CFMG with the hopes that this institution can provide more secure access and use rights to forest resources in the area. An

application for a CFMG was submitted in late 2016 by Mabwe VAG covering 10,000ha. This has not yet been approved and the reported feedback from the Forestry Department and DNPW is that a CFMG cannot be established in the "conservation zone" of the GMA as this will affect the trophy hunting operations. Instead, the community of Mulobezi have been advised that each of the five VAGs should apply for separate CFMGs of 2,000 ha each rather than a single block of 10,000 ha. There also seems to be some local uncertainty regarding the establishment of a CFMG in a GMA, the sizes that are allowed as well as the institutional arrangements and whether an overall forest committee that represents all five VAGs, as does the CRB, is required. These issues are still to be resolved and TNC is planning to convene stakeholders from the VAGs, DNPW, Forest Department, and the hunting outfitters to finalize a way forward on CFMG establishment. It appears that lessons from Eastern Province and the experience of BCP may be well suited to inform these challenges.

3.0 COMMUNITIES AND WILDLIFE MANAGEMENT

3.1 BACKGROUND

Zambia has an extensive wildlife and protected area estate, covering 20 national parks (with an area of around 64,000 km^2) and 36 GMAs (covering around 167,000 km^2), which together comprise about 30 percent of the nation's land area. GMAs were established as buffer zones around the parks networks and are used for a variety of both consumptive and, to a lesser degree, non-consumptive tourism. Trophy hunting is an important land use in many of the GMAs and is practiced by a number of sport hunting concession-holders. GMAs are home to large and expanding human populations who due to their remote locations, poor accessibility, and prevailing poverty levels are generally heavily dependent on wildlife and forest resources. Clearance of natural vegetation and conversion of land use to agriculture, as well as hunting for domestic and commercial use, is having an increasing impact on wildlife populations and natural habitats in these areas, and wildlife populations in GMAs are generally heavily depleted, now at perhaps only five to 10 percent of their potential wildlife densities (Lindsey et al., 2014).

In response to these problems, and building on experiences from neighboring Zimbabwe (such as the well documented "CAMPFIRE" CBNRM program), during the 1980s there was a growing recognition within government and from donors that new approaches were needed that facilitated greater community participation and benefit sharing from wildlife in GMAs. In the early 1990s, subsidiary legislation was introduced to partially decentralize authority over wildlife to communities through what was known as the Administrative Management Design for Game Management Areas (ADMADE), under the jurisdiction of the Department of National Parks and Wildlife Service. The ADMADE program was initiated in the mid-1980s, managed by the government, and funded by USAID through the Wildlife Conservation Society (WCS). It was intended to be a national program, but focused mainly on GMAs in the Luangwa Valley, around Kafue National Park, and in the lower Zambezi Valley. It was based on revenue sharing according to a formula set by government policy. The main strength of the program with regards to implementation was in law enforcement through village scouts and the development of a wildlife-monitoring program.

A second major CBNRM project, the Luangwa Integrated Rural Development Project (LIRDP) was initiated in the Lupande GMA in the Luangwa Valley in 1988 and funded by the Norwegian Agency for Development Cooperation. 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, and agricultural extension 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 (Lubilo & Child, 2010).

These two early CBNRM projects had a relatively simple model for reforming conservation in GMAs, based on the principles of benefit sharing. A portion of hunting fees was channeled back to the community, where a committee chaired by the local chief determined its use for social infrastructure projects and law enforcement. The projects were based on the theory of change that benefits from hunting fees (in the form of social infrastructure) coupled with local employment as game scouts would be sufficient to transform attitudes and behavior towards conservation, reducing unregulated hunting and addressing growing habitat loss due to expansion of settlements and agriculture. Although the projects did result in improved law enforcement within participating GMAs, the flow of benefits was somewhat diffuse (by the communal nature of social infrastructure projects) and tended to be

concentrated among individuals who were hand-picked by the chief and his headpersons (Gibson & Marks, 1995). Despite these apparent weaknesses, the basic structure and principles of these early CBNRM pilots went on to influence wildlife policy and law over the next three decades.

3.2 INSTITUTIONAL FRAMEWORK FOR CBNRM

In 1998, the National Parks and Wildlife Act (1971) was repealed and replaced with the Zambia Wildlife Act (No. 12). A key element of the new legislation was the transformation of the Department of National Parks and Wildlife Service into ZAWA, designed to be a semi-autonomous, revenue-generating body of the type seen in other countries in the region (such as Kenya Wildlife Service, South African National Parks, and Tanzania National Parks). In addition to these institutional reforms, the new legislation formalized CBNRM, and established CRBs as democratic local institutions to work in partnership with ZAWA within GMAs.

Communities wishing to form CRBs must fulfill a set of specific conditions specified in the Wildlife Act. First, the local community must have common interest in the wildlife and natural resources of its area and be resident in an area defined as a chiefdom. In addition, the CRB must have a board elected by the local community. The local authority and the chief are represented by one person each, with the chief serving as a patron of that board. The very lowest level of local government, VAGs, consist of elected members and are guided by a constitution developed by community members. One of the main functions of the VAG within the CRB framework is the allocation of wildlife revenues to projects or households at general meetings (Shackleton & Campbell, 2001). Game scouts, appointed by VAGs, provide wildlife protection functions across the GMA.

The formation of CRBs has had two positive impacts. CRBs have provided platforms for development organizations seeking an entry point for community development activities. Secondly, ZAWA returned a portion of hunting revenues to the CRBs, which, in most GMAs, were not available to the communities before. Safari hunting is the major source of wildlife revenue in GMAs. ZAWA disbursed 50 percent of animal fees and 20 percent of concession fees to local communities in GMAs through CRBs for resource protection and the improvement of livelihoods.

3.3 LEGAL AND POLICY REFORMS

There have been several attempts by the government to respond to the challenges associated with GMAs. These challenges generally revolve around insufficient local control over benefits from wildlife use in the GMAs, coupled with limited government resources and investment in GMAs. For example, a moratorium on trophy hunting was imposed from 2001 - 2002. In 2006, the Government of Zambia embarked upon a reclassification program for protected areas in an attempt to improve management. In September 2012, a consultative meeting was called by the Minister of the Environment to discuss the way forward for managing GMAs and allocating hunting concessions. Then in early 2013, a temporary moratorium on hunting in GMAs and an indefinite moratorium on the hunting of lions and leopards were imposed following alleged corruption in the tender process for hunting concessions and concerns over the negative impacts of hunting on populations in the light of limited monitoring data, including population estimates.

ZAWA suffered from poor capacity and underfunding throughout its lifetime. Being a parastatal, it was required to generate its own income, much of which came from GMAs in the form of hunting licenses. The pressure to generate revenue to cover recurrent operating costs appears to have conflicted with the goals of long-term wildlife management (Simasiku, Simwanza, Tembo, Bandyopadhyay, & Pavy, 2008; Lindsey et al., 2014). Complex licensing and quota rules (such as trophy hunting, resident hunting, and special license off-takes) exist but have been based on little hard evidence regarding sustainable levels of wildlife harvesting. Private sector hunting operators cite short-term and unstable concessions, combined with widely depleted wildlife populations, as creating limited incentives for long-term investment in anti-poaching or other forms of wildlife management.

South Luangwa National Park
RENA SINGER

A new 2015 Wildlife Act was written in the absence of an approved overarching policy, which was in a draft during the period 2010 – 2017. However, the National Parks and Wildlife Policy (finally issued in August 2018) does form the basis of much of what appeared in the 2015 legislation.

The policy recognizes that the wildlife sector has not performed as expected, stating that: "from its establishment, the Zambia Wildlife Authority (ZAWA) faced a myriad of problems that affected wildlife management and threatened the country's vast wildlife estate" (GRZ, 2018a). These problems included poor funding, weak human and institutional capacity, and high rate of staff turnover. The policy recognizes that weak cross-sectoral cooperation with other agencies, ministries and policies has meant that wildlife protection has operated in a silo and has not been well supported by other law enforcement bodies.

In order to address these constraints, the policy commits, among other things, to:

- Create enabling conditions for effective conservation of wildlife and sustainable growth of the sector;
- Devolve wildlife user rights, costs and benefits to community and private land owners;
- Unlock the economic potential of wildlife and performance of the sector; and
- Promote private sector and community participation in wildlife conservation.

Key strategies relevant to this review that the 2018 policy puts forth include to:

- Decentralize the management of protected areas other than national parks to appropriate local community institutions;
- Design relevant guidelines that facilitate the creation of wildlife-based economies; and
- Facilitate and promote public-private-partnerships that are specific to the wildlife sector in the management of protected areas and customary lands.

