

Culture and Environment in frica Series 12

Adelina Matinca

**Human-Wildlife Conflict in Northeastern
Namibia: CITES, Elephant Conservation
and Local Livelihoods**

Edited by the Cologne
African Studies Centre

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Preface

A variety of conservation programs are impacting local livelihoods in rural southern Africa. Conservation measures are manifold: conservation takes place on private lands (games lodges etc.), on state land (national parks) and communal lands (conservancies). Conservation programs are informed by international agendas on wildlife and biodiversity protection. They are based on national law but predominantly they are sequels of global environmental governance. Matinca deals in her MA thesis with the protection of elephants. The crucial issue debated at the moment in conservation circles as much as in government offices, is whether elephants should be hunted at a sustainable rate and if ivory can be sold, or if there should be a complete trade ban on elephants (and parts of this animal). In other words: will elephants be protected as commodities or will they be taken out of value chains altogether. Arguments pro and con are manifold: Some adherents to neoliberal conservation but also those interested in local development argue that only income directly derived from the protection of elephants will convince locals to abstain from poaching elephant. Those who adhere to a strict conservationist stands argue, that once elephants are in principle game that can be hunted, i.e. have attained a commodity status, a market is stabilized and the demand for ivory and other trophies is further nourished resulting in more poaching and elephant hunting. Such debates are taking place at international meetings and at the local level. Matinca successfully combines both levels in her analysis. She took part in a large CITES meeting in Johannesburg. There the status of elephants was heftily discussed. The crucial question negotiated there was, whether elephants should remain on Appendix II of the CITES agreement (which allows for a sustainable off-take and restricted and highly controlled trade) or if they should be elevated to Appendix I (which prohibits all use and take off). While the southern African, elephant-rich states vociferously argued for the Appendix II status, international conservationists but also East African states argued for their inclusion into Appendix I. Discussions ended in a stale-mate and for the time being southern African states are allowed to retain elephants on Appendix II and carry on with limited trophy hunting and occasional one off sales of ivory. It is the great achievement of Matinca's thesis to show the links of such high-ranking international negotiations and local developments.

Abstract

International, national and local legal frameworks have impacts on elephant conservation and the livelihoods of locals that share their existence with wildlife. Legal frameworks of all levels commodify the African elephant. This gives rise to an ethical dilemma, as what is best for conservation of the species may have detrimental effects on livelihoods, in particular where locals are unable to effectively address human-wildlife conflicts with the tools at their disposal, or where they lack motivation to participate in conservation efforts because the relevant commodity – the elephant – does not economically benefit them. Drawing from two case studies from National Parks in northeastern Namibia, the thesis examines the impact of international actors and CITES decisions on elephant conservation and local livelihoods, suggesting that sustainable profitability for local livelihoods is paramount to ensure elephant conservation is successful.

Acknowledgements

It is without a doubt that this thesis could not be possible without the support from a number of people.

Firstly, University of Cologne accepted me and allowed me the opportunity to grow and learn along side many wonderful people. Secondly, a huge thank you goes to Professor Michael Bollig whose support and supervision was paramount. Thirdly, my deepest gratitude to the Global South Studies Center for funding my research, and allowing me the opportunity to collect my data on the ground, and to be able to capture the views of the local people.

I am grateful and touched by all the help and assistance from everyone I have met during my fieldwork, both in South Africa and Namibia, and a personal thank you to Felix Hilgert for your continuing support – I remain forever indebted.

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List of Abbreviations

ABS	Access and Benefit Sharing
AGM	Annual General Meeting
CBNRM	community-based natural resource management
CITES	The Convention on International Trade in Endangered Species of Wild Fauna and Flora
CoP	Conference of the Parties
CoP17	Conference of the Parties (17 th meeting)
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
GPS	Global Positioning System
HWC	Human-Wildlife Conflicts
IRDNC	Integrated Rural Development and Nature Conservation
IRLUP	Integrated Regional Land-Use Plan
IUCN	The International Union for Conservation of Nature
KA	Kyaramacan Association
KAZA TFCA	Kavango-Zambezi Transfrontier Conservation Area
MET	Ministry of Environment and Tourism
MIKE	Monitoring the Illegal Killing of Elephants
MLR	Ministry of Lands and Resettlement
NGO	Non-Governmental Organization
TA	Traditional Authorities
WCS	Wildlife Conservation Society

1. Introduction

“The key was – whose wild animals were they?” (Owen-Smith, 2010: 387).

Human-Wildlife Conflict is any interaction between wildlife and humans which causes harm, whether it is to the human, the wild animal, or property (Government of Yukon, 2018), but it can be understood in a more figurative sense as well, as a reference to the ethical dilemma of conflicting goals and interests in conservation on the ground. Whose interests, then, prevail if conservation laws and policies have detrimental effects on the local human population?

At an international and national level, relevant actors – States and NGOs, their positions often greatly amplified by the media – seem to favour strict approaches to conservation. But if the elephant is sacrosanct, what happens to the rural populations forced to share their habitat with legally largely untouchable wildlife? And are elephants really off-limits for commercial exploitation under all circumstances?

The concept of ownership over wildlife is deeply rooted in conservation of elephants. Ownership dictates who benefits and how much. However, the ownership of elephants is not free, and the conservation of elephants also comes at a price. Establishing a sustainable economic system that compensates for the destruction of elephants is essential.

By taking a synthetic view towards legal and political frameworks on the one hand and case studies of local conservation policies and their actual and perceived impacts on local livelihoods, this master thesis explores the intersections of legal requirements of elephant conservation with local interests on the ground, the latter often informed by a desire to conserve livelihoods even at the expense of conservation ideals that can appear imposed by “First World” paradigms, answering the following research questions:

1. Does a successful conservation strategy require the support and participation of the local rural people?
2. What impacts do conservation strategies have on people’s livelihoods?
3. How do the CITES ivory trade decisions impact northeastern Namibia?
4. How can conservation strategies intensify or mitigate human-wildlife conflicts?

More specifically, it will first look at selected legal frameworks for elephant conservation and the political and media forces that shape them, before analyzing the effects these frameworks produce both for elephant populations (and the threats they face), for local populations in and around National Parks in northeastern Namibia, and for the interaction between those two groups.

Based on two case studies, it finally explores the actual and perceived effect of various elephant conservation measures on local populations, and their attitudes towards the elephants as wildlife in a shared habitat but also a potentially valuable commodity.

2. Methodology

Wildlife conservation can be a daunting task to research, not only in terms of the range of species but also in terms of within which country the conservation is happening. I therefore, focussed on the African elephant specifically in northeastern Namibia.

This master thesis examines the interdependencies of politically led and motivated large-scale conservation efforts through legal and regulatory tools and their effects on day-to-day management of human-wildlife conflicts and livelihoods of the local populations in Namibian national parks. It therefore relies both on theoretical analysis and fieldwork.

2.1 Fieldwork: Framework and Challenges

I conducted fieldwork within a time frame of two and a half months, during which I first attended a two week long conference of the member states of the CITES treaty in Johannesburg (the seventeenth Conference of Parties, or (CoP17)) followed by fieldwork in the northeastern region of Namibia, namely Mudumu and Bwabwata National Parks.

I collected data from a range of locals in the Zambezi region (males and females of different ages and occupations,¹ from conservancies bordering Mudumu N.P. as well as villages within Bwabwata N.P.) using questionnaires, semi-structured interviews, and participant observation. The sample size, from a social ethnographic perspective, is moderate,² which can somewhat limit the statistical significance of my findings. It is also important to note the occupation of most of the participants interviewed for household questionnaires range from game guards, secretaries of conservancies, rangers, health care assistants, managers, to enterprise officers, which would on the one hand indicate partialities to their responses, and on the other hand provide in depth insider knowledge about how conservation is dealt with. However, these partialities have been highlighted in my analysis and as such have been taken into consideration. Due to time constraints and the nature of this master thesis, I was not able to conduct more interviews, which would have provided me, potentially, with additional mapping of factors contributing to human-wildlife conflicts (HWC) and open the spectrum of answers from my informants.

My main challenge came from the data given by participants during the household interviews and semi-structured interviews. Some of this data seems to contradict other sources or appears

¹ According to the Population and Housing 2011 Census, the literacy rate in the Zambezi region is at 83.7% for ages 15+.

² Moore (1994: 225) suggests at least 30-60 participants for semi-structured interviews. I have conducted a total of 16 semi-structured interviews.

at odds with relevant statistics gathered during participant observation. In some instances, this may be due to social desirability bias, with interviewees answering questions based on their assumptions of what a white western scientist might want to hear. (cf. Jones, 2001: 298)

It was a challenge at times to catch this and know this was happening and not be able to intervene. My strategy had been to properly introduce my thesis research questions, and myself but this was discontinued after the fifth interview, as it began to initiate further questions from the interviewee and seemed to favour social desirability bias in their responses. (cf. Fisher, 1993: 303)

The second challenge was my personal time limitation. It quickly became obvious that in order to gain the respect and trust of the local people along with local authorities, more time was needed. The topic and research questions this thesis answers would greatly benefit from more time devoted to background checks of all chosen participants who were interviewed for the household questionnaires.

Initially my research question had focused primarily on the legal framework of CITES and the impact it has on local livelihoods in northeastern Namibia. However as I began to conduct research I found this limiting, so I opened up the scope of the thesis to include the additional aspect of HWC in northeastern Namibia. This proved to be on the one hand challenging but on another hand it exposed the impact that CITES trade decisions have on the ground. The agenda of many conservation actors required in depth research which initially I thought would be straightforward, however I needed to gain the trust³ of particular interviewees in order for them to feel comfortable enough to provide direct responses. This building of rapport proved to be an essential building block in order to be able to see the full picture, but required a substantial amount of time.

In order to protect the privacy of the individual interviewees and informants in this thesis, their names are not revealed. When discussing individual answers derived from household questionnaires; where an individual answer is relevant, I refer to the interviewee only by gender, respective conservancy, and profession. When discussing individual answers taken from informant responses from semi-structured interviews, I refer to the informants by gender, profession, and date of the interview.

³ LeCompte (1999: 10) writes “the intimate involvement means building trust between the researcher and the participants and often calls for a special kind of friendship (...) Gaining trust is sometimes referred to as building rapport” (regarding the concept of rapport see also LeCompte 1999: 368).

2.2 Participant Observation

My participant observation consisted of my attendance at different committee meetings throughout the CITES CoP17, the CoP17 side events (most often organized by various NGOs), and AGM and Complex meetings within the conservancies. This allowed me to take a back seat and analyze each actor, take notes and be able to draw conclusions relating to the relationships between different actors.

2.2.1 The CITES CoP17

My participant observation during the CoP17 meeting held by Committee I and II in sessions throughout a two week period was necessary in not only understanding the framework of CITES but allowing me to experience how different actors at the conference communicate. These actors' role in creating and administering a cross-border legal framework of conservation was also observed throughout the conference, with a particular focus on voting choices and different public comments made throughout the conference. My attendance at ten NGO side events gave me the background understanding of the roles NGOs play at these meetings. It also allowed me to collect NGO publications, which further illustrated their respective opinions as communicated in short talks at the side events.

The side events allowed for an organic interaction to occur in order for me to ask whether certain participants would be willing to be interviewed after the events concluded. Many accepted while some were unsure what my intentions were.

2.2.2 AGM and Complex Meetings

My attendance at Kyaramacan Association AGM (KA) in Bwabwata National Park and Mudumu South Complex Meeting allowed me to observe the interaction between different stakeholders and their intentions. Both meetings allowed me to gain access to local perspectives as well as set a clear map for individual intentions. It proved a time saver for me in that I was able to connect with local rural people using a platform such as the AGM and Complex meetings as a segue to introduce my thesis and myself. At these meetings people were accepting of both myself, and their participation in answering my household questionnaires.

However, the household questionnaires and unstructured interviews which occurred at the KA AGM perhaps were skewed by the locals' perception of answering the questions based on what they were supposed to say, rather than what they would have liked to answer. However, this was taken into account when analyzing the data.

2.3 Semi-Structured Interviews

I conducted semi-structured interviews both at the CITES CoP17 and in the Zambezi region. I chose semi-structured interviews because this technique is particularly suitable for gathering information from professionals, and other members of “elite” groups. (Bernard, 2006: 212)

At the CITES conference, I conducted a total of six semi-structured interviews with NGO representatives, researchers and government officials. Questions were left open-ended, allowing interviewees to expand on what additional thoughts they had relating to my questions. Questions ranged from the conceptual understanding of CITES within the context of the African elephants to potential threats the elephant faces. The framework of all my semi-structured interviews changed slightly based on the position held by the particular individuals being interviewed. For example, based on the individual's job qualification my questions were tailored to match not only their qualifications but to further capture the participant's role and the impact their role has on conservation and local livelihoods.

In the Zambezi Region, I conducted ten semi-structured interviews, mostly with national and local government and conservation officials, such as members of the Integrated Rural Development and Nature Conservation (IRDNC), a chairperson of KA, wardens from the Ministry of Environment and Tourism (MET), and community members holding administrative positions within their respective conservancies. The first set of questions was centered around their roles and how they saw their impact on elephant conservation. A second set of questions focussed more on human-wildlife conflicts and the importance of establishing economic benefits for local rural populations. The final questions were mainly about sharing their personal opinion on what they reported to me as problems and in some instances solutions.

All interviews were conducted in English, although a translator accompanied me during my fieldwork in Namibia. Recordings were also made of many of the interviews with the permission of the interviewees.

2.4 Household Questionnaires

I further gathered information through 34 structured household questionnaires in a total of six conservancies around Mudumu (28 questionnaires) and five within Bwabwata National Parks (six questionnaires).

The household structured questionnaires were predetermined, with questions targeting current problems such as human-wildlife conflicts, and allowed the informants to expand on the relationship locals have with elephants. In all instances I conducted the questionnaires face-to-face and personally wrote the informant's responses down. In ten instances, with the

permission of the interviewee, answers to the questionnaire were also recorded. Appendix 1 contains a sample questionnaire as provided to the participants.

2.5 Informal Meetings

A number of informal meetings were conducted mainly to gain background information on individual issues. In some instances, these informal meetings turned into more structured interviews based on the information initially provided. In all instances, the informants spoke candidly and offered a wide range of further avenues for me to explore. An example was my informal meeting with a professional hunter. After the meeting I became aware how crucial big game hunting quotas (in particular relating to elephants) were not only for the conservancy but also for the local hunting companies, and therefore indirectly for economic opportunities associated with big game hunts in the Zambezi region.

The informal meetings were not recorded, however extensive notes were made during each meeting. In retrospect these meetings played a crucial role in establishing close ties to key informants, whom I set out to interview.

3. Legal Framework of Elephant Conservation in Namibia

Human-wildlife conflicts, which seem inevitable where local rural populations and elephants share their habitats, can be addressed in various ways, but not every kind of solution a local leader might envisage as best for their community is feasible on a larger scale. Another factor limiting possible responses is an intricate legal framework of international, national and local laws guiding and directing conservation policies. This legal framework is shaped in formal and informal processes by a number of actors, importantly including NGOs that try to exert political influence, often leveraging their influence in various media.

The legal, but also political frameworks of elephant conservation are often overlapping. The composition of the CITES⁴, KAZA TFCA⁵, and conservation actors are configured within the very same legal and political framework.

The following chapter explores the treaties, acts, governing bodies used on the international (5.1), national (5.2); and local (5.3) levels to expose on all three levels how political and legal constitutions work hand in hand. Examining these three defined layers will provide context surrounding the agenda of an inter-connected range of conservation actors. These legal tools will also be used to analyze the potential threats the Namibian elephant population faces.

3.1 International Level

The international treaty of crucial importance on a global level is the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which was signed in Washington, D.C. on 3 March 1973 and became enforceable on 1 July 1975. This treaty is key in controlling trade in specimens of endangered species among states.

Other – regional – international treaties include the treaty establishing the Kavango-Zambezi Transfrontier Conservation Area (KAZA TFCA) as an integrated development plan to join other national bodies in order to govern their respective natural and wildlife resources. The aim is to create a system of shared cost-benefit utilization.

Conservation efforts on an international scale are the domain of sovereign states, but in addition to these entities, NGOs can be powerful conservation actors by channelling and exerting political influence, in particular when it comes to shaping global consensus on conservation issues through the use of media.

⁴ Jinnah & Young (2014: 1-40) argue that a number of Secretariats dealing with natural environments, such as the CITES, UN, WTO, etc. are in fact political actors operating behind the scene and influencing policy-making on an international level.

⁵ Murphy (2008: 2) states the KAZA TFCA is jointly managed with political support from different countries and these countries have political boundaries, which stand in the way of the KAZA TFCA initiatives.

3.1.1 The CITES Framework for International Trade

The CITES currently has 183 parties⁶ and is a key tool for wildlife conservation by regulating trade. It regulates international trade in over 35,000 wild species of plants and animals to ensure their survival in the wild.⁷ The CITES Treaty adds that contracting states should recognize that wild fauna and flora must be protected for this and the generations to come, and that states should be conscious of the “ever-growing value of wild fauna and flora from aesthetic, scientific, cultural, recreational and economic points of view”.⁸ The contracting states recognize that the commodification of fauna and flora exists but States should recognize “that peoples and States are and should be the best protectors of their own wild fauna and flora; (...) in addition, that international cooperation is essential for the protection of certain species of wild fauna and flora against over-exploitation through international trade” (United Nations, 1976: 245). Under the Treaty, States must make their trade decisions taking into account the necessary protection of wild fauna and flora for future generations, economic value of fauna and flora, and local livelihoods. The underlying precept of CITES is that States should remain the protectors of such fauna and flora and protection of over-exploitation through trade.

Additionally, States hold the responsibility of managing their own respective fauna or flora listed on either of the three CITES Appendices (see sub-chapter 5.1.1.2).

Listing species in different appendices according to the level of threat to their survival – with accordingly layered legal protections – makes the treaty and its obligations somewhat dynamic. At each “Conference of Parties” (CoP), final decisions are taken to a vote by all States whether or not fauna and flora should remain on the same appendices, or whether to grant limited exemptions if this is seen to benefit conservation as a whole (for an example, see 5.1.1.4 below regarding permitted ivory sales). NGOs are also given a chance to voice their concerns and lobby for their interests during a CoP, but they are of course unable to vote.

These regular meetings also make the control of trade a highly political issue. States *might* vote on a particular fauna or flora from purely political interest for their own country. (Pombo, 2001: 9132) In suggesting, States *might* act against the interest of the Convention is simply to show that the CITES is highly political, especially due to fauna and flora trade implications among States.

⁶ See <https://cites.org/eng/disc/parties/chronolo.php> for a list of parties and their accession/ratification dates (last accessed November 17, 2017).

⁷ Information obtained from the following sources: CITES webpage: <https://www.cites.org/eng/disc/what.php> and US Fish and Wildlife Service International Affairs: <https://www.fws.gov/international/cites/what-is-cites.html> (last accessed November 8, 2017).

⁸ United Nations (1976: 244). Full text of CITES treaty available at <https://treaties.un.org/doc/publication/unts/volume%20993/volume-993-i-14537-english.pdf> (last accessed November 8, 2017)

In order to understand how CITES decisions impact the African elephant, the next subchapters will look at the CITES framework of governance in general (5.1.1.1), the significance of the appendices (5.1.1.2), and the possibility for individual contracting States to enter into reservations concerning the application of the treaty (5.1.1.3).

3.1.1.1 Supra-National Decision-Making: CITES Governance

The political framework is also embedded in the governance of CITES. This subchapter explores the management of the Convention and explains that the onus is on the States to ensure the implementation of the CoP decisions.

