



REPUBLIC OF MOZAMBIQUE
THE COUNCIL OF MINISTERS

Background

Paragraph 1 of Article 98 of the Constitution of the Republic states that “the natural resources located in the soil and subsoil, inland waters, territorial waters, continental shelf and in the exclusive economic zone are the property of the State”, while Item d) of Paragraph 2 provides that “Nature protection areas belong to the public domain of the State.”

Article 9 of Act No. 19/97 of 1 October, the Land Act, provides that “rights of use and enjoyment of the land cannot be acquired on complete or partial protection areas...”, allowing just the issuing of special licenses for certain activities.

The full and complete ownership of the land and other natural resources by the State puts Mozambique in a privileged position, able to make the resources available to the citizens in a fair and equitable fashion and to participate with the rest of the world in the implementation of global biodiversity and cultural heritage conservation trends as fundamental assets of our lives.

The Mozambican State takes full responsibility before Humanity for the protection of biodiversity within its territory, including its administrative and financial responsibility.

Matters related to the conservation of biodiversity and the management and development of Conservation Areas are addressed by several legal documents, namely:

- Act No. 3/90 of 26 September, the Fisheries Act;
- Act No. 19/97 of 01 October, the Land Act;
- Act No. 20/97 of 01 October, the Environment Act;
- Act No. 10/99 of 7 July, the Forests and Wildlife Act;
- Act No. 19/2001 of 18 July, the Territorial Regulation Act;
- Act No. 4/2004, of 17 June, The Tourism Act.

This situation creates a dispersion of sources of information and jurisdictions and, in some cases, a lack of coordination in the operations carried out within and around Conservation Areas. This Act is focused on Conservation Areas through the regulation and updating of the principles of conservation, adjusting them to the country's aspirations with regard to the conservation of biodiversity.

Mozambique has a network of protected areas throughout all its eco-regions and biomes, thus representing a portion of the natural heritage of the country.

According to current legislation (The Land Act, The Forestry and Wildlife Act, The Tourism Act and The Environment Act) conservation areas in Mozambique are intended to protect, preserve, develop and promote the rational use of natural resources, based on a participative, inclusive, dynamic and adequate institutional framework for the ecological, economic and social benefit of current and future generations.

The relevance of the Conservation Areas Act lies on the need to rehabilitate and reorganise the conservation areas in the country and devise innovative and pragmatic management models in line with the interests of the public and private sectors and of the communities residing within and around such conservation areas.

In general terms, the Conservation Areas Act is justified by the need to adopt a participative management of such conservation areas so as to secure their ecological, social and economic benefits. The Act also aims to ensure the sustainable use of natural resources and to provide the benefits and services required for the sustainable development of local communities.

This Act is also justified by the changes in the national and international socioeconomic and ecological scenarios associated with changes in the conservation approach. In the past, strategies based on the separation of the ecological and human components prevailed. In the last three decades there have been significant changes, from the issues of participation and rights of local communities and funding mechanisms to public-private partnerships and the techniques and procedures for the management and sustainable use of biodiversity.

In recent years there has been a growing and notorious pressure of poachers on wildlife, mainly by illegal hunters of the African elephant and the rhinoceros. The Niassa Reserve went through its worst times between the last quarter of 2012 and the first quarter of 2013, having lost on average 2 elephants per day.

The country has also been used as a corridor of horns of rhinoceros hunted in South Africa on their way to Asia. Several foreigners were caught in the Maputo international airport in possession of these trophies.

The current legal framework does not allow the application of appropriate penalties to the offenders, so there is no deterrence. The proposed bill provides prison sentences for crimes against protected and endangered species and increases the applicable fines.

In short, the aspects that are of particular relevance in the bill, addressing issues related to current biodiversity conservation trends, are the following: (i) the categorisation of conservation areas; (ii) public-private partnerships; (iii) the participation of the citizens and local communities in the management of biodiversity and conservation areas; (iv) the inclusion of transnational conservation areas as a mechanism for the implementation of conventions and treaties; (v) population resettlements; and (vi) penalties for crimes against biodiversity.

This new statute will serve as an updated landmark for the management of conservation areas in the country.

