Module
5

Conflict in community: managing conflicts in areas with livestock, farming and wildlife

A TALE OF TWO VILLAGES

In 2006, a farmer from Narakauwo in Simanjiro District began planting crops and building houses on his designated 60-acre plot. Soon a farmer from the neighbouring village, Loiborsiret, decided to develop his own property. But he quickly discovered that part of it was already developed by the man from Narakauwo.

The two farmers talked. Each produced an ownership certificate awarded by village leaders. Both villages had been officially mapped, demarcated and registered in 1978.

Not content to give up his claim, the Loiborsiret farmer started clearing land inside the contested area. Soon family members, friends, and village leaders of both sides joined the debate, which evolved into a village-level boundary dispute.

The leaders of Loiborsiret convened a meeting and decided that, based on the registered map, their farmer owned the land in question. Then they approached Narakauwo leaders, and held a joint meeting open to all residents.

Fact-finding

There followed a series of discussions involving village committees from both sides as well as elders, traditional leaders and representatives from an NGO working in the area.

Much of the discussion focused on fact-finding:

- What was the loss or damage?
- What is the root cause of the conflict?
- What was the history?
- Who has the right to that land, since both held certificates?
- Which village does the land belong to, based on which village boundary map?

The maps were consulted, but each side accused the other of not being able to read them properly.

Inviting third parties

Eventually the villagers admitted that the existing maps were not going to help. They invited a third party – the Simanjiro District Council – which sent experts who promised to be neutral.

After examining the village maps and using the GPS

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Two farmers argue over land boundary

Conflict parties consult maps in presence of third party

(Global Positioning System) – a sophisticated, computerized way to measure exact locations – the expert team concluded that the Narakauwo authorities had inadvertently extended the map boundary of Narakauwo into Loiborsiret.

Loiborsiret village therefore won the disputed land. As part of the agreement, the two villages agreed to:

- revoke the two original land certificates and issue new certificates of ownership;
- reassign the Narakauwo farmer who first developed the land to become a member of Loiborsiret village;
- request him to surrender half of his original land to the second farmer (though he was compensated with acreage elsewhere); and
- erect survey beacons to mark the exact boundaries to avoid future conflicts.

Lessons learned

- Resolving the conflict depended on cooperative fact-finding. Stakeholders made their decisions based on these facts.
- It can be useful to involve neutral third parties, from within or outside the community. They can help investigate the case as well as facilitate calm discussion.
- A principal objective was to maintain all existing relationships, so the villages aimed for a collaborative "win-win" solution that all parties could accept, rather than just trying to prove the other party wrong.
- Trust and truth-telling were fundamental in determining the authentic landowner without damaging relationships.

WHY THIS MODULE?

Try as we might, none of us can escape conflict. Whether over boundaries, or between people and wildlife; within or between families; among villages; between businesses or government units – even within one individual – conflict is inevitable.

Although it may be uncomfortable, conflict can ultimately be helpful. A well managed conflict where all parties are interested in resolution can:

- help people understand each other's needs and desires;
- mend or enhance relationships through understanding and healthy, sometimes structured, communication;
- push people to devise options they might not have otherwise considered; and
- result in solutions where all parties benefit – known as a "win-win" solution.

Most disputes involving people, livestock and wildlife stem from scarcity of resources – a real and difficult challenge. But tensions often intensify because people hold different attitudes and values, and fail to understand each other's views. Most conflicts have deeper causes than the obvious ones, and are complicated by emotional needs, fears and desires as well as material needs and wants (Box 1).

In addition, rumours or lack of communication can fuel conflict and damage even close relationships.

This module introduces ...

- Common approaches to conflict
- Major institutional systems available to help communities solve difficult problems

BOX 1. CAUSES OF CONFLICT IN THE PROJECT AREA

In rural villages in northern Tanzania near Tarangire National Park, human population growth and immigration of people from other districts has increased land hunger and conversion from rangeland to farmland. Conflicts are emerging over land, water, and other resources, between wildlife, herders and farmers. These are aggravated by environmental degradation and loss of land productivity, blocking of major wildlife migratory routes and calving areas, and the increased droughts and floods associated with climate change.

Underlying the conflicts

1. **Expanding farms and settlements.** Both subsistence and commercial farms as well as trade centres are moving into areas that traditionally saw only pastoralism and wildlife. With these changes come:
   - a high rate of forest and bush clearing, both for farms and for charcoal;
   - bush fires;
   - illegal hunting, both subsistence and commercial;
   - reduction and fragmentation of rangeland for both livestock and wildlife habitat; and
   - loss of permanent water sources, soil erosion, and other environmental degradation.
2. **Crop raids and predation by wildlife.** Some 70 percent of Tarangire's wildlife moves outside the park boundaries during wet seasons. Herbivores raid growing crops, and predators take cattle and shoats.
3. **Conflicting policies and legislation on land resources.** For instance, policy allowing Wildlife Management Areas envisions communities to be paid directly by businesses using their land. But a government circular in 2007 requested that payment be made to the central government, which will give back a portion to communities. In addition, while WMAs are intended to allow communities to manage their own natural resources, as of early 2009, hunting concessions authorized by the central government were largely allowed to supercede other interests that communities might have, such as photographic safaris.
4. **Lack of transparency and equity.** Lack of clarity over income, revenue, and decision-making regarding benefits from natural resources breeds conflicts between investors, government, and communities, and between community leaders and members. In addition, those who benefit from wildlife and other natural resources are often not those who bear the cost of human/wildlife conflicts.

