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COMMUNITY BASED NATURAL RESOURCES MANAGEMENT POLICY

MINISTRY OF ENVIRONMENT, WILDLIFE AND TOURISM

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DEFINITIONS

The following definitions are adopted for the purposes of this Policy:

Community is a group of people bound together by social and economic relations based on shared interests. For the purposes of this Policy, a community may consist of a diverse group of people, living in one or more settlements, with varied socio-economic interests and capabilities sharing an interest in the management and sustainable use of natural resources in their common area.

Community Based Natural Resources Management (CBNRM) is a development approach that incorporates natural resources conservation, the ultimate aim of which is to manage and protect the natural resource base. For the purpose of this Policy, CBNRM includes the management of cultural resources as defined in the National Ecotourism Strategy.

Community Based Organization (CBO) is an entity formed by a community, groups of communities, or groups within communities which are involved in the management of natural resources to represent the community's natural resources management related interests and implement any management decisions taken.

Ecotourism is tourism based on travel to natural environments and aims to support the conservation of the environment and natural resources and to sustain the well being of local people. It refers to the country's cultural as well as natural heritage and places great importance on the active involvement of host communities in all aspects of the industry's management and development.

Natural Resources, unless otherwise defined, refers to non-domesticated biological resources, including wildlife, forest, fish and veld resources, as

well as the habitats they require to remain viable. Land and water are seen as habitats.

Representative and Accountable Legal Entity (RALE) is a legal entity, such as a trust, cooperative, or association established under Botswana laws where all members share responsibilities and benefits and are entitled to fair participation and representation. The legal entity is also deemed to be accountable for its actions in law.

Technical Advisory Committee (TAC) is a district advisory committee charged with the responsibility to oversee the implementation of CBNRM.

User Rights are rights to use or access natural resources, not rights of ownership thereof.

Veld Resources are all resources relating to or produced from, or originating from any portion of wild plants or animals found in open grassland, or sparsely wooded areas classified as 'veld' – principally represented by wild forbs, herbs and grasses. Veld products typically include wild foods, medicines, wood, leaves, roots, seeds, bark, craft materials, tannins, gums, resins, dyes, essential oils, florist materials, ornamental plants, insects, horns, hides, skins, and many others.

1. INTRODUCTION

- 1.1 Rural livelihoods in Botswana are today less dependent on arable and livestock-based agriculture than in the past. The Revised National Policy for Rural Development (2002) estimates that 47% of all households cannot meet their basic needs. Diversification of the rural economy is regarded as a major challenge and opportunity to fight poverty and sustain livelihoods. Botswana is endowed with valuable natural resources, which offer a unique opportunity for diversification of the rural economy.
- 1.2 The Community Based Natural Resources Management (CBNRM) concept is founded on the premise that all members of a community share an interest in improving their livelihoods through sustainable management and utilisation of natural resources in their environs. It is also based on the understanding that all natural resources have an intrinsic value that can be realised for the benefit of society.
- 1.3 People who live closest to natural resources generally absorb the greatest costs associated with their conservation. Given proper awareness and incentives, they are most likely to successfully benefit from and conserve such natural resources within their environs. For communities to actively engage in natural resources conservation, the benefits from such resources must exceed the costs of conservation.
- 1.4 CBNRM aims to achieve this by offering eligible communities opportunities to earn tangible benefits from sustainable natural resources management.
- 1.4 The adoption of CBNRM across the country is taking place without the guidance of a formal policy. As a result the dynamics of power relationships and personal interests in some communities has jeopardised the welfare of the wider community. Inappropriate financial management practises have prejudiced the well being of

some communities. Although, numerous private enterprises and Community Based Organisations (CBO) have established mutually beneficial partnerships, in most cases the private sector partner purchases a community's wildlife quota without actively involving the community in the management of the business.

1.5 The CBNRM Policy is intended to guide and facilitate the strengthening of, and support to, existing and future CBNRM activities. The Policy is needed to safeguard the interest of communities in natural resources management and to attract investment in natural resources based enterprises. CBO management practices require regulation for more equitable community benefit sharing. The Policy pursues community – private sector partnerships in which communities assume responsibility for business cooperation and adequately manage such partnerships for the benefit of all community members.

