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RESOURCES**

**RECLASSIFICATION AND EFFECTIVE MANAGEMENT OF THE
NATIONAL PROTECTED AREAS SYSTEM PROJECT**

**THE ROLES OF TRADITIONAL LEADERSHIP AND
COMMUNITIES IN COMMUNITY-BASED NATURAL
RESOURCES MANAGEMENT IN ZAMBIA**

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ACRONYMS

ADMADE	Administrative Management Design for Game Management Areas
BRE	Barotse Royal Establishment
CBNRM	Community-Based Natural Resources Management
CRB	Community Resources Board
DDCC	District Development Coordinating Committee
DoF	Department of Forestry
FMC	Forestry Management Committee
GRZ	Government of the Republic of Zambia
GEF	Global Environmental Facility
GIS	Geographical Information System
GMA	Game Management Area
HHG	Household Groups
HQ	Headquarters
JFM	Joint Forestry Management
MTENR	Ministry of Tourism, Environment and Natural Resources
NBSAP	National Biodiversity Action Plan
NGO	Non-Governmental Organization
NNRMS	National Natural Resources Management Strategy
NRCCB	Natural Resources Community Conservation Board
NRCF	Natural Resources Consultative Forum
NRM	Natural Resources Management
NPWS	National Parks and Wildlife Service
PA	Protected Area
RMC	Resource Management Committee
SI	Statutory Instrument
SWOT	Strengths, Weaknesses, Opportunities, Threats
UNDP	United Nations Development Programme
VAG	Village Action Group

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VAGC	Village Action Group Committee
VMC	Village Management Committee
VRMC	Village Resource Management Committee
WCRF	Wildlife Conservation Revolving Fund
WMA	Wildlife Management Authorities
WMU	Wildlife Management Unit
WMSA	Wildlife Management Sub-Authority
ZAWA	Zambia Wildlife Authority

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EXECUTIVE SUMMARY

This document presents reviews, SWOT analysis of and lessons learned from the roles played by traditional leaders and communities in Community-Based Natural Resources Management, specifically fisheries, forestry and wildlife resources, in pre and post-independent Zambia. It also highlights the results of the informal and interactive interviews with traditional leaders and communities from seven non-randomly selected Game Management Areas and one open area with regard to their current views on ownership over and roles in natural resources management in the country.

The withdraw of ownership rights and control over natural resources from traditional authorities and systems and vesting them in the State without total acquiesces by affected communities has created some level of confusion over the status of natural resource ownership and management. This has been compounded by the lack of harmonization of policies governing natural resources at the local level by different line Ministries and by the absence of necessary legislation framework in some sectors like Fisheries and Forestry to accommodate community participation and revenue benefit sharing mechanisms. In the Wildlife sector where community participation is legalised, a lack of over-all consultation between government and communities on one hand and transparency and accountability by community representatives on the other affect smooth operations of wildlife management.

It is imperative that workable traditional natural resources management systems are incorporated within workable modern and scientific management regimes under harmonized natural resources policies. It is also cardinal that democratic and transparent community structures acceptable to both government and the broader and affected communities are put in place to ensure the sustainable management and utilization of natural resources at a community level.

1. INTRODUCTION

Natural resources, in the present context, refer to life and inert forms on earth, and particularly Zambia, on its land and in its waters; that, in one way or the other, are useful to mankind. They may be animals, plants, insects, birds, soils, minerals, or fish. They, of course, exclude humans. In whatever shape or colour they may be, they deserve protection for now and the future, and for one or more purposes. The exact form of protection they are given and who exactly may give it may not matter as long as they are protected wisely. The protectors may be traditional societies using indigenous knowledge systems or States or governments using specially crafted legal instruments.

Community-Based Natural Resources Management (CBNRM) refers to the management of natural resources under the control and eventual ownership of the communities themselves. In pre-colonial Zambia, communities owned all natural resources available within the boundary of the villages and there were village-level institutions for their management. There was a system of rules, traditions, beliefs, values, ethics, taboos, regulations and customs pertaining to the utilisation and maintenance of natural resources and village leadership held the responsibility of their implementation. The chief controlled the allocation of land for use by households, and access to forest and wildlife resources.

During the colonial and post-colonial period the ownership and access to natural resources was taken away from the communities and their chiefs and vested in the state, alienating them from the management of natural resources. This changed peoples' attitudes and the existing traditional order broke down, as the people no longer felt that the natural resources were for their own benefit, resulting in making resources 'open-access' with no effective management. The government then began to examine natural resources conservation in the context of human needs.

Roles of Traditional Leaders and Communities in CBNRM in Zambia

In 2005 the Government of the Republic of Zambia (GRZ) through the Ministry of Tourism, Environment and Natural Resources (MTENR) established the Reclassification and Effective Management of National Protected Areas System Project after securing funding from the Global Environmental Facility (GEF) and the United Nations Development Programme (UNDP). The main purpose of the project is to strengthen the enabling frameworks and capacities for managing the National Protected Areas System. The project is putting in place appropriate policy, regulatory and governance frameworks in order to provide new tools for public/community/private/civil society management partnerships.

The project is assisting Zambia to review and reclassify its protected area systems and developing models for more effective and sustainable protected area management through participatory approaches and capacity enhancement. This process is nested within the framework of the National Biodiversity Strategy and Action Plan (NBSAP).

The policy and legal reforms being embarked on by this Project will address among other things the unclear definition of relative roles of traditional leaders and communities for the management and co-management of natural resources/Protected Areas. In the past natural resource management was vested in traditional systems within environments where the resources were found. Under those systems and circumstances, sustainable conservation and utilization flourished. Currently, however, all natural resources are legally vested in the President of Zambia on behalf of the State and manage them with little or without inputs from communities. The consequences have largely and negatively affected the sustainable existence of natural resources. It is prudent, therefore, that the roles of traditional leaders and communities are addressed to supplement those by the State towards the sustainable management of natural resources. The terms of reference of the consultancy is provided in Annex 1.

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The field surveys conducted to discuss with traditional leaders and communities in selected GMAs and open area, coupled with literature reviews, brought out the peoples' perceptions on natural resources ownership and provided an insight into the sustainable conservation management practices at a local level and the roles played by traditional leaders and communities. The development of this paper followed a participatory approach and the methodology is discussed in detail in section 2.

2. METHODOLOGY

2.1 Development of the Inception Report

Prior to the development of the Inception Report, a consultative process was undertaken with key technical staff members of the Project and the Department of Environment and Natural Resources Management, MTENR. The rationale for this consultation was to seek ideas that go into the preparation of a sound and well thought out Inception Report. Added to the Consultant's own past experiences, the Inception Report was written and presented to the Working Group constituted by the Natural Resources Consultative Forum on the 22nd of March 2007 in the Conference Centre at the ZAWA offices, Chilanga.

The Report comprised two major components:

- The background information to the Reclassification and Effective Management of the National Protected Areas System Project, and to this Consultancy for the Roles of Traditional Leaders and Communities in Community-Based Natural Resources Management in Zambia.
- The methodology used in the execution of this Consultancy. The Consultant identified three main methods:
 - A consultative process with relevant stakeholders. These are the Ministry of Lands; the Ministry of Tourism, Environment and Natural Resources; the House of Chiefs; and the Zambia Wildlife Authority. This was done to gather relevant information leading to the development of the Inception Report. The process also provided information pertinent to the implementation of the Consultancy including relevant literature, ideas and past experiences.
 - A desk study. This involved a review of the available data, records and reports relevant to traditional leaders and communities and the nature of their roles in the management of natural resources. This was important, as it would determine the effectiveness of the action plan development

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process. It was also necessary, as it would provide useful background information in a number of areas, with specific emphasis on Protected Areas and their management.

- Field/site visits/surveys with Traditional Leaders and Communities in Game Management Areas (areas adjacent to National Parks) and selected open areas where some form of natural resources utilization takes place. The need to visit sites in GMAs and open areas was to obtain current on-the-ground information from traditional leaders and communities as it relates to their roles in the management of natural resources. There are currently 35 GMAs and several open areas in Zambia (Figure 4). A non-random sample of seven (7) GMAs and one (1) open area were visited (Figure 5). The GMAs were Kafinda, Mukungule, Bangweulu, Chiawa, Mumbwa, Namwala and Mufunta, and the open area that was visited is within Kopa Chiefdom. The Chiefs and their subjects that were consulted were: Chief Chitambo of Kafinda GMA; Chief Mukungule of Mukungule GMA; Chief Chiundaponde of Bangweulu GMA; Chieftainess Chiawa of Chiawa GMA; Chief Chibuluma and Chieftainess Kabulwebulwe of Mumbwa GMA; Chiefs Shimbizhi and Kaingu of Namwala GMA; Chief Kahale of Mufunta GMA; and Chief Kopa of the open area within Kopa Chiefdom. Bangweulu and Chiawa GMAs are in areas where the Reclassification and Effective Management of National Protected Areas System Project has Demonstration Sites. It was, thus, felt that the inclusion of the views of traditional leaders and communities from areas where the project has a presence would shed some light on the perceptions those communities have on the project and whether or not it is having any significant impacts and, thus, would help a great deal in contributing to the designing of an appropriate policy on community-based natural resource management. Mumbwa and Namwala GMAs are close to each other but they do have different chiefs. It was, thus, felt that travel time would be saved while still being able to get to different sets of information.

