RECOGNITION AND SUPPORT OF ICCAs IN NAMIBIA

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Case study for:
RECOGNISING AND SUPPORTING
TERRITORIES AND AREAS CONSERVED BY INDIGENOUS PEOPLES AND LOCAL COMMUNITIES
Global Overview and National Case Studies

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ICCA Consortium, IUCN/TILCEPA, Kalpavriksh, and Natural Justice

CBD Secretariat Technical Series No. 64

Citation: Jones, B. 2012. Recognition and Support of ICCAs in Namibia. In: Kothari, A. with Corrigan, C., Jonas, H., Neumann, A., and Shrumm, H. (eds). *Recognising and Supporting Territories and Areas Conserved By Indigenous Peoples And Local Communities: Global Overview and National Case Studies.* Secretariat of the Convention on Biological Diversity, ICCA Consortium, Kalpavriksh, and Natural Justice, Montreal, Canada. Technical Series no. 64.

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October 2012

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List of acronyms

CBNRM	Community-based Natural Resource Management
DoF	Directorate of Forestry
IRDNC	Integrated Rural Development and Nature Conservation
HWC	Human Wildlife Conflict
KA	Kyaramacan Association
MAWF	Ministry of Agriculture, Water and Forestry
MET	Ministry of Environment and Tourism
MWCT	Ministry of Wildlife Conservation and Tourism
NACSO	Namibian Association of CBNRM Support Organisations
NGO	Non-governmental Organisation
NP	National Park
PA	Protected Area
WWF	World Wildlife Fund

Acknowledgments

Ashish Kothari and Aurélie Neumann provided editorial inputs.

Summary

Namibia is the driest country in sub-Saharian Africa. It gained its Independence from South Africa in 1990 and still suffers from an *apartheid* legacy. At Independence, 48% of the available agricultural land had been allocated to the black homelands, which supported a population of about 1.2 million, while 52% had been allocated as freehold land to white commercial farmers. This dual tenure system remains in place.

Specific rules related to conservation are contained in the customary law of various groups in Namibia. However, due to historic dislocations and the rural governance context, Namibia does not have enduring territorial conservation practices as in other parts of Africa. Where areas of land have been conserved as part of Chief's hunting grounds, or due to sustainable range management practices by semi-nomadic pastoralists, these have been incorporated into formal State-owned protected areas or formal community conservation areas such as conservancies and community forests. In some cases national parks have been proclaimed

around areas of land managed by indigenous San and Khoi-san communities some of whom still live inside these parks. In the Bwabwata National Park in the West Caprivi Strip the Khwe community has formed its own association to co-manage a multiple use area with the Ministry of Environment and Tourism (MET). The association shares the income from a trophy hunting concession with MET and is currently developing a tourism concession in the park. The association employs its own game guards, who carry out joint anti-poaching patrols with MET staff, as well as joint game counts and monitoring of natural resources.

Conservancies and community forests are provided for in national policy and legislation that promote community-based management of natural resources.

Wildlife legislation gives communities ownership of certain species of game animals if they form a conservancy and the right to apply for permits to use species with a higher level of protection. Conservancies also receive rights over trophy hunting and tourism lodge development within the conservancy boundaries. Conservancies keep 100% of the income they earn from wildlife and tourism. In order to form a conservancy a community must define its members and boundaries must be agreed with neighbours. The conservancy must have a representative committee and a constitution.

In 2009 the total cash income generated by conservancies was just under N$26 million or around US$3.7 million. In 2009 conservancies employed 406 staff using their own funds and another 157 using donor funding. Tourism in conservancies provided another 789 full-time and 250 part-time jobs and hunting operations generated 14 full-time and 53 part-time jobs. The value of conservancy-funded jobs was N$4.8 million in 2009 or about US$585,700. Some conservancies choose to use profits from their wildlife and tourism income to provide cash either to villages or directly to members or households. Others use their wildlife and tourism income for social projects agreed by the community. Conservancies also produce a range of non-cash benefits, including meat through trophy hunting and the hunting of game for own use. In 2009 conservancies distributed around 330 000 kg of game meat, valued at about N$5 million or close to US$714 300. Conservancies also invest part of their income in management of natural resources through employment of game guards and natural resource monitors, and wildlife monitoring through a structured approach called the Event Book System. Several conservancies have set aside areas of land specifically for wildlife and tourism.

Community forests are formed through a community entering into a written agreement with government, which must identify the boundaries of the community forest, include a management plan, and appoint a forest management committee. The agreement provides the community forest with rights over forest products including grazing. Community forest committees are authorized by government to issue permits for use of various forest resources.

Community forests generated more than N$500 000 in 2009. Income is generated through the issuing of permits and use-concessions; the marketing of value-added forest products; and the marketing of non-timber forest products and indigenous natural plants. Income is shared between traditional authorities, management bodies and communities according to a Benefit Sharing Plan and most income is allocated to community development projects.

In early 2010 there were 59 conservancies managing 13,269,700 ha of communal land while 13 community forests covered 465,200 ha although this includes some overlap with conservancies (NACSO 2010). Conservancies covered 16.1% of Namibia’s land surface with

an additional amount of 0.2% of land under community forests where there is no overlap with conservancies. This provides a total of 16.3% of land under conservancies and community forests compared to 16.6% covered by national parks and game reserves.

Conservancies and community forests enjoy strong recognition from government and the NGO sector. Apart from the rights provided by national legislation, government extension officers and NGOs provide considerable technical support to communities for managing their resources. This includes institutional development and good governance, resource management and utilisation, and enterprise development. Considerable donor funding has been sourced particularly for support to conservancies. Government also transfers game animals from state-run protected areas into conservancies. These translocations include 31 black rhino, an indication of the level of wildlife conservation taking place within conservancies.

Conservancies and community forests are local institutions that provide communities with increased opportunities to manage their own affairs. This is important in the context of Namibia's emergence from South African *apartheid* rule. These institutions provide a major new form of corporate legal social organisation for communities on communal land covering a large part of Namibia. At the same time the face several challenges. These include the need for improved internal governance, particularly financial management and accountable decision-making by committees. In conservancies, the well-documented increases in wildlife numbers have also brought an increase in human wildlife conflict. Conservancies need to take increasing measures to reduce conflict and mitigate its effects.

1. Country description and context

1.2. Key features of Namibia

Namibia has a total land area of approximately 82,300,000 ha (Mendelsohn et al. 2002) and a population estimated at 2.1 million (National Planning Commission 2011). Namibia is the driest country south of the Sahara, with average rainfall varying from above 600 mm in the north-east to less than 25 mm in the Namib Desert to the west (Mendelsohn et al. 2002). Rainfall is erratic both temporally and spatially leading to large localised differences in precipitation and large fluctuations from one year to the next. Drought is a regular occurrence.

Prior to Independence in 1990, Namibia was administered by South Africa, which applied its own *apartheid* policies particularly in terms of land ownership and allocation. At Independence, 48% of the available agricultural land had been allocated to the black homelands, while 52% had been allocated as freehold land to white commercial farmers (PTT 2005). 13.6% of the land surface was allocated to conservation in state protected areas and a small percentage was unallocated land.

Communal land is held in trust by the State for the benefit of traditional communities, members of which have usufruct rights over the land and its resources such as grazing (Bethune and Ruppel 2011). Communities therefore do not have strong tenure rights over the land as a group. Traditional authorities are officially recognized by the State and allocate customary land rights for residential and crop growing purposes. Traditional Authorities also have the legal right to allow or refuse persons permission to use common grazing lands and to limit numbers of livestock that may use the common grazing (Malan 2003). The lack of group land tenure is a major constraint for communities trying to manage their land and its natural resources sustainably because it is difficult for them to exclude others from using the land and resources.

While Namibia is ranked as a low-middle income country, it has a highly skewed distribution of income and an official unemployment figure of 51%. According to the Central Bureau of Statistics 41.5% of Namibian households are poor (i.e. they have monthly expenditures of less than N$ 262.45 or approx. US$37 per adult equivalent) with the incidence of poverty in rural areas at 38.2 per cent (CBS, 2008). The majority of the population lives in the rural areas and is dependent on natural resources for supporting day-to-day livelihoods.

1.2. Brief history of conservation, state- and community-based

(i) Official state-led conservation

The first protected area in Namibia was proclaimed in 1907 by the German colonial administration. Known as Game Reserve No. 2, it covered a huge area of about 9,000,000 ha encompassing the Etosha Pan and the Kaokoveld from the Kunene River in the north to the Hoarusib River in the south (MET 2010). Game Reserve No. 2 has shrunk over the years to what is the present day Etosha National Park (NP). In 2010 Namibia had 20 State run protected areas (PAs) covering a total of 13,590,600 ha (MET 2010). Seven of these PAs had been designated as National Parks (NPs), although they do not necessarily conform to the IUCN criteria for NPs.

Several of Namibia's protected areas have a history of use by local people and in some cases people were removed from their land in order for the PA to be established. In two cases, the Bwabwata National Park and the Namib Naukluft Park, people continue to live inside the protected area. Hai||om San hunter-gatherers occupied parts of the area of present day Etosha NP for centuries before Game Reserve No. 2 was first established. Remnant groups of Hai||om continued to live within the park but most families were removed in 1954. According to Hoole (2008) Herero people occupied and used the western part of present day Etosha from around 1908 until park was fenced in the early 1970s. The Bwabwata National Park has around 4 000 people living within its boundaries, most of whom are Khwe San. Mbukushu people also lived within the park but were removed by 1970. The Nkasa Lupala National Park (formerly Mamili NP) and the Mudumu National Park were both proclaimed in 1989 as one of the last acts of the South African colonial administration and without final consent from the relevant traditional authority. The Namib-Naukluft Park was proclaimed with the Topnaar Khoi-san people living inside the park, where they mostly still live.

Prior to colonial rule in Namibia, wildlife outside protected areas was managed in a number of direct and indirect ways. Game products were used for a wide variety of purposes including trade and the provision of meat and clothing. However, use was not indiscriminate as chiefs and headmen had authority over the use of certain species and reserved areas of land as their own hunting domains. In addition, religious and cultural taboos also limited the use of game animals, and the low level of hunting technology limited the success rate.

During the colonial period, Government appropriated formal control over all wildlife, and passed legislation regulating the use of wildlife. Black people were alienated from wildlife as a resource by laws that removed control from traditional leaders and made what had been normal use of wildlife illegal. On communal land competition between farmers and wildlife and conversion of wild habitat to farmland led to declines in wildlife numbers. In the communal lands of what is now Kunene Region in north-west Namibia a combination of drought and heavy poaching by local people, government officials and the South African security forces led to a major reduction of wildlife. By 1982 the elephant population had been reduced to about 250 from an estimated 1,200 in 1970. Black rhino numbers had been reduced from an estimated 300 in 1970 to about 65. All other large mammal populations declined by 60 to 90% (WWF 1995). In the Caprivi communal area, red lechwe declined from around 12,000 in 1983 to around 1,100 in 1994 due partly to poaching but also changes in habitat, and giraffe and wildebeest disappeared from East Caprivi in the 1980s (Grobler undated; Rodwell et al. 1995). By independence in 1990 there was such strong resistance to conservation officials in Caprivi that in one incident a postal official was shot at being mistaken for a conservation officer (Long and Jones, 2004; Brown and Jones 1994). Wildlife all but disappeared from the former Owamboland area north of the Etosha National Park, and there were sharp declines in other regions (Jones 1999).

On freehold land, by the early 1960s wildlife numbers, including species such as the endemic Hartmann's mountain zebra, were declining. Farmers viewed wildlife as competition for their livestock and therefore a cost rather than a benefit. The wildlife was owned by the state and farmers had no control over it. The Frank Commission of Inquiry of 1965 concluded that unless wildlife on freehold land acquired a commercial value for the farmers, they would hunt it to extinction (Long and Jones 2004). The result was legislation first in 1967 and then in 1974 that gave freehold farmers "ownership" over certain species of game and the right to obtain permits to carry out various forms of hunting on their land. In addition farmers could sell, capture and relocate wildlife under the new provisions. Over time many freehold farmers

began to view wildlife in a new light and began to maintain wildlife on their land because of its commercial value (Barnard 1998, Van der Walt 1987, de Jager 1996).