The parties to CITES regularly meet at the CoP to make joint decisions on the implementation of the convention, primarily to determine which species merit which level of protection, and include them in one of the Appendices to CITES, or move them from one Appendix to another (see Subchapter 5.1.1.2). At each CoP, States put forth proposals regarding trade issues requiring a decision from other States. The implementation of such proposals requires the vote be in favour by a two-thirds majority.

The CITES has a governance mechanism for implementation and rule making similar to the executive and legislative branches of the government of a nation State. The CITES Standing Committee provides policy guidance to the Secretariat regarding the implementation of the Convention.⁹ The Standing Committee is comprised of elected parties from each of the six major geographic regions (Africa, Asia, Central and South America and the Caribbean, Europe, North America and Oceania) according to the following prescribed criteria: one representative for regions with up to 15 parties; two representatives for regions with 16 to 30 parties; three representatives for regions with 31 to 45 parties; and four representatives for regions with more than 45 parties. The Secretariat as a body also performs any other function entrusted to it by the parties (Article XII – The Secretariat).¹⁰ Part of the Secretariat’s function is also dealing with the administrative side of the CITES.

The Standing Committee along with the Secretariat have the responsibility for implementing and overseeing programs. One such program is the implementation of the Monitoring Illegal Killing of Elephants (MIKE)¹¹ plan with help from subcommittees (refer to Fig. 1). If we continue with the example of implementation of MIKE plan, the Secretariat is also “charged with hiring

⁹ See Conf. 11.1 Rev CoP17. Establishment of Committees obtained from: <https://www.cites.org/sites/default/files/document/E-Res-11-01-R17.pdf> (last accessed on November 8, 2017).

¹⁰ The functions of the Secretariat (Article XII) obtained from: <https://www.cites.org/eng/disc/text.php#XII> (last accessed on November 8, 2017).

¹¹ “A monitoring system put in place across the entire range of the African and Asian elephants” (Conf. 10.10 Rev. CoP17) obtained from: <https://www.cites.org/eng/prog/mike/about-mike> (last accessed November 14, 2017).

appropriate experts to provide technical support” (MIKE Programme – Institutional Arrangements).¹²

The governance structure highlights members of the Standing Committee roles are similar to that of a state government. The CITES Secretariat has a number of defined roles, among which “providing assistance in the fields of legislation, enforcement, science and training” are key.¹³

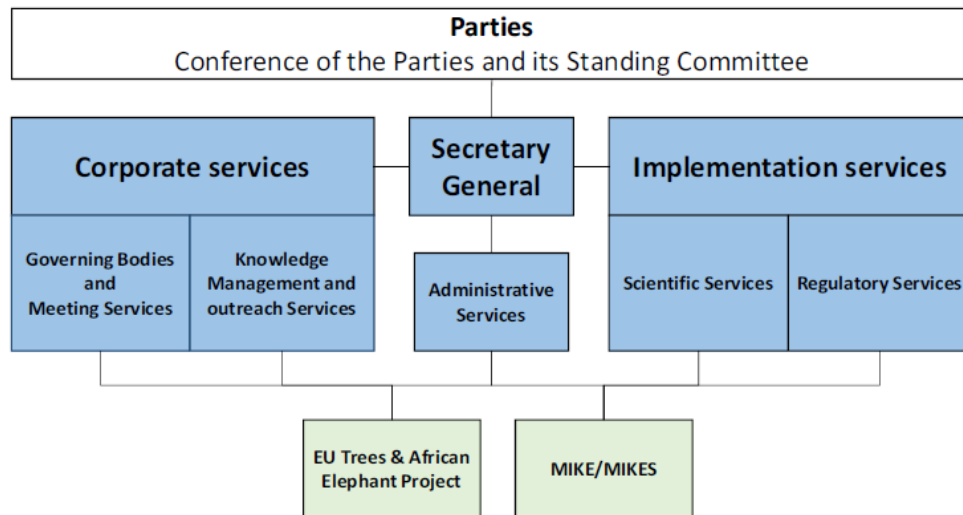


Figure 1 Secretariat Structure Chart (CITES, 2017)

Each State is responsible for implementing decisions made by the CoP into their own legislation. (Bowman *et al.*, 2010: 111) Since the CITES is a treaty, the enforcement of decisions made by the CoP relies heavily on the policing done by each respective state.

Therefore, any decisions taken by the CoP must be followed up by the individual States to ensure their legislation is in line with such decisions and is enforced in practice. The question then is, can States be forced to implement CoP decisions? The CITES has no jurisdiction over States implementation strategies, however plans are put in place to make States responsible for reporting back at each CoP on their implementation progress. This is the most the CITES can do to keep track of whether a State has complied or not with a particular Decision. The Ivory Action Plan is one example of ensuring all trading partners get on board with what was previously agreed on during the CoP. The Ivory Action Plans is “used by the Convention in a number of its member States (...) to strengthen their controls of the trade in ivory and ivory markets, and help combat the illegal trade in ivory” (CITES National Ivory Action Plans).¹⁴

¹² Full description of ‘Institutional Arrangements’ of the MIKE programme can be obtained from <https://cites.org/eng/prog/mike/governance> (last accessed November 9, 2017).

¹³ See footnote 12.

¹⁴ Information obtained from <https://www.cites.org/eng/niaps> (last accessed November 14, 2017).

These specific plans are developed with the recommendations made by the Standing Committee.¹⁵

A member part of the IUCN delegation, mentioned in our interview since the Ivory Action Plan, trade has been properly documented and should countries not implement their plans properly and uphold them they can face trade suspensions and sanctions. For a lot of countries this can be seen as a severe punishment since they are unable to trade with anything or any state member of the CITES. He ends by saying “it’s one of those rare instances where the CITES can show its teeth and push countries to do things” (male, IUCN delegation, interview conducted October 4, 2016). In short, the Ivory Action Plans force States to adhere to it otherwise they can face trade suspension and sanctions.

The CITES itself is silent on sanctions which can be imposed on member States if they fail to comply with the convention itself or the decisions of the CoP,¹⁶ but does authorize member States to take domestic measures going beyond the requirements of CITES itself (Article XIV (1)). Based on this provision and through an evolving practice, the parties to CITES have developed a system of informal sanctions only recently codified in a set of guidelines (the 2007 “Guidelines on Compliance with the Convention”), which can include recommendations of embargoes against non-compliant parties (Sand, 2013: 251).

Thus, upon recommendation from the European Union, the CITES Standing Committee at CoP17 voted to recommend to suspend trade with all CITES-protected species in three States (Angola, Nigeria and Laos) because of their failures to address elephant poaching under their National Ivory Action Plans (Cruise, 2016; AP News, 2013). The legal impact of this measure is somewhat unclear – even the CITES Secretariat does not expressly state that these recommendations are binding¹⁷ –, but it does send a strong political signal and lends additional legitimacy to any member state wishing to suspend such trade.

These measures, despite the lack of formalization in the treaty itself, appear to be effective. An external evaluation of CITES enforcement measures, commissioned by the Standing Committee, and concluded in 2004 that “unlike other multilateral environmental agreements, CITES did not need a special control body as postulated by some parties” (Sand, 2013: 253). To conclude, the CITES governance is both a legal and political framework used by States to trade fauna and flora. In so far as holding the individual States compliant with decisions taken at each CoP, that falls back on each respective State, as the CITES is silent when it comes to

¹⁵ Information obtained from <https://www.cites.org/eng/niaps> (last accessed November 14, 2017).

¹⁶ This means the convention does not have express provisions describing possible sanctions, but it does not mean sanctions are impossible (see United Nations 1976: 244).

¹⁷ https://cites.org/eng/news/pr/cites_meeting_takes_bold_decisions_in_fight_against_illicit_wildlife_trafficking_and_on_sustainability_19012016 (last accessed November 29, 2017)

the administration of legally binding tools. Therefore, States can and often do act and make decisions reflecting interests of the State that may be guided not by what is best for conservation but by other economic and political factors.

3.1.1.2 Dynamic Protection Levels: CITES Appendices

Understanding the implications of the CITES Appendices is relevant when international trade among States is concerned. Both fauna and flora are traded internationally, however the Appendices ensure the relevant protection. Under the CITES, the level of protection afforded to fauna and flora – ranging from trade restrictions to total trade bans – is differentiated according to threat status, and reflected by the inclusion of the relevant species in one of the Appendices to the CITES.

An Appendix I listing is reserved for animals and plants that are threatened with extinction, and therefore international trade is prohibited. Appendix II listing is intended for less endangered species, which allows for limited domestic trade with proper authorization. Appendix III listing is for species that are protected in at least one country, which requests the assistance of other CITES parties to control trade (Article II).¹⁸

In Chapter 5.1.1.4 the impact of the downlisting and uplisting of the African elephant will be analyzed. It is therefore important to keep the clarification of each Appendix in mind.

3.1.1.3 Opting out: CITES Reservations

This sub-chapter defines what the CITES refers to as entering a “reservation”. The concept of why a State would not want to be considered as a contracting party to the Treaty is explored in sub-chapter 5.1.1.4 relating to the Namibian African elephant population listed on Appendix II. Under Article XXIII of CITES, member States can enter into a reservation with respect to any fauna or flora.

The Convention allows any Party to enter a reservation with respect to amendments to the Appendices within 90 days from any Decision being taken. Under Article XV paragraph 3, the respective State is then considered a non-party to CITES for the purpose of implementing the relevant provision, or with regards to trade in a species for which that state has made a reservation. The reservation however does not mean that other parties to CITES can then trade freely with such State without application of the provision (they would have to enter their own reservations to achieve that).

¹⁸ See CITES Treaty at <https://treaties.un.org/doc/publication/unts/volume%20993/volume-993-i-14537-english.pdf> (last accessed November 8, 2017).

As a result, however a Party entering a reservation against the inclusion of certain species in Appendix I could commercially trade species with any other Party that also entered such a reservation, without violating the provisions of the Convention.

3.1.1.4 The African Elephant under CITES

The status of the African Elephant under CITES illustrates the complexities of the CITES framework and governance system described above. Different regional populations of the species are currently in different CITES appendices, with controversial discussions around the possibility of up or downlisting such populations. It has been the subject of a number of CITES exceptions, authorizing individual ivory stockpile sales that otherwise would not have been permitted. In addition, in the case of Namibia in particular, certain interest groups exert political and media pressure for the Namibian government to use CITES reservations as tools to achieve greater flexibility on a national level to manage and exploit the local elephant population – suggesting that the commodification (Douglas, 2017) of the African elephant starts with trade in ivory which is regulated by the CITES (Moore, 2011: 52).

Among many species and plants at CoP17, this year the focus was on the African elephant, and decisions made highlight the impact and severity with respect to each African country. As it now stands, the African elephant is listed on Appendix I,¹⁹ with the exception of Botswana, Namibia, South Africa, and Zimbabwe listed under Appendix II.²⁰

The uplisting or downlisting of the African elephant is often based on trade that threatens elephants in the wild, and meeting the biological criteria of being threatened with extinction (Bowman *et al.*, 2010: 494; Wijnstekers, 2011: 66). Normally, surveys are conducted by the respective country and brought forward during the conference as evidence straightening their specific position. However, with regard to ivory trade, even the elephant populations on Appendix II are currently subject to limited exceptions.

Based on States' proposals requesting uplisting or downlisting of species or plants, the Secretariat conducts investigations (looking at statistics from the MIKE²¹) and issues their recommendations for all States to consider before voting. The four States, which currently have their elephant population on Appendix II, also have been permitted in the past to sell off government-owned ivory under certain conditions and subject to maximum quantities, and a nine year moratorium was placed which expired in 2017 (Annotation 2 to CITES Appendix II).

¹⁹ The implications of an Appendix I listing are discussed in sub-chapter 5.1.1.2

²⁰ See Conf. 10.10 (Rev. CoP14). The implications of an Appendix II listing are discussed in sub-chapter 5.1.1.2

²¹ An explanation of the MIKE is provided in sub-chapter 5.1.1.1

Namibia is therefore allowed to apply for additional such sell offs now; a decision on any such application would be made at the next CoP.

In July 2007, Namibia was unanimously authorized by the 172 CITES member States to auction²² off their legal, government-owned stocks. The countries involved in the sale of the ivory were obliged to use the funds raised exclusively for elephant conservation and community development programmes within or adjacent to the elephant range.²³ After 2008 a nine year moratorium was placed on the same member States. In an informal interview with a consultant for wildlife management and sustainable utilisation in Rome said Namibia made a mistake not entering into a reservation in July 2007 regarding the sale of ivory.

As mentioned in sub-chapter 5.1.1.3, Article XXIII paragraph 3 of CITES, a party is considered a non-party with regard to trade in a species for which that state has made a reservation. Namibia had 90 days in which to enter a Reservation once the nine year moratorium was adopted, which would allow Namibia to operate as a non-member for the purpose of avoiding the CoP ivory auction sale ban (Bowman *et al.*, 2010: 168). If Namibia had entered this reservation, Namibia would be able to once the nine year moratorium ended to request a further ivory action sale and CITES would be in agreement. But, Namibia had not entered such Reservation, which means at all upcoming CoP meetings they can request the sale of legally owned ivory but stand to have their Proposal rejected by a two-thirds majority. However, further Proposals from Namibia remain to be put forward at CoP18 at which time the moratorium would be lifted.

So far, at CoP17 Namibia submitted two Proposals (Proposal 14 and 15) whereby they would have unregulated trade in ivory without being confined by the boundaries to regulate domestic trade (CoP17 Prop. 14 and 15). Both proposals were rejected during a secret ballot vote initiated by the United States of America (CoP17, Committee I, October 3, 2016). This shows the uncertainty Namibia faces at each CoP meeting should a Proposal be made requesting another one-off sale of their legally obtained ivory.

As it stands, trade with African Elephants from Namibia, while not entirely prohibited, is possible only subject to restrictions, and most importantly, the ivory cannot be traded internationally. However, this does not mean that elephants cannot be hunted at all in Namibia, since international trade of hunting trophies, hide, skin and other elements are possible but subject to permits under CITES Appendix II.

²² See CITES website for 2008 auctions details: https://cites.org/eng/news/pr/2008/081107_ivory.shtml (last accessed: October 23, 2017).

²³ CITES website: https://cites.org/eng/news/pr/2008/081107_ivory.shtml - (last accessed: October 23, 2017)

In conclusion, the legal construct of the CITES and its governance is seen as a political enterprise whereby States have a responsibility to vote on which species or plant should be offered the respective protection. Decisions made at each CoP are to be enforced by States with minimal interference from the CITES body. As indicated above the CITES Appendices are merely casts States use for the purpose of trade. Reservations are therefore used as potential bypasses to Decisions entered into at each CoP. In the Namibian example, a failure to enter such reservation, not only compromises the State's ability to profit from its resources, but also endangers the elephants themselves as further negotiations continue.

3.1.2 The KAZA TFCA Framework for International Conservation

With a growing need to manage, conserve, and mitigate conflicts between wildlife and humans international initiatives are turning to collaborative measures. This sub-chapter introduces the framework in which Kavango Zambezi Transfrontier Conservation Area (KAZA TFCA) operates which will be further analyzed in Chapter 8.

The KAZA TFCA, formally joining five African countries (Angola, Botswana, Namibia, Zambia, and Zimbabwe) is an effort to jointly manage the largest transfrontier conservation area, spanning approximately 520 000 km². In December 2006 a Memorandum of Understanding was signed between all five countries. In March 2012, the KAZA TFCA treaty was signed between the five countries. The KAZA TFCA treaty initiative aims to pool (in part) five countries' natural resources and the human and material resources needed to exploit them, and open up tourism,²⁴ which is an ambitious project.

Alongside the treaty, the participating countries also started developing a unified visa that would let tourists visit the KAZA TFCA and travel freely among the five countries. There have been some reports from various sources acknowledging issues with the granting of visa for all the five countries and the governments are still looking for solutions.²⁵ However, Zambia and Zimbabwe have, after a successful pilot phase, successfully implemented a KAZA TFCA "UNIVISA" applicable for both countries, and are encouraging the other participating countries to create the legal framework required to roll out this visa type to all KAZA TFCA States.²⁶

²⁴ As described in MoU 2006, Article 4-6 and in the KAZA TFCA Treaty 2011

²⁵ This information comes from the various interviews I have conducted with both Ministry of Environment and Tourism (MET) and Integrated Rural Development and Nature Conservation (IRDNC) personnel. According to my data the initiation of conservation projects lays heavily on donors. Without donors these conservation projects cannot take place. It was also mentioned that the efforts of current donors is not sufficient and projects are crucial for both wildlife and locals.

²⁶ Information found: <https://www.kavangozambezi.org/index.php/en/information/tourist-visa> (last accessed November 10, 2017).

Currently, major funding for conservation projects happening within the KAZA TFCA comes from international donors, such as World Wide Fund (WWF).²⁷

While the KAZA TFCA seems to be in the beginning stages of implementation, chapter 8 will offer a more in-depth look at the current effects seen in Namibia of such joint incentives on the ground.

3.1.3 International Conservation Actors

Within the political framework of the CITES international actors have a clear message when it comes to elephant conservation. Some of the international actors can be ivory trading countries, private individuals involved in trophy hunting, NGOs etc. While the list of actors when it comes to elephant conservation can be exhaustive, this sub-chapter focuses primarily on private individuals and NGOs to introduce their advocacy and the impact they have. The suggestion here is of yet another potential political matrix between NGO and the media influencing private individuals.

3.1.3.1 Private Individuals

Private individuals partaking in safari trophy hunts have a vested interest in keeping the African elephant on Appendix II, which currently is the case, of course specific to the elephant population in Botswana, Namibia, Zimbabwe (listed in 1997) and South Africa (listed in 2000)²⁸ only. For these individuals an Appendix II listing ensures the actual hunt can legally take place as well as granting them a trophy license from CITES allowing them to take the ivory out of the four aforementioned countries (CITES, Appendix II).

Depending on the number of hunts in which an individual partakes the trade in ivory might also be granted, however proper permits from the CITES are necessary. The governing of how many hunts a particular individual is allowed to do falls back on the national jurisdiction, because individual States determine how many hunting permits can be given out in a particular year (as examined in more detail in Chapter 5.2.1).

3.1.3.2 NGOs

Most NGOs' objectives are to cease all trade in ivory, and down listing the African elephant with the current population of Botswana, Namibia, Zimbabwe and South Africa to Appendix I.

²⁷ A Memorandum of Understanding was signed on November 28, 2003 between WWF and Peace Park Foundation promoting "project basis in geographical areas of mutual interest" by funding, among other things (<http://www.peaceparks.org/news.php?pid=1090&mid=356&o=0&q=Funding> – last accessed: October 24, 2017).

²⁸ Throughout the thesis I will mention the Appendix II listing with respect to the African elephant with populations found in these countries: Botswana, Namibia, Zimbabwe (1997) and South Africa (2000). It is therefore assumed, although not always stated that the Appendix II listing only applies to these countries.

Their interests are clear and advertised in an overwhelming majority²⁹ of the printed material distributed throughout the CITES conference.

For instance, the NGO “Elephant Voices” writes that its standpoint is that all elephants should be on Appendix I of CITES, and that commercial trade in ivory should not be allowed (Elephant Voices, n.d.).

Numerous media outlets reporting on the CITES were of the opinion that CITES is not doing enough to protect elephants; their messages clearly suggested that they would favour a complete ivory trade ban (Cruise, 2016; Frantz, 2016; CBC News, 2016; Fox News, 2016).

