

Community Conserved Areas:

A review of status and needs in selected countries of central and eastern Africa



- Draft Report for Comments -

Rosina Blomley, Fred Nelson, Adrian Martin and Martine Ngobo

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Executive Summary

“Community Conserved Area” (CCA) is now a commonly accepted term that refers to specific sites, resources, or species voluntarily conserved through community values, practices, rules and institutions. Over the past few years there has been growing attention paid to CCAs and the potentially positive role they can play to the wider objectives of biodiversity and landscape conservation as well as meeting local objectives of sustainable livelihoods. However, CCAs are rarely considered in national policy or legal frameworks, few legal mechanisms exist for communities to defend their resources against external forces or conversion to alternative land uses and in some cases, communities are being dispossessed of resources traditionally under their control as they are converted to other land uses or absorbed into the national protected area system. This review was commissioned by a range of concerned actors with a view to establishing the range and extent of CCAs in selected countries, identifying policy drivers and barriers to more effective management and providing recommendations regarding how local conservation efforts can be supported. The review covers the countries of Tanzania, Kenya, Rwanda and Cameroon.

CCA description and status and extent

This review has demonstrated that wide differences appear to exist between the four countries with regard to the size, and occurrence of CCAs. This appears to be the result of a complex set of reasons but includes factors such as enabling policy/legislation, population density and demand for land, the presence of traditional/indigenous communities who have lived in an area with relatively little disturbance. CCAs studied appear to vary enormously, in size, management objective, ecosystem type, and age. A proposed typology of CCAs in the four countries is presented in Table 3 of the main text.

The first two types of CCAs represent essentially traditional natural resource management systems that depend entirely on customary norms, institutions and practices and are largely unrecognised and unsupported by existing legislation. The third category of CCAs builds upon traditional rangeland management practises through the addition of partnerships with private sector players working in the tourism sector. The fourth and fifth types of CCAs again build upon traditional natural resource management practices through the explicit recognition and formalisation of these practises through law. These categories are not meant to be mutually exclusive – indeed in many cases CCAs may move from the first or second categories through to third, fourth or fifth, as additional support is received.

Legislation and policy framework and relevance to CCAs

The status and durability of CCAs is critically dependent on the ability of local communities to make decisions about land and resource uses, hold secure tenure over resources, and exclude outsiders from appropriating resources. One of the most important factors in the status of CCAs in the region today is the statutory mechanisms for a) collective and equitable decision-making and representation at the community level and b) communal ownership of land. While conservation policy and legislation is important, it is this overall local governance and land tenure institutional environment that is most critical to the status of CCAs.

Of the four countries studied, only Tanzania has a clear and legally mandated institutional structure for community based natural resource management, strongly conducive to the management of CCAs. In Cameroon, despite the term “Community Forest”, the notion of Community is contested and has no formal recognition. In Kenya community institutions are complex mixtures of local interest, traditional structures and a strong influence of

central government representatives. Communities in Rwanda, due to the recent civil war and genocide are fragile entities which have undergone massive dislocation, conflict and relocation.

With regard to a formal recognition of communal land ownership, again, Tanzania appears to be most advanced in this regard. Under the Village Land Act, land within the “village area” (which may extend several kilometres and cover tens of thousand of hectares of forest) falls under the jurisdiction of the Village Council. Within the village area, the village may decide to set aside land for communal purposes such as conservation, forest management, grazing or other common-property objectives. Kenya, through the Group Ranch system has recognised communal land tenure under pastoralism, but as has been discussed, many of these areas have been highly fragmented and large portions sold to investors or private individuals, thereby jeopardising their overall integrity. Trust Land, a second form of collective land holding in Kenya, vests powers in the County Councils, and experience to date would suggest that decision making processes have to date been far from equitable or transparent. Cameroon, with its legal framework still strongly based on French colonial codes does not recognise communal land tenure. However, the Forest Law of 1994 provides for a mechanism by which land areas formerly under the authority of the Forest Department can be transferred to communities under communal management systems.

With regard to the ownership and management of forest, wildlife and fishery resources and opportunities to support CCAs, again opportunities vary tremendously from country to country – but also within the same country between different sub-sectors. All countries studied have strong and influential legacies of centralized resource management and expropriation of many local land and resource claims. In many instances this continues today as a result of political economic factors leading to continued alienation of local resources. For example, wildlife ownership in Tanzania and Kenya is effectively monopolized by central state organs, and in Tanzania contests between local and central actors over wildlife management are a widespread source of conflict in rural areas. In Rwanda, however, since the 1994 civil war (which witnessed widespread destruction of the few remaining areas of natural vegetation within government managed protected areas), government has focussed largely on re-establishing its control over forest areas by reducing uncontrolled harvesting, but perhaps more worryingly has extended its influence to capture what previously were CCAs under local management regimes. The prevailing policy framework in Rwanda would appear to directly undermine CCAs and their continued ownership and management by communities. The only explicit and far reaching policy and legal mechanism that directly supports the establishment and management of CCAs was in Kenya through the forestry legislation.

The national protected area network in the four countries includes national parks, nature reserves, game reserves and other wildlife conservation areas largely under the authority of national park authorities or wildlife divisions and do not include forest reserves (although in some countries forest reserves have been “upgraded” to national parks) Efforts are underway in Tanzania to include certain categories of forest reserves within the protected area network through their formal recognition under the IUCN Protected Area categories and registration with the World Commission for Protected Areas. However these tend to be mainly restricted to “Protection Forest” Reserves under the authority of central government with limited Joint Forest Management agreements. There are currently no plans to include the 1,100 Village Land Forest Reserves within the formally recognised protected area system, nor the many hundred traditional and customary forest CCAs that have made clear and important contributions to biodiversity conservation. Kenya has included the Kaya forests as National Monuments, which affords higher protection status but does not override local decision making powers.

Analysis of CCA effectiveness, threats and opportunities

In Tanzania, where CCAs appear to be most widespread and have been largely supported by prevailing legislation (particularly with regard to forest ecosystems), evidence appears to be mounting that forests under community management are showing signs of effective management, reduced disturbance and improved condition. This includes both de facto CCAs, such as traditional and sacred forests as well as de jure CCAs, reinforced by formalisation and legal recognition. In Kenya, where the legal and policy environment is more complex and contested, experiences are mixed. Traditional grazing areas on rangelands in northern Kenya, where supported by additional incentives generated through partnerships with private tourist interests would suggest that recovery and conservation is being effective. In Cameroon, early signs are that the Community Forests initiative is leading to improved management, but disputes over the definition of community institutions as well as concerns over elite capture would suggest that once again, local governance processes are critical.

Traditional and customary institutions appear to have been widespread across all the countries studied in the past, but are being progressively eroded away by external pressures such as land privatisation in Kenya, or the establishment and increasing legitimacy of local governmental institutions such as Village Councils and Assemblies in Tanzania. However, as one moves further away from administrative centres, into more remote parts of the country, in areas where CCAs are often found, it would appear that these external pressures are reduced, and traditional / customary institutions may have a stronger voice. However, the question remains as to how to equip these traditional institutions with greater legal rights with regard to defending and managing their natural resources. This study revealed few if any examples of where contemporary legislative changes in land and natural resource laws have explicitly recognised the existence and legitimacy of traditional institutions, and then provided mechanisms to strengthen them. The forest laws in Tanzania have based institutional management responsibilities on the Village Natural Resource Management Committee – itself a sub-committee of the village government. While this does of course provide unique opportunities in providing linkages to local government services and funds, it does mean that in some cases, traditional knowledge and management practises is lost. The forest laws in Kenya and wildlife laws in Tanzania have arguably gone one step beyond this again, through the creation of new institutions for co-management (Authorised Associations - WMAs in Tanzania and Community Forest Associations – in Kenya), potentially placing traditional, “created” and local government institutions at loggerheads. One possible exception to this rule can again be found in the Tanzanian forestry law which allows for the creation of Community Forest Reserves (CFRs) which shall be managed by a community association – and explicitly recognises traditional or customary management institutions as legal entities.

Effective CCAs thus need to be situated within a broader local institutional framework for collective decision-making and communal land tenure. This ensures that CCAs have a foundation of secure local ownership and democratic decision-making, which are keys to effective collective action. For example, many community forests in Kenya and Rwanda appear to have disappeared because there are few avenues for locals to secure collective rights over local forests. The Loita and Loima forests are effectively relics that have survived on trust lands where local tenure is statutorily weak, but communities have been able to de facto exclude outsiders from appropriating the resources. In the Group Ranches, communities are able to secure collective tenure over resources (land if not wildlife), but the relatively large size of these management units may contribute to the widespread problems of corruption and lack of transparency in their management. However, little comparative analysis exists in terms of factors explaining the quality of collective decision-making regimes on Group Ranches. In Rwanda, Busaga and Buhanga Forests (Annex 3), once under the custody of traditional community institutions

and managed as CCAs have recently been appropriated by the state and converted into central government forest reserves.

The above findings would suggest, therefore that the effectiveness of CCAs in this review seems most closely linked to two basic factors. First, the degree of ownership or tenure that communities may exercise over the resource, in a context where resource claims are subject to wide expropriative or encroachment pressures and second, the transparency and accountability of local governance institutions.

The centrality of lands and resources to rural livelihoods, and the highly contested nature of land and natural resource rights both historically and in the region's present political environment, are fundamental to an understanding of CCAs in these two nations. In particular, one theme that emerges from this overview is that rural land rights- and in particular, the ability to exercise collective rights to land at the local level- are perhaps the single most important factor in determining the current status of CCAs, and their future prospects.

This review has not been able to point to any policies or practices that have provided specific targeted support to "indigenous" communities, beyond that provided to rural communities in general. In fact, the term "indigenous" is one that is rarely used in the region and may have negative connotations, giving problematic impressions of traditional or even backward lifestyles. Furthermore, the review established that in Rwanda, where one community (the BaTwa) live a very disadvantaged lifestyle, the government has dismissed any discussion of ethnic minorities or indigenous communities, due to the enormous social and ethnic strife caused by the genocide of 1994. Many of the CCAs presented in this report (some of the Community Forests in Cameroon, rangelands in Kenya and Tanzania, Village Forests of Tanzania) are found in remote areas, with relatively low population pressures, and where people live traditional lifestyles and indigenous knowledge remains largely in tact. Such conditions would tend to favour the establishment and maintenance of CCAs as opposed to more densely populated areas, with heterogenous populations, higher demands on resources and a loss of traditional knowledge and practises.

Lessons learned and recommendations for the future

In all of the countries studied, there are gaps in policy which need to be filled, if CCAs are to have a strong legislative and legal basis. Tanzania, where the forest policy and law has most strongly emphasised decentralisation of natural resource management, would suggest that CCAs can best be supported when traditional management practises can be formalised and linked directly to emerging local government institutions at the community level. The tension between traditional natural resource management institutions found across all countries and more "modern" local government structures has been highlighted, as increasingly the old gives way to the new. In Rwanda, where CCAs are under greatest threat of being extinguished altogether by a re-centralisation of community managed natural resource a more targeted approach will be needed, to raise awareness among policy makers and implementers regarding the validity of decentralised natural resources management.

Finally, given the wide differences found between the different countries, the need for greater networking, sharing of experiences and mutual learning cannot be under-emphasised. This should include Uganda and also potentially Ethiopia which have much to offer regarding CCA experiences, but unfortunately were not covered in this study.

Urgent needs

The study ends with the conclusion that short term interventions addressing urgent actions may not be an appropriate mechanism to address problems which have underlying problems relating to policy and law – and the degree to which the state formally recognises indigenous conservation initiatives. To engage in such an arena in an informed and constructive manner requires a longer time horizon and much be led by a strong consortium of local interests.

Photo Cover Page: Mrumba Village Forest Management Committee standing in front of traditionally managed forest area (Toni forest) now registered as a Village Land Forest Reserve, Lushoto District, Tanga Region, Tanzania. Photo: Tom Blomley

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Acronyms

AWF	African Wildlife Foundation
BMU	Beach Management Unit
CF	Community Forest (Cameroon)
CFA	Community Forest Association (Kenya)
CFR	Community Forest Reserve (Tanzania)
CCA	Community Conserved Area
JFM	Joint Forest Management
KLA	Kenya Land Alliance
IUCN	World Conservation Union
MINITERE	Ministere des Terres, de L'environnement, des Forets, de L'eau et des Mines
NGO	Non Governmental Organisation
ORTPN	Office Rwandais de Tourisme et des Parcs Nationaux
TGER	Theme on Governance, Equity, and Rights
TILCEPA	Theme on Indigenous and Local Communities, Equity, and Protected Areas
TLCT	Tanzania Land Conservation Trust
UNEP	United Nations Environment Programme
VLFR	Village Land Forest Reserve (Tanzania)
WDPA	World Database on Protected Areas
WMA	Wildlife Management Area
WWF	Worldwide Fund for Nature

1. Introduction

This study is one of a series of regional studies commissioned by a range of interested parties with the objective of assessing the extent, type, number and condition of Community Conserved Areas (Box 1). This report covers the four countries of Kenya, Tanzania, Rwanda and Cameroon. The Study provides a country-by-country status report on the current status of CCAs, followed by an assessment of the prevailing policy and legal framework, and the degree to which land and natural resource tenure as well as local institutional frameworks support the establishment, management and long term survival of CCAs. This is followed by an analysis of some of the underlying factors that have contributed to presence of CCAs, as well as the degree to which they have contributed to the objectives of biodiversity conservation, and meeting local needs (be they spiritual, cultural, subsistence or commercial).

