



GUIDELINES FOR THE DEVELOPMENT OF THE ELEPHANT MARSH COMMUNITY CONSERVATION AREA IN MALAWI



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Foreword

The Elephant Marsh Wetland and its surrounding waters support diverse and unique flora and fauna with internationally significant biodiversity and ecosystem services. The marsh is a source of livelihood to over a million people who are dependent upon the wetland's natural resources for their food, water, construction materials and cultural identity. The total annual value of the marsh was estimated between 5 and 12 million US dollars per year (Government of Malawi, 2016). Therefore, there is growing interest within Malawi in the establishment of a legally recognized Community Conservation Area (CCA) to protect their wetland resources.

Malawi's wildlife legislation (National Parks and Wildlife Act 2017, and several other environment related laws in Malawi) provide a legal framework for communities to look after their natural and cultural treasures and provide against internal and external threats that diminish their opportunities for sustainable management and development.

These CCA guidelines have been prepared to provide guidance for communities and conservation planners in the development and/ or preparation of CCAs, specifically for the Elephant Marsh Wetland. The guidelines are a work in progress. Therefore, they are subject to review in light of prevailing circumstances.

At the time these Guidelines were adopted, there were no CCAs in Malawi. It is hoped that development of these guidelines will become a basis for development of future CCAs in Malawi. We would therefore encourage Government, Private Sector, Civil Society Organisations, Local Authorities and communities to work together to develop an effective, beneficial CCA system across Malawi.

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Definitions

Most of the definitions have been adopted from the laws of Malawi for consistency purpose.

- **Access and Benefit Sharing (ABS)** means access to genetic resources and the fair and equitable sharing of benefits arising from the resource.
- **Benefit sharing** means the sharing of any benefit that accrues from the utilization of biological and genetic resources, traditional knowledge, technologies, innovation or practices
- **Biological diversity (biodiversity)** means the variability among all living organisms from all sources including terrestrial, marine and other aquatic ecological systems and the ecological complexes of which they are part and includes diversity within or between species and of ecosystems
- **Business plan** means determining clearly how business is established and operated.
- **By-Laws** are regulations made by a local authority (district council).
- **Community conservation area** is an area in respect of which authority and responsibility to manage and utilize certain wildlife resources therein, is invested in the community
- **Customary land** means all land which is held, occupied or used under customary law, but does not include any public land.
- **Community rights** mean those rights held by local communities over their biological and genetic resources, parts or derivative thereof, and over their practices, innovations, knowledge and technologies.
- **Ecosystem** means a dynamic complex of plant, animal and microorganisms in a community and their non-living environment interacting as a functional unit
- **Eutrophication** means a process of pollution that occurs when a water body becomes over-rich in plant nutrients; as a consequence, it becomes overgrown in algae and other aquatic plants.
- **Fisheries management authority** means any local community organization established for the purposes of promoting local participation in the conservation and management of fisheries in Malawi
- **Governing body** means any entity that is recognized as having the right to make decisions on the behalf of the populous.
- **Invasive Species** means any species including its seeds, eggs, spores or other biological materials capable of propagating that species that is non-native to an ecosystem and whose introduction does or is likely to cause economic or environmental harm or harm to human health.
- **Local authority** means a district council, town council, municipal council or city council established under the Local Government Act comprising ward councilors, members of parliament, traditional authorities and interest groups.

- **Local community** means the human population in a distinct geographical area, with control or custody over its biological and genetic resources, innovation, practices, knowledge and technologies governed partially or completely by its customs, traditions or laws
- **Local environment and natural resources committees** means the village and area development committees as established under the Local Government Act to initiate, coordinate and mobilize local community participation in environment and natural resources management issues and to represent interests of such local communities and includes any local community institution participating in the management and protection of the environment and natural resources under any written law.
- **Management plan** means a comprehensive document that describes how, who, what, where, when and why a community conservation area is managed.
- **Natural Resources** include all living and non-living, finite and renewable resources but do not include resources lawfully maintained for domestic or commercial purposes.
- **Other effective area-based conservation measure** means a geographically defined area other than a Protected Area, which is governed and managed in ways that achieve positive and sustained long-term outcomes for the *in-situ* conservation of biodiversity, with associated ecosystem functions and services and where applicable, cultural, spiritual, socio-economic, and other locally relevant values (CBD definition).
- **Prior informed consent** means procedure for exchanging, receiving and handling notification or information by a competent authority
- **Protected area** is a geographically defined area which is designated or regulated and managed to achieve specific conservation objectives (CBD definition).
- **Sustainable utilization** means the use or exploitation of natural resources which guard against the extinction, deletion or degradation of any natural resource and permits the replenishment of natural resources by natural means
- **Traditional knowledge** means the accumulated knowledge associated with conservation and associated use of biological and genetic resources which have been developed over time by local communities
- **Wetland** means areas of marsh, fen, pit land or water whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water, the depth of which does not exceed 6 meters.
- **Wildlife management authority** means any local community organization or other private organization established for the purpose of promoting local community participation in the conservation and management of wildlife

Acronyms and Abbreviations

• ABS	Access and Benefit Sharing
• BVC	Beach Village Committee
• CBO	Community Based Organization
• CBD	Convention on Biological Diversity
• CBNRM	Community Based Natural Resources Management
• CBT	Community Based Tourism
• CCA	Community Conservation Area
• DDPs	District Development Plans
• DNPW	Department of National Parks and Wildlife
• DoFish	Department of Fisheries
• EMA	Elephant Marsh Association
• FPIC	Free, Prior and Informed Consent
• GEF	Global Environment Facility
• HWC	Human Wildlife Conflict
• IGA	Income Generating Activities
• IUCN	International Union for the Conservation of Nature
• LWA	Lengwe Wildlife Association
• LDF	Local Development Fund
• MEET	Malawi Environment Endowment Trust
• MEPA	Malawi Environment Protection Authority
• NRM	Natural Resources Management
• OECM	Other Effective Area-based Conservation Measure
• POWPA	Program of Work on Protected Areas
• SRBMP	Shire River Basin Management Programme
• SVTP	Shire Valley Transformation Project
• UNDRIP	UN Declaration on the Rights of Indigenous Peoples
• WUA	Water Users Associations
• WPC	World Parks Congress
• VNRMC	Village Natural Resources Management Committees

1.0 Introduction

The Government of Malawi received a credit from the International Development Agency (IDA–World Bank Group), and a grant from Global Environmental Facility (GEF) to finance the implementation of the Shire Valley Transformation Programme (SVTP). The Program Development Objective for the SVTP is strengthening landscape connectivity and management to improve livelihoods and conserve key biodiversity areas in the Lower Shire landscape. GEF financial support is focusing on strengthening the management of wetlands and protected areas in the Shire Valley. One way to achieve this is the establishing of the Elephant Marsh Wetland as a Community Conservation Area (CCA).

The CCA guidelines have been developed to describe the elements of the CCA and provide approach and procedures for the establishment of the CCA at Elephant Marsh Wetland.

These guidelines respond to the outcomes of a study that was conducted by MRAG¹ (2016) under the Shire River Basin Management Programme (SRBMP) whose objectives were to improve understanding of the functional ecology of the Elephant Marsh focusing on hydro morphology, ecosystem services, biodiversity, and livelihoods; and assess the feasibility of designating the Elephant Marsh as a community-managed conservation area and as a Ramsar² site.

One of the key findings of the study was that the Elephant Marsh had changed from its original state due to human activities. It was therefore, recommended that a CCA be established for sustainable management of the wetland. It is further hoped that lessons from the Elephant Marsh using these guidelines would provide a rich base for gleaning of best practices that would be used in sites with similar geographic features.

This chapter provides information on the concept of CCA, its origin and global perspective including the policy and legal framework supporting creation of CCAs.

¹ MRAG (UK) is a consulting firm established in 1986 and based in the UK, dedicated to promoting sustainable use of aquatic resources through sound integrated management policies and practices. MRAG has a long and highly productive history of designing and implementing integrated resource management systems in marine, estuarine, riverine and floodplain environments.

² Wetland of international importance under the Ramsar Convention

1.1 Background and Rationale

Biodiversity loss, climate change and other environmental challenges are threatening natural ecosystems that support essential services that societies depend on for livelihoods and well-being. This is triggered by overexploitation of natural resources due to population growth, development impacts, climate change, invasive alien species and other causes, placing further pressure on life-sustaining ecosystems.

Natural ecosystems (forest/freshwater/wetlands/grasslands/others), including those with minimum to substantial human influence, containing significant wildlife and biodiversity value, are potential areas that communities can conserve for provisional, ecological, socio-cultural, economic, religious, livelihood, or political purposes, using customary laws or other effective means.

In general, the ecological and social economic benefits of CCAs include:

- (a) Conservation of critical ecosystems and threatened species
- (b) Maintenance of essential ecosystem functions (e.g. water security and gene pools)
- (c) Access and benefit sharing from genetic resources within the Marsh
- (d) Provision of corridors for species and genetic movement and, in general, larger landscape and waterscape integration
- (e) Maintenance of unique knowledge, practices and institutions capable of conserving nature in specific local contexts.
- (f) Gaining national & international recognition hence making it easier to obtain grants from both national & international organisations for example affiliation to ICCA: Territories and Areas Conserved by Indigenous Peoples and Local Communities, a consortium which provides resources for CCAs establishment and management worldwide.
- (g) Provision of income from ecotourism activities such as paid-up local tour guides, and community eco-lodges
- (h) Improved infrastructure such as schools, health facilities and roads
- (i) Communities have one voice which can be used in demanding services from service providers
- (j) Sustainable use of natural resources through established by-laws

- (k) It encourages ownership of the resource by the communities
- (l) Preservation of culture through cultural villages
- (m) Capacity building through training and exchange visits
- (n) Reduced Human Wildlife Conflict (HWC)

Apart from all the mentioned benefits above, wetlands have challenges that can directly or indirectly affect CCAs. Some of the challenges are as follows: -

- (a) Increasing human population that directly and/or indirectly impacts on the wetland resources within CCAs.
- (b) Pollution such as oil spills that can affect aquatic life
- (c) Invasive tree species within wetlands that can slowly modify aquatic ecosystems.
- (d) Loss of natural vegetation through frequent fires and over harvesting
- (e) Over harvesting of bird and fisheries resources.
- (f) Depositing land-fill for development or other purposes that may destroy wetland and can have offsite impacts by blocking flow or hindering movement of aquatic life with an eventual impact on CCAs.
- (g) Livestock grazing, unless managed carefully, can remove plants that stabilize streambanks and protect soils from erosion.
- (h) Groundwater withdrawals for water supply can lower water levels in some wetland systems, changing habitats for plants, fish or other aquatic life.

1.2 Origin of CCAs

CCAs are either initiated by local communities on their own without any external help, or external individuals and institutions have played an important role in initiating the process.

It is sometimes difficult to locate the origin, especially in older CCAs, which could be a combination of many factors such as:

- A need being felt in the community to revive a dying tradition. Example is the Guassa CCA in Ethiopia, 400 years old which resulted in reintroduction of an indigenous land use system to safeguard its important biodiversity and secure the long-term livelihoods of its human population. The CCA covering 110km² is not only a habitat for animals such as wolf, baboons and seedeaters but also a catchment for Africa's longest river Nile and other smaller ones. Communities harvest Guassa thatch grass, and graze their livestock in the CCA. In 2003, Guassa Conservation

Council was established to reinstall the traditional resource management system (Equator Initiative 2012).

- A concern for depleting biodiversity, and these factors coinciding with the emergence of an inspiring local leadership.
- Sometimes the origin may well be a mix of internal and external factors, for example a young person from the community who has studied outside and brings back new ideas (the youth representing internal factors but influenced by external factors such as education) into the community which are eventually adopted by community members.

1.3. Key cornerstones or principles for CCA'S

1.3.1 Defined Community and boundary

A well-defined community that possesses a close and profound relation with an equally well-defined site (territory, area, or habitat) and/or species. Clearly defined CCA boundaries generally increase the security and opportunities for the long-term well-being of local communities.

1.3.2 Decision-making and implementation

Communities are the major players in decision-making and implementing actions related to ecosystem management through enforcement of decisions, either by by-law or practice. Other stakeholders may collaborate as partners where necessary.

The communities have established systems (institutions, regulations, processes) for achieving their objective.

1.3.3 Prior Informed Consent Process

The ability to either provide or refuse consent through a Prior Informed Consent process is an important principle for any activities undertaken by outside entities affecting communities' rights and livelihoods.

1.3.4 Access and benefit sharing

The concerned communities have substantial ethical, livelihood, cultural, economic or spiritual associations with and dependence on the conserved area and benefit from the biological and genetic resources.

1.4 Global Multilateral Environmental Agreements Supporting Creation of CCAs

1.4.1 Convention on Biological Diversity

The United Nations Convention on Biological Diversity (CBD) now recognizes those communities that conserve natural ecosystems collectively as “Indigenous Peoples’ and Community Conserved Territories and Areas” (CCAs).

Recognition of the existence and importance of CCAs has been rather recent, both in national and international circles. But it has also rapidly occupied central focus, largely due to the following key international events:

- (a) The 5th The World Parks Congress (WPC) organized by the International Union for the Conservation of Nature (IUCN) in Durban in September 2003 which recognized CCAs as a valid and important form of conservation. The Durban Action Plan, with a specific recommendation on CCAs, highlighted the need to incorporate and support CCAs as part of National Protected Area Systems.
- (b) The 7th Conference of Parties to the Convention on Biological Diversity, which was held in Kuala Lumpur in February 2004. One of the major outputs was a Program of Work on Protected Areas (POWPA) which is related to ‘Governance, Participation, Equity, and Benefit-sharing’. It explicitly urges countries to move towards participatory conservation with recognition of indigenous/local community rights. the POWPA also made a major breakthrough in committing countries to identify, recognize, and support CCAs.
- (c) The World Conservation Congress which was held in Bangkok in November, 2004 to re-affirm the outputs of the WPC Durban, and a specific recommendation on CCAs was adopted.