It is evident that the agendas/opinions of many of the NGOs are similar to that of the media. One important question arises from this – are NGOs’ agendas swaying media outlets reports? If so does that have an impact on public perception? The issue is discussed by Waisbord in a 2011 article, where he examines the role of NGOs in connection to the role of the media and suggests the link between the two is often not merited. However, his concluding remarks open up the debate again, as he states “prospects for NGOs to change news are contingent on too many unpredictable factors to produce categorical conclusions. The worlds of NGOs and newsmaking are too heterogeneous, and their relations are multiple and changing”. (Waisbord, 2011: 159) NGOs’ role when it comes to their connection to the media and the public needs to be further investigated.³⁰

Lastly, NGOs are advocating for an Appendix I listing that is not warranted. The downlisting of the current African elephant population on Appendix II does not fit the criteria of an Appendix I listing. If we turn to sub-chapter 5.1.1.2, trade does not threaten the current population of elephants on Appendix II nor does the elephant population fit the biological criteria of being threated with extinction. Accordingly, at CoP17 Proposal 16³¹ put forth to transfer the current population from Appendix II to Appendix I was rejected based on the above reasons. The rejection of Proposal 16 clearly highlights the difference in opinion between the member states and the NGOs advocating for the downlisting of all the current elephant population to Appendix I, which would trigger a complete trade ban.

²⁹ The conclusion was drawn from the African elephant related publications given out by a lot of the NGOs attending CoP17 – see bibliography for a complete list.

³⁰ Gordon (2016: 1-2), in the introductory pages to a journal, mentions the public outcry from the Cecil the Zimbabwean lion story covered by the global media. It was an unprecedented event which had consequences far beyond a dentist hunting the lion. This event changed the perception of the public at large. Media has a significant impact on public believes especially when it comes to the topic of trophy hunting.

³¹ CoP17 Proposal 16, supported by Benin, Burkina Faso, Central African Republic, Chad, Ethiopia, Kenya, Liberia, Mali, Niger, Nigeria, Senegal, Sri Lanka and Uganda: <https://cites.org/sites/default/files/eng/cop/17/prop/060216/E-CoP17-Prop-16.pdf> (accessed on: November 13, 2017).

To conclude, on the international level the CITES is a key political tool for States to use to manage trade of fauna and flora among other States for the benefit of each respective State. The governance of CITES reflects the same findings. The appendices and Reservations are used as legal tools to make trade decisions at each CoP creating economic opportunities among each respective State. With the KAZA TFCA Treaty considered within a similar political framework as CITES, it is suggested that the management of fauna and flora among the five respective States will be challenging. The layout of two major conservation actors illustrates that there are a number of agendas needing further consideration as both are embedded in elephant conservation. The next chapter unveils how elephant conservation is dealt with on a national level.

3.2 National Level

When looking at Namibia, the state has implemented all of the enforceable CITES decision into their state laws, with respect to trade, trophy hunting, and creating committees which overlook the implementation of such laws.

From my participant observation during the conference, it is clear that Namibia is committed to elephant conservation, however, the delegation stated the importance of creating an economic benefit for the locals to want to conserve, to avoid resorting to poaching. Namibia's state official stated, that they strongly agree with the Monitoring of the Illegal Killing of Elephants (MIKE) program currently put in place, however many of the other CITES parties, such as, Kenya, the European Union, Uganda, Israel, and other international conservations actors (e.g. the NGO Humane Society) were questioning MIKE data, suggesting perhaps a misrepresentation of current poaching numbers and wanting an audit. (Committee meeting on September 26, 2016)

When it comes to elephant conservation, four main legal tools are used in Namibia to implement policies and these are directly affected by decisions taken at each CoP meeting. These four tools have a direct correlation to local livelihoods of people sharing their space with the wildlife. These tools, namely regulation of trophy hunting, establishment of conservancies, Tenure Act/Land use Plans and Traditional Authorities Act are further explored in the next four chapters to illustrate Namibia's focus on sustainable utilization of natural and wildlife resources. The main objective is to introduce these tools and create an understanding of the impact conservation has on the national level within Namibia. In later chapters these tools will be used to illustrate detailed examples of the impact of such tools on the local livelihoods whether positive or in some cases negative.

3.2.1 Trophy Hunting Permits and Quotas

From the perspective of CITES, trophy hunting is allowed for all countries in which the African elephant is listed in Appendix II. Each respective country is responsible for setting their quotas while having a procedure in place to do so. However, CITES through the regulation of ivory trade can in fact impact trophy hunting within a particular country having a high number of elephant poaching incidences, which goes back to the MIKE program set in place by CITES to conduct investigations and report back to the Secretariat.³² The Zambezi region is an example where the State has implemented a working structure on the ground to account for sustainable hunting to occur without endangering the elephant population.

In the Zambezi region, quotas are established based on game counts within the respective area. Game counts are done on an annual basis usually in September. They have marked wildlife transit routes (via GPS start and end points) that are given to game guards and they track and record the elephant numbers (male, MET Warden for Mudumu, interview conducted October 21, 2016). Quotas are allocated for a three year period (Guidelines for Management of Conservancies and Standard Operating Procedures, 2013: 25).

As the assistant director at IRDNC explains, the process is as such: “conservancies will determine looking at the wildlife number they have and they will put in a proposal to MET to ask for individual quotas that matches the game counts conducted. Once the quota numbers has been established, the conservancy signs an agreement with MET” (female, assistant director IRDNC, interview dated October 19, 2016). A recently published article by Bollig and Olwage adds to the assistant director’s comments by suggesting quotas are discussed in meetings involving MET officials, NGO staff and representatives of the conservancies, and MET is to make the final quota decision which corresponds to my findings as well (cf. Bollig & Olwage, 2016: 73).

For the MET it is important to establish the total number within a particular area to be able to sign off on the proper number of quotas submitted by a respective conservancy. The individual conservancies are obliged to implement wildlife monitoring programmes so that the requested quotas from MET are compliant. An example of a monitoring program is the event book system, which all conservancies must comply with. (MET, 2013: 25) An element left for further investigation is the account of seasonal patterns, which might bring more rain or vegetation in a particular area and alter the predicted elephant patterns from one year to another. (Jones, 2001: 299) There is uncertainty whether the MET GPS transit routes take into account seasonal patterns, which might force elephants to take alternative transit routes.

³² The initiative for the MIKE is discussed in sub-chapter 5.1.1.1

Trophy hunting permits in Namibia are issued by MET to independent entities with the following procedural steps. A registered independent entity has to fill out an application form at the regional office in Katima which will be sent onto Rundu and then the application once approved goes to MET's head office in Windhoek for processing. The processing time takes about 1-2 weeks and then the independent entity is granted a hunting license. According to the current warden for Mudumu N.P. there are only about 16 independent entities holding hunting licenses in the Zambezi Region. Once an independent entity is registered with a hunting permit, the next step is to fill out an application with the MET to be able to hunt trophies³³.

Once this application is approved, they are issued trophy hunting permits³⁴ allowing them to hunt elephants. Each hunt is accompanied by a game ranger belonging to the conservancy (concession) where the hunt will actually take place along with one professional hunter, one master and a hunting guide must be present. In an interview with a professional hunter who works for a hunting company that deals with Salambala, Kabulabula and Lusese concessions stated, in 2016 MET issued permits allowing them to hunt 16 trophy elephants in total for all three concessions (the number of trophies per concession was not given). He mentioned, "within the whole of Namibia there are a total of 90 elephant permits given out for 2016" (male, professional hunter, interview held November 8, 2016). The MET highlights the following general conditions for the "hunt of protected game" and "import and export of trophies"³⁵:

- The game may not be hunted during the period from half an hour after sunset to half an hour before sunrise
- Only a permit holder may shoot game
- Within thirty days after the expiry of the permit the Director must be informed in writing of the number of animals shot, as well as the dates on which they were shot

The requirements for "import and export of trophies" are:

- At all times subject to the veterinary requirements and approval
- Original import and export documents within fourteen days after import to this office

The Namibian government website where this information was obtained fails to define the classification of a trophy. However, in my interview with the professional hunter he stated,

they head out in the morning looking for trophy tracks. Once the tracks are found, they begin to follow them on foot until they reach the elephant to make sure the tusks are intact and

³³ Classification of trophies is not specifically defined in any forms required by MET.

³⁴ Appendix 2: The actual application hunting entities must submit to MET.

³⁵ Information obtained from SA-Hunt, <http://sa-hunt.com/wp-content/uploads/2013/10/General-conditions-for-all-permits.pdf> (last accessed October 16, 2017).

healthy. Once they confirm that the elephant is in fact their trophy the hunt happens. After the animal is killed the meat gets distributed among the community and the tusks are taken (male, professional hunter, interview conducted November 8, 2016).

More research is needed as to the classification of a trophy besides being allowed to shot only “males” (male, IRDNC, interview conducted October 19, 2016).

While trophy hunting is a controversial subject for many at the CITES conference and many would like to see it abolished, it shows that Namibia has mechanisms set in place to track and count elephants as well as regulate the amount of permits given out. This satisfies CITES mandates, however the impact of trophy hunting on local livelihoods is explored in depth in Chapter 7 and 8.

3.2.2 National Parks and Conservancies

There are currently 15 registered conservancies and six emerging conservancies and three national parks in the Zambezi Region (MLR, 2015: 88). National Parks in this region are at the front lines of conservation efforts.

State protected areas are identified and key in the establishment of conservancies outside these protected areas. A brief background on these three national parks is provided, although this thesis draws only from information obtained in Mudumu and Bwabwata N.P. The following detailed information about each respective park has been obtained from Zambezi IRLUP March 2015 plans:

Mudumu National Park covers an area of 737 km² and is situated along the Kwando River, bordered by Botswana to the west, Mashi Conservancy to the north, Sobbe Conservancy to the east, Balyerwa, Wuparo and Dzoti Conservancy to the south. ‘The park is centred on the Mudumu Molapo fossil river course, a seasonally dry, open channel that drains the primarily Mopane woodlands of the hinterland to the east. Without any fences, Mudumu forms a crucial transboundary link for wildlife migration and seasonal dispersal between Angola, Botswana and Zambia and for seasonal migrations to and from the rivers. One of Mudumu’s main purposes is to serve as a core wildlife area. (MLR, 2013: 105)

Nkasa Rupara National Park (Mamili) covers an area of 337km² and is the largest formally protected wetland area in Namibia. The park is located southwards of the Mudumu National Park and is bordered to the south, west and east by the Kwando and Linyanti Rivers – which also constitutes the border with Botswana – and north by the Balyerwa, Wuparo and Dzoti Conservancies. (MLR, 2013: 105)

Bwabwata National Park covers an area of 6,274km² and falls within the Kavango East Region as well as within the Zambezi Region, with the boundary of the two regions being roughly in

the middle of the park. The park consists of three core areas designated for special protection and controlled tourism; the Kwando, Buffalo, and Mahango. In addition to this, a large multiple use area (MUA) zoned for community-based tourism, trophy hunting, human settlement and development by the resident community. The Trans-Caprivi Highway traverses the park from east to west. A number of small settlements can be found inside the MUA of the park where there is a population of approximately 5,500. Of these, about 80% are of the San ethnic group, the Khwe. (MLR, 2013: 105) The area between the Kavango and Kwando rivers was first proclaimed as a nature park in 1963 mainly for military strategic reasons. In 1964, the Odendaal Commission recommended to create a homeland for the Khwe in the 'Zambezi Strip'. In 1968, the park was elevated to a game park and until 1990 the entire area was treated as a military zone by the South African Defence Force (SADF). It was only in 1990, with independence and the retreat of the SADF in Namibia, that the conservation staff could undertake work in the park. In 1998, a recommendation from a socio-ecological survey recommended that the Mahango and the Caprivi Game Park should be merged into the Bwabwata National Park and that the boundaries be extended eastwards to the middle of the Kwando River. (MLR, 2013: 106)

From the national park descriptions it is fairly easy to pinpoint how wildlife conservation happens within close proximity to established conservancies, which impact local livelihoods. I have distinguished in the maps below the boundary of each park, and it is essential to now understand the different boundaries within a registered conservancy bordering such parks.

Since most of my fieldwork was conducted around Mudumu N. P., I will use this park to illustrate the identification of protected areas within conservancies. Each conservancy is zoned around the Mudumu N.P. Historically there are two factors influencing how communal zones are set. The first is historical distribution and movement of individual ethnic groups within the country, and the second factor is the privatisation of what used to be communal land and state land by pre-independence colonial regimes. It is also important to note that today Namibia's land is divided in three categories: state, communal and freehold commercial areas. (MLR, 2012: 3)

These three categories are further explained in Chapter 5.2.2. The Ministry of Lands and Resettlement in Namibia has published maps identifying the exact zones for each conservancy as well as identifying which areas can be used for what. If we take Mashi conservancy as an example which is part of Mudumu North Complex the land has five different zonation codes, namely: exclusive wildlife (no disturbance); exclusive wildlife [tourists only (no hunting)]; settlement & cropping area; multiple use (livestock priority); and multiple use (tourism priority). These codes are intended to divide the space among wildlife, tourists, locals, hunting, and

farming as to create a co-existence ecosystem.³⁶ However, in chapters to follow it is shown that in certain conservancies this is often not the case, and in many cases conflicts between all these different areas occurs.

In the Zambezi IRLUP Volume 1 plans, conservancies are described as:

Legally recognised, geographically defined areas that have been formed by communities who have united to manage and benefit from wildlife and other natural resources' (Weaver & Petersen, 2008). A communal conservancy is a communally owned and managed area with registered members of which the boundaries of the conservancies have been demarcated and gazetted in the Government Gazette. Such a conservancy has a management committee with a management plan regulating land use within the conservancy. The main objectives of establishing conservancies are: to improve natural resource management within the conservancy and to generate income for the community through activities such as tourism, craft sales, trophy hunting etc. (MLR, 2015: 40).

The main objectives for conservancies are to “improve natural resource management and generate income for the community through activities such as tourism, craft sales, trophy hunting”. It can be argued that these two objectives often conflict with one another. While tourism and trophy hunting have been both mentioned in my household questionnaires and semi structured interviews as the top income producing activities, they can also have a detrimental effect on the natural resources in this area (Taylor, 2012: 44). Local people along with IRDNC³⁷ and MET uphold the belief that creating an economic benefit for the locals is an essential part of managing natural resources.³⁸

3.2.3 Land Use Plans under the Tenure Act

While current land use plans are concerned with creating a diversity of economic opportunities under the umbrellas of tourism, agriculture and trade in the Zambezi region, corridor maps indicate there are significant HWC in this area due to local settlements in close proximity to wildlife corridors requiring further strategizing.³⁹ The most current IRLUP was completed and published in March of 2015, is a strong collaboration among institutional and administrative bodies within the Government of Republic of Namibia, and it depicts local settlement infringing on wildlife corridor as a major problem. The planning decisions laid down in the IRLUP are in

³⁶ Similar zonation divisions among conservancies are also found in the Northern Kunene Region as mentioned by (Bollig & Olwage, 2016: 70).

³⁷ In fact IRDNC and the locals hold the answers to a lot of problems within their environment (Jones, 2001: 300).

³⁸ Barnes *et al.* (2002: 669) agree and write, “if communities are allowed to benefit directly from the use of natural resources, then they will have an incentive to invest in and conserve these resources”.

³⁹ According to Ashley (1998: 346), “land use planning ignores local views and ignores tourism as a land user and links with other sectors”.

line with current national legislations, policies and bills⁴⁰, but sufficiently flexible to allow for incorporation of future changes to the applicable legal framework. Moore describes Namibia's conservation policy as: "one of sustainable utilization applied at the national level (within national parks) through to locally-based communal and commercial conservancies. Both forms of conservancy attain government-recognized use rights over wildlife and other natural resources" (Moore, 2010: 22). Moore's suggestion that utilization of wildlife and other natural resources takes precedence when it comes to policy setting is accurate. Utilization of wildlife and natural resources is still in the forefront of new bills being drafted, for example, draft bills have been created to deal with the rise of conservation problems, draft Bill on Access and Benefit Sharing (ABS). ABS, still in draft form, sets out to implement objectives derived from the Nagoya Protocol,⁴¹ namely: "aims to achieve equitable access to useful plant products and fair distribution of the benefits amongst the people who harvest them" (MLR, 2015: 20). From the draft ABS it can be deduced that the future aim is for the establishment of profitability among local people who harvest plant products. However, Namibia's approach is much more complex than imbedded utilization efforts in policy-making – its main focus is on sustainable utilization. The next subchapter discusses the Traditional Authority Act and its key structural flaw, namely that it does not contain sufficient safeguards to guarantee that representatives appointed to divide and allocate land adequately consider the impact of their decisions on wildlife corridors. In brief all these legislation tools are used by and assigned to an administrative body which deals with different aspects of conservation. In this wide range of tools, administrative bodies focus on the utilization of both wildlife and natural resources. Land-use planning has/will become increasingly significant, although such plans will be difficult to foster without the resolution of current HWC, such as human settlement within the boundary of wildlife corridors. It is evident that Namibia has a number of legal tools to implement a number of initiatives regarding utilization of natural resources. With utilization comes the need to understand which actors have the right to implement rules when it comes to land distribution. Land distribution is currently seen as a major factor fuelling HWC - chapter 8 will discuss this in more detail. The

⁴⁰ The Constitution of Namibia, The Environment Management Act 7 (2007), Water Act 54 (1956), the Regional Councils Act 22 (1992), the Traditional Authority Act 25 (2000), Forest Act 12 (2001), White paper on the Responsible Management of Inland Fisheries in Namibia, The Parks and Wildlife Management Bill 2009, the Nature Conservation Amendment Act 5 (1996), Namibia Tourism Board Act 21 (2000), Pollution Control and Waste Management Bill, National Heritage Act 27 (2004), Namibia's Draft Wetland Policy (November 2004), The National Agriculture Policy (1995), the National Drought Policy and Strategy (1997), The Nature Conservation Ordinance (1975), Soil Conservation Act 6 (1969), Communal Land Reform Act 5 (2002), Water Supply and Sanitation Policy (2008), Draft Bill on Access and Benefit Sharing (ABS).

⁴¹ The Nagoya Protocol came as a response to the implementation of the objective calls for the fair and equitable benefits sharing arising from commercial utilisation of genetic resources. Source: <http://naturaljustice.org/namibia-accedes-to-the-nagoya-protocol/> - last accessed: October 24, 2017.

next chapter introduces the body responsible for land distribution in the Zambezi region followed by an Act, which gives the body power to act, suggesting that in fact the Act requires slight revisions to make the Act more current and more explicit.

3.2.4 Traditional Authority Act

The Traditional Authorities (Act 25 of 2000)⁴² gives Traditional Authorities (TAs)⁴³ authority to allocate land for the traditional community.

Under Section 2 (b), (c), and (of the Traditional Authorities Act, TAs are recognized as legal entities. Among the duties of the TAs with respect to land use are:

To assist and cooperate with the Government, Regional Councils and Local Authority Councils in the execution of their policies and to keep the members of the traditional community informed of the developmental projects in their area. Furthermore; and to ensure that the members of his/her traditional community use the natural resources at their disposal on a sustainable basis and in a manner that conserves the environment and maintains the ecosystems for the benefit of all persons of Namibia.

Section 18 (1) of the Act highlights the TAs power to sell or acquire land on behalf of its members within the traditional community:

A traditional authority may with the consent of the members of its traditional community acquire, purchase, lease, sell or otherwise hold or dispose of movable and immovable property in trust for that traditional community, and shall have such rights in respect of the acquisition and disposal of such property as may reasonably be necessary or expedient for the carrying out of its functions under this Act.

In addition, Section 30 of the Communal Land Reform Act “requires that the TAs must be consulted and consent to leaseholds for agricultural purposes and TAs must be consulted and consent to leaseholds for agricultural purposes” (MLR, 2015: 16). Julie Taylor adds that the Communal Land Reform Act 5 of 2002 complicates the administration of communal land, because the new Act advocates for the “establishment of Communal Land Boards⁴⁴ to exercise control over customary land rights by Traditional Authorities”. (Taylor, 2012: 45) All this points to TAs along with the Communal Land Boards being kept up-to-date with information about

⁴² The information was taken from the Act itself: <http://www.lac.org.na/laws/pdf/tradauth.pdf> (last accessed October 18, 2017).

