



Practical guide to facilitating CBNRM in Botswana

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The Community-based Natural Resource Management Support Programme is a joint initiative by SNV Botswana and IUCN Botswana. It is built on SNV's experience in CBNRM pilot projects at the grassroots level and on IUCN's expertise in information sharing, documentation of project approaches, and establishing dialogue between Non-Governmental Organisations, Government and private sector on a national, regional and international level. The three main objectives of the programme are: 1) to establish a focal point for CBNRM in Botswana through support to the Botswana Community-based Organisation Network (BOCOBONET). 2) To make an inventory of and further develop CBNRM project approaches and best practices, and disseminate knowledge regarding implementation of CBNRM activities through the provision of information and technical advice to CBNRM actors. 3) To improve dialogue and co-ordination between CBOs, NGOs, private sector and Government. For more information, visit the Internet on <http://www.cbnrm.bw>

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Abbreviations

BOCOBONET	Botswana Community Based Organisation Network
BBD	Bathokomedi ba Ditsatholego
CBNRM	Community Based Natural Resources Management
CBO	Community Based Organisation
CHA	Controlled Hunting Area
DCEC	Directorate on Corruption and Economic Crime
DDC	District Development Committee
DLUPU	District Land Use Planning Unit
DWNP	Department of Wildlife and National Parks
GOB	Government of Botswana
IUCN	International Union for the Conservation of Nature and Natural Resources
JVA	Joint Venture Agreement
JVG	Joint Venture Guidelines
JVP	Joint Venture Partnership
LUMP	Land Use and Management Plan
MoA	Ministry of Agriculture
NGO	Non Government Organisation
NRMP	Natural Resources Management Project
PAC	Problem Animal Control
PACT/IRCE	Pact/Institutional Reinforcement for Community Empowerment
SNV	Netherlands Development Organisation
TAC	Technical Advisory Committee
TGLP	Tribal Grazing Land Policy
USAID	United States Agency for International Development
VDC	Village Development Committee
VTC	Village Trust Committee

Introduction

Trying to explain what Community-based Natural Resource Management (CBNRM) is all about is not easy. To give guidance to CBNRM extension staff on how to facilitate the CBNRM process at community level is even more difficult. However, that is what the authors set out to do. They have worked in Botswana (through SNV/Netherlands Development Organisation) in the field of CBNRM for a considerable time and have gained experiences they would like to share. Developing a guide for extension staff was felt to be the most appropriate manner to do so. It should be emphasised that the underlying thinking of how CBNRM should work in Botswana as presented in this document is entirely the opinion of the authors. It is not the only way.

The guide in front of you is not the first of its kind. The former USAID-funded Natural Resources Management Programme (NRMP) together with DWNP produced the “Practitioners Guide” in 1999 and the NGO Pact/IRCE published the “Animator’s guidebook for CBNRM” in 2000. The latter in particular has not lost its relevance. The “Animator’s guidebook” helps community facilitators prepare a community for CBNRM; it outlines a variety of participatory assessment and planning methods and leads the community through an enterprise development planning cycle. The “Animators guidebook” is currently used by BOCOBONET to train community facilitators (community members) in assisting their respective communities give shape to CBNRM.

The NRMP/DWNP “Practitioners guide” mainly provides policy and background information on CBNRM in Botswana. The information is updated in the document that lies in front of you.

This guide is intended to contribute to making CBNRM work in Botswana. It outlines a process, injects ideas and warnings, provides examples, and will hopefully encourage the reader to be creative but cautious, committed to the theory but see things in perspective at the same time. It is stressed that this guide is not a manual or recipe book that one simply follows to reach success. CBNRM, as a development approach, is much too complicated for that.

This brings up the question, “For whom has this guide been written?” It is meant for CBNRM extension agents of both Government and NGOs. By describing CBNRM as a process in all its facets, by inserting relevant background information and by highlighting the underlying principles, the authors hope to provide these agents with information to do a good job. A “good job” means putting more emphasis in extension on the role of “facilitator” and less on the role of “manipulator”. Community-based Natural Resources Management stands or falls with the ability of the “community” making decisions. An extension agent should facilitate this process of ensuring that everyone is able to express their views and that the overall objectives of the community are met and that all members are satisfied with and fully committed to the decisions taken. A facilitator is concerned as much with the process as with the end result!

Because a community consists of so many ideas and interests and CBNRM is about making decisions on the use of everybody’s natural resources and livelihood necessities, the need for a facilitator in this long-term and complicated process is evident. This guide hopes to make the work of the facilitator a bit easier.

Section 1

CBNRM as a process

Community-based Natural Resources Management (CBNRM) is a development approach that supports natural resource conservation. More conservation-minded people will define CBNRM as a natural resources conservation approach that brings along income and employment. One could also argue that conservation of natural resources and sustainable use of these resources for the benefit of the community are two sides of the same coin. The community is more inclined to conserve natural resources if it is to their benefit. The wise use of these resources is a precondition for sustained development.

[For background information on the development of CBNRM in Botswana see annex 1]

CBNRM is not an approach one can quickly apply whenever and wherever. It is a long-term process of a community making decisions that gradually results in better management of natural resources to the benefit of the community. The decision-making process never ends, but it can improve towards more accountable and representative decision-making at community level, wiser and more sustainable use of the natural resources and improved livelihoods through better resource management. This is the aim of CBNRM.

This guide tries to describe a CBNRM process that is composed of a number of elements and it will emphasise that reaching the end of a cycle does not mean that the job is done. There will always be other options to choose from, new plans to design, resource management decisions to take and natural resource conflicts to solve.

It is stressed again that the facilitating role of an extension “agent” (NGO, Government or private sector) is an important ingredient of the CBNRM process that is described here. The way in which this facilitation is done is crucial to the sustainability of the CBO. This guide is about how to facilitate such a process: what needs to be done and how it can be done. Process facilitation means guiding a community through a process of analysing options, solving problems, and avoiding conflicts, whereby all decisions are made by the community. The facilitator of such a process does not decide or direct. The facilitator provides information, gives options, asks questions, and clarifies. Good facilitation does not mean that all decisions made are right, but that they have been arrived at in the right manner: one that will result in community ownership and self-confidence.

Start box

Main elements of a CBNRM process

Community mobilisation (section 2)

Keywords: dissemination of CBNRM-related information, favourable conditions, presence of extension agents, types of community organisations

Collecting relevant background information on the community (section 3)

Keywords: socio-economic survey

Formation of a Community Based Organisation (section 4)

Keywords: formation of interim committee, the constitution, capacity development, linkages

Natural resource use planning (section 5)

Keywords: natural resources inventory, Land Use and Management Plan, resource utilisation options

Resource user rights (section 6)

Keywords: leases, rights, obligations and sub-leases

Joint ventures and other options for the commercial utilisation of community natural resources (section 7)

Key words: preconditions, investment options and guidelines

From planning to implementation (section 8)

Keywords: management requirements

Utilisation of financial benefits (section 9)

Key words: reinvestment options, income utilisation plans, impact monitoring

Natural resources monitoring (section 10)

Key words: sustainability, natural resources data collection and analysis

These elements will be worked out in more detail in the sections that follow.

End box

While the elements can be considered the minimum necessary for a community to qualify for the authority to manage natural resources in Botswana, going through the process will not guarantee a successful project. A great effort will be required to establish a sustainable and truly successful CBNRM regime. The ten guiding principles presented below should provide the additional understanding and direction to achieve that goal. With guiding principles is meant certain ideas that make CBNRM in Botswana really work. These principles should be kept in mind when designing a CBNRM project as well as during its implementation.

Guiding principles (“The Ten CBNRM commandments”)

1. Decision-making authority must be at community level

CBNRM is about utilising natural resources by a community. This is likely to be done in a more sustainable manner if the community has the authority to decide how, who and when to use these resources. More decision-making power will encourage (but not guarantee) more accountability to ensure an environmentally tenable use of the natural resources. History has shown that centralised authority (the State) has definitely not encouraged sustainable use of natural resources at community level!

2. Decision-making must be representative

The decision-making structure, which is usually laid down in the *Constitution* of the community organisation, must encourage broad dialogue and participation of all community members. Procedures to meet and to make decisions must be transparent (on paper) and time and other resources have to be made available to give every community member an equal opportunity to contribute to the discussion. This is not simply an issue of equity – strategically it is important that all community members agree, or at least not disagree, to be able to implement decisions and have these adhered to.

3. The “community” must be as small as practical

It is obvious that distributing benefits and making representative decisions is easier in a small community. It is also obvious that the “right” size of the community will depend on the value of available natural resources (to allow benefits to exceed the costs of management). The trick, as usual, is to strike the balance. The other trick, especially in cases whereby a “community” consists of several villages (NG32, NG12, Chobe Enclave, etc.), is to design layered decision-making structures with as much decentralised authority at village or even sub-village level as practical.

4. Leadership must be accountable

Truly representative decision-making and equal benefit sharing are prime guiding principles in CBNRM but not always very realistic. Organisations (and villages) cannot function without “representatives” or leaders consolidating the various interests and making decisions on behalf of their constituency. In practice this always means that some people win and some people lose. This cannot be avoided. What can and should be avoided is leadership not listening to their “voters” and/or not justifying the decisions made. Leaders, the board, committees, etc. must be accountable and responsible for their decisions. Accountability must be laid down in procedures and regulations as the membership is entitled to an explanation of decisions regarding the use of their resources.

5. Benefits must outweigh costs

A community is more likely to exercise management authority and show responsibility for the use of natural resources when it feels the benefits of doing so. However, it is sometimes difficult to define costs (of meetings, discussion, missed opportunities, etc), and benefits are not always easy to measure. Sums of money and employment numbers are quantifiable, but improved skills, enhanced cultural identity, pride and strengthened community organisation are not. The facilitator can clarify costs and benefits, but it is up to the perception of community members to decide whether community management pays or not.

6. Benefits must be distributed equitably

Communities are very complicated structures. The variety of groups in a community (poor/rich, men/women, different ethnic groups, etc.) all make use of natural resources and all these groups are entitled to benefits. This is not simply an issue of equity – strategically all groups should assume their respective management responsibilities. If one group of resource users is excluded from the benefits, why should that specific group abide by community plans and regulations?

7. Benefit distribution must be linked to natural resources conservation

The bottom line of any CBNRM intervention is the conservation of the natural resources, meaning, at a minimum, maintenance of the quality of the environment. Re-investing CBNRM-benefits in natural resources (e.g. a management plan to reduce land-use conflicts, riparian woodland protection, purchase of valuable species, etc.) can increase the value of the environment and may yield higher returns. In the case of benefits being utilised in some other fashion, the impact of such an investment on the natural resource conservation should be well understood.

8. Planning and development must focus on capacity-building

The M in CBNRM stands for management. The ability of a community (organisation) to manage its natural resources is not something that can be acquired through a 2-week course. To the contrary, developing this management capacity is something that never stops. Committee members and community leaders come and go, as do community members. It should be clear to the community that the capacity to make informed decisions on the use of natural resources is the key to sustainable CBNRM. This means that the community has to make sufficient resources (money and time) available to build this capacity in a planned manner.

9. Planning and development must be co-ordinated

Communities in CBNRM never operate in a vacuum. Any community making natural resource management decisions or plans to re-invest benefits has an impact upon other stakeholders (e.g. District Council, Government Department, neighbouring village). CBNRM activities have conservation, rural development and good governance dimensions that reach beyond natural resource use and beyond the community. For these to sustain the community must recognise other stakeholders and seek recognition from other stakeholders. Co-ordination in planning and developing CBNRM-related activities is important to gain this status.

10. The CBNRM process must be facilitated

Applying the above principles in the community capacity-building process requires skilled third party facilitation. A partner that is detached from the community (to effectively act as an ‘honest broker’), yet is committed to facilitating the CBNRM process at community-level in the long-term is of paramount importance.

Section 2

Community mobilisation

Keywords: dissemination of CBNRM-related information, favourable conditions, presence of extension agents, types of community organisations

CBNRM is about improving community decision-making over the use of natural resources. Decentralisation of resource management is a way to promote the conservation of the country's resources by involving rural communities in their management and sustainable use. The rationale is that natural resources will only be conserved and used in a sustainable manner if local people are able to directly benefit as the resource managers.

Individual access to community resources is not considered conducive for sustainability/conservation but leads to a situation called the "tragedy of the commons". The "tragedy of the commons" theory states that when a resource is used by many individuals within a community but is owned by no one, it is in every individual's interest to grab as much of the resource as possible before someone else does. Once a resource becomes scarce, an individual's attempt at conservation will be futile if others are not taking the same measures. Thus, everyone continues using the resource until it is depleted and no one benefits any more. In other words, the benefits of using a resource accrue to individuals but the costs of losing the resource are borne by everyone. There is likely to be limited capacity or willingness within communities to reverse this situation. Herein lies the tragedy.

In order to avoid such a situation, it is vital that individuals group themselves under some form of community organisation. Such an organisation will be in a position to obtain legal access to and control over the natural resources in the vicinity, and be able to develop and implement mechanisms for the wise use of these resources and for equal distribution of benefits derived from them.

Learning about CBNRM

It is vital that a community has at least a basic understanding of CBNRM and what it entails before commencing activities. Community discussions are necessary on the advantages and disadvantages of embarking upon a CBNRM project. There is need to warn against unrealistic expectations and to stress that much time and energy are required to go through the CBNRM process. A good way to do this is to organise exposure visits to other communities in Botswana (and possibly beyond) or invite community representatives from elsewhere to share experiences. A few possible destinations for look and learn visits are mentioned here.

Start box

- Cgaecgae Tlhabololo Trust in /Xai-/Xai for planned activities around commercial hunting and cultural tourism;
- Chobe Enclave Conservation Trust in Chobe District for activities around commercial hunting;
- Okavango Polers Trust in Seronga for photographic tourism;
- Sankuyo Tshwaragano Management Trust in Sankuyo for campsite development; and
- Kgetsi ya Tsie in the Tswapong Hills for veld products utilisation.

End box

Obviously the facilitator can draw upon numerous case studies, reports and publications to allow an interested community to learn about CBNRM, the best practices and lessons learnt.

Favourable conditions for starting CBNRM

Can any community in Botswana start a CBNRM project? In principle yes, but experience has shown that the conditions in some communities are more favourable than in others. Some preliminary analysis is required by the facilitator to assess whether it is worth encouraging a

community to start planning for a CBNRM project or not. Natural resource-base estimates and discussion with the community should provide a tentative answer to the question of feasibility.

Below follow favourable conditions (keeping the 10 “CBNRM Commandments” in mind):

- The natural resource base has the potential to generate “substantial” money and employment;
- The scale of the project is appropriate (population numbers in relation to expected benefits; complexity of the project in relation to available human resources);
- The “area” of the community can be defined as a unit over which resource user rights can later be acquired;
- The intended CBNRM project is in line with Government policies;
- There is a clear element of natural resources conservation;
- External factors such as remoteness and existing (communication) infrastructure have been taken into account; and
- Availability of a facilitating organisation.

Presence of a facilitating organisation

When using the word community it is easy to forget that one is talking about a heterogeneous group of people that consists of young and elderly, rich and poor, men and women, and people with different ethnic backgrounds and customs. All these people make use of the natural resources, usually in different ways. Different groups of people in a community will try to protect their interests when the topic of natural resource management arises, because their livelihood depends on these resources. It is vital to map out the people’s interests and to accommodate them as much as possible when choosing a CBNRM approach.

