

WMAs: A critique of the regulations, 2002.

Wildlife Management Areas (WMAs) regulations are considered to have a very big impact in the wildlife conservation process whereby the community is directly involved in the conservation process and widespread establishment and sustainable use of WMAs to be with the same spirit of wildlife policy of Tanzania of 1998. However the currently issued regulations have some significant shortcomings and problems that complicate the implementations of the regulation to normal citizens. These shortcomings need to be fully addressed so as to avoid the delay and frustration of the establishment of WMAs.

There are pertinent issues which were to be addressed first before the declaration of its implementation to the villagers. Issues like community empowerment on the land use plans the laws governing wildlife and all laws and regulations related to wildlife conservation the procedures towards establishment of WMAs the obligations related there to. And all associated natural resources incentives that may arise to the villages that would rise from local investment in the conservation process and clear empowerment of local communities through the transfer of use of rights and management authority before engaging into the conservation process.

The regulations have series procedures and requirements for the establishment of WMAs. For the local communities to comply with the requirements outlined in the regulations of 2002, need a number of efforts so as to march with the sophisticated procedures in management of WMAs. The procedures are now more complicated than it was in the areas managed directly by wildlife division in case of game reserves and or hunting blocks.

Still all essential prerogatives and authorities of management are retained by the Director of wildlife and not devolved to local communities. The concept is the communities to have access to a higher level of benefits although community remains dependent on wildlife division for approvals of quotas and oversight of many other management decisions.

For clarity the following are the procedures which a community, village or group of villages should follow subject to part iv, v and that is section 12-43 of the regulations.

- Form a CBO by
 - Reaching a consensus on the purpose of the CBO in relation to the WMA
 - Having a list of members.
 - Having or developing a constitution.
- Complete application application for registration for CBO under the "Societies Ordinance" subject to the requirement of the Ordinance.
- Complete the data sheet with basic information about the proposed WMA such as:-
 - Name of the proposed authorities association for proposed WMA such as
 - Agreement on the boundaries of the areas to be included in the WMA.
 - Registration status and numbers of villages forming the WMA
 - Identification of the initiating and facilitation Organizations.
 - Having the detailed information on the target villages and ecology information about the areas, number of households, population size, populations density population growth rate age structure (by 5 years intervals) economic activities current use of natural resources names of protected areas bordering the proposed

WMA detailed listing of natural resources in the WMA. Sites endangered or threatened species endemic species problems and threats to the resource culture and historical sites, other attractions main purpose of establishing the WMA.

- Preparation of Land Use Plans for the target area. Seek approval of the Land Use Plan by District Authorities. Subject the Land Use Plan to an environmental impact Assessment (EIA).
- Prepare a sketch map of the WMA in relation to the village Land Use Plan for submission with the application for authorized associated status.
- Prepare a strategic plan for the WMA.
- Organize a meeting of the village Associations(s) to formalize agreement to form a WMA, with documented minutes.
- Complete the application process and submit required materials to the Director of wildlife village Assembly minutes, WMA Data Sheet CBO registration approved Land Use Plan Strategic Plan.
- Incorporate the Zoning Plan into a General Management Plan (GMP for the WMA to be prepares and submitted to the DW for approval)

After the above procedures have been followed the applicants need to seek the approval of the Director of Wildlife to become an Authorized Association. The following additional steps are prescribed in the Regulations.

- Directory of Wildlife to submit application to the Minister of Natural Resources and Tourism
- For successful applications Minister declares the WMA and issues a certificate to authorize the CBO to become an Authorized association (AA)
- Authorized Association signs agreement with the directory of Wildlife who confers rights to ventures.
- Authorized Association to carry out Environmental Impact Assessment for proposed development and investments in the WMA.
- Authorized Association to carry out inventories in advance of receiving quotas for utilization of wildlife in the WMA.

The timeframe set for the selected 16 pilot areas is only 3 years. Now with the level of education of our communities most of the villages might find themselves half way of their process to get a grant. Despite prescribing some 26 steps and requirement, the draft regulations do not clearly address a number of basic elements that are likely to be necessary to ensure the sustainable utilization of wildlife and natural resources these critically important aspects must be covered and some procedures be clearly specified in more detail.

For example the contents and scope of a constitution are important. What procedures will be adopted to determine who is not a member of the CBO/AA? What authority will the CBO/AA have with respect to community members that do not elect to become members but who live within the village or in the designated WMA?

Agreement on boundaries will need to be agreed with all adjacent village and land owners. What procedures will be followed and what body will certify that agreement has been reached in a fair and transparent manner?

Villages will also need to formulate by-laws for the management monitoring and control access to and use of the resources within the designated area. Procedures for establishing by- Law and the

approval of land use plan and locally enforceable by –laws are important particularly with respect to the authority or legal standing it may offer to villages in the event that competing or non-prescribed land uses impinge on the WMA. One may pose a question as to what powers will the community have in terms of limiting land use that is not consistent with land use options proposed in their land use plan.

Although the regulations provide for the requirements of equitable distribution of the costs and benefits member of villages forming an Authorized Association that will be clearly outlined in the constitution little guidance is provided about the requirements for revenue and other relate benefits economic and financial aspects. The regulations do not include any provision for the economic analysis of alternative land use options and resource management strategies. Yet these and other financial and economic aspects are critical to the success and sustainability of a WMA.

Little attention in terms of the regulation is given to matters of market although these are important to assess the commercial viability of potential natural resources based enterprises.

The management planning process needs to clearly set out roles and responsibilities for organizing and implementing the management plan within the areas of implementation , these will include guidance regarding the tasks that communities can reasonably be expected to undertake and likely areas of support and assistance by government other partners and the private sector.

Little specific guidance is given with respect to inventory mapping protection restoration sustainable utilization and resource monitoring provisions yet these methods and techniques are essential for ensuring sound resource management and must be both practical and take into account local capacity and locally relevant management needs.

At present the way the regulations are set do not provide sufficient flexibility to adapt to local conditions and priorities of land use within the community. For example reference to other laws in most instances will provide an impediment to the community which is not aware of the legal knowledge.

The form contents and procedures of establishing WMAs contained in the Regulation portrays a picture that could easily be perceived by the community that they are simply another form of protected areas which in along run will be subjected to the control of wildlife Division.