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Issues, Structures and Policies Affecting Community Based Natural Resources Management in Zambia



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List of acronyms and abbreviations

ADMADE	Administration Design for Management
ASP	Agriculture Support Programme
AWF	African Wildlife Foundation
CAC	Camp Agricultural Committee
CASU	Conservation Agriculture Scaling Up
CBNRM	Community Based Natural Resources Management
CBNRMF	Community Based Natural Resource Management Forum
CBOs	Community Based Organizations
CFU	Conservation Farming Unit
CJI	Climate Justice Initiative
COMACO	Community Markets for Conservation
CSEF2	Support to Civil Society Organisations in Environment and Natural Resource Management in Zambia, Phase Two
ENRM	Environmental and Natural Resource Management
FBOs	Faith Based Organizations
FGD	Focus Group Discussion
FMC	Forestry Management Committees
FMCs	Fisheries Management Committees
GMAs	Game Management Areas
IGAs	Income Generating Activities
JFM	Joint Forest Management
MACO	Ministry of Agriculture and Cooperatives
NAPACC	National Adaptation Program of Action on Climate Change
NEAP	National Environmental Action Plan
NFP	National Forestry Policy
NGO	Non-Governmental Organisation
PPCR	Pilot Program for Climate Change Resilience
PSAf	Panos Institute Southern Africa
REDD	Reducing Emissions from Deforestation and Forest Degradation
RLC	Radio Listening Club
UNDP	United Nations Development Programme
VDC	Village Development Committees
VFMC	Village Fisheries Management Committee
ZEMA	Zambia Environmental Management Agency
ZNFU	Zambia National Farmers Union

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Executive Summary

Zambia currently suffers high environmental degradation due to the fact that rural livelihoods are largely natural resource based. Due to high poverty levels, the majority of citizens over-depend on the environment for livelihoods, creating a situation whereby the environment is unable to adequately renew itself to ensure sustainability. This has led to depletion of renewable natural resources which could have been preserved with effective sustainable management practices.

In the effort to address this environmental situation, the Government of Zambia has put in place several policies, structures and programmes such as the National Conservation Strategy of 1985 and the National Environmental Action Plan of 1994. Additionally, the Zambia environmental management strategies have adopted the Community-based Natural Resource Management (CBNRM) approach which is driven by the principle of community participation.

However, because of their top-down nature, the strategies have been ineffective in addressing the root-causes of the environmental problems. Community members have remained on the periphery of the conceptualisation and implementation of the strategies, with limited uptake at local community level, and low impact.

In view of the above, PSAf is implementing a project called Deepening CBNRM in Zambia, which aims at enhancing community engagement and involvement in sustainable environmental and natural resources management around issues of fish depletion and land degradation in Kazungula and Sinazongwe Districts (Ecological Region I); and deforestation and land degradation in Katete and Petauke Districts (Ecological Region II). In order to effectively do this, a baseline survey was conducted to identify and analyse capacity gaps of mechanisms/institutions for engagement, specific ENRM issues around deforestation and land degradation and fish depletion in the respective project sites, and the existing policies and legal instruments governing the ENRM in the country.

This Report, therefore, is a presentation of the findings of the survey and recommended actions to address the identified gaps in the mechanism/institutions for engagement and the policy and legal frameworks, and the ENRM problems. The findings are presented in three distinct parts as follows:

- ◆ **Part I:** Capacity gaps analysis on existing mechanisms and institutions/structures for community engagement in ENRM and CBNRM. This part of the Report highlights the current gaps and weaknesses in existing mechanisms/institutions of engagement in the four districts, and the role of each of the mechanisms/institutions in CBNRM and ENRM in general.
- ◆ **Part II:** Assessment of specific ENRM issues in each project site. This part provides details of ENRM issues specific to each of the project sites, their magnitude and current interventions as well as gaps in the interventions.
- ◆ **Part III:** Policy and legal gaps analysis on ENRM. This part identifies existing legal and policy instruments on ENRM, their strengths and weaknesses, as well as levels of policy cohesion and compliance.
- ◆ **Part IV:** Provides baseline information upon which project performance will be monitored and evaluated.

The Report ends with a presentation of conclusions, recommendations and issues for advocacy.

1.0 Background

The Deepening Community-based Natural Resources Management (CBNRM) in Zambia Project is a two year CSEF2 funded intervention implemented by Panos Institute Southern Africa (PSAf). The goal of the project is to contribute to the attainment of environmental sustainability in the country through enhanced community engagement and involvement in environmental and natural resources management.

The project seeks to address issues of fish depletion and land degradation in Kazungula and Sinazongwe Districts (Ecological Region I) and deforestation and land degradation in Katete and Petauke Districts (Ecological Region II);.

The project is inspired by the fact that Zambia currently suffers high environmental degradation due to rural livelihoods that are largely natural resource based. Due to high poverty levels, the majority of citizens over-depend on the environment for livelihoods, creating a situation whereby the environment is unable to adequately renew itself to ensure sustainability. This has created a situation of depletion of renewable natural resources which could have been preserved with effective sustainable management practices.

The Government of Zambia and stakeholders in the ENRM sector acknowledge the environmental problems and have put in place several policies, structures and programmes such as the National Conservation Strategy of 1985, the National Environmental Action Plan of 1994, the Environmental and Pollution Control Law, among others, to ensure environmental sustainability in the country.

However, despite these relevant interventions, not much has been achieved on the ground to address the root-causes of environmental degradation, and the escalation of poverty has perpetuated the situation. One of the main shortfalls of the current environmental and natural resources management framework is the lack of effective community engagement and participation in the conceptualisation and implementation of the response strategies.

Additionally, while there are some relevant policies and laws that govern environment and natural resources management, these instruments are not clear on the modalities of community engagement. This has resulted in superficial implementation of the instruments and further alienation of communities in ENRM. Effective community engagement on this issue must start from policies and laws which then translate into programmes and strategies with supporting institutions for implementation.

The country has also adopted the CBNRM approach driven by the principle of community participation. While CBNRM is supposed to be community-centred in the Zambian context, community members have remained on the periphery of environmental and natural resources management, resulting in top-down approaches to environmental management programmes and strategies. The result of this gap has been limited participation in ENRM and low adoption of sustainable practices at community level. Considering that environmental degradation is largely a result of human activity, among other causes, leaving out the community in the response is a sure way to fail. Local communities require empowerment to diversify their sources of sustainable livelihoods and poverty reduction strategies. Lack of or limited community engagement has failed to effectively adopt these strategies.

This situation is attributed to:

- a) Lack of mechanisms for effective community engagement and involvement in ENRM;
- b) Lack of knowledge and skills by communities to adopt sustainable ENRM strategies or practices;
- c) Limited compliance and ineffective implementation of existing laws and policies; and
- d) Limited access to platforms through which local communities can learn, communicate and advocate for enforcement of the laws and policies of CBNRM.

1.1. Objectives of the Deepening CBNRM Project

In efforts to address these identified gaps, the Deepening CBNRM Project aims to achieve the following objectives:

- a) Establish and/or strengthen mechanisms for effective community engagement and involvement in ENRM;
- b) Build capacity of community members in sustainable ENRM principles, practices and benefits and strengthen the role of community members in CBNRM;
- c) Facilitate community action in identified ENRM activities relevant to the respective target districts; and
- d) Facilitate legal and policy advocacy for favourable environment and compliance.

1.2. Summary of the Intervention

To generate context specific information that will inform the project interventions, the project set out to conduct three specific studies. These studies were aimed at achieving specific sets of objectives as follows:

- 1. Capacity gaps analysis on mechanisms and institutions/structures for community engagement in ENRM and CBNRM:** The aim of this exercise was to assess the existing mechanisms and institutions/structures in the four project sites and establish their capacities and challenges in community engagement in ENRM. The findings would inform the development of specific interventions to address the capacity gaps.
- 2. Assessment of specific ENRM issues in each project site:** The assessment aimed to establish context specific issues per site, which would then be used for capacity building of community members to ensure the interventions respond to the needs of specific communities.
- 3. Policy and legal gaps analysis on ENRM:** The aim of this exercise was to know what policies exist and the gaps in those policies. This information would be used as the basis for the project's advocacy interventions.

The information that would be gathered from these analyses would also provide baseline information against which the project performance would be measured.

