



Department of Environmental Affairs and Tourism
Branch: Biodiversity and Conservation

People and Parks Workshop

“Conservation for the People with the People”

Draft Workshop Report

25 – 27 October 2004

Swadini Forever Resort
Blyde River Canyon, Mpumalanga

Convened by:

Department of Environmental Affairs and Tourism

This report documents the People and Parks workshop, which took place on October 25-27, 2004. This report is not a final synthesised report, but tries to capture the workshop output in a non-interpreted way.

THIS DOCUMENTATION IS MEANT TO BE A REFERENCE DOCUMENT for all participants and is intended to provide details of what transpired. Almost all results of the working groups are documented including the resolution and action plan for people and parks.

The Workshop was convened by the Department of Environmental Affairs in association with South African National Parks, IUCN (World Conservation Union), GTZ and Greater St Lucia Wetland Park Authority.



Greater St Lucia Wetland Park Authority

KOSI BAY LAKE SIBAYA SODWANA BAY UMKHUIZE FALSE BAY LAKE ST LUCIA MAPELANE CAPE VIDAL

World Heritage Convention Act 1999 Proclamation Number 4477 of 2000 Regulations 1193 dated 24 November 2000
(Act No. 49 of 1999) dated 24 November 2000



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Acronyms

CBNRM	Community Based Natural Resource Management
CLRA	Communal Land Rights Act
CPA	Communal Property Association
CPPP	Community Public Private Partnership
DEAT	Department of Environmental Affairs and Tourism
DLA	Department of Land Affairs
DWAF	Department of Water and Forestry
IDP	Integrated Development Programme
LCC	Land Claims Commission
NBSAP	National Biodiversity Strategy and Action Plan
NT	National Treasury
PA	Protected Area
PAA	Protected Areas Act
PCA	Provincial Conservation Agencies
P&P	People and Parks
SANParks	South African National Parks
TEP	Tourism Enterprise Programme
THETA	Tourism, Hospitality and Sport Education and Training Authority

Statement from the 2004 People and Parks Workshop

“Conservation for the People with the People”

Statement from the 2004 People and Parks Workshop

We, the representatives of:

- 43 local communities with rights or interests in protected areas,
- national, provincial and local government,
- protected areas agencies
- interest groups, private sector, donors and NGO's

having met over the last four days in the Blyde River Canyon and would like to record the following:

We recognise the:

- Importance of communities and implementing agencies as equal partners with shared rights and responsibilities.
- Importance of equitably sharing of costs and benefits with communities from all spheres of parks.
- Access to natural and cultural resources within parks is a right not a privilege.
- Land claims in protected areas affect national heritage and prioritising the settlement of these claims is essential.
- Inclusion of all relevant stakeholders into the process for land claims settlement at an early stage.
- Need to ensure regular feedback to claimants from key agencies regarding the status of land claims on protected areas.
- Ongoing monitoring and enforcement of agreements between claimants and conservation agencies by a team of independent facilitators.
- Communicating the implications of the Cabinet Memorandum on land restitution in protected areas and other land use issues to all claimants
- Streamlining of park activities with local government's Integrated Development Plans.
- Importance of including communities that only have access to communal land from entering commercial partnerships that generate economic benefits.
- Capacitated and strong local structures are essential for effective participation in park management
- Collaboration between the Department of Environmental Affairs and Tourism, South African National Parks, conservation agencies, government departments, municipalities and NGO's are essential for achieving the objectives of People and Parks
- Expansion of protected areas is a development opportunity.
- Facilitating the implementation of the many stalled commercial projects on community owned land in protected areas is necessary.
- Involving private sector as partners.
- Support systems for communities to access resources and information.
- Developing guidelines to support implementation of legislation affecting people in parks is critical.
- Drafting regulations should facilitate the achievement of community benefits as set out in the objectives of the Protected Areas Act.
- Raising awareness for improved understanding between all stakeholders is key to sustainable use of natural resources.

We also recognise:

- Financial and capacity restraints within implementing agencies for implementing the recommended Action Plan for People and Parks within the proposed timeframes.

We are deeply concerned about:

- The impact of the Communal Land Rights Act on community rights, governance and benefit-sharing of previously dispossessed communities
- The impact and costs of the December 2005 deadline for settling the large number of outstanding land claims

We acknowledge the need for:

- A Ministerial bilateral meeting between Department of Environmental Affairs and Tourism and the Department of Land Affairs to address issues raised in the recommended Action Plan for People and Parks
- A bilateral meeting between the Department of Environmental Affairs and Tourism and the South African National Parks, and also the Department of Environmental Affairs and Tourism and the Provincial Conservation Agencies to address issues raised in the recommended Action Plan for People and Parks
- The inputs from this workshop on the regulations in terms of the protected areas act to be submitted to Department of Environmental Affairs and Tourism by mid November
- The Department of Environmental Affairs and Tourism to hold provincial workshops with communities on draft regulations when these are published for public comments in January 2005 and should allow more than 30 days for input.
- The recommended Action Plan for People and Parks to be rolled out at a local level through ongoing engagement between the relevant communities and conservation agencies
- A process through which representative of conservation agencies present take back these recommendation to their senior management to discuss and agree upon this recommended Action Plan for People and Parks
- A formal structure to monitor the implementation of the recommended Action Plan for People and Parks and to facilitate an ongoing and structured dialogue with all relevant stakeholders
- A national charter for communities, Government Departments and conservation agencies which would contain guiding principles for people and parks.

We welcome commitments on the following:

- The Department of Environmental Affairs and Tourism, South African National Parks, IUCN (World Conservation Union), GTZ and Greater St Lucia Wetlands Park Authority to convene two steering committee meetings during 2005 with community representatives to monitor progress on the recommended Action Plan for People and Parks
- The Department of Environmental Affairs and Tourism, South African National Parks, IUCN (World Conservation Union), GTZ and Greater St Lucia Wetlands Park Authority to convene an annual forum of communities and conservation agencies to assess progress on the recommended Action Plan for People and Parks
- South African National Parks to take the recommended Action Plan for People and Parks to their Park Forums
- The Department of Environmental Affairs and Tourism to take the recommended Action Plan for People and Parks to the Protected Areas Forum
- Legal Resources Centre to compile and make available settlement agreements and other relevant documents on land claims in protected areas
- Commitment from community representatives to effectively communicate back to their communities

1. Introduction

From the 25th to the 27th October over 150 representatives of government, conservation agencies and affected communities met at Swadini Aventura Resort in the Blyde River Canyon at a People and Parks Workshop. This workshop was convened by DEAT in response to a call by land claiming communities and communities affected by parks who met prior to the world Parks Congress in 2003. The aims of the People and Parks Workshop were:

- To generate discussion and identify ways forward on people and parks issues in South Africa, particularly in terms of our obligations under the Convention on Biological Diversity and the new Protected Areas Act which comes into force in March 2005.
- To facilitate networking and information sharing between communities, Government Departments and conservation agencies
- To review South Africa's progress and its commitment towards the implementation of the WPC Outcomes and targets, the Element 2 of the CBD Programme of Work on Protected Areas as well as the Cape Vidal Memorandum

Workshop Process

The People and Parks Workshop was preceded by a **preparation session** with community representatives on Sunday the 24th October. The preparation session introduced everyone to the legislative background and international context regarding people and parks issues. Community representatives also worked in groups where they discussed and prepared for presentations on the following topics:

- Cape Vidal Memorandum: assessment of implementation
- Land claimants: claims, issues and way forward
- Neighbours of parks and communal land for conservation

Day 1 of the workshop commenced with Ms Nomsa Mtsweni (MEC-DALA) welcoming all participants to Mpumalanga province and wishing everyone good luck for the workshop. Ms Rejoice Mabudafhasi (Deputy Minister-DEAT) gave the welcoming address where she endorsed the initiatives of the People and Parks Workshop and highlighted the importance of cooperation between communities, Government Departments and park authorities in taking issues concerning people and parks further. Mr Fundesile Mketeni (DDG-DEAT) introduced all delegates to NEMA: Protected Areas and Biodiversity Acts and other relevant legislative and policy frameworks. This was followed by conservation agencies' response to the legal framework. The afternoon session consisted of presentations by community representatives on topics discussed during the preparation session.

Day 2 of the workshop consisted of working groups wherein the participants brainstormed people and parks issues that concern both communities and conservation agencies. This process enabled participants to discuss the following priority issues:

- Access and Benefit Sharing
- Co-management
- Conservation and Land Reform
- Community Public Private Partnerships
- Expanding and strengthening the Protected Areas Network
- Implementing the new Protected Areas Act

After scoping the relevant issues, each group developed an Action Plan, including time lines for actions and processes and specific institutional responsibilities for implementation. Working group 6 that looked at the implementation of the new Protected Areas Act presented comments on the draft regulations.

Day 3 of the workshop consisted of working group report back presentations and Action Plans and DEAT and Conservation Agencies' response to presentations. The workshop was summarised into a joint statement with recommendations and commitments for ways forward.

The workshop programme is attached as annexure 1.

Outcomes

A key output from this workshop, included as part of the proceedings, is an Action Plan that identifies specific activities or processes to take these issues forward. The Action Plan, which addresses issues at the interface between communities and conservation, was developed by the participants in working groups. Recommendations from all working groups as well as the Plan of Action will be incorporated into the comments on the draft regulations and will be submitted to DEAT by mid November 2004.

The workshop also produced a workshop resolution, highlighting the recommendations and commitments that were made during the course of the workshop. Main recommendations include:

- Improved cooperation between communities, Government Departments and conservation agencies
- Increased information sharing and feedback to communities about progress and developments
- Streamlining of activities through drafting of policies and guidelines for implementation
- Greater intervention by DEAT in taking forward issues related to People & Parks, further including collaboration with relevant Government Departments

Way forward

Steps that will be taken next include circulation of Workshop Report and Plan of Action to participants and relevant Government Departments. The Deputy Minister of DEAT undertook to take the outcomes of the workshop to the Protected Areas Forum where representatives from all relevant Government Departments will have the opportunity to give an input on the recommended Action Plan. SANParks and representatives from provincial conservation authorities undertook to take the Action Plan to their respective Parks Forums. The implementation of recommended Action Plan is an important step towards meeting South Africa's obligation under the CBD as well as implementing the World Parks Congress outcomes.

Community representatives undertook to effectively communicate back to their communities the outcomes from the workshop and to report back on progress at the next People & Parks workshop in 2005

The People and Parks Steering Committee committed to organise two steering committee meetings to monitor progress on the recommended Action Plan for People and Parks during 2005. DEAT further committed to convene a follow up People and Parks workshop in 2005.

Organisation

The workshop was organised by the Department of Environmental Affairs and Tourism in association with South African National Parks, IUCN (World Conservation Union), GTZ and Greater St Lucia Wetland Park Authority.

Who was there?

The People and Parks workshop was attended by a number of national, provincial and local government departments, representatives from national and provincial conservation agencies, representatives from 43 communities affected by conservation from the nine provinces, a number of interest groups, private operators and supporting organisations.

<p>Government departments</p> <ul style="list-style-type: none"> • Department of Environmental Affairs and Tourism • Department of Land Affairs • Department of Water Affairs & Forestry • KZN Regional Land Claims Commission • Bohlabela District Municipality • Mpumalanga - Department of Agriculture And Land Administration • North West - Department of Agriculture, Conservation, Environment & Tourism • Free State - Department of Tourism Environmental & Economic Affairs • Thabo-Mofutsanyana District Municipality • Maloti Phofung Municipality • Sunday River Valley Municipality <p>Conservation Agencies</p> <ul style="list-style-type: none"> • South African National Parks • Greater St. Lucia Wetland Park Authority • Mpumalanga Parks Board • Eastern Cape Parks Board • Ezemvelo KZN Wildlife • Western Cape Nature Conservation Board (Known as Cape Nature) • Limpopo Tourism and Parks Board • Eastern Cape Parks Board • North West Parks Board • National Heritage Council <p>Communities represented</p> <ul style="list-style-type: none"> • Amaqwathi • Balete ba Lekgophung • Batlokwa Boo Kgosi • Bershaba • Bhangazi • Covie • Driftsands • Dwesa / Cwebe • Emandleni • Memle • Gannahoek • Gomba • Hluhluwe Umfolozi 	<ul style="list-style-type: none"> • Jobe • Khomani-San • Kruger Tuine • Lubambiswano • Mabibi • Mahlamba Ndlofu • Makuleke • Masiphumelele • Matiwane • Matoti • Mkambati • Mmobokazi • Mnqobokazi • Mnweni Valley • Molatedi • Motlatse • Ndumo • Nhangwini • Ntiriswano • Ocean View • Phalaborwa • Redhill • Richtersveld • Riemvasmaak • Selindokuhle Weenen • Stormriver • Tsitsikama Khoisan • Tyefu • Usuthu • Valencia – Mayibuye <p>Private sector</p> <ul style="list-style-type: none"> • Wilderness Safaris <p>Some interest groups</p> <ul style="list-style-type: none"> • Indigenous People and Parks Working Group • Woman Leadership & Training Programme • Southern Cape Traditional Healers Association • Vhangona Cultural Movement • Vhamgan Cultural Movement <p>Supporting organisations</p>
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2. Background to the 2004 People and Parks Workshop: From Cape Vidal to the Blyde River Canyon

Representatives from 12 rural communities who live in or near protected areas and had made restitution claims in South Africa met at Cape Vidal on the eve of the 5th World Parks Congress (WPC) in 2003 to share experiences and raise issues regarding the role protected areas play in local economic development and poverty alleviation. Issues were identified with regard to the implementation policy designed to integrate conservation programmes and improving rural livelihoods. These issues and the resolutions taken are contained in the Cape Vidal Memorandum. At the Cape Vidal meeting the Director General of DEAT agreed to convene an annual meeting of conservation agencies, government and communities so that progress with issues between people and parks could be assessed.

The Cape Vidal meeting was held in order to ensure the voices of South African communities affected by conservation initiatives were heard at the World Parks Congress. Community participants analysed the draft WPC outcomes against their own experiences of lack of benefit-driven community involvement in conservation. The Cape Vidal Memorandum thus reflected the responses of the delegates to the draft Durban Accord and Action Plan in light of specific challenges in their communities and their relationship with protected area agencies.

The Cape Vidal Memorandum outlines clear actions to address the following issues of importance to communities affected by forced removals in the past:

- Clear land ownership and rights are the basis for secure access to resources and the ability to unlock the benefits that can come from partnerships.
- Lack of capacity in both communities and conservation agencies poses one of the greatest challenges to effective co-management.
- Appropriately structured tourism businesses can play a key role in delivering economic benefits linked to the conservation of biodiversity.

The statement also highlighted specific and immediate needs requiring action pertinent for each community represented at the workshop. A generic need highlighted in the workshop was the need for engagement and a process of dialogue between conservation agencies and communities.

The Cape Vidal Memorandum received the support and endorsement of the Director General of DEAT, and was mentioned, as one of three community statements for the WPC, during the Congress's high-level opening ceremony. This statement, which represented the collective voice of the communities at the workshop, was distributed and presented at various fora during the WPC. The final version of the Durban Accord and Action Plan reflects the input of communities through their active participation in the Congress and the issues raised in statements such as the Cape Vidal Memorandum.

The final outcomes of the World Parks Congress were tabled at the 7th meeting of the Conference of Parties to the Convention on Biological Diversity (of which South Africa is a signatory), held in February in Malaysia. COP 7 adopted an ambitious Programme of Work on Protected Areas for implementation by all parties in the context of their nationally determined priorities, capacities and needs. The Programme of Work has four interlinked elements intended to be mutually reinforcing. Its overall purpose is to support the establishment and maintenance by 2010 of a comprehensive, effectively managed, and ecologically representative global system of networks of protected areas. Parties may select from, adapt, and/or add to the goals and actions suggested in the programme, taking in to account the CBD's ecosystem approach, and paying due regard to the social, economic and environmental costs and benefits of various options.

