

Access and Benefit-sharing

Please provide to following details on the origin of this report

Contracting Party	United republic of Tanzania
National Focal Point	
Full name of the institution:	Vice President's Office, Division of Environment
Name and title of contact officer:	Rawson P. Yonazi, Assistant Director of Environment
Mailing address:	P.O. Box 5380 Dar es salaam
Telephone:	+255 22 2113983/2118416
Fax:	+255 22 2125297
E-mail:	info@vpodoe.go.tz or sotchair@africaonline.co.tz
Contact officer for national report (if different)	
Name and title of contact officer:	
Mailing address:	
Telephone:	
Fax:	
E-mail:	
Submission	
Signature of officer responsible for submitting national report:	
Date of submission:	

Please provide summary information on the process by which this report has been prepared, including information on the types of stakeholders who have been actively involved in its preparation and on material which was used as a basis for the report

This report has been prepared by the national team members who were selected from various sectors and institutions. The member were:-

1. Mr. R. P. Yonazi, Assistant Director of Environment- Vice President's Office,
2. Mr. G.R. Kafumu, Environmental Officer, Vice President's Office,
3. Mr. K. F. Manyika, Environmental Officer, Vice President's Office
4. Mr Ottaru, Wildlife Officer, Ministry of Natural Resources and Tourism,
5. Mr. Ali Juma Hamad, Assistant Director of Environment, Ministry of Agriculture, Natural Resources, Environment and Cooperatives, Zanzibar,
6. Prof. Salome Misana, University of Dare s Salaam.

The team undertook consultation with a wide range of stakeholders including government ministries, private sectors, civil societies, NGOs and CBOs and academic institutions. Before submission of the report to the secretariat, a national stakeholders' workshop was held to discuss it and all comments from the workshop were incorporated in the report. The type of the stakeholders consulted include;

- academic and research institutions
- government ministries and institutions
- non government organisations (NGOs)
- private sectors
- youth organisations
- politicians
- relevant indigenous group
- Civil societies.

The type of materials used in the preparation of the report include:-

- the convention, CBD,
- COP Decisions
- 1st national CBD report
- national policies, legislations, strategies and plans, programme and projects
- workshop reports
- National country studies on biodiversity
- Case studies and workshop reports/proceeding.

I. Please provide the views of your country on the following issues:

Intellectual property and traditional knowledge related to genetic resources

(a) How to define relevant terms including subject matter of traditional knowledge and scope of existing rights;

Definitions:-

- (i) Intellectual property could be defined as protected inventions and works under the copyright protection that can be used only with the consent of the owner of the right, such as an inventor or author.
- (ii) Traditional knowledge is that which comprises of clearly ancient, original and distinctive customs and routines.

Scope of existing rights:-

- Collective knowledge of a society on plant and animal.
- Plant and animal breeders' rights not related to farmers/peasants.
- Confined to a group of people, rural and at most peri-urban.

(b) Whether existing intellectual property rights regimes can be used to protect traditional knowledge;

Existing IPR regimes can not be used to protect traditional knowledge

(c) Options for the development of sui generis protection of traditional knowledge rights.

The sui generis protection is considered as a possibility but has not yet been pursued.

(d) The relationship between customary laws governing custodianship, use and transmission of traditional knowledge, on the one hand, and the formal intellectual property system, on the other;

Customary norms governing traditional knowledge are not recognised by the formal intellectual property rights regime (IPR). As such there is much confidentiality/secretcy in the custodianship/ use and transmission of traditional knowledge

(e) Means by which holders of traditional knowledge, including indigenous peoples, may test means of protection of traditional knowledge based on existing intellectual property rights, sui generis possibilities, and customary laws;

Means of protection has not yet being implemented/tried, but there is a possibility of doing so in the future. The means include possibility of using sui generis system and customary laws that will enhance custodianship, use and transmission of traditional knowledge

(f) How to ensure that granting intellectual property rights does not preclude continued customary use of genetic resources and related knowledge;

By putting in place a piece of legislation that will protect customary use of genetic resources and related traditional knowledge

Intellectual property rights and access and benefit-sharing agreements

(g) Ways to regulate the use of resources in order to take into account ethical concerns;

The ways include putting in place legislation that will protect customary use of genetic resources and related traditional knowledge and ethical concerns

(h) Ways to ensure the continued customary use of genetic resources and related knowledge;

The ways to ensure the continued customary use of genetic resources and related knowledge are :-

- incorporation of benefit sharing/incentives in the agreements,*
- initiation and promotion of traditional protected area management.*

(i) How to make provision for the exploitation and use of intellectual property rights to include joint research, obligation to work any right on inventions obtained or provide licenses;

By using Memorandum of Understanding (MoU) and similar agreements

(j) How to take into account the possibility of joint ownership of intellectual property rights.

By using Memorandum of Understanding (MoU) and similar agreements.