⁴³ The Act defines Traditional Authorities (TA) as, “traditional authority of a traditional community established in terms of section 2(1). Furthermore, a TA shall in the exercise of its powers and the execution of its duties and functions have jurisdiction over the members of the traditional community in respect of which it has been established”.

⁴⁴ “The Communal Land Boards will include representatives from farming communities, regional councils, women, the public service and conservancies, in addition to Traditional Authorities” (Taylor, 2012: 45).

wildlife corridors as to avoid assigning plots of land to people in these areas. However, my research points to exactly the opposite.

Based on my personal interview with one of the development advisors at GIZ, he stated based on maps produced by his office that there is a miscommunication somewhere. The land already/currently allocated is to not taking into account wildlife corridors. In fact, in my interview with the enterprise development coordinator from IRDNC he states TA should jump on board and convince the current local settlers in the corridors to move “by bringing in traditional authorities they have the authority to bring everyone on board and say adhere to these norms or to those rules,” (male, IRDNC enterprise development coordinator interview conducted October 19, 2016)⁴⁵.

The Traditional Authority Act is an example of a legal framework, which perhaps leaves too much authority in the hand of TAs. As it stands, TAs are not able to “ensure that the members of his or her community use the natural resources at their disposal in a sustainable basis... and maintain the ecosystems for the benefit of all persons in Namibia”. The assignment of land plots in wildlife corridors is infringing on both the maintenance of ecosystems and the “benefit of all persons” because people are now faced with the prospect of needing to move.

Perhaps the blame can be shared with the need for clarification of certain terminology in the Act itself, such as “sustainable basis” – this term could be more specific to the incorporation to allow for current and future sustainable projects or conservation efforts not infringing on the benefits of all “persons in Namibia” and vice versa.

3.3 Local Level

The legal frameworks developed at international and national levels must be implemented in local communities. The local level of government within areas with significant elephant populations – namely the national parks and conservancies wields considerable power and influence on questions of conservation and related issues of human-wildlife conflicts, even though it must of course comply with a number of restrictions contained in higher-ranking legal provisions.

In the Zambezi region, decisions are often prepared and taken on a local level at Annual General Meetings (AGM) of associations⁴⁶ of local communities such as Kyaramacan

⁴⁵ The comments made are confirmed by the Ministry of Lands and Resettlement data.

⁴⁶ An Association is a local governance structure comprising the residents of several communities (NACSO, n.d.).

Association and Complex⁴⁷ meetings such as Mudumu North Complex and Mudumu South Complex, throughout the year, whereby stakeholders attend to discuss a wide range of topics. My participant observation at one Complex meeting in Mudumu North and South the topic of HWCs were at the forefront of discussions. While at the AGM in Bwabwata National park, budget reports were the biggest source of contention. When it comes to the topic of elephant conservation, these meetings allow for transparency for two main reasons; they allow a platform for open discussions, and they bring different stakeholders together in one place where these discussions can be had. Fluent communication among different stakeholders seems to be at the root of most solutions. Both AGMs and (Mudumu) Complex meetings allow for discussion to occur among different parties, and my participant observations at both AGM and Complex meetings show that people voiced their concerns candidly.

3.3.1 Decisions of Annual General Meetings (AGM)

This section is based on my participant observation of the Kyaramacan Association (KA)⁴⁸ AGM on November 5-6, 2016.

I argue that AGM decisions at KA AGM are often slow to progress and holding two separate AGMs, one for Bwabwata East and another for Bwabwata West might be a potential strategy. The AGM was held at Mutciku office in Bwabwata N. P. A total number of over 156 people from different villages around Bwabwata N.P. joined by KA administration body, MET representatives, IRDNC representatives, GIZ, along with other stakeholders to discuss benefit distributions plans, budgets for the upcoming year, Devil's claw report, MET report, IRDNC reports, and financial reports. The meeting started with a prayer and an introduction of all of the invited guests. After which, the agenda for the day was read to all. As the secretary of KA began to discuss various items on the agenda it quickly became apparent that the structure of sequence would not be kept. It was stated there are a lot of problems within the KA and the management body is looking into the best ways to handle these situations. For example, KA administrators want to set up a proper financial system with a bank that the communities can manage themselves.

Another example, is the partnership between KA and MET to provide better management strategies. This collaboration was discussed in terms of a joint effort when it came to establishing anti-poaching units within the national park, which would provide more manpower to crack down on a "high number of" poaching incidences. However, someone brought up that

⁴⁷ A Complex is a local informal governance structure comprising several conservancies aimed at co-ordinating resources management and conservation issues (NACSO, 2012).

⁴⁸ Kyaramacan Association is an established Trust representing the interest of the local people living in Bwabwata N.P. with its' own Constitution established on May 19, 2012.

apparently game guards were not being paid, and that this should be further investigated. They suggested that since the game guards are not getting paid, it will be hard to recruit people for anti-poaching units. Another person mentioned that people are coming and living within Bwabwata N. P. without having permission, and that MET should also look into people migrating into the villages within Bwabwata N.P. from areas outside of the national park.

People started to become quite angry and suggesting some locals have no village representatives who can keep them informed on different topics being discussed here at the meeting, as well as, be able to express their own wishes. This continued for a while. Towards the end of the meeting, MET representatives reported that they had serious issues with the KA's financial reports. A fair bit of KA staff became agitated and suggestions were made that KA and MET partnerships might not be the best way forward. While parties were able to end the meeting at 10pm amicably people walked away saying their voices were not heard. The next day the AGM convened at 10AM for a short period, however no decisions were made and most of the locals were cleaning up and taking their tents down.

In further analysis of my participant observation at KA AGM it is perhaps due to the large number of attendees that people's voices were not heard as well as the progression of the agenda not meeting the satisfaction of both KA and MET representatives. To give the opportunity for local people from different villages to speak, small groups might be more conducive. Having two AGMs, one for Bwabwata East and another for Bwabwata West might therefore be a potential solution. However, this chapter is based on the attendance at one AGM and in order to draw more robust conclusions, more data would be necessary.

3.3.2 Complex meetings

Complex meetings such as Mudumu South and North Complex meeting⁴⁹ are structured and organized with a range of roughly 30 stakeholders getting together to discuss a range of topics (listed below). Mudumu South and North are divided into two separate Complex meetings held on separate days. Based on my participant observation on October 22, 2016 when a Mudumu South Complex meeting took place the meeting was successful in that it tackled all the items listed on the agenda, including successfully completing the process of voting on a variety of different issues. In this section I argue that the Mudumu South complex meeting is structurally fluid.

⁴⁹ The Mudumu North and South Complexes are clusters of conservancies, community forests and state protected areas in eastern Zambezi that cooperate in the management of wildlife, forests and other natural resources; cf. http://www.the-eis.com/data/literature/MNC_booklet.pdf - last accessed: October 25, 2017.

The complex meeting held at Dzoti Conservancy office commenced at 9 AM and concluded at 3 PM. The meeting started with a prayer and apologies given on behalf of the invitees who were not able to attend the meeting, then, the agenda was read out to all.

Key topics included: construction of gates in Mudumu Park which would be part of 24/7 management system plan; marking of wildlife corridors; growing number of fires within the park; poaching problems; environmental education provided as a way to expand conservation initiatives; devising a new plan for solid waste; increasing security of elephants which would require the involvement of the Ministry of Agriculture; Fisheries department - wanting to discuss the importance of tackling illegal fishing; professional hunters stating that MET quotas were calculated based on inaccurate (too low) game counts and did not meet their requirements; and land-use reform issues.

While different discussions were taking place I looked around at the circle of people attending the meeting and noticed a mixed number of key stakeholders present such as: IRDNC representatives⁵⁰, and police officers, conservancy head men (responsible for speaking on behalf of their respective conservancy), professional hunters, MET representatives. UNAM students, UNAM professors, GIZ advisors, and lodge operators – all contributing throughout the meeting in their own capacity.

Professional hunters stated that wild fires and poaching are getting out of hand. They also stated that they had ivory stolen from their camp. No solution was provided at this meeting.

Upon the meeting concluding the main focuses for the future were to strengthen the community-supply management with respect to producing more products in Namibia rather than importing them, as well as a focus on land-use and infrastructure development and supporting communities with climate change issues.

In conclusion, the Mudumu South complex meeting was linear and fluid and all discussions were closely related to problems locals are facing and potential solutions for such issues. However, attendance of more than one complex meeting is necessary to draw any further conclusions.

To conclude, a summary along with examples have been provided on an international, national and local level. The political legal framework on the international level aims to hold States responsible for the implementation of the CITES decisions, the uplisting and downlisting of fauna and flora on Appendix I and/or II and entering into a reservation controls trade between States. With the establishment of KAZA TFCA as a joint wildlife venture between five countries,

⁵⁰ There were a lot more IDRNC representatives at the Mudumu South complex meeting than at the Bwabwata AGM. This could be due to the availability of staff.

management of natural resources are meant to have financial responsibility shared among the five countries with the effects still to be analyzed in the next chapter. NGOs establishing a strong media presence with a number of conservation agendas - all these reveal an importance to keep these agendas in mind as this leads to understanding the *modus operandi*.

One question still remains to be answered: whether policy making is governed by various actors' agendas or whether policy making is dictated by a universally accepted conservation plan benefiting the elephants and local people's livelihoods.

4. Namibian Elephant Conservation Threats

When it comes to elephant conservation the role local people play is the key. Locals can either be seen as potential conservation threats or as a helpful tool to further conservation efforts. This chapter stresses the need for locals to jump on board conservation efforts; otherwise locals become a conservation threat.

Having rural local people fitting either the villain or hero mould depending “on how the casual explanations of environmental problems are framed and on the agenda of the practitioners/experts involved” has an impact on “species management plans, the level of access people have to their environment and how the history and voice of rural African people are recognized at both the state and international level” is a concept which certainly pertains to the Zambezi region (Moore, 2010: 20).

This chapter explores the cause and effect of three possible threats to wildlife conservation, namely poaching, human-wildlife conflicts, and the downlisting of the Namibian’s elephant population from Appendix II to Appendix I. It is argued that a possible mitigation strategy for all these three threats is (and as Moore argues) to have local rural people jump on board with elephants conservation efforts by States spending more time and resources “at the local level to ensure that people who live with managed resources are listened to” (Moore, 2010: 28). Local rural people’s knowledge of their environment and wildlife is essential (Matowanyika *et al.*, 1995: 20-22). The support of local rural people is compulsory (O’Connell-Rodwell *et al.*, 2000: 389) when talking about conservation efforts.⁵¹

4.1 Poaching

In the Zambezi region, one of the main reported problems when it comes to elephant conservation is elephant poaching. This chapter focuses on poaching to illuminate the necessity for heavier anti-poaching units in Bwabwata and Mudumu N.P. It argues that these anti-poaching units should be comprised of local rural people.

MET wildlife incident reports for 2016 in Bwabwata N.P. show a total number of 14 elephant mortalities, but only two elephants were killed due to illegal activity (MET, 2016e). The corresponding wildlife incident reports for the seven conservancies around Mudumu N.P. (for

⁵¹ Moore, 2010: 27-28 states: „The way people perceived their environment informs how they come to know, understand, and engage with their environment (...) people can be denied both the voice and the opportunity to be represented in key debates affecting their lives“. In other words people are part of the environment and two should not be divorced.

the year 2015 – this was the most recent data available) show a total of 26 elephant mortalities, with eight mortalities due to poaching.⁵²

The CITES stresses the importance of the surveillance of poaching incidences at a number of different sites around Africa. The MIKE reports are provided at each CoP to ensure African elephant population are not threatened due to poaching. While it can be argued that a particular site chosen in a respective country might not provide the full picture for the entire country, it nevertheless stresses the importance for States to target poaching head on.

The IRDNC assistant director also stresses the importance of creating strong anti-poaching units by bringing more local people onboard. (female, IRDNC assistant director, interview conducted on October 19, 2016) To put this into perspective, in 2016 (from January – July) a total number of 86 patrols⁵³ (vehicle and foot) were conducted in Bwabwata N.P. According to the head warden from Bwabwata N.P. establishing anti-poaching units are essential, as well as having locals jump onboard. At CITES, representatives of a Namibian support organization stated that if an economic benefit is not created for locals to want to conserve the elephants then local people will turn to poaching. Having local people part of conservation anti-poaching initiatives is essential, as the locals know the land and the wildlife (Owen-Smith, 2010: 387). They also live within close proximity to the wildlife, which makes them the best candidates when establishing anti-poaching units. For example, the Khwe were among the first people to live in Bwabwata National Park (MET, 2013: 8).

In Bwabwata N. P., the establishment of anti-poaching units is on MET's and KA's agendas. They both have drafted a joint venture enabling cooperation between them to better tackle poaching head on. The enforcement of rules described above is accomplished by MET personnel joining forces with the local police.

In Mudumu N.P., campsites for law enforcement personnel have been established within the park to combat wildlife crimes. According to the warden for Mudumu N.P., these camps, initiated by MET, are bases from where anti-poaching units can go on patrol and therefore cover the territory more completely than if patrols had to depart from the existing permanent settlements only, “whereby game guards and rangers will be able to help target wildlife crime” (male, warden for Mudumu N.P., interview conducted October 21, 2016).

In both national parks, these anti-poaching units are in their infancy. Most importantly local people should be part of expansions within the units. Locals are needed for the conservation of wildlife, as mentioned above their landscape knowledge allows them to track and know

⁵² As shown in the MET Wildlife Mortality Reports (2016e).

⁵³ As shown in the MET Patrol Reports, (2016g).

wildlife patterns of migration, in order to better protect locals from wildlife and *vice versa*. Locals can also be organic deterrents for poachers, due to their close proximity to the wildlife. If locals are not financially invested in the conservation of wildlife by benefiting from it, locals can turn to poaching themselves as stated in chapter 8.1.1. It seems without locals contributing to the conservation of wildlife, conservation itself suffers (Conniff, 2013).

4.2 Human-Wildlife Conflicts

Human-wildlife conflicts (HWC) are referred to in this chapter as an interaction between wild animals and people often having a negative impact on both local livelihoods and wildlife. This conflict occurs due to the unrestricted movement of wildlife. In the Bwabwata National Park Management Plan the wildlife movement is described as creating damage for locals sharing their livelihoods with the wildlife as well threatening as conservation plans. The Management plan states:

The unrestricted movement of wildlife within the multiple use area, national parks and surrounding areas leads to serious conflicts between humans and wildlife. In addition to damage suffered by people, conflicts pose a significant threat to the viability of conservation in and around parks. Ways of mitigating the impacts of conflicts, therefore need to be found and managed. (MET, 2013: 19)

The number one reported HWC in northeastern Namibia is elephants raiding crops.⁵⁴ Local people are able to find mitigation strategies to deal with such conflicts, however these strategies are too costly. There are a number of strategies currently being used in this region, however all have been unsuccessful. My research points to the need for a stronger economic exchange system when such elephant conflicts do occur.

The assistant director of IRDNC points out there needs to be a benefit felt from the local people that compensates for their loss of crops. If the aim of conservancy is to conserve wildlife and turn this capital into livelihood assets as suggested by Bollig and Olwage (2016: 71), then perhaps the capital is not sufficient to cover the damage from wildlife conflicts, such as crop raiding. However, if we turn our attention to Barnes, J. research it stipulates that in fact people are compensated and conservancies have the potential to become completely self-reliant without the help of international donors (Barnes, 2002: 678-680). In order to establish the actual cost conservancies have to bear resulting from HWC in relation to the amount received from the conservation of wildlife, further research would need to be conducted.⁵⁵

⁵⁴ Based on my personal research analysis drawn from 34 household questionnaires.

⁵⁵ Naidoo *et al* (2016: 636-37) draw a similar conclusion.

There are a number of strategies being implemented to mitigate HWC in northeastern Namibia. Based on available literature and from my personal fieldwork, a number of mitigation strategies will be explored in this chapter. While these efforts are seen as crucial steps research points to a growing need to establish more reliable methods which locals can depend on. More consistent mitigation efforts are needed to be able to combat the loss of income resulting from wildlife's natural ability to be destructive.

HWC mostly relate to the increase in elephant densities over the past decade and the expansion of agricultural areas (O'Connell-Rodwell, 2000: 381).⁵⁶ Crop raiding is the number one reported cause for HWC, the second is people migration to land that is directly next to wildlife corridors. Crop raiding has long been researched by O'Connell-Rodwell and she proposed a number of solutions taking into account the cost for such solutions. She suggested that while there are a number of deterrents for wildlife encroaching on crops, the most successful solutions is electric fencing, however this requires high maintenance, and only a handful of farmers can in fact afford to bare the expense of the electric fences (O'Connell-Rodwell, 2000: 390).

In the interviews conducted October 29, 2016 with the assistant director, enterprise development coordinator, and the operations managers of IRDNC, a number of pilot projects have been initiated throughout the Zambezi region to test the effectiveness of different strategies, such as: chili bombs, chili fences, use of vuvuzela,⁵⁷ and having guards with beating drums and lighting fire when they see elephants approaching crop fields. However, none of these pilot projects/strategies have been successfully incorporated once the funding of the pilot project drew to an end. Based on MET's wildlife reported incidents when loss of crop is recorded, the farmers are compensated.⁵⁸

The amount of compensation and the frequency in which compensation is made are undetermined, due to the sensitivity of the information. Some informants⁵⁹ have stated that payments are not consistent and one informant mentioned he had received zero payments in the last three years.

⁵⁶ This also corresponds with my own analysis drawn from 34 household questionnaires.

⁵⁷ A vuvuzela is a plastic horn making loud noises, which became somewhat notorious through its use by soccer fans to show support for their team at the 2016 FIFA World Cup in South Africa. This loud horn was used to scare the elephants away from crop fields.

⁵⁸ The exact amount of the compensation is not available.

⁵⁹ Three informants: (male, Buffalo, unemployed; male, Kwando, farmer, male, Mayuni, game guard) have stated they received little to no payments from MET for crop damages.

4.3 Possible Appendix I Listing of the Namibian Elephant Population

The effect of a possible downlisting of the Namibian elephant to Appendix I can be argued in two ways; one argument is that downlisting would stop all trade and ensure that the population numbers continue to grow; the other argument, which will be the premise for this chapter, acknowledges that the relationship between conservation and trade is an important factor to consider, however with a total trade ban in ivory, the demand will grow and encourage supply, which could in fact increase poaching of elephants in the region and cause the population to plummet. This chapter anticipates that due to the strong influence of media, NGOs and some States, the current population on Appendix II may very well be moved to Appendix I, and explores possible strategies Namibia can implement to prepare for such downlisting and mitigate its economic effects on the livelihoods of local rural populations.

4.3.1 State of the downlisting debate

In an interview conducted at the CoP17, a delegation member states:

most population of most African elephants are already on Appendix I, and many many of those populations have been plummeting. It's not like being on Appendix I protects the elephants from poachers, as I am sure you already know. And ironically really it's actually the countries with the population on Appendix II that has as a growing population of elephants, like Namibia and South Africa very clearly. Botswana and Zimbabwe have lost some elephants but nothing like on the level that would trigger the criteria for an Appendix I listing (male, IUCN delegation member, interview conducted October 4, 2016).

He makes it quite clear that not only does an Appendix I listing not ensure there will be a lowering of poaching incidences; in fact he suggests the opposite will happen. (Seguya *et al.*, 2016) An Appendix I listing will make African elephants more vulnerable to poaching because the demand will grow.