Box 1: Community Conserved Areas (CCAs)

A Community Conserved Area is a natural and/or modified ecosystem containing significant biodiversity values, ecological values and cultural values, voluntarily conserved by indigenous, mobile and local communities through customary laws or other effective means. This can include ecosystems with minimum to substantial human influence, as well as cases of continuation, revival or modification of traditional practices or new initiatives taken up by communities in the face of new threats or opportunities. Several CCAs are inviolate zones ranging from very small to large stretches of land and waterscapes.

Source: Borrini-Feyerabend, G., A. Kothari and G. Oviedo (2004)

This report covers CCAs across a variety of ecological conditions, varying from high biodiversity montane forests to sites with a lower biodiversity interest, in lowland woodlands or savanna areas. What is key to all of these areas is that the communities are the primary managers of the resource, they have undertaken the protection and conservation of the resource on a voluntary basis (ie they are not paid to do so) and for objectives defined by themselves. The report includes CCAs that are truly “voluntary” in the sense that management is entirely undertaken through the community’s own initiative, for their own needs and with no external assistance or facilitation. In addition, it covers community managed areas that have been supported externally either through formalisation of traditional and existing practises or by using legal processes to initiate new community management. In this report we do not differentiate between high biodiversity areas and other sites of lesser biodiversity value (such as miombo woodlands, acacia savanna and other natural areas).

The report represents a compilation of individual country assessments carried out by resource persons with both an extensive knowledge of CCAs, and a willingness to contribute to an important regional and global movement aiming to recognise the important contribution played by local actors in the conservation and sustainable management of natural resources. Given the limited resources available for this study, it has not been possible to cover all the countries within the eastern Africa region. For a more complete study to take place, it is recommended that additional countries such as Uganda, Ethiopia and possibly Zambia be included in order to capture the huge wealth of CCA initiatives within the region.

The authors would like to acknowledge the valuable information, photos and other assistance provided by the following individuals: Edmund Barrow, Michael Gachanja, Lucy Waruingi, Rob Craig, Liz Rihoy, Ali Kaka, Matt Rice, David Western, Sibylle Riedmiller, Julia Bishop, Gordon Boy, Tom Blomley, Charles Foley, Thad Peterson,

Thabit Masoud, Judy Oglethorpe, Sam Weru, Alan Rodgers, Matthew Owen and Ulrike von Mitzlaff.

2. Methodology used for the study

Given the ambitious scope of this study, and the rather limited amount of financial resources available, this study has been undertaken using secondary data, through reviewing literature and personal interviews with a range of knowledgeable resource persons in the four countries.

Contacts were made by the team leader (Rosina Blomley) to TGER and TILCEPA members across the region and the scope and Terms of Reference for the study were discussed. Drawing largely on the goodwill and commitment of individual network members, the individual country focal persons (Fred Nelson – Kenya and Tanzania, Adrian Martin - Rwanda and Martine Ngobo - Cameroon) then undertook specific assessments of CCAs in their respective countries. Originally a more deliberate approach was anticipated, where countries would be selected and then studies undertaken, across the Eastern Africa region (see Chapter 1, Introduction). However, in the final analysis, country selection was more driven by the availability of an active network member, willing



Women attend village meeting to discuss establishment of village forest in Liwale District, Tanzania. Photo: Tom Blomley.

to spend their own time and efforts on gathering information, hence the rather disjointed and geographically unfocussed selection of countries across the East and Central Africa region. Nevertheless, the four countries of Cameroon, Rwanda, Kenya and Tanzania do provide interesting case studies from which some important conclusions can be drawn.

Where possible, direct visits to identified CCAs were undertaken to gather further information – but as mentioned, the limited resources available for the study meant that this was not as widespread as might have been wished. Existing published and grey literature was also consulted from each of the countries studied. The final

report, presented here, is largely an assimilation of the separate country reports, presented together and from this summary, general observations, conclusions and recommendations have been drawn.

In addition to country-by-country assessments of CCAs and the prevailing legal and policy framework, each country focal person developed a provisional database of CCAs which are attached in Annex 1 - 4 of the report. The CCA profiles provided in this report give only a very limited picture of the existing CCAs and it is more than likely that many more CCAs exist but are beyond the knowledge of the authors and those who were consulted. Given that many CCAs are in remote areas, and are outside the formal protected area systems, they tend, by definition, to be little known and researched beyond their own immediate area and community.

In the very few cases when site visits were made in person by one of the country authors, consent was sought for the inclusion of their CCAs in the report and more importantly, within the United Nations Environment Programme (UNEP) World Database for Protected Areas (WDPA). Where explicit consent was given it is noted in the database, found at the back of this report. However, additional financial resources will be required as a follow on to this study, in order to visit the CCAs contained in the database, discuss the implications of inclusion in the WDPA list and obtain clear consent from resource managers themselves.

The report is presented in five principal sections: Section 3, **Description**, describes the different CCAs found in the four countries studied, their management objectives, status, number and general condition. Section 4, **Legislation and Policy**, summarises the degree to which each country studied recognises and supports efforts by local communities to manage and protect resources under their own stewardship. Section 5, **Analysis**, describes which CCAs studied appear to be most effectively meeting the objectives of sustainable natural resource management and delivering local benefits (either subsistence, financial or traditional/spiritual depending on its objectives). Section 6, **Evaluation**, summarises what lessons have been learned from the study and what opportunities exist for supporting the creation, restoration or long term management of CCAs in the region. Finally, Section 7, **Urgent Needs**, highlights any actions that are needed in the short term, particularly to specific CCAs that may be facing immediate threats. In each section, short reports are provided from each country studied and following these summaries, general conclusions are drawn, where possible. At the end of the report, in Annexes 1 - 4, a database of 24 selected CCAs from the four countries is presented that represent the wide cross section of examples found.

3. CCA description, status and extent

In this chapter, the status of CCAs across all four countries is assessed and where possible descriptions provided of their different management objectives, sizes, age and condition

Kenya

Kenya has seen widespread degradation of its natural resources during the past thirty years, including substantial loss of forest cover and savannah wildlife populations. Kenya does not have a strong enabling legislative framework for collective natural resource management institutions to hold and manage property, and this facilitates the destruction or expropriation of many local resource holdings.

Most of Kenya's remaining closed-canopy forests are contained within central forest reserves, but two important locally managed forests which have managed to persist as a result of strong local traditional institutions are the Loita Forest in Narok District and the Loima Forest in Turkana District. The Loita Forest is a 33,000 ha highland forest complex in southern Narok District just north of the Kenya-Tanzania border. The area has been conserved by the local Maasai community as a resource providing an array of economic, cultural, and spiritual values. However, because this forest, like all trust lands, is statutorily under the authority of the Narok County Council, local ownership rights are insecure and initiatives by the council to appropriate the forest as a reserve and develop it for tourism have led to intense conflict between district and local level actors during the past fifteen years (Box 2).

Box 2: Local rights and institutions make a stand in the Loita Forest

The Loita Forest in southern Kenya is “one of the few non-gazetted trust land indigenous forests” remaining in the country (Karanja et al., 2002). The forest is surrounded by and traditionally controlled by the Maasai communities of the Loita and Purko clans, who use the forest as a dry season grazing refuge as well as for fuel wood and building materials, water catchment, traditional medicines, and a range of spiritual and cultural purposes. The Loita Forest exhibits “little or no degradation” which is “attributed to the value and reverence attached to the forest by the local community” (*Ibid.*). While many of Kenya's broadleaf highland forests have been destroyed during the past fifty years, the Loita Forest represents an outstanding exception to this trend and a demonstration of the potential of local stewardship.

The principal challenge to this case of local forest conservation comes from efforts by the Narok County Council to declare Loita Forest a reserve and develop it for ecotourism. In 1993 the council declared its intention to manage the forest in this way, which would have effectively extinguished local community use rights and many of the benefits that the forest provided the traditional owners. Since that time the communities have waged a protracted legal struggle to prevent the council's appropriation of the Loita Forest, which has been successful in preventing transfer of the forest to direct council authority. Karanja et al. (2002) note that this conflict “has pitted a community with demonstrated sound natural resource management skills against a local government authority that has been accused of mismanaging other natural resources within its jurisdiction.”

Loita Forest has thus become not only an example of effective indigenous conservation institutions, but a demonstration of the challenges that communities face in maintaining local control over their lands under Kenya's trust lands framework, as well as of the pivotal importance of effective local advocacy and political mobilization in defending resource claims. Nevertheless, at present the local ownership of the forest remains insecure, more reliant on the community's sustained advocacy, including alliances with national organizations, than with any security under land or forest laws.

The Loita Forest is thus an example of strong traditional conservation institutions but also the challenges such CCAs face in Kenya's institutional and political environment.

Other local traditionally managed forests show mixed outcomes and reflect this general vulnerability. As in Loita, the Turkana pastoralists of northern Kenya have maintained the Loima Forest, a highland forest and dry season grazing refuge of about 10,000 ha, through traditional institutions albeit with no direct formal ownership (Barrow et al., 2002). On the other hand, the Ogiek hunter-gatherers of the Mau forest in Narok District have seen their land rights and access to the forest resources they depend on extinguished following gazettement of the area as a reserve (*Ibid.*).

Barrow (1988) also describes traditional systems of forest management in the Turkana and Pokot communities of north western Kenya. Of particular interest are patches of acacia woodland known as "Ekwar", which are deliberately managed and protected along the river banks of seasonal and permanent river courses and "Amairi", being dry season grazing reserves protected for up to nine months of the year, opened only when all other areas have been depleted. It is trees in this more favourable micro-climate that continue to provide fodder for the longest period and which provide abundant sources of seed from the *Acacia tortillis*, providing an important grazing buffer before herders move to the highland areas following the start of the rains.

Perhaps the most well-known and extensively documented CCAs in Kenya are the sacred groves of the Mijikenda people of the southern coastal area. These groves, known as "Kayas", range in size from about 10 to 200 ha and are found along much of the Kenyan coast in Kilifi, Kwale, Malindi and Mombasa Districts. About 70 Kayas have been identified, and these areas now often serve as relict refugia for a range of species in the high biodiversity East African coastal forest biome, which has been highly degraded by clearing, settlement, and urbanization. The Kayas are estimated to cover in total about 6,000 ha, or about 10% of the total remaining coastal forest in Kenya (Githitho, n.d.).

The preservation of the Kayas has been driven by Mijikenda spiritual beliefs and ritual traditions, and enforcement of traditional rules is primarily through adherence to taboos and social sanction. Many Kayas have been degraded through clearing, encroachment, and, closer to the coast, resort developments. Kayas are mostly legally trust lands and thus local communities face the same challenge to excluding outsiders and exercising land rights as communities in areas like Loita Forest.

Some fairly widespread new trends towards creation of CCAs have emerged in Kenya's rangelands. This has been driven by Kenya's tourism industry and the desire by both state agencies (mainly Kenya Wildlife Service) and conservation organizations to direct financial benefits from wildlife to local communities in order to provide incentives for habitat conservation. Tourism operators have created contractual agreements with local communities, organized either through their Group Ranch committees or as independent local trusts, for land to be set aside as a 'conservancy' in exchange for payments to the community based on annual fees or proportional payments (e.g. a percentage of gross or net revenues). The first of these community conservancies was established on Kimana Group Ranch near Amboseli National Park in Kajiado District in 1996 (Okello et al., 2003). During the past decade these local conservancies have proliferated in areas such as Laikipia, Samburu, Kajiado, and Narok Districts (Table 1).

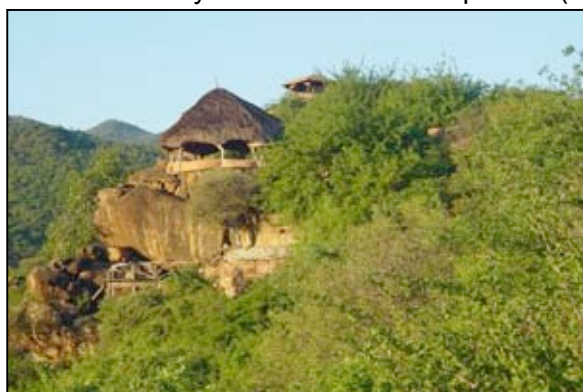
Table 1: Some of the group ranch tourism-wildlife conservancies in Kenya's pastoral rangelands

Conservancy	Ethnic Community	District	Size (hectares)
Siana Wildlife Trust	Maasai	Narok	20,234

Shompole Community Trust	Maasai	Kajiado	10,000
Oi Kiramatian	Maasai	Kajiado	10,000
Eselenkei Conservation Area	Maasai	Kajiado	5,000
Lumo Community Wildlife Sanctuary	Taita / Maasai	Taita-Taveta	45,788
Kalama Community Conservancy	Samburu	Laikipia	46,129
Il N'gweni Group Ranch	Maasai (Mukogodo)	Laikipia	9,471
Sera Community Conservancy	Samburu	Samburu	52,372
Namunyak Wildlife Conservation Trust	Samburu	Samburu	74,101
Total area			273,095

(Sources: Rutten, 2002; ESOK, 2005; Manzonillo-Nightengale and Western, 2006 and Matt Rice pers. comm)

The emergence of these community conservancies during the past decade has been an important development in terms of wildlife conservation, with a minimum of about 270,000 ha set aside in these areas, and the actual total possibly several times that figure. The amount of Kenya's wildlife found in private (individual and communal) conserved areas



Tassia Lodge, Lekurruki Group Ranch, Laikipia, Kenya – set within an area owned and conserved by local Maasai people. Photo: Matthew Owen

now exceeds the proportion found in formal government protected areas (40% to 35%) (Western *et al.*, 2006). These communal conservancies have however faced a range of challenges, including the broader pattern of land fragmentation in surrounding rangelands and the emergence of numerous local disputes relating to group land and financial management decisions (e.g. Rutten, 2002; Manzonillo-Nightengale and Western, 2006). With Kenya's tourism industry currently enjoying a strong resurgence and demand for access to community lands at high levels, it is likely that these CCAs will

expand considerably over the next decade, even in the face of continued widespread rangeland fragmentation and individualization.

