

# What's wrong with the Wildlife Management Area (WMA) model?

## A critical assessment of "community-based conservation" in Tanzania

The Maasai International Solidarity Alliance (MISA)<sup>1</sup>

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For the purpose of nature conservation, Tanzania has established different forms of conservancy models governed by different legal regimes. They include National Parks as established under the National Parks Act, Ngorongoro Conservation Area as established under the Ngorongoro Conservation Area Act and four different forms of conservancies established under the Wildlife Conservation Act: Game Reserves, Game Controlled Areas, Wildlife Management Areas and Wetlands. These models differ with respect to the kind of human activities that are allowed.

National Parks allow only film tourism and forbid customary human activities such as pastoralism, crop farming and human settlement. Also hunting in any form is forbidden. The Ngorongoro Conservation Area (NCA), like the National Parks, allows filming tourism and forbids any form of hunting either commercial or subsistence. Unlike the National Parks, the NCA allows pastoralism and settlement but no other form of agriculture such as crop farming is allowed.

The Game Reserve and Game Controlled Areas allow only licensed hunting and filming tourism but do not allow settlement, crop farming or pastoralism. National Parks, Game Reserves and Game Controlled Areas form the core protected areas in Tanzania.

### What are WMAs?

Wildlife Management Areas (WMAs) as described under Section 31 of the Wildlife Management Areas Act are established outside core protected areas within village land. Section 31(1) reads:

From its founding purpose, the Wildlife Management Areas may be established for purposes of effecting community-based wildlife conservation in areas-

- (a) *outside of core protected areas.*
- (b) *which are used by local community members; and*
- (c) *within the village land.*

WMAs share common factors with Game Reserves and Game Controlled Areas as hunting is allowed and is the main investment undertaken in WMAs. Human activities such as pastoralism and crop farming are regulated and, at times, not allowed. The WMAs Regulation (2002) builds on the legal

basis of the Wildlife Conservation Act (1974, repealed in 2009 as revised in 2022) for effecting community-based wildlife conservation<sup>1</sup> in places used by communities and within village land. Though established outside core conservation areas, WMAs are essentially protected areas under the control of the Wildlife Division of the Ministry of Natural Resources and Tourism. The staff who operate on the ground as scouts are recognized by the law and policies as paramilitary conservation units. The Minister for Natural Resources and Tourism has power to make rules that are required to be participatory. In most cases however, the rules made by the Minister do not consider the interest of the communities, neither are they the result of a consultative process in many established WMAs. Ideally, the Wildlife Conservation Act was meant to ensure that the community participates in managing and harnessing wildlife resources for the purpose of poverty reduction.

Under the founding law, creation and management of WMAs is required to be participatory. However, WMAs have failed to adequately involve local populations in planning, governance and management of wildlife-related resources. In reality, the only purported investment in WMAs is trophy hunting. Trophy hunting has a history of mismanagement with quotas based on inadequate data, unsustainable hunting quotas, a lack of transparency and unprecedented corruption without literally any meaningful contribution to poverty alleviation and conservation it purports to serve.

WMAs in Tanzania are putatively designed to simultaneously bring about biodiversity conservation, economic growth, and community prosperity. This version of conservation was much influenced by a consortium of Western conservation organizations, bilateral development agencies and Tanzanian officials. Four pilot WMAs were launched in 2006, and 20 WMAs in total were gazetted one decade later (Bluwstein et al. 2017), with the goal of bringing 15% of the country's land into WMAs over the next decade (Wambura 2015).

In accordance with the Village Land Act No. 5 of 1999, WMAs promised to vest village governments and local communities with the authority to manage their own land and natural resources (Igoe and Croucher 2007). While this vision was widely celebrated and promoted by conservationists, development agencies and Tanzanian officials, it has seldom matched the experiences and outcomes of actual WMAs. Indeed, one group of researchers observed, based on study of a decade of implementation, that WMAs seem to be “designed to fail” (Moyo, Ijumba and Lund 2016) in view of the discrepancy between WMA rhetoric and reality on the ground over the past two decades.

WMAs, like other forms of conservation areas in Tanzania, have critical negative impacts on local communities, particularly the pastoralist communities. In practice, many WMA communities have been suffering from chaotic mismanagement. One example is Burunge WMA, which was celebrated by the

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<sup>1</sup> Section 31(1) of the Wildlife Conservation Act CAP 283 R: E 2022

international conservancy group IUCN as the best model for wildlife management (<https://www.iucn.org/news/protected-areas/201805/supporting-and-strengthening-iccas-tanzania-third-national-governance-workshop-held-arusha>). The Barabaig community that depended on the land where the WMA was established has been prevented by the commercial hunting groups from accessing Lake Burunge in Vilima Vitatu Village; the local communities are not guaranteed basic human rights, which resulted in filing of two cases in the High Court. Another case was filed by Minjingu Village, whose village land is part of Burunge WMA, on the basis that the Minjingu Village Assembly documents were forged and thus the WMA was formed without the community's consent (Kicheleri et al. 2021).