These findings, however, are not new. The 1989 ivory trade ban was described in an article published by Moore in 2010. Moore suggests that poaching numbers did not decrease due to the ban, and mentions that the ban was seen as controversial. “The controversy surrounds the extent to which the ban has resulted in the decrease of the illegal killing of elephants for ivory” with an added footnote saying that the ivory trade ban in 1989 still allowed for “a limited amount of sustainable harvested non-commercial [sic!] trade through trophy hunting in range States that meet CITES conditions. In addition to this, Botswana, Namibia, South Africa and Zimbabwe were permitted to sell some of their ivory stockpiles to Japan in 1999 and in November 2008”. Meaning, although the 1989 trade ban occurred Namibia was exempt from this, therefore the decreased poaching numbers reported would not apply simply because Namibia was able to

keep up with demand by selling their stockpiles to Japan. Secondly, Moore herself is not sure as she follows up the controversial statement by suggesting the link between the ivory ban and the low or high number of elephant poaching can be attributed to “opposing factors” (Moore, 2010: 20). In examining the impact of one-off-sales (which took place in 1999 and 2008) on poaching incidents, a similar result is found, namely no solid correlation between the link of the sales and the fluctuation in poaching incidents can be found. In the CITES Secretariat’s report of “Monitoring the Illegal Killing of Elephants” (MIKE)⁶⁰ states, “no evidence was found to suggest that illegal killings of elephants increased or decreased as a direct result of the one-off ivory sales (...) If the decisions approving these had any effect on poaching levels, a discontinuity in the continental trend would have been expected, but that effect was not discernible from the available data” (doc 57.7⁶¹). The report clearly states the one-off-sales have no conclusive relationship to poaching levels.

There is however, a relationship between trade in ivory, and supply and demand. In simple words as long as limited trade is permitted, this limitation will create a demand, which will be met by supply and since the trade is limited that will increase the price of ivory.⁶² The associate director Asia and Oceania at BornFree Foundation, says exactly that: “there is always a prospect of ivory trade and there is this idea that all ivory will be seen as a commodity and the markets will continue to be stimulated by that” (male, associate director Asia and Oceania at BornFree, interview conducted September 27, 2016). He suggests that as long as ivory trade continues, the market will always be there to stimulate supply and demand.

By allowing some trade with elephant products the Treaty still enables commodification of the African elephants. This is particularly true to the extent one-off ivory stock piles sales have been authorized by derogation from general CITES rules in the past. However, that is not to say all commodification is negative and many stakeholders argue that sustainable commodification actually benefits conservation efforts and therefore the African elephant.

The two one-off sales of ivory in 1999 and 2008, permitted as an exemption from CITES provisions, may serve as an example. In this regard, Moore contends that the two one-off-sales

⁶⁰ As stated in Chapter 5.1.1.1 at every CoP meeting a report is presented with the Secretariat’s findings on the illegal hunting of elephants in the following regions: Central Africa, East Africa, Southern Africa, West Africa, South Asia, and Southeast Asia. Such report is intended to assist the dialogue among parties and facilitate the decision-making by the CoP.

⁶¹ Doc 57.7 found on the CITES website: <https://cites.org/sites/default/files/eng/cop/17/WorkingDocs/E-CoP17-57-05.pdf> (last accessed October 21, 2017).

⁶² Seguya *et al.* (2016) reported similar findings when it comes to trade bans on States, “limiting the supply of ivory can have negative consequences for elephant conservation. Supply reduction by burning ivory stockpiles and implementing sale moratoria when demand for ivory remains unchanged, can drive prices up and escalate elephant poaching”. Results from an ivory trade ban are counterproductive when it comes to the protection of elephants.

were used as “an experiment to see if sustainable trade in ivory can take place in the ‘one-way-best’ fashion” (Moore *et al.*, 2010: 58).

The CITES policy officer at WCS, stated in our interview that “because there has been a one-off sale in 2008 some have used the sell-off to show it has increased poaching since then, and that it's also sending the wrong message to Asia that yeah let's open the trade” (male, CITES policy officer at WCS, interview conducted on September 25, 2016).

The argument advanced by WCS is that the two one-off sales failed from the perspective of the elephants due to the increase in poaching numbers after such sales took place. From the perspective of all four States having their elephant population listed on Appendix II, they see the 1999 and 2008 one-off sales as a great success. In fact, during my participant observation at the CoP17, it was mentioned that these States should be allowed to have more one-off sales if their respective elephant population is healthy, and that individual States should profit and be rewarded for creating sustainable measures that continue to foster a healthy elephant population.

The idea of commodity comes back again and again and the programmes manager at Born Free Foundation states:

For us and for other NGOs and for other countries that want to protect their small fragmented elephant population who are getting hit by elephant poaching by means of trade, for us there is this lingering feeling that there might be a sale of ivory somewhere down the line which doesn't help the elephants in the here and now at all. There is always a prospect of ivory trade and there is this idea that all ivory will be seen as a commodity and the markets will continue to be stimulated by that. (male, programmes manager at Born Free Foundation, interview conducted September 27, 2016)

Perhaps the negative aspect of commodification of elephants comes back to CITES by putting in place mechanisms which can be used by States to drive the price of ivory up by increasing demand, such as being allowed to have one-off sales. The nine year moratorium was put in place in 2008 for one-off sales, but this expired in 2017, which means at the next CoP, Proposals might be put forward requesting another one-off sale.

While Moore explores the idea of these two ivory sales as a part of a complex neoliberal form of governance, it might be wise to consider the role of the NGOs and States and their individual motives for commodifying the African elephant. Let's first examine the WCS (male, CITES policy officer at WCS, interview conducted September 25, 2016) and Born Free Foundation (male, programmes manager, interview conducted September 27, 2016) (both NGO) perspective, that due to these two sell-offs it created a heightened demand for ivory, which can be linked to an increase in poaching numbers, and ultimately means a decrease in elephant

population. These points of view, seem to contradict elephant poaching and population numbers presented at CoP17. It was stated that the Appendix II listing of elephants does not meet the biological criteria for an Appendix I listing, which means these elephants are not endangered; to the contrary limited trade is permitted. Some argue that ensuring that one-off sales do not occur is one step closer to making sure the current African population listed in Appendix II is down listed to Appendix I. It's a strong initiative put forth by a lot of the NGOs at numerous side events throughout the COP meeting, calls for downlisting to Appendix I of the current elephant population listed on Appendix II.

However, the IUCN delegation member states the opposite (see page [43]). His perspective is also backed by the Monitoring the Illegal Killing of Elephants (MIKE)⁶³ poaching data referenced the CoP17. If an Appendix I listing of endangered species does not protect them then why are a vast majority of NGOs initiatives aimed at transferring the current elephants population from Appendix II to Appendix I (see for instance: Environmental Investigation Agency, 2016; German Cooperation, 2016; International Fund for Animal Welfare, 2016; Pro Wildlife, 2016; Rufford Foundation, 2016; Save the Elephants, 2016; Wildlife Conservation Society, 2016)?⁶⁴

From an individual State's perspective, the commodification of elephants allows the opportunity to trade ivory with other States. This of course can be debated in two ways, one way is States are interested in conservation initiatives because it creates a two-fold market; a trade and a conservation market. The second debate is whether the economic benefit of the existence of elephants reduces the social understanding that conservation happens for the sake of the elephant. The second debate is also argued in Moore's paper, where she states that "Namibia's natural resources will result in the selection of the most efficient use of that resource", (Moore, 2010: 53) meaning that conservation for the sake of the elephant is lost and replaced with sustainable utilisation of elephants. In this sense Namibia would want to take advantage of their own resources and create a sustainable economic conservation system, which also accounts for elephants being destructive. O'Connell-Rodwell *et al.* published an article reinforcing that "in the Caprivi region of Namibia, rural people have viewed wildlife as a detriment instead of an asset" (O'Connell-Rodwell *et al.*, 2000: 381). It seems commodification of elephants can have negative effects if the economic basis is unsustainable (for instance if excessive hunting quotas

⁶³ MIKE is a CITES organized body in charge of monitoring illegal hunting of elephants in Africa (subdivided regions: west, central, southern and east) and Asia (south and southeast).

⁶⁴ An analysis of the written material specifically referencing the African elephant handed throughout CoP17 suggests that this view may be shared by around 90% of participating NGOs. Of course there may be some bias here based on which NGOs chose to participate; more detailed insight into this issue would require further study beyond the scope of this thesis. For the sake of completeness, the according brochures have all been referenced in the bibliography.

or killing the wrong specimens result in population decline), but can work to further wildlife conservation efforts if the economic incentive is implemented sustainably and with a second focus on using the live animal as a resource (such as eco-tourism).

In conclusion, there is no doubt a heavy link between trade and demand exists. However, the impact a trade ban has on poaching numbers remains unknown. As for the future of Namibia, maintaining a healthy population of elephants will be required for their elephant population to continue to keep its place on Appendix II.

4.3.2 Possible Strategies to Prepare for a Downlisting

Why should Namibia be worried about a possible downlisting when its elephant population is healthy? At every CoP meeting Namibia risks having its elephant population along with the other countries currently on Appendix II voted by a two thirds majority to be downlisted to Appendix I. With media and multiple NGOs pushing for a complete trade ban including multiple messages suggesting the current elephant population listed on Appendix II be downlisted to Appendix I States might vote against the continuing of an Appendix II listing. Once the current population is successfully downlisted to Appendix I, Namibia is faced with two main problems: all limited trade of ivory must cease and trophy hunting will be impacted, as the sale of the trophy will be difficult. The financial loss on locals deriving income from trophy hunting is substantial. It is argued that an economic benefit from co-existence with wildlife (especially destructive wildlife, such as the elephant) is essential, and must be prioritized to ensure that conservation of such wildlife continues. One step Namibia has taken to ensure locals benefit from shared wildlife range is through the adoption of trophy hunting (Moore, 2010: 22; Moore, 2011: 53 and O'Connell-Rodwell *et al.*, 2000: 390).

Owen-Smith writes about trophy hunting starting from 1989 and two decades later trophy hunting has “became the most successful and publicised CBNRM programme in Africa, carrying the flag for a new kind of conservation that benefited both wildlife and local people” (Owen-Smith, 2010: 578).

My semi-structured interviews revealed a shared perception that an end to trophy hunting would result in the downfall of communal conservancies and local people starting to poach wildlife.⁶⁵ At the KA AGM it was mentioned more than half of the annual revenue comes from trophy hunting.⁶⁶ All data obtained from household questionnaires from conservancies around Mudumu and Bwabwata N. P. reflects similar results, namely, the income and food derived

⁶⁵ This finding is consistent with other research, for example Naidoo *et al.* (2016: 636).

⁶⁶ Financial records are provided in Chapter 8.2.2.

from trophy hunting is substantial. In a recently published case study, similar outcomes were reported; specifically the following results were mentioned:

Trophy hunting has underpinned Namibia's success in community-based natural resource management. Recent analysis indicates that if revenues from trophy hunting were lost, most conservancies would be unable to cover their operating costs; they would become unviable, and wildlife populations and local benefits would both decline dramatically. Overall, conservancies generate around half their benefits (e.g. cash income for individuals or communities; meat; and social benefits like schools and health clinics) from photographic tourism and half from hunting. (Cooney *et al.*, 2017: 11)

It is suggested that once trophy hunting comes to an end, communal conservancies cannot continue to exist unless the income derived from trophy hunting is replaced by an equal source of income. Can substitutive income be revamped with a different focus yielding similar economical benefits? As an IRDNC enterprise development coordinator explains plans have already been put in place to work on finding alternatives before it is too late. The focus, according to him should be put on touristic activities, such as: photographic tourism, presenting tourists with an exploration of traditional local history, more local arts and crafts made available for sale. According to Bwabwata National Park most recent Management Plan, "in 2010 the Park received a total of 27,504 tourists and N\$979,944 was generated from entry fees alone (Mahango received 15, 854 tourists, Buffalo 4,683 and Kwando 6,967)," meaning targeting tourism is a great starting point. However, importance should be given to constructing tourism plans, which allow for joint ventures between locals and outside investors (Ashley, 1998: 344-345).

A further consideration made by Barnes *et al.* should be acknowledged, namely the emphasis on non-consumptive tourism:

*Safari hunting, and other consumptive wildlife uses, might be severely affected by pressure from animal rights organizations. The sensitivity analyses in Tables 4–6, show that the viability of three conservancies would be resilient, while that of two would be vulnerable, in the face of a ban on consumptive wildlife use. The most successful conservancies are those with several different uses, dominated by non-consumptive tourism.*⁶⁷

Fig. 2 depicts all the current "tourism focus points", which perhaps with a growing emphasis put on tourism be it consumptive or non-consumptive more such zones need to be expanded.

⁶⁷ See Barnes (2002: 678): Results obtained from a survey of conservancies' financial profitability in light of their wildlife investments, conducted over a period of two years from 1998-2000.

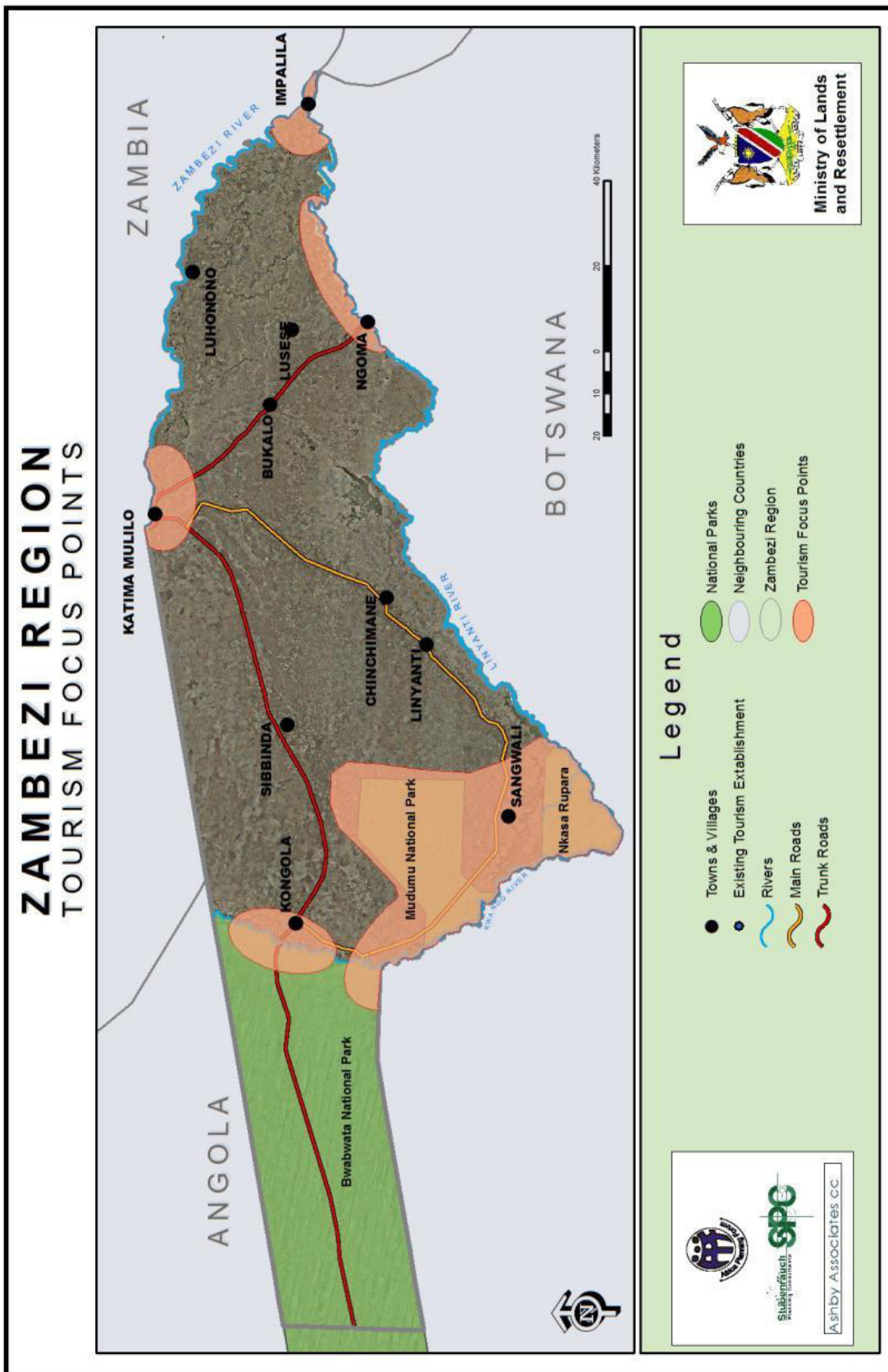


Figure 2 Current tourism focus points (MLR, 2015: 85)

5. Managing Human-Wildlife Conflicts in Northeastern Namibia

This chapter focuses on two national parks in northeastern Namibia, namely Mudumu and Bwabwata. Elephant conservation strategies are explored in both cases suggesting there are a number of challenges in both parks requiring further mitigation. However, there are some concrete benefits for local livelihoods derived from conservation of wildlife.

Mudumu N.P.'s main challenge is locals living within close quarters with wildlife, which increases HWCs. Possible mitigation strategies for such conflicts, are suggested; however they are all rooted in an economic benefit system, which outweighs the damage caused by wildlife. When looking at Bwabwata N. P. wildlife conservation is happening at the expense of local livelihoods, meaning there are human-human conflicts rather than human-wildlife.

The chapter concludes by suggesting that in both national parks local people are a crucial part of wildlife conservation as there seems to be a co-dependency between wildlife and locals.

5.1 Findings from Mudumu N.P.

Mudumu N.P., located in East Zambezi in northeastern Namibia, exhibits a high level of HWC; in the perception of all of my informants, this can be traced back to the growing elephant population in the area.

IRDNC published 2014-2015 and 2015-2016 game counts indicate close to three times the elephants in 2015 than in 2014. Reports show the game counts in East Zambezi in 2014 with respect to elephants as 523. In 2015 there was a material increase to 1391 (951 were seen in Mudumu N.P.), however in 2016 there was a drop to 660 (257 were seen in Mudumu N.P.).⁶⁸ All of my structured interviews were conducted with 28 highly qualified local participants who live in the seven conservancies (Kwandu, Sobbe, Dzoti, Wuparo, Balyerwa, Mashi and Mayuni) located around Mudumu N.P. From these interviews, 14 out of the total 28 local participants acknowledged an increase in elephants over the past 10 years, furthermore, they reported as well an increase in HWC. However, based on the perception of my local informants, there appears to be a discrepancy between actual elephant numbers and the game counts published by IRDNC. According to published quantitative data, the count increase seen in 2015 has been mitigated and brought down significantly in 2016. It should therefore be expected that instances of HWC would also be lower, which according to the qualitative assessment shared by local informants is not the case.

⁶⁸ As shown in the MET Game count reports (2016a; 2016b).

This discrepancy needs further investigating. For instance, it is possible that despite an overall reduction of elephant population in the area, the animals are concentrated near human settlements.

Over the past years IRDNC have introduced a number of pilot mitigation strategic plans within the Zambezi region to combat HWC. Informal interviews were conducted with several IRDNC organizers of such pilot projects and they shared several strategies, which have been tested. The use of chili bombs to scare elephants away, have been proven successful, and also a fairly inexpensive solution. A more costly option is fencing off crops to keep elephants away. A more recent ongoing effort has been a joint venture between MET, IRDNC and local land distribution and traditional authorities to allocate land to locals away from wild-life corridors, as well as, to relocate current locals living within the corridors. This is seen as an ongoing project as there are several stakeholders involved and it requires the participation of all of them.

In 2016, MET announced the use of military officials to help with anti-poaching measures in both Mudumu and Bwabwata N.P.