- Basic steps to coming to a win-win solution, whether through direct negotiation, mediation or other method. These include how to analyze conflicts, negotiate, expand the possibilities, solidify an agreement, and follow up.

COMMON APPROACHES TO CONFLICT MANAGEMENT

Everyone has a preferred approach or "style" of dealing with conflict. This style may seem immutable. But individuals and communities can choose which approach they use, and some are more likely to produce durable resolutions than others.

Below is a brief description of the five basic approaches to conflict management, illustrated by a story.

The Five Basic Approaches

Avoidance is avoiding the issues and probably the people involved in the conflict. Parties typically use avoidance when a conflict creates discomfort or seems unimportant. It may work, at least for awhile, in minor conflicts. But avoidance can harm relationships as people withdraw from each other and possibly form "camps" around their friends. It can also lead to escalation as the conflict's causes remain unaddressed (Table 1).

EXAMPLE: Let's say a man buys a cow from his neighbor. Within a week the cow gets sick. The buyer hopes it will just recover. He suspects, though, that it was sick when he bought it. He does not discuss this with the seller, and stays away from places where they are likely to meet.

Accommodation can be considered "giving in" for the sake of (temporary) peace. It is also known as lose/win ("I lose, you win"). Sacrificing our own needs for those of others is often lauded. But in the long-run, if the issue is important, resentment is likely to build up, and relationships suffer.

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The buyer's friends and family tell him to forget about it and just treat the cow, since the seller would be offended by any accusation of selling unhealthy livestock. Then the cow dies ....

Competition or aggression sees individuals put themselves first and aim for a "win/lose" outcome. A competitive approach can quickly become a power struggle, going far beyond the original conflict. Conflict parties may resort to threats or violence to impose their will. The competitive style does not foster healthy relationships.

Enraged by the loss of the cow and feeling humiliated while doing nothing, the buyer steals a calf from the seller during the night.
The seller then threatens to burn the buyer's house down.
When they encounter each other at the market, they accuse each other of having unhealthy herds, and shout out a string of past grievances. They start to fight but are separated by friends.

Compromise, where each party "wins a little, loses a little" is often considered a fair way to resolve a conflict. Each gets part of what they want, but they also lose part. Compromises can often bring about a quick short-term solution. But over the longer term, people can become unhappy with the result as they dwell on what they lost.

Pressed by friends and family, the two finally sit down to discuss the issue.
At first each insists on a win/lose solution.
The buyer: "I'll give you back the calf when you repay me what I paid for the cow that died."
The seller: "Give me my calf back right away, and give me two sacks of corn for the trouble you've caused."
After a couple of hours, with prompting from friends, they consider a compromise:
The buyer will return the calf. The seller will sell him another cow, inspected by a veterinarian, at a below-market price.
Neither party is completely happy, but each feels they have "won" something.

Collaboration, or problem-solving, involves:

- investigating the deeper sources of conflict which may often lie beyond the conflicting parties;
- enlarging the pool of possible solutions as more information comes to light; and
- working with everyone concerned to come up with long-term, win-win solutions that also enhance working relationships.

Collaboration, or joint problem-solving, is often the best approach to both resolving a conflict and maintaining relationships in a community.

Collaboration takes time, though, and requires all parties to be dedicated to the process. The process is often facilitated by an outside party or mediator, whether from the government, an NGO, or another community.

Before they seal the deal, the two meet with a mediator from a local NGO. They all decide to get some more information and start by consulting a veterinarian about whether the cow could have been sick when sold. The incubation period indicates that the cow was probably not ill at the time of sale. But the seller eventually admits that this young cow, like others recently, had not nursed well and had always been a little underweight; the veterinarian concludes that this could have made it more susceptible to illness. Others in the community note that more cattle are falling ill with various diseases. In other words, this may be a community-wide issue. The mediators consult the District veterinary about preventive care for all the community's cattle. The District agrees to provide dipping and vaccination services in a more timely manner, as well as information on how community members might improve degraded pastureland.

In the process of fact-finding, discovering deeper causes of the conflict, and coming up with an option that helps the whole community, the buyer and seller have also restored their friendship.

They now agree that:

- both will take advantage of improved veterinary services;
- the buyer will return the calf; and
- the seller will give him the next healthy calf that is born, in exchange for just a sack of maize.

Both say their agreement is fair and appear vastly relieved. They invite other friends and neighbors to celebrate.

The agreement is recorded and witnessed by the mediators, the District Office, and the community.