1.6 This policy will:

1.6.1 Provide guidance on CBNRM implementation on communal and state-owned land, except within such specifically excluded areas as officially gazetted protected areas, Forest Reserves, National Parks and Game Reserves;

1.6.2 Give communities incentives to engage in conservation activities leading to sustainable development and poverty reduction;

1.6.3 Establish an institutional, regulatory and participatory framework for the implementation of CBNRM; and

1.6.4 Promote and ensure a responsible, accountable and transparent decision making process in CBNRM.

2. BACKGROUND

- 2.1 CBNRM originates from the nation-wide land use planning exercise, which commenced with the implementation of the Tribal Grazing Land Policy (TGLP) in the mid-seventies. The land-use plans had the so-called 'reserved' areas set aside for wildlife migration and buffer zones. These areas became Wildlife Management Areas (WMA) after the adoption of the Wildlife Conservation Policy (1986). WMAs on tribal and state-owned land constitute 22% of the total land area. Wildlife and natural resource utilisation became the most appropriate land use option for these areas as the land was unsuitable for arable agriculture. The land area is furthermore divided into Controlled Hunting Areas (CHA), which are zoned for various types of wildlife utilisation, including consumptive and non-consumptive uses under commercial or community management.
- 2.2 Various government policies promoted the notion that local communities should benefit from wildlife, other natural resources and tourism. By the late-eighties the Department of Wildlife and National Parks (DWNP) embarked on a Natural Resources Management Project to pursue improved conservation of natural resources whereby economic benefits were regarded as a means of achieving conservation.
- 2.3 The Revised National Policy for Rural Development (2002) undertakes to "*promote natural resources utilisation (wildlife and veldt products) to generate income and improve livelihoods of remote communities*" (page 24) and recommends that "*the integrated CBNRM approach should be further pursued, and modified based on lessons learnt...*" and that "*common property management for veldt products should be established by encouraging CBNRM ...*" (page 30). CBNRM is part of six (6) 'sustaining livelihoods' programmes in the National Strategy for Poverty Reduction of 2003 (Presidential Directive Cab 14/2003) the

purpose of which is “ ... to enhance income earning opportunities for the poor and to provide economically sustainable employment opportunities” (page 15). The objectives of the CBNRM programme are “to increase the benefits to be gained by communities participating in the CBNRM programme” and “to strengthen and diversify the resource base on which CBNRM activities are based ... ” (page 20). Vision 2016 in its environment section states that “communities will be involved in the use and preservation of their environmental assets, and will benefit directly from them” and that “the wildlife of Botswana will be managed for the sustainable benefit of the local communities” (page 6).

2.4 With time and experience, CBNRM was adopted as a development approach which had the potential to bring about improved livelihoods through income and employment generation activities. The approach embraces democracy and good governance as it involves devolution of authority and the development of accountable and representative decision-making institutions at community level. The approach does not however transfer the ownership of natural resources to any particular community or individual.

2.5 To date some communities earn significant benefits from wildlife, fish, forest, veld products and tourism as a result of CBNRM. Community capacity, participation and interest in natural resource management have been enhanced with the establishment of CBOs and related leasing, tendering and subleasing of Controlled Hunting Areas (CHA). Participating communities develop their own strategies for resource utilization and earn benefits from conservation. They enjoy employment, education and training opportunities associated with CBNRM as well as access to larger markets for local products. Improved levels of production, quality control, and service delivery, marketing and pricing, however, still need to be addressed if communities are to obtain optimal benefits from their CBNRM activities.

3. OBJECTIVES OF THE POLICY

3.1 The overall goal of the CBNRM Policy is to create a foundation for conservation-based development, in which the need to protect biodiversity and ecosystems is balanced with the need to improve rural livelihoods and reduce poverty. This will be achieved by providing communities with diversified livelihood and economic options, opportunities and incentives and by managing and using the country's natural resources in a sustainable manner.

