# SYNTHESIS OF LESSONS LEARNED. ENHANCING EQUITY IN THE RELATIONSHIP BETWEEN PROTECTED AREAS AND LOCAL COMMUNITIES IN THE CONTEXT OF GLOBAL CHANGE:

# HORN OF AFRICA AND KENYA

*Research Report by*

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# Contents

## List of case studies



## Acronyms

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| PA | Protected area |
| CCA | Community Conserved Area |
| TILCEPA | Theme on Indigenous and Local Communities, Equity and Protected Areas of the World Conservation Union |
| IUCN | International Union for the Conservation of Nature |
| WPC | World Park Congress |

# 1. Methodology and acknowledgements

This study is a review of the engagement of local communities in the management of natural resources in the Horn of Africa and Kenya, with the objective to contribute to enhancing equity in the relationship between local communities and protected areas.
In the study area local communities are often totally excluded from access to formal (State-declared) Protected Areas. They are also excluded from their management and are marginal in benefit sharing. Consequently I could not identify many positive lessons from the existing system of Protected Areas. On the other hand the Horn of Africa and Kenya are an extraordinary mosaic of diverse ethnic groups. In many cases they associate themselves to a defined territory, from which they derive their livelihoods in sustainable ways. The study area provides a potential for understanding the dynamics of ethnic conservation and the inherent problems. I have chosen to explore a single case in some details, jointly implementing with Boku Tache of SOS Sahel-Ethiopia a participatory research. Information about the general conditions of biodiversity conservation at national level and other case studies were collected through interviews and literature survey, as well as by circulating a Concept note on Community Conserved Areas and a questionnaire.
I own special thanks to Neema Pathak and Maurizio Ferrari for providing the basic version of the Concept note and the questionnaire, to Ato Fayera Abdi, Country Director of SOS Sahel-Ethiopia and Paolo Tablino for providing facilities and assistance on the field, to Liz Alden Wily, Mustafa Babiker, Shibru Tedla, Joyce Wafula, Edmund Barrow and Humphrey K. Kisioh for relevant bibliography and advice, to Quentin Luke for providing background information on the *Kaya* forests case study, to A. Fisher and Abdurahiman Kubsa of GTZ-IFMP for filling the questioner on the Adaba Dodola case study, to Hassan Guyo for compiling the Kinna case study and to Grazia Borrini-Feyereband for her stimulating guidance.

# 2. Working concepts and definitions

The working definition of Community Conserved Area adopted in this study is the following:

> "natural ecosystems (forest/marine/wetlands/grasslands/others), including those with minimum to substantial human influence, containing significant biodiversity value, being conserved by communities which depend on these resources culturally or for livelihood". (Neema Pathak and Ferrari 2002)

During the progress of this work this definition was complemented with a number of additional concepts and definitions, to respond to the need to further qualify the concept of local community and to describe the specific characteristics of Community-based conservation in the study area.
The concepts used are "ethnic group", "ethnic conservation" and "ethnic governance". It is also advisable to distinguish between autochthonous and indigenous communities. Other relevant definitions are "Primary rights", given under Challenge 3.3, and "Primary stakeholder", under Challenge 6.1.

## 2.1. Ethnic group, ethnic conservation and ethnic governance

There are many definitions of *ethnic group*. For our purpose, we can adopt the following:

> *a collectivity of people sharing a common identity, expressed through symbols and cultural values, including a common language, a territory and a variety of norms*.

Most local communities living permanently in a territory have developed their culture in strict association with the natural resources from which they extract their livelihoods. Culture determines the groupings co-operating in the productive activities, defines norms and incorporates specific knowledge. The natural landscape has been shaped by eco-compatible human action, assuring the long-term survival of the group as a whole and the sustainable use of local resources. The positive link between natural resources and livelihoods practices has especially been recognised for pastoralism, a key ecological factor for the grow and survival of large and diverse wildlife (Berger 1993: 23-4). This is probably the reason why most National Parks in East Africa have been established in pastoral areas.

Different local communities share some common patterns of environmental conservation, such as norms to assure a balanced exploitation of the pasture based on the dry-season wet-season graze distinction, practices of wildlife management to optimise population and assure a food reserve in time of environmental crisis, complex systems of use and usufruct rights for trees and other resources, conceptions about the environmental value of forests. The way conservation is actually achieved on the ground is locally determined and expressed in culturally specific terms. The specific culture implies much more of a mere application of local knowledge concerning specific environmental features. It encompasses symbolic constructs of social and economic groupings, norms, juridical and judicial procedures, culturally-specific sanctions, and political and juridical personnel. All this requires a collective elaboration and codification, which may take place at different levels of collective identity, such as lineage and clan (very relevant in the Somali cultural area). Normally we can clearly identify a dominant level, the ethnic group, a collectivity sharing a mother language, values and beliefs, rituals, norms, procedures, political models and, of course, a territory. Ethnic groups do not necessarily have rigid boundaries, sometimes can differently be identified by the various actors and the associated values and norms are rooted in the tradition but also open to change and adaptation.

*"Ethnic conservation" is a direct or indirect conservation action based on the collective identity and culture*. Ethnic conservation is grounded on mutual adaptation between culture and environment and it is primarily motivated by the need to assure a sustainable use of natural resources. It differs from the more generic concept of Community-based conservation because it is primarily linked to culture. While a local community may simply use statutory law and government institutions to enhance conservation, in ethnic conservation the protection of the environment is obtained through a number of interdependent elements rooted in the tradition.

*"Ethnic governance" of Community Conserved Areas is the articulated and interrelated set of elements used by an ethnic community to manage its natural resources, including customary norms, traditional institutions, decisional procedures and personnel (traditional leaders, elders…)*.

## 2.1. Indigenous and autochthonous communities

The terms "indigenous" and "autochthonous" have an overlapping meaning, referring to the historical association between a people and a territory. Nevertheless the two terms

bring some variances of meaning leading to the preference of the term autochthonous with reference to the study area.
The term "indigenous" was used to distinguish between people/cultures at a large geographical level, mostly referring to the local inhabitants of a continent colonised by the Europeans. It still mainly refers to the cleavage between the descendants of the Europeans or other long-range immigrants and the descendants of the local inhabitants. The term "autochthonous" (in Greek mythology "the children of the soil", in scientific definitions "formed or originating in the place where found", or "referring to features and processes occurring within, rather than outside, an environment") better expresses the direct relation, adaptation and origin from a specific locality.
Let us consider a group of highland or midland farmers (group A) expanding into lower and less suitable lands, previously used by a neighbouring group of pastoralists (group B), or communities of displaced and returnees assisted by international organisations (group A), settled or resettled in the area of a neighbouring communities (group B) (Box 9A). Or let us assume that labourers migrate into new irrigating schemes (group A) that have displaced local pastoralists (group B) from their dry-season grazing (Box 13). Both groups A and B can be considered indigenous (for instance as opposite to white farmers or traders living somewhere else in the country), but only group B is *autochthonous, whose members perceive themselves as having originated from the specific location and having elaborated a local culture in adaptation to the specific natural environment*.

# 3. Biodiversity conservation in the study area

## 3.1. Formal Protected Areas

In the Horn of Africa and Kenya conservation policies have for long been characterised by a strong State-centric and top down approach. In most cases protected areas have been cut from previously commonly held lands. The local communities have been dislocated outside the park boundaries and they have lost access to key livelihood resources through legal means.

In Kenya this approach was rather successful in terms of conservation of wildlife biodiversity, fully integrated with a flourishing tourist industry from the 70s onwards, the most important foreign exchange earner. However, serious concern has grown both in the country and among concerned international organisations for issues of equity. While the local communities bordering national parks and reserves paid for the burden of resource alienation, the national government and foreign enterprises mostly enjoyed the economic benefits of the tourist industry. In some cases some compensation measures in favour of the displaced communities were agreed, but never adequately implemented, as in the case of the Amboseli National Park (Wells and Brandon 1992; Rutten 2002: 111) and the Maasai Mara National Park (Berger 1993: 14) (see also Box 1 concerning an Ethiopian case). In the long run the exclusion of the local communities led to a number of negative side effects on biodiversity conservation, including difficult law enforcement in protected areas, poaching and absence of adequate wildlife management outside the park boundaries. In line with the general tendency in Africa (Hulme and Murphee, 2001: 2), from the mid-80s onwards such awareness led in Kenya to a growing attention for community's involvement in biodiversity conservation and related activities. A number of programmes were started with financial support by several international organisations (World Bank, USAID, WWF, etc.), seeking to

involve communities in the "parks outreach" (Barrow, Gichohi and Infield 2001) in benefit sharing. Several measures were promoted with a variable degree of success. The Kenya Wildlife Service, from 1991 in charge of Kenya's wildlife heritage, promoted a policy of devolution of a certain percentage of the parks revenues for development initiatives in favour of the neighbouring communities (mainly in the field of education, water and health development). Other measures include adequate compensation for game damages and reservation of a local employment quota within the park infrastructure. Such attempts have only rarely successfully been implemented. On its side the community was called to co-operate with the parks' management and rangers in the protection of wildlife outside the park boundaries. Some attempts have been done to develop campsites and tourism facilities directly or indirectly managed by the community. This is especially achieved within Conservancy Area Associations, legally recognised associations of private landholders and/or commonly held group ranches[1] involved in different types of wildlife-based enterprise (Barrow, Gichohi and Infield 2001). The review of the results as far achieved raises serious concern about the actual benefits for the wider community (Box 14). In no case communities play any significant role in the management or co-management of National Reserves or National Parks.

In Ethiopia the management of formal Protected Areas has never been successful both in terms of biodiversity conservation and equity. In Ethiopia National Parks were first established in the late 60s (although some imperial game reserves were established much earlier) to protect a wide variety of endemic species. The total absence of any consideration for the local communities both during the imperial time and the following socialist period produced an antagonistic feeling towards government protected areas. When the government collapsed in 1991, parks' facilities were looted and in some cases wildlife was deliberately killed in retaliation to unjust management.

**Box 1**
**The antagonist feeling (about the establishment of Awash National Park, 1969)**

"Haile Selassie [Ethiopian emperor] sent his ministers. They asked us whether we agree to the establishment of the Park or not. Their question was not genuine, since they had already taken all the land without consulting us. It was intended to produce a pretext to arrest us as usual. We told them that we do not give all of our land since we have no other place but part of it. We, then, agreed out of fear, obviously, to give the land east of Fontale Mountain for the park. They agreed to give us land west of the Fontale Mountain. We accepted since we could not do anymore. When they prepared a map of the park and began to protect the land, the thing was different. They reversed the agreement: The map of the park included areas west of Fontale mountain, which they previously agreed to give us. They have begun to evict us. They built a camp in our settlement areas. We repeatedly asked the government and the park to respect our joint agreement but no one listened to us…"
**Source:** Karrayu elder quoted in Buli Edjeta (2001: 86).

