



POLICY BRIEF

Improving Resource Access Processes in Protected Areas

I. INTRODUCTION

National Parks in Uganda provide essential goods and services to both rural and urban populations, such as craft materials, herbal medicine, water, fuel wood, fodder, timber and ecological functions like soil erosion control and improvement of soil fertility. As a result, the ecological integrity of national parks in Uganda influences the rate at which various sections of the society in the country can meet poverty reduction goals.

a) Emergence of Collaborative Management in National Parks in Uganda

The need to increase protection of endangered species and wild habitats in the 1990s led to the gazettement of various forests as national parks and increased levels of enforcement within national park boundaries. For communities living adjacent to national parks, these conservation developments threatened livelihood security, reduced income generating opportunities from natural resources and increased resource based conflicts.

Government's response through the Uganda Wildlife Authority (UWA) included better laws and policies aimed at organising and regulating access, use and management of natural resources within national parks. The current wildlife law and policy therefore recognise the significance of benefit sharing, the need for good relationships with local communities and the value of regulated access to resources within protected areas through a collaborative management framework.

b) Resource Access and Poverty Reduction

The multidimensional aspects of national park resources-poverty-livelihood linkages alluded to above presented challenges for policy and planning. The wildlife management sector was dominated for many years by a perspective emphasising the ecological integrity of parks through law enforcement and community exclusion. The need to compliment poverty reduction efforts through access to protected area resources, required interveners to take a more holistic view of the role of wildlife parks in

support of livelihood activities for poverty reduction.

Access to common property resources such as forests and fisheries provide important compliment to the incomes of rural households. In Uganda, rural households on average derive 40% of their incomes from forests (Wildlife Conservation Society, 2004). This demands a dynamic understanding of the factors affecting access and use of protected areas as productive assets not only to sustain wildlife, but also to bring in the income, financial and non financial, to sustain livelihoods.

The current law and policies that regulate access to resources in national parks however, do not advance approaches that promote efficiency and learning; important attributes for the sustainable management of national parks. Instead, access and use of resources in national parks as stipulated in the law and policy has led to misrepresentation of the benefits and long term goals of Collaborative Management (CM). A misapplication of the policy has led to unmet expectations, suspicion and sometimes fears between local communities and park managers. Addressing the inadequacies in the processes of implementing resource access programs is important in order to balance the social-economic and ecological objectives of the actors.

II. RESOURCE ACCESS POLICY AND PROCESSES IN RETROSPECT

The law and policy reforms that allowed community conservation and resource access in national parks were aimed at different objectives and have had varying socio-economic and ecological impacts. The Wildlife Act of 2000 and the Wildlife Policy, recommended CM as an approach to protected area management. The policy recognised that CM arrangements contribute to improved conservation through addressing community claims to resources in protected areas. The current Community Conservation Policy of 2004 provides for seven programs including collaborative resource management. Protected area management plans specify resource use zones and processes for establishing collaborative management arrangements with local communities neighbouring protected areas through enforceable agreements.

UWA has a collaborative management strategy that recommends approaches where agreements are developed on the basis of accessing a single resource or multiple resources. The strategy outlines criteria for selecting collaborative management areas and even proposes formats for resource agreements. Around some national parks, application of the guidelines limits what communities can use park resource for, restricts economic benefit from park resources and advances global interests over local needs.

The Community Conservation Policy has established institutional arrangements for managing resource access arrangements. Currently, there exists resource user committees and Community Protected Area Institutions (CPI). The CM policy is clear on the role of resource user committees, but unclear on the role of CPI members in the negotiation and enforcement of resource access agreements. The participation of CPI members in resource access processes is guided by the CPI policy of 2004 to act as a forum for mobilising local communities to participate in various community conservation issues. Community resource users however argue that CPIs have a limited role in the resource access process.

Successes in the CM process have been recorded in national parks where indigenous resource use institutions (such as local bee-keeping groups) have been recognised and used in developing the resource access programs. Recognition of indigenous resource users' rights and responsibilities enhances compliance to agreements, empowers communities and creates a sense of ownership of protected areas.

In Kibale National Park (KNP) for example, the long term success of the resource access program is attributed to continuous empowerment of the resource use community to share authority and decision making. Given Kibale's lessons and experiences, why have the resource access process in other protected areas continued to stall? Is this because the program is implemented differently from one protected area to another?