3.2 The objectives of the CBNRM Policy are to:

- 3.2.1 Specify land tenure and natural resources user rights, which may be devolved to communities;
- 3.2.2 Establish a framework that provides incentives for communities to manage natural resources in a sustainable manner;
- 3.2.3 Create opportunities for community participation in natural resources management;
- 3.2.4 Promote conservation and CBNRM strategies that are based on sound scientific principles and practices;
- 3.2.5 Enhance the relationship between protected areas' management and CBNRM;
- 3.2.6 Protect the intellectual property rights of communities with regard to natural resources and the management of such natural resources;
- 3.2.7 Encourage communities to participate meaningfully in the monitoring of CBNRM;
- 3.2.8 Facilitate capacity building within communities to engage in natural resources-based tourism;
- 3.2.9 Establish an institutional support framework for the implementation of CBNRM; and

3.2.10 Promote communication, education and public awareness on CBNRM.

4. STRATEGY

- 4.1 The Ministry of Environment, Wildlife and Tourism (MEWT) shall be the government agency responsible for coordinating and overseeing the implementation of this Policy. MEWT shall also ensure that this Policy shall be regularly reviewed, adapted and modified as necessary to meet the emerging socio-economic challenges and the needs of all CBNRM stakeholders in the country.
- 4.2 The use, interpretation or application of this Policy shall take cognisance of the goals, objectives and intentions of any related policies, strategies and pieces of legislation and recognise any CBNRM-related international treaties or conventions Botswana has acceded to or ratified.
- 4.3 Guidelines will be prepared to support the implementation of this Policy. Such guidelines will be developed in a consultative manner using broad stakeholder participation and shall be reviewed regularly.
- 4.4 Where land tenure and natural resources user rights are unclear, these will be clarified and devolved to enable communities to optimise their environmental and livelihood options. Rights to control access and enforce exclusion will be considered where this is in the interest of particular communities' livelihoods. Community Natural Resource Management leases will be, where necessary, adjusted to comply with the requirements of this Policy.
- 4.5 Where the allocation of user rights has the potential to create a conflict of interest between users, mediation shall be sought as

indicated elsewhere in this Policy, or through the associated guidelines that relate to this Policy.

- 4.6 CBNRM practices will be guided by existing natural resources management policies and legislation.

5. LAND TENURE AND NATURAL RESOURCES USER RIGHTS

- 5.1 The following land tenure and natural resource user rights shall apply in the implementation of this policy:

5.1.1 Communities may obtain a 15-year Community Natural Resource Management Lease from the relevant Land Authority for the commercial use of natural resources. This 'Head Lease' is subject to an approved Land Use and Management Plan for the area specified in the lease, an annual land rental payable to the Land Authority, and a resource utilisation royalty payable to the Ministry of Environment, Wildlife and Tourism.

5.1.2 Communities may receive benefits from the use of natural resources in the area specified in the lease. Communities may sublease or otherwise transfer any commercial natural resource user rights to one or more joint venture partners with prior written permission of the Land Authority. The duration and details of such arrangements shall comply with the specifications in the Community Natural Resource Management Lease and the Land Use and Management Plan for the area. Where financial benefits are derived from the sale of natural resource concessions or hunting quotas related to particular communities, a portion of such financial benefits shall be paid into a National Environmental Fund held by the Ministry of Environment, Wildlife and Tourism.

- 5.1.3 Qualifying communities shall be eligible for natural resources user rights and the benefits derived from such resources within their defined and designated areas. To enjoy such natural resources use rights, a community must:
- 5.1.3.1 Establish a Community Based Organisation as a Representative and Accountable Legal Entity (RALE), whose performance the community will regularly evaluate, and whose accountability will be defined within the existing laws of the land; and
 - 5.1.3.2 Comply with requirements to develop and implement various plans and strategies intended to ensure the appropriate and sustainable use of land and natural resources.
- 5.2 The purpose of the Representative and Accountable Legal Entity will be to manage the natural resources base within the defined geographic area, manage the use and beneficiation of any natural resources, manage the benefits derived from any use, and to manage the CBO and its assets all for the common good of the community. The CBO shall be responsive to the needs of its members, act in the best interest of all members, inform members regarding all decisions and operate in a transparent and democratic manner and in the best interest of natural resource conservation and management.
- 5.3 When allocating exclusive natural resource user rights, the needs of subsistence users residing in the defined geographic area must be recognised and provided for within ecological limits. Such allocations should be carefully monitored to determine the limits of subsistence use and those of commercial exploitation. Where commercial exploitation is identified, official quota setting practices shall apply.