Tanzania

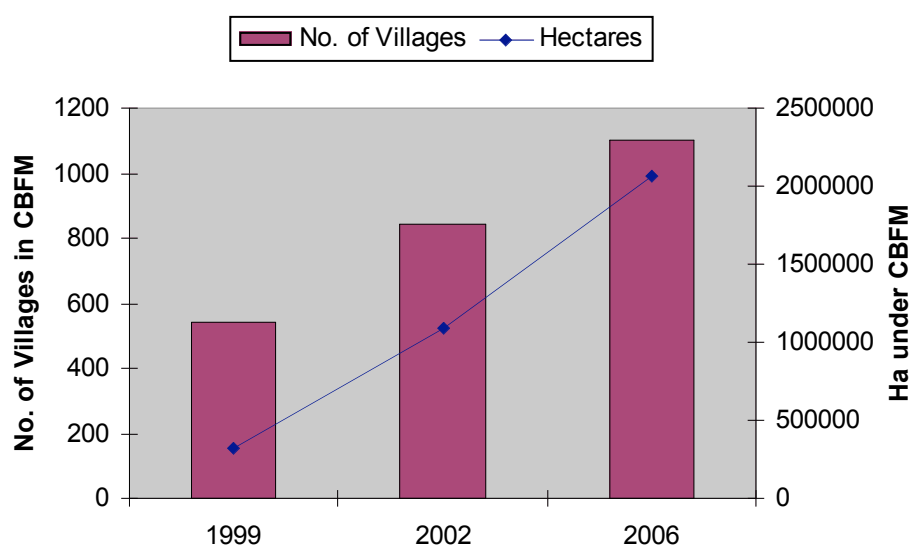
Local communities in Tanzania capture a wide range of livelihood and cultural values from forests and traditional mechanisms for establishing forest reserves through customary laws are widespread albeit insufficiently documented and quantified. For example, Mwihomeke *et al.* (1998) document a total of over 7,000 ha of traditionally protected forests in north-eastern Tanzania's Handeni District and the North Pare Mountains. Most of these forests are between 125 and 200 ha, with about 25-30 different traditionally reserved forests per village in Handeni. These forests are maintained primarily for spiritual and cultural purposes, including as sites for traditional rites and ceremonies. In the North Pare Mountains, which are part of the high-biodiversity Eastern Arc Mountain Forest range, these forest patches are almost the only remaining natural forests, outside gazetted government forest reserves (*ibid.*). This study also notes that these forests are subject to increasing pressures as a result of population growth and associated land shortages, coupled with an inability of traditional institutions to enforce rules over forest reservation in the face of changing social values (*ibid.*).

Other documentation of traditional forest reservation, protection and management in Tanzania includes a study comparing Wanyamwezi sacred groves, set aside as burial sites and ranging from 6 to 300 years in age- with state-managed forest reserves in terms of plant composition. Mgumia and Oba (2003) find greater species richness and plant diversity within these sacred groves as compared to central forest reserves and argue for the incorporation of these reserves into national biodiversity strategies.

An unpublished study from Rungwe District, in southern Tanzania documents 94 traditional forest reserves, locally known as “Isiето”, varying in size from 0.1 ha to 10 ha (McKone, 1994). These forest patches, mostly containing indigenous highland forest species were reported to be mainly used for traditional and spiritual purposes. As with the sacred forests from the Pare Mountains, it appears that increased demands for agricultural lands coupled with declining influence of traditional sanctions has undermined the viability of some of these forest areas and as a result a number of them are facing degradation.

While the ability of traditional forest management strategies to enforce rules and restrictions in the face of growing socioeconomic pressures and changing social norms may be waning, changes in Tanzania’s forest policy and law during the past decade now allow local villages to formalize their management practices (see following section on this institutional framework). By 2006, 1,102 villages had become involved in the establishment of 382 Village Land Forest Reserves (VLFR’s) scattered around the country, covering a total area in excess of 2 million hectares (URT, 2006).

Figure 1: Growth of community-based forest management in Tanzania, 1999-2006



(Source: Blomley et al., 2007)

Many of these areas represent forests which had become degraded as a result of open access exploitation for timber and charcoal production and which have now recovered some of their biodiversity values as a result of community stewardship and increased forest protection (Blomley et al., 2007). Local communities have full authority over VLFR’s and are exempted from restrictions on harvesting reserved tree species. Box 3 provides an example of one of the most long-established VLFR’s, Mgori Forest in Singida District. The government’s move towards community based forest management has been strongly supported by a range of local and international NGOs (WWF, CARE International, Africare, FARM Africa, Wildlife Conservation Society of Tanzania and Tanzania Forest Conservation Group) as well as international development partners

providing funding directly to government (such as the governments of Denmark (Danida), Finland (MFA Finland), Norway (Norad) and the World Bank.

The formation of VLFR's often functions to support or even revive traditional community forest conservation practices and institutions. For example, in Shinyanga Region large areas of forest and woodland have been recovered using traditional Wasukuma¹ reserved areas called *ngitili* ('enclosure') through support from a Norad supported project called HASHI. These *ngitili* are traditional dry season reserves where use of trees and other vegetation are regulated by either individuals or groups of people (Barrow and Mlenge, 2003; Monela et al., 2005).

Box 3: Pioneering community-based forest conservation in central Tanzania: Mgori Forest

Mgori Forest lies in Singida District, in central Tanzania, and covers an area of about 45,000 ha co-owned and managed by five villages as Village Land Forest Reserves. Mgori was one of the first of these village reserves established, and in fact helped pioneer the concept and institutional structures of CBFM in Tanzania, including the provisions of the 1998 Forest Policy and 2002 Forest Act. CBFM in Mgori, as in the Duru-Haitemba forest in Babati District, was spurred by both conflict and innovation. In the early 1990's, in line with the general thrust of forest conservation policy in Tanzania at the time, central authorities moved to designate Mgori as a forest reserve. This measure prompted local resistance and some level of destruction of the forest's resources, and led to dialogue and negotiation between government and locals over the future of the forest. Out of this dialogue the notion of local forest stewardship as a formal conservation strategy emerged, as well as the ways to use Tanzania's local village governance and land tenure framework to support this local-level management. Village forest management committees under the Village Council were subsequently developed, along with a basic forest management plan and village by-laws under the Local Government Act of 1982, supported by district authorities. These procedures became the basis for local control over Mgori and its subsequent recovery, as well as the basic institutional framework for CBFM in Tanzania as it spread throughout the country during the succeeding decade.

Source: Wily, 1995; Wily and Mbaya, 2001

Like traditional reserved forests in other areas, these *ngitili* are generally small (average 2.2 ha) but range up to 215 ha (Barrow and Mlenge, 2003). By the late 1980s, many traditional *ngitili* had become degraded and traditional rules weakened by an array of factors, and there were only about 600 ha of *ngitili* remaining (Barrow and Mlenge, 2003). Since then, as a result of efforts led by district government, donors, and NGO's in collaboration with local communities, an estimated 250,000 ha of land in the region's 833 villages have been restored as *ngitili* (Barrow and Mlenge, 2003). Many of these *ngitili* have now been formalized as either private, community, or village forest reserves, managed for both woodland products as well as livestock grazing pasture. This has revitalized traditional resource management practices by giving local people the statutory authority to protect and manage their resources.

Table 2: Distribution, extent, and ownership of *Ngitili*, Shinyanga Region (1980-2001)

District	Villages		Institutions		Households		Total Area Ha.
	No.	Ha.	No.	Ha.	No.	Ha.	
Bariadi	36	11,214	22	2,482	3,930	6,191	19,887
Kahama	65	7,376	12	92	990	2,941	10,409
Maswa	16	2,561	18	71	1,925	4,336	6,968

¹ An agro-pastoral group of people inhabiting much of western-central Tanzania.

Meatu	23	4,486	19	35	4,836	9,620	14,155
Shinyanga (R)	18	15,264	32	689	4,844	7,806	23,759
Shinyanga (U)	12	1,975		-	126	245	2,224
Bukombe	2	300		-	388	390	720
TOTAL	172	43,176	103	3,369	18,039	41,149	78,122

(Source: Barrow and Mlenge, 2003)

Tanzania's forest policy and legislation also promote joint management between local communities and national or district authorities in the management of Forest Reserves; this type of arrangement is referred to as Joint Forest Management (JFM). JFM covers



Figure 1: Community members in Shinyanga discuss management of communal "ngitili".

Photo: Rosina Blomley

an additional 1.6 million ha of reserved forest and involved 719 villages, including 149 villages with formal Joint Management Agreements with central or district authorities (URT, 2006). In JFM, however, communities are not forest owners and their management rights are dependent on these signed agreements with national or district government authorities. Such areas do not fully qualify as CCAs although in some instances JFM may be pursued by fully handing over management of a Forest Reserve to a local community, making it closer to a proper CCA definition. Most JFM areas in Tanzania have not progressed this far, however, and it has taken some time for central authorities to

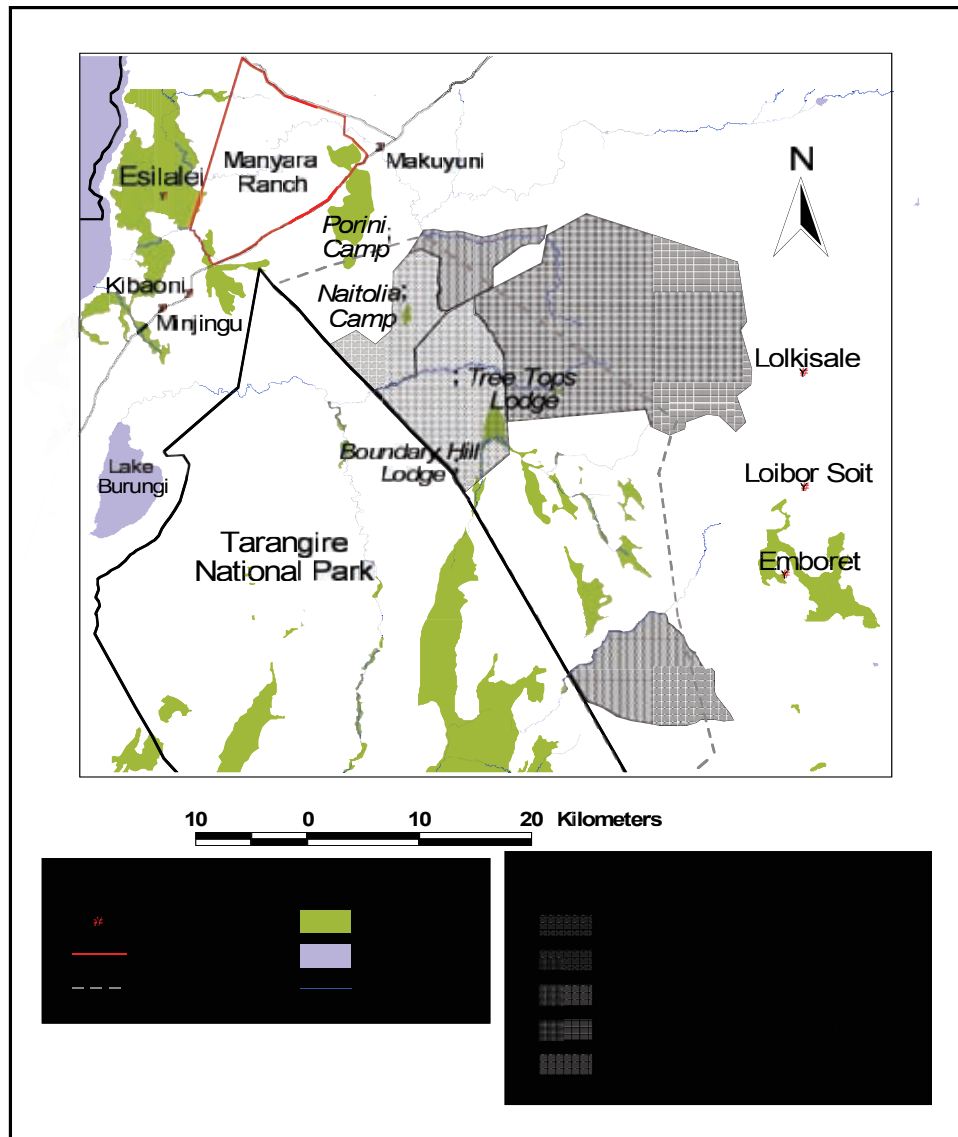
develop the necessary regulations and benefit-sharing formulas. In many cases, it has been pointed out that in the absence of clear regulations on benefit sharing and the fact that many areas covered under JFM are heavily protected due to their high conservation status, management costs to communities far exceed management benefits – and consequently the long term viability of such agreements has been questioned (Blomley et al., 2007).

Tanzania's Wildlife Policy calls for the creation of a form of CCA, called Wildlife Management Areas (WMAs) on village lands where management rights over wildlife will be devolved to local communities. Regulations for the creation of WMA's were released in 2002 and a number of pilot WMA's (at least 17) have been established since then, containing an estimated 16,000 km². Nine of these areas were formally gazetted as of mid-2007. However, the authority over wildlife granted to the local communities in WMA's is highly curtailed and under the current regulatory framework- and contrary to the rhetoric of the policy - WMA's should not be considered as CCAs (see chapter 4, Policy and Legislation).