1.3. Objectives of the study

The following were the objectives of the study:

1. To identify and analyse capacity gaps in existing mechanisms/institutions of community engagement in ENRM and CBNRM;
2. To establish and assess ENRM issues specific to each project site;
3. To identify and analyse policy and legal gaps in ENRM; and
4. To generate baseline information against which the project performance will be measured.

2.0. Methodology

The design for this exercise was qualitative, using selected qualitative tools for data collection. Key sections of the communities and community members who are involved in CBNRM and/or ENRM broadly were identified and classified to respond to specific components of the assessment. The selection of participants was guided by the key themes of the study.

2.1 Data Collection

For sections one and two of the study, i.e. the Capacity gaps analysis on mechanisms and institutions/ structures and the Assessment of specific ENRM issues, the main tools for data collection were Key Informant Interviews (KIIs) and Focus Group Discussions (FGDs). These tools were appropriate because they provided in-depth information about the ENRM situation and existing ENRM responses in the target communities. The key informants, mainly drawn from various ENRM institutions at community level provided expert and in-depth knowledge of what exists, key gaps and challenges. The FGDs, on the other hand, allowed for interaction among various community members on their perceptions of the existing ENRM responses and community involvement. The FGDs further triangulated the gaps and the challenges identified in the KIIs. Transect walks and observations were also used to identify some key ENRM features in the communities.

For section three, the Policy and legal assessment on ENRM, data was mostly generated through review of existing literature and policy documents. The findings were corroborated through the KIIs and FGDs in as far as implementation of existing laws and policies was concerned. The details of the data collection processes are as presented below:

2.1.1 Review of existing literature and policy documents

The study reviewed existing reports on the State of ENRM in Zambia to establish a context for the project. The literature reviewed also highlighted ENRM policies on CBNRM, exploring evidence on what is working and what is not. Further, the process reviewed existing policies and laws to determine the state of policy and legal frameworks, as well as existing gaps in the frameworks. The following documents were reviewed:

The table below shows the existing policies and laws to determine the state of policy and legal frameworks that were reviewed to establish the context:

Theme	Documents		
	ENRM Reports/Documents	Policies	Laws
Land degradation		Draft Land and Administration Policy (2015)	The Lands Act (1995)
		National Agriculture Policy (2012 to 2030)	Mines and Minerals Development Act (2015)
Deforestation		The Forestry Policy (2015)	The Forests Act (2015)
		Policy for National Parks and Wildlife in Zambia (1998)	
Fisheries		The Fisheries Policy Draft	The Fisheries Act (2011)
			Water Resources Management Act (2011)
		Policy for National Parks and Wildlife in Zambia (1998)	Wildlife Act (2015)
Crosscutting (Documents that apply across the themes)	Community Based Natural Resource Management Forum	The National Policy on the Environment	The Environmental Management Act
	Pilot Program for Climate Change Resilience (PPCR)		Environmental Protection and Pollution Act (1990)
	National Adaptation Program of Action on Climate Change (2007)		Biosafety Act (2007)
	National Environmental Action Plan (1994)		Local Government Act (1991)
	Environmental Protection and Pollution Control Environmental Impact Assessment		The Constitution of Zambia
	Revised 6 th National Development Plan		
	Vision 2030		

Table 1: Documents that were reviewed to establish the context in the project sites

2.1.2 Key Informant Interviews

A total of 49 KIIs were conducted. The informants were drawn from various ENRM institutions and structures relevant to the project. The tables below present the details of the interviews per site:

Location/project site	Type of KII	Number of interviews
Kazungula	District Forestry Officer	1
	District Agricultural Coordinator	1
	District Fisheries Officer	2
	Block and Camp Extension Officer	1
	Fisheries Assistant	1
	Civil Society	1
	Traditional leaders	5
	Village Fish Management Committee Chairperson	3
	Land Husbandry Technical Officer	1
Total for Kazungula		16
Sinazongwe	District Forestry Officer	1
	District Agricultural Coordinator	1
	District Fisheries Officer	1
	Block and Camp Extension Officer	0
	Fisheries Assistant	1
	Civil Society	0
	Traditional leaders	4
	Village Fish Management Committee Chairperson	2
	Land Husbandry Technical Officer	1
Total for Sinazongwe		11
Total KIIs conducted in Region 1		27

Table 2: Distribution of Interviews with Key Informants in Kazungula and Sinazongwe districts (Ecological Region 1)

Location/project site	Type of KII	Number of interviews
Katete	District Forestry Officer	1
	District Agricultural Coordinator	1
	District Fisheries Officer	0
	Block and Camp Extension Officer	1
	Fisheries Assistant	0
	Civil Society	2
	Traditional leaders	6
	Village Fish Management Committee Chairperson	0
Total for Katete		11
Petauke	District Forestry Officer	1
	District Agricultural Coordinator	1
	District Fisheries Officer	0
	Block and Camp Extension Officer	1
	Fisheries Assistant	0
	Civil Society	3
	Traditional leaders	5
	Village Fish Management Committee Chairperson	0
Total for Petauke		11
Total KIIs conducted in Region 2		22

Table 3: Distribution of Interviews with Key Informants in Katete and Petauke districts (Ecological Region 2)

2.1.3 Focus Group Discussions

Focus group discussions were classified according to the themes of CBRM relevant to the project - Land degradation, deforestation and Fishing. Details of the FGDs per site were as follows:

Location/site	Theme	No. of FGDs
Kazungula	Fish Depletion	2
	Land Degradation	1
<i>Total</i>		3
Sinazongwe	Fish Depletion	2
	Land Degradation	2
<i>Total</i>		4
Katete	Deforestation	2
	Land Degradation	3
<i>Total</i>		5
Petauke	Deforestation	2
	Land Degradation	2
<i>Total</i>		4
Total Number of FGDs		16

Table 4: Distribution of Focus Group Discussions per Theme, per Site

2.1.4 Transect Walk

The researchers took a transect walk in the community to observe some of the existing ENRM features, the extent of the physical environmental degradation and physical structures and institutions. This was to corroborate the information from the KIIs and the FGDs. Among other things, the transect walks observed wastelands, deforested areas and sustainable practices.

2.2 Data Analysis

Data analysis was done through manual content analysis processes involving data classification, synthesis and interpretation based on the objectives of the study. The synthesised data was then compiled as detailed in the next sections of this Report.

3.0. Study Findings

This section presents the findings of the study based on the outcomes of the desk review, KIIs, FGDs and the transect walks. The findings of the study are presented in four parts, namely:

- i. Gaps analysis of existing capacities and mechanisms/institutions for community engagement in CBNRM;
- ii. Assessment of existing capacities of community members in sustainable ENRM principles, practices, benefits and opportunities for strengthening their role as community members in CBNRM;
- iii. Assessment of specific ENRM issues in each of the target districts; and
- iv. Policy and legal gaps analysis on ENRM.

3.1 Gaps analysis of existing mechanisms/institutions for community engagement

The Gap Analysis was conducted to identify the current gaps and weaknesses in existing mechanisms/institutions of engagement. The study identified the existing institutions, mechanisms and structures in the four districts, and the role of each of these in ENRM in general and CBNRM in particular. These were classified based on their roles.