5.4 Government, as custodian of the land and its resources, shall retain the ultimate authority to protect natural resources, species and habitats and will continue to monitor and regulate their use to ensure their survival and proper management, all above rights notwithstanding.

6. COMMUNITY MANAGEMENT OF NATURAL RESOURCES

6.1 All natural resources shall be recognised as having intrinsic value and worth economically, environmentally and socially. Appropriate measures will be taken to identify such value to assist communities in making informed decisions regarding various use and beneficiation options, including 'non-use'. Where possible incentives for the sustainable use of natural resources will be identified and attempts made to promote such use.

6.2 CBNRM shall embrace globally accepted scientific principles and 'best practices' of natural resources management and development. This requires the integration of modern scientific understanding with Indigenous Knowledge and Management Systems (IKMS). The efforts of communities to optimise benefits from traditional knowledge in practical uses of natural resources, including medicinal properties and ethno botany, shall be supported. Communities will be encouraged to develop *in situ* capacity to support the management of ecosystems within their area.

6.3 Government will, in consultation with communities and other stakeholders, identify areas or populations of potentially unsustainable natural resource use and work with those communities to implement measures to control and protect such resources as may be appropriate. Government will furthermore pro-actively assist and support communities to develop and improve their capacity to effectively manage natural resources in their areas.

6.4 Communities and their CBOs shall actively participate in the monitoring of the natural resources, habitats and related ecosystems, as well as collect socio-economic data to support sound CBNRM practices. Government will set resource harvesting quotas. Such quotas will be subject to scientific verification in order to conform to sustainable use practices. Where resource monitoring indicates that the management and use of any natural resources may be unsustainable, Government will take appropriate action. Similarly, where monitoring indicates that certain CBNRM activities may result in unacceptable socio-economic consequences, appropriate action will be taken.

6.5 Natural resources gain value through use, beneficiation and commercialisation. Government will assist communities to realise the optimal potential from the use of natural resources. Extension services will work together with communities in accessing skills and expertise in research and development, production of natural resources based products, provision of services and marketing.

6.6 CBNRM provides an opportunity for protected area management objectives to be reconciled with those of neighbouring communities. Government will promote involvement of communities in the management of protected areas. The socio-economic needs of neighbouring communities will be identified and reconciled with the management objectives of the adjacent protected areas. Where feasible, communities may be allowed to use specified natural resources and perform certain cultural practices in protected areas.

7. COMMUNITY BASED TOURISM

7.1 Natural resources, and in particular wildlife and their habitats, are the foundation of Botswana's tourism industry. Community

involvement in the management of the country's natural resources is thus important for the long-term sustainability of the tourism sector but also offers the opportunity for communities to become actively involved in tourism enterprises.

7.2 Government encourages communities and their CBOs to take cognisance of the relevant government policies, technical and financial support and actively pursue sustainable tourism development opportunities which are based on the aesthetic and economic value of the natural resources, within the ambit of CBNRM. The formation of an organisation which will coordinate and represent the interests of communities and CBOs engaged in tourism activities should be considered.

7.3 Government will continue to provide the necessary physical and institutional infrastructure as well as marketing and other support services to assist the development of the tourism industry. Community interests in economic enterprises will be protected from harmful exploitation, especially in the case of joint ventures.

7.4 The involvement of the private sector in tourism concessions must continue but local communities will be encouraged to buy shares in such ventures.

8. RESEARCH, EDUCATION AND PUBLIC AWARENESS

8.1 The use of 'adaptive management' or 'action research' approaches to CBNRM shall be encouraged to foster a spirit of active learning and adaptation to changing situations and circumstances within communities.