From 1991 onwards the managers of all national parks have been unable to control poaching, overgrazing, encroachment of farming and charcoal production into the National Parks. In 1995 the concerned experts and officers gathered in a national meeting. They fully acknowledged that all National Parks and other formal protected

[1] . Group Ranches were introduced with the 1968 Land Act for dividing trustland into pieces of land communally owned by groups of individuals. The aim of the Group Ranches Programme was to convert milk-oriented traditional pastoralism into beef producing ranching. The division of land was mainly made according to clan and subsection territories, but modern management was introduced, consisting in an elected committee of ten, led by a chairman, a secretary and a treasurer. Mismanagement, rigid boundaries and small size for sustainable use led to the failure of the programme and to the recent prevalent tendency to subdivide them into individual holdings (Berger 1993: 20, 37, 111-2; Rutten 2002: 7, 21).

areas were actually "parks with people", illegally encroaching with uncontrolled activities. Some recommendations where provided on how to cope with this reality, including the involvement of the people in resource management, the promotion of community conservation and the identification of key/core conservation area (MoNRDEP, Farm Africa 1995: 113, 125-7). In the meanwhile EPA (Environmental Protection Authority), a special unit established by the new federal government to promote a comprehensive environmental policy in the country, has finalised the *Conservation Strategy of Ethiopia* (EPA 1997), an important document promoting a more participatory approach in the management of protected areas. The document is in the process of being adopted with some minor changes by all Regional States. Despite these inputs the practice of community's exclusion from National Parks and Reserves has not as far been reversed. The responsibility for their management has in many cases been transferred from the federal agency (EWCO) to the concerned Regional States, without achieving any relevant improvement on the top-down management practices. The protected areas of the country are still seriously affected by the contradiction between a legally sanctioned fiction of being an area untouched by human activity, while in reality they are used and abused in an uncontrolled way by both urban and rural dwellers, pushed by poverty as well as by mere profit-making motivations. The few attempts to involve the communities neighbouring the National Parks have not as far been successful (Care Awash is involved since 1995 in a programme combining development and conservation in Awash National Park, Box 13, and some attempts are made in Bale National Park). Conflict between the park administrations and the human communities remains high, as it has been described by Beltràn with reference to the Simen Mountain National Park in northern Ethiopia (2000: 79-85). Wildlife population is very low, often found outside National Parks' boundaries, and the survival of the numerous endemic species of Ethiopia is seriously threatened. The weak performance of tourism in the country is an additional problem, limiting opportunities of income generation through biodiversity conservation. Despite the Ethiopian high potential for tourism, facilities and infrastructure are inadequate, with a lack of an effective policy.

**Box 2**
**On the decline of wildlife in Awash National Park**

"The Karrayu (…) assert that their cattle and the wildlife used to graze together. The number of wildlife decreased as soon as the Park came into existence. As a [Karrayu] informant put it:

> We know how to rear cattle and how to live with wildlife. Our cattle are more familiar to *Saala* (Oryx) than cars of the government are to *Saala*. Our spear is less harmful than guns of the government and the hunters. We are forbidden to live with the *Saala* while Haile Sellasie and the faranji (white men) are allowed to kill our *Saala* (informant, Qasaro Jilo)"

**Source**: Buli Edjeta (2001: 62)

The situation in Eritrea, Sudan and Somalia is even more worrying. In the two National Parks of Dindir and Radoam in Northern Sudan conservation is unsatisfactory. Human settlements and modern farming are encroaching into the parks' boundaries. Southern Sudan, with its higher biodiversity potential, is seriously affected by the civil war. At national level some steps in the direction of sustainable development have been taken through the establishment in 1992 of the High Council for Environmental and Natural Resources (HCENR) under the Ministry of Environment and Tourism. The National Comprehensive Strategy, recently approved, has one section on the Environmental Strategy (Hassan Ahmed and Nadir Mohamed 1999: 112-116), but not much attention is paid for the participation of local community in the management of protected areas and benefit sharing.

In Somalia a decade of absence of internationally recognised State authorities has produced the total collapse of the protected areas system. Wildlife has nearly entirely disappeared. The emergent government institutions in Somaliland, Puntland and Mogadisho (TNG) have taken some steps towards the establishment of an environmental policy. They have already identified environmental priorities, including the need to re-establish protected areas to conserve biodiversity.

In Eritrea there were no established protected areas at the time of gaining independence, in 1993. In 1995 the new government has approved the National Environmental Management Plan for Eritrea (NEMP-E), identifying the need to adopt an Eritrean Environmental Act and to establish the Eritrean Agency for the Environment (EAE) with the mandate to co-ordinate environmental issues among the competent Ministries and Departments. The Draft Eritrean Environment Proclamation, in preparation since 1996, promotes integration among environmental protection, conservation and sustainable use of natural resource and provides for participation of local population in planning and management. The EAE is indicated as responsible for the administration of protected areas. Two more institutions are instituted: the Eritrean Council for the Environment (ECE), having the mandate to promote integration between development and environmental protection, and the Eritrean Peoples' Forum for the Environment (EPFE), to link local communities to national environmental policy (Castellani 1998: 237-40). The Department of Environment of the Ministry of Land, Water and Environment and the Department of Forestry and Wildlife of the Ministry of Agriculture have taken some steps to identify various areas for establishing National Parks and other measures of biodiversity conservation. The implementation of this integrated environmental policy has been delayed by the war with Ethiopia and by the emergence of new priorities in the country.

In Eritrea and Somalia innovative participatory methodologies can potentially be introduced already in the phase of identification and early planning of the protected areas, if adequate support will be provided at this stage.

## 3.2. Forestry

In Kenya and in Ethiopia forestry is the field with the most interesting cases of community participation. Several NGOs are promoting a collaborative management approach. In both countries operative and efficient networks have been established (The Kenya Forest Working Group and the National Forest Management Working Group, Ethiopia).
Several interviewed experts agree that in most cases collaborative management has not yet reached the implementation phase, blaming inadequate legislation in Kenya (a new bill is in preparation) or a State-centric mentality by some politicians and administrators in Ethiopia. In Ethiopia during the socialist period of the Dergue (1974-1991) several forests were proclaimed National Forest and entrusted to the new administrative structures for direct top-down management. The local communities had lost sense of ownership and responsibility. After the change of government in 1991 a process of political decentralisation has started with the introduction of ethnic federalism, but the top-down authoritative attitude is slow to change.
The Regional Government of Oromia (the largest regional Sate in Ethiopia with the greatest biodiversity potential) has approved the Proclamation on Land Use Policy. The document (not yet available in printed form) confirms the legal supremacy of the

regional government on the registered National Forest, but leaves full option for community management in the remaining "patches of forests", which are not yet identified (personal communication, Siraj Bekelie). The on-going process of administrative restructuring with uncertain responsibilities prevented the possibility to establish new and efficient management structures. As a result most National Forests are facing serious degradation (see Box 9B for an example).
Despite these constraints there are few success cases, such as the Loita forest in Kenyan Maasailand, assumed to be a true community managed forest, the GTZ-IFMP project for the collaborative management of Adabe Dolola forest in Ethiopia (Box 16) and the Lorugum landscape of Turkana district, Kenya (Box 10). The *Kaya* on the Kenyan coast are a unique example of community protected forests, thought not community-managed forests in a full sense (Box 4).

In Somalia charcoal became a major export good during the 10 years of civil war. The country was affected by massive internal migration of clans and lineages. Newcomers, less concerned about sustainable use of local natural resources, have often entered in conflict with autochthonous clans for the depletion of forests and trees for trade and income generation. Uncontrolled charcoal production for trade and export is now recognised by the emerging government institutions as a real environmental priority.

## 3.3. Ethnic conservation in the study area

In the study area we cannot speak (with the mentioned few exceptions) about the existence of formal (State-declared) PAs where the local or indigenous communities have a relevant *management* role. Yet, especially in Ethiopia where formal protected areas are so inefficient, or in Somalia, Eritrea, southern and western Sudan where protracted civil wars determined the absence of the State's role in protecting biodiversity, we may say that valuable biodiversity exists as a matter of compatibility with livelihood and cultural needs. In the Horn of Africa there are many cases of conservation truly implemented by local communities on their own initiative, by their own means and on the base of their own motivations, in most cases related to sustainable livelihood or ritual requirements. This type of conservation is culturally-specific; hence it is an ethnic conservation, often based on appropriate governance models, rooted in the tradition.
Ethnic conservation in the study area has the following distinctive qualities:

- The motivations of the efforts of conservation originate from the community (livelihood, ritual).
- The implementation of the conservation involves the local community as primary actors.
- It is based on local culture and local normative (customary) and political models.
- It is based on customary tenure systems.
- It based on local practices, knowledge and procedures.

Ethnic conservation is often totally informal and unrecognised. The super-imposition of new tenure system and of statutory law, the transfer of decisional capacity to formal State leadership and the economical marginalisation of many local groups is progressively leading to the erosion of the ideological and legal base of ethnic conservation. As a result its positive impact on biodiversity conservation is dramatically declining, while State policies are currently failing to achieve any relevant result.

Not all traditionally managed territories have the same biodiversity relevance, but traditional resource management systems may extend into formal protected areas. Different and conflicting tenure principles (customary and statutory), different systems of authority and legitimacy and different normative regimes produce the contradictions and ambiguities that make the governance of most formal protected areas so difficult.

# 4. Key issues

## Key issue 1. Understanding motivations and the dynamics of Ethnic Conservation

Communities who have for centuries been living in a certain territory or perceiving themselves as more or less permanently associated with it have a simple reason to care about the sustainable use of natural resources: the need to survive. Society is a symbolic construct and common identities can only develop around common symbols. A group sharing a common identity also needs to perceive itself as lasting in time, having a past, a present and a future. This is expressed, for instance, by the well-known concept that a lineage includes the living, the ancestors and the future generations. Customary norms often provide for the basic right of survival of each family. This implies individual rights of access to common resources. Human groups basing their mode of production on the concept of common property are also likely to develop cultural devices to assure the long-term sustainability of the common resources, on which the survival of their members is based. Over time man's action shapes the environment (landscape) and culture develop in strict association with the environment and the need to preserve the key resources. A number of local variations of culture and full shaped governance systems emerge in a virtuous symbiotic relation with the natural environment.

Not all cultures are equally effective from the point of view of biodiversity conservation. For instance this virtuous reciprocal influence between culture and environment may not develop in contexts based on an expansionist/predatory cultural model, or it may seriously be affected by radical change induced by a variety of factors, as massive immigration and resource alienation, forcing to a permanent change of livelihoods. It does not apply to most late-comers into a territory, or to people who perceive themselves as staying a short time in an area (refugees), who in many cases compete with the autochthonous people to obtain recognition of their claims over local resource.

A fuller understanding of the dynamics of Ethnic Conservation is a pre-condition for integrating government and communities' efforts to conserve biodiversity.

## Key issue 2. Marginalisation of pastoral people, of their culture and governance systems

Several case studies below show that Ethnic Conservation is becoming less effective in connection with the institutional crisis of the pastoral communities, the expansion of towns, the erosion of their resource base in favour of new comers and national and global investors (Bassi 2002). Pastoralists are increasingly squeezed into more marginal land, forced to take up less ecological sound practices, while their best land and key resources are taken over by outsiders, usually for farming, commercial ranching and other forms of investment.