5.1.1 Human-Wildlife Conflicts Impacting Livelihoods

A total of 28 household questionnaires were conducted with locals from the following seven conservancies around Mudumu N. P.: Kwandu, Sobbe, Dzoti, Wuparo, Balyerwa, Mashi and Mayuni⁶⁹, and seven semi-structured interviews.

Around Mudumu N.P., elephants have both negative and positive effects according to the local people interviewed. One major highlighted positive effect is the economic benefits of trophy hunting for the local community members. The top negative effect relating to elephants is they are destructive animals and they destroy people's crops. The other is people living on land that is directly within wildlife corridors, therefore increasing the wildlife conflicts they face due to their location. It seems, however, the positive effects outweigh the negative ones depending on different conservancies. In order for more consistencies to be found among the individual conservancies more data would need to be gathered.

All of the locals, except for one, stated that they like/love elephants, but also stated there are too many elephants in their area.

Most of my interviewees (85%) suggested elephants bare no cultural significance, however the remaining four people acknowledged that in fact elephants help clear the thick bush; provide employment; play an important role in children learning about wildlife conservation; and future generations would be able to see elephants in the wild and see the benefits attached to

⁶⁹ In 1999 Mayuni became the first established conservancy in the Zambezi Region.

conserving them. While some people saw the elephants as an animal belonging to their cultural practices, most reported the elephants had no cultural significance. However, in further analysis, 100% of the participants drew a distinct parallel between elephant conservation and continuing trophy hunting. The enterprise officer from Mayuni said, “without trophy hunting there would be no conservancies and we have a quota system that works and MET is helping with that. It keeps elephant populations in check and that means HWC are also minimized. Without trophy hunting people will start poaching” (male, Mayuni, enterprise officer). Trophy hunting is seen by all participants a positive viable benefit helping maintain elephant conservation. Not only is trophy hunting as a necessary paying benefit it is also a necessary tool in conservation, otherwise people will turn to poaching, which would make local people a threat to the conservation of elephants.

The idea of ownership over land and wildlife was not mentioned by any of my interviewees as a possible positive benefit of conservation.

The main negative argument put forth by almost all of the participants deals with elephants being destructive animals. During harvesting time, almost all of the interviewees (except for one) have stated that their crops get raided between 2 to 5 times each harvesting season. The main crops destroyed were: maize⁷⁰, millet, sorghum, and pumpkin seeds. Some (11) participants reported that elephants have acted aggressively towards them while they were: collecting crops, camping, collecting cattle from the borehole, and accidentally bumping into elephants at night. Table 2⁷¹ shows how many reported wildlife incidents the individual 7 conservancies recorded. In order to confirm these reports more research would need to be conducted with a substantial amount of people from each conservancy. One result that Table 2 shows is elephant incidents are a significant problem in this region, which matches the opinion of all participants.

⁷⁰ IRDNC (2015a-g) accident reports confirms maize as being the top crop being damage by elephants (in fact the crops order based on the conducted interviews are identical to the MET reports – refer to Table 1)

⁷¹ Table 2 was created from IRDNC (2015a-g) accident reports.

Table 1 Total number of reported Elephant Incidents from 7 conservancies

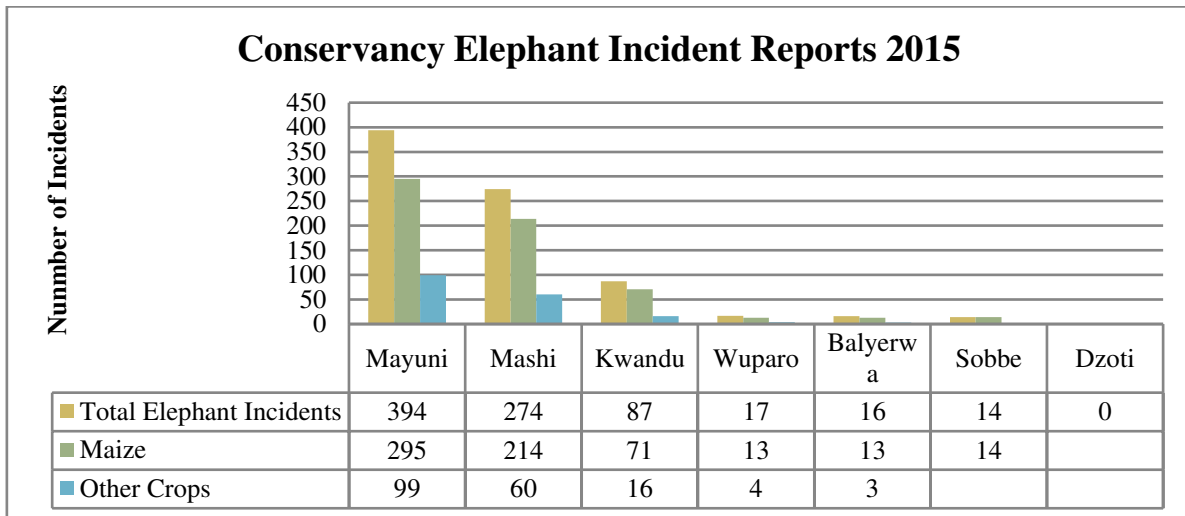
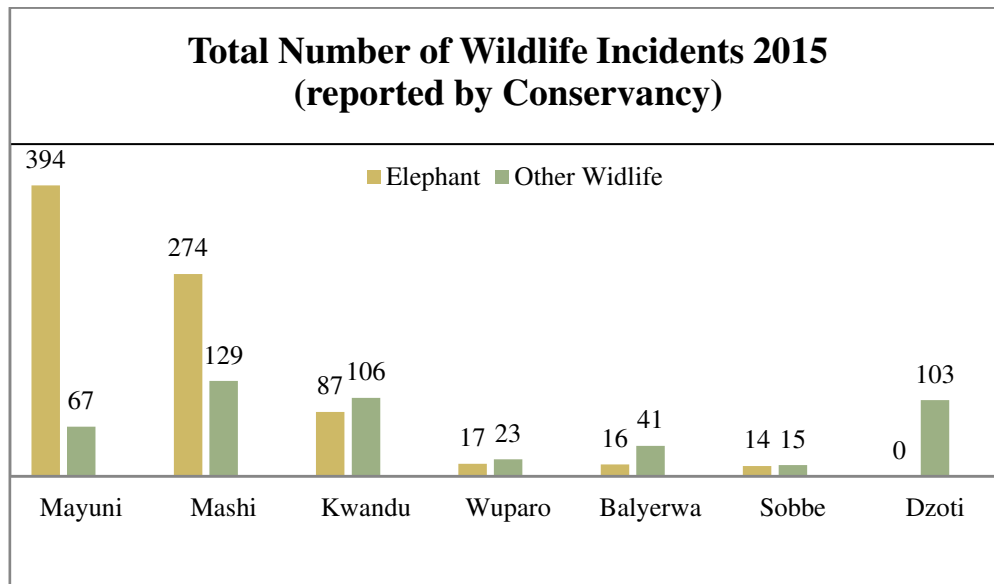


Table 2 Total number of reported Wildlife Incidents from 7 conservancies



The second negative argument put forth by five out of the total 28 participants in the household questionnaires as well as informants in semi-structured interviews, stated that land is being assigned to people within wildlife corridors. This is seen as a major Land Reform issue, which MET and IRDNC are working towards solving.

On August 2, 2016 Mudumu South Complex meeting held at Balyerwa Conservancy, among many issues discussed, the top one was “biological wildlife corridors”. Several attendees throughout the meeting mentioned the need for proper signage identifying such corridors. In an interview with the development advisor for GIZ, who was heavily involved in land reform issues within the Zambezi region, including but not limited to East and West Kavango land –

use plans confirms similar findings. Fig. 3 & 4 indicate land is being allocated within wildlife corridors, which naturally would increase HWCs in these zones. Figure 3 sets out all communal conservancies within the Zambezi region, and Figure 4 highlights elephant and wildlife corridors – many of them cut into or go directly across communal conservancy lands. The elephant and wildlife corridors would need to be taken into account when devising communal land to individual conservancies to minimize HWC, however this might not be an easy task.

Allocation of land occurs with the authority of the traditional authorities (TA) having jurisdiction over an entire conservancies land allocation, among other tasks (Taylor, 2012: 41). Steps are being taken by MET to ensure signage is being put up to identify the wildlife corridors and to ensure TAs are aware of these corridors before assigning land to locals.

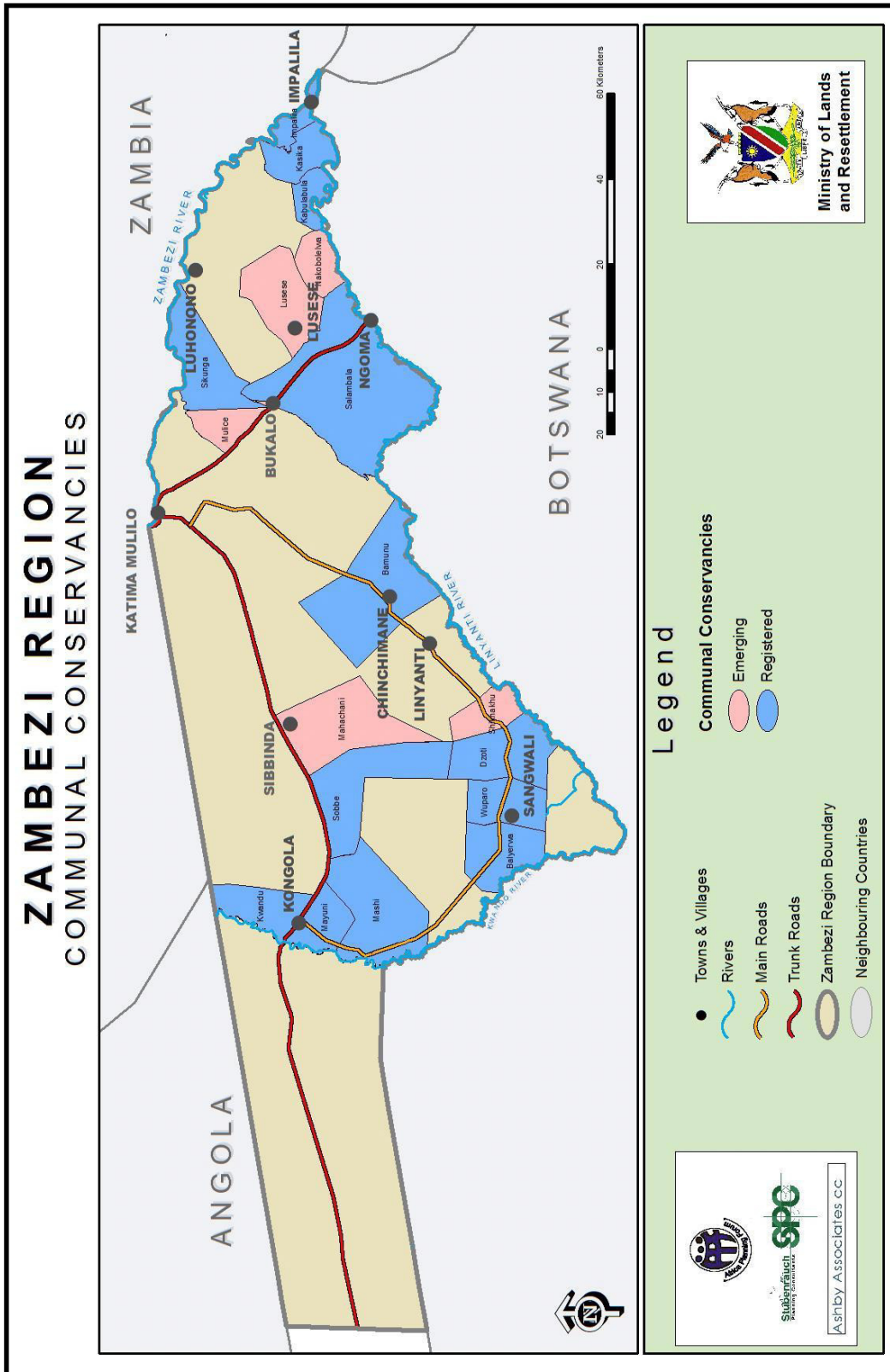


Figure 3 Map illustrating the Boundary of each of the 7 conservancies (MLR, 2015: 88)

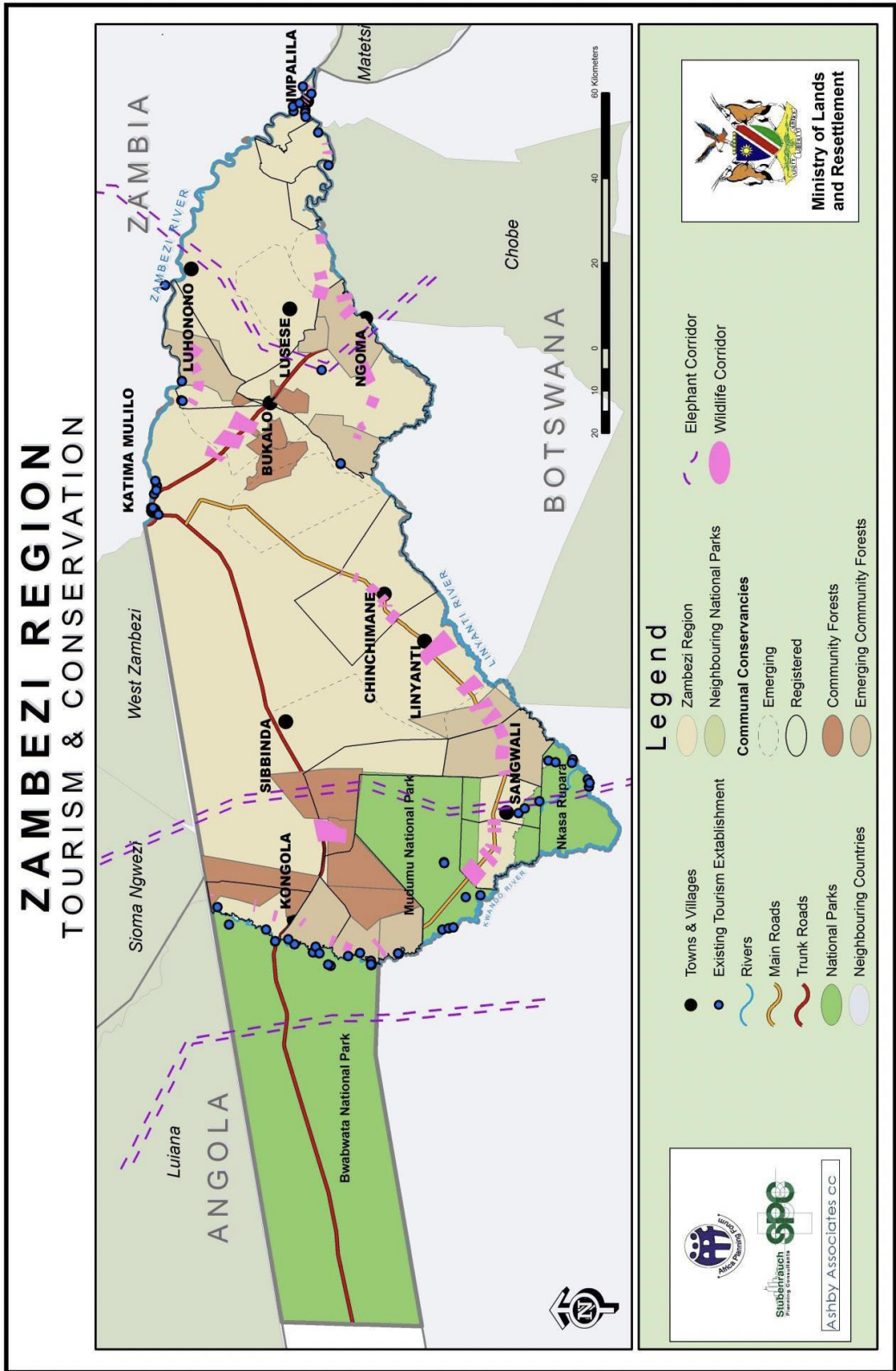


Figure 4 Map illustrating the Elephant/Wildlife Corridors cross between all 7 conservancies (MLR, 2015: 112)

The enterprise development coordinator at IRDNC in charge of joint ventures and tourism says, “we have realized that about 70% of the conflicts are people living within the wildlife corridors so we are somehow trying to give awareness to the corridors and identify them even if that means putting signage up to say from here to there is an elephant corridor”. He expresses the importance of working together with the Ministry of Land and TA, “to ensure traditional authorities bring everyone (locals) on board and tell them to adhere to these norms and/or to those rules” (male, enterprise development coordinator at IRDNC, interview conducted October 19, 2016).

The warden for Mudumu N. P. confirms signs will be put up after the AGM adjourned on August 2, 2016. IRDNC enterprise development coordinator expresses the importance of working together with the Ministry of Land and TA, “to ensure traditional authorities bring everyone (locals) on board and tell them to adhere to these norms and/or to those rules” (male, enterprise development coordinator at IRDNC, interview conducted October 19, 2016).

All this makes sense for land being acquired in the future, but does not address the issue of locals that have already been assigned the plot of land? The Ministry of Land is adding an incentive to make the current residence within a wildlife corridor move. Locals will no longer be compensated for crop damage if they are living within an identified corridor, which means locals now have a big incentive to re-locate. The enterprise development coordinator for IRDNC puts it best: “even if you have rights over that particular piece of land you will think twice and say should I continue losing my crops or should I just move” (male, enterprise development coordinator at IRDNC, interview conducted October 19, 2016).

In March 2015 a report was published by Ministry of Land and Reform (MLR) called Zambezi Integrated Regional Land-Use Plan (IRLUP) where ideas on the co-existence between wildlife and locals were discussed from the point of view to improving the livelihoods of the local people with the intention to minimize HWC. The report draws on the same conclusion stated above, that a major component of wildlife conflict stem from land allocation with wildlife corridors and it suggests that; “accurate mapping of wildlife corridors or wildlife access routes is a necessity for communities, decision makers and planners. Knowing where these migration routes are helps to avoid planning or implementing projects that will be in direct conflict with these routes. Planning and formalising wildlife corridors or access routes is not a new concept for regional planners and many countries have already been implementing this type of corridor planning” (MLR, 2015: 120).

This would indicate, MLR, IRDNC and GIZ are collaborating and working together to solve and deter locals from living, establishing crops and farming within wildlife corridors. Steps have been taken to ensure signage is placed marking the corridors, but is this enough? The next

chapter explores in more detail the opinions of local people with an emphasis on the growing need to find solutions for human-wildlife conflicts.

5.1.2 Are Locals Embracing Elephant Conservation?

This section focuses on results and conclusions drawn from 28 household questionnaires suggesting locals like/love the elephants, however HWC need further mitigation.

As stated in the previous sub-chapter almost all participants (except for one) like/love elephants and sympathize with them. Out of the 28 participants, 17 stated that elephants have not acted aggressively towards them. Conclusions can be drawn from this data that in fact the majority of people not only sympathize with the elephants, but acknowledge that even if elephants do act aggressively towards them, it is not intentional. However, the main concern mentioned by all (except for one), suggest elephants are destructive creatures due to crop raiding during harvesting and this is a huge and costly problem. Some mentioned different mitigation efforts that have been practiced, such as: the use of chili bombs, shooting in the air, fencing off the crops (although this method is extremely costly and most cannot afford to implement it), however elephants continue to raid crops. All participants agree HWC is a major issue requiring further strategizing.

None of my participants has ever killed an elephant. When asked if they possess anything made out of ivory, two stated they are in possession of ivory cups.