In other places like Makame WMA, it is the authorized association and the hunting company that determine when and to what extent the pastoralist inhabitants of the area can access the grazing resources for their livestock. The limitation on free movement of pastoralists' herds results in repeated resource disputes. Hence human-wildlife conflicts become exacerbated as pastureland becomes more fragmented.

**Some of the key findings and takeaways on WMAs by different studies include:**

- After a decade of work to make WMAs a reality, there was a great deal of pressure to implement them quickly and successfully. This imperative is at odds with participatory and equitable processes and thus often ignores aspirations and interests of the diverse groups living in target communities (Moyo, Ijumba and Lund 2016; Bluwstein and Lund 2018).
- Despite celebratory rhetoric of community empowerment and local prosperity, WMAs have never been a popular idea amongst rural Tanzanians. There have been few calls originating from communities requesting WMAs. Rather, WMAs have been established through the initiative of Western conservation NGOs and cooperating government officials (Igoe and Croucher 2007) and have often met community resistance (Benjaminsen et al. 2013).
- There are examples of communities creating WMAs to keep other outsiders from impinging on their land, but this appears to be the exception rather than the rule (Poole 2006; Raycraft 2021).
- Accordingly, the requirement of community 'self-organization' for the creation of WMAs is something of a misnomer. To establish a WMA, a community-based organization must be registered and an official land use plan must be made. This involves the creation of land use zones (e.g. business centres, cultivation, pasture), with significant areas formerly used by the

community and registered as village land then set aside for wildlife management and excluded from other kinds of use (Moyo, Ijumba and Lund 2016).

- In addition to the onerous work requirements and responsibilities this process entails, it also requires very specific knowledge and skills that are not available at local level. Accordingly, it is initiated and overseen by outside experts – government officials and NGO representatives – often without the full knowledge and consent of the community (Igoe and Croucher 2007).
- Once implemented, communities lament that WMAs consistently come with the following problems: designated partnerships with private enterprises (a requirement of WMAs) are often inequitable and constrain the autonomy of communities to pursue partnerships with enterprises of their choosing and on competitive terms; member villages contribute different amounts of land to the WMA, which is not reflected in the distribution of WMA benefits between villages; benefits themselves usually take the form of ineffective community development, e.g. clinics (but no doctors), school buildings (but no teachers), water pumps and grinding mills (often inaccessible to people living in distant villages); these benefits seldom match the value of the land and wildlife resources that the communities have contributed to the WMA, and there is little evidence that WMAs have significantly reduced poverty in member villages (Igoe and Croucher 2007; Gardner 2012; Keane et al. 2019; Kegamba et al. 2022).
- It is nearly impossible for member villages to withdraw from WMAs once people realize these drawbacks. Indeed, there is no legal framework for villages to withdraw from a WMA (Igoe and Croucher 2007).
- For all these reasons, local communities regard WMAs as yet another mechanism along with parks, game reserves and game-controlled areas for displacing them and appropriating their ancestral homelands in the name of conservation (Kicheleri et al. 2021). Moreover, the Minister for Natural Resources and Tourism, as part of the executive branch of government, retains radical title to all conservation land in Tanzania (c.f. Shivji 1998). The WMA model makes it easier for the government without any form of consultation to convert village land into a different version of core protected area such as Game Controlled Area or Game Reserves, so that the communities fully lose the control over and protection of their village lands; this was in fact done in the case of the Wami-Mbiki (Bukombe et al. 2022). The current regime of WMAs are no different from Game Controlled Area under the Fauna Conservation Ordinance but were turned without consultation into core conservation areas. The defunct Loliondo Game Controlled Area is a classical example of how wildlife areas in village areas can be turned into core conservation without consultation and violently.

## **What are some possible alternatives to WMAs?**

Based on the findings outlined above, Tanzania is still in need of a real community-based conservation model that respects Free, Prior and Informed Consent (FPIC) and ensures meaningful participation of the local communities in conservation that allows co-existence (without top-down government regulations) of people's ways of life and livelihoods. Local communities have lived side-by-side with wildlife for centuries preceding the formation of modern states, and wildlife flourished because of those peoples' traditional conservation and sustainability practices. The creation of national parks and WMAs has not recognized or respected those traditional practices and associated knowledge systems, despite current rhetoric promoting the co-existence of people and wildlife in conservation landscapes.

In Tanzania, designation of places for licensed hunting leads to more conflicts with communities than any other form of conservancies. In National Parks, conflicts over land were minimal until 2018 with the rise of two land disputes in western Serengeti and Kilimanjaro National Park due to the expansion of the conserved areas. Now, the disputes over land in national parks have increased strongly and also take place in Arusha and the Ruaha National Parks. The reasons are still related to the expansion of conserved areas. Precisely this expansionism of protected areas also includes National Parks, and impacted communities are mistreated or killed by rangers to induce the local people to leave. The management of Game Reserves and Game Controlled Areas has been chaotic, and this is fuelled by commercial hunting groups that usually manipulate procedures to secure licenses and, at times, use their financial power and influence to displace communities, as in the case of Loliondo.