Farmers now had the opportunity to develop wildlife as a sustainable income-generating resource. The wildlife on freehold farmland increased by more than 80 per cent between 1972 and 1992 rising in number of animals from 699,227 to 1,194,042 (Barnes and de Jager 1995). A study by Lindsey (2011) suggests that wildlife numbers and the diversity of wild ungulates are continuing to increase on freehold farms. There was also an increase in the distribution of different species and the reintroduction of certain species to districts where they formerly occurred, leading to an overall increase in the diversity of species on freehold land (Lindeque and de Jager undated). Gradually a wildlife industry developed on freehold farmland based on consumptive uses such as sport hunting, culling for meat, trophy hunting and live sale, and on non-consumptive uses such as photographic tourism (Van der Walt 1987, Berry 1990). By 1992 the wildlife industry had become a significant part of the economy contributing more than US$5.6 million (Barnes and de Jager 1995).

(ii) Community-based conservation

Prior to the era of colonial domination in Namibia (which began in 1883) wildlife was regarded as a resource used as part of rural people's livelihood strategies. Control over use was regulated by traditional authorities, religious taboos and low technology methods of hunting. Smaller human populations meant that hunting had a lower impact. In some areas, such as the Caprivi Region of Namibia, only certain game species could be hunted while species such as hippopotamus could only be hunted by royalty. Chiefs set specific times when large scale hunting could take place, and these times were when game animals had already produced their young (Hinz 1999).

Generally in Namibia, territorial conservation practices have not endured partly due to historic dislocations of people and the rural governance context described above. In addition, Hinz (1999:23) suggests that "*the relatively efficient implementation of the modern hunting law rendered many customs and rituals useless or deprived them of their basis. In other words, it cut the lifeline to nature*". However some facets of pre-colonial conservation resource management practice have survived. In some parts of the country chiefs maintained exclusive hunting areas, which laid the foundation in some cases for modern day protected areas and in other cases for the core wildlife areas within communal area conservancies (see below). In other instances, as described above, protected areas were proclaimed around indigenous and local communities.

Customary law in Namibia is recognised under the country's constitution as having the same status as statutory law as long as it does not conflict with the constitution statutory laws. Although the use and enforcement of customary law has been disrupted by various colonial administrations, Hinz and Ruppel (2008) show how self-stated customary laws are directly or indirectly contribute to the conservation of biodiversity on communal land. They demonstrate that customary laws exist for the protection of fish, water, grazing and forest products in several northern communal areas, although their enforcement can be problematic.

In north-west Namibia semi-nomadic Himba and Herero pastoralists in the past maintained a plant and animal biodiversity and largely undisturbed landscapes through their range management systems. However, the provision of artificial water points considerably disrupted the pastoralists' traditional rotational grazing system and led to widespread

degradation of the palatable shrub and perennial grass cover in the vicinity of natural springs and artificial water points (Owen-Smith and Jacobsohn, 1991). There have also been considerable social changes among the Himba with young people looking to a formal 'western' education and wage labour in the towns as the way ahead in life. Many younger men have no desire to work as herders and this also affects the ability of people to maintain appropriate grazing management regimes. In some areas of Kunene however, pastoralist systems still appear to be sustainable. Behnke (1997) concluded that grazing systems in the Etanga area were finely tuned to local environmental conditions and it was difficult to see how the project he was working for could technically improve on existing grazing management.

Community-based conservation as a more formal approach in Namibia emerged as a response to drought and poaching in north-west Namibia in the early 1980s. Garth Owen-Smith of the NGO, the Namibia Wildlife Trust and conservation official Chris Eyre worked with local traditional leaders and other community members who were concerned at the decline in wildlife numbers (Owen-Smith 2010). They helped local communities establish a network of community game guards and Owen-Smith with researcher Margaret Jacobsohn established a pilot project to bring tourism revenue to the Puros community as an incentive for conservation of local wildlife. Significantly, community leaders and many residents agreed to take on some responsibility for conserving wildlife before there was any prospect of economic benefit (Jones 2001). The exercise of responsibility and regaining some control over a resource from which people had been alienated by the State, appear to have provided sufficient incentive to conserve wildlife. The conservation commitment of local communities played a major role in allowing wildlife numbers in Kunene Region to recover and was crucial in the recovery of the region's black rhino population during the late 1980s and early 1990s (Durbin et al 1997). Owen-Smith and Jacobsohn also worked with traditional leaders in Caprivi to establish community game guards and pilot community-based tourism projects. They formed the NGO Integrated Rural Development and Nature Conservation (IRDNC) in 1990. IRDNC's work yielded important lessons about the need to combine responsibility and control over a resource with financial benefit, and to link this to local conservation ethics as incentives for conservation. Other lessons were the need for benefits to go directly to the community and the importance of bottom-up approaches that involve the whole community and not just traditional leaders (IRDNC 2011).

From 1990-92 the Ministry of Wildlife Conservation and Tourism (MWCT), created after independence by the new government, carried out with IRDNC and other NGOs a series of participatory 'socio-ecological surveys' in various communal areas (see e.g. Brown and Jones 1994). These identified key issues and problems from a community perspective concerning wildlife, conservation and the MWCT. Significantly all the communities involved in these surveys indicated that they did not want to see wildlife disappear from their areas. The communities also said they wanted the same rights over wildlife as the white freehold farmers. The MWCT/NGO team worked with the community leaders to develop consensus on solving shared problems resulting in the development of several local community-based conservation projects, supported by WWF and USAID.

The results of the socio-ecological surveys and early implementation of the local community-based conservation projects led government officials and NGO partners to realize that policy and legislation must change for these projects to be successful and for communal area residents to significantly benefit from wildlife and tourism on their land. A new policy on wildlife management and tourism on communal land was developed and approved by Cabinet

in 1995. One of the main objectives of the policy was to reverse the discrimination under South Africa's *apartheid* legislation in Namibia by ensuring that black communal farmers had the same rights over wildlife and tourism as white freehold farmers. The next step was to develop new legislation to implement the policy. In 1996, the National Assembly approved the Nature Conservation Amendment Act, which provided for rural communities to form conservancies and gain use rights over wildlife and tourism within the conservancies (see section 4). The first four conservancies were registered by government in 1998. Following the community-based approach in the wildlife sector, the government also later developed policy and legislation that provided for the establishment of community forests.

2. Features of ICCAs

2.1. Range, diversity, and extent of ICCAs

Two types of ICCA can be distinguished in Namibia: Informal and formal. Informal ICCAs are those that have been established as a result of community norms and practices while formal ICCAs have been established since Namibia's Independence in 1990 under new legislation that promotes a modern form of community-based natural resource management.

(i) Informal ICCAs

As discussed above informal ICCAs have largely been incorporated into protected areas or communal area conservancies and community forests.

The Nkasa-Lupala National Park in Caprivi Region was proclaimed around an area used for hunting by the Mafwe Chief, while the Mudumu National Park in Caprivi was proclaimed in an area that had remained unsettled by people and which was also used as a traditional hunting ground.

The territory of the Khwe San in the West Caprivi Strip has been proclaimed as the Bwabwata National Park. The Khwe have lived in the area since the late 19th Century living from hunting, gathering, small scale cultivation and some livestock. Wildlife was abundant in the area which was first proclaimed as a Game Reserve in 1963. The Khwe view the land and its natural resources as theirs despite it being proclaimed as a National Park in 2007. They still hunt and gather for food and as part of their culture. They have formed their own community institution, the Kyaramacan Association (KA) which in partnership with the Ministry of Environment and Tourism manages the designated multiple use area within the park where people live. The KA employs community male community game guards, which carry out anti-poaching patrols and monitor wildlife. It also employs female community resource monitors who monitor the use of other natural resources and promote the use of sustainable harvesting techniques. The KA shares the income from a hunting concession with MET and in 2011 earned N$1.9 million (approx. US$237 500) from the concession (Friedrich Alpers personal communication 2011). MET has also awarded the KA a tourism concession within the park which is expected to earn the KA around N$500 000 (approx. US$65 000) annually. The lodge is expected to employ 15 to 20 people, of which most will be Khwe. The lodge will be owned by the KA after 20 years. The KA is exploring other concession opportunities.

The Etosha National park was first established in 1907 as Game Reserve No. 2, but for many years people lived within the park boundaries. According to Hoole (2008) Hai||om San

hunter-gatherers occupied parts of the area of present day Etosha for centuries before Game Reserve No. 2 was first established. Remnant groups of Hai||om continued to live within the park and were permitted to remain and hunt with bow and arrow, so long as they did not poison water and trespass on surrounding farmlands. A Commission for the Preservation of the Bushmen appointed in 1949 recommended the expulsion of the Hai||om from Etosha and most families were removed in 1954. The remaining Hai||om were given jobs in the park and were no longer able to hunt traditionally. A number of Hai||om continue to live in the park although they are not employed there, particularly those who have retired from government service and have no-where else to go to. MET has agreed to award a tourism concession in Etosha to the Hai||om based around visits to a waterhole that has cultural and spiritual significance to many of the Hai||om people. This gesture has been welcomed by the Hai||om as providing them with a link back to their traditional land. However, there are several challenges to its successful implementation because the concession is being linked to the resettlement of the Hai||om on freehold farms purchased by the government adjacent to the park. It is not yet clear who among the Hai||om will benefit from the concession, particularly whether the people still living in the park and the descendants of those removed will be significant beneficiaries.

Hoole (2008) suggests that the Hai||om social system was strongly "coupled" to the ecological system within Etosha because they had well established institutions for the sustainable use of the land around the Etosha Pan, and their society was integrally part of, and interdependent with the water holes, wildlife and plants of this area. The forced removal of the Hai||om meant the people were 'decoupled' from the ecological system they depended on and from the cultural associations they had with the land and its resources.

Herero people occupied the western part of Etosha until they were also denied access to the park in the early 1970s. There is considerable evidence that the Herero living on the western boundary of Etosha still have strong links to the land and its resources within the park. Interviews conducted by Hoole (2008) show how residents want to be buried at their birthplaces in the park, there are many place names inside the park that indicate how people used the area for grazing in the past and which are linked to specific families. They have formed the Ehi-rovipuka Conservancy and are seeking community forest status in order to manage their own land and resources. Hoole (2008:164) concludes of their relationship with Etosha: "*There is a strong sense of a need for the community to re-couple with its ancestral territory and cultural heritage inside the park*". This is because of "*a profound and deep loss felt by the Herero of Ehi-rovipuka Conservancy that epitomizes their decoupling from Etosha National Park. They lost not only a special place with water and graze for their cattle, an abundance of wildlife to hunt and field foods to gather. They also lost social memory for the traditional institutions that governed their use of resources such as the wildlife*." (Hoole 2008:218).

The Ehi-rovipuka Conservancy was awarded a tourism concession within the park by MET in 2012. The concession potentially provides a mechanism for the start of the 're-coupling' with the park that the people desire.

Many of the areas managed by Himba and Herero pastoralists in the north west of Namibia have been incorporated into conservancies.

(ii) Formal ICCAs

The two types of formally recognised ICCAs in Namibia are communal area conservancies and community forests, both of which are formed under national legislation. Both are common property resource management institutions which communities form themselves in order to manage natural resources. Conservancies receive rights over wildlife and tourism while community forests receive rights over forest products and grazing. Both are considered in more detail below.

In 2010 there were 59 conservancies managing 13,269,700 ha of communal land while 13 community forests covered 465,200 ha although this includes some overlap with conservancies (NACSO 2011). Conservancies covered 16.1% of Namibia's land surface with an additional amount of 0.2% of land under community forests where there is no overlap with conservancies. This provides a total of 16.3% of land under conservancies and community forests compared to 16.6% covered by national parks and game reserves. A number of communities are combining forest management with wildlife management and seven registered and 33 emerging community forests overlap in some way with conservancies. Figure 1 below provides the location and area of the 59 registered conservancies, 13 community forests and Namibia's state-run protected areas in 2010[2].

There are no marine ICCAs as there are no in-shore coastal communal fisheries. According to Nichols (cited in Mapaure 2008) no indigenous marine fishery communities exist in Namibia, and there is no artisanal marine fishing. According to Mapaure (2008) only the Topnaar are known to have practiced marine fishing in a traditional fashion regulated by customary law. Their traditional system broke down under colonial rule that was established over their territory (now Walvis Bay) from 1878.