Element 2 of the programme deals with governance participation, equity and benefit-sharing, and explicitly invites parties to promote equity and benefit-sharing, to enhance and secure the involvement of indigenous and local communities and relevant stakeholders, with their full effective participation and in full respect of their rights and recognition of their responsibilities in line with the World Parks Congress outcomes.

The P&P workshop aims to review South Africa's progress and its commitment towards the implementation of the WPC Outcomes and targets, the element 2 of the CBD programme of work on protected areas as well as the Cape Vidal Memorandum.

3. Welcoming Address – Deputy Minister DEAT

Summary of speech presented at 2004 People and Parks Workshop

DEAT has recently promulgated two pieces of legislation, the Protected Areas Act and Biodiversity Act. These are intended to promote more access, equitable sharing of benefits and active participation of the communities in the management of protected areas. These provide a legal vehicle for formalizing agreements between any person or a community and the relevant authority, for the purpose of promoting the environmental management principle. We hope this participation will be achieved through the proposed co-management agreements between the communities, the park management and any other affected parties. These Acts will also strengthen partnerships and enhance implementation of our conservation and development programmes.

Last year at the World Parks Congress, DEAT launched CBNRM guidelines. These guidelines are meant to give all people involved in the implementation of any community-based projects a shared understanding of their roles and responsibilities. With the clear understanding of CBNRM guidelines, it is therefore hoped that all stakeholders will implement successful projects through a more efficient and coordinated manner.

At Cape Vidal DEAT was specifically urged to convene an annual forum of communities and conservation agencies to assess progress around pressing issues such as land restitution, and whether benefits really are being extended beyond the boundaries of protected areas. The World Parks Congress further urged all governments, with our own country included, to mainstream the importance of protected areas in contributing to sustainable development, and the dual role of protected areas in conservation and poverty alleviation. Further the involvement of local people as right shareholders in protected areas and as equitable stakeholders in decisions, management and sharing benefits from protected areas was highlighted.

DEAT has responded and supports the concept that those who use and depend on natural resources become shareholders of those resources and should have a say in decisions about how the resources should be managed. More importantly they should be supported in initiatives to make a living out of those resources. It is against this background that DEAT has established a poverty relief fund.

If resources inside and around our parks are valuable and landowners and those who depend on it have the rights to use and benefit from the management of such a resource, then conservation is likely to benefit. For communities to be involved in a meaningful way, our departments and conservation agencies have to devolve certain powers and authority over land and natural resources. These often include the ability of communities to be involved in monitoring resource use and the right to exclude and to use. It is also imperative that economic incentives for the conservation of these resources are put in place so that those who use the resources derive some benefits. One way of achieving this is the devolution of authority from state level to lower levels, including conservation agencies and local government structures carrying out functions of central government.

It is however a complex exercise to make local-level management systems work. Local institutions that are meant to be empowered by the CBNRM initiatives for managing natural resources are sometimes overshadowed by local government structures. Further, although it is our intention to expand our parks beyond fences to include communal areas, but the lack of clarity over who is in charge of land and communal resources exacerbated in other areas by the slow restitution process has been our serious headache.

First and foremost, poor people's needs should always be prioritized and that they must be seen as part of the solution rather than part of the problem. Efforts to improve natural resource management in our protected areas should therefore contribute to sustainable growth and poverty reduction and should reflect the priorities of the poor. Secondly, while strengthening the rights of the survivalists through policies and legislations is important, we need to enhance the capacity of the poor to manage their own and shared resources by strengthening local management arrangements and by supporting women's key roles in managing natural resources. Thirdly, the civil society, in particular poor and marginalized groups, must be empowered to influence environmental management policy and planning processes at all levels, by expanding public access to information, decision making and justice.

Lastly, partnerships with private sector and cross-sectoral cooperation must be encouraged in all our activities. We need to build formal and smart partnerships between public services, donors, private sector business, civil society and local communities. These partnerships must be based on measurable results of fighting environmental degradation and poverty. We also need to provide incentives for local based enterprise development based on the sustainable use of biodiversity such as community based eco-tourism or sustainable harvesting of natural products.

4. International and National Context

Group discussions at the P&P Workshop were informed by concrete examples from communities affected by or neighbouring PA's and practical experiences from conservation agencies working with people and parks. In order to make the discussions constructive however, it was necessary to ensure that participants were informed about the legal and international context that frames their own experiences. Both the preparation session and Day 1 of the workshop therefore included a session where participants were introduced to the main domestic and international legal instruments affecting people and parks. These included:

World Parks Congress

The World Parks Congress is a global event for assessing protected areas every 10 years. The World Parks Congress was held in Durban in 2003. The outcomes from the World Parks Congress are not binding on states or participants but provide mandate and influence policy. The World Parks congress has introduced a new paradigm for protected areas and the dual role of protected areas in conservation and socio-economic development. It also highlights the role that protected areas can play in poverty alleviation.

The outcomes from the Durban World Parks Congress are captured in the Durban Accord and Action Plan which includes the following key issues: integral relationship between people and PA's, involve local people in the creation, proclamation and management of PA's, people affected by PA's have right to participate fairly and equitably in decision-making, a strive to reduce and in no way increase poverty, share benefits from PA's with local people and community conserved areas.

Convention on Biological Diversity

The Convention on Biological Diversity promotes sustainable use and benefit sharing related to biodiversity. It works as a safeguard for intellectual property rights and provides opportunities for enterprise development related to biodiversity. Element 2: Goal 2 of the programme for protected areas provides for participation, equity and benefit sharing in the establishment and management of protected areas:

Goal 2.1: Promote equity and benefit sharing

Target: Establish by 2008 mechanisms for equitable sharing of costs and benefits from PAs

- Assess the social, economic and cultural costs and benefits from PAs, compensate and equitably share benefits
- Promote broad set of PA governance types – indigenous / private
- Enabling environment for community conserved areas
- Use social and economic benefits from PAs for poverty reduction
- Engage local people in planning and governance
- Address access to genetic resources and sharing of benefits from utilisation

Goal 2.2: Enhance and secure involvement of indigenous and local communities and relevant stakeholders

Target: Full and effective participation by 2008 of local people in terms of their rights and recognition their responsibilities in the establishment and management of PAs

- Carry out national reviews of status, needs and mechanisms for involving stakeholders
- Implement specific plans and initiatives to involve local people at all levels in PA establishment, governance and management
- Identify and harness the wealth of knowledge, skills, resources and institutions of importance for conservation
- Promote and enabling environment for involvement of local people in decision making (incl. capacity building to manage)
- Ensure resettlement of local people for PAs only with prior informed consent

World Conservation Congress

The World Conservation Congress will hold its 3rd session in Thailand in November 2004. The Congress provides an opportunity for IUCN as a global Union of organisations working towards conservation to meet and to identify priorities for global conservation community under IUCN. One of the challenges for the Congress is to address the implementation of the CBD Programme of Work on PA's. The congress will also deal with issues such as:

- Benefits from rights requires legal framework, strong institutions and technical support
- Rights and changing perspectives on conservation
- Recognise community conserved areas

Protected Areas Act

The PAA was gazetted in 2004 and replaces old way of running parks with new approach that shifts from the conservation of species to biodiversity management and sustainable use, from exclusions to participation and from public funding to more business approach. The Government has further committed to increase the amount of land under conservation from 6% to 8% and 10%; sea to 20% and to bring in community and private partners in this process.

What does the Act do?

The PAA deals with protection and management of land, sea and rivers. Land under conservation is now called "protected areas". Protected areas are divided into different categories with different protection status. The Act promotes sustainable use of protected areas for benefit of people in way that conserves biodiversity. It also establishes SANParks as the national conservation authority.

Who is affected by the Act?

All South Africans are affected by the PAA as it deals with our land and heritage. In particular it affects communities next to existing protected areas and communities next to land that may become a protected area. It also affects private sector operators (lodges), government and NGOs and sets up all activities for SANParks and provincial parks.

What does the Act offer communities?

The PAA offers communities a number of opportunities including:

Management plans must have:

- Procedures for public participation
- Community-based natural resource management
- Management plan may have:
- Development of economic opportunities
- Development of local management capacity
- Support to administration
- Implementation of Co-management agreements

Creation of protected areas and consultation with communities

- Any land – private, communal, municipal or state – can be declared a protected area
- Consultation with local communities:
- Public participation process

Co-management and contractual parks can provide for:

- Delegation of powers to local community
- Income division and benefit sharing
- Use of natural resources
- Economic opportunities
- Local management capacity
- Support for administration

Private owners may propose that their land be proclaimed a protected area

- Communities free to approach Minister

- Existing contractual parks continue

Sustainable natural resource use

- Parks authority may enter into agreements with local community members to use natural resources in a sustainable way

Monitoring

- Minister may set norms and standards of what needs to be achieved
- Minister may set indicators to assess performance
- A monitoring system can help us know what is meant to happen and whether it does

5. Presentations by Conservation Agencies on People and Parks

After an introduction to the legal and international framework for people and parks issues, conservation agencies were given the opportunity to outline their strategies in addressing these issues. Below is a summary of the presentations.

South African National Parks

Razeena Wagiet, Director, People and Conservation, committed her organisation to abide by the Protected Areas Act and put people at the core of all their conservation efforts. SANParks have 4 key drivers: biodiversity conservation, sustainable tourism, directorate for people and conservation, local economic empowerment, which all puts people at the core of their activities. SANParks further noted that they do not have all the answers on how to best deal with issues of people and parks but that they have a commitment to the P&P initiative, in order to support shift in conservation and that they try to fast-track transformation within the organisation.

Mpumalanga Parks Board

Marinda Marais, Head Community Relations, Development and Interpretation identified insufficient funds for conservation issues as their key concern for the future of people and parks. Her institution supports participatory research in order to find out what mechanisms work best for Mpumalanga Parks Board and noted that what works for one reserve doesn't necessarily work for another. Each conservation agency needs a tailor made implementation policy. Ms Marais also found it a challenge to find a holistic approach for empowering people and proposed an informal participatory approach (environmental education is an invaluable tool for social ecology). She also pointed out that development of sustainability cannot be kept to specific time frames.

Eastern Cape Parks Board

Siviwe Kobokana, Operations Manager talked about conservation agencies' responsibility to implement government policy with regards environmental management and sustainability in parks. However, parks are often characterized by conflict with communities. The main challenge for Eastern Cape Parks Board is to involve communities within existing reserves. The Board also needs to set up more community reserves and projects within them.

Cape Nature

Melikhaya Pansi explained how Cape Nature has changed their name and turned biodiversity conservation into a key component of local economic development in the Western Cape. The programme is based on three pillars: mainstreaming biodiversity, securing biodiversity in priority areas and unleashing the potential of protected areas. They have also changed their approach to environmental education and initiated a Youth Development programme that brings youth into their conservation activities at an early stage. Their main challenge is to change the "elite" status of conservation by targeting schools to get students from previous disadvantaged communities to study conservation

Limpopo Tourism and Parks Board

Pinky Maimela, P&P Manager, explained how the Parks Board as a newly founded organisation has adopted a friendly oriented approach to conservation with particular emphasis on building good relationships with communities. The Board has established park forums with community stakeholders in all provincial parks. As result of land reform they now have 16 communal reserves. The Board focuses much of their attention on school participation too ensure next generation support to conservation

North West Parks and Tourism

Matsima Magakgala, General Manager, Protected Areas Management expressed on behalf of the North West Parks and Tourism their unconditional support of the P&P initiative to develop communication links between conservation agencies and to share experiences. The Department has a community based tourism strategy with 14 co-managed reserves within the province. The Department has a policy that all funded projects (Poverty Relief Fund) must have a job creation link. They are also offering internship programme for learners on a 12-month programme before they go into the industry and are in the process of developing a Heritage Programme. Their main challenge is to ensure that money earned from projects is actually going where it is meant to. They find it a challenge to ensure that land claims benefit both the claimants and the government. Their future plans include use of indigenous knowledge in conservation system and to focus on capacity among officials, not just community capacity.

Ezemvelo KZN Wildlife

Prince Fakude, social ecologist, explained that the conservation principle of KZN Wildlife is that community involvement in biodiversity conservation is a means to an end with regards to sustainability. Their strategy includes:

- Ensure benefits from and share economic values and opportunities: poverty relief projects
- Promote sustainable and equitable use of wildlife resources
- Public awareness: access to protected areas and opportunities for education
- Participate in KZN ecotourism industry: community levy
- Ensure social, economic and environmental integration of PA's
- Foster sustainable living through economic and social development
- Employment and procurement opportunities in parks
- Community conservation reserves: settlement of land claims and co-management

Free State Department of Tourism, Environment and Economic Affairs

Mense Walaza, Conservation Director explained that the Department currently manages 15 protected areas, of which 13 came into being because of the Department of Water Affairs. Of those, only 2 are of any value for the communities around them. Less than 1% of land can be classified according to World Parks Congress. Their main current challenge is to commission a study (Resource and Reserves) to come up with action plan. They also plan to use some of their Poverty Relief Funding for conservation activities.

North West Parks Board

The representative from the North West Parks Board expressed problems with transformation. The Board currently manages 54 reserves of which 16 are communal parks. Each park has a forum representing the communities in those areas. The Board have learned from experiences in KZN and took their communities there to see how other communities are operating. They now need to finalise agreements and constitutions in order to allow for full participation of communities (in the process at present).

6. Community Perspectives: Presentations from Community Working Groups

On Sunday the 25th of October, community representatives from 43 communities met in a preparatory session to the workshop to discuss their experiences and encounters in dealing with people and parks issues. The aim of the preparation session was to get people who had not previously attended the P&P workshop in Cape Vidal on board the process and to examine progress since the Cape Vidal workshop. Community representatives further discussed issues of particular concern. A summary of community presentations is attached as annexure 2.

During the afternoon, community representatives were divided up in three groups according to their own experiences and interests; **Group 1** consisted of people who had attended the Cape Vidal workshop and discussed progress since the workshop by scrutinizing the implementation of the Cape Vidal Memorandum. **Group 2** consisted mainly of people with a claim on land in a protected area. The group identified issues of concern to them and discussed ways forward.

Group 3 consisted of people representing communities neighbouring parks and communal land for conservation. The group identified issues that were of special concern to communities in different provinces. This chapter includes a summary of the workshop presentations.

Cape Vidal Memorandum: Assessment of Implementation

The Cape Vidal groups discussed the different issues that were focused on in Cape Vidal including:

- Land security and speeding up of land claims and transfer
- Effective co-management
- Access to traditional and sustainable uses of resources
- Partnerships to generate economic benefit
- Request for annual forum with conservation and government departments

It was clear that very little progress had taken place with land reform since the Cape Vidal workshop. The group recommended that a full time facilitators be appointed to reach quick and just settlement agreements. It proposed that the LCC and DEAT seek donor assistance to pay for facilitation.

The group concluded that most communities would want to have their land protected. However, communal land is still held in title by the DLA. The groups wanted clarity from the DLA how communal land can be used for conservation/tourism.

The group further concluded that some communities are getting access to natural resources while others are not. The group made a request for uniformity and noted that the PAA provides for different access to resources for community benefit.

The group further noted slow progress with private sector partnership and that it is not taking place on communal land. Few communities have signed agreements for tourism development. However, there is a need to find ways to unblock stalled developments.