- (d) The Marine Protected Areas Congress which was held in Geelong, Australia in October, 2005, reinforced the message from the WPC Durban, with specific reference to marine sites.
- (e) IUCN Strategic Direction on Governance, Communities, Equity and Livelihoods played a key role in facilitating the participation of community representatives from CCA sites from different parts of the world. This was under the theme formerly known as the “Theme on Indigenous and Local Communities, Equity, and Protected Areas (TILCEPA).
- (f) The guidelines for identification and recognition of Other Effective Area Based Conservation Measures have been developed at the CBD COP 14 in 2018. Conservation efforts have been focusing on state managed protected areas. However, expanding conservation measures on other area-based forms of conservation measures can complement PAs in delivering conservation outcomes.
- (g) The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (ABS) which was adopted on 29 October 2010, establishes a framework for regulating how users of genetic resources and/or traditional knowledge associated with genetic resources (for example, researchers and commercial companies) may obtain access to such resources and knowledge. It provides for general obligations on sharing the benefits arising from the utilization of such resources and knowledge. And it obliges Parties and local communities to ensure that users under their jurisdiction respect the domestic ABS legislation and regulatory requirements of the Parties where the resources or knowledge have been acquired.
- (h) UN Declaration on the Rights of Indigenous Peoples (UNDRIP) was made in 2007 to provide for local peoples’ rights to the conservation and protection of the environment and the productive capacity of their lands or territories and resources and that States shall establish and implement assistance programmes for local people for such conservations and protection, without discrimination (art. 29).
- (i) The Convention on Wetlands of International Importance, called the Ramsar Convention provides the framework for national action and international

cooperation for the conservation and wise use of wetlands and their resources. The Convention provides for the involvement of the local communities in the management of wetlands.

1.5 National Policies and Legislation Supporting CCAs

The Constitution of Malawi and national policies, that support environmental management, are founded upon the following fundamental principles to enhance the responsible management of the environment:

- (a) Prevent degradation of the environment;
- (b) Provide a healthy living and working environment for the people;
- (c) Accord full recognition of the rights of future generations by means of environmental protection; and
- (d) Conserve and enhance biodiversity

Some of these Policies and Acts have been highlighted in the next few sections to explain the linkages they have with CCAs establishment and their management process.

1.5.1 Environmental Management Policy

The objective of the National Environmental Policy (2004) is to manage, conserve and utilize sustainably the country's biological diversity, (ecosystems, genetic resources and species) for the preservation of national heritage. The strategies include:

- (a) Identifying valuable areas of biodiversity, particularly outside protected areas, and in consultation with local communities, explore means of protecting such areas, including gazettement as protected areas, and purchasing of land-use rights or of conservation easements.

In the Elephant Marsh communities will have to identify valuable areas of biodiversity such as where birds roost and fishes spawn, map these out and find ways of protecting such spaces.

- (b) Promoting biodiversity conservation programs undertaken by sectors such as forestry, fisheries, and wildlife that protect biodiversity and provide benefits to local communities so that they are motivated to conserve the resources and use them in a sustainable manner. The Elephant Marsh's land and waterscape with all

its forestry, fisheries and wildlife resources is directly supported by this strategy. The involvement of communities in management and utilization of the resources, incentivizes them to participate and improve their livelihoods.

1.5.2 Environmental Management Act (2017)

Environmental Management Act (2017) provides powers to the Malawi Environment Protection Authority (MEPA) to be the principal agency for the protection and management of the environment and sustainable utilization of natural resources. Specifically, Section 69 of the Environmental Management Act gives power to the Authority, in consultation with relevant lead agencies, to prescribe measures and issue guidelines to promote the conservation of biological resources in situ in relation to: -

- (a) Land use methods that are compatible with the conservation of biological diversity;
- (b) The selection and management of protected areas so as to promote the conservation of various terrestrial and aquatic ecosystems of Malawi;
- (c) The selection and management of buffer zones near protected areas;
- (d) The protection of species, ecosystems and habitats threatened with extinction;
- (e) Prohibiting or controlling the introduction of alien animal and plant species;
- (f) Identifying, promoting and integrating traditional knowledge into conservation and sustainable use of biological diversity;

This is done through coordinating, monitoring, supervising the functions of lead agencies such as Forestry, Parks and Wildlife, and Fisheries performing their duties as defined by law. These Guidelines have, likewise, been produced to help in the coordination of different stakeholders where their roles in environmental management are defined.

It is also envisaged that the introduction of the CCAs as part of management strategy for the wetland will help conserve the wetland resources as complex integrated multifunctional ecosystems rather than being managed as individual components.

1.5.3 National Biodiversity Strategy and Action Plan (NBSAP II, 2015-2025)

The linkage between the NBSAP II and community conservation has been developed with 2 targets set on community participation and on conservation. These targets are such that:

- (c) Traditional knowledge, innovations and practices of local communities are respected and harnessed in line with national and international legislation.
The communities' indigenous knowledge in the management of the wetland resources plays a bigger role as it provides insights that contribute to increased efficiency, effectiveness and sustainability in environmental conservation among rural communities.
- (d) The supply of important ecosystem services is safeguarded considering gender roles and responsibilities of the youth and the poor and the vulnerable.

1.5.4 National Wildlife Policy (2018)

The EM has a diversity of wildlife ranging from hippos, crocodiles, birds, fish and butterflies.

This is supported by the National Wildlife Policy (2018) whose goal is to conserve and manage Malawi's wildlife resources for sustainable development of the country. The policy anticipates the role of communities as follows:

- (a) Formation of local boundary community-based co-management governance institutions, demarcation of conservation areas, establishing management plans and by-laws for sustainable management with DNPW and local authorities.
- (b) Supporting the conservation and management of boundary areas of national parks, wildlife and forest reserves and Ramsar sites in their areas.
- (c) Protecting wildlife and aquatic biodiversity resources within their localities through co-management arrangements.
- (d) Undertaking wildlife-based enterprises for sustainable wildlife management and improvement of their livelihoods and;
- (e) Participating in wildlife co-management activities, developing wildlife Community Based Organizations (CBO), establishing the CBO boundary

jurisdiction, resource assessment, developing management plans and enforcing wildlife community by-laws.

The National Wildlife Policy in this view empowers communities to identify spaces within their areas, and establish them for conservation activities that will improve their livelihoods.

1.5.5. National Parks and Wildlife Act (2018)

This provides for local community participation and private sector involvement in conservation and wildlife management and gives powers to the Minister to make rules for the establishment of CCAs. It gives powers to the Director to enter into agreement with a local Wildlife Management Authority providing for: a management plan; assistance from DNPW; and rights and duties for the authority. The establishment of CCAs is also supported by the MGDS III³ (2017). This is through enhancement of Community-Based Natural Resources Management (CBNRM), conserving and sustainable use of water sources that include wetlands, as well as enhancing conservation and sustainable utilization of biological diversity.

1.5.6 National Fisheries and Aquaculture Policy

The goal of the National Fisheries and Aquaculture Policy (2016) is to promote sustainable fisheries resource utilization and aquaculture development in order to contribute to food and nutrition security and economic growth of the country. Ways of attaining this goal include promoting participatory fisheries management regimes as well as developing capacity of the Government and local management institutions. This policy also recognizes governance in fisheries as one of the key priority areas which is an important element in participatory fisheries management which is also being practiced already in the Elephant Marsh. The National Fisheries and Aquaculture Policy therefore promotes:

- (a) Active participation of local fishing communities through Beach Village Committees. There are well over 50 BVCs now in the EM which are likely to support the establishment of CCAs in the wetland.

³ The third Malawi Growth and Development Strategy (MGDS III) will be implemented from 2017 to 2022. It is the fourth medium-term national development strategy aligned to the country's long-term national development aspirations, which are articulated in Vision 2020. The previous development strategies that were developed to implement Malawi's Vision 2020 were the Malawi Poverty Reduction Strategy Paper (MPRSP), the Malawi Growth and Development Strategy (MGDS) I and II. The MGDS III is the final strategy that will take Malawi to the realisation of Vision 2020.

- (b) Legal instruments and procedures for the participation of relevant stakeholders;
- (c) Communities organized at local and national level;
- (d) Sustainable financing mechanism, that would include creation or introduction of income generating activities (IGAs)
- (e) Best practices in the management of shared ecosystems; and
- (f) Collaboration with other natural resource sectors.

1.5.7. Fisheries Conservation and Management Act (1997)

Just like National Parks and Wildlife Act, Fisheries Conservation and Management Act provides for local community participation in conservation and management of fisheries in Malawi. It gives powers to the Director to enter into a fisheries management agreement with a fisheries management authority providing for: a management plan; and assistance to be provided by the Department of Fisheries.

1.5.8 National Forestry Policy (2016)

The overall goal for the National Forestry Policy (2016) is for the conservation, establishment, protection and management of trees and forests for the sustainable development of Malawi. The policy promotes community participation and sustainable management of forests, among others, through the following objectives:

- Provide an enabling framework for promoting the participation of local communities, the civil society and the private sector in forest conservation and management;
- Promote the growing of trees by all sections of the community in order to achieve sustainable self-sufficiency of wood and forest derived products and services.

This Policy, therefore, will promote participation and empower communities that would like to participate in CCA establishment in the wetland. It is also instrumental in providing opportunities to communities that manage CCAs to venture into forest management activities aimed at both improving landscape health and communities' livelihoods.

1.5.9 Community Based Forest Management Supplement Policy (2001)

The Community Based Forestry Management Supplement Policy (CBFM) of 2001 was produced with an aim to empower communities to take part in forest conservation and management activities in order to improve local landscapes and their livelihoods. Before this Policy was enacted there was a policy that did not support community forestry. This earlier policy was viewed as antagonistic to forestry development in the country.

CBFM hopes to achieve objectives whose purpose is to remove the current situation of open access to forest resources on unallocated land by clearly assigning forest ownership or user rights to the landholders, and by giving them the legal power to protect and sustain them. The Policy also aims to create the right incentives and conditions for identified groups of resource users within defined areas to use natural resources sustainably. This can be in special arrangements such as establishment of CCAs or engaging in co-management of natural resources with government. When people are provided with strong rights and tenure over land and resources in their vicinity, they stand to improve on consumption trends and benefit more in terms of sustainable livelihoods.

The CCA's management requires that people become more aware of their roles and responsibilities to sustainable use of resources.

1.5.10 Forestry Act (2017)

Section 25 of the Forestry Act of 1997 and the Forestry Amendment Act of 2020 indicates that The Director of Forestry may enter into agreement with local communities, local government authorities, Non-Governmental Organizations (NGOs), and private sector partners, for implementation of management plans for the principal purpose of forestry conservation. In the wetland the CCAs will be built on the power of the communities' willingness to organize themselves, and participate in conservation of resources. The Forestry Act therefore will help to protect tree and forests resources found in the EM.

1.5.11 National Water Policy (2005)

The overall Goal for the National Water Policy of 2005 is sustainable management and utilization of water resources, in order to provide water of acceptable quality and of sufficient quantities, and ensure availability of efficient and effective water and sanitation

services that satisfy the basic requirements of every Malawian and for the enhancement of the country's natural ecosystems. This Policy therefore is very important to the communities that resides in the vicinity of the Marsh.

1.5.12 Water Act (2013)

This Act provides for the management and conservation of water resources in Malawi.

Part 111 of this Act supports Catchment Management Committee establishment and Section 33 of the Act encourages the involvement of users of watercourses on protection and management of water courses and lakes. CCAs will have to have catchment management committees who shall work closely with water department experts to provide oversight to the communities on how best to harvest, and protect water bodies and utilize them sustainably. Part VIII tackles prevention and control of water pollution. Section 89 covers issues of pollution of water resources from activities or different processes. The EM has sugar companies with large sugar cane plantations. Issues of commercial runoff have been identified. The filthy looking waters are found in some places in the wetland affecting aquatic life. The Act empowers communities to take such polluters to task to redress the situation.

1.5.13 Malawi National Land Policy

The objectives of the National Land Policy (2002) are:

- (a) Promoting tenure reforms that guarantee security and enhance conservation and community management of local resources.
- (b) Promoting community participation and public awareness at all levels to ensure environmentally sustainable land use practices, and good land stewardship.

Land use planning and development is conducted to allocate land resources in order to obtain maximum effective use, and at the same time pay attention to the built environment and the welfare of the community.

The policy also describes customary land declaration which often increases people's awareness of the value of land and the implications of those boundaries on resource use. The policy also gives responsibility to a Traditional Authority (TA) to allocate land, enforcement of community land policies as well as settling disputes. This is a very critical area when it comes to the establishment of CCA as it empowers community leaders and their subjects to legally practice their rights to identify and demarcate a community conservation area.

1.5.14 National Land Act (2016)

This Act empowers a Minister to acquire unallocated customary lands for public utility. In the case of establishment of the CCA this part of Land Law is critical during the registration of the parcels of land that have been earmarked as CCAs. The Act further addresses issues of trespassing, encroachment and all forms of occupation of lands. It is envisaged that when the communities are made aware and fully understand issues of legal land allocation, in their areas it will be easy to support efforts towards identification, demarcation and registration of CCAs as areas that can be managed by the whole community as a conservatory for wildlife.

1.5.15 National Tourism Policy (2019)

The National Tourism Policy for Malawi (being reviewed) recognizes biodiversity found in protected areas; natural features such as lakes, cultural and historical attractions are the major features for tourism. The policy encourages the creation of an enabling environment for private sector involvement in the industry, community participation and enhancing the role of the public sector in facilitating sustainable tourism development. Its product development strategies include: promoting community participation in development of tourism and ensure fair sharing of benefits; and integrating tourism development with national and community development programmes. It also recognizes community-based tourism and cultural tourism as some of the new products to be promoted.

1.5.15 Tourism and Hotels Act (1970)

This Act is being reviewed following new National Tourism Policy (2019). This is a very important Act for the management of the EM when eco-Tourism is considered as main activity that can bring in funds from tourists and be used to support resource management activities.

2.0 Description of Elephant Marsh

This section describes the history and current status of Elephant Marsh. It also presents a brief outcome of the studies that have qualified it to be established as a CCA.