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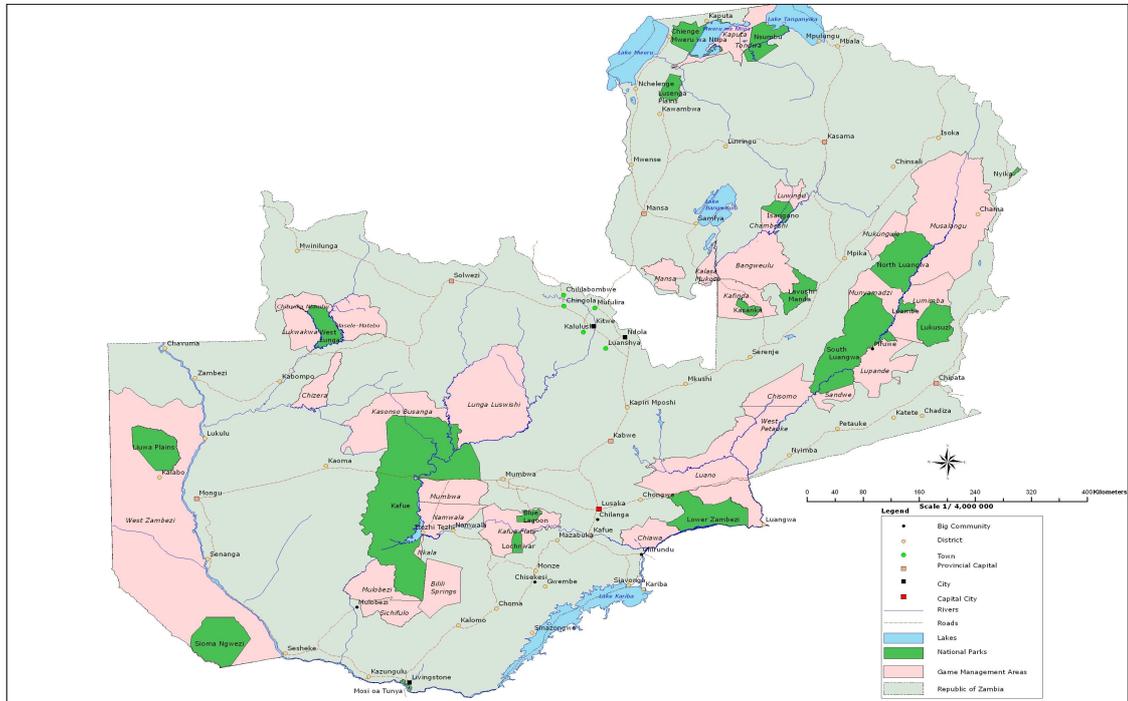


Figure 1: Gazetted National Parks and Game Management Areas of Zambia

Roles of Traditional Leaders and Communities in CBNRM in Zambia

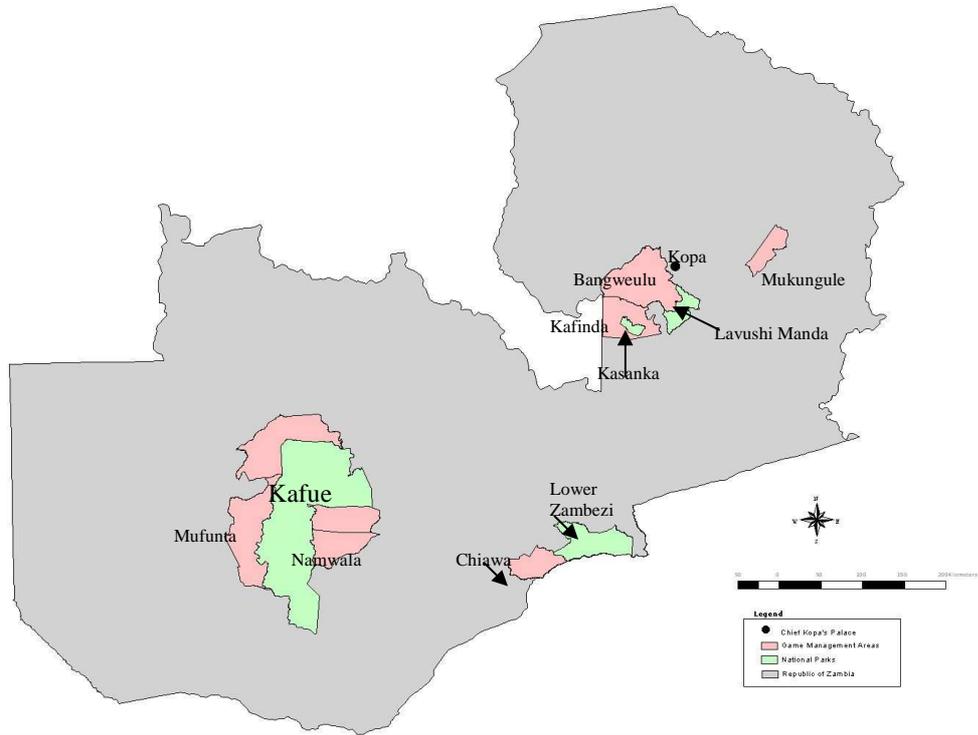


Figure 2: Game Management Areas and Open Area visited

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In addition, the two GMAs are on the way to Western Province where the Royal Barotse Establishment of the Lozi people is based. In Western Province, it was intended to visit the Barotse Royal Establishment (BRE) and Mufunta GMA. The BRE has traditional authority over the West Zambezi GMA and it was felt that discussions with individuals comprising the institution, headed by the Litunga, would give perspectives on the traditional leadership roles in its management. It is also a traditional requirement to seek permission from the BRE before approaching communities within the GMA. However, due to traditional protocol, previously not availed to the Consultant, that requires ample advance notice before meeting the BRE and the fact that this assignment had to be accomplished within a specifically short period of time, it was not possible to have audience with either the BRE or communities in the GMA. Thus, neither the BRE's nor communities' perspectives were obtained. In the end only Mufunta GMA was visited in the Province. The Munyamadzi GMA between North and South Luangwa National Parks was inaccessible due to floods.

It was felt that these selected field sites would give a sufficiently enough representative sample from which reasonably authoritative information could be obtained.

The product of the above stages of work and the outcomes of the stakeholder workshop of 27th June 2007 culminated in the production of this final report.

3. OWNERSHIP OF NATURAL RESOURCES IN ZAMBIA

As mentioned, natural resources include all animals, plants, insects, birds, soils, minerals and fish. In order to better define the natural resources available for communities to use, an inventory of available natural resources and their use categories by communities across chiefdoms is presented in Table 1. It depicts both land and water-based resources that have both current and potential use.

Table 1: Combined Inventory of Available and Useful Natural Resources in Surveyed Sites

Natural Resource	Use Category
Game (Wild animals)	Food/meat; selling meat to generate income; tourism (consumptive and non-consumptive)
Trees	Timber for furniture; re-forestation; building houses; shelter; firewood; charcoal (where allowed); selling to raise income; natural beauty
Grass	Thatching houses; selling to raise income; basketry; natural beauty
Minerals	Currently not legally exploited in most chiefdoms, but legal under the permit system in a few others
Water	Drinking; cooking; washing clothes; bathing;
Rivers	Provide water for drinking, washing, cooking, and fish farming for food and selling to raise income
Waterfalls	Not well developed but could be used as tourist attractions and hydro-power if developed
Fish	Food; selling to raise income
Birds	Food; tourism

Land	Agriculture
Soils	Building; bricks; selling to raise income
Caterpillars	Food; selling to raise income
Bees	Honey for food and selling to raise income

For the purpose of this paper, the natural resources currently available will be divided under three broad categories, namely wildlife, which includes all animals except fish; forestry, which includes all plants, and fisheries, which includes all fish. The discussion excludes water, land, minerals and soils, as it is believed that these are either a basic human need or is currently unavailable for community exploitation e.g. minerals. The ownership of wildlife, forestry and fisheries are discussed below.

3.1 Wildlife

The Zambia Wildlife Act, Act No. 12 of 1998 vests the absolute ownership of every wild animal in the President on behalf of the Zambian people. Only those animals that are lawfully captured or killed by licensees or are found resident on any land and the Minister gives, on advice of the Zambia Wildlife Authority, the right for those animals to be harvested can be said to be vested in the licensee or in the owner of such land respectively.

3.2 Forestry

The Lands Act of 1995 vests ownership of land in the hands of the State but distinguishes its management depending on its classification whether it is State or Customary Land. State Land – reserve lands, towns, permanent commercial farms and covering 39% of the country – are managed by the State. Customary Land – traditional land, or 'Open Land', where traditional Chiefs and their headmen decide on how the land is used – is under the authority of the traditional Chiefs. Both the Forests Act, Act No. 39 of 1973 that is still in force and the new Forests Act, Act No. 7 of 1999

that was endorsed by parliament and the President but is still not operational, maintain the separation of this quasi-ownership of land and categorises forests into Local Forests, National Forests, and National Parks all of which are protected areas. Trees on Customary Land and in Local Forests can freely be cleared, burned, or used for home consumption or local use but not those in National Forests and National Parks. However, if a forest product is to be used for commercial purposes, the State through the Department of Forestry has to issue a licence. Thus, individuals or communities are only given use and management rights over forests but not ownership.

3.3 Fisheries

The Fisheries Act, Cap 311 of 1974 that is still operational, vests ownership of fisheries resources in the State and has no provision for community involvement. The Draft Fisheries Bill, Fisheries Act of 2001, still being discussed at various levels, proposes community participation in Fisheries management but does not spell out specific roles for traditional leaders and communities. The Fisheries sector is recognised as one of the most underdeveloped sectors in the country and the absence of a new Fisheries Policy and Legislation only serves to exacerbate the situation.

