

RE-FRAMING THE WILDLIFE BASED LAND REFORM PROGRAMMES IN ZIMBABWE

BY MANDIVAMBA RUKUNI

INTRODUCTION

In this article I discuss the future options for wildlife conservancies. I will review the policy that is guiding this sector and propose a desirable future and how that could be built from the current situation. I will argue that the wildlife land reform policy itself, although not perfect, is built on sound principles. It is the implementation or lack of resolution on the indigenisation options that once again left the issue open for a frontal political bombardment. I will also argue that in the long-term the most viable business model is one centred on direct community participation. In terms of conservation principles I also advocate gradual shift from consumptive and hunting to non-consumptive and cultural tourism.

BACKGROUND

Although the Wildlife Based Land Reform Programmes (WLBLRPP) and the Forestry Based Land Reform Programme (FBLRP) were part and parcel of the Fast Track Land Reform Programme (FTLRP), not much public attention has been brought to these over the last decade. Not until recently of course when the Save Valley Conservancy developments made it into the popular press. Most Zimbabweans, however, are not even aware that there is also the FBLRP that saw A1 settlers on portions of the Forestry Commission land. But the forestry-based land reform is unlikely to make it into the news because it lacks the combustible elements that the wildlife one has, that is: the indigenization issue; and the potential big business—in this case the lucrative hunting concessions.

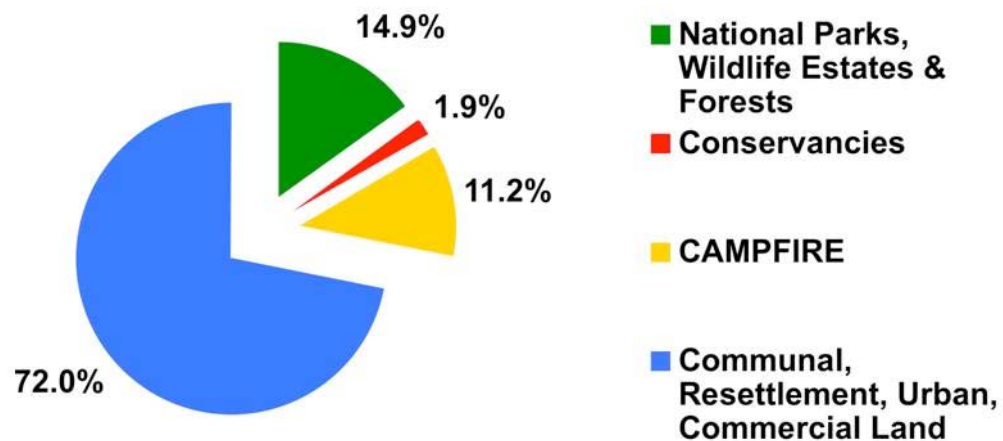
Conservancies are a unique form of wildlife conservation, and in Africa these are prominent in South Africa, Namibia and Zimbabwe. Zimbabwe has a total landmass of 36.9 million hectares with 33 million reserved for agriculture. 5.5 million hectares or 15% percentage of Zimbabwe's total land mass is reserved for wildlife production and 11% fall under the Communal Areas Management Programme for Indigenous Resources (CAMPFIRE).

Therefore, of the land reserved for wildlife production, 93% is state controlled through the Parks and Wildlife Management Authority with 7% held in private control including land held by Rural District Councils, Agricultural and Rural Development Authority (ARDA), local and foreign investors. Conservancies constitute 2% of Zimbabwe's total landmass that is held in private, communal, local and foreign hands (See figure below). In addition to Save Valley Conservancy, the other conservancies include Bubi and Bubiana in Matabeleland South, Gwayi in Matabeleland North and Sebakwe in Midlands.

CONSERVANCIES in Zimbabwe

in relation to the total land mass was 1.9% in 2003

SOURCE: National Environmental Policy, September 2003



National Parks control 26.1 % and the Conservancies 1.9 % of Zimbabwe.