The analysis of mechanisms and institutions/structures was as presented in the following tables:

3.1.1. Mechanisms and Institutions/Structures in Kazungula District.

The analysis of mechanisms and institutions/structures was as presented below:

Mechanism /Structure	Description	Role
Fisheries Management Committee	Kazungula District has three Village Fisheries Management Committees (VFMCs), namely: Mambova, Kasaya and Ngweze	<ul style="list-style-type: none"> ◆ Monitor fishing activities ◆ Educate people on sustainable fishing ◆ Collaborate with the Fisheries department to ensure adherence to fishing regulations ◆ Promote adoption of aquaculture and alternative livelihoods
Block and Camp Agricultural Committees	Kazungula District has 4 agricultural blocks (Nyawa, Mukuni, Sekute and Musokotwane) and 19 agricultural camps -Nyawa, Kauwe, Malimba, Nguba, Siamundele, Mukuni, Katapazi, Manyemunyemu, Ngwezi, Moomba, Mambova, Mandia, Sikaunzwe, Musokotwane, Kabuyu, Kanchele, Sihumbwa, Simango and Makunka	<ul style="list-style-type: none"> ◆ Facilitate learning and knowledge sharing ◆ Promote sustainable farming methods ◆ Promote alternative livelihoods. ◆ Identify, select and facilitate participation of community members in agricultural programmes
Fishing Camps.	Kazungula has 11 fishing camps which are grouped under three VFMCs as follows: <ol style="list-style-type: none"> Mambova VFMC which covers Ibolokwa, Ilikoko and Kabala fishing camps Ngweze VFMC which covers Masulamino, Sande and Ngweze fishing camps and, lastly, Kasaya VFMC which covers Simalaha, Mwananalisa, Kasaya Malo and Kasaya Bridge fishing camps. 	<ul style="list-style-type: none"> ◆ Mobilise fishermen and women ◆ Facilitate information sharing
Agricultural cooperatives	Kazungula has cooperatives which have membership drawn from all the 4 blocks and 19 camps	<ul style="list-style-type: none"> ◆ Coordinate farmer input distribution ◆ Promote the marketing of agricultural produce ◆ Manage funds for the zones from where members are drawn
Radio listening clubs / radio farm forum	These are community groups that exist around the local radio station. They use radio as a tool for engagement and information exchange	<ul style="list-style-type: none"> ◆ Mobilise community members for action ◆ Facilitate information sharing and engagement on development issues, including ENRM ◆ Provide platform for peer learning
Pilot Project for Climate Resilience (PPCR) Committees	The project works through the natural resource committees in Simalaha, Mwananalisa, Kasaya Malo and Kasaya Bridge fishing camps	<ul style="list-style-type: none"> ◆ Facilitate community access to government funding for sustainable use of natural resources ◆ Manage community climate change funds received from the government.
Traditional leadership	Traditional leaders such as headmen are also part of the community structures such as the VFMCs and the CACs	<ul style="list-style-type: none"> ◆ Control the exploitation of both land and fisheries in the district ◆ Enforce the by-laws on ENRM. ◆ Mobilise the communities to adopt sustainable practices.
Conservation Agriculture Scaling Up (CASU)	This is an initiative of the Ministry of Agriculture to promote conservation agriculture	<ul style="list-style-type: none"> ◆ Promote adoption of conservation agriculture in the district
Government line ministries/ departments	There are a number of government departments or line ministries working on addressing resource depletion in the district	<ul style="list-style-type: none"> ◆ Implement or enforce government policies ◆ Provide extension services on ENRM

Table 5: Mechanisms/structures in Kazungula District

3.1.2. Mechanisms and Institutions/Structures in Sinazongwe District

Mechanism /Structure	Description	Role
Fisheries Management Committee	Sinazongwe has VFMCs across the district. The VFMCs are also linked to the Zonal Committees which cover Sinazongwe and the two neighbouring districts of Gwembe and Siavonga.	<ul style="list-style-type: none"> ◆ Monitor fishing activities. ◆ Educate people on sustainable fishing. ◆ Collaborate with the Fisheries department to ensure adherence to fishing regulations. ◆ Promote adoption of aquaculture and alternative livelihoods.
Block and Camp Agricultural Committees	These bring together extension staff and community members	<ul style="list-style-type: none"> ◆ Facilitate learning and knowledge sharing ◆ Promote sustainable farming methods. ◆ Promote alternative livelihoods ◆ Identify, select and facilitate participation of community members in agricultural programmes
Radio listening clubs / radio farm forum	These are community groups that exist around the local radio station. They use radio as a tool for engagement and information exchange	<ul style="list-style-type: none"> ◆ Mobilise community members for action ◆ Facilitate information sharing and engagement on development issues, including ENRM ◆ Provide platform for peer learning ◆
Kariba Midlands Development Association (KAMIDA)	KAMIDA is a local civil society organisation promoting development in Sinazongwe and other communities around Lake Kariba	<ul style="list-style-type: none"> ◆ Promote sustainable exploitation of fish in Lake Kariba ◆ Promote aquaculture as an alternative to traditional fishing
Co-operatives	The district has cooperatives which have membership drawn from all the wards	<ul style="list-style-type: none"> ◆ Coordinate farmer input distribution ◆ Promote the marketing of agricultural produce ◆ Mobilise and sensitise community members on sustainable agriculture and ENRM
Conservation Agriculture Scaling UP (CASU)	This is an initiative of the Ministry of Agriculture to promote conservation agriculture	<ul style="list-style-type: none"> ◆ Promote adoption of conservation agriculture in the district
Government line ministries/ departments (Fisheries, Water Affairs, Agriculture, Forestry, and Traditional Affairs)	There are a number of government departments or line ministries working on addressing resource depletion in the district	<ul style="list-style-type: none"> ◆ Implement or enforce government policies. ◆ Provide extension services on ENRM

Table 6: Mechanisms/structures in Sinazongwe District

3.1.3. Mechanisms and Institutions/Structures in Petauke District

Mechanism /Structure	Description	Role
Block and Camp Agricultural Committees	The district has agriculture committees that are spread across all chiefdoms and the three constituencies of Kaumbwe, Msanzala and Petauke Central	<ul style="list-style-type: none"> ◆ Facilitate learning and knowledge sharing ◆ Promote sustainable farming methods ◆ Promote alternative livelihoods ◆ Identify, select and facilitate participation of community members in agricultural programmes
Radio listening clubs / radio farm forum	These are community groups that exist around the local radio station. They use radio as a tool for engagement and information exchange	<ul style="list-style-type: none"> ◆ Mobilise community members for action ◆ Facilitate information sharing and engagement on development issues, including ENRM ◆ Provide platform for peer learning.
Agricultural cooperatives	The district has cooperatives which have membership drawn from all the wards	<ul style="list-style-type: none"> ◆ Coordinate farmer input distribution ◆ Promote the marketing of agricultural produce ◆ Mobilise and sensitise community members on sustainable agriculture and ENRM
Village Action Groups	These are only found in the part of the district which is closer to the game management area (South Luangwa National Park)	<ul style="list-style-type: none"> ◆ Promote community participation in sustainable development and conservation of wildlife
Community Markets for Conservation (COMACO)	COMACO supports small-scale farmers to maximise the outputs from their land to sustain a better life	<ul style="list-style-type: none"> ◆ Promote community participation in environment and natural resource conservation
Farmer Information Centres	These are Zambia National Farmers Union (ZNFU) supported centres where farmers access agricultural information	<ul style="list-style-type: none"> ◆ Provide information on opportunities for agricultural produce marketing, and potential value in different agricultural outputs
Cashew Growers Association	This is an association of farmers that are involved in cashew growing. The cashew farmers spread across the district, but more active in Ndombi and Kawere in Petauke Central constituency	<ul style="list-style-type: none"> ◆ Promote the propagation of cashew nuts growing as an alternative source of income and for reforestation
Conservation Agriculture Scaling UP (CASU)	This is an initiative of the Ministry of Agriculture to promote conservation agriculture	<ul style="list-style-type: none"> ◆ Promote adoption of conservation agriculture in the district
Government line ministries/ departments (Agriculture, Forestry, Traditional Affairs, Lands)	There are a number of government departments or line ministries working on addressing resource depletion in the district	<ul style="list-style-type: none"> ◆ Implement or enforce government policies ◆ Provide extension services on ENRM

Table 7: Mechanisms/structures in Petauke District

3.1. 4. Mechanisms and Institutions/Structures in Katete District

Mechanism /Structure	Description	Role
Block and Camp Agricultural Committees	The district has agricultural committees that are spread across all chiefdoms	<ul style="list-style-type: none"> ◆ Facilitate learning and knowledge sharing ◆ Promote sustainable farming methods ◆ Promote alternative livelihoods. ◆ Identify, select and facilitate participation of community members in agricultural programmes
Conservation Agriculture Scaling UP (CASU)	This is an initiative of the Ministry of Agriculture to promote conservation agriculture	<ul style="list-style-type: none"> ◆ Promote adoption of conservation agriculture in the district
Radio listening clubs / radio farm forum	These are community groups that exist around the local radio station. They use radio as a tool for engagement and information exchange	<ul style="list-style-type: none"> ◆ Mobilise community members for action. ◆ Facilitate information sharing and engagement on development issues, including ENRM ◆ Provide platform for peer learning
Community Markets for Conservation (COMACO)	COMACO supports small-scale farmers to maximise the outputs and sustain a better life from their land	<ul style="list-style-type: none"> ◆ Promote community participation in environmental and natural resources conservation
Every Home for Christ	This is a faith-based organisation that promotes CBNRM	<ul style="list-style-type: none"> ◆ Promote CBNRM as a means of poverty reduction
Government line ministries/ departments (Agriculture, Forestry, Lands, Traditional Affairs)	There are a number of government departments or line ministries working on addressing resource depletion in the district	<ul style="list-style-type: none"> ◆ Implement or enforce government policies ◆ Provide extension services on ENRM

