TRANSBOUNDARY COLLABORATION BETWEEN UGANDA WILDLIFE AUTHORITY AND INSTITUT CONGOLAIS POUR LA CONSERVATION DE LA NATURE

REPORT ON TRANSBOUNDARY LAW ENFORCEMENT STAKEHOLDERS MEETING

5TH APRIL 2005

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2.0 FUNDING

The meeting was funded by the Wildlife Conservation Society (WCS) with contributions from participating NGOs for their own travel and lodging.

3.0 AIMS OF THE MEETING

Since 2003 the Wildlife Conservation Society (WCS) has been supporting Uganda Wildlife Authority (UWA) and Institut Congolais pour la Conservation de la Nature (ICCN) of the Democratic Republic of Congo (DRC) to develop a process of transboundary collaboration between Virunga Park in DRC and Queen Elizabeth Conservation Area, Rwenzori Mountains National Park and Semuliki National Park in Uganda. One of the aims

of the transboundary collaboration is to reduce illegal activities taking place across the international border that separates these protected areas. UWA and ICCN, with support from WCS, organized this meeting to bring together other stakeholders who work near these areas, specifically those who deal with law enforcement and immigration to increase their awareness of the importance of the Greater Virunga Landscape and to discuss how they could work more closely with the protected area authorities to combat wildlife and other conservation related crimes across the international border.

4.0 OPENING REMARKS

Welcome speech and opening remarks were given by the the Chief Park Warden of Queen Elizabeth Conservation Area and the representative of the Executive Director of Uganda Wildlife Authority.

4.1 Opening remarks by The Chief Park Warden QECA

The Chief Park Warden of Queen Elizabeth Conservation Area (QECA) who is also the current president of the Wardens' trans-boundary collaboration committee welcomed the participants to the meeting. He explained that the meeting was a tri - partite arrangement between UWA, ICCN and WCS. He outlined the objectives of the meeting as follows:

- To understand the importance of Greater Virunga Landscape (GVL)
- Discuss the roles of different stakeholders in trans-boundary collaboration
- Assess different fields of collaboration between wardens and other stakeholders
- To forge the way forward for future collaboration.

The Chief Park Warden then highlighted the expected outputs of the deliberations of the meeting:

- Contacts and friendly working relationships established,
- Problems of Law Enforcement and legislation in conservation of GVL discussed;
- List of illegal items that move across international borders and;
- Specific roles of different stakeholders in conservation of GVL discussed for future collaboration.

He briefly elaborated on the quarterly wardens' meetings and the biannual regional planning meetings. He took the opportunity to invite the representative of the Executive Director (ED) of UWA to open the meeting.

4.2 Remarks by the Representative of the Executive Director, UWA

The representative of the UWA ED informed the participants that his position is Natural Resources Coordinator (NRC) and that he had been a regular participant in the transboundary collaboration meetings. He welcomed the participants to the meeting and in a special way participants from Congo. He conveyed greetings from the ED of UWA and apologized on his behalf for not being able to attend the meeting. The NRC fully recognized the importance of the meeting as a great step forward, that aimed to be more inclusive in who takes part in the management of the GVL. He expounded the objectives of the meeting and highlighted the need for collaboration with stakeholders. He recognized the challenge the world over to conserve resources dating back to prehistoric times due to scramble for the resources and stressed that it requires a concerted effort. He observed that continued realization of the dependence of man on nature has led to continued nature conservation. The NRC noted that nature does not recognize artificial borderlines and further observed that Greater Virunga Landscape covers a region from north west Rwanda to Semuliki National Park. He Informed the meeting that UWA recognizes the role of other stakeholders in order to succeed in its conservation efforts: customs officials are important in control of goods for export which include wildlife specimens and are in a better position to seize them; Immigration officers facilitate entry, residence and exit of people across borders and can halt movement of people dealing in trophies; Magistrates interpret the law before them, apply sentences at their discretion and sometimes give lighter sentences. He suggested that the choice of punishment could be more deterrent to control illegal use of resources; security agents play a role in security of natural resources and that of tourists; Police play big role in enforcement of wildlife laws which are part of the wider Uganda laws; the role of other conservation NGOs such as World Wide Fund for nature (WWF), International Gorilla Conservation Programme (IGCP), Wildlife Conservation Society (WCS), Frankfurt Zoological Society (FZS) and Zoological Society of London (ZSL) can not be over emphasized. He applauded the role played by different stakeholders and explained the reason for collaboration with other stakeholders. He thanked everyone for turning up for the meeting, organizers for bringing together participants from Uganda and Democratic Republic of Congo (DRC), WCS for funding the workshop and supporting transboundary collaboboration since 2003. He wished every body a happy stay and fruitful deliberations and declared the meeting open at about 10.00a.m.