3.4 Views of Chiefs and Communities on Ownership of Natural Resources

Following discussions with Chiefs and general community members about who owns natural resources in their chiefdoms, a mix of views and perceptions were advanced and reflected a range of differing opinions on the issue. Consolidated summaries of the opinions are that:

- The natural resources belong to the people and, thus, they should not only benefit from them but that they should also participate in their management;
- Both the communities, through their Chiefs, and the State own the resources. This view is based on the fact that because the resources are found in areas where the communities live, it then follows that these resources belong to the communities.

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However, because it is the State that collects revenue and taxes from resources like timber and fish harvesting and charcoal burning, the State also has part-ownership over the resources;

- The natural resources within National Parks, though initially belonged to the communities, currently belong to the State. On the other hand, the natural resources within GMAs belong to the communities because that is where they live;
- The partnership between the Chief, State and community owns the natural resources;
- The Communities have absolute ownership of the natural resources because that is where they (communities) live and the natural resources are found on their (community's) land;
- The State has an absolute ownership over land, whether State or customary land, and all the natural resources found on it;
- The Chief and community own customary land while the State owns State land;
- The communities own the natural resources because the lands on which these resources are found belong to the Chief. It is the Chief who gives land to the people and, therefore, these people own the resources found on that land;
- The State owns and controls only forests, fisheries and wild animals found in areas outside of community settlements;
- The State owns all the resources over which it issues harvesting permits at the exclusion of community participation;
- Whatever resource is found in the chiefdom belongs to the Chief. The Chief (e.g. Chiundaponde) is not aware that the law states that the natural resources belong to the State. Even if he was made aware of the existence of such a law he would never accept it because he is the custodian of the natural resources in his chiefdom. Before independence, anyone coming from outside sought permission

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from the Chief to come and hunt in his area and the same applied when the hunter left;

- Natural resources are jointly owned together with government since the people form government. The consultation (through this Consultancy) means that the government recognizes the presence of the Chiefs/Chieftainesses;
- The ownership of natural resources is not very clear; whether it is the State, the Chief, the community or there is joint ownership.

It appeared that these differing views and perceptions on natural resource ownership by the State, or the Chief, or the community, or by a combination of these entities stemmed from two major reasons:

- (i) Complete ignorance on the part of some traditional leadership and communities on the existence of current policies and legal frameworks governing authority over natural resources, or
- (ii) Complete denial by some traditional leadership and communities, despite having knowledge to the contrary, that the State, and not them, can have authority over the natural resources found on what they regard as their land.

Laws are supposed to reflect the public opinion and change together with them. Before the Zambia Wildlife Act No. 12 of 1998 was enacted by parliament, there were extensive consultations with Chiefs and their subjects (Saiwana, 2002). The same was true with the Forests Act No. 7 of 1999 (Chileshe-Masinja, 2005) and the Draft Fisheries Act of 2001 (Kalonga, pers. Comm). The reason, therefore, cannot be (i) but it is (ii). In Zambia, public understanding and legal obligations are often far apart due to some resistance to laws by some sections of society, as it would be expected in any democratic environment. There should just be persistent community sensitisation of applicable laws at a local level so that ignorance cannot be used as an escape-goat of defence.

4. ROLES OF TRADITIONAL LEADERS AND COMMUNITIES IN CBNRM PRIOR TO THE 1940'S

4.1 Wildlife

Traditional leaders and communities had roles that significantly contributed to the sustainable management and conservation of natural resources before restrictions, through enactment of laws, were imposed on traditional leadership and responsibility vested in the State.

In pre-colonial times and up to the start of colonization the harvesting of wildlife resources was allowed almost at will. Resources were treated as so abundant relative to human needs that access to harvesting them remained effectively open. But this was not without regulation and control by traditional authorities. The Chief, on behalf of the community:

- Had authority and control over wild animals and banned careless hunting. Chief Shimbizhi of Namwala, for example, allowed only a single annual wildlife hunting session during the month of October during which only hunting spears were allowed and there was no use of guns. The meat, especially that of the antelope, was brought before him to share with the rest of the community. This discouraged several hunters on hunting missions at a time and prevented massive harvesting to conserve wildlife;
- Prevented illegal wildlife harvesting and had powers to take custody of culprits and either had them punished or were surrendered to the Police and then, if convicted, sent to prison.

4.2 Forestry

Documented traditional forest resource management systems originate from the then Barotse National Government, now Zambia's Western Province. In 1936, J. D. Martin drew up the Barotse Forest Orders on the basis of which the Barotse National

Government Forest Service was formed. These Forest Orders were approved by the Litunga (the Paramount Chief of the Lozi people), in whom the land was vested, and his Kuta (advisory bodies to District Chiefs) and became the Forest laws of the country (Chitondo, 1997).

By 1937, the Paramount Chief had created a total of 50 Forest Reserves in most of which cultivation was forbidden while others were reserved specifically for mineral prospecting. All trees suitable for canoe building on the banks of the rivers running into the Zambezi River were reserved for the Chief and his people.

The Paramount Chief encouraged the clearing of bush gardens but made laws protecting fruit trees and the District Chiefs saw to it that the Forest Orders were adhered to by their subjects and the Forest Policies implemented. The Lozi people lived and learned to appreciate the value of forests and forestry became part of their tradition, exploitation being on a small scale mainly for canoe-making and the making of cattle-drawn sledges. Most of the damage to the forests had been caused by the influx of the "Mawiko" (from Angola) between 1920 and 1932, who had no Barotse traditions.

Across the whole country Chiefs had authority over wild vegetation and forbade the cutting of trees and burning of forests either for charcoal use or agriculture. Only firewood collection was authorised without the Chief's prior approval.

4.3 Fisheries

In fisheries management, Chiefs had control over fishing practices. No one was allowed to fish with small nets because, by their design, they were non-selective and they took out both small and big fish from the water, completely depleting the resource. Additionally, during fishing expeditions, it was culturally taboo for the whole family to go fishing and only men were allowed. This reduced the number of fishing persons, thereby reducing the number of fish harvested.

5. ROLES OF TRADITIONAL LEADERS AND COMMUNITIES IN CBNRM BETWEEN 1940'S AND 1980'S

5.1 Wildlife

Traditional systems were appropriate and even efficient in certain circumstances and countries in protecting wildlife in the region but in others, especially where some commercial use had started; it led to the elimination of some species (e.g. bloubok and quagga in South Africa) and massive reductions in others, especially elephant in Southern Africa. The declining wildlife populations so scared an emerging conservation movement that there was a paradigm shift in conservation philosophy from sustainable utilization using traditional systems and controlled commercialisation to that based on non-use and preservation. Following the London Convention in 1933, many colonies including then Northern Rhodesia (now Zambia) banned the commercial use of wildlife. They also began to declare protected areas in which wildlife would be preserved (Dalal-Clayton and Child, 2003). Villagers living within the protected areas were relocated to outside areas. This move caused a lot of resentment and resulted in wildlife related conflicts between the government and the displaced people. Traditional leaders, their roles in wildlife management having been withdrawn, no longer had the responsibility to punish illegal harvesters and they were not consulted anymore about issues surrounding wildlife. Communities were forbidden to sustainably harvest food resources from the protected areas and were banned from visiting ancestral, cultural and burial sites. Equally important, traditional leaders lost respect by their subjects; levels of illegal wildlife harvesting increased as villagers no longer regarded wildlife as a resource but only as a liability – someone else's property to be tolerated, stolen and destroyed. The harder the government tried to enforce the wildlife laws, the less cooperation it received from the local people (Adams and McShane, 1992; Saiwana, 2002).

5.2 Forestry

The Forest Act No. 39 of 1973 was enacted by parliament and became the forest laws of Zambia, repealing the Barotse Forest Orders, which were adopted as the National Forest Laws. By virtue of this Act, all land in Zambia was vested in the President of the Republic and withdrew the rights of the Litunga to own land: hence the forestlands became wholly state-owned. The Litunga no longer received royalties from accrued forest revenue.

5.3 Fisheries

The Fisheries Act, Cap 311 of 1974 vested all rights and responsibilities over fisheries resources in the President of the Republic and withdrew all operating traditional systems.

6. PRESENT ROLES OF TRADITIONAL LEADERS AND COMMUNITIES IN CBNRM

6.1 Wildlife

The impetus for questioning the laws that intended to remove wildlife almost completely from the sphere of human's management began in the late 1950's. While wildlife was conserved inside National Parks, the majority was still located outside, close to or together with people. With on-going people-park-government conflicts, the government began to examine wildlife conservation in the context of human needs. A series of studies provided convincing evidence that wildlife could be conserved only if local communities regained some level of proprietorship.

6.1.1 The Administrative Design for Game Management Areas (ADMADE)

In 1983, the government's National Parks and Wildlife Service (NPWS) convened a workshop involving local leadership and communities to develop a wildlife management strategy for a region just outside the South Luangwa National Park called the Lupande Game Management Area, where both hunting and human settlement were allowed. Out of this workshop, a small-scale effort known as the Lupande Development Project, based on the idea that the people of the Luangwa Valley should participate in the decisions regarding the region's natural resources, emerged. From this approach grew a nationwide scheme for conserving and managing wildlife. This scheme was called the Administrative Design for Game Management Areas (ADMADE). The goal of ADMADE was to increase and enhance community capacity to meet basic needs through sustainable utilization and conservation of natural ecosystems. The basic principal was that the benefits accruing from wildlife through revenue from safari hunting, concessions and hunting fees are returned to the local people in the form of employment and community development initiatives.