An alternative framework for community involvement in wildlife conservation in Tanzania has emerged as a result of community-private tourism ventures, similar in their general structure and rationale to those in the Kenyan group ranches. These ventures have emerged mainly in the northern part of the country, where tour operators and villages, through the corporate Village Councils, have entered into legal contracts for the conduct of low-volume ecotourism on village lands. These contracts generally provide for tour operators to be able to access village lands in exchange for set payments by the operator, and villages agreeing to set aside a concession area where they will not farm or settle. Such agreements serve to maintain natural vegetation and prevent land use changes in these ecotourism concessions, while villages maintain full land rights and authority over

the areas. Examples of these concessions include 10,000 ha in Ololosokwan village, Ngorongoro District, leased to Conservation Corporation Africa, and 54,000 ha in Lolkisale village, Monduli District, set aside as a variety of concession areas (see Figure 3). Robanda village in Serengeti District, Emboret village in Simanjiro District, and Sinya village in Monduli District are also notable examples of these concessions.

Figure 3: Village tourism concessions adjacent to Tarangire National Park, northern Tanzania, in Lolkisale and Emboret Villages



(Source: Tarangire Elephant Project)

Box 4: Trusts and easements: New types of CCAs for northern Tanzanian rangelands?

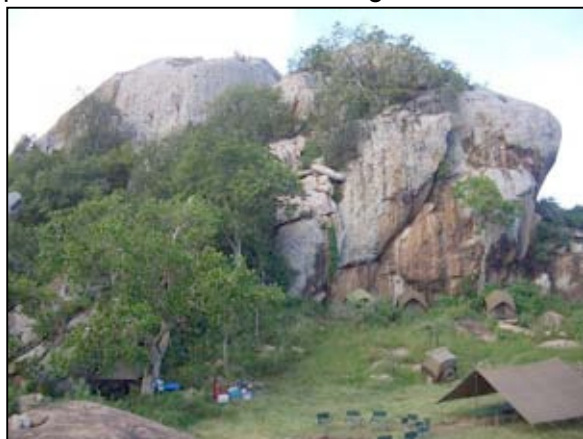
Northern Tanzania's savannah rangelands contain some of the richest wildlife populations left in Africa. Wildlife moves widely throughout the landscape across protected area boundaries, but where wildlife occurs on community or private lands it nonetheless remains under strict central ownership and management authority. This has generally led to wildlife population declines in community lands as locals have few rights to capture benefits from wildlife utilization and thus few incentives to support wildlife conservation. While some ecotourism ventures which pay village governments in order to set aside land for wildlife have been successful in creating such local incentives, state efforts to decentralize wildlife management to

locals through WMA's has not led to significant local benefit capture thus far. As a result of the unmet need for effectively encouraging local conservation efforts at the landscape scale, a number of innovative new ways of creating community level incentives in northern Tanzania have recently been developed.

In 2001 the Tanzania Land Conservation Trust (TLCT) was formed in order to create a multi-stakeholder body to acquire the Manyara Ranch, a 18,000 ha former parastatal cattle ranch situated in a key wildlife corridor between Tarangire and Lake Manyara National Parks. The TLCT, the first such conservation land trust created in Tanzania and supported through funds from USAID and the African Wildlife Foundation (AWF), aims to maintain natural vegetation and conservation values (i.e. wildlife movements) while creating tangible economic benefits for two surrounding Maasai villages, Esilalei and Oltukai. The board of the TLCT consists mainly of high ranking conservation NGO and protected area officials and other co-opted conservation and development experts, but also includes the local Laibon, a Maasai spiritual leader. The key stakeholder communities are involved through their roles on the steering committee for the Manyara Ranch management but at this point management is effectively funded and carried out by AWF. At present, the Manyara Ranch is thus an important experiment in creating new organizational structures for balancing conservation and local development goals, but the level of local control over the initiative is fairly limited and the key decision-makers are mostly located outside of the community.

Another innovative local conservation initiative has emerged to the south of the Manyara Ranch in the Simanjiro plains, which are the key wet season dispersal area for migratory wildebeest and zebra herds which spend the dry season in Tarangire National Park. The main calving grounds on the Simanjiro plains, in Sukuro, Emboret, and Terat villages, are far from the park boundary (up to 50 km). Creating value from wildlife in these areas that will encourage conservation of these key wildlife habitats on community lands by the villages is a challenge. To address this problem a number of concerned tour operators formed a collaborative partnership to pay one of the villages (Terat) to maintain the portion of the plains which falls within their village lands as an integrated wildlife and livestock zone, rather than converting it to farming or settlement. This land use contract or 'easement' covers 12,000 ha of Terat's village land and runs for an initial period of 5 years (starting December 2005). In return for setting aside the land for wildlife and livestock grazing only- a pattern that corresponds to the village's traditional land use patterns- the operators pay the village an annual sum of \$5,000 with an additional \$5,000 provided by conservation organizations to hire four local villagers that will act as game scouts to protect and monitor wildlife populations. The village retains full ownership of the land and maintains authority over the area's management; consequently, unlike Manyara Ranch this area falls within the working definition of CCAs.

Many of the village tourism concessions described above have been established in pastoralist areas, where indigenous land uses based on transhumant pastoralism have



Tourist lodge on village lands, in traditional dry season grazing reserve, in Loliondo, northern Tanzania. Photo : Fred Nelson.

conserved native biodiversity, including a full array of large wild mammal species. Transhumant pastoralism as practiced by groups such as the Maasai is based on a seasonal pattern of movement between wet and dry season grazing areas. Dry season grazing areas- in Maasai areas called “*Olokeri*” or “*Olopololi*” - are reserved through traditional management institutions, which generally stipulate that they may not be used until a certain agreed period late in the dry season. This preserves the grass in these areas as emergency forage in case of severe drought, which is a relatively frequent occurrence in semi-arid rangelands in northern Tanzania. The system is very

similar to the “*ngitili*” land management model developed by Wasukuma pastoralists and described earlier in this chapter. It also means that these dry season reserves are effectively un-used by people for about 9-10 months per year, and that conservation of vegetation is an express local management objective. As a result, these areas also tend to provide large expanses of habitat for wildlife and other native species. Every Maasai community in northern Tanzania has portions of its village land serving as dry season grazing reserve, so the total extent of such areas is considerable- probably in the millions of ha - although it has never been quantified. These reserves would comprise much of the land area of the north-central part of the country in districts such as Monduli, Simanjiro, and Kiteto. Some of the Maasai grazing reserves have also been formally documented in village land use plans²

As in Kenya, there is limited available evidence of local jurisdictions for coastal marine resources in Tanzania. Perhaps the most important community-based coastal initiative to emerge in Tanzania during the past two decades is the Tanga Coastal Zone Conservation and Development Programme, which has worked to set up a series of community fishery management zones in a large stretch of the north-eastern Tanzanian coast (Horrill et al., 2001). Although this is the leading example of local coastal fisheries management in Tanzania, community-level control over the programme is limited. First, the zones do not ascribe to existing community institutions - i.e. village governments- so they are not effectively grounded institutionally. Communities consequently have limited statutory control and ability to enforce rules in these areas, and rely extensively on external authorities for such enforcement. Nevertheless these zones may evolve into a more secure and sustainable local management framework over time. On Zanzibar there are a number of emerging co-management initiatives underway, but no clear examples of local jurisdiction over reefs or fisheries. One notable example, Misali Island, on Pemba Island, was originally organized as a locally owned trust but has since become a government reserved area with some level of co-management.

² Thus, some pastoralist lands will have CCAs governed by three separate, and mutually re-inforcing, sets of rules, all of which have quite different origins and motivations. First, by traditional grazing reserve designations. Second, by land use plans supported by village by-laws which are administered by village governments. And third, by contractual agreements with tour operators regarding the use of these areas. Thus a single CCA, geo-physically, is institutionally defined in three separate ways, blending traditional, statutory, and commercial aspects. This example should serve to demonstrate both the diversity and complexity of CCAs at the local level in rural Tanzania.

Moves by the Tanzanian Fisheries Division to devolve the management of inland fisheries have gained greater momentum in recent years – particularly around the shores of Lake Victoria, where efforts have been made to harmonise community based fisheries management strategies across the three East African countries surrounding the lake through the establishment of Beach Management Units (BMUs). BMUs, forming part and parcel of the village government structure have management authority over a portion of lake fishery area and set rules for fishing effort, monitor fish catches and stocks and enforce catch limits by undertaking local patrols. There are approximately 430 functional BMUs in Tanzania (LVFO, 2005). As with coastal fisheries, this arrangement represents a partial devolution, and therefore cannot strictly be seen as a CCA, but nevertheless, represents an important trend towards local participation and decision making.

Rwanda

There is considerable evidence of historical and existing social structures, systems of belief and practical understandings that have supported conservation in Rwanda. Most famously, taboos against the killing and eating of mountain gorillas are a key reason for the survival of such an easily found animal – especially now that so many are habituated to human approach.

However, a principle finding of this study is the absence of any surviving locations that genuinely fit the definition of CCAs. Of course, there may be some – but after extensive consultation followed by visits to the most likely candidates, none could be found. Had such a survey been undertaken twenty, or even ten years ago, examples of CCAs would have been found – and some of these are still worth documenting as there is some small hope (and even growing will) for revival (for details refer to Annex 3). The eradication of local norms protecting nature began long ago under Belgian interventions that sought to undermine existing feudal systems and, amongst other things, secularise royal office. However, the recent demise of CCAs was driven by the genocide, in which not only conservation, but also many defining features of ‘community’ as we know it, were reduced to embers. Even now the identification of community is highly problematic in places that have experienced great human loss, large-scale settlement by refugees and a swift goodbye to old institutions. Rwanda has bounced back in quite remarkable ways since 1994, including the rebuilding of its conservation authorities - principally Office Rwandais de Tourisme et des Parcs Nationaux (ORTPN) and Ministère des Terres, de L'environnement, des Forêts, de L'eau et des Mines (MINITERE). The growing capacity and confidence of these state agencies has seen them expand their powers and assume responsibility for almost all areas deemed significant for biodiversity and other ecosystem services. The potential CCAs visited had all been taken over by government and in each case this involved the near total absorption of any powers previously held by communities, along with their exclusion from the resource. For two of these, this has only occurred within the last three years and it might not be too late to at least partially reverse this change.

Bearing in mind we are talking about recent history rather than the present condition, the most remarkable CCAs are those that have protected natural montane forests – these are few in number (three certainly, perhaps one or two more) and scrutiny of satellite images does not suggest that there are any others of significant size yet to be discovered. The remarkable thing about these forest fragments is that they have survived at all. Following civil war in the early 90s culminating in genocide in 1994, there was huge pressure on all ‘available’ land. The Gishwati forest, consisting over 200 square kilometres of dense and enormously important montane forest was almost completely lost – as was a large part of the Akagera National Park. The analysis of why this happened generally boils down to the efforts of International NGOs rather than local communities. The Nyungwe Forest Reserve (now a National Park) was protected because the Wildlife Conservation Society

remained in the field during the genocide; similarly the Volcanoes National Park survived because a group of key International NGOs stayed in the field; the Akagera National Park was seriously eroded because WWF pulled out; Gishwati was lost because it had no international advocates. Due to loss of community norms, combined with absence of external authority, people rushed into the forest and cleared it at great speed. But what this study has revealed is that there are a few locations - Cyamudongo, Buhanga, Busaga, and possibly another near to Rangiro – where areas of natural forest from a few hundred to a few thousand hectares were effectively protected without either government or NGO intervention – and these were not locations that escaped the war and genocide of 1990-1994.

Fully understanding the reasons for such CCA success stories requires more time than was available for this study – the physical challenges of reaching remote communities are significant and once there, time in the field is required to get a deeper understanding of the origins and objectives of the CCAs. So it is important not to presume full understanding. However, the common characteristic is a history that involves events and interventions associated with Kings. This is tied to the spiritual fabric of Rwandan society and these sites have become associated with stories, legends and worship, leading to taboos on many extractive activities. They are, in essence, sacred forests – though with rather different characteristics to those found in, for example, India or Madagascar. As far as could be ascertained in this study, there are no formal rules, and no organised form of management. Certainly, there is no management planning process. Instead there is social consensus reproduced across generations that it would break local norms to degrade these forests, and indeed, would be dangerous for any individual to do so – people use the Kinyarwanda equivalent to the word 'fear' to describe the basis of their restraint – not fear of reprisals from their peer community, but from the spiritual world.



BaTwa leader, Rugezi, Rwanda. Photo : Adrian Martin

The 'near recent' CCAs survive in good condition from a conservationist perspective, although there are some small encroachments in Buhanga and Cyamudongo, and for the latter, evidence of hunting snares. As suggested, the reproduction of norms has been made difficult by demographic change including refugees, and by the expropriation of responsibility by government agencies.

Following a suggestion, a couple of wetland sites were also visited, both part of the Rugezi marsh. One, in particular proved to be interesting as it was a historical BaTwa site which, perhaps unsurprisingly, was associated with a remarkable defeat of a King, rather than a glorification of a King. The BaTwa were the first arrivals in Rwanda and can be considered an indigenous people. Following the arrival of Hutus, and subsequently Tutsis (a historical ordering that is generally accepted but not certain), they have become a minority that has often been considered less than human. The 'Colline de Kayange' is a small hill island in the middle of the marsh, with a story of a pregnant woman (not a BaTwa)

who was shunned by her community and fled to the marsh. Her son was brought up by the BaTwa and eventually took vengeance on those who had forced his mother out, defeating the King's soldiers owing to his great knowledge of how to move around safely in the marshes. The author was informed by local BaTwa that in 1994 the sacred site on the island was destroyed and subsequently the government banned them from all activities in the marsh, including the cutting of grasses which may well have contributed to local biodiversity. During the war of 1990-1994 the principle mammals hunted by the BaTwa were eradicated by the activities of soldiers. They said (though this should not be taken as robustly researched) that they are no longer interested in the site. Anyone who has met the Rwandan BaTwa in their current condition would wish dearly for some restoration of their previous stewardship.