THE WILDLIFE BASED LAND REFORM POLICY

Although the popular dialogue today is on the controversial developments centred on the indigenization of the conservancies, I would like to explore the policies on one hand and the implementation of the policies on the other, and then explore the future possibilities. The wildlife and forest based land reform policies were crafted and approved by Cabinet almost a decade ago. Wildlife-Based Land Reform is an integral part of the Government's overall land reform policy with focus on land with limited agricultural potential. The objectives of the WLBLRP policy are stated as: a) to achieve greater equity in the ownership and management of conservancies and wildlife ranches; b) to maintain business viability and investor confidence in the sector.

The key elements of the policy are also stated as, and I quote:

- All wildlife will remain *res nullius*. However, usage rights, including trading rights are to be allocated to conservancies by an appropriate authority;
- All land except that covered by Bilateral Investment Protection Agreements (BIPAs) be will acquired and illegal settlers removed;
- The economic interests of local communities surrounding each conservancy or ranch shall be managed through a Trust linked to that conservancy;
- The Trust will operate under the auspices of the relevant RDC. However the beneficiaries for each Trust must be defined based on who shares the costs, (not just benefits) in the relationship;
- Existing farmers will be encouraged to remain in operation subject to their acceptance of indigenisation options; and
- Farmers will be compensated for infrastructure with compensation paid by Government, creating equity for new participants in conservancies.

The Indigenisation Options: In general, the Corporate Model is touted as the foundation, with business and conservation principles guiding operations. In the policy statement, the 'share transfer' is considered the most appropriate vehicle for delivering these principles. The following three options are proffered to existing owners and prospective new participants:

1. Current farmers team up with Parks and Wildlife Management Authority (P&WMA) and Communities, with all three contributing some form of capital/assets and also deriving benefits.
2. Current farmers team up with Communities: The partnership is between only the existing operators and their Communal Area neighbours; P&WMA are not a commercial participant in the venture but revert to their regulatory and advisory role.
3. Current farmers team up with Communities and Private Indigenous Investors. (consotia).

The policy document further states that-- In all the options outlined above, assets will be evaluated with current operators required to dispose their majority shareholding to co-operating partners including communities; and with all actors forming a joint management structure consistent with sound business practice.

Selection criteria for indigenous partners as stated in the policy include the following: a) Demonstrable interest and experience in wildlife conservation; b) Demonstrable capacity for business development and management; and c) Ability to contribute to the asset base.

CONTRADICTIONS IN POLICY AND IMPLEMENTATION

As I have already alluded to, the policy and the indigenisation options are a basis for sound business models as well as sustainable conservation approaches. The proposed selection

criteria for the new indigenous partners are also sound enough for bargaining purposes as far as I am concerned. So what went wrong?

According to the plan for implementation of this policy, the following procedure was provided for, and I quote:

- All conservancies were to be acquired and become state land except BIPA properties
- A due diligence was then to follow on each acquired property
- Invitations for expression of interest from consortia and interested parties were to follow; and
- Consortia were to be selected based on the selection criteria for each conservancy, and then the selected would be allocated Offer Letters.

None of the above was actually implemented.

The fact that it took almost a decade before the recent developments on Save Valley Conservancy unfolded says to me that both Government and current conservancy property holders were unable, for some reason or reasons, to act upon and take advantage of the positive elements of the policy. Either party could have focused on any of their preferred option out of the three. Moreover, effort was needed to go into identifying, promoting and encouraging black investors. Both parties could have invested time and effort in identifying appropriate black investors who met the stated criteria. Moreover, it would have made even more sense for both entities to explore the indigenisation options that emphasise community participation. That did not happen either to a scalable level over the entire 10-year period. In the end it was left to the predictable competition and contestation between current powerful BIPA protected foreign white investors and local white owners on one hand, and the politically powerful provincial black elite. The final outcome of this contestation is still to be seen. However, the long-term solution lies in broadening the scope of the conservancies through expanding community participation.