The participants were then asked if they must follow certain conservation rules when it comes to elephants and if so what they were. All participants answered yes to having to follow particular rules. The following example of rules were given: “no illegal hunting,⁷² report any crop damage to MET or a game guard,⁷³ don’t allocate land to villagers in a wildlife corridor,⁷⁴ no over allocation of quotas for trophy hunting (limitation of elephant export of trophies), no breeding herds to be disturbed during hunting, and conserve the elephants by explaining to your family the importance of animals.”⁷⁵

When asked if anything has changed in the past 10 years with respect to elephant conservation it was reported by 24 of the total 28 participants that the biggest change has been the increase in elephant population and therefore an increase in HWC. Four participants reported that they have not noticed any changes. Eight participants out of the 24 reported individually the following changes (these have been copied directly from the interviews):

⁷² 17 participants stated this rule.

⁷³ 5 participants stated this rule.

⁷⁴ 4 participants stated this rule.

⁷⁵ 1 participant stated this rule.

1. The laws have changed but no one is implementing anything. Conservancy people are stealing money, and keeping it within the family. Accident reports aren't properly recorded and reports from IRDNC should also be investigated;
2. Elephant population is reducing due to poaching. Elephants have become more aggressive due to gun shots being fired at them. Settlement in wildlife corridors is a huge problem;
3. Professional hunters are giving villagers money and employing local community members;
4. Conservancy people help us chase the elephants away from our fields;
5. Game guards are paid from elephants
6. Game guards help to chase the elephants away from farmers. People are benefiting from the conservancies;
7. We are finally getting benefits, like: schools being built, electricity; and
8. We have more benefits from the elephants, like employment, food, enterprise entities are giving money to the communities, tourism.

My next question targeted Mudumu N.P. being part of the KAZA TFCA and if participants had knowledge of this fact, and if so, commenting on changes. The majority (18) of my 28 participants responded yes to knowing about KAZA TFCA, 7 were not aware and answered "I don't know" and 3 participants simply responded "none". From the 18 participants who said yes, their personal comments were recorded as follows:

Table 3 Participants' comments from household questionnaires

No. of participants N=28	Comments/regulations (some participants mentioned more than one comment or regulation)
7	the importance of corridors not only for land allocation but as well as for wildlife
7	conservation of elephants is the key tool forward in terms of education, preservation
5	the possible increase in joint ventures with the other 5 countries also apart of KAZA
4	an increase in tourism
4	no poaching rule which is enforced
2	growth in income from the conservation efforts
1	KAZA has helped in teaching how to plant seeds

According to the IRDNC poaching incident reports within the Mudumu N.P. provided by the seven individual conservancies (IRDNC 2015a-g), there were a number of reported wildlife poaching incidents. Out of all reported incidents, there were three reports of elephants being poached: 1 incident on July 20, 2015 in Balyerwa conservancy where an elephant was shot with a firearm and no arrest was made; 2 incidents (1 on March 17, 2015 and 1 on June 18, 2015) in Mashi conservancy. The poaching incident in March was an elephant being shot with a firearm and no arrest was made. The second incident in June was a report of a 2 month old elephant carcass found in the field. It was reported that the ivory was removed and the cause of death was unknown. (IRDNC 2015a-g) These reports would indicate 3 elephant poaching incidents during 2015 around Mudumu N.P.⁷⁶ Although anti-poaching units have been established it would seem the total reported poaching incidents of wildlife (elephants inclusive) was estimated to be 26 around Mudumu N.P. (7 conservancies) in 2015.

In analysis, participants found that elephants are destructive due to crop raiding during harvesting season, however at the same time they sympathize with them. It also can be acknowledged that almost all participants are well aware of different rules and regulations that have been implemented in the last 10 years within the boundaries of Mudumu N.P. However,

⁷⁶ Reports were incomplete, however from the information provided the total number of incidents was concluded. To draw firmer conclusions one would need to conduct further investigations.

this can be related to their jobs ranging from game rangers, enterprise officers, health care assistance, and secretaries for particular conservancies.

The majority of participants are tied somehow to jobs requiring the acknowledgement and the practice of such rules and regulations. Out of the total of 28 participants, eight had no jobs and two were students. From the 10 participants not working and/or students, eight stated they did not know about KAZA and listed increase in elephant population as the only change observed within the last 10 years. They listed poaching and crop raiding as their concern with elephants. Two out of the 10 participants did in fact know about KAZA and had viable comments regarding this issue. In light of this, solid conclusions are hard to achieve, as the lack of variety in terms of occupation of the participants skews the numbers and therefore generalizations would be hard to make. Mainly, results indicated education is needed as people who were not highly trained were not able to answer as detailed questions as people who were highly trained. However, this information is still key in previous sections where the topic of HWCs require participants with deep understanding of not only conservation rules and regulations but also the need to draw from their personal experience having worked with such tools.

5.2 Findings from Bwabwata N.P.

Bwabwata N.P., located in northeastern Namibia consists of three major areas, namely Mahango, Buffalo, and Kwando, exhibit a high level of human-government conflicts, due to the fact that some locals are residing within the boundaries of the national park, rather than neighbouring the park. The population within Bwabwata multiple use area is approximately 5,500 residents, of which 80% are of the minority San ethnic group, the Khwe (Bwabwata National Park Management Plans, 2013: 6).

With the increase of wildlife numbers (elephants included), not being permitted to farm and with strict rules enforced by MET, locals are left in constant search for food. A total number of six participant household questionnaires were conducted, along with six semi-structured interviews mainly in Bwabwata East, all stating that food security is one of the major issues. Conservation efforts within the park seem to not be working, as elephant numbers are slowly decreasing, and reports show conservation rules are restricting locals from gathering food supply. IRDNC published 2014-2015 and 2015-2016 game counts indicate elephant population decreased by half in 2015, with a slight decrease in 2016. Reports show the game counts in Bwabwata in 2014 with respect to elephants is 4031 – a number that had decreased significantly to 2663 by 2015. In 2016, there was yet another slight drop to 2391. Three local informants acknowledged an increase in elephant numbers, however, three participants stated that: “there used to be a lot more elephants”, that now “the elephants are far away from communities” and that “there is

too much poaching happening”. Moreover, according to HuntAfrica Namibia Safaris 2016 annual reports they state, “hunting went well in 2016 – except difficulties in finding big elephant bulls” (AGM report, 2). This would indicate a consistent pattern with the three interviewees, IRDNC game count reports and the hunting safari showing a decrease in elephant population. Although, wildlife incident reports were not available, six participants stated crop damage and poaching as their main concerns with respect to elephants. However, from the six semi-structured interviews it was concluded the biggest concern in this region is not HWC. According to the statements made by a MET representative in charge of crime prevention and law enforcement within Bwabwata N.P., poaching seems to be the top concern for MET (female, head warden Bwabwata N.P., interview conducted October 15, 2016). To target poaching within Bwabwata N.P. in 2016 a co-operation between MET and the Kyaramacan Association (KA) was established to create anti-poaching units. This is seen as an ongoing project among both parties.

5.2.1 Effects of Local Conservation Frameworks on Livelihoods

A total of six semi-structured interviews and six household questionnaires were conducted with locals living within Bwabwata N. P. from: Omega 3, Mashambo, Mutziku, Chetto, Omega 1, and Buffalo area.

As discussed above, it is important to distinguish between HWC outside the Bwabwata Park (mainly reports from the conservancies which are located outside of Bwabwata and Mudumu Park discussed in the previous chapter 8.1.1) and reports of conflicts by community members residing within the Bwabwata Park itself (discussed in this chapter). It is essential that this distinguishing factor is understood as to not incorrectly represent the data obtained. This chapter shifts the HWC questions **around** a National park to an exploration of negative and positive effects of elephant conservation **within** a National park (Taylor, 2012: 2).

Within Bwabwata N.P., the joint ventures between MET and KA of creating anti-poaching units are becoming increasingly relevant and a necessary mechanism to improve local livelihoods. The impact of KAZA in this region is seen as not only a cooperation among five countries but also as an incentive to alleviate some of the financial burdens for Namibia. These top two joint ventures are discussed in detail below along with the supporting evidence from my six semi/structured interviews conducted within Bwabwata N.P. Information has also been used from KA AGM⁷⁷ conducted November 5, 2016. The examples of joint ventures show conservation of wildlife within Bwabwata is a conflict between human-human rather than

⁷⁷ The KA AGM took place on November 5, 2016 at the Mutziku Office (duration 2 days).

human-wildlife. The data also points out positive effects of wildlife/elephant conservation are very few if any in this region, and improving the livelihood of locals is paramount.

In an interview with head warden in Bwabwata, she worried about poaching incidents within the park. During the KA AGM MET put forth a proposal of a joint venture between them and KA for the implementation of anti-poaching units throughout the park to protect the elephants from being poached. Bwabwata warden attributes the blame of the growing number of poaching incidents to “people being greedy”. (female, head warden Bwabwata N.P., interview conducted October 15, 2016) In addition to “greedy people” the geography of the park should also be taken into account. Bwabwata is surrounded by four countries (Botswana, Angola, Zambia, and Zimbabwe) - all having access points and sharing wildlife. Furthermore, the warden states, “the park is not fenced off and has never been. Elephants are allowed to roam freely throughout the park”. (female, head warden Bwabwata N.P., interview conducted October 15, 2016) These factors make it difficult for future anti-poaching efforts to be successful. Evidence of the difficulty anti-poaching units face has been seen the last decade whereby at least 30 people were killed at the Botswana- Namibian borders under as suspected poachers. The Namibian community and rights’ groups “have urged Botswana to exercise restraint when dealing with poachers. Anti-poaching operations have also increased border tensions between Botswana and Namibia, amid claims that the BDF has violated Namibia's sovereignty” (Mongudhi *et al.*, 2016). It also makes is difficult to track the perpetrators, as they could be coming from any of the four countries named above including but not limited to Namibia. However, the anti-poaching venture between KA and MET is essential to create a strong financial framework to help protect the natural resources, such as wildlife. An anti-poaching unit will also help classify the perpetrators and make discussions among the five countries easier. An anticipated military force joining the KA and MET venture will also make it easier to detain the poachers, as well as providing necessary manpower for such captures. Reports coming from the warden in Bwabwata N. P. seem to indicate a non-conclusive response from locals to the proposed joint venture between MET and KA, the obvious drawback being: resources being tied into a venture that proves potentially unsuccessful in lowering poaching incidents. On the other hand, the positive aspect is allowing for a collaboration to take place to target the growing number of poaching incidents within the park. Either way the success of the anti-poaching units remain to be seen.

Aligned with MET and KA venture is another major venture called KAZA. There are many mixed feeling about the KAZA initiative as well. IRDNC assistant director stated that KAZA will help bring more resources into the country which could be used for conservation efforts. (female, IRDNC assistant director, interview conducted October 19, 2016) An IRDNC operations

manager also stresses the importance of collaboration among the five countries. (male, IRDNC operations manager, interview conducted October 19, 2016) The warden for Bwabwata also agrees that “animals being a shared responsibility among these countries” is a good thing (female, head warden Bwabwata N.P., interview conducted October 15, 2016). However, all these joint ventures are being established on the premise that wildlife is to be shared among the five countries as well as the local individuals sharing the livelihoods with the wildlife (Murphy, 2008: 3-4). If we assume this premise and accept it to be true then we can now discuss how local livelihoods might be improved with these ventures.

If we look at the examples from the responses gathered from Mudumu N.P., the answer seems simple: create an economic benefit for local people to be intrinsically invested in the conservation of such wildlife despite the issues it causes. Participants in any event highlighted a desire to participate in proceeds from trophy hunting (see page [52] for details).

However, if we look at the access-benefit sharing model and apply it to wildlife management within Bwabwata N.P. we see although locals are allowed access to wildlife they are not permitted to hunt any or have means for gathering alternative food (Bwabwata National Park Management Plans, 2013: 11). The benefit from wildlife, according to locals is minimal, mainly, the little that is attained from trophy hunting.⁷⁸

Perhaps IRDNC coordinator for Bwabwata, sums it best, “there is a growing hostility against state protected areas and I am asking myself why?” He goes on to state, “part of the hostility comes from lack of benefit from natural resources” (male, IRDNC coordinator for Bwabwata N. P., interview conducted November 1, 2016).

5.2.2 Are Locals Embracing Elephant Conservation?

The previous chapter indicates that conservation of elephants is in fact happening at the expense of locals’ livelihoods, such as, being deprived of any sort of hunting which leads to not having enough food resources and lack of funds available to individual households. This section dissects the local livelihoods further emphasizing Bwabwata N.P. is a strong case of human-human conflict rather than HWC.

Within Bwabwata N.P., food security and poaching are two main concerns raised not only by locals but as well by MET and KA officials, with respect to elephants. All participants of my household questionnaires stated elephants destroy crops, such as maize and sorghum during

⁷⁸ Figures are explained in depth in the next chapter. This mainly draws upon the conclusion from the previous chapter to debate and draw attention to lack of benefits for the locals in the current situation.

crop season. The custodian chairperson of Bio-culture Community Protocol (BCP)⁷⁹ acknowledges that, “people are not harvesting at the right time of the year and they are ploughing early which means the elephants are raiding those crops” (male, custodian chairperson of BCP, interview conducted November 5, 2016).

While locals are reporting loss of crops, perhaps part of the problem is not respecting the ploughing cycles, which might interfere with elephant migration. Out of six participants, five stated they like/love the elephants, which would signify an acceptance for elephants. One participant reported culturally they use the hair of the elephant’s tail to make bracelets, which can be seen as a further acceptance within cultural practices.

When asked about the mandatory conservation rules which must be followed, two reported “not being able to kill elephants,” another reported, “elephant attacks must be reported to head men or game guards and we can only use chili bombs to deter the elephants [and not kill them]” while the other three participants were not aware of any rules. Four out of the six participants stated no changes have been observed over the last ten years when it comes to elephants, one reported that one change is, “people use to live closer to elephants and now because of trophy hunting they can’t see any elephants,” and “people here are traditional hunters and now they can’t hunt and the people like eating meat”. The last participant reported they did not know. However, one change which most participants (83.3%) agree with is that there are “too many elephants”.

It might be evident from claims of the participants that conservation efforts are working to maintain an increase in elephant population, however if we look at the IRDNC game counts it shows a significant decrease. MET game counts also seem to indicate a significant decrease in elephant population in 2015 from 4031 to 2663 elephants followed by another slighter decrease in the population in 2016 from 2663 to 2391 (MET, 2016c; 2016d).

To further the analysis, the warden for Bwabwata N.P. stated “there are a lot of poaching cases,” this statement is consistent with the published IRDNC and MET game count numbers. A further investigation is required in order to properly determine the current actual elephant counts. Perhaps the skew in numbers is related to the circumstances in which my questionnaires were conducted, namely at the KA AGM. When asked about changes observed now that this region is part of KAZA four out of six reported that either they did not know or that they were in fact not part of KAZA.⁸⁰ According to these results KAZA is not yet known by the

⁷⁹ BCP set out the rights and responsibilities under customary, state and international law as the basis for engaging with external actors, such as governments, companies, NGOs etc. Definition found: naturaljustice.org – Last accessed: October 28, 2017.

⁸⁰ For clarification purposes it is important to state that Bwabwata N.P. is in fact part of the KAZA project.

locals. The emphasis was lack of resources for people; two stated, “people here are traditional hunters and now they can’t hunt and people like eating meat,” and that they were “not allowed to do anything to the elephants and must report crop damage to game guards”.

These findings are consistent with my six formal and semi-formal interviews. The former chairman of the KA Trust, highlights “people are starving in the park because they can’t hunt anything” (male, former chairman of KA Trust, interview conducted November 6, 2016). Traditionally the local people within Bwabwata are primarily hunter-gatherers (Ninkova, 2017: 7). The management plans for Bwabwata National Park record the recommendations made by the Odendaal Commission⁸¹ in 1964 to allow the Khwe in the Zambezi strip a homeland and allow them to continue their traditional livelihood of hunting and gathering, however this had been dismissed. (Bwabwata National Park Management Plan, 2013: 9) The social, economic and political shift from locals being allowed to hunt for their survival to a complete hunting ban is leaving them to starve. This point is further strengthened when looking at the personal opinion of the participants in their questionnaires.

Their opinion on trophy hunting is divided by four (male, Mutziku, assisting IRDNC employer; female, Chetto, unemployed; male, Omega 3, unemployed; male, Omega 1, investigator) agreeing with it meanwhile the other two (female, Omega 3, unemployed; male, Mashambo, chairperson for KA) had serious objections for example stating communities have not received any money from trophy hunting and that no benefits are seen within the communities. They also stated that currently there is too much trophy hunting happening. Drawing conclusions is difficult, as more interviews would need to be conducted in order for final conclusions to be made. However, it does bring to light the opinion of some of the locals. The financial reports from October 2015 to September 2016, as presented at the KA AGM, show an income received from trophy concessions in the amount of N\$3,239,562.55 out of the total of N\$6,016,653.07.⁸² These numbers indicate that more than half of KA’s income in 2015 comes from hunting. From my six semi-structured interviews it shows each household member (children excluded) receives a payment of \$N70/year, along with receiving meat from the hunt three times per year. Each household also receives 12.5kg per month of maize⁸³, but according to the former chairman of KA Trust, all this is not enough to sustain a household. According to a community member, “in 2012 MET gave KA \$N6, 000 as compensation for loss of crops, however this

⁸¹ cf. Owen-Smith (2010: 571): “Apart from altering borders and relocating people, the developments brought about by the Odendaal Commission also brought the residents of the region into the modern world of consumerism and exchanging their time for money”.

⁸² These were calculated based on the Financial Reports provided during the KA AGM, 2016.

⁸³ Maize meal has been provided as a government subsidy in the area for over 25 years (Ninkova, 2017: 226).

money never made it to any households, let alone community members” (male, Buffalo, not employed). This report cannot be confirmed due to lack of available records from KA dating back to year 2012, but there seems to be an inconsistency between monies coming in and funds being distributed to locals. The chairman of KA Trust, states, “trophy hunting will come to an end in the near future”. He followed up this statement by explaining; “when trophy hunting stops people will be supported by lodges and employment given out by the government” (male, chairman of KA Trust, interview conducted November 6, 2016). During my interview I asked what the government is currently doing to help out the locals in this area. He responded, “communities are helped by including them in pilot projects, such as beekeeping, however these projects and many others no longer exist”. Based on the financial reports provided at the KA AGM it might be difficult for lodges or a handful of government jobs to supply each household within the community with a yearly income (\$N70 per person per household), as minimal as it may be, as well as provide KA Trust with as much as N\$3,239,562.55 per annum (which is currently what they are receiving from trophy hunting). IRDNC Bwabwata coordinator, explains “KA is often seen acting alone without the interest of the locals and that is a problem” (male, IRDNC coordinator for Bwabwata, interview conducted November 1, 2016). However, conclusions can be drawn perhaps an increase in the annual payment by KA made to each household would help relieve the financial pressure each household is faced with. Alternatively, an increase in food subsidies would alleviate food security pressures for each individual household.

While solutions are provided they do not stand up to the deep historical conflict, which must also be considered here, namely social, and political marginalization (Ninkova, 2017: 225).

All this would indicate that conservation of elephants is in fact happening at the expense of local’s livelihoods, such as, being deprived from any sort of hunting which leads to not having enough food resources and lack of funds available to individual households. As well as, there being an apparent misrepresentation of locals’ wishes. Accordingly, the current local livelihoods state within Bwabwata N.P. is a strong case of human-human conflict rather than HWC, needing to be resolved.

6. Conclusion

The political and legal construct of elephant conservation on an international level begins with the CITES. The supreme onus is put on States to implement the CITES decisions and manage trade with other States, which can mean that States are not entirely free to exploit their natural resources and thus to act for their immediate benefit. However, States can use CITES appendix listing decisions and reservations as legal tools to create or enhance their economic opportunities.