Cameroon

Recent work highlights that less than one percent of Africa's forest estate comes under community-based or state-community based management. Anecdotal evidence so far suggests that in Cameroon, this figure is likely to be much lower (Nelson and Gami 2002). In this regard, in Cameroon as in the whole Central African region, the law matters: 100% of land is officially administered by the government. However, the 1994 forestry legislation authorizes local communities to manage selected forest areas, but not all forest types are concerned by this authorization.

There are four kinds of mechanisms, created by the government in Cameroon, through which local communities are able to manage forests and/or related local financial benefits and revenue. Three of these governance mechanisms consist of institutional arrangements provided for under the 1994 forestry decentralization legislation (to manage community forests, parafiscal community compensation and annual forestry fees), and one mechanism was developed for the local investment of oil compensation funds (Oyono et al. 2006). These mechanisms are key elements in the transfer of benefits to local communities. They are central to the decentralization process, which also occurs through paradigms such as joint management, participatory management or co-management of protected areas, which require that local communities become central actors for the management of these areas.

As in many African countries, the status of Community Conserved Areas (CCAs) in Cameroon is generally poor and highly constrained by the weakness of collective management institutions. The concept of CCAs is not yet widely spread in the country, and no formal law or policy has yet been designed.

However, a strong, officially-recognised Community Conserved Area model exists in Cameroon called 'Community Forests' (CFs). Community Forests (Box 5) seems the most promising type of how 'power-sharing' with communities can take place in a limited and time-constrained way, even though other forms of formal cooperation with communities are also being asserted by various projects.

Community forests are formed from National forests by community officials entering into an agreement with the Ministry of Forests and Wildlife. The agreement between the Ministry and the community can specify the beneficiaries, the boundaries and the management of the forest. Article 3 of its Implementing Decree, promulgated in 1995, provides the following definition of a community forest: "a forest forming part of the non-permanent forest estate, which is covered by a management agreement between a village community and the Forestry Administration".

Community forests (considered as Non-Permanent Forests) are usually vast areas of humid rainforest owned by local farmer groups. The species diversity is very important,

with various commercial timber trees (moabi, ayous, tali, sapeli, azobé, sipo, etc.) and a rich herbaceous community. With traditional medicine still widely spread in the country, medical plant species present in the CFs are invaluable. In principle, these forests have never been disturbed and no logging activity undertaken.

Box 5. Community forests in Cameroon

Of multiple uses (e.g. sanctuary for primates, timber production), Community Forests (CFs) are a good example of CCAs in Cameroon. They encompass a very rich biological population, thus offering an opportunity for local people to engage in the participatory management of natural resources by acquiring a CF. The creation of CFs demonstrates local communities' engagement in the sustainable forest management process.

Community forests are also an important refuge for small and big wild animals (elephants, panthers, monkeys, reptiles, antelopes, birds, etc.). However, this rich wildlife is often threatened by local forest dwellers looking for their primary source of animal proteins. In the face of outside logging pressures, communities that have obtained CF Certification have begun to assert themselves and lodge complaints to the authorities about illegal logging on their lands. This is helping communities to gain confidence about their role as authoritative managers of the forests in their areas.

Apart from a few initiatives registered in November 1999, the Community Forestry Unit of the Ministry of Forests and Wildlife received its very first requests for community forests (about 20 applications) in February 2000. By the end of October 2000, the Unit's statistics showed 82 CF initiatives from all over the country, covering a total surface area of about 272,935 ha (Djeumo, 2001). Examples of established CFs existing in the country include API-Dimako, APFT-Dja, Lokoundjé-Nyong, Mount Kilm-Idjim, Mount Koupé, Mount Cameroun, CAFT Ngoyla, Moangue LeBosquet, some of which are described in greater detail in Annex 4.

Key drawbacks to the CF path for communities is the complexity involved in securing registration, the short duration of the "lease" on the forest lands, the limited (maximum 5,000 ha) size of the forest which can be registered, and the fact that the rights allocated by government to communities are merely usufruct rights, rather than permanent and secure proprietary rights. In many cases, communities are obliged to register CFs over lands which have not been the main focus of their traditional customary tenure systems, while these remain vulnerable to outside exploitation.

Conclusion

This review has demonstrated that wide differences appear to exist between the four countries with regard to the size, and frequency of CCAs. This appears to be the result of a complex set of reasons but includes factors such as enabling policy/legislation, population density and demand for land, the presence of traditional/indigenous communities who have lived in an area with relatively little disturbance.

CCAs studied appear to vary enormously, in size, management objective, ecosystem type, and age. A proposed typology of CCAs in the four countries is presented below (Table 3)

Table 3: Main CCA types found in Kenya, Tanzania, Rwanda and Cameroon.

CCA type and characteristics	Examples cited in text
3.1 Sacred groves and forest patches voluntarily managed for spiritual, traditional and cultural purposes (rituals, burial grounds, worship). Forest protection rules enforced through taboos and spiritual reprisals. Usually no consumptive use allowed. Typically very small in size (1 - 10 hectares) but can extend up to 200 hectares). Often not officially recognised nor	Kaya groves (Kenya), "Mshitu" groves of Pare and Usambara Mountains (Tanzania), "Isieto" traditional forest reserves of Rungwe district (Tanzania), "Mazimbo" sacred groves of Tabora (Tanzania), Forest patches of

protected by the state. Often high biodiversity areas. IUCN Protected Area Management Category III	Cyamudongo, Buhanga and Busaga (Rwanda).
3.2 Woodland and rangeland areas voluntarily reserved and protected primarily by transhumant pastoralists for dry-season grazing areas. Often small and undertaken on family or small-group basis, but also cover larger areas and serve as community resource (from 1 – 30,000 ha). Not officially recognised nor protected by the prevailing legislation. IUCN Protected Area Management Category VI. Often low-medium biodiversity areas.	“Ngitili” of central and northern Tanzania (Wasukuma), “ <i>Olokeri</i> ” / “ <i>Olopololi</i> ” of northern Tanzania (Maasai) “Ekwar” and “Amairi” of Turkana district, Kenya.
3.3 Extensive rangeland areas managed by communities for transhumant pastoralism but supported by partnerships with private sector in order to generate revenue from wildlife tourism. Often rangeland, savanna ecosystems. Typically covering fairly large areas to accommodate viable wildlife populations, up to 50,000 hectares. IUCN Protected Area Management Category II and VI.	Wildlife Conservancies (Kenya), Ololosokwan and Lolkisale villages (Tanzania),
3.4 Community forests managed sustainably and utilised consumptively for local community development (timber, firewood, herbal medicines, poles), or non-consumptively for protection of local water-sources and watersheds. Typically cover larger areas (1,000 – 150,000 hectares). Usually recognised and formalised by the state (but in some cases contested) IUCN Protected Area Management Category VI.	Community Forests (Cameroon), Village Land Forest Reserves (Tanzania), Loita Forest and Loima Hills Forest (Kenya).
3.5 Inland or coastal fishery areas managed by one or many communities for the purposes of regulating fishing effort, protecting breeding grounds and restricting unregulated fishing methods. IUCN Protected Area Management Category VI.	Beach Management Units of Lake Victoria (Kenya and Tanzania), Community Fishery Management Areas, Pemba island, Zanzibar.

The first two types of CCAs (3.1 and 3.2) represent essentially traditional natural resource management systems that depend entirely on customary norms, institutions and practices and are largely unrecognised and unsupported by existing legislation. The third category of CCAs (3.3) builds upon traditional rangeland management practises through the addition of partnerships with private sector players working in the tourism sector. The fourth and fifth types of CCAs (3.4 and 3.5), again build upon traditional natural resource management practices through the explicit recognition and formalisation of these practises through law. These categories are not meant to be mutually exclusive – indeed in many cases CCAs may move from the first or second categories through to third, fourth or fifth, as additional support is received.

The study showed two distinct trends. In Tanzania, and to a lesser extent, Kenya and Cameroon, there appears to be a growing recognition by government regarding the potentially positive role played by communities in the management of natural landscapes and ecosystems. Forestry and land legislation in Tanzania, Kenya and Cameroon has sought to formalise traditional systems of forestland management, or provide positive incentives for local groups to manage forests sustainably. This has resulted in the establishment, protection and in some cases restoration of areas of forest that otherwise may have been converted to other uses or degraded through unregulated harvesting. Village Land Forest Reserves in Tanzania and Community Forests in Cameroon are good examples of this trend, although community forestry in Tanzania appears to be much more securely rooted under local tenure and control. However, in Rwanda, we can witness the growing power of central government and little opportunities for partnerships between central government and traditional management institutions. In such cases, remnant CCAs are granted little protection from alternative land uses and external threats and in many cases have been appropriated by central government and placed within the national protected area system, thereby alienating forest managers from resources they have managed over long periods. Within these general trends, can be found important variations however. For example, the positive trends towards recognition of CCAs within the Tanzanian forestry sector have not been mirrored by similar trends within the same country for the wildlife sector. This is discussed in more detail in the following chapter.

4. Legislation and policy framework and relevance to CCAs

This chapter assesses the degree to which the legal and policy framework of each country studied supports the establishment or management of CCAs and if so how. It reviews how local governance structures, land and natural resource tenure, as well as sector policies vary between countries and what impact this has on the degree to which it encourages local conservation and management efforts. In addition, it reviews whether CCAs are officially acknowledged for their conservation value and whether CCAs are included within the national protected area system.

Kenya

Kenya does not have a strong institutional framework for common pool resource management at the community level. Kenya's social and economic policies since the colonial era have emphasized either state reservation of land or individualization and spreading of freehold titles. The primacy of the state as the legal custodian of natural resources and the emphasis on exclusion of local communities from forest and wildlife resources continued through policy and legal statutes long after independence, despite the fact that much of these resources can be found outside officially recognised protected areas such as forest reserves and national parks. The single party system and the enduring dominance of a political kleptocracy until the first multiparty elections in 1998 meant that natural resources (and particularly forest resources) were used as means to cement and control power. Forest "excisions", whereby large areas of forest reserves were de-gazetted and passed onto political allies and supporters, went relatively unchallenged until civil society organisations such as Green Belt movement and more recently the Kenya Forest Working Group began to demand greater accountability and benefit sharing at the local level.

The country's one major experiment in collective land holding and decision-making, the Group Ranches, has ultimately given way to adjudication of individual parcels of formerly communal rangelands, and most Group Ranches are currently disappearing.

Land in Kenya falls into three basic categories: government land (13%), trust land (74%), and private lands (13%) (Wily and Mbaya, 2001). Importantly, none of these categories provides an effective institutional framework for collective local conservation and resource management efforts. Trust lands are managed by district (county) councils on behalf of the district's residents, although in practice the 'trust' doctrine holds little legal security for an area's residents. The Kenya Land Alliance (KLA) states that, rather than securing land in trust for local communities, "there appears to be an unwritten policy on the part of government that sees community land as land that is not owned but rather is available for County Councils and government to appropriate" (KLA/RECONCILE, 2007). They conclude that "there has been no cohesive policy, legal and institutional framework supportive of customary land tenure" (Ibid.). Some of the most notable CCAs in Kenya, such as the Loita and Loima forests, fall on trust lands, and although communities have retained control over these areas their statutory jurisdiction over them is fundamentally weak.

Some lands in Kenya are held in common as adjudicated Group Ranches, which shifts them from district councils to Group Ranch committees. Group Ranches have been created mainly in pastoralist areas such as Kajiado, Narok and Samburu Districts. Unfortunately, the history of Group Ranches in Kenya has been characterized by an increasing trend towards fragmentation through individualization. This is mainly driven by poor governance and weak accountability by the Group Ranch committees, including unsanctioned land sales to outsiders and local elites, creating a fear among the

membership that the only way to ensure access to land is by acquiring individual parcels. The result is that most pastoralist areas in southern Kenya are in an advanced stage of individualizing their rangelands among the Group Ranch memberships, which is seen as necessary to secure members' rights but renders livestock pasture as well as wildlife habitat fragmented and destroys traditional landscape-scale pastoralist management practices (Manzollilo, Nightengale and Western, 2006). As a result, some communities and NGO's are exploring ways to re-aggregate these rangelands through new mechanisms such as local trusts or membership-based corporations (Ibid.). The creation of local land trusts has been one of the main ways of setting aside land as conservancies in pastoral rangelands in the face of individualization. The need to employ such mechanisms is a reflection of the failure of Kenya's land tenure institutions to provide secure communal land rights, which effectively undermines CCAs in a country where competition for productive lands is intense and demographic pressures continuing to grow.

In response to these problems as well as long-standing distributional problems emanating from Kenya's history as a settler colony, a new draft land policy has been released in 2007. Land tenure reform is also a prominent issue in the country's highly contested constitutional review process, which will likely play a significant role in national political discourse leading up to Kenya's general election in December, 2007.

Following a long period of consultation and uncertainty, Kenya recently passed a new Forest Act (2006) which provides a greater emphasis on local participation in forest management (PFM), mainly through the co-management of forest reserves by local forest users and government agencies. Local forest users are required under the law to register themselves as a "Community Forest Association" (CFA) and submit applications to the Director of Forestry for the management of part or all of a government forest reserve. Once approved, forest users sign a Forest Management Agreement which delegates management responsibility in return for sustainable harvesting and use of forest resources for both subsistence and commercial objectives. Although this represents a significant change in terms of the way government views community involvement in forest management, it does not conform to the definitions of a CCA as rights are prescribed by central government and tenure over resources is on the basis of time-bound agreements. Decision making powers are shared between the state and communities and therefore this approach represents more the Joint Forest Management model of Tanzania.