TABLE 1. ADVANTAGES AND DISADVANTAGES OF CONFLICT APPROACHES

Strategy	Advantages	Disadvantages/Drawbacks
Collaboration	Approaching the conflict as a problem to solve together leads to creative solutions that will satisfy both parties' concerns, generating 'win-win' solution.	• It takes time and energy • It requires the good faith of all parties • Some partners may take advantage of the others' trust and openness
Compromise	Winning something while losing a little is a common strategy. By compromising, each party can satisfy at least some of their interests.	• Partners can lose sight of important values and long-term objectives • May work best in the short-term but resentment may build in the long-term • May not work if initial demands are too great
Competition	One party will at least temporarily achieve their desires and feel like the "winner" by exerting power or force. This produces a "win/lose" situation.	• The conflict could escalate and any losers may try to retaliate • Equity may suffer
Accommodation	Appease others by downplaying conflict, attempting to protect the relationship. Commonly becomes "lose/win."	• The ideas and concerns of one party may not receive sufficient attention • One party may lose credibility and future influence
Avoidance	Parties avoid conflict by withdrawing, sidestepping, or postponing the outcome- i.e. "lose/lose" or "no winners/no losers" situation.	• Important decisions may be made by default • Postponing may make matters worse

HELP IS AVAILABLE: CUSTOMARY, NATIONAL, AND COLLABORATIVE SYSTEMS OF CONFLICT MANAGEMENT

Three main systems are available to help individuals and communities manage conflict. Each has strengths and limitations (Table 2).

Customary systems for managing conflict

Tanzanian villages retain traditional legal systems where local leaders and respected elders administer *customary laws*. For example, Village Land Adjudication Committees use customary law to clarify land rights. The success of this legal system in managing conflicts over natural resources depends on the buy-in of disputants as well as enforcement capacities of traditional authorities.

Some customary systems use *mediation* – where a third party such as a council of elders facilitates discussion and decision-making between the opponents (Box 2). Or they may use *arbitration* – where a third party, agreed to by disputants, hears each point of view and makes a binding decision.

BOX 2. FARMER-HERDER CONFLICT IN WEST AFRICA

Conflict over land use is a frequent feature of the Sahel as well as East Africa. In a recent study in four villages in Niger, community members said that damage to crops and unauthorized grazing of crop residues after harvest account for about 80 percent of reported conflicts between farmers and herders. Conflicts also stem from access to water points, animal theft, and expansion of crop fields into traditional livestock corridors.

Despite the fact that underlying causes are quite complex, the majority of conflicts are resolved, most commonly with the help of mediation by elders and chiefs. This works especially well in villages where all social groups hold high respect for these authorities.

The research also found that strong links and communication between farmers and herders help people prevent and manage conflict. Findings support the idea that conflicts between different livelihood strategies can be managed effectively by local communities.

Turner, M. et al., 2007

TABLE 2. ADVANTAGES AND DISADVANTAGES OF DISPUTE-RESOLUTION SYSTEM

System	Strengths	Limitations
Customary systems	• Encourage community participation and respect local values and customs. • Base decision-making on collaboration and foster local reconciliation. • Support community empowerment. • Engage local leaders as mediators, negotiators or arbitrators. • Provide a sense of local ownership of both the process and its outcomes.	• Have been supplanted by courts and administrative laws. • May exclude people on the basis of gender, class, caste and other factors. • May allow local leaders to use their authority to pursue their own self-interest, or that of their affiliated social groups or clients. • May not write down oral decisions and processes for future reference.
National legal system	• Strengthens the rule of state law, empowers civil society and fosters accountability. • Involves judicial and technical specialists in decision-making. • Has the potential to base decisions on the merits of the case, with all parties sharing equity before the law.	• Often excludes the poor, women, marginalized groups and remote communities because of cost, distance, language barriers, political obstacles, illiteracy and discrimination. • Allows only limited participation in decision-making for conflict parties.
Alternative conflict management	• Overcomes obstacles to participatory conflict management inherent in legislative, administrative, judicial and customary approaches. • Builds on shared interests. • Develops points of agreement and ownership of the solution process. • Emphasizes community capacity building that prepares local people to become more effective facilitators, communicators, planners and managers of conflict.	• Fails to address structural inequalities, and may perpetuate or exacerbate power imbalances. • Risks difficulties in getting all stakeholders to the bargaining table. • Produces decisions that may not be legally binding. • May use methods developed in other contexts and cultures without adapting them to local contexts.

National legal systems

A national legal system addresses conflict through *adjudication* in courts of law: opponents argue their case before judges or other officials. Disputants often hire lawyers. The authority hears arguments and reviews evidence before deciding in favour of one party – producing a clear winner and loser.

The national legal system extends from local village councils to ward tribunals and courts at the district, regional and national levels (URT, 1997). Some national systems also integrate local customary law or other community values (FAO, 2005).