In GMAs, the policy commits to:

- Foster the management of GMAs based on the principles of CBNRM and other innovative approaches that will enhance the conservation of wildlife and its habitat and improve the socioeconomic welfare of local communities;
- Promote management of natural resources on customary lands using principles of integrated natural resources management; and
- Facilitate the formation of appropriate community-based institutions.

With regard to devolving wildlife user rights, the policy commits to:

- Develop clear guidelines on the devolution of wildlife management and user rights; costs and benefits to land owners;
- Design mechanisms of accountability and compliance by land owners to whom devolution of wildlife management has been conferred by the State;
- Design and provide appropriate incentives to land owners to invest in wildlife-based land use practices;
- Develop guidelines and facilitate the transfer of ownership of wildlife to community and landowners;
- Facilitate the formation of appropriate community-based institutions in the wildlife sector in line with established legal guidelines; and
- Promote and facilitate the development of community eco-tourism and other wildlife-based enterprises on customary lands.

Overall, as detailed above, the policy provides clear commitments to devolution of wildlife management, improved accountability arrangements, and the development of incentives for local level management. However, as discussed below, these policy provisions were not actually translated into legislation with the passing of the 2015 Wildlife Act.

The main focus of the 2015 Wildlife Act was to dissolve ZAWA and transfer responsibilities to a new Department of National Parks and Wildlife (DNPW) under the Ministry of Tourism and Arts, in line with the criticisms of performance to date described in the Policy for National Parks and Wildlife.

Section 12 of the 2015 Wildlife Act incorporated a new provision, which enables communities to apply for the protection of an area of "environmental, ecological or scientific value or significance" as community partnership parks (CPPs). The act provides the opportunity for traditional user rights to be permitted within these areas, and for communities to enter into agreements with other service providers. This would seem to offer an interesting opportunity for partnerships to emerge similar to those that are developing under community forestry and carbon. To date these partnership have not developed, perhaps because the model has not been clearly defined or due to limited areas of wildlife outside of protected areas.

As with earlier legislation, the 2015 Wildlife Act reaffirms the right of local communities living in GMAs to apply to the government for registration as a CRB. The committee of the board must have elected community members, a representative of the council in the area, a representative of the area chief, and a government official to serve as part of the board's secretariat.

The functions of a CRB are to promote and develop an "integrated approach to the management of human and natural resources in the area falling under its jurisdiction" (GRZ, 2015b). The CRB may:

- Negotiate, in conjunction with the DNPW, co-management agreements with hunting outfitters and photographic tour operators;
- Manage the wildlife under its jurisdiction within quotas specified by the DNPW;
- Appoint community scouts to exercise and perform the duties of a wildlife police officer under the supervision of a wildlife police officer in the area falling under the board's jurisdiction; and
- In consultation with the director, develop and implement management plans which reconcile the various uses of land in areas falling under the board's jurisdiction.

Despite the promising text in the Wildlife Policy and the reference to CPPs, the fundamental challenges inherent in previous legislation remains unaltered. The extant Wildlife Act fails to recognize communities living in GMAs as the rightful owners and managers of wildlife or land. Being subject to significant in-migration, pressure on natural resources is high and effective land use planning is almost impossible. Furthermore, licensing of hunting rights and setting of hunting quota are the sole responsibility of central government (Lindsey et al., 2014).

New regulations under development under the 2015 Act around private wildlife estates, GMAs, and wildlife veterinary issues have the potential to bring new clarity to the sector in the coming years, and represent an important opportunity to strengthen and advance community wildlife management in the face of long-term and chronic institutional challenges.

3.4 REFORM OPPORTUNITIES AND CHALLENGES

Until recently, Zambia's approach to CBNRM in the wildlife sector has long been based on principles of sharing of benefits, rather than devolution of rights and tenure. Under the Wildlife Act, communities are presented as somewhat passive recipients of hunting revenues paid to the government, rather than as active managers of wildlife. Companies are selected by the government, with limited involvement of CRBs (just consent from the chief and participation on tender committees), and no real accountability exists between concession holders and local communities, or government and local communities, in payment of fees. Hunting quotas are set by the government, with little or no involvement of CRBs. The rights of private companies appear to be stronger than those allocated to CRBs, in terms of long-term management contracts for sport (trophy) hunting operators. Despite the limited rights passed down to CRBs, the Wildlife Act provides clear descriptions of CRB responsibilities – including wildlife protection (through village game scouts), developing and implementing wildlife management plans, and "perform[ing] such other functions as the Minister or Director may direct or delegate to it" (GRZ, 2015b). Similarly, there are some gaps in terms of revenue sharing, for example revenues are not shared with communities from photographic safari operations, only from hunting.

A key challenge noted in previous reviews (e.g. Lindsey et al., 2014) has been the mechanism through which revenues are shared. Concession fees are paid directly to central government and then – in theory, at least – the prescribed share is forwarded to the respective CRB. In reality, funds have often been retained within government to cover budget shortfalls at national level (when under ZAWA in particular), and often communities have been promised funds at a later date, often never to materialize (see for example the case of Mulobezi GMA described in Section 2.4). Poor levels of transparency and disclosure have meant that communities are often left in the dark with regard to funds payable to them.

In recent years, there is increasing experimentation at the local level with new ways of engaging communities in wildlife management, beyond the status quo of benefit-sharing to CRBs in GMAs. The following case studies describe some of these new efforts, and all of the case studies described previously for BCP, COMACO, and Mulobezi also have significant wildlife management and conservation aspects as well. Much will depend, however, on continued institutional evolutions and reforms,

particularly in areas such as community game ranching, where there is presently significant interest amongst stakeholders but not yet a legal or regulatory framework that would support new initiatives on the ground. The report returns to these issues of wildlife sector reform in the analysis section at the end.

3.5 UNLOCKING COMMUNITY GAME RANCHING AS A CBNRM OPPORTUNITY

Despite abundant land and wildlife resources, ranching of wild animals is a largely untapped market in Zambia, generating only $15.7 million in 2013, in comparison to $795 million in South Africa and $166 million in Namibia (Lindsey et al., 2014). At present, it is illegal to import game meat into Zambia, despite a sizeable potential market and inadequate supply to feed demand.

In 2019, Zambia's president and senior government officials repeatedly highlighted a national priority to promote community-based game ranching as a rural income stream for communities that will also protect Zambia's wildlife and habitats. Raising legal game meat to serve an urban market is expected to reduce poaching, as urban residents would prefer to buy meat from legitimate sources, which are also expected to be higher quality and lower cost than currently poached animals. In addition, game ranches have the potential to act as sources to re-stock depleted protected areas across the country. The Wildlife Producers Association of Zambia (WPAZ) has organized experiences from across Zambia to inform the legal framework. The state of the enabling environment has not changed significantly since 2013, when the WPAZ completed a review of the status of the game ranching industry, but interest in this industry has expanded significantly.

According to WPAZ, there are about 160 game ranches across Zambia, with approximately 40 to 50 that are over 1,000 hectares. These farms range from tourism-focused enterprises that may keep a few animals, to breeding facilities for certain species of antelope, to ranches designed for hunters, and a very few cases that are attempting meat production at scale. Most of the farms are fenced, which is one of the most significant costs of establishing a game ranch. As of 2013 only ~300,000kg of game meat were produced each year, and at present none of these operations alone can provide a game meat supply that responds to consistent demand from tourism operators or grocery stores in major cities. More recent estimates of production are not available, though reportedly demand continues to grow.

At present, there are relatively few ways for communities to engage in the wildlife economy, and Zambia's open areas and GMAs are facing enormous land use conversion pressures. Game ranching has the potential to provide communities outside of protected areas with opportunities to manage their own resources and directly benefit from tourism.

Community game ranching is expected to focus heavily on tourism, antelope and non-carnivore meat production, with hunting fees as an ancillary benefit. Game ranching can generate income from a range of sources, including trophy hunting, ecotourism, sales of meat and live game sales.

However, for communities to engage in game ranching as an economic opportunity from wildlife, a number of key barriers identified by producers need to be addressed:

- ***No legal framework:*** The legislation that impacts game ranching is largely cobbled together from different sources. For example, legislation on food safety is designed for livestock processed within abattoirs, not for wildlife that is hunted or culled. On the other hand, the Wildlife Act envisions hunting for trophies as the primary income stream from wildlife, without considering the incentives for ranchers to raise livestock, particularly antelope, for meat. It lacks a framework designed to make raising wildlife commercially viable. This is particularly the case for community game ranching, where models for community partnerships with private sector service providers, or for community land registration or for rights to wild animals have not been clarified by the DNPW.