It is believed that this process of how to ensure “representative” decision-making during project design but also during early implementation cannot be left to the “community”. There needs to be someone to facilitate this process, mainly to ensure that everybody’s voice is heard in a transparent discussion. This “facilitating” or “brokering” role in CBNRM in Botswana is increasingly played by NGOs but could also be played by private sector consultants or Government extension services. Facilitators can help as catalysts in building up a community organisation that gives hands and feet to the ideas of the people. They can help to deal with the various interests in the community, offer innovative ideas for solving problems, and bring along networks of contacts necessary for a community organisation to implement its objectives.

Presently in Botswana a distinction is made between 3 types of “CBNRM facilitation”:

1. The “hit-and-run” approach that is often applied by Government officers (in most cases Technical Advisory Committee (TAC) members) and private consultants;
2. The “support from a distance” approach as applied by some NGOs. In these cases there is a secure relation between the CBO and NGO and frequent site visits, but not permanent support and day-to-day assistance; and
3. “Full-time/intensive” facilitation as applied by some donors such as DED/German Development Service and SNV with an advisor on site full time for long-term (e.g. 6 years) periods.

The distinction between the three facilitation approaches is a bit theoretical and in reality all kinds of combinations are possible. There are advantages and disadvantages to all 3 scenarios (see table) although from the remainder of the document it will become clear that the first option is not considered favourable.

	Advantages	Disadvantages
“Hit-and-run” approach	<ul style="list-style-type: none"> • Quick decisions • Not very expensive • Not very difficult to carry out 	<ul style="list-style-type: none"> • Communities are rushed and will not fully understand the process • Analysis of all opportunities available will be superficial and/or incomplete • True representation and accountability will not likely be

		<p>ensured</p> <ul style="list-style-type: none"> • Too much room for mistakes and poor choices when insufficient time is taken • Little ownership by communities over decisions made on issues that they do not truly comprehend • Lack of confidence amongst community members in their own CBO
“Support from a distance” approach	<ul style="list-style-type: none"> • Analysis more detailed since more time is taken to understand community and the opportunities available to them • Better understanding among community members of options available and choices made • Stronger foundation for CBO developed • More ownership • More self-confidence 	<ul style="list-style-type: none"> • Costs incurred by facilitating organisation are relatively high (transport, salaries, administration, etc) • CBNRM process takes longer since the pace will be more determined by community understanding • Dependency on external organisation
“Full-time/intensive” facilitation approach	<ul style="list-style-type: none"> • Understanding, awareness, representation, accountability, ownership, self-confidence among community members is likely to be well developed • Foundation for CBO is likely to be very strong 	<ul style="list-style-type: none"> • Very costly • Taking the community through the CBNRM process requires a lot of time • Creates more dependency on supporting organisation

Types of community organisations

Communities can organise themselves either as legal entities or informal entities without a legal status. The latter may include user groups or village committees. User groups typically manage activities such as the domestication of herbal teas, morama beans, and grapple, or focus on the harvesting and selling of veld products such as thatching grass, truffles, and grapple.

There are various types of organisations that can be legally registered under the laws of Botswana. These include trusts, societies, associations, co-operatives, and companies. Several acts are in place to regulate the registration, rights, and duties of these organisations (i.e. Societies Act (1972), Co-operative Societies Act (1989), and Companies Act (1959). In order to be legally registered, an organisation-to-be needs to develop a set of written rules and regulations (constitution, deed of trust, bye-laws) that will govern the operation of the organisation. These have to be approved by the Registrar of Societies before the organisation is recognised as a legal organisation under the law of Botswana. Basically, the main differences between informal/non-registered organisations and legally registered organisations is that the latter can enter into legally binding contracts with third parties, sue and be sued, and the former cannot. The differences between the various types of legally recognised organisations pertain to issues such as: membership restrictions, procedures for making amendments, having to pay taxes, being allowed to make profit, issuing of shares, flexibility in terms of decision-making, reporting, etc.

For communities involved in CBNRM, the organisational category that has been deemed the most appropriate is that of a community trust. This is mainly because trusts have no restriction on membership, its members can determine its objectives, and its members can make amendments without seeking approval from anywhere. There is no ownership issue (legally, a trust is not owned by its members, it just serves the interests of the members) so there are no complicating factors of shares, dividends, and taxes.

Whether to establish an informal or legally recognised community organisation

When deciding on the type of community organisation to be established, there are several factors to take into account:

1. The type of project;
2. The types of activities envisaged; and
3. The support required from outside (donors and government).

For a community organisation to be recognised and be eligible for receiving financial assistance, it often needs to have formed a representative and legal entity. Many donors, including Government, only disburse funds to legally registered CBOs. Similarly, Land Boards only issue communities with a resource use lease when they are registered as a representative legal entity.

In some cases community projects involve commercial utilisation of natural resources: game hunting, game viewing, ecological tourism, cultural tourism, handicraft marketing, game meat processing and marketing. Often, a joint venture arrangement with a private sector company is deemed desirable. In these cases, a legally registered CBO will need to be formed. For almost all such projects in Botswana, a community trust has been established (e.g. KD 1 - Nqwa Khobee Xeya Trust and CH 1/2 - Chobe Enclave Conservation Trust, etc).

In other cases (community projects that focus on the processing and marketing of a veld product such as morula, phane, herbal teas, morama beans, and grapple) legal registration is not a condition. Further, obtaining a natural resource use lease is not always a condition. Examples of trusts operating without head leases are the Gwezotsha Natural Resources Trust, the Kgetsi ya Tsie Trust in the Tswapong Hills and the Ikemeleng Producers Co-operative in Molengwane.

The following table summarises the discussion on selecting the relevant type of community organisation.

	Envisaged activities	Wildlife quota required	Head lease required	Joint venture arrangement desirable	Type of community organisation required/recommended
1	Commercial hunting, game meat processing and marketing	Yes	Yes	Yes	Legally registered, e.g. trust
2	Commercial photographic safaris	No	Yes	Yes	Legally registered, e.g. trust
3	Veld products harvesting and processing	No	No	No	Informal organisation or legally registered when community is involved in marketing, e.g. Co-operative
4	Handicraft production	No	No	No	Informal organisation or legally registered when community is involved in organised marketing, e.g. Co-operative
5	Small scale tourism	No	No	Not necessarily, community can operate activity on its own	Legally registered as this is requirement to obtain obligatory Tourism Licence

Section 3

Collecting relevant background information on the community

Keywords: socio-economic survey

Introduction

It is crucial for a facilitator to have knowledge of the situation in the community prior to working with them. He or she will need to know about:

- Historical background;
- Demographic characteristics;
- Social stratification;
- Economic characteristics;
- Internal politics;
- Education levels; and
- Existing community institutions and their functioning.

Information collected on the above should not only be aggregated for the community as a whole but dis-aggregated along subdivisions within the community. No community is homogeneous (where everyone is the same and wants the same). There are always different groups with different needs and interests. These differences can be based on ethnicity, class, age, gender, etc.

Understanding the nuances within a community will enable the facilitator to give sound and informed advice. This will be especially important when the foundation of the CBO is being developed: i.e. the management structure, the Constitution, and the Land Use and Management Plan. If the various interests of the subdivisions within a community are not recognised and taken into account in these fundamental aspects, then there is a strong likelihood that the CBO will not be supported by the entire community, and that community-based natural resources management will not be considered worthwhile. In other words, the underlying principles of CBNRM will be undermined.

There are several ways in which a facilitator can obtain relevant background information. One can look for already existing sources of information such as surveys, reports and plans that are developed by research institutes (University of Botswana, National Institute of Research), aid organisations (United Nations institutions, European Union, USAID, etc), private consultants (see CBNRM Directory, 2001), and government departments (at national and district level). This kind of information might be outdated, however, or not specific enough for the intended purposes. The alternative is to collect and analyse new information, through conducting socio-economic surveys, supplemented by interviews with individual community members, groups within the community (hunters, women, elderly, youth, crafts producers, cattle owners, Basarwa, etc), and other key persons (kgosi, village extension workers, councillors, etc). There are many advantages to this alternative option. It allows the facilitator to obtain the specific up-to-date information required. In addition, it provides an opportunity to acquaint with the community members and vice versa. It will give the community members the idea that their facilitator knows them a little bit and understands their situation.

Conducting a socio-economic survey

A socio-economic survey provides information at household level on a range of issues: demographic, housing, income, employment, food security, ownership of key assets, etc. Since these data are collected at household level, they show the differences within the community. It will reveal subdivisions that can be targeted later during interviews. A socio-economic survey can be done alone, or with the help of assistants (either colleagues or even community members). When done by one person, the data will probably be more consistent and accurate. When using assistants, one needs less time but loses control over the quality of the data collected by others. Working with community members has the benefit that the answers given will most likely not contain deliberately incorrect information. In addition, as facilitator, you will create goodwill when providing a little temporary employment for the educated youth.

A survey can be structured and conducted in the following manner:

Step 1: Develop sketch map of village or settlement.

The map should indicate all major roads and buildings but especially all homesteads. If no map exists, one should be made, either by asking some villagers to draw one up collectively, or by drawing one yourself. However, villagers normally know all households by name and will be able to draw a map much quicker. The map does not have to be professionally made. The main purpose of the map is to see how many households there are in a village and to determine if there are any clear settlement patterns in the village.

Step 2: Determine sampling method and sample size.

There are basically three sampling options. The first option is called simple random sampling, where one selects households randomly from the entire village by closing the eyes, making marks with a pen on the map, and picking those households marked on the map. Randomly selected households will allow making general conclusions statistically significant for the whole village since everyone in the village has an equal chance of being selected for interviewing.

The second option is called systematic sampling, where one selects, say, every fourth household from a list of all households that can be considered random. With this method it is possible to make general conclusions for the entire village, provided the list does not have any in-built bias (e.g. using a telephone directory; only wealthier people can afford telephones).

The third option is called disproportional stratified sampling, where one selects households from a group that draws specific interest. For instance, if one wants to find out what the importance is of grapple harvesting it does not make sense to interview many households who do not harvest grapple. In such a case, one will make clusters of households that have been issued with grapple extraction permits and select from that cluster for interviewing. It will not be possible, however, to make generalisations for the entire village.

The sample size or number of households interviewed will determine the level of accuracy (or statistical significance) of the conclusions. The bigger the sample size, the more likely that the data represents what is really happening in a village. The smaller the sample size, the smaller the degree of accuracy of generalisations.

Step 3: Develop questionnaires

List all the topics on which information is required, and decide what sort of answers you want i.e. qualitative data, quantitative data, or both? Decide who will be conducting the questionnaires, and in what language the questions should be asked. When using several people for conducting the questionnaires, make sure that there is no chance for a question to be interpreted differently and therefore be asked differently. This could produce answers that cannot be combined to provide uniform data on the issue. This risk can be avoided by providing answer categories that just need to be ticked. It is often a good idea to test the questionnaire before embarking on the survey. An example of a questionnaire is shown below:

- 1. Number of questionnaire:**
- 2. Date:**
- 3. Name of enumerator:**
- 4. Village:**
- 5. Name of respondent:**
- 6. Household details:**

#	Name	Relation to head of household	Age	Sex	Ethnicity	Education	Primary occupation	Secondary occupation
1								
2								
3								
4								
5								

7. Assets owned by household:

#	Asset	Number
1	Cattle	
2	Smallstock	
3	Vehicle	
4	Radio	
5	Borehole	

8. Sources of income available to household ranked in order of importance:

#	Source	Amount/frequency
	Cattle sales	
	Beer brewing	
	Crafts production	
	Formal employment	
	Remittances	

Average household income:/year.

9. Sources of food ranked in order of importance:

#	Source	Amount/frequency
	Shops	
	Own field	
	Destitute rations	
	Hunting	
	Gathering	

10. Expenditure pattern:

#	Item	Expenditure	Obtained where
1	Food		
2	Clothing		
3	Building materials		
4	School fees & uniform		
5	Toiletries		

Average household expenditure:...../year

11. Sources of assistance from outside household:

#	Source	Type of assistance e.g. labour, cash, food, clothing, etc.	Frequency
1	Brothers/sisters		
2	Uncles/aunts		
3	Children		
4	Government		
5	Church		

12. Functioning of village institutions:

#	Institution	Performance			Problems
		Good	Average	Bad	
1	Kgosi				
2	VDC				
3	Farmers Committee				
4	Village Extension Team				
5	PTA				

It is possible to add open-ended questions at the end of the interview related to the respondent's views on the proposed project, linkages with other villages and towns, and intra-village relationships, political obstacles, etc.

Step 4: Conduct interviews using questionnaires

Look at the list of households to be interviewed, based on the sampling method, using the sketch map, and determine where to start. Make sure that when someone is not at home, a revisit is made to the household at least once more before deciding to drop the household and replace it with another one. When entering a compound, ask who the head of the household is and whether he or she is present. If not, ask whether another adult belonging to the household would be willing to be interviewed. If the head of the household or someone else agrees, explain who you are and what you have come for. Be sure to explain the purpose of the interview since the answers that the respondent gives may be biased towards his/her expectations that you are either in a position to help them or to get them in trouble.

Step 5: Key persons interviews

After compiling the results of the questionnaire-based interviews, make a list of issues not (adequately) tackled by the questionnaire, and arrange for interviews with several key people in the study area. These may include village leaders, elders, local extension workers, and government officials responsible for the area. For each interview draft some open-ended questions and listen patiently to what the interviewee has to tell. Good topics to include here are historical background of the area, village politics, inter-, and intra-village co-operation and/or conflicts, potential bottlenecks related to the proposed project, etc.

Step 6: Process and analyse data

Enter the data in a statistics computer programme (e.g. SPSS) or process your data in a written format. Decide upon which analysis to make (sums, averages, percentages, correlation, etc). Look for trends and patterns in the data and formulate conclusions/generalisations. Identify the conclusions that will be relevant for the project. Identify the data on issues that require monitoring. Lastly, write the report.

Section 4

CBO formation

Keywords: formation of interim committee, the constitution, capacity development, and linkages

Initial stage of Community-based Organisation (CBO) development

Before starting to facilitate the formation of a community organisation, one should have the support and understanding of the community concerning the process that follows and have gained sufficient insight in the social, economic, and political situation of the community. This will help in facilitating the formation of a representative and accountable community organisation.

To do this with the community it is necessary to form a “community working committee” or “interim (temporary) committee” that will help the facilitator to develop a management structure for the organisation. The composition of such an interim committee can be jointly decided upon with existing community leadership. Initial knowledge of the community may serve to ensure that at this stage most groups within the community are represented in the interim committee.

The recommended process to follow:

1. Spend time developing the management structure first. What is the best way to ensure that everyone is involved while at the same time being practical? The important issues to work out are:
 - How to ensure equal representation in decision-making?
 - How to ensure widespread participation in the running of the organisation?
 - How to ensure proper accountability of the organisation towards its members?
 - How to ensure a widespread feeling of ownership of the organisation by the members?
2. In order to answer these questions, refer to the socio-economic data about the community or communities involved (see preceding section). Which ethnic, social, political and economic subdivisions are there? How do other village institutions operate? What about gender relations? When it comes to ensuring that the management structure is also practical, one needs to look at the number of villages involved, the distance between them, and population size. The key is to make the management structure as simple as possible: the lower the number of committees and sub-committees, the fewer meetings needed and the fewer elections required. Also, less money will be required for meeting costs (transport, stationary, food, allowances). However, fair representation should never be compromised.
3. For a single village CBO, the interim committee will need to decide on the size and composition of a board or management committee. It will need to decide how the members can best be represented in such a board or committee. It will also need to decide on the powers and responsibilities of the board or committee. If the board or committee will have a lot of power, what measures need to be planned to avoid it from making decisions that are not supported by the majority of the members.
4. If there are several villages involved in the project, the interim committee will first need to decide how each village will be represented. It will also need to decide whether one umbrella board or committee is desirable or whether sub-committees need to be established per village. Next, the committee will need to work out how decisions are to be made that affect the entire project and those that affect the villages individually. Again, it will be important to determine the powers and responsibilities of each of the management layers.
5. Once the management structure has been finalised, the interim committee can present it to the community at large for endorsement. This is an opportunity to see whether the interim committee members have understood the structure and why it was developed as it was. At the same time, the community is given an opportunity to become involved at an early stage in the CBNRM process and to increase their awareness of the activities it entails.