The group further discussed progress with particular communities which were dealt with in the Cape Vidal Memorandum and found that:

Makuleke

- Requested more involvement in Great Limpopo Transfrontier Park
- The CPA is still in the dark about who to speak to

Greater St Lucia Wetland Communities

- Wanted resolution of Land Claims with Title Deeds: no movement
- Want to see progress within 3 months and ask DEAT to assist us in facilitating this

Riemvasmaak

- Wanted Melkbosrand Land de-proclaimed: impelmented
- Relationship with SANParks is better
- DEAT PRU funds for infrastructure development

Richtersveld

- Wanted land title transferred from DLA to CPA: no movement
- Conservancy planning has gone ahead but without title.
- Applied for DEAT PRU funding to do further infrastructre development

Khomani San

- Wanted to sell community craft in Kgalgadi Natioanl park at main entrance
- The community has not been given access or permission to do this

Land claimants: claims, issues and way forward

The land claimants group consisted of representatives from the following communities:

- Riemvasmaak community – Augrabies NP
- Covie community – Tsitsikamma NP
- Tendergate – Tsololwane Park
- Sibuyelo
- Matatiele community – Ongeluksnek NR
- Mkambati community – Mkambati NR
- KwaJobe community – Greater St Lucia
- Mngobokazi community – Greater St Lucia
- Umfolozi/Hluhluwe community – Umfolozi/Hluhluwe corridor
- Qwa Qwa community – Qwa Qwa NP

The land claimants group found that although some progress has been made with some communities starting to see benefits, a number of communities are less positive with progress because of process, institutional barriers and lack of institutional and community capacity to deal with cases. The groups also noted that contested claims (between/within communities) are obstructive to land claims.

On the positive note, the land claimants group found that some claims had been settled and that titles had been transferred. Successful negotiations had allayed fears and support from agencies increased capacity. In most instances, issues of access had been addressed as well as lease arrangements to manage land. Development partners had come on board and lessons had been learnt from other communities.

In cases where process had been delayed, communities are still waiting for title deeds which have led to frustration and lack of motivation. Communities are denied the opportunity to negotiate as land owners for partnerships for developments and processed of delivering benefits are blocked.

The group found that communities do not get feedback on their claims and that there is a lack of action and slow progress settling claims. The slow process leads to poaching because community members feel they do not get any benefits from the land. The slow process also lead to deadlock in negotiations.

The land claimants groups suggested that there should be a focus on building capacity for communities to manage land to address community capacity. There is also need for support from agencies (e.g. secondments).

The group further made the following recommendations as a way forward:

- Address blockages in settling claims and transferring title at highest level (Ministerial intervention)
- Enforce 3 month timeframe from signing section 42D agreement to handover of title deed
- Dedicate sufficient resources to facilitate claim settlement in PA's
- Build capacity of community level for managing, making decisions over land and development
- Share lessons and learning from claims (e.g. entities for purpose)
- Use model agreements
- Support for establishing partnerships and kick-starting development
- Clarify status and number of claims in PA's

Neighbours of parks and communal land for conservation

The group representing members from communities neighbouring parks and communal land for conservation reported on issues of concern for each area:

Community representatives from the *Western & Southern Cape* reported that the province promotes sustainable use through training. It has also initiated co-management of nurseries in or outside of protected areas. Access to land in reserves for traditional rituals is in the process of being legalised. The group further reported a positive movement on community development projects. However, community participation in management plans is often coming in too late to accommodate community activities.

Community representatives from the *Western & Southern Cape* reported that land to support traditional livelihoods is limited. The group further expressed concerns about the establishment of biosphere reserve planned in the Western Cape area. On the positive note, the group reported that Poverty Funds associated with parks have had a positive impact on jobs.

Communities living in the *Greater Addo Area* reported on a conflict between private sector interests and community conservation initiatives and divisions within communities over land use in relation to privately owned conservancy. The community representatives further reported that there are no opportunities for traditional livelihood strategies in the area.

Community representatives from *Tsitsikama* reported that community concessions have been made operational and that community members are allowed free use of park for activities and community projects. However, community members have no access to marine resources for livelihoods and cultural activities. It was suggested that the areas should to be zoned with community involvement.

Community representatives from *Phalaborwa* reported that private land ownership is contested in the areas and that they have requested a review of foreign ownership of land. The community is also frustrated with slow process of land claims and that they so far had received no real benefits from the protected area.

Communities living next to the *Mesebe Nature Reserve* reported that land ownership is central to park initiatives but that it had not yet been addressed. The group suggested that concrete targets are set for land ownership and that an exploration of different models on land use and management is needed.

Community representatives from the *Richtersveld/ Riemvasmaak* reported that they were looking for information on how to use state owned land for economic development as well as conservation purposes.

Community representatives from the *Limpopo, Nwanedi* reported about the conflict between conservation and profit imperatives on conservation management programmes. It also reported that communities have to pay fees for access to own PA's and that their representatives are not consulted on decision making in the park.

7. Priority Issues and Actions

Day 2 of the workshop consisted of workshop discussions where participants divided up in six working groups according to their own interests and discussed the following topics:

- Access and Benefit Sharing
- Co-management
- Conservation and Land Reform
- Community Public Private Partnerships
- Expanding and strengthening the Protected Areas Network
- Implementing the new Protected Areas Act

The working groups were asked to identify key issues of concern for each group and to develop an Action Plan for intervention including specific actions that need to be taken, time frame, responsible institutions and milestones for performance. The Action Plan will be presented to relevant departments and conservation agencies and be used to monitor progress in bringing issues of people and parks to the forefront of their efforts of including people in their conservation efforts. This chapter includes recordings from these discussions. The Action Plan is attached as annexure 3.

Access and Benefit Sharing

The Access and Benefit Sharing group discussed why communities need to benefit from conservation and concluded that PA's often are essential for their basic needs and human survival (as well as leisure). PA's are also essential for their historical heritage and a share in what was theirs. PA's can be used to alleviate poverty, to create empowerment, and for entrepreneurship. Access to PA's is also essential to create equity and for resource depletion since certain resources are not available outside parks.

Natural resources from PA's include fruit, fuel wood, water and medicinal plants. PA's are also used for education and for cultural benefits.

Community representatives said they wanted access to natural and cultural resources, tourism and development issues and to skills and jobs created in PA's. PA's create economic benefits and tourism and communities want access to information about tendering process, assistance to develop skills within communities (skills register) and capacity building. The working groups argued that local employment is essential as well as promotion of South Africa made curios. The group however cautioned against non-viable projects that can cause financial strain on communities.

The workshop group further argues that it is necessary to create a common understanding of how to identify beneficiaries. Beneficiaries are people who have in some way been disadvantaged by the park, for example, by not having access to the resources in it. Beneficiaries can be individuals or groups. You also cannot ignore people with interest in parks. The group further recommended a prioritisation of beneficiaries:

- Top priority is the communities that have land or rights in the park
- Secondly are communities directly bordering parks

It was also pointed out that traditional healers are a special case. The decision on who shall benefit from PA's must be weighed against the size and capacity of the park.

The working groups further discussed the problem of getting consistency among parks and conservation agencies and concluded that currently there are vast inconsistencies between parks and provinces. Consistency can be encouraged through community/park forums for public participation but also through technical and financial assistance and broad national guidelines.

The working groups further concluded that benefits from PA's are best utilised if divided according to the priorities outlined. Benefits should be given through use rights such as permits and specific agreements. For this to work, conservation agencies need to create awareness of rights associated with access through education and information about their rights

There is also a need for broad guidelines in a policy for conservation agencies on how to implement user rights. The guidelines should be incorporated into the Management Plans for each PA. It was also suggested that conservation agencies set up a link with local IDP's and that they collaborate with existing local government structures.

Key responses

Key issues identified in the Access and Benefit Sharing working group include:

- Clarification of issues around demarcation and beneficiaries
- Lack of consistent policy among parks and resource use
- Lack of participatory park management plans to guide resource use
- Need to formalise arrangements with resource user groups
- Over-harvesting of medicinal plants by commercial multi gatherers poses real threat to gatherers and poses real threat to survival of resources
- Benefits from hunting do not accrue to communities
- Communities excluded from tourism tendering processes
- Tourism developers and conservation agencies must ensure local produce is used and local companies supported
- Skills training necessary to allow local communities to be shareholders in parks and businesses
- Lack of free access to PA's by communities for recreation
- Establishment of park forums where they do not exist
- Local governments are not adequately involved in PA management
- Communication between parks and communities need to be improved

Co-management

The co-management working group found that social issues are often obstructive to co-management arrangements which can be compromised by the reality of local politics. For example, personal interests of community leaders dominate processes. There is also often a lack of cohesiveness within communities around land use options. Conflict within communities hinders access to resources for co-management and local economic development. It was concluded that agreements are not always developed by consensus.

The working group proposed that co-management structures, role and responsibilities be controlled by a joint management committee that takes on responsibility. It is necessary to clarify the mandate, roles and responsibilities of the joint management committee. Ideally, the joint management committee should consist of half land-owner and half management representation however there is currently no tried and tested model. There is a need for legal entities for communities.

The working groups further noted weaknesses with current policy and legislation on co-management and suggested that clear policy guidelines (national) are created. The legislation further needs to be interpreted and popularised to ensure that all role players understand the concept of co-management. It is the role of communities to monitor development of policies and legislation.

The working group further noticed that there is a lack of capacity among communities to utilise existing resources and to actively take part in business management and economic planning for co-management and that there is a need for community skills and capacity development. There is also a need to clarify concepts especially when community involvement is concerned.

The working group concluded that forums like the P&P workshop are very useful for sharing information about co-management. However there is a need to develop community leadership structures and community awareness programmes to ensure community involvement in the whole process.

Key responses

Key identified issues in the co-management working group include:

- Cohesiveness and consensus within communities are essential for co-management
- Need for clarity in terms of mandate, roles and responsibilities in co-management
- Clear policy guidelines and mechanisms for monitoring needed
- Community skills and capacity building for more effective conservation management needed
- Need to understand co-management on communal, state and private land
- Community involvement, consultation and participation necessary

Community Private Public Partnership

The Community Private Public Partnership working groups found that it is difficult to unite communities around common goals. It also found that stalled and delayed projects causes anger, frustration, disappointments and conflicts within communities and conflict between private and community initiatives.

The working group found that there has been a slow process in the commercialisation (zonation, tender, adjudication) of projects. Often the state officials frustrate partnerships with slow progress. The group found that conservation agencies are left to implement without DEAT and DLA support and that municipalities lack capacity to support community projects. CPPP's on communal land are frustrated by the 'trust' status of land tenure, which causes insecurity and inability to enter into contracts or partnerships.

The working group further found that state commercialisation has not produced the social benefits promised by government and that possibility of communities accessing concessions and associated rights is frustrated by slow process. The group found that equity shares in companies are difficult to raise because of the issue of joint venture and that it is unclear how to ensure spin offs are given locally.

The working group concluded that there is a lack of pre and post settlement support because of lack of knowledge and inconsistencies in agreements.

Key responses

Key identified issues in the Community Public Private Partnership working group include:

- Communities, conservation and DEAT must agree with DLA about ways to fast-track legitimate conservation and tourism applications.
- Until the CLRA act is implemented we will have to use the existing procedures. We therefore need to all agree on them.
- Need to establish if the Communal Land Rights Act will facilitate or frustrate Partnerships.
- Help DLA and the Land Claims Commission give pre and post claim support to communities to facilitate CPPP's.
- Ask for DEAT assistance when projects are unfairly blocked or delayed by conservation officials.

- Training promised by the THETA and TEP is not provided undermining project implementation

Land Reform and Conservation

The working group for Land Reform and Conservation reported that there had been a slow process in land reform. Community representatives reported that they still lack of title of land and the capacity to engage. The groups also reported that there is a problem with intra communal claims and conflicts, a lack of information of the status of claims and a reluctance to pass land over to communities.

The working group found that the claims process often is delayed by a lack of capacity within the LCC and a lack of legal capacity to assist communities with their claims. There is also a problem of unclear roles and responsibilities among different government departments, no communication and feedback to communities and poor institutional linkages.

The working group found that communities are unclear about the process and uncertain who can and cannot claim. There is a lack of capacity in both pre settlements and post settlement which often leads to frustration, weak community structures and internal conflicts. The group further found that land claims are frustrated by people from outside looking to benefit from claims.

Key responses

Key identified issues in the Land Reform and Conservation working group include:

- Better retention of LCC staff
- Increased existing staff capacity
- Improve communication with all relevant stakeholders
- Clarity on roles of different government departments
- Increased communication with claimants
- Monitoring groups to assess progress on community issues
- Better understanding of roles and responsibilities of different groups after validation
- Bring all relevant stakeholders into process earlier
- Education and skills development
- Exposing communities to others with similar experiences
- Prioritise land claims in protected areas as done with DWAF claims
- Manage community conflicts
- Ensuring community is updated on progress of claims and processes
- Internal/external conflict management
- Learning between claimants and claims
- Addressing land use options
- Appropriate choice of entities
- Concern about the impact of the Dec 2005 deadline to settle all outstanding land claims on settlement agreements
- Concerned about the impact of the Communal Land Rights Act on governance, rights and benefits

Strengthening and Expansion of the Protected Areas Network

The working group for Strengthening and Expansion of the Protected Areas Network found that municipalities lack capacity to support community projects and that it is a difficult process to set aside communal land for conservation and tourism. The group also asked what the impact of foreign land ownership is in terms of extending the PA network.

The working groups reported that there is pressure on PA's alongside high density rural areas to support traditional livelihoods. However, initiatives such as marine protected areas can take away livelihood resources and that communities often wait too long for profit to outweigh cost from tourism land use. Alternative land users need to be considered if area not of high biodiversity value.

The working group further reported that biodiversity priority areas/bioregions have not been communicated to affected communities and that the resettlement policy unclear. There is also a lack of participation in the process since affected communities are excluded in early planning stages of protected areas. The working group reported that that time frames for involvement of communities and conservation organisations unclear. The group found that there is a need for capacity building to strengthen protected areas networks

The working group further found there that there is a need for a conflict management framework between and within communities, and between governance structures, e.g. tribal and local government and that it is necessary to reconcile conflicting land uses (cost/benefit analysis, i.e. tools and incentives, mining and forestry).

Key responses

Key identified issues in the Strengthening and Expansion of the Protected Areas Network working group include:

- Communication of biodiversity priority areas made available to prospective communities
- Effective communication of relevant sections of policy and protected areas act
- Robust institutional arrangements exist for the establishment of PA's at political, community and conservation agency levels
- The PA regulations specify clear use options for each zone per PA category.
- Clarity on impacts of communal land rights act with respect to protected areas expansion exists
- Awareness raised with DLA and Chief LCC with respect to restitution in game farms and wildlife
- Degraded ecosystems restored in PA expansion for poverty alleviation and job creation.
- Physical resettlement to be avoided at all costs.
- Law reform and regulations needed for community participation and biospheres
- Potential conflict around development of new PA's mitigated effectively
- Demonstrate the value/ benefits of biodiversity conservation as a land use.
- Strengthen capacity of local government, affected communities and conservation agencies to plan PA expansion
- Short-term costs offset (financial and economic) that often occur with slow phasing in of development benefits of new parks.
- Improved application of indigenous and traditional knowledge
- Mutual agreement on a land swap that benefits communities and conservation.

Implementing the new Protected Areas Act

The working group for Implementing the new Protected Areas Act found that there is a need for a community register to provide the management authority with information about local communities and as a communication tool. The register should include the nature of the right or interest the community has in the national parks. It should also categorise local communities into primary stakeholders, secondary stakeholders and those with other interests and affected parties.

The working group also found that the regulations should give more depth to what a local community is and the emphasis should be on disadvantaged communities.