- ***Ownership and sale of animals:*** All ownership of wildlife lies with the state and is vested in the president. At present, a range of fees are paid for all animals, including those that may be born on a private wildlife estate. These annually renewable certificates of ownership prevent ranchers from using their wildlife stock from accessing loans. Those with fully fenced farms generally feel that their user rights are protected, but that regulations and permits are overly burdensome.
- ***Sale and transport of live animals:*** At present, all transport of game animals requires permits to be issued by the DNPW. Discretionary decisions and indecision/delays can result in a lack of assurance for game ranch owners that they will be able to control their business planning. This barrier is further reflected in a large number of bureaucratic hurdles and licenses required to be compliant.
- ***Security:*** Poaching of animals within game ranches is a major threat to their viability. One of the largest ongoing costs of game ranching is the cost of security, which generally requires the arming of game scouts, often on private property. At present, very few security companies are permitted to be armed. While this arrangement works on private ranches, community game ranches would be expected to be patrolled by community scouts, in which case, the framework would likely focus on the community member ranch owner buying weapons and transferring these to the government, which in turn would arm the community. Reportedly, the penalties for poaching on a private wildlife estate have been applied by the courts with much less severity than the penalties associated with poaching in open areas, presenting an impression that state property is valued more highly than private property.
- ***Unfenced game ranches:*** To date, Zambia's game ranches have largely been fenced on private property with outside stocking or have effectively been operated as hunting concessions on lands adjacent to protected areas. A community game ranch may have to operate as a hybrid between these two models, for example partially fencing an area of interest. This presents a challenge given the costs of fencing and the unique condition required to manage animals in unfenced areas (for example, needing to border a natural barrier or protected area).
- ***Veterinary regulations:*** Unsurprisingly, veterinary regulations fall under the Ministry of Livestock and Fisheries and are largely designed to apply to facilities for cattle and poultry, not for hunted wild animals. These regulations therefore restrict the ease of ensuring cold chain, and other requirements. These regulations result in extra costs to the game ranchers though not all the regulations are based on evidence specific to Zambia. To date this has limited the game meat market to direct sales.
- ***Broader challenges of ecotourism and trophy hunting:*** Game ranching can meet diverse needs for clients. It provides multiple potential income streams ranging from pure wildlife ecotourism, to hunting, to supplying meat to a high demand urban market. This provides both opportunities for diversification but also areas of concern, as ecotourism and trophy hunting are better developed sectors in Zambia, but still face challenges to be economically viable.
- ***Lack of support industries:*** The Zambia game ranching industry would benefit from specialized skill service providers, for example commercial culling teams, marketing and other areas where economies of scale would allow the industry to scale and meet commercial demand.

The above characteristics limit the expansion of game ranching across Zambia, but communities are further constrained by their lack of capital and access to networks that can support market entry. Specific barriers include:

- ***Upfront costs of fencing:*** A reasonably sized game ranch is likely to require investment capital of at least $1 million, largely to cover the costs of fencing. Upfront financing is not likely to be provided by local communities themselves. Thus, partnerships with investors to provide both capital and technical support are likely critical to success.
- ***Long-term investments:*** Game ranches do not turn immediate investments and a well-managed ranch can easily take over a decade to become profitable. A ranch requires ongoing maintenance and security, and faces risks from disease, pests, and poaching. For this reason, some game ranchers have introduced livestock initially into their ranches to generate short-term benefits, as they transition into wildlife-centric ranches.
- ***Community partnership contract templates:*** Fair contracts for community ranching have not been fully tested. In most existing game ranches, private investors have alienated land from the communities and have used community members as labor, not as co-investors. Because of the relatively limited historical communication among CRBs and communities, there has been limited sharing of information or capacity building on what constitutes a fair contract in the sector. This relationship requires a change in power and decision dynamics, and support could come from ZNCRBA in navigating these experiences.

3.6 CASE STUDY 4: KAINDU COMMUNITY GAME RANCH

3.6.1 OVERVIEW

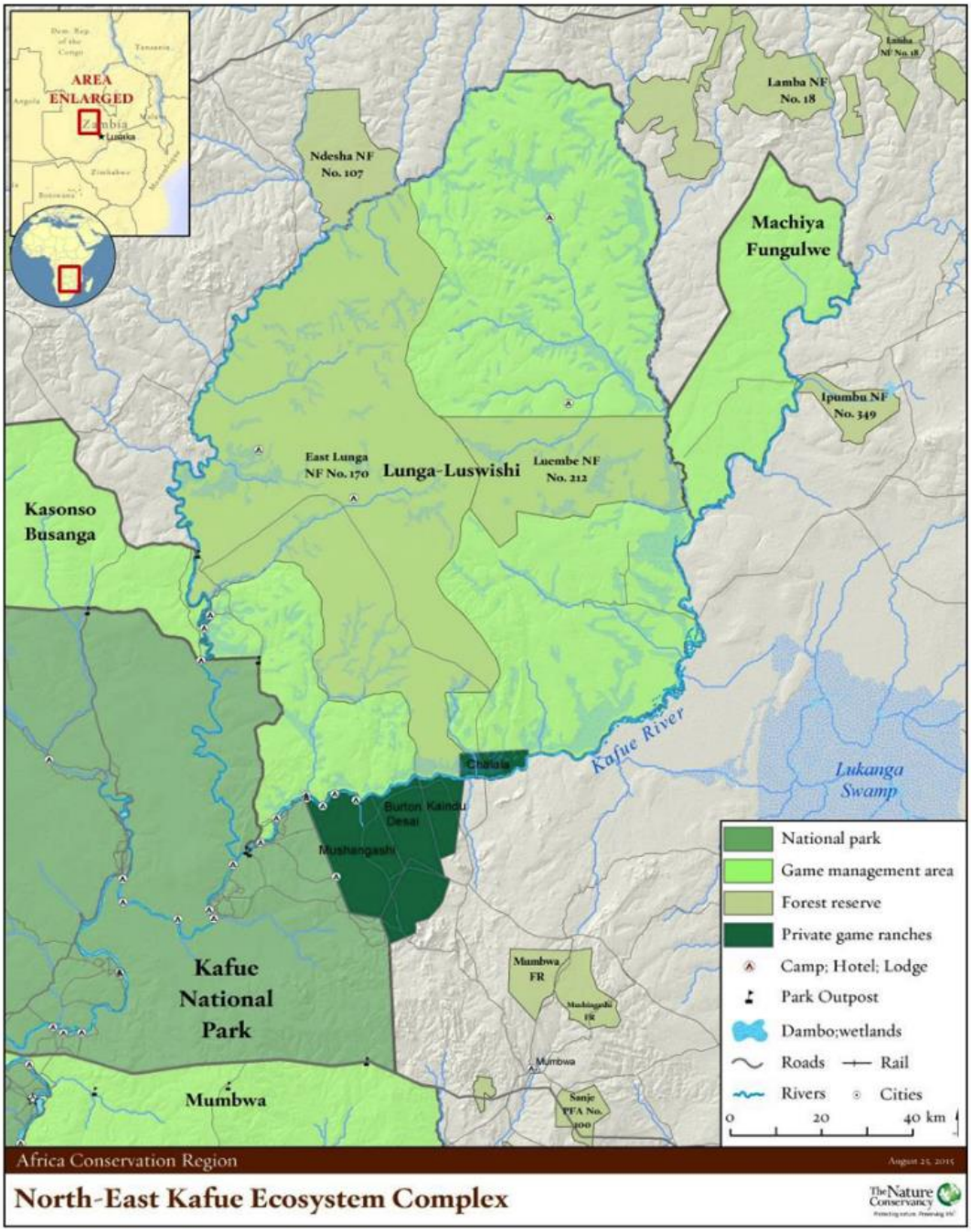
The Kaindu community game ranch is located in the open area south of Lunga-Luswishi GMA and northeast of the Kafue National Park. The Kaindu game ranch falls within Kaindu Chiefdom, one of seven in Mumbwa District (in the western part of Central Province), which covers an area of approximately 2,287 square kilometers (228,724 ha), about 11 percent of the district's total area. The Kaindu game ranch itself covers a total area of 15,000 ha within this larger landscape.

The Kaindu Natural Resources Trust (KNRT) is a community-based organization which was initiated in 2003 through work done under funding from the Danish International Development Agency (DANIDA) and GRZ.[1] One component of the DANIDA environmental support project was the Mumbwa CBNRM project whose goal was to ensure sustainable and more productive use of natural resources in the district.

One aspect of this involved supporting the establishment of the Kaindu CRB within the Lunga-Luswishi GMA. During this period (2005) the community was offered one of the five farms within a large farming concession and game ranching block neighboring the GMA and within Kaindu Chiefdom.

[1] In 2004, an NRM component was formulated under the Special Environmental Assistance between the Government of Zambia and DANIDA covering period 2005-2007.