Developing a constitution

Once the management structure is endorsed, and if there is no need to make any changes, constitution development can start. As the facilitator it is advisable to have studied existing constitutions to see what the topics are and how CBOs have dealt differently with similar issues. This will help in asking questions to the interim committee when they are dealing with each topic. It is also advisable to make a checklist of the relevant topics, based on the study of existing documents, to be included in the constitution. Per topic, relevant questions can be listed to help the members think and focus. An example of a checklist is provided here. The facilitator will take the interim committee through the checklist, topic by topic and ask “what if” questions, like: “you say this, but what would you do when a situation arises whereby?” The end result will be a draft that has been developed by the members from scratch. They should be in a position to explain to others what they have decided and why. At a later stage, when they need to solve a problem that requires the constitution, they will know where to look.

Start box

Constitution Development Checklist

#	Topic	Guiding questions
1	Objects	What are the objectives/purpose/goals of the CBO? What will the CBO be doing?
2	Membership	Who will be considered as members of the CBO? Citizens only? Any age limit? Residing in village or also those born in the village but residing elsewhere? Minimum duration of residence in village? How and when can a member be expelled? When will a member have his/her vote suspended?
3	Management layers	What different management layers are there? Board, sub-committees, wards, etc? What is their function? Number of elected members per layer? How elected? Which office bearers, how elected, how long in office, re-election, what are their duties? Any ex-officio members, if yes who, voting powers?
4	Powers	What decisions/activities can each management layer make and which ones not?
5	Responsibilities	What duties/activities/decisions is each management layer expected to carry out?
6	Meetings	Which meetings will be held per management layer (Annual General Meetings, Special General Meetings, Ordinary board meetings, Special board meetings, Ordinary sub-committee meetings, Special sub-committee meetings)? How often and where? How called and by whom? Proceedings at meetings? Quorum? Decision making process (consensus, majority vote, casting vote)? Voting powers?
7	Vote of no confidence	How and when can a board member or the entire board be removed by the general membership?
8	Resignation, disqualification, and vacancies	When and how can a board (or any other committee) member resign? When and how should a board (or any other committee) member be disqualified? How will a vacancy on the board (or any other committee) be filled?
9	Expulsion	How and when can a board (or any other committee) member be expelled?
10	Termination of membership	How and when can the membership of any member be terminated?
11	Appeals	How can a member whose membership has been terminated appeal against this decision, and who is then the appellate authority?
12	Revenues	How will the revenue of the CBO be used? Will there be a percentage set for the amount used for covering overhead costs, if yes how much?

		Will there be a percentage set for the amount distributed to individual members, if yes what percentage?
		Will there be a percentage set aside for reinvesting in community projects, if yes what percentage?
		Who decides how revenue will be used?
		How will revenue be distributed?
13	Bye-laws and sanctions	Who can make bye-laws and sanctions?
		How do they have to be approved?
		How will they be implemented?
		What sanctions will be applied?
		How and where will suspected cases of bye-law violation be discussed?
14	Remuneration	Will sitting allowances be paid, if yes who decides how much?
		For how many meetings per year will these be paid?
		Travel and daily allowance arrangement?
15	Amendment	How can amendments be made to the constitution?
16	Dissolution	How and when can the CBO be dissolved?
		What will then happen with the assets of the CBO?

End of box

It is advisable to have several feedback meetings with the entire community during the drafting process. To present the full draft constitution at one meeting will be too much. People will lose interest when they are presented with so much new information. It may be better to divide the presentation into two or three feedback sessions.

Start box

The need for a constitution that is fully developed by the community (1)

Developing a constitution is a process that should not be hurried. There are good reasons why it is important for a CBO to have a properly developed constitution:

- It gives a sense of pride and identity;
- It raises awareness of the tasks and duties that lay ahead;
- It gives guidance when faced with difficulties; and
- It ensures that the board does not unknowingly act unconstitutionally.

End box

Once the entire draft constitution has been endorsed by the community, it is time to seek a lawyer. There are many law firms that finalise constitutions and facilitate the registration of CBOs. However, not all are equally experienced and in a position to give feedback to the community before finalising. It is important that the constitution is sent back to the community at least once before the lawyer starts the registration process. This will allow for a final check, and provide an opportunity to incorporate the lawyer's comments.

When the registration is complete, board elections are to be held in accordance with the constitution. The community members will elect their representatives according to the positions indicated in the management structure. If voting is done by secret ballot then it will be possible for the community to elect the people that they really want and not just the same dominant people who often get elected when voting is done by a show of hands. The board/committee and sub-committees select their own office bearers (chairperson & vice, secretary & vice, and treasurer). Ensure that the relevant district officials from the District Administration, Council, DWNP, and Land Board are present to observe the elections. This is a prerequisite if the community wishes to apply for the wildlife quota.

The interim committee has done its work. The CBO has now become a legal entity.

Start box

The need for a constitution that is fully developed by the community (2)

Developing a constitution is a process that should not be hurried. However, all too often constitutions are borrowed from an already registered CBO, which are then edited, changing names and numbers. The “new” constitution is then read to the community in the kgotla and approval is sought. Little attempt is made to ensure that community members understand what is written in their constitution. There are three reasons why this is not the way to facilitate the formation of a CBO.

1. There is too much room for mistakes. Often the prototype constitution is not thoroughly examined for clauses that do not apply to the situation in hand, not all the necessary changes to names and numbers are made, and not all the clauses that have been replaced by new ones are deleted in the new version. The result is a faulty constitution that can place the CBO in legal difficulties. For instance, in one community constitution based on a prototype, the size of the board was set at eight people, and the quorum also set at eight (the quorum clause was not changed from the example constitution developed for a CBO with a board of twelve members). In practice, the new CBO cannot hold meetings because there is always someone absent.
2. By taking the short-cut described above, the community is denied the valuable opportunity to genuinely consider what they want in their constitution and why, thereby increasing their understanding of what is involved in operating a legal entity. The consequence is a constitution that is not internalised and understood by the community. In addition, the CBO will not feel much ownership over it.
3. By rushing the formation process, there is a risk of not ensuring the equitable representation of all community members. The facilitator needs to know about the existence of subdivisions (social, political, economic, ethnic) within the community, the historical background of the various groups and their interests, needs, and expectations. A constitution should be tailor-made to the specific circumstances prevailing in the community, in order to ensure true representation. A CBO that is not based on a solid foundation (a constitution recognising and protecting the rights and interests of all) will eventually run into problems.

End of box

[For a discussion paper on constitutions in Botswana see annex 2]

Board training

CBO formation does not end here, of course. There are still many issues that need to be handled for the CBO to be able to operate effectively. The board members (and sub-committee members) will require training on how to perform their duties. Such training should focus first on the roles and responsibilities of the board and its executive members.

As an example of such training, board members are asked to indicate what the constitution says about the board. Once the roles and responsibilities have been listed and discussed, it may be a good idea to test the ability of the board to solve hypothetical problems that could arise in the future. Board members can be subdivided into smaller groups or couples, with each group given a hypothetical case to analyse, finding the relevant clauses in the constitution that deal with the problem at hand, and devising a solution.

Start box

Examples of hypothetical cases:

- Board member not attending meetings three times in a row without explanation ; what should happen?
- Board member has become an employee of the joint venture partner; what should happen?
- Board wants to increase sitting allowance; how should this be done?
- Board wants to use all income from joint venture arrangement to drill a borehole for livestock watering; can they decide this on their own, and if not how should they go about this?
- Board wants to establish a bye-law regulating the cutting of thatching grass around the village; how should they go about this?
- Hunters from one group in the village are continuously caught poaching; what can the Board do about them?
- An employee of the trust is misbehaving time and again; what can the board do about it?
- An employee of the joint venture partner complains to the board about the partner; what should the board do?
- Members of one group come to the board to complain about the way meat is distributed in their group; what can the board do?
- General members want to expel the whole board; what are the procedures?
- During a board meeting, attended by the chairman and two other members, it is decided that the trust will buy the vehicle belonging to the chairman's brother; is this allowed, if not why not?
- When voting on an issue, four board members vote for and the other four against; how can a decision be reached?
- The board wants to organise a special general meeting to discuss problems with the joint venture partner; what is the board supposed to do?
- The year has ended, what should the board do?
- The trust has earned P 200,000 from the joint venture agreement; how much may be used to cover next year's operational costs and how much can be used for/by the general members?
- At the AGM, the board has announced that there is P 75,000 available for utilisation by the general members; how should the decision be made on the use of this money?
- Ex officio members disagree with a decision made by the board; what are the consequences?
- The secretary has asked the treasurer to be given a loan of P 500 from the trust; is this allowed?

End of box

Other types of training necessary during the CBO formation process are usually referred to as "Strategic Planning" and "Basic Financial Administration".

Strategic Planning is the name often used for a training package that includes assisting the CBO to develop a vision regarding the future development of the community. The vision is subsequently translated into a 5-year strategic plan with a prioritisation of projects and activities.

There are a number of NGOs, Government extension departments and private consultants who have developed experience in training CBOs in the above field¹. The main disadvantage in most cases is that the training is a short-term (often 1 week) event without follow-ups and on-the-job-training elements. This approach proves to fall short of building sufficient capacity of the CBO. Training is more effective in the form of "learning-by-doing" under close supervision, tailor-made and on a long-term basis.

¹ PACT/IRCE Botswana produced 2 training handbooks that are often used during CBO training: "Leadership and governance manual for community-based organisations" (April 2000) and "Financial management manual" (May 1999).

Start box

The CBNRM Services Directory for Botswana

BOCOBONET together with the CBNRM Support Programme produced a booklet in 2001 listing 46 organisations and companies in Botswana that offer CBNRM-related services in the fields of legal advice, planning, organisational strengthening, administrative and financial management, enterprise development and natural resource management. The collected profiles of the listed companies allow the user to shortlist and contact the relevant service providers.

End box

Linkages

CBOs do not develop and operate in a vacuum. There are other actors in existing relationships and new ones to link up with. For instance, a CBO will need to work out how it will relate to existing village institutions such as the kgosi and Village Development Committee (VDC). The situation needs to be avoided whereby the CBO, and especially its board members, consider themselves the main leaders in the overall development of the community. Ideally, the kgosi and VDC should play a role in the CBO, in a manner formally described in the constitution. It may be wise to give the kgosi a role as ex-officio advisor to the board. Similarly, the VDC chairperson could be given an automatic seat on the board, by virtue of his/her position as leader of a key village institution. Further, a mechanism may be put in place whereby the VDC is given a role to come up with proposals for community development projects that the CBO could invest in.

It will also be important for CBOs to maintain linkages with relevant government departments and committees. Government officials from various departments are often asked to act as ex-officio members of the board. Unfortunately, their attendance at board meetings is generally poor. CBOs will therefore need to take a more proactive role in maintaining good relations with them. This can be done through informal meetings with individual officials whenever board members happen to be in the district or sub-district headquarters, or by regular presentations in relevant district meetings such as Technical Advisory Committee (TAC) meetings, District Development Committee (DDC) meetings, and District Land Use Planning Unit (DLUPU) meetings. The main purpose for maintaining good relations with government is to ensure that they are kept informed of progress (and problems). Experience has shown that an uninformed District Council is reluctant to offer assistance to, or sometimes even inclined to block, CBO activities and plans unknown to them.

Section 5

Natural resource use planning

Keywords: natural resources inventory, Land Use and Management Plan, resource utilisation options

Compiling a Land Use and Development Plan

Just like CBO formation, planning for the use of natural resources is a process that requires time and careful attention. Natural resource use planning is a vital precondition for successful CBNRM. CBNRM is about decision-making by communities on the wise use of the available natural resources. Wise use has two sides: an environmental, conservation side and a social, economic side. In order to be able to come to wise decisions concerning natural resource use, a CBO needs relevant information about the availability and distribution of natural resources in their area as well as options for their use. In addition, information is required on the needs and aspirations of its members concerning direct natural resource use for subsistence purposes as well as the use of other benefits derived from these resources (income, employment, community projects). Only after this information has been collected and a Land Use and Management Plan (LUMP) has been prepared is the CBO in a position to start talking about natural resource utilisation options.

Start box

Development, land use, and management plans

Botswana has a well-established system of district planning. Every district has a District Development Plan and a Land Use Plan that defines major land use zones such as communal grazing areas and WMAs. Subsequently, nearly all WMAs in Botswana are covered by WMA Management Plans. The latter describe the context within which (commercial) utilisation of natural resources is permitted. WMA Management Plans may prescribe permitted natural resource use, visitor carrying capacities, permitted infrastructure, permitted residential areas, etc². WMAs are subdivided in Controlled Hunting Areas (CHA) and any CBO that wants to gain management rights over a CHA has to prepare a CHA Management Plan (what we call here a Land Use and Management Plan). Obviously, the Land Use and Management Plan should not violate the District Development Plan, District Land-Use Plan or WMA Plan (if applicable).

End box

Following the steps below will help in compiling a Land Use and Management Plan:

1. Collect all relevant background information from existing secondary sources on soils, vegetation, landscape types, geographical features, hydrology, flora, fauna, boreholes, wells, roads, tracks, cut-lines, etc. Sources may include district plans and reports, surveys, consultants' reports, maps, etc.
2. Develop a base map of the area that includes the main features that will assist in navigating in the area. This map will be used to sketch in possible land use zones and activities.
3. Travel with community members (board and knowledgeable community members) around the area asking them to indicate places, resource areas, boundaries, etc. Information collected will be added to the base map. This exploratory trip will teach how well the community members know their area, and also give an indication of what the area looks like and generate ideas about possible land use options. In addition, by spending several days camping with the community members and discussing ideas around the fire will enable the facilitator to develop good rapport.

² Plans are not cast in stone. They usually have a life span of 5 to 10 years. Plans can be amended by following the relevant planning procedures and having the amendments adopted by the relevant authorities.

4. At this stage information will be collected from secondary sources and from the ground. The facilitator (or the consultant specifically hired for this purpose) is in a position to start developing a Land Use and Management Plan (also called a land use plan or management plan). This can be done in a series of workshops with the same community members who went along on the trip, plus village elders and relevant government officers. The first workshop will be used to look at the current land use pattern. On the base map, community members indicate what activities (i.e. livestock grazing, cattle posts, agricultural fields, hunting areas, gathering areas for thatching grass, firewood, etc) are taking place where, using which resources. A map showing the current land use pattern will enable the CBO to plan for new activities in such a way that will not clash with current activities and interests of community members.
5. A second workshop may be used to brainstorm on new land use options. The facilitator has a role here to bring forth options based on what (s)he has seen and heard happening in other areas, and based on what was observed on the exploratory trip. During the discussions on options it is important to go into as much detail as possible concerning the nature of the land use option or activity in question. (What will be the benefits, how much of the land and/or resources will it require, what are possible drawbacks, is it likely the community at large will agree, etc?) The background information on the availability and distribution of natural resources will of course play a big role in determining the location and size of possible land use zones and activities. After the brainstorming session, it may be useful to divide the workshop participants into groups and ask each group to draw a draft land use map with old and new land use zones and activities. After each group has presented their version and given explanations for their choices, consensus has to be sought and one draft land use map developed.

