

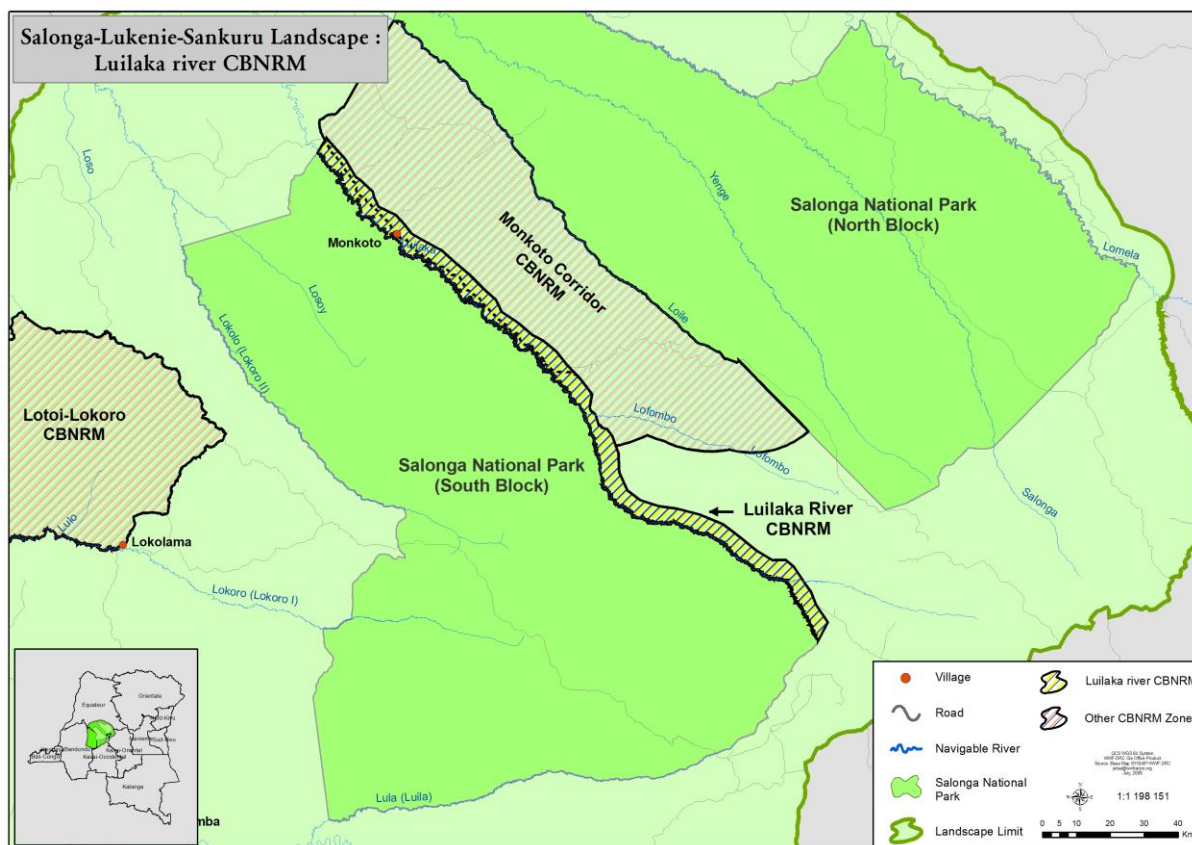


Salonga-Lukenie-Sankuru Landscape

Luilaka River CBNRM Zone:

Strategy Document for the Development of a Co-Management Plan

Lisa Steel, July 2008, WWF-DRC



1. The Planning Team

1.1 ROLE OF THE PLANNING TEAM

The Planning Team for the Luilaka River CBNRM zone will be responsible for overseeing the development of a co-management plan for the Luilaka River. Membership in the planning team will be determined by institutional and community affiliation as well as expertise.

