

PROCESS FRAMEWORK FOR INVOLUNTARY RESTRICTION ON ACCESS TO RESOURCES

- 1. Date:** 1 February 2019
- 2. Grantee:** Wildlife and Environmental Conservation Society of Zambia (WECSZ)
- 3. Title:** Interim Conservation and Forest Management in the Mafinga Hills priority KBA, Zambia
- 4. Location:** KBA 144
Northern Lake Nyassa Mountain Complex / Mafinga Hills
Mafinga District, Muchinga Province, Zambia
- 5. Amount:** US \$10,000
- 6. Period:** 1st February – 30th June 2019

7. Project Background

The ‘Interim Conservation and Forest Management in Mafinga Hills Priority Key Biodiversity Area (KBA) of Zambia’ is a project that seeks to improve the management of the Mafinga Hills National Forest Reserve number 296, which forms part of the Mafinga Hills KBA number 144. The project also extends to the reforested adjacent riparian areas of the Luangwa and Ntonga rivers. The riparian areas where reforested through a two-year project funded by the Critical Ecosystem Partnership Fund (CEPF¹). CEPF has in the past four years funded two WECSZ projects at the Mafinga Hills.

The first project (hereinafter referred to as the ‘small grant’) was implemented in 2015 under the title, “using formative research to identify key threats of the Mafinga Afromontane ecosystem and developing locally driven environmental interventions that address these key threats”. The major output of this project was a community-led Conservation Action Plan (CAP) for the period 2016-2025. The second project (referred to hereafter as the ‘large grant’ project) was implemented between 2016 and 2018. The project’s main outputs were the planting of 7600 indigenous trees, a report on the species of the Mafinga hills and a Funding Strategy document to help mobilise financial resources for the CAP. In the two previous projects, WECSZ ensured planned conservation activities included affected local communities as meaningful participants from the outset and respected their right to Free Prior Informed Consent (FPIC). This project builds on the successes and the challenges encountered in the previous projects.

In both the small grant and the large grant projects, WECSZ engaged stakeholders at national and district level through a series of closed door and community consultative meetings. Some lessons learned from implementing the process frameworks of the small grant and the large grant projects revealed that some affected persons held expectations that were not in keeping with their earlier agreement with WECSZ. For instance, during the implementation of the large grant, WECSZ made consultations with the community members in Mulekatembo, Mweniwisi and Nachisitu villages. At the training on community tree nursery establishment, affected persons volunteered to participate in raising the

¹ CEPF is a joint initiative of l’Agence Française de Développement, Conservation International, the European Union, the Global Environment Facility, the Government of Japan, and the World Bank.

seedlings and transplant them to the target riparian areas. However, WECSZ later observed that some affected persons expected to be ‘paid’ for establishing indigenous tree nurseries and maintaining reforested riparian plots.

Additional measures were taken to manage the affected persons’ expectations. At a community consultative meeting, WECSZ reiterated to the affected persons that the project was not ‘employing paid individuals’, but as discussed earlier, it was investing in giving the community some skills for managing their resources better, for continued realisation of ecological benefits. The affected persons thereafter proposed that the project could provide them safety equipment, namely gum boots. All the affected persons were provided gum boots while the headmen involved in implementation received gum boots and overalls. In this project, affected persons have been engaged at proposal development level.

WECSZ will implement the project in the following villages; Mweniwisi, Damasca, Kayisoleli, Inzinza and Mariko Villages in Mafinga district of Muchinga province where the Mafinga Hills are located. On 5th December 2018, WECSZ held a consultative meeting to discuss the development of this project with some of the different stakeholders who had been involved in the previous projects. Table 1 below gives a summary of the stakeholders, their involvement in the proposal development and the proposed involvement in the implementation of the project.