Start box

Examples of Community Land Use and Management Plans

- Cgae cgae Tlhabololo Trust produced a Management Plan for NG4 in 1998;
- Nqwaa Khobee Xeya Trust produced a LUMP for KD1 in 1999;
- Jakotsha Okavango Community Trust developed a Management Plan for NG24 in 2000; and
- Khawa Kopanelo Development Trust prepared a LUMP for KD15 in 2001.

End box

6. Once the draft land use map is finalised, it may be a good idea to organise a community meeting and have selected community members present the work done so far. If the community at large is satisfied with the proposed land use plan then one can proceed with the next phase - working out the management aspects of the plan.
7. The purpose of the next workshop on management aspects is to describe in detail which activities will take place where, how they will be set up, how they will be managed, how they will be monitored, which management layers/positions are required. In addition, the conditions and regulations will be drafted that should ensure the sustainable use of natural resources. Most of the information used later when drafting tender guidelines will come from the work developed in this workshop.
8. At this stage it is a good idea to try and make income and expenditure projections for the proposed activities in the LUMP. This includes estimating the cost of running the activities by the CBO and revenue likely to be generated. If it turns out that running costs exceed income, one might have to go back to the drawing board and look at other/additional options.
9. Once the financial projections are positive it is time again to make a presentation to the community. If approval is obtained, the LUMP document can be prepared into something

presentable for the relevant authorities (Technical Advisory Committee and Land Board). A LUMP document may contain the following:

- Background information on environmental aspects prevailing in the area;
- Background information on the social, economic, and historical aspects of the community;
- Analysis of the natural resources inventory;
- Description of current land use pattern;
- Description of proposed land use plan;
- Description of management aspects; and
- Income and expenditure projection.

10. When approval is obtained from the relevant Land Board or Department of Lands, the CBO is in a position to apply for a resource use lease (head lease). The CBO can then start implementing its LUMP.

Officially, a CBO can only start implementing its LUMP (for instance, sub-leasing part or all of its area to a commercial hunting operator) when it has been issued with a head lease. A head lease can only be issued when the land authorities have approved a LUMP or management plan. Subsequent sub-lease agreements shall be based on the planned activities and their conditions as indicated in the LUMP.

Start box

Rushing into a sub-lease does not always pay

There are several examples in Botswana where the natural resource use planning process has been hurried, or postponed, or even skipped altogether. In these cases, Land Boards have issued waivers to CBOs allowing them to enter into sub-lease agreements with private sector companies without a land use and management plan developed and approved.

The argument used was to obtain rapid financial benefits from a joint venture. In several cases in the west of the country, this resulted in communities agreeing to sub-lease the entire area for commercial hunting and selling the entire community wildlife quota to a joint venture partner. Were other options discussed? Were subsistence needs taken into account? Was an inventory made of other natural resources in the area? Did all community members have a chance to express their needs and interests? In the quoted cases, the resulting incomes derived from the joint venture agreements were very low. The strategies followed were not to the benefit of the communities.

In addition, it is generally not in the interest of a private company to work in an area where part of the community is unhappy with the situation. It can result in frustration and conflict that could lead to (early) termination of the joint venture agreement. The word will spread quickly amongst safari operators to avoid the area in question.

The shortcut may have the short-term gain of quick tangible benefits (cash, jobs) for community members but the disadvantages out-number the advantages:

- Little understanding of what is going to change and why;
- Little understanding of what is expected from community members;
- Lack of ownership and responsibility for what is going on;
- Non-adherence to agreements (i.e. poaching);
- Subsequent disinterest of joint venture partners to continue with the community;
- Disillusionment in power of own CBO;
- Disillusionment with government in relation to its promise of true devolution of decision-making regarding natural resource use; and
- Exclusion of other possible land use options and activities due to lack of analysis likely to result in lower total tangible benefits.

End box

Natural resource utilisation options

The Land Use and Management Plan will include natural resource utilisation options. These options vary from zoning parts of the CHA as concessions for commercial photographic tourism to building and managing a craft shop, camp site, food stall, gathering firewood, etc. The options are too numerous to elaborate here. In terms of the management requirements of these options we can distinguish between the following categories:

1. Subsistence use of natural resources;
2. Community enterprise projects;
3. Private business development; and
4. Joint venture agreements and partnerships (see Section 7).

Subsistence use of natural resources

The first option is self-explanatory. The CBO might decide to assign part of the natural resources for subsistence use by community members. This is the case in most communities in Botswana. Community members can use their CHA to collect building material, firewood, raw material for making crafts, thatching grass, natural medicinal products, etc. In most cases the CBO uses part of the community wildlife quota for subsistence hunting. In that case appropriate provisions are made in the Land Use and Management Plan (e.g. subsistence hunting areas or time periods, veld products gathering areas or time periods, etc.)

Start box

The draft CBNRM policy clause 5.5.1:

“When allocating exclusive natural resource user rights, the needs of subsistence users residing in the defined geographic area must be supported within ecological limits”.

Or in the words of the November 1995 Ministry of Commerce and Industry/Ministry of Local Government & Housing Savingram, the community must demonstrate, where such exist, that the needs of the ex-Special Game Licence holders are being met in a way acceptable to the holders of such licence once a community quota is granted.

End box

Commercial use of community-owned natural resources

The lease that can be acquired upon submission of the LUMP allows for commercial use of the natural resources. Most communities combine subsistence use with commercial use as the latter has the potential to generate employment and income. At this point in time the facilitator should explain the potential for the commercial use of resources and the community should ask themselves the following questions:

- What proportion of the available natural resources can be commercialised?
- What expertise do we need to hire from outside to do this in a viable and sustainable manner?
- How can we optimise the benefits from a commercial use of the natural resources?
- How will these benefits be distributed?
- How can we re-invest these benefits in the further development of the community?

Assessing the potential for commercial use of resources is generally not easy, but these assessments need to be done. It is worth spending money on professionally conducted feasibility and marketing studies before raising expectations and investing community resources in commercial ventures with little potential.

There are a number of common options for commercial investment by the community. Different options will suit different communities, depending on their resources and goals but all commercial activities should:

- Optimise short, medium, or long-term benefits to rural communities (and their joint venture partners);

- Provide sufficient incentives to generate local level support and responsibility for sustainable wildlife and natural resource management;
- Increase employment opportunities for the local population and develop markets for local products;
- Provide education and training in sustainable natural resource use, wildlife management and the tourism industry, and thus develop local capacities for managing natural resources and tourism enterprises; and
- Be transparent and accountable to all stakeholders.

Community enterprise projects

Community enterprise projects in CBNRM areas in Botswana generally aim to create employment and income while developing entrepreneurial skills. These projects provide an opportunity to reinvest community funds from commercial hunting supplemented with government or international donor contributions. In nearly all cases these projects are managed by the board of the CBO (directly or through an appointed or recruited manager or co-ordinator).

Experiences have not been overwhelmingly positive. Boards do not have the skills and time to manage enterprises, and village decision-making structures are not dynamic enough to manage commercial ventures. Delegating enough authority to managers to run an enterprise remains problematic. In most cases the result is a community enterprise that generates employment and skills but drains community funds. This situation is to no disadvantage of any individual but at the cost of the community, government and the donor. The authors do not know of any viable (non-subsidised) community enterprise in Botswana. Obviously the question of sustainability arises.

Private business development

There is very little experience with CBNRM-related private business development at community level. In CBNRM we tend to think in terms of community-owned resources, hence community-owned businesses. The economic viability of the latter has not been proved and alternatives need to be explored in the near future if sustainable rural development is to be a reality.

An example of a private business in CBNRM is that of the small citizen entrepreneur who co-invests with the trust in a campsite and is totally responsible for the management of the business. The resulting shareholding agreement divides the profits annually over both parties. Another example is that of a local businesswoman selling the village crafts on consignment instead of the community craft shop.

In all these cases the community remains **owner** of the natural resources but leaves **management** to a more appropriate and competent entity. The trust as the “business opportunity provider” may bring expectations in line with trust skills and development while providing a flexible means to maximise benefits to members. Once there is agreement on this concept, the facilitator has to help the community to develop their own specialised vision of “business opportunity provider”.

Start box

The difference between a community enterprise project and a private business

	Community enterprise project	Private business
Objectives	To generate income, employment for community members, develop skills	To make profit by maximising returns and minimising costs
Management structure	Community owned and managed by the community (or its representative(s))	Privately owned (individual or corporate group) and managed by owner or employee
Inputs	Community funds, volunteer time	Private funds and time
Risks	Risks are borne by the community/donor, little individual incentive to perform	Risks are borne by the individual, maximum incentive to perform
Outputs	Benefit to the community, little incentive for individual member	Benefit for owner or shareholder, maximum incentive to perform

End box

Section 6

Resource user rights

Keywords: leases, rights, obligations and sub-leases

Once a registered CBO has prepared a Land Use and Management Plan (LUMP) it may enter into a lease agreement with the Land Board (for tribal land) or the Department of Lands (for state land). After approval of the LUMP by the relevant authorities a 15-year Community Natural Resources Management Lease can be obtained by the CBO against the payment of an annual land rental to be set by the land authority.

Start box

Land rental

The CBO with a lease has to pay an annual land rental to the land authority. This amount has to be paid in advance, within seven days of the starting date of the lease. The land authority will review the land rental every 5 years. There are no national guidelines on setting these land rentals. In Ngamiland the CBOs pay a nominal fee of 1000 Pula per annum. The Kgalagadi Land Board charges Khawa Kopanelo Development Trust 2700 Pula per annum for KD15.

End box

The Community Natural Resources Management Lease (also sometimes called the “Head Lease”) is intended for any community participating in the *commercial* use of natural resources. The lease is important because it defines a geographical area over which an agreement between the Land Board (or the Department of Lands) and the community is made. Because of its initial orientation towards wildlife, the lease usually covers a specific CHA. However, where communities are only using plant resources, or are involved in a tourism venture, it is possible that leases over smaller areas could be given. It is also possible that some portions of a CHA can be excluded from a lease.

One of the main functions of the lease is to formalise the agreement between the lessor, who controls the resource base, and the lessee, who wants to take over some of the control. Government is the lessor, represented either by the Department of Lands or the relevant Land Board. The community, through its CBO, is the lessee. Government’s position is that the land and its resources belong to all the people of Botswana. If one community is to enjoy benefits that others don’t, then they must pay for the privilege. This payment is one reason why a lease is necessary. Another, more important reason, is to bring in the aspect of *management* to the use of natural resources.

The lease makes it clear that being allocated use of the land and some resources is not just a one-way gift. It reminds both parties that with rights, there are obligations. The lease stipulates the conditions under which the agreement can continue. It details exactly what the rights of a participating community are. It also is quite clear on what the community’s responsibilities are.

Start box

Tribal Land Boards and the Department of Lands

Tribal Land Boards ensure that communities are informed of their rights and responsibilities with respect to the land areas they occupy and the procedures required for securing these rights. Land Boards only allocate these rights when they are satisfied that a Representative and Accountable entity has been formed, proposed developments in the LUMP do not conflict with prevailing plans and that the community has consulted the appropriate technical authorities such as DWNP. In that case, Land Boards will be responsible for explaining the CHA boundaries and for monitoring the use of the land to make sure that the lease is adhered to.

The *Department of Lands* under the Ministry of Lands, Housing and Environment provides the legal context within which Land Boards administer land in the country. One of the land tenure and CBNRM-related instruments that has been prepared by the Department in conjunction with DWNP is the “Community Natural Resource Management Lease” or “head lease”, the legally binding contract between Land Boards and community trusts on the utilisation of Controlled Hunting Areas. The Department of Lands is the parent Department of District Officers Lands, coordinators of District Land Use Planning Units and members of the Technical Advisory Committees and as such plays an important advisory role on land tenure and land use planning to Land Boards, District Councils and communities. Furthermore, the Department administers State Land and as such is formally the lessor of land in areas such as Mababe (NG41) and Phuduhudu (NG49).

End box

Rights given to communities under the lease

In its current form, the lease gives the community exclusive rights to use the area for tourism related activities, hunting and game capture, and the commercial consumptive use of veld products. Any such use of the area must be in accordance with laws and policies of Botswana. Hunting and game capture, for example, must be done according to the Wildlife Conservation and National Parks Act. The quota given for that area further restricts hunting. The lease does not confer ownership over the land.

Start box

The difference between land rights and user rights

The head lease allocates rights to the CBO to use wildlife, veld products and the tourism potential of the area. The lease does not allocate the land. This means in practice that a CBO that, for example, wants to build a campsite, craft shop or a lodge (in line with the approved CHA Management Plan) still has to apply for a special permission or a Common Law Lease from the Land Board or the State over that specific piece of land, before it can implement its plans.

End box

When a community has been allocated the hunting quota for an area, it has the right to decide who can hunt on the quota. These hunting rights also include the commercial hunting of birds. Citizen bird hunting licenses are allocated without reference to a hunting area. License owners can hunt anywhere (outside protected areas). Until citizen bird licences are given according to the CHAs, some communities may therefore have to accommodate citizen bird hunting. Small Game Licences also fall outside the hunting quota. However, citizen hunters must still negotiate with the lessee where and when they can use their licences.

The lease further gives communities the right to exclude outsiders from using the area for tourism purposes.

Start box

Exclusive tourism rights

A community holding a head lease has the right to draw up by-laws (in line with the lease and the approved management plans for the area) and define criteria for tourist entry into its concession. This may include entry fees and camping fees. In principle a tourist or tour operator cannot entertain tourism activities in the concession without permission from the lease holder (the community). Obviously anyone is allowed to travel through concession areas over the main roads.

End box

The lease is designed to allow the commercial harvesting of plant resources. This also gives the communities the right to prevent outsiders from the commercial harvesting of these resources. Plant resources will, like wildlife, be subject to any laws and limitations relating to species, quantity, seasons, harvesting methods and location. As with wildlife, the lease alone is not enough to gain commercial rights to key plant species in the area. Wildlife use needs a hunting quota to be issued. Likewise, it is expected that communities obtain a permit or license from the relevant authority for each plant species they plan to harvest. However, these laws and limitations do not exist yet (with Grapple as notable exception). In the meantime, commercial harvesting of plant resources is acknowledged and allowed to continue under some observation until the regulations are updated. An example of this is the harvesting and marketing of marula, phane, thatching grass, reeds, etc.

Community obligations under the lease

In return for giving communities the opportunity to earn money from natural resources, the Government expects communities to actively manage the land and resources of the area. To do this, communities have to prepare a Land Use and Management Plan for the area, which must be acceptable to Government. Communities are further obliged to *implement* this plan.

The community has the obligation to respect the customary rights of communities living within the CHA. This is normally not a major issue, since the resident communities are in most cases those with the lease. However, they must also respect the rights of other Botswana citizens who lawfully enter the area for reasons other than related to tourism, hunting and game capturing, or commercial plant harvesting.

Start box

Customary Rights

Customary rights are the rights of inhabitants of tribal areas to use natural resources as part of their livelihoods. Under the 1993 amendment to the tribal Land Act, customary land rights no longer have any tribal connotations, nor are they geographically determined. Specific protection for local residents within or peripheral to the CHAs does not exist. In terms of the Head Lease, customary rights include, but are not limited to:

- the right of residence;
- the right of access;
- the right of transit;
- the right to harvest natural plant and insect resources;
- the right to hunt;
- the right to fish; and
- the right to casual use of public water.

These rights are subject to *subsistence, non-commercial* levels of use. They are further bound by any regulations or laws of the Government. For example, this means that while the lease may not have the power to stop people living in a leased area inside a WMA, the draft WMA regulations will have the power to do so.

Adapted from Murray-Hudson et al, 1994.

