



POLICY BRIEF

SOUTH WEST INDIAN OCEAN REGIONAL PROGRAMME | 2024



STRENGTHENING COMMUNITY RIGHTS AND BENEFITS IN MANGROVE MANAGEMENT IN MOZAMBIQUE

In 2024, the WWF South West Indian Ocean Regional Programme (WWF-SWIO) completed a comprehensive review of policies to assess the extent to which they make provision to support local community rights and benefits in Mozambique. The review, which consisted of a desktop policy analysis and stakeholder engagements, generated recommendations aimed to strengthen the participation, rights and benefits of local communities engaged in mangrove management.

The Mozambican Constitution establishes the right of every citizen to live in a balanced environment and imposes a duty to protect it. It also mandates the State and local authorities, in collaboration with environmental protection organizations, to adopt policies that protect the environment and promote sustainable use of natural resources. Local communities' rights and benefits in mangrove management are further reinforced by the new Forest Law (2023), the Forest Policy and its Implementation Strategy (2020) and the Conservation Law (2014, amended in 2017).

The Forest Law (2023) replaces the outdated Forest and Wildlife Law (1999) and introduces several key reforms, including the establishment of Local Councils or Committees for Natural Resources Management (CBNRMs), which provide a structured platform for the active involvement and participation of local communities, along with other stakeholders, in natural resource management. Local communities' rights and benefits in mangrove management is reiterated in the Forest Policy and Implementation Strategy (2020). Further, the Conservation Law enacted in 2014 and amended in 2017, allows community-based organisations to establish and manage Community Conservation Areas (CCAs). Local communities have the right to use and benefit from the CCAs' natural resources and to enter into agreements with the private sector for sustainable commercial use and benefit of the community.

The WWF policy review highlighted key challenges to realising community rights, including the existence of overlapping, unclear, or contradictory policies related to mangrove management; limited institutional and financial capacities, specially at community level; and over-reliance on civil society organisations (CSOs) and non-governmental organisations (NGOs) for support in implementing mangrove community-based management plans and knowledge transfer initiatives. WWF recommends updating the National Mangrove Management Strategy to align with the new Forest Law; strengthening and harmonising existing policies; and enhancing community participation in policy processes; strengthening institutional and financial capacity to empower local community; and developing a policy framework to regulate initial carbon projects that guarantees equitable benefit-sharing.

About 20 million

people in Mozambique could benefit from inclusive, participatory and sustainable management of

302.735 hectares

of mangrove forests.



POLICY PROVISIONS FOR LOCAL COMMUNITY RIGHTS AND BENEFITS IN NATURAL RESOURCE AND MANGROVE MANAGEMENT

“All citizens shall have the right live in a balanced environment and shall have the duty to defend it.”

Mozambican constitution (2004)

“Inclusive economic and social development ... access to opportunities and ... effective participation ... in decisions on the development of the country, [as] indispensable elements for sustainable development.”

National Development Strategy (2014)

“Local communities and their organizations ... should be seen as the key player in the conservation of biological diversity ... There should be an investment in training, allocation of benefits and responsibility of this group in order to allow their full involvement.”

National Strategy and Action Plan of Biological Diversity of Mozambique (2015–2035)

“Managed by one or more local communities who have the right to use and benefit from land, designated for the conservation of fauna and flora and the sustainable use of natural resources.”

The Conservation Law (2014; amended in 2017)

“The fundamental priority of safeguarding food security and ending hunger, and the particular vulnerabilities of food production systems to the adverse impacts of climate change ... respect, promote and consider human rights, the right to health, the rights of ... local communities.”