H: THE CASE STUDIES

Indicative Outline for Case-studies on Benefit-Sharing Arrangements

To the extent possible case-studies should be short, succinct summaries of experiences of 15-20 pages (5 to 10 000 words). A case-study should focus on the planned/actual benefit-sharing arrangements and their outcomes, the reasons for the outcome and the lessons learned. Footnotes are welcome, if they provide useful sources for further information.

Case-studies should follow, to the extent possible, the proposed structure outlined below. However, as there will be structural differences between those case-studies related to policy and law and those describing concrete activities, such as the bio-prospecting arrangements with local or indigenous communities or the specific management of a protected area for those arrangements, not all sections of the questionnaire will be applicable to every case-study. The outline is therefore meant to be an indicative one. If an author of a case-study feels it is useful to include facts or conclusions not covered by the outline, the outline may be adjusted accordingly.

I: CASE STUDY ON BENEFIT SHARING ARRANGEMENTS IN WILDLIFE MANAGEMENT AREAS IN TANZANIA

1. Overview

(a) The Tanzania Wildlife Policy that was developed through participatory approach and approved by the government in 1998 advocated the participation of local communities not only in the conservation of Wildlife resources, but also in the sharing of benefits accrued therefrom.

With regard to benefit-sharing the policy adopts relative distribution of revenue and benefits to stakeholders, which considers their relevant roles in different categories of land, the effort invested in conservation of the resource, and the institutional and management costs.

The benefit sharing approach will be carried out through establishing a category of protected area known as Wildlife Management Area (WMA).

The main stakeholder who will be involved in the distribution of revenue and benefits among the stakeholders in the WMAs include:-

- Local communities
- District councils
- Wildlife Authorities
- Private Sector (Investor)
- Non-Government Organisations(NGOs)/Community Based Organisation (CBOs)

(b) Given that Tanzania has a rich and diverse spectrum of fauna and flora, including a wide variety of endemic species, important populations of species and habitats that are threatened, little effort has been made to date to involve local communities in conservation as well as benefit sharing of the revenues generated from these natural resources. The WMA

approach will ensure the local communities benefit substantially from the natural resources.

(c) As stipulated in the policy as well as in the legislation in regard to the various stakeholders who will be involved in the benefit sharing arrangement, the primary beneficiaries of WMAs will be the local communities while the secondary beneficiaries will be the central government and the District councils.

(d) Some few WMAs countrywide have been identified for piloting WMA approach for at least three years starting from year 2003. Thereafter the evaluation will judge whether to extend it to other areas or find ways to revise the approach.

(e) The WMAs approach conforms to Articles 8 and 11 of the Convention on Conservation of Biological Diversity (CBD).

2.0 DESCRIPTION OF THE CONTEXT

(a) The wildlife of Tanzania is a unique natural heritage and resource that is of great importance both nationally and globally. Its importance lies both in the biological value of the species and habitats found in Tanzania, the economic value of the resources and its potential contribution to the sustainable development of Tanzania.

Beside the diversity and high degree of endemism, Tanzania possesses important populations of species that are threatened, but wide spread across Africa. These include the endangered Wild dog (Lycaon pictus), black rhinoceros (Diceros bicornis) and slender snorted crocodile (Crocodylus cataphractus) and the vulnerable chimpanzee (Pan troglodytes), cheetah (Acinonyx jubalus) and African elephant, (Loxodonta africana).

Furthermore, Tanzania also has large populations of wildbeest, (Connochaetes taurinus) giraffe (Giraffa camelopardalis) Cape buffalo (Syncerus caffer) and many species of antelope which are similarly important in a continental context.

(b) In terms of its habitats, the country possesses various grassland and open wood lands that support some of these greatest concentrations of large mammals in the world. Other habitats include wetland, a biologically diverse range of forests, unique montane grasslands and the miombo woodland.

The rapid human population growth that results into increased rate of unsustainable consumption of resources and changes in land uses, is the underlying cause for habitat loss. The impacts of habitat loss is a high rate of land degradation, decline in wildlife populations and extinction for some mammal species.

(c) Despite this endowment and its economic potentials to the nation and the local communities, the wildlife sector has not been able to develop to its full potential due to various constraints, which include inadequate wildlife use rights especially to the local communities.

The new approach of establishing WMAs will address problems facing the wildlife sector.

For the effective management of wildlife resources under approach, it is proposed that the villages intending to establish a WMA, will first form a community based organisation (CBO) in accordance with the country's existing laws as summarized below:-

- Societies Ordinance, CAP 33
- Trustee's Incorporation Ordinance CAP 375
- Cooperative Societies Act No. 14 of 1982
- Registration of Documents Ordinance CAP 117

The CBO will be an agent of the local communities and will be entrusted to manage wildlife resources on village land. Its members will be individuals who are also members of the village Assembly (ies) of the village(s) forming a WMA. The CBO structure will consist of a council, which will be formed by three)3) members from the village assemblies of each participating villages. The council will be responsible for employing the village game scouts, manage WMA and gives feedback to villages on decisions made by the councils. The CBO will also consist of a central committee of 10 members elected from the CBO council. Finally there will be a Board which will be an overall organ of the CBO. The Board will have a mandate to enter into agreements with investors. While the wildlife authorities will be responsible in facilitating and supporting the initiation of the establishment of a WMA, the District council will provide technical advice to the CBO. The NGOs will be responsible in sensitisation of communities and provision of legal and technical advice.