It is important to point out that prior to the conception of ADMADE, the situation

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around wildlife was characterized by:

- High incidences of illegal wildlife harvesting ('poaching');
- Lack of community participation in the wildlife industry;
- Community resentment against wildlife conservation;
- Lack of arrangements for income to support the areas;
- Government control and ownership of wildlife;
- Lack of training opportunities for local communities.

ADMADE was conceptualised to address the above issues in order to conserve wildlife and empower local communities with necessary skills and an economic base.

The ADMADE programme was administered directly by NPWS at its headquarters at Chilanga with strong facilitation provided by a Technical Advisor. At the district level, there were Wildlife Management Authorities (WMA) chaired by the District Governor with the Wildlife Warden as the Secretary. Other members of the WMA included local Members of Parliament (MPs), elected Councillors and Directors of Commercial Companies with interests in wildlife in the area. The WMAs, however, never had any significant impact on what ADMADE intended to achieve.

To improve its effectiveness at a local level, ADMADE reorganised its organizational structure to include local communities as shown in Figure 1. The headquarters remained at Chilanga. Revenues earned from wildlife in GMAs were channelled into the Wildlife Conservation Revolving Fund (WCRF) managed by NPWS HQ. Inflows included 100% of safari hunting concession fees and 50% of hunting license fees (the other 50% was taken into central government revenues). WCRF revenues were then used as follows:

- 35% for community projects in the GMA;
- 40% for wildlife management unit operations (i.e. village scouts);

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- 25% for administration and other fees.

The Wildlife Management Unit (WMU) was at GMA level or for chiefdoms within GMAs. The WMU consisted of a Unit Leader to implement community-based wildlife management; NPWS scouts; and Village Scouts. The Unit was responsible for law enforcement, data collection, conservation education and health education.

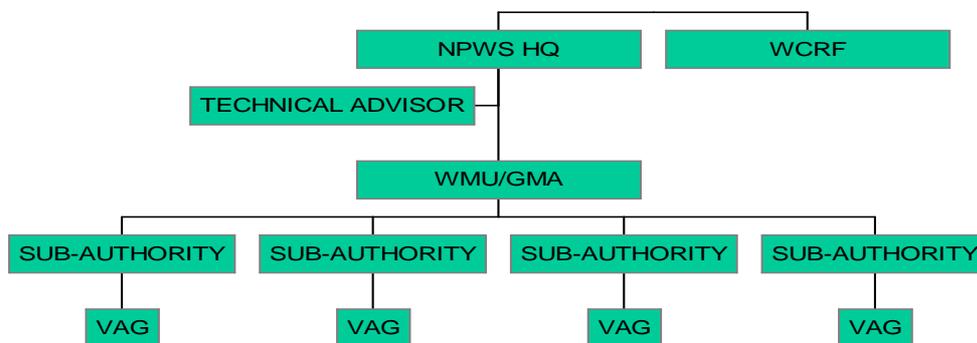


Figure 3: ADMADE Organizational Structure

The Wildlife Management Sub-Authority (WMSA) was an elected body, established for each chiefdom in a WMU and chaired by the Chief. Its members included village headmen, elected councillors, head teachers, a District Council representative and the Unit Leader acted as Secretary. The Sub-Authority made decisions on the allocation of funds to community projects and, in effect, became the main operational vehicle for ADMADE. The Sub-Authorities offered local residents a forum consistent with traditional customs to participate in the formulation of ideas on how to allocate the community's 35% share of wildlife revenues for community improvements. Subsequently, to increase democracy, Sub-Committees were formed for finance, resource management and community development matters.

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The Village Area Groups were established to represent and express localised opinion. Each VAG consisted of a committee of "peer groups" (e.g. elders, fishermen, women's clubs) or other people who may be elected. Senior Village Group Headmen led the VAGs. Members then among themselves elected representatives to sit on Sub-Authority Sub-Committees.

The ADMADE programme lasted for a period of about ten years and had its successes and failures. The programme's successes were that:

- The local communities were included in wildlife management programmes;
- The WCRF used to return income benefits to communities;
- The Nyamaluma Training Institute was created and Community skills in managing wildlife improved;
- Information gathering systems were developed;
- Infrastructure developments were undertaken.

The ADMADE programme's most significant failures were that:

- The Chiefs, who were the Sub-Authority Chairmen, together with their advisors, developed autocratic leadership qualities at the expense of the broader community and they misapplied funds meant for community development and wildlife conservation for their own personal aggrandisement;
- The WCRF funds were misappropriated at NPWS HQ;
- There wasn't a significant devolution of power from the NPWS to the local communities and this disempowered them politically in voicing their concern on issues that affected their welfare;
- The Sub-Authorities were dysfunctional;
- There were incidences of abuse and interference of safari operators.

6.1.2 The Zambia Wildlife Authority (ZAWA)

The Zambia Wildlife Act, Act No. 12 of 1998, was put into effect on 1st November 1999. It repealed the National Parks and Wildlife Act of 1991 and established the Zambia Wildlife Authority (ZAWA), replacing the NPWS and, with it, the ADMADE Programme. The new Act has the explicit recognition and formalization of the CBNRM programme. It is important to note that although ADMADE had national recognition, it did not have a legal basis.

The Zambia Wildlife Act, Act No. 12 of 1998 provides for local communities contiguous to chiefdoms in GMAs and open areas or a particular chiefdom with common interest in the wildlife and natural resources in that area to apply to ZAWA for registration as a Community Resources Board (CRB). The CRB is a legally recognised body that represents government for the management of wildlife for a geographically defined GMA and represents the highest management authority at community level regarding issues over wildlife management. It comprises a maximum of 12 members; not more than ten (10) and not less than seven (7) representatives democratically elected from within and by the local community; one (1) representative of the local authority in the area; and one (1) representative of a chief in whose area a board is established to represent that chief.

At household and village levels, households organize themselves into household groups (HHGs), representing people with similar interests and with close contact to one another. These groups may constitute specific villages and when clustered together, they form a VAG. An HHG normally comprises 10 to 20 members and ideally a VAG represents 100 to 200 households. The HHGs have their leaders who seek representation on the VAG committee, which in turn provides leadership for the VAG itself in promoting household livelihoods. To be successful, the VAG must maintain effective representation on the CRB. This is based on democratic elections of VAG leaders, who represent all households from that VAG on the CRB (see Figure 2).

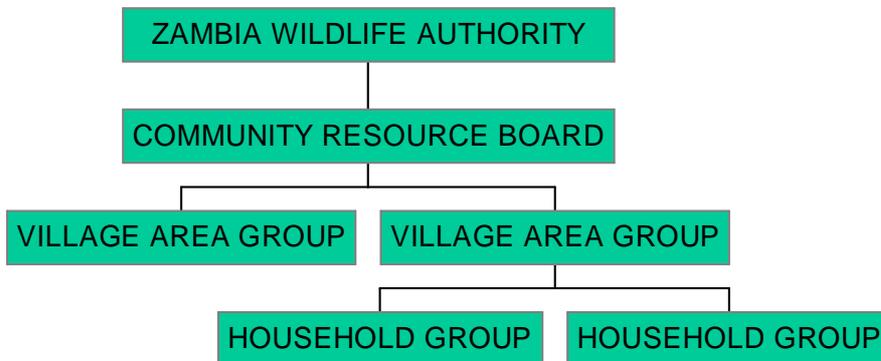


Figure 4: The CBNRM Organizational Structure under ZAWA

The Zambia Wildlife Authority collects 100% of safari hunting; concessions and hunting fees generated in GMAs and shares them as follows:

- 45% to Community Resource Boards for wildlife management and community development projects;
- 5% to Chiefs as Traditional Leaders and CRB Patrons;
- 40% to ZAWA for administration;
- 10% to central GRZ revenue.

Out of the total amount allocated to the Community Resources Boards, 45% is meant for wildlife protection; 35% for socio-economic development; and 20% for administration. Financial and activity reports are expected to be submitted to ZAWA on a quarterly basis.

The concerned parties agreed to the above revenue sharing ratios during the 2002 *"National Workshop for Chiefs and Community Representatives Residing in Zambia's Game Management Areas"* at the Garden House Hotel.

6.1.2.1 The Roles and Responsibilities of the CRBs in Wildlife Management

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The roles and responsibilities of the CRB are to:

- Promote and develop an integrated approach to the management of human and natural resources in a GMA or open area falling within its jurisdiction;
- Negotiate, in conjunction with ZAWA, the terms of lease agreements for wildlife commercial activities on their land;
- Manage the wildlife under its jurisdiction within quotas specified by ZAWA;
- Appoint Village 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;
- In consultation with ZAWA, develop and implement management plans which reconcile the various uses of land in areas falling under the board's jurisdiction;
- Perform other functions as ZAWA or Director General may direct or delegate.

The importance of distancing unaccountable traditional leaders from the programme and especially its finances, while not totally alienating these powerful individuals, was tackled by legislating that the chief of the area concerned "shall be a patron of the Board". The Chiefs are still recognised as leaders of their chiefdoms with customary powers but devolve local wildlife management responsibilities to communities and their representatives.