Figure 6: Map of Northeastern Kafue Ecosystem and Location of Kaindu Community Game Ranch



Source: TNC

In 2006, the Kaindu community game ranch was registered as a recognized trust, the KNRT under Land (Perpetual Succession) Act Chapter 186 of the laws of Zambia. KNRT received a 14-year leasehold for 15,000 hectares of an old state farm on the boundaries of Lunga-Luswishi GMA in Kafue National Park. Between 2007 and 2008 DANIDA's natural resource management activities ended and support to KNRT and the Mumbwa CBNRM Project was phased out. A period of instability followed, and resource protection efforts came to a complete halt, while poaching in the area increased and by all accounts the wildlife populations (and other natural resources such as forests and fish) became severely depleted.

By 2009, the KNRT had recognized the need for external skills and support to realize the area's potential through running safari operations, as took place in the neighboring GMA. The KNRT held an open bid process and went on to sign a business agreement with Royal Kafue Safaris, a tourist hunting company. The agreement was subject to the KNRT obtaining title for the area; Royal Kafue's lease period is based on the 99-years leasehold title. Royal Kafue refers to itself as the development partner of KNRT with the express aim of restoring wildlife to the area and supporting the KNRT to generate revenue from the area. The exact terms of the agreement seem to be unclear. Concerns have arisen that this arrangement did not project the community's rights over resources and DNPW has reportedly issued a cancellation of this agreement for this reason.

In 2013 the first safari hunting quota was granted to the KNRT and during this time Royal Kafue undertook the first safari hunt in the community game ranch, an important development that provided some level of revenue earned by the community.

In 2015, KNRT requested TNC to provide support around three key components: protecting natural resources, building governance capacity, and supporting business development, particularly by moving the stalled Kaindu title application forward. In preparation, TNC conducted a baseline socioeconomic assessment, which revealed that community governance capacity was weak and that the community perceptions were that they were not adequately benefiting from hunting and through their partnership with Royal Kafue Safaris.

More recently, four other private ranches within the larger concession have since been bought to form the Kashikoto Mushingashi conservancy (a private game ranch), which are being developed with the involvement of American billionaire and conservationist Paul Tudor Jones (Daily Star, 2019). Tensions have reportedly started to emerge the KNRT over long-term management plans within the area.

3.6.2 INSTITUTIONAL FRAMEWORK

In order for the Kaindu community to gain leasehold title over land, they needed a legal entity that can own titled land for and on behalf of the community, while advancing wildlife business interests of the community. The KNRT was chosen to play this role, while also operating as the business development side of Kaindu CRB in Lunga-Luswishi GMA.

The objectives of the KNRT and the community game ranch is two-fold: to serve as a conservation vehicle that would foster conservation and management of Kaindu game ranch, and to develop opportunities for socioeconomic development of the community of Kaindu through community income generation from wildlife businesses, employment creation and investments for socioeconomic development of the chiefdom.

The KNRT is governed by a deed of trust and an elected board of trustees. The board comprises eight members elected by the community, two of whom are appointed by the chief (representing the royal establishment and palace committee). The chief is the patron of the KNRT. There are five VAGs in the chiefdom and each VAG elects two people to sit on the CRB and KNRT.

For trophy hunting taking place in the community game ranch, Royal Kafue retains 80 percent of the revenue, with KNRT receiving 20 percent. As this is a game ranch, Royal Kafue does not pay lease or concession fees. Between 2015 and 2018, US$72,400 was earned by KNRT from wildlife in the community game ranch. A portion of these funds were returned to the five VAGs, who then decided how these funds were used in each village, including school infrastructure (housing and classrooms), goat projects, and grinding mills. A portion of the funds went towards KNRT administration, legal fees, and distributions to the chief, the palace committee, royal establishment, the CRB, and local schools. A clearer revenue sharing "protocol" has been put in place by KNRT since 2016, which regulates the distribution of benefits received: VAGs receive 75 percent, the traditional authority five percent, the

KNRT/CRB 10 percent, Kaindu royal establishment three percent, Kaindu CRB two percent, and five percent is for community investment.

TNC has also supported the deployment of 19 village scouts in the game ranch, and provides rations, a vehicle, and capacity development support. Patrols in both the game ranch and into the Lunga-Luswishi GMA are conducted by the scouts.

3.6.3 PROGRESS AND CHALLENGES

Wildlife populations in the game ranch have reportedly been recovering, with recent sightings of impala, puku, kudu, roan, sable, warthog, sable, sitatunga, waterbuck, and buffaloes. Leopard, lions, and wild dog populations are also said to be increasing and the growing elephant population has resulted in increased human-wildlife conflicts in the area.

Governance systems have been given focused support and VAG elections have provided for transparent and open selection of the representatives and leadership of the KNRT itself. A number of processes have been undertaken to streamline roles and agree on responsibilities between the KNRT, CRB, the royal establishment, and palace committee.

Despite these gains a number of key challenges exist to realizing the full potential of the KNRT.

A lack of capacity at the VAG, KNRT, and DNPW levels, coupled with a series of leadership challenges fueled by internal community politics, have stalled the progress of the application for leasehold title of the game ranch. It has taken considerable time to work through these issues, some of which have been compounded by the purchase and set up of the neighboring Kashikoto-Mushingashi conservancy. Relationship dynamics between many of the partners, support agencies, and the community themselves have required time and negotiation to resolve. It would seem that the lack of capacity (financial and technical) of the DNPW has added to this, and where DNPW should be playing a regulatory and oversight role, staff have had to be resourced to be part of the process. Mistrust and a lack of accountability and transparency between partners has been a major challenge.

However, efforts are proceeding, and some important opportunities may exist for KNRT and the Kaindu community game ranch to move ahead and realize much anticipated livelihood and conservation gains from improved management of the property once the title is secured. A key factor appears to be the resilience and continued interest and efforts of the KNRT. The securing of title for the Kaindu game ranch (and possibly the neighboring Chalala Enclave in the Lunga-Luswishi GMA) seems to be making progress and has reportedly been approved by the Commissioner of Lands. A series of roundtable meetings between KNRT and partners (DNPW, TNC, Royal Kafue, and Kashikoto) have resulted in legal cases being dropped and concrete agreements made around key issues of conflict.

3.7 CASE STUDY 5: THE SIMALAHA COMMUNITY CONSERVANCY[2]

3.7.1 OVERVIEW

The Kavango Zambezi (KAZA) Transfrontier Conservation Area)TFCA) is southern Africa's largest and most ambitious conservation initiative. KAZA comprises more than 40 protected areas including national parks, numerous game and forest reserves, wildlife management areas, community conservancies, and three World Heritage Sites. It is also home to the largest elephant, lion, and wild dog

[2] This case study was co-authored with Gordon Homer, Project Coordinator for Peace Parks Foundation.

populations in Africa. Notably, the estimated elephant population of around 250,000 comprises roughly 50 percent of all African elephants left on the continent. Zambia contains 25 percent of the total land area of KAZA TFCA, and customary lands in Zambia provide critical habitat and corridors for elephants and other wildlife living in adjacent protected areas in Botswana, Zimbabwe, and Namibia.

Raising game and livestock together within the community conservancy
PEACE PARKS FOUNDATION

Near the geographic center of this vast landscape lies the Simalaha Community Conservancy (SCC), comprising 180,000 ha of customary land spanning Sesheke and Sekute Chiefdoms. This region lies to the north of major wildlife areas in Namibia, Botswana, and Zimbabwe, providing a crucial link to the Kafue ecosystem to the north (Figure 6 below). Simalaha was constituted in large part to develop a community-based model for wildlife management and conservation in this strategically important area of Zambia within KAZA's wider transboundary landscape.

Simalaha was initiated in 2012 by Senior Chief Inyambo Yeta of the Sesheke Chiefdom and Chief Sekute of Sekute Chiefdom. The two chiefs recognized the importance of the restoration of wildlife, which would not only allow for the conservation of the area but also potentially promote income generation through the development of a local wildlife economy including greater tourism opportunities. Such income-generating opportunities are vital in the region, which largely relies on subsistence farming, herding, and fisheries, leaving up to half of all households' food security vulnerable for several months per year.

The SCC seeks to develop a wildlife economy based on landscape-scale wildlife conservation and wildlife production that supports the local economy and community interests. Wildlife management and income generation was identified as a critical component of the conservancy and in 2013, a wildlife sanctuary measuring 24,000 ha was set aside as part of Simalaha. Having dedicated to use the area for wildlife and tourism development, the community requested support in rewilding the area and since then more than 1,600 animals of eight different species have been translocated to the area, including 200 disease-free buffalo. The aim is to increase wildlife numbers through breeding and then sell surplus animals at a premium.