(d) The benefit-sharing in the WMAs will be guided by the national natural resources and land policies as well as their legislation. Where appropriate, by-laws can also be put in place to enhance smooth operations in WMAs.

3. PURPOSE/OBJECTIVE OF THE BENEFIT SHARING ARRANGEMENTS

(a) The primary objective for the communities to participate in the benefit sharing arrangements in a WMA include that of monetary value, as well as employment. The local communities are expecting to benefit from the revenues generated from the following activities;

- Tourist and resident hunting,
- Photographic and walking safaris,
- Game viewing,
- Sport fishing,
- Beekeeping and forestry products, and
- Bird watching.

All these economic activities to be carried in a WMA will be in to accordance the General management plans to be developed.

The local communities will further benefit from getting bush meat and medicinal plants from a WMAs.

Again the interactions of different actors in the benefit-sharing arrangement in a WMAs will access knowledge, experiences and skills, to local communities and others considering that the actors participating bear certain levels of information that can manage natural resources as well as the aspect of benefit-sharing.

(b) The benefit-sharing for the local communities in a WMA as stipulated in the vision of the wildlife sector, conforms with the Nations Development Vision 2025 on environmental sustainability and socio-economic transformation. The vision of the wildlife sector is **"to promote the conservation of biological diversity, administer regulate and develop wildlife resources, involve all stakeholders in the conservation of wildlife and sustainable utilisation, as well as in fair and equitable sharing of benefits, promote sustainable utilization of wildlife resources, raise the contribution of the wildlife sector in the country's Gross Domestic Product (GDP) from 2% to 5% in the next 20 years, and contribute to poverty alleviation and improvement of the quality of life of the people of Tanzania"**.

(c) The WMA approach conforms with articles 8, 10, 11, 13, 15 and 17 of the convention on Biological Diversity (CBD).

4. PROCESS FOR ESTABLISHING THE BENEFIT SHARING ARRANGEMENT

a) Studies carried out by experts on this subject proposed a mechanism for benefit, revenue and cost-sharing system in a WMA to involve local communities, central government and district councils. The study proposed a revenue sharing arrangement (table 1) among the main stakeholders. However, still there is room for negotiations regarding the benefits/revenues among the stakeholders.

The following is the table showing the revenue sharing arrangements proposed by the study carried out:-

OPPORTUNITIES	LOCAL COMMUNITIES	CENTRAL GOVERNMENT	DISTRICT COUNCILS
- Tourist Hunting:-			
• Hunting block fees	100%	0%	0%
• Conservation fees	100%	0%	0%
• Game fees	60%	30%	10%
- Resident Hunting			
• Game fees	100%	0%	0%
- Tourism	70%	20%	10%
- Beekeeping	70%	20%	10%

Table 1: Proposed Revenue Sharing Arrangement in the WMAs

(b) as it has been stated, the negotiations regarding the benefits-sharing in a WMAs will be guided by the natural resources and land policies and legislation and other laws regarding socio-economic ventures.

(c) In the initial years of WMA establishment, local communities will require expertise in resource management and entrepreneurship. The expertise could be in form of providing knowledge and hired services. Services to be provided by NGOs and or private institutions will be paid for. This will be difficult because initially CBOs will have financial constraints to meet such costs. Wildlife authorities may be the only reliable and accessible source of service needed by the local communities.

Since there will be several stakeholders and prospective service providers that would like to assist local communities, criteria for selection and hiring of the services and mechanisms to monitor their performance must be in place in order to ensure quality services delivery and compliance with the Wildlife Policy and other national policies.

5. CONTENT AND IMPLEMENTATION OF THE BENEFIT - SHARING ARRANGEMENT

(a) Most of the wildlife management area responsibilities will fall under the jurisdiction of the institution entrusted to manage the WMA. Cited hereunder are examples of the responsibilities of key institutions that will interact in a WMA.

(i) Responsibilities of the CBO

- o Acquire WMA status of the village land set aside for wildlife conservation
- o Manage WMA in accordance with existing General Management Plans (GMP) and laws.
- o Negotiate and enter into contractual arrangement regarding the utilisation of resources in a WMA.
- o Ensure equitable sharing of benefits.
- o Report to the village Assembly.
- o Co-opt technical experts as required
- o Liase with other institutions for information and technological exchange.
- o Undertake resource monitoring
- o Participate in developing by laws.

(ii) Responsibilities of District councils:

- o Facilitate applications to form a CBO and to establish a WMA.
- o Approve natural resources by-laws.
- o Approve Land use plans
- o Implement and monitor adherence to the wildlife policy with and outside WMA
- o Endorse investments in the WMA.

(iii) Responsibilities of Non-government organisations (NGO).