The preparation of this bill was comprehensive, involving several government sectors, non-governmental organisations, academic institutions, the private sector and civil society with an interest in conservation issues.

Accordingly, pursuant to Subsection c), Number 1 of Article 204 of the Constitution of the Republic, the Council of Ministers submits to the Assembly of the Republic this bill for approval.



**REPUBLIC OF MOZAMBIQUE
ASSEMBLY OF THE REPUBLIC**

**Act No. /2013
of**

The environmental, economic, social, cultural and scientific importance of natural land and aquatic ecosystems in providing goods and services to Mozambican society justifies the establishment of appropriate legislation promoting the protection, conservation and sustainable use of the biodiversity for the benefit of humanity and particularly of the Mozambican people.

Therefore, under the provisions of Paragraph 1 of Article 179 of the Constitution of the Republic, the Assembly of the Republic determines as follows:

CHAPTER I

General Provisions

ARTICLE 1

(Definitions)

The definitions of the terms used in this Act are detailed in the attached Glossary, which is an integral part thereof.

ARTICLE 2

(Purpose)

This Act establishes the basic principles and rules for the protection, conservation, restoration and sustainable use of biodiversity in conservation areas, as well as an integrated management framework for the sustainable development of the country.

ARTICLE 3

(Scope)

1. The legal regimen established in this Act is applicable to all values and natural resources within the national territory and in waters under national jurisdiction.
2. All public and private entities that may directly or indirectly influence the country's National System of Conservation Areas are covered by this Act.

ARTICLE 4 (Principles)

This Act shall be governed by the following principles:

- a) *Ecological Heritage* - The biological and ecological diversity as a national and world heritage, which should be preserved and maintained for the sake of future generations. The sustainable use of resources for the benefit of the Mozambican people and humanity in a way compatible with the maintenance of the ecosystems. The State's taking its responsibility before humanity for the protection of biodiversity within its territory, including its administrative and financial responsibility.
- b) *Sovereignty* - The sovereign right of the Mozambican state and people to conserve and exploit its natural resources, taking into account the applicable environmental policies and legislation as well as the ratified conventions and international agreements.
- c) *Equality* - Equality between citizens and the acknowledgment of the role of gender in the management, use, conservation and rehabilitation of natural resources.
- d) *Citizen Participation in the Management and Benefits* - The right of all citizens to be involved in decision-making processes throughout the value chain of the conservation and sustainable use of natural resources.
- e) *Environmental Responsibility* - The preservation, protection and management of the environment should prioritise the establishment of systems that prevent actions harmful to the environment. The obligation of anyone damaging the natural resources is to restore them and / or pay the costs involved in the removal and compensation of the damages it caused, so as to ensure that there is no net loss of biodiversity or natural resources.
- f) *Development* - The role of biodiversity conservation and the creation and maintenance of areas specifically dedicated to this purpose as instruments in the promotion of development and eradication of poverty.
- g) *Public-Private Partnerships* - The promotion by the State of the involvement of local and national authorities, local communities, the private sector and non-governmental organisations in developing initiatives enabling the economic feasibility of this policy. The use by the State of mechanisms based on transparency, accountability and rewards in its relations with the private sector and local communities.
- h) *Precaution and Informed Decision-Making* - Decisions related to the creation, alteration, management and extinction of conservation areas are to be made based on a broad scientific knowledge of the existing biodiversity, its ecological value and the determinants of its conservation, based on a research and information sharing system supporting decision-making processes, not harming the principle of precaution wherever this knowledge is still insufficient. Promotion of the availability of and easy access to information related to

conservation and natural resources to support the implementation of the strategy and increase the involvement and collaboration of the citizens.

- i) *International Cooperation* - The country's role in the global and regional efforts to ensure the conservation of biodiversity, complying with its agreed environmental obligations and developing forms of integrated management wherever ecosystems are shared with neighbouring countries and bound by international obligations.