The SCC is governed by a trust (see institutional framework, below), which is in the process of establishing a commercial entity that will facilitate and encourage private investment within the conservancy. It is envisaged that ecotourism and hunting in SCC will benefit the communities substantially not only in generating income, but also with the provision of meat. Once the wildlife populations have been restored, communities will benefit from the harvesting of surplus wildlife.

Funding has been obtained from donors to develop a tourist camp in the SCC wildlife sanctuary. The wildlife numbers in the SCC have grown and it is felt that accommodation is now required to attract visitors to the area. Several requests were received from nearby lodge operations, a horse trail operator, as well as from Namibia Wildlife Resorts, who would like to operate a transboundary river tour with access to accommodation in the sanctuary. The SCC Trust is pursuing the development of a tourist facility but would like such a facility to be run by a private sector operator who can do the marketing as well as operate the facility.

Figure 7: KAZA TFCA, Showing Location of Simalaha Community Conservancy

Source: Peace Parks Foundation

Peace Parks Foundation (PPF) provides technical and financial support to SCC on the wildlife management and enterprise development activities in the conservancy, and within the context of its wider support to transboundary conservation in KAZA. PPF also provides benefits to communities through various livelihood support activities. For example, conservation agriculture was introduced in the early stages of the project to improve food security and benefits to communities. Conservation agriculture provides communities with advanced agricultural techniques that assist in building up nutrient rich soils and ultimately enhances agricultural outputs.

DNPW was involved in the project since its inception and supports the SCC by training scouts as well as providing a Wildlife Police Officer to lead the village scouts.. The DNPW ecologist from Sioma Ngwezi National Park assists with undertaking an annual wildlife census. DNPW has also assisted in the validating of disease-free animals that have been purchased from neighboring countries, and has provided seed stock of certain species for reintroduction to the SCC.

3.7.2 INSTITUTIONAL FRAMEWORK

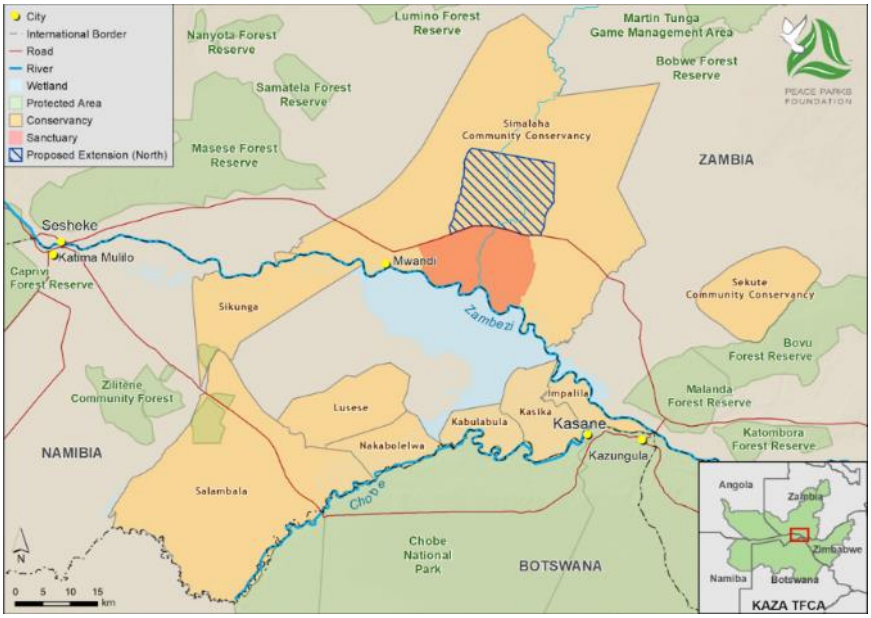
The formation of the SCC is based on a bilateral agreement between two chiefdoms under customary law and a registered association (governed by a trust). The SCC was registered as an association in November 2018, while the Simalaha Community Trust was registered under the Land (Perpetual Succession) Act Cap 186, on 11 January 2019. Prior to the establishment of the trust, an interim working group and a steering committee (that included the chiefs) was put in place, and facilitated the development of the SCC.

The governance of the trust provides for participation by the "shareholders" from the traditional leadership through to the VAGs made up of representatives of the communities within Simalaha. The Trust consists of 22 trustees, and is comprised of the chairpersons of the 10 VAGs in Simalaha, ten

nominated senior indunas, and the two chiefs – all of whom are the decision makers within the SCC area. The elected members that make up the trust are equally represented by the two chiefdoms (11 representatives from each chiefdom). Each VAG is an elected body of 10 representatives, drawn from the larger communities within the region, and the elected VAG chairpersons represent their communities on the trust.

A separate operating entity (SCC commercial entity) is to be established with an independent board of directors. This entity's purpose is to develop and manage all commercial enterprises in SCC, including recruiting professional management for the commercial entity. A chief executive officer (CEO) will be appointed to take responsibility for developing the SCC's wildlife and tourism businesses, including the development of alternative livelihood initiatives. This structure will be established towards the end of 2020 and aims to ensure a performance-driven, business-like approach to developing the conservancy's assets. It also aims to ensure sustainability after the withdrawal of non-governmental and donor support. Formal agreements will be entered into between the SCC commercial entity and commercial enterprises wishing to invest in the area. A lease will be negotiated detailing the rights and obligations of each party which may, among other things, include profit-sharing, levies, royalties, access restrictions etc.

Figure 8: Map of Simalaha Community Conservancy



Source: Peace Parks Foundation

TABLE 2: DISTRIBUTION OF KEY RIGHTS, RESPONSIBILITIES AND FUNCTIONS IN SIMALAHA COMMUNITY CONSERVANCY

ENTITY	ROLES AND FUNCTIONS
SCC Trust	Owner of the assets; oversees the development of the SCC. The trust will cede rights and responsibilities to the commercial entity to manage the various enterprises. The trust will also ensure that benefits are shared between the beneficiaries as per the formula agreed upon in the trust deed.
SCC commercial entity	Develops and manages the SCC on behalf of the trust through a strategic business development plan. The commercial entity will also be responsible for the preparation of a five-year rolling work plan and annual budget, as well as have financial control of projects, prepare annual reports, and ensure the VAGs are kept informed of progress. Will oversee the day-to-day running of all activities within the SCC and ensure proper business planning, monitoring and evaluation, and financial management.

ENTITY	ROLES AND FUNCTIONS
VAGs	Chairpersons ensure regular meetings of the VAGs take place in order to receive community requests, attend trust meetings ,and report back to their communities, as well represent their communities' interests on the SCC Trust.
Chiefdoms	Jointly established the SCC and entering into an agreement with PPF; provides high-level oversight of SCC trust as the entity responsible for the development and management of the SCC.
Zambian government	Support the SCC in its endeavors to grow economically, socially and environmentally and develop infrastructure.
PPF	Secure donor funding with a commitment towards the donors to oversee the implementation of the project and the management of the funds on behalf of the SCC trust. Support the establishment of the SCC commercial entity, including joint selection and appointment of the CEO, as well as restoration of the wildlife products, infrastructure development and support to the business units.
SCC management unit	The commercial entity will create a SCC management unit, whose management team will be appointed jointly by the board and PPF (as long as donor funding is being managed by PPF on behalf of the trust), to implement the projects of the SCC commercial entity. Responsibilities will include: • Preparing the annual work plan for the SCC and submit to the SCC trustees and the Board of the SCC commercial entity for approval; and • Preparing the business plan outlining the objectives of the SCC, the investments required and measures to be put in place to ensure the sustainable development and management of the SCC.

The conservancy currently has 22 village scouts – community members trained as wildlife scouts to protect the animals in the wildlife sanctuary. The conservancy wildlife manager and the village scouts carry out regular patrols to monitor wildlife in the conservancy. The SCC is currently undertaking remote sensing as well as community asset mapping together with the VAGs and their communities. This will assist in enhanced planning and zoning of the area as well as facilitating a community development process that allows the communities to identify their own development needs and priorities.

To protect the Zambezi River from overfishing, fisheries management committees are being established. The committees will then develop a fisheries management plan as well as gazette fish reserves that will prohibit fishing within those areas, allowing for safe breeding grounds. A partnership between PPF and the Namibian Nature Foundation has been developed to work on recovery of the transboundary fishery resource in focal communities along the Zambezi and Chobe Rivers.

3.7.3 PROGRESS AND CHALLENGES

Since the establishment of the SCC in 2012, significant progress has been made. This includes the delineation of boundaries following an extensive sensitization and consultation process, establishment of the institutional governance structures described above, implementation of a conservation agriculture and other livelihood support programs, creation of the wildlife sanctuary, and translocation of seed stock of wildlife. Village scouts and wider enforcement of the sanctuary have been effective, and two

incidents of poaching have been recorded since the animals were introduced into the fenced sanctuary in 2013.