[2] By February 2012 there were 71 registered conservancies (www.nacso.org.na)

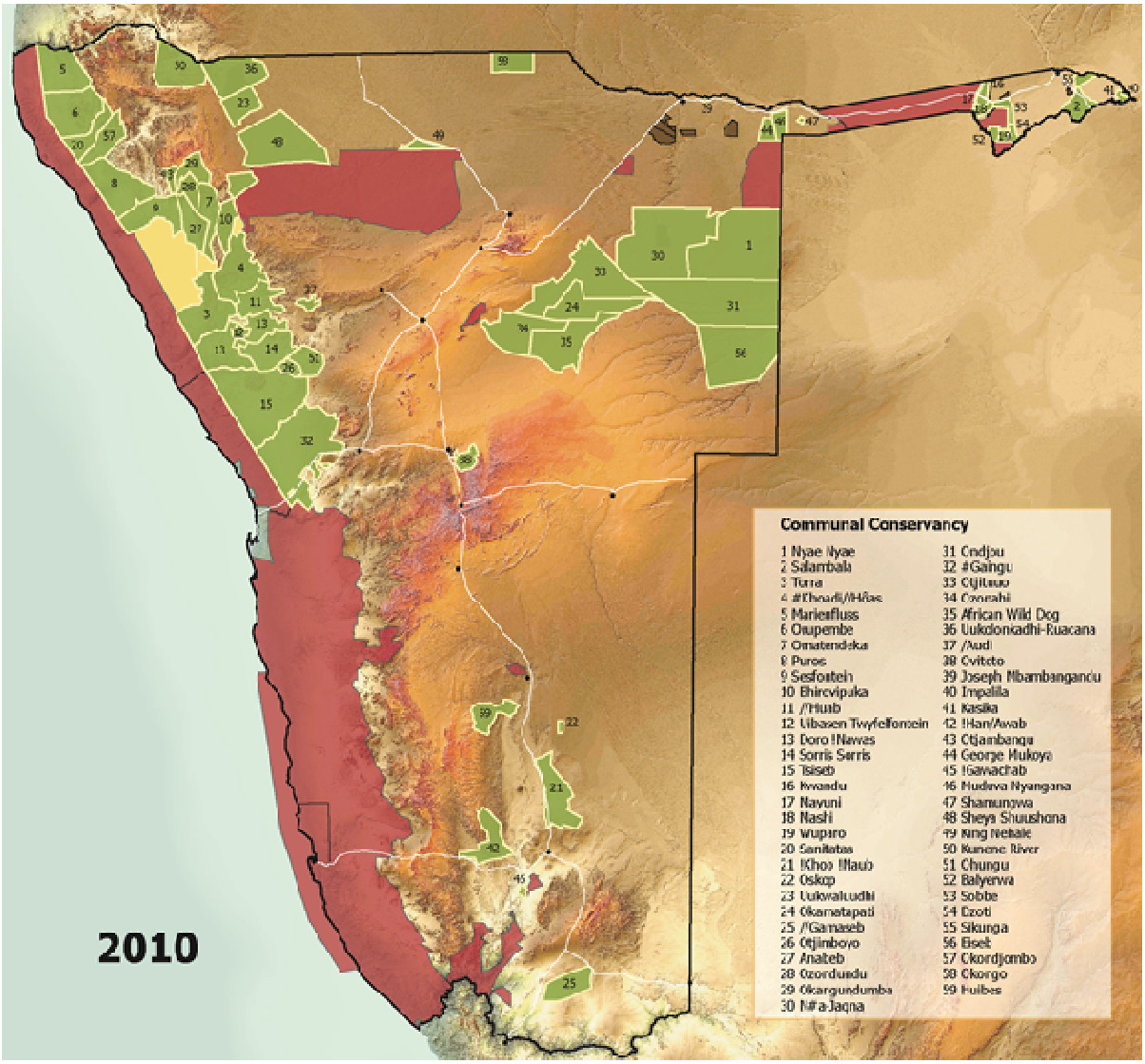


Figure 1: Conservation areas in Namibia
(Source: NACSO)

2.2. Key ecological, cultural, socio-economic and political values of ICCAs

(i) Socio-economic values

In 2010 the total cash income generated by conservancies was just under N$39.5 million or around US$5.6 million (NACSO 2011). Those conservancies that generate the most income, and which are able to provide the most benefits for members, are those in areas of high tourism attractions and with high wildlife numbers and a diversity of wildlife. As a result, the highest earning conservancies are those in the north west and north east of the country, particularly in Kunene and Caprivi Regions (see Figure 1). In 2010 conservancies covered most of the costs of 619 conservancy management jobs from their own income with 148 of these positions or 31% being held by women (NACSO 2011). Tourism, hunting operations and other activities linked to conservancies generated another 717 full time jobs and 3 044 part-time jobs.

Some conservancies choose to use profits from their wildlife and tourism income to provide cash either to villages or directly to members or households. Most cash distributions take place in Caprivi conservancies. For example total cash distribution in Caprivi Region by eight

of the nine registered conservancies in 2008 was almost N$499,000 or about US$71,000 (Diggle, R. Unpublished data, NACSO 2010). In Caprivi conservancies that provide cash to villages instead of directly to members, the villagers decide how to use the income.
Conservancies also produce a range of non-cash benefits, including meat through trophy hunting and the hunting of game for own use. In 2010 conservancies distributed game meat valued at about N$4.36 million or close to US$630,000 (NACSO, 2010).

Most conservancies have elected to provide benefits to members through social projects rather than make payments to members or households. These projects include donations to local schools and kindergartens, housing for teachers, financial support to traditional authorities, developing fish ponds, road building, community transport (e.g. engine powered boat), cultural festivals, sports tournaments, funding of medical treatment, women's projects, financial support to traditional authorities, financial support to the elderly, financial support for students from the conservancies, funeral assistance and transport for the elderly and school children (Diggle R. Unpublished data; NACSO 2011).

Community forest committees are authorized by government to issue permits for use of various forest resources. Community forests generated more than N$500,000 in 2009 (NACSO 2010) although this figure is likely to be higher as data was not available for all community forests. Community forest income is generated through the issuing of permits and use-concessions; the marketing of value-added forest products; and the marketing of non-timber forest products and indigenous natural plants. Income is shared between traditional authorities, management bodies and communities according to a Benefit Sharing Plan and most income is allocated to community development projects (NACSO 2010).

(ii) Political values

The political values that communities derive from conservancies and community forests are probably more important than the socio-economic values indicated above. The conservancy and community forest legislation partially restores to communities rights they formerly had over natural resources before colonial times (see below). According to Hinz (1999: 28): "*People have understood the move towards conservancies as a move by which they can receive back control over matters that ought to be under their control*".

Conservancies and community forests are local institutions that are providing communities with increased opportunities to manage their own affairs. This is important in the context of Namibia's emergence from South African *apartheid* rule. These institutions provide a major new form of corporate legal social organisation for communities on communal land covering a large part of Namibia. Importantly the successful conservancies earn their income independent of government, NGOs or donors. Conservancy members themselves decide how to use that income.

(iii) Conservation values

Springbok and cattle graze side by side in the Sesfontein Conservancy in North Western Namibia
© Olga Jones

Wildlife counts over a number of years and anecdotal data indicate that community wildlife management has had positive results particularly in the north-west and the north-east of the country. In the north-west communal lands, springbok, oryx and mountain zebra populations have recovered from very low numbers caused by the severe drought and illegal hunting in the early 1980s (Figure 2 below). In 1982 there were estimated to be 250 elephants and 65 black rhino left on communal land in the north-west, but these populations have now more than doubled[3]. While some of this growth has been due to increased rainfall and increased monitoring by government and NGO staff, the recoveries would not have been possible without management activities by conservancies and the resulting virtual cessation of poaching. As poaching remains extremely low, there have been no mass mortalities, and harvest quotas are low, the fluctuations in numbers reflected in figure 2 are ascribed to movements into inaccessible areas that are not surveyed and into areas outside the survey zone (NACSO 2010). Such movements are common among highly mobile species in arid habitats.

[3] For security reasons MET prefers not to release exact numbers of black rhino.

Figure 2. Estimated numbers and population trends for oryx, mountain zebra and springbok in north west Namibian conservancies and associated tourism concessions

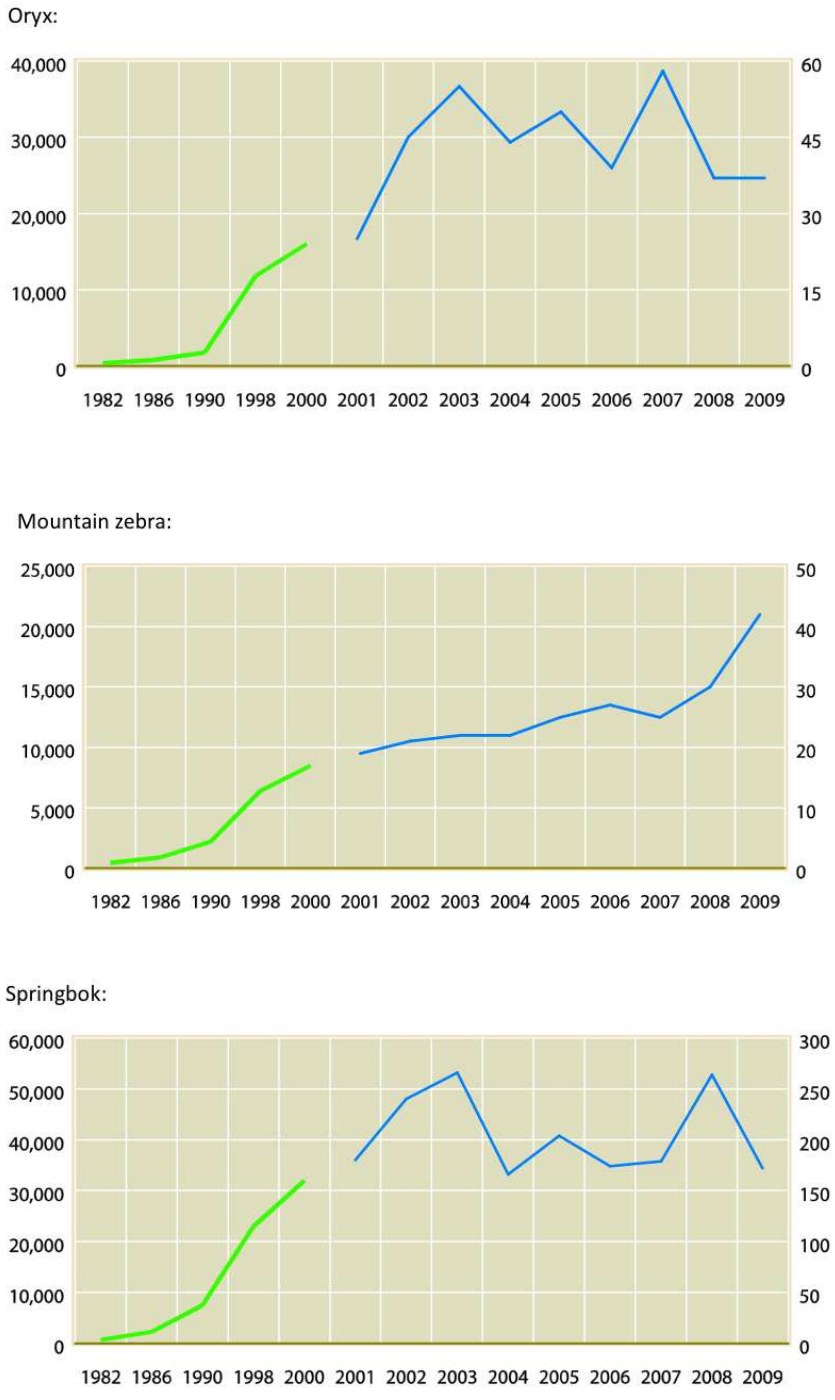
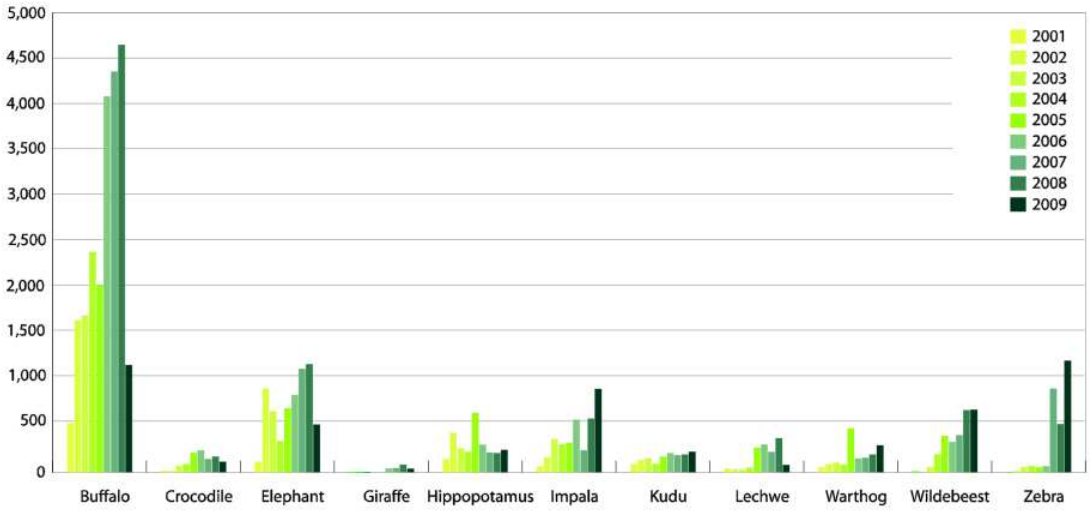


Figure 3 provides data on the trend in game population estimates in seven long-established conservancies in East Caprivi derived from foot patrols by conservancy game guards.