Two different planning teams are envisioned. The first will function at the central or national level and will be mostly responsible for validating the strategy document and providing periodic oversight and technical support. The second and more active planning team will function at the local level and may evolve into the governance body of the zone. The responsibilities of these two planning teams are as follows:

General

- Finalize the draft strategy document for the development of a co-management plan for the Luilaka River (national planning team)
- Finalize the terms of reference for the local planning team and decide on how the group will function (frequency and location of meetings, etc.)
- Identify additional expertise required to develop a co-management plan
- Finalize the stakeholder participation strategy and oversee its implementation
- Finalize the information and data needs table
- Monitor the implementation of the different processes of management plan development, including stakeholder participation
- Ensure the adoption and validation of the co-management plan at Provincial and National levels

Specific to co-management plan development

- Finalize the vision and desired conditions
- Formulate the draft objectives
- Review zoning options
- Integrate different stakeholder contributions into co-management plan
- Ensure that the proposed co-management plan respects laws governing freshwater resource use and governance
- Contribute to the organization of restitution and validation meetings

This zone is unique as it is a critical area for fisher communities and a natural boundary of Salonga National Park. Unfortunately the juxtaposition of the two “uses” has led to conflict between ICCN and communities over access to the river and its resources. Consequently, the planning team will also need to play the role of peace-maker and conflict resolver, bringing together the two contentious parties. As planning team membership will include representatives of both ICCN and fishing communities, it will be necessary for a more neutral NGO (local or national) to lead the process. The need for conflict resolution expertise will be reviewed periodically as the process moves forward.

1.2. PROCESS OF IDENTIFICATION OF THE PLANNING TEAM

Planning team members will be identified according to their affiliation with key institutions, area of expertise, or their relationship to the resource base (use, management, governance). Expertise of relevant will include:

- Community organization and development
- Fisheries and freshwater management
- Park Management
- Legislation
- Fisheries and freshwater science (hydrology, ichthyology, etc.)
- GIS systems

Institutions of relevance will include ICCN and the Ministries of Environment, Interior, Agriculture and Development Rural, and Transport (specifically the '*Régie des voies fluviales*').

Planning team members will need to agree to work on a voluntary basis, be familiar with the specificities of the region, be available to participate actively and on a regular basis, and committed to the improved management of Luilaka River.

1.3 PROVISIONAL PLANNING TEAM MEMBERS

The following table depicts proposed membership in the two planning teams. This proposal will be further refined by the consortium and partners and finalized by the national planning team. As the process evolves provincial authorities may be integrated into the process on a permanent or periodic basis.

Institution	Name	Expertise
National Planning Team		
ICCN	ADT or delegate	Park Management
WWF	Community Support Officer	Community Development, CBNRM processes
WWF	Landscape Leader	Planning, Biology, PA Mgmt
Ministry of Environment	?	Freshwater Protection
Ministry of Agriculture	?	Fisheries management
Ministry of Transport	?	River navigation, transport, management
Ministry of Infrastructure and Public Works		Infrastructure development plans (ferries, bridges, dams)
GACC	To be determined	Community organization
Local Planning Team		
ICCN	Warden, Monkoto Station	Park Management
ICCN	Patrol Post Leader (2)	Park Management
WWF	Community Support Officer	Community Development, CBNRM processes
WWF/ICCN	GIS Officer	GIS systems
WWF	Park Advisor (or Landscape	Biology, park mgmt

	Leader)	
GACC	TBD	Community organization
Fisher community representatives (4)	2 women, 2 men	
Ministry of Interior	AT	Strategic institution
Local NGO or association	To be determined	
Periodic Participation		
AMNH/UNKIN	Raoul Monsembula	Taxonomy
?	?	Fisheries Legislation
?	?	Conflict Resolution Expertise

2. Information/Data Gathering

An analysis of information and data needs for the development of a co-management plan the Luilaka River CBNRM is summarized in table 1. The analysis takes into consideration physical, socioeconomic, biological, institutional, and legislative attributes of the landscape as well as threats and future trends. Data and information collection is an on-going process as noted in the table and as new needs are identified or on-going work completed the table will be updated.