2.1 History and Current Conservation status of the Elephant Marsh

The Elephant Marsh lies on the floodplain of the lower Shire River between the districts of Chikwawa and Nsanje in southern Malawi. The Marsh's hydro morphology is dependent upon the hydrology of the upstream Shire River Basin, including its source, Lake Malawi, adjacent sub-catchments and the Ruo River. The Ruo River which is the largest tributary of the Shire River, and which forms the southeast boundary with Mozambique, joins the Shire near Chiromo. In the north-west (see Fig.1 below), the Marsh is typically a seasonal wetland; centrally, it is semi-permanent marshland, and; in the south, it is characterized by semi-permanent marsh and shallow lakes. The vegetation of the Marsh is comprised of floating mats (sudd) while palm (Arecaceae) and fever trees (*Vachellia xanthophloea*) are found on the margins.

The Elephant Marsh was so named by David Livingstone, an early Scottish Missionary who counted as many as 800 elephants in one sighting when he passed through the Marsh in 1856. Other animals such as buffaloes and antelopes were also in plenty then. Now there are no elephants in the Marsh; there are many bird species, crocodiles, hippos and other aquatic life. The Elephant Marsh was one of the first Games Reserves gazetted in Malawi in 1897 and was de-proclaimed in 1911. Increasing human pressure and expanding agriculture have led to dramatic declines in remaining natural areas and wildlife numbers. The marsh now plays an important role in supporting livelihoods and helping local communities to cope with considerable climate variability.

2.2 Elephant Marsh Extent and Zones

Overall, the Elephant Marsh covers an area of about 600km² and possibly more in the wet season when the area is flooded. It is divided into 5 administrative zones which were developed under the Shire River Basin Management Project: these are

- (1) Northern zone (2) Central zone (3) Eastern zone (4) South East zone and (5) Western zone (Fig 1)

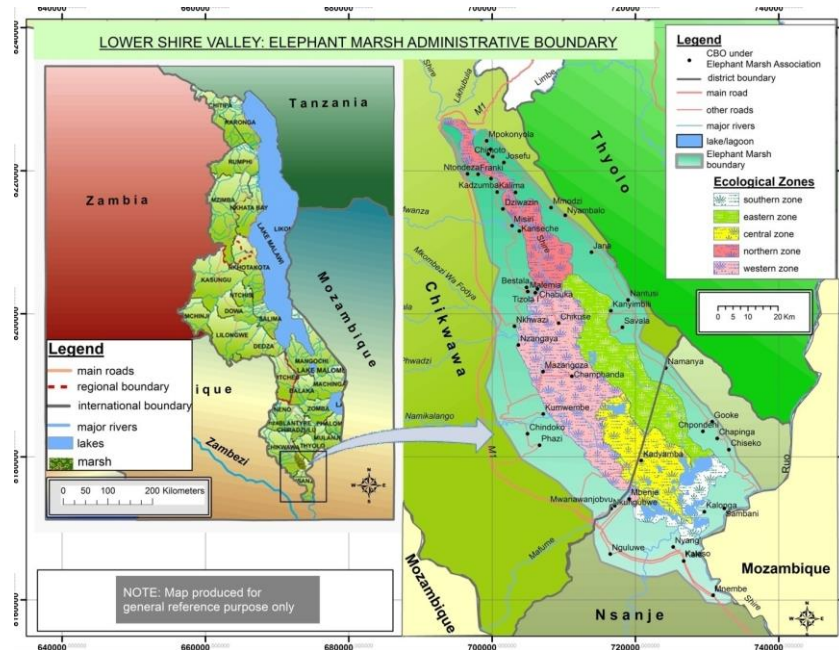


FIGURE 1 MAP OF ELEPHANT MARSH SHOWING THE FIVE MAIN ZONES

The study on climate resilient livelihoods and sustainable natural resource management (MRAG 2016) has shown that the wetland has been significantly altered from its natural state in many different ways over the past 150 years. The overall health of the Elephant Marsh is rated as largely modified.

However, it still contains large areas of functional marshes and floodplain habitats to support significant biodiversity and ecosystem services though the resource density has been eroded due to over utilization. Currently, the most naturally-functioning and least disturbed open waters and marsh area, are found in the Centre and Southern portions of the Elephant Marsh, largely due to their being permanently inundated and difficult to access.

2.3 The Biodiversity of the Elephant Marsh

There are 199 bird species recorded in the EM (MRAG 2016). 68 of these species are water birds of which the most abundant species are Open-billed Stork (*Anastomus lamelligerus*), White-faced Whistling Duck (*Dendrocygna viduata*), African Jacana (*Actophilornis africana*), Common Squacco heron (*Ardeola ralloides*) and cattle egret (*Bubulcus ibis*). An estimated 26 waterbird species have been found breeding in the area; among them are the

threatened Madagascar Squacco Heron (*Ardeola idae*), Wattled Crane (*Grus carunculatus*) and Grey Crowned Crane (*Balearica regulorum*).

A survey in 2016 recorded a total of 20,238 birds in the upper and lower marsh areas of the EM, which formed the basis of the justification for the designation of the EM as a RAMSAR site of international importance. The commonest birds one is to encounter in the marsh are listed in Table 1 below.

TABLE 1: COMMON BIRD SPECIES FOUND OF THE ELEPHANT MARSH

No	Family	Scientific Name	English Name
1	Grebe	<i>Tachybaptus ruficollis</i>	Little Grebe
2	Anatidae	<i>Thalassornis leucotonus</i>	White-backed Duck
3	Anatidae	<i>Nettapus sp</i>	Pygmy Goose
4	Heliornithidae	<i>Podica Senegalensis</i>	African Finfoot
5	Heron	<i>Gorsachius leuconotus</i>	White-backed Night Heron
6	Heron	<i>Butorides virescens</i>	Green-backed Heron
7	Stork	<i>Anastomus lamelligerus</i>	Open-billed Stork
8	Anatidae	<i>Dendrocygna viduata</i>	White-faced Whistling Duck
9	Jacaniidae	<i>Actophilornis africana</i>	African Jacana
10	Heron	<i>Ardeola ralloides</i>	Common Squacco Heron
11	Heron	<i>Bubulcus ibis</i>	Cattle Egret
12	Ardeidae	<i>Ardeoa idae</i>	Madagascar Squacco Heron
13	Crane	<i>Grus carunculatus</i>	Wattled Crane
14	Gruidae	<i>Balearica regulorum</i>	Grey Crowned Crane

Besides bird life, the marsh has many fish species, some of which are endemic to the wetland only in Malawi, such as Makakana. Less commonly found fish species include *Synodontis zambesi* (Nkhonokono/squeaker), *Momyrus spp* (Mphuta and Mkupe), and *Marcusenius macrolepidotus* (Nyesi/elephant fish). Fish species on IUCN Red List include *Labeo altivelis*, *Labeomesops*, *Protopterus annectens* and *Marcusenius macrolepidotus*.

TABLE 2: FISHES OF THE ELEPHANT MARSH

FISHES OF THE ELEPHANT MARSH WETLAND						
NO	FAMILY		SCIENTIFIC NAME	ENGLISH NAME	LOCAL NAME	ZONE COMMONLY FOUND
(A) Commonly Found Fish Species						
1	Cichlids	1	<i>Oreochromis mossambicus</i>	Mozambique tilapia	Makakana	Nyangóna, Gong'owamkulu, Nyamikungulu, Mtayamoyo (SWEM); Mfera, Nansongole, Mphanda, Chiromo Bridge, Chigwamafumu (SEEM)
		2	<i>Eutropius depressirotris</i>	Butter catfish	Dande	Mfera, Mphanda (SEEM)
		3	<i>Tilapia rendalli</i>	Red breast tilapia	Nyungwe/Ngunduwe	Nyangóna, Gong'owamkulu, Mtayamoyo (SWEM); Mfera, Nansongole, Mphanda, Chiromo Bridge, Chigwamafumu (SEEM)
2	Cyprinids	4	<i>Hydrocynus vittatus</i>	Tiger fish	Ncheni	Gong'owamkulu, Mtayamoyo (SWEM); Mfera, Mphanda, Chiromo Bridge, Chigawamafumu (SEEM)
		5	<i>Labeo altivelis</i>	Red nose mud sucker	Njole	Gong'owamkulu, Nyamikungulu (SWEM); Mfera, Mphanda (SEEM)
		6	<i>Barbus</i>	Ray finned fish	Matemba	Mphanda (SEEM)
		7	<i>Labeomesops</i>	Elephant fish	Ntchila	Mfera (SEEM)
3	Clarids	8	<i>Clarias gariepinus</i>	Mud Catfish	Mlamba	Nyangóna, Gong'owamkulu, Nyamikungulu, Mtayamoyo (SWEM); Mfera, Nansongole, Mphanda, Chiromo Bridge, Chigwamafumu (SEEM)
		9	<i>Clarias ganamensis</i>	Airbreathing catfish	Chikano	Mfera, Mphanda Chiromo Bridge (SEEM)
		10	<i>Protopterus annectens</i>	Lung fish	Dowe	Nyamikungulu (SWEM); Chiromo Bridge SEEM)
(B) Less Commonly Found						

		1	<i>Synodontis zambensi</i>	Squeaker	Nkhonokono	Gong'owamkulu, Mtayamoyo (SWEM); Mphanda, Chigwamafumu (SEEM)
		2	<i>Momyrus spp</i>	Momyrus	Mphuta and Mkupe	Gong'owamkulu, Nyamikungulu, Mtayamoyo (SWEM); Mfera, Chiromo Bridge, Chigwamafumu (SWEM)
		3	<i>Marcusenius macrolepidotus</i>	Elephant fish	Nyesi	Nyamikungulu (SWEM)
		1	<i>Labeo altivelis</i>	Red nose mud sucker	Njole	Gong'owamkulu, Nyamikungulu (SWEM); Mfera(SEEM)
		2	<i>Labeomesops</i>	Elephant fish	Ntchila	Mfera (SEEM)
		3	<i>Protopterus annectens</i>	Lung fish	Dowe	Nyamikungulu (SWEM); Chiromo Bridge SEEM)
		4	<i>Marcusenius macrolepidotus</i>	Elephant fish	Nyesi	Nyamikungulu (SWEM)

The marsh also supports populations of hippopotamus, which are vitally important to keep the tributaries and channels open to allow the flow of water. There are also important aquatic invertebrates including the newly identified sub-species of the butterfly *Colotis amata* that breeds exclusively on the lake edge surrounded by the evergreen shrub *Salvadora persica*.

This biodiversity and numbers of particular species resulted in the Elephant Marsh meeting the criteria for Ramsar specified as follows:

- Criterion 3. Elephant Marsh has biological diversity
- Criterion 5. It supports over 20,000 water birds
- Criterion 6. It has 1% or more of a delineated population of water birds

The designation of the Elephant Marsh followed a consultative process. Various stakeholders were engaged and these include:

- (a) Local communities in the Elephant Marsh area in particular Traditional Leaders for nomination of Ramsar Site;
- (b) District Councils of Chikwawa and Nsanje, other Government Departments and Private sector;
- (c) Tour Operators as well as Wetland Committee were also consulted; and
- (d) National Biodiversity Steering Committee also played an important role in the review of the sub-studies reports and provided guidance.
- (e) Civil Society Organizations (CSOs)

2.4 Threats to the marsh

For the Elephant Marsh, the Anchor Environmental Consultants (2016), reported the following as being the key threats to the Wetland's biodiversity:

- (a) **Human population growth** - both directly surrounding the Marsh and within the catchment area of the marsh, which has led to increased water abstraction, conversion of land to agriculture, soil disturbance, increased sediment inputs into rivers, and concomitant biodiversity losses. These increased sediment loads move

- down into the Shire River and the Elephant Marsh. The resultant high turbidity levels reduce the productivity of the wetland zones, and reduce food availability for fish and birds.
- (b) **Upstream developments and flow modification** - reduced flow through the Elephant Marsh reduces the extent and flooding of the lake, the Marsh and the flood plain habitats, thereby affecting the fish species with strong dependence on seasonal flooding.
 - (c) **Increased human encroachment, burning and cultivation** - the Elephant Marsh is now heavily degraded by a range of impacts from human activities. The flood plain edge is increasingly encroached by human settlements, over-grazing by livestock and development of subsistence farming, such as rice paddies and other cash crops. Frequent increase in fires in the Marsh and surrounding areas has led to extensive habitat loss and modification, which threatens mammal, reptile and amphibian populations which often cannot vacate quickly to escape fire.
 - (d) **Tree felling** – wanton reduction of tree cover throughout the Marsh area has affected water birds that typically favour tree-lined water courses, e.g., the African Finfoot, and White-backed Night Heron which are now absent or rare in the Elephant Marsh.
 - (e) **Commercial sugar-cane farming and agro-business** - the large commercial sugar-cane estates on the edge of the Marsh are located in what could have been the flood plain but also impact the Marsh through water extraction for irrigation and potentially the run-off of agro-chemicals (pesticides & fertilizers) into the wetland raising the possibility of contamination and eutrophication from these sources. The estates have also partially contributed to the influx of people to the area.
 - (f) **Fishing** - pressure is intense in the more densely populated northern and southern parts of the Marsh. The fishing activity also negatively impacts water birds through competition for fish resource.

- (g) **Alien species** - invasive alien floating weed such as Water Hyacinth (*Eichornnia crassipes*) locally known as Namasupuni, Water Lettuce (*Pistia stratiotes*) and Water Fern (*Azolla filiculoides*) are very abundant across the Elephant Marsh. These aquatic weeds are known to infest water ways, change drainage patterns and lead to low oxygen levels in the water which can be detrimental to aquatic invertebrates and fish species.

***Prosopis juliflora* (Jacaranda)** This is a small tree in the family of Fabaceae. It is none-native to Malawi, only appearing close to 50 years ago (Pers.comm) and now almost covering most parts of the Lower Shire especially areas close to the Elephant Marsh. Jacaranda, as it is locally known, is a highly invasive prolific thorny shrub that is now taking over and reducing both arable and grazing land. The shrub is being used for construction purposes and in some cases, its being used for charcoal production. However, the speed at which it is spreading it will choke many areas and therefore there is need to stop its spread.



FIGURE 2 PROSOPIS JULIFLORA

As this problem is bigger in terms of being handled by communities alone it is imperative that other stakeholders come in to help provide solutions either through uprooting the trees (which may be a very expensive operation) or finding alternative uses for the tree that can quickly benefit communities.

- (h) **Hunting/poaching** - this is the most profound threat to the mammalian fauna of the Elephant Marsh. A combination of subsistence and commercial hunting takes place using mostly traditional tools, snaring, hunting dogs, and for the larger mammals (such as hippo), guns are used.