Figure 3. Trends in population estimates for key wildlife species in seven Caprivi conservancies



Again fluctuations in trends for species such as buffalo, elephant and red lechwe can be explained by a number of factors (NACSO 2010). There is no evidence of large scale poaching and off-take levels from legal hunting are not high enough to affect populations significantly. However, wildlife such as elephant and buffalo move between the conservancies and neighbouring national parks in Namibia, Zambia and Botswana and into neighbouring safari areas in Botswana. It is difficult for the foot patrols in the conservancies to pick up these movements. In addition high floods in the past two years have affected the distribution of species such as lechwe and have also affected the ability of game guards to carry out foot patrols in floodplain areas of the conservancies.

An important indicator of conservation success is the willingness of MET to re-introduce wildlife into many conservancies (see Table 1 below). Twenty-four of the existing registered conservancies are adjacent to protected areas and several others are situated across important corridors between protected areas or provide wet season dispersal areas for wildlife that leave protected areas. The availability of such corridors and dispersal areas is particularly important for large mammals such as elephants whose seasonal movement patterns require extensive tracts of land in Namibia's arid to semi-arid habitats (Jones and Weaver 2009). This situation also provides the opportunity for cooperation between ICCAs and formal protected areas across a landscape level. In Caprivi Region for example, adjacent conservancies, community forests and national parks have formed a joint forum to manage what is known as the Mudumu North Complex. They carry out joint planning, wildlife counts, wildlife monitoring anti-poaching patrols and fire management.

2.3. Main threats to ICCAs

Perhaps the most significant threat to Namibian conservancies and community forests is the lack of secure and exclusive group *land* tenure to underpin the rights that are legally provided with regard to use and management of natural resources. If communities cannot prevent other people using the land they wish to set aside for wildlife and tourism, then there remains little incentive to maintain wild habitats. There is little likelihood that management inputs and

investments will be rewarded and the land might as well be converted to grazing for livestock or croplands. Further, a lack of secure land tenure means that communities cannot easily raise capital loans themselves based on their land as security. It is also more difficult for communities to attract investors as partners in tourism joint ventures where rights to the land are not secure and the investment risk is therefore higher. Under communal land legislation, conservancies need to work closely with traditional leaders in order to limit access to land as these leaders allocate access to livestock grazing. Community forests are given stronger rights than conservancies and are able to control access to grazing. However, the lack of group tenure affects community forests as well as conservancies.

Government views communal land as 'State Land' over which it can take decisions about how the land is used. For example, the Ministry of Lands and Resettlement has developed plans for the establishment of small-scale commercial livestock farms to be leased by individuals on communal land. Several of these blocks of farms are in conservancies, but there was no consultation either with MET or the conservancies when the farms were planned. One of the blocks of farms is in a conservancy adjacent to the Etosha National Park and if developed, these farms will suffer high losses to predators. Another example is from the Caprivi Region where government has also approved the development of small-scale commercial livestock farms as well as a large crop-farming scheme, on the same area of land that is already partially incorporated into conservancies and community forests.

Predators such as leopard and lion are also being conserved in ICCAs in North Western Namibia
© Brian Jones

As indicated above, management of wildlife by ICCAs in Namibia has contributed to a decline in poaching and a considerable increase in wildlife numbers. However, an increase in wildlife numbers has brought an increase in human-wildlife conflict (HWC). In the dry Kunene Region predators kill livestock and elephants damage water installations at settlements and cattle posts. In Caprivi, although livestock are killed by predators close to National Parks, damage to crops by elephants is the biggest problem. Crocodiles also threaten livestock and people along the rivers. One of the main principles of the Namibian Community-based Natural Resource Management (CBNRM) approach is that for local communities to manage wildlife sustainably the benefits from management need to outweigh the costs. However, most benefits from conservancies are at the community level rather than the household level, where the impacts of HWC are most felt. The current high level of support for conservancies among rural people could start to wane if they perceive that the costs of HWC outweigh the benefits they receive through conservancies.

3. Governance and management of ICCAs

3.1. How are ICCAs governed and managed?

(i) Conservancies

Institutional arrangements within conservancies are to some extent prescribed by legislation (see section 4), which requires a committee to be formed to represent conservancy members and requires the conservancy to have a constitution that provides it with a legal *persona*. The regulations accompanying the legislation prescribe that certain things must be covered by the constitution, but these are mostly standard constitutional provisions such as providing for election, annual general meetings, etc. In addition, the legislation prescribes that the sustainable use of wildlife must be one of the objectives of the conservancy. However, conservancies are able to decide for themselves on any other objectives they wish to pursue, and can decide how they wish to structure the conservancy. Some therefore have executive committees as well as management committees and others have devolved structures within the conservancy in an attempt to promote more local level involvement.

San people of the Nyae Nyae Conservancy at the AGM of this Namibian ICCA
© Brian Jones

Importantly, the legislation enables communities to define themselves and conservancies are not based on government political or administrative delimitations. Communities have to agree their borders with neighbours in order for a conservancy to be registered. This approach enables people who want to work together to cooperate to manage wildlife.

Another important feature is that conservancies directly earn income from wildlife management and tourism - they do not receive revenue that is shared with the State as in several other countries within southern Africa. Conservancies retain 100% of the income they earn.

In areas such as the Caprivi Region, conservancies have strong links to traditional authorities (TAs) who in several cases led the process of conservancy formation. In areas where traditional leadership is less strong, such as in the north-western Kunene Region, conflicts arose between traditional authorities and conservancies. The process of conservancy formation was led by local community leaders rather than the TAs, who then saw

conservancies as competing for control over resources. Usually the solution was for TA representatives to be co-opted onto conservancy committees and for conservancies to provide cash or some other form of benefit such as game meat to the TAs.

Conservancy membership is defined by each conservancy's constitution. Usually all residents over the age of 18 are eligible for membership and many conservancies require members to have been resident in the area for more than five years.

All members are able to vote in elections for committee members, who are expected to manage the conservancy's finances and report on the use of income to the membership. Committee members are expected to ensure that income is used in a way that benefits conservancy members. Legislation requires that the conservancy must have an established procedure for deciding how benefits will be distributed before it can be registered by MET.

Encouraged by NGOs, most conservancies have developed management plan frameworks, which incorporate various plans for specific activities such as tourism, human-wildlife conflict management, land use zoning, etc. The management plan frameworks also usually include policies for staff management, vehicle use, employment, etc.

Conservancies carry out a number of wildlife management activities. Many conservancies have appointed their own community game guards and some have appointed female community resource monitors. These game guards and resource monitors are either paid for directly by conservancies from their own income, or where new conservancies are only starting to generate income, the salaries are paid by external grants to the conservancies. The game guards and resource monitors remain in their local areas and report to the conservancy committee. They are responsible for ensuring the sustainable harvesting of natural resources, preventing poaching, and monitoring wildlife. Game guards and resource monitors use an approach called the 'Event Book' system for monitoring game animals, human wildlife conflict and other natural resources, based on the priorities for monitoring established by each conservancy (Stuart-Hill et al. 2005). Data that game guards and resource monitors collect in simple records of 'events' are collated on a monthly basis throughout the year and then at the end of the year to show an annual trend in population numbers, human-wildlife conflict incidents, etc. In addition, most conservancies carry out annual game counts in conjunction with MET and NGOs. In parts of Caprivi, conservancy game guards carry out joint anti-poaching patrols with MET staff within conservancies and National Parks. Game guards from several conservancies in eastern Caprivi along the Kwando River combine to form a joint unit for monitoring wildlife reintroduced to conservancies by MET. In Kunene Region game guards monitor black rhino re-introduced into conservancies by MET.

Community game guards download GPS data during the annual game count in the Mayuni Conservancy, North Eastern Namibia
© Olga Jones

Conservancies also develop simple game management plans in order to meet government requirements, but supported by NGOs (see section 4) also develop broader wildlife and natural resource management plans that include:

- Zoning of land for different land uses;
- Types of wildlife use (e.g. trophy hunting, hunting for meat, live sale of game animals, and photographic tourism);
- Strategies for dealing with Human-Wildlife Conflict (HWC) which include:
  - Self-insurance schemes;
  - Prevention of conflict (e.g. protection of water points against elephants, alternative water points for elephants away from people and livestock, various uses of chilli to keep elephants out of crop fields, construction of anti-crocodile fencing to facilitate safe use of rivers);
  - Development of HWC management plans.

(ii) Community forests

The institutional arrangements for community forests are also to some extent determined by legislation. Under the Forestry Act, No. 12 of 2001 (GRN 2001 Section 15):

> "*The Minister may, with the consent of the chief or traditional authority for an area which is part of communal land or such other authority which is authorized to grant rights over that communal land enter into a written agreement with any body which the Minister reasonably believes represents the interests of the persons who have rights over that communal land and is willing to and able to manage that communal land as a community forest*"

This paragraph effectively defines the members of the community forest as the persons who have rights over the communal land where the community forest is being established. This could include people resident in the area as well as people living elsewhere who have traditional rights to the land. The legislation is vague though, concerning the type of body or institution that would take decisions and act on behalf of the members. For example there is no legal requirement for a community forest to acquire a legal *persona* through adopting a constitution, although the non-binding Community Forestry Guidelines published by the Ministry of Agriculture, Water and Forestry state that the development of a constitution for the community forestry management body is one of the steps to be followed in the formation

of the community forest. However, the Guidelines do not provide a model constitution or any indication of what should be included in a constitution.

The written agreement with the Minister is the main mechanism by which rights to use forest resources are afforded to the community forest. However, these rights are further defined by a management plan that must be included in the agreement. Community forests, like conservancies, retain 100% of the income they derive from forest management.

Kojwang (2011) identifies three development phases for community forests: i) 'statement of interest and proclamation'; ii) 'development and investment'; and iii) the 'maintenance' phase. According to Kojwang (2011), in the *proclamation phase* a specific community submits to the Director of Forestry a statement of intent to manage a piece of forest land which is undisputed[4] and administered under an officially recognized traditional authority. The community then presents a document to which its members give their consent by way of signatures, as a condition for ministerial approval. The interested community presents a forest management plan which is appended to the letter of agreement for proclamation. Once the documents are presented to the minister, approval may or may not be granted but if it is granted, a community forest would have been created and the specific community would have exclusive rights over it. In the *development and investment phase* emphasis is placed on the following (Kojwang 2011):

- A resource management programme backed by a technically sound management plan;
- The application of laws and bye-laws consistent with the principles of sustainable use;
- The identification of key investment needs to promote resource use and to realize value added benefits;
- The establishment of governance structures to oversee the implementation of the management plan.