Table 8: Mechanisms/structures in Katete District

3.2. Capacity gaps and Challenges in addressing identified ENRM and CBNRM issues

As established in the previous section, there are several community-based structures which operate as mechanisms for CBNRM. However, some capacity gaps compromise their effectiveness. Because of the similarities between the Region II sites (Katete and Petauke), and the Region I sites (Kazungula and Sinazongwe), the capacity gaps and challenges have been presented according to regions as follows:

3.2.1. Capacity Gaps in Region I (Kazungula and Sinazongwe)

Community Structure	Capacity gap/Challenge	Impact of the challenge
Fisheries Management Committee	Limited understanding of their role	Failure to effectively carry out their mandate
	Limited knowledge and awareness on existing policies and regulations	Overfishing due to bad fishing practices and non-adherence to regulations
	Limited knowledge of sustainable fishing practices	<ul style="list-style-type: none"> ◆ Low adoption of aquaculture ◆ Overfishing of the natural water body (Zambezi River)
	Lack of resources	Inability to effectively carry out outreach activities
Block and Camp Agricultural Committees	Limited access to extension staff due to understaffing	Low access to information on sustainable agriculture
	Limited information on sustainable best practices and alternative farming methods.	Low adoption of sustainable agricultural practices
	Limited knowledge about the contents of agricultural and land management policies or other documents	High levels of suspicion resulting in low adoption of sustainable, alternative farming approaches
Fishing Camps	Limited access to relevant and up to date information	Low levels of information sharing
	Limited knowledge of the impact of using wrong fishing gear.	Overfishing because of continued use of wrong gear
Agricultural cooperatives	Limited understanding of the principles of co-operatives	Failure to fully promote sustainable ENRM
	Limited understanding of conservation agriculture and sustainable ENRM	Continued use of conventional agricultural practices by cooperative members, and use of the cooperative as a conduit for chemical fertilisers that in the long run are detrimental to soils, etc
Radio listening clubs / radio farm forum	Limited knowledge and skills on ENRM.	Low rate of adoption of sustainable ENRM practices
	Limited access to tools for engagement, such as radio sets and voice recorders	Limited knowledge and low engagement on ENRM
	Limited skills on community mobilisation.	Low participation of community members in the clubs.
Pilot Project for Climate Resilience (PPCR) Committees	Weak community capacity development system	Low adoption of climate smart practices and livelihoods like conservation agriculture and aquaculture

Table 9(a): Capacity gaps/challenges and their impact in Region 1 (Kazungula and Sinazongwe)

...cont'd...Capacity Gaps in Region I (Kazungula and Sinazongwe)

Community Structure	Capacity gap/Challenge	Impact of the challenge
Traditional leadership	Limited access to relevant and up to date information	Inability of traditional leadership to take informed decisions and actions that ensure community participation in addressing land degradation and fish depletion
	Limited knowledge and understanding of sustainable ENRM	Inability of traditional leaders to promote adoption of sustainable ENRM practices, leading to further land degradation and fish depletion
	Limited involvement of traditional leaders in ENRM	Limited influence on adoption of sustainable ENRM practices by their subjects
Conservation Agriculture Scaling Up (CASU)	Limited extension personnel and resources	Low adoption of conservation agriculture due to limited knowledge and skills among farmers
Government line ministries/departments (Fisheries, Water Affairs, Agriculture, Forestry)	Understaffing	Failure to adequately deploy personnel to the community structures
	Under-funding	Failure to implement activities aimed at addressing the land degradation and fish depletion problems due to funding constraints
Fisheries management associations, like KAMI-DA in Sinazongwe	Limited coverage/reach of activities	Failure to reach most parts of the districts

Table 9(b): Capacity gaps/challenges and their impact in Region 1 (Kazungula and Sinazongwe)

3.2.2. Capacity Gaps in Region II (Katete and Petauke)

Community Structure	Capacity gap/Challenge	Impact of the challenge
Block and Camp Agricultural Committees	Limited access to extension staff due to understaffing	Low access to information on sustainable agriculture
	Limited information on sustainable best practices and alternative farming methods	Low adoption of sustainable agriculture practices
	Limited knowledge about the contents of agricultural and land management policies and other vital documents	High levels of suspicion resulting in low adoption of sustainable alternative farming approaches
Radio listening clubs / radio farm forum	Limited access to extension staff due to understaffing	Low access to information on sustainable agriculture
	Limited information on sustainable best practice alternative farming methods	Low adoption of sustainable agricultural practices
	Limited knowledge about the contents of agricultural and land management policies or other documents	High levels of suspicion resulting in low adoption of sustainable alternative farming approaches
Agricultural cooperatives	Limited understanding of the principles of co-operatives	Failure to fully promote sustainable ENRM
	Limited understanding of conservation agriculture and sustainable ENRM	Continued use of conventional agricultural methods by cooperative members and use of the co-operatives as conduits for chemical fertilisers, etc
Village Groups	Limited scope of their focus, where wildlife conservation is treated as an isolated issue and thus not linked to ENRM approaches.	Lack of involvement in addressing other equally important ENRM issues, specifically land degradation and deforestation resulting from their livelihood activities.
Traditional leadership	Limited access to relevant and up to date information	Inability of traditional leadership to take informed decisions and actions that ensure community participation in addressing land degradation and deforestation
	Limited knowledge and understanding of sustainable ENRM	Inability of traditional leaders to promote adoption of sustainable ENRM practices, leading to further land degradation and deforestation
	Limited involvement of traditional leaders in ENRM	Limited influence on adoption of sustainable ENRM practices by their subjects
Conservation Agriculture Scaling Up (CASU)	Limited extension personnel	Low adoption of conservation agriculture due to limited knowledge and skills among farmers
Civil Society Organisations	Limited personnel (average one person per district).	Limited provision of outreach services.
	Limited collaboration among different CSOs	Isolated interventions with little impact
Government line ministries/ departments	Limited understanding of sustainable ENRM as it relates to CBNRM	Failure to promote or implement effective and sustainable ENRM interventions to address deforestation and land degradation

Table 10: Capacity gaps/challenges and their impact in Region 2 (Katete and Petauke)

3.3. Assessment of specific ENRM issues in the target communities

The study identified and analysed ENRM issues specific to each of the project sites, and interrogated their magnitude and current interventions as well as gaps in the interventions. The findings of this assessment will be used to design interventions to address each specific issue. At the end of the project, the findings will also be used to measure the project performance. Details of the issues analysis per district are as presented below. Because of the similarities between the Region II sites (Katete and Petauke), and the Region I sites (Kazungula and Sinazongwe), the findings have been presented according to ecological regions.