Although the new forest legislation stands to increase opportunities for local co-management of forest reserves, the institutional framework for community conservation of forests in Kenya is highly constrained. The main reason for this is the land tenure factors discussed above; most remaining forests in Kenya are either on government lands managed by state agencies or trust lands which are effectively under the authority of district councils. Trust land forests are subject to classic open-access exploitative pressures, as district councils generally do not invest in forest management or conservation, while local land rights are neither secured nor adjudicated. Secondly, the Community Forest Association, being essentially a non-governmental organ with significant decision making powers, falls outside the local government structure and experience so far in Kenya suggests a considerable potential for local institutional conflicts and power struggles.

As discussed in chapter 3, coastal communities in Kenya have a long and well documented tradition of protecting sacred groves called Kayas. Since the early 1990's, in order to protect the cultural and biological values the remaining Kayas contain, a strategy has been employed of gazettement Kayas as National Monuments under the Antiquities and Monuments Act. This provides the Kayas with a form of statutory protection from

encroachment and development, and does not significantly constrain local access since traditional uses of these forests are non-extractive.

With regard to institutional frameworks for the management of natural resources at the community level, Kenya has only recently embarked on a process of decentralising decision making from central to local government – and the autonomy and independence of village governments remains constrained. The continuing prevalence of the “provincial administration” (which reaches from the Provincial Commissioner (a presidential appointee) down to the Chief) means that central government retains a powerful influence on local decision making. Rather than being an independent and autonomous level of government, villages are largely lower organs of the state. Side by side with the formal government structure exists a traditional governance structure, dominated by village elders – although this has largely disappeared apart from some of the more remote pastoralist communities such as the Maasai, Turkana, Pokot, Samburu and others, living predominantly traditional lifestyles.

Tanzania

In contrast to Kenya, Tanzania has one of sub-Saharan Africa’s most well-established systems of local rural governance. Communities in rural areas are divided into villages, which are managed by Village Councils, numbering over 10,400 across the country. Village Councils are corporate bodies, and are in turn answerable and accountable to Village assemblies, which consist of all the adults living within the village area. This system of local governance dates back to the mid-1970s, when the socialist *ujamaa* program of Tanzania’s founding President Julius Nyerere established villages on a legal basis in order to provide a structured means of organizing rural communities for collective agrarian production. While Nyerere conceived *ujamaa* villages as largely a means to mould scattered, decentralized, and impoverished rural communities into the country’s socialist development agenda, the seeds were also being sown for rural empowerment through the structure of village governments. The Local Government Act of 1982 formalised the powers of village governments by, among other things, enabling villages to make their own by-laws. These by-laws must not violate any other laws of the country, but as long as they do not, they are legally binding and fully enforceable in courts of law. The village by-laws enabled by Tanzania’s local government legislation provide communities with a powerful tool for creating statutory land and natural resource management rules and procedures at the local level. By-laws passed by communities commonly address such as use of natural resources (trees, hunting, grazing) as well as sanctions and fines for those who infringe local rules. (Nelson and Makko, 2005)



Village Council Meeting to discuss forest management options, Olkitikiti Village, Suledo Forest, Kiteto, Tanzania. Photo : LAMP Project

Villages are the basic unit for making local land use and management decisions in Tanzania according to the Land Act of 1997 and Village Land Act of 1999. Importantly, land can be held and managed communally under these laws and Village Councils and Assemblies are responsible for collective land management decisions for these ‘village lands’.

The importance of this local institutional framework for local communal natural resource management and conservation in Tanzania cannot be overemphasized. Village Councils and Assemblies provide

an established statutory mechanism for local community decision-making and collective negotiation regarding land and resource uses. These local governance institutions have provided the basis for a relatively devolved land tenure administration framework, as well as for recent efforts to strengthen local jurisdictions for forests.

The Village Land Act enables villages to zone communal and individual land areas through Land Use Plans and enforce these zones with village by-laws created under the Local Government Act of 1982. This enables communities to support traditional land use practices (i.e. many CCAs) with statutorily recognized plans and by-laws. Hundreds or even thousands of Tanzanian CCAs may exist as legal entities at the village level under this system, such as pastoralist dry season grazing reserves, although many of these locally reserved areas are poorly documented, and enforcement at the local level depends on a range of factors.

Tanzania's forest policy and legislation builds on the land tenure and local governance institutions present in the country to provide strong enabling conditions for local communities to own and manage forests. While Tanzania's historical forest management framework emphasized legal restrictions on harvesting and the establishment of central forest reserves, starting in the mid-1990's Tanzania began some formal experimentation with community-based forest management. In 1998 the country adopted a National Forestry Policy which aims to strengthen the "legal framework for the promotion of private and community-based ownership of forests and trees" (MNRT, 1998a). A Forest Act, 2002, was subsequently passed which calls for forests to be managed at the lowest possible level of government and provides flexible institutional arrangements for local forest management and ownership. These include Village Land Forest Reserves (VLFRs) which are managed by villages, as well as Community Forest Reserves (CFRs) which may be managed by a sub-group of people within the village. This legal and policy framework is very supportive of community management and ownership of forests and has led to the rapid expansion of statutorily recognized local forest reserves (mainly VLFRs). Consequently, Village Land Forests are recognised in law as a viable and increasingly important part of the forest estate under formal protection.

While the forestry sector has propagated far-reaching reforms which have led to the rapid spread of many CCAs, wildlife management in Tanzania remains heavily centralized, with state ownership for all wildlife species established during the colonial era and progressively entrenched since the early twentieth century. In an institutional environment where wildlife use by indigenous people was steadily and firmly criminalized, few traditional wildlife management institutions have survived. As with forestry, Tanzania underwent a wildlife sector reform process in the 1990's and released a new Wildlife Policy in 1998 calling for the devolution of wildlife management responsibilities and rights to villages through new statutory CCAs called Wildlife Management Areas (WMAs). The objectives of WMAs, described by the Wildlife Policy as areas conserved by and for the local communities with devolved managerial rights and control over benefits (see MNRT, 1998b), are clearly in line with a working definition of CCAs. However, the rights actually granted communities to manage wildlife in the WMAs according to the 2002 regulations are limited (see Nelson, 2007). For example, the communities have very limited rights to manage commercial hunting of wildlife in the WMAs and unclear control over revenues from wildlife in these areas. Concerns about retaining secure village land tenure in the WMAs have also led to resistance by some pastoralist communities to the concept (Nelson and Ole Makko, 2005). As presently developed, the WMAs are limited to a somewhat nebulous form of co-management with government maintaining a considerable degree of authority, and probably should not qualify as CCAs until (if) their institutional arrangements are revised.

Rwanda

Legislation in Rwanda tends to be very strictly interpreted and enforced. This is a strength in some ways but has not been conducive to the survival of CCAs. National Park regulation does not allow for any involvement of local communities. This creates a particular obstacle to any support for local stewardship of the Cyamudongo forest because this was incorporated into the Nyungwe National Park in 2004, despite being more than 10km apart from it. There is no recognition of the conservation value of CCAs and no examples of recent government recognition of CCAs. However, there is the possibility of change, and this might even open opportunities for reviving some of the near recent examples mentioned above. The 2004 Rwanda National Environment Policy talks only vaguely of the need for 'active and effective participation of the entire population in the protection and management of environment' and offers little solid basis for CCAs. The Decentralisation Policy twice mentions the need for co-management of buffer zone forests, referring particularly to plantations around the Nyungwe National Park – although natural forests remain as a reserved resource and therefore not available for decentralization. Crucially, there is said to be a draft of a new National Forestry Law, although the conservation community have not yet been able to view this – it is being drafted by a newly formed forest department (NAFA) who are currently working quite autonomously. Following a recent meeting, some key people will be seeking to get hold of this draft and do what can be done to inject some flexibility in the range of governance



Buhanga CCA, Rwanda. Photo : Adrian Martin

options that are permitted for forest areas. If this fails, there will be strict limits on the capacity to support any remaining forest-based CCAs. This is therefore a critical time.

There is one further aspect of policy which is pertinent. Following the genocide, it has been decided (with the best intentions) that it is no longer acceptable to acknowledge ethnic diversity within Rwanda. This is primarily intended to remove reference to distinctions between Hutu and Tutsi, but extends to the BaTwa. In law and in policy, Rwanda now has no separate indigenous

ethnic group. This makes it very difficult to make any legal argument for restoration of indigenous lands or traditional natural resource tenure.

Cameroon

The old forestry law (# 81-13 of 27 November 1981) placed the ownership of all non-planted trees with the State. Individuals could apply for trees from the Forestry Department but this would involve lengthy administrative procedures. The starting point for any discussion of community involvement in forest management in Cameroon is the Forest Act # 84 - 01 promulgated on 20 January 1994 (Box 6). Cameroon opted for the politically high-risk strategy of radically overhauling its legislative framework as a means both of increasing the efficiency of the industry and promoting community participation in forest management (Oyono et al. 2006).

The decentralisation of forest management in Cameroon is characterized by the transfer of central government to outlying actors – primarily local communities and rural councils - of managerial powers over, and benefits accruing from, forests. The process of forest management decentralization, through initiatives like delimitation of community or village forests and the more formal allocation of forestry fees to the indigenous communities, is implicitly part of this recognition process. In order to receive official approval and

recognition, a community forest must have a “Simple Management Plan” (i.e. a set of technical and socio-economic directives), a contract through which the Ministry of Forests cedes a plot of the national estate to a village community, for its management, conservation, and logging.

Box 6: Legal and policy forest sector reforms in Cameroon.

Cameroon has made bold forestry policy reforms over the last decade under the guidance of the World Bank (Watts 1994). The new forestry legislation promulgated in 1994 divides the forests into “permanent” and “non-permanent” forest areas, where the “permanent” forest domain is formed by State’s forests (protected areas, council forests and forest concessions).

1988	Review of the 1981 Forestry Law initiated
1988	First round of the Structural Adjustment Program approved
1990	Laws on Freedom of Association and Political Pluralism passed
1992	Law on Common Initiative Groups and Cooperatives (Rural Reform) passed
1994	Devaluation of the CFA Franc
1994	New Forestry Law passed
1995	Implementing Decree of the Forestry Law passed
1996	Circular letter No 370/LC/Ministry of Environment and Forests (MINEF)/CAB on the CFA 1000/m3 tax issued
1998	Joint Arrêté No 000122/MINEFI/MINAT on annual forestry fees signed
2000	Arrêté No 1466 MINEF/DAPF/CEP/FD on hunting zones and community-managed hunting zones in East Cameroon
2001	Arrêté No 0518/MINEF on the right of pre-emption signed
2002	Final version of the community forests Manual published
2004/05	Suspension of some Community Forests by the MINEF, for “bad management”

However, defining any legislation on communities’ involvement in resource management has been problematic in the Cameroon case, in that the notion of ‘community’ has no legal status, and is anyway open to interpretation on a variety of grounds (residential, ethnic, and associational). Community tenurial rights are also exceptionally weak in countries such as Cameroon which have inherited French colonial tenure regimes.

Particularly around community forests, the constituency that is defined as having responsibility for and the right to benefit from the management of the forest is critical. There is a very complex and contentious web of interested parties (villagers, traditional authorities, local elites, strangers, administrators and technical and security services, and of course international conservationists) all of which have expectations to benefit from the forest, and different capacities to protect it.

Other elements within the new legislation may prove impractical. For example 5,000 hectares is the minimum area specified for Community forests. This may be too inflexible, especially if local management for specific non-timber forest products is envisaged (Watts 1994). It was suggested that given these uncertainties about the new legislation, there is a need for this mechanism to have some kind of ‘pilot status’ to allow experimentation with management/participation options. These may then provide guidance for further legislative development. This would be of greater value if it could be linked to a network of similar pilot areas.

Conclusion

The status and durability of CCAs is critically dependent on the ability of local communities to make decisions about land and resource uses, hold secure tenure over resources, and exclude outsiders from appropriating resources. One of the most important factors in the status of CCAs in the region today is the statutory mechanisms for

a) collective and equitable decision-making and representation at the community level and b) communal ownership of land. While conservation policy and legislation is important, it is this overall local governance and land tenure institutional environment that is most critical to the status of CCAs.

Of the four countries studied, only Tanzania has a clear and legally mandated institutional structure for community based natural resource management, strongly conducive to the management of CCAs. In Cameroon, despite the term “Community Forest”, the notion of Community is contested and has no formal recognition. In Kenya community institutions are complex mixtures of local interest, traditional structures and a strong influence of central government representatives. Communities in Rwanda, due to the recent civil war and genocide are fragile entities which have undergone massive dislocation, conflict and relocation.

With regard to a formal recognition of communal land ownership, again, Tanzania appears to be most advanced in this regard. Under the Village Land Act, land within the “village area” (which may extend several kilometres and cover tens of thousand of hectares of forest) falls under the jurisdiction of the Village Council. Within the village area, the village may decide to set aside land for communal purposes such as conservation, forest management, grazing or other common-property objectives. Kenya, through the Group Ranch system has recognised communal land tenure under pastoralism, but as has been discussed, many of these areas have been highly fragmented and large portions sold to investors or private individuals, thereby jeopardising their overall integrity. Trust Land, a second form of collective land holding in Kenya, vests powers in the County Councils, and experience to date would suggest that decision making processes have to date been far from equitable or transparent. Cameroon, with its legal framework still strongly based on French colonial codes does not recognise communal land tenure. However, the Forest Law of 1994 provides for a mechanism by which land areas formerly under the authority of the Forest Department can be transferred to communities under communal management systems.