COMMUNITY PARTICIPATION IS THE FUTURE

Zimbabwe has 3 decades of experience with the Communal Areas Management Programme for Indigenous Resources (CAMPFIRE) programme. From that experience the model can be improved further into establishing more self-reliant Community Trusts with sufficient autonomy from the Rural District Councils (RDCs) who, in my opinion, should play a facilitating and regulatory role rather than as a business player. Conservation strategists have proved that the Save Valley Conservancy, as an example, can expand in physical size by crafting community held land and resources into the conservancy. It is then conceivable that the conservancy would eventually 'merge' with Gonarezhou National Park in the south, which in turn is conceivably linked to the inter-country transfrontier conservation areas. Going beyond Save, the southern and south-western parts of Zimbabwe can eventually share transfrontier boundaries with such prospects as the Greater Limpopo, Kazaand

Mapungubwe Transfrontier Conservation Areas. The scope for tourism and related business for Zimbabwe and Southern Africa are enormous. I, however, do not see how this potential can be harnessed to the optimum through large-scale commercial interests alone (be they foreign, indigenous, or a combination) without significant community engagement and participation.

According to reasonably reliable press and other reports, the recent developments at Save Valley Conservancy have had a mixed reaction in Cabinet and there is a talk of 'nationalising' the conservancy into a national park. This may well be a practical political solution on the one hand, yet not an optimal economic solution on the other. In terms of business options, the nationalization solution sounds like a lose-lose solution for the contesting parties who up to now have failed to negotiate a win-win solution.

Going back to my proposed long-term solution, I would say that community participation also requires comprehensive planning and investment in terms of capacity. There is need to refine and regularise the relationships between Rural District Councils and Community Trusts moving forward. There is need for the RDCs and Community Trusts to enter into a Memoranda of Understanding with respective conservancies so as to formalize roles and responsibilities around the commercial undertakings they enter into with these conservancies. There is need to build the capacity of communities to establish viable Community Trusts with capabilities in both social and business entrepreneurship. The Community Trust should be established on the basis of a much broader community vision and plan for development, and not restricted to business participation and share ownership. The Community Trust assumes all fiduciary responsibilities for the rural community it represents. Community Trusts need to enter effective management agreement with their business partners.

CONCLUSION

The Wildlife Based Land Reform Policy is still in force, as far as I know, and has not been repealed by Cabinet. I believe therefore that there is room to revisit the policy and its implementation strategy with the view to sharpen the indigenization options so that the three potential participating groups can find legitimate expression. The 3 groups are: the existing white property holders; prospective new black investors (or consortia) who meet the criteria; and surrounding communities who can invest in land and local resources. It is prudent in my opinion that the former two find ways of establishing business partnerships that in turn invest time and effort into establishing broad-based business and social partnerships with neighbouring communities. After all, community participation offers more potential benefits. The prospects for both economic and social impact are greater. These communities historically had strong relationships with the wildlife anyway. It was part of African culture and heritage to have a symbiotic relationship with wildlife. In folklore, mythology and traditional religions, wildlife is the most significant inherited form of

relationship with nature that defines family, clan and ancestral identity. The traditional beliefs in the sacredness of wildlife should be re-invented by once again formalising the relationship between communities and wildlife. This is a more effective and least-cost means of conservation because enforcement against poaching does not require a plethora of laws, regulations and game wardens. Rather the people's beliefs and conscience is a far better policeman and deterrent. By expanding conservancies through the incorporation of neighbouring communities, the potential of expanding options beyond consumptive tourism towards more cultural, photographic and other non-consumptive forms of tourism are greater. The prospects for more effective integration with transfrontier conservation efforts are also greater. These, in my opinion, are the principles that should guide Zimbabwe's strategic vision for conservatives moving forward.