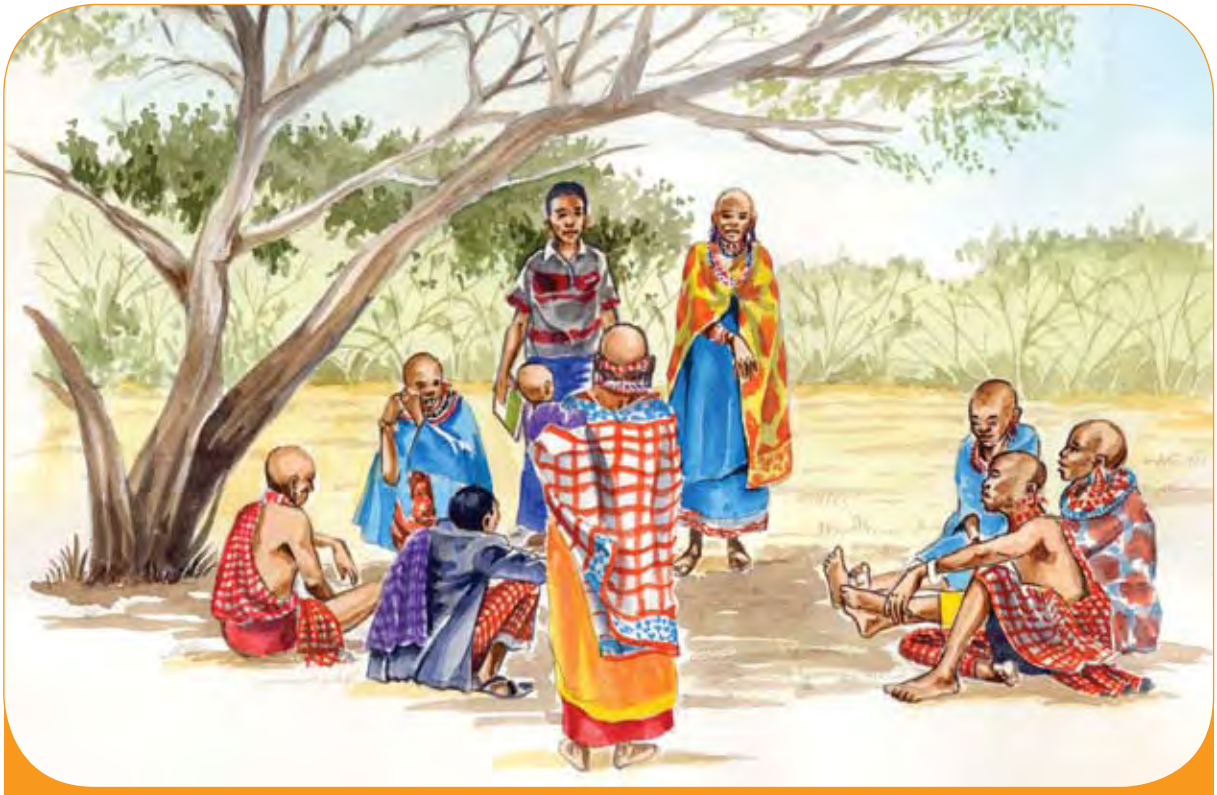
Legal systems also sometimes call for binding arbitration, where a third party makes the final decision.

Collaborative conflict management, also called "Alternative Conflict Management (ACM)

Collaborative conflict management – also called "problem-solving" or "alternative conflict management" – is likely to involve mediators from an NGO, CBO, or government authority.

ACM promotes joint decision-making among disputants to create "win–win" solutions. The mediator facilitates discussions, helps gather information, promotes conciliation, helps all listen carefully to each other, and helps foster voluntary agreements. The stakeholders, however, make their own decisions.

ACM works best with disputants who are fairly equal in strength, such as a farmer and a livestock holder arguing over land. If, say, a District Officer claims that a farmer has violated the law, the case is more likely to be taken to the national legal system.



Meeting of villagers on conflict

EFFECTIVE CONFLICT MANAGEMENT

Step 1: Prepare for conflict management

A recommended first step is to select a village conflict management committee. Villagers might develop guidelines for desired qualities of committee members such as a reputation for fairness, honesty, and good listening skills and select candidates by village assembly.

The selection process should involve elders, traditional leaders, men, women and young people, and members of traditional conflict-resolution institutions.

Deciding how to proceed

When nine villages were considering whether to establish a Wildlife Management Area in Burunge, northern Tanzania, conflicts erupted, some turning violent. Some villagers wanted the WMA, others did not; many did not fully understand the implications.

The first step toward resolving conflicts within villages was taken by traditional leaders and elders, who called meetings for grievance-airing and fact-finding – thus using traditional means and setting the stage for a possible collaborative solution. For a more extensive narrative of how the Burunge villages dealt with conflicts regarding the WMA, see Appendix 1.

Participants should consider the five major approaches to conflict and whether they will aim for a collaborative solution or another type of management (for instance, a competitive solution through adjudication).

Step 2: Analyze the conflict

In Burunge, the elders and conflict committee invited an NGO to help mediate.

The NGO helped participants gather information to clarify the conflict, how it began and developed, who was involved, how it affected people, and what deeper issues it might reflect.

The analysis step requires a lot of questions and listening (Box 3). Everyone's point of view should be carefully considered. In the Burunge case, it became clear that:

1. a lot of the resistance to the WMA was based on misinformation – stakeholders not understanding how a WMA would affect them; and
2. residents had many pressing concerns, some of which could in fact be addressed by the process of creating of a WMA.

In addition to analyzing the issue's history and current status, analyzing the interests, needs, fears and goals of stakeholders is crucial (Table 3).