- (i) **Climate Change**- Wetlands provide critical services to natural and human communities alike, forming important wildlife habitat, storing and filtering water, sequestering carbon, and offering opportunities for recreation (Hamlet, A)

Wetlands can be vulnerable to the impacts of climate change, including changes in rainfall and temperatures. As observed in other wetland areas where there have been intense droughts wetlands have ended up drying as the case was with Lake Chilwa Wetland area in Zomba (2012).

- (j) **Consumption system** - of the resources in the wetland is based on subtractive theories
- (k) **Resistance by other resource** users through non-compliance with the resource rules.
- (l) **Governance** of one single resource by so many communities
- (m) The southern and central zones of the wetland are open waters for fishing and they are biodiversity hot spots (fish, birds, crocodiles and hippos breed). These areas are also candidates for eco-tourism and proposed areas for establishment of first CCAs in the EM.

2.4.1 Human population increase

The surrounding human population increase in the marsh and within the catchment

The main overall threat to the Elephant Marsh is the growing human population, not only directly surrounding the marsh but within the catchment and Malawi as a whole.

The Elephant marsh has a human population totaling over 750 000 (NSO, 2008). Indeed, within the two districts surrounding the Elephant Marsh there has been a 40% increase in population size in the past 20 years. The anthropogenic activities such as farming and cutting down of trees has greatly contributed to land degradation.

2.4.2 Modification of the aquatic ecosystem

The abstraction or diversion of water using canals, pipes, and streams for irrigation is a popular method of turning unproductive and/or dry areas of land into productive agricultural enterprises. Water abstraction for irrigation and hydroelectricity will have various impacts in the Elephant Marsh. The conversion of land to agriculture for livelihood has consequently led to soil disturbance, increased sediment inputs into rivers, and concomitant biodiversity losses. This has contributed to the increased river flow resulting in infrastructural damage such as road erosion and washing away of bridges. The loss of fertile topsoil has increased sediment loads into the Shire River and the Elephant Marsh affecting the aquatic ecosystem. This is worsened with the runoff of agro-chemicals (pesticides and fertilizers) contaminating the wetland thereby increasing eutrophication. This can lead to the deterioration of many habitats important to numerous fish species, and ultimately decrease the abundance of sensitive species or even result in local extinctions.

The abstraction of water for irrigation and dam construction for hydroelectricity tend to reduce the natural flow of the river as well as water levels. The reduced flow of water downstream can result in the marsh drying up or its replacement by upland vegetation communities. Water temperature is also likely to increase where there is reduced flow in the river thereby affecting turbidity and increasing eutrophication especially during the months of low water levels.

Decrease in water levels may alter habitats of species living in the marsh. Reduced water flow can result in physical and chemical changes of habitat of different aquatic species thereby affecting feeding and spawning success of these species.

2.4.3 The loss of natural vegetation

The remaining natural vegetation in the catchment has dwindled with the removal of most of the woody riparian vegetation along the banks of the Shire River. Farmers encroach on

the marsh by clearing the vegetation for growing crops which affect natural breeding grounds for fish. There has also apparently been a great reduction in tree cover throughout the marsh area, previously concentrated along river channels and in infrequently inundated woodlands that used to surround the floodplains. Water birds that typically select tree-lined watercourses, e.g. African Finfoot (*Podica Senegalensis*), White-backed Night Heron (*Gorsachius leuconotus*) and Green-backed Heron (*Butorides virescens*), are currently absent/rare in the Elephant Marsh. This coupled with reduced seasonal flooding of floodplain and marsh habitats further reduces water birds' habitat. *Any photos taken at different years to determine deforestation rate. Statistics required*

2.4.4 Over-harvesting of natural resources

Fishing pressure is intense in the denser populated northern and southern parts of the marsh, although less so in the more inaccessible central and western areas. Use of illegal and under-sized mesh nets is one of the major contributing factors to overfishing. This fishing activity, however, negatively impacts water birds through competition for fish resources, direct disturbance from human fishermen, and drowning and entanglement in fishing nets, especially gill nets, and fishing tackle. A noticeable feature coming out of the recent water bird survey was the absence or scarcity of several species of diving water birds, e.g. Little Grebe (*Tachybaptus ruficollis*), White-backed Duck (*Thalassornis leucotonus*) and Pygmy Goose (*Nettapus* sp).

2.4.5 Incidences of fire

The frequency of fires during dry periods dries the papyrus marsh which facilitates encroachment into the wetlands for cultivation. This has caused extensive habitat loss and modification and threatens mammal, reptile and amphibian populations.

2.4.6 Invasive species

The most common invasive species is water hyacinth (*Eichhornia crassipes*) locally known as *Namasupuni*, which is commonly found in Shire and other aquatic systems. There are also other invasive species in Elephant Marsh such water lettuce (*Pistia stratiotes*) and water fern (*Azolla filliculoides*) which sometimes almost completely cover smaller lakes. The effects of these invasive weed species include blocking waterways, changing drainage patterns, and low oxygen levels in the water which can be detrimental

for aquatic invertebrates and fish species. Their dominance may also provide a habitat for certain species which may negatively impact on the ecosystem for the wetland avifauna.

Parkinsonia aculeate (Mexican paloverde/Jerusalem Thorn) has been observed in the southern zone of the EM. It is ubiquitous in the peripherals of the marsh and forms a dense thicket over land, preventing access for humans, livestock such as cattle and goats to waterways. The pods get a free ride on flooding waters to find new areas to germinate and form new colonies.

2.4.7 Human Wildlife Conflict

Human-wildlife conflict refers to the interaction between wild animals and humans, and the resultant negative impact on people, animals, resources, and habitats. It occurs when growing human populations overlap with established wildlife territory, creating competition for space and resources. The case in point is what happens in the EM. As community members have encroached into the wetlands they have encroached upon game habitats; as a result, the animals such as crocodiles and hippos have ended up killing or attacking people or eating crops in their gardens.

2.4.8 Growing Population

The 2008 population and housing census report for Malawi indicates that about 100,000 people had immigrated to Chikwawa and Nsanje districts between 1998 and 2008. This represents about 14% of the original population thereby creating more pressure on the ecosystem goods and services of the Elephant Marsh (NSO 2008 in Kosamu *et-al* 2012)

With the growing trend of people moving from upland and other districts such as Blantyre, Thyolo and Mulanje coupled with rising poverty, pressure to convert more land of the wetland into cultivatable land has increased. More illicit harvesting activities on birds and fishes has also taken center stage.

2.4.9 Encroachment

Encroachment in EM has been a product of high population and poverty. As population has increased in the EM pressure has also increased on the need to open more virgin land for cultivation. The fertile banks of the Shire River and the wetland area have been viable options. People have opened gardens right into the river bank allowing more silt to go into the river and open waters thereby choking aquatic habitats.

3.0 Process for designating a CCA

This chapter provides a process to be followed in creating the Elephant Marsh as a CCA and this includes: Creating Awareness, describing the conservation target, management objectives and purpose, defining the CCA boundary and explaining the procedure to be followed in developing a management plan for the CCA including mapping and zonation.

3.1 Stakeholder mapping

Approaches to Natural Resources Management (NRM) planning have been strengthened through the involvement of several actors including local government, the private sector, and communities using principles such as CBNRM and participatory forest management. CCA is a component of CBNRM where communities are the owners while other players provide support for successful implementation of programs. Stakeholders at EM have been mapped and their roles defined. The Table 3 below gives the list of stakeholders and their roles.

TABLE 3: STAKEHOLDERS AND THEIR ROLES IN THE MANAGEMENT OF THE ELEPHANT MARSH

Institution	Roles
Elephant Marsh Management Board (EMMB)	– Resource mobilization through simple proposals and other fund-raising activities – Monitoring performance of the Association, CBOs & Zonal Committees. – Conflict resolution in the management of the Elephant Marsh and use of natural resources in and around the Elephant Marsh. – Approval of by-laws for effective co-management & regulation of resource use in and around the Marsh. – Overseeing CCA implementation and performance based on reports provided by the implementing entities – Approving any projects for the Marsh to make sure they are in line with the Elephant Marsh Management Plan – Approving any major changes in CCA implementation and governance arrangements – Providing technical input and advice; – Reviewing the quality of major CCA deliverables; – Ensuring coordination amongst stakeholders – Providing oversight and direction to secretariat (could be all operating arms of the CCA)
District Councils	– Facilitate the formulation of bylaws in the district – Vetting of the bylaws – Strengthening protection and restoration efforts of the wetland through frequent consultations with wetland communities through the EDO as DESC member
DNPW	– Policy guidance. – Lead agency & principal coordinator for implementation of Elephant Marsh Management Plan and Business Plan – Administrative authority and Ramsar focal point – Coordination of various agencies' inputs and activities, including government, Donors, NGOs, Universities, National Herbarium, Shire Basin Authority, Shire River Environmental Support Trust, etc. – Problem animal control – Public awareness campaigns – Coordinating participatory M&E –
Elephant Marsh Association	– Guide & oversee the activities of the CBOs and Zonal Committees. – Promotion of income generating activities (IGAs) at Zonal level. – Monitor activities of the CBOs and Zonal committees, and reporting to the EMMB. – Promote gender issues and ensure that there is no stigma and discrimination against people living with HIV/Aids

	– Ensure accountability and transparency – Ensure cooperation among CBOs, Zonal Committees & Association – Organizing familiarization tours for members of the Association. – Conflict resolution in the management of the Elephant Marsh and use of natural resources in and around the Elephant Marsh. – Compiling the annual reports and circulating them to stakeholders and submitting to the Board
Zonal Committees	– Work under the guidance of Traditional Authorities – Coordinating and networking the Community Based Organizations and Village Heads – Developing links to the line agencies. – Overseeing activities of the CBOs. – Conflict resolution in the management of the Elephant Marsh and use of natural resources in and around the Elephant Marsh.
CBOs (There are 50 CBOs operating in the wetland)	– Work under the guidance of Group Village Headmen – Development of bylaws and rules for sustainable use of natural resources in and around the Elephant Marsh. – Consolidating community rights to land and biodiversity assets. – Facilitating all co-management activities, including formulating and enforcement of by-laws for sustainable land use practices, and effective regulation of natural resources use in and around the Marsh. – Negotiating partnership arrangements with private investors in the management of land, natural resources and tourism development. – Promotion of IGAs. – Conflict resolution in the management of the Elephant Marsh and use of natural resources in and around the Elephant Marsh. – Promoting collectiveness in harnessing equitable sharing of benefits from natural resource management and use in and around the Elephant Marsh.
Beach Village Committees	– Regulate fishing activities & collect fishing levies from fishermen. –
Agriculture Farmers Clubs	– Promote collective adoption of conservation agriculture & linkage to viable & functional markets.
Forestry Management Committees	– Promote collective afforestation and agroforestry activities. – Promote indigenous forest conservation around the wetland – Promote income generating activities through Forest Based Enterprises (FBEs)

3.2 Engagement of Local Authorities

The Local Authorities in the District are briefed on the concept and new initiatives for the communities. The target audience are mostly the District Environmental Steering Committee (DESC), the District Executive Committee (DEC) that include government and Non-Governmental Organizations (NGOs) and the Full Council for their understanding and also to seek input and support for successful implementation of proposed initiatives. However, it would be also necessary to include, in the consultative process, other council committees such as the District Agriculture, Environment and Climate Change Committee (DAECC), and the Agriculture and Natural Resources Service Committee (ANRSC). The Full Council comprises representative members of all agencies but has also the Traditional Leadership such as Traditional Authorities, Ward Counsellors and Members of Parliament. Traditional leaders are also involved at community level where they may be actively involved at various stages of the initiatives.

3.3 Raising awareness

There is need to conduct in-depth and thorough awareness on the CCA concept so that communities fully understand. The following activities are necessary to conduct awareness activities:

A robust strategy on awareness about the importance of a CCA for the sustainability of community livelihood is a vital tool to change the attitude of communities from consumptive to conservation and utilization. This may require development of awareness messages targeting different groups of people such as Village Heads (VHs), Group Village Headmen (GVHs), CBOs, BVCs, Village Natural Resources Management Committee (VNRMC) and the community members. Materials include posters, stickers, logos and leaflets.

What to do when conducting awareness:

- (a) Discuss the concept at district, traditional and community level
- (b) Explain -the legal, socio-cultural heritage conservation of the proposed CCA
- (c) Discuss the process for the creation of CCA and its benefits

- (d) Discuss roles and responsibilities of communities and stakeholders on CCA
- (e) The funding availability for the process to support the CCA management, capacity building for communities and support stakeholder participation

Awareness is also conducted for the establishment of the community organizations for the management of the CCA. Communities are organized into local institutions which can be recognized at local and international level. For instance, Elephant Marsh has an association that is registered under Trustees Incorporation Act. Establishment of community organizations for the management of CCA follow the following principles:

- (a) Election of officer bearers is by majority of votes
- (b) Officer bearers must represent the communities in the catchment area
- (c) Follow democratic principles of accountability and transparency
- (d) Collaboration with stakeholders and networking with relevant institutions

3.4 Setting the conservation target and management objectives

The conservation target is for sustainable management of the Elephant Marsh for the benefit of local communities. Basing on the EM management plan, the overall management objective is that ‘the integrity of the Elephant Marsh is maintained and enhanced, together with the natural functions that these wetlands perform and the benefits that they supply, including the sustainable utilization of wetland resources, without undermining future adaptive capacity’. The EM ecosystem is being destroyed by various livelihood support activities such as cultivation, grazing, fishing, and bird hunting. The major function is for the EM CCA to develop specific objectives for CCA zones in order to achieve the overall objective for the EM. This requires awareness and adequate consultation with stakeholders as already explained in section 3.3 above.

3.5 Define the CCA boundary (Mapping and Zonation)

Current boundary for the Elephant Marsh will be redesigned to establish the boundary for the CCAs. There are four stages to be followed when defining the boundary as outlined below.