End box

Managing an area is not a cheap exercise. It requires both expertise and money. It is felt that communities who do not generate money from their lease rights will not be able to meet either their financial or management obligations. This is a supporting reason for why leases are unlikely to be given for solely subsistence purposes.

The obligations of the lessee (the community) as per the lease include the following:

- The lessee shall pay Resource Utilisation Royalties to the District Council within 3 months of the completion of each year of the lease;
- This annual payment shall be accompanied by an audit;

- The lessee shall demarcate and maintain the boundaries of the concession;
- The lessee shall develop the area in accordance with the approved management plan; and
- The lessee is responsible for “good management” in line with prevailing Government Act and Policies.

Sub-leasing

The community is not allowed to sub-lease any rights or enter into any management agreement without written permission from the lessor (Land Board or department of Lands). However, this permission will not be unreasonably withheld (except when Government policies are contravened). This means that the CBO has to ask permission to sub-lease (start a joint venture agreement) before signing any contract.

The land authority will most probably want confirmation on the following:

- The Joint Venture Guidelines (most recent version) have been followed properly;
- The process followed and the proposed sub-lease are in line with prevailing Government policies;
- The sub-lease period is not longer than 5 years; and
- The selection of a sub-lessee took place on the basis of an open tender system.

If permission is granted to involve a third party in the management (meaning here the commercial exploitation) of community resources a number options are available to the community. They are mentioned in the section on joint ventures below.

Section 7

Joint ventures and other options for the commercial utilisation of community natural resources

Key words: preconditions, investment options and guidelines

Once the Community Natural Resource Management Lease has been obtained (on the basis of the approved Land Use and Management Plan), the community can embark on its planned activities. If the community chooses to do so, the lease permits commercial utilisation of the natural resources. The following options presented are not the only options for commercial investment in community areas. There are many different ways of benefiting from natural resources through CBNRM, and communities are encouraged to seek and create enterprises that best fulfil their abilities and aspirations.

Joint Venture Agreement (or sub-lease)

A Joint Venture Agreement involves a community sub-leasing use of sections of the CHA and/or natural resources to a private sector company. There is no merging of the assets (or resources) of either partner and little or no collaboration in activities. This option requires little investment and risk-taking from the community, but also gives the community less individual benefits.

Start box

The example of the Nqwaa Khobee Xeya Trust

The Nqwaa Khobee Xeya Trust has leased a portion of its CHA that they have zoned for commercial consumptive tourism (sport hunting) to a safari company. The company has exclusive use of the area and a quota of valuable trophy species for three years. The company is permitted to build two camps, which it will disassemble at the end of the sub-lease. In return, the community receives an annual land rental fee, fees for the species to be hunted, 50% of the hunted meat, and 30 seasonal jobs each year. In addition, the company pays for 10 residents to be trained by the company in wildlife-related skills.

End box

Major Characteristics of a Joint Venture Agreement:

- Little or no management capacity or leadership by community;
- Little time and communication between parties required;
- Private sector tenure is somewhat insecure, as the community can receive these types of benefits from almost any company;
- Maximum community cash earnings;
- Minimum transfer of skills to community members; and
- Community assumes no risk or responsibility.

Joint Venture Partnership

A Joint Venture Partnership requires a community and a private company to work together, sharing the risks and responsibilities of a joint enterprise. It generally offers a community more decision-making power and training, but little cash in the beginning.

Start box

A fictitious example

A community located near a scenic National Monument and a small hotel company develop the area's tourist potential as joint venture partners. The community sub-leases a portion of the CHA to the company for five years, including a lodge site, but no rental fee is paid. Instead, the community is given a small percentage of ownership of the company and a seat on the company's board. It also receives a daily rate or bed night levy. The hotel company supplies all facilities,

marketing and management, and agrees to train and employ local people and support local enterprises that complement their activities. The community supplies local building materials and guide services, and is actively involved in managing the resources and learning about the tourist industry. After the five years is over, the community can either decide to re-tender the lodge management (perhaps to the same company) or take over management themselves.

End box

Major Characteristics of a Joint Venture Partnership:

- Increased decision-making power for community, local capacity developed;
- Requires time and good communication between parties;
- More security of tenure for the private sector, through building a relationship with the community;
- Insecure community cash earnings;
- Maximum transfer of skills to community members;
- High risk for the community and private sector; and
- Better marketing of community-run enterprises.

Auctioning

Communities can use an auction to sell use of a resource or a product to the highest bidding company. Auctioning, like a Joint Venture Agreement, is suited to a community that would like to earn large amounts of money for the community, but does not wish to work closely with the private sector. It also does not require a tendering process.

Start box

The example of Khwai village

Khwai community has a head-lease over CHA NG18 with a large hunting quota. The trust has decided to auction off the hunting quota, to earn as much money as possible without having to work with the private sector too closely. The trust has divided up the hunting season into two-week packages, each with a quota. Each company attending the auction must pay a refundable deposit, and each package has a reserve price. In addition, the trust has required that companies who buy packages use the community's permanent hunting camps, staff and trails. The community plans to use the money earned from auctioning to build and maintain the hunting camps, to invest in photographic tourism, and to train local residents in CBNRM-related skills.

Major Characteristics of Auctioning:

- Community has high decision-making power;
- Requires less time than tendering process and almost no relationship or communication between parties;
- Private sector has no long-term tenure;
- High community cash earnings, low individual cash earnings;
- Minimum transfer of skills to community members; and
- Low risk for community.

Direct marketing

Direct marketing is a broad category for communities that sell products or use of natural resources to clients directly. The community works independently and does not rely on a private company for comprehensive management. This option is most suited for communities that have experience in running a business, strong management abilities, and good human resources.

Start box

The plans of the community of /Xai-/Xai

Ggaecgae Tlhabololo Trust would like to sell and manage its hunting quota independently. The trust has had four years of joint venture agreements, did not have the best of experiences with

the private sector, saved some money, and trained several residents in tourism, hunting and guiding. It intends to use the savings to buy hunting equipment and vehicles and upgrade its existing camps. The trust wants to approach a marketing agent in Europe that works with companies in Botswana to market the community quota on a commission basis. The trust would then advertise in Botswana for a professional hunter, to be hired on a job-by-job basis. The trust would employ a manager to run the business day-to-day, and as many community members as possible to work at the camps. In this option, the community is learning to become the private sector itself.

End box

Major Characteristics of Direct Marketing:

- Community retains all decision-making power and management responsibility;
- Requires a great deal of time and money to set up;
- Insecure cash earnings;
- Very high risk for the community; and
- The trust assumes the role as the private sector.

Guidelines to arrive at joint ventures in CBNRM areas

Any community that wishes to invest its own finances in the utilisation of its natural resources by means of a community-owned enterprise is free to do so. Examples are community campsites, cultural villages, village-based tourism activities, etc. The normal regulations such as required licences and land leases apply. However, as soon as a third party (most likely a private company) enters negotiations, the community is bound by conditions. These conditions are imposed because the natural resources the third party will use are communally owned. Care has to be taken that:

- all relevant Botswana-based companies have a fair chance of getting access to these resources (hence the use of an open tender system);
- the benefits gained from the sale of natural resources are maximised;
- the proposed utilisation of the natural resources is sustainable; and
- the community benefits are distributed in an equitable manner.

To that effect the Government (Department of Wildlife and national Parks) has issued the Joint Venture Guidelines (Revised edition of April 1999). This booklet contains ideas, guidelines and procedures needed to develop joint ventures between communities and the private sector in the CHAs zoned for community utilisation. Also the Directorate on Corruption and Economic Crime (DCEC) has issued guidelines to regulate the tendering process (the last version is of March 2001). The documents combined are meant to guide the CBOs, the Technical Advisory Committees, and the facilitator through the tendering process when commercial utilisation of natural resources is aimed for.

(The Joint Venture Guidelines were reviewed in 2002, for a small note on the review and the proposed changes, see annex 3)

The steps to be followed by the facilitator helping the community are the following:

1. Develop *tender guidelines* which indicate what is offered for tender, what the technical proposal from private sector companies must contain, what the conditions are of the community. Most of the information to be included in the tender guidelines can be derived from the LUMP:
 - Introduction (Background to CBO, objectives of the CBO as described in the constitution, purpose of document);
 - Description of the areas to be sub-leased;
 - Description of quota on sale (with reserve prices);
 - Description of any other aspects to be sub-leased or sold;
 - Conditions for use of area;

- Description of the rights that will be awarded to the private sector company;
 - Description of responsibilities to be taken up by private sector;
 - Description of responsibilities that will be taken up by the CBO;
 - Indication of the types of benefits expected from the private sector company by the CBO;
 - Description of the format/outline of tender proposals (Company details, technical proposal, and financial proposal);
 - Description of the tender assessment process that will be followed;
 - Address to which tender proposals must be sent and number of copies to be submitted; and
 - Reasons for disqualification.
2. Facilitate the process of ensuring that the tender guidelines are approved by the relevant authorities.
 3. Ensure that the tender invitation is advertised in national newspapers and, if possible, on the Internet. Interested companies are invited to obtain a copy of the tender guidelines from a specified District Council office free of charge, but must pay the District Council a tender registration fee of P 1000 when the company submits a proposal.

The tender proposals are sent to the community or district office. After the deadline, the proposals are opened in the presence of the board/committee and Technical Advisory Committee (TAC). The proposals are screened; those proposals that do not meet the requirements as set out in the guidelines are disqualified. The other proposals are put on a shortlist to be presented to the community.

4. Assist in the presentation of short-listed companies to the community and selection of winning bid.
5. Facilitate the drafting of a sub-lease agreement with assistance of a lawyer who is engaged by the community. The agreement should contain an exact description of the rights and duties of both parties, the duration of the sub-lease, the fees to be paid, and the conditions of the sub-lease.
6. Facilitate the discussion of the sub-lease agreement with the company and subsequent signing in the presence of a lawyer.

Start box

The role of the Technical Advisory Committee (TAC)

The Technical Advisory Committee is a district advisory body co-ordinated and facilitated by the Department of Wildlife and National Parks. The TAC consists of officers from the District Council, Land Board, District and Tribal Administration, DWNP, other relevant line Ministries and chaired by the District Officer Development.

The role of the Technical Advisory Committee was originally defined in the 1999 Joint Venture Guidelines (page iii) to oversee the tendering process and operation of the joint venture. Over time the TAC has become increasingly involved in the entire CBNRM consultation, planning and implementation process although the committee does not have clear Terms of Reference. It is felt however that the TAC should stick to its original mandate and assume the following roles:

- The TAC advises communities and the District Authorities upon any proposal that involves the commercial utilisation of community-managed natural resources in the district, and monitor its implementation;
- The TAC ensures that any such proposal does not conflict with the prevailing district land use and development plans;
- The TAC guides the communities and the private sector through a tendering process in concurrence with the current Joint Venture Guidelines;

- The TAC, in general, monitors the implementation of these guidelines and make recommendations for improvement to the appropriate authorities; and
- The TAC assists in mediation in case of conflicts between joint venture partners.

In other words, the TAC should ensure that policies and district plans are adhered to where the commercial utilisation of community resources is concerned and not assume an extension role of mobilising and training communities, doing surveys and organising workshops to develop constitutions, etc. Those extension roles should be left to Government extension departments, NGOs, or private consultants who have the time and skills to do that.

End box

The Agreement

In most cases when we talk about the “Agreement” we mean the joint venture contract or the “sub-lease” between a CBO and a safari company. There could be other reasons to draw up legally binding agreements between partners: a contract between a CBO and a service provider. Examples are a contract with a consultant to assist in preparing a management plan or with a training institute to provide training or with an NGO to facilitate the development of CBNRM for a specified period, etc.

Drawing up the “Agreement” is an opportunity for CBOs to define the terms of the partnership and as such it warrants the utmost attention to arrive at an agreement that is transparent and equitable. A “good agreement” is understood by all signatories, is clear on all benefits and costs and does not raise unrealistic expectations, is clear on all the roles and responsibilities and sets out clear procedures for monitoring and review. A “bad agreement” is bound to spoil the relationship between the signatories.

Ample time and careful consideration including legal advice from the lawyers of both parties should be given to the design of an agreement. There are examples abound where this advice was not followed, often because there was no time left as the hunting season was about to start. In some cases the company lawyer was the only legal advisor available, leading to an overrepresentation of interests of the company. In another case the extension agent “supporting” the CBO quickly copied an “agreement” of another CBO and gave it to the “semi-illiterate” chairman to sign. The incumbent CBO ended up in a legally binding deal it had not foreseen. The other result was an immediate conflict with the joint venture partner who had signed in good faith.

Start box

Do these joint venture guidelines also apply to non-wildlife joint ventures?

This question is not easy to answer. The head lease clearly states in clause 7.2 that any sub-leasing arrangement of any rights under the head lease requires prior written permission from the Lessor (Land Board or Department of Lands). So far, in granting that permission for wildlife related joint ventures, the Lessors have always insisted that the DWNP and DCEC joint venture guidelines be followed. They are bound to do that because there are Acts and policies from DWNP that regulate the use of wildlife. For other resources there are no regulations (except for the collection of grapple/sengaparile). It is unclear how the Land Board will respond to a joint venture proposal between a CBO and a company to manage a community campsite together. Or a joint venture proposal between a CBO and a company harvesting thatching grass in the community area. Both cases are a form of sub-leasing rights and hence “prior written permission of the Lessor is required” but as far as we know there are no government policies or regulations that suggest conditions under which permission is granted or not. Does the CBO have to go for a tendering process? Should the Technical Advisory Committee (TAC) be involved? Are there reserved prices for these resources?

Legal entities such as trusts are entitled to draw up business agreements with any company without asking permission from anyone (except from its membership). The main question is: does this business agreement involve the use of natural resources under the head lease?

An example where the joint venture guidelines do not apply, according to the authors, is in the case of a marketing agreement between a CBO and a booking company. A trust can engage any company (and pay for its services) to deliver and collect a minimum number of tourists to the community-managed tourism venture. We also think it is not illegal for a CBO to engage a private company to collect and market veld products (the exception again is grapple) that are **managed** and **harvested** by the community in its leased area without asking permission from anyone.

End box

Section 8

From planning to implementation

Keywords: management requirements

The CBO now has a Land Use and Management Plan and a lease from the relevant land authorities. However, a lot still has to be done to turn the plans into reality and start generating benefits for the community. The CBO will need to do the following:

- Developing funding proposals;
- Submitting and following-up proposals;
- Obtaining building materials;
- Organising transport;
- Organising training;
- Obtaining tools and equipment;
- Mobilising labour;
- Supervising construction;
- Advertising & marketing;
- Personnel management;
- Financial management; and
- Progress reporting to stakeholders (donor, government, community).

At this stage, though, the CBO is still very young and inexperienced. There continues to be a need for outside support, in terms of co-ordination and supervision of trust activities, and for intensive training. It may take several years before a CBO is in a position to take care of the above activities on its own. Until that time, there is still an important role to be played by an external party.

CBO management requirements

It is often assumed that the elected boards are responsible for the active management of their CBOs. However, businesses, parastatals, and non-governmental organisations are never run by their boards. The boards are there to give overall strategic direction and for final decision-making on important issues affecting the organisation and its stakeholders. Individuals hired by and accountable to the board manage the day-to-day activities; they are the managers or co-ordinators.

When a CBO wishes to establish a campsite, for instance, is the board expected to be involved in writing the proposals, selecting the site, obtaining drawings, purchasing materials, supervising the labourers, advertising the campsite, receiving visitors, and do the maintenance? Remember that board members are elected to represent their constituents and their interests. Board members are not paid employees of the CBO.