Table 1: Information and Data Needs for the Development of a Co-Management Plan for the Luilaka River CBNRM zone (in French)

Données/ types d'information	Existantes	Sources	Commentaires	Lacunes		
				Lesquelles	Qui	Comment
Physique						
Limites de zone	Limites préliminaires	Base des données SIG/WWF		Limites finales	GACC	Cartographie participative
Campements, villages, poste de patrouilles	Postes de patrouilles, villages	Base des données SIG/WWF	Certains sont permanent, certains change annuellement	Placement géo-référencée	GACC	GPS
Socioéconomique						
Démographique : nombre des campements, nombres (ou %) des locales et migrants	Partiel information mais pas encore géo-référencée.	WF/WWF	Certains campements/pêcheurs sont quasi-permanent et les autres changes annuellement	Information géo-référencée	GACC/WWF	GPS, interviews (en cours)
Gouvernance et utilisation des RN des eaux douces	Rapports socioéconomiques (SE)	WWF et WCS, MOV FY05-06				
	4. Etudes sur la pêche/cogestion des rivières limitrophes du PNS	WF/WWF, MOV FY06				
				Zones existantes et historique de pêche (clan, groupement, village, autre)	WWF/GACC	Cartographie participative (en cours)
				Règles existants et historiques sur l'utilisation des ressources et zones d'eau	WWF/GACC	Atelier avec les communautés riveraines
Economique	Etudes sur les filières porteuses: Monkoto (y compris les poissons)	Pact/WWF, MOV FY06				

Données/ types d'information	Existantes	Sources	Commentaires	Lacunes		
				Lesquelles	Qui	Comment
	Fish Marketing Systems: Luilaka River	WF/WWF, MOV FY07				
Biologique						
Espèces ichthyologiques	Poissons	AMNH/WWF MOV FY06 ; rapport final FY08		Poissons des Petits cours d'eau, d'aquarium	AMNH/UNKIN/WWF	Saison sèche si les fonds et le personnel sont disponibles
Autres groupes taxonomiques				Flora, reptiles, amphibiens, mollusques, etc.	???	
Habitats clés				Spawning ground, nurseries, autre		
Qualité d'eaux	Turbidité, chimique, etc.	MOV FY08		Collecte et suivi dans le long-terme	WWF/UNKIN	
Bassin versants	Carte de base d'atelier national sur l'évaluation stratégique de la biodiversité (Nov07)			Impacts d'exploitation – forestière et autre - sur ressources halieutiques		
Les menaces, tendances à la gestion des pêcheries et à la rivière Luilaka						
Changement biologique	Rareté de certaines espèces, etc.	WF/WWF MOV FY06 ; AMNH/WWF MOV FY06 et FY08				
Changement socio-économique	Nombres des pêcheurs, matériel et méthode destructive de pêche	WWF, WCS, MOVs FY05-07 ; WF/WWF FY06 et FY07				

Données/ types d'information	Existantes	Sources	Commentaires	Lacunes		
				Lesquelles	Qui	Comment
Réouverture de chenal				Etude d'Impacts, information	?	Auprès du M. du Transport
Système et capacité de gestion, gouvernance, suivi						
ICCN/PNS	1. Analyse de la capacité ICCN au PNS 2. Lobbying Report	WWF, MOVs FY06				
Communautés						
Société civile	1. Etudes socioéconomiques 2. Travail INADES: Diagnostic participatif couplé de la sensibilisation	WWF, WCS, MOVs FY05-06 En cours				
Statut Juridique						
Textes légaux	Code Forestier, Ebauche de loi sur la cogestion des pêcheries, décret de 21 April 21 1937					

3. Creation of a Public and Stakeholder Participation Strategy

The public and stakeholder participation strategy is intended to:

- Identify stakeholder and partners according to their role – direct or indirect - in the use, management or governance of the Luilaka River and its resources
- Define how and when these different groups will be involved in the process of management plan development and implementation and through what mechanisms
- Determine the communication tools to be used to promote participation among different stakeholder groups
- Assess the capacity of stakeholders to participate in the process and identify associated capacity strengthening exercises.
- Assure that stakeholders are full and active partners in the different processes

Drawing from the work of the WorldFish Center and socioeconomic studies, the preliminary public and stakeholder strategy is presented in table 2. This strategy is expected to be further refined at the end of the FY08 dry season after more information is available on the dynamics of fishing groups on the Luilaka river.

