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Institutions Governing Wildlife Management Areas Establishment and their Implications to Livelihoods of Adjacent Community

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Abstract: Institutions and especially formal institutions determine the way programs, projects and their consequent activities are carried out. This may have negative or positive implications to local population. To analyses the institutions that governed WMA establishment and their implications on livelihoods of adjacent community, content analysis was employed. Identified institutions including policies, acts and regulations were assessed. These included Wildlife Policy, Wildlife Act 2010, Wildlife Management Area Regulation 2012, Land policy 1997, Land Act 1999, Village land Act 1999, Forest Act 2002, and Environment management act 2004. The institutions cover well the issues that should ensure wellbeing of livelihoods of local community. It is up to responsible organizations to implement the stipulated directives. The study recommends means to ensure that the stipulated directives are adhered to including educating local community living adjacent to WMAs on polices, laws, and regulation governing WMA establishment.

Keywords: Awareness creation, fair compensation, revenue sharing, rule conformance

1. Introduction

In Tanzania, there are various policies for example land policy, wildlife policy, forest policy that recognize the importance of establishing WMA and that the improvement of adjacent local community livelihood should be major goals in all action for the development of wildlife sector so as to contribute to poverty reduction (Mungenyi et al., 2005). However, in many cases, the establishment of WMA has unsuccessful to achieve the desired outcomes, due to a poor recognition of local peoples' rights, practices as well as failure of local community to understand institutional governing WMA establishment (IRA, 2007).

Mayeta (2005), reported that national and local institution have a major role to play in regulating resource use outside core Pas. Among institutional governing WMA establishment reported by Mayeta (2005) is the Wildlife Regulation. This regulation highlight procedures for establishment of WMA, thus villages must develop land use plans and by-laws, as well as establish a community-based organization (CBO) that is granted user rights to wildlife by the Wildlife Division of the Ministry of Natural Resources and Tourism (MNRT) (URT, 2012). URT (2012); explains WMAs as a mechanism established for implementing community wildlife management in Tanzania and it consist of portions of village land set aside for purposes of wildlife conservation and the development of wildlife-based enterprises such as tourism and tourist hunting. Its establishment based on sated institutional arrangement that governed it, including policies, laws and regulations.

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In 2003, 16 pilot WMAs were established throughout the country with the aim to combine wildlife conservation, tourism and rural development. By diverting wildlife management and benefits to local level the ambition is to turn the villagers from poachers to conservationists. Among them is Ngarambe-Tapika WMA which was also established in 2003 as a pilot WMA in Rufiji district and receives Authorized association (AA) in 2004 (IRA, 2007).

WMAs have played a vital role in Tanzania's wildlife management and development of local community livelihood (Kaswamila, 2013). Despite such roles experience, it remains unclear how WMAs are fulfilling their objectives related to improving the livelihood of the local people participating on establishment and what are the strength and weakness of institutional governing WMA establishment has. Many WMAs have been relatively slow to develop faced with the number of challenges which impair them to full fill their objectives of is improving the livelihoods of the local people around the WMA (Nelson et al., 2006; IRA, 2007; Igoe & Croucher, 2007; Benjaminsen & Svarstad, 2010) this unclear thought necessitated to undertake this study. The aim of this study was to assess the effects of establishment of Ngarambe-Tapika WMA on livelihoods of adjacent community. Specifically, the present paper focused to assessment formal institutions that governed WMA establishment and their implications on livelihoods of adjacent community.

2. Materials and Methods

2.1 Location and Description of the Study Area

This study was conducted in Rufiji district in Coast Region. Rufiji districts is located in the Southern part of the region at latitude 7.28° and 8.23° South and longitude between 37.47° and 39.30°. The district has only one WMA exist so far which is Ngarambe-Tapika WMA. The WMA is located south of the district at the southeast edge of the Selous game Reserve (767sq.km). Ngarambe-Tapika WMA lies between latitude 8.076° - 8.503° south and 38.413° - 38.717° east of the district. The WMA received the AA and User right in 2003 and the association is called MUNGATA ("Muungano wa Ngarambe na Tapika"). It comprises two villages Namely Ngarambe and Tapika

2.2 Methods

Respondents for this study came from Ngarambe and Tapika villages in Rufiji district, Coast region, Tanzania. To analyses the current institutions that governed WMA establishment and their implications on livelihoods of adjacent communities in view of improving the livelihood of the local people, content analysis was employed. Identified institutions including policies, acts and regulation were depicted in terms of their strength and weakness. Which included Wildlife Policy, Wildlife Act 2010, Wildlife Management Area Regulation 2012, Land policy 1997, Land Act 1999, Village land Act 1999, Forest Act 2002, and Environment management act 2004.