CHAPTER II

Management of Conservation Areas

ARTICLE 5

(National System of Conservation Areas)

1. The national system of conservation areas is composed of the official bodies in charge of the management of the conservation areas, the funding mechanisms of the conservation areas and national network of conservation areas.
2. The national system of conservation areas has the following objectives:
 - a) Involve the public, private and mixed-ownership institutions in the administration and funding of the conservation areas, ensuring their ecological, economic, social and institutional sustainability.
 - b) Contribute to the maintenance of the biodiversity and genetic resources within the national territory and jurisdictional waters;
 - c) Promote the sustainable development based on the utilisation of natural resources and biodiversity conservation practices in the development processes.

ARTICLE 6

(Conservation Areas Administration Authorities)

1. The State administers the conservation areas in a participative manner, establishing appropriate mechanisms for the participation of public, private and community entities;

2. The Council of Ministers defines policies aimed to guide the management of conservation areas, which are implemented and supervised by the Ministry in charge of the conservation areas.
3. The conservation areas administration authority is in charge of the implementation of policies for such conservation areas, managing them and ensuring the participation and accountability of the private sector and local communities.

ARTICLE 7

(Participative Management of the Conservation Areas)

The Council of Ministers is in charge of the creation of the Conservation Area Management Board, an advisory body chaired by the Administrator of each conservation area and composed of representatives of local communities, the private sector, associations and local State entities which under the supervision of the conservation areas administration authority supports the management of the respective conservation area.

1. The Conservation Area Management Boards support the Administration of the conservation areas in the implementation of the following:
 - a) Management plans;
 - b) Supervision of conservation areas;
 - c) Addressing the development needs of the communities legally residing within conservation areas and buffer zones;
 - d) Drawing up of strategic development plans for the conservation areas;
 - e) Search for new economic activities that would lower the pressure exerted by local communities on biodiversity, including biodiversity-based businesses;
 - f) Supervision of the implementation of concession contracts with operators in the framework of public-private and community partnerships;
 - g) Taking measures to strengthen the conservation capacity in the context of the management plan.

ARTICLE 8

(Funding Mechanisms for the Conservation Areas)

The funding mechanisms for the conservation areas are adopted in order to minimise the losses and increase the benefits at the local, national and international levels through the establishment of:

- a) Public-private and community partnerships;
- b) Creation of institutions to support conservation activities;
- c) Capitalisation of the genetic wealth, wildlife, other natural resources and local and traditional knowledge on the use of biologic materials;
- d) Compensation for conservation efforts, ecological services and other services as established by the Council of Ministers.

ARTICLE 9 (Public-Private and Community Partnerships)

1. The State may establish partnerships with the private sector, local communities, foreign and national civil organisations under contracts and funded by the private partner, either in whole or in part, for the management of conservation areas, creating synergies for the conservation of biodiversity, notwithstanding the division of responsibilities in the costs and benefits of the management of conservation areas.
2. The State may establish partnerships in the form of contracts for the concession of rights to the private sector and local communities, with the purpose of generating income.

ARTICLE 10 (Conservation Support Institutions)

The State encourages and supports the private sector in the creation of institutions aimed to support biodiversity conservation activities, providing all the facilities under the law.

ARTICLE 11 (Compensation Mechanisms for the Conservation Efforts)

1. A public or private entity exploiting natural resources in a conservation area or its buffer zone that is a beneficiary of the protection provided by a conservation area, should financially contribute to the protection of biodiversity in the respective conservation area.
2. A public or private entity exploiting natural resources in a conservation area or its buffer zone should compensate for the impacts of its activities so as to ensure that there is no net loss of biodiversity.
3. The right of use and exploitation of existing carbon stocks in a conservation area and its respective buffer zone belongs to the entity that manages the respective conservation area, while its marketing may be done in collaboration with other public or private entities.