Table 2: Draft Public and Stakeholder Participation Strategy

Stakeholder group	Relationship to resource	Level of involvement in development of Luilaka CBNRM management plan				Methodology of implication	Communication Tools	Capacity building exercises
		Desired Conditions	Objs	Options	Zoning			
Primary Users or Managers								
Local Fishers								
Men	Subsistence & commercial. Activities are more commercial-oriented than those of women.		X		X	Representation in local planning team, fisher community meetings, thematic commissions (Monkoto corridor CBNRM activity)	INCEF films, copies of laws	Fisher community meetings, introduction to fishing legislation (Avocats Verts), training of associations by INADES
Women	Principally fish for subsistence by damming small streams, etc. Also active in fish processing (commerce). In SE studies cite commerce as the reason for declining fish stocks.		X		X			
Migrant Fishers								
Men	Subsistence & commercial. Activities are more commercial-oriented than those of women.				X	Fisher community meetings	INCEF films, copies of laws	Fisher community meetings, introduction to fishing legislation (Avocats Verts), training of associations by INADES
Women	Active in fish processing (commerce). Probably not involved in fishing by damming as they are not a part of local communities.				X			
Traditional Leaders	May determine access to fishing areas by		X	X	X	Thematic commissions (Mkto		Already benefited from training –

Stakeholder group	Relationship to resource	Level of involvement in development of Lulaka CBNRM management plan				Methodology of implication	Communication Tools	Capacity building exercises
		Desired Conditions	Objs	Options	Zoning			
	local/external populations. No regulation of quantities if people pay.					corridor), representation in local planning team		legislation, land-use planning processes, best practices – provided as part of activities in Monkoto Corridor CBNRM
ICCN	Role in park protection. Authorize fishing access based on system of taxation (not legalized). Should have role in monitoring traffic and transport on the river.	X	X	X	X	Planning Team Member (national and local levels)		Introduction to legislation (Avocats Verts)
Secondary Users								
Merchants	Demand for bushmeat, fish, NTFPs. Determine terms of trade often at rate disadvantageous to local communities. Link to distant markets.				X			
Hunters	Use river to move in and out of hunting areas – outside and inside of park. Sometimes use fishing camps as base of operation.			X	X	Thematic groups – Monkoto Corridor CBNRM.	INCEF films	

Stakeholder group	Relationship to resource	Level of involvement in development of Luilaka CBNRM management plan				Methodology of implication	Communication Tools	Capacity building exercises
		Desired Conditions	Objs	Options	Zoning			
River travellers							INCEF films	
Government Administrators	<u>Local</u> : Law enforcement, but little capacity. <u>Provincial</u> : Responsible for declaring open/closed season for fishing. Limited capacity		X	X	X			
Minister of Infrastructure (ITPR)	Re-opening of main channel of the Luilaka River, rehabilitation of bridges, ferries.		Yes		Yes	National Planning Team member		
Transport Companies					X			
Downriver water users		?	?	?	?			
Tertiary Users								
Research and Academic Insitutions	Expertise in fisheries and watershed management, fish systematics, water quality	X	X	X	X	Periodic participation in national and local planning team meetings	Reports, Bekalikali	
Local NGOs and CBOs	Interest in diversification of economy. Potential advocates for good management practices, land tenure rights.	X	X	X	X	Local planning team member, fisher community meetings.		INADES training, introduction to fisheries law (Avocats Verts)
MECNT,	<u>Local</u> : Law enforcement,	X	X	X	X			

Stakeholder group	Relationship to resource	Level of involvement in development of Lulaka CBNRM management plan				Methodology of implication	Communication Tools	Capacity building exercises
		Desired Conditions	Objs	Options	Zoning			
DG/ICCN	resource monitoring. Ignore and/or facilitate resource exploitation by external individuals. Involved in illegal trade/poaching. Perceived as disinterested by locals. <u>National</u> : Little capacity to monitor, enforce laws in distant L/S							
National and international NGO partners: WWF and GACC		X	X	X	X	Planning Team Member (national and local levels), leading process		

4. Creation of Strategy for Formal Recognition of the Plan

The principal laws governing fishing and fisheries date back to the colonial period: the decree of 11 April 1937 on fishing and the decree of 12 July 19832 on the fishing concessions. However there are several draft laws in development that will impact the future use, management and governance of fisheries and will consequently impact the formal recognition of the co-management plan for the Luilaka River.