With regard to the ownership and management of forest, wildlife and fishery resources and opportunities to support CCAs, again opportunities vary tremendously from country to country – but also within the same country between different sub-sectors. All countries studied have strong and influential legacies of centralized resource management and expropriation of many local land and resource claims. In many instances this continues today as a result of political economic factors leading to continued alienation of local resources. For example, wildlife ownership in Tanzania and Kenya is effectively monopolized by central state organs, and in Tanzania contests between local and central actors over wildlife management are a widespread source of conflict in rural areas. In Rwanda, however, since the 1994 civil war (which witnessed widespread destruction of the few remaining areas of natural vegetation within government managed protected areas), government has focussed largely on re-establishing its control over forest areas by reducing uncontrolled harvesting, but perhaps more worryingly has extended its influence to capture what previously were CCAs under local management regimes. The prevailing policy framework in Rwanda would appear to directly undermine CCAs and their continued ownership and management by communities. The only explicit and far reaching policy and legal mechanism that directly supports the establishment and management of CCAs was in Kenya through the forestry legislation.

All countries studied (apart from Rwanda) have instituted legal mechanisms for co-management of natural resources, again particularly in the forest sector, but with similar (albeit more incremental) trends in the wildlife and fishery sectors too. However, the failure to delegate full powers to community groups, coupled with uncertainties over the

legal basis for sharing of management rights and responsibilities has undermined its effectiveness and in some cases called into question its viability.

The national protected area network in the four countries includes national parks, nature reserves, game reserves and other wildlife conservation areas largely under the authority of national park authorities or wildlife divisions and do not include forest reserves (although in some countries forest reserves have been “upgraded” to national parks). Efforts are underway in Tanzania to include certain categories of forest reserves within the protected area network through their formal recognition under the IUCN Protected Area categories and registration with the World Commission for Protected Areas. However these tend to be mainly restricted to “Protection Forest” Reserves under the authority of central government with limited Joint Forest Management agreements. There are currently no plans to include the 1,100 Village Land Forest Reserves within the formally recognised protected area system, nor the many hundred traditional and customary forest CCAs that have made clear and important contributions to biodiversity conservation. Kenya has included the Kaya forests as National Monuments, which affords higher protection status but does not override local decision making powers.

5. Analysis of CCA effectiveness, threats and opportunities

This chapter reviews the effectiveness of CCAs in each of the four countries studied and the degree to which they contribute to conservation of biodiversity as well as meeting the needs of local people, be they cultural, spiritual, subsistence or economic. In addition, the main threats to the integrity and long term survival of CCAs are identified as well as potential opportunities for their support.

Kenya

In Kenya, local resource rights have been highly disturbed by several basic factors. First, a higher level of colonial land and resource expropriation than was experienced in Tanzania, Rwanda and Cameroon. Second, the emergence of a highly factionalized and patronage-based political system in the post-independence era which has led to massive misuse of public resources, competition for valuable resources at local and national levels, and a general weakness in local government institutions. And lastly, the failure of land policy to easily provide for secure collective rights to lands among groups such as pastoralists and other common pool resource managers.

In Kenya the status of CCAs is thus generally poor and highly constrained by the weakness of collective management institutions. Very few forests are owned and managed by local communities; nearly all of the remaining forests in Kenya fall under the authority of national or district-level institutions, and there are few legal avenues for effective local collective management. The new Forest Act provides pathways for community groups to co-manage all or parts of forest reserves together with the Kenya Forest Service. Some of the most important traditionally managed forests, the sacred Kayas of the coastal region, have been subject to encroachment and expropriation, to the extent that many have been declared national monuments in order to prevent their destruction. With respect to wildlife, there is no opportunity for local communities to play a direct management role or exercise wildlife user rights in Kenya, and the past fifteen years of aborted policy reform initiatives have yet to change this.

Kenya's vast arid and semi-arid rangelands, which are nearly all managed by traditional collective pastoralist institutions, have in the more productive areas become subject to high levels of fragmentation through individualization as a result of the lack of secure group tenure exercisable under the country's land tenure framework. In recent years community-private sector ventures based on wildlife-based ecotourism have led to the spread of important new forms of CCAs as 'community conservancies', but many of these areas face the challenge of being swept away by broader trends towards individualization and conversion of rangelands.

Tanzania

While Tanzania also exhibits widely contested land and resource rights and centralized patron-client governing institutions, its socialist history from the late 1960's to the early 1980's also created local governance institutions which provide relatively strong enabling conditions for CCAs. These local governance institutions are complemented by land tenure reforms carried out in the late 1990's that strengthened collective land rights at the village level. Policy and legislative reforms in the Tanzanian forestry sector in the late 1990's also support local ownership of forests and the country has become a global leader in the establishment and recognition of local jurisdictions for forest management under a relatively flexible and practicable institutional framework. Community-based forest management has led to the *de jure* creation of CCAs in over 1,000 villages and covering over 2 million ha, and is able to support and complement the thousands of

traditional or customarily managed forest reserves which exist locally throughout much of Tanzania.

Community based forest management at the village level in Tanzania effectively legitimizes traditional practices and institutions, giving communities a wide array of flexibility to determine and most critically, to enforce, appropriate rules and management activities. Tanzania's village-level CCAs, including Village Land Forest Reserves and areas zoned according to Land Use Plans, are the most institutionally sound in terms of devolution of authority to democratic local decision-making structures. These areas also are beginning to show increasingly well-documented outcomes in terms of conservation and local livelihoods (e.g. Blomley et al., 2007, Blomley et al (in preparation)). VLFRs have been most successful when they have deliberately built upon already existing forest management initiatives driven by local forest users. Village Land Forest Reserves clearly are the best example of a CCA that combines local control and legitimacy, clear economic incentives with regard to the use and ownership of forest resources and with state sanction and support. Because of these factors, VLFRs have spread rapidly during the past decade (Figure 1).



Clan forest (mshitu) in Mriti Village, North Pare Mountains, Tanzania. Photo credit : Tom Blomley

The threats to CCAs in Tanzania are many, particularly those that are managed and conserved without any *de jure* legal protection. As reported by Mwihomeke et al. (1998) and McKone (1994), sacred forest groves in the northern and southern highlands of Tanzania are facing threats from encroachment and degradation and in some cases wholesale conversion to agriculture. Similarly, a number of traditional dry season grazing areas created by Wasukuma pastoralists in central and northern Tanzania (*ngitili*) also have been reported to be under threat from alternative land uses (such as artisanal gold mining) (Mlenge pers. comm.). In the face of such external threats, traditional management and protection systems alone

may not be adequate to ensure the long term survival of these areas, without additional formalisation and legal security of tenure and ownership.

Despite these challenges, recent studies have highlighted the important role that traditional, clan and ceremonial forest CCAs play in the conservation of biodiversity, often in areas where other areas of natural vegetation have all but been swept away by advancing agriculture and human settlement. Mgumia and Oba (2003) established that although traditional forest reserves in Tabora Region were relatively small in size, they had a greater woody species richness and taxonomic diversity than a neighbouring state managed forest reserve with comparable ecological conditions. A study from Shinyanga region documents the impact of establishing "*ngitili*" that results in a rapid regeneration of trees (Monela et al, 2005). The study was able to document the re-establishment of a total of 152 different trees, shrub and climber species within *ngitili* areas, as well as 145 bird species and 21 mammal species. This contrasted with a general decline of forest condition in areas outside established *ngitili* (*ibid*). While such CCAs play an important role in meeting spiritual or subsistence needs, questions remain regarding the degree to which they address widespread community needs and the representativeness of management institutions. Mwihomeke et al (1998) point out that while women are forbidden to gather firewood and other subsistence forest needs in "*mshitu*" forests in the

North Pare mountains, they have few other alternative sources and as such feel alienated from the resource.

In contrast to the forestry sub-sector, resources such as wildlife and fisheries remain largely centralized and devolution of user rights to the local level has been limited or in some cases not been implemented as called for in government policy. Inland fishery resources have been semi-decentralised and are co-managed by fish landing site committees (known as Beach Management Units). As mentioned earlier, marine and inland fisheries in some areas have also been managed in partnership with local fishers.



Traditional grazing areas (such as this from Loliondo, Tanzania) provide important habitats for wildlife and are suitable for tourism. Photo : Sand County Foundation Community Based Conservation Network.

Tanzania's Wildlife Management Areas, by contrast, have weak local control, the process leading to their establishment is cumbersome and bureaucratic and consequently their development has been slow and highly dependent upon the availability of externally financed projects. By contrast, tens of thousands of hectares qualify as CCAs in the country's northern rangelands based on traditional pastoralist grazing reserves, and new CCAs have emerged as a result of private-community tourism agreements that often complement traditional land use practices. Village-level tourism concessions are legitimate locally, and where they have been established have generated substantial benefits for conservation and village economies (e.g. Nelson and Ole Makko, 2005). These

areas are however not supported by state agencies and thus their development has been restricted as a result of widespread conflicts with state management agencies.

Rwanda

The most effective CCAs can only really be determined by the common characteristics of the small number in this sample: they are concerned with forests, they are based on historical events associated with kings, they have stories related to them (though these are not always consistently told), they have evolved into sacred sites of worship and control over harvesting and uncontrolled use is exercised through respect for these traditions. From the limited investigation, such sites are not dependent on any collective decision-making or organization. Certainly, there have not recently been any committees, associations, planning meetings and so on. Rather, survival has been based on less tangible processes of social reproduction that have ensured the survival of stories and beliefs, including those relating to the possible ill consequences of extractive use. In the recent past, two forms of tenure have characterized these areas: a form of clan inheritance, and ownership by a king. However, this is *de facto* tenure – it is difficult to determine what the formal tenure of specific sites was under Belgian rule but it is quite possible that these have been *de jure* state lands since at least the 1950s.

The main threats to the survival of CCAs in Rwanda are firstly the difficulties of maintaining community cohesion – especially social norms – in the aftermath of massive upheaval and resettlement and secondly, the formal takeover of community natural resource management responsibilities by central government agencies.

Cameroon

The 1994 forestry law has set up the principle for the establishment of community forests by village communities in Cameroon. The management of a community forest is the responsibility of the village community, with the help or technical assistance of the Forestry Administration. A community forest may be demarcated only on land over which a village community has customary rights. A village community that wishes to establish a community forest must be organized as a “legal entity”; i.e. it must be represented by a group of individuals acting with the legal status of an “association,” “Common Initiative Group” or “cooperative”. The legal entity is then known as the “manager” of the community forest, with the legitimate mandate to represent the rights of village communities over both the biophysical resource and its resultant financial benefits.

However, as reported by Oyono et al. (2006), the establishment of these community-level committees has in some cases, resulted in a “transfer of powers within a transfer of powers”. Village communities entrusted their power to management entities or local management committees, in accordance with the prevailing regulations. However, in many cases, the exercise of this power and the attributes of local governance by members of the newly-created committees led to the emergence of a dominant “forestry elite” in search of social mobility—an elite cut off from the communities they represent, fashioned by codes of conduct and modes of social representation nurtured by individual interests, and protected from any downward accountability or sanctions. Such tendencies towards “elite capture” in community based forest management are not unique to Cameroon, however, and similar studies elsewhere, such as in Tanzania, have pointed to similar shortcomings. (Meshack et al., 2006, Blomley et al, 2007)

Unfortunately, the conservation effectiveness of Community Forests as compared to traditional state management regimes is unknown, so it is not possible to state conclusively the impact of the introduction of this new legislation on the resource base. However, anecdotal evidence exists that in a number of cases, communities have been better able to combat illegal and unregulated timber harvesting following the introduction of Community Forest status and that increasingly these areas are being placed under sustainable harvesting regimes.

Conclusions

In Tanzania, where CCAs appear to be most widespread and have been largely supported by prevailing legislation (particularly with regard to forest ecosystems), evidence appears to be mounting that forests under community management are showing signs of effective management, reduced disturbance and improved condition. This includes both *de facto* CCAs, such as traditional and sacred forests as well as *de jure* CCAs, reinforced by formalisation and legal recognition. In Kenya, where the legal and policy environment is more complex and contested, experiences are mixed. Traditional grazing areas on rangelands in northern Kenya, where supported by additional incentives generated through partnerships with private tourist interests would suggest that recovery and conservation is being effective. In Cameroon, early signs are that the Community Forests initiative is leading to improved management, but disputes over the definition of community institutions as well as concerns over elite capture would suggest that once again, local governance processes are critical.

Traditional and customary institutions appear to have been widespread across all the countries studied in the past, but are being progressively eroded away by external pressures such as land privatisation in Kenya, or the establishment and increasing legitimacy of local governmental institutions such as Village Councils and Assemblies in Tanzania. However, as one moves further away from administrative centres, into more remote parts of the country, in areas where CCAs are often found, it would appear that

these external pressures are reduced, and traditional / customary institutions may have a stronger voice. However, the question remains as to how to equip these traditional institutions with greater legal rights with regard to defending and managing their natural resources. This study revealed few if any examples of where contemporary legislative changes in land and natural resource laws have explicitly recognised the existence and legitimacy of traditional institutions, and then provided mechanisms to strengthen them. The forest laws in Tanzania have based institutional management responsibilities on the Village Natural Resource Management Committee – itself a sub-committee of the village government. While this does of course provide unique opportunities in providing linkages to local government services and funds, it does mean that in some cases, traditional knowledge and management practises is lost. The forest laws in Kenya and wildlife laws in Tanzania have arguably gone one step beyond this again, through the creation of new institutions for co-management (Authorised Associations - WMAs in Tanzania and Community Forest Associations – in Kenya), potentially placing traditional, “created” and local government institutions at loggerheads. One possible exception to this rule can again be found in the Tanzanian forestry law which allows for the creation of Community Forest Reserves (CFRs) which shall be managed by a community association – and explicitly recognises traditional or customary management institutions as legal entities.