5.0 PRESENTATIONS

5.1 The Albertine Rift – Africa's Western Rift by Dr. Andrew Plumptre

Dr. Andrew Plumptre, the Director Albertine Rift Program gave a presentation on the background and the importance of the Albertine Rift Region. He highlighted threats and challenges and development of transboundary in the region. The summary of Andy's presentation is as follows:

5.1.1 Background to the Albertine Rift Region

The Albertine Rift stretches from the northern tip of Lake Albert to the southern tip of Lake Tanganyika and encompasses the natural habitats within about 100 km of the eastern border of the Democratic Republic of Congo (Figure 1). This region is the most species-rich region in Africa for vertebrates and contains many endemic and threatened species. For example one of the well known endemic species of this region is the Mountain gorilla which is only found in Albertine Rift. The Mountain Gorilla is an important source of tourism income for Rwanda and Uganda. During the last census it was found that 380 animals occur in Virunga Volcanoes and 320 animals live in Bwindi INP

The altitudes in Albertine Rift range from about 600–5,100 m above sea level and encompass a variety of habitat types and ecosystems. The region contains afroalpine vegetation, montane and sub-montane forests, savanna grasslands and woodlands, hot springs, lava flows and the successional vegetation associated with it, wetlands, and freshwater lakes. In particular, the montane forests and afroalpine zones are important because they contain many of the endemic and threatened species. It is therefore an area of particular conservation concern

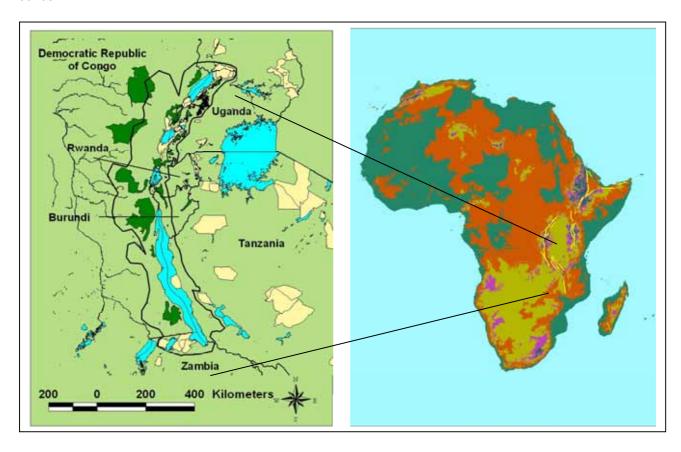
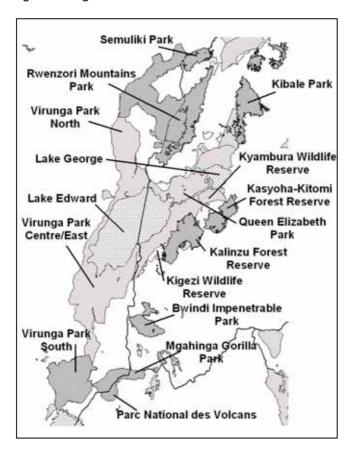


Figure 1. The location of the Albertine Rift Region

5.1.2 The Greater Virunga Landscape (GVL)

The Greater Virunga Landscape is one of six landscapes identified in the Albertine Rift and is one of the most species rich landscapes of contiguous protected areas in the World. It has 8 National parks (ICCN, ORTPN, UWA), 4 forest reserves (NFA) and 3 wildlife reserves (UWA, ICCN). These protected areas are inhabited by 1,448 vertebrates out of which 150 are endemic to the region. Up to 48 species of mammals, birds and amphibians are threatened. It is worth noting that this region once had the highest mammal biomass recorded on earth at 314 tonnes per km². The Greater Virunga Landscape has 3180 plants species with 246 plant species only occurring in the region.



Because of its rich biodiversity, the region is internationally recognized. It has three World Heritage Sites (2 more in process of application), 1 Ramsar Site – wetlands, 1 Man and Biosphere Reserve. Probably there is nowhere else in the world where there is concentration of internationally recognised sites as is found in the Greater Virunga Landscape.