3. Results and Discussion

3.1 Institutions that governed WMA establishment and their implications on livelihoods of adjacent communities

Successful establishment of WMA for conservation of the natural resources depends much on the existing policies and acts guiding the conservation of natural resources. Therefore existence of institution framework to respond to establishment of WMA providing the sound procedural that enable the people on the adjacent WMA to have the proper livelihood.



This section reviews Wildlife Policy of Tanzania (2008), Wildlife Act 2010, Wildlife Management Area Regulation 2012, Land policy 1997, Land Act 1999, Village land Act 1999, Forest Act 2002, Environment management act 2004, Specifically institution arrangements were viewed as to they take adequate reference to improve the livelihood of the people after the establishment of WMA. It was found that the key issues addressed on the reviewed policies, acts and regulation are first, it insist provision of information and or awareness rising to people prior to establish of WMA, fair compensation, and revenues sharing and last it insist that the procedure for establishment should adhere to laws and regulation (Table 1).

The institutional emphasizes that prior to establishment of WMA, the Village Assembly decides to form a WMA based on the recommendations of the Village Council. The villages form a community-based organisation (CBO), and register it as such with the Ministry of Home Affairs according to the provisions of the Societies Ordinance. Then it prepares land use plans which provide for the proposed WMA on their lands. These land use plans are to be subjected to basic environmental impact assessments. The CBO prepares a general management plan for the WMA, or as an interim measure for up to five years, a more basic resource management zone plan showing the designation of different resource uses in the WMA (URT, 2012)

The study by Stolla (2005) found that before establish of WMA need creation of awareness among stakeholders, sensitization of the village people before selection of the committee which will identify area for WMA. Further it added that, this is done to allow the villages to have enough time to prepare themselves with the situation. This involves allowing the people to understand how will continue benefiting and hence improve their livelihood after establishing WMA (NFA, 2011). Study by Mungyenyi et al. (2005) come with argument the process should be governed by policies that deal with the issue.

The study by NASCO (2004) and IRA (2007) found that; after follow the proper rules and regulations it results into establishment of a number of far-sighted conservationists and NGOs, with the support of the Ministry of natural resource and tourism which is the successful community conservation.

Table 1: Key issues addressed in the national constitution and existing policies, acts, and guidelines governing WMA establishment and their implication on livelihood

Key issue	Policy/Act/Guidelines
Provision of Information	Wildlife Policy, Wildlife conservation Act 2009, Wildlife
	Management Area Regulation 2012, Land Act 1999/ Village
	Land Act 1999 and Forest Act 2002
Fair compensation	Wildlife Policy, Wildlife conservation Act 2009, Wildlife
	Management Area Regulation 2012,
Revenue sharing	Wildlife Policy, Wildlife conservation Act 2009, Wildlife
<u> </u>	Management Area Regulation 2012,
Adherence to laws and regulations	Wildlife Policy, Wildlife conservation Act 2009, Wildlife
	Management Area Regulation 2012,

Source: Authors content analysis of the institutions documents

Awareness creation, fair compensation, revenue sharing, rule conformance



Wildlife Policy of Tanzania (1998) and Wildlife Act 2009

The emergence of WMAs is based on the famous 1961 "Arusha Manifesto", whereby President Mwalimu Julius K. Nyerere first mooted Tanzania's wildlife conservation philosophy. The Wildlife Policy of Tanzania (WPT) of 1998 (URT, 1998) further facilitated the establishment of Wildlife Management Areas (WMA) as a new category of protected area. With Community Based Natural Resource Management (CBNRM) in mind, the policy had the following objectives: "to promote the conservation of wildlife and its habitat outside core areas (i.e. NPs, GRs, GCAs, etc), by establishing WMAs". And, "to transfer the management of WMA to local communities thus taking care of corridors, migration routes and buffer zones and ensure that the local communities obtain substantial tangible benefits from wildlife conservation".