The working group reported that for the purpose of the communication with local communities the management authority should communicate with all known communities and ensure that relevant information including scientific, job creation, introduction of game, management issues, zoning, infrastructure, research, tenders, maintenance, expansion, decision making structures and contact details; legislation, policies and processes information is made available to local communities in an appropriate and accessible manner.

In complying with the community consultation requirements of Section 39 of the Act, the management authority shall ensure that the management plan includes information about existing and potential rights and interests in that national park, a process for the determination of the existence, nature and extent of existing rights and the desirability of allowing the creation of potential rights, a statement on how the exercise of such rights will be regulated, a record of the rights and/or interest of particular local communities, a typology of the potential benefits for specific local communities from that national park, a process for the determination and feasibility of potential benefits for specific local communities, a statement on how such benefits will be realised, equitably distributed and regulated and a process of consultation.

The group further found that the regulations need to include a section on how communities are affected by the creation or expansion of PA's and that the Minister should draw up a park expansion plan with the objectives of the creation or expansion and a strategy to obtain these objectives including prioritisation and timing and a consultation plan setting out appropriate steps for consultation and negotiations.

Where a local community is desirous of having its land or part thereof declared as a national park or part thereof, it shall inform a management authority of that intention and provided with opportunity to participate in a feasibility study of the park.

The working group further recommended that the Regulations need to have provision for communities to access resource people and the Management authorities must ensure that communities are aware of regulations that will apply to their land. A management authority should develop indicators and rules to measure and report annually on whether the management of a particular national park achieves its community oriented objectives and whether it contributes to environmental justice or not.

Key responses

Key identified issues in the Implementing the new Protected Areas working group include:

- Need a review process for the regulations – 5 years as fits in with management plan review period.
- Consultation on the regulations among all affected communities
- Regulations need accompanying guidelines.

The comments on the Regulations for the Protected Areas Act will incorporate recommendations from all other working groups and be submitted to DEAT by mid November 2005. Full comment on the Regulations is attached as annexure 4.

8. Actions by Responsible Institution

This chapter includes specific items from the Action Plan for each responsible department and agency. Relevant parties should use this to prioritise actions according to the defined time frames. The Action Plan is attached as annexure 3.

Department of Environmental Affairs and Tourism

Urgently arrange for:

- A Ministerial bilateral meeting between DEAT and the DLA, which should include the Chief Land Claims Commissioner, to:
 - Clarify land leases and agree about ways to fast-track legitimate conservation and tourism applications
 - Repeat of below!!!!
 - Clarify the implications of the CLRA on CPPP to make clear how beneficial partnerships can be created
 - Clarify impacts of CLRA on protected areas expansion
 - Raise awareness with respect to restitution in game farms where wildlife in game farms are not compensated for
 - Promote pre and post claim support to communities (LCC)
- A bilateral meeting between the DEAT and the South African National Parks to address issues raised in the recommended Action Plan for People and Parks.
- A bilateral meeting between the DEAT and the Provincial Conservation Agencies to address issues raised in the recommended Action Plan for People and Parks. This can be done in the Protected Areas Forum.

Ongoing

- Review local Management Plans for parks
- Dev. curriculum for education on rights/responsibilities in parks
- Implement re-skilling programmes to convert community skills to conservation and tourism
- Ensure that training promised by THETA and TAP is provided and meet Department of Labour and THETA to clarify.
- Review and define co-management on communal/state/private land
- Organise annual forums and workshops on land claims in PA's
- Expand on Kids and Parks initiative
- Work towards a People and Parks Charter

Priority 1 (1 year)

- Hold provincial workshops with communities on draft regulations
- Allow for more than 30 days for input on draft regulations
- Develop a National Policy and Guidelines on resource use
- Develop Guidelines on roles/responsibilities for co-management
- Develop policy document on land claims in PA's
- Form umbrella body for communities with validated land claims in PA's
- Train communities on land restitution issues
- Facilitate research on land use options and communicate options to communities with land claims on PA's
- Explain to communities and conservation agencies how they will be affected by the CLRA
- Develop step by step procedures manual for CPPP with DTI

- Facilitate constructive CCCP agreements between communities and conservation agencies
- Establish the status quo of signed CPPP's to prevent delays
- Communicate biodiversity priority areas to communities who are the custodians of this biodiversity.
- Consultation with affected communities on expansion possibilities.
- Ensure communication to communities and conservation agencies of relevant sections of policy and Protected Areas Act in regards to the expansion of PA's
- Establish national guidelines for the expansion of PA's
- Workshop with conservation authorities to clarify use zones across various PA types (expansion)
- Convene meetings with communities for inputs/ review to the regulations on the expansion of PA's

Priority 2 (3 years)

- Develop national resettlement policy (using existing World Bank policy as a start)
- Develop relevant regulations that guide resettlement issues

Conservation Agencies

Priority 1 (1 year)

- Representative of conservation agencies to take back recommended Action Plan to their senior management and get endorsement or rejection.
- Recommended Action Plan for P&P rolled out at local level through ongoing engagement with relevant communities in process of drafting new management plans according to PAA.
- Develop Guidelines on roles and responsibilities in co-management
- Develop local Management Plans for parks based on National Policy/Guidelines on resource use
- Develop Management Plans in a participatory manner and before formal agreements are reached.
- Formulate licensing agreements for interest groups regarding commercial and subsistence access to resources
- Ensure free access by local communities by making available transport to and from parks
- Capacity building for co-management stakeholders to understand and exercise power accountability and rights
- Organise and empower local communities to establish park forums
- Formation of umbrella body for land claims in PA's to distribute information and delegation of roles
- Train on land restitution issues in workshops immediately after validation not settlement (management skills, business, nature conservation, protected area management etc.)
- Facilitate research on land use options and communicate to communities with land claims on PA's
- Develop and share possible model agreements between communities and conservation as well as model CPPP agreements.
- Form agreements on access rights in PA's with land claims
- Build knowledge and capacity of staff on pre and post claim support to communities through the facilitation of CPPP's

Priority 2 (3 years)

- Make arts and crafts "proudly South African" and insist that shops in protected areas support the campaign to ensure that local produce is used and local companies supported
- Formulate skills databases "yellow pages" of what skills exist in the local communities to ensure local employment
- Training of local people for jobs and services

Ongoing

- Initiate and support medicinal plant nurseries and gardens
- Curb illegal harvesting by collectors
- Improve understanding about sustainability
- Initiate opportunities from 'problem animals' for communities to secure benefits from hunting accruing to communities
- Set up procurement procedures to require local community involvement in tourism tendering processes and other initiatives
- Involve local municipal officials in park forums to link with local environmental issues and strengthen linkages with IDP initiatives
- Improve communication between parks/communities through information centres and workshops
- Feasibility studies to demonstrate the value/benefit of biodiversity conservation on land use
- Identify a suite of financial and economic instruments (EPWP, poverty funds, subsidies) to offset short term costs related to slow phasing of development benefits of new parks
- Improve application of indigenous and traditional knowledge by integrating knowledge with management and development plans
- Enter into mutual agreements on a land swap that benefit communities and conservation

Department of Land Affairs

Priority 1 (1 year)

- Listing of all land claims in PA's
- Formation of umbrella body for land claimants with validated claims in PA's to distribute information
- Workshops with communities with land claims in PA's to ensure appropriate choice of entities
- Explain to communities how they be affected by the Communal Land Rights Act
- Arrange a workshop with the DEAT, conservation agencies, NGO's and the CC on pre and post claim support to communities through the facilitation of CPPP's
- Participate in the P&P Steering committee

Department of Trade and Industry

Ongoing

- Facilitate CCCP agreements between communities and conservation agencies on how to cooperate and not frustrate partnership projects (DTI is developing a manual for government officials on Eco-tourism PPP's)

Priority 2 (3 years)

- Make arts and crafts "proudly South African" and insist that shops in protected areas support the campaign to ensure that local produce is used and local companies supported

Provincial Departments

Priority 1 (1 year)

- Develop policy document on land claims in PA's
- Summarise relevant policy on co-management
- Assist in the development of a manual for co-management

- Conduct needs assessment for co-management and develop appropriate CB and training programme

Priority 2 (3 years)

- Develop code of conduct for conservancies and biospheres for private and communal land
- Develop of legal review to include conservancies in PAA

Local Government

Ongoing

- Initiate and support medicinal plant nurseries and gardens
- Curb illegal harvesting by collectors
- Improve understanding about sustainability
- Participate along with SALGA in the People and Parks Steering Committee
- Involve local municipal officials in park forums to capacitate about environmental issues on the ground and to strengthen link with IDP initiatives

Priority 2 (3 years)

- Formulate skills databases “yellow pages” of what skills exist in the local communities to ensure local employment
- Training of local people for jobs and services

Land Claims Commission

Burning issues

- Prioritise land claims in PA's as they affect issues of natural heritage

Ongoing

- Quarterly meetings and workshops with claimant groups to improve communication with all relevant stakeholders
- Drawing up of MOU to guide preparation towards final settlement (42D) to ensure better understanding of roles and responsibilities of different groups (with all relevant stakeholders)

Priority 1 (1 year)

- Capacitate the land claims process by ensuring better retention of staff and increasing existing staff
- Capacitate the land claims process by outsourcing legal issues and LCC activities
- Develop communication strategy and monthly point of contact b/w claimants and LCC officer to improve communication with all relevant stakeholders
- Form umbrella body for land claims in PA's to distribute information and to delegate roles
- Identify stakeholders and create local multi-stakeholder forums to include all relevant stakeholders
- Training on land restitution issues in workshops immediately after validation (management skills, business, nature conservation, protected area management etc.)
- Organise annual forums and workshops on land claims in PA's to expose communities to others
- Approach Land Claims Commissioners to fast track PA claims (regarding natural heritage in SA)
- Disclosure of reliable information on park land claims; how many, where in the process, sharing of agreements, constitutions etc.
- Form and train conflict resolution committees to assist with community conflict management in PA's with land claims

- Facilitate research on land use options and communicate options to communities with land claims on PA's
- Workshops with communities with land claims in PA's to ensure appropriate choice of entities
- Explain to communities how they be affected by the CLRA

SETA

Priority 2 (3 years)

- Assist in formulating skills databases "yellow pages" of what skills exist in the local communities to ensure local employment
- Provide resources for training of local people for jobs and services

Expanded Public Works Programme

Priority 2 (3 years)

- Formulate skills databases "yellow pages" of what skills exist in the local communities to ensure local employment
- Training of local people for jobs and services
- Provide funding for improvement of DEAT poverty relief projects within PA's.

Communities

Priority 1 (1 year)

- Participate in the development of local Management Plans for parks based on National Policy and Guidelines on resource use
- Participate in the formulation of licensing agreements for interest groups regarding commercial and subsistence access to resources
- Organise and empower local communities to participate in park forums
- Appointment of community contact person to improve communication with the LCC
- Media/television coverage of land claims
- Identify stakeholders and the creation of local multi-stakeholder forums to bring all relevant stakeholders into process
- Identify skilled facilitators to manage conflict on land claims in PA's
- Form agreements on access rights in PA's with land claims

Ongoing

- Initiate and support medicinal plant nurseries and gardens
- Curb illegal harvesting by collectors
- Improve understanding about sustainability
- Initiate opportunities from 'problem animals' for communities
- Identify a suite of financial and economic instruments (EPWP, poverty funds, subsidies) to offset short term costs that often occur with slow phasing of development benefits of new parks
- Enter into mutual agreements on a land swap that benefit communities and conservation

Private Sector

Priority 1 (1 year)

- Ensure free access by local communities by making available (sponsored) transport to and from parks (partnership with Dep. of Education)

Priority 2 (3 years)

- Make curios “proudly South African” and insist that shops in protected areas support the campaign to ensure that local produce is used and local companies supported

Ongoing

- Set up procurement procedures to require local community involvement tourism tendering processes and other initiatives

NGO's

Priority 1 (1 year)

- Organise and empower local communities to establish park forums
- Capacitate the land claims process by outsourcing legal issues and LCC activities
- Mediate communication between Land Claims Commission and communities with land claims
- Form umbrella body for land claims in PA's to distribute information and delegation of roles
- Visit areas with land claims to expose communities to others with similar experiences
- Form conflict resolution committees to assist with conflict management in PA's with land claims
- Include traditional leaders in conflict resolutions structures
- Appointment of facilitators (ombudsmen) for internal/external conflict management
- Review existing guidelines and establish national guidelines for the expansion of PA's
- Review existing guidelines and establish national guidelines for the expansion of PA's
- Convene workshop with conservation authorities to clarify use zones across various PA types
- Meetings with communities to provide inputs/ review to the regulations on the expansion of PA's
- Promote and contract partnerships with agencies involved in restoration in support of PA expansion
- Explore financial mechanisms to support restoration and rehabilitation of areas suitable for PA expansion (working for water, poverty funds ...bringing in partnerships)
- Implement training models for conflict management for relevant community structures around the development of new PA's (THEAT/INTAC)

Priority 2 (3 years)

- Develop code of conduct for conservancies and biospheres for private and communal land
- Develop of legal review to include conservancies in Protected Areas Act
- Undertake training around methods and tools to strengthen capacity of local government, affected communities and conservation agencies to plan PA expansion (THETA/INTAC)

Ongoing

- Initiate and support medicinal plant nurseries and gardens
- Curb illegal harvesting by collectors
- Improve understanding about sustainability

People and Parks Steering Committee

Priority 1 (1 year)

- The inputs from this workshop on the regulations to be submitted to Department of Environmental Affairs and Tourism by mid November
- Hold biannual meetings to monitor progress of the recommended Action Plan for P&P

9. Responses by Responsible Institutions

The chapter includes responses from responsible institutions on recommended actions and will be used by communities and the steering committee for P&P to monitor progress and implementation.

Department of Environmental Affairs and Tourism

Fundisile Mketeni, DDG Biodiversity and Conservation

General:

- Communicate the PAA to all affected parties
- Communicate the Recommended Action Plan on People and Parks to Cabinet forum
- To report on the outcomes of the workshop to the President
- Convene a Ministerial bilateral meeting with DLA on issues that concern both Departments

Regulations

- Follow the Departmental process of public comments on regulations

Access and benefit sharing

- Look into the adoption of international guidelines on resources use
- Encourage the use of CBNRM guidelines

Co-management

- Develop national framework for management plans
- Make use of new Bill to form an intergovernmental forum to look at resource issues

Community Private Public Partnerships

- Meeting with DLA to discuss tenure rights
- Explore the opportunity for shared management schemes for communities
- Develop step by step procedural manual for CPPP
- Develop legal framework for norms and standards for the identification/evaluation of CPPP projects
- Invite community representatives to workshop with NT and DTI to discuss pre and post-settlement
- Encourage basic infrastructure through private operators through long-term contracts

Expanding Protected Areas Network

- Communication of the PAA and the BA
- Develop guidelines for PA establishment
- Explore the opportunity to include an evaluation of game in land evaluation
- Take the need to develop a settlement policy to the World Bank

Land Reform

- Convene meeting with LCC to discuss the urgency of dealing with land claims on protected areas
- Persuade LCC to unpack registered/validated claims in PA's
- Memo to the Minister of Land Affairs to speed up the process of land claims

DEAT further urged Conservation Agencies to:

- Expand on Kids and Parks initiative

- Convene regional meetings on co-management issues

Greater St Lucia Wetland Park Authority

Bronwyn James reported that the Greater St Lucia Wetland Park Authority would invite land claimants on the Board. They would also convene meetings with parks forums to develop joint local management plans to include provision for dealing with access, benefits and resource use and get involved in fundraising for long-term support for co-management. They also committed to setting up forums around tourism development and resources use

The organisation also committed to convene meetings with affected parties to ensure speedy process of CPPP projects, to develop education programmes and to lobby THEAT for long term training and skills development

Representatives from the organisation committed to participate in the commenting on regulations and assist with the monitoring/feedback to communities on regulations.