5.1.3 The Importance of GVL

The GVL is important in supporting the livelihoods of the people surrounding it. For example:

- Several million people rely on water that comes from the streams on the mountains
- The fisheries on the lakes are the most productive in Africa. However, they rely on fertilization by hippos
- Forests provide goods for some of the poorest people in Africa up to 35% of their annual income
- An estimate of the value of forests in Uganda was that \$350 million would be needed each year to replace services they provide

5.1. 4 Threats and Challenges

Human population density in this region is one of the highest in Africa, with densities reaching 6-700 people per sq km. Consequently there have been great pressures on the natural habitats. This has led to acute demand for land causing forest fragmentation, encroachment for agriculture, harvesting of forest products, crop raiding, cattle grazing and poaching for bushmeat. Because of its vast natural resources the region has been an epicentre not only for its volcanic eruptions but human conflicts as well. The rangers who are the custodians of the natural resources are being targeted by armed groups. For example in DRC alone 11 rangers were killed in

2004 and one was paralyzed from bullet wounds. In 2005, three rangers were kidnapped by armed groups although one of them was eventually released. These rangers although committed do not get salaries. Many of the illegal activities committed in the region are transboundary in nature and calls for collaboration and concerted efforts from both DRC and Uganda governments have been made.

The demand for natural resources as means of livelihoods has led to forest loss in the region. For example satellite images of the GVL showed that the area around Beni in DRC has lost much of its forest cover in the past few years. Trends in large mammal populations are also worrying. For example:

- Only 210 lions occur in Queen Elizabeth NP but the population in Virunga National Park in DRC is unknown but estimated to be less than in Queen Elizabeth NP. The lion is a key species in savanna ecosystems as it controls disease in ungulates and requires a large habitat to survive. It ranges widely, occurs at low density and has low reproductive rate.
- The population of elephants declined from around 7500 to around 1,250. Their spatial distribution has also changed. Elephants have used corridors to flee poaching during wars.
- The number of hippos declined from 37,000 in 1960s to 4,200 in 2000s. The largest loss was experienced around Lake Edward where there used to be 70% of the population in Virunga Park. Hippos are important species, which modify habitats around the lake shores and provide nutrients for fish populations. Their elimination could cause a crash in the lucrative fishing industry of this region.
- Buffaloes declined from 46,700 to 9,100 again with a change in spatial pattern. The population in Uganda is still declining despite improved security.
- Numbers of Topi declined from 9,400 to 1000. The population in QENP is still declining despite protection, possibly due to changes in habitat.
- The population of the Gorilla has grown from 570-700. The population in Virunga Volcanoes has grown faster and is now larger

5.1.5 Development of Transboundary Collaboration in the Albertine Rift

International Gorilla Conservation Program

International Gorilla Conservation Programme (IGCP) started a process of transboundary collaboration between ICCN, ORTPN and UWA. The process included coordination meetings, coordinated patrols, information sharing, monitoring gorilla populations and threats, and supporting communication between stakeholders

Transboundary collaboration for GVL

Wardens meetings:

In 2003 this coordination was extended to the rest of Virunga Park with support from the WCS. This has led to:

- Removal of illegal settlers in Virunga park
- · Improved law enforcement,
- Reduction in suspicion between countries

Coordinated patrols

At border areas, poachers flee across border to escape patrols. Coordinated patrols ensure that poachers are caught and prosecuted. But there are issues concerning where suspects should be prosecuted and fined/imprisoned. WCS has been supporting patrols for PNVi Centre, east and north, QENP, RMNP and SNP, while IGCP is supporting for PNVi south and Sarambwe, BINP and MGNP.

Regional Monitoring

There is now a process in place where UWA, ICCN and ORTPN staff are monitoring species numbers and distribution, illegal activities and mapping locations of activities in detail to help them draw management strategies.

Landscape management plan

UWA, ORTPN and ICCN are leading a process to develop a transboundary landscape plan for the GVL with NGO partners. This will aim to guide activities over the next 10 years.

5.1.6 A spotlight on the GVL

GVL could become a major tourist destination with peace – QENP used to attract tourists from Kenya and Tanzania in 1960s because of the spectacle of wildlife it contained. The GVL can also put western Uganda and eastern DRC on the map internationally. The mountain gorilla did this for Rwanda which prior to the research work on the gorillas and the subsequent tourism was very poorly known and poorly supported as a country

internationally. If US and European tax payers visit a site or hear about it because it is special they will lobby for funds from their taxes to be spent there which has obvious implications for donor investment and support. Using the GVL to increase the profile of this part of the world should be promoted.