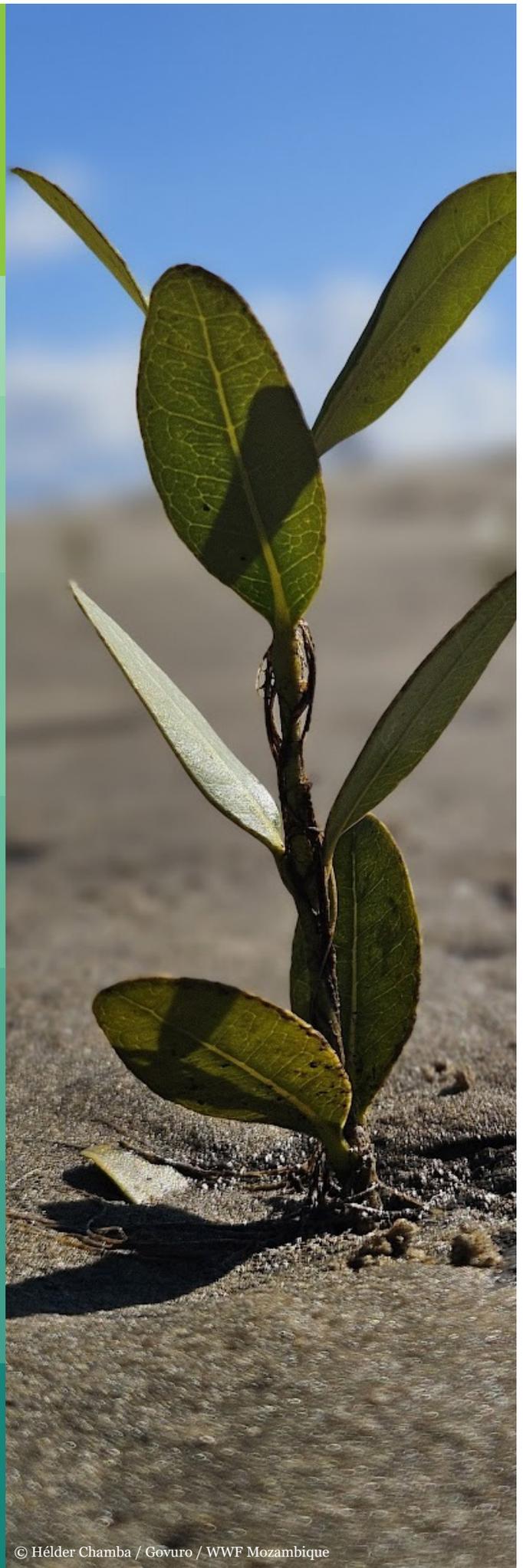
The Paris Agreement (2015)

“Strengthen and support the full and effective participation and the collective actions of stakeholders, including ... local communities, for the existence of sustainable, comprehensive and wise use of wetlands.”

Ramsar: Wetlands for the Future, Fourth Strategic Plan (2016–2024)

“Nature can be conserved, restored and used sustainably while other global societal goals are simultaneously met through urgent and concerted efforts fostering transformative change.”

The Kunming-Montreal Global Biodiversity Framework (2022)



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CURRENT POLICY CHALLENGES

UNCLEAR, INCOHESIVE OR OVERLAPPING POLICIES

The varying resource management policies and mandated resource management organisations in Mozambique complicate community-based mangrove management. The Forest Law (2023) provides for the establishment of legally constituted local management councils or committees to oversee forest protection, restoration and domestic use through state-approved management plans. The Maritime Fisheries Regulation (REPMAR, 2020) mandates the creation of Community Fisheries Councils (CCPs), which are legal entities responsible for the sustainable management of local fisheries. These councils have the authority to implement community-managed fishing areas and enforce specific regulations, including in habitats affiliated with CBNRMs. This regulatory duality can often lead to tensions between CBNRMs and CCPs over jurisdiction and natural resource use practices, as well as duplication of management and protection efforts.

The Conservation Law (2014, amended in 2017) enables community-based organisations to establish and manage CCAs. However, the absence of coordination mechanisms among community structures (CBNRMs, CCPs and CCA management entities) can result in conflicting mandates and duplicative management efforts, reducing the effectiveness of conservation interventions and creating tensions between communities and management authorities, ultimately reducing the overall impact of community-based natural resource management.

ABSENCE OF A REGULATORY FRAMEWORK FOR CARBON PROJECTS

Neighbouring countries like Kenya, Madagascar and Tanzania have established policies to regulate carbon projects, including guidelines for registration, stakeholder roles, and revenue distribution to local communities. These countries have initiated several carbon projects, with some already trading in voluntary markets. For example, Kenya's projects were started by foreign charities, and Madagascar's by national NGOs, both relying on donor funding and building local capacity for carbon market engagement.