The Policy emphasis importance of increasing local community participation in wildlife management. It states clearly that "It is the aim of this policy to allow rural communities and private land holders to manage wildlife on their land for their own benefit." Wildlife Management Areas (WMAs) are a main instrument provided by the Policy for the implementation of these CBNRM objectives. WMAs aim to provide local communities with the following: Responsibilities for wildlife management; Rights to use wildlife resources; and Opportunities to benefit from wildlife. The weakness of this policy is that, it is silence to the ministry responsible to implement it, if it fails to do so. IRA 2007, reported that among other things hinders development of local community living adjacent to WMA is the failure of ministry responsible to transform what is in the policy to the ground. Meaning that the WPT allows local community to utilize wildlife resource in their area through agreed hunting investors. The current situation is that the AA is not allowed to enter into contract with wildlife hunting investor. The investors are just posted from Ministerial level to WMAs authority with approved contracts of hunting. The agreement is not based on the need of local community is based on what ministry need. This hinders conservation and in turn local communities have negative response to WMA.

Kaswamila (2013) reported that the implementation of the WMA was expected to increase community participation and awareness in the protection and conservation of wildlife resources, hence contribute to improve natural resource management and planning process and strengthen local level governance and generate tangible social, economic and financial benefits to communities in harmony with the natural environment. The WPT advocates the establishment of WMAs as a means to effectively implement Community Based Conservation (CBC) activities in Tanzania. The underlying assumption was that WMAs would be established where there is a "healthy" population of wildlife, since WMAs, despite their conservation roles, would run as business entities parallel to other production systems in the village land, as will be determined by the land use plans.

Section 3.2.1 of the wildlife policy and part v of the URT, 2009, emphasize the local community participating on the conservation through establish of WMA to real benefit from the WMA, it states that to ensure wildlife protection, there will be transfer the management of WMA to local communities thus taking care of corridors, migration routes and buffer zones and ensure that the local communities obtain substantial tangible benefits from wildlife conservation. Furthermore the policy stipulate enabling environment which will ensure that legal and sustainable wildlife schemes directly benefit local communities. USAID, 2013; reported that among other thing to



ensure wildlife resources are conserved in WMAs is involvement of local community on decision making regarding to WMAs issue. However the current situation in Ngarambe Tapika WMA is that people not involved in decision making they just get directive from District Game office especially on issue of wildlife hunting which is against the policy.

A new aspect of the WPT is the focus on "rural communities and the private sector" as important actors who must be involved in wildlife management in order to ensure conservation and sustainable use (URT, 1998: §3.2). In this, the WPT reflects the international shift in conservation discourse from a singular focus on biodiversity conservation within PAs to an emphasis on the importance of protecting wildlife corridors, migratory routes and buffer-zones (Igoe & Croucher, 2007; IRA, 2007; URT, 1998: §3.2.1). The 1998 WPT further mirrors international trends in that it promotes WMAs as a potential strategy for both sustainable wildlife management and rural development. In light of this, the WMA model can be described as a neoliberal approach which promotes devolved wildlife management

Section 3.3.9 of TWP (1998) recognizes a range of direct and indirect benefit that can be derived from wildlife resources and that sharing revenue is important benefit. When the WPT was passed, it was relatively progressive in that it recognized the costs of local people living close to wildlife habitats and gave them wildlife user rights (URT, 2008). The ownership over wildlife, however, remained with the state in accordance with the Wildlife Conservation Act of 1974. Thus the local community always incur cost of living adjacent to WMA but no one compensated them. The main costs are depletion/damage of crop as most of local community relay on farming as major economic activities, injured and killing of domestic animals. This is contrary to the actual situation in Ngarambe Tapika WMA, where according to the information accrued during respondent interview; it was revealed that they did not get revenue from WMA since its establishment.

Wildlife Management Area Regulation 2012

The WMA Regulations define what WMA's are: "village land set aside for wildlife conservation" (Section 2.2) which is created according to decisions by the Village Assembly and Village Council. The WMA Guidelines state that the purpose of WMA's is "to enable the local communities living in villages to participate in the protection and utilization of wildlife resources on village land." thus the regulation empathize full participation of the local community on the establish of the WMA. This is in line with the study reported by Mungyenyi (2005) and Fibricus et al. (2007) who narrates that prior to establishment of the WMA people should be made aware with the whole process of the establishment as they are ones who actually have to carry out the charges to manage it. People have to realize the consequences as well as the benefit of establishing WMA.