The GVL is very threatened – PNVi is classified as a World Heritage Site but it is in danger. If we lose the GVL it will have impacts on the longer term prosperity and international recognition of this region. Loss of parts of it will lead to a loss of the larger species, which are what attract tourists. Partners in the region should therefore work together to support its protection initially and future development as a major tourist attraction in the future.

5.2 Problems of Law Enforcement & Prosecution of suspects in GVL: A Case of Queen Elizabeth Conservation Area (QECA) by Onzima Louis

Mr. Louis Onzima who was also the Warden In charge of Law Enforcement in QENP presented the case of QECA as an example of problems associated with law enforcement in the region. We summarise below the highlights of his presentation.

5.2.1 Background information on Queen Elizabeth Protected Area (QEPA)

The present QECA was densely populated by pastoralists and fishermen a century ago. The prosperity at that time was upset by diseases like small pox, rinderpest and trypanosomiasis which led to evacuation of communities to some areas in 1913/4. Fishing villages were left as enclaves in the protected area due to economic importance of fishing thus later creating management problems.

5.2.2 Establishment History

QENP owes its existence to some extent to the contiguous Parc National Albert, abundance of wildlife, low use of resources by communities as well as outbreak of epidemics at that time. Lakes George & Edward Game Reserves were established in 1925 & 1938 respectively due to pressure from Belgian colonial authorities. In 1952 the reserves were merged to form Kazinga National Park which was later renamed QENP in 1954 in honour of Queen Elizabeth II of Great Britain.

5.2.3 Institutional set up

The Game Department was mandated with management of wildlife for controlled hunting and protection of cash crops from raids by wild animals by then. The Uganda National Parks was given the role of protection & preservation of wild fauna and flora. As can be seen the roles of the two institutions were not complementary to each other and did not allow for community participation in wildlife conservation & management of protected areas.

5.3.4 Past law enforcement operations

In the past, law enforcement operations were carried by unqualified, ill trained and equipped rangers/guards. The bye-laws were outdated and inappropriate and were widely disregarded by local communities. As a result the protected areas were ineffectively managed. Wildlife related offences were handled by local chiefs.

5.3.4 Current law enforcement operations

The current law enforcement operations are well planned and the patrols are conducted by qualified, well trained and equipped rangers. Arrests and prosecution of offenders use relevant wildlife laws. Complementary efforts by community conservation program have improved the relations between the local communities and park staff. Further more, the merger between Uganda Game Department and Uganda National Parks to form Uganda Wildlife Authority has helped to streamline law enforcement operations. Currently Rangers also play a major role in community education & awareness, tourist guiding & monitoring. They also participate in collaboration with other stakeholders – UPDF, Police, Judiciary, NGOS etc.

5.3.5 Achievements

- Enhanced law enforcement operations
- •Reduced cost of law enforcement operations
- Reduced poaching
- •Effective trans-boundary collaboration
- •Established data base of illegal activities, animal populations, frequency of fires, animal mortality etc

5.3.6 Challenges

- •Inadequate public awareness about conservation values
- •Inadequacy of wildlife laws
- Lenient punishments to convicts
- Political & economic instability
- •Inadequate knowledge of protected species & inability to identify wildlife products

5.3 Problems of Legislation by Mr. Norbert Mushenzi

5.3.1 Introduction

Mr. Mushenzi the Director of the northern Sector of Virunga Park recognized the importance of law enforcement for sustainability of the region. He mainly concentrated on problems of legislation in DRC with which he was familiar. He observed that under the conservation laws of DRC, there are 6 relevant acts enacted after consultation with communities and other stakeholders: He listed the acts as follows:

- The 22/08/1969 Act that gives penalties for illegal activities in the park;
- The 75/023 Statutory Act of ICCN that falls under Ministry of Environment Portfolio;
- The 82/002 Parastatals Act;
- The 82/002 Act that stopped hunting in 1985;

Others mentioned were the Forest Law that provides for exploitation of forests under concession arrangement; International treaties and conventions; African conventions on Wildlife 1976, RAMSAR, convention on migratory species, International treaty on timber and convention on International Trade in Endangered species of wild fauna and flora (CITES) all ratified by DRC.