6.1.2.2 The Roles of Traditional Leaders in Wildlife Management

The roles of traditional leaders in wildlife management are to:

- Monitor, advise and support the CRB to ensure compliance (accountability and adherence) to agreed plans, and in a manner customary to traditional rulers, will provide stewardship for the community in all matters pertaining to traditions and local values;

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- In consultation with ZAWA, may recommend that a CRB member be subject to a bi-election if they act outside their constitution or the interest of their community and the requirements of wildlife;
- Provide the Minister of Tourism, Environment and Natural Resources and the Zambia Wildlife Authority with advice on use, protection and benefits of resources;
- Guide the CRB on issues concerning land zonation and land use requests by private sector and shall ensure that the community owns all lands and all use is through an operating concession (rather than of tenure);
- To be accorded full respect as a Traditional Ruler and shall be consulted by the CRB on all major community issues.

6.2 Forestry

The Forest Act of 1973, as stated before, did not provide for community involvement in forest management. The resultant concerns over the following years and the recognition to have community participation made the government revise the Act to legislate the Forests Act of 1999. The Act has passed through parliament and has Presidential assent. However, it has not yet been enforced in its totality because the Forestry Commission has not yet been set up due to lack of funds. But the Act does provide for Joint Forest Management (JFM). Joint Forestry Management concerns participation by forest-adjacent local communities near local or central government forest reserves and who, by virtue of the rights over land, invest in and derive benefits from sustainable management and utilization of forest resources in their area. The JFM will let the Zambia Forestry Department, Non-Governmental Organizations and businesses get together with local communities to manage forest resources. But due to the non-enforcement of the Forests Act of 1999, it means that the Forest Act No. 39 of 1973, which does not provide for community involvement in forestry management, is still in force.

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Under certain legal provisions, the Minister of Tourism, Environment and Natural Resources has powers to activate some parts of the Forests Act of 1999 through a Statutory Instrument (SI). With these powers, the Minister activated parts of the Act that deal with JFM through SI No. 47 of 2006. Following this SI, pilot JFM programmes were embarked on in three provinces of Zambia: Luapula, Copperbelt and Southern provinces. There are two pilot sites in Luapula – Mansa and Sanfya; two on the Copperbelt – Masaiti and Lufwanyama; two in Southern – Livingstone and Choma.

It is important to note that neither the 1999 Act nor the SI explicitly spell out the specific roles of traditional leaders or communities in the Joint Forestry Management. It is understood that their roles are expressed through their representatives in the Village Resource Management Committees (VRMC) and the Forest Management Committee (FMC), which structures are explained below and graphically illustrated in Figure 3.

A Joint Forest Management Area (an area declared as a JFM) is managed by committees on three levels:

- (i) At the village level, a JFM is managed by the Village Resource Management Committees (VRMC) comprising one representative of village headmen representing the villages in the area; one person representing the Forest Resource Guards; one person representing each user group in the area (A user group comprises individuals or groups involved in one common activity in an area and bound by a common agreement or constitution);
- (ii) At JFM level, the Forest Management Committee (FMC) comprising one representative of the local Chief (s), one representative from the Forestry Department, one representative from each VRMC from each area, and one representative of the District Council manages a JFM.

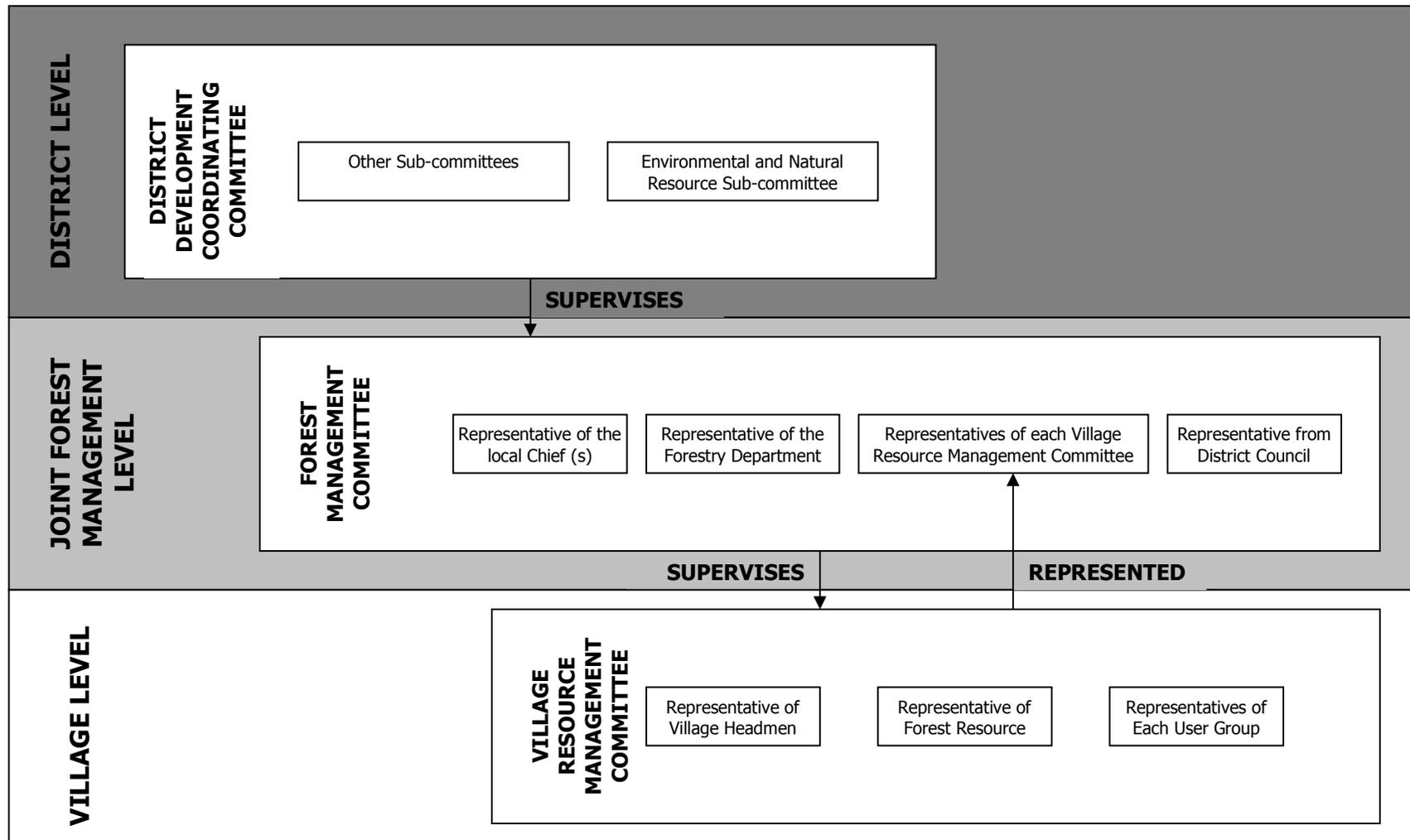


Figure 5: Structure for the Management of a Joint Forest Management Area

- (iii) At District level, the Environmental and Natural Resources Sub-committee of the District Development Coordinating Committee (DDCC), among other responsibilities, manages a JFM.

6.2.1 Roles of the Village Resource Management Committee

The roles of the VRMC are to:

- Get local people involved in things like making sure boundaries remain visible, early burning and marking places where they are going to be cut;
- Produce a detailed JFM Plan;
- Implement the JFM Plan;
- Collect money from licences and permits;
- Check that planned activities are happening;
- Suggest rules and regulations to the FMC;
- Settle any arguments in forest management that happen in the village;
- Make plans and budgets for forest management;
- Submit progress reports to the FMC;
- Put in place Forest Resource Guards and decide on the rules about how they will work in the VRMC.

The Forest Resource Guards make sure that the forest is managed properly. They are chosen from the local communities and are neither employees of the Forestry Department nor are they entitled to a government salary. However, the VRMC may decide to pay them with money or in some other way, depending on what is available (for example money collected from fines, or other income generated from the forest).

6.2.2 Roles of the Forest Management Committee

The overall role of the FMC is to make sure that the forest is properly managed and developed, and that the benefits of the forest are properly shared in the local community. Specifically, the FMC:

- Makes sure the JFM Plan is produced;
- Checks that the JFM Plan is being followed and that agreed rules are being followed;
- Manages the finances for the JFM area;
- Makes sure money is being collected by the VRMCs;
- Makes sure proper accounts and records are made by the VRMC;
- Gives out the benefits coming from the forest to the local communities and traditional leaders, the exact ratios of which have not yet been worked out ;
- Holds meetings every 3 months to check how the forest management is going;
- Approves plans and budgets that are made by the VRMCs;
- Approves any changes to the rules affecting the forest suggested by the VRMCs;
- Makes progress reports every three months and gives these to the Provincial Forestry Office and the District Development Coordinating Committee;
- Settles any arguments in the VRMCs.

6.2.3 Roles of the Environmental and Natural Resources Sub-committee of the DDCC

Its roles are to:

- Make sure the benefits from the forest are shared between the people involved, according to the JFM Plan;
- Approve audit reports;

- Settle any arguments in the FMCs.

6.2.4 Forest Revenue Sharing

By law, the Forest department has to collect money for forest products so that the government looks after the country's forests. But in a JFM area, the money is to be shared between the Communities and the Government where the Government will get 60% and Communities 40% of the revenue. The larger share for the Government is based on the rationale that the Forest Department manages the forest estates on behalf of the State and as such, need to get more than communities (MTENR, 2004).