3.5.1 Conduct meetings with resource users on zoning to develop land use plan

The purpose of zoning the area is to make sure that an inventory of the resources (plants, animals and cultural/historical sites) is developed. The objective is to enhance sustainable use of the resources that occur in the zoned area which will in return improve local communities' livelihoods. This requires involvement of all stakeholders starting from the site selection to the demarcation/zoning of the CCA. Note that the zonation of the Elephant Marsh has already been done where 5 Zones have been identified and mapped out. The zonation being referred in this section is for particular CCAs identified in the wetland. It must also be known that the Elephant Marsh has other documents to support its legal establishment as a Ramsar Site. There is Adaptive Management Plan as an independent document to provide technical information on resources use in the wetland; Constitution and Certificate of Incorporation (Annex 1)

3.5.2 Conduct zoning/demarcation for the CCA

The zoning shall consider factors such as ecological conditions, hydrology and the way people use the resources that determine the economic opportunities. For instance, the Elephant Marsh is considered to have five zones based on a combination of these factors.

3.5.3 Conducting boundary demarcation exercise for CCA zones

This is conducted with involvement of stakeholders/resource users and local authorities in the area. Indigenous knowledge, particularly that of (group) village headmen and some village elders is used to identify and name the hills and rivers or streams which are used to describe the boundary. Indigenous knowledge can also be helpful in determining suitable features where natural features are not existing as the case with open waters in the marsh and can be improved with new ideas.

3.5.4 Produce and validate the map for the CCA

Once the boundaries for a CCA have been agreed upon by all the stakeholders, a sketch map is taken to a publishing company for printing and the final copy is presented to all stakeholders for validation. There is need to conduct a meeting of all the stakeholders for the validation of the final map and make appropriate adjustments. The map is then submitted to Ministry of Lands for approval.

3.6 Developing management plan

The SRBMP already facilitated the production of a General Adaptive Management Plan for Elephant Marsh through services of a consultant. These CCA Guidelines therefore will focus on how each CCA after being established would facilitate their own CCA Management Plans.

Management plans are meant to:

- (a) Provide a base for the adaptive management of natural resources,
- (b) Identify main resources and livelihoods activities in a given area,
- (c) Compile resource use problems and
- (d) Determine possible fields of action in order to ensure sustainable use of natural resources on a long-term basis.

The advantages of developing and using a clear management plan are that they:

- (a) Create documented records of the biological, socio-economic and historical aspects of an area, and its relationship to international standards (such as IUCN PA management categories);
- (b) Include measurable objectives demonstrating how the management approach will achieve biodiversity conservation, cultural integrity and community benefits; and
- (c) Represent communities and CCAs in a dynamic way

A management plan serves as a common agreement which supports the sustainable use of natural resources and minimizes potential threats that were previously identified in the resource assessments. The accompanying measures can be either carried out by the implementing development organisation, the community or other stakeholders. In the case of EM there exists a management plan. The following activities are important in developing the management plan:

3.6.1 Develop a resource inventory

Communities often build up an intimate knowledge of the plants and animals with which they share their land. The inventory provides a quick method of obtaining what plant and animal types are known to be within a community's boundary. The diversity and

abundance of plants and animals within the CCA is identified. The resource inventory becomes part of the Management Plan for specific CCA that has facilitated that resource inventory.

3.6.2 Identify threats and key issues

Threats and key issues affecting the proposed CCA is determined by performing a “Strengths, Weaknesses, Opportunities and Threats” (SWOT) analysis. All the stakeholders are required to take part in the identification of the threats and key issues and provide solutions to them.

3.6.3 Develop an implementation action plan

A CCA is governed by a Management Plan which is a comprehensive document that describes how, who, what, when, where, why a conservation area is managed and how much it costs. Apart from the General Adaptive Management Plan that is already there for the EM, specific management plans shall need to be established for specific CCAs. This is important as each CCA has different Resource Management Units (RMU) with unique features that would demand specific management options.

3.7 Develop a monitoring system

Monitoring is a vital tool in gathering information to assess how a site is performing to guide conservation and management decision making. The bullets below spell out activities for monitoring These include:

- (a) Survey where data is collected by asking individuals questions either in person, on paper, by phone or online.
- (b) Performance indicators approach which is used to evaluate success at reaching targets
- (c) Cost Benefit analysis which is a systematic approach to estimating the strengths and weaknesses of alternatives used to determine options which provide the best approach to achieving benefits while preserving savings.
- (d) Participatory monitoring which is a process whereby stakeholders at various levels engage in monitoring a particular project or subject matter.

One of the community-based monitoring tools gaining popularity is Management Oriented Monitoring System (MOMS). Further details about MOMS are presented below: -

3.7.1 Management Oriented Monitoring Systems (MOMS)

There are various approaches of participatory monitoring, Management Oriented Monitoring System/Skills (MOMS) is one of them and is vital for the sustainable

community projects. It is a user-friendly method that communities use to collect data for monitoring. The system gathers and provides critical information to the people responsible for local level adaptive management.

MOMS is based on community participation rather than conventional scientific monitoring approaches that are often more expensive as they depend on the use of hi-tech equipment and highly trained personnel. MOMS involve the collection of data through the use of events book and various types of registration cards for recording observations of wildlife and even other activities taking place in the forest such as illicit tree cutting, charcoal production and disease outbreaks.

Different cards are used to record wildlife sightings on patrol, endangered species, mortalities, problem animal issues and even water level in rivers or wetland using measuring rods fixed into the river or wetland bed.

What is very important with MOMS is that communities do identify the areas and key issues to be monitored.

MOMS use scoring cards that people use for recording daily activities that are being monitored. All weekly information is put on yellow cards. These are transferred on blue cards for monthly reports. Annually this information is transferred on red cards. It becomes easy, therefore, to quickly know what data you are dealing with by just seeing the colour codes on the scoring cards.

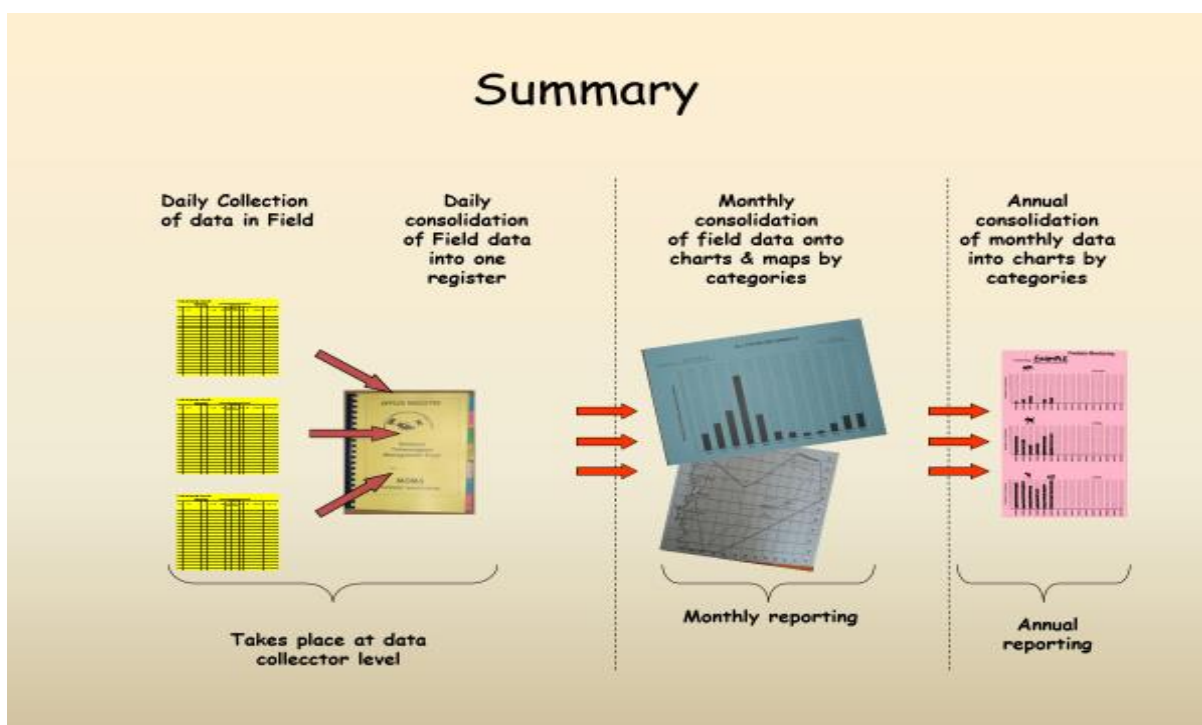


FIGURE 3: MOMS SCORING CARDS

The operational principles of MOMS are:

- Managers/communities decide on what they need to monitor – these are often already part of their work
- Data collection, analysis and archiving is undertaken locally and frequently and any data needed is provided in time.
- The technical team only supports the process.

The main advantages of these operational principles are that:

- Communities own the processes they go through as they have hands on experience.
- Communities are knowledgeable of their situation and are responsible for the implementation of the action plan and track changes happening within the community.
- Communities shall engage in cost-effective means of collecting data, increasing local involvement in management, and potentially increasing support for the CCA in general through greater understanding of its management objectives.

The monitoring subject matter can be on conservation status, biodiversity, knowledge, policies and socio-economic issues.

Though MOMS shall be a new tool for participatory monitoring in the Elephant Marsh, its long-term implications on determining flora and fauna data and accompanying activities in specific CCAs to be established or/and in the whole wetland, is a very important aspect of conservation.

3.7.2 Monitoring of Conservation Status

Conservation status can be affected by several factors such as flooding and drought due to climate change. These factors should be monitored to identify adaptive strategies and how to address them.

Biodiversity and water quality represent a key indicator of wetland health and ecosystem function. Both species and habitats should be monitored to give a full representation of the state of the ecosystem.

3.7.3 Monitoring of policies and institutional capacities

Wetlands often have a number of stakeholders who need to work together to ensure the management objectives of the area are met. Monitoring of policies and institutional capacities and the effectiveness of partnerships at the local level focuses on identifying the extent of engagement with the process and the changes in behaviors (individually and collectively) that can be identified as a result.

3.7.4 Monitoring knowledge base

It is important that the success (or otherwise) of activities implemented in CCA are shared. Furthermore, the health and status of such ecosystems has national and international implications. It is, therefore, important to assess the extent to which information is being managed and shared.

3.7.5 Monitoring cultural resources (Socioeconomic Monitoring)

Socio-economic monitoring is used to understand how well communities are doing in relation to livelihoods, income generation, interactions between members of the community, as well as in relation to factors outside the community.

A range of methods exist for assessing the social aspects of the community and the economic status of those who live within the CCA. Socio-economic assessments are important ways for visualizing, quantifying, and optimizing community benefits derived

from the natural resources and other intangible assets found within CCAs. Parameters for monitoring cultural resources can be livelihood sources such as income sources and household assets

4.0 Governance and management systems

CCAs are defined by communities' capacities to make decisions either under their own legal authority or in practice. While some communities have strong existing customary laws that support their decision-making processes, others may be in the midst of developing these legal frameworks. This chapter describes community governance systems, decision making and planning. It also describes how to empower them to know their responsibilities in managing natural resources and their rights to access and share benefits.

4.1 Community Governance and Decision Making

Community governance may be defined as community level management and decision-making that is undertaken by, with, or on behalf of a community, by a group of community stakeholders. The focus is on 'community' rather than on a corporation, organization, local government or the public sector.

The local community plays a key role in making decisions about the management of the ecosystem, area or species. The community possesses (in law or in practice) the power to make and enforce key management decisions regarding the territory and resources. Decision-making is decentralised and value is placed on citizen participation and is facilitated through the formation of partnerships and networks with other organisations. People are empowered to participate through government policies which address personal and community disadvantages, commonly referred to as social exclusion and location disadvantage.

When stakeholders are developing a project for CCAs, they need to engage communities in the earliest stages of project design to be certain that no one is excluded. Encourage the participation of marginalized groups such as women and children. It is necessary to offer support to these groups and others to ensure their voices are heard. It is important to identify and involve traditional decision-making authorities within communities.

For Elephant marsh the community governing structures include the Elephant Marsh Association (EMA), 50 CBOs, BVCs and Village Natural Resources Management Committee ((VNRMCs).

4.2 Development of by-laws

When the CCA is established, the CCA authority has the responsibility of providing policy guidance, resource mobilization and monitoring the implementation of various activities in the CCA. It is therefore important to develop by-laws at different levels of management in the CCA. These by-laws guide the leadership at different levels of management in the local institutions. The CCA authority by-laws also define rules regarding access and use of genetic and other resources found in the CCA. The development of these by-laws must follow a democratic procedure whereby all the communities in the CCA are consulted.

The CCA authority are required to submit the by-law to the District Council through the provisions of Local Government Act (Section 103-106) whereby they shall be made by-laws under the common seal and shall not have effect until approved by the Minister.

The final stage is the production of a printed copy of a by-law made by the assembly upon which is endorsed a certificate purporting to be signed by the Chief Executive Officer (District Commissioner) of the assembly stating:

- That the by-law was made by the assembly
- That the copy is a true copy of a by-law
- That on a specified date the by-law was approved by a Minister
- The date, if any, fixed by the confirming authority for the coming into the operation of the by-law

4.3 Community Rights and Benefit Sharing

Conservation interventions around the world have far too often resulted in loss of the rights of local people. This includes loss of rights to lands, waters and resources and sacred sites; livelihoods. Past regulatory frameworks for most countries lacked recognition of

customary law in relation to ownership and protection of land and resources, i.e. local people's land resources rights. The following are ways of respecting community rights:

- (a) Establishing legal framework at the national level which recognizes customary land rights or local peoples' rights and the effective implementation of existing legal protections
- (b) Legal reforms and practical applications that respect the rights of local peoples
- (c) Developing standards and guidance with a specific toolkit to support conservation by local communities
- (d) Establishing good practices in relation to respect for the rights of local peoples in conservation interventions, such as community-based conservation, co-management and community participation, and community-based ecotourism.
- (e) Incorporating local communities and bringing them in as active stakeholders in biodiversity conservation for protected areas
- (f) Respecting community rights following free prior informed consent or adequate safeguards, such as effective participation and notification.

Any access to biological resources and the fair and equitable sharing of benefits arising from their use shall in accordance with the Malawi guidelines on access and benefit sharing.