The following is an overview of old and draft legislation and their relevance to planning.

The decree of 21 April 1937 declares the right (or freedom) to fish throughout the territory of DRC (article 57) with the exception of protected areas, artificial ponds and spawning grounds. The concept of protected areas as exceptions to the open fishing law was reinforced under law n°69-041 of 22 August, wherein boundary rivers became a *jure* part of the national park and their ecological integrity was to be protected. These two laws should facilitate the adoption of a Luilaka River co-management plan under the authority of ICCN. Unfortunately the new draft law on the Conservation of Nature does not include similar text.

For subsistence fishing no permit is required. However for all other types of fishing (scientific, commercial, recreational) authorization is required. Furthermore while subsistence fishing may be authorized across the country the law, as mentioned above, also allows for fishing concessions which were intended to be used mainly by commercial enterprises. However these concessions were not to usurp or impede upon the fishing rights of local communities. What is unclear is whether local fisher communities would also be eligible for concessionary rights (along with the ability to pay the implied taxes) although the law does make specific reference to granting concessions “*a des fins domestiques ou d’agrément*”.

At the provincial level, the 21 April 1937 decree gives the Governor certain authority over the management of waterways including the creation of fishing reserves where certain species may be protected (art. 62) and the right to ban fishing altogether during certain periods of the year (art. 61). This reinforces the need for the involvement of provincial authorities in the development and validation of a co-management plan.

There is a draft law for the co-management of fisheries and it represents an opportunity for the Consortium, its national partners and communities to advocate for language that will allow for true co-management mechanisms wherein access may be regulated and managed and where communities living in proximity to rivers may potential have greater rights than seasonal and occasional visitors.

LUILAKA RIVER CBNRM ZONE CO-MANAGEMENT PLAN ELEMENTS

1. Unique Value

Information on the exceptional value of the Luilaka River zone is to be sourced from several key documents and persons which will include:

1. Freshwater fish biodiversity reports (AMNH/WWF)
2. Socioeconomic reports
3. Reports by the WorldFish Center
4. Information provided by local fishers
5. Information from other freshwater specialists including book on “Freshwater Ecoregions of Africa and Madagascar: A Conservation Assessment

The description will include unique or exceptional socioeconomic, cultural, and ecological values (e.g. a natural boundary of SNP). The description will be concise and short. It should be inclusive of the values designated by the two co-management groups: ICCN and fisher communities.

The first draft will be the responsibility of the Consortium based on the recommendations of the Planning Team. Additional contributions will be sought from other partners and stakeholder groups as enumerated in the public and stakeholder participation strategy.

2. Characteristics of the Luilaka River CBNRM

This section will present information on the river’s physical, ecological, and socioeconomic attributes (using the information and data needs table as a reference) including the governance and management capacity of its different stakeholder groups. The historical and present day relationship between communities and park managers will also be discussed.

The Consortium will be responsible for writing a draft of this section for review by the planning teams and other partners.

It will be necessary to update this section periodically as more information becomes available.

3. Desired Conditions

Future desired conditions will be set for a 25 year period and take into consideration the socioeconomic, cultural, biological and governance ideals for the landscape as enumerated by the different stakeholder groups and partners.

The local Planning Team supported by WWF and GACC will be responsible for the first draft of desired conditions.

Once draft desired conditions are agreed upon they will be shared with a larger group of actors including the national Planning Team and groups as defined in the public and stakeholder participation strategy. A workshop to validate the desired conditions and objectives as well as to discuss and provide input on zoning criteria (and potentially options) will be convened locally bringing together key actors and institutions.

4. Objectives

The following information provided by the USFS in its Guide to Integrated Landscape Land Use Planning in Central Africa is equally applicable to a CBNRM zone:

- Landscape objectives describe the focus of management activities over an extended period of time, i.e., 5 years
- Objectives are important because they describe what will be done to achieve the desired conditions for a given element, attribute, or condition
- Objectives should be unambiguous, measurable, and have a time line
- Objectives are the means of measuring progress toward achieving or maintaining desired conditions
- Objectives should not state specifically how they will be accomplished, but they do need to be feasible (USFS Guide for Protected Areas)
- Objectives should be listed in order of priority.