III. RESOURCE ACCESS PROCESSES IN THE LENS OF RESOURCE USERS AND PARK MANAGERS

A review of the implementation of resource access programs around different national parks in south western Uganda has identified several challenges. In order to determine the degree to which the different actors have supported or worked against each other to implement the provisions of the CM Policy, an analysis was conducted on the extent to which the implementation of different provisions of the CM Policy have affected the realisation of the social, economic and ecological goals of resource access programs.

During the review and analysis, community resource users, park wardens and other civil society partners responded to a series of questions and took part in a dialogue based on a three point criteria; organisation, benefits and skills. The review also included defining the roles of the different stakeholders through the understanding of their rights, responsibilities, benefits and their relationships.

Major results of the review include:

a) Differences between CPIs' and resource users' interests:

CPI involvement in collaborative management arrangements was observed to be inadequate and difficult to understand. This is because CPI members generally promote the interests of revenue sharing rather than those of resource access. Resource access is managed by Resource User Committees based on guidelines, rules and regulations that vary according to the negotiated interest of the community. In contrast to what role the policy envisages for CPI members, resource use communities believe that they are better represented in the local RUC than in the CPI. The policy arrangement however provides CPIs with the mandate to channel and voice community concerns; and is the avenue through which protected area managers can seek active involvement of communities in wildlife management.

b) Disagreement over MoU compliance:

The resource access program focuses on compliance with terms and conditions of the memoranda of understanding between resource use communities and park managers. Resource users recognise the importance of MoUs and assert that they are holding up their end of the contract. The park managers on the other hand express doubt about the validity of community collected off-take data and complain about illegal harvesting. These conflicting views reflect a recurrent disagreement between the two groups, over MoU compliance. MoUs should, within a certain margin of error, be followed.

c) Delays in signing and reviewing Memoranda of Understanding:

The negotiation and signing of MoUs were observed to be very long processes often marred with inexplicable bureaucracy. Some delays were attributed to the period taken to review and approve MoUs at the UWA headquarters. On the other hand, resource users did not think that MoUs were easy to modify. In reality, memoranda of understanding represent the interface between the park and the community, yet they are seen as inflexible binding agreements that are, for the most part, unrepresentative of the changing needs of local communities.

It is clear that very many of the areas contributing to the effectiveness of resource access are based upon the effectiveness of negotiating; recording and amending these agreements between parks and communities, for these

represent the cornerstone of park-community relations and provide the basis for collaborative management. If the preparation of MoUs is perceived as frustrating and not clearly understood, the content considered restrictive and the opportunity for revision seen as limited by one of the two partners, the potential of resource access may be limited by the very documents that provide for it. UWA should consider review of all existing MoUs.

d) Access to resources is too restrictive:

Judging by some of the costs reported by community groups and their recommendations for improving the collaborative management program, there is a general feeling that community interests have not been sufficiently incorporated in the selection of resources and products to be exploited. Many community groups feel that their resource needs are not adequately captured by the terms of the MoUs. For example, the harvesting quota/prescriptions are too restrictive, and that the types and quantities of resources allowed for harvest, as well as the modalities of these harvests, are unsatisfactory if at all understood.

Natural resource users are concerned that while local community needs have changed over time in many areas, decisions made five years ago are still being used to guide resource access. The problem, of course, is that the actual needs and aspirations of the community may have changed dramatically during this period. Effective park management should be adaptable and dynamic. Static, yet binding, management prescriptions are a continual source of contention.

e) Resource off-take monitoring is inadequate or nonexistent:

The interaction between yield and off-take represents the basis of sustainable harvesting. One cannot be considered without reference to the other. Resource users and park managers agree that there is laxity in the monitoring system. The net result is that there is in essence no data across the resource access sites that could be used to assess the effectiveness of the current off-take monitoring mechanisms.

Even where off take data has been collected, it is not analysed and synthesized to inform management actions at protected area level. This is the reason why a lot of scepticism surrounds the collaborative management process. Given the fact that sustainable resource harvesting is the foundation on which the resource use concept is built, this lack of off-take information is a cause for concern.

f) The skills and resources are inadequate:

The role of external actors and convenors in establishing and supporting resource access programs within national parks is well acknowledged. While park authorities and communities have assumed the responsibility for its

continuation, it is clear that community resource users expect the park rangers and the Uganda Wildlife Authority in general to play a major role in shaping the future of the collaborative management program.