4. The compensation mechanisms for the conservation efforts are to be defined by decree.

ARTICLE 12
(National Network of Conservation Areas)

1. The national network of conservation areas is composed of a set of conservation areas categorised under this Act.
2. The fundamental objectives of the national network of conservation areas are:
 - a) To contribute to the maintenance of biodiversity and genetic resources within the national territory and jurisdictional waters of Mozambique;
 - b) To protect endangered, rare and endemic species at the national, provincial, district and municipal levels;
 - c) To contribute to the preservation and restoration of the diversity of land and aquatic natural ecosystems;
 - d) To promote a sustainable development through the sustainable use and exploitation of natural resources;
 - e) To value the biodiversity both economically and socially by promoting sustainable activities, including hunting, fishing and the concession of rights for the exploitation of contemplative tourism in order to obtain financial resources destined to the conservation effort;
 - f) To preserve the natural resources necessary for the subsistence of local communities, respecting and valuing their knowledge and culture;
 - g) To promote the use of the principles and practices of conservation and management of natural resources in the development process, especially on the part of the local communities;
 - h) To protect the natural and cultural landscapes of particular beauty, as well as the natural and cultural heritage representing the national identity;
 - i) To protect and restore water resources and wetlands;
 - j) To encourage and develop scientific research;
 - k) To promote environmental education, the study of nature, leisure, recreation and ecotourism in conservation areas.

CHAPTER III
(Protection Zones)

Section I
Classification of Protection Zones and Categories of Conservation Areas

ARTICLE 13
(Classification of Protection Zones)

1. Protection Zones are delimited territorial areas representing the national natural heritage, destined to the conservation of biodiversity, fragile ecosystems or vegetal or animal species.
2. Protection Zones are classified so as to ensure the conservation of representative ecosystems and species and the coexistence of local communities with other interests and values that have to be preserved.
3. Protection Zones are classified into:
 - a) Total conservation areas; and
 - b) Conservation areas of sustainable use.
4. Total conservation areas are public areas destined to the preservation of ecosystems and species without the exploitation of resources, where only the indirect use of natural resources is allowed, with the exceptions provided for under this Act.
5. Conservation areas of sustainable use are public or private areas destined to the conservation efforts and subject to an integrated management, where certain levels of exploitation of resources are allowed provided sustainable limits outlined in the management plans are respected.

ARTICLE 14
(Total Conservation Areas)

The following are the management categories of total conservation areas:

- a) Integral Natural Reserve;
- b) National Park;
- c) Natural and Cultural Monument.

ARTICLE 15
(Integral Natural Reserve)

1. An Integral Natural Reserve is a delimited total conservation area under the public domain of the State, destined to the preservation of nature, the maintenance of ecological processes, and the functioning of ecosystems and rare or endangered species.
2. The following activities are strictly forbidden within an Integral Natural Reserve, except for scientific reasons, for monitoring purposes or for contemplative tourism provided no infrastructure has to be deployed:
 - a) Hunting, fishing, camping and any forestry, livestock farming, agricultural or mining activity;
 - b) Conduct research, surveys, probes, earthmoving or any work aimed to modify the aspect of the terrain or vegetation;
 - c) Perform any acts that harm or disturb the biodiversity;
 - d) Introduce or harvest any zoological or botanical species, indigenous or exotic, wild or domestic.
3. Integral Natural Reserves can be demarcated in other Conservation Areas categories provided for in this Act.

ARTICLE 16
(National Park)

1. A National Park is a delimited total conservation area under the public domain of the State, destined for the propagation, protection, conservation, preservation and management of vegetal and animal wildlife, as well as for the protection of sites, landscapes or geological formations of particular scientific, cultural or aesthetic value in the interest of public recreation and representative of the national heritage.
2. Except for scientific reasons or management needs, the following activities are strictly prohibited in a national park:
 - a) Hunting and any forestry, agricultural, livestock farming or mining activity;
 - b) Conduct research, surveys, probes or earthmoving works;
 - c) Any work aimed to modify the aspect of the terrain or vegetal features or that may cause water pollution;
 - d) Any acts that due to their nature may disturb the maintenance of ecological processes, the flora, fauna and cultural heritage;
 - e) The introduction of any zoological or botanical species, indigenous or exotic, wild or domestic.

3. The presence of man is allowed within a national park under controlled conditions as provided for in the management plan and provided it does not represent a threat to the preservation of natural resources and biodiversity.
4. Controlled scientific research activities and the monitoring of natural resources for the purposes of management of the area are allowed within a national park.
5. The management of vegetal and animal species is only aimed to maintain the ecological balance, ensuring the population control of the respective species.