3.3.1. ENRM issues in Region II (Katete and Petauke)

Specific ENRM Issue	Magnitude of Issue	Current Interventions	Gaps in Interventions
<i>Deforestation in Katete and Petauke</i>			
Cutting trees to clear new fields for cotton growing.	Moderate. The problem is rampant in the Northern part of Katete district	<ul style="list-style-type: none"> ♦ Ministry of Agriculture sensitising farmers to dispel the myth that cotton grows better in virgin soils ♦ Promotion of conservation Agricultural practices to improve soils in old fields 	<ul style="list-style-type: none"> ♦ Low scale efforts by the Ministry due to poor financing by the government ♦ Weak link between extension service and the farmers due to understaffing, limited resources and lack of reliable transport
Illegal logging, particularly of the mukula tree species for commercial purposes	Extensive	<ul style="list-style-type: none"> ♦ Forestry Department and the police intercepting and arresting people involved in the illegal logging of Mukula trees 	<ul style="list-style-type: none"> ♦ Intervention lacks community outreach to sensitise people about the ills of indiscriminate logging ♦ Lack of understanding by communities on their role in forest resource conservation and the law on logging ♦ Corruption involving some community members and law enforcement agents ♦ Lack of involvement of traditional leadership in community sensitization and law enforcement
Charcoal Burning	Extensive	<ul style="list-style-type: none"> ♦ The Forestry department and the police intercepting, confiscating and /or fining unlicensed charcoal transporters and traders 	<ul style="list-style-type: none"> ♦ Failure by the Forestry Department to conduct community outreach ♦ Understaffing, lack of resources and transport by the Forestry Department ♦ Absence of a clear reforestation and afforestation plan ♦ Communities' limited knowledge on their role in conserving forests ♦ Community members lack of appreciation of the importance of conserving forests ♦ Lack of involvement of traditional leadership in community sensitization and law enforcement ♦ Weak community involvement in forest conservation ♦ Lack of adherence to laws and regulations by people involved in charcoal burning and logging

Table 11 (a): ENRM Issues in Region 2 (Katete and Petauke)

Specific ENRM Issue	Magnitude of Issue	Current Interventions	Gaps in Interventions
Uncontrolled bush fires that destroy young trees and injure big ones	Extensive	None	<ul style="list-style-type: none"> ♦ Lack of community outreach by the Forestry Department ♦ Limited community knowledge on the impact of fires on the forests ♦ Lack of involvement of traditional leadership in curbing the vice
Homestead and livestock kraal fencing	Extensive	♦ None	<ul style="list-style-type: none"> ♦ Lack of community outreach by the Forestry Department ♦ Lack of knowledge by communities of the damage the practice is causing to the forests and the importance of conserving forests ♦ Lack of involvement of traditional leadership in curbing the vice ♦ Lack of implementation of the joint forestry management strategy
Shifting cultivation	Extensive	♦ Ministry of Agriculture and Cooperatives promoting conservation agricultural practices to preserve or improve soil fertility	<ul style="list-style-type: none"> ♦ Limited extension services by the Ministry of Agriculture due to understaffing and lack of resources and reliable transport ♦ Community members' limited knowledge of conservation agricultural practices ♦ Community members' lack of appreciation of the importance of conserving forests
Wood fuel harvesting by breweries in Petauke	Medium. Rampant in Petauke, where there are three wood powered breweries	♦ None	<ul style="list-style-type: none"> ♦ Lack of enforcement of law by the Department of Forestry ♦ Lack of engagement between breweries and the department. ♦ Lack of involvement of traditional leadership

Table 11 (b): ENRM Issues in Region 2 (Katete and Petauke)

Specific ENRM Issue	Magnitude of Issue	Current Interventions	Gaps in Interventions
Land Degradation in Katete and Petauke			
Wide use of conventional agricultural practices such as mono-cropping and dip tillage	Extensive	♦ Ministry of Agriculture promoting conservation agricultural practices	♦ Communities' limited knowledge of the benefits of conservation agricultural practices ♦ Communities' limited knowledge of their role in conservation of forests ♦ Limited extension services
Shifting cultivation	Extensive	♦ Ministry of Agriculture promoting conservation agricultural practices	♦ Community members' low knowledge of the negative effects of shifting cultivation on forests and land ♦ Community members' limited understanding and adoption of conservation agricultural practices ♦ Limited involvement of communities and traditional leadership in addressing the practice
Late bush fires when the soil is very dry	Extensive	♦ None	♦ Lack of exclusive programme to sensitise communities about the negative impact of bush fires on land ♦ Lack of involvement of traditional leadership ♦ Limited knowledge by communities on the negative effects of bush fires on land
Low adoption rates of CA technologies	Quite extensive	Ministry of Agriculture promoting conservation agricultural practices	Lack of comprehensive review of CA practices to make them more appealing and adoptable
Charcoal production	Extensive	Forestry Department and Police enforcing regulations that prohibit unlicensed charcoal production	Lack of community outreach by Forestry Department due to understaffing, lack of resources and transport Weak community involvement in forest conservation Limited reforestation and afforestation Community members' limited knowledge of their role Community members' limited understanding of the importance of conserving forests Lack of involvement of traditional leadership in community sensitization and law enforcement
Burning of crop residues in fields	Extensive	Ministry of Agriculture promoting conservation agricultural practices	Limited reach of agricultural extension services Lack of community understanding of the negative effects of the practice on the soil structure

Table 11 (c): ENRM Issues in Region 2 (Katete and Petauke)

3.3.2. ENRM issues in Region I (Kazungula and Sinazongwe)

Specific ENRM Issue	Magnitude of Issue	Current Interventions	Gaps in Interventions
<i>Fish Depletion in Kazungula and Sinazongwe</i>			
Overfishing	Extensive. High fishing effort by small scale and commercial fishermen and women	<ul style="list-style-type: none"> ◆ Fisheries Department strengthening co-management structures ◆ Department of Fisheries conducting enforcement, licensing and surveillance ◆ Fisheries Department conducting regular Catch Assessment Surveys 	<ul style="list-style-type: none"> ◆ Failure to fully sensitise communities due to limited personnel and lack of resources in Fisheries Department ◆ Lack of community outreach by the Fisheries Department ◆ Lack of knowledge of the consequences of overfishing by communities ◆ Lack of involvement of traditional leadership in curbing overfishing
Invasive fish species	Medium	<ul style="list-style-type: none"> ◆ Fisheries Department encouraging keeping of invasive fish species away from natural water bodies ◆ Fisheries Department conducting community trainings in fisheries management 	<ul style="list-style-type: none"> ◆ Weak capacities of community members to manage invasive fish species ◆ Community members' limited knowledge on managing invasive species
Blocking of breeding streams	Medium	<ul style="list-style-type: none"> ◆ Departments of Water Affairs and Fisheries jointly conducting surveillance and law enforcement on damming ◆ Department of Fisheries facilitating construction of fish ponds 	<ul style="list-style-type: none"> ◆ Limited community knowledge on the impact of damming on fish breeding. ◆ Lack of community sensitization by the Fisheries Department on dangers of blocking breeding streams
Wrong fishing gear	Extensive	<ul style="list-style-type: none"> ◆ Department of Fisheries monitoring and confiscating wrong fishing gear ◆ Fisheries Department sensitising people on the importance of using appropriate fishing gear 	<ul style="list-style-type: none"> ◆ Inadequate involvement of the fishermen and women in addressing problems of wrong fishing gear ◆ Low capacities of Village Fish Management Committees to promote sustainable fishing methods ◆ Understaffing and limited resources for the Fisheries department to effectively carry out its work
Invasive plant species resulting in blocking of breeding areas	High	<ul style="list-style-type: none"> ◆ Departments of Water Affairs and Fisheries removing weeds in breeding areas 	<ul style="list-style-type: none"> ◆ Limited capacities of line departments to mitigate and control invasive species

Table 12 (a): ENRM Issues in Region 1 (Kazungula and Sinazongwe)

Specific ENRM Issue	Magnitude of Issue	Current Interventions	Gaps in Interventions
<i>Land Degradation in Kazungula and Sinazongwe</i>			
Unsustainable practices like dip tillage and mono-cropping	High	♦ Ministry of Agriculture promoting conservation and sustainable agricultural practices like contouring of fields	♦ Community members' low knowledge of the negative effects of shifting cultivation on forests and land ♦ Community members' limited understanding and adoption of conservation agricultural practices ♦ Limited involvement of communities and traditional leadership in addressing the practice
Overgrazing	Medium	♦ Ministry of Livestock promoting rotational and zero grazing	♦ Uncontrolled communal grazing. ♦ Community members limited knowledge and understanding of sustainable livestock husbandry
Shifting cultivation	Extensive	♦ Ministry of Agriculture promoting conservation agricultural practices	♦ Community members' low knowledge of the negative effects of shifting cultivation on forests and land ♦ Community members' limited understanding and adoption of conservation agricultural practices ♦ Limited involvement of communities and traditional leadership in addressing the practice
Late bush fires when the soil and vegetation are very dry	Extensive	♦ None	♦ Lack of exclusive programme to sensitise communities about the negative impact of bush fires on soils ♦ Lack of involvement of traditional leadership ♦ Limited knowledge by communities on the negative effects of bush fires on land
Low adoption rates of CA technologies	Extensive	♦ Ministry of Agriculture promoting conservation agricultural practices	♦ Lack of comprehensive review of CA practices to make them more appealing and adoptable
Charcoal production	Moderate	♦ Forestry Department and Police enforcing regulations that prohibit unlicensed charcoal production	♦ Lack of community outreach by Forestry Department due to understaffing, lack of resources and transport ♦ Weak community involvement in forest conservation ♦ Limited reforestation and afforestation ♦ Community members' limited knowledge of their role in forest management ♦ Community members' limited understanding of the importance of conserving forests ♦ Lack of involvement of traditional leadership in community sensitization and law enforcement

Table 12 (b): ENRM Issues in Region 1 (Kazungula and Sinazongwe)

3.4. Policy and legal gaps Analysis on ENRM

Effective and sustainable ENRM requires a favourable legal and policy environment. A policy and legal gap analysis was conducted to establish the legal and policy framework within which the project is being implemented. The aim of this analysis was to identify existing legal and policy instruments on ENRM, their strengths and weaknesses, as well as levels of policy cohesion and compliance. The information generated will inform advocacy efforts to address the identified gaps.