It is however clear that the community do not have all the resources required for undertaking negotiation, scientific resource inventories, data collection and analysis. On the other hand, UWA also lacks the skills and resources to conduct resource inventories, data collection and analysis both at community level and the PA level for management. There is agreement within UWA that law enforcement has been allocated the bulk of operational funds because of the magnitude of threats to wildlife from poaching.

g) Inadequate training in community conservation for park rangers and wardens:

Park rangers are trained law enforcement officers and enforce the law as such. Sometimes this causes fear amongst community resource users. Some resource users, however, agree that without them, illegal activities will increase in the national parks. Rangers are seen as necessary in the protection of wildlife habitats. Rangers are also concerned that community resource users take advantage of weak enforcement to commit illegal activities. A major concern raised by CPI members was the tendency of corruption that affects enforcement of wildlife conservation law.

IV. ROOTING FOR CHANGE

The results from this review, as well as the actions exhibited by the various resource users interviewed, suggest that the benefits gained from collaborative resource management are indeed sufficient to compensate for the added responsibilities of cooperative law enforcement and monitoring. Resource users agreed that monitoring and enforcement were not undue burdens, and some pointed out that the increased enforcement actually helped them by reducing the incidence of illegal extraction of resources that they had selected to harvest.

Park staff and managers concurred on this point. This was an indication that the community may be positive about taking responsibility in assisting the park in management such as by reporting illegal activities. In order to realise these goals and improve the management of resource access programs, we propose the following policy interventions.

a) Improve the negotiation process of MoUs

Strengthen the institutional arrangements and improve the negotiation process itself. Support the development of individual negotiating skills and knowledge base of community groups. This extends to ensuring both parties (the park and the community representatives) are provided with a basis for equitable negotiation – that they

are aware of their statutory entitlements. Negotiations should be more extensive, with more time and greater consultation with/among community members. However, negotiations should be within realistic time frames to reduce frustrations. Negotiations and agreements should always be in local languages.

b) Improve the content and scope of MoUs

Effect changes in the scope and content of resource access agreements. Park management and communities should negotiate modifications in MoUs that include more attention to the benefits and welfare of communities in determining resource collection, access to a greater range of resources and clarification of the principles for allowing MoUs to provide for individual resource collection of, for example, dead boundary trees (for making log hives). Greater enforcement powers for community groups should also be negotiated, but there is a clear need to identify and address the issues that hinder a community's ability to contribute to law enforcement.

c) Revise all old MoUs

Facilitate a process to revise all MoUs that have been in existence for more than five years. The revision of MoUs should not be seen as a one-off amendment to negotiation and content, but rather a continuing process. The recommendation is for MoUs to be periodically reviewed, and updated as necessary - a process that should be documented in the general management plans of various national parks.

d) Quicken the MoU completion process

Reduce the time it takes to negotiate and sign the resource access MoUs. The unnecessarily long bureaucratic approval process for MoUs is major concern that stalls that development of collaborative management programs. The time it takes the UWA headquarters to sign an MoU should be reduced from several months to weeks. Oneway to do this is for MoUs to be signed by Conservation Area Managers. The process to follow should also be documented in the general management plans of various national parks.

e) Strengthen institutional capacity for collaborative management

Strengthen the capacity for both local resource users and UWA staff to undertake comprehensive negotiations. In addition to further strengthening institutional arrangements, the individual negotiating skills and knowledge development base of UWA staff and community groups should also be supported. This extends to ensuring both parties (the park and the community representatives) are provided with a basis for equitable negotiation – that they are aware of their statutory entitlements. Negotiations must be more extensive and greater consultation should be carried out with community members.

f) Improve monitoring

Improve the effort of monitoring and reporting resource off-take. Monitoring data should be collected through close collaborative effort between the park and the local communities. It is recommended that community members be involved in all data collection activities for several reasons. First, community members are extremely knowledgeable about the distribution, production, and dynamics of important plant populations and this knowledge could be used to good advantage in designing and implementing a monitoring system. Second, and perhaps the most important, by involving local communities in the monitoring effort the process becomes more transparent, resource users will come to understand the specific reasons behind different harvest quotas and management decisions, and will come to internalize these decisions as something that they were a part of creating.

g) Demonstrate the application of results from monitoring

Demonstrate how results from collaborative monitoring of resource off-take are incorporated into MIST and decision making for protected area management. Because the success of resource access programs hinges on sustainable harvests, it is important to show how results from collaborative management programs are used to derive sustainable yield levels for accessed resources. Our recommendation is for UWA to find the best, the most parsimonious, and the most efficient way to include resource off take results into MIST.



Resource users in Rwenshama (notice Ambatch used as floaters and mats made from phragmites).

CARE International in Uganda
17 Mackinnon Road, Nakasero
P.O. Box 7280, Kampala, Uganda
Tel: +256 312 258 100
Fax: +256 414 344 295
E-mail: cuhq@careuganda.org

care