The SCC is on customary land, which means it is presided over by two chiefs, who may stipulate who lives on the land and how it is used. At present, although most of the wildlife was purchased by the trust from commercial suppliers, the trust cannot obtain a certificate of ownership for the wildlife, which is a major challenge in relation to the purpose and management of the conservancy. The uncertainty over the ownership of wildlife and other natural resources has led to tension between traditional authorities and government departments. Lack of government investment in infrastructure, economic, and social development has also led to tensions between traditional and government authorities.

4.0 ANALYSIS: KEY TRENDS AND OPPORTUNITIES IN ZAMBIAN CBNRM

Zambia has long been a country of tremendously rich natural resources, high dependence of rural populations on those natural resources for their livelihoods and in efforts to combat poverty, and great potential for CBNRM to drive both conservation and economic development. For the most part, that potential has been difficult to capitalize on, and over the past several decades Zambia's natural resources have been rapidly depleted, with wildlife losses in GMAs are estimated at over 90 percent of potential carrying capacity (Lindsey et al., 2014), and over 5 million ha of the country's forests were lost between 2001 and 2016. Until recently, control over both wildlife and forests on the customary lands that cover most of the country's land area remained heavily centralized, with few opportunities for local communities to secure rights and benefits from these valuable resources, beyond the most benefit-sharing provisions for wildlife managed in GMAs.

Today, two key dynamics are changing this entrenched situation and creating important new opportunities for CBNRM in Zambia.

First, a diverse set of local experiments are taking place in different landscapes around the country, as a varied set of entrepreneurial organizations, private companies, and community leaders work to find new ways of advancing community-level management of wildlife, forests, and lands. These experiments, often carried out in extremely challenging settings very far from what could be considered an "enabling environment," are providing new models and opportunities. These provide not only positive examples of implementing varied forms of CBNRM in the field and a tremendous opportunity for learning and cross-pollination of experiences, but an opportunity to inform further policy reform from that field-level experience.

Second, Zambia is in the midst of a period of significant reform of the key laws and policies governing CBNRM. The most significant of these is the 2015 Forests Act, which is almost certainly the most important legal reform pertaining to CBNRM in Zambia's recent history, and one of the most significant recent legal reforms in all of southern African in terms of increasing the potential for communities to actively manage and benefit from natural resources in rural areas. The Forests Act, and subsequent 2018 Community Forest Management Regulations, are already having a major impact on initiatives in the field, as exemplified by the work of BCP and COMACO in using CFMAs as the emerging institutional framework for CBNRM in large areas of the Luangwa Valley. In the wildlife sector, by contrast, important reformist rhetoric has been adopted at the policy level, but has not yet been translated into any significant legal changes.

It is the combination of bottom-up experiments in the field, and the reform processes taking place at the national level, that combine to create important lessons, new opportunities, and growing possibilities for CBNRM in Zambia today.

4.1 THE REFORM OPPORTUNITY

The core historic challenge and chronic barrier to CBNRM in Zambia during the past 30 to 40 years has been lack of community rights to make management decisions and capture benefits from forests and wildlife, particularly in the GMAs that comprise 24 percent of the country's total land area. These challenges were documented in the 1990s during the early experiments with CBNRM in Zambia such as ADMADE (Gibson & Marks, 1995), and more recently by Lindsey et al. (2014) and others, who conclude that continued centralized control over wildlife and trophy hunting revenues has prevented "devolution

of user-rights over wildlife to communities," contributing to "on-going marginalization of communities from legal benefits from wildlife."

Significant forest loss and degradation has taken place in and around GMAs, and adjacent undesignated customary lands, as a result of open access exploitation and the lack of clear legal provisions to provide for community-level management and sustainable harvesting of forest products. While this forest loss and degradation may not be as dramatic as expansion around urban areas, human expansion in GMAs has a large impact on wildlife populations. It is against this backdrop of chronic institutional barriers to CBNRM in both the wildlife and forestry sectors in Zambia that the reforms of the past five years need to be understood. The 2015 Forests Act and subsequent 2018 Community Forest Management Regulations are amongst the most important reforms in Zambia's recent history of natural resource management. These reforms do several fundamental things that have potentially transformative impact on the institutional environment for CBNRM in Zambia:

1. The new legal framework in the forest sector devolves significant rights to communities, including rights over timber harvesting in community forest management areas, as well as the opportunity to specific additional rights over carbon and other products. Additional administrative action by the Forest Department has granted CFMGs rights over carbon within community forest management areas on a case-by-case basis. This legal framework for community-level management of forests is totally unprecedented in Zambia, and has the potential to move Zambia to the forefront of community forest management in Africa.

2. Importantly, the framework can integrate effectively – as some of the field-level experiences described in this report demonstrate, notably BCP's work in the Luangwa Valley – with the existing CRB management institutions in GMAs. Enabling existing CRBs to be recognized as the local management bodies for community forest management – as CFMGs – allows for the integration of wildlife and forest management within a single set of local institutions, rather than forcing the creation of parallel local management structures, as is often unfortunately the case in other countries. This also serves to place even more importance on CRBs as local management institutions, as is discussed further below. It remains to be seen however, whether CRBs are actually well placed to carry out forest management, or whether they have just been used by forest sector actors out of convenience.

4.2 SCALING UP COMMUNITY FOREST MANAGEMENT

One outcome of the community forestry reforms carried out since 2015 has been the fairly rapid spread community forestry through recognition of CFMGs/community forest management areas in some parts of the country. BCP and COMACO are both utilizing the CFMG framework provided by the Forest Act as the basis for strengthening community rights and responsibilities for forest management, and integrating the community forest management area/CFMG designation with pre-existing institutions (CRBs in the GMAs in BCP's case; CCAs under traditional authorities on customary lands in COMACO's case). For COMACO, CFMAs have provided an opportunity to strengthen the legality of the CCA model they have developed over recent years. Zambia's 7th National Development Plan (2017 – 2021) aims for 500,000 ha under sustainable forest management, but as of late 2019 that target has already been exceeded by over two-fold based solely on the 12 community forest management areas established by BCP.

While CBNRM in Zambia, as in most of southern Africa, has been largely focused on wildlife over the past three or four decades, today it is clear that the major opportunities for CBNRM in the field lie in community forestry. This is for several reasons: first, the legal framework now grants communities the opportunity to secure much greater rights over forests than is possible at this time for wildlife, or even for land itself. Second, new markets such as carbon, combined with existing opportunities for sustainable

use of timber and other forest products, are creating new opportunities to generate income at the community scale from carbon. COMACO has already reportedly paid out $490,000 in carbon revenue from its REDD+ project to nine chiefdoms, and BCP expects to begin payments from carbon credit sales in Luangwa Valley to the 12 CRBs/CFMGs once the project validation process is completed and credits are formally issued. Third, with wildlife in the GMAs so heavily depleted, at less than 10 percent of historic or potential carrying capacity (Lindsey et al., 2014), opportunities for enterprises based on sustainable use of wildlife are now greatly reduced.

Through field-level facilitation for CFMG establishment, as being carried out by BCP and COMACO and supported by the Forestry Department, several million of hectares of GMAs could be established as community forest management areas within the next few years, realistically. This creates potential to scale up improved local management and protection, based on more secure local rights and sustainable benefits from forest products, in a way that has not been previously possible in Zambia. National associations and networks such as the Zambian CBNRM Forum and the ZNCRBA have an important role to play in transmitting the experiences and methods for CFMA establishment across different areas, advocating for community interests with government, and helping to scale up community forest management area coverage (Box 3).

Box 3: National Associations Advocate for Community Interests

By the end of 2019 CRBs were owed ~$2 million worth of back payments for concession fees by the DNPW from previous hunting seasons. Individual CRBs had attempted to raise concerns with the Department to not avail. In December 2019, the ZNCRBA held its annual meeting with hundreds of CRB representatives from across the country and a dozen chiefs agreeing on the position that CRBs would not permit the 2020 hunting season to occur if fees were not paid.

Building on this momentum, a small group of chiefs, and ZNCRBA executives met with the Minister of Tourism and Arts and the Ministry of Finance in February 2020, securing their commitment to release back payments. By the end of April 2020, these fees had reportedly been released to dozens of CRBs.

This victory underscores the importance of having a mechanism to amplify community voices with national stakeholders.