On the international level we also find a similar political and legal framework at work, namely KAZA TFCA, which also poses the challenge to the five participating States to jointly manage wildlife conservation, and balance it with the livelihoods of locals, for which the States of course also bear responsibility.

The agenda of conservation actors, such as NGOs and private individuals, are internationally heavily invested in elephant conservation.

Elephant conservation is thus rooted in numerous political and legal frameworks, all consisting in one form or another of a commodification system. The triggering effect for such commodification system is States wanting to profit from their own natural resources.

Nationally Namibia has incorporated a number of legislative tools to comply with its obligations under CITES. The main legislative focus is on sustainable profitability over wildlife and nature. Tools, such as trophy hunting permits, quota setting, and the establishment of conservancies have all been indirectly influenced by decisions made at each CITES CoP. With the growing need to implement these decisions, both old and current national Acts must stand up to such changes.

Local livelihoods are often seen as the catalyst for the implementation of such changes. The State favours economic expansion, as clearly indicated by existing Land Use Plans; however in order for such plans to materialize, an economic benefit for the locals themselves must be established.

HWC in a classic sense come at an economic loss for locals. This loss can be mitigated with the economic gains from trophy hunting, which in turn is limited by CITES as a international framework. The Traditional Authorities Act is in need of revising to ensure future land assignments are considerate of wildlife corridors as the assignment of land within wildlife corridors is seen to exacerbating HWC.

On a local level, platforms such as AGM and Complex meetings allow for local voices to be heard and in some instances, namely at Mudumu Complex meeting, mitigation strategies are

provided to some of the concerns raised by locals. In other instances, such as KA AGM, the implementation and decision processes happen slowly, as locals feel marginalized. These local platforms are also used by MET and IRDNC as a mode to implement decisions taken on an international level.

These three (international, national, and local) legal and political pillars set the foundation for analyzing what threatens the conservation of the Namibian elephant. Namibian elephants are threatened firstly by poaching. Stronger anti-poaching units are encouraged in both Mudumu and Bwabwata National Parks, with emphasis placed on the need to recruit local rural people to serve in such units.

Human-wildlife conflict is the second threat, as without mitigating current conflicts, locals see no economic benefit for conserving destructive elephants that continue to raid their crops. My research suggests that the economic balance between conservation and conflicts must be carefully protected; otherwise local rural people may become a threat to elephant conservation. With the influence of international actors, the possible downlisting of the Appendix II elephant population draws a lot of fear in Namibia. It is argued that an Appendix I listing will actually cause the elephant population to plummet, due to the interconnection between supply and demand and restriction of trade. States such as Namibia are concerned that soon they will no longer be able to profit from their elephant populations even in the interests of furthering their conservation, because trade will no longer be possible.

As it now stands, Namibia's economic benefits are twofold; one when trading with other States, and the other is the creation of conservation markets. This points to a sustainable economic conservation system needed to combat the destruction of elephants, namely trophy hunting.

In Namibia's case, strategies such as revamping the meaning of tourism, which is currently heavily entrenched in trophy hunting, to perhaps a focus towards traditional local history, is strongly suggested in anticipation of their elephant population being downlisted to Appendix I. This will ensure locals are cared for, conservation efforts continue, and the State is maximizing the tourism potential.

All these complicated matrixes have consequences on the ground and while decisions are being made at the CITES CoPs, the effects of such decisions have to be measured. If we look at both Mudumu and Bwabwata National Parks in northeastern Namibia, we quickly start to see the range of conflicts is vast yet the parks are within close proximity to one another. This of course points to mitigation strategies needing to cater to the vastness of range in conflicts rather than have one-cast fits all solutions.

Results show that in Mudumu N.P., conservation of wildlife seems to be working and benefits for locals are felt at the same time. However, conservation is happening at a price, namely crop raiding due to wildlife interferences.

Bwabwata N.P. also exhibits successful conservation efforts, however in this case conservation is happening at the expense of local livelihoods – lack of food security, high poaching numbers and significant “human-human conflict”. Here, mitigation efforts desperately require local opinions be heard and an end to the historical marginalization of the local population. However, this raises an important ethical question: When conservation efforts have a negative effect on people’s livelihoods, who takes precedence: people or elephants?

Conservation of elephants has a price tag and complications arise when wildlife such as elephants share their space with local rural people whose survival is harvesting crops. International bodies are concerned with trade issues, national state have an interest in yielding the highest economic exchange possible. Locally in northeastern Namibia, among many conflicts the two main reported are human-wildlife and human-human, which pushes mitigation strategies in two distinct directions.

7. Bibliography

7.1 Books and Articles

- Ashley, C. (1998): Tourism, Communities and National Policy: Namibia's Experience. *Development Policy Review* 16: 323-352.
- AP News (2013): Ivory trade nations face threat of sanctions. Published March 7, 2013, in Asian Correspondent: <https://asiancorrespondent.com/2013/03/ivory-trade-nations-face-threat-of-sanctions/#wwH0bple3KY9JrT.97> (accessed April 2, 2018).
- Barnes, J., Macgregor, J., Weaver, C. (2002): Economic Efficiency and Incentives for Change within Namibia's Community Wildlife Use Initiatives. *World Development* 20(4): 667-681.
- Bernard, H.R. (2006): *Research Methods in Anthropology: Qualitative and Quantitative Approaches*. Lanham: Alta Mira Press.
- Bollig, M. and Olwage, E. (2016): The political ecology of hunting in Namibia's Kaokoveld: from Dorsland Trekkers' elephant hunts to trophy-hunting in contemporary conservancies. *Journal of Contemporary African Studies* 34(1): 61-79.
- Bowman, M., Davies, P., and Redgwell, C. (2010): *Lyster's International Wildlife Law*. Cambridge: Cambridge University Press.
- CBC News (2016): Elephant ivory trade under scrutiny at upcoming wildlife conference. Published September 26, 2016, <http://www.cbc.ca/news/technology/elephant-ivory-van-1.3776319> (accessed April 2, 2018).
- Cooney, R., Freese, C., Dublin, H., Roe, D., Mallon, D., Knight, M., Emslie, R., Pani, M., Booth, V., Mahoney, S., and Buyanaa, C. (2017): The baby and the bathwater: trophy hunting, conservation and rural livelihoods. *Unasylva* 249: *Sustainable Wildlife Management* (68) 2017/1.
- Conniff, R. (2013): People or Parks: The Human Factor in Protecting Wildlife. Published November 7, 2013 by Yale Environment 360. http://e360.yale.edu/features/people_or_parks_the_human_factor_in_protecting_wildlife (accessed November 27, 2017).
- Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (2017): Conference of the Parties and its Standing Committee. <https://www.cites.org/sites/default/files/eng/disc/sec/sec-structure.pdf> (accessed November 28, 2017).
- Cruise, A. (2016): Why Some Countries Don't Want to Do More to Protect Elephants. Published August 24, 2016 by National Geographic: <https://news.nationalgeographic.com/2016/08/wildlife-african-elephants-ivory-trade-cites/> (accessed October 30, 2017).
- Schiller, V. (2016): Wildlife Corridor Map for East Zambezi. Katima: Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ).
- Douglas, K. (2017): The commodification of African wildlife: A controversial business. Published January 19, 2017 by How We Made it in Africa: <https://www.howwemadeitinafrica.com/commodification-african-wildlife-controversial-business/57270/> (accessed November 26, 2017).

- Elephant Voices (n.d.): The Role of CITES,, from Elephant Voices: <https://www.elephantvoices.org/threats-to-elephants/the-role-of-cites.html>. (accessed April 2, 2018).
- Environmental Investigation Agency (2016): The Dirty Secrets of Japan's Illegal Ivory Trade. EIA: Johannesburg.
- Fisher, R. (1993): Social desirability bias and the validity of indirect questioning, *Journal of Consumer Research* 20(2): 303-315.
- Fox News (2016): Wildlife delegates call for end to ivory markets. Published October 2, 2016, <http://www.foxnews.com/world/2016/10/02/wildlife-delegates-call-for-end-to-ivory-markets.html> (accessed April 2, 2018).
- Frantz, T. (2016): Can Cites halt the gruesome wildlife trade? Published September 18, 2016, by Sunday Times: <https://www.timeslive.co.za/sunday-times/opinion-and-analysis/2016-09-18-can-cites-halt-the-gruesome-wildlife-trade/> (accessed October 30, 2017).
- German Cooperation, GIZ, Peace Parks Foundation, and Boundless South Africa Nature Culture Community (2016): Transfrontier Conservation Areas (Southern African Development Community). GC: Johannesburg.
- Gordon, R. (2016): Moving targets: hunting in contemporary Africa. *Journal of Contemporary African Studies* 34(1): 1-6.
- Government of Yukon (2018): Human-wildlife conflict. Last updated March 20, 2018 at http://www.env.gov.yk.ca/environment-you/human_wildlife_conflict.php#definition (accessed April 2, 2018).
- Integrated Rural Development and Nature Conservation (IRDNC) (2015a): Balyerwa - Wildlife Incident Reports and Poaching Reports. Katima: IRDNC.
- Integrated Rural Development and Nature Conservation (IRDNC) (2015b): Dzoti - Wildlife Incident Reports and Poaching Reports. Katima: IRDNC.
- Integrated Rural Development and Nature Conservation (IRDNC) (2015c): Kwandu - Wildlife Incident Reports and Poaching Reports. Katima: IRDNC.
- Integrated Rural Development and Nature Conservation (IRDNC) (2015d): Mashi, Wildlife Incident Reports and Poaching Reports. Katima: IRDNC.
- Integrated Rural Development and Nature Conservation (IRDNC) (2015e): Mayuni, Wildlife Incident Reports and Poaching Reports. Katima: IRDNC.
- Integrated Rural Development and Nature Conservation (IRDNC) (2015f): Sobbe, Wildlife Incident Reports and Poaching Reports. Katima: IRDNC.
- Integrated Rural Development and Nature Conservation (IRDNC) (2015g): Wuparo, Wildlife Incident Reports and Poaching Reports. Katima: IRDNC.
- International Consortium on Combating Wildlife Crime (2016): Guidelines on Methods and Procedures for Ivory Sampling and Laboratory Analysis. ICCWC: Johannesburg.
- International Fund for Animal Welfare (2016): African Elephant (*Loxodonta Africana*). IFAW: Johannesburg.
- Jinnah, S. and Young, O. (2014): *Post-Treaty Politics: Secretariat Influence in Global Environmental Governance*. Cambridge: The MIT Press. <https://muse.jhu.edu/> (accessed November 14, 2017).

- Jones, B. (1999): Policy Lessons from the Evolutions of a Community-based Approach to Wildlife Management, Kunene Region, Namibia, *Journal of International Development* 11: 295-304.
- Kyaramacan Peoples Trust (2016): Bwabwata National Park Annual General Meeting Agenda. KA: Mutciku Office, Bwabwata.
- LeCompte, M. (1999): *Designing & Conducting Ethnographic Research*. Lanham: Alta Mira Press.
- Lindholm, K. (2015): Wells, Land and History: Archaeology and Rural Development in Southern Africa, in: Isendahl, Christian and Stump, Daryl (Eds): *The Oxford Handbook of Historical Ecology and Applied Archaeology*. Oxford Handbooks Online 23: <http://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780199672691.001.0001/oxfordhb-9780199672691> (accessed April 2, 2018).
- Matowanyika, J. Z. Z., Garibaldi, V. and Musimwa, E. (Eds) (1995): Indigenous Knowledge Systems and Natural Resource Management in Southern Africa, Report of the Southern Africa Regional Workshop, Harare, Zimbabwe, Harare.
- Ministry of Environment and Tourism (2013): Management Plan Bwabwata National Park 2013/2014 to 2017/2018, Policy and Managements plans. Windhoek: MET.
- Ministry of Environment and Tourism (2016a): Game Counts in East Zambezi 2015. Katima: MET.
- Ministry of Environment and Tourism (2016b): Game Counts in East Zambezi 2016. Katima: MET.
- Ministry of Environment and Tourism (2016c): Game Counts in Bwabwata National Park 2015. Katima: MET.
- Ministry of Environment and Tourism (2016d): Game Counts in Bwabwata National Park 2016. Katima: MET.
- Ministry of Environment and Tourism (2016e): Bwabwata National Park, Wildlife Mortality Reports. Susuwe, Bwabwata: MET.
- Ministry of Environment and Tourism (2016f): Bwabwata National Park, Gate Statistics. Susuwe, Bwabwata: MET.
- Ministry of Environment and Tourism (2016g): Bwabwata National Park, Patrol Reports. Susuwe, Bwabwata: MET.
- Ministry of Environment and Tourism (2016h): Mudumu South and North Complex Meeting Agenda and various handouts pertaining to the meeting. Dzotl, Mudumu: MET.
- Ministry of Environment and Tourism (2013): Guidelines for Management of Conservancies and Standard Operating Procedures. Windhoek: MET.
- Ministry of Land and Resettlement (2015): Baseline Report (Volume 1 & 2) for the Zambezi Integrated Regional Land-Use Plan, Policy and Management reports. Windhoek: MLR.
- Ministry of Land and Resettlement (2012): Namibia Land Management Series Number 2: Communal Land Registration. Windhoek: MLR.
- Ministry of Land and Resettlement: 7 Steps to Secure your Customary Land Rights. Windhoek: MLR.

- Mongudhi, T., Konopo, J. and Ntibinyane, N. (2016): Deadly borders...30 Namibians killed through Botswana's shoot-to-kill policy. Published March 9, 2016 in The Namibian: <https://www.namibian.com.na/index.php?page=archive-read&id=148318> (accessed April 2, 2018).
- Moore, L. (2010): Conservation Heroes Versus Environmental Villains: Perceiving Elephants in Caprivi, Namibia. *Human Ecology* 38(1): 19-29.
- Moore, L. (2011): The neoliberal elephant: Exploring the impacts of the trade ban in ivory on the commodification and neoliberalisation of elephants. *Geoforum* 42: 51-60.
- Morse, J. (1994): *Handbook of qualitative research*, California: Sage Publishing.
- Murphy, C. A. (2008): Living in a Global Commons: The Case of Residents of a National Park in the Kavango-Zambezi Transfrontier Conservation Area (KAZA TFCA): http://dlc.dlib.indiana.edu/dlc/bitstream/handle/10535/854/Murphy_121601.pdf (accessed April 2, 2018).
- Naidoo, R., Weaver, C., Diggle, R., Matongo, G., Stuart-Hill, G., Thouless, C. (2016): Complementary benefits of tourism and hunting to communal conservancies in Namibia. *Conservation Biology* 30(3): 628-638.
- Namibian Association of CBNRM Support Organisations (NACSO) (2012): Living with wildlife: the story of Mudumu North Complex. <http://www.the-eis.com/data/literature/Brochure%20MNC%20FPis.pdf> (accessed on 26 November, 2017).
- Namibian Association of CBNRM Support Organisations (NACSO) (n.d.): Bwabwata National Park. <http://www.nacso.org.na/national-parks/bwabwata-national-park> (accessed April 2, 2018).
- Namibia Statistics Agency (2011): Zambezi 2011 Census Regional Profile, Population and Housing Census. Windhoek: NSA.
- Ninkova, V. (2017): "Now That We Have Development": Change, Resilience and Education for the Omaheke Ju|'hoansi (PhD thesis), Tromsø: The Arctic University of Norway.
- O'Connell-Rodwell, C., Rodwell, T., Rice, M., Hart, L. (2000): Living with the modern conservation paradigm: can agricultural communities co-exist with elephants? A five-year case study in East Caprivi, Namibia. *Biological Conservation* 92: 381-391.
- Owen-Smith, G. (2010): *An Arid Eden*, Johannesburg: Jonathan Ball Publishers.
- Pombo, R. (2001): The U.S. International Policy of Sustainable Use (Speech before the U.S. House of Representatives), *Congressional Record* 147 (7), 9132-33 (22 March 2001).
- Pro Wildlife, David Shepherd Wildlife Foundation and Foundation Franz Weber (2016): *Save All African Elephants: Vote for Appendix 1!* PW: Johannesburg.
- Rufford Foundation (2016): *The Range Against Illegal Trade*. RF: Johannesburg.
- Sand, P. (2013): Enforcing CITES: The Rise and Fall of Trade Sanctions; 22 (3): 251-263.
- Save the Elephants (2016): *Annual Report 2015*. SE: Johannesburg.
- Seguya, A., Martin, R., Sekar, N., Hsiang, S., Di Minin, E., and MacMillian, D. (2016): Debate: Would a legal ivory trade save elephants or speed up massacre? Retrieved November 6, 2017, from The Guardian: <https://www.theguardian.com/environment/2016/oct/01/debate-can-legal-ivory-trade-save-elephants> (accessed November 6, 2017).

- Taylor, J. (2012): *Naming the Land. San Identity and Community Conservation in Namibia's West Caprivi*. Basel: Basler Afrika Bibliographien.
- US Fish and Wildlife Services International Affairs (2017): What is CITES? (accessed November 8, 2017).
- Waisbord, S. (2011): Can NGOs Change the News? *International Journal of Communication* 5: 142-165.
- Wildlife Conservation Society (2016): WCS Position Statement Implementation and Strategic Issues – CITES CoP17 – Johannesburg, South Africa. WCS: Johannesburg.
- Wijnstekers, W. (2011): *The Evolution of CITES* – 9th edition. Budapest: International Council for Game and Wildlife Conservation.

7.2 Laws and Treaties

- Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), “Article XXIII Reservations of the CITES Treaty 1973”. Available from: <https://www.cites.org/eng/disc/text.php#XXIII> (accessed February 6, 2017).
- KAZA TFCA (2006): Memorandum of Understanding, Victoria Falls, Zimbabwe.
- KAZA TFCA (2011): KAZA TFCA Treaty, Luanda, Angola.
- United Nations (UN), “(Article 2(1)(d) of the Vienna Convention 1969”. Available from: <https://treaties.un.org/doc/Publication/UNTS/.../volume-1155-I-18232-English.pdf> (accessed February 7, 2017).
- United Nations (UN) (1976): Convention on international trade in endangered species of wild fauna and flora (with appendices and Final Act of 2 March 1973). Opened for signature at Washington on 3 March 1973, Vol. 993, I-14537. Retrieved from: (accessed November 8, 2017).

8. Appendix 1 – Sample Household Questionnaire

General information regarding the household

Address of the household:	
Town of the household:	
Ethnic affiliation	

Information specifically on the members of the household⁸⁴

Who resides at the moment in the house?

Age:	Age:
Name:	Name:
Male or Female:	Male or Female:
Job:	Job:

Information relating specifically to the elephants⁸⁵

1. How many times a year do you see elephants close to your house?

2. Have the elephants ever acted aggressively towards you or any of your other family members?

If so, can you describe the incident?

⁸⁴ Additional household member boxes were used as needed – not reproduced here.

⁸⁵ Additional answer lines were provided for some questions as appropriate – not reproduced here.

3. Have elephants destroyed any of your infrastructure?

a. If so, how many times a year does this happen?

b. If so, what crops specifically were destroyed?

4. What kind of cultural attachments do the elephants play?

5. Do you have to follow any conservation rules when it comes to elephants?

6. Do you sympathize with the elephants?

I love them

I like them

I like them, but I think they are too many

I don't sympathize with them

7. Do you have any concerns when it comes to elephants?

8. Has anything changed with respect to wild elephants from 10 years ago? If so what has changed?

9. Bwabwata National Park is now part of the Kavango Zambezi Transfrontier Conservation Area, has this changed anything for you? Do you have to follow certain rules and regulations?

10. How often do rangers or conservation representatives come to your village?
Once a Day Once a Week Once a Month Once a Year

11. Do you have a personal opinion on trophy hunting?

Side questions:

Have you ever killed an elephant?

Do you owe anything made from elephant?

Do you think there are too many elephants?

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