TABLE 3. STAKEHOLDER ANALYSIS: INITIAL INTERESTS, NEEDS, DESIRES AND FEARS OF SEVEN MAJOR STAKEHOLDERS IN THE BURUNGE WILDLIFE MANAGEMENT AREA (WMA)

Conflict Stakeholders	Interest	Needs	Desires and Fears
Individual Farmers	• Land for crops for cash and food • Prevent land grabbing	• Money to buy more land and inputs • Potential markets • Land for cultivation	**Fear:** • Crop loss due to wildlife and livestock damage **Desire:** • To be compensated for crop losses • To increase land for cultivation
Livestock keepers	• Livestock for livelihood	• Livestock infrastructure • Money to buy livestock drugs and inputs • Grazing land during drought periods in WMA	**Fear:** • Wildlife disease transmission and predation on livestock • Environmental destruction as a result of tree felling for cultivation **Desire:** • More land for livestock grazing
Individual villages	• Protect wildlife through WMA • Conservation business ventures (CBVs)	• Revenue from wildlife • Revenue from WMA • Need for land-use planning • Village resource assessment	**Fear:** • Unequal benefit sharing with other villages • Harm from existing tourism businesses or individuals' interest • Extension of park into village land **Desire:** • To benefit from WMA • Hunting and tourist investors will contribute to villages development projects/activities
Collective villages	• Protect wildlife through WMAs • Ventures and revenue	• Need revenue from WMA • Establishment of women IGAs • Create employment • Joint land-use planning • Joint villages resource assessment	**Fears:** • Benefit-sharing will be unfair among the partner villages • Hunting companies might extend beyond the hunting blocks into WMA **Desires:** • Economic benefits from WMA • More participation in conservation ventures
Tourism investors (tented lodges and camp, photographic safaris)	• Conduct tourism business ventures	• Protect wildlife • To increase revenue from tourism investments	**Fear:** • Hunting companies will chase away or deplete wildlife **Desire:** • Prefer more WMAs in the villages as opposed to more wildlife hunting
Hunting companies	• Hunting of wildlife	• Need money from hunting activities	**Fear:** • Having villagers monitor hunting activities **Desire:** • Communities will conserve wildlife and increase hunting stock
Wildlife conservators/ park authorities	• Reduced fragmentation of wildlife grazing areas • Protect wildlife resources	• Establishment of WMAs in the villages	**Fear:** • Blocking wildlife corridors, poaching or illegal hunting **Desire:** • More land for wildlife grazing, dispersal and calving areas • Livestock to co-exist with livestock

BOX 3. HELPFUL QUESTIONS FOR CONFLICT ANALYSIS

Issues (Root cause and issue analysis)

- What is the conflict about?
- How did the conflict arise?
- What might be the root causes? Might they be beyond the control of the disputants?
- Which issues might be negotiable?
- What values or interests are challenged?

Groups involved (Stakeholder analysis)

- Who is involved?
- What groups do they represent?
- What are their interests, goals, positions and needs?
- What are they afraid of?
- How are they organized, and what are their power bases?
- Are the groups capable of or amenable to working together?
- What are the historical relationships among the groups?

The way forward:

- What are past experiences with similar cases?
- Would a neutral, outside mediator be helpful?
- Are there external barriers to resolution?
- Are there other resources that could be helpful in fact-finding or management?

TIP: POSITIONS VS INTERESTS

Usually disputants get caught up in a "position." For instance, one villager might tell another "You must stop farming here, where I have cows." The other would say, "You must stop grazing here where I farm."

But a skilled mediator will help the two separate their "interests" from the "positions" – thus opening up a new set of possibilities.

In this example, interests would probably include producing or obtaining food and/or herding livestock. So new possibilities could be:

- Is there somewhere else to produce food? Is there somewhere else to herd?
- Is there some way to produce the same amount of food in less space, while keeping livestock out of the fields?
- Does it make sense to enhance another business and buy food instead?
- What about creating a feedlot, where more and healthier cows might be raised in less space?
- Separating interests from positions can lead to new, creative solutions that had not before been considered.

Step 3: Pre-negotiation

Since Burunge involved nine villages, many groups had roles to play in negotiations (Table 4). Negotiation steps included:

Initiation. Stakeholders, committees and leaders met together to strengthen their intent to reach an agreement. Key groups and spokespeople were identified from both sides; they included village leaders, traditional leaders, elders, women and youths, the District Council, representatives from hunting companies, tourism investors, NGOs, and AWF.

Ground rules and agenda. The groups agreed on ground rules for communication, negotiation and decision-making. They set an agenda and proposed a timetable.

Organization. Stakeholders worked out logistics such as meeting times and location. The task force and village leaders recorded minutes of meetings. This information was distributed to inform all stakeholders about progress and the objectives of the next meetings.

Joint fact-finding. The groups agreed on what information was relevant to the conflict and forwarded these to the negotiating committee. Through fact-finding efforts, for instance a study trip and trainings, all concerned learned more about what the WMA would mean, and experience of other communities with WMAs. People also learned more about the kinds of business opportunities the WMA could bring.

Step 4: Negotiation

Creating the Burunge WMA required many sets of negotiations, both within and between villages.