6.3 The Present Roles of Traditional Leaders and Communities in Fisheries Management

The Fisheries Act, Cap 311 of 1974 is undergoing reviews with a view to repeal it. The proposed new Draft Fisheries Bill Chapter 200, Act 2001 being discussed, includes community participation in fisheries management. The Fisheries Department has introduced co-management systems on pilot bases in Lake Mweru, Lake Bangweulu, Lake Tanganyika and Lake Kariba (MTENR, 2004). Currently, with the 1974 Act still in force, traditional leaders and communities have no legal roles to play in fisheries management and, hence, no benefit sharing schemes exist.

6.4 Discussion on the Present Roles of Traditional Leaders in CBNRM

As discussed earlier, traditional leaders see their role in CBNRM differently from what is captured in the different legislation documents. When asked to explain their roles, traditional leaders responded that their roles are to:

- Support natural resources conservation campaigns in the chiefdom;
- Provide customary guidance to natural resources management;
- Provide guidance on indigenous knowledge on cultural aspects regarding community-based natural resources management;

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- Protect natural resources against illegal harvesting activities;
- Support law enforcement in the management of natural resources;
- Facilitate the establishment and implementation of land use management plans;
- Offer discipline to community members in the wise use and management of natural resources;
- Support conservation for tourism purposes and for the benefit of the future generations;
- Advise on development needs that have an impact on natural resource conservation;
- As custodians of natural resources, to advise on wise resource conservation and utilization;
- Maintain peace in the community.

These roles expressed by Traditional Leaders are all embracing covering both land and water-based natural resources, i.e. forestry, fishery and wildlife resources. The Traditional Leaders are fully cognisant of their roles and responsibilities on natural resource management. They are also aware, however, that, apart from the Wildlife Act, Act No. 12 of 1998, which legally identifies them as 'Patrons' to the wildlife Community Resource Boards, they have no current and specific legal roles in fisheries and forestry management. They would want their roles in these sectors to be legalised. It is on record, however, that they were consulted during the process that led to the Forests Act of 1999 and the Draft Fisheries Bill currently under discussion regarding their participation in the management of these resources.

It is particularly important to point out that the practicality of the role of Traditional Leaders, as 'Patrons' to the wildlife's CRBs appears elusive. Information on the ground

appears to suggest that, in some cases, the CRB leadership, as appeared to be the case in Chiundaponde Chiefdom, operates independent of Traditional Leaders, which should not be the case. In other cases the Traditional Leaders exert so much control over the CRB leadership that its neutrality in terms of equitably discharging its functions regarding financial matters across the chiefdom is compromised. This negatively affects effective community participation in wildlife management.

It is the community's feeling that Traditional Leaders should effectively and fairly discharge their functions as wildlife's CRB 'Patrons' in disciplining the CRB leadership and facilitating equitable development needs of whole chiefdoms without bias and undue pressure on the CRB operations. This is also ZAWA's view and that is the more reason why the powerful role of Chiefs as Sub-Authority Chairmen during the ADMADE era was reduced to that of 'Patrons' in the Wildlife Act of 1998.

6.5 Discussion on the Present Roles of Communities in CBNRM

When asked to explain the roles they play in natural resources management, community members responded that the roles are to:

- Appreciate the value of natural resources and conservation practices;
- Participate in the formulation of management (land use) plans and their implementation;
- Make genuine decisions and influence in forests and fisheries management at a local level, thus their opinions should be taken into account;
- Protect the natural resources properly as the resources belong to them;
- Implement on the ground conservation advice from Fisheries, Forestry and Wildlife Technicians but incorporating local ideas and practices to avoid conflicts and to be in tune with sustainable conservation methods;

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- Develop the area through local institutions like the VRMC in forestry and CRB in wildlife;
- Manage the finances accrued to CRB through their wildlife revenue share from ZAWA;
- In terms of wildlife, know the number of animals killed per year;
- Know how much money is generated from the resources, whether fisheries, forestry or wildlife; how much is shared and how much is ploughed back into the community;
- Through the wildlife CRB, employ village scouts to protect wildlife resources.

It is clear from the responses given by the communities that they recognise they have a duty to protect all natural resources in their areas, be they fishery, forestry or wildlife resources for aesthetic, economic and development reasons not only for the present but also for the future. The issue of monetary benefits from these resources, however, concerned them a lot. At the top of their concerns was the issue of financial benefits from wildlife resources and how these benefits are administered by the wildlife CRB leadership. Persistent concerns, especially among the communities in Chiundaponde and Chiawa chiefdoms, were that those entrusted with community funds apply them not entirely for conservation and development needs in their areas but chiefly for their own benefit, defeating the purpose for community participation in wildlife management. Within the same sector, it was also apparent that tourism operations in the GMAs and open areas were not transparent enough to allow communities to play their meaningful roles in wildlife management and enjoy the benefits accruing out of their participation. In a specific case, for instance, it was stated that some Tour Operators and Safari Outfitters dealt directly with ZAWA HQ in Chilanga and sometimes independently, neglecting local GMA facilities and dishonouring their pledges to the local communities. This seems to affect community-investor confidence and, consequently, the role communities can play in natural

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resource management.

In the case of fisheries and forestry resources, the concerns to communities were that they play no part in issuing harvest licences and permits, which are done by government. Further, they are not involved in collecting fish and forest levies and taxes and they do not enjoy the financial benefits from these resources as these go directly into government revenue. They would want the arrangement to change so that they are involved and share in the benefits.

The fisheries and forestry sectors in the areas visited have no institutional arrangements similar to the wildlife CRBs where communities have a legal and organised system to manage natural resources. Communities in those areas feel that the absence of such an institution negatively impacts upon their willingness to constructively play meaningful roles in the management of these resources. They would want such an institution to be established. However, it is noted that the JFM arrangement gives provisions for community participation in forestry management and benefit sharing mechanism, except that this is currently being piloted in a few areas discussed in section 4.6.2.

7. SWOT ANALYSIS OF THE PRESENT ROLES OF TRADITIONAL LEADERS IN CBNRM

7.1 Strengths

- They recognise the importance of natural resources, be they fisheries, forestry of wildlife, in creating economic prosperity and natural beauty in their chiefdoms and, therefore, the need to conserve them for the present and future generations.
- Chiefs/Chieftainesses have absolute traditional authority over their subjects, thus they wield the potential of being listened to, respected and obeyed especially with regard to the implementation of natural resources management plans and use of traditional and indigenous knowledge systems in natural resources conservation;
- As 'Patrons' of the wildlife CRBs, the Chiefs/Chieftainesses are able to concentrate on their traditional and customary advisory roles and the development of their chiefdoms. This also relieves them of possible impropriety, by virtue of their standing in society, if they were involved in financial resource allocation. This means that conservation and development efforts can take place without their undue influence;
- They have the capability to mobilize human, financial and material resources for natural resource management in their chiefdoms.

7.2 Weaknesses

- Chiefs/Chieftainesses have no legal, direct and recognised roles in fishery and forestry resources management although they can send a representative on the FMC of the JFM arrangement. They only have recognised roles in wildlife management. This diminishes the significant traditional roles they would otherwise play in the management of all natural resources;

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- In wildlife management, as 'Patrons' of the CRB, they are out of touch with daily CRB leadership operations and, thus, their ability to discipline errant CRB office bearers who choose to operate outside their mandate is greatly weakened;
- In wildlife management, once tourism consumptive/non-consumptive licences and permits have been issued to operators by government in Lusaka/Chilanga, Chiefs/Chieftainesses have no ways, means and authority to monitor the field activities to verify the authenticity of and adherence to licence/permit conditions. The operators are trusted to operate within the permit requirements and conditions, which may not necessarily be the case. A case in point is the tourist operations and the concerns they cause to Chief Chiundaponde where aircraft land and take off at Chikuni airstrip, bypassing ZAWA's own airstrip and not to the knowledge of the Chief;
- Chiefs/Chieftainesses are not involved in the issuing of fisheries and forestry harvesting licences and permits and they do not get financial benefits from these resources. They, thus, are not very enthusiastic about fisheries and forestry resource conservation although they recognise the value of these resources.

7.3 Opportunities

- Because of their traditional authority over the chiefdom, Chiefs/Chieftainesses are an important point of entry into their area by government and private investors. This can facilitate the implementation of development and investment programmes in their areas.

7.4 Threats

- Because of their traditional authority, Chiefs/Chieftainesses can be absolutely dictatorial over their subjects. This can affect equitable sharing of benefits from

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natural resources across their chiefdoms. This, in turn, can adversely affect fair programme implementations where certain areas within the chiefdom may be favoured over others;

- Chiefs/Chieftainesses can misuse their traditional authority to control revenues meant for community benefits and development and apply them for their own personal advantage;
- Chiefs/Chieftainesses view their 5% honorarium from the GMA revenue sharing as inadequate. This may tempt them to divert their attention to the remaining 45% meant for natural resource conservation and community development.

8. SWOT ANALYSIS OF THE PRESENT ROLES OF COMMUNITIES IN CBNRM

8.1 Strengths

- The communities have better knowledge, understanding and appreciation of their ecosystems and, thus, are better placed to recognise the natural resource management needs of their areas; whether these resources are fisheries, forestry or wildlife;
- They are a mixture of young and educated on one hand, and old and experienced on the other. This mix enables them to share modern and indigenous knowledge systems in natural resource management for the benefit of present and future generations;
- They generally tend to be receptive and attentive to the advice and instructions from their Chiefs/Chieftainesses and fisheries, forestry and wildlife technicians regarding matters of natural resources protection. This augurs well for an orderly and prompt natural resources programme implementation in their areas;
- They have organizational structures in place to facilitate logical implementations of various activities that concern natural resource management;
- In wildlife management, there are now democratically elected institutions like the CRBs that are legally entrusted with community funds meant for natural resources conservation and community development and whose field operations including Village Scouts have been at the forefront in wildlife sensitisation campaigns and wildlife protection at the local level. This should also work well if forestry and fisheries resources were legally entrusted under their or similar responsibility.