Since the Republican Constitution is the supreme law of Zambia, the ENRM legal framework must be premised on the Constitution. The analysis, therefore, began by assessing the Constitution to establish the extent to which it is supportive of CBNRM.

3.4.1. The Republican Constitution

Section 255 of the Constitution provides that “the management and development of Zambia’s environment and natural resources shall be governed by [inter alia] effective participation of people in the development of relevant policies, plans and programmes.” Additionally, section 257 provides that “the state shall in the utilization of natural resources and management of the environment...encourage public participation”. The foregoing, therefore, demonstrates that the constitution is indeed supportive of the concept of CBNRM.

3.4.2. Laws and Policies Relevant to ENRM

The study identified laws and policies directly and indirectly related to ENRM as follows:

Act	Purpose	Policy	Purpose
The Environmental Management Act, 2011	<ul style="list-style-type: none"> Provides for integrated environmental management and the protection and conservation of the environment as well as the sustainable management and use of natural resources 	<ul style="list-style-type: none"> National Policy on the Environment, 2007 National Environmental Action Plan, 1994 	<ul style="list-style-type: none"> Updates the 1985 National Conservation Strategy Integrates environmental priorities with national economic and social planning; Identifies areas of environmental concern and recommends remedial action
The Environmental Protection and Pollution Control (Environmental Impact Assessment) Regulations, 1997	<ul style="list-style-type: none"> Regulates the conduct of environmental impact assessments and project briefs 		
The Water Resources Management Act, 2011	<ul style="list-style-type: none"> Provides for the management, development, conservation, protection and preservation of water and its ecosystems. Also provides for the equitable, reasonable and sustainable utilization of the water resource 		
The Environmental Protection and Pollution Control Act, 1990	<ul style="list-style-type: none"> Regulates and controls pollution 	<ul style="list-style-type: none"> National Policy on the Environment, 2007 	<ul style="list-style-type: none"> Creates a comprehensive framework for natural resource management that is effective and sensitive to environmental conservation and the demands of sustainable development

Table 13 (a): Laws and Policies Relevant to ENRM

Act	Purpose	Policy	Purpose
The Wildlife Act, 2015	<ul style="list-style-type: none"> Provides for the establishment, control and management of National Parks, bird and wildlife sanctuaries and for the conservation and enhancement of wildlife ecosystems and biological diversity 	<ul style="list-style-type: none"> Policy for National Parks and Wildlife in Zambia, 1998 	<ul style="list-style-type: none"> Provides for the management and conservation of wildlife Entrenches local community participation in conservation of wildlife
The Tourism and Hospitality Act, 2015	<ul style="list-style-type: none"> Sets standards for the sustainable development of the tourism industry through effective tourism planning, management, promotion and coordination to ensure sustainable tourism 		
The Mines and Minerals Development Act, 2015	<ul style="list-style-type: none"> Regulates the law relating to exploration, mining and mineral processing Provides for safety, health and environmental protection in mining operations 	<ul style="list-style-type: none"> 	<ul style="list-style-type: none">
The Disaster Management Act, 2010	<ul style="list-style-type: none"> Establishes and provides for the operation of a system for the anticipation, preparedness, prevention, coordination, mitigation and management of disaster situations and the organization of relief and recovery from disasters. 	<ul style="list-style-type: none"> 	<ul style="list-style-type: none">
The Fisheries Act, 2011	<ul style="list-style-type: none"> Provides for the sustainable development of fisheries and a precautionary approach in fisheries management, conservation, utilization and development Establishes fisheries management areas and fisheries management committees 	<ul style="list-style-type: none"> The Fisheries Draft Policy, 2010-2020 	<ul style="list-style-type: none"> Provides an for overall national vision for the development of the fisheries sector Prescribes institutional arrangements for the management of the fisheries sector Calls for co-management of fisheries
The Lands Act, 1995	<ul style="list-style-type: none"> Provides for the statutory recognition and continuation of customary tenure Provides for the conversion of customary tenure into leasehold tenure 	<ul style="list-style-type: none"> Draft Land and Administration Policy, 2015 	<ul style="list-style-type: none"> Guided by the Constitution of Zambia and the Vision 2030, articulates a comprehensive land policy that takes account of emergent issues (like climate change) and contributes to national development objectives

Table 13 (b): Laws and Policies Relevant to ENRM

Act	Purpose	Policy	Purpose
The Energy Regulation Act, 1995	<ul style="list-style-type: none"> Provides for the licensing of undertakings to produce energy or the production or handling of certain fuels 		
The Local Government Act, 1991	<ul style="list-style-type: none"> Provides for an integrated three-tier local administration system 	<ul style="list-style-type: none"> Revised Sixth National Development Plan, 2013-2016 National Adaptation Programme of Action on Climate Change, 2007 	<ul style="list-style-type: none"> Promotes decentralization as an important pillar of public service Recognizes the importance of public participation in the formulation of national policy Formulates national policy on climate change
The National Heritage Conservation Commission Act, 1989	<ul style="list-style-type: none"> Provides for the conservation of Zambia's natural and cultural heritage 		
The Forests Act, 2015	<ul style="list-style-type: none"> Establishes and declares national forests, local forests, joint forest management areas, botanical reserves, private forests and community forests; Provides for the participation of local communities, local authorities, traditional institutions, non-governmental organizations and other stakeholders in sustainable forest management 	<ul style="list-style-type: none"> Forestry Policy, 2015 	<ul style="list-style-type: none"> Creates a framework for the reduction of deforestation and forest degradation Regulates the export of timber and the production of charcoal Establishes a framework for participatory forest management.
The Biosafety Act, 2007	<ul style="list-style-type: none"> Ensures that any activity involving the use of any genetically modified organism does not damage the environment Provides for public participation, information and consultation in the field of biosafety 		

Table 13 (c): Laws and Policies Relevant to ENRM

As can be seen from this table, there are some laws that are not supported by policies. While there have been efforts to address the situation, some policies have remained in draft form for a long time. This, therefore, is a gap in the legal and policy framework, and makes it difficult to fully implement the existing laws.

3.4.3. ENRM Laws and policies directly relevant to the project

From the numerous laws and policies identified, the study selected those that are directly relevant to the project as follows:

Land Degradation	
Policies	Laws
Draft Land and Administration Policy (2015)	The Lands Act (1995)
National Agriculture Policy (2012 to 2030)	Mines and Minerals Development Act (2015)
Fish Depletion	
The Fisheries Policy Draft (2010-2020)	The Fisheries Act (2011)
	Water Resources Management Act (2011)
	Wildlife Act (2015)
Deforestation	
The Forestry Policy (2015)	The Forests Act (2015)
Policy for National Parks and Wildlife in Zambia (1998)	
Crosscutting policies and laws	
The National Policy on the Environment (2007)	The Constitution of Zambia
	The Environmental Management Act (2011)
	Environmental Protection and Pollution Act (1990)
	Biosafety Act (2007)
	Local Government Act (1991)

Table 14: ENRM Laws and Policies Directly Relevant to the Project

3.4.4. Analysis of merits and gaps in existing ENRM Laws and Policies

Following the identification of the legal and policy instruments, the study conducted an analysis of the merits and gaps of specific instruments. This analysis was to establish the strengths and weaknesses of the policy framework to come up with policy advocacy issues. The gaps analysis is as presented below:

Policy/Law	Strengths	Weaknesses/Gaps
Land Degradation Laws and Policies		
Draft Land and Administration Policy (2015)	<ul style="list-style-type: none"> ♦ Democratic decision-making within communities is established as a guiding principle of land administration ♦ Provides for the co-management (with local communities) of customary land declared as a public reserve ♦ Promotes the devolution of land management and administration rights to local government agencies and traditional community institutions ♦ Envisages the creation of a Community Based Natural Resource Management Board to facilitate joint management of land 	<ul style="list-style-type: none"> ♦ Still in draft form and therefore unrealizable until officially adopted. The policy preamble notes that pending its adoption, the draft policy is not to be quoted or interpreted as government policy ♦ Does not provide a framework for public participation in land alienation decisions
National Agriculture Policy (2012 to 2030)	<ul style="list-style-type: none"> ♦ Advocates for the issuance of title deeds to subsistence farmers to incentivize their use of sustainable land management practices and environmentally friendly farming systems 	<ul style="list-style-type: none"> ♦ Does not address community based natural resource management practices or initiatives in any detail, neither does it address how these practices can prevent land degradation
The Lands Act (1995)	<ul style="list-style-type: none"> ♦ Prohibits the alienation of land situated in a district or an area where land is held under customary tenure without consulting persons whose interests might be affected by the alienation 	<ul style="list-style-type: none"> ♦ Does not provide procedural guidelines for the consultation of local communities in land alienation decisions and offers no safeguards to ensure that this consultation actually occurs
Mines and Minerals Development Act (2015)	<ul style="list-style-type: none"> ♦ Prospective mining right holders must adhere to an Environmental Impact Assessment (EIA) process which incorporates elements of public participation 	<ul style="list-style-type: none"> ♦ There is no Mines and Minerals Development policy ♦ The Act does not mandate any community involvement in mining license decision making
Deforestation Laws and Policies		
The Forestry Policy (2015)	<ul style="list-style-type: none"> ♦ Provides for broad based participation in forestry management ♦ Commits to facilitating gender equity in all aspects of forestry management ♦ Recognizes that sustainable management of forest ecosystems requires the empowerment and participation of local communities 	<ul style="list-style-type: none"> ♦ Does not provide a frame-work for Reducing Emissions from Deforestation and Forest Degradation (REDD) implementation that is effectively integrated with other policy and legislative instruments ♦ Does not substantially address the inequitable control and ownership of land by men to the exclusion of women

Table 15 (a): Merits and gaps in existing ENRM Laws and Policies

Policy/Law	Strengths	Weaknesses/Gaps
Policy for National Parks and Wildlife in Zambia (1998)	<ul style="list-style-type: none"> ◆ Mandates that the general management plan for the management of national parks must be prepared through an interactive process that must include the local community ◆ Affirms the Administration Design for Management (ADMADE) philosophy which recognizes local communities as the best custodians of natural resources ◆ Allows local communities to register as Integrated Resources Development Boards (IRDBS) to facilitate the co-management of open areas ◆ Empowers local community members to be involved in planning processes around administration and management of national parks 	<ul style="list-style-type: none"> ◆ Provides little or no detail on how the community consultative mandates in the policy must occur ◆ Very little integration and harmonization with the forestry policy and statutory framework ◆ Does not provide for the monitoring and evaluation of its proposed participatory approaches ◆
The Forests Act (2015)	<ul style="list-style-type: none"> ◆ Empowers local community members to form Community Forest Management Groups (CFMGs) for joint control and management of forests ◆ CFMGs can enter into Community Forest Agreements (CFAs) with the Forestry Department and thereby derive economic and educational benefits from local forests ◆ Community consent must be sought before an area can be declared a Joint Forest Management Area (JFMA) ◆ Joint Forest Management Committees (JFMCs) with the mandate to develop JFMAs must include representatives from the local community ◆ Creates a progressive benefit sharing mechanism to be managed by JFMCs. ◆ Forest Management Plans (FMPs) must be prepared in consultation with the local community ◆ A Forest Development Fund is created which must be used, in part, to promote community based forest management strategies 	<ul style="list-style-type: none"> ◆ Unfettered discretionary authority in the granting of CFMG recognition and in the termination of CFAs ◆ No safeguards to protect against the misappropriation of revenue from the benefit sharing mechanism ◆ No mechanisms to ensure that the joint forest management envisaged by the act actually occurs ◆ Does not incorporate any performance evaluation criteria in joint forest management initiatives
Fish Depletion Laws and Policies		
The Draft Fisheries Policy (2010-2020)	<ul style="list-style-type: none"> ◆ Affirms the need for a new fisheries policy since the current framework is not adequately participatory ◆ Further recognizes that the oversight and enforcement levels of community participation have been inadequate 	<ul style="list-style-type: none"> ◆ Still in draft form and, therefore, remains unrealizable until formally adopted ◆ Despite recognizing the inadequate oversight and enforcement mechanisms of community participation, the policy does not provide a concrete framework for the reversal of this retrogressive trend

Table 15 (b): Merits and gaps in existing ENRM Laws and Policies

Policy/Law	Strengths	Weaknesses/Gaps
Policy for National Parks and Wildlife in Zambia (1998)	<ul style="list-style-type: none"> ◆ Includes the active participation of local communities in managing the wildlife estate as a core component of wildlife management and administration ◆ Empowers local communities to register as Integrated Resources Development Boards (IRDBS) to facilitate the co-management of open areas (which can include fishing areas) ◆ Empowers local community members to get involved in planning processes around administration and management of national parks 	<ul style="list-style-type: none"> ◆ No specific mention of fisheries administration and management ◆
The Fisheries Act (2011)	<ul style="list-style-type: none"> ◆ Involves riparian communities in fishery management ◆ Provides for the creation of fishery management committees that must include local community representatives ◆ Provides for the consultation of the local riparian community before declaring an area a fisheries management area 	<ul style="list-style-type: none"> ◆ Does not incorporate community participation as a management principle ◆ The Act does not mandate the inclusion of community input in the granting of aquaculture licenses ◆ Excessive discretionary authority is given to the Minister of Livestock and Fisheries to radically alter the fishing industry landscape by imposing emergency measures without consultation ◆ Despite numerous provisions mandating community consultation, there are no regulations governing the method, form, and precise process that community consultations should take. ◆ The majority of fisheries management areas do not have fisheries management plans in place – a direct violation of the Act
Water Resources Management Act (2011)	<ul style="list-style-type: none"> ◆ Mandates public consultation in the formulation of a national water resources and strategy plan 	<ul style="list-style-type: none"> ◆ There are no guidelines in the Act or elsewhere to govern the public participation mechanism envisaged by the Act, and to ensure that the community involvement and gender considerations promoted by the statute are observed
Wildlife Act (2015)	<ul style="list-style-type: none"> ◆ Incorporates the equitable and effective participation of local communities and traditional leaders as a management principle ◆ Creates Game Management Areas (GMAs) to advance CBNRM ◆ Mandates the consultation of local communities before the declaration of an area as a national park or GMA ◆ Empowers a local community “along geographic boundaries contiguous to a chiefdom in a Game Management Area, an open area or a particular chiefdom with common interest in the wildlife and natural resources in that area”, to apply to the Minister for registration as a community resources board 	<ul style="list-style-type: none"> ◆ CBNRM directives in the Wildlife Act are not harmonized with those in the fisheries and forestry legislative frame-work even though there is an overlap of mandates