Negotiating aims at achieving a fair, lasting agreement in which everyone benefits. The mediators guide stakeholders in self-reflection and self-discovery to identify their own long-term interests and appreciate each others'.

TABLE 4. STAKEHOLDERS AND THEIR ROLES DURING CONFLICT MANAGEMENT AS APPLIED IN THE BURUNGE CONFLICT

No.	Stakeholder	Status	Roles
1.	District Council officials (E.g. DGO, DLO)	Mediator	• Trainer of communities on importance of establishing WMAs in their villages
2.	African Wildlife Foundation (AWF)	Mediator	• Facilitate trainings • Prepare training materials • Arrange travel for trainers • Community study visits
3.	Traditional leaders and elders	Conflict Party and Mediator	• Maintain and ensure peace in the villages • Main village advisors • Decision-makers • Mediator's role
4.	Villagers (farmers, livestock keepers, and business people)	Conflict party(s)	• Trainees to be trained on WMAs • Representatives form conflict committees, go for study tours • Implementers of agreed village plans
5.	District Commissioner	Mediator	• Involved in one of the mediation meeting when the conflict was at violence stage, so the main role is to ensure peace in the district and in the villages as well is maintained • Policy advocates on WMA's establishment
6.	The private sector investors	Conflict party/some as mediators	• Ensure participation of communities in conservation business ventures (management and running of business joint ventures) and benefit sharing • Contribute to village development projects

Identifying interests (as opposed to positions)

Interests include the needs and concerns that motivate each party. For instance, "We don't want a WMA in Burunge" was a position for some, but there were many interests beneath that position.

These included: "We want secure tenure over our land; we want to be able to continue to graze our cattle; we want to protect our land from encroachment; we want to be able to make income from our land ...".

Once they are made explicit, interests can often be satisfied in many ways, including ones that the disputants might not have thought of before.

Creating options. Successful conflict resolution requires parties and mediators to invent new options for satisfying the various interests. It helps to create a long list of possibilities; some of these might never have been considered before, but could turn out to be quite fruitful.

For instance, the nine villages in the Burunge WMA explored a variety of ways to share benefits, including giving everyone an equal share; giving more to those who contributed more land, or who had more wildlife on their land, relocating existing investors.

Evaluating and choosing options. In Burunge, the villages finally agreed that each would receive a rent payment depending on how much land it contributed; but all villages would share equally the proceeds from wildlife-based businesses in the WMA.

Within villages, residents agreed on clear zones where they would and would not allow farming or grazing, and those living within what became the WMA were allotted other land.

While creating a multitude of options, the parties do not judge any of them until they have finished listing all they can think of. The groups together determine which ideas are best for satisfying various interests. This helps stakeholders move from a list of options to realistic and manageable agreements.

Step 5: Creating an agreement

Negotiations ended when options were agreed by consensus.

Ratification. The Burunge mediators prepared a memorandum of understanding to ensure that agreements would be remembered and communicated clearly.

BOX 4. KEY QUESTIONS FOR EVALUATION, COMMITMENT AND IMPLEMENTATION

- How will the stakeholders ensure that the agreement will be acted on?
- Does the implementation of the agreement require the formal involvement of specialists or groups, such as administrators, leaders of resource user groups, and community political leaders?
- How will the parties manage any unexpected results from the agreement?
- What monitoring mechanisms will be established to ensure compliance with the agreement?
- What is the mediation team's role in monitoring? Are there local neutral or trusted monitors?
- How can parties define and identify the next steps e.g. activities and actions to be implemented, timeframe, persons responsible, resources required, and expected outputs (action planning).

Ratification and documentation helps participants to feel confident that everyone will carry out their part of the agreement. It helps for participants to discuss and agree on methods to ensure partners understand and honor their commitments.

Implementation. Once there is an agreement, the parties jointly develop an action plan; the plan includes who does what, when, resources, and results expected. In the Burunge case, the series of agreements led directly to village registrations, land-use planning, and the creation of the WMA. The WMA in turn enabled the creation of several conservation-based businesses, which are now bringing in a considerable amount of income to the communities (see Case Study at the end of this Module, and Module 4 on WMAs).

In addition, the process helped villages learn how to perform joint planning, important when sharing a ecosystem.

Step 6: Monitoring, evaluation and exit of mediators

The conflict management team or other mediators develop a system to implement and monitor the agreement involving the stakeholders and/or a trusted local mediator (Box 4). The team may include strategies to build the communities' capacity to prevent or solve future problems.

This step is important because conflicts have a way of recurring. Especially in a complex conflict involving numerous stakeholders, "consensus" may be unclear, or people may feel pressured to agree with one side or another, or may have missed key meetings where they might have voiced dissent.

In fact, some of the above appears to have happened in the Burunge case, and as of this writing, two villages had decided to leave the WMA, claiming they had not agreed to it. Discussions are no doubt ongoing ....

Steps for success

Key points to remember

1 Conflict is as inescapable as breathing. But how it is managed can determine whether it escalates and turns destructive, or whether it becomes a process for improved communication and relationships among former disputants.

2 A collaborative, problem-solving, win-win solution is most desirable, but may be hard to attain if disputants have greatly different power or status, or if communication remains poor.