5.3.2 Problems of Legislation:

Mr. Mushenzi noted that problems of legislation are mainly due to:

- Ignorance of the law by security agencies, Judiciary etc.
- Political interference in law enforcement
- Promises of natural resource exploitation by politicians to the electorate for votes.
- Smuggling at the border is not checked for example trade in timber and grey parrots.
- Outdated laws that do not support community conservation and trans-boundary (TB) conservation.
- The mandate of ICCN in DRC is concerned with wildlife conservation in protected areas while the
 protection of resources outside protected areas is under the mandate of Ministry of Environment.
 Confusion over mandates results in loss of resources outside
- Duplication of services for example anti smuggling officers abate illegal activities.
- Suspicion and lack of harmony between service providers and key players/actors.
- Conflict in the region makes enforcement of laws difficult and issuance of fake permits propagates illegal activities.
- Under estimation of value of resources.

5.3.3 Way forward:

Mr. Mushenzi suggested the following as the way forward:

- Exchange of relevant documents
- Dissemination of information to sensitize the communities
- Clear definition of roles of different stakeholders to help address the challenges faced.

6.0 MATTERS ARISING

Following these presentations there was a short discussion and the following points are highlighted from this discussion:

6.1 Matters arising from the opening remarks and presentations

Hand out of presentations:

 Participants emphasized the need to have copies of the presentation especially the presentation on the background of the Greater Virunga Landscape

Lenient punishments:

• A participant advised UWA to always obtain judgment notes from the courts of law that give details of sentences on convicts.

Arrest and prosecution of wildlife offenders:

A participant noted the weakness of UWA in prosecuting offenders. He informed the meeting that
offenders are set free when they deny charges and witnesses do not appear in court to testify against
them.

Migratory species:

 Participants emphasized the need for joint protection of species that migrate between Uganda and DR Congo boarders.

Security trails:

 Participants underscored the importance of opening security trails in the protected areas that could be used to flush out armed groups especially in Semuliki National Park (SNP)

UWA personnel at border posts:

 Participants suggested that UWA deploys personnel at border posts to help identify smuggled wildlife products.

Endemic species:

Participants sought clarification on endemic species. It was explained that an endemic species is one
that is only found in that region of the world. So species endemic to the Albertine Rift are found there
and nowhere else.

Inadequate public awareness:

 Participants observed that inadequate public awareness creates conflict between law enforcers and breakers and stressed the need to strengthen public awareness on wildlife conservation.

Relevant documents:

• Participants noted that sharing of relevant wildlife documents with Police, Army, Customs and Immigration officials would be more effective compared to presence of UWA staff at border post.

6.2 Reactions to matters arising:

Judgment/lenient punishment:

• There was an appeal to give a deterrent punishment to offenders but not a criticism of the judgment given. There was some discussion about how people value wildlife. UWA staff may put a higher value on a hippo than a magistrate. Calculating how much a hippo would be worth in terms of the money it brings into Uganda and the region from tourism and their contribution to the fisheries might show they are worth considerably more than people estimate.

Arrest and Prosecution of offenders:

• Concern raised about the handling of arrested poachers – this was noted and would be improved upon.

Security trails:

• There was a mention for the need for better security access by military and police. It was observed that a road from Bundibugyo to Beni in DRC might serve as a good security road.

UWA staff at border posts:

• Re - orientation of customs and immigration officials to CITES regulations and identification of wildlife products advocated. UWA headquarters had planned for this program before but should handle it urgently since there is need for it.

Inadequate Public awareness:

Participants were informed that Community Conservation Department of UWA handles conservation
awareness and education. However, it was noted that there was need to intensify the program. Other
suggestions made to improve public awareness were joint radio programmes by UWA and ICCN and
circulation of educational materials to village level. The meeting was informed that UWA had already
produce relevant community education material in English that are being translated into local languages
to enhance local community understanding of the massage.

Relevant documents:

Participants were informed that customs officials have tariff books that categorize goods into prohibited, restricted and permitted goods. However, they face challenges of concealment of prohibited goods by smugglers who move at night. Customs officials also lack information about wildlife products. It was suggested that detailed information about wildlife and wildlife products be availed to custom officials, conduits for transits of restricted or prohibited goods highlighted and intelligence information regarding movement of wildlife and wildlife products shared with customs officials.

7.0 GROUP DISCUSSIONS AND PRESENTATIONS

Three themes were identified for the group discussions: 1. general security within and around protected areas; 2. legislation and law enforcement and; 3. cross border wildlife trade and conservation related offences. Participants were grouped according to themes based upon their background / discipline. Each group was tasked to discuss how the theme they were handling could help to ensure better conservation of GVL and focus on cross - cutting issues. Group discussions were facilitated by UWA and ICCN staff and French/english translations were provided by WCS, *ICCN* and FZS staff.