A community forest reaches the *maintenance phase* when it can meet the costs of its operations and members can benefit from products derived from the forest with minimal external sources of funding. Kojwang suggests that not all community forests will reach this stage due to a lack of resources suitable for income generation, but those most likely to are found in north eastern Namibia where there are commercially exploitable quantities of products such as timber, medicinal plants, nuts & oils.

3.2. Key issues faced in in governing and managing ICCAs

(i) Conservancies

There are a number of governance challenges within conservancies that have been documented (NACSO 2010):

- In some conservancies, committees have taken all the major decisions themselves without involving members;
- Especially in the case of finances, members did not have the opportunity to approve conservancy budgets drawn up by the committees;
- In a few cases large sums of money were unaccounted for;
- Some committee members voted themselves large loans;
- Many conservancies were spending all their income on operational costs (including allowances for committee members) leaving little for community benefit;

[4] The adjoining communities and all relevant Traditional authorities must agree on the boundaries of the community forest.

- In many conservancies there was little involvement of members in developing constitutions.

Attempts to address these issues are described in section 4.

In addition, conservancy membership can be a somewhat complicated and controversial issue. The legislation requires a list of conservancy members to be established before the conservancy can be registered by MET. This was so that MET could be satisfied that there was a substantial number of residents in favour of forming the conservancy rather than a small clique. In addition, some NGOs have encouraged conservancies to continue to keep membership lists arguing that residents need to show willingness to be a member and commitment to the objectives of a conservancy if it is to be a successful common property resource management institution. The NGOs further argued that a list of members would be useful when conservancies distributed cash dividends to households or individual members. However, in practice many conservancies seem to view all residents as members and argue that they cannot leave a resident out from benefits just because they were not on a membership list. This situation has led to confusion among conservancies and support agencies as to who is or is not a member of a conservancy. By contrast, all residents with a traditional land right in a community forests are recognized legally as members.

The conservancy system of ICCAs represents a formalized approach provided for in legislation that establishes incentives for wildlife management based around income generation. This then requires formal structures and mechanisms for managing and accounting for income and its expenditure. This in turn drives institutional arrangements and struggles for control of power and decision-making. However, the system is not fully top down. As described above, MET and NGOs carried out socio-ecological surveys in local communities and the development of policy and legislation was a direct response to community demands for rights over wildlife and tourism.

(ii) Community forests

According to Kojwang (2011) the main problems relating to community forests have to do mostly with organizational development, inadequate levels of income generation to meet individual household needs, and relationships with business partners. He notes the following key issues:

- A number of Forest Management Committees fail to submit the necessary monthly reports, despite the reports being a necessary requirement for continued financial support by government and its donor partners;
- In some community forests management plans are still weakly developed and are not realistic regarding community expectations leading to de-motivation of management committee members and community members;
- Lack of or inadequate incentives for Forest Management Committees, particularly in emerging community forests, causes already trained committee members to move to other activities;
- The limitations on income generation other than timber mean that timber resources could be over exploited and communities without income from timber become demotivated;
- Business development partnerships are scarce and trustworthy ones are even more scarce;

- Some community forests have been negatively affected by boundary disputes related to the emergence of new traditional authorities in the Caprivi Region that are officially recognised but without clearly defined territorial boundaries.

(iii) Cross cutting issues

An important cross cutting issue is the extent to which sectorial policy and legislation have created potentially competing and overlapping community institutions for natural resource management. Although the community forest legislation to some extent built on the conservancy legislation there are some important differences. Community forests, as indicated above, have rights over a wider range of resources and their membership is inclusive rather than exclusive. The community forest rights are linked to a management plan and agreement with the Minister, while conservancy rights are defined in the legislation itself. In addition water points committees are provided for under water legislation and are given wide powers of control over land in the immediate vicinity of water points. Fisheries legislation provides for the establishment of inland fisheries committees.

Clearly there is a need for some consolidation and harmonization of approaches. There are already moves to explore how conservancies and community forests can be integrated and some communities have already achieved this. It would be useful though to have an overall policy for community management of natural resources that promotes integrated approaches within a territorially based ICCA that also has secure land rights.

4. Recognition and support to ICCAs

An important feature of the Namibian Community-based Natural Resource Management (CBNRM) programme has been the high level of support provided to communities establishing and operating conservancies. The Ministry of Environment and Tourism (MET) and a number of NGOs have helped build conservancy capacity in natural resource management, income generation and institutional development. From 1992 – June 2008 the USAID-funded Living in a Finite Environment (LIFE) Project provided funding and technical support to Namibian NGOs implementing a homegrown CBNRM Programme. For several years support to the formation and operation of conservancies was coordinated through the Steering Committee of the LIFE Project, but in March 2000 the NGOs and MET formed the Namibian Association of CBNRM Support Organisations (NACSO), which remains the main body for coordinating support to conservancies. The Millennium Challenge Account Namibia is funding a major programme of training for conservancies, which is being implemented by a consortium of NACSO members with WWF in Namibia.

WWF in Namibia continues to raise funds to support conservancies through technical assistance and grants to NACSO and NGOs, while GIZ provides funding and technical support to Community Forestry.

4.1. Government recognition and support to ICCAs

(i) Legal backing

The Policy on Wildlife, Management, Utilisation and Tourism in Communal Areas (1995) made provision for communal area residents to form common property resource management institutions called "conservancies". According to the policy, a conservancy would then gain use rights over wildlife and tourism within its boundaries. Approval of the policy by Cabinet also included approval for the then Ministry of Wildlife Conservation and Tourism to begin drafting legislation to put the new policy into effect. The result was the Nature Conservation Amendment Act, of 1996. The Act enables the Minister to register a conservancy if it has the following:

- A representative committee;
- A legal constitution, which provides for the sustainable management and utilisation of game in the conservancy;
- The ability to manage funds;
- An approved method for the equitable distribution of benefits to members of the community;
- Defined boundaries.

Once the registration of a conservancy is published in the Government Gazette, the conservancy gains the 'ownership' of huntable game (see below), which means the conservancy can hunt these species for its own use without permit or quota from government. The conservancy also qualifies for use rights through permitting and quota systems to capture and sell game, and carry out trophy hunting. The Namibian CBNRM approach can be viewed as rights based in the sense that the rights and obligations of local communities with regard to wildlife and tourism are entrenched in legislation. The area of land delimited by the conservancy boundaries is officially declared and the boundaries recorded in the Government Gazette. In summary conservancies gain the following use rights:

- The conservancy can use huntable game (oryx, springbok, kudu, warthog, buffalo and bushpig), as it wishes for own use;
- The conservancy can enter into a contract for a trophy hunting company to buy the conservancy's trophy hunting quota;
- The conservancy can enter into a contract for a tourism company to develop a lodge or lodges and other tourism facilities;
- The conservancy can suggest trophy hunting and other quotas to MET, but MET must approve the quota. In order to make quota proposals, the conservancy needs to monitor its wildlife and be aware of numbers and population trends;
- The conservancy (or at least individuals within the conservancy) can shoot most problem animals if necessary without a permit, except for elephants and hippo;
- If a conservancy wants to reduce wildlife numbers in order to reduce competition with livestock in time of drought it can reduce the numbers of huntable game if the meat, hides etc. are for own use. It can also apply to MET for a permit for removal of other species because of drought;
- The conservancy can apply to MET for a permit to carry out other forms of game utilisation, such as live capture and sale of wildlife or the use of protected species;

- The conservancy receives all income directly from its tourism and wildlife activities and does not receive this income from the state or have to share it with the state. Conservancies decide how to use their income with no interference from the state.

There are other management activities that conservancies can take that are not provided for in the legislation:

- They can undertake land use planning and zoning of areas for wildlife and tourism (but land legislation does not adequately provide for enforcement of such zoning);
- They can develop tourism plans and regulations (but again there is no legislation to enable enforcement by the conservancies);
- They can use water and salt licks as management tools to maintain wildlife in the conservancy or in specific areas;
- They can employ game guards to deter poaching and to monitor wildlife.

It should be noted that conservancies do not receive land rights. This means that they do not have the power to enforce land use planning and zoning decisions, particularly with regard to people moving in from outside the conservancy. This is one of the main gaps in the conservancy legislation.

The MET Policy on the Promotion of Community Based Tourism of 1995 provides a framework for ensuring that local communities have access to opportunities in tourism development and are able to share in the benefits of tourism activities that take place on their land. The policy recognises that where tourism is linked to wildlife and wild landscapes, the benefits to local communities can provide important incentives for conservation of these resources. The policy document states that MET will give recognised communal area conservancies the concessionary rights to lodge development within the conservancy boundaries. Based on the above, government has recognised the right of conservancies to develop tourism on their land and enter into joint venture contracts for lodge development with private tourism companies. This approach is strengthened in the new National Tourism Policy of 2008, which recognises conservancies as the mechanism by which benefits from tourism should reach rural communities. However, there is as yet no tourism legislation to put this policy approach fully into effect and the Nature Conservation Amendment Act, of 1996 does not really provide strong rights over tourism. It provides conservancies with rights to "non-consumptive use" of wildlife that is further defined as use for recreational purposes, but no further details are given. Along with the policy provisions described above, this is used by government to ensure that conservancies can develop tourism activities within their boundaries and to promote the approach that a conservancy in effect has a concession right for tourism lodge development on its land.

The Policy on Tourism and Wildlife Concessions on State Land (2007) enables the Minister of Environment and Tourism to allocate concessions in Protected Areas directly to local communities. It states that in awarding concessions to communities, the MET will:

- Award concessions directly to communities with representative, accountable and stable community institutions that are legal entities with the right to enter into contracts on behalf of a defined community[5];
- Give priority to communities that are resident inside protected areas or are immediate neighbours, as these are the people who suffer most costs caused by wildlife as well as loss of access to land and resources;

[5] I.e. Conservancies, community forests and similar institutions.

- Use concessions to mitigate the costs that such communities suffer, to provide incentives for them to support the objectives of the protected area, and to stimulate local economic growth;
- Provide assistance and guidance in the negotiation of beneficial agreements with joint venture partners or investors, and technical assistance to access business management skills and resources;
- Ensure that the communities are not exploited in any sub-agreement or joint venture with other partners; and
- Ensure that community organizations or representative bodies entering into concession agreements with the State act in accordance with their mandate from their members.

The policy provides key principles and guidelines for the awarding of concessions to communities living adjacent to or in protected areas, guidelines for the management of the concessioning process and an environmental and development checklist for concessions.

The Forest Act (No. 12 of 2001) makes provision for the establishment of various types of 'classified forest'. These are: State Forest Reserves, Regional Forest Reserves and Community Forests. According to the Act, the Minister may enter into a written agreement for the establishment of a community forest covering a specific area of communal land. The agreement may be with any body that the Minister believes represents the interests of the persons who have rights over that area of communal land. The agreement may only be entered into if the relevant chief or traditional authority that is authorised to grant rights over the land gives their consent.

The agreement shall (GRN 2001 Section 15):

- Identify the geographical boundaries of the proposed community forest;
- Include a management plan for the proposed community forest;
- Confer rights, subject to the management plan, to manage and use forest produce and other natural resources of the forest, to graze animals and to authorize others to exercise those rights and to collect and retain fees and impose conditions for the use of forest produce or natural resources;
- Appoint the body which is party to the written agreement to be the management authority to manage the community forest in accordance with the management plan;
- Provide for equal use of the forest and equal access to the forest produce by members of the communal land where the forest is situated;
- Provide for adequate reinvestment of the revenues of the forest and for the equitable use or distribution of the surplus.

The rights provided under the third point afford communities with control over a broader suite of resources than is provided for by the conservancy legislation. Residents of community forests may harvest forest produce and dispose of it as they wish without a licence, but in accordance with the management plan, in which harvest quotas will be set. Wood can be harvested for household fuel or for building purposes subject to the management plan. Subject to the relevant management plan, the Director of Forestry determines the quantity of forest produce for which a licence may be issued in any forest reserve or a community forest and the maximum quantity of produce that may be harvested. The elected management authority of a community forest may dispose of forest produce from the community forest or permit the grazing of animals, the carrying out of agricultural activity or the carrying out of any other lawful activity. The hunting of wild animals in a classified forest (including community forests) may take place only in accordance with the management plan for the area, regardless of any authorisation that may have been issued

under the Nature Conservation Ordinance (4 of 1975). The Act also provides for fire management and makes the setting of fires an offence in certain circumstances.