CBOs therefore need to invest in managers or co-ordinators, as well as in bookkeepers or financial management assistants. Without these, day-to-day management and running of the CBO's business interests and activities are likely to be inefficient and ineffective. The question is where will the CBO find such people?

Options:

- Hire a suitable person from the community. Unlikely to be someone qualified.
- Hire a person from outside the community. Will be expensive and temporary.
- Request a volunteer organisation to send a person. Will not cost much but is a temporary solution. Also, the CBO does not know (or control) whom it gets.
- Train suitable candidates from the community for several years in management issues and eventually hire one or two. Will take time and money but may result in a long-term solution.

The first option would be ideal but, given the educational level in most rural communities, unrealistic. The second and third options are both not ideal since they are temporary solutions. In addition, the chance that a suitably qualified and well-motivated person would want to work

in a remote rural setting is small, particularly for the salary that CBOs are generally able to offer. A volunteer from overseas may not have that problem, but may cause the CBO to become overly dependent on him or her. What will happen when their contract is up and there is neither renewal nor a successor?

A combination of the third and fourth option is likely to offer the best long-term results for the CBO. There are often community members who have the potential to become managers and bookkeepers, and their potential can be developed through the trust, not necessarily by sending them back to school, but by providing them with practical on-the-job learning opportunities. This can be done for example by a co-ordinator or trainer (either paid by the CBO or brought in by a volunteer organisation) who will train the selected candidates while managing the CBO. The trainees could gradually be given more responsibilities as they learn, and eventually when the contract of the co-ordinator or trainer is expired take over all responsibilities. In this way, the CBO will be managed while the training is ongoing, and ensure that the training is tailor-made to meet the typical demands of managing a CBO involved in CBNRM. What are these typical demands (see box)?

Start box

What must a CBO manager or co-ordinator be able to do?

- Know and fully understand the constitution;
- Ensure that the CBO is compliant with all conditions and duties as described in the constitution, and any leases and permits;
- Ensure that activities are carried out in time and according to the budget;
- Ensure that reports are written in time for board and donors;
- Ensure that all CBO staff are performing their duties;
- Ensure that natural resources monitoring takes place and is linked to board decision-making;
- Facilitate the functioning of the community consultation structures in order to ensure that all members are aware of what is going on;
- Mediate, or solve internal conflicts/problems related to the CBO;
- Ensure good relations with relevant external actors;
- Ensure that permits and leases are obtained and that tender guidelines, agreements, etc. are developed and finalised in time;
- Ensure that the financial system is operating adequately; and
- Ensure the maintenance of CBO assets.

End box

Role of the facilitator in taking the CBO from planning to implementation

The CBO will most likely not be able to bring in place the required operational structures and systems that ensure implementation of the plans. There is still a need for outside facilitation until the CBO has a stable and effective management structure. In order to attain this, the facilitator will have the following roles to play:

1. Facilitate the discussion and ultimate decision on the appropriate operational structure; i.e. one local co-ordinator with several local assistants, a volunteer co-ordinator with local counterparts, a national co-ordinator with local counterparts and a volunteer advisor, etc. Issues to consider here include:
 - Availability of qualified persons in the community;
 - Likelihood of attracting qualified persons from outside the community; and
 - Financial situation of the CBO.
2. Assist the CBO in advertising, interviewing, and selecting the right candidates, or in writing the request for a volunteer. This will also include the drafting of job descriptions and employment contracts;
3. Assist the CBO in identifying and applying for relevant training of new recruits; and
4. Supervise the relationship between the manager or co-ordinator and the board of the CBO. The purpose here is to ensure good communication between the board and the

manager/co-ordinator, and adherence to agreed procedures in relation to decision-making, delegation of authority, reporting, and accountability.

It is important to note that the facilitator should not assume the role of (interim) co-ordinator. While assisting the CBO in working out the appropriate operational structure, he or she should refrain from giving instructions to the CBO. The facilitator should consciously try to improve the capacity of the CBO and allow the CBO to solve its own problems and make its own decisions. The facilitator should simply bring up options and ask questions, even if this approach results in mistakes. The CBO should be free to make mistakes and given the opportunity to learn from them. Once mistakes have happened, the CBO should be asked what happened, what decisions were made, what criteria were used to reach the decision, what alternatives were considered, and what could possibly have been done to avoid the mistake. CBOs may be young and inexperienced at the start, but one should not treat them as children, nor spoon-feed or discipline them. In the end, the CBO should become self-reliant and be able to manage its organisation as independently as possible.

Controlling the manager or co-ordinator

Ideally, the board will control the manager or co-ordinator. The board after all hires the manager. The board pays his/her salary, and gives the instructions and assignments to be carried out. The board and manager will need to work out a system whereby the work plan of the manager is discussed, and authority officially delegated for specific duties. Ideally this should be done on a regular basis (every two or three months at least, and not once every year). Otherwise, there is a chance that the manager will have too much room to run the CBO in the way he or she sees fit. The board will no longer be in control, and, by virtue of the board's role of representing community interests, neither will the general membership feel ownership of the CBO.

Most likely, managers or co-ordinators will be more educated and experienced than board members. There is a risk that the manager may dominate the board, even when regular meetings are held to discuss work plans. It will be vital when facilitating a CBO for working with a manager to train the board in skills such as delegation of responsibilities, personnel management, assertiveness, negotiation, and conflict avoidance and resolution.

Section 9

Utilisation of financial benefits

Keywords: reinvestment options, income utilisation plans, impact monitoring

A CBO may have a strong foundation, based on a thorough understanding of the community and its own participatory development, but still fail to command the support of the community if the distribution and utilisation of benefits is not well executed. It must be remembered that community members are interested in CBNRM mainly because they expect improvement of their lives. The boards of CBOs, as instructed by their constitution, must try to ensure this to happen.

The facilitator has a role to play in helping the CBO to plan how to utilise the expected incomes, in the implementation of these plans, and in monitoring whether the benefits actually lead to enhanced living conditions for all community members.

Options for using financial benefits

A CBO may earn a substantial amount of money through joint venture arrangements with the private sector. Naturally, part of the income earned will need to be used to cover overhead costs of the CBO. These costs may include wages for CBO employees, office equipment and stationary, allowances, maintenance of fixed assets (office, vehicles, campsites, etc), banking fees, meetings, transport, etc. It may be wise, when facilitating the development of the constitution, to agree on a maximum percentage of total income that can be spent on CBO overhead costs. This will ensure that a portion will be available for community use.

Start box

The draft CBNRM Policy (clause 5.4.4):

“CBO constitutions and regulations must also include mechanisms for the calculation of the benefits to be distributed, hereby taking into account that the total value of the benefits to be distributed annually shall normally not be less than 75% of the total annual income of the RALE (Representative and Accountable Legal Entity)”.

In other words the annual administrative expenses of the CBO shall not be more than 25% of the total annual income.

End box

What can a CBO do with the non-administrative portion of the income? There are basically three options:

1. Distribute cash to each CBO member, household, or family group;
2. Reinvest money in a community (enterprise) project; or
3. Combination of the two.

The first option must have triggered the imagination of many community members at the start of embarking on their CBNRM project. It emphasises the short-term financial needs that many rural community members have. However, the facilitator will have to ask the following questions to the board (or the entire community): Is the amount of money to be distributed in cash sufficient to make a difference in their lives? Will it convince people that environmental conservation is worthwhile? How will the money improve their living conditions?

In many rural communities, cash flow is erratic and limited. When cash has been earned, it is often quickly spent. However, the range of goods available for purchase is in most cases not very wide and typically caters for basic (inexpensive) needs. The cash in hand is therefore usually spent on foodstuffs (and alcohol). In this type of situation, how will additional cash from the CBO assist community members in improving their living conditions (beyond basic necessities)? Building materials, clothing, blankets, tools and equipment are often not available within the

community but are found in larger villages and towns far away requiring access to (and money for) transport.

The second option, of reinvesting income in community projects, is often favoured by government officials, probably because it precludes the chance that individuals will misuse the cash. Community projects generally address the following:

- Provision of relevant services not yet available in the community;
- Creation of further CBO enterprises that will generate more revenue; and
- Creation of employment (and income) within the community.

The facilitator needs to ask whether the activities selected will lead to a livelihood improvement of the general membership. This is important in view of the basic assumption underlying CBNRM: nature conservation by communities can only be successful when the communities involved see meaningful improvements in their living conditions and therefore consider natural resource management worthwhile.

Thus, it is important to find out what the needs and wishes of community members are. Do they want cash (if yes, what for), infra-structural projects (if yes, what type of projects), or provision of services (if yes, which services)? Based on these preferences, one can facilitate the development of plans for assisting community members in obtaining the goods they need the cash for, for establishing and running the infra-structural projects, and for the provision of the desired services.

Developing income utilisation plans

When facilitating the development of income utilisation plans, the following approach can be useful:

1. Find out current spending patterns within the community by asking how people spend their income (which items, how much, how often);
2. Find out whether there are items that people would have wanted to buy (and would have the money for) had they been available in the community;
3. Find out whether there are items that people would like to buy (either available in the community or outside) but currently cannot afford. Or, what would people buy if they earned more money;
4. Find out whether people are willing to invest in community (enterprise) projects; and
5. If yes, make an inventory of the kind of projects that people want?

With the above information, there will be a basic idea of the expectations of community members and a start can be made to facilitate the development of plans for meeting these expectations. However, several further questions need to be answered before final decisions are made on how community income will be used. Will the community support the final decision? Will community members be convinced that sustainable natural resource management is a worthwhile responsibility to take on? The following checklist may assist in the final analysis:

Reinvestment in community projects	Who and how many people will benefit from the community projects?
	Who has come up with the ideas for these projects?
	What forum was used to make the final decisions?
	Is this forum representative?
	Have other options for reinvestment been considered?
	Which options were these?
	Why were they discarded?
	Was consensus obtained to discard these options?
Distribution in cash	Have the projects been assessed in terms of viability/feasibility?
	Will the amount of money distributed make a difference in people's lives?
	Will it strengthen their belief in the value of conservation?
	How will the money actually be used?
	How will it lead to improved living conditions?

As facilitator, it is important to refrain from criticising ideas and plans made by the community. If it is felt that an unwise choice is made, asking directed questions might lead the community to see their error and to correct it. Also, rather than pushing ideas, a facilitator can assist by presenting options and suggestions from which the community can choose.

Implementation of income utilisation plans

It may be necessary to assist the CBO with the implementation of their income utilisation plans, especially if they do not have a manager or co-ordinator in place. This assistance may be in the form of recommending where certain goods and materials can be obtained, in guiding the board through the selection and hiring of contractors, in overseeing the distribution of cash, etc. It is important, though, not to handle any money on behalf of the CBO or carry out any other transactions. The board will have to learn how to deal with these issues and act transparently towards its members.

Monitoring the impact of income utilisation

The facilitator also plays an important role in monitoring how the use of financial benefits, whether distributed as cash or reinvested in community (enterprise) projects, has impacted on the living conditions of the community.

In the case of cash distribution, it is interesting to find out what people actually did with the money. Was it used to purchase household items, food, building materials, clothing, blankets, medicine, etc., or was it largely used for alcohol? Was it saved or spent quickly? One might also want to find out how people have valued the cash distribution. Did it meet expectations? Was it too little to even talk about? Would they want it again next time around or would they consider different options for income utilisation?

In the case of investing the income in community projects, it is important to find out who used the project. In what way and by how many people? Which people did benefit and which ones did not? Why did some benefit and others not? Is the project being maintained or will it soon be out of use?

It will be important to do this kind of monitoring with the board. The board in the end is responsible for ensuring that all members benefit from the activities of the CBO. If it turns out that members have actually not been very satisfied with the way in which income utilisation has benefited them, then the board will know that and next time perhaps different options can be considered.

Section 10

Natural resources monitoring

Keywords: sustainability, natural resources data collection and analysis

Experience to date has shown that CBNRM in Botswana tends to be more about natural resource utilisation than natural resource management. Proper natural resource management means employing strategies that enable the creation of benefits from natural resources, while ensuring that the resource-base is maintained or even enhanced. This entails having knowledge of:

- The overall state of the natural resources under the CBO's control;
- The impact of activities on the natural resources being used; and
- The impact of external factors on the natural resources under control.

This requires active monitoring on the part of the CBO. Information obtained from monitoring will enable the CBO to make the necessary resource utilisation decisions, which may include: stopping/postponing a particular activity for a certain period, placing a geographical area out of bounds for a period of time, changing allocated quotas, changing harvesting methods, etc. These decisions only apply to the CBO membership itself. In most cases the decisions are formalised in natural resource governance bye-laws and sanctions, developed and agreed to by the members. For external factors such as poaching by non-members, the CBO will need to collaborate with relevant law enforcement authorities such as DWNP, Botswana Defence Force and the Police.

Only “negative” measures are mentioned here. It is not possible for CBOs to increase the hunting quota in “their” concession area, for instance. The boundaries for decision-making by CBOs are very narrow. Government still has a firm control over natural resource use.

Start box

The debate on hunting quota setting in community areas

The mandate of the Department of Wildlife and National Parks (DWNP) is to conserve the nation's wildlife resources. This mandate and the adopted CBNRM approach sometimes leads to a clash of interests within the Department. An example is the debate around hunting quota setting. The Department is in favour of CBNRM as it would like to see wildlife generating revenue at a local level in order to increase the social acceptance of the large areas set aside for wildlife utilisation. It further hopes that by decentralising wildlife management and monitoring responsibility to communities it can cut down on poaching control costs. The communities argue that they take care of their wildlife, that they should be taught how to monitor the wildlife population and that as a result they should be in the best position to decide how many species can be harvested. This is too far-reaching for DWNP. As wildlife conservation is still DWNP's prime mandate, it is not yet ready to decentralise such a crucial part of the management responsibility to communities.

End box

Nevertheless, CBOs still have every reason to monitor the state of their natural resources. There is need to gather information on natural resource distribution and density over time to prove to the landowners (Government, Land Board) that proper management is being applied. Furthermore, in the case of wildlife, information on the whereabouts of game can be “sold” to the safari operator or tourists visiting the area.

In order to collect the necessary information, a CBO will need to form a monitoring team consisting of community members selected by the board and based on the motivation and knowledge of the candidates. The board decides on the duties of the monitoring team. There are no existing guidelines or regulations for this.

We will use the example of the Khawa Kopanelo Development Trust (KKDT), which has just developed and received training on a natural resource monitoring system in KD 15 in southern Kgalagadi district. The board of KKDT has allocated the following duties to the monitoring team named Batlhokamedi ba Ditsatlholego (BBD):

1. Oversee hunting activities of the Safari Company (see Form A below);
2. Oversee activities of the Safari Company in the photographic zone;
3. Oversee subsistence hunting activities of Khawa residents (See Form B below);
4. Monitor the state, availability, and distribution of natural resources in KD/15;
5. Investigate and give evidence in PAC cases involving Khawa residents;
6. Provide annual hunting records for the board; and
7. Report to the board on any illegal use of natural resources.

Concerning the hunting activities of the Safari Company, the BBD must monitor the following:

- Only animals that are paid for are hunted;
- National hunting regulations are followed;
- Half of each carcass is set aside for the community; and
- The Safari Company stays within the designated hunting zone.

Concerning the activities of the Safari Company in the photographic zone, the BBD must monitor the following:

- No hunting takes place;
- Existing roads and tracks are used as much as possible;
- New roads, tracks, and camps are only made after permission has been obtained from the board;
- No littering;
- Only dead trees are used as fuelwood; and
- The Safari Company does not drive on pans.

Concerning subsistence hunting by community members, the BBD must monitor the following:

- Community members do not hunt without BBD staff present;
- Only animals that appear on the group permit are hunted; and
- BBD staff signs for each animal killed or wounded.