The critical factor of marginalization of pastoralists and other local communities is a progressive replacement of their title over resources. This is usually achieved through the following correlated means:

- Top-down imposition and enforcement of statutory law, replacing customary law.
- Imposition of different tenure systems, usually State ownership, granting different types of usufruct rights, and private ownership. In the first case decision-making is transferred to State administrators for title-granting and State-legitimised leadership for management (e.g.: Co-operatives in Ethiopia, Group Ranches in Kenya), with the result of breaking down the complex norms and practices of exclusion-inclusion that are always associated to ethnic common tenure. In the second case common tenure is progressively eroded through a progressive alienation of the more productive land, taken over by groups and individuals enjoying better position in term of access to financial opportunities and education. They are usually urban dwellers and elite, in many cases not belonging to the autochthonous rural community.
- Transferring authority and decision-making capacity from traditional leaders to State administrators and other modern trained officers. In the study area many traditional leaders have formal titles, gained through specific rituals and training processes. They have the responsibility to guarantee the wellbeing of the community as a whole, on the basis of traditional wisdom, customary norms and local knowledge. Titles are acquired through legitimising processes rooted in the local culture. Modern administrators go through formal education, but the source of their legitimacy is far removed from the local community. They respond to different normative systems (statutory) and interest (national and international networks). Since in the study area marginal communities have little access to formal education, modern administrators are often outsiders and tend to favour their own community. In other cases they may represent the elite component of a community undergoing rapid stratification, exploiting their power position and new opportunities to further improve their position.

The outcome of this process of change is fast environmental deterioration and loss of biodiversity. The Western way to control the negative environmental impact of the expanding modern and destructive modes of environmental exploitation is to impose legal restrictions. In the Horn of Africa this attempt is not only not effective, but it also exacerbated exclusion and marginalisation of the local communities that, through their cultural adaptation, had created the conditions for the growth of outstanding biodiversity resources. Issues of conservation efficacy have to be considered along with issues of equity and legitimacy, such as the collective rights of the local communities.

## Key issue 3. Relation between Ethnic Conservation and formal PAs

In the study area we have on one side formal Protected Areas, excluding communities and their rights. On the other side we have Ethnic conservation, informal and unrecognised. The real challenge is how to bridge the two into formal Community Conserved Areas. The inter-link of Ethnic Conservation and PAs is not so direct and easy to achieve. In the first place Ethnic Conservation is motivated by sustainable livelihood and ritual rather than biodiversity conservation *per se*. The global demand for biodiversity conservation should be articulated in ways compatible with the basic right to sustainable livelihood; hence the establishment of restrictions on resource use should adequately be compensated. Formal Protected Areas can bring benefits through new income opportunities, mainly tourism, sport hunting and marketing of wildlife products.

It is crucial to assure that these benefits are used to compensate the community's loss. Not only the local community should maintain ownership of the resources and obtain the benefits of the new opportunities, it is also important to assure that the benefits are equally distributed within the community and, especially, to those groups and individuals who have been penalised by the change.
A second problem is the rigid geographical definition of PAs. Culturally-based conservation flexibly applies to broadly defined territories and ethnic conservation does not always work through a univocal association between one ethnic group and a defined territory. Ethnic groups may themselves be ambiguous categories, and different ethnic groups may have competing or complementary claims over a same territory. This complexity should carefully be kept into account in designing formal protected areas.

## 5. What can we do about it?

### Sub-heading 1. Recognising the cultural dimension of conservation

Ethnic Conservation is based on mutual adaptation between culture and environment. But both variables are subject to change and the virtuous interrelation may seriously be affected. The relation between local culture and conservation should properly be understood, acknowledged and valorised.
The bi-directional relation between culture and environmental management is paradigmatically illustrated by the case of the Karrayu (Box 13). Their ritual circuit used to regulate the rotational seasonal exploitation of different ecological zones. After they have lost access to their ceremonial grounds their religion was not environmentally functional anymore and the Karrayu have massively converted into Islam.

#### Challenge 1.1. Fostering the understanding of the relation between culture and biodiversity conservation in global discourse

*Options for action and advice:*

- More emphasis should be given to the cultural dimension of conservation in international debates, conferences and publications on biodiversity conservation. Manuals and guidelines should contain sections on this issue
- Add the cultural dimension in all PAs categories, through TILCEPA initiatives on the revision of PAs categories.
- Lobbying with donors to sponsor academic research and action research in this field.
- To pursue the formal recognition of Ethnic Conservation at national and local levels. This can be achieved by attaching an additional dimension to all internationally sponsored conservation projects, not merely a generic attention for "community participation", but specific provisions on the relation between culture and resources.

#### Challenge. 1.2. Embedness of conservation into culture

Conservation is often embedded into culture. This implies that, even if properly understood, conservation ethos cannot always be directly transferred into practice through specific projects. In order to maintain its positive effect in a changing cultural environment, it is necessary to work at the ideological level, to inform decision-making

at all levels, such as national policy making and legislation, and raising awareness among experts and other decision-makers.

**Box 3**
**Conservation values embedded in the Oromo culture**

Among the Oromo (the largest nation in Eastern Africa, about 40 millions living in Ethiopia with minorities in Kenya) we can clearly identify a conservation ethos, but this is not based on an explicit need to protect biodiversity *per se*. It is rather the implicit outcome of values expressed in cultural terms and in the belief system.

The Borana and the Oromo protect a very wide variety of trees for different reasons. The most important one is the Sycomoro (*Ficus sycomorus*) (vernacular: *odaa*), symbolically associated with the *qaalluu*, the high priests of the society. Most *gadaa* rituals are performed in the shade of a Sycomoro tree. The tree and the surrounding area (*ardaa jilaa*) are fully protected (Taddesse Berisso 1995). Other trees are protected because their wood is used to make ritual/cultural sticks and objects, because used in ritual or because of their positive association with grass grow and production of palatable fruits for man and livestock (i.e.: *Acacia tortilis* - vernacular: *dhaddacha*). Further, certain specific tree species are planted close to the burial place as part of the funerary rituals. These trees are carefully cared for later on.

The overall result of the Oromo ethos concerning trees is a species selective tree management at the country level. For instance in the agricultural Oromo highlands one can immediately identify land still managed by Oromo small farmers from farms assigned to non-Oromo resettlers or managed by private enterprises. Trees characterised the cultivated fields. In the commonly managed pastoral areas of the Oromo-Borana (a southern section of the Oromo), trees are very common, thought poverty is forcing families to engage in charcoal production. The burning of protected trees produces strong social concern. In the same pastoral areas cultivation is expanding. In the plots farmed by outsiders, big protected trees are systematically killed. Some local Oromo are adopting the same destructive practice.

Full protection of hill slopes and hill top from encroachment of farming is another important erosion-preventing practice based in the Oromo religious belief that hill-tops are close to God (Waaqa) (Aneesa Kassam and Gemetchu Megerssa 1994). Conversion to Islam and Christianity and strong pressure for new land are weakening the efficacy of this belief in terms of environmental protection.

The Oromo-Borana use specific terms to refer to eco-systems. This terms are identified with specific places within the territory. One of them is *baddaa*, meaning "forest with tall trees", "a dark green forest": it is the forest containing *Juniperus procera*. *Baddaa* is conceived as something belonging to the "outside" (the realm of nature, close to God, the *alolla*), but it is also as a whole a metaphor of the human society. The following interview was conducted with Gurracha Duuba, a Borana elder living just outside the Manquubsa (Nagelle) forest (Boku Tache and Marco Bassi joint research, Sept. 2002), nearly destroyed by a fire in 1999 and under heavy illegal juniper extraction in the surviving part:

"The juniper trees are like the Borana elders (*jaarsa*): they stand taller than the others and have a long white beard (whitish lichen-*arrii* is often hanging on the juniper's leafy branches). Just as there cannot be Borana society without elders, the *baddaa* will follow into chaos when all the junipers will be cut or destroyed [illegal timber producers selectively cut juniper trees at night]. I was told long ago that one day we would have seen a big light from very far and the *baddaa* would disappear…[referring to the great 1999 fire]"

This metaphoric association is more than a formal similarity. The juniper trees *are* the elders and the forest *is* the Borana society, since there is a dynamic link between the two. This is confirmed by reference to the prophecy. It is part of a wider famous apocalyptic narration mentioning a number of events bringing social and cosmic disorder and announcing the end of the world. Disappearance of the forest is thus equated to disappearance of the orderly human society. The interconnection between forest and human activity is further qualified in the remaining part of the interview:

"The forest attracts the clouds. It makes them stop and favours rain. It also produces rain: in the forest there is always humidity and mist. It produces rain. We can see it by the fact it has springs and produce all-year-round high quality pasture. Due to the forest's destruction now the nearby plains (Diida Liiban) and other places do not receive enough rain anymore, and many of the permanent springs have dried up. But rain is still good in my place, Xuxxuffe, due to the remaining patch of forest nearby".

The elder is fully aware of the ecological relation between forest and rain, though expressed in local terms recalling the idea of cosmological separateness but interdependency between the inside (society – *Allof*) and the outside (nature – *Alolla*) (Aneesa Kassam and Gemetchu Megerssa 1994). Nature is the domain where water is produced, and water and rain are necessary for human life and activities.

Gurracha Duuba has then guided us in a transect walk across the remaining forest, showing several surface water points that have dried up due to forest destruction. They now have to dig very deep to find

water, so deep that now a chain of 10 men is necessary to lift water from the acquifer. He was able to indicate each site where a juniper tree was illegally cut during the recent nights and could also indicate each young tree growing in the bush. He claimed that inefficient forestry management is due to the entrusting of responsibilities to young people (the Borana guards employed by the Nagelle administration) rather than to the elders (referring to Borana governance).

*Options for action and advice:*

- Promoting dialogue at national level to raise awareness about the efficacy of traditional values
- Bringing the issue to the attention of people in modern institutions through various means
- To promote a grassroots dialogue on how traditional values and beliefs can a) be applied in changing legal and economical environments; b) be adapted and incorporated into new world-views.

Challenge 1.3. Valorisation of traditional values in planning conservation of specific biodiversity resources

The positive potential embedded in cultural values of the autochthonous people should be valorised in modern conservation practices. This attempt has been done for the *Kaya* forests of the Kenyan coast. A group of concerned professionals have secured financial, institutional and legal support to improve the capacity of traditional leaders to protect their sacred forests. The weakness of the process is that traditional leaders are not directly empowered to manage the forest, but need the mediation of the project. This is due to the lack of specific legal instruments.

**Box 4**
***Kaya* forests, Kenya**

A few centuries ago invading groups displaced the people living along the Kenya coast. They found refuge in the Coastal forest, where they built fortified villages. When security improved, the population moved to more open countryside, but memory of the original refuge was kept. These patches of forest are known as *kaya* ("homeland") and continue to provide a sacred ground for ceremonial celebrations to different ethnic groups (the Digo, the Duruma and 7 groups of the Giriama cluster). The knowledge related to *Kaya* and the inherent ceremonies is vested in titled elders based on traditional institutions like the age class system.

Under the pressure of modernisation the coastal forests of Kenya have strongly deteriorated. The elders have been protecting the *Kaya*, but during the last few decades formal education and government policy against traditional values has led to an increasing decline of the respect for the elders. They have become unable to prevent exploitation of the forest. Several surveys on the conservation status of the forest revealed that the best protected patches of coastal forest were still the *Kaya.* In 1993 a WWF proposal by Robertson and Luke supported the feasibility of enhancing the elders' capacity to protect the forest by gazetting the *kaya* as National Monument under the National Monument Act, the only law in Kenya feasible for the purpose, under the initiative of the National Museum of Kenya. 23 *kaya* were initially gazetted, and many other later on. From 1994 a program was funded to support the elders with a number of initiatives, including the establishment of an extension team to inter-link the elders with modern institutions, providing assistance to the elders for development initiative to increase their prestige within the local community, to legalise local groups as culture group with the Ministry of Social Service, to employ community guards. Other initiatives were environmental education, promotion of scientific research and employment of legal expertise to develop more effective law by increasing the penalties.