4.4 Registration of CCA

Registration process requires that community organization (Trust) must be registered with Registrar General under Trustees Incorporation Act. The Trust applies to Minister of Lands for Land Registration Certificate for the proposed CCA which requires:

- (a) Constitution for the Trust
- (b) Physical address
- (c) Names of Board Members (To be signed)
- (d) Common Seal
- (e) Meeting minutes with various resource users
- (f) Approved Map of the zone area
- (g) Land Use Plans for the proposed CCA
- (h) Title deed and protection status (refer to 4.2 of Land Policy)

Registration of a CCA will be done through four steps as follows: -

Step 1 Discuss registration of your CCA with your community and other interested parties.

- Make sure that everyone (stakeholders) understands what a CCA is, and what registration means for the community.
- Clear all misunderstandings if any and ensure that everyone agrees right from the beginning.
- Obtain documentary evidence of a formal community approval

Step 2 Confirm and approve a Management Plan for the proposed CCA.

- Appoint a CCA management authority to be responsible for making and implementing a management plan.
- Ensure that all stakeholders and other important entities that may be appropriate are represented in the management committee

Step 3 Obtain a letter of support for the proposed CCA from the appropriate community governing body.

- The letter should clearly mention the name of the CCA in question, and state that the majority of community members agree with its registration under the Wildlife Act.

Step 4 Apply for a community conservation authority by the CCA governing body.

- The Lead agencies to issue user rights as per management plans (i.e. licenses to hunt for food, deal in trophies, sell live animals, or for tourism, etc)

4.5 Declaration of the CCA

Once the above conditions for the registration have been met, the CCA can now be declared a legal entity. Activities that would be followed after the registration include; -

- (a) Public disclosure through press release in the newspapers.
- (b) CCA management authority writes to government to register and recognize it as legal entity
- (c) Details of the CCA are officially published
Launching of the CCA
- (d) Affiliation to international organizations such as ICCA consortium.

5.0 Sustainability of CCA

This chapter covers the types of investments for enterprise development that a CCA can make and their fund-raising options and how they can be conducted. Following bottom up approaches below are suggested options to sustain CCA.

5.1 Enterprise Development

Central to sustainability of community initiatives, local communities should identify enterprises for source of livelihood. There exist a range of enterprises that can generate funds for the communities as well as for the management of CCA. Below are some of them.

5.1.1 Ecotourism

The Elephant Marsh's aesthetic appeal and its diverse and abundant bird life are major tourists' attractions. The key to unlocking the tourism development potential lies in mobilizing the private sector to develop facilities, and appropriately market the Elephant Marsh as one of the premium tourist destinations in Malawi. Although, currently it is estimated that the tourism/recreation value of the Elephant Marsh is approximately US\$17,500 per annum (Arthur 2017), once the appropriate facilities have been developed and concerted effort invested into marketing the Marsh's attractions, this amount would be more than trebled in a period of three years (Munthali, SM 2018).

Tourism is an option that enhances sustainability of community initiatives. Community Based Tourism (CBT) can help the local community in generating income, diversifying the local economy, preserving culture, conserving the environment and providing educational opportunities. CBT requires a long-term approach and aims to maximize the benefits for the local community and to limit the negative impacts of tourism on the community and their environmental resources. Examples of ecotourism activities include: boat rides and

angling that may provide more income through guides; lodging and food and cultural nights. The CCA can also build camp sites which they can manage or lease out for private companies.

5.1.2 Promoting Local Products

The CCA can promote marketing of locally found products which include nature-based products that are sold in local markets at low prices. Marketing of such products can be promoted in the following ways:

- (a) Supporting value addition for products to sell at higher prices e.g. honey, Baobab (Malambe) juice, Baobab Jam, etc.;
- (b) Establish an outlet within each CCA established in the wetland for the sale of merchandise such as artifacts and promote “buy Malawian” products

5.1.3 Creation of Visibility of the CCA.

For the CCA to be known and sell itself it must market its name, services and products to the general public. This increases the exposure of the organization to the outside world. This can be done through:

- (a) Development of active websites and social media platforms
- (b) Participating in various fora (exhibitions, conferences, etc)
- (c) Run promotions, adverts, in papers and other media platforms
- (d) Organizing field days

5.2 Business Plan

It has become common to reinforce management plans with financial or business plans to fill in gaps in funding, identify possible sources of funding, and how much funding may be available. The financing plans strengthen management efforts by presenting an economic justification and benefits from conservation.

The business plan is vital for an organization in the following ways:

- (a) It gives clear idea of organization’s direction and operation
- (b) It shows a bank or other institutions its likely position and its ability to pay back a loan

(c) It identifies problems that may occur to allow the business to deal with them before they can become a problem

(d) It highlights its strengths and weaknesses

During the Shire River Basin Management Project, the services of a consultant were sought and a Business plan was developed for the Elephant Marsh whose reference period is from 2018 to 2022. The CCAs that will be developed will use this Business Plan as a referral document they can use to create CCA based business plans. Therefore, the CCAs will be trained in issues of Business Plan development and Financial Management and Marketing. When members have raised the start-up capital, it can be used for buying equipment, renting the building premises as well as operational costs. Extra funds can be sourced externally in different ways (see section 5.3)

5.3 Fundraising

Finding ways to support the activities of a CCA is an important part of long-term success. For example, boats need fuel, GPS units need batteries, and community gatherings need food. A variety of sources of funding for local conservation efforts exists. The common fundraising activities are: -

5.3.1 Membership Contributions

The membership contribution is appropriate where members anticipate tangible benefits from membership and it requires clearly defined membership of the organization that is managing the CCA. It demonstrates ownership as well as promoting transparency and accountability. It can be through ordinary contributions or in a form of membership subscription when joining an organization. Members agree on the amount to be paid and its frequency. This can be used to cover costs for initial activities such as opening accounts, etc.

5.3.2 Soliciting funds from well-wishers

This approach is easy to carry out and there are various ways of sourcing funds such as:

(a) Organizing big walks which could not only raise funds for the CCAs but would also raise awareness to people near and far.

- (b) Use of donation boxes that can be associated with posters outlining initiatives for the organization.
- (c) Use of websites where well-wishers may contribute/donate. This will be in tandem with the current government proposition on the establishment of Tele centers in the communities all over Malawi. There is also a proposition that the Website could be housed at DNPW to make it more sustainable.

5.3.3 Loan

Securing a loan is one of the means of securing funds for the establishment of enterprises. The CCA might apply for a loan from a bank. An assessment (cost-benefit analysis) will be required to establish that the proceeds from the enterprise are more than the interest charged for the repayment of loan. This is a possible option especially where communities and other stakeholders running the CCA are sure about their wherewithal to manage the loan.

5.3.4 Establish Endowment Fund

The individual (philanthropist) or banks provide capital funds that are invested in a bank account to generate interest. The recipient organization uses the interest to implement its activities while the initial capital keeps growing.

5.3.5 Capital Investment

These include real estate (buildings), transport (vehicles or boats) for hiring that can be rented to generate funds. For example, Lengwe Wildlife Association (LWA) has invested in 4 maize mills that are generating funds

5.4 Proposal/Grant Writing

Despite the fact that some donor organizations call for proposals for funding and provide guidelines or format, other donors just receive proposals from applicants. Local funding options exist through local assemblies which require linkage with local structures such as ADC. This also requires proper guidance for stakeholders to incorporate NRM programs in development plans such as district development plans (DDPs). There are local institutions which fund conservation programs, these include:

- Local Development Fund (LDF) at District Level

- Local NGOs e.g. Malawi Environment Endowment Trust (MEET).
- Private organizations e.g. Illovo and Financing Institutions (e.g. Banks)
- International funding organizations e.g. GEF, Peace Parks Foundation, UNDP, etc

Community organizations should be aware of the requirements for different funding sources. For Community organizations to secure funds from proposal writing, they need to have skills that can be acquired through training.

5.5 Capacity building

Capacity building for local institutions is mostly done by collaborating partners who provide both financial and technical support to the communities. This is done through exchange visits, field trips, training, etc. Not only do such approaches impart knowledge and skills, they also facilitate networking and linkages for further sharing of lessons and experiences. For effective capacity building, extension workers assigned to such communities need to be capable of facilitating various initiatives being implemented for capacity building. Facilitators should enhance: mutual understanding; full participation; inclusive solutions; and shared responsibility among the communities. The objectives and activities developed for the institution determines the nature of skills required. Below are some areas that require skills.

5.5.1 Community Based Natural Resources Management (CBNRM)

CBNRM models represent a shift from centralized to more devolved approaches to management which work to strengthen locally accountable institutions, enabling local communities to make better decisions about the use of land and resources.

5.5.2 Leadership

Leadership is a powerful tool that can be used by resource managers to effect change and influence decision making. It is an art that can be learnt. Team dynamics has been noted to exemplify participation, motivation and complementary work in resource management.

5.5.3 Conflict Resolution

Conflict is a common feature in management of natural resources and communities need to be equipped with relevant tools to handle and manage them as they arise. In most conflict situations miscommunication is a major driver where an individual is supposed to benefit from others. While conflict creates frictions that could last for days, months or even years; it creates an opportunity for progress through realignment and potential for fresh alliances.

Skills are also necessary for local institutions in CCAs in areas of ecotourism, financial management, cross cutting issues, (Gender, HIV/AIDS etc.). Where there are technologies for advancing conservations management objectives such as those used for monitoring and surveillance, collaborating partners need to build capacity to transfer skills.

5.6 Political commitment

Extreme weather variations in both short term and long term (climate change) have affected all countries including Malawi. Other countries have been affected more of course due to several reasons such as amount of sunlight the country receives, its height above sea level, the shape of the land, and how close it is to oceans. In all this, countries whose economy is not robust enough to wade off the dangerous impacts of climate change, stand higher chances of severe consequences.

Realizing this, the Government of Malawi is politically committed to support the will of the people and cooperation among all stakeholders for the restoration of degraded lands and forests which will put Malawi on a path to a climate smart future. Several policy documents have been produced to support this political commitment such as The New Forest Policy (2017), Landscape Strategy (2017), Charcoal Strategy (2018), and also the Amended Forest Act (2019) and the Charcoal Regulations (2021).

These local policies are supported by international treaties and conventions. These too need to be seriously looked at and harnessed to the local policies. Some of these conventions have already been alluded to in these guidelines. However, of importance are the

Convention on Biological Diversity (CBD) and the World Conservation Union (Formerly the International Union for Conservation of Nature (IUCN). All countries that are party to the CBD are committed to:

- (a) Conserving a fully representative set of wildlife habitats;
- (b) Ensuring community participation at all stages of PA planning, establishment, governance, and management;
- (c) Giving full recognition to rights and responsibilities of communities;
- (d) Promoting various PA governance types including CCAs and Collaborative Management of Protected Areas (CMPAs);
- (e) Developing policies with the full participation of communities; and
- (f) Ensuring prior informed consent before any relocation

The implementation of these policies is critical for every country but what remains to be done is to assess the impacts these policies are having on communities. For examples assessment on CBNRM can focus on how communities are effectively contributing to conserve biodiversity and wildlife, and to deliver benefits to local communities.

6.0 Monitoring and Evaluation

This is a high-level monitoring exercise focusing on overall objectives of the Elephant Marsh. The lower level monitoring will use MOMS as a tool for assessing growth, success and achievement. The resultant outcomes become important inputs into the bigger monitoring Frame work.

When objectives for the project or an organization have been set, a system is required to measure the performance. It should collect and analyze data as your project progresses which is useful in improving efficiency and effectiveness of the project management. A good monitoring plan assists in determining:

- Whether the resources are sufficient and are being used efficiently;
- Whether the capacity is sufficient and appropriate; and
- Whether implementation is following the plan or not.

6.1 Characteristics of a Monitoring Plan

Monitoring and Evaluation is based on a step-by-step process to measure management outcomes. There are several steps in monitoring that lend themselves to the active involvement of local communities, in particular, those steps relating to developing indicators, design of methods and data collection. An important first step in developing a monitoring plan is to draw up a set of indicators that may be either quantitative or qualitative. Ideally, they should have the following characteristics:

- (a) Show a clear, predictable and verifiable relationship to the element being measured;
- (b) Be sensitive to change and thus able to show that management actions are having an effect;
- (c) Reflect long-term changes rather than short-term or localized fluctuations;
- (d) Reflect changes that will have direct implications for management, including biological, social, cultural, economic and political changes;
- (e) Reflect changes on a scale and over a period that is relevant to management;
- (f) Be cost-effective in terms of data collection, analysis and interpretation;
- (g) Be simple to measure and interpret;
- (h) Be collected, analyzed and reported on in a timely fashion; and
- (i) Assess impacts of known pressures and detect new pressures.

6.2 Monitoring framework

The monitoring framework is intended to capture changes in the health of the CCA and the benefits derived from it. Indicators are suggested for each of the objectives. In developing the monitoring framework, a landscape-scale perspective can be used to capture biotic, abiotic and human factors (Bayliss, J 2018). Once the set of indicators has been developed, the design of methods to be used in the monitoring process should also be developed in consultation with local communities. The methods include using existing data (secondary data) sources as well as new sources (primary data). The details of monitoring framework are shown in Appendix 2.

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Appendix 1



FORM C
TR/INC. 7704

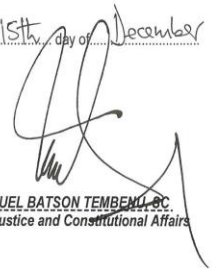
THE TRUSTEES INCORPORATION RULES
(CAP. 5:03)
CERTIFICATE OF INCORPORATION

I HEREBY CERTIFY that THE REGISTERED TRUSTEES OF ELEPHANT MARSH ASSOCIATION

Is this day incorporated under the Trustees Incorporation Act and that the device affixed hereto on the common seal is approved.