- o Sensitise communities.
- o Facilitate the local communities to prepare land use plans.
- o Provide legal and technical advice to CBO.
- o Undertake capacity building activities.
- o Collaborate with wildlife authorities in resource monitoring.
- o Facilitate local communities to prepare land use plans.

(iv) Responsibilities of the Private Sector.

- o Enter into joint venture agreements on resource utilisation and
- o Investment in the WMA with CBO.
- o Market and promote the WMA resources
- o Assist in protection of natural resources
- o Ensure payment of CBO and government dues promptly and correctly.

(v) Responsibilities of wildlife authorities

- o Facilitate the establishment of WMAs.
- o Declare an areas as a WMA.
- o Facilitate the gazettelement of WMA.
- o Confer user rights of wildlife resources in the WMA and on lands of the participating villages.
- o Endorse animal quota.
- o Enter into contractual agreements (MOU) with CBO on management of WMAs.
- o Provide technical and legal assistance to the CBO.
- o Assist in antipoaching activities.
- o Assist in training and monitoring the resources.

6. Policy, legislative and administrative context

(a) The wildlife policy of Tanzania advocated that a range of direct and indirect benefits can be derived from wildlife and that the sharing of revenue is an important benefit. In this respect, various stakeholders in wildlife conservation are recognised as follows:-

- Local communities and private landholders living around the protected areas and among the wildlife outside protected areas.
- District councils, bearing the opportunity cost of establishing protected areas and providing services to local communities.
- Wildlife authorities managing protected areas and providing technical advice on wildlife outside core protected areas.
- Central government bearing the opportunity cost of establishing Protected areas and providing services nationally and
- Private sector using wildlife within and out of protected areas and who pay tax to government.

The wildlife regulations facilitate the implementation of stakeholders stipulated in Wildlife Policy regarding benefit-sharing arrangements.

(b) The specific policies and regulations that are relevant in benefit sharing in a WMA include:-

- The Wildlife Policy of Tanzania 1998.
- National Environmental Policy, 1997.
- National Forestry Policy, 1998.
- National Beekeeping Policy, 1998.
- National Fisheries Sector Policy and Strategy Statement, 1997.
- The Tourism Policy of Tanzania 1999.
- The wildlife Conservation Act 1997 (It is under review).
- Village Land Act - 1999.

The above mentioned policies and regulations are the most relevant for facilitating the benefit-sharing regime in WMAs. The wildlife policy for example, states the importance of involving the local communities in conservation of wildlife as well as benefit sharing in a WMA. The regulations are the tools for implementing the policies

(c) The benefit-sharing arrangement in a WMA will also be facilitated by the following legislations/regulations:-

- The Local Government Act No. 7 of 1982 - This will facilitate the formulations of by-laws, for proper management of the resource in a WMA.
- The Law of Contract Ordinance, CAP 443 - This will facilitate the CBO to enter into agreements with the investors in a WMA.
- The Tanzania Investment Act 1997 - This will facilitate investments in the WMAs.
- Societies Ordinance, CAP 337 and
- Trustee's Incorporation Ordinance, CAP 375 - Both will facilitate the formation and registration of the CBO.
- Companies Ordinance CAP 212 - This will facilitate formation, registration and dissolution of partnerships.

7. IMPACT ON CONSERVATION

The major objective for the benefit-sharing arrangement in a WMA is to solve problems that impede effective conservation particularly outside core protected areas. It is expected that the WMA concept if effectively implemented, will manage to solve several problems in the wildlife sector.

8. Conclusion

WMAs as a category of a protected area will mostly cushion the core Wildlife Protected Areas and will greatly contribute to reduction of poaching and other illegal activities. Since it is village game scouts that will undertake constant patrols in WMAs, poaching will be minimised.

One of the main reasons for establishing WMAs is to accommodate the management of wildlife corridors and dispersal areas. No law supports wildlife corridors and dispersal areas. In the face of non-existence of WMAs these important wildlife areas will be put into other land uses as in the case in most of them. Establishment of WMAs will secure these important wildlife habitats and will check vegetation loss from unplanned development activities.

II: Indicative Outline for Case-studies on Benefit Sharing Arrangement

A Case-study of Jozani-Chwaka Bay Conservation Project (JCBCP)-Zanzibar

1.0 Overview

The Jozani Chwaka Bay Conservation Area (JCBCA) is a Zanzibar's primary protected forest area. CARE-International (Tanzania) in collaboration with the Government of Zanzibar supported the establishment of the conservation project of this area and continuing supporting the project financially and technically since 1995. The Commission for Natural Resources of the Zanzibar Revolutionary Government and CARE-International (Tanzania) have been collaborating in partnership working with local communities and enabling them to develop management plans and implement strategies that would lead the basic steps to be taken and to create a self-sustaining protected area which also supports the livelihoods of its neighbouring communities.