ARTICLE 17
(Cultural and Natural Monument)

1. The monuments are total conservation areas under the public domain of the State, of a local authority, community or privately-owned, containing one or more elements with exceptional or unique natural, aesthetic, geological, religious, historical or cultural value in an area smaller than 100 hectares that because of its uniqueness and rarity requires to be preserved and maintained in its entirety.
2. The monuments aim to achieve the following purposes:
 - a) Protect and preserve specific natural or cultural elements;
 - b) Conduct ecotourism, recreational, educational and scientific research activities;
 - c) Ensure the preservation and reproduction of rare, endemic, protected and endangered vegetal species or formations;
 - d) Prevent or eliminate any form of exploitation or occupation incompatible with the protection purpose of the monument;
 - e) Contribute to the local economic and social development through the promotion of tourism and participation of the local communities in the benefits resulting from these activities.
3. The management is done according to tradition, restricted use, principles and conservation needs of the monument.
4. Trees of ecological, aesthetic, historical or cultural value are also considered natural monuments.

ARTICLE 18
(Conservation Areas of Sustainable Use)

The following are the management categories of conservation areas of sustainable use:

- a) Special Reserve;
- b) Environmental Protection Area;
- c) Official Game Reserve;
- d) Community Conservation Area;
- e) Sanctuary;
- f) Wildlife Farm;
- g) Municipal Ecological Park.

ARTICLE 19
(Special Reserve)

1. A Special Reserve is a delimited conservation area of sustainable use under the public domain of the State, destined for the protection of a rare, endemic, endangered or dwindling vegetal or animal species or of a species of recognised cultural or economic value.
2. The permissions and prohibitions applicable to a national park apply to a Special Reserve, with the exceptions provided for under this Act.
3. The exploitation of any resources within a special reserve is forbidden, with the exception of those resources which exploitation is permitted by the management plan.
4. A special reserve may be of a national or provincial interest according to the interests it is intended to safeguard.

ARTICLE 20
(Environmental Protection Area)

1. An environmental protection area is a delimited conservation area of sustainable use under the public domain of the State and managed in an integrated manner, where the interaction between human activity and nature shapes the landscape with specific and exceptional aesthetic, ecological or cultural qualities, producing important ecological services for its residents and their neighbours.
2. An environmental protection area aims to achieve the following objectives:

- a) Ensure the protection and preservation of environmental components and the maintenance and improvement of ecosystems with recognised socioeconomic and ecological value;
 - b) Maintain a harmonious relationship between nature and culture by protecting the landscape and ensuring traditional forms of land use and construction, as well as the expression of social and cultural values;
 - c) Encourage ways of life and sustainable socioeconomic activities in harmony with nature, as well as the preservation of the cultural values of the local communities;
 - d) Maintain the diversity of the landscape and habitats, as well as of their associated species and ecosystems;
 - e) Prevent and eliminate any form of incompatible land uses and activities that because of their size or magnitude jeopardise the achievement of the landscape protection objectives;
 - f) Provide outdoor recreational spaces to the citizens, respecting the essential qualities of the conservation area;
 - g) Contribute to the sustainable development at the local level through the promotion of tourism and the participation of local communities in the benefits resulting from these activities.
3. An environmental protection area may include lands, lakes, rivers, sea waters and other natural areas;
 4. Natural resources can be exploited in environmental protection areas as provided by the integrated development plan;
 5. Other categories of conservation areas may exist within an environmental protection area.

ARTICLE 21 (Official Game Reserve)

1. An official game reserve is a delimited conservation area of sustainable use under the public domain of the State, intended for hunting activities and the protection of species and ecosystems in which the right to hunt is only awarded through a concession contract between the State and an operator;
2. Activities likely to jeopardise the objectives that led to the concession contract referred to in the preceding paragraph are forbidden in an official game reserve;
3. The use of forest and wildlife resources by local communities is allowed, provided it is performed in a sustainable way for subsistence purposes and does not compromise the objectives referred to in Paragraph 1 of this article.

4. Restocking of hunting resources can be conducted in an official game reserve subject to the provisions of the national legislation and its management plan.
5. The management of an official game reserve must be conducted in accordance with a management plan duly approved by the conservation areas administration authority, according to a proposal submitted by the managing entity.