BBD staff are also entrusted with general natural resources monitoring:

- Whenever travelling into KD/15 look out for signs of poaching, veldfires, grazing condition, availability of veld products, etc;
- Record on the General Natural Resources Monitoring sheet all relevant observations made (see Form F below);
- Report to the board any relevant or urgent observations that need immediate attention; and
- Prepare for the board a hunting record at the end of every hunting season indicating all animals killed or wounded by both the safari company and the community (see Form C and Form D below).

Furthermore, BBD staff is asked to assist in Problem Animal Control (PAC) cases:

- Whenever asked by the board, investigate incidences of wildlife destroying property of Khawa residents;
- Whenever required by the board, give evidence in PAC cases involving Khawa residents; and
- Whenever travelling into KD/15 or around Khawa, be on the look out for signs of problem animals and report such observations to the board immediately.

Since wildlife forms the most important resource for Khawa in terms of income and employment creation it is logical that wildlife monitoring will take up the most time and resources. BBD staff is tasked to do the following:

- Whenever travelling into KD/15 take along and fill in wildlife observation records (see Form E below);
- Every month plot new wildlife observations onto the map;
- Every three months analyse the map and look for trends;
- Make regular reports to the board; and
- Inform the Safari Operator and any tourists of trends when requested.

The BBD have several forms to record information that can be used for decision-making. These forms are kept in separate files in the trust office. One file contains the forms with information recorded on the general state of relevant natural resources. Another file contains the hunting forms (safari and community hunting) that are used when compiling the annual hunting reports for DWNP. A third file contains the wildlife observation forms that record information on relevant animal species (those that are of special interest to the trust) either seen directly, or through spoor found, by BBD when carrying out their duties, or based on what others may have seen.

BBD write the information on stickers, one sticker per entry/observation. Each species has a different colour sticker. The stickers are plotted on a large laminated map of the area with GPS co-ordinates. Every few months the BBD analyse the map to determine trends in the distribution and availability of each species. These trends are reported to the board. The team has five laminated maps, one per year so that the trust can compare the wildlife situation from year to year and determine any larger trends. The joint venture partner and tourists visiting the area can use the trends as well. The idea is also that DWNP will use the information when setting the annual hunting quota.

Start box

What does a monitoring team need in order to carry out its duties?

A satellite tracking device or Global Positioning System (GPS), binoculars, forms, files, pens, coloured stickers, laminated maps, transport, camping equipment. Most importantly, the monitoring team must be trained on escorting hunts, on the use of the GPS, on filling in the forms, on map reading and plotting, and on analysis (detecting trends).

End of box

The Community Services Division of DWNP provides training on escort guide duties. This training does not yet cover the important component of natural resources monitoring. The monitoring system described above has largely been adapted from what was developed by Pete Goodman for NRMP and piloted in Ukhwi and Sankuyo. Although DWNP approved the monitoring system, and district wildlife biologists were trained in assisting CBOs to apply the system, no further extension services were provided.

Start box

Two relevant manuals on monitoring natural resources

The USAID-funded Natural Resources Management Project (NRMP) commissioned the design of 2 natural resources monitoring manuals in 1999. Pete Goodman developed "Procedures for establishing and implementing community-based wildlife monitoring programmes" which helps communities monitor their wildlife resources.

Jeremy Perkins prepared a report for communities on how to monitor the utilisation of veld products such as Kalahari Devil's Claw (sengaparile), Kalahari truffles (mahupu), and wild berries (moretlwa): "Developing methodologies for a community-based natural resources inventory and monitoring system".

End box

Form A: Hunting Record for Safari Company

Year:						
Date	Species	Male or Female	Killed or Wounded	Location	Time	Signature BBD

Form B: Hunting Record for Community

Name of group:	
Year:	
Animals allocated to group:	
Species	Number

Actual off-take:						
Date	Species	Male or Female	Killed or Wounded	Location	Time	Signature BBD

Form C: Annual Hunting Record for KD/15

Year:						
Date	Species	Male or Female	Killed or Wounded	Location	Time	Safari Co. or Community

Form D: Summary Sheet Annual Hunting Record for KD/15

Year:					
Species	Number killed or wounded by Safari Co.	Number killed or wounded by Community	Total off-take	Quota	Balance
Lion					
Leopard					
Eland					
Gemsbok					
Hartebeest					
Wildebeest					
Kudu					
Springbok					
Ostrich					
Steenbok					
Duiker					
Hyena					
Jackal					
Porcupine					

Form E: Monthly Wildlife Observations

Month:									
Year:									
Date	Species	Total number	Number of males	Number of females	Number of adults	Number of juveniles	Observed (O) Heard (H) Spoor (S)	Location	Name BBD

Form F: General Natural Resources Monitoring

Months:			
Year:			
Date	Observation	Location	Name of BBD

Annexes

Annex 1

CBNRM in Botswana

The origin of CBNRM in Botswana

The origin of CBNRM in Botswana lies in a nation-wide land-use planning exercise, which began in the mid-seventies when the Tribal Grazing Land Policy (TGLP) was launched. The TGLP was meant to rationalise land utilisation in communal areas, and to commercialise this utilisation where possible as a reaction to what is known as the “tragedy of the commons”. All tribal land in Botswana was zoned in three main categories: arable (communal and commercial); grazing (ibid.) and reserved. The latter category was later renamed Wildlife Management Area (WMA) following the Wildlife Conservation Policy of 1986. These areas were not considered suitable for arable agriculture; furthermore WMAs were important wildlife migration routes and were considered buffer zones around protected areas, which in addition to cordon fences acted as livestock disease barriers. These WMAs together with the State land WMAs comprise today 22% of Botswana’s land surface.

Whether intentional, TGLP made an enormous impact on the district planning and rural development process and bore the following preconditions for successful CBNRM in the years to come:

- Development and settlement planning became based upon district land-use plans, which defined specific uses for specific areas. The aim was an optimal utilisation of available resources and minimised conflict over the use of these resources; and
- The land that was zoned as “reserved area” under TGLP (the WMAs) became gradually utilised to accommodate people living outside the traditional village structures. The mainstay of this section of the population, often referred to as Remote Area Dwellers, was hunting and gathering. Natural resources utilisation seemed subsequently the most appropriate land-use option for these people.

Low population densities (especially in western Botswana) supported a scattered and wildlife-compatible settlement planning in the WMAs. The boundaries of these areas eventually became law in some districts, thereby providing a legal land-use base for wildlife utilisation and CBNRM.

In order to rationalise the existing land-use administration system with the potential uses of WMAs, the then Ministry of Local Government, Lands and Housing (MLGL&H) and the Department of Wildlife and National Parks (DWNP) embarked on a Controlled Hunting Area (CHA) zoning exercise. CHAs are administrative blocks used by DWNP to allocate hunting quotas. The entire land area of Botswana is divided into 163 CHAs, which are zoned for various types of wildlife utilisation (including non-consumptive use), under commercial or community management. Wherever possible, especially in communal areas, CHAs are zoned around existing settlements and those under community management are designed to benefit the local people. In practical terms, WMAs were subdivided into CHAs, which became the “units of production”.

The stage was set for natural resource-based planning with the local communities on how to manage their CHAs. However, legislation on what “management” would entail beyond state ownership of all natural resources was lacking until the beginning of the nineties. The Wildlife Conservation Policy (1986), the National Conservation Strategy (1990), the Tourism Policy (1990), the Tourism Act (1992), and the Wildlife Conservation and National Parks Act (1992) laid the foundation for CBNRM in Botswana. Each of the documents calls for increased opportunities for local communities to benefit from wildlife, other natural resources and tourism. However, they do not define the objectives of the Government of Botswana in relation to CBNRM, nor do they provide firm guidance for its implementation. To that effect the Department of Wildlife and National Parks (DWNP) drafted a national wildlife-related CBNRM policy in 1998.

The great animator behind the development of CBNRM in Botswana was DWNP, with technical advice provided by the USAID-funded Natural Resources Management Project (NRMP) from 1989-1999. CBNRM from a DWNP point of view was a response to the following:

- Protected areas (17%) and WMAs (22% of Botswana) constitute a huge area of operation for a department with a minimal central government status and budget. Management and

control of this land by DWNP alone would be virtually impossible and hence threaten the conservation of the natural resources within its mandate; and

- Until a few years back, the benefits accrued in financial terms from the use of this 39% of the land and its resources were not distributed at district level, let alone at local level. Consequently, the designation of these areas was seriously questioned.

DWNP had to design alternative ways to honour its mandate of conserving the country's wildlife heritage. It had to cut the costs of managing wildlife and it had to ensure redistribution of benefits from the resource to maintain socio-political support. CBNRM offered both.

It is important to note that the development of CBNRM in Botswana was triggered primarily by the need for improved conservation of natural resources, rather than the need for community empowerment or economic development in rural areas. Economic benefits were regarded by DWNP as a means of achieving conservation, not the goal. The primary intention of CBNRM has never been to give communities ownership over land and resources, though some kind of ownership is necessary as an incentive to conserve the land and resources.

Government and DWNP are caught between "their mandate to conserve" and the realisation that they cannot perform their duty independently, and are therefore forced to trust and build the capacity of "their partners in conservation" (communities). Thus, the role of other CBNRM stakeholders such as the donors and NGOs as "brokers" or "intermediaries" is very important for building bridges between Government and communities.

The Ministry of Agriculture (MoA) Departments such as Fisheries, Forestry, and the Agricultural Resources Board (veld products) have gradually developed an interest in adopting the CBNRM approach. Progress was made in 1999 when DWNP and MoA decided to "unify" their respective CBNRM policies. This exercise is expected to provide additional impetus to increasing community involvement in the use and management of natural resources other than wildlife.

Start box

Ministry of Agriculture

The Ministry of Agriculture (MoA) has direct management authority over plant species (trees and fuel wood), and fish and insects (except in National Parks and Game Reserves). Through the Agricultural Resource Board, the MoA provides permits for gathering of one veld product (sengaparile). The (draft) CBNRM Policy aims to clarify the regulatory role of the MoA and is expected to increase opportunities for communities to derive benefits from veld products and other resources. Regulations (to be drafted by MoA) will define community rights of tenure, making veld, forestry and fisheries product utilisation more sustainable and increasing the commercialisation opportunities for rural communities.

End box

A definition of CBNRM

In order to clarify the concept, an attempt is made to dissect the abbreviation and suggest that the following are the essential components of community-based natural resources management:

CBNRM is based in a community

It is very difficult to define a "community" and there is usually a high degree of differentiation within communities, based on wealth, gender, age, ethnicity, status etc. However, the concept of "community" endures and individuals are able to identify a group of people who they associate with and are part of and others who they do not associate with and are not part of. The size of the community becomes important in this respect. Beyond a certain group size or size of area, relationships, decision-making and management become bureaucratized. It becomes too difficult for individuals to come together to discuss issues and take decisions either because distances are too great or because numbers are too large to allow debate. Many will not be involved and decisions will be taken by a vocal few or by a committee delegated to act on behalf of the

“community”. It is therefore difficult for example to envisage a *community*-based project taking place at (sub)-district level.

In Botswana the “community” is usually identified by the Controlled Hunting Area (CHA) it is managing. Some CHAs are managed by 1 community (e.g. /Xai/Xai in NG4), some CHAs are managed by more than 1 community (e.g. the 5 Chobe Enclave villages managing CH1). The “community” is clearly defined by the Constitution of the community organisation. A constitution, especially when it is legally registered, turns a “community” into a community organisation with recognised objectives and responsibilities.

CBNRM is community-based

This implies that the community has some adequate institutional base for taking decisions and actions related to natural resource management. This in turn implies that community institutions have not only responsibility for the resource (i.e. the expectation by government or others that they should conserve it or use it wisely) but also authority. Authority means sanctioned user rights, including the right to determine the mode and extent of use, rights of access and exclusion, and the right to benefit fully from use and management. This is in fact a form of proprietorship over the resource, which need not be absolute but needs to be defined and recognised by community members as well as outsiders.

Registered CBOs can, amongst other things, obtain resource use leases from the Land Authority, which give specific management rights over specified resources. The lease and the present CBNRM-related policies define the ownership of the community organisation over the natural resources.

CBNRM encompasses natural resources

With “natural resources” we generally mean renewable natural resources. These include forests, fisheries, rangeland, veld products and wildlife. In Botswana these resources are in most cases (except in game reserves and national parks and on freehold/leasehold property) communal resources and often management systems have broken down with unregulated access. The natural resources for which Government has laid down regulations are wildlife and Sengaparile (the grapple plant).

CBNRM involves management

Management implies that there should be some rules or regulations governing how, when, or in what quantity a resource can be used. Essentially management means making decisions. Management might involve some formal local community “policing” of the use of the resource supported by government policies and regulations, with conformity to rules induced by peer pressure. In more sophisticated resource management systems, management might also include formal monitoring of the resource in order to improve (or simply sustain) its utilisation. Examples of management instruments are Land Use and Management Plans, Joint Venture Agreements and CBO bye-laws.

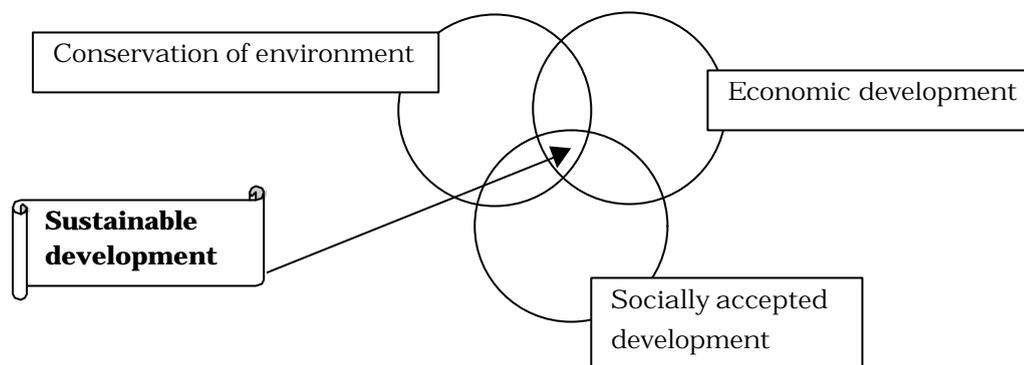
CBNRM as development approach

CBNRM has been adopted in Botswana as a development approach for its potential to bring about positive change in the poor and especially remote rural areas of the country. It is a promising approach as it focuses on more than just the technical aspects of resource management. CBNRM can be viewed as having a:

- **conservation** focus: it is concerned with resource conservation i.e. the wise and sustainable use of the resource;
- **rural development** focus: it promotes income generation or improved livelihoods through better resource management; and
- **democracy and good governance** focus: it involves the devolution of authority from government to communities and the development of accountable and representative decision-making institutions at community level³.

³ Gujadhur, T and Jones, B. 1999. CBNRM as a development strategy for SNV East and Southern Africa. Presentation to SNV RMC, Mombasa, November 1999.

Thus, CBNRM is often referred to as a *sustainable* development approach where, under the right conditions, the 3 vital dimensions of development overlap (as depicted in the diagram below).



The main CBNRM stakeholders

An approach as multi-faceted as CBNRM requires a range of stakeholders for implementation. In this document they are divided in 4 main groups: the community organisations (CBOs); the Non-Governmental Organisations (NGOs); the private sector, and the Government of Botswana (at district and national level). These institutions have an interest in CBNRM, or to be more specific, and interest in the conservation of natural resources, in rural development and in democracy and good governance.