The JCBCA has been selected as a pilot area in Zanzibar due to its highest biodiversity richness and conservation value. The area:

- Is the largest refuge for many animal and bird species that used to occupy most of the western half of Unguja Island.
- Contains both animal and plant species of national and international significance
- Contains remarkable variety of habitats with a high biological diversity
- Is an important resource base for habitants of adjacent villages
- Has high ecotourism potential due to its nature, diversity and presence of red colobus monkeys, and
- Has an educational value to researchers and school students.

The main actors involved in Jozani Chwaka Bay Conservation Project (JCBCP) are:

- i. Zanzibar Government through the Commission for Natural Resources and has the role of taking a lead in protected area management, community management and advocacy on policy and legislation.
- ii. CARE-International (Tanzania) has the role of providing financial, technical and administrative management of the project. The centre recruits technical advisors and provided technical support through its own Integrated Conservation Development (ICD) Programme.

- iii. Jozani Environmental Conservation Association (JECA) is a non-governmental organisation (NGO) and has the responsibility of working with the surrounding village communities of the forest reserve on defining the project boundaries and participating communities on conserving their biodiversity.
- iv. Village Conservation Communities (VCCs) have been established for the purpose of steering the process of participation in environmental protection programmes and projects for Jozani-Chwaka Bay Conservation Area (JCBCA).

The JCBCP covered an area of about 2 500 hectares and aimed at conserving both animal and plant species obtained in the area. It addresses the complex of problems surrounding poverty and loss of biological diversity. The area lies on the coral rag land to the east and the deep soil of the eastern half of the island and always supporting extensive forests, but also the oldest settlements on the island occurs. Historically, a close interaction between the communities, the forests and their wildlife has developed. With human population increase, farmers were being forced into using increasingly marginal land, and hence forest/farm relations have become very short, and hence their incomes were declining.

The project area encompassing the following ecosystems: high forest; evergreen thicket; saline grassland; groundwater forest and some patches of plantation forests. For instance, a total of 98 tree species belonging to 85 genera and 43 families were identified in only 500 ha of the forest in 1991. Common tree species are *Calophyllum inophyllum*, *Pandanus rabaiensis* and *Erythrophloeum guineensis*. 26 species of the trees and shrubs in Jozani were classified as endemic and/or near endemic. Common animal species included giant elephant shrews and red colobus monkeys. About 36 birds' species have been reported in the forest one of them being endemic Turaco turaco which was thought to be extinct.

Over the period of consecutive seven (7) years, since 1995, the Government of Zanzibar, in collaboration with CARE-International (Tanzania) runs the Integrated Conservation Development Programme through the Jozani-Chwaka Bay Conservation Project (JCBCP). The Phase I of the project terminated in 1997 where one among the major concern of that phase was to inventorise endangered and affected biodiversity species and finding alternative solutions in order to maintain its sustainability. Through the work of over the period of two years (1995-97), the government and community were shaping a common vision of a well-managed protected area, with adjacent communities whose livelihood is supported by the presence of the protected area itself.

The Phase II aimed at:

- Developing appropriate alternative income generating activities which reduce community dependence on natural resources
- Committing to, and empowering the Jozani adjacent communities to manage and benefit from their own natural resources
- Strengthening and enhancing the existing and new institutions involved in natural resource management and community development in the Jozani-Chwaka Bay Area.
- Financially, socially and ecologically sustainable protected area management systems in place at Jozani-Chwaka Bay Conservation Area.
- Improving the resolution of resource related conflicts, among Jozani-Chwaka Bay stakeholders.
- Advocating operational legislation and policies appropriate to conservation and development in the Jozani-Chwaka Bay Area.

A long term Community Development Fund has been established in Jozani-Chwaka Bay Conservation Area (JCBCA). A first instalment of 4 Million Tanzania Shillings was deposited in community bank account as an initial JCBCP contribution during its pilot phase of management. A donation box at Jozani has also generated additional funds that would be directed into the Community Development Fund. This fund consisted of a bank account managed by the Advisory Committee and would require formalising the management.

Zanzibar Government has agreed with the community to release about 40% of the tourist-collected revenue in the area and be deposited in a fund for Community Development purposes. Some of the funds are used for small grants to the community development (water, education, health, communication, etc), while the bulk is used for loans to capitalise alternative income generation activities.

2.0 Impact on Conservation

In Zanzibar, the coral rag forests are under very serious indiscriminate cutting pressure. Over 530 hectares of the coral rag forest is cleared annually. A major cause for deforestation in Zanzibar is rural poverty that creates pressure for shifting cultivation; commercial fuel wood production, charcoal burning and other wood based commercial activities. In 1992, the Commission for Natural Resources observed that with the increasing land pressure, Zanzibar's natural forest-Jozani was threatened. The areas ability to provide these services is being impacted upon by:

- Declining wildlife population
- Degradation of the forest resources
- Declining soil fertility
- Declining household livelihood security

The processes are accentuated by, among others:

- The break down of indigenous land tenure and management systems
- Increasing urban and tourist demand for resources
- Lack of local level resource policies and plans
- Insufficient capacity within communities for conservation and development
- Intervention capacity shortfalls in administrative agencies
- Increasing poverty

Rapidly increasing human population.