During the initial stages of the project's implementation concern was raised by the local government about the action of promoting and legitimising "backward practices and beliefs". However a strong political support was gained at national level from politicians belonging to the same culture. The process was strengthened through the production of a documentary film on the *kaya*.

The success in term of conservation is variable in the different *kaya.* The weakening of traditional belief is regarded as a serious difficulty. Another problem is the fact that elders entirely rely on the project's facilities for their protecting action. The forest is so deteriorated that it cannot produce income in any relevant way. Hence funds for community guards are provided by the project. When an abuse takes place, the elders cannot act directly, but need the assistance of the extensionists based in two local offices. The project run out of funds in 2000 and this has serious consequences on the initiative.
**Source**: Robertson and Luke, 1993.
Interview with Q. Luke.

*Options for action and advice:*

- Ideological opposition to traditional values can locally be overcome by promoting dialogue, especially if modern-trained experts recognise their positive implications. Videos are a powerful instrument.
- Support can be gained through concerned politicians who can understand the specific cultural features.
- Supporting and strengthening community institutions and traditional leadership.
- Promoting and supporting ethnic ceremonies and positive traditional religious values.
- The appropriate legal instruments to support ethnic conservation can be identified in innovative ways. The elders of the *kaya* forests have indeed a primary role in protecting the forest, using the legislation on National Monument and the project's assistance. In the long run the efficacy of indirect legal instruments may, however, be limited.
- It would be preferable to aim at a direct recognition and empowerment of the concerned traditional leaders and institutions, but this requires appropriate development of specific legal instrument at national level.

## Sub-heading 2. Recognising Ethnic Governance

In the study area many pastoral and agro-pastoral groups have fully fledged and still operative system of traditional governance (in Kenya the systematic introduction of group ranches has seriously affected this capacity). These are often well studied by anthropologists. Ethnic Conservation is losing its capacity to protect the environment because ethnic governance is getting weaker and weaker under the pressure of external factors, such as the superimposition of external legal, cultural and political systems combined with the immigration of people who do not share the same culture. In order to re-gain its effectiveness ethnic governance needs to be re-vitalised in innovative ways.
Ethnic governance is a complex process based on three main elements:

- Norms (Customary law and practice).
- Procedures, regulating the decisional processes, including law making, conflict management and dispute settlement achieved in different councils and meetings.
- Personnel, often the traditional leaders.

An effective re-vitalisation of ethnic governance requires much more than a simple codification of customary norms (incorporating them into the legal framework). It requires the incorporation of local decisional processes as well as norms. It is necessary to recognise, support and strengthen the three correlated elements to promote the internal processes required for facing new challenges.

Challenge 2.1. To raise international awareness about the relevance and potential of ethnic governance

*Options for action and advice:*

- Obtaining recognition of ethnic governance in the reformed international PA system, working on the governance axis (Borrini-Feyerebend, 2002), through the ongoing TILCEPA initiatives.
- Promoting further understanding of Ethnic governance and identifying ways to integrate it to formal PAs' management, through comparative studies, workshops, academic and action research.

Challenge 2.2. Understanding the complexity of specific ethnic governance systems

Specific governance systems can be very complex. They can hardly be understood by applying fast methodological tools. Classic academic research is equally unsuitable for the timing, incompatible with the planning requirements.

**Box 5**
***GADA* GOVERNANCE**

The Borana of Southern Ethiopia (about 400.000 people) and Northern Kenya are a pastoral-specialised section of the wider Oromo nation (40 million), the largest linguistic group in East Africa. They are known for their *raaba-gadaa*, a system of generation classes. Every 8 years a new generation class (represented by elected leaders from the major clan divisions) takes the leadership of the *yaa'a* (the ritual and itinerant village of the Borana, central to their political symbolism) and perform a number of national rituals in different sacred sites. They also have the responsibility to organise the general assembly of the Borana ones every 8 year, an event lasting more than one month and involving thousand of people in democratic debates. The general assembly is the supreme court and the legislative body. Formal customary laws (*seera*) are orally announced on such occasion.

Aneesa Kassam and Gemetchu Megerssa refer that a special general meeting is regularly held in Eel Dallo to discuss affairs pertaining to man's relationship with nature. Disputes are here discussed on the base of Borana environmental laws (*aloof alollaa*), based on the awareness of interconnection and interdependence of all created things (water, wildlife, forest, cattle, man…). In Borana and general Oromo world-view man and society on one side ("the inside"- *aloof*) and the wilderness on the other ("the outside" – *alollaa*) should be kept apart, but a balance should be maintained between the two through human made laws. Man's survival is conceived as the outcome of this balance (1994: 88-92).

Among the Borana, law-enforcement is assured through a highly articulated and diffused assembly structure. Assemblies are led by different type of titled leaders. The *abbaa gadaa*, the *qaalluu* and the *hayyuu* are the most authoritative, having served for not less of 16 years in one of the Borana *yaa'a*. All titled leaders and any influential man are called *jaarsa*-elders, a term implying political prestige more than mere age. (Bassi 1996)

The Borana political/juridical/governance system has never received any formal recognition in modern Ethiopia. It is still crucial in regulating interpersonal relations in rural context and access to pastoral resources, but it is as a whole losing relevance due to the over-all State-imposed allocation of land resources to external in-comers (Box 9A).

*Options for action and advice:*

- Employ trained and qualified experts with experience in the region and in the cultural area for literature review and specific participatory, team and action research.
- Systematically involve local cultural experts.

Challenge 2.3. Revitalising and recognising Ethnic governance and incorporating it in the management of formal protected areas

The Boorana Collaborative Forest Management Project run by SOS Sahel is an attempt to legitimise *gada* governance for the conservation of 3 National Forests, adapting it to the new need, applying a collaborative management approach.

**Box 6**
**Boorana Collaborative Forest Management Project (BCFMP)**
**- SOS SAHEL -**

**Contact person**: Boku Tache, Social Systems and Civil Society Development Advisor

**Background information**: The Boorana Collaborative Forest Management Project has been established by SOS Sahel with funds from EU to protect the 3 National Forests found in Borana Zone.

**Analysis of the state of conservation of the 3 National Forests**: practically not conserved

**Analysis of causes**:
- high market demand of juniper trees for house building in towns (juniper is termite resistant and local building techniques requires a large quantity of wood)
- lost sense of ownership, State-centric approach, corruption
- irresponsible use by town dwellers, immigrants, and "returnees", accused of farming encroachment, irresponsible off-take of timber for marketing, of starting fires in the forest and of overgrazing it with large herds of camels (from Uudet)
- poverty, involving some Borana in destructive activities (despite the value system)-
- weakness and de-legitimisation of Boorana governance.

**Actions suggested**:
- Revitalising Borana institutions and values through: a) an action of awareness raising among the local Borana community; b) an action of involvement in conservation issues of the formal traditional leadership
- On the base of Borana values and through the normal Borana decisional process, establishing some new forms of management on endangered resources and ritual grounds, capable to deal with external destructive forces (collaborative management).
- Involve other users in collaborative management agreements.
- Replicate the Collaborative management approach from the National Forests to the other remaining patches of forest.

**Special problems**:
- It is difficult to see the Borana recognised as primary stakeholders, due to a superficial understanding of collaborative management among development practitioners who confuse among "right holders" and "users".
- Need to achieve a two phases negotiation, the first between the government and the Borana community and the second between the empowered Borana community and the government on one side and the other users on the other side. The possibility to follow this procedure is not at all granted.

*Options for action and advice:*

- Working directly with traditional leaders in local projects.
- Giving open consideration to customary law and procedures.
- Relying on the variety of traditional bodies and institutions (councils, meetings, etc.) for daily management, participatory monitoring and evaluation activities.
- Lobbying at national and local level for formal recognition of traditional/ethnic institutions.

Challenge 2.4. Enhancing the capacity of traditional leadership/institutions to deal with new challenges

Traditional leaders and local actors, marginal to modern processes and training, are often incapable to deal with new situations and new threats.

*Options for action and advice:*

- Focusing capacity building on the traditional sector and relevant local actors, marginalised in the modern arena.
- Clear allocation of responsibilities between traditional institutions and State administration.
- Institutional development to link ethnic (traditional) to State (modern) institutions.

Challenge 2.5. Ethnic conservation is culturally-specific

Norms and enforcing mechanisms of ethnic governance are based on values and conceptions that are not shared beyond the ethnic community, particularly by the modern sector of the society. As such, they cannot cope with extra-cultural elements, unless they are recognised through the modern institutions.

**Box 7**
**Community-regulated Conservation of Medicinal Plants in Kinna area of Isiolo District, Kenya**

*Case Study presented by Hassan Guyo Roba, National Museum of Kenya*

**Name of Protected Area**: Kinna

**Location:** Southern part of the Isiolo District, bordering the Meru National Park

**Ecosystem type and its biodiversity value**: Although Isiolo district is located in Somali- Maasai regional center of endemism, which is characterised by Acacia- Commiphora bush land, this southern part has unique plants and animal diversity. It forms a transition zone between the northern part of Isiolo District and the Nyambene highland that borders it to the south. The area is rich in both plants and animal species and relatively green for many months of the year. The presence of seasonal rivers like Kinna and Bisan Adi river makes the area a favourable ecosystem when compared to the much drier northern part.

**Characteristics of the local community**: The dominant community in the area is Borana with other related groups including the Waata and Sakuye with whom they share both culture and language. Although the Borana people are traditionally nomadic pastoralists, the community in Kinna area practices subsistence farming growing mainly maize, beans and other vegetables. Nevertheless livestock still form the backbone of their economy.

**Biodiversity relevance for the local community**: The rich ecosystem provides the indigenous community in the area with livelihoods means. Many products are harvested from the area including: Timber for building, firewood and charcoal as source of energy, honey, edible wild fruits. It also provides grazing ground for livestock and more importantly it provides plants that have medicinal value. A recent ethnobotanical study in the area (Roba, 2002), documented over 95 medicinally important plant species from the area known and collected by local professional healers.

**Endangering factors**: These important plants and animal diversity are faced with a number of threats both anthropogenic and natural. Recurrent drought, overgrazing, human activities like charcoal burning and over harvesting for commercially viable medicinal plants are some of the major threats to the plants diversity in the area. Especially, valuable medical plants are endangered by commercial collectors and vendors who are not themselves healers and in most cases coming from nearby towns (especially from Isiolo). Not only these external collectors over harvest certain species, but they are also blamed to practice unethical harvesting methods. Some of the threatened species, which are widely sold in the local

markets, include: *Mormodica spinosa* (Waldaha), *Momordica sessilifolia* (Amarich), *Albizia anthelmintica,* (Awacho), *Tabernaemontana ventriosa* (Anona) and *Terminalia brownii* (Bires).