3 A mediator, from within or outside the community, can help disputants listen to each other and come up with possible resolutions that they might not have thought of on their own.

4 Customary systems of conflict resolution share much in common with modern approaches, including fact-finding, analysis of stakeholders' interests and needs, and concern for restoring relationships.

5 The more communication, the more participation, the more buy-in from those involved, the better. If people feel their interests are left out, a related conflict is likely to surface.

6 Community-level measures can go far to keep the peace. For instance, participatory land-use planning (see Module 2) can ensure that all stakeholders' needs are taken into account regarding natural resources.

7 Ambiguous or contradictory policy can exacerbate conflicts over land use. Clear policy that conveys secure rights to land and natural resources could significantly reduce conflicts between individuals, villages and businesses.

Key points to remember

APPENDIX 1
CASE STUDY: CONFLICT OVER ESTABLISHING BURUNGE WILDLIFE MANAGEMENT AREA

Context: Attempting to create a community-based conservation area

The Tanzania Wildlife Policy of 1998 promoted Wildlife Management Areas (WMAs) to encourage conservation and sustainable management of wildlife on community lands. In 2002 the Government of Tanzania approved regulations and guidelines for creating and managing WMAs.

WMAs allow local communities to manage, use, and benefit from the wildlife on their land. Communities can generate income and other benefits through both non-consumptive use of resources (i.e. sight-seeing and photographic tourism) and controlled consumptive uses (e.g. hunting tourism, hunting for subsistence, grazing, wood harvesting).

Burunge WMA lies in Tanzania's wildlife-rich northern tourism zone, between Tarangire National Park (TNP) and Lake Manyara National Park (LMNP). It overlaps with the primary wildlife corridor between the two national parks, and the lands of nine villages: Magara, Manyara, Maweni, Minjingu, Mwada, Ngolei, Olasiti, Sangaiwe, and Vilima Vitatu.

The Government of Tanzania designated Burunge as one of 16 Pilot WMAs throughout the country in 2002. But local residents initially so opposed the plan that widespread conflict erupted both within and between the nine communities involved.

Conflicts over who gives what ... and a lot of confusion

At the outset, villagers had been poorly informed about the benefits and costs of establishing and managing a WMA.

Many community members believed that a WMA would mean ceding village lands to Tarangire National Park. While a misconception, this view was understandable since WMAs were an untried concept at the time, and previous experience with conservation had indeed often meant displacement of communities by national parks.

Two types of conflicts erupted:

1) Conflicts within the villages

Conflicts grew between community members who understood the WMA concept and endorsed it, and those who misunderstood and refused it. Opponents of the WMA blamed their leaders for "selling" village land without their permission.

In addition, many people raised concerns over management of livestock grazing areas and about the impact on families dwelling on land that would become part of the WMA.

2) Conflicts between the nine villages

These conflicts centered on how to share benefits, such as tourism income, that all hoped would flow from the creation of a WMA. Some of the villages already had agreements with tourism operators; they were reluctant to share their assets or income with other villages. In addition, villages had varying levels of wildlife. Those with more wanted a higher share of benefit in view of their resources and also greater damages suffered from wildlife.

Both types of conflicts escalated as rumors flew and more villagers became falsely convinced that the WMA would mean that the national parks would annex village land. Villagers turned against each other. One group even threatened to burn the homes of their village leaders.

Negotiations based on traditional conflict management and new information

The government and village leaders introduced a flexible mediation and negotiation process that evolved to help shape a peaceful resolution to the disputes.

The first step was to resolve conflicts within the villages. As the conflict turned violent, traditional leaders and elders initiated a series of local meetings. During these meetings, both factions acknowledged the importance of villagers' coming to a consensus one way or the other, and other stakeholders following their lead. The meetings succeeded in halting the violence.

In addition, an NGO organized, and the District Game Officer (DGO) facilitated, trainings for villagers on the advantages and disadvantages of establishing a WMA.

The mediator helped each village identify its major interests. For example, livestock keepers wanted an area within the WMA set aside for dry-season grazing. This was agreed. Some of the villagers living in what would become the WMA were able to "swap" their land for a parcel of similar size and value outside the wildlife corridor. Villages who could only contribute smaller land areas were allowed to share the communal benefits equally with the larger landholders.

Next came the challenge of resolving conflicts be-

tween villages, as each village sought to serve it own interests based on the amount of land and other resources it had to invest.

To get more information, each village elected a representative to join a study tour of two other WMAs which were further along, to observe other communities' experiences.

The trainings and study tours raised awareness and built trust. Some of the tour participants became facilitators who could draw on their visits to other WMA sites. The trainings also led to calmer meetings to discuss benefit sharing and related issues such as land rent.