The WMA Regulations (subsidiary legislation under Section 84 of the WCA of 1974) provide for the creation of WMAs on village lands and implementation of the Wildlife Policy's objectives. The Regulations allows communities to become corporate entities and participate and benefit from wildlife utilization, in WMAs. However, in order to use any other natural resource products like fish, forest or bees, one needs to consult sectoral policies, laws and regulations regulating that particular resource. The Regulations spell out the process and requirements of establishing a WMA, the responsibilities of different stakeholders and actors involved in a WMA as well as



general regulations related to the utilization of wildlife in a WMA and qualification for being granted wildlife user rights (URT, 2005; Nelson et al., 2006).

- First, a Village Assembly meeting or meetings in the relevant village or villages must decide
 to form a WMA on the village lands. Once this has happened the villages must form a CBO
 to represent the community members and manage the WMA. This CBO must have a
 constitution, rules of membership, Qualifications of office bearers, financial management
 procedures, etc.
- Second, the CBO is to prepare Land Use Plans (LUPs) for the relevant villages. These LUPs should show where the proposed WMA will lie in the village or villages' lands; they should follow the procedures laid out by the National Land Use Planning Commission.
- Third, the CBO must form a General Management Plan, or alternatively as an interim measure (for up to five years) can compose a more basic Resource Management Zone Plan providing for the zonation of resource uses in the proposed WMA.
- Last, after completing the above prerequisites, the CBO can apply to the Director of Wildlife to declare the CBO to become an AA and gazette the WMA. If the application is approved by the Director, and the WMA is gazetted, the CBO becomes an Authorized Association (AA), which then applies for a user right.

The regulation wants further to stipulate on how revenue accrued from WMA have be disbursed among stakeholders. For investments in WMAs, the Regulations state that all investments must be approved by the Director of Wildlife. In terms of tourist hunting, the AA can ask the Director to designate all or part of a WMA to be a hunting block. Regarding benefit sharing, in WMAs Section 73 states that benefit sharing will be determined by "circulars issued by government from time to time." For the proportion that the AA does capture, the Regulations state that:

- At least 15% must be reinvested for resource development of the WMA.
- At least 50% must be given to member villages in the WMA.
- At least 25% must be reinvested in strengthening the AA.

The above distributions were denied by the respondents that they have never received their share since years now. There situation forced them to believe that the WMA is no generating revenue. The weakness of this regulation is that it doesn't stipulate well what penalties will be to the ministry responsible if it fails to abide the regulation. For example the regulation states that the AA will ask Director of Wildlife for approval of investors but current situation and according to the respondent of interviewed people the investor in Ngarambe-Tapika are just posted from ministerial level meaning that investors entered into contract with ministry and not WMAs members.

Also the weakness of this regulation is invested on Three central issues that are often discussed in relation to the regulations (e.g. Igoe and Croucher 2007, IRA 2007, Nelson et al. 2006) are first, the cumbersome process of establishing a WMA. Second, the lack of explicit regulations on benefit sharing of the revenues accrued in the WMA. Finally, instead of devolving the management to local level, the bulk of power is still vested in the Director of Wildlife and the Minister of Natural resources and Tourism (hereafter referred to as Director and Minister). This is supported by the study of Formo (2010), reported that there is one main problem with the revenue-sharing



formula, however, which is that the villagers do not have any means of verifying that the money they receive from the central authorities is in fact the 25% they are entitled to. This is because the money for the tourist permits goes through the Wildlife Division before the 25% is returned to the MUNGATA. When asked why the AA could not receive the money directly from Game Frontiers (Investors), the answer from the Wildlife Division was that "the villagers and the AA are not able to collect that money from the investors (...) once they are able to proceed to collect their own data for the visitors entering into their area, then they can collect right there."

This statement is in contradiction with the devolved and participatory agenda of the wildlife policy and is also peculiar considering that the MUNGATA already has many years of experience with direct quota-sales to the Game Frontiers.

According to the WMA regulations, the villagers do in fact have one way of observing the number of animals hunted by the tourist company. The regulations state that the village game scouts shall assist the tourist hunting company while on safari In addition to providing the scouts and their families with extra cash income, this would give the MUNGATA a means to calculate the percentage they should receive from the Wildlife Division at the end of each hunting season. This was unfortunately not the case in Ngarambe and Tapika. At the time of the fieldwork, game scouts from the district rather than the village were supervising the trophy hunting.