In contrast, Mozambique lacks such a regulatory framework, leaving local communities unprotected and excluded from potential carbon project benefits. This absence of policy puts Mozambique at a disadvantage compared to its regional counterparts, limiting its ability to leverage carbon markets for sustainable mangrove management.

LIMITED INSTITUTIONAL AND FINANCIAL CAPACITIES

Policy provisions facilitate community co-management by establishing CBNRMs and allow for the transfer of resource management to community-based organisations through the declaration of CCAs. However, enacting these frameworks commonly exceeds the institutional and financial capacities of communities. For example, operationalising CBNRMs requires that communities – which are often already impoverished – pay membership fees. Moreover, the legal process of forming a CCA involves complex procedures and can be time consuming, requiring extensive supporting documentation and community consultation. Completing this process often means that communities are dependent on the technical and financial support from NGOs and CSOs to navigate this process.

PROPOSED ACTIONS

Review and harmonize the Maritime Fisheries Regulation and the Conservation Law with the new Forest Law to create a unified framework that clarifies roles and responsibilities, integrates CBNRMs, CCP and other community structures into a cohesive management system and eliminates duplicative mandates.

Review the Conservation Law and its regulations to make clear regarding to the coordination between different community structures within the CCAs.

Drawing on regional examples, develop, urgently, a policy framework to regulate carbon projects.

Develop a capacity-building strategy that focuses on increasing the technical, institutional and financial capacities across state institutions that support mangrove management.

Improve coordination to support and expand community capacity development.

RECOMMENDATIONS

1. STRENGTHEN AND UPDATE THE NATIONAL MANGROVE MANAGEMENT STRATEGY

Although Mozambique's Mangrove Management Strategy (2020–2024) outlines actions for strengthening mangrove management and the inclusion of local communities, the intentions, articulation and action for deliberate and active inclusion of local communities in policy and decision making about rights to access, harvest and sustainably use resources – for own, domestic, subsistence and commercial use – can be strengthened and accentuated. Once renewed, the National Mangrove Management Strategy can be used as a common reference point for socialising, among all stakeholders, the national goals for community-based mangrove management that delivers livelihood benefits. The intentions, articulations and actions in the renewed National Mangrove Management Strategy should also be integrated into a revised National Strategy and Action Plan of Biological Diversity of Mozambique (2015–2035).

Both plans should ideally align with the WWF-recommended regional strategy and action plan – currently in development – and be accompanied by a concomitant monitoring and evaluation framework for increased endorsement, commitment and accountability. Moreover, the updated National Strategy and Action Plan of Biological Diversity of Mozambique should ideally take into account the inclusion of people living outside of mangrove CCAs.

Lastly, WWF suggests that Mozambique draw on regional examples from Kenya, Madagascar, and Tanzania to develop a policy and legal framework to regulate carbon projects.

2. REVISE AND HARMONIZE RELEVANT POLICIES

Regarding policies that provide for community rights and benefits in mangrove management, WWF recommends

the revision of Mozambique's fisheries and forest policies to identify and address areas of duplication or contradiction for better cohesion. Revisions could specifically refer to the different community-based institutions for natural resource management, focusing on the various community structures provided for in these policies, how they overlap and how to consolidate their different management practices, reporting lines and mechanisms.