Wide range of parties involved in the mediation and negotiation process

These included:

- Village representatives selected by the community
- District Commissioner District Executive Director and his team of experts
- Leaders from the Ministry of Natural Resources and Tourism
- Traditional leaders and elders
- Villagers who received training
- African Wildlife Foundation staff

Results: Agreements and WMA registration

- Eventually all villages agreed that each village that contributed land would receive a rent payment for its individual investment in the scheme. All the villages would share, however, income from private tour operators or businesses run by the villages. This revenue would go into the WMA common account.
- The agreement has reportedly reduced conflicts, threats and violence. Stakeholders can address conflicts through the Authorized Association (AA): with representatives from each village, the AA functions as a local mediator.
- The Burunge WMA successfully completed the registration process and granted full user rights to its Authorized Association: *JUHIBU: Jumuia ya Uhifadhi Burunge* (the Burunge Community Wildlife Management Organization) in 2006. The WMA is now fully functional.

Results: Business and conservation benefits

Since its registration, the Burunge WMA has achieved economic, conservation, and social development results, including:

- **New income from private tourism investment**
  A private investor, Kibo Safaris Ltd, manages two tourism facilities in the WMA: Maramboi Tented Lodge and Lake Burunge Tented Lodge. At the close of the fiscal year in June 2008, JUHIBU and the WMA had earned an income of TZS 63,785,599 to be shared among the nine villages.
- **Women's Micro-Enterprise Development activities**
  The increased number of tourists visiting and staying overnight in the WMA has created an accessible market for several women's handcrafts groups. The increased income reaches some of the region's most underserved residents. See Module 3.
- **Increased NRM capacity**
  To date, more than 40 village game scouts have received formal training. These scouts coordinate anti-poaching and wildlife monitoring patrols, and also promote conservation outreach among the nine WMA villages. Poaching activities have decreased.

BUT ...

Clearly some area residents appreciate the results of the WMA. Yet as of this writing, two villages were withdrawing from the WMA, claiming that they had not agreed to join. Researchers have reported that many villagers say they were not adequately informed and the deal was largely one among leaders and investors. Other observers point to the difficulties of communicating with all the members of nine villages, and that the main issue is misunderstanding. Conflict management efforts are likely to be ongoing ....

APPENDIX 2
ACRONYMS

ACM	Alternative Conflict Management
CBVs	Conservation Business Ventures
CTIC	Conservation Technology Information Center
DGO	District Game Officer
DLO	District Land Officer
FAO	Food and Agriculture Organization of the United Nations
ETU	Education and Training Unit
ILRI	International Livestock Research Institute
LEAD	Livestock, Environment and Development
UDHR	Universal Declaration of Human Rights
URT	United Republic of Tanzania
WMAs	Wildlife Management Areas

APPENDIX 3
GLOSSARY

Conflict
Conflict is a relationship involving two or more parties who have, or perceive themselves to have, incompatible interests or goals (FAO, 2005).

Conflict analysis
Conflict analysis is the identification and comparison of the positions, values, aims, issues, interests and needs of conflict parties (FAO, 2005).

Conflict management
Conflict management is the practice of identifying and handling conflicts in a sensible, fair and efficient manner that prevents them from escalating out of control and becoming violent.

Conflict resolution
Conflict resolution deals with process-oriented activities that aim to address and resolve the deep-rooted and underlying causes of a conflict.

Consensus
Consensus decision-making requires that everyone agrees to a decision, and not just a majority, as occurs in majority-rule processes. In consensus-based processes, people work together to develop an agreement that is good enough (but not necessarily perfect) for everyone at the table to be willing to accept (FAO, 2005).

Interests
Interests are what a party in a dispute cares about or wants. They are the underlying desires and concerns that motivate people to take a position. While people's positions are what they say they want (such as "I want to build my house here"), their interests are the reasons why they take a particular position ("because I want a house close to my family"). Parties' interests are often compatible, and hence negotiable, even when their positions seem to be in complete opposition (FAO, 2005).

Mediation
Mediation is an extension or elaboration of the negotiation process that involves a third party. This third party works with the disputing parties to help them improve their communication and their analysis of the conflict situation, so that they can themselves identify and choose an option for resolving the conflict that meets the interests or needs of all of the disputants. Unlike arbitration, in which the intermediary listens to the arguments of both sides and makes a decision for the disputants, a mediator helps the disputants to design their own solution.

Negotiation
"Negotiations are a form of decision-making by which two or more parties talk with one another in an effort to resolve their opposing interests" (D.G. Pruitt cited in FAO, 2005).

Stakeholders
Stakeholders are the people who will be affected by a conflict or the resolution of that conflict. They include the current disputants, and also people who are not currently involved in the conflict but who might become involved, because they are likely to be affected by the conflict or its outcome sometime in the future.

Win–lose (adversarial) approach
This is the approach to conflict taken by people who view the opponent as an adversary to be defeated. It assumes that in order for one party to win, the other must lose. This contrasts with the win–win approach to conflict, which assumes that if the disputants cooperate, a solution that provides victory for all sides can be found (Conflict Research Consortium, 1998).

Win–win (cooperative or problem solving) approach
This is the approach to conflict taken by people who want to find a solution that satisfies all the disputants. In win–win bargaining, the disputing parties try to cooperate to solve a joint problem in a way that allows both parties to "win". This contrasts with the win–lose (adversarial) approach to conflicts, which assumes that all opponents are enemies and that in order for one party to win a dispute the other must lose (Conflict Research Consortium, 1998).

APPENDIX 4
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