South African National Parks

Alexis Symonds, Manager: Community Based Conservation reported that her organisation strongly support this workshop and the recommended Action Plan and committed to communicate actions required to each directorate and report back to parks in provincial workshops and task team meetings. She would also communicate the Action Plan to parks forums both as a topic on the agenda on the next meeting but also through park managers and P&P staff.

SANParks further urged communities living adjacent to parks to join existing park forums in parks to strengthen communication links

Mpumalanga Parks Board

Nomvuselelo Songelwa committed to communicate PAA to communities and to communicate recommended Action Plan for P&P to provincial park forum. The Board, is reported is committed to natural heritage conservation and will identify resources for specific tasks.

The Board also committed to invite local municipalities to provincial park forum and to work with LCC and strengthen relationship. They urged other regions to adopt their system of LCC to advance land claims

The Board will further promote women in parks and identify ways to ensure equity in access and benefits. They will follow the lead of Cape Nature to include youth in conservation matters and strengthen existing forums with other conservation agencies to afford interaction and learn from experiences.

Eastern Cape Parks Board

Siviwe Kobokana, Operations Manager committed to increase efforts to bring communities on board and respond to pressure from communities for increased participation. The Board further committed to communicate recommended Action Plan for P&P to provincial senior management and to convene regional workshops on P&P

The Board further committed to form a forum of social ecologists in the province and to support further progression of land claims in the province.

Cape Nature

Melikhaya Pansi, Cultural Resource Management Programme committed to convene a workshop with traditional healers and to clarify resource management needs

The organisation further committed to communicate management plan to communities and to address community development outside parks

Limpopo Tourism and Parks Board

Pinky Maimele, People and Parks reported that she had learned from other conservation agencies and committed to make use of networking and cooperation opportunity presented through this workshop

The Board further reported that they support the development of guidelines on co-management and committed to develop management plans for co-management, to communication to communities on the process CPPP programmes and available options of the commercialisation of 15 nature reserves and to communicate recommended Action Plan for P&P to other provincial departments.

North West Parks and Tourism

Matsima Magakgala, General Manager, Protected Areas Management committed to ensure benefits beyond employment, to give a voice to traditional healers in conservation and to delegate powers to issue licences to traditional healers.

The Board further committed to look at traditional knowledge and learn from experiences and to launch lodges managed by communities

Ezemvelo KZN Wildlife

Prince Fakude Social ecologist committed to communicate recommended Action Plan for P&P to CEO and take information to Board for implementation as part of their current business review.

The Board further committed to encourage co-management through privatisation of parks, to support land reform developments and to secure access and benefit sharing in park management plans.

Annexure 1: Programme for 2004 People and Parks Workshop

SUNDAY, 24 OCTOBER

Prep Session: Community preparation		Chair: Steve Collins
12.00 – 1.00	<i>Community representatives and facilitators arrive, register and check in</i>	
1.00 – 2.00	<i>LUNCH</i>	
2.00 – 2.30	Welcome and Introductions	Skumsa Mancotywa (DEAT)
2.30 – 3.15	People and Parks workshop Information packs	Steve Collins (GTZ)
3.15 – 4.00	International Context Protected Areas Act	Anthea Stephens (IUCN) Lala Steyn
4.00 – 5.30	Working groups	Groups and facilitators
6.30 –	<i>DINNER AND ENTERTAINMENT</i>	
<i>Evening</i>	<i>Other participants arrive, check in and register Meeting facilitators and resource people</i>	

DAY 1: MONDAY, 25 OCTOBER

Session 1: Introduction		MC: Fundisile Mketeni Biodiversity and Conservation (DDG DEAT)
8.30	Welcome	Ms. Nomsa Mtsweni MEC-DALA
8.35 – 9.00	Keynote Address	Ms. Rejoice Mabudafhasi (Deputy Minister – DEAT)
9.00 – 9.15	Overview on program and workshop process	Mr. Ngcali Nomtshongwana (DEAT)
Session 2: National Context		Chair: Ms Maureen Sithole HOD-DALA
9.15 – 9.35	NEMA: Protected Areas and Biodiversity Acts and other relevant legislative and policy frameworks	Fundisile Mketeni
9.35 – 10.15	Conservation agencies' response to legal framework: - SANParks - Provincial Agencies Greater St Lucia Wetland Park	Conservation Agency Reps
10.15 – 10.45	Plenary discussion	
10.45 – 11.15	TEA	
11.15 – 11.35	Policy framework on land claims in protected areas	Thabi Shange (KZN Regional Land Claims Commissioner)
11.35 – 12.30	Plenary discussion	
12.30 – 2.00	<i>LUNCH</i>	
Session 4: Community perspective		Chair: Mperekeng Chiloane: Chair Mapulaneng Land Claims Coordinating Committee
2.00 – 2.30	Cape Vidal Memorandum	Livingstone Maluleke
2.30 – 4.15	Community Presentations and Discussion	Chair
4.15 – 4.30	Day 1 wrap up and announcements	Chair
6.30 –	<i>DINNER AND ENTERTAINMENT</i>	
Evening	Facilitators' meeting	

DAY 2: TUESDAY, 26 OCTOBER

Session 5: Working Groups		Chair: Fundisile Mketeni (DDG DEAT)
8.00 – 8.15	Welcome and announcements	Chair
8.15 – 9.00	Introduction to the working groups	
9.00 – 11.00	Working groups	Facilitators
	1. Implementing the Protected Areas Act	Bronwyn James
	2. Land Reform and conservation	Anthea Stevens
	3. Access And Benefits	Ngcali Nomtshongwana
	4. Co-management	Kule Chitepo
	5. Community Public Private Partnerships	Steve Collins
11.00 – 11.30	<i>TEA / COFFEE</i>	
11.30 – 1.00	Working groups, continued	Facilitators
1.00 – 2.00	<i>LUNCH</i> <i>Facilitators meet</i>	
2.00 – 3.30	Working groups, continued	Facilitators
3.30 – 4.00	<i>TEA / COFFEE</i>	
4.00 – 5.00	Plenary: short highlights from working groups	Chair
5.00 – 5.15	Day 2 wrap up and announcements	Chair
6.30 –	<i>DINNER AND ENTERTAINMENT</i>	
Evening	Facilitators' meeting	

DAY 3: WEDNESDAY, 27 OCTOBER

Session 6: Plan of Operations (plenary)		Chair: Fundisile Mketeni (DDG DEAT)
8.00 – 8.15	Welcome and announcements	Chair
8.15 – 11.00	Working group report back presentations	Rapporteurs / chair
11.00 – 11.30	<i>TEA / COFFEE</i>	
11.30 – 12.30	Key agencies respond (DEAT, Conservation Agencies)	Agency representatives
12.30 – 1.00	Way forward & Summary	Ngcali Nomtshongwana, Skumsa Mancotywa, Steve Collins
1.00 – 1.15	Closure	DEAT DDG
1.15 – 2.15	<i>LUNCH & DEPARTURE</i>	

Annexure 2: Community Experiences with People and Parks

Access and Benefit Sharing

Makuleke

- Joint Management Board in 5th year btw SANParks, community & Government
- Access is not a problem for Board members, but is a problem to the community at large
- People are not informed about access procedures and expect access at gate where they are turned away
- No communication btw JMB and the people on the ground
- Been waiting for Resource Use Policy from SANParks for 3 years in order for a workshop of the JMB.
- The only access available is the hunting concession and not with regards fuelwood and medicinal plants

Mpumalanga Parks Board (MPB)

- MPB has no policy in place regarding resource utilization
- Each reserve needs to address resources in their own cases
- Have community forums and aim to allow access for utilization on a specific day
- People collecting resources are often old and the park has to be able to control this for the people's safety
- Park wants to ensure that the amount taken out is sustainable
- Ecologists concerned as they don't know the sustainable limits of plants
- Very little attention given to benefit issues even though they are often spoken about

Co-management

Makuleke

- Joint management board established with the mandate to manage conservation issues in the area only

- Difficult to ensure that all parties adhere to the decisions of the management board since they sometimes don't agree with the board
- Need for community representatives in the Co-management structure to work extra hard to get what is due to them
- Challenge for the community representatives (with little or no conservation management experience) having to engage with an experienced partner

Richtersveld National Park

- Community partner not sure of what they wanted to do with the land
- Lack of understanding by community partner of what the Co-management structure is for prior to entering into the agreement
- SANParks undermining the community partner by taking unilateral decision in and outside the Co-management structure
- Continuity in the use of previous policies
- Richtersveld community is against co-management agreement.

Eastern Cape Parks Board (Dwesa Cebe)

- Conflict-ridden community partner in the Co-management structure
- Lack of continuity in the community representatives (Trust members) in the Co-management structure
- Lack of a Business Plan and therefore direction and goals to be achieved
- Community funds kept (unspent) under provincial parks board (ECDC) and other accounts due to dis-functionality of the community Trust

Community Public Private Partnership

Bourlea's Luck Project

- Hotel Development with open tenders for communities for small businesses
- Fresh product for the hotel is bought from local communities

- Small business development training as well as hospitality training
- Creation of permanent jobs
- Benefiting more than 300 people
- Community represented through the mayor of the municipality as well as the civic organisations of each of the villages
- Supported by IDP as a tourism and development site

Makuleka

- Everyone in community were convinced that conservation and tourism was the way to go
- Two private sector operators involved in the management of the park (one deals with wilderness safaris)
- Have engaged several Departments for assistance
- Municipality implementing IDP projects
- SANParks sits on Joint Management Board and provides skills transfer

Meikaya

- Community in Elers Kloof
- Projects that benefit the community and ensure sustainable use of resources
- Community owns and manages projects
- Brought in the Westbank community for support
- Producing oil form Bocho which is sold overseas
- Other projects: cultural, craft and dance
- Working closely with traditional healers for advice and support

Land Reform and Conservation

Phalaborwa

- 500 m from border of Kruger Park, 70 communities are adjacent to park
- Communities were removed due to the discovery of copper.
- Land claims for the area have been made in early 1995.
- Cases are handled by lawyers who have conflict of interest: community is lacking in control.

Usuthu community

- Bordering Thembe Elephant park in KZN
- Claim has been lodged and registered with land claims committee, but no progress has been made

Bunyani

- Claim was lodged in 1995 but no progress so far

KwaJobe

- Claim lodged in 1998, community awaits result.

Covie Community in Tstistikamma

- Were one of the first communities to lodge a claim.
- Are in the process of settling claim: a memorandum of understanding has been signed

Tentergate Tsolwanane Game Reserve

- Community members have different interests in the land: the area that they have is not big enough for conservation and livestock
- The process of claiming land has not begin.

Ndumo

- Claim launched in 1997, 1262 hectares under claim.
- Community evicted 1947 - 1960 community was evicted
- Settlement discussions started in 2000: the community had ideas of using the land for agricultural production.
- Agreed that Ndumo be split into two zones, one for conservation and one for agriculture: the traditional leader coerced them to sign without reading
- Ezemvelo KZN agreed that land can be used for agricultural purposes on the condition that the community donate part of land never claimed to neighbouring park

Mngobukozi

- Community has a claim over Makasa, Mukusi, Bishop's Farm and Phinda Game Reserve
- Problem with the land under the traditional leader who was constantly making concessions on behalf of the community to whites

- Gmmede was established as a community nature reserve, with a claim lodged with Land Affairs in 1995
- They need intervention assistance

Hluhluwe/Umfolozi

- Area has been protected since 1945 claim lodged in 1996
- Claim is currently being evaluated and they are awaiting negotiation

Gannahoek Community

- Evicted from farms in 1976 and brought to a township.
- In 1998 they were assisted by a teacher to approach Land Affairs in hopes of returning to original place of residence: the claim was validated.
- Since then, they have been told that Land Affairs has been negotiating with farmers: the land is now private game farms.

Silindokuhle-Weenen

- People were removed from 7 areas which involve 10 farms close to Weenen nature reserve
- KZN wildlife hopes to help advance conservation objectives together
- The claim is at advanced stage of purchasing agreement with farmers
- Community wants to take over operation of game farms

Gomba community

- Launched claim earlier this year
- Plans to establish communal nature reserve with Ntlangwini

Strengthening and the Expansion of the Protected Areas Network

Madikwe

- Management plan development outlining benefit in place
- Frustration- structures not honouring management plan
- No robust institutional arrangements
- Ever changing face of government cause broken promises.

- No ownership
- Unresolved rights issues

Highveld land

- Land administration example
- Cant do much till land administration sorted
- Deproclaiming Lombard.
- World heritage site: Vredefort dam.
- Cross provincial boundaries
- Land claims and mainly game farms adjacent to protected areas
- Need the right mix of management, i.e. representative of conservancies
- Communities claiming same land, not defining boundaries
- Land ownership must go to the community.

Lebaklani- Pilansberg

- Community have no access to information about land auditing to define land ownership (with DLA)
- Access to information should be mandated by Government
- Unclear when to include communities in institutional arrangements
- Implementation plan- what is acceptable to community and breaking barriers and ice with communities
- Ownership by communities of original vision
- Corporal social responsibility: provided the fencing to fence in game.

Riverbend Addo

- Not covered by law
- Private sector conflict with community conservancies
- Conflict within community: managing conflict within the community necessary
- Community members needs guarantees and land tenure security.

Annexure 3: Action Plan

Key Intervention Areas

1. Access and Benefit Sharing
2. Co-management
3. Community Public Private Partnership
4. Land reform and conservation
5. Strengthening and Expansion of the Protected Areas Network
6. Input on Regulations in terms of the Protected Areas Act

1. ACCESS AND BENEFIT SHARING

Responses	Action/process	Time Frame							Institution responsible	Partners	Costs	Milestones
		End 2004	1 st ¼ 2005	2 nd ¼ 2005	3 rd ¼ 2005	4 th ¼ 2005	2007	2010				
DETERMINING BENEFICIARIES												
1	Clarify issues around demarcation / beneficiaries 1.1 Benefit sharing Guidelines to set criteria to address the different rights of different beneficiaries	x	x	x					DEAT (look at international guidelines already in place to fast-track this process)			National guidelines / policy on resource use Guidelines / policy on resource use by conservation
		x										

Responses	Action/process	Time Frame							Institution responsible	Partners	Costs	Milestones
		End 2004	1 st ¼ 2005	2 nd ¼ 2005	3 rd ¼ 2005	4 th ¼ 2005	2007	2010				
	1.2 Incorporate elements of guidelines into PA Act regulations	x	x	x								agencies
SECURE ACCESS TO AND BENEFITS FROM NATURAL AND CULTURAL RESOURCES												
2	2 Lack of consistent policy among parks on resource use	2.1 Broad National policy guidelines on resource use										National guidelines / policy on resource use Guidelines / policy on resource use by conservation agencies
		2.2 Neighbourhood Policies on resource use by all conservation agencies					x					
3	Lack of participatory park management plans to guide resource use											Local management plans for Pas
4	Need to formalise arrangements with resource user groups (distinguish between subsistence and commercial use)	4.1 Develop Pro-forma licensing agreement										Proforma and Licensing Agreements