3. SUPPORT COMMUNITY PARTICIPATION IN POLICY PROCESSES

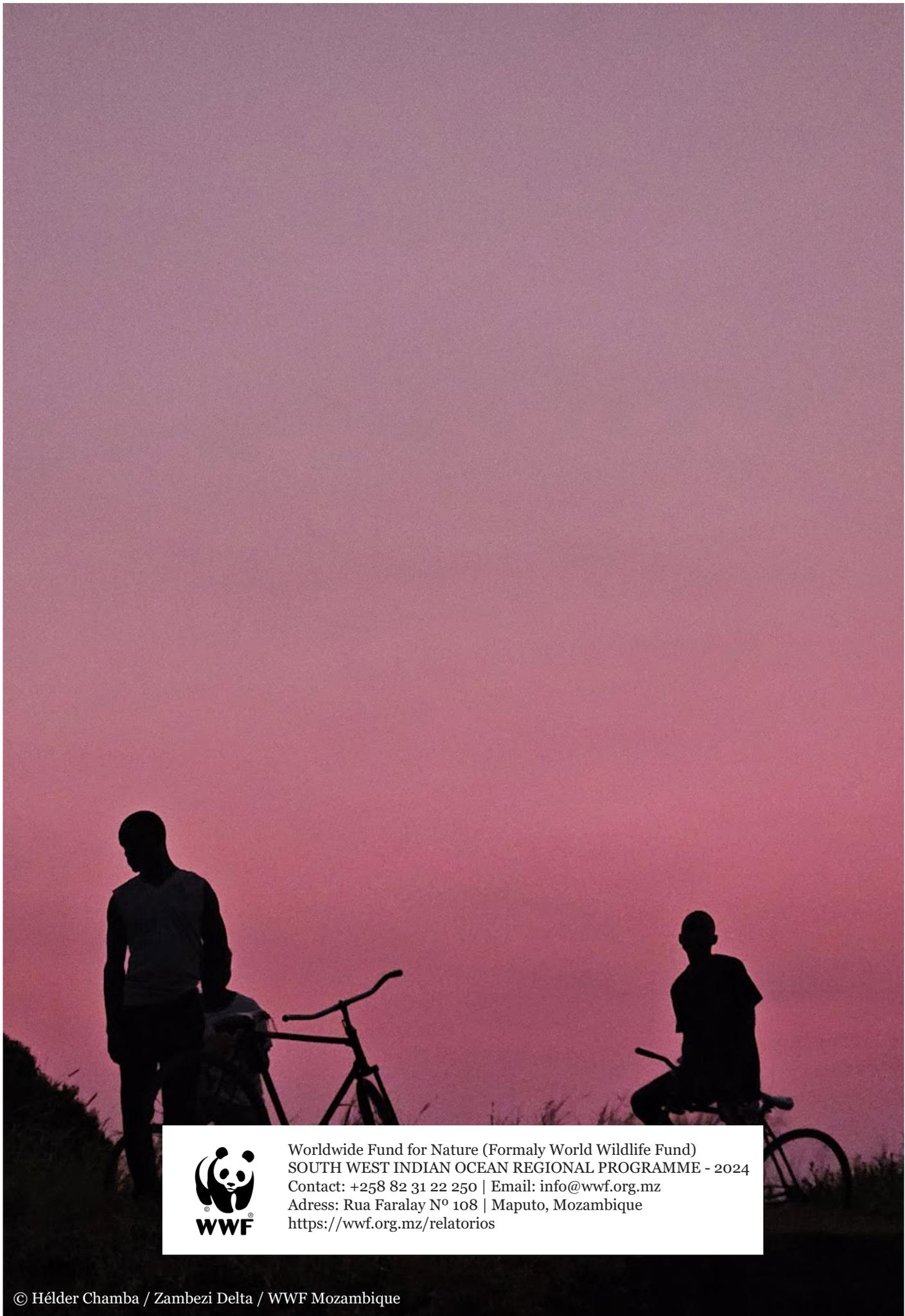
Various policy processes are proposed in Recommendations 1 and 2, including the development, renewal and/or revision of the Mangrove Management Strategy (2020–2024); the National Strategy and Action Plan of Biological Diversity of Mozambique (2015–2035); and the Maritime Fisheries Regulations (2020). WWF urges the inclusion of CSOs and local community representatives in these review processes. Including community representatives would enable communities to represent themselves, reducing their dependence on CSOs and building the capacity of local leaders for longer-term, more sustainable engagement.

4. STRENGTHEN INSTITUTIONAL AND FINANCIAL CAPACITIES

WWF recommends increasing institutional and financial capacities for research to support mangrove management planning, the waiver of fees for communities to participate in the management of mangrove resources and the allocation of nominal fees that enable the operations of community-based organisations.

WWF also recommends collaboration with the Western Indian Ocean Mangrove Network and for all organisations – state organisations, community-based organisations, CSOs and NGOs – to strengthen local community resource management structures. Doing so will require a strategic and coordinated approach that focuses on social learning processes and draws on case studies of building local community agency and capacity for natural resource management in the region.





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