3.0 Description of the context

Jozani forest is regarded as secondary forest caused by logging of important timber tree species and introduction of plantation of exotic species. Change in land use practices, planting of *Casuarina equisetifolia* and *Acacia auriculiformis*, private ownership of land accompanied with planting of coconut and citrus species have changed the whole ecology of coral rag areas including reduction of wild animal species. For instance, antelope and leopard have been reported to be in declining rate.

Jozani-Chwaka Bay Conservation Area (JCBCA) is a primary protected area and is the only remaining extensive outstanding, and most natural forest in Unguja Island. The demand for forest products from Zanzibar town have led to widespread cutting of trees and this has led to depletion of resource base. Jozani and its forest reserves have come under increasing pressure from illegal woodcutting and hunting, while the woodcutters faced few options for income generation. Conflicts over the protection of the forest by government and crop damage caused by the endangered red colobus monkeys (also protected) had escalated to serious conflict of interest between forestry staff and villagers. Conflicts also existed between and within communities over access to natural resources.

The Jozani-Chwaka Bay Conservation Project (JCBCP) has been implemented under three partners; namely the Commission for Natural Resources, CARE-International (Tanzania), and Jozani-Chwaka Bay Advisory Committee.

- The Commission for Natural Resources is a legal body in Zanzibar mandated to manage all the forests, wildlife and their related resources in Zanzibar. The role of the Commission for Natural Resources in JCBCP is to lead in Protected Area Management and advocacy on policy and legislation.
- CARE-International (Tanzania) is a non-governmental organisation (NGO) providing financial and administrative management of the project.
- Jozani-Chwaka Bay Advisory Committee is initiated as a body to represent the interests of village communities identified as stakeholders for Jozani-Chwaka Bay Conservation Project JCBCP. The committee formulated to take a lead in linking the community and the project and is continuing in providing directives to village conservation committees on village level management plan implementation. The committee is also coordinating the implementation of community development and enterprise projects.

The importance of Integrated Conservation Development (ICD) programme has been clearly stated in the Forest Policy of Zanzibar. The general environmental goal of the policy is to protect and conserve forest resources including wildlife and flora, and enhances the role of forest resources in maintaining soil and water conservation and other environmental benefits.

In the course to implement the Forest Policy of Zanzibar, the forest resources management and conservation act has drawn the purpose of community management areas as to provide local communities or groups with a means of acquiring clear and secure rights to plan, manage and benefit from local forest resources on a sustainable basis, in order to help meet local needs, stimulate income generations and economic development, and enhance environmental sustainability. The act gives provision on management in accordance with the terms of a community forest management agreement formulated, by authorises any activity agreed by stakeholders.

The JCBCP work closely with local community to develop micro-plans for the integrated management of natural resources by using participatory planning methods. Villages surrounding the project area have been deeply encouraged to develop local management plans that are useful for the integrated conservation of the resources in the area. Following 'green light' from the project, conservation area is intended to be expanded to include wider area of the country. Community is currently running her own organisation that is a non-governmental in promoting conservation awareness among community members. The organisation is known as 'Jozani Environmental Conservation Association' (JECA). Currently, the organisation is donor funded but hopefully it is expected future arrangements to sustain her progress.

4.0 Objective of the Benefit-Sharing Arrangements

The implementation of ICD programme in Zanzibar started with identifying the needs for involving village community in the management of natural resources as well as identifying the constraints. One of the key strategies was to link conservation and income generation for the participating community, given the ever-increasing dependence of the rural dwellers on forest resources for their livelihood. The long-term management objective is to conserve the Zanzibar's biological diversity with particular attention to the groundwater forest and improving the living conditions of the adjacent people. A participatory approach has been followed where seven villages around the conservation area have been fully involved in resource management, conservation and development.

When the Advisory Committee have become fully fledged NGO with a well defined vision and role in conservation and development, and given that revenue sharing from JCBCA is agreed to by the government since early stage, the NGO will have had sufficient time with which to pilot the management and revenue collection in the program. Other sustainable revenue sources are going to be developed-such as percentage contributions from successful community enterprises which have received loans from the NGO.

On the other hand, the funding of loans for enterprise development through the credit scheme administered by the Advisory Committee NGO should be sustainable. It is anticipated that some of the new community businesses developed will quickly grow to become self-sufficient and profitable by the end of the project.

With the goal of enhancing the livelihood security of the communities adjacent to Jozani-Chwaka Bay, the project emphasises the development of alternative income generating activities for community realistically to be able to conserve the precious Jozani forest resource rather than exploiting it for their livelihood. A long-term market based, and fair trade approach to the development of community share of ecotourism revenues is expected. The viewing of the endangered red colobus monkey by tourist is, therefore, one of the main sources of funds for community enterprises. The community institutions will therefore be supported to carry out activities of community forest management, community financing and alternative enterprises development.