Responses	Action/process	Time Frame							Institution responsible	Partners	Costs	Milestones
		End 2004	1st ¼ 2005	2nd ¼ 2005	3rd ¼ 2005	4th ¼ 2005	2007	2010				
	4.2 Licensing Agreement for interest groups must be formulated regarding commercial and subsistence access to resources							x				
5	5.1 Initiate and support establishment medicinal plant nurseries and gardens	x	x	x	x	x	x	x	DEAT, PRU, SETA and private sector		Gardens/nurseries Species specific guidelines	
	5.2 Curb illegal harvesting by collectors by introducing licensing agreements with healers associations							x				
	5.3 Both healers and commercial gatherers trained on propagation and cultivation techniques							x				
6	Benefits from hunting do not accrue to communities							x			Communities receive benefits from 'problem animals'	
SECURE ACCESS TO ECONOMIC DEVELOPMENT AND TOURISM OPPORTUNITIES												
7	Community excluded from tourism tendering processes and other related initiatives (covered by CPPP and co-management groups)							x		private sector		Procurement procedures
8	Tourism Developers and conservation agencies must ensure local produce is used and local companies supported							x		DTI;		Curio shops and crafters sell "proudly South African" products

Responses	Action/process	Time Frame						Institution responsible	Partners	Costs	Milestones
		End 2004	1 st ¼ 2005	2 nd ¼ 2005	3 rd ¼ 2005	4 th ¼ 2005	2007				
SECURE ACCESS TO SKILLS AND JOBS											
9	Skills Training to allow local communities to be shareholders in all parks development business				x			Conservation agencies	SETA Public Works Prog. Depts Labour, Education, Local Govt National SETA to include enviro. education		Yellow pages of skills for different Pas Trained community members
	9.1 Areas need to formulate skills databases "yellow pages" of what skills exist in the local communities										
	9.2 Retraining of local people for jobs and park services such as conservation.										
SECURE ACCESS TO EDUCATION AND RECREATIONAL OPPORTUNITIES											
10	Lack of free access to PAs by communities for recreation. Need assistance with transport to and from parks. Still a hindrance even with free access for educational purposes.										
	10.1 Parks should facilitate transport arrangement to promote park visits by the locals. Look at Kirstenbosch Gardens initiative of a sponsored bus going to schools every day. Other options with sponsorship.						x		Dept Education, Dept Transport and Private sector		Transport to PA's for schoolchildren and community members
INSTITUTIONAL ARRANGEMENTS NEED TO BE IN PLACE TO SECURE BENEFITS FOR COMMUNITIES											

Responses	Action/process	Time Frame							Institution responsible	Partners	Costs	Milestones
		End 2004	1 st ¼ 2005	2 nd ¼ 2005	3 rd ¼ 2005	4 th ¼ 2005	2007	2010				
1 1 Establishment of park forums in certain areas where they don't exist to manage access and benefit sharing arrangements; Weak community structures to adequately address park management issues	11.1								Community with assistance from Conservation Agencies / local government / NGOs / chiefs			Park Forums established for all PA's
	11.2 Organise and empower local structure by forming legal community park fora				x							
	11.3 Use of Community Development Workers as support agents		x	x	x	x	x					
	11.4 Look at DWAF guidelines for setting up legal entities		x									
1 2 Local government are not adequately involved in PA management	12.1 Involve local municipality officials in park forums to strengthen links btw IDP's and conservation agencies							x	Conservation agencies	DPLG, Donors		Involvement of local govt in PA structures

Responses	Action/process	Time Frame						Institution responsible	Partners	Costs	Milestones
		End 2004	1 st ¼ 2005	2 nd ¼ 2005	3 rd ¼ 2005	4 th ¼ 2005	2007				
	12.3 Ensure local government is capacitated about environmental issues on the ground						X				
COMMUNICATION AND INFORMATION ABOUT ACCESSIBLE AREAS (DOES AND DONT'S)											
13 Communication between parks and communities and about new parks policies needs to be improved	13.1 Local media (radio/print/TV)							X			
	13.3 Information in local languages	X	X	X	X	X					
	13.4 Workshops held with all stakeholders to ensure understanding of new protected areas act, guidelines and management plans						X				
	13.5 Find a way of 'branding' community rights regarding the benefits that can be gleaned from PA's			X							
	13.6 Curriculum Development for education on rights and responsibilities							X			

Popular pamphlets, translated
Workshops held
Widespread understanding of the benefits from Pas
Curricula include rights-based issues, associated responsibilities and the benefits of Pas
Tender information is obtained by all
Access rules are understood

Govt communication (GCIS)
Dept Arts & Culture: translation

Conservation agencies
DEAT: formulating information about acts
Park management and
Conservation agencies
DEAT communications

Responses	Action/process	Time Frame							Institution responsible	Partners	Costs	Milestones
		End 2004	1 st ¼ 2005	2 nd ¼ 2005	3 rd ¼ 2005	4 th ¼ 2005	2007	2010				
	13.7 Signs indicating accessible areas, do and don'ts posted							X				by all

2. CO-MANAGEMENT

Responses	Action/process	Time Frame	Institution responsible	Partners	Costs	Milestones
SOCIAL ISSUES						
1	Cohesiveness and consensus within communities essential for co-management 1.1 Management plans must be developed in a participatory manner and before formal agreements are reached. 1.2 Awareness raising campaigns for improved understanding will reduce conflict etc.					
				X		
			DEAT must lead (implementing agencies KZN Wildlife, SANP, ECNCB)			
			DEAT must lead (implementing agencies KZN Wildlife, SANP, ECNCB)			

Responses	Action/process	Time Frame							Institution responsible	Partners	Costs	Milestones
		End 2004	1 st ¼ 2005	2 nd ¼ 2005	3 rd ¼ 2005	4 th ¼ 2005	2007	2010				
	1.3 Need to recognise conflicting social structures and (personal) conflicting interest (chiefs verses municipalities)	x	x	x					DEAT must fast track clarifying policy			
STRUCTURE ROLES AND RESPONSIBILITIES												
2	Need clarity in terms of mandate, roles and responsibilities in co-management	2.1 Communicate what structures (legal/legitimate) exist at all levels			x				DEAT			
		2.2 Need to develop guidelines on how to engage with the various structures				x			DEAT, conservation agencies, communities and NGO's			
		2.3 Capacity building for co-mgt stakeholders to understand and exercise power accountability and rights					x			DEAT, conservation agencies, communities and NGO's		
POLICY AND LEGISLATION												
3	Clear policy guidelines and mechanisms for monitoring needed	3.1 Summary of all relevant policy with regards to co-mgt in a user friendly manual/toolbox			x				DEAT, Provincial authorities			

Responses	Action/process	Time Frame						Institution responsible	Partners	Costs	Milestones
		End 2004	1 st ¼ 2005	2 nd ¼ 2005	3 rd ¼ 2005	4 th ¼ 2005	2007				
	3.2 Develop a manual for co-mgt (simple and relevant)				X			DEAT, Provincial authorities			
CAPACITY BUILDING											
4	Community skills and capacity building needed for more effective conservation mgt and empowered community decision making			X				Provincial authorities			
CONTEXT AND APPLICATION											
5	Need to understand co-management on communal, state and private land		X					DEAT			
PARTICIPATION											
6	Community involvement, consultation and participation necessary						X	All stakeholders			
	6.1 Participation of various stakeholders should take place										
	6.2 Integration and coordination of 3 tiers of govt						X	Government at all levels, DEAT to take the lead			

3. COMMUNITY PUBLIC PRIVATE PARTNERSHIPS

Responses	Action/process	Time Frame	Institution responsible	Partners	Costs	Milestones
PARTNERSHIP WITH THE PRIVATE SECTOR ARE FRUSTRATED BY 'TRUSTEE' ROLE OF DLA						

Responses	Action/process	Time Frame							Institution responsible	Partners	Costs	Milestones
		End 2004	1 st ¼ 2005	2 nd ¼ 2005	3 rd ¼ 2005	4 th ¼ 2005	2007	2010				
1	Communities, conservation and DEAT must agree with DLA about ways to fast-track legitimate conservation and tourism applications.	1.1 DEAT & DLA need to meet to clarify and discuss land lease issues	xx						DLA DEAT to meet with DLA. (Who in DEAT will take responsibility for driving up the process of setting up this process with DLA)			Report back to all participants of the outcome of the meeting between DEAT and DLA PPP's on communal land
2	Until the CLRA act is implemented we will have the use the existing procedures. We therefore need to all agree on them.	2.1 Create step by step procedures manual endorsed by DLA and DEAT.	x	x					DEAT should propose the creation of a manual and get DLA buy in.			Agreement with DLA. Appointment of consultant to draft manual. Production and distribution of the manual.
3	Need to establish if the Communal Land Rights Act will facilitate or frustrate Partnerships.	3.1 DLA and DEAT should agree to test C.L.R.A (communal land rights act) process to see how Beneficial Partnerships can be created.	x						DLA. DEAT (ministerial level) to meet with DLA and clarify the implications of the CLRA on PPP's.			Meeting between DEAT and DLA Process to clarify implications complete Joint testing of CLRA begins as part of the roll-out of the CLRA.

Responses	Action/process	Time Frame						Institution responsible	Partners	Costs	Milestones
		End 2004	1 st ¼ 2005	2 nd ¼ 2005	3 rd ¼ 2005	4 th ¼ 2005	2007				
LACK OF PRE AND POST SETTLEMENT SUPPORT UNDERMINE A FAIR CPPP'S											
4	Help DLA and the Land Claims Commission give pre and post claim support to communities to facilitate CPPP's.	<p>4.1 DEAT to facilitate a workshop with the LCC and DLA about what kind of support is needed covering issues of:</p> <ul style="list-style-type: none"> • Generic steps and issues for entering CPPP's. • Ex of agreements that encourage community commercial rights. • How to look at all possible land uses, conservation and tourism • Post settlement must be part of the IDP and local government plans • How conservation officials can help facilitate empowering settlement agreements? • How external advisors can give communities proper advice. 	x					Land Claims Commission DLA Conservation agencies should build the knowledge and capacity of staff to advise communities.			Outcomes of meeting between DEAT, DLA & LCC reported to participants.
STALLED OR DELAYED PROJECTS											
5	Ask for DEAT assistance when projects are unfairly blocked or delayed by conservation officials.	<p>5.1 DEAT to establish status quo of several important signed up concessions that have been stalled.</p>	x					DEAT DTI (They are developing a manual for government officials on Eco-tourism PPPs)			The long promised delivery of PPPs begins to happen. Each park should develop a report of the flows of benefits

Responses	Action/process	Time Frame							Institution responsible	Partners	Costs	Milestones
		End 2004	1 st ¼ 2005	2 nd ¼ 2005	3 rd ¼ 2005	4 th ¼ 2005	2007	2010				
	5.2 DEAT should attempt to facilitate agreements between communities and conservations on how to co-operate and not frustrate partnership projects. (See list of projects that DEAT should monitor progress on. Table: Critical CPPP's)		x	x	x	x	x					to communities via PPPs.
6	Training promised by the THETA and TEP is not provided undermining project implementation		x					DOL and THETA				Clarity on whether TEP and Theta can be relied on in planning projects.

Table: Critical CPPP's

Community	Park	Project & Scale	Indicators of movement
Makuleke	KNP	Wilderness Safaries: 80 mio	Banghazi, title deed
Ndumo	Ndumo Game Reserve		Claim settled, no title deed
Mkambati		Wilderness Safaries: 70 mio	No title deed. Title deeds until the end of this year. Contacted by January.
Legophung &	Madikwe	2 Lodges (1 constructed, 1 under construction)	Lets see in a years time what happened

Malatedi				
Tembe	Tembe Elephant Park	No title deed		
Sokhulu		Need paper work for community tourism concession		
Kalahari	1 Lodge	No operator identified		
Madimbo	In Limpopo	Intending to do farming and mining	Resolution of Madimbo corridor use by the community (land reform issue)	
Nietverdiend Supingstad	Madikwe	Concessions for developing a lodge		

4. LAND REFORM AND CONSERVATION

Responses	Action/process	Time Frame						Institution responsible	Partners	Costs	Milestones	
		End 2004	1 st ¼ 2005	2 nd ¼ 2005	3 rd ¼ 2005	4 th ¼ 2005	2007					2010
CAPACITY IN CLAIMS PROCESS												
1	Better retention of LCC staff	1.1 Increased job security, incentive packages	x							LCC	LCC	Increased no. of claims settled
2	Increased existing staff capacity	2.1 Train and appoint more staff including recent graduates	X							Service Providers Existing Employees	LCC	Settle all claims by June 2005
		2.2 Outsource Legal issues and LCC activities (formation of CPA & Trusts)	x							Service Providers Existing Employees		

Responses	Action/process	Time Frame							Institution responsible	Partners	Costs	Milestones
		End 2004	1st 1/4 2005	2nd 1/4 2005	3rd 1/4 2005	4th 1/4 2005	2007	2010				
	2.3 Training on Legal aspects		x						LCC & NGOs			
COMMUNICATION AND FEEDBACK												
3	Improve Communication with all relevant stakeholders		X						LCC			Communication strategy developed
	Clarity on roles of different government departments	x							Community			
		3.1 Communication Strategy development	x						LCC and stakeholders			
4	Increased communication with claimants	3.2 Delegation of community contact person	x						LCC officials			Informed communities and stakeholders (to assist with conflict management)
		3.3 Monthly point of contact b/w claimants and LCC officer	x						Communities themselves/CPAs and Trusts			
		4.1 Meetings & Workshops with claimant groups quarterly		x	x	x			NGOs to mediate correspondence			
		4.2 Media and television coverage of issues		X					DEAT, NGOs, Commission, DLA and all conservation agencies			Commitment around umbrella body
5	Monitoring Group to assess progress on community issues											
	4.3 Increased correspondence between groups		X									
	5.1 Broaden participation in annual forum						x					

Responses	Action/process	Time Frame							Institution responsible	Partners	Costs	Milestones
		End 2004	1 st ¼ 2005	2 nd ¼ 2005	3 rd ¼ 2005	4 th ¼ 2005	2007	2010				
	5.2 Umbrella body should be formed to distribute information and delegate roles in process and for annual forum		X									
INSTITUTIONAL LINKAGES												
6	Better understanding of roles and responsibilities of different groups after validation	6.1 MOU drawn up to guide preparation towards final settlement (42D)	X						LCC and All stakeholders			MOU / policy document
		6.2 Policy document to ensure engagement of and Roles and Responsibilities all stakeholders by government in process, post-validation		X					DEAT and DALA Ministers			
7	Bring All relevant stakeholders into process earlier	7.1 Identify stakeholders	X						LCC and claimant groups		All stakeholders excepting communities	Stakeholder forum meeting on ongoing basis Multi-stakeholder progress in settlement process
		7.2 Set up local multi-stakeholder forum		X								
CLAIMANTS CAPACITY BUILDING												

Responses	Action/process	Time Frame							Institution responsible	Partners	Costs	Milestones
		End 2004	1st 1/4 2005	2nd 1/4 2005	3rd 1/4 2005	4th 1/4 2005	2007	2010				
8	Education and Skill development	8.1 Training on land restitution issues in workshops immediately after validation (management skills, business, nature conservation, protected area management etc.)		x					DEAT & Nature Conservation & Tourism Authorities LCC to provide summary of rights and process		Govt Depts - Dept. of Economic Affairs, DEAT	Pamphlets and Workshops
9	Exposing communities to others with similar experiences	9.1 Visits to other areas with claims Annual forum / workshop				x			NGOS DEAT, LCC		NGOs, DEAT, LCC	Visits, annual forum
10	Prioritize Land Claims in Protected areas as done by DWAF claims	10.1 Approach Commissioner to fast-track PA claims (regarding natural heritage in SA) 10.2 Disclosure of reliable information on park claims; How many, where in the process, sharing of agreements, constitutions etc.	x						Commission			PA claims clustered and prioritised
CONFLICTS												
11	Community Conflict Management	11.1 Committees should be formed and trained in conflict resolution				x			Community to identify committee CPA, LCC and NGOs			Committees formed, plans developed