There has been strong government commitment to the community-based approach to natural resource management since Independence when politicians and senior civil servants gave political backing to communal area conservancies. Community-based natural resource management has been integrated as a multi-sectorial approach to rural development and conservancies in particular are recognized in national development policies and programmes (NACSO 2010). This high level of government commitment is demonstrated by decisions taken by Cabinet on 11 April 2006:

- With regard to the policy framework on land reform, Cabinet approved that:
  - In the medium term, sectorial policies on natural resources management, water, land, forestry and agriculture must be revised to give decision-making and management authority to resource-users at a local level;
- On the development of communal land, Cabinet recommended the following:
  - The creation of strong links to other Government initiatives, such as the Rural Poverty Reduction Strategy, the Green Scheme and Community-Based Natural Resource Management;
  - That community-based policies on resource management are expanded beyond wildlife and tourism to incorporate other natural resources like water, land and land-based economic activities.

(ii) Administrative help

MET and the MAWF allocate staff to support conservancies and community forests. Government staff plays a strong role in assisting communities to form conservancies and community forests and then monitoring compliance with legislation once these bodies have been officially registered. An important contribution from MET has been the re-introduction of game species into various conservancies. Many of the animals represented in Table 1 below were donated by MET from State-run protected areas. Most significantly MET has included communal conservancies in its black rhino custodianship programme and has placed 31 black rhino in conservancies in the Kunene Region in the north west (NACSO 2010).

Table 1: Game translocations into 27 communal area conservancies, 1999-2009
(Source: NACSO 2010)

Species	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	Grand Total
Eland		83		43	150		72		71	175	83	**677**
Gemsbok	48	81	48	251						653	196	**1277**
Giraffe				10				11	14	50	22	**107**
Red hartebeest	42	43	230	254						282	217	**1068**
Hartmann's zebra								197		147		**344**
Black-faced impala				31					88	16	187	**322**
Common impala	81		90		69				68		198	**506**
Kudu		215		106			83			261	99	**764**
Ostrich				11								**11**
Black rhino						4		3	7	6	11	**31**
Sable									8			**8**
Springbok	89	92		307	243					880		**1611**
Blue wildebeest	33			53	46	30		56				**218**
Burchell's zebra	1			31					50	50	43	**175**
Grand Total	**294**	**514**	**368**	**1097**	**508**	**34**	**155**	**267**	**306**	**2520**	**1056**	**7119**

(iii) Funding

It is difficult to estimate MET budget support for conservancies because there is no discrete integrated budget for this. Until recently there was a small Community-based Natural Resource Management (CBNRM) Support Division within the Directorate of Parks and Wildlife Management (DPWM), but various staff members of the directorate are involved in working with conservancies in different ways. CBNRM has been identified as a major MET programme which would have its own budget in future, and which would be substantially higher than the current funds allocated to the existing CBNRM Support Division (CSD). Under a restructuring programme MET is expected to increase its CBNRM staffing and each MET region will have a CBNRM sub-division headed by a Chief Warden and with staff dedicated to CBNRM, tourism support and environmental education.

(iv) Technical inputs

MET and MAWF provide technical support to conservancies and community forests for developing management plans, conducting forest inventories, game counts, addressing HWC, quota setting, etc.

4.2. Civil Society recognition and support to ICCAs

(i) Technical and legal inputs

As indicated above NGOs, under the umbrella of NACSO, provide a wide range of support to conservancies. The main areas of support are as follows:

<u>Wildlife & other Natural Resource Management</u>

- Monitoring of Wildlife and other resources through an 'Event Book' system and game counts;
- Development of game management plans to meet government requirements and development of broader wildlife and natural resource management plans that include:
  - Zoning of land for different land uses;
  - Types of wildlife use;
  - Strategies for dealing with Human-Wildlife Conflict (HWC);
- Mitigation of HWC including:
  - Self insurance schemes;
  - Prevention of conflict;
  - Development of HWC management plans;
- Negotiation of trophy hunting quotas with MET;
- Negotiation of trophy hunting contracts with Professional Hunters;
- Implementation of various forms of hunting.

<u>Institutional Development</u>

- Establishment of conservancies including:
  - Defining members;
  - Electing a committee;
  - Developing a constitution;
  - Defining boundaries;
  - Developing a procedure for deciding on benefit distribution;
  - Applying to MET for registration;

- Development of conservancy good governance including:
  - Financial management;
  - Holding Annual General Meetings;
  - Accountability of conservancy management committees to members;
  - Communication between committees and members;
  - Devolution of decision-making to lowest appropriate levels within conservancies;
  - Constitution revision;
  - Benefit distribution;
- Sustainability planning to:
  - Ensure conservancies manage their income and expenses such that there is sufficient for benefits for members;
  - And to ensure conservancies plan their expenditure based on expected income over a five-years period;
- Organisational development including:
  - Roles and responsibilities of conservancy committees, managers and staff;
  - Administrative procedures;
  - Staff employment policies and procedures;
  - Asset and equipment management;
- HIV/AIDS programmes to develop conservancy HIV/AIDS policies and support of Peer Educators in conservancies;
- Business and tourism development through the following:
  - Tourism planning;
  - Development of community-based tourism enterprises such as campsites and craft centres;
  - Development of Joint Venture Lodges with private operators including:
    - Tendering procedures;
    - Negotiating contracts (Setting fees and determining benefits from contracts);
    - Management of contracts once signed (e.g. through Joint Management Committees);
  - Capacity building for business development;
  - Diversification of enterprise opportunities;
- Natural plant products - resource user groups, particularly within conservancies, are supported by NGOs, and government extension officers in the following:
  - Sustainable harvesting of indigenous plants;
  - Making links to markets that use plants for processing into different types of product (e.g. Kalahari melon seed, Devil's Claw, commiphora gum for commercial perfume production);
  - Negotiating contracts with authorised fair trade buyers.

The Directorate of Forestry (DoF) in the Ministry of Agriculture, Water and Forestry, assisted by the GIZ and KfW, supports the establishment and operation of Community Forests. Communities are assisted to carry out forest inventories, develop forest management plans, harvest forest products sustainably and generate income based on sale of forest products. Support functions provided by DoF and its donor partners include the following (Kojwang 2011):

- Community organization;
- Strengthening of traditional and customary resource use rights;
- Integrated land use planning (PRA);
- Area surveying and demarcation;

- Resource assessments, community-based permit and resource monitoring systems;
- Forest management plans;
- Income generation, job opportunities;
- Fire management;
- Training and capacity building of community members;
- Marketing of Non-wood and wood products;
- Establishment gardens and nurseries, improved food security.

There is increasing cooperation between conservancies and community forests. Where possible these institutions are encouraged to merge in order to promote a more integrated approach to natural resource management by communities. Conservancies are also being supported in developing more sustainable forms of agriculture (Box 1).

(ii) Advocacy

NACSO plays a role at the national level in speaking up for conservancies in various government fora in the absence of a national body that represents conservancies. However there are several regional conservancy associations that bring together conservancies from Namibian regions. NACSO is assisting those regions that do not have such an association to establish one. These associations represent conservancies in regional development fora, and lobby MET at regional and national level.

Box 1: Support to developing sustainable agriculture in conservancies

The NGO IRDNC is supporting livestock owners in several conservancies, particularly in north-west Namibia, to adopt holistic range management approaches. These approaches require considerable cooperation between individual owners and herders. IRDNC has worked with livestock owners within conservancies using the premise that in the communal areas management of resources is best implemented by locally defined units of decision makers nested within other management units of decision making, depending on the scale of management required for each resource (Nott, undated.). A primary focus of holistic range management is improving grazing production through aiming for a higher perennial grass mix and soil with more organic matter on the soil surface as well as in the soil itself. In order to achieve this, livestock owners within conservancies are being assisted to apply sound rangeland management principles, which include:

- During the growing season perennial plants must be given sufficient time to recover from being grazed/browsed before being grazed once more. The time required for a plant to recover is clearly dependent on the amount and effectiveness of rainfall events within and between seasons;
- During the non-growing season soil cover should be increased through herding or the concentration of animals in an area for short periods of time;
- Animal numbers should be adjusted (upward or downward) depending on the amount of feed available to animals. This again depends on the amount of effective rainfall within and between seasons.

The approach known as “conservation farming” is being introduced to some conservancies in Caprivi in order to increase yields and avoid the need for shifting cultivation. The method used in Caprivi involves digging small holes in the ground at set intervals, mixing in manure and planting in these depressions. Each subsequent year, the same hole is used and the soil improved (Mpoyi Rural Development Consultants, 2009). The rest of the ground is not

disturbed (no ploughing) and weeds are not burned, but laid over the ground around the emerging crop as mulch and ground cover, reducing surface temperature and moisture loss. This is a form of "minimum tillage". Conservation farming is being linked to wildlife management in Caprivi where areas of land have been set aside for wildlife or where wildlife corridors have been established by conservancies. The idea is that the reduction in the need for land for shifting cultivation through increased yields on the same piece of land will reduce the pressure on wildlife habitat in conservancies.

(iii) Awards

(Source: NACSO 2010)

1998: Silver Otter Awards for Tourism for Damaraland Camp a partnership between Torra Conservancy and Wilderness Safaris
2001: Namibia professional Hunting Association Conservationist of the Year Award for Benny Roman of Torra Conservancy
2001: Namibia Nature Foundation Environmental Award for Prince George Mutwa of Salambala Conservancy and the Subia Traditional Authority
2003: Namibia Nature Foundation Environmental Award shared by King Taaipopi of Uukwaluudhi Conservancy and the Uukwaluudhi Traditional Authority
2004: UNDP Equator Prize for the best Community Environmental Project in the World: Torra Conservancy
2005: World Travel and tourism Council 'Tourism for Tomorrow Award 2005' for Damaraland Camp a partnership between Torra Conservancy and Wilderness Safaris
2007: Nedbank Namibia/Namibia Nature Foundation Go Green Award for Chief Mayuni of Mayuni Conservancy and the Mayuni Traditional Authority
2007: International Council for Game and Wildlife Conservation Edmond Blanc Prize, for the Kyramacan Association and MET

(iv) Social recognition

WWF in Namibia employs a communication specialist jointly with NACSO who publicizes conservancies, helps them make links to the media and also writes media articles on conservancies.
In addition, NACSO publishes an annual report "Namibia's communal conservancies: A review of progress and challenges" which presents aggregated data on conservancy income and spending, benefits to communities, governance issues and natural resource trends, particularly wildlife. The information is collected annually through a national level monitoring system. Data is stored in the CONINFO data management system available through the NACSO website which also provides a large amount of data on conservancies (www.nacso.org.na).

(v) Funding

Considerable donor funding has been provided in the past, but this support is now declining. Figure 4 indicates the levels of donor support between 1990 and 2007.

Of the main sources funding, from 1992 to June 2008 the USAID-funded LIFE Project injected N$365 949 024 (US$45 743 628) into the Namibia CBNRM Programme, of which

N$275 191 544 (US$34 398 943) was from USAID and N$90 757 480 (US$11 344 685) a match contribution by WWF-US.

The NGO Integrated Rural Development and Nature Conservation was the other main source of funding for CBNRM in Namibia over the same period (Figure 2).