5.0 Process for Establishing the Arrangement

A problem tree developed in 1997 during the planning workshop revealed that poverty was the main issue that influence people's attitudes towards protected area conservation. The participants of the workshop therefore decided to change the previous long-term goal to one that would address the livelihood security of the people around Jozani-Chwaka Bay Conservation Area. The planning

workshop involved different stakeholders. Among them are the representatives from the adjacent community to the area, governmental institutions, non-governmental organisations, from both Local and International NGOs promoting enterprises, and private local enterprises.

Project implementation through partnerships with other organizations has become one of CARE's strategic themes. This principle was central to the first phase of the project with the full partnership with Commission for Natural Resources. This principle was aimed to extend into phase II of the project to other partnerships. The number of local partnerships will be increased to include community groups, and also with a wide range of other organisations. The project will explore the possibility that these groups would form a "conservation and development of network" to benefit and enhance each other's work. As yet discussions with some organisations are at an early stage and their exact role in the phase II of the project is closely defined especially for the community enterprises. It is proposed that in addition to individual discussions with each organisation, a workshop will be held with different organisations with the view to form a network and identify collaboration role further.

6.0 Implementation of the arrangement

6.1 Contributions

Government of Zanzibar Contribution

Through Commission for Natural Resources the Government of Zanzibar would pay the wages of the Zanzibari personnel. From 1st January 1998 the government was planned to take over the running costs of the Jozani Protected Area. This will include casual staff salaries (all of whom have been approved by government), fuel and vehicle maintenance, and infrastructure maintenance. This is part of the Forestry Sector retention scheme that has been approved by Cabinet. Contribution to other costs, such as the community programme is negotiated with the Government budgeting procedures of June to July.

Community contribution

The communities would contribute in terms of community protection to JCBCA. This will only be fully effective when alternative income generation activities are in place. The communities supply labour that is required as part of the community development projects.

Government of Austria Contribution

Government of Austria planned to provide a project manager and consultancies and other personnel as per the indicative budget.

6.2 Responsibilities

Technical Advisor

- Coordinate project activities and be responsible for financial control and procurement.
- Recruit and manage appropriate administrative and technical staff to undertake the day-to-day administration of the project and to take on other technical roles as identified in the project document.
- Advise on the distribution of responsibilities between Ministry of Agriculture and Commission for Natural Resources, villagers and other project partners.
- Support the communities surrounding Jozani-Chwaka Bay to establish viable alternative businesses to improve their livelihoods and reduce the pressure on the forest resources.
- Facilitate the implementation of the Jozani-Chwaka Bay Conservation Area Management Plan.
- Organise, write terms of Reference for, and supervise consultants to provide research information, training, business development, community forest management and other collaborating institutions.
- Organise regular meetings of a steering committee, and subsidiary Management Committee, which shall provide overall project direction and will include representatives of key institutions.
- Collaborate with project participants to ensure the optimum allocation of equipment and resources between project beneficiaries in order to maximise conservation and community development objectives.

Enterprise Officer

- Carry out a detailed analysis of the market in Tanzania and worldwide.
- Gain a comprehensive understanding of the lives of Jozani area villagers, how they earn their livelihoods and meet their real needs and wants.
- Identify a range of products and enterprises appropriate for development by Jozani communities, in particular "Made in Jozani" products that reflect the "essence" of Jozani and Zanzibar.
- Develop links with the fair trade and other retailers in Zanzibar for the sale of Jozani products.
- Assist interested groups around Jozani to form community based businesses, and develop their business plans
- Provide technical advise on the management of small business and carry out training.
- Monitor the progress of the community enterprises and collect business data.

Community NGO Development Officer

- Help with the development of a constitution and articles of association
- Assist to develop the management structure of the association and job descriptions of its remunerated members.
- Assist in the establishment of management systems appropriate for an NGO with a wide community base.
- Organise community-training programme that covers all aspects of community management.
- Assist in developing a work programme for the community association
- Develop conflict resolution systems to reduce conflicts over the management of community resources including funds.

Monitoring and Evaluation Officer

- Develop participatory monitoring and evaluation plan, with all stakeholders to confirm the validity of project indicators, and to identify which project partners will collect which data.
- Carry out participatory baseline and data collection that would fill in the gaps in information provided by the project's PRA data, particularly in relation to the project indicators.
- Be responsible for the safe storage of the data and compilation in appropriate forms.
- Analyse and present this data to the project stakeholders on a quarterly basis in both Kiswahili and English.

6.3 Supports

- i) The Zanzibar Handicraft Development Project (ZHDP) aimed to support rural women's groups in producing crafts in regions of Zanzibar that have potential tourist market. One of these areas chosen is the South East of Bwejuu, Paje and Jambiani in which the main track is passing through the Jozani forest reserve. Through working with the ZHDP, the JCBCA would be in advantageous position to network effectively with other organisations. ZHDP would support training and market promotion.
- ii) CEFE Tanzania is an NGO and part of CEFE International – Creation of Enterprises through the Formation of Entrepreneurs – established to offer intensive training in entrepreneurship development. Two Zanzibaris were trained in CEFE methodology on the impact on the awareness, confidence, initiative and business understanding. Therefore CEFE would provide training opportunities for village community around JCBCA on small-scale entrepreneurships.
- iii) Craft producers created the Association for Small Scale Producers (UWAZI) in 1996. UWAZI would be working closely with the Zanzibar Handicraft Development Project in organising fairs

and training activities. UWAZI therefore, will help seek market for crafts produced at JCBCA. It has potential to provide business-training opportunities for entrepreneurs around Jozani and Chwaka Bay Area. It could facilitate access to credit for craft producers in villages.