8.2 Weaknesses

- Only the Wildlife Act No. 12 of 1998 has active and legal provisions for communities to participate in wildlife resources management on a national scale. The fisheries sector has none as the Fisheries Act of 1974 currently in force has no provisions for community participation. The Forests Act of 1999 has provisions but is not yet in force, although SI No. 47 of 2006 permits the implementation of JFM on a pilot scale in selected sites. This presents a very significant weakness in the ability of communities to have a holistic approach in natural resources management involving fisheries, forestry and wildlife sectors.
- In wildlife management, there is an apparent absence by higher authorities or the communities themselves of checks and balances on the operations of the CRB office bearers. This has created a sense of lack of financial accountability on the part of the Board leadership. This affects natural resource management and community development programs;
- The perception by some constituent Village Action Groups of the wildlife CRBs in some chiefdoms, that the Chief/Chieftainess exerts some undue traditional pressure on the CRB leadership and that they have interests in developing some areas at the expense of others dents wildlife conservation efforts by affected communities;
- In wildlife management, there are various levels of mistrust by the general community membership over some CRB leadership personalities, their operations and style of responsibility over wildlife management. This reduces interest and participation in natural resources management programs by some sections of the communities.

8.3 Opportunities

- The organization of communities in the wildlife sector into various democratic institutions and committees at local levels presents a sense of sanity into the community. This encourages government and potential investors to want to contribute to the development of the areas;
- The introduction of similar community-based institutions in fisheries and forestry sectors or incorporating them within the existing or together with the wildlife CRBs presents excellent opportunities for revenue benefit sharing;
- The higher levels of conservation awareness and the willingness to acquire knowledge among community members indicates a need for more investment in local human resource development in the areas;
- The vast arable and productive areas of land existent in most chiefdoms points to the potential for land allocation for the creation of more GMAs, JFM areas and open areas for tourism purposes and for the benefit of resident communities.

8.4 Threats

- The benefits to communities that are supposed to accrue to them from their participation in natural resource management operations are, in some cases, not forthcoming because those entrusted with community funds are not transparent enough in their fund allocation procedures. In some cases they get nothing. Some areas have extremely bad and poorly maintained infrastructure, including road networks for tourism operations, e.g. Chiundaponde Chiefdom;
- The apparent neglect of a broad community involvement in fisheries and forest resources management by government either failing to legislate necessary laws or due to impasse in activating existing laws predisposes these resources to poor management and eventual extinction;

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- The emphasis on the protection of wildlife at the expense of destroyed subsistence food crops and without compensation creates resentment towards sustainable natural resources management and may lead to their deliberate destruction by affected communities;
- The failure of crop production in some areas due to environmental factors and the lack of timely provision of food relief threatens the community's attention towards natural resource management;
- With regard to the apparent independent and unchecked operations of the wildlife CRB leaderships stir misgivings among general community members and may have a negative impact on the community's involvement in natural resources management;
- Village level employment opportunities, like wildlife Village Scouts and Forest Guards under JFM arrangements where this is operational, offered to candidates hailing from outside respective chiefdoms. This practice favours individuals that are not used to the environment and results in poor performances, lacks long-term impacts and creates animosity from indigenous inhabitants;
- The harvesting of fisheries and forestry resource products does not accrue revenues to affected communities where these resources are found. Permits for harvesting these resources are issued either by councils or central government through Forestry or Fisheries Departments. This makes communities not to have conservation ethics towards these natural resources;
- Uncontrolled land encroachment in some areas adversely affects natural resources management efforts. It becomes more serious when the encroachers hail from areas outside the affected chiefdoms as this also creates conflicts between humans and over land. A typical example is in Chief Shimbizhi in Namwala District where land encroachers come from far places like Choma and Kalomo;

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- The communities, except those who may be in the know, are oblivious to the actual amounts of money accrued to them through the wildlife revenue sharing mechanism and how the money is used for their benefit and area development. This demoralises communities and affects their enthusiasm in wildlife management.

9. LESSONS LEARNED FROM THE ROLES OF TRADITIONAL LEADERS AND COMMUNITIES IN CBNRM

Lessons learned are seen as approaches or activities that have either worked well for a time and have been successful in stimulating favourable changes in the participatory management of Zambia's natural resources, or have been seen to work badly under certain conditions and discarded as inappropriate.

Over the years, the country has developed fisheries, forestry and wildlife policies and legislation that support broad principles of traditional leaders' and community's participation in natural resources management. These policies and legislation contribute towards the creation of an enabling environment for community-based natural resources management. However, there is no coordinated national natural resource management strategy. Policy and national legislation is a major constraint to the development and expansion of CBNRM in Zambia. Without changes to legislation and development of a more holistic and integrated planning system for Natural Resources Management (NRM), CBNRM remains a difficult task for all parties involved.

The **lesson learned** from this is that a National Natural Resource Management Strategy (NNRMS) should be developed. This would provide a framework for integrating fisheries, forestry and wildlife resources into a wider sphere of CBNRM and, through that, to rural development and poverty alleviation.

9.1 Lessons Learned From the Roles of Traditional Leaders in Wildlife Management

In colonial Zambia and prior to the institutionalisation of legal systems establishing Protected Areas, people and wildlife lived together in harmony. People could hunt wildlife for subsistence use but only with permission from the Chief and in seasons and age groups that the young wildlife could be conserved. The Chief saw to it that a

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system of rules, traditions, beliefs, values, ethics, taboos, regulations and customs pertaining to the utilization and maintenance of wildlife were adhered to. The **lesson learned** from this is that under traditional systems and under a credible traditional leader, wildlife conservation can be achieved.

The enactment of laws that took away control over wildlife from Chiefs made traditional wildlife management systems redundant and made the Chiefs powerless over and lost respect from their subjects. This aggrieved the Chiefs and made them lose interest in wildlife conservation. The result was widespread wildlife 'poaching'. The **lesson learned** from this is that traditional leaders have power over both wildlife and their subjects and that neglecting them is at wildlife's own peril.

The advent of ADMADE brought back power and respect to the Chiefs over wildlife affairs but, unfortunately, it was too much of it. Added to the patronage offered them by NPWS, they became extremely dictatorial and selfish to the extent that what mattered more to them was access to wildlife revenues for their own personal use. The **lesson learned** from this is that while Chiefs are important partners in wildlife management in their chiefdoms there must be a balance between recognising their influence and the need to conserve wildlife for the benefit of their subjects, area development and all interested parties. Giving them too much power corrupts them.

The enactment of the Wildlife Act, Act No. 12 of 1998, that recognises Chiefs as 'Patrons' of CRBs and maintains leadership of their chiefdoms with full customary powers, advisory roles and with a 5% share of wildlife revenues still gives Chiefs control over their subjects but with fringe influence over wildlife management. The Chiefs are generally happy with this arrangement and are supportive of wildlife conservation. The **lesson learned** from this is that with diplomacy and incentives Chiefs can still play significant roles in wildlife management.

9.2 Lessons Learned From the Roles of Communities in Wildlife Management

In traditional societies and at village levels, wildlife resources are perceived to have always had ownership. Villagers evolved management practices leading to sustainable utilisation of these resources. The community owned all wildlife available within the boundary of the village and there were village-level institutions for the management of wildlife resources. The **lesson learned** from this is that given a sense of ownership and left to manage wildlife the way they know best and traditionally, communities can play a significant role in wildlife management.

When game reserves were created in the 1940s, villagers within the reserves were moved on to the peripheries, alienating them from the management and subsistence use of wildlife. There was no incentive for them to resist 'poaching' activities and actually supported it. Most revenues from wildlife resources went to central government or businessmen living outside the area. Communities gained little direct legal benefit from local wildlife resources. The **lesson learned** from this is that leaving communities out of the wildlife conservation equation and its benefits works against wildlife conservation itself.

When ADMADE was formed and implemented, communities were actively involved, trained, supported and participated in wildlife management and anti-poaching activities. The results were that some area developments took place and levels of 'poaching' reduced. The **lesson learned** from this is that when wildlife management strategies are inclusive of community participation, there can be positive achievements in wildlife conservation.

The Wildlife Act, Act No.12 of 1998 legally empowered community participation in wildlife management through CRBs and their democratically elected leadership. This transformation from the autocratic Sub-Authority arrangement during ADMADE and

the devolution of wildlife management responsibilities from the powerful Chiefs to the CRBs has enthused communities so much that the operational effectiveness in executing law enforcement through Village Scouts is bearing fruits. For example, reports of wildlife 'poaching' incidences are to their lowest levels ever. In addition, there have been positive shifts in public attitudes and awareness towards wildlife conservation; and community relations with wildlife tourist operators have improved. The **lesson learned** from this is that when community institutions entrusted with wildlife management are democratic and organised, commitment to duty reins and success in developing their areas is assured.

The 45% wildlife revenue share given to communities for conservation and development needs is an incentive for them to support natural resource management programs. The **lesson learned** from this is that for a community to manage its resources sustainably, it must receive direct benefits arising from its use.