Table 1. Summary of the stakeholders, their involvement in proposal development and proposed involvement in the implementation of the project

Name of Stakeholder/Partner	Type of stakeholder	Involvement in project proposal development	Proposed involvement in project implementation
1. Chief Mwenichifungwe and Chief Mweniwisi	Traditional Leadership	Provided information about villages living astride the Mafinga hills and granted authority to meet those directly affected by the project	Will help mobilise community members
2. Senior Headman Damasca, Headman Mariko and Kayisoleli and community tree nursery group members	Local community members	Provided input into the best management activities to protect the reforested riparian buffer zone	Will make fire breaks, clear grass, manage the apiary and install markers at the forest reserve.
3. Mafinga Forestry Department	Government agency	Provided input into the best management practice for improved honey yields	Will guide community members on fire breaks, grass clearing, apiary management and forest marking. The department’s involvement will largely be technical support. They department will also monitor the implementation of the process framework.
4. Mafinga Agriculture Department	Government Agency	Provided information on community approaches for engaging the farming community	Will help make fire breaks, clear grass, manage the apiary and install markers at the forest reserve. The department will also provide technical support in beekeeping. They department will also monitor the implementation of the process framework.

In this project, two issues trigger the safeguards: Riparian Forest Maintenance and Forest Reserve marking. The maintenance of the riparian buffer, which involves measures to protect the reforested areas, may disturb farmers who have been farming in these areas in Damasca and Mweniwisi villages. The activity may restrict the people's access to the land which is perceived to be more fertile and preferred for cultivation. Additionally, the forest marking activity may be conceived as a way of prohibiting local people from accessing the forest resources. WECSZ is cognisant of the social dynamics of the rightsholders in the project area and has put in place measures to mitigate the potential negative impacts of the project. Section 10 discusses these measures in more detail.

8. Participatory Implementation of Project

This project will be implemented in an open, participatory and transparent processes based on mutual understanding. For details on the roles of different partners, please refer to table 1 on page 2. The affected persons in this project are people with geographical and cultural attachment to the Mafinga Hills. They are largely subsistence farmers and pastoralists who recognised the changing landscape of natural resource availability, vis-à-vis declining forest resources and water. WECSZ will work with the affected persons in particular through engaging them in decision making, riparian maintenance and installing forest markers. While protecting the biodiversity in the project area, there will be mutual consensus on permitting some natural resource use compatible with biodiversity conservation.

In the small grant project, separate community consultative meetings were held in both Mwenichifungwe and Mweniwisi Chiefdoms where members of the community demonstrated a perception that conservation can help realise peoples' basic human rights to food, water, culture and an adequate standard of living. WECSZ will endeavour to build on those perceptions by empowering people with information to realise their rights and that their rights can provide an enabling environment for meeting conservation objectives as opposed to being incompatible.

The affected persons are expected to collectively manage the riparian buffer that was reforested by developing firebreaks and clearing grass off the area while others will help to install beacons at the Mafinga Forest Reserve No.296.

WECSZ will continue to consult with local women's organisations to provide input to project decisions. The activities we will endeavour to make project activities more accessible to women by encouraging more participation through separate women only meetings. In addition, women participation will be encouraged through ensuring that activities are scheduled at times when men and women are not engaged in other necessary activities. Most activities are scheduled post the farming season, an ideal time to bring both women and men together. WECSZ will also encourage participation of youths in the project activities.

9. Criteria for eligibility of affected persons

Eligibility of beneficiaries was determined by the extent of potential disturbance to the person's way of life because of the project., The potentially affected persons were subsequently defined as residents of

the villages in the project area where conservation activities would be implemented who may, because of the project implementation, suffer an inability to provide sustenance to their family or to themselves as individuals. These farmers were already identified as explained in section 10. The affected villages include Inzinza, Mariko, Damasca, Kayisoleli, and Mweniwisi. However, those directly affected by the project are the 16 farmers whom WECSZ is working with to develop a more sustainable livelihood of beekeeping. Market linkages for buyers of the produced honey have already been sought within the district. An organisation called Community Markets for Conservation based in Muyombe has indicated interest in purchasing the honey.