ARTICLE 22 (Community Conservation Area)

1. A community conservation area is a delimited conservation area of sustainable use under the public domain of a community and under the management of one or more local communities holding the right of use and enjoyment of the land, destined for the conservation of the flora and fauna and the sustainable use of its natural resources.
2. A community conservation area aims to achieve the following objectives:
 - a) Protect and preserve the natural resources in the area customarily used by the community, including the conservation of natural resources, sacred forests and other sites of historical, religious or spiritual importance or cultural use by the local community;
 - b) Ensure the sustainable management of natural resources in order to boost local sustainable development;
 - c) Ensure the continuity and access to medicinal plants and biodiversity in general.
3. The license for the exploitation of resources by a third party can only be awarded with the consent of the local communities, following a consultation process ending in the signing of a partnership contract.
4. The management of the natural resources in a community conservation area is done according to the rules and practices of the respective local communities, always in compliance with the national legislation.

ARTICLE 23 (Sanctuary)

1. A sanctuary is an area under the public domain of the State or privately-owned, intended for the breeding, shelter, feeding and research of certain vegetal and animal species.
2. A sanctuary can be demarcated within or outside an existing conservation area.

3. The sanctuary's existing resources can be exploited under a special permit in accordance with the regulations to be established, except for the species intended to be protected, provided they are in accordance with the relevant management plan and this Act.
4. A restocking of species can be conducted in a sanctuary subject to the provisions under the national legislation and the relevant management plan.

ARTICLE 24 **(Wildlife Farm)**

1. A wildlife farm is a private area intended for the conservation of the fauna and flora in which the right to hunt is limited to the holder of the right of use and enjoyment of the land or to those duly authorised, all of them subject to a permit issued by the relevant authority.
2. The owner of a wildlife farm may establish a balanced exploitation of certain species for meat production and utilization of other spoils and by-products;
3. The owner of a wildlife farm holding animals in captivity is responsible for their feeding, health and maintenance;
4. The owner of the wildlife farm owns the animals he may introduce;
5. If the owner of a wildlife farm wants to own the animals found in the area he may purchase them from the State;
6. A restocking of species may be conducted in a wildlife farm, subject to the provisions under the national legislation and the relevant management plan.

ARTICLE 25 **(Municipal Ecological Park)**

1. A municipal ecological park is a conservation area of sustainable use under a municipal public domain, intended for the conservation of sensitive ecosystems in the urban context.
2. A municipal ecological park aims to achieve the following objectives:

- a) Protect natural elements crucial to the ecological balance of the Local Authority, including wetlands, mangroves, slopes, dunes and forest areas;
 - b) Protect and preserve endemic, rare or threatened species and ecosystems;
 - c) Prevent the arbitrary occupation and the uncontrolled and unregulated urbanisation of green areas within the jurisdiction of the local authorities;
 - d) Contribute to the quality of life of the local population;
 - e) Stimulate the environmental education, recreation and leisure of the local population, as well as ecotourism;
 - f) Allow the regeneration of species essential to the subsistence of the population;
 - g) Encourage scientific research, especially that related to education and research institutions.
3. The human presence is allowed in a municipal ecological park provided it does not jeopardise the objectives which led to its creation.

Section II (Activities in Conservation Areas)

ARTICLE 26 (Activities Conducted in Conservation Areas)

1. The performance within conservation areas of the activities referred to in this Act may be authorised due to necessity, utility or public interest, in accordance with the objectives of each category, including the following:
- a) Concessions for the performance of tourism-related activities;
 - b) Hunting concession;
 - c) Hunting, fishing and exploitation of forest resources;
 - d) Capture of live animals and collection of eggs;
 - e) Apiculture;
 - f) Scientific research;
2. Other activities may be permitted if so provided for in the management plan.

ARTICLE 27

(Law applicable to activities conducted in conservation areas)

The concessions for the performance of tourism, hunting, fishing, forestry, apiculture and scientific research activities are awarded under their specific legislation and subject to the permissions and restrictions imposed by this Act and by the management plan of the respective conservation area.