The “CBNRM stakeholders-objectives matrix” below tries to summarise the interests of the stakeholders in Botswana. Its main function is to highlight the viewpoints of the various institutions and to understand the rationale behind their approaches and conduct.

	Rural development	Conservation of natural resources	Democracy and good governance
Government	CBNRM offers an opportunity for communities in remote areas to generate sustainable income and employment from the use of the few resources they have without heavy Government investment.	CBNRM is an incentive for communities to protect valuable natural resources, which lessens the controlling costs of Government Departments such as DWNP.	Botswana is a democracy that advocates good governance, though layers of government have a tendency to resist decentralising decision-making because of fear of losing control.
Private sector	CBNRM offers private sector investment opportunities. Also CBNRM increases the political acceptance of tourism as a development opportunity and, as such, secures private sector investments in the long term.	CBNRM encourages the conservation of natural resources that are the basis for private sector investments in consumptive and non-consumptive tourism in Botswana.	Business (e.g. a joint venture in CBNRM) tends to thrive in open and well-governed societies. On the other hand more vocal and well-organised communities can put forward higher demands in negotiations.
NGOs	CBNRM offers another framework for poverty alleviation in rural areas. It is also an additional sector where NGOs can “sell” their facilitating and “brokering” services to the communities (with donor financial assistance).	CBNRM is a sustainable development approach, allowing rural development that is environmentally friendly. It can also increase funding potential for NGOs.	CBNRM provides a method for community institution-building and securing tenure over resources, thus strengthening civil society. Donors also favour it. However, more vocal and well-organised communities are more demanding ‘clients’ for NGOs.
CBOs	CBNRM generates income, employment and local investment opportunities. CBNRM is also an accepted approach that justifies the allocation of natural resources by Government to a community.	CBNRM enhances the value of and pride in the natural environment.	CBNRM adds to local capacity building and community empowerment. Community leaders, however, might resist demands for equitable representation, transparency and accountability.

It is obvious that there are a variety of competing interests and underlying motivations among CBNRM stakeholders. Facilitators must be aware of the control issues inherent in CBNRM activities and assist communities to navigate them.

Annex 2

CBO Constitutions in Botswana

There has been a lot of discussion prior to but especially after the 30th of January 2001 MLG Savingram on the performance of CBOs in Botswana. The focus of this discussion is usually the competence and behaviour of the boards of these CBOs. The main questions are: do they function as they should, do they account for their decisions and do their decisions represent the interests of the general membership? The answers to these questions are partly found in the CBO Constitutions that give the boards their mandate. Any discussion on the performance of a CBO requires a close look at the Constitution first.

Policy framework

A constitution or Notarial Deed of Trust is a basic document required of any organisation that needs to be recognised under the laws of Botswana for purposes of doing business, governing itself democratically and representing fairly and successfully those who belong to the organisation. Every activity from opening and maintaining bank accounts, to collecting revenues, to entering into leases and business ventures depends on being recognised as a legally bona fide organisation by the Deeds Registry. The relevant legislation determines a minimum standard of quality of the constitution before registration can take place.

Legal registration of the CBO is in itself not enough to guarantee the allocation of natural resource user rights. Both the draft CBNRM Policy (October 2001) as well as the 20th of November 1995 Savingram from MLGL&H and MCI, which today are still the most important documents guiding CBNRM in Botswana, mention legal entities that are expected to be accountable and representative. The draft CBNRM policy talks about a RALE: Representative and Accountable Legal Entity.

Start box

From community to CBO to RALE

This box explains some of the definitions used. By community is meant all the residents of a specific community area (in some cases a CHA, in some cases an area which boundaries are traditionally accepted). A community (or part of a community) that has organised itself can be considered a Community-Based Organisation (CBO). A CBO can take the form of women's groups, agricultural producer groups, livestock syndicates, etc. In some cases the CBOs are legally recognised after registration of their Constitutions. Examples of legal entities are co-operatives and trusts. A community can contain more than one trust, as is the case in Seronga, where all community residents are part of the Okavango Community Trust, and part of the residents are members of the Okavango Polers Trust.

In the case of CBNRM the term RALE (Representative and Accountable Legal Entity) is sometimes used to indicate the legally recognised body of the community. Its functions and responsibilities are defined in the Constitution that is legally registered. Its main roles, for the purpose of this document, are:

- To ensure full participation of its members in decision-making over resources use and benefit distribution as per its Constitution;
- To agree upon the use of natural resources in the area (CHA Management Plan);
- To enter into a lease agreement with the Land Authority;
- To enter into any type of sub-lease agreements with third parties; and
- To monitor the impact of its functioning on the conservation of natural resources.

Most RALEs in Botswana are registered as trusts.

End box

Both the 1995 Savingram and the (draft) CBNRM policy imply that if the conditions of representation and accountability are not met, no resource user rights will be allocated. This means that in such a case the Land Board will not grant a lease and DWNP will not allocate a wildlife quota. The 1995 Savingram mentions that “these minimum conditions should be adhered to at all times”. This seems to mean that when a legally registered entity stops acting in a representative and accountable manner both the Land Authority and DWNP can stop allocating resource user rights (see also clause 5.1.2 of the draft policy).

Start box

The case of Khwai

Khwai Development Trust was established as a Legal Entity in 1999. The Constitution of the trust excluded membership of the trust to members of the Bushmen community. There was nothing illegal in doing that. But when it came to applying for a lease from the Land Board and a hunting quota from DWNP the authorities rejected the application on the basis that the trust was not representing all the residents of Khwai village, but only one ethnic group. The trust then decided to amend its Constitution in March 2000 to become all-inclusive and consequently received the lease from the Land Board and the quota from Wildlife Department.

End box

Definition of “accountable and representative”

The above makes it important to define the words accountable and representative. The (draft) CBNRM Policy defines it as a situation “*where all members share responsibilities and benefits and are entitled to fair participation and representation*” (page 2). The RALE “*must be created and managed using a participatory process*” (page 4). The RALE and the process of its establishment “*must be sanctioned by the District Authorities with the advice from the Technical Advisory Committee*” (page 4).

Clause 5.2.1 of the draft CBNRM Policy stipulates that to qualify as a RALE, the CBO will design and adopt self-regulating procedures such as a constitution and/or bylaws.

Clause 5.3.1: “CBO constitutions or regulations must include mechanisms for regular revenue disbursement with effects to be felt at the household level”.

The above suggests clearly that the constitution of any trust aiming to enjoy natural resources user rights *must show evidence that all members share responsibilities and benefits and are entitled to fair participation and representation*. The constitution should include operational mechanisms to implement this.

Other essential elements of CBNRM

Other minimum conditions mentioned in the 1995 Savingram and the (draft) CBNRM policy concern supporting the needs of the former Special Game Licence holders (Savingram); supporting the needs of subsistence users residing in the defined geographic area (draft CBNRM policy, clause 5.4.1). This issue could be covered by the constitution but could also be addressed in the land use and management plan or annual activity plans of the trusts.

The remaining minimum conditions as mentioned in the 1995 Savingram such as following the joint venture guidelines, length of sub-lease period and conforming with prevailing land use and management plans are felt not to have a bearing on the constitution of a CBO.

In case a Community Based Organisation consists of more than one village it becomes very important (*to ensure fair participation and representation*) that mechanisms are laid down in the constitution:

- to decentralise decision-making;
- to decentralise benefit sharing;

- to define equitable participation of all member communities (Village Trust Committees or Settlement Committees);
- to define equitable representation of all member communities; and
- to design optimal two-way communication channels and procedures.

Equally important are natural resources bye-laws and sanctions as part of the constitution. Equal representation of women in committees can encourage the participation of this 50% (and very often higher percentage) of the rural population.

To ensure equitable benefit sharing among community members the constitution could include clauses stipulating:

- A maximum percentage of the trust revenue that can be used for administrative or operational purposes.
- Procedures to allow the general members to decide on how to use the annual surplus.
- Clear guidelines on board and committee members' remuneration, by for instance never exceeding government set rates of allowances.

Because the trusts administer community funds, financial control becomes of vital importance to minimise the chance of irregularities and to maximise transparency in financial management. Annual audits are an obligation as stipulated in all constitutions but more financial control mechanisms could be built into the constitutions:

- By stipulating that financial administration will be maintained by an independent and external (private sector) institution.
- By stipulating that financial reports will be submitted to the District Council at a regular basis to inform and to solicit advice.

To increase levels of representation and accountability of constitutions

After the analysis of the existing policy framework an attempt is made to qualify representation and accountability. The following indicators are proposed and considered to be in the spirit of the (draft) CBNRM Policy.

A community trust can be labelled representative and accountable when the constitution includes clauses in which:

1. Decision-making is decentralised to below-community level (family groups, settlement committees, interest groups, village trust committees).
2. Decision-making is well-defined: the differences in roles and responsibilities between the various levels of decision-making are clearly described.
3. Participation in decision-making is maximised through clear procedures on written notification of meetings, proceedings and dissemination of information at and between every decision-making level.
4. Ultimate management and policy decision-making powers are vested in the general membership. Powers of various committees are limited to the administration and implementation of these decisions.
5. Decision-making over how benefits will be shared is the prerogative of the general membership.
6. A maximum percentage of the trust revenue that can be used for administrative purposes is stipulated.
7. Clear guidelines on committee member remuneration are laid down including limitation to the number of occasions for which remuneration applies and maximum allowances.
8. Procedures on surplus benefit sharing to be felt at household level are well defined
9. Men and women are equally represented in the various committees of the trust.

10. The board of the trust includes relevant (local) government officers as *ex officio* board members.
11. Roles and responsibilities of the various office bearers are clearly laid down.
12. Books of account are audited every year.
13. An “end of the financial year report” is prepared by the board and is open to inspection by any trust member.

To illustrate to what extent the above-identified clauses are included in existing constitutions a comparison was made between those of the Okavango Community Trust (OCT) in Seronga and the Nqwa Khobee Xeya Trust (NKXT) in KD/1 (Ukhwi, Ncaang, and Ngwatle):

Are defined indicators included in the constitutions under review?	OCT	Clause nr.	NKXT	Clause nr.
Decision-making is decentralised	no		yes	6.6
Decision-making is well-defined	no		yes	6 + 8
Participation in decision-making is maximised	no		yes	6 + 7 + 8 + 21
Ultimate decision-making powers are vested in the general membership	no		yes	13.1 + 13.2 + 14.1 + 14.3
How benefits will be shared is the prerogative of the general membership	no		yes	25.3 + 25.5
A maximum percentage of revenue for administration	no		yes	25.1
Committee member remuneration limited	no		yes	27
Procedures on surplus benefit sharing are well defined	no		yes	25
Men and women are equally represented	no		yes	11.6.1
(Local) government officers as <i>ex officio</i> board members	no		yes	11.3
Roles and responsibilities of the various office bearers are clearly laid down	no		yes	11
Books of account are audited every year	yes	10.3	yes	14.6
End of the financial year report open for public inspection	yes	10.5	yes	14.10 + 14.12

Conclusions

The comparison above between the constitutions of OCT and NKXT seems to show two extreme cases when tested on the levels of “representation” and “accountability” as defined in this paper. The process of establishing both Community Based Organisations (CBOs) can most probably explain the differences between the two. The former was established 7 years ago with a lot of input from the then Safari Operator and little input from the still inexperienced DWNP. Not much consultation, planning, training and organisation building preceded the establishment of OCT.

The latter was established in 1998 (started a joint venture in 2000) after a long process of planning and capacity building in KD1. Socio-economic inventories were conducted in 1995; a full time advisor was in place since 1996; a land use and management plan was designed in 1998; many training sessions of the board and KD1 community members were held through NRMP, PACT, Thusano Lefatsheng, SNV and CSD. The development of the CBO in KD1 and its constitution clearly benefited from the experiences in CBNRM gained by all involved stakeholders, including DWNP.

The experience in KD1 also showed that a Constitution is a result of a long process of planning and capacity building. Community-based Natural Resources Management will be difficult to achieve if Community Based Organisations are established by pulling a standard “constitution” out of the filing cabinet. One can expect more successful and sustainable community-based management of natural resources when an (entire) community goes through the whole process of identifying the available natural resources they would like to manage; agreeing upon how these resources should be managed; agreeing upon the roles of the various community organisations and other stakeholders; and agreeing upon a vision of development based on the sustainable use of natural resources. Gradually and jointly arriving at common goals and reasonable expectations will more likely result in a Constitution of the CBO that is acceptable by all and that will be upheld by all.

Annex 3

Review of the Joint Venture Guidelines in 2002

Following 3 years experience and a series of meetings on applicability of the DWNP Joint Venture Guidelines it was decided to review them. There were a number of reasons:

- Joint ventures in CBNRM in Botswana were guided by the DCEC Tender Guidelines (March 2001) and the April 1999 DWNP Joint Venture Guidelines. It was felt that these guidelines should be merged.
- The issue of defining and dealing with canvassing needed a solution but could not be solved in a structural manner without rethinking the entire Joint Venture Tendering Process.
- The role of the Technical Advisory Committee (TAC) in the CBNRM process in general and the Joint Venture Tendering Process in particular needed clarification.
- In line with the principles of CBNRM in Botswana the communities should increasingly "own" the process of making decisions over the use of natural resources in their respective CHA. Government and NGOs should increasingly play roles that are more of an advisory nature. The past joint venture tendering process did not give enough room for communities to take initiatives, steer development and control the process.
- The 1999 Joint Venture Guidelines stopped providing guidance at the moment a Joint Venture Agreement (JVA) was signed. Stakeholders asked for guidance concerning evaluations of JVAs to allow for reflection within the community and to encourage more informed decision-making regarding the question of "renewal or re-tender".
- The question of "how binding are the guidelines?" needed addressing.
- The resulting "Joint Venture Guidelines" booklet should be more "accessible" than the previous one (more information and guidance, description of the process in steps, translation in Setswana).

The Director of Wildlife and National Parks asked the National CBNRM Forum to prepare new guidelines. The advice was submitted to DWNP mid-2002. The (draft) booklet is called "Guidelines for investment options in CBNRM areas in Botswana". The (proposed) new guidelines offer 4 different investment options and outline the process to be followed when commercial exploitation of natural resources is aimed for. The guidelines are summarised in the boxes below.

Proposed guidelines for 4 investment options

<p><i>How to establish a Joint Venture Agreement</i></p> <ul style="list-style-type: none"> • Community prepares a joint venture proposal; • Community seeks advice on the proposal from the TAC; • Community places the tender notice • Interested companies make their financial offers; • Selection process and short-listing by community Review Committee and TAC; • Presentation of the highest bidder to the community; • Preparation of the contract; and • Monitoring and evaluation of the contract. 	<p><i>How to establish a Joint Venture Partnership</i></p> <ul style="list-style-type: none"> • Community prepares a joint venture proposal; • Community seeks advice on the proposal from the TAC; • Community places the tender notice • Interested companies make their financial offers; • Selection process and short-listing by community Review Committee and TAC; • Presentation of the highest bidder to the community; • Preparation of the contract; and • Monitoring and evaluation of the contract.
<p><i>Auctioning user-rights</i></p> <ul style="list-style-type: none"> • The community prepares a "Community Participation, Development and Conservation Statement"; • Community prepares the conditions of sale; • The advertisement; • The auction; and • Evaluation of the auctioning process. 	<p><i>Direct marketing of user rights</i></p> <ul style="list-style-type: none"> • The community prepares a "Community Participation, Development and Conservation Statement"; • Community prepares the business plan; and • Monitoring and evaluation by the community and TAC.

It is important for any community with a head lease planning to sub-lease any rights under that lease to consult with the land authority (the lessor) to check if Government guidelines need to be followed. The community should obtain the most recent version of these guidelines from the relevant authority.

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