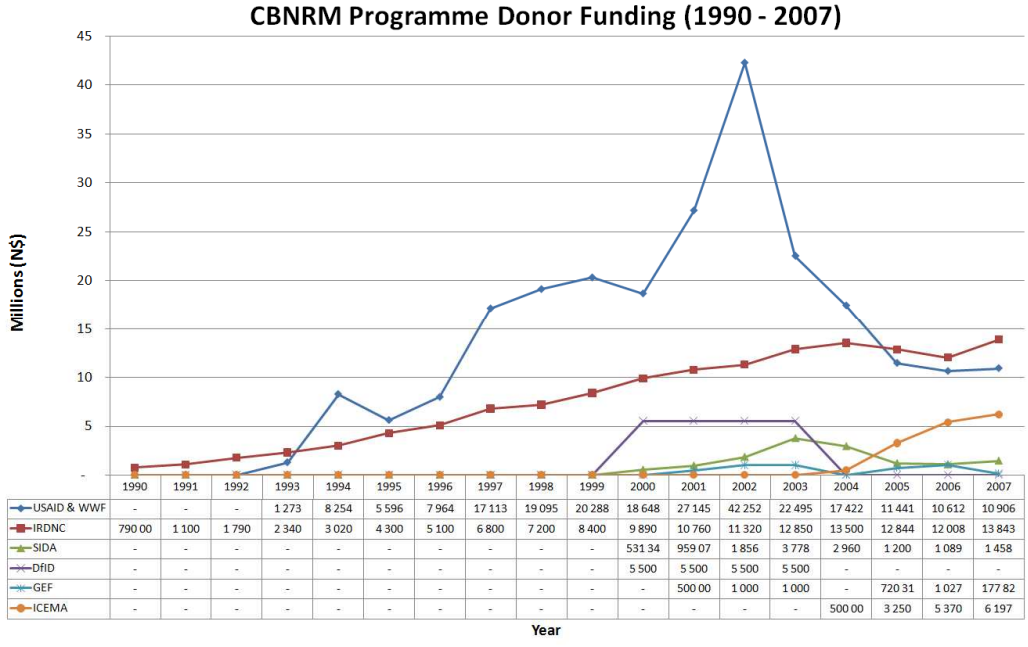
From 1991-2009 IRDNC has channelled just more than N$154 million (US$19 250 000) into CBNRM in Namibia mainly for support to conservancies in Kunene and Caprivi regions. IRDNC sources funds from various organizations including the WWF family and smaller donors.

The Integrated Community-based Ecosystem Management Project (ICEMA) supports the implementation of CBNRM within the Ministry of Environment and Tourism with a budget of N$56 800 000 (US$7.1 million) from the Global Environment Fund (GEF) and N$15 200 000 (US$1.9 million) from French development funds for the period 2004 to 2011.

Since the end of the LIFE Project, WWF has continued to support CBNRM in Namibia mainly with funding from the WWF network. WWF in Namibia funding support to the CBNRM Programme was approximately N$21 million (US$2 800 000) for 2009, with an anticipated increase to around N$22.5 million (US$3 000 000) for 2010.

The United States Millennium Challenge Account (MCA) is providing about US$9 million for support to 31 conservancies from 2010-2013 channelled through a consortium of NACSO members and WWF in Namibia.

Figure 4: Donor support to CBNRM in Namibia 1990-2007
(Source: Ndilula 2009)



	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
USAID & WWF	-	-	-	1 273	8 254	5 596	7 964	17 113	19 095	20 288	18 648	27 145	42 252	22 495	17 422	11 441	10 612	10 906
IRDNC	790 00	1 100	1 790	2 340	3 020	4 300	5 100	6 800	7 200	8 400	9 890	10 760	11 320	12 850	13 500	12 844	12 008	13 843
SIDA	-	-	-	-	-	-	-	-	-	-	531 34	959 07	1 856	3 778	2 960	1 200	1 089	1 458
DfID	-	-	-	-	-	-	-	-	-	-	5 500	5 500	5 500	5 500	-	-	-	-
GEF	-	-	-	-	-	-	-	-	-	-	-	500 00	1 000	1 000	-	720 31	1 027	177 82
ICEMA	-	-	-	-	-	-	-	-	-	-	-	-	-	-	500 00	3 250	5 370	6 197

Community forests have also received considerable donor support, although not to the same extent as conservancies. Table 2 shows the level of external funding support to community forests between 1990 and 2011.

Table 2: Donor support to community forests
(Source: Directorate of Forestry in Kojwang 2011)

Donor	*Title*	*Funding*	*Period / duration*
Denmark - DANCED	Community Forestry Extension and Development	6.7 million N$	1997-2002
Finland	Namibia Finland Forestry Programme	10.0 million N$	1990-2005
Germany (GTZ)	GTZ/SADCC Programme on Sustainable management of indigenous forest	4.0 million N$	1998-2006
Germany (KfW)	Community Forestry in Northern – Eastern Namibia	2.0 million Euro	2004 - 2006
Germany (KfW)	Community forestry in Namibia	3.5 million Euro	2006-2011

4.3. Key issues for the recognition and support to ICCAs

(i) Inadequate/excess funding

Support to conservancies has been well funded in the past, but as indicated above, donor support has been declining. One of the problems is that new conservancies are still emerging and require support to get them operational. This means that while the more mature conservancies are becoming more self-reliant, NGO and government support is still required for new conservancies. MET also needs to increase its funding for CBNRM in line with its identification of CBNRM as one of its main programmes in its strategic Plan. MET staffing levels are not adequate to provide specialist support to conservancies. MAWF funding and staffing support to community forests needs to be considerably increased – most support in the past was provided by the German Development Service, DED. Conservancies and community forests are able to raise their own funds from national and international sources, but this remains difficult because of their remoteness from the capital, Windhoek. However improved communications technology such as cellular telephones and increasing internet connection in remote areas could change this situation.

(ii) Imposition of external institutions and rules/recognition of community's own institutions

As noted above, the conservancy approach represents a response by government to community demands for rights over wildlife and tourism. The conservancy legislation does prescribe the institutional form that conservancies should take, although there is space for communities to develop their own constitutions and shape their own institutional arrangements through the constitution. Also as noted above conservancies are linked to traditional authorities in different ways, but generally the relationships are positive. The conservancy legislation was worded such that communities could have used an existing institution as their conservancy committee, but MET and NGOs have implemented an approach based on electing a new committee through community voting.

Generally conservancies, particularly through the game guards, are implementing and enforcing national wildlife laws rather than their own rules and regulations. The legislation does not specifically provide for local conservancy rules or by-laws to be developed, but it also does not prevent this from happening. Conservancies also have the right to develop their own permitting system so that members themselves could hunt huntable game species. The implementation of such a system is currently being explored by WWF in Namibia. By contrast the community forest approach makes provision for the development of local by-laws, which more readily enables the incorporation of existing customary rules for resource management.

MET officials have narrowly interpreted the conservancy legislation, and have insisted that the conservancies have approved quotas and obtain permits for own use of huntable game. They have also insisted that conservancies should have a management plan before a quota for trophy hunting or own use would be approved. Although the Office of the Attorney General has ruled that conservancies clearly have the right to use huntable game for own use without a government permit or quota, MET still sets quotas. This administrative insistence on quotas has not had a major negative impact on conservancies, but illustrates the way in which government officials try to maintain control over wildlife use (Jones 2010).

Overall the rights given to conservancies over wildlife and tourism are conditional and limited. As noted above they do not include land rights.

(iii) Other

Despite the number of organisations involved in CBNRM in Namibia, there is still insufficient capacity to meet the needs of all existing conservancies and those communities likely to want to form a conservancy. It will be difficult to give new conservancies the same level of support that was enjoyed by the first ones to emerge. One problem is lack of financial resources, but another is the lack of qualified and experienced Namibians involved in the CBNRM sector – there is only a small pool of expertise to be shared by government, the private sector and NGOs, throughout all sectors. As conservancy staff gain experience and expertise they will play an increasing role in mentoring their peers in other conservancies.

5. The Future

5.1. Future activities planned by the communities, the government, and the civil society; especially in relation to issues of recognition and support

It is likely that over the next year or two, new regional conservancy/community forest associations will emerge with support from NACSO. These associations will provide individual conservancies and community forests with opportunities to share experiences and lessons learned and to lobby government and others jointly in their own interest. It is possible that from the renewed impetus developing among regional associations a national level conservancy association will emerge. This association could also include community forests. This would considerably strengthen the voice of conservancies and enable them to be directly represented in national policy fora and to have a stronger influence on politicians and senior civil servants.

5.2. Recommendations

- ✓ Government should strengthen the rights over wildlife and tourism given to conservancies, removing bureaucratic obstacles such as unnecessary permitting;

- ✓ Government should enable conservancies, community forests and similar community-based organisations, to gain secure tenure over the land as well as the natural resources on the land;

- ✓ Conservancies and community forests should pursue the establishment of a national association that can represent their interests in national policy fora and help them lobby individual ministries and politicians;

- ✓ Conservancies should be encouraged to develop their own by-laws and wildlife use regulatory systems that incorporate existing customary rules.

- ✓ Increased efforts should be taken to reduce and mitigate human-wildlife conflict particularly at the household level where most negative impacts are felt;

- ✓ MET should increase its funding and staffing for CBNRM in line with its identification of CBNRM as one of the main programmes in its strategic Plan. MAWF should also considerably increase its funding and staffing support to community forests.

- ✓ Government and NGOs should encourage and facilitate the use of experienced conservancy and community forest staff to provide mentoring and training to less experienced conservancies and community forests.

References

Barnard, P. (ed.) 1998. *Biological Diversity in Namibia: a country study*. Namibian National Biodiversity Task Force, Windhoek.

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

Behnke, R. 1997. *Range and Livestock Management in the Etanga Development Area, Kunene Region. Progress Report for the NOLIDEP Project.* Ministry of Agriculture, Water and Rural Development, Windhoek.

Berry, H. 1990. *Large Scale Commercial Wildlife Utilization: Hunting, Tourism, Animal Production - Namibia*. Directorate of Nature Conservation, Windhoek.

Brown, C. J., and Jones, B. T. B. 1994. *Results of a Socio-Ecological Survey of the West Caprivi Strip, Namibia: A strategic community-based environment and development plan.* Directorate of Environmental Affairs, Windhoek.

CBS. 2008. *A Review of Poverty and Inequality in Namibia.* Central Bureau of Statistics, National Planning Commission, Windhoek.

De Jager, J. L. V. 1996. The establishment and operation of Conservancies in Namibia. In Tarr, P. (ed.), *Namibia Environment, Vol. 1,* Directorate of Environmental Affairs, Windhoek.

Durbin, J., Jones, B. T. B., and Murphree, M. W. 1997. *Namibian Community-Based Natural Resource Management Programme. (WWF NA 0004: Namibia). Project Evaluation*. World Wide Fund for Nature, Gland.

GRN. 2001. Forest Act.

Grobler, M. Undated. *Die verspreiding van sekere groter soogdiere in die verskillende plantegroeistreke in die Oos Caprivi. Vorderingsverslag 1.* (The distribution of certain large mammals in the different habitats of the Eastern Caprivi. Progress report 1). Directorate of Nature Conservation and Recreational Resorts, Katima Mulilo.

Hinz, M. O. 1999. Profession 'Poacher': New strategies to accommodate indigenous rights over natural resources. *Journal of Legal Pluralism*, No. 44. pp 15-31.

Hinz, M. O. and Ruppel, O. C. (eds.) 2008. *Biodiversity and the Ancestors: Challenges to customary and environmental law, case studies from Namibia*. UNEP BIOTA Project, University of Namibia, Windhoek.

Hoole, A. 2008. *Community-based Conservation and Protected Areas in Namibia: Social-Ecological Linkages for Biodiversity*. Doctoral thesis, Natural Resources Institute, University of Manitoba, Winnipeg.

IRDNC. 2011. *Lessons from the Field. Integrated rural Development and Nature Conservation*. Windhoek.

Jones, B. T. B. 1999. *Rights, Revenues and Resources: The problems and potential of conservancies as community wildlife management institutions in Namibia. Evaluating Eden Series.* Discussion Paper No.2, IIED, London.

Jones, B. 2001. The Evolution of a Community-based Approach to Wildlife Management at Kunene, Namibia. In Hulme, D., and Murphree, M.W. (eds), *African Wildlife and Livelihoods: the promise and performance of Community Conservation*, James Currey, Oxford.

Jones, B. 2010. The Evolution of Namibia's communal Conservancies. In Nelson, F. (ed). *Community rights, Conservation and contested Land: the politics of Natural Resource Governance in Africa*, Earthscan, London.

Jones, B., and Weaver, L. C. 2009. CBNRM in Namibia: Growth, Trends, Lessons and Constraints. In Suich, H., Child, B., with Spenceley, A. (eds), *Evolution and innovation*

in wildlife conservation: Parks and game ranches to transfrontier conservation areas, Earthscan/IUCN, London.