ARTICLE 28

(Hunting Modalities)

1. Hunting must be done in one of the following modalities:
 - a) Simple hunting license;
 - b) Sport hunting;
 - c) Commercial hunting.
2. The terms, conditions and annual quotas of wild animals, as well as the instruments allowed for the practice of hunting in the modalities mentioned in the preceding paragraph shall be defined by a statute.

ARTICLE 29

(Simple Hunting License)

1. The simple hunting license is exercised by local communities in the conservation areas of sustainable use and in the buffer zones in order to meet their own consumption needs;
2. The hunting licensing to members of the local communities, as provided in the preceding paragraph, is made by the local councils in accordance with customary rules and practices and in coordination with the relevant authority.

ARTICLE 30
(Sport hunting)

Sport hunting is done by foreign and Mozambican individuals in the official game reserves, wildlife farms and other conservation areas of sustainable use and buffer zones in accordance with the management plan.

ARTICLE 31
(Commercial hunting)

Commercial hunting is done by natural or legal persons in wildlife farms in order to obtain spoils or trophies for marketing, through the farming of wild animals in the terms of this Act and other applicable legislation.

ARTICLE 33
(Instruments and means of hunting)

Restrictions on hunting are subject to specific regulations and the use of means and instruments allowing the indiscriminate capture or killing of species or specimens, such as fires, explosives, ties, mechanical traps, toxic or poisonous substances or automatic firearms, are not allowed.

ARTICLE 34
(Hunting in defence of persons and property)

1. Hunting not in one of the modalities provided for by this Act is allowed only in defence of persons and property against actual or imminent attacks by wild animals, whenever it is not possible to drive them away or capture.
2. The hunting referred to in this article shall be promptly exercised after knowledge of the facts by specialised brigades of the State or by the private sector and local communities duly authorised.

ARTICLE 35
(Closed hunting seasons)

The Council of Ministers is in charge of establishing the general and special closed hunting seasons provided under this Act.

ARTICLE 36
(Hunting Concessions)

The specific conditions for the hunting activity in the official game reserves, wildlife farms and other areas of conservation of sustainable use and buffer zones under concession will be established by a specific statute.

Section III
International Treaties

ARTICLE 37
(Transborder Conservation Areas)

1. A Transborder Conservation Area is an area established by a legal statute, managed in a collaborative fashion, crossing a border between countries, provinces or districts and composed of conservation areas or other forms of land use. These areas contribute to the protection and maintenance of biodiversity and of the associated natural and cultural resources and promote economic development;
2. The objectives of a transborder conservation area are:
 - a) The regional or international cooperation in managing shared resources;
 - b) Achieving the objectives of each category of conservation areas that are integrated within the transborder conservation area;
 - c) The implementation of common approaches to the conservation of ecosystems and species so as to maintain the connectivity of habitats, vegetation types and animal populations.
3. A transborder conservation area is established by a treaty or agreement and approved by the competent authorities of the State.

Section IV
Creation, Modification or Termination of Conservation Areas

ARTICLE 38
(Approval, Modification and Termination of Conservation Areas)

1. The Council of Ministers shall approve, modify or terminate the total nature reserves, the national parks, the cultural and natural monuments in the public domain of the State, the special reserves, the environmental protection areas, the official game reserves, regardless of their size, as well as sanctuaries, wildlife farms and community conservation areas larger than 10,000 hectares.
2. The Minister in charge of conservation areas shall approve, modify or terminate sanctuaries, wildlife farms and community conservation areas with a size between 1,000 and 10,000 hectares.
3. The Provincial Government shall approve, modify or terminate wildlife farms, sanctuaries and community conservation areas with a size up to a maximum of 1,000 hectares, as well as cultural and natural monuments in the community public domain and privately-owned.
4. The Municipal Assembly shall approve, modify or terminate cultural and natural monuments in the municipal public domain and municipal ecological parks located within the boundaries of the respective Municipality.
5. The process of creation, modification or termination of conservation areas shall follow the procedure outlined in the land legislation.
6. The total natural reserves, national parks and special reserves have a buffer zone, which is part of the conservation area, according to the ecological conditions.