10. Measures to assist the affected persons

WECSZ worked with the traditional leadership and Senior Headman Damasca to identify degraded riparian zones that had been abandoned. Some degraded riparian areas needing attention were however still being cultivated. Sixteen (16) farmers were identified to be directly affected by the riparian maintenance activity. These people are impoverished and were dependent on agriculture, which they unfortunately practiced along sensitive riparian areas and cleared out riparian forests. These actions proved to be detrimental to the ecosystem. After consultations, the affected persons agreed to release land up to an average distance of 40m from the river. This area would be reforested while the farmers could continue farming from the 40m distance upland. The 16 farmers also agreed to take up beekeeping as a livelihood activity. Traditional small-scale beekeeping was already being practiced by some farmers. An apiary was established in the large grant and WECSZ will help the group of 16 farmers in this project to improve honey yields through providing efficient modern beehives.

Identifying and marking forest boundaries may steer different claims especially from villagers who depend on the forest resources within the forest reserve. Thus, the boundary marking has the potential to restrict the local people's access to the forest resources. WECSZ recognises the fact that the local people have a right to access forest resources. WECSZ also recognises that these people have a right to give or withhold consent to any activities affecting their way of life thus the need for Free Prior Informed Consent (FPIC). WECSZ therefore prioritizes the local peoples' response to the project. Using the rights-based approach (RBA) to integrating human rights, WECSZ held another community consultation meeting in December 2018 with the villages close to the forest boundary area to be marked as part of the proposal development. The meeting advised where the boundary of the reserve passed (also confirmed on the map). The affected persons further agreed to release some community members who would help with the forest marking

11. Conflict resolution and complaint (grievance) mechanism

Community members may always express concerns in written or verbally to their chiefs, and government representatives at the Forestry or Agriculture Departments at the district offices. However, grievances related to this project should be submitted to the project staff as follows:

1. Gift Mwandila (Project Officer); Mobile: +260 977 292217; Email: wecsz@microlink.zm

2. Patrick Shawa (WECSZ National Coordinator); Telephone: +260 211 251630; Mobile: +260 0977 780770; Email wecsz@microlink.zm
3. Maaïke Manten, Regional Implementation Team (RIT²) Manager. Telephone: +250 784983854
Email Maaïke.manten@birdlife.org
4. If the claimant is still not satisfied following the response, the grievance may be submitted directly to the CEPF Executive Director at cepfexecutive@conservation.org
5. If the claimant is still not satisfied with the response from the CEPF Secretariat, the grievance may be submitted to the local World Bank office in Zambia at Pyramid Plaza Church Road, P.O Box 35410, Lusaka; Email chambuba@worldbank.org

Should Patrick Shawa receive any complaint or grievance that is beyond WECSZ's resolve, he will immediately consult with the RIT leader. Grievances forwarded to the RIT will be sent together with a proposed response within 15 days excluding weekends.

10. Implementation Arrangements of the Process Framework

Gift Mwandila (Project Officer) and Patrick Shawa (WECSZ National Coordinator) will be responsible for all elements in the implementation of this process framework. Gift Mwandila will ensure adherence to the Process Framework at community level while Patrick Shawa will receive, document, and respond to all grievances. This process framework will also be shared with the forestry department, agriculture department and the CEPF-RIT to allow them to provide checks and balances regarding its implementation.

11. Monitoring and Evaluation

Monitoring and evaluation of the implementation of the process framework will be done by WECSZ's partners, namely the Chief Mwenichifungwe and Chief Mweniwisi, the Forestry department, Agriculture department and CEPF-RIT. The said government departments will conduct field assessments in the project area to determine the implementation progress. The departments will prepare single reports which will be shared with the CEPF-RIT.

² Regional Implementation Teams are structures within CEPF which are 'located in or near each biodiversity hotspot where CEPF is investing. They work on the ground directly with CEPF's grantees, helping to build local capacity and implement CEPF's strategy in the biodiversity hotspot.' <https://www.cepf.net/about/our-team/regional-implementation-teams>