GIVEN under my hand at LILONGWE This 15th day of December

Two thousand and SEVENTEEN



SAMUEL BATSON TEMBENI
Minister of Justice and Constitutional Affairs

R.G.20754/IM/5.2005

TR/INC 7704

CONSTITUTION
OF
THE REGISTERED TRUSTEES OF
ELEPHANT MARSH ASSOCIATION

CONTACT DETAILS
C/O Lengwe National Park
P.O Box 18
Nchalo
Chikwawa
Malawi
Tel: 011 1 645 987

B Form A

THE TRUSTEES INCORPORATION RULES

APPLICATION FOR INCORPORATION OF TRUSTEES OF AN ASSOCIATION

To: THE REGISTRAR
P.O. BOX 100
LILONGWE

WE HEREBY APPLY for incorporation and registration in accordance with the provisions of the Trustees Incorporation Act (Cap 5:03) of ourselves as a body corporate to be known as THE TRUSTEES OF ELEPHANT MARSH ASSOCIATION

we are the Trustees of the ELEPHANT MARSH ASSOCIATION

Association whose objects are: AS STATED IN THE CONSTITUTION

we enclose herewith:

a. two copies of the constitution, certified by* CHAIRPERSON

and a copy of the minutes of the association at which we are authorized to apply for incorporation;

b. the device in quadruplicate of the proposed Common Seal, together with two copies of the Rules regulating the use and custody of the seal

The address for service under Section 13 will be:-
C/O. JENGWE NATIONAL PARK
P.O. BOX 18,
NCHALO,
CHIKWAWA

we consent to continue to act after incorporation as a trustees in accordance with the provision of the Act.

Particulars of the Trustees

Full Name	Address	Occupation	Signature
1. <u>FRED RAPOZO</u>	<u>Box 18, Nchalo</u>	<u>DC</u>	<u>[Signature]</u>
2. <u>Lundu Nkhoma</u>	<u>Box 18, Nchalo</u>	<u>Chairman</u>	<u>[Signature]</u>
3. <u>Alick Makanjira</u>	<u>Box 18, Nchalo</u>	<u>D. Manager</u>	<u>[Signature]</u>
4. ....	.....	.....	.....
5. <u>EDWIN NKHOMA</u>	<u>Box 18, Nchalo</u>	<u>CHAIRPERSON</u>	<u>[Signature]</u>
6. <u>FRED MOVETE</u>	<u>P/Bagi, Chikwawa</u>	<u>DC</u>	<u>[Signature]</u>
7. ....	.....	.....	.....
8. ....	.....	.....	.....
9. ....	.....	.....	.....
10. ....	.....	.....	.....

* Here insert name of the Secretary or other principal officer of the association concerned.
These rules must not be separately nullified if included in the Constitution.

R. G. 5623/5m/4/95

MINUTES OF THE LAST MEETING OF THE REGISTERED TRUSTEES OF ELEPHANT MARSH ASSOCIATION

DATE 14th JULY, 2017

VENUE LIVUNZU TRADING CENTRE OFFICE NCHALO, CHIKWAWA

PRESIDING MEMBER EDWIN NKHOMA

PRESENT: EDWIN NKHOMA, FRED MOVETE, GIFT RAPOZO, LUNDU NKHUKU AND ALICK MAKANJIRA

APOLOGY: None

MATTERS ARISING

Since this was the last meeting, the following resolutions were passed;

- That all present were nominated to be the first trustees of the Association.
- That the trustees authorized the Secretary to apply to the Registrar for registration of the Association

CLOSING

There being no other business to discuss, the meeting was closed.

I do hereby certify that this is a true copy of the minutes referred to hereinabove.

Dated the 15 day of July, 2017.

SIGNED BY: EDWIN NKHOMA [Signature]
CHAIRMAN

STATUTORY DECLARATION

WE, **EDWIN NKHOMA, FRED MOVETE, GIFT RAPOZO, LUNDU NKHUKU AND ALICK MAKANJIRA**, all of C/O Lengwe National Park P.O. Box 18, Nchato Chikwawa jointly and severely, solemnly and sincerely declares that:-

1. THE SIGNATURES appearing on the Form "A" of the **REGISTERED TRUSTEES OF ELEPHANT MARSH ASSOCIATION** marked "A" are the proper handwriting respectively of me AND THAT ALL the statements in the said application are true.
2. AND we jointly and severely make this solemn declaration conscientiously believing the same to be true by virtue of the provision of the Oaths, Affirmations and Declaration Act.

DECLARED by the said
EDWIN NKHOMA

At Blantyre on
This 15th day of July 2017

BEFORE ME: 
COMMISSIONER FOR OATHS

DECLARED by the said
LUNDU NKHUKU

At Blantyre on
This 15th day of July 2017

BEFORE ME: 
COMMISSIONER FOR OATHS

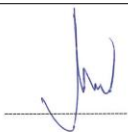
DECLARED by the said
FRED MOVETE

At Blantyre on
This 15th day of July 2017

BEFORE ME: 
COMMISSIONER FOR OATHS

DECLARED by the said
GIFT RAPOZO

At Blantyre on
This 15th day of July 2017

BEFORE ME: 
COMMISSIONER FOR OATHS

DECLARED by the said
ALICK MAKANJIRA

At Blantyre on
This day of July 2017

BEFORE ME: 
COMMISSIONER FOR OATHS

CONSTITUTION OF THE REGISTERED TRUSTEES OF ELEPHANT MARSH ASSOCIATION

ARTICLE 1

Name and Registered Office

The name of the body shall be the **REGISTERED TRUSTEES OF ELEPHANT MARSH ASSOCIATION** ("hereinafter called the Association") whose registered in CHIKWAWA, mailing address C/O Lengwe National Park P.O. Box 18, Nchalo Chikwawa

PHYSICAL ADDRESS

The headquarters of the association shall be at Livunzu Trading Centre T/A Makhuwira, Chikwawa.

ARTICLE 2

Status

The Association is a non-profit making oriented Association to which no person shall have a legal claim of ownership.

ARTICLE 3

Objectives

- 3.1. To sensitize communities on harmful effects of cultivating along the banks of Shire River.
- 3.2. To educate educate communities on the benefits of the Elephant Marsh
- 3.3. To promote good fishing methods in the Elephant Marsh
- 3.4. To encourage communities in livestock farming in order to reduce reliance on Elephant Marsh natural resources
- 3.5. To promote livelihoods activities
- 3.6. To promote a sense of ownership on the conservation of natural resources in the Elephant Marsh.
- 3.7. To promote functions and activities of the CBOs and zone committees
- 3.8. To promote cross-cutting issues in conservation and sharing of natural resources (HIV/AIDS, gender, climate change e.t.c.)

ARTICLE 4

Modus Operandi

To attain its objectives the Association shall co-operate with other international and local Association in areas of mutual interest and for that purpose may constitute societies or join societies or participate in the activities of already established societies.

ARTICLE 5

Powers

The Association through its Trustees shall have Power to:

- 5.1. Solicit funds or material resources or both from donors within and outside Malawi as well as from the general public.
- 5.2. Administer the funds so solicited for purposes of advancement of the Association or for the attainment of any of its objects.
- 5.3. Invest any funds of the Association not immediately required for use by the Trust.
- 5.4. Co-operate with other organizations having similar objectives to those of the Trust.
- 5.5. Initiate, organize support and co-ordinate activities for the promotion of the objectives of the Trust, and such activities may include fund raising functions
- 5.6. Do such other things as are or may be necessary for or incidental to the carrying on or attainment of the objects of the Association or any of them.

ARTICLE 6

Board of Trustees

- 6.1. There shall be a Board of Trustees consisting of not less than Three (3) and not more than Five (5) persons, and these shall be the Advisors to the Executive of the Trust.
- 6.2. The Term of office of each Trustee shall be Four (5) years, provided however that a Trustee shall be eligible for re-election.
- 6.3. The Trustees shall elect among themselves a Chairman, Secretary and Treasure who shall hold such office for Five (5) years tenure of their office as Trustees but each shall cease to be such officer at the expiry of his term of office as a Trustee unless re-elected as Trustee and as such or other officer.
- 6.4. The first trustees shall apply for incorporation of the Association under the Trustees Incorporation Act (Cap. 5:03 of the Laws of Malawi) and shall pay all expenses incurred in connection therewith out of the funds of the Association and may exercise such powers, authorities, rights, discretion and privileged as are by this constitution conferred on them.
- 6.5. Election of subsequent trustees shall be by invitation of the Executive and shall be confirmed at the Annual General Meeting of the year in which the Term of office of the first trustees expires.
- 6.6. If a vacancy in the office of the trustees arises before the next Annual General Meeting where election of the trustees are to take place, the remaining trustees shall fill the vacancy by appointing a new Trustee or Trustees who shall hold office until the next Annual General Meeting where election of Trustees are to be held.
- 6.7. The funds and property of the Association shall vest in the Trustees, and such Funds or property shall not be used by any person including a Trustee for personal purposes, except as may be specifically authorized by the Executive.

ARTICLE 7

Powers and Authority of Executive

The Executive as a body shall have power on behalf of the Association to: -

- 7.1. Manage the Association and be responsible for all the property of the Trust.
- 7.2. Establish bodies, by whatever name they may be called, and determine their Constitution and rules of procedure, Powers and duties, how such bodies are to function and supervise over them.
- 7.3. Determine financial requirements and expenditure of the Trust.
- 7.4. Appoint signatories of its bank accounts, which on any account shall be at least Three (3) signing jointly.
- 7.5. Borrow money on behalf of the Association on such terms and conditions as the Trustees may think fit.
- 7.6. Acquire, dispose of or otherwise alienate immovable property in the name of the Trust.
- 7.7. Mortgage, charge or pledge any property of the Association as a means of securing repayment of any debt, liability or obligation of the Trust.
- 7.8. Receive any shares, moneys, securities, investments, property or other assets, which may be donated or subscribed to the Trust.
- 7.9. Bind the Association by the signature of the Chairman in conjunction with that of one other Trustee or by the signatures of the three (3) Trustees in any combination.
- 7.10. Prosecute and defend legal proceedings involving the Trust.
- 7.11. Whilst the authority and powers of the Association shall be invested in the Executive full autonomy shall entirely rely on the capability of its members and shall have no direct powers to interfere in the activities of it's bodies.

ARTICLE 8

Office Bearers

The Executive of the Association shall consist of following members: -

Chairperson
The Secretary
The Treasurer
The Head of Projects

8.1. **CHAIRPERSON**

8.1.1. He shall be the Chief Executive of the Trust

8.1.2. He shall be responsible for the overall administration

8.1.3. He shall supervise the various committees and sub-committees and their specific duties in the Trust

8.2. **SECRETARY**

The Secretary shall have the following duties: -

8.2.1. To attend the general administration meetings of the Trust

8.2.2. To take minutes during meetings of the Executive in consultation with the Chairperson.

8.2.3. To prepare the agenda for meetings of the Executive in consultation with the Chairperson.

8.2.4. To keep and update all documents relating to the Association and its activities.

8.2.5. To prepare all correspondences as delegated by the Chairperson or the Executive.

8.2.6. To maintain a close link between the Association and its bodies and affiliates.

8.3. **TREASURER**

8.3.1. He shall keep all financial records

8.3.2. He shall account for all expenses incurred by the Association

8.3.3. He shall prepare and present statement of audited accounts at each general meeting or at such other meeting as the Chairperson or the Executive may direct.

8.3.4. He shall keep custody of all records of the Association assets given or belonging to the Association.

8.3.5. He shall remit to the Executive all the monies raised during fund raising activities or received as subscriptions.

8.4. **HEAD OF PROJECTS**

8.4.1. He shall be the Head of all Projects of the Association.

8.4.2. He shall be responsible for all the Trust's communication with the public and the media.

8.4.3. He shall also perform other duties as the Executive shall request him to do .

ARTICLE 9

Qualification of an Office Bearer

Any person who is of full age and legal capacity with complete control over and management of his estates may be elected to the office of the Trustees of the Association

ARTICLE 10

Meetings of the Executive Committee

- 10.1. A meeting of the Executive may be called at any time by the Chairman of the Executive whenever he finds it fit, necessary or expedient to do so for the dispatch of business of the Association or on the requisition of $\frac{3}{4}$ of Trustees. In either case five (5) days written notice of such meeting shall be given to every Trustee provided that a meeting of the Trustees may be called by shorter notice if all the Trustees holding office for the time being agree. Unwritten notice of a meeting may also be given if all Trustees agree.
- 10.2. The Chairman may call and set up Executive Meetings as telephone conference calls. Where he does so such meetings shall be deemed to have completely transacted business only if the majority of the Trustees agree upon this at the end of the conference call meeting.
- 10.3. The quorum for a meeting of the Executive shall be third (2/3) Trustees present at the meeting in person or by proxy as herein provided.
- 10.4. An instrument appointing a proxy shall be in writing under the hand of the appointer and only a person who is already a Trustee may be appointed as proxy.
- 10.5. If at any proposed meeting of the Executive a quorum is not present within thirty (30) minutes of the time appointed for the meeting then the meeting shall stand adjourned to the following week on the same day, place and hour and in such event fresh notice of the meeting shall not be necessary. If at the adjourned meeting a quorum shall again not be present within thirty (30) minutes to the appointed time for the meeting the Trustees present and decisions made thereat shall be binding on the Executive and the Association.
- 10.6. The Chairman of the Executive shall preside at all meetings of the Executive provided that if the Chairman is not present within forty-five (45) minutes after the time appointed for the meeting and a quorum is present, the Trustees present and eligible to vote shall appoint one of their number to be Chairman of that meeting and proceed to transact the business of the meeting.
- 10.7. The Executive shall take its decisions at its meetings by a simple majority of the votes of the Trustees present in person or by proxy and voting. In the event of an equality of votes the Chairman shall have a casting vote in addition to his original or deliberative vote.
- 10.8. The Chairman shall have power to determine whether written ballots cast by members of the Executive without the Trustees being present at a meeting together should make decisions in certain matters. In such event a meeting shall be deemed to have been validly held and decision made when the Chairman receives answers from the majority of the Trustees not later than ten (10) days after dispatch of his proposal.
- 10.9. The Executive shall maintain a record of: -
 - 10.9.1. All appointments of Trustees and officers of any bodies established by the Executive.

- 10.9.2. Names of Trustees present at every meeting of the Executive.
- 10.9.3. Proceedings and resolutions of meetings of the bodies of the Association.
- 10.9.4. Proceedings and resolutions of the Association in general meeting; and
- 10.9.5. Proceedings and resolutions at meetings of any bodies established by the Executive.

ARTICLE 11
Disqualification of Trustees

11.1. A Trustee shall cease to hold the office of Trustee if: -

- 11.1.1. He resigns as a Trustee
- 11.1.2. He dies
- 11.1.3. He becomes of unsound mind
- 11.1.4. He is convicted of a criminal offence and is actually sentenced to serve a sentence of custodial imprisonment of whatsoever term.