**Conservation initiative**: To reduce the effects of some these threats, especially over harvesting by the commercial vendors, the local community has initiated some conservation initiatives.
The traditional healers have formed an informal association to protect the biodiversity and in particular medicinal plants. Through this association they have re-enforced the traditional rules and regulations on harvesting of medicinal plants:
The rules include:
(1). Tough rules in harvesting of medicinal plants. For example, it is the responsibility of every healer to refill the soil at the base of the plants whose root has been harvested.
(ii). Harvesting of the lateral root so that the plant can continue to survive on the main root even after the subsequent harvesting.
(iii). When bark is the medicinally important part of the plant, harvesting is done systematically from the opposite side each time giving the bark ample time to regenerate.
(iv) Harvesting of medicinally important plants is limited only to the knowledgeable people like the herbalists, non-specialists are generally discouraged from harvesting important medicinal plants.
(v). A single stand of medicinal plants is usually spared from harvesting, restricting collection to areas that have more than one plant.
(vi). Healers are discouraged from harvesting plants that are close to homestead (healing ability is believed to reduce with closeness to home), but rather go far in the field. This practice is used to reduce harvesting stress on familiar species that are found close to home which otherwise could have been an easy targets for all.
(vii). Other rules and regulation like placing tobacco at the base of the plant before harvesting limits the number of harvesters of medicinal plants.

**Constraints:** The community' s effort in conservation is hampered by a number of obstacles, the first being that the regulation is mainly adopted by the local professional healers only.
The local community and the association of healers lack any official or legal mandate or status to conserve biodiversity. They therefore have no means to enforce the regulation on external collector.
To overcome this constraint, the local people suggest the establishment of formal reserves for medicinal plants. The local healers feel that they should be empowered to regulate the harvesting of medicinal plant and their professional contribution to the provision of health should be duly acknowledged.
Nevertheless, this is unlikely to happen because people working in the administration and in modern institutions have a strong bias towards traditional medicine.

**Reference**: Roba, 2002.

*Options for action and advice:*

- Need to formalise governance solutions based on local cultural models
- Obtaining formal "empowerment" by the concerned government institutions.

Challenge 2.6. Need to elaborate a methodology for the valorisation of Ethnic conservation

The Wildlife Extension Project (Kenya) was designed with the more advanced methodologies to assure community participation and it was carefully implemented with enough financial resources. Nevertheless its impact has been very limited. The valorisation of the cultural relation with the environment requires specific attentions and methodology, designed to achieve integration of ethnic governance into current conservation activities.
The case of Larugum area of Turkana District (Kenya) (Box 10) provides a comparative positive alternative, but there are no clear guidelines on how to replicate the process.

**Box 8**
**Wildlife Extension Project (WEP), Kenya**

The Wildlife Extension Project (WEP) was implemented in Loitokitok Division of Kajiadi District near the Amboseli National Park to promote a bottom up participatory approach to wildlife management. Reports on the project stress that the expatriate volunteers, supposed to establish a link with the community, were not easily accepted by the Maasai. Workshop and seminars were attended only by a certain number of Maasai, and influential elders were excluded; hence the project failed to comply with traditional Maasai governance. Limited negotiation with traditional leaders has been identified as a main cause of the insignificant impact of the project on the community appreciation of wildlife.

**Source**: Berger 1993; Brandon and Wells, 1992; IIED 1994

*Options for action and advice:*

There is a need to elaborate clear guidelines on how to valorise Ethnic conservation in current conservation initiatives, an extension of what has already been achieved in the field of community participation. Ideally the results should be presented in one or more publications (Cardiff series is one possible outcome) and the approach will later be promoted through international programmes and workshops.
The formulation of the guidelines requires some steps:

1. Promoting comparative and theoretical studies to outline basic principles, concepts and definitions.
2. Promoting comparative studies to understand the range of possible different contexts and variations.
3. Promoting area studies on the different legal settings regarding the possibility to get collective rights recognised.
4. In depth analysis of case studies to outline a field methodology, thought as an extension of Community Participation and Collaborative Management.

## Sub-heading 3. Recognising customary tenure and re-establishing collective rights

Ethnic conservation and Indigenous Resource Management Systems are primarily and above all based on customary tenure. Once the customary tenure system is replaced, ethnic governance and customary law do not make any sense anymore and ethnic conservation is gone.
It is well known that customary tenure, especially of pastoral groups, is based on communal use of resource, centred on collective rights. Unfortunately collective rights are hardly recognised in international context and even less in the legislation of the countries here considered. Collective rights may implicitly be considered or recognised as a secondary claim in some sectoral law or policy document, usually under the heading of “community” or “local community”. However, the concept of “community” or “local community” is too generic for ethnic conservation and the associated need to guarantee and valorise the rights of the peoples who, through their long association to the local resources, have adapted their culture to the natural environment. Most cases of rapid environmental deterioration are associated to competing claims between the autochthonous communities and other encroaching groups, claiming access to the same natural resources and often backed by the national legislation. Dealing with conservation implies making choices on legitimate claims. Hence clear criteria have to be established on how to make this choice among conflicting claims.

Challenge 3.1. Understanding the complexity of customary tenure and the relevance of the ethnic level

Communal property for conservation is very well acknowledged. Communal ownership and management is normally ascribed to families and extended families, villages, lineage, clans, sections. Looking for a single level of common property for empowerment and planning purposes is oversimplifying a complex issue. In reality we find overlapping claims on a same territory, connected to collective identities of different depth and defining different types of rights. The overall relevance of the ethnic level for biodiversity conservation should properly be understood. This is the level at which specific devises (norms on circulation of people and access to resources, decisional councils, rituals, myths, etc.) are elaborated in association to the environment, to make a sustainable livelihoods.

*Options for action and advice:*

- Raising international awareness about the complexity of customary tenure through research, workshops and publications.
- Stressing the relevance of the ethnic level for decision making.
- In planning conservation of specific biodiversity resources, making systematic use of qualified experts with experience in the region and in the cultural area for literature review and to implement specific participatory, team and action research.
- Relying on the variety of traditional bodies and institutions at all levels (councils, meetings, etc.) to stimulate internal revision of norms.

Challenge 3.2. Legitimising customary tenure

Tenure is a matter of relations of power: promoting ethnic conservation is basically a process of empowerment.
The case of Borana Conserved Area (an informal Community conserved area, Boxes 9A, 9B and 9C) shows how the breaking of customary tenure due to a shift of power relations and replacement of tenure has produced the collapse of biodiversity conservation. The recent establishment of formal State-managed PAs in pockets of the ethnic territory has totally been ineffective. Conservation and equity can be re-established reversing the process, but under the current legislation and political practices this is not easy to achieve.

**Box 9A**
**Borana Conserved Area**

The Borana are a southern section of the Oromo nation. They have elaborated a pastoral variant of the Oromo culture in adaptation to a semi-arid environment. The territory of the Borana is as a whole a community (ethnic) conserved area in the sense that the entire territory was managed according to specific rules and regulations assuring a balanced exploitation of the renewable natural resources. Although there were some specific provisions assuring biodiversity conservation per se (mostly embedded in culture), in general the sustainable management of natural resources was assured through norms of inclusion/exclusion basically designed for pastoral activity. They are known as *seera Marraa bishanii* – "the law of grass and water". The Borana "law of grass" shares the basic principles of most East African pastoral groups. It differentiates between dry (with permanent water points) and wet season pastures (with good grass but only accessible during rains), imposing the maximisation of use of wet-season pasture whenever possible (during rains), to minimise pressure on the most intensely utilised rangelands served by permanent water points. The "law of water" is instead peculiar to the Borana and their environment, characterised by the presence of numerous well complexes (the *tula* wells are the most famous among them). It is extremely articulated, regulating investment for development of traditional

wells and water points, access and maintenance. Through the normal cycle of well excavation and collapse, over-exploited dry season areas are abounded and new are developed.
The juniper forests found in Borana have a special role (common to many East African forests used by pastoralists). Being too humid, they are not suitable for permanent pastoral settlement. However some open patches contain excellent pasture and they provide permanent springs. They were therefore dry-season pastures, which were not permanently inhabited. The forest acquired an important function as last refuge for grazing in case of drought, reserve for medical and ritual plants and over-all symbolic and ecological meaning (see box on the conceptualisation of *badda*). But they were never subjected to special management provisions, if we exclude the very strict prohibition to start fires inside it.

**Biodiversity relevance**: The environmentally sound management of natural resources in Boranaland has assured the unproblematic conservation of a unique biodiversity patrimony until the 70s, despite the establishment of some small towns close to the main forests from the beginning of the 20th century. Valuable biodiversity eco-systems include:

- The Acacia-Commiphora open woodlands and bushlands belonging to Somali-Maasai zone. 43 species of mammals, including the endemic Swayne's Hartebeest, and 283 species of birds, including the endemic Abyssinian Bush Crow (*Zavattariornis stresemanni*) (vernacular name: *qaaqa'ii*) and the White-tailed Swallow (*Hirundo megaensis*), have been enumerated in sample areas (Yaballo sanctuary). This eco-system is the outcome of the active interaction between environment and pastoral activity and it is very likely that the Abyssinian Bush Crow, found only in Boranaland, is actually dependent on the cattle-modified ecology (source: local knowledge). The Yaballo sanctuary has been established north of Yaballo as a sample of this landscape environment.
- The Dry evergreen forests and patches of forests with *Juniper Procera* (a forest type only found in Southern Sudan, Somalia, Yemen, Saudi Arabia, Pakistan), known as *badda* in Borana (see table). This forest type is important from the point of view of biodiversity because it occurs in low rainfall habitat (below 1000 mm). The endemic Prince Ruspoli's Turaco (*Tauraco ruspolii*) is only found in Manquubsaa (Nagelle) and Areero Juniper forests. The three larger Juniper forests found in Boranaland, Nagelle (Manquubsaa), Arero and Yaballo, have been classified as National Forest Priority Areas and legally managed by the local administration.

**The crisis of Borana conservation**: From the 70s onwards Borana environment has been facing a change of land use pattern. The socialist government has limited possibility of movement within the ethnic territory and has promoted agriculture. The situation has dramatically collapsed after the change of government in 1991. Political representation of the Borana within the local government has become very marginal and a number of wrong policies have been implemented. UNHCR has facilitated the resettlement of numerous returnees in Boranaland who were not actually from the area (the great majority of them are not Borana, nor Oromo speaking), multiplying the number of permanent settlements in the region. The resettled villages have been assisted through international aid and agriculture has been promoted as a livelihood strategy. Among the "returnees" there were organised people belonging to neighbouring no-Oromo pastoral groups. They managed to manipulate international aid and gained political support to obtain that large tracts of Eastern Borana territory were annexed to Region 5 (the Somali region), including critical pastoral areas as Eel Goof and Eel Lae (the highly culturally valued *tula* wells). Region 5 also managed to administer a territory in Uudet, a pocket inside Borana area. As a result the Borana have been displaced from these territory. More land resources were lost by the process of economical liberalisation and globalisation. International investors acquired large ranches. Boku Tache highlights physical displacement of villages, loss of palatable grass and cattle lick, obstruction of watering and marketing routes and of access to ceremonial grounds as some of the consequences of the establishment of Diida Liiban Ranch (2000a: 99). Very extensive portions of land around major towns were assigned to town dwellers for small holding cultivation. The majority of the town dwellers are non-Oromo. The administration was also incapable to regulate the high inflow of migrants from other Oromo zones. The latter share the same language and some elements of the worldview, but, being Muslim, not the same religion and attachment to Borana governance. They also undertook extensive farming in rural areas, especially in Liban.
The local government has been acting as if common land was no-man's land, to be assigned to whoever was claiming it. Indeed common property is not legally recognised in Ethiopia. This process of land alienation has been affecting the most productive lands. The Borana were squeezed in the driest pockets and the remaining common property was subject to overgrazing. Scarce rain during the last decade produced devastating effects and acute livestock destitution. The immediate response was to engage in farming in the remaining less suitable places. The land put under cultivation and alienated to the pastoral mode of production has dramatically increased with a chain effect. Boranaland is not suitable for agriculture due to low and irregular rainfall. In many places during the last three years two harvests have

totally failed and the rural people are just starving, a situation which is protracting more or less continuously since the 1998 crisis.
Borana traditional institutions, governance, way of life and norms appear more and more incapable to cope with the new and devastating changes, with an overall effect of de-legitimising the system as a whole. Borana have themselves started to build houses close to permanent water points, breaking the basic principle of *Seera marraa*. After all why they shouldn't? If they don't, the government is likely to settle someone else! Similarly, the only way to secure some right on the remaining land seem to be enclosing or cultivating it themselves.
Box 9B on the Borana sacred groves gives an idea of the degree of resource alienation and cultural marginalisation faced by the Borana community.