- iv) Optimum Systems Handloom Project: Over the past two years of promoting handicrafts in Zanzibar, one of the most successful products has been the kikoi-a hand loomed cotton cloth wrap-around which traditionally worn by men. The handloom scheme has been expanded and is now managed by Optimal Systems, a private company based in Dar es Salaam. Optimal Systems will conduct training in business skills, upgrade existing loom skills and seek overseas markets for the cloth. Optimal Systems would provide training on handloom business skills for women cooperatives around Jozani.
- v) The Women's Entrepreneurship Development Trust Fund was formally a project under a government office but has now re-established itself as an NGO offering credit facilities to women throughout Zanzibar. The credit is offered without collateral requirements, instead using group monitoring as a form of security. Credit is available for groups of five borrowers who agree to guarantee each other's loan. The Trust Fund has recently released a loan to a group of five women in Pete who are starting up seaweed farming and poultry business. Given that this group is their client in the area at present, they are keen to build up a profile of more groups in around Jozani in order to broaden their coverage and to reduce the overheads of monitoring.
- vi) SASIK started by an individual entrepreneur and supported with a grant from the Gatsby Trust (UK) is a successful and developing Fair Trade Craft Shop exclusively selling the crafts of Zanzibar on behalf of local artisan. Local artisans bring or send their crafts to SASIK that then sells them on their behalf including a small commission in the sale price to cover overhead costs of managing the shop. SASIK could provide the opportunity for craft producers in Jozani-Chwaka Bay Area to sell their products in a market outlet in town so as to increase their sales channels.
- vii) Madawa's Spice Shop has been developed over the last 10 years by a local entrepreneur from a small shop specialising in selling spices in the tourist market to a business which now receives bulk international orders from overseas whilst maintaining its tourist market business base. Madawa's liaises closely with local farmers and artisan suppliers providing free technical advice and cost-price inputs in a continual improvement of project quality, supply and cost efficiency management. Many of the products sold by Madawa's are original innovations. Madawa's has been identified as a potentially appropriate partner local business with which to pilot a new micro-enterprise development approach of entrusting a local business in the implementation and management of a micro-enterprise credit and development scheme for local artisans in the Jozani-Chwaka Bay Area.

7.0 Policy, legislative and administrative context

Zanzibar species diversity is low due to its size and distance from other islands. Hence, urgent actions are required to conserve and ensure sustainable utilization of available biological diversity. One of the first actions taken is the preparation and adoption of Zanzibar Biodiversity Strategy. Recognising the importance of biological diversity conservation and sustainable utilization of biological resources, multisectoral (natural resources, livestock, tourism and environment) approach has been initiated and prepared the Zanzibar Biodiversity Strategy.

Unfortunately, Zanzibar has no specific biodiversity policy; most of biodiversity elements are covered in the National Forest Policy and the Environmental Policy and Programmes. The Forest Management and Conservation Act of 1996 and the Environmental Management for Sustainable Development Act of 1996 address and put into legal framework the broad measures for biological diversity conservation in the islands.

Developing local management agreements

Participatory Rapid Appraisal (PRA) has been a common methodology used in carrying out social surveys aimed at developing the baseline information for resource utilization, stakeholder analysis and constraints and opportunities in each village. This is done for the entire community through sampling. Issues and strategies identified in PRAs are key to the development of management agreements.

The process of developing Local Management Agreements started with the village conservation Committee (VCC). The VCC members choose their representatives to work for the resource management guidelines. Essentially, the major resource use areas include woodcutters, mangrove cutters, fishermen, hunters, and other stakeholder groups. Through the involvement of elders, local government leaders, intensive field surveys were made followed by sessions of discussion and strategy formulation.

Whereas land shortage is a serious issue in Zanzibar, much of the time was spent in defining the boundaries and identifying conflict areas with other community groups. In fact, the process was largely devoted on developing land use management agreements on land use management developed. In the first instance, quantitative information such as standing volume, number of wildlife species, etc was not collected to avoid complications, and more importantly, adhering to time limits. The management agreement was simplified enough to allow communities be able to follow it with minimal consultations with government officials.

8.0 Conclusion

The current approach of involving local communities in the management of forest resources at Jozani appears robust and has been well received. However, the long-term sustenance of the system will only be realised if efforts to improve community livelihoods are strong enough to offset overexploitation pressure. Another dimension is to seek for the Zanzibar Commission for Natural Resources consent to really invest on ICD programmes through training own staff so that the programme could sustain when CARE support comes to an end.

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