7.1 Legislation and law enforcement

The group suggested the following to address challenges of legislation and law enforcement:

- Translate and disseminate relevant laws between the two countries
- Clarify on the role played by *ICCN* and ministry of Environment in DRC on protected species outside protected areas.
- Enact appropriate laws
- Laws should be codified to make them specific to wildlife matters e.g. Environmental legislation of Uganda has a section of Wildlife Act.
- Conclude trials and conviction of offenders and mete out deterrent punishments.
- Sentence for offences committed should be served in a country where the offence was committed using the laws of the country concerned e.g. if any offence is committed in Uganda, the offender is prosecuted and sentenced under Ugandan laws and serves the sentence in Uganda and *vice versa*.
- Improve coordination between stakeholders.
- Share information about illegal activities
- Harmonize laws of Uganda with DRC.

The group recommended the following:

- Treaties be signed between the two countries for extradition in the longer term
- ICCN should adopt a strategy for joint patrols with military if possible
- The Abahima pastoralists settled in the north of Virunga park should be evacuated from *PNVi*, and resettled outside the protected area. The status of the settlers should then be established and the

- relevant country acts accordingly (these settlers have come from Uganda with 4000 cattle clkaiming to be congolese refugees from the 1960s).
- Stakeholders meetings should take place every 6 months and venue rotated between DRC and Uganda.

Issues raised:

Excessive use of force by UWA rangers to arrest suspects.

Reaction:

 UWA rangers use reasonable force and treat suspects humanely but if attacked they have to restrain individuals

7.2 Cross border wildlife trade and conservation related offences

The group suggested the following to address challenges faced.

- Provide and exchange permits so officials on each side of the border know the correct documentation.
- prosecute offenders in countries where they have committed the offences under the relevant laws of the concerned state
- Genetic materials without relevant documentation should be handed over to the country of origin.
- Wildlife protected species in doubt should be confiscated and handed over to the relevant authority for further action and advice.
- List of endangered species and photographs be provided to custom officials
- A follow up of the trans- boundary stakeholders meeting be done.
- DRC encouraged to join the Lusaka Task Force in order to benefit from expertise and experience in combating trade in wildlife and wildlife products and to enable coordination to take place more efficiently between the two countries.
- Relevant authorities should be available to expedite handling of traded goods in doubt

Issues raised:

 Participants raised concerns that if sample documents are given to the custom officials they could be forged.

Reaction:

Participants were assured that CITES permits have recognized signatory, validity period, specification
of port of entry and exit. It was suggested that sample documents could be marked SPECIMEN

7.3 General security within and around protected areas

The group highlighted the following problems associated with general security within and around protected areas:

- Presence of the Abahima and their livestock in Virunga Park,
- War and insecurity in DRC
- Presence of illegal armed groups such as National Army for Liberation of Uganda (NALU), Allied Democratic Force (ADF), and armed bandits and Interhamwe in Kasindi area in Congo.
- · Cross border poaching
- Illegal fishing in DRC and Uganda.

The group made the following suggestions;

- Coordinated patrols be conducted in liaison with respective armies
- Carry out Joint patrols with military in respective countries depending on the nature of patrol
- Improve communication system between UWA and ICCN
- Abahima be evacuated under Congolese law if they are Congolese or deported to Uganda if Ugandan

- FARDC should move the army out of PNVi
- Initiate collaboration between UPDF and FARDC
- Rehabilitate security roads.

Issues raised;

- Explore possibility of establishment of Trans Boundary Protected Area (TBPA) across borders of contiguous protected areas
- Initiate joint patrols between rangers of contiguous protected areas
- Initiate and encourage cross border meetings between UPDF and FARDC
- Initiate and strengthen liaison between ICCN and FARDC

8.0 FUTURE COLLABORATION AND WAY FORWARD

- Any recommendation affecting a department or Agency be taken up with the next authority
- A report be produced and shared with higher authorities
- A 6 month time frame set to follow up on the recommendations of the meeting
- WWF offered to support some of the activities with funds.

9.0 CLOSING REMARKS:

In his closing remarks, the Director of the northern Sector of Virunga Park

- Thanked the facilitators and observed that the focus of the meeting is to conserve for the next generation.
- He noted that challenges are enormous but improvement of working relationships and collaboration would reduce suspicion and help address challenges
- He urged participants to implement suggestions and recommendations of the meeting
- Expressed gratitude to Kasese District authorities for warm reception and hospitality
- Adjourned the meeting at 6.05p.m