11.2. Vacancies and addition

The Board of Trustees shall have power at any time and from time to time to appoint any other person to be a member of the Board, either to fill a casual vacancy or as a substitution / addition to the board, but such that the total number of trustees shall not at any time exceed the maximum number fixed as herein before mentioned and such a trustee shall only hold office until the next Annual General Meeting.

ARTICLE 12
Meetings of the Trust

- 12.1. The Association shall in each year hold a general meeting as its Annual General Meeting, and the notice for calling such a meeting shall describe it so and shall be given in writing to every Trustee not less than twenty one (21) days before the date of the meeting exclusive of the day when it is given or deemed to be given and the date for which it is given. Any General Meeting held in the year other than the Annual General Meeting shall be termed Extraordinary General Meeting.
- 12.2. Proceedings of Annual General Meeting and of an Extraordinary General Meeting shall not be invalidated by reason of the fact that any member did not receive a notice thereof or that the notice was received late.
- 12.3. The Chairman of the Executive shall preside at General Meetings of the Association.
- 12.4. The quorum at a General Meeting, whether Annual or Extraordinary General Meeting shall be Two-Third Trustees in person or by proxy.
- 12.5. If within thirty (30) minutes from the time appointed for a General Meeting including an Annual General Meeting a quorum is not present, the meeting shall stand adjourned to the following week on the same day and at the same place and hour. No notice shall be given of the adjourned meeting.

- 12.6. If at the adjourned General Meeting a quorum shall again not be formed within (30) minutes from the time appointed for the meeting, the members present shall proceed to transact the business of the meeting appearing in the notice as if a quorum were present, and decisions made thereat shall be binding on the Trustees of the Association.
- 12.7. If at any General Meeting of the Trust, whether Extraordinary or Annual General Meeting the Chairman is not present within thirty (30) minutes of the appointed time for the meeting, the Vice Chairman shall chair the meeting and in the event that the Vice Chairman is not present, the Trustees present shall choose any of the Trustees present to be the Chairman of that meeting.
- 12.8. Except for elections which shall take place at Annual General meetings, voting at meeting of the trustees shall be by show of hands and decisions on matters put to the vote shall be made by simple majority of the Trustees present and noting. In the event of an equality of votes the Chairman shall have a casting vote in addition to his original or deliberative vote.
- 12.9. The Annual General Meeting of the Association shall be held before 30th June of each year.

ARTICLE 13

Voting

- 13.1. Every Trustee present in person or by proxy at a General Meeting of the Association shall have one (1) vote on any resolution.
- 13.2. No objection shall be raised to the qualification of any vote except at the meeting at which the vote objective to is cast and every vote disallowed at such meeting shall be valid for all purposes. Any such objection made in due time shall be referred to the Chairman of the meeting, whose decision shall be final and conclusive.
- 13.3. An instrument appointing a proxy shall be in writing under the hand of the appointer and no person other than a Trustee may be appointed a proxy.
- 13.4. The instrument appointing a proxy shall be deposited with the Chairman not less than fifteen (15) minutes before the time for holding the meeting, at which the person named in the instrument proposes to vote, and in default the instrument of proxy shall be invalid.
- 13.5. No Trustee shall at any one time be entitled to appoint more than one (1) proxy to attend a meeting on his behalf, but two (2) or more Trustees as their respective proxy and such Trustee shall, in addition to his personal vote, exercise separate votes in respect of the Trustees appointing him as proxy.
- 13.6. No Trustee shall appoint a person to act as a proxy for any Trustee at more than one (1) meeting of the Association other than an adjourned meeting for which the proxy shall cease to be valid upon attendance of the meeting by the trustee who issued it.
- 13.7. A vote given in accordance with the terms of an instrument of proxy shall be valid notwithstanding the previous death or insanity of the appointer.

ARTICLE 14

Business of Annual General Meeting

The business of the Annual General Meeting shall be: -

- 14.1. To receive statements of accounts in the form of profit and loss account and balance sheet lay before it by the Chairman or Secretary.
- 14.2. To receive and consider the Executive's report.
- 14.3. To appoint auditors of the Association for the ensuing year
- 14.4. To transact any other business of the Association as special business.

ARTICLE 15

The Seal

- 11.1. The Common Seal of the Association shall be kept in the safe custody of the Secretary and shall only be used on the written authority of the Executive. A register shall be kept of the documents to which the Common Seal has been affixed.

ARTICLE 16

Accounts and Auditing

- 16.1. The Accounting year of the Association shall run from 31st July to 30th June of each year.
- 16.2. The Executive shall: -
 - 16.2.1. Be responsible for the management and disbursement of the funds of the Association and shall for this purpose maintain books or accounts in which shall be recorded all matters relating to the finances, assets and liabilities of the Trust.
 - 16.2.2. Open a suitable bank account or bank accounts in the name of the Association into which funds of the Association shall be paid.
 - 16.2.3. Submit to the Association at every Annual General Meeting statements of Accounts in the form of a profit and loss account for the preceding year and balance sheet professionally audited by **independent auditors** duly appointed for that purpose at the previous Annual General Meeting.
 - 16.2.4. The books or accounts of the Association shall be kept at such place as the Executive may think fit, and shall be open to inspection by the Trustees of the Association.
 - 16.2.5. The Association may receive gifts, bequests, devises and subventions from any Government, persons, organizations or institutions whether resident within or without the territorial boundaries of Malawi.

ARTICLE 17

Notices of Meetings

- 11.1. A notice required to be given by the Association under this constitution shall be served on the Trustees of the Association either personally or by post. Services by post shall be deemed to be effected upon delivery of the notice as the post office in a properly sealed, correctly addressed and pre-paid envelop ready for dispatch.

ARTICLE 18

Dissolution

- 11.1. Upon conditions becoming such that it is no longer possible or if it becomes undesirable to continue with the activities of the Association, the Association may be dissolved at a General Meeting of the Association duly called and convened if three quarters (3/4) of the Trustees are present and voting vote in favor of the dissolution then the Executive shall apply the assets of the Association towards the satisfaction of its debts and or donated to a religious organization or charitable Trust with similar objectives.

ARTICLE 19

Indemnity

- 11.1. Every Trustee of the Association or Executive as a body as every employee of the Association acting with full authority of the Trust in a matter concerning the Association shall be indemnified by the Association out of the funds of the Trust against any liability incurred by such Trustee, Executive or employee as the case may be arising from claims by third parties.

ARTICLE 20

Amendments and Interpretation

- 20.1. This Constitution may be amended at a General Meeting of the Trust by two thirds (2/3) majority of the Trustees present and voting.
- 20.2. Proposals for amendments shall be communicated in writing by the Chairman to all Trustees of the Trust at least one (1) calendar month prior to the General Meeting at which the amendments are to be considered

Certified as a true copy of the constitution of **THE REGISTERED TRUSTEES OF ELEPHANT MARSH ASSOCIATION**

certified by the **Chairperson**: EDWIN NKHOMA



Appendix 2. Table of Monitoring Framework

Thematic area	Suggested indicators	Activities	Method	Period	Responsibility	Resources
Hydromorphology	Water quality (DO, nitrates, pesticides) across the CCA	Work with commercial, smallholder and subsistence farmers, introduce measures to minimise the use of pesticides and artificial fertilisers, thereby	Assess parameters at key locations across the CCA	Monthly	Agric/Water Resources/EMA	
	Water clarity and suspended sediments	Ensure that flows (in and out of the CCA) and sediments are monitored (including community-based monitoring), particularly from the Ruo entering the lagoons in the southern part of the CCA and that information about sediments and the impact of sedimentation is shared with the Shire Valley Transformation Authority.	Secchi disc and water quality assessment at key locations.	Monthly	Agric/Water Resources/EMA	
	Flows into the CCA (e.g. Shire, Ruo and Mwanza) and out of the Marsh		Water levels should be monitored on channels entering the CCA and at key points across the site.	Monthly	Agric/Water Resources/EMA	
	Annual flood cycle (Period and duration of flooding, flood extent and maximum water height)		Combine water level data with data collected by either directly surveying areas during flood events or gathering telemetry data and aerial photos from partner organizations.	Biannually	Agric/Water Resources/EMA	
	Rainfall		If possible, rain gauges should be installed across the wetland. If this is not possible data should be obtained from local weather stations.	Daily	Agric/Water Resources/EMA	

Biodiversity	Numbers of key species (birds, hippopotamus, crocodiles and fish)	Work with local communities adjacent to the central area to establish a protected area with restricted access or no-take designation within the central area of the CCA that protects an area with high habitat diversity and	Annual wetland bird survey, aerial surveys, DFO catch survey.		DNPW /DoFish	
		Work with local village committees (e.g. the CBO, VNRC, BVC) to establish locally managed conservation areas, channel vegetation buffers and dry season refuges that will improve wetland protection and provide critical habitats.			DNPW /DoFish	
		Work with the ADD and sub-district agriculture extension officers to promote conservation agriculture practices that maintain and enhance ecosystem services, including improving soil fertility and avoiding soil loss, maintaining strips of natural vegetation between crop patches, to reduce the risks of crop or soil loss and maintaining natural vegetation buffers along channels.		Monthly	Agric/Water Resources/EMA	
	Sampling of locally important invertebrates (butterflies, dragonflies)	Work with local communities adjacent to the central area to establish a protected area with restricted access or no-take designation within the central area of the CCA that protects an area with high habitat diversity and biodiversity.	Dependent on species being surveyed.		DNPW /DoFish	

		Work with local village committees (e.g. the CBO, VNRC, BVC) to establish locally managed conservation areas, channel vegetation buffers and dry season refuges that will improve wetland protection and provide critical habitats.			DNPW /DoFish	
		Work with the ADD and sub-district agriculture extension officers to promote conservation agriculture practices that maintain and enhance ecosystem services, including improving soil fertility and avoiding soil loss, maintaining strips of natural vegetation between crop patches, to reduce the risks of crop or soil loss and maintaining natural vegetation buffers along channels.		Monthly	Agric/Water Resources/EMA	
	Extent and coverage of non-native plant species	Work with local village committees (e.g. the CBO, VNRC, BVC) to establish locally managed conservation areas, channel vegetation buffers and dry season refuges that will improve wetland protection and provide critical habitats.	Annual monitoring of the distribution of plants in wet and dry seasons and information from village committees.	Annually	DNPW /DoFish	
		Develop an action plan for clearing of alien and Invasive plant species		-	Agric/Water Resources/EMADNPW /DoFish	
Habitats and connectivity	Ecological status of CCA subareas	Work with local communities adjacent to the central area to establish a protected area with restricted access or no-take designation within the central area of the CCA that protects an area with high habitat diversity and	Aggregate assessment using land use and biodiversity information to identify habitats, habitat status and vulnerable areas.		DNPW /DoFish	

		Work with the ADD and sub-district agriculture extension officers to promote conservation agriculture practices that maintain and enhance ecosystem services, including improving soil fertility and avoiding soil loss, maintaining strips of natural vegetation between crop patches, to reduce the risks of crop or soil loss and maintaining natural vegetation buffers along channels.		Monthly	Agric/Water Resources/EMA	
		Working with commercial, smallholder and subsistence farmers, introduce measures to minimise the use of pesticides and artificial fertilisers, thereby reducing the impact on water quality.		Biannually	Agric/Water Resources/EMA	
		Ensure that flows (in and out of the CCA) and sediments are monitored (including community-based monitoring), particularly from the Ruvo entering the lagoons in the southern part of the CCA and that information about sediments and the impact of sedimentation is shared with the Shire River Basin Authority.		Biannually	Agric/Water Resources/EMA	
		Identify Focal Points and conduct quarterly coordination meetings at National, District and sub-district levels		Quarterly	Agric/Water Resources/EMA DNPW /DoFish	
	- Areas of species-rich habitats within the CCA	Work with local village committees (e.g. the CBO, VNRC, BVC) to establish locally managed conservation areas, channel vegetation buffers and dry season refuges that will improve wetland	Condition surveys and information from local partners, companies and line agencies.	Monthly	DNPW /DoFish	

		protection and provide critical habitats.				
		Work with the ADD and sub-district agriculture extension officers to promote conservation agriculture practices that maintain and enhance ecosystem services, including improving soil fertility and avoiding soil loss, maintaining strips of natural vegetation between crop patches, to reduce the risks of crop or soil loss and maintaining natural vegetation buffers along channels.		Monthly	Agric/Water Resources/EMA	
		Working with commercial, smallholder and subsistence farmers, introduce measures to minimise the use of pesticides and artificial fertilisers, thereby reducing the impact on water quality.		Monthly	Agric/Water Resources/EMA	
		Develop an action plan for clearing of alien and Invasive plant species			Agric/Water Resources/EMA DNPW /DoFish	
	Area of wetland habitats identified as community conservation areas	Identify Focal Points and conduct quarterly coordination meetings at National, District and sub-district levels	Data from village committees, District Councils, companies and line agencies on number, location and extent of conservation areas.	Quarterly	Agric/Water Resources/EMA DNPW /DoFish	

		Work with local village committees (e.g. the CBO, VNRC, BVC) to establish locally managed conservation areas, channel vegetation buffers and dry season refuges that will improve wetland protection and provide critical habitats.		Monthly	DNPW /DoFish	
	Extent and composition of bankside and aquatic vegetation	Work with the ADD and sub-district agriculture extension officers to promote conservation agriculture practices that maintain and enhance ecosystem services, including improving soil fertility and avoiding soil loss, maintaining strips of natural vegetation between crop patches, to reduce the risks of crop or soil loss and maintaining natural vegetation buffers along channels.	Data for this indicator can be collected as part of other habitat surveys.	Monthly	Agric/Water Resources/EMA	
	Extent of buffers, channels and buffer width near channels and cultivated land	Work with the ADD and sub-district agriculture extension officers to promote conservation agriculture practices that maintain and enhance ecosystem services, including improving soil fertility and avoiding soil loss, maintaining strips of natural vegetation between crop patches, to reduce the risks of crop or soil loss and maintaining natural vegetation buffers along channels.	Data for this indicator can be collected as part of other habitat surveys.	Monthly	Agric/Water Resources/EMA	