In the case of the Luilala River co-management zone the objectives may be inclusive of the following topics:

- Habitat and species conservation
- Scientific research
- Education and Training
- Law Enforcement
- Fisher community participation and development
- Income generation

The planning team with the technical support of Consortium NGOs will be responsible for the first draft of objectives. They will then be shared and revised accordingly as part of a workshop to be organized with other stakeholders. During this same workshop, participants will review the desired conditions and preliminary micro-zone criteria (and potentially propositions)

5. Micro-zones

All of the river will not require zoning. It is likely that a large portion will be considered “open access” for passing travelers and others. These zones will be managed according to the general guidelines taking into account national law. Micro-zones of potential importance may include clan or family specific fishing zones, reproductive areas, the left bank of the river, and unique or important habitat.

As with zoning in other macro-zones this will be largely an iterative process.

Steps:

1. Determine the limits of the CBNRM zone – north and south limit on the river
2. Participatory Mapping of fishing zones (according to method, species, or “ownership”)
3. Inventory and depict spatially traditional fishing zones according to clan group, village or other
4. Identify important habitats including spawning areas and nurseries
5. Initiate process of discussion and negotiation of micro-zone plan (including the different criteria to be used to determine micro-zones)
6. Finalize micro-zones
7. Establish rules and regulations for fishing in micro-zones and the river in general
8. Put in place law enforcement and conflict resolutions mechanisms

6. Guidelines

Guidelines will be provided at two spatial levels. First there will be general guidelines for the entire river. These may prohibit, restrict or define certain uses or activities. A second set of guidelines will be prescribed for micro-zones meriting a specific management or protection regime. The guidelines are a tool in the achievement of desired conditions and objectives. In the case of a river ecosystem of importance to communities and also a part of a national park, guidelines to consider may include:

- Fishing Zones: where it is allowed (left bank is in the park, right bank is outside the park, flooded forest extending over park boundaries in rainy seasons), who can fish where, what limits, what season, what methods, etc.
- Fish Breeding Zones: location, fishing restrictions or prohibitions
- Fishing camps: where and where not permitted, accessibility, association of hunters hunting camps
- River Transport

7. Implementation Activities and Schedule

The development of implementation activities and a schedule will be facilitated by WWF and GACC and the planning teams. The implementation plan is to contribute directly to the achievement of objectives. It is important to note that the seasonality of fishing activities will impact the scheduling of activities and that progress may be consequently slower than in other CBNRM zones. For this reason the process of prioritization of activities will be critical and should be focused on not only resource availability but on what actions will reduce threats or induce positive change in an abbreviated window of time.

8. Monitoring

The monitoring plan will be used to evaluate conditions and trends of river resources and fisher community livelihoods.

The monitoring plan will be composed of biological, socioeconomic and institutional and governance indicators. Indicators will be derived from numerous sources including:

- Socioeconomic reports and activities: WorldFish reports, capture rates and other fishing data (will necessitate CREEL studies); income of fishing households
- State of the Forest indicators (if relevant)
- CARPE benchmarks and 5-year targets

The monitoring plan will also include an analysis of information gaps that would aid in CBNRM zone planning in future years. Where feasible partners will prioritize and define the means of collection.

10. Luilaka River Co-Management (Water-use) Plan Design Schedule

The CARPE annual benchmarks for the Luilaka River CBNRM zone are as follows:

FY08: 20% Portion of water/land use plan design completed

FY09: 75% Portion of water/land use plan design completed

FY10: Water/Land use plan completed and adopted

The different processes and elements of the plan will be completed according to the following schedule:

Task		FY08	FY09	FY11	FY12
Process					
Planning Team		X	X		
Information and Data Needs Elaborated		X			
Public and Stakeholder Participation Strategy		X			
Strategy for Formal Recognition of Plan		X	X		
Element	% of land/mgmt plan design				
Unique Value	5	X			
Characteristics	20	X	X		
Desired Conditions	10	X	X		
Objectives	20		X		
Micro-zones	20	X	X		
Guidelines	10		X	X	
Implementation Activities and Schedule	10		X		
Monitoring	5		X	X	
Plan Adoption	0			X	
Percentage of design completed		25%	80%	100%	