There has been some unhappiness among certain sectors of the communities in some chiefdoms regarding wildlife activities and operations of community representatives, e.g. Chiefs and CRBs. The communities need to know the revenue generating mechanisms and those put in place for informing every member of the community on the benefits realized and shared. The **lesson learned** from this is that there is need for community representatives to be strictly supervised so that they are accountable not only to their communities but also to the nation. This is especially so regarding area development and financial accountability.

9.3 Lessons Learned From the Roles of Traditional Leaders in Forestry Management

When land and wild vegetation found on it was under the authority of Chiefs, traditional management systems under the direct control of Chiefs forbade indiscriminate cutting and burning of trees and forests either for charcoal use or

agriculture. Only firewood collection and sustainable traditional agricultural practices were authorised and permitted without the Chief's prior approval. There was no deforestation and forest ecological dynamics were preserved. Unsustainable land and forest product use manifested itself when rights to these resources were withdrawn from the Chiefs. The **lesson learned** from this is that traditional leadership and its management systems, when left undisturbed, can preserve land and forest resources.

9.4 Lessons Learned From the Roles of Communities in Forestry Management

When people do not attach value, pride or ownership to a resource, the result is destruction of that resource. The case of the "Mawiko" people from Angola referred to in section 4.4.2 is a case in point. Without Lozi traditions that appreciate the value of forests and their sustainable use, the "Mawiko" resorted to forest damage in Barotseland. The **lesson learned** from this is that when people have entrenched valuable traditions and are given the freedom to practice them, in this case towards forestry management, resource conservation can be realised.

9.5 Lessons Learned From the Roles of Traditional Leaders and Communities in Fisheries Management

The Chief's control over fish and fishing practices in the olden days and the traditional system banning community use of small fishing nets and large entourages on fishing expeditions conserved fisheries resources. With the current 'open access' system to fisheries resources especially in rural areas has contributed to the reduction in the resource. The **lesson learned** from this is that traditional fishing systems work and can conserve fisheries resources.

10. THE WAY FORWARD

It should be recognised that neither the State nor local communities can sustainably manage natural resources independent of each other. The local and traditional institutions that worked well before colonization are no longer the same and they have, in the majority of cases, been replaced by modern centralised administration; the subsistence-use culture that favoured sustainable utilisation of the natural resources has mostly been replaced by the adoption of the market economy that has contributed to the disappearance of value systems, traditions and norms; and the small population that existed then has increased by huge proportions. On the other hand, modern and acceptable democratic institutional organizational structures and legal instruments governing natural resources have not been completely successful in ensuring that replacing traditional and indigenous knowledge systems can be the answer to the sustainable management of natural resources. A common and amicable ground has to be reached.

10.1 Recommendations

1. As a matter of urgency and necessity, there should be activation of necessary legislation and harmonisation of policies in the fisheries, forestry and wildlife sectors. This will enhance the development of a single policy towards CBNRM, as opposed to the present fragmented approach. The Fisheries sector still operates under the Fisheries Act of 1974 where traditional leaders and communities have no roles to play in fisheries management. The Draft Fisheries Bill, which has provisions for roles by traditional leaders and communities by representation to Fisheries Committees, has been under discussion for many years and there is no indication that the new Fisheries Act will be enacted soon. The Forests Act of 1999, which allows JFM involving communities and has passed through both Parliament and the Presidency, is still inactive despite the selective implementation of pilot programmes in some areas. Only the Wildlife Act of 1998 is in full force and

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traditional leaders and communities are playing their respective roles and enjoying benefits from them. This is confusing. Traditional leaders and communities need to implement their roles in all natural resources management activities in the country and realise benefits from them. A single natural resources policy in this respect should be developed.

2. The current differing views and perceptions among traditional leaders and communities on natural resources ownership in the country have a potential for creating avoidable conflicts. Traditional leaders and communities need to know and accept that Zambia is a country of laws and that the laws governing natural resources, particularly those laws to which they have had their inputs, should be respected as such and they have a duty to educate fellow community members about the same.
3. Traditional leaders and local communities need to engage government in re-examining the process of issuing tourism, hunting, forest and fisheries licences and permits. The status quo of centralized control system with little regard to the on-ground consultation should be re-evaluated. Modalities should be worked out to involve local communities. This will not only be a confidence-building exercise between and among the parties involved but it will also ensure proper and controlled regulation of natural resources off-take and avail to local communities opportunities to participate in the operations.
4. The Chiefs and communities on one hand and ZAWA on the other should re-examine the current wildlife revenue sharing mechanism. The process should take into account levels of revenue-generating activities and operational costs involved in generating those revenues. This will not only ensure equity in sharing the proceeds, but it will also be an incentive to galvanize efforts in less productive areas. Those chiefdoms that have more wildlife and, therefore, bring in more money through tourist activities deserve a higher share. In areas where credible NGOs and private sector investors are present, the mechanism should be profit

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based where expenditures incurred through management and operational costs, when recovered, do not form part of the 'revenue basket' that is shared between the State, ZAWA and specific chiefdoms. In such areas, the idea providing 100% of profits to communities should be considered. Only excess funds that remain after expenditures have been subtracted from revenues should be shared.

5. The practice of handing over to the CRB leadership the wildlife revenue share accruing to the communities and trust that the monies will be used for the intended purposes should be re-examined. While the institutional arrangement requires that communities are to monitor the CRB leadership's affairs with respect to financial management, evidence on the ground suggests that there are incidences of misapplication of funds. The Zambia Wildlife Authority needs to strengthen both its functions to monitor the use of community funds and financial management capacity by the CRBs.
6. Currently and legally, the wildlife CRBs have a mandate only over wildlife resources and all their conservation management efforts are directed towards wildlife. There is need to develop a legal mechanism whereby all natural resources are incorporated into an arrangement where they are covered by a single and democratically elected Natural Resources Community Conservation Board (NRCCB) in each PA or open area. This will ensure that the NRCCBs have an ecosystem approach to their conservation efforts.
7. Traditional leaders and communities should be given back some powers over and be allowed to use workable traditional natural resources conservation methods in their areas; methods that worked in the past and can now be applied alongside modern and democratic systems developed for PAs.
8. The role of communities under the new NRCCBs to employ Village Scouts or Forest Guards or Fish Guards should give preference to candidates hailing from within the communities. This will give tenure to the job and credence to local indigenous

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knowledge expertise. These employees will be paid from the NRCCB's revenue share realised from their participation in natural resources management.

9. Once formed, the NRCCBs will need to demand accountability from their leadership. The legal framework should clearly indicate the leadership's obligations to the communities and the penalties imposed for straying away from these responsibilities. The communities should call upon the appropriate government machinery for assistance in dealing with errant community leaders.
10. Traditional authorities', i.e. Chiefs/Chieftainesses, roles in the new NRCCBs should be re-examined further to make them more efficient to the cause of natural resources management. While the idea to make them 'Patrons' in the Zambia Wildlife Act of 1998 was an attempt to delink them from directly interfering with community-based natural resources management institutions and programmes, evidence on the ground suggests that they still have indirect interference. They, without doubt, carry on doing well with their customary advisory roles and still getting their natural resources revenue share as a form of gratitude for facilitating natural resources conservation efforts and development activities in their chiefdoms.
11. Village Headmen, as the real, practical and on-the-spot traditional custodians of natural resources at the village level, should be recognised in some way as prominent role players in CBNRM while understanding that they still remain subjects of the Chief/Chieftainess.

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ANNEX 1: TERMS OF REFERENCE

Objectives of the Consultancy

The Overall objectives of this consultancy are to conduct a Strengths, Weaknesses, Opportunities and Threats (SWOT)/scenario analysis of the present roles of traditional leaders and communities and to conduct a review of lessons learned from their roles in CBNRM/PA management in Zambia.

Terms of Reference

The terms of reference of the consultancy are:

- Develop an inception report on the work to be carried out detailing the methodology to be used in achieving and fulfilling the above objectives;
- Review the present roles of traditional leaders and communities in CBNRM/PA management in Zambia;
- Conduct a SWOT/scenario analysis of present roles of traditional leaders and communities in CBNRM/PA management in Zambia;
- Review the lessons learned from the roles of traditional leaders and communities in CBNRM/PA management in Zambia;
- Present a detailed report on reviewed and SWOT/scenario analysis of present roles of traditional leaders and communities in CBNRM/PA management in Zambia and the way forward in designing their appropriate roles to key stakeholders for endorsement;
- Write a detailed final report to the MTENR and ZAWA containing the review and SWOT/scenario analysis of present roles of traditional leaders and communities in CBNRM/PA management in Zambia and the way forward in designing their appropriate roles in CBNRM/PA management.

ANNEX 2: LIST OF PERSONS/COMMUNITIES CONSULTED

A. CHIEFS AND COMMUNITIES

Chief Mukungule
Chief Kopa
Chief Chibuluma
Chief Chiundaponde
Chief Chitambo
Chieftainess Chiawa
Chieftainess Kabulwebulwe
Chief Kahale

B. MTENR

Mr. Ignatius Makumba
Mr. Davy Siame
Mr. Deuteronomy Kasaro
Mr. Nonde
Mr. Singulube

C. MINISTRY OF AGRICULTURE AND COOPERATIVES

Mr. Mainza Kalonga (Fisheries Department)

D. ZAWA

Mrs. Melody Simwanza
Mr. Chaka
Ms. Lusizi Mwale
Mr. Issac Longwe
Mr. Nyirongo

E. RECLASSIFICATION PROJECT TECHNICAL STAFF

F. NRCF STAFF