



policy forum

**People and Policies: the 7:30 a.m. Debates
31 OCTOBER 2008**

**Do Current Wildlife Conservation Policy and Law
Address Economic and Livelihood Issues for All
Tanzanians?**

A Debate on the Wildlife Act, 2008

Venue: British Council, Dar es Salaam

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Introduction

Policy Forum (PF) is a network with over 70 NGO members registered in Tanzania and joined together by their specific interest in influencing policy processes to enhance poverty reduction, equity and democratisation in the focal areas of local governance, public money and active citizen voice. Its vision for Tanzania is a future where policy processes are participatory and involve a broad-based engagement of all sectors of society in an accountable, empowered and informed way in all stages of policy processes and at all levels of society. It strives to realise this vision by opening and influencing policy processes in order to improve people's lives, particularly disenfranchised and impoverished groups in order to empower them to self-organise and become part of a social movement for change.

A key means of achieving its broader objective is through dissemination of PF's analysis and monitoring information to policy makers, civil society and the general public in a manner that is accessible, relevant and useful. To this end, a significant ongoing activity that Policy Forum hosts is the monthly People and Policy Debates ('Breakfast Debates') which take place from 7:30 am to 9:30 am on the last Friday of each month in Dar es Salaam City Centre. The event is cost-free and open to the public, thereby engendering a broad-based, informal, and informative discussion on a topical policy issue over a light breakfast. Speakers are drawn from the public and private sector, academia, civil society, and donor agencies. Typically, speakers are invited to present their perspective on a topic, and thereafter participants are invited to discuss the issues raised in small groups before the floor is opened for wider plenary discussion. More information on previous Breakfast Debates as well as forthcoming ones can be obtained from PF's website: www.policyforum.or.tz.

In October 2008, PF, together with one of its Members, Tanzania Natural Resources Forum (TNRF), focused on the Tanzanian wildlife conservation policy and the impact on local communities, given that the Ministry of Natural Resources and Tourism has proposed a new Wildlife Act, 2008 (**not yet in force**) at a time when wildlife is on the decline. Whilst the significance of wildlife as a major source of national revenue to Tanzania has been great, wildlife has been of questionable benefit to local communities who have either been in competition with them over finite resources, or receive limited to no direct economic benefit. The Debate therefore considered the extent to which the Wildlife Act, 2008 addresses the economic and livelihood issues for **all** Tanzanians. The main presenters were Dr. Jambia, a member of TNRF and Professor (**professor of what**) at the University of Dar es Salaam, and Edward Porokwa from another Member, Pastoralists Indigenous NGOs Forum (PINGOS). A representative of the Ministry of Natural Resources and Tourism was invited as a discussant but did not attend.

The Debate intended to tease out the following issues with a view to gaining a better understanding of the challenges in Tanzania's wildlife resource management as well as to encourage participants to suggest imaginative and creative solutions:

1. What is the best way to reverse the decline of wildlife in Tanzania?
2. How can wildlife, a natural resource, be better managed to benefit more Tanzanians?
3. Is the declining wildlife a threat to the tourism industry given that Tanzania has benefited from wildlife-based tourism for over the last 15 years?
4. What steps are being taken by the Government to ensure that the new Wildlife Act is responsive to the needs of rural communities, who are the guardians of wildlife, and other stakeholders?

The Debate was well attended (55 people), representing journalists, CSOs, donor agencies, academicians, and the public sector. (**impact/outcome/highlights?**)

In the subsequent sections of this Report, we have provided a summary of discussion outcomes following each presentation made at the Debate.

Do Current Wildlife Law and Policy Address Economic Issues for all Tanzanians?

Dr. George Jambia

Dr. Jambia's answer to the above question was an unequivocal no, but if the suggested steps were taken, it would be possible for not only more Tanzanians to benefit from wildlife, but also the share of the benefit would increase as well.

Currently, wildlife is declining – the extent is hard to determine as the data collection of resources are inaccurate and therefore management is not based on actual data or scientific findings. Also, hunting at the moment is 'half-baked.' The policy underlining hunting must reflect the value of hunting withing wildlife management and must involving key stakeholders and associations (CSOs, government, hunters, technical experts) in developing and implementing. Ideally, hunting should be via tender process and be performance driven (the key nature of the relationship between government and the private sector). Finally, corruption MUST be addressed.

Further, wildlife division is not adequately funded, insufficient reinvestment outside of protected areas, and also expected to manage multi-billion dollar industry. With respect to rural communities, population is increasing and the available fertile land is decreasing (and therefore communities are moving to wildlife rich areas – which are protected areas). To rural communities, wildlife is both a threat and an opportunity, but only an opportunity if they are governed well.