Table 15 (c): Merits and gaps in existing ENRM Laws and Policies

Policy/Law	Strengths	Weaknesses/Gaps
Cross Cutting Laws and Policies		
The Constitution of Zambia	<ul style="list-style-type: none"> Provides that the management and development of Zambia's environment and natural resources shall be governed by the principle of effective participation Espouses a system of devolved government in which management and administration of economic affairs is devolved to the local level (this economic devolution necessarily includes the management of natural resources) 	<ul style="list-style-type: none"> The current policy and statutory framework does not adequately reflect the devolved government system espoused by the Constitution. While this is not a defect in the Constitution itself, it seriously undermines the Constitution
Environmental Protection and Pollution Act (1990)	<ul style="list-style-type: none"> Prohibits the issuance of a license or permit unless the inspectorate has published its intention in the Government Gazette and invited representations from interested parties 	<ul style="list-style-type: none"> Other than providing an opportunity for public representations, the Act incorporates no other CBNRM mandates
The Environmental Protection and pollution Control (Environmental Impact Assessment) Regulations (1997)	<ul style="list-style-type: none"> Mandates the solicitation of community input during the preparation of Environmental Impact Assessments (EIAs) Directs the Zambia Environmental Management Agency (ZEMA) to take public comments into account in EIA decision-making 	<ul style="list-style-type: none"> Public hearings on EIAs are discretionary and not mandatory
Biosafety Act (2007)	<ul style="list-style-type: none"> Mandates public consultation prior to the granting of authority to develop, import, trade, or otherwise deal with GMOs The National Biosafety Authority is mandated to take the public's views into account when making GMO related decisions 	<ul style="list-style-type: none"> There are no regulations governing the method, form, and process that the envisaged public consultations should take
Local Government Act (1991)	<ul style="list-style-type: none"> Creates a three-tier local administration system to promote decentralization which is a core requirement for CBNRM initiatives and practices 	<ul style="list-style-type: none"> The Act in its current form does not reflect the system of devolution envisaged by the Constitution. It is in urgent need of revision
The Environmental Management Act (2011)	<ul style="list-style-type: none"> Enshrines the individual's right to participate in environmental decision-making Confers on members of the public the right to enforce provisions of the Environmental Management Act and to prosecute environmental law offenders 	<ul style="list-style-type: none"> Does not mandate community involvement in the preparation of the National Environmental Protection plan. Very low utilization of the enforcement and prosecution rights conferred by the Environmental Management Act
The National Policy on the Environment (2007)	<ul style="list-style-type: none"> Espouses the involvement of local communities in environmental planning. Recognizes that sustainable and effective ENRM can only occur when community participation is guaranteed Advocates for the expansion of the pilot environmental fund for community-based environmental projects (currently administered by the Ministry of Tourism) to support enterprise based on indigenous knowledge systems 	<ul style="list-style-type: none"> Recognizes that community based management practices are still in infancy and not widely implemented, enforced, or practiced but does not suggest specific and/or measurable, recommendations on how this can be addressed

Table 15 (d): Merits and gaps in existing ENRM Laws and Policies

4.0 Baseline

The three assessments culminated in the development of a baseline for the project. The baseline used proxy figures across the four sites. This was because the study was qualitative. However, it was necessary to have some proxy figures to use as the basis for measuring the performance of the project. The table below shows the baseline.

Objective	Performance Indicators	Baseline/Current Situation	Target
Impact Level			
Increased adoption and application of sustainable environmental practices	Increased livelihood diversification	About 10% of target population have diversified livelihoods	50% of the target population using environmental sustainability practices
	Increased households practising conservation agriculture	About 20% of households practising conservation agriculture	
	Increased number of fishermen and women venturing into aquaculture to lessen pressure on the lakes and rivers	About 2% of fishers currently engaged in aquaculture.	
Increased community engagement and involvement in ENRM	Percent Increase in community-led action on ENRM	About 5% of the target community are spearheading ENRM actions	50% of target community participating in ENRM at community level
	Percent increase in number of community members sitting in community institutions on ENRM	About 3% community members sitting in community institutions on ENRM	
Outcome Level			
Effective mechanisms for community engagement in ENRM developed, trained and functional	Number of community members active in ENRM	Only 15% of the community members are active in ENRM	50% of existing mechanisms are effective in addressing deforestation, fish depletion and land degradation
	Number of effective and functional mechanisms for participation	About 2% of existing mechanisms for community participation are functional and effective.	
Capacity of community members in CBNRM principles and their role and modalities increased	Number of people with demonstrated ability to take part in ENRM	Less than 5% of people in the target communities understand CBNRM and participate in ENRM	At least 50% of people in the target communities demonstrate deeper understanding of CBNRM and how they can be involved
Increased community action on promoting sustainable ENRM	Number of community action plans rolled out and making an impact in the identified areas of need	About 1% of the target communities have action plans	At least 50% of the target community members active in ENRM
Favourable policy environment with clear implementation mechanisms for policy guidelines in place	Number of policies formulated on CBNRM.	None of the existing ENRM policies are CBNRM specific policies	At least 1 clear policy on CBNRM formulated and implemented
	Number of policies reviewed to take into account community participation	Number of policies reviewed to take into account community participation in CBNRM	At least 2 existing policies reviewed to take into account community participation

Table 16: Baseline on Current situation

5.0 Conclusions, recommendations and advocacy issues

Based on the findings of the legal and policy analysis, the table below outlines the conclusions drawn, makes recommendations and highlights advocacy issues arising from the findings.

Conclusions	Recommendations	Advocacy Issues
Policies that are critical to the CBNRM effort remain in draft form. The land and administration policy and the fisheries policy are two examples. Until these draft policies are finalized, they do not represent government policy and are, therefore, not realizable	The policies in draft form must be finalized and adopted.	Advocate for the immediate finalization and adoption of the fisheries and land and administration policies.
There are no procedural guidelines on the form that the consultation of the local community in land alienation decisions must take	Community consultation mandates must be accompanied by detailed procedural guidelines on the form, method and process that these consultations should take	Advocate for the enactment of regulations to provide procedural guidelines for community consultation in land decision-making.
CBNRM principles are not incorporated into mining rights decision making	Community input should be solicited during the mining license decision making processes	Advocate for community participation in mining rights decision making, processes and procedures
The legal framework for REDD + is incomplete	Law reforms that integrate, harmonize and revise laws relating to the implementation of REDD + must be undertaken.	Advocate for the swift implementation of a legal framework that can support REDD + initiatives
The Local Government Act does not adequately reflect the system of devolution espoused by the Constitution in which the management and administration of economic affairs is devolved to the local level	The Local Government Act must be updated to reflect the system of devolution envisaged by the Constitution	Advocate for the revision of the Local Government Act. Advocacy efforts must specify how CBNRM necessarily requires the devolution of authority and resources to the local level
There is no provision for public participation or community involvement in the preparation of the National Environmental Protection Plan (EPP)	Since prudent ENRM is most effective at its source, local community input and involvement is critical to the development of the EPP and the Environmental Management Act must facilitate this engagement	Advocate for the incorporation of a public participation and CBNRM component in the preparation of the EPP
The majority of Fisheries Management Areas (FMAs) do not have Fisheries Management Plans (FMPs) in place. This is in direct violation of the Fisheries Act	Ensure that there is statutory compliance with the Fisheries Act which requires that all FMAs must have a Fisheries Management Plan (FMP)	Advocate for the urgent implementation of FMPs in all FMAs
There is no mechanism for community consultation in the formulation of a national water resources strategic plan	The plan must provide mechanisms to enable the public, women in particular, to participate in managing water resources within their respective catchment areas	Advocate for the inclusion of a mechanism that enables the public to participate in managing water resources within their respective catchment areas
There is evidence to suggest that there is widespread non-compliance and ineffective monitoring of CBNRM mandates in the fisheries and forestry sectors	An effective enforcement monitoring mechanism must be put in place to ensure that the CBNRM directives enshrined in laws and policies are complied with	Advocate for more stringent and monitoring enforcement of CBNRM directives in the fisheries and forestry sectors

Table 17(a): Conclusions, recommendations and emerging advocacy issues

Conclusions	Recommendations	Advocacy Issues
Despite numerous provisions mandating community consultation, there are no regulations governing the method, form and precise process that community consultations should take	Inclusion of a precise process of community consultations in the ENRM policies and laws	Advocate for the development and implementation of guidelines on community consultations
There is excessive discretionary authority in the implementation of CBNRM mandates in the fisheries and forestry legislative framework	Curtail discretionary element in CBNRM implementation and replace these with mandatory directives	Advocate for the curtailing of discretion in the carrying out of CBNRM mandates
The public participation rights enshrined in the Environmental Management Act are underutilized, likely due to a lack of awareness	An outreach and awareness campaign to inform the public of their public participation rights	Conduct an outreach campaign and information dissemination drive to sensitise the public on their environmental law enforcement rights
There is virtually no evidence-based data on the effect of CBNRM mandates on local communities and natural resource estates	Conduct an ethnographic study on the enforcement and implementation of CBNRM directives and on the effect of CBNRM laws and policies on local communities	Advocate for or undertake the said ethnographic study

Table 17 (a): Conclusions, recommendations and emerging advocacy issues