Responses	Action/process	Time Frame							Institution responsible	Partners	Costs	Milestones
		End 2004	1 st 1/2 2005	2 nd 1/2 2005	3 rd 1/2 2005	4 th 1/2 2005	2007	2010				
<p>Ensuring Community is updated on progress of claim and process</p> <p>Internal/External Conflict Management</p>	11.2 Explain and clarify long and short term benefits and rights issues to community members		X						LCC and legal reps to train			Regular communication updates
	11.3 Develop management/benefit sharing plan			X								
	11.4 Traditional leaders, where recognized, should also be included in conflict resolution structures					X						
	11.5 Regular feedback from Commission to claimants	X		X								
	11.6 Facilitators should be appointed (e.g. ombudsman)		X									
SHARING OF IDEAS												
12 Learning between claimants and claims	12.1 Annual conferences				X			X	Nature Conservation Agencies and DEAT			
	12.2 Regional conferences (twice/yr)					X		X				
	12.3 Exchange of visits between claimant groups							X	LCC and Provincial Authorities			

Responses	Action/process	Time Frame							Institution responsible	Partners	Costs	Milestones
		End 2004	1 st 1/4 2005	2 nd 1/4 2005	3 rd 1/4 2005	4 th 1/4 2005	2007	2010				
	12.4 Sharing settlement agreements thus far			x				x				
OPTIONS												
13	Addressing land-use options	13.1 Research on land-use options	x							Nature Conservation Agencies and LCC		
		13.2 Communication of options to community (e.g. disseminate contents of cabinet memo to community groups)	x	x	x	x	x	x		DEAT		
		13.3 Agreement should be formed on access rights	x							Claimants and Park Authorities		
14	Appropriate choice of entities	14.1 The choice of entity needs to fit the purposes for which the land is to be used, so, legal entity formation can only be finalised once the business planning and land rights and benefit sharing has been completed.		X						DLA, Commission, legal advisors		Community understanding of choices available to them
		14.2 Workshops	x	X	x	x	x	x				
BURNING ISSUES												

Responses	Action/process	Time Frame							Institution responsible	Partners	Costs	Milestones
		End 2004	1st ¼ 2005	2nd ¼ 2005	3rd ¼ 2005	4th ¼ 2005	2007	2010				
15	Concern regarding Presidential Directive to settle claims by Dec 2005 will lead to rushed settlements	15.1 Possibly to address this by prioritising claims in PA's as they affect issues of national heritage		X					DEAT			
16	Deeply concerned about the impact that the Communal Land Rights Act will have on governance, rights and benefit sharing by previously dispossessed communities (e.g. community demarcation according to tribal authority boundaries and rule by traditional councils)	16.1 DLA to explain to communities how they will be affected by the Communal Land Rights Act		X					DEAT, DLA, Commission			

5. STRENGTHENING AND EXPANSION THE PROTECTED AREAS NETWORK

BIODIVERSITY PRIORITY AREAS/BIOREGIONS											
1	Communication of biodiversity priority areas made available to prospective communities including socio-economic implications of PA expansion	1.1 Develop communication strategy for NBSAP.							x	DEAT/SANBI	Brochures/medi a produced Declaration by communities/ proponents to expand specific areas
		1.2 Convene consultation and briefing sessions around expansion opportunities.							x	DEAT	
LEGAL AND POLICY FRAMEWORK AND INSTITUTIONAL ARRANGEMENTS											

Responses	Action/process	Time Frame							Institution responsible	Partners	Costs	Milestones
		End 2004	1 st ¼ 2005	2 nd ¼ 2005	3 rd ¼ 2005	4 th ¼ 2005	2007	2010				
2	Effective communication of relevant sections of policy and protected areas act				x				DEAT			Published material.
TIME FRAME FOR COMMUNITY INVOLVEMENT												
3	Robust institutional arrangements exist for the establishment of PA's at political, community and conservation agency levels, including linkages.								DEAT, IUCN & others			Guidelines drafted Guidelines reviewed Guidelines published Interpretation workshops with communities and disseminated
	3.1 Review existing guidelines, e.g. CBNRM						x					
	3.2 Establish national guidelines for protected area establishment/expansion including institutional arrangements, time frames for participation.							x				
TYPES OF PROTECTED AREAS												
4	The PA regulations specify clear use options for each zone per PA category.								DEAT/ IUCN, conservation agencies and communities (via people and parks) and existing park forums			Draft and circulate regs. Comments received/regulations reviewed Regulations finalised.
	4.1 Convene a workshop with conservation authorities to clarify use zones across various PA types.							x				
	4.2 Convene meetings with specific communities to provide inputs/ review to the regulations and interpretation thereof											

Responses	Action/process	Time Frame							Institution responsible	Partners	Costs	Milestones
		End 2004	1 st ¼ 2005	2 nd ¼ 2005	3 rd ¼ 2005	4 th ¼ 2005	2007	2010				
IMPLICATIONS AND IMPACTS OF COMMUNAL LAND RIGHTS ACT												
5	Clarity on impacts of communal land rights act with respect to protected areas expansion exists	5.1 Request a report/submission from DLA to clarify w.r.t. key issues	x	X					DG DEAT to draft letter to DLA, focal point to be identified			Letter sent, report received
MOBILISE CAPITAL ASSETS IN RESTITUTION BUY OUT												
6	Awareness raised with DLA and Chief Land Claims Commission with respect to restitution in game farms where wildlife is not compensated for.	6.1 Draft a letter from DEAT to CLCC		X					DEAT and CLCC			Letter circulated and response received
RESTORATION												
7	Degraded ecosystems restored for incorporation in PA expansion as a means to poverty alleviation and job creation.	7.1 Promote and contract partnerships with relevant agencies involved in restoration in support of PA expansion		X					EPWP, WFW, Land Care			Partnerships commitments secured and contractual agreements signed
		7.2 Explore financial mechanisms to support restoration and rehabilitation of areas suitable for PA expansion (working for water, poverty funds ...bringing in partnerships)						x				Suite of financial instruments evaluated
RESETTLEMENT POLICY												

Responses	Action/process	Time Frame							Institution responsible	Partners	Costs	Milestones
		End 2004	1 st ¼ 2005	2 nd ¼ 2005	3 rd ¼ 2005	4 th ¼ 2005	2007	2010				
8	Physical resettlement to be avoided at all costs. If last justifiable option then must improve human well being, must be voluntary and achieved through free, prior, and informed consent (must uphold labour and tenants rights)								DEAT/World Bank			Resettlement policy finalised
	8.1. Develop national resettlement policy					x						
	8.2 Develop relevant regulations that guide resettlement issues							x				
COMMUNITY CONSERVANCIES AND BIOSPHERES												
9	PA Act is silent on this. Law reform and regulations needed	9.1 Development of code of conduct for conservancies						x		Provincial/NGO		Regulations or code of conduct
		9.2 Development of legal review to include conservancies in PA act						x		By conservancies themselves (Geoff Cowen, DEAT)		
CONFLICT MANAGEMENT FRAMEWORK												
10	Potential conflict around development of new PA's mitigated effectively	10.1 Implement training models for conflict management for relevant community structures						X		INTAC/THETA		Training courses completed

Responses	Action/process	Time Frame							Institution responsible	Partners	Costs	Milestones
		End 2004	1 st ½ 2005	2 nd ½ 2005	3 rd ½ 2005	4 th ½ 2005	2007	2010				
	10.2 Local government/ facilitators to management conflicts around select PA initiatives				X			Experts/ Lawyers			Mitigating conflict	
RECONCILING CONFLICTING LAND USES												
11	Demonstrate the value/ benefits of biodiversity conservation as a land use. 11.2 Feasibility study- conduct a SEA on land use options per site/region and integrate with SDF						x	Community/proponent Conservation agency			SEA feasibility report per area/ region	
CAPACITY BUILDING TO STRANGTHEN PROTECTED AREAS NETWORK												
12	Strengthen capacity of local government, affected communities and conservation agencies to plan PA expansion i.e. train the trainer collaboration						x	THETA/INTAC			Training courses held. Needs analysis complete Expand to other parks	
	12.1 Undertake training around methods and tools including participation framework.											
	12.2 Conduct needs analysis						x	DEAT				
	12.3 Expand Kids and Parks initiative						x	DEAT				
DEVELOPMENT PHASING												

Responses	Action/process	Time Frame							Institution responsible	Partners	Costs	Milestones
		End 2004	1st ¼ 2005	2nd ¼ 2005	3rd ¼ 2005	4th ¼ 2005	2007	2010				
13	Short term costs offset (financial and economic) that often occur with slow phasing in of development benefits of new parks.	13.1 Identify a suite of financial and economic instruments (EPWP, poverty funds, subsidies, etc.) to offset short term costs.		x					DEAT, conservation agency.			Financial and economic instruments exist, PA planning strategy, business plan, LED strategic framework. Norms and standards for indicators. Skills development programmes implemented
		13.2 Implement re-skilling programmes to convert community skills to conservation and tourism.					x		DEAT			
RESEARCH IN MONITORING/BASELINE SURVEYS												
14	Improved application of indigenous and traditional knowledge	14.1 Document and collate I&T knowledge							x			Documents developed
		14.2 Integrate I&T knowledge with management and development plans (incl. monitoring of species)							x			Management and development plans include I&T knowledge

Responses	Action/process	Time Frame							Institution responsible	Partners	Costs	Milestones
		End 2004	1 st ½ 2005	2 nd ½ 2005	3 rd ½ 2005	4 th ½ 2005	2007	2010				
	14.3 Develop community research capacity through PRA and other techniques						x					
DEPROCLAMATION/LAND SWOPPING												
1	Mutual agreement on a land swap that benefits communities and conservation.											Agreement in place
5	15.1 Project basis, identify available land to trade (SEA).							x				Proponent/ community, conservation agency

Annexure 4: Comments on Regulations for Protected Areas Act

A. COMMUNITY REGISTERS

1. The management authority of each national park shall within 12 (Twelve) months establish and thereafter maintain a register of local communities with rights or direct or indirect interests in that national park. The items specified in 133 (5) and (6) below shall be updated on an annual basis.
2. The purpose of register shall be to provide the management authority with information about the local communities with whom it may have dealings and shall be used as a communications tool.
3. A local community register shall make provision for:

The name of each local community;

The geographic location of each local community and which municipal area they fall within;

The nature of the right or interest the local community has in that national park; with reference to legally binding written and verbal agreements and rights conferred on them by the Act Reference to whether the local community is mentioned in a management plan, and/or is party to any formal agreement with the management authority such as a co-management agreement, land availability agreement or contractual park. Make it clear that all rights and interest even if not in an agreement are reflected. Make it clear that this doesn't give new rights. The distinction between rights and interests must be maintained.

The names and contact details of the representatives of the local community;

The structures, mechanisms and manners through which the management authority will communicate with the local community concerned.; and Give examples – ad in newspaper is not enough.

A record of meetings held and correspondence exchanged between the management authority and the local community.

Categorisation of local communities into primary stakeholders, secondary stakeholders, and other interested and affected parties. Each management authority must determine criteria and use these to divide local communities into primary, secondary and other interested and affected parties. This will be done in consultation with local communities. These criteria should include: those with rights in the park, those who were dispossessed of their rights and are reclaiming them, those who live next to the park and are directly affected, those with livelihood needs, and those with an interest.

- Regulations should give more depth to what a local community is and the emphasis should be on disadvantaged communities. Local community – resident and living adjacent to parks. Those with interests are stakeholders – i.e. other affected and interested stakeholders. The emphasis should be on in or adjacent to parks and the previously disadvantaged. This is agreed.
- Criteria for Primary Stakeholders should include
 - Needs
 - Historical rights
 - Existing rights
 - Interest

Questions we need to look at?

- definition of primary and secondary stakeholders
- who is the community and which areas the Parks are referring to;
- how to deal with communities who have been removed from the area and reside some distance ;
- how to define categories of rights
- distance not the correct criteria

- how to deal with differentiation in composition of communities (eg people living there traditionally vs newcomers to the area)
 - regulation needs to define what is “community” – need to focus on historically disadvantaged communities- the Act provides for “anyone having rights or interests

Also note principle that the detail will need to differ from park to park and these regulations must allow for this.¹

B. COMMUNICATION WITH LOCAL COMMUNITIES

For purposes of the communication with local communities about all relevant matters,

1. The management authority shall:

Include all known local communities;

Endeavour to identify and communicate with all local communities through:

- a) List all options for means of communication here and say it is dependent on the circumstances The placement of community advertisements in local broadcast and print media; through community structures and large community meetings. schools, traditional structures, community newspapers, door to door by community members, community notice boards, adverts in newspapers are not too helpful – in deep rural areas this is not effective. Also note the issue of language. Add pamphlets and posters. Also get info to political structures – let all organisations know to avoid creation of conflicts.
 - b) It is a problem in practise that communication doesn't always go down to all community members, need to place responsibility on community structures to take the information to broader community meetings and also that people
 - c) Communication with the local Councillors for all municipal wards that include or adjoin the national park in question;
 - d) Communication with all known traditional and other community leaders of local communities; and/or
 - e) Such other means as may seem appropriate in the particular circumstances.
2. Provided that where a local community register has been opened, the management authority shall communicate with a local community in the manner provided for in that local community register.
 3. Ensure that relevant information including scientific, job creation, introduction of game, management issues, zoning, infrastructure, research, tenders, maintenance, expansion, institutional – decision making structures and contact details; legislation, policies and processes information – add to this other types of information as not just scientific that needs to be brought out - is made available to local communities in an appropriate and accessible manner.

¹ SANP(Alexis) – where define community they do with a 20km radius from Kruger, but in Marakele, immediate neighbours are game farmers and need to go much further to get to communities there so 20km radius doesn't work. Each park shall define clearly their stakeholders and the area within which they operate. Distance is not such a good way. Tsitsikama Ok as not such a vast amount of people. Local community = adjacent to park. But also those who were removed and they are 100km away. The definition can't be the same in each and every area. The man authority must determine the radius – each reserve must determine its own standard. People who live in the park also have rights. Also issue of new comers – do they get the same rights, no. Issue of money for this process e.g. in Kruger have 7 park forums and got them together to elect people and put their input to the elephant indaba and this cost R10 000. Parks people say they have park forums and this register is practically implementable.

4. Existing community structures should be utilised for communication but where these do not exist, they need to be created. Cross refer to A3.5 here.
5. Add: need a dedicated person or a key performance area of people's work.
6. Add language – it must be in language of the people
7. Ensure that all community structures are targeted²

C. COMMUNITIES AND MANAGEMENT PLANS

1. In complying with the community consultation requirements of Section 39 of the Act, the management authority shall ensure that the management plan includes:

- 1.1 A typology (clarify and simplify use of words) of existing and potential rights and interests in that national park;
- 1.2 A process for the determination of the existence, nature and extent of existing rights and the desirability of allowing the creation of potential rights.
- 1.3 A statement on how the exercise of such rights will be regulated.
- 1.4 A recordal of the rights and/or interest of particular local communities;
- 1.5 A typology of the potential benefits for specific local communities from that national park;
- 1.6 A process for the determination and feasibility of potential benefits for specific local communities
- 1.7 A statement on how such benefits will be realised, equitably distributed and regulated
- 1.8 The agreements if any reached with each local community regarding:
co-management of areas where local communities have rights where that is appropriate;
 - a) co-management of areas where local communities have rights where that is appropriate;
 - b) land availability agreements where appropriate;
 - c) rights and obligations of the management authority and the local community in terms of the agreement;
 - d) benefits;
 - e) roles and responsibilities regarding monitoring, reporting and adjustment;
 - f) dispute resolution.
- 1.9 Provided that all such agreements shall be reduced to writing and annexed to the management plan.
- 1.10 The Park management plan should develop overall policies for the Park and have secondary processes like local area plans to deal with details on rights, access, use, benefits etc at community level³

² Need to add other alternatives – newsletters, feedback from community forums, community notice boards, through schools and churches etc. Experience in W Cape – steering committee goes to community forum (2 reps from each location). Experience in e cape – communal land that people want to develop – 14 villages each village ash 2 or 3 reps on a committee and this is the channel for communication. The reps go to the meeting with management authority and reps go and do report back meeting at community level. Sometimes people don't give info back – the chairperson must see to it that information goes out. Need to place responsibility on community side to give the info. Need to add something about structures that are established for communication – also use existing established structures.