**The state of conservation**: Due to town expansion, erosion of land resource to new comers and political marginalisation, Borana conservation has entered into a deep crisis. At the same time the newly established State-managed Protected Areas are failing, as all Protected Areas in Ethiopia. Box 9B on the state of conservation of *Badda* forests gives an idea on the devastating condition of biodiversity conservation in Borana. The Prince's Ruspoli Turako is likely to have disappeared in Manquubsaa (Nagelle), since that forest basically does not exist any longer. It means that it is only surviving in the remaining blocks of forest of Areero. Regarding the open woodlands, they are becoming smaller and fragmented. Overgrazing is turning them into dense bushes (this change is accompanied by the growing adoption of camel husbandry). 10 years ago in the area south of Mega (Melbana) the Abyssinian crow was very common. Now the area is fully cultivated as far as 20 kilometres from the town. During the last brief survey (September 2002) I was unable to see it. Agricultural encroachment and overgrazing are taking place in Yaballo sanctuary as well, where not successful management has been established.

**Source**: Bassi 1997; Bassi 2002; participatory field-research in September 2002. Description of the Borana traditional graze-use and forest-use patterns was provided by Boku Tache. The description of the Borana change of attitude concerning their conservation practice was provided by Borbor Bule during an interview. All comments and observations regarding national and international policies are my personal elaboration.

**Box 9B**
**The state of conservation of Juniper forests (*Baddaa*) in Borana conserved area**

**Source:** Boku Tache, SOS Sahel.

| FOREST | BIODIVERSITY VALUE | STATUS AND CONSERVATION | MAIN ENDANGERING FACTORS |
|---|---|---|---|
| Manquubsaa (Nagelle) | Prince Ruspoli's Turaco (*Tauraco ruspolii*), endangered endemic - wild natural chat | Protected National Forest ; nearly not existing any longer | Fire –<br>Commercial timber production<br>Army collecting wood |
| Areero | Prince Ruspoli's Turaco (*Tauraco ruspolii*), endangered endemic | Protected National Forest -Dense in some blocks; totally destroyed in others | Fire – 1999<br>Commercial timber extraction<br>Agricultural encroachment by non Oromo town dwellers<br>3 villages of non-Borana new comers grown inside the forest |
| Yaaballo | | Protected National Forest - Only some patches remain dense ; highly exploited | Fire ; May 1999<br>Commercial timber extraction<br>Agricultural encroachment mostly by non-Borana new comers attracted into Yaballo town |
| Badda Algaa | | Almost destroyed | Commercial timber extraction |
| Baddaa Dhaddim | | Almost destroyed | Commercial timber extraction |

| | | | |
|---|---|---|---|
| Badda Dikaale | | Almost destroyed | Agricultural encroachment<br>Commercial timber extraction |
| Baddaa Afar/Daraar | | Not assessed | |
| Gubaala-Faaro | | Almost destroyed | Fire – 1999<br>Commercial timber extraction<br>Slight agricultural encroachment |
| Baddaa Gaamaduu | | Almost destroyed | Fire – 1999<br>Commercial timber extraction |
| Baddaa Bunaa | Wild natural coffee – This forest complex on the escarpment dividing Kenya and Ethiopia was in the past populated by elephants, buffaloes and rhinos. | Almost destroyed | Fire – 1999<br>Commercial timber extraction<br>Small scale agricultural encroachment |

**Box 9C**
**The state of the Borana ceremonial grounds**

**Source:** Boku Tache and Marco Bassi, Field-survey, Sept. 2003

| ***Ardaa jilaa* (ceremonial grounds) (only visited sites)** | **Specific endangering factor** |
|---|---|
| Bittaata (Liiban) | Emergence of town, extensive farming practised by mostly not Oromo "returnees" – heavy environmental degradation |
| Ardaa Gobbaa (Liiban) | Emergence of town, extensive farming practised mostly by not Oromo town dwellers from Nagelle – heavy environmental degradation |
| Qaallicha Hoofi (1 odaa tree ) | Lost land use title to private ranch, restricted access |
| Qaallicha Dooyyoo (1 odaa tree) (Liiban) | Lost land use title to private ranch, restricted access |
| Fuloo Hooliyyee – Qilxaa Sirbaa (Liiban) | Lost land use title, restricted access, Ranch office (a permanent building) built right in the holy ground, bringing symbolic and physical disturbance to the ritual |
| Qaallicha Deebanoo (Liiban) | Surrounded by farmed land |
| Dharriito (Dirree – Qaallu ceremonial place) | Entirely cultivated |
| Areero (one big tree) | The town grew around the tree, that is in the middle of the main square |
| 3 ardaa Jilaa within Areero forest | Villages of outsiders were settled in the 3 places |
| Dibbee Eeldalloo (the 4 hills) (Liban) | Surrounded by farmed land |

*Options for action and advice:*

Customary tenure should be valorised and re-vitalised. This can be achieved if collective rights are recognised and re-established, an action with a local, national and international component. At local level customary tenure can be re-established through local lobbying by various organisations, obtaining a delegation from local authorities (see Box 10 for a comparative success case), or in collaborative management agreements (see Box 16 for another successful case). This local process will be

facilitated if the international awareness of the relevance of customary tenure related to biodiversity conservation and use is raised.
At national level it is very important to have the issue of collective rights openly and properly addressed in the National Environmental Action Plans and in the National Conservation Strategies. Again, this possibility is connected to the international awareness. National policy making and legislation is a long process, hence the action at national level responds to a long-term strategy. In the meanwhile it is important to dispose of a short-term instrument to guarantee collective rights at the local level. The international system of Protected Areas may provide an international legacy capable to overrun national legislation. For this reason it is important to give open consideration to this topic in the current TILCEPA initiatives (World Park Congress, Durban Accord, Revision of PAs system).
It is therefore essential to focus on the international level:

- Promoting international awareness of the relevance of customary tenure related to biodiversity conservation and use, through publications and workshops.
- Giving open consideration to the issue of customary tenure and collective rights in current TILCEPA initiatives, particularly those leading to the revision of international PAs system.
- Aiming at a broader international recognition of collective rights over natural resources. For instance, Dana declaration (Chatty and Phillips 2002) could further be elaborated and developed into a full-fledged convention for the rights of the pastoral peoples.

In the meanwhile at regional, national and local levels:

– lobbying for formal/legal recognition of common and ethnic tenure

Challenge 3.3. Defining primary rights

"Collective rights" are still too a generic concept to be properly applied to biodiversity conservation. The boxes on Borana conserved area (Boxes 9A, 9B, 9C) and on the Karrayu (Box 13) show tensions between the autochthonous rural community and opportunistic newcomers. Environmental degradation in the study area is mainly connected to encroachment of outsiders and new systems of production. Both the autochthonous and newcomers follow within the "local community" category. They are simultaneously using the local natural resources. Both have claims and rights, though referring to different legitimising principles. In promoting biodiversity conservation it is important to give priority to those who have established a long-standing virtuous association with the natural environment, a "primary" right historically and culturally defined.
Defining primary rights is a step towards a more specific definition of "primary stakeholder" in collaborative management (see Sub-heading 6).

*Options for action and advice:*

On the base of conservation efficacy and issues of equity it is advisable to distinguish between primary and secondary rights:

> *Primary rights are ascribed to the communities and groups that, through an historical association to a territory, have developed cultural and functional devices for the conservation and the sustainable use of natural resources*.

This concept and definition of Primary rights should be diffused as much as possible in forthcoming publications, congresses and workshops, mainly through the TILCEPA ongoing initiatives (WPC, etc.).

## Sub-heading 4. Boundaries of Community Protected Areas and zoning

Boundaries are a characterising feature of PAs categories, but are not so relevant to Ethnic conservation. It is therefore necessary to introduce the concept of "ecological" boundary in Community conservation to obtain formal Community Protected Areas. As mentioned, Ethnic conservation is based on mutual adaptation between culture and environment and its primarily motivated by the need to assure a sustainable use of natural resources. This features are very much compatible with IUCN International Category V, Protected Landscape.
The high value of much biodiversity found in ethnic and indigenous territories and the degree of endangering factors faced by most PAs forces to elaborate appropriate ways to impose more restrictive categories. This can be done by applying the zoning method, identifying core conservation areas in wider Protected landscapes.

### Challenge 4.1. Designing an international PAs system compatible with the requirements of ethnic and community conservation.

*Options for action and advice:*

Working carefully on the ongoing process revision of PAs system promoted by TILCEPA:

- Paying much attention to the reformulation and revision of Category 5, Protected Landscape.
- Understanding what the local and indigenous communities need to gain through international recognition and assure that these needs are supported in the revised system. Recognition of customary tenure and ethnic governance is a key element, but the issue can further be elaborated holding a specific workshop at the forthcoming WPC.
- Clearly defining issues of compensation, equity and restitution for the application of more use-restrictive categories (see Challenge 5).
- Clearly defining issues of empowerment (primary rights, management bodies, competent leadership) and governance for all categories.

### Challenge 4.2. Identifying the appropriate PA category

The specific mode of common tenure and ethnic governance in each cultural group need to be understood to apply the more appropriate PA categories, valorising them in conservation efforts.
The Lorugum area of Turkana District (Kenya) provides a success-story obtained by adopting a landscape approach based on the recognition customary collective and individual rights (customary tenure), customary sanctions (elements of ethnic governance) and legal recognition by the local governmental institutions (empowerment).

**Box 10**
**Trees restoration in Lorugum area of Turkana District, Kenya**

During the draught of 60s the woodlands of the Turkana pastoralists in northwestern Kenya were severely degraded. The Forest Landscape Restoration approach was applied in Lorugum area. Chief Musa Ngitiangi succeeded in promoting the restoration of more than 30,000 ha of *Acacia tortilis*-dominated woodland using the traditional management system, based on wet and dry season grazing combined with communal reserved grazing areas (*Epaka* or *Amaire*) and dry individually owned fodder reserves (*Ekwar*). The Turkana have a clear understanding of the value of *Acacia tortilis* trees, and have

accordingly developed individual ownership. However at the beginning of the process they were sceptical on the possibility to restore the vegetation in the landscape. The use of traditional management rules and land-use patterns together with the application of customary sanctions helped the people to understand the process. Traditional rules and regulations were given added support through the Chiefs Act and the project was supported by the forestry Department during the 80s. The success of the restoration efforts was phenomenal.