As commercial hunting has proven to be the main reason for decade-long disputes throughout Tanzania, the only form of wildlife management that can be undertaken within village land should exclude commercial hunting, which fosters neither human nor animal welfare. It is necessary to create a new model for nature conservation and management that allows unrestricted access to all areas by the local people but does not allow any commercial hunting. Moreover, WMAs are unable to address the root causes of poaching. On the contrary, because trophy hunter investors impose pressure on rangers to implement "shoot-on-sight" practices to people, it has become difficult for community to practice farming and pastoralism as they use to do even in line with the law.

This model continues to breed perpetual animosity and violence between local communities and conservationists. These tensions are rooted in a history of colonization, under which communities have been forcibly displaced from their own lands or restricted from hunting and accessing resources

in the protected areas. The WMA policies facilitate the abuse of local communities' rights by placing too many powers in the hands of the authorized association, which is essentially the agent of the Director of Wildlife and can easily be manipulated by the commercial hunting groups. There have been numerous examples of anti-poachers and eco-guards committing human rights abuses in Tanzania, which include murder or torture, or removing people forcibly from WMAs.

The WMA setup also undermines good governance principles and inhibits progress towards the global Sustainable Development Goals. Given the ongoing disputes surrounding Tanzania's "neo-colonial" conservation models, WMAs cannot be seen as the "necessary evil," as asserted by certain actors, many of whom have proven funding ties to the trophy-hunting industry. The WMA model, whose main "business" is the trophy-hunting philosophy, is based on an economic model that inherently incentivizes the overexploitation of wildlife while diverting investments and political capital away from diversified and sustainable revenue opportunities for local communities. It directly competes with and undermines truly sustainable and economically important revenue generation from photo-based tourism and other non-consumptive initiatives. The vast majority of funds generated by trophy hunting never reaches conservation programmes or local households of the affected communities.

There is little the community can earn from the WMAs and, if and when they do, such funds substantially are allocated for conservation efforts not alleviating poverty as envisaged in the founding purpose of the WMAs. The funding from the hunting industry is not sufficient to mend the irreversible damage inflicted by it to key natural resources. Funds that do reach community level are too often siphoned off by the corrupt local elite or simply used for other purposes entirely unrelated to conservation or the community's own good. Essentially, the current setup of the WMA legal framework is a complicated jurisprudence of Game Controlled Areas from 1951 to 2009. Under the former Game Controlled Areas regime, community access to resources was not restricted in any way; it was the hunting business that was regulated. Today, all former Game Controlled Areas have become war zones where communities that lived and conserved the land and its resources are haunted without following a due process of the law. The government ignores clear provisions of the law and is displacing local communities as in Loliondo and the unfolding dispute in Mkungunero, Lake Natron.

The Maasai community therefore advocate a turn to more equitable conservation systems, which respect and support indigenous management practices that are entirely compatible with biodiversity conservation, without interest-driven international tourism, conservation, hunting and development actors. The only viable conservation philosophy is one that leaves the entire biodiversity protection to the communities themselves and does not commercialize conservation in benign terms. As far as hunting is allowed in any form of conservation areas as with WMA, Game Controlled Area and Game

Reserve in the current setup, it is impossible to avoid disputes influenced by commercial interests of the hunting firms.

In order to achieve desirable alternatives, it will be necessary to move beyond celebratory accounts of WMAs as a panacea for achieving biodiversity conservation and community prosperity. We therefore encourage interested parties to familiarize themselves with this brief outline. Based on the substantive concerns and problems raised in this report, we ask parties involved in WMAs to halt their engagement and make sure that the negative issues outlined above are avoided.

We are likewise happy to answer any questions you may have and/or to put you in touch with relevant communities and researchers cited in this report.

### **Contact**

- Edward Porokwa, PINGO's Forum: +255 754 479 815, [eporokwa@pingosforum.or.tz](mailto:eporokwa@pingosforum.or.tz)
- Joseph Oleshangay, Human Rights Lawyer: +255 769 637 623, [joseshangay@gmail.com](mailto:joseshangay@gmail.com)

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<sup>i</sup> The Maasai International Solidarity Alliance (MISA) is an international alliance standing in solidarity with the Maasai of Ngorongoro Conservation Area and Loliondo in Northern Tanzania. We bring together faith-based organisations, human rights organisations, international aid and development organisations as well as researchers. Our alliance includes, among others, AEFJN, Agrecol Association, CELEP, CIDSE, FIAN, KOO, Misereor and Welthaus Graz. Our main objective is to put an end to the human rights violations facing the Maasai of Northern Tanzania. In June 2023, we jointly organised a lobbying tour to Germany, Austria, Belgium and Italy, which enabled a Maasai delegation to voice their concerns to European decision-makers and trigger international solidarity. We support the voices of grassroots organisations representing the Maasai at the local level, such as PINGOs Forum and Pastoral Women Council (PWC). These grassroots organisations are well recognised for their long-standing work in Maasai communities and are in regular contact with affected communities and their representatives, including traditional leaders, women and youth as well as councillors / village chairpersons. For example, in the last 3 months, these organisations have held 7 community meetings to exchange information, collect opinions, strategise and facilitate the elaboration of common demands related to their land and human rights. We are also supported by Tanzanian lawyers representing the Maasai in the several court cases that have been launched to address the violations of their land rights.