³ What is a management plan – need a definition in the regulations. Need to get a grip on the detail/level of the plan. Experiences - It entails everything that needs to be done in the park. World heritage Convention Act - here what is referred to here is called a conservation operational plan. SANParks is busy having a revision of their man corporate strategic plan and management plans being adapted – to redo for all parks in one year is impossible so they are going to look at taking what already exists and fill in the gaps. Problem is with public participation as there ash been minimal public participation – may pass on technical aspects but fail on public participation process. In St Lucia their plan is the vision and broad zonation but doesn't take it down to detailed level. SANP – there will be moaning but the above is needed as this is a gap and needs to be filled. Needs a lot of research re 1.4 – 1.7 to determine – should this be in a management plan or should this be dealt with in detail at a local level. Maybe need local level plans for the specifics – get the policy and principle right in the management plan and deal with detail in sub-local area planning. The steps must be there but show what must be there now and what must be there in detailed local level plans later. St Lucia can send me their draft – they were the first Act that was legally obliged to bring in communities so one can learn from this.

Process of consultation (examples could be Table Mountain and St Lucia)

1. On the overall management plan the following:

1.1 Establish a park forum with various user and stakeholder groups and whoever is on park forum is able to have input into the management plan. There is also municipal representation here.

1.2 Compile document

1.3 Meetings held to discuss these plans and get stakeholder inputs – problem that park management can see them as taking over the running of the park

1.4 With contractual parks there is a different process: need here to say that these regs don't apply to contract park: here there is a joint management process. Tsitsikama contractual park involves communities in quarterly meetings and all plans should be jointly developed and approved by the partners (e.g. Nature's Valley community). SANParks initiates the process and drafts and then sends to the NV Ratepayer's association and they make inputs – joint approval. Quarterly meetings are about monitoring the process. Where they disagree Parks Board often backs off as NV owns the land. They don't contribute to the costs. Depends on relationship between parks manager and community.

1.5 St Lucia process –had pre-consultation meetings (about 5 of these where they told people there will be a management plan and what was up for comment and what was not, felt NB to be honest with people); did a draft in English with summaries in English and Zulu; they held big public meetings (English and Zulu) and consultancy listed all concerns issues and this fed into management plan; review of plan and re-drafting; plan finalised to the Minister. The new aspect was the internal process (and still busy with it) to train their own staff internally to understand what the management plans so that they can engage properly with communities at a community level and role out a community process. This involved field ranges and others who are responsible for enforcement so that the parks authority doesn't give different messages. These were held at local level throughout the park. This involved a team with parks people and the local community on specific details. This costs R100 000 of rands and the costs are a real impediment. If you want to get beyond this being a rubber stamp process then this is a good process.

1.6 At national level need comment on the Corporate Strategic Plan

2. On the local area plan (St Lucia example)

2.1 Leadership process (traditional, municipal, CBOs etc)

2.2 Process with different user groups – need workshopping process

2.3 They want a picture of what is going to happen here, and it must be simple and easy for the community to use. Here the process is as important as the plan. The plan is not a long complex document. In some areas you have social compact agreements – a document that says what the park authority will do, and what the community will do – benefit flows, access. In other places there may be land incorporation agreements (another name for this is land availability agreement). They have a template for social compacts, but haven't implemented them yet. They have been involved in all 5 municipality's IDPs to ensure park issues are incorporated here – this is NB for infrastructure – roads, water and electricity. Most SANParks do interact with municipalities about IDPs – about relationship with local government.

It is important that the local area plans get the appropriate resources to do the local area planning.

4. How often does this need to be reviewed – every 5 years
5. Local area Plans need to be given equal attention and not sidelined in relation to devoted resources
6. Some parks input in IDP's via the review process
7. Relationship with local government is important
8. Have local government representation on Park structures

This is more feasible than the 12 month timeframe. Add cross references to heritage and cultural plans. You can have more meaningful participation if you split this – must be clearly. Propose to DEAT that they look at St Lucia experience.

9. Recognise Traditional authorities and elected authorities⁴

Critical elements

- Local level consultation
- In depth participation not just consultation
- Process has huge cost implications conflict on priorities and park officials fear process being taken over by communities
- Relationships developed by specific individuals are critical

D. CREATING OR EXPANDING NEW OR EXPANDING EXISTING PROTECTED AREAS

1. Where the Minister intends to create a new national park or expand an existing national park the Minister shall draw up a park expansion plan that will include the following:

The objectives of the creation or expansion and a strategy to obtain these objectives including prioritisation and timing.

The resource implications (human and financial) of the creation or expansion and options to address this, including the creation of contractual parks and land availability agreements.

A consultation plan setting out appropriate steps through which consultation and negotiations will take place and include the following:

- a) Mechanisms to ensure effective notice to rights holders.
- b) Mechanisms to ensure a reasonable opportunity to participate.
- c) The appointment of one or more facilitators, if appropriate, to ensure that the consultation process is conducted independently and in compliance with these regulations.

How a land rights enquiry will be conducted to determine:

- a) The legal status of the relevant land;
- b) Any obligations of the State with regard to an organ of state acting as trustee or nominal owner of the land;
- c) The existence, nature and extent of existing rights and interests of any local communities; and
- d) How the expansion or creation of a national park will impact on these rights and interests and the potential benefits it could bring.
- e) Drafting and approval of the plan needs to be done by different authorities (drafting by the park and approval by the Minister/MEC) want this as a check and balance⁵

2. The list of affected local communities shall be divided into the following categories:

Category 1: *Rights holders in Trust land* – Local communities on land held in trust by the state or an organ of state for a community or other beneficiary (referred to below as 'trust land'): those communities with a right in any such land.

⁴ Where transfrontier process exist there are more resources available for consultative processes. Also, the transfrontier process has built consultative processes that could be utilised to build up management plans

⁵ What about conflicting rights and interests. Refer to section 3.

Category 2: *Lawful occupiers* – Local communities who are lawful occupiers as defined, excluding those falling within the first category.

Category 3: Private land owners – local communities who are private landowners as defined, excluding those falling into the above categories

Category 4: Members of the public

3. The following specific steps shall be followed regarding category 1 local communities (rights holders in trust land):

The consultation and negotiation process with local communities who live on trust land shall treat the long term occupants of this land as if they were co-owners. However, because land rights are often group based, communal and/or tribally based, decisions must be taken by the majority of members of the group or tribe.

Community decisions about the proposed expansion or creation of a national park on trust land should be recorded in land rights holder resolution(s) that will contain, amongst others, the following:

- a) identification of affected land;
- b) how the land is to be made available as part of a national park;
- c) the kind of development preferred on the identified land;
- d) administration of the benefits accruing to the community or community members from the change of land use, including how benefits flowing from the agreement to make the land available for a national park will be used;
- e) how land rights holders whose rights are directly affected in the selected area will be compensated, potentially including the provision of alternative land and accommodation;
- f) the role of community structures that must be consulted in the process of implementing the agreement reached.

Any of the elements in section 3.2 may be contained in a draft co-management agreement referred to in section 42 of the Act, which is put to the community for its concurrence.

When a proposal legally requires the consent of the Minister responsible for Land Affairs, the Minister shall request that Minister to appoint an official to visit the area affected by the decision and to be present at those meeting/s where the decisions are taken.⁶

1. Need to look at how to deal with these issues in relation to Communal Land Rights Act and possible regulations that may impact as well as interim structures that have/are being developed

⁶ People quiet – a complex issue. Experience from E cape community member busy wanting to put their communal land to be proclaimed. We have many community meetings and involve land affairs. There is a programme called STEP – the idea for the reserve comes from step, land belongs to 14 communities, and officials went there to educate people and then the people said OK and then decided to take up the project. Then they went to the chiefs and community councillors and also introduced to the IDP. Then made a request to the provincial department of environmental affairs and then the department interacted with land affairs and then registered the project as a non-profit making project. They have not received a certificate yet. This is forest land. It has been fenced and there was a tender with money from DEAT and R400 000 has been spent. Now they want to introduce animals and people to start working on management.

2. Need to include Ingonyama Act here.

4. The following specific steps shall be followed for category 2 local communities (lawful occupier):

In cases where the creation or expansion may lead to involuntary resettlement the Minister shall develop a Resettlement Policy Framework to guide how they will ensure that affected people are no worse off than prior to resettlement, and preferably that they are able to benefit through the creation or expansion of the national park. This Resettlement Policy framework shall be based on the following principles:

- a) Resettlement shall be avoided or minimised as far as possible;
- b) Genuine consultation and participation with the affected people shall take place – consultation on options, not on whether a park or not; refer back to 1.3.
- c) A database of affected people and those eligibility for resettlement compensation will be drawn up;
- d) Where relocation is required, the details of this will be planned beforehand and financial assistance will be provided;
- e) Fair and equitable resettlement compensation options will be discussed with the affected lawful occupiers;
- f) Efforts will be made to provide benefits to the affected lawful occupiers;
- g) Particular attention will be paid to vulnerable sectors of the affected lawful occupiers;
- h) The management authority will budget upfront for the resettlement costs;
- i) An independent monitoring and grievance procedure shall be established;
- j) The management authority will take responsibility for proper resettlement planning and implementation.

In cases where it is clear that the creation or expansion will result in resettlement the management authority will develop a Resettlement Action Plan, guided by the Resettlement Policy Framework, which will set out a detailed plan for treating a specific situation identifying the precise resettlement impacts and the associated compensation. In such cases there shall be direct physical contact and communication between the management authority and the affected people.

5. The consultation and negotiation process with private landowners shall include the following

The provision of notice to all potentially affected private landowners by

- a) Direct visits or telephonic communication with private landowners within the area to be declared.
- b) Sending a copy of the intended declaration notice by registered post to the last known postal address of each private landowner within the area to be declared.

Where one or more private owners, individually or collectively, submit a request for their land to be declared a national park in terms of section 35, and the Minister initiates a process of negotiation with that landowner/s to reach an agreement, these procedures, with the changes required by the context, will also apply.

Discussion and negotiation with private landowners will be undertaken through

- a) Direct engagement with landowners, individually or collectively, within the area to be declared so as to reach agreement on a mutually agreeable option for the incorporation of the affected land into a national park;
- b) Receiving and considering written representations or objections by landowners within 60 days as required by section 33(2)(a).

- c) An agreement of sale or land availability agreement with a land owner, for the purposes of established or expanding a national park, shall not include a vacant occupation clause.
- d) Add something about costs and benefits being negotiated between management authority and

6. The consultation process with members of the public shall be undertaken through (make it clear this is for other people, i.e. over and above)

Publishing the proposed declaration in the Gazette and two national newspapers distributed in the area as required by section 33(1)(a).

Receiving and considering any written representations or objections by the public within 60 days as required by section 33(2)(b).

Receiving and considering any oral representations or objections by the public if the Minister or MEC deems this appropriate as required by section 33(3).

This is in addition to the consultation processes identified above

D. COMMUNITY CONTRACTUAL PARKS

1. Where a local community is desirous of having its land or part thereof declared as a national park or part thereof, it shall inform a management authority of that intention in writing.

2. A management authority shall consider such a request and:

2.1 Make an appropriate recommendation to the Minister; and

2.2 report on its findings to that local community.

2.3 This report shall include:

a) findings of the feasibility study – vegetation; types of animals; economics; possible income generation such as hunting, tourism, overnight facilities; cultural history; community issues, funding; institutional structures, training

There should be community participation in setting up the terms of reference for the study

3. In the event that a management authority recommends that the land in question be proclaimed as a national park or part thereof, its recommendation shall include:

3.1 A base-line *status quo* report including aerial photographs;

3.2 A preliminary community register;

3.3 A draft agreement between the community and the Minister which agreement must include provisions for:

a) Co-management of the area if appropriate;

b) Access to, use of and community benefit from the land in question by the community after proclamation.

4. What types of incentives are used to encourage communities to convert land to use for conservation purposes:

Tourism revenue

Medicinal harvesting

Carrying of certain maintenance costs eg clearing of invasives

Rates exemption

In talking about incentives, we need to be aware of economic realities

security is often an issue; and to stop undesirable forms of development; try to have income stream to land owners; CARA/Veld Fire Act – park will partially do the fire protection and alien control; need flexibility to bring in degrees of incentives depending on biodiversity importance; need to be realistic that creation of incentives are not always possible or appropriate especially as ; property rates – PAA says land for national park is exempt for rates and this is an incentive.

10. Need to have provision for communities to access resource people

11. Management authorities must ensure that communities are aware of regulations that will apply to their land

Need to ensure D and E refer adequately to each other⁷

E. NORMS, STANDARDS AND INDICATORS

1. A management authority must develop indicators and rules to measure and report annually on whether the management of a particular national park achieves its community oriented objectives and whether it contributes to environmental justice or not.

Need some broad norms and standards and indicators and then each management authority to develop these further.

Take the info already discussed this morning in the regulations and write it as a minimum and then develop indicators for these –

- Community register
- Communication with local communities
- Management plans
- Expanding existing or creating new protected areas
- Community contractual parks
- Biodiversity – balancing use and protection
- Benefits – balance use and protection

Looked at section 11, 43 and 86 for what kinds of norms, standards and indicators can be developed

F. APPLICATION OF REGULATIONS IN CONTRACT PARKS

Regulation * to * apply to the members of a community which is a party to contract parks, unless regulations are explicitly or by necessary implication excluded in terms of a contract parks agreement to which the Minister is a party.

Present:

Community reps – Western Cape, Kwazulu/Natal, Mpumalanga, Eastern Cape, SANParks (National, Tsitsikama), St Lucia Wetland Authority, Dept Environ Mpumalanga, Dept Environment E Cape

Way forward and process

⁷ It should be clear that this should include any land

Situation in E Cape – government of Ciskei set aside a conservation area for white vultures, but done without people's consultation, but now no control and animals are being culled.

Need to add something about cost sharing in the co-management agreement

- a) Draft community related regulations pulled together from People and Parks workshop (resp GTZ/Transform) – send regs to DEAT
- b) Informal list of people with whom we can communicate (Alexis, Halima, other volunteers)
- c) DEAT publishes regulations in January – 30 day comment period: DEAT should hold provincial workshops and 30 days is unlikely to be enough

Other points

1. Need to have regulations and guidelines – DEAT should get guidelines drafted (look at NEMA that refers to guidelines as almost part of the regulations)
2. Need to have support systems so that communities can access resource people such as lawyers – donors/DEAT establish a facilitation fund
3. The 12 month for management plans is too short – broad plan within 12 months and detailed local area plans thereafter
4. Need a review process for the regulations – 5 years as fits in with management plan review period.
5. consultation: about options but not about the park; make it clear what is the level of decision-making involved; about give and take, but decision-making is parks authority re management plans; this is not a rubber stamp – just about telling people and then you have consulted. Need a mind shift.
6. The management authority/DEAT should provide a facilitator/support person to assist the community in understanding regulations and in the negotiation process. Possibility of setting up a community facilitation fund.
7. Cost sharing needs to be put into co-management
- 8 Get list of people who are interested in reviewing draft –
9. Regulations – need accompanying guidelines.
Regulations should stipulate that guidelines **must** be considered

Annexure 5: List of workshop participants

Included as separate document.