Kojwang, H.O. 2011. *The Namibia Draft Community Forestry Sustainability Strategy. Community Forestry Project of Namibia*. Windhoek.

Lindeque, P. and de Jager, M. Undated. *Summary of Results Obtained From Wildlife Questionnaire Surveys Conducted In 1972, 1982 and 1992 In Namibia*. Information document, Ministry of Environment and Tourism, Windhoek.

Lindsey, P. 2011. *An analysis of game meat production and wildlife-based land uses on freehold land in Namibia: Links with food security*. TRAFFIC East/Southern Africa, Harare.

Long, S. A. and Jones, B. T. B. 2004. Contextualising CBNRM in Namibia. In Long, SA. (ed), *Livelihoods and CBNRM in Namibia: The Findings of the WILD Project. Final Technical Report of the Wildlife Integration for Livelihood Diversification Project*, Ministry of Environment and Tourism, Windhoek.

Malan, J. 2003. *Guide to the Communal Land Reform Act*. Legal Assistance Centre and the Namibia national Farmers' Union, Windhoek.

Mapaure, C. 2008. Fishing among the Topnaar: An expropriated tradition. In Hinz, M. O. and Ruppel, O. C. (eds.), *Biodiversity and the Ancestors: Challenges to customary and environmental law, case studies from Namibia*. UNEP BIOTA Project, University of Namibia, Windhoek, pp. 151-174.

Mendelsohn, J., Jarvis, A., Roberts, C., and Robertson, T. 2002. *Atlas of Namibia: A portrait of the Land and its People.*

MET. 2010. *State of protected Areas in Namibia: A review of progress and challenges.* Ministry of Environment and Tourism, Windhoek.

Mpoyi Rural Development Consultants. 2009. *Community Empowerment and Enrichment: Sustainable Utilisation of the Natural Resource Base for Community Benefit*. Rural Poverty Reduction Programme, National Planning Commission, Windhoek.

NACSO. 2010. *Namibia's communal conservancies: A review of progress and challenges in 2009*. NACSO, Windhoek.

NACSO. 2011. *Namibia's communal conservancies: A review of progress and challenges in 2010*. NACSO, Windhoek.

National Planning Commission. 2012. *Namibia 2011 Population and Housing Census: Preliminary Results*. National Planning Commission, Windhoek.

Ndilula, K. 2009. *Inception report: Sustainable Financing Strategy for CBNRM Support Services in Namibia*. NACSO, Windhoek.

Nichols, P. 2004. Marine fisheries management in Namibia: Has it worked?. In Sumaila, R. U., Boyer, D., Skogen M. D., and Steinshamn, S. I. (eds.), *Namibia's fisheries: Ecological, economic and social aspects*, Eburon Academic Publishers, Delft, pp. 319–332.

Nott. C. Undated. *IRDNC's Holistic Range Management Project*. Integrated rural Development and Nature Conservation, Windhoek.

Owen-Smith, G. 2010. *An Arid Eden: A personal account of conservation in the Kaokoveld*. Jonathan Ball, Johannesburg.

Owen-Smith, G. and Jacobsohn, M. 1991. Pastoralism in Arid and Semi-arid North-West Namibia. Paper presented at the Nordic Man and Biosphere meeting.

PTT. 2005. *Background Research Work and Findings of the Permanent Technical Team on land Reform*. Ministry of Lands and Resettlement, Windhoek.

Rodwell, T. C., Tagg, J. and Grobler M. 1995. *Wildlife Resources in the Caprivi, Namibia: the Results of an Aeiral Census in 1994 and comparisons with Past Surveys*. DEA Discussion Paper No. 9, Directorate of Environmental Affairs, Windhoek.

Stuart-Hill, G., Diggle, R., Munali, B., Tagg, J., and Ward, D. 2005. The event book system: a community-based natural resource monitoring system from Namibia. *Biodiversity and Conservation,* 14, pp. 2611-2631.

Van der Walt, P. T. 1987. *The Status of Wildlife Conservation and Utilisation in Namibia*. Directorate of Nature Conservation, Windhoek.

WWF. 1995. *Namibian Community-based Natural Resource Management Programme. Project Document*. World Wide Fund for Nature, Gland.

Annex 1: Torra Conservancy Case Study[6]

Introduction

Torra Conservancy was one of the first four communal area conservancies registered by the government in June 1998. It covers an area of 352,200 ha in the arid west of Kunene Region in north western Namibia. It has about 1,200 residents of which the vast majority are Riemvasmakers, the rest Damara, Owambo and Herero. The Riemvasmakers were forcibly removed from near Upington in South Africa in the 1970s under the South African *apartheid* system. The Damara people are from the area or were also forcibly resettled under *apartheid* in Namibia when the Damaraland homeland was created.

Prior to Independence in 1990 the Torra community was one of the first to appoint their own game guards who were drawn mostly from former poachers and local hunters. The game guards reported to the local headmen, looked out for signs of poaching and kept a count of all the wildlife or signs of wildlife they saw while they were out herding their livestock. The game guard system, increased patrols by government conservators, monitoring of species such as black rhino by NGOs and better rainfall, meant that by the early 1990s game numbers were beginning to recover.

In the mid-1990s a prominent southern African tourism company, Wilderness Safaris expressed interest in developing a lodge in the Torra area because of the increased wildlife and the spectacular scenery of high flat-topped red basalt mountains interspersed with wide valleys and plains. Wilderness was interested in working with the local community and in 1995 the Ward 11 Residents' Association Trust was formed as a legal body to enable the community to enter into negotiations with Wilderness. The result was the formation of Namibia's first joint-venture agreement between a community and a private tourism company. The negotiations were facilitated by a government economist and the NGO, Integrated Rural Development and Nature Conservation (IRDNC). In 1995 the negotiations were completed and the Residents' Trust and Wilderness signed a contract for the development of a lodge called Damaraland Camp. The contract provided the community with a rental fee for use of the land and 10% of the net daily rate on each bed night sold. In addition the contract stipulated that local people must be employed in the lodge and trained to management level and that laundry would be sub-contracted locally. There was also provision for the community to gradually acquire ownership of the lodge.

Biodiversity and conservation

Wildlife includes elephant, black rhino, lion, leopard, cheetah, hyena, giraffe, Hartmann's mountain zebra, springbok, oryx, and kudu. The conservancy has medium plant diversity, high overall terrestrial endemism and medium to low plant endemism.

Since its early beginnings Torra has seen several conservation successes:

- Springbok, oryx, kudu and mountain zebra have all considerably increased in number.
- Black rhino have increased and are closely monitored by the game guards and the NGO Save the Rhino Trust. Black rhino populations in the region have doubled and this is now the largest free-roaming population in the world.

[6]Unless otherwise indicated most material for this profile is drawn from Kemp, L., Mendelsohn, J., and Jones B. 2009. Profile of Torra Conservancy. Namibia Nature Foundation. Windhoek; and with updated information from NACSO 2011.

- Lions have increased with the increase in ungulates and greater tolerance by local people. Lions moved out of the Palmwag Tourism Concession the west of Torra into the neighbouring communal areas.
- The elephants in Torra are part of the population of the famous desert-dwelling elephants of Kunene Region, which for at least part of the year range right into the Namib Desert, often using the west flowing river beds as linear oases where they find food, shade and water.
- The conservancy has set aside land for wildlife and tourism where people do not settle or graze their livestock in areas bordering the Palmwag Tourism Concession. However, wildlife roams throughout the conservancy, and it is common to see springbok close to settlements or grazing close to a herd of goats – a good indication of the level of tolerance that local people have for wildlife on their land.
- The conservancy game guards carry out an annual game count in partnership with government conservators and NGO personnel and implement an ongoing game monitoring system.

Tourism

Under a new contract with Wilderness Safaris, Torra has gained equity in the Damaraland Camp. The community will gain a share in the profits from the operation in addition to a continued annual income based on turnover. Usually there are about 25 people employed at the lodge and more than 20 of these are from the local community. Two local women who have reached management level are Lena Florry and Cornelia Adams. Lena worked her way up from being a goat herder to a junior staff member at the lodge, then lodge manager and then Area Manager for Damaraland Camp and the nearby Doro Nawas Camp which is also operated by Wilderness Safaris in a neighbouring conservancy. Lena received training through Wilderness at a hotel management school in the United States. Cornelia started as a chef at Damaraland Camp and is now an assistant manager.

Torra also operates its own campsite at a place called Palm where elephants often drink at a nearby spring.

There is considerable potential for the conservancy to develop additional tourism products including more campsites and lodges, hiking trails and rhino tracking.

Torra is one of three conservancies that as a consortium have been awarded the neighbouring Palmwag tourism concession. The three conservancies are negotiating with Wilderness Safaris and other tourism companies regarding the management of the concession on behalf of the conservancies (Diggle, R.W., *pers. comm*. May 31, 2012).

Hunting

Torra obtains an annual trophy-hunting quota from the Ministry of Environment and Tourism and is able to use certain species for own use (i.e. meat and sale of skins) without permits throughout the year. The trophy quota and Torra's hunting for own use are based on the results of the annual game counts and the trophy quotas are carefully worked out to ensure that only a very small percentage of the animal population is hunted.

Live sale of game

Torra pioneered live game sales by communal area conservancies when it sold animals in 2002 to the Nyae Nyae Conservancy. In a two-stage transaction Nyae Nyae bought 441 springbok from Torra, which sent the springbok to a conservancy on freehold land which in

turn provided Nyae Nyae with 226 red hartebeest as a swap for the springbok. Another sale earned the conservancy N$283 000 in cash for 763 springbok.

Use of Income

Torra has regularly been one of the highest earning communal area conservancies in Namibia, with income of more than N$2 million (approximately US$260 000) annually. The conservancy uses this income to cover its own running costs, including staff salaries, various wildlife management activities (e.g. the annual game count) and to provide benefits to community members.

In 2003 the conservancy used part of its income to provide each member with a cash payment of N$630. Although this amount might seem modest at the time it would have bought groceries for the average household for a period of three months, was almost equivalent to the annual average raised by a household by the sale of goats, and was equivalent to 14% of the annual average individual income in the region at the time (N$4 500).

Subsequently the conservancy has opted to invest in social projects such as support to the community hall at the main village; support to a local school in the form of office equipment and supplies and wood for cooking; support for various community celebrations; emergency transport and an emergency fund to assist members in times of drought or wildlife-related deaths. Torra was one of the first conservancies to start a scheme to help mitigate the costs to farmers of livestock losses due to predators. The conservancy started a fund to which NGOs also contributed from which payments could be made to farmers who had suffered losses. This scheme has now become a national programme supported by government.

In addition to the jobs provided by Damaraland Camp the conservancy employs its own staff of around 10 people including the game guards and a Conservancy Manager.

Meat is derived from the trophy hunting and the own-use hunting and distributed either to households or sometimes to individual members. In years with good quotas meat is also distributed to community groups such as the church, the youth group, the soccer team, clinic and the police. There is a cooling facility so that meat is not lost to spoiling.

Governance

The conservancy has a legal constitution which guides its activities and decision-making processes. It is managed by a committee elected by the community. Over the years Torra has experienced various ups and downs in the way it has been governed. Initially there was good consultation between the management committee and the members. However the conservancy went through a period when the committee lost touch with its members and there was financial mismanagement.

Hoole (2008) reported complaints from members about the lack of transparency in conservancy decision-making regarding spending of the conservancy income and allegations that ‘local elites’ were being created who appropriated vehicles and other conservancy benefits for their own use. During 2011 and 2012 a new conservancy committee has tried to address these issues. IRDNC assisted the committee in improving its financial management procedures and the committee embarked on a survey and consultation with as many members as possible before holding the 2011 Annual General Meeting, with the aim of increasing transparency in decision-making (Davis, A. *pers. comm*. May 30, 2012).

Source :
Hoole, A. 2008. Place, Prospects and Power: Community-Based Conservation, Partnerships, and Ecotourism Enterprise in Namibia. Presented at *Governing Shared Resources: Connecting Local Experience to Global Challenges*, 12th Biennial Conference of the International Association for the Study of Commons, Cheltenham, England, July 14-18, 2008.