**Source:** Barrow, E., D. Timmer, S. White and S. Maginnis, 2002

*Options for action and advice:*

- To adopt a landscape approach whenever possible.
- Providing for adequate understanding of local culture through outstanding local personalities, trained cultural experts and anthropological literature review.
- Combining the above features in action research.
- Recognising customary tenure and ethnic governance.

Challenge 4.3. Understanding the dynamics of inter-ethnic systems

Some protected areas may not be univocally associated to a single ethnic group, engaging local actors in complex economic and symbolic relationships. These relations may easily shift from constructive exchange to conflict. Accordingly, this complexity should properly be understood and considered in the process of formalising Community Conserved Areas.
The Forole case here described is a totally informal protected area, engaging two neighbouring autochthonous pastoral communities. A second case described later in this report is Chew Bahir (Box 17), identified by the government as a protected area but not yet established.

**Box 11**
**Forole, the sacred mountain of the Galbo section of the Gabbra**

Forole is a sacred mountain just north of the border between Kenya and Ethiopia where the Galbo section of the Gabbra, mostly living in northern Kenya, hold the *jila galana* ceremony. Most of the Galbo live in Kenya, but they move in pilgrimage to the ceremonial grounds on occasion of the ceremony. The trees of Forole Mountain are totally protected by the Gabbra and access to the upper part is only admitted to a few officiants in occasion of the Sacrifice to the Sacred Python. The lower part of the mountain provides permanent water and it is used as reserve grazing area by both the Gabbra and Borana pastoralists. Although there is sometimes tension between the two groups over pastoral resources, the Borana fully respect the sacredness of Forole Mountain and the inherent restrictions, indirectly assuring its conservation.

Source: Tablino, P. 1999.
Tablino, interview, Sept. 2002

*Options for action and advice:*

- Relying on trained experts to understand the complex interplay of ethnic relations.
- Building on established forms of mutual respect and co-operation and relying on local systems of communication, crosscutting and linking neighbouring ethnic groups.

## Sub-heading 5. Compensation and restitution

When core conservation areas are set apart from normal use, those who have been penalised need to be compensated. Equity, both between the local community and the larger national and international community and within the local community, has carefully to be considered through measures of compensation and restitution. This aspect is normally handled too superficially. By applying the generic concept of local community, without adequate consideration of internal stratification and cleavages, few privileges are granted to members of the communities different from the loser. Local communities that have been dispossessed of their resources and displaced and are now facing serious survival difficulties need to go through a process of restitution, which is often not so immediate and easy to achieve. Tourism provides a great potential for income generation that can potentially be turned into compensation and restitution measures. However, it is not easy to address the benefits generated by tourism to the penalised community.

### Challenge 5.1. Understanding the relevance of specific resources within wider productive and livelihoods systems

In the study area ethnic groups are primarily unit for the viable management of a number of complementary resources. Setting aside part of it may undermine the entire system, producing for instance the total collapse of the pastoral system as in the case of the Karrayu (Box 13). The demand for equity imposes a fuller understanding of the system and the provision of viable alternatives. The case here described show the interrelation among complementary resources within an ethnic system and the relevance attributed to it by the actors themselves, expressed in religious terms.

**Box 12**
**Interrelation among complementary resources among the Oromo-Borana**

DIRREEN NAGAA
DIRRII LIIBAN NAGAA
TULAAN SALLAN NAGAA
BADDAAN SADEEN NAGAA
MALBEE GOLBOON NAGAA
BOOQQEE SADEEN NAGAA
BADDAA GAMMOOJJIIN NAGAA
BARBADAA-BIRRIIN SIFAA, KOSIIN QUMBII

This text is taken from a daily prayer of the Oromo-Borana. It recalls at macro level the main environmental resources. *Liiban* is the area between the Dawa and the Gannale rivers. *Dirree* is west of the Dawa river, the two macro region. Both regions include critical wet and dry season pastures. The *tulaa sallan* are the "nine well-groups" with permanent high quality water, a critical resource in Borana, indirectly regulating access to the surrounding rangeland. The *baddaa sadeen* are the 3 largest juniper forests (recently proclaimed National Forests and formally protected). *Malbee Golboo* is the lowland close to and in Kenya, a critical wet season pasture. The *Booqee sadeen* are the three complex of volcano crater found in the territory, providing different salts and high quality water for human and cattle consumption. (In 1996 the Borana community as a whole has mobilised to conserve one of crater lakes for communal use after it had been advertised in newspaper that it would be assigned for private mining enterprise).

All resources are complementary for the maintenance of a viable pastoral system. They are commonly used, in the sense that all pastoral units belonging, adopted or accepted into the Borana community can potentially have access to them, but their exploitation is strictly regulated through practice and customary norms and laws.

**Source**: Boku Tache and Marco Bassi, participatory field-research, September 2002.

Options for action and advice:

- Raising international awareness about the economic relevance of ethnic systems.
- Relying on trained specialists for anthropological literature review and action research to understand the interrelation among resources in the wider ethnic resource management system
- Systematically interact with traditional leaders, responsible for the wellbeing of the entire community, and outstanding local experts.
- Elaborate with the community and their leaders on the traditional values, to develop new concepts compatible with full protection and identifying with the community and its leaders viable alternative resources, including the analysis of new opportunities.
- Empower the community in the management of Core protected areas.
- Assuring an equal distribution of new income opportunities, utilising them as a compensation tool, as discussed and agreed with the community and its leaders.
- Providing additional compensation, if required.

Challenge 5.2. Identifying alternative measures of restitution

Restitution to communities who have been damaged to the point of becoming unable to assure their livelihoods is an absolute priority. However it is often impossible to go back to the original condition. Alternative means have to be provided.
The Karrayu have been deprived of their resource through different correlated processes, mainly the transfer of title on the land to private enterprise, to the State and to commercial farmers. The establishment of a National Park excluding access to the pastoralists was an added element of alienation of their resource base. The environmental deterioration and transformation has reached a stage by which a simple return to a viable pastoral economy is impossible, even if open access to the park will be re-established.

**Box 13**
**The Karrayu and the Awash National Park**

The Karrayu are an Oromo pastoral group living in the upper Awash Valley, in the northern section of the Rift Valley. They were using three ecological zones: *Ona ganna*, (summer wet season grazing zone), a open grassland around Fontalle volcano, *Ona Birraa* (autumn dry season grazing zone), a riverine strand of land along the Awash river, where more than 15 holy grounds are located, and *Ona Bona* (winter dry season grazing zone), a shrub and grassland between the two. Livestock and people movements used to follow a cyclical pattern and were regulated by the ritual requirements.
From the 1950s onwards Karrayu land was leased by the government to private enterprises for sugar production and, later on, growing portion of riverine land has been developed into irrigated scheme for commercial agriculture. Workers and farmer have been immigrating into the area, while the Karrayu were deprived of their dry season pastures. In 1969 a hunting reserve was gazetted as National Park. The Karrayu and their northern neighbours, the Afar pastoralists, were displaced from an area of about 76,000 hectares, with little compensation, most of it in *ona bona* and *ona birra*, the critical dry-season grazing area. It has been estimated that the Karrayu have been squeezed from 150,000 to 60,000 hectares, remaining with the marginal *ona ganna* ecological zone. The rotational graze use pattern was forcedly broken, producing serious ecological degradation on the remaining part, located outside the National Park boundaries. Both the Karrayu and the displaced clans of the Afar are periodically forced to lead their

herds into the Park. Shooting between the park guards and the pastoralists and between the Afar and Karrayu pastoralists, competing for the remaining pastoral resources, are very frequent. Pastoral life has become totally unsustainable and the Karrayu families are taking up farming in unsuitable land or at the margins of the irrigated schemes. Having entirely lost access to all ceremonial grounds along the Awash rivers, they have all converted into Islam. The Karrayu are now caught in a permanent food crisis. Care-Awash has started a program to redress the situation, trying to combine conservation with development, but little success has been achieved so far. The debate between stakeholders, mainly the park's management and representatives of pastoralists, has been focusing on water points for pastoral use, leading to disagreement. In the meanwhile commercial farming is expanding inside the park's boundaries. The area has great potential for tourism, including a volcano and hot springs, as well as wildlife.

**Sources**: Buli Edjeta, 2001; Ayalew Gebre, 2001; Various field-visits; Interview with Muderis Abdulahi

*Options for action and advice:*

The National Park potentially provides new income opportunities through tourism. It is therefore preferable to enhance the capacity of the Karrayu community to benefit from this new opportunity, along with the possibility to re-gain access to their sacred groves to fulfil their cultural rights.

Challenge 5.3. Equal distribution of benefits

The most recent tendency in Kenya is to promote partnerships between local communities and private enterprises to start conservation business. This process often involves communities undergoing stratification. The case of Eselenkei Conservation Area shows that the benefit for the local community as a whole is often irrelevant compared to the loss. Equity is equally ignored inside the community. While the pastoral sector of the Selengei group ranch has lost large number of cattle, some of the educated people who had engaged in the legal management of the group ranch have gained personal benefits.

**Box 14**
**Eselenkei Conservation Area, Kenya**

From 1995 a negotiation took place between a British Tour Operator and Selengei Group Ranch of the Maasai, to develop a conservation area with tourist facilities. Kenya Wildlife Service supported to the initiative. In 1997 an agreement was signed for a 15 year leasing of the Eselenkey Conservation Area. It was agreed to set apart 7,000 ha. of dry season graze for wildlife conservation, out of which 40 acres would be used to develop a lodge, campsites and other facilities. In return the group ranch would receive a fix amount per annum plus Ksh. 500 per each paying visitor. Incidents soon took place, including burning of some huts of the Maasai, and the implementation did not occur as expected. The enterprise did not develop the lodge, keeping high entrance fees for a limited number of visitors. The image of a local community willing to conserve biodiversity and enjoying the benefits was used to advertise the sanctuary abroad. Although some of the Maasai members of the management committee of the group ranch enjoyed benefits in terms of employment opportunities, the financial and social gain of the larger community is highly questionable. The income has been evaluated in a maximum of US$ 8 per Selengei inhabitants per year, while they have lost access to a valuable dry season grazing area. The average herd size in the Selengei area is 50 to 100 head of cattle and in the early 1997 some households have lost large number of cattle. The community has also lost its internal harmony: three senior position holders of the group ranch committee have been accused to steal large amount of the conservation money. By contrast, the profit of the tour operator is very high. The cost of a bed for a night is about US$ 200, obtained with a very low investment.

**Source**: Rutten, M. 2002.

*Options for action and advice:*

- Communities should be given the possibility to develop and manage tourist facilities themselves.
- In negotiations between local communities and private enterprises, adequate financial and legal inputs to the local community need to be provided.
- Developing an international system to certify that basic principles of equity have been respected in specific Protected areas.