Local communities pay the opportunity cost in wildlife management. Additionally, too little of the revenue obtained from wildlife is shared at the local community-level, and yet local communities are the de facto decision makers regarding wildlife. Given the failure of the wildlife policy to enable greater benefit to rural communities, the likely consequence is that rural communities will increasingly turn to other economic opportunities and see less of a reason to value and or conserve wildlife.

In Dr. Jambia's view, wildlife management must be holistic and integrated. Wildlife, land, forestry, and livestock must not be treated separately (as they currently are). Further, it is not a matter between human beings and wildlife. Best practice can be taken from Namibia where local communities and private landowners enjoy 100% benefit of having wildlife on their land. These landowners are then obliged to remit tax. The presenter considers this far better than what is proposed in the Wildlife Bill, whereby much the government is expected to take a larger share than even the TRA would claim.

Wildlife as a natural resource can benefit Tanzania if:

- All relevant laws will be harmonised: Village Land Act/Land Act/Wildlife Act/Forest Act/Local Government Act
- Review hunting process so that more than just a few benefit
- Local Government Authorities need more revenue share (LGA and district level)

NEXT STEPS

- Wildlife (and issues surrounding wildlife) should be debated openly, in particular the wildlife management process must be reviewed, and the Bill discussed with all stakeholders.

Impact of Bill on Local Communities

Edward Porokwa - PINGOS

The presenter spoke largely of the impact of the Bill on the Pastoralists' livelihood and lifestyle. In his view, pastoralists have been the most affected, as National Parks bar all human activity and game reserves only allow restricted human activities, such as hunting. Worse yet, all land matters are governed by the Land and Village Land Act, whilst wildlife is governed by the Wildlife Conservation Act, 1974.

The new wildlife bill conforms to the wildlife policy, 2007 which is not participatory. To a large extent, the lives of pastoralists are further restricted. The presenter shared that for instance, wetland areas are nowhere defined in the Wildlife Bill, which is problematic for pastoralists. Additionally, the Hadzabe, who are traditional hunters and gatherers, will now be obliged under the Wildlife Bill to get a license (issued in Dar es Salaam) in order to engage in their lifestyle, which is impractical.

In a nutshell, rural communities have never been involved in designing the wildlife policy (or proposed Bill) and no arrangement has been made for revenue share (the Wildlife Department has sought to take as much share at Central Level only).

Plenary Questions

1. What steps can be taken to ensure the proposed Wildlife Act is more responsive to local communities?
2. What can be done to reduce wildlife decline?

Plenary Discussion Outcomes

1. Increase access to information to general community involve the media;
2. Pressurise the Government to make law participatory;
3. CSOs should lobby MPs (as the law makers), but if this fails and the Wildlife Bill becomes operable, CSOs can petition the court to declare it unconstitutional;
4. Break barriers that create human and wildlife conflict;
5. Dr. Jambia's views must be taken on before situation gets worse;
6. Harmonisation of the Wildlife Bill with existing relevant existing laws;
7. Consider the example of the Hadzabe: what would they say if they were here?
8. Local communities need a tangible benefit and must be involved in interrogating the Bills;
9. We need to first understand what is the legal environment:- how can rural communities engage with their existing capacities and how can we build their capacities further?
10. If participants think the Wildlife Bill will not be the right Bill, therefore even if the Department is not present at the BD, what is discussed should be sent to the Ministry (and Wildlife Department): don't be confrontational but engage the Govt
11. It was shared that the 1998 Wildlife Policy accommodated the community; but it is not clear why the policy (which is less participatory) was changed in 2007

Response from the Speakers

Dr Jambia

The 1998 Wildlife Policy engaged people/2007 The Wildlife Policy – is the policy of certain people and should be about prioritising a public resource rather than being an elite capture.

Pressure will need to be asserted in the next few months and keep the momentum in order to have the policy and law made under it revised

For those who are engaging in influencing/advocating on policy processes, need to understand who are your allies, enemies, and those who are undecided. The task should then be to capture those who are undecided.

Edward Porokwa - PINGOS

PINGOS and TNRF have both engaged in public hearings in both Arusha and Dar es Salaam.

- Their engagement with Parliamentary Committees was positive but the Ministry seemed rigid
- The Wildlife Bill is expected to be tabled in November session, however there is still time to lobby effectively
- In terms of the 2007 Wildlife Policy, the role of NGOs is only to support government financially and technically, provide conservation education. NGOs must support the Government to implement the policy

With regard to the Beneficiaries of Wildlife (as a natural resource)

- Local communities do not benefit – consolation does not equate compensation
- It appears that the Government (central) does not want to share the benefit with local communities
- In order for the campaign to be successful, what is needed is the support of their partners and networks in Dar es Salaam who are in close proximity to the policy and decision makers

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