A key to scaling up community forest management through the new enabling legal framework will be generating greater local benefits and incentives to invest in forest management and stewardship through sustainable sources of forest-based revenue, which thus far have been limited in the CFMAs. This must come from the development of forest-based enterprises that generate revenue for communities from products such as timber or wild foods (e.g. honey, mushrooms, wild plants). In Zambia, it is notable that some of the greatest recent advances in CBNRM on the ground have come from social enterprises such as BCP's USAID-funded Community Forests Program and COMACO's work (partially funded through USAID grants) that take a largely business-based approach, and have explicitly cultivated new markets for agricultural and forest products through their work. Distribution of the benefits of these models must be further understood, as there is a risk that community forest benefits may be relatively small if distributed among the broad number of community members within an area. To date most of the push for CFMAs has been driven by opportunities for securing rights. However, communities will require benefits in the short-term if they are expected to support the CFMA model in the long-term.

Working with social enterprises and through community networks such as the ZNCRBA, there is a major opportunity to utilize the enabling legal framework for community forest enterprise, and the experiences of those market pioneers, to invest in the growth and scaling up of forest enterprises as a key to driving expansion of community forest management areas and increased community-level forest benefits across Zambia.

4.3 COMMUNITY WILDLIFE MANAGEMENT: FROM POTENTIAL TO REALITY?

While there has been significant progress both in terms of institutional reforms and implementation on the ground, in terms of community forest management, the situation in the wildlife sector has not progressed as clearly in recent years. The 2018 Wildlife Policy, as described in Section 2, has very clear language and statements of intent in terms of the importance of devolving rights, costs, benefits, and management to communities living in GMAs, as has long been called for in Zambia. But as of yet this policy rhetoric has not been translated into new legal provisions in a way that has taken place in the forest sector. The wildlife sector's approach to CBNRM remains one of fairly limited sharing of revenues that are centrally captured and controlled, rather than devolving clear rights to manage and utilize wildlife to community institutions. The result is that both communities and investors, as well as NGOs investing in new community conservation models and ventures such as SCC, remain constrained by the existing gaps in the legal framework in terms of community benefits, wildlife tenure, and management responsibilities.

Community members fishing on the Luangwa River
RENA SINGER

The key question for Zambia's wildlife sector and the tenuous future of its heavily depleted GMAs (and even more depleted open areas) is whether the wildlife sector can follow the forest sector's lead and put in place legal and regulatory reforms that put the principles of the 2018 Wildlife Policy into practice. There is a dynamic suite of local actors and partnerships experimenting with community game ranch models (Kaindu) or conservancies (Simalaha) and these initiatives can help inform the necessary legal and regulatory framework. The interaction between these field-level initiatives and policy makers in the wildlife sector will be critical, and could be a key part of the ongoing process of formulating the national CBNRM policy.

4.4 INTEGRATING COMMUNITY FORESTRY AND WILDLIFE MANAGEMENT

An important opportunity to emerge from the legal reforms passed in 2015 is the integration of sustainable forest and wildlife management at the local level. Over the past three decades there has been a strong sectoral divide between forestry and wildlife – in terms of institutional arrangements as well as laws and policies. It was recognized by many practitioners supporting JFM pilots in the early 2000s as well as NGOs supporting CBNRM in GMAs that CRBs had interests in managing natural resources more generally and not just wildlife, creating a potential overlap with forest management groups established under the Forest Act. However, the increased emphasis on decentralization and local authorities has increased pressure on line ministries and agencies to collaborate more effectively at local levels. Furthermore, the Urban and Regional Planning Act (2015) provides opportunities for more integrated spatial and sectoral plans at district level.

The Forests Act (Section 31(4), GRZ, 2015) permits CRBs to apply for a CFMA "as if the community resource board were a community forestry management group." Similarly, the Wildlife Act states that CRBs are required to "promote and develop an integrated approach to the management of human and natural resources in the area falling under its jurisdiction." Given that GMAs contain significant amounts of forest and woodland resources, the potential benefits of sustainable forest management (and subsequent related enterprises) could be combined with those from wildlife, which if well managed may create an overall pool of economic incentives to rural communities in these areas for long term sustainable management of forest and wildlife resources.

While on paper the opportunities for integrating CFMGs with CRBs in GMAs is high, and has been put into practice through BCP's work, funded by USAID, in the Luangwa Valley, in other instances such as Mulobezi, and experiences encountered by BCP in Rufunsa District, there appears to be resistance to (or at least skepticism of) recognizing CFMGs within GMAs, particularly those that already have safari hunting partnerships. This highlights the tensions that can emerge when rights are shared or overlapping. Private sector partners and government institutions that have established wildlife-based partnerships perceive the establishment of new forest sector rights in an overlapping areas as a threat to their business model. Advancing the integration of wildlife and forestry, building on the provisions of the Forest Act, is an important opportunity for the national CBNRM policy process. Despite complementary objectives of forest and wildlife management both institutionally within government departments and among private sector actors in the natural resource management sector, continued tensions over rights allocation and resource planning will likely continue.

4.5 STRENGTHENING CRBS AND LOCAL NATURAL RESOURCES GOVERNANCE

As Figure 8 illustrates, there are three critical foundations for CBNRM:

- ***Rights*** over natural resources such as forests and wildlife being held at the community level, which enables local actors to manage and protect natural resources;
- ***Benefits*** generated from sustainable natural resource use and enterprises, which create the incentives for stewardship; and
- ***Capacity*** of local institutions to perform essential management and governance functions.

Wildlife and forest sectors have approached these foundations differently in the roll out CBNRM legislation and practice in Zambia. The Wildlife Act has largely focused on benefit sharing to communities, with rights remaining with the state or being transferred to private sector partners. In contrast the launch of community forestry has focused on devolution of forest rights to communities, while the specific pathways for the communities to benefit vary and in some cases remain unclear or uncertain. Each case has posed or will pose challenges for successful CBNRM.

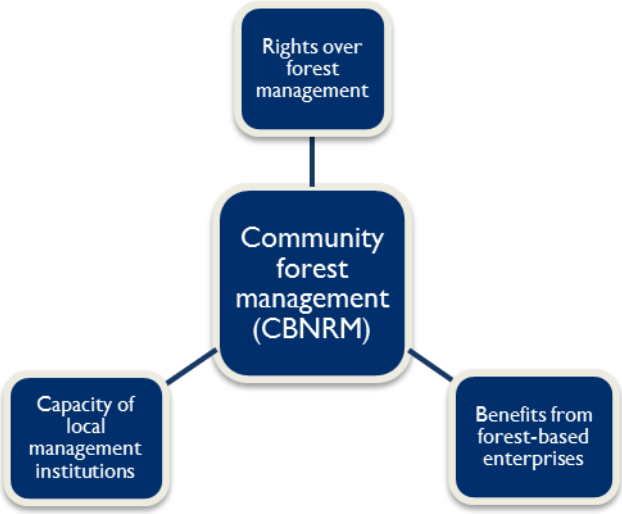
With respect to wildlife benefits, communities that lack rights to the underlying resource complain of limited transparency and delays in the distribution of benefits by government. In 2019/2020 this led to communities taking civil action and banding together to publicly pronounce that they will not allow hunting until they receive the fees due to them. Lacking a clear pathway to the devolution of full wildlife ownership rights, community governance structures in the wildlife sector are not taking the lead in management of wildlife resources, but rather tend to work under the guidance and with technical assistance of DNPW and private sector hunting operators.

In contrast under community forestry, CFMGs acquire management rights with little demonstration of clear benefits or management capacity. This presents a significant risk of failure for CFMGs, as many CFMAs may not be financially viable due to ecological conditions. Similarly, without a clear revenue pathway or proven market for products, the capacity support and technical backstopping that has

characterized the role of DNPW and safari operator relationships with CRBs will be uneven and potentially absent in the forest sector. This difference between forest and wildlife sector CBNRM roll out in Zambia is unsurprising as the trophy hunting industry presents a single high-value, value chain; whereas the opportunities for forest sector livelihoods are more diverse. Each sector can learn from the other, and try to advance more devolution of rights, where benefits can be obtained.

The last point, on the capacity of local institutions, highlights the importance of CRBs in the future of natural resources and CBNRM in Zambia. CRBs have an even more central role now that some are becoming CFMGs under the community forestry regulatory framework, and assuming legal responsibility for forest management within the GMAs where CFMAs are established. As forest enterprises such as carbon credit/REDD+ projects and sustainable timber harvesting develop, CRBs may become even more critical as the managers of growing revenues from these enterprises. If managed well, such enterprises can translate into improved forest management and recovery, and important inputs into rural economies in remote and forest-dependent areas. If the CRBs do not perform effectively as governance and management bodies, then CBNRM in Zambia will struggle in many areas (though alternative structures such as SCC provide a useful scope for experimenting with different management frameworks in open areas).