Land policy 1997/ Land Act 1999

This policy was developed is giving holistic view of using land for development process by putting emphasis on authority institution for land management as well as it emphasizes clear allocation of authority and hierarchical system of accountability (section 8.1.1). Wildlife is dependent on what happens to their habitats, and there is a strong link between land and wildlife legislation. In 1999 the Land Ordinance of 1923, which used to be the principal governing statute regarding land tenure and management in Tanzania, was repealed and replaced by two pieces of legislation, the Land Act No. 4 of 1999 and Village Land Act No. 5 of 1999, which came into force on May 1, 2001. The Land Act establishes three categories of land: general land, reserved land and village land. The Village Land Act deals with the management of the latter category of land while the Land Act deals primarily with the management of reserved land and general land in line with the sectoral pieces of legislation that the reserved lands are established under.

This are in line with the studies by Acaye (2005, cited by Mungyenyi, 2005) who argued that when identifying the process of evictions should involve the local peoples as they are the central in the policy, as they are the one who have to carryout the changes and who are often the ones to bear the costs. The author emphasize involvement of the people to be affected

Forest Act 2002

The act encourages participatory forest management and seeks to integrate biodiversity values in forest management. Communities can register unreserved forest lands as village forests to gain ownership and user rights (Community-Based Forest Management). They can also enter into Joint Forest Management agreements with the government for devolved management on reserved forestland. However, the focus of WMA Regulations is mainly on wildlife, while the areas set



aside for WMAs may have abundant natural resources such as forests, water, minerals, and land, which could equally contribute to poverty alleviation. The management of these resources calls for an integrated approach (Coppolillo & Dickman, 2007). Hence, there is a need to harmonize these community based conservation initiatives that sometimes fall in the same geographical area (e.g. forest resources in Ipole and Uyumbu WMAs and Kichi forest reserve in Ngarambe-Tapika WMA). Forest Act it emphasizes process to be clear to the people who will be affected in the process of establishing protected area. This is in line with the study reported by Fibricus et al. (2007) who narrates that people should be made aware with the whole process of the establishment as they are ones who actually have to carry out the charges of management as well as their benefits accrued from area. This implies that being transparent with the whole process probably will make the people giving land for WMA to realize the benefits and hence improve their livelihood due activities they would carried after establish of WMA

Environment Management Act (1998) revised 2004

The Environment Policy states that wildlife resources shall be protected with participation of local communities, and, those financial benefits from tourism activities should accrue to the local communities, and calls for equitable and sustainable use. Hence, the policy is supportive of the creation of WMAs but it requires the protection and monitoring of wildlife in an area to identify potential off-takes, and the undertaking of EIAs to accompany any developments like construction of hotels, lodges, roads, et cetera (Fiallo & Jacobson, 1995). Environmental Management Act of emphasize that if the land is to be taken for environmental conservation, the land losers have to benefit from that land. This means that land taken for conservation in form of establishing the WMA it should involve the local community around that village to enable them to realize the benefits.

4. Conclusions and Recommendations

Based on the findings of this study it can be concluded that

- Institutions governed WMA establishment clearly states the rights for a local people prior to establishment of WMA it insists on provision of information (awareness raising), participation, revenues sharing and adherence to laws and regulation and hence enable the local community to benefits the conservation of wildlife on the WMA.
- The study revealed that the big weakness among institutional governing WMA establishment is that, most of them are silence on penalties that should be imposed to the actors who violet the law, act, or police. As stipulated in the wildlife regulation that AA has a mandate to find and inter into agreed contract with hunting investor in consultation with DGO. The situation is no in Ngarambe –Tapika WMA where they just receive investor from High level
- On revenue sharing the institution is well stipulated in wildlife laws and regulation but the
 main problem with the benefit -sharing was that the villagers were not able to monitor the use
 of wildlife resources in their area and therefore do not know if the money they receive from
 the central authorities is the accurate amount.



Recommendations

- i. The institutional governing WMAs establishments are well stipulated is a duty of responsible institution to implementing it. The study recommend that educating local community living adjacent to WMAs on polices, laws, and regulation governing WMA establishment need to be emphasized, as a way of creating awareness on the essential role of wildlife
- ii. Empowerment of local community needed to ensure that natural resource are properly utilized and conserved. To attain this the MNRT have to declare the power of managing utilize wildlife resource in WMA to local community (AA) so as they can take charge and benefit from wildlife resource available

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