Effective CCAs thus need to be situated within a broader local institutional framework for collective decision-making and communal land tenure. This ensures that CCAs have a foundation of secure local ownership and democratic decision-making, which are keys to effective collective action. For example, many community forests in Kenya and Rwanda appear to have disappeared because there are few avenues for locals to secure collective rights over local forests. The Loita and Loima forests are effectively relics that have survived on trust lands where local tenure is statutorily weak, but communities have been able to *de facto* exclude outsiders from appropriating the resources.³ In the Group Ranches, communities are able to secure collective tenure over resources (land if not wildlife), but the relatively large size of these management units may contribute to the widespread problems of corruption and lack of transparency in their management. However, little comparative analysis exists in terms of factors explaining the quality of collective decision-making regimes on Group Ranches. In Rwanda, Busaga and Buhanga Forests (Annex 3), once under the custody of traditional community institutions and managed as CCAs have recently been appropriated by the state and converted into central government forest reserves.

The above findings would suggest, therefore that the effectiveness of CCAs in this review seems most closely linked to two basic factors:

- First, the degree of ownership or tenure that communities may exercise over the resource, in a context where resource claims are subject to wide expropriative or encroachment pressures.
- Second, the transparency and accountability of local governance institutions.

The centrality of lands and resources to rural livelihoods, and the highly contested nature of land and natural resource rights both historically and in the region’s present political environment, are fundamental to an understanding of CCAs in these two nations. In particular, one theme that emerges from this overview is that rural land rights- and in particular, the ability to exercise *collective* rights to land at the local level- are perhaps the

³ However, the tenuous survival of local control over Loita Forest (Kenya) as described in Box 2 is another reminder of the critical nature of securing statutory local tenure for valuable natural resources, irrespective of the strength of traditional institutions and customs.

single most important factor in determining the current status of CCAs, and their future prospects.

This review has not been able to point to any policies or practices that have provided specific targeted support to “indigenous” communities, beyond that provided to rural communities in general. In fact, the term “indigenous” is one that is rarely used in the region and may have negative connotations, giving problematic impressions of traditional or even backward lifestyles. Furthermore, the review established that in Rwanda, where one community (the BaTwa) live a very disadvantaged lifestyle, the government has dismissed any discussion of ethnic minorities or indigenous communities, due to the enormous social and ethnic strife caused by the genocide of 1994. Many of the CCAs presented in this report (some of the Community Forests in Cameroon, rangelands in Kenya and Tanzania, Village Forests of Tanzania) are found in remote areas, with relatively low population pressures, and where people live traditional lifestyles and indigenous knowledge remains largely in tact. Such conditions would tend to favour the establishment and maintenance of CCAs as opposed to more densely populated areas, with heterogenous populations, higher demands on resources and a loss of traditional knowledge and practises.

6. Lessons learned and recommendations for the future

This chapter seeks to summarise some of the main lessons learned about CCAs in the countries studied and based on this to make recommendations regarding how communities may be supported to safeguard existing CCAs and protect those that are facing external threats.

Kenya and Tanzania

CCAs in Kenya and Tanzania reflect the general socio-political environments of these two countries: they are an evolving blend of traditional and more recently formed statutory institutions; they are for the most part components of highly contested landscapes, particularly where valuable lands and resources are concerned; they are subject to manifold pressures with local, national, and global origins.

Nearly all of the CCAs described here in both countries are influenced by the political economic contests among different actors, national and local, to control and access resources. While some CCAs, such as community/village forest reserves in Tanzania, have received substantial government support and benefited from central leadership, other areas, particularly traditionally managed pastoralist rangelands, are subject to very little support and frequent central efforts to control or alienate these areas (Mattee and Shem, 2006). Major institutional and political struggles over community land and resource rights are occurring in both Kenya and Tanzania and are increasingly prominent in national political debates. The attempt by the Kenyan government to de-gazette 65,000 ha of forest in 2000, a move which was widely contested not only by environmental groups but across society, is emblematic of this.

While CCAs almost invariably occur on politically contested ground, a key point that emerges from this review is that the institutional context in terms of local governance institutions and communal land tenure is critical for communities to maintain and defend their resources. This suggests that land tenure reform issues are perhaps more important to the emergence and support of CCAs than, say, the discourse surrounding protected areas and biodiversity conservation. While it is the latter field that is providing support for the formal recognition of CCAs for their conservation and livelihood values, it is the underlying land tenure and local governance institutional frameworks that will determine local natural resource management opportunities in large part. For example, in Kenya the issue of community land tenure is currently a prominent issue not only in the draft land policy but in the constitutional review process; the latter is in turn one of the central issues in the forthcoming general election in December of this year. The outcome of these processes will likely have a far greater impact on the future of CCAs in Kenya than any policies concerned specifically with conservation or biological resources, per se.

It is important to recognize that local governance and land tenure issues are embedded within broader political economic contests over resources, and it is beyond the scope of this report to fully detail the actors, interests, and institutions which underlie this contested ground. Suffice it to say, though, that while CCAs depend on democratic decentralization of natural resources to local institutions, dominant political economic trends in both countries are not supportive of this. Rather, in Kenya and Tanzania, prevalent institutional trends point towards greater privatization or individualization of communal resources and concentration of wealth in the hands of elite affiliated with the political centre. It is a fundamental political challenge for CCAs to endure and spread in this context, and the key resource tenure issues are a basic matter of democratic participation and representation for rural people. In other words, the status of most CCAs is largely a micro-level manifestation of much broader social and political dynamics.

Several practical recommendations for future action emerge from this picture. Firstly at a policy level, supporting and promoting CCAs may most effectively be pursued through national and regional processes related to land tenure reform, local government reform, and natural resource governance. Land policy is currently being revised in Kenya, for example, and this will have a great impact on prospects for CCAs in that country.

Secondly, direct support to CCAs in the region from outside actors and interests should be made through collaboration with local networks involved in policy advocacy and community based natural resource management on a daily basis. Some of these groups play an increasingly active and influential role in policy issues, as civic organizations in Kenya and Tanzania continue to grow and mature in a gradually more open and fluid political environment. Site-based, ad hoc, or reactive interventions made outside of the context of relationships with these groups are not recommended, and will often do more harm than good.

Thirdly, the study has shown, particularly in Tanzania, that some CCAs, particularly those established in densely populated, highland areas for religious, spiritual or ceremonial purposes are under threat from degradation and in some cases wholesale destruction. CCAs established by Wasukuma or Maasai pastoralists for the purposes of securing dry season grazing reserves are also under threat from external influences and alternative land uses. New opportunities, particularly from recent forestry and land legislation, provides the opportunities for communities or groups to formalise these traditional practises, and thereby provide more robust management strategies with which to protect their CCAs. “Upgrading” CCAs such as “*ngitilis*”, “*mshitus*” and other traditional forests (3.1 and 3.2 of Table 3), to village or community forests requires a minimum investment as management objectives, resource extent and description and protection measures are all known and currently practised.

Rwanda

As discussed in previous chapters, the review identified a limited number of CCAs which have been recently disrupted through their appropriation by the state and inclusion within the forest reserve network. That these CCAs survived at all, during the massive upheaval of the 1990 – 1994 civil war, particularly when other areas managed by government all but disappeared (such as Gishwati forest reserve), is a tribute to CCA managers. The focus of future actions must therefore focus on advocating for the rehabilitation and restoration of CCAs to their original owners, particularly those sites that have not lost the cultural basis that serves to engender considerable local support.

What specific action should be taken? First, it is worth mentioning that any action will need to take the initial step of placing these areas on the agenda. This is a decision that has to be taken with sensitivity to the possible implications – not least that international attention might be the catalyst for more energetic management intervention by government agencies, not necessarily of the desired kind. So, while initially raising the profile of such areas, it will be necessary to undertake a parallel process of developing practical proposals that can be presented to relevant government agencies. Given the fact that the community is already in the process of being alienated from these forests, the risks are perhaps not so high as if the state had not already undertaken moves to appropriate them.

The possible sequence of actions that could be taken are:

1. To raise the profile of CCAs identified in this report, and explore how traditional management has secured the conservation of forest patches despite the high demand for land and the recent break down of law and order
2. To work on the law (see below), by convincing government of need to broaden the base of available conservation governance approaches. At present there is no community forestry, no joint forest management, only centrally protected areas - unlike in Tanzania or many other places. Some early approaches to key staff within government suggests that there is room for optimism and some flexibility may be allowed
3. If and when the above two activities show some signs of progress, carefully select the right partners to take this forward in at least one of the sites mentioned.

Cameroon

Cameroon is at an important crossroads with regard to the decentralisation of forest resources under the Community Forests programme. Since the legal establishment of community management there has been considerable interest both from local communities and external facilitators such as NGOs and development partners in taking the process forward. However, reviews conducted recently have raised concerns regarding the bureaucratic process involved to register CFs, the institutional framework for management in the absence of any legally recognised community management institutions and the degree to which communities are receiving tangible benefits, sufficient to support long term management. More worryingly, in 2004, the government reversed CF status on a number of areas, citing "poor management".

Clearly more work is required to assess under which conditions CFs appear to be working and why some appear to be failing. Are the problems caused by the limited decentralisation offered by the state or are they due to more inter-communal conflicts? Providing communities and the state with more objective, but participatory methods by which forest resources can be assessed and monitored remains a priority.

At the policy level, the constraints identified in this report need to be urgently addressed, namely the lack of legal recognition of communal land tenure, and lack of legally recognised community institutions with the mandate to take on the management of natural resources at the local level. In addition, the full recognition and formalisation of traditional management practises, particularly by forest-dependent communities such as the Baka, in a simple and non-bureaucratic process.

Problems of elite capture discussed earlier in this report can only be addressed through greater participation of forest users in decisions taken by the communities who purport to represent them. Added to this is the need to broaden the awareness among forest users in general regarding their rights and responsibilities with regard to forest management and the role and function of forest management committees.

One of the objectives of this regional study was to lobby for the inclusion of CCAs within the UNEP World Database on Protected Areas. This study has shown that there are many sites across the region and countries studies that could be included within this database, and also that of IUCN. However, for this to happen, it would necessary to visit these sites (many of which are in remote and isolated locations), meet with local resource managers and obtain their consent. It was unfortunately beyond the financial means of this study to be able to achieve this.

Conclusion

In all of the countries studied, there are gaps in policy which need to be filled, if CCAs are to have a strong legislative and legal basis. Tanzania, where the forest policy and law has most strongly emphasised decentralisation of natural resource management, would suggest that CCAs can best be supported when traditional management practises can be formalised and linked directly to emerging local government institutions at the community level. The tension between traditional natural resource management institutions found across all countries and more “modern” local government structures has been highlighted, as increasingly the old gives way to the new. In Rwanda, where CCAs are under greatest threat of being extinguished altogether by a re-centralisation of community managed natural resource a more targeted approach will be needed, to raise awareness among policy makers and implementers regarding the validity of decentralised natural resources management.

Finally, given the wide differences found between the different countries, the need for greater networking, sharing of experiences and mutual learning cannot be under-emphasised. This should include Uganda and also potentially Ethiopia which have much to offer regarding CCA experiences, but unfortunately were not covered in this study.

7. Urgent needs

This chapter identifies any short term, or urgent actions that can be taken or offered to specific communities or groups which will result in a lasting improvement in their condition.

Kenya and Tanzania

Many CCAs require long-term support for local rights to land and resources, including formal recognition of common property rights and collective institutions (see Wily and Mbaya, 2001). Pastoralist lands in Tanzania are generally under threat of encroachment and alienation, although this is highly variable from site to site and most pronounced where proximity to state protected area makes lands more desirable for central agencies or outside investors. The status of areas such as Loita Forest, where communities are yet to formalize ownership of the forest and a lack of collective institutions inhibits secure tenure, will remain tenuous unless this can be resolved.

Recently international controversy has emerged with regards to a tourist hunting concession in the traditional lands of the imperilled *Hadzabe* hunter-gatherers of Tanzania's Yaida Valley (see McCrummen, 2007). While this situation indeed reflects some urgency for the community involved, two key points need to be made about it as international attention and interest grows. First, the controversy is not isolated but merely symptomatic of the broad conflict between Tanzania's centrally controlled hunting concession allocation and village land rights. Second, it is not at all clear to local activists if international pressure will be helpful or harmful in terms of negotiating a solution to the controversy that will favour local interests. This latter question needs careful consideration when developing strategies for support of imperilled CCAs.

Rwanda

As mentioned in the previous chapter, the urgent need is to seek to influence the legislative environment, and in particular the National Forest Law that is at draft stage. This could be done through the application of high quality social science research, backed up with assessments of forest condition and biodiversity in areas that have been managed as CCAs for many years. Partly due to its size, and a relative dearth of social science research, these things can be taken quite seriously if given the right airing – a reason to be careful but also positive in what is committed to the public realm.

Cameroon

The preceding chapter has pointed to the very real need to engage on policy and legal debates, rather than short-term and potentially remedial measures that may have a short term effect.

Conclusion

The study ends with the conclusion that short term interventions addressing urgent actions may not be an appropriate mechanism to address problems which have underlying problems relating to policy and law – and the degree to which the state formally recognises indigenous conservation initiatives. To engage in such an arena in an informed and constructive manner requires a longer time horizon and much be led by a strong consortium of local interests.

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