Figure 9: Simple Framework for Basic Foundational Elements for CBNRM in the Forestry Sector



A full review of the performance of CRBs as local resource management institutions is well beyond the scope of this report, but it does bear highlighting that CRBs have often, according to various past reviews (e.g., Lubilo & Child, 2010) and from some of the case studies described here, struggled as local natural resource management bodies. In an earlier review of GMA and CRB performance conducted in 2008, it was found that no CRBs had negotiated an agreement with a hunting or safari company in the area of wildlife enterprise and no management plans had been implemented (Simasiku et al., 2008). This and other reviews conducted before the passing of the 2015 Wildlife Act were designed to point out key gaps in the implementation of wildlife policy and make recommendations on how these might be addressed.

CRBs are often constrained by limited skills, infrastructure, resources, and experience. BCP CFP's experience with the CRBs in the Luangwa Valley highlights the limited capacity of CRBs, including the potential for elite capture of revenues, challenges in CRB management performance (e.g., accountability of community scouts), and the challenge of frequent turnover from CRB elections. As a result, BCP has

experimented with alternative management arrangements such as playing a more direct role in overseeing community scouts and supporting forest management enforcement in the CFMGs/REDD+ project sites.

While the subject of CRB institutional design and management performance bears a great deal more research and reflection, what is clear is that in order for the emerging CBNRM opportunities in Zambia to be capitalized on by local communities and other stakeholders, CRBs must play a central role and must perform effectively as local management bodies. Finding ways to support capacity development of CRBs, including experimenting with institutional arrangements that can improve accountability and performance, will be central to scaling up community forestry and developing CBNRM overall.

4.6 RECOMMENDATIONS

1. ***Learning, adaptation, and policy development:*** Zambian CBNRM is at a critical period because of the scope of the changes that have recently taken place and are presently unfolding both at the level of policy and legal reform, and in terms of field-level experimentation, including the implementation of the new legal frameworks in the forestry sector. This creates a very rapidly changing and evolving CBNRM landscape, as can be seen from the scope of implementation of CFMAs since the community forestry regulations were passed. In such a context of change and adaptation, investing in learning across different field level initiatives, and between experiments at the community scale and policy or legal development at the national scale, assumes a great importance. Such learning needs to have full buy-in from the government and implementers. Policy and legal drafting needs to learn from and capture lessons from the field, and both communities and facilitators or CBNRM practitioners need to keep abreast of legal and policy changes. National networks and associations such as the Zambia CBNRM Forum and ZNCRBA have an important role to play in those processes of learning and exchange, and linking field-level lessons to policy development, in partnership with government agencies.

2. ***Wildlife sector enabling regulations:*** The greatest policy-level opportunity at present to advance CBNRM is to address needed legal or regulatory reforms in the wildlife sector. Although the forestry sector has managed to implement significant reforms that create new opportunities for community management of forests and other natural resources, these reforms have not gotten beyond the stage of policy rhetoric in the wildlife sector. With wildlife in GMAs and indeed in many of Zambia's core protected areas heavily depleted, time may be running out for the long-needed institutional reforms in the country's wildlife sector. It is likely that without reform to enable community management, the focus of CBNRM will increasingly shift towards forestry, and GMAs may cease to functionally exist as wildlife management or conservation entities. The provision for alternative community-owned wildlife management entities is required to encourage communities to invest in CBNRM in areas that fall outside of GMA's. But the hope for reform comes from three factors: 1) the strong reformist intent expressed by the 2018 Wildlife Policy; 2) the opportunity to learn from or be spurred by the forestry sector legal reforms; 3) the continued experimentation with new models of management and conservation investment in the field, as demonstrated by some of the case studies captured here as well as many other initiatives around Zambia.

3. ***Forest enterprise and scaling up CBNRM:*** Community forest management has the potential to scale rapidly across Zambia's GMAs and open areas. These landscapes have abundant forest resources with significant commercial potential from sustainable timber and a range of non-timber forest products. Zambia has a range of social enterprises already working in carbon credits, honey, and wild foods, to build markets and add value to community forest products. Investing in community forestry as a potential foundation of Zambia's rural economy holds great potential, and needs to attract new skills, experiences, and investments.

ANNEX 1: LIST OF INDIVIDUALS INTERVIEWED

CONTACT	POSITION	ORGANISATION	DATE	MEANS
Matt Sommerville	Chief of Party	ILRG project - Zambia	13-May	in person
Emmanuel Mutale	Country Coordinator	ILRG project	13-May	in person
Jassiel M'soka	Natural Resource Management Specialist	USAID	16-May	in person
Rolf Shenton	Director	Grassroots Trust	17-May	in person
Karen Laurenson	Regional Coordinator	Frankfurt Zoological Society	17-May	in person
Sport Beatty	CEO	Game Rangers International	15-May	in person
Simon Foster	Country Director	Game Rangers International	15-May	in person
Rachel Murton	Director - Wildlife Rescue	Game Rangers International	15-May	in person
Mwape Sichilongo	Southern African Floodplains Regional Manager	International Crane Foundation (Kafue Flats)	16-May	in person
Moses Nyirenda		WWF Zambia	13-May	in person
Victor Siyamduaala	Country Director	The Nature Conservancy	14-May	in person
JM Pavy	Board/advisor	Wildlife Producers Association	15-May	in person
Trevor Robson	Technical Advisor	Mushingashi Conservancy	15-May	in person
Bupe Banda	Administrator	National CRB Association	13-May	in person
Pauline Carron	Project Officer	CBNRM Forum	14-May	in person
Dr Stella Munaila	Vice Chairperson	CBNRM Forum	14-May	in person
Rodgers Lubilo	Chairperson	CBNRM Forum (FZS)	14-May	in person
Noah Chongo	National Coordinator	CBNRM Forum	14-May	in person
Kelly Shabita	Practical Instructor	Zambia Forestry College	14-May	in person
Flavian Mupemo	CBNRM Coordinator	GEF V project	14-May	in person
Edward Chilufya	Head CBNRM Unit	Department of National Parks and Wildlife	14-May	in person
Joseph Mbinji	GEF V Project manager	Forestry Department	15-May	in person
Karembwa Mukoma	REDD Coordinator - GEF V	Forestry Department	15-May	in person
Thecla Masuku	Senior Technician	Forestry Department	15-May	in person
Patricia Mupeta	Africa Integrated Landscapes & Community Conservation Director	The Nature Conservancy	07-May	Zoom
Dale Lewis	CEO	COMACO	30 July	Skype
Ian Robinson	Chairperson	Wildlife Producers Association Zambia	30 July	Skype

CONTACT	POSITION	ORGANISATION	DATE	MEANS
Andrew Baldrey	Owner/Director	Royal Kafue Safaris	2 Sept	in person
Euguene Makai	Legal Advisor	Royal Kafue Safaris	2 Sept	in person
Moses Kasoka	Extension Manager – Nyimba Farmer Support Centre	COMACO	3 Sept	In person
Laxwell Lunga	Secretary	Luembe CFMG	3 Sept	In person
Bernard Ngulube	Chairperson	Luembe CFMG	3 Sept	In person
Janet Zulu	Quality Control Manager	COMACO	3 Sept	In person
Shadrek Kalembe	Stores Officer	COMACO	3 Sept	In person
Mondia Akende	Site Manager - Nyimba	BioCarbon Partners	4 Sept	In person
Kelvin Sikala	Assistant Manager	BioCarbon Partners	4 Sept	In person
George Kasabali	Finance Manager	Mpanshya CRB (Rufunsa GMA)	4 Sept	In person
Moses Nyoni	Project Manager – Community Conservation	The Nature Conservancy	5 Sept	In person
Brian Ruzvidzo	Project Assistant - Mulobezi GMA	The Nature Conservancy	7 Sept	In person
Roy Seemani	Wildlife Ranger - Mulobezi	Department of National Parks and Wildlife	7 Sept	In person
Brian Chungu	Agricultural Officer - Mulobezi	Ministry of Agriculture	7 Sept	In person
Gordon Homer	Project Coordinator - KAZA	Peace Parks Foundation	6-9 Sept	Field trip
Chrispin Muchindu	Conservation Agriculture Manager - Simalaha	Peace Parks Foundation	8 Sept	In person
Mwambwa Nyambe	Wildlife Manager - Simalaha	Peace Parks Foundation	8 Sept	In person
Ian Middleton	Project Manager - Simalaha	Peace Parks Foundation	8 Sept	In person
Snr Chief Inyambo Yeta	Senior Chief	Barotse Royal House	9 Sept	In person

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U.S. Agency for International Development
1300 Pennsylvania Avenue, NW
Washington, DC 20523
Tel: (202) 712-0000
Fax: (202) 216-3524
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