Challenge 5.4. Fostering sense of ownership in wildlife management

Restitution should include title on the wildlife resource. Wildlife management is not at all a new concept. The historical case of the Shilluk (Sudan) shows how wildlife is traditionally considered a diversified livelihoods resource, on which the community can fall back during time of hardship. This concept can easily been expanded in modern Protected Areas, re-establishing the sense of ownership on the wildlife as a whole.
Cultural hunting, periodically organised to maintain a balance between wildlife population and human activity, is still very common throughout Sudan, western and southern Ethiopia.

**Box 15**
**Traditional Wildlife Conservation among the Shilluk, Sudan**

Until a few decades ago the Shilluk were conserving wildlife in their territory. The restrictions on hunting were based on different cultural believes, such as totemism and, above all, on the idea that all wild animals belong to the founder of the royal house, Nyakang. The *Bramash* (a titled Shilluk officer) was the custodian of the wildlife roaming in Shilluk territory. He exercises his authority through the *lago,* appointed representatives in each clan. On base of these values the Shilluk were capable to enforce a general ban on hunting and a total ban on specific species. In the early colonial time valuable skins and ivory of animals were confiscated to the hunter. In this way illegal trade of wildlife products and poaching were prevented.
In time of ecological stress and food shortage the *bramash* authorises hunting activities. The hunting techniques were selective on certain categories of animals within the herd, assuring the future size and structure of the herd's population.

**Source**: Ali Tigani Elmahi, 1994, based on several early anthropological sources.

*Options for action and advice:*

- Promote the idea, through actual transfer of management responsibilities, that wildlife belongs to the community.
- Building on existing conceptions, recovering in new ways the traditional ideas on management of wildlife.
- Promoting grassroots dialogue on wildlife as source of alternative income.
- Assure that the local community enjoy the income generated by wildlife management, game hunting, entrance fees, and wildlife products.
- In time of environmental crisis, giving the possibility to selectively reduce the population of wildlife by producing income and meat; allowing controlled grazing into the park. In this way the Park itself and its wildlife resources would work as a fall back reserve with diversified resources.

## Sub-heading 6. Primary stakeholder

Collaborative management provides a good opportunity to formalise Ethnic conservation in new ways and contexts. It can provide an adequate framework to

regulate the use of natural resources in Protected Areas where different and new actors interact and compete, referring to different cultural sets and legitimising principles. As already mentioned, this is a context where ethnic conservation, being culturally-specific, by itself cannot properly work, unless formally legitimised and empowered by local governmental institutions or by the management body of the Protected Area.
It has rightly been observed that a superficial application of stakeholder analysis implies a misleading sense of equality between stakeholders (Hughes 1996). In Collaborative management it is therefore essential to apply the concept of Primary stakeholders to distinguished entitled stakeholders (right holders – culturally and historically defined) from mere opportunistic resource users, elaborating negotiation processes which may empower the people who feel a cultural responsibility for the natural environment.

Challenge 6.1. Need to empower autochthonous people whose culture is compatible with conservation

The Adaba-Dodola Forest Priority Area here described provides a success case of implemented Collaborative Management in Ethiopia. It is based on recognition of *de facto* customary land use by forest dwellers. The local authorities have empowered these small communities (WAJIB), implicitly recognised as Primary stakeholders.
The Boorana Collaborative Forest Management Project (Box 6) provides a second comparative case in the process of application, with the attempt to introduce a two steps negotiation, the first empowering the autochthonous governance system, the second involving negotiations between Primary stakeholders and other users.
The case of Kinna (Box 7) would provide a third comparative case, where Primary stakeholders have already associated themselves and started conservation activities, but lacking any formal empowerment by the local authorities.

**Box 16**
**Adaba Dolola Forest Priority Area, Ethiopia**

By courtesy of GTZ-IFMP (Ethiopia)

***1. Background information:***
**Name of the area**: Adaba-Dodola Forest Priority Area
**Location:** Oromiya Region, Ethiopia
**Kind of ecosystem and its biodiversity value**: Afromontane forest and high biodiversity value
**Kinds of human communities residing in the area and their socio-economic status**: subsistence farmers that earn living from crop production and livestock rearing
***2. The CCA initiative:***
**Starting date**: January 1995 but the approach implemented in June 2000
**Started by:** the Integrated Forest Management Project (IFMP), because rapid deforestation rate (3% annually), caused by the absence of community involvement, was noticeable.
**Approach**: Exclusive user rights granted to the organised forest dwellers. The approach is known as WAJIB.

***3. Process:***
**Progress**: From June 2000 to date 19 WAJIB groups have concluded contracts to manage over 7526 hectares of forest.
**Community involvement**: The community highly involved starting from the development of the approach up to the approval and implementation. Community meetings were held to negotiate on the approach. Unless the community consent to the establishment of WAJIB, it is not possible to proceed.

***4. Governance and legal status:***
**Land tenure**: Land is state owned and the law doesn't allow settlement in state owned forest, but the forest dwellers have been living in the forest for many generations.

**Other stakeholders**: Forest administration had sole responsibility to manage state owned forest.
**Institutions**: WAJIB stands for *Waldayaa Jiraattota Bosonaa* means forest dwellers association. It is independent institution with regard to forest conservation after concluding a legally binding agreement with the forest administration.
**Function**: A maximum of 30 homesteads establishes WAJIB on a forest block at the carrying capacity of at least 12 hectares per homestead. There are defined duties and rights of WAJIB. Each WAJIB has a democratically elected management organ.
**Rules and regulations**: A Forest Block Allocation Contract is a binding agreement that each WAJIB and the forest administration conclude. Each WAJIB develops written internal regulations to govern the members of WAJIB.

***5. Informal leaders/elders***
**Involvement**: At the beginning of the process elders are highly involved in negotiation and boundary demarcation and at later stage they are involved in conflict resolution.
**Identification**: The community identifies the elders.

***6. Relation to livelihood:***
**Livelihood issue consideration**: The non-forest dwellers that are not members to WAJIB are also involved in demarcation of forest border, because the forest border can affect the livelihood of the non-forest dwellers.

***7. Impacts of the initiatives:***
**Benefits**: The forest dwellers have obtained legal rights to settle and use the forest. These have improved income of the forest dwellers.
**Conflicts**: YES, there are inter-community and intra-community conflicts. Conflict resolution has become one of the major roles of foresters and other professionals. Conflict resolution involves different parties that play the role of mediation and arbitration.
**Impacts on the forest management**: Major impacts include more natural regeneration, less destructive forest utilisation, reappearance of wildlife and significant reduction of pressure.
**Social, economic, political and administrative impacts**: Coherence of the forest dwellers increased, forest dwellers are gaining income from forest products and ecotourism, empowerment of local community and decision-making by the forest dwellers is increasing.
**Effect on the non-forest dwellers**: The non-forest dwellers have lost open access to the forest and forest products.

***8. Constraints and opportunities:***
**Hurdles faced by the conserving community**: Considerable resistance by the non-forest dwellers at the beginning of WAJIB establishment. The conserving community has to devote considerable time at the beginning to regulate access. Covering more forest area is resisted by non-forest dwellers. Government is willing to empower the forest dwellers.
**Brief description of structural opportunities**: The presence of IFMP in the area has tremendously contributed to the initiative to succeed. The approval of the approach by the village community at the pioneer village and consecutive approval by the Oromiya Council were overwhelming encouragement.

***9. Potential IUCN category:*** Category five, protected landscape.

***10. Comments:***
WAJIB is considered as the feasible forest conservation approach and the prospect for replication is high. Replication is underway in other forest areas in Oromiya. The approach was presented on the 2nd International Workshop on Participatory Forestry in Africa, held in Arusha, Tanzania in February 2002.

***11. References and /suggested readings:***
A paper presented to the above-mentioned International Workshop and www.baletrek.com

***12. Local contact:***
IFMP
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Tel: 251-6-660036
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***Questionnaire filled by***
Abdurahiman Kubsa
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*Options for action and advice:*

- Referring to the concept of Primary rights (Challenge 3.3), giving more emphasis to the following criteria to identify Primary stakeholders: "historical and cultural relations with the resource at stake" (Borrini-Feyerabend 1996: 9). Accordingly, *Primary stakeholders are those members or sections of the local community that can legitimately claim primary rights on the resource at stake*.
- Clarifying in publications, workshops and conference the relevance of the concept of Primary stakeholder, defined by the outlined criteria.
- Persuade government officers to share decisional power and governance practises with the Primary stakeholders.
- In collaborative management, applying a two step negotiation procedure, the first empowering Primary stakeholders, the second dealing with opportunistic users.

## Sub-heading 7. Conflict analysis

Armed conflict is a recurrent characteristic in the study area. There are different types of conflict, strongly influencing the performance of PAs. Conflict analysis should become an integral component in planning biodiversity conservation.
In some cases the potential of conservation may provide an opportunity to improve the relation among the surrounding communities, an ethnic (informal) version of the Parks for Peace approach. The greatest potential is in Somalia, where a number of traditional and new constituencies are emerging with conflicting relations.

### Challenge 7.1. Reducing conflict around protected areas

The Case of Chew Bahir shows how the local actors perceive conservation as an opportunity to improve inter-ethnic relations through an action of Peace keeping.
The Karrayu (Box 13) provide a comparative negative case of inter-ethnic conflict around protected areas: processes of exclusion have exacerbated conflict.
The case of Forole (Box 11), where no external intervention took place, shows the potential of local system of inter-ethnic communication in this field.

**Box 17**
**Chew Bahir (Lake Margherita) Protected Area, Ethiopia**

**Contact person**: Horra Sorra, Arbore, South Omo Zone, Ethiopia.

In the southern part of the Ethiopian Rift Valley the confluence of the Weito and Sagan rivers, forming the Galana Dulai River and ending in Lake Chew Bahir, provides a wonderful wet area, classified as Important Bird area and identified for the development of a formal Protected Area. No conservation initiative has yet started on the ground, though a private tourist and hunting enterprise based in Addis Ababa has been operating in the area for decades.

The Chew Bahir basin is also a critical area of systematic interaction among several ethnic groups, the Borana, the Watta Wandu, the Arbore, the Hamer in Ethiopia, the Gabbra in Kenya and occasionally others (Dassanetch, Tsamay, Konso). The relation among those groups ranges over time from peaceful exchange (trade, intermarriage etc.) to outbreaks of ethnic warfare. At times the conflict becomes persistent and extremely destructive in terms of human and economical losses. In 1993, after a two years period of extremely destructive warfare, the Arbore have shown a high capacity to organise an impressive peace making ceremony with external assistance by SNV (Netherlands Development Organisation) and other government and no-government organisations. The ceremony involved over 600 elders from 6 ethnic groups for a period of a few days. Old rituals, symbols and traditional modes of communication were successfully used by the local elders to convey new meanings in a changed context. The elders agreed that inter-ethnic peace cannot be maintained in the long run if inter-ethnic integration is not promoted through development initiatives. The elders mentioned the possibility to establish a local inter-ethnic committee to manage Chew Bahir wildlife and natural resources. The same committee would also serve as a permanent inter-ethnic forum to solve at an early stage inter-ethnic disputes and co-ordinate other development initiatives. As far no support has been provided for this initiative.

*Options for action and advice:*

- Specific studies on the local dynamics and root causes of conflict.
- Careful planning.

## 6. Contact individuals and organisations

### Regional level

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