8.2 Information from the research and monitoring of CBNRM processes, especially data that may be used to enhance the understanding of

social or natural processes, shall be made freely available and shared amongst CBNRM stakeholders. Access to CBNRM-related information will be promoted in order to enable communities to make informed management decisions. Government will designate an institution, which will function as a clearing-house mechanism for all data and information on CBNRM.

8.3 The connection between benefits received from sustainable use of natural resources and sound conservation practices shall be acknowledged and understood by communities. Education programmes and awareness campaigns shall be developed and conducted to allow rural communities to be able to gain a better understanding of CBNRM processes and principles. Such programmes should promote the transfer of local, traditional and indigenous knowledge and skills at community level.

8.4 Environmental education and education for sustainable development shall be promoted and supported in all educational establishments as a means of ensuring that Botswana become aware of the need for sustainable resource utilisation and environmental management which enhances peoples' livelihoods.

9. INSTITUTIONAL FRAMEWORK

9.1 Regulatory structures should recognize the importance of community management, create a framework to protect a community's ability to realize benefits from natural resources, and ensure the equitable distribution of those benefits.

9.2 Government will provide regulations and management support to communities for the implementation of CBNRM. At national level, the Department of Wildlife and National Parks (DWNP), the Department of Tourism (DoT) and the Department of Forestry and Range Resources

(DFRR) will provide such regulations and support whilst at district level, this will be provided by the Technical Advisory Committee (TAC). Relevant district authorities will work with communities to promote the initiation and implementation of CBNRM projects.

9.3 All tendering procedures for the awarding of natural resource use concessions will be overseen by the TAC who will provide technical appraisals and analyses of the tender bids submitted. The community in whose CHA a concession is offered will be consulted to provide an input on their choice of preferred joint venture partner. The decision to award the tender to a particular joint venture partner will however rest with the TAC. The tender award decision will be subject to written approval by the Land Authority.

9.4 Non-governmental organisations (NGOs) are key partners in supporting CBNRM processes, especially in terms of developing capacities within communities, providing guidance and accessing funds to promote community aspirations. Institutional capacities of NGOs will be strengthened to meet specific needs of communities.

9.5 CBNRM forums, associations, agreements and covenants to facilitate consultations between stakeholders, coordinate activities, share information and contribute to the resolution of conflicts within communities will be encouraged. Such mechanisms should clearly outline the roles and responsibilities of various stakeholder groups. In this regard, the existence of a strong and sound CBNRM organisation as a formally constituted legal entity or association representing the interests of natural resources users or producer groups in the country is necessary. Such an organisation should be a formally elected representative body that coordinates and promotes the activities and aspirations of its members.

9.6 Government will develop appropriate conflict resolution mechanisms to support CBNRM stakeholders in achieving their aspirations.

10. ADMINISTRATION AND MANAGEMENT

10.1 Communities and their CBOs shall be required to develop and implement appropriate administrative and financial management systems and procedures to safeguard the benefits, finances and assets derived from the use of natural resources. This requirement shall be included in the constitution of the RALE. Government reserves the right to intervene in accordance with existing legislation and policies to protect the interests of the larger community and the nation where communities or CBOs are found to be involved in illegal or improper activities in the management and use of such benefits, finances and assets.

10.2 A National Environmental Fund will be created to which funds derived from the sale of natural resource concessions and hunting quotas shall be deposited. The Fund will be managed by a Committee appointed by the Minister of Environment Wildlife and Tourism. The Department of Environmental Affairs will provide a Secretariat for the Fund.

10.3 Thirty-five percent (35%) of the proceeds of the sale of natural resource concessions and hunting quotas may be retained by the CBO. Sixty-five percent (65%) shall be deposited in the Fund for the financing of community based environmental management and eco-tourism projects throughout the country. The Minister may however, vary these percentages depending on the circumstances and needs of a particular CBO.

10.4 Communities shall ensure that all decisions regarding the use of proceeds or benefits derived from the use of natural resources shall be

sanctioned by all members of the CBO or community. Communities shall provide regular monitoring reports on the benefits derived from the management and sustainable use of natural resources and the use thereof to the Fund Secretariat.