ARTICLE 39
(Proposal for the Creation of Conservation Areas)

The establishment of conservation areas can be proposed by government agencies, academic institutions, the private sector, non-governmental organisations, local communities or local citizens, according to the categories in question.

ARTICLE 40
(Land Planning)

1. The creation, modification, termination and management of conservation areas should be harmonised with the land planning legislation at the national, provincial, district and municipal levels.
2. The ecological regions where one or more conservation areas are located should be subjected to a special land planning, which must also include the buffer zones, ecological corridors and other elements essential to the preservation of the ecological balance and spatial continuity.
3. The delimitation of conservation areas must be registered in the National Register of Lands, which is the general instrument of land planning.

Section V
Buffer Zones

ARTICLE 41
(Buffer Zones)

1. The buffer zone is a portion of land delimited around the conservation area, forming a transition zone between the conservation area and the multiple use area, aimed at controlling and reducing the impact of activities incompatible with the conservation of biodiversity both from the inside out and from the outside in of the conservation area.
2. The creation of the buffer zone is intended to:
 - a) Create a cushioning zone around a conservation area in order to minimise the pressures of the different human activities;

- b) Protect water courses and other water sources, safeguarding their quality and quantity;
 - c) Promote and maintain the landscape in general and the development of tourism with the participation of the private sector and local communities;
 - d) Promote environmental education, serving as a platform to consolidate an attitude of respect for the activities and needs related to conservation and quality of life;
 - e) Prevent continued and disorderly urbanisation;
 - f) Consolidate activities that are complementary to the conservation area's proposed management plan;
 - g) Extend the conservation measures so as to promote the sustainable use of natural resources;
 - h) Provide ecological corridors to ensure the maintenance of the biological structure and processes, the connectivity of habitats and the transfer of genetic material between the conservation areas.
3. Any activity likely to affect the biota in the buffer zone must be approved by the Conservation Areas administration authority and be subject to environmental licensing, based on an environmental impact assessment in accordance with the specific legislation on the subject.
4. The creation of a buffer zone shall comply with the requirements set forth by Article 39 above about the approval, modification or termination of conservation areas.

Section VI

Management of Conservation Areas

ARTICLE 42

(Uses)

1. Any uses or activities conducted in a conservation area must conform to the provisions of this Act and its Regulations and, if applicable, to the delimitation of the area and other provisions of the management plan.
2. Uses compatible with the area may be subject to the direct authorisation by its administration, if so provided by the management plan, and, in case of any authorisation application from other state agencies is needed, it shall require the opinion of the management of the area, which will be binding.

3. Uses that are incompatible with the purpose of each conservation area are not allowed and should be eliminated according to the required urgency.

ARTICLE 43 **(Management Standards)**

1. The management of a conservation area should seek to safeguard the values that motivated its creation, maintain the environmental quality and restore the environment wherever possible.
2. The catalogued species that are within a conservation area should get special attention, aiming to the recovery of their populations and the removal of threatening factors.
3. Native crop varieties and animal species found in the conservation area are considered genetic resources of interest for the conservation of biodiversity and are to be inventoried and given special attention if their survival is threatened.
4. The management of a conservation area should ensure that the exploitation of natural resources, wherever they are authorised, is done in a controlled and sustainable manner.
5. The management of a conservation area should manage it in collaboration with the local communities and encourage and support activities that are compatible with their conservation and contribute to the improvement of the quality of life of the local communities.

ARTICLE 44 **(The Management Plan)**

1. Conservation areas should be managed according to a technical management plan which, based on the general objectives of the conservation area, establishes the planning and standards that should govern the use and management of the natural resources, including the deployment of the infrastructure necessary for the management of the area, namely:
 - a) The management goals and their temporal scope;
 - b) The classification, geographic boundaries and map of the area, along with its zoning, if applicable;

- c) The uses that are prohibited and those subject to authorisation according to the area's protection needs, without prejudice of those already established by this Act;
 - d) The urban regulations, architectural standards and complementary protective measures, in accordance with the provisions of this Act, which do not exempt from compliance with any existing ones;
 - e) The guidelines for the management of natural resources and any restoration measures of an environment or species in a critical situation;
 - f) The infrastructures and measures to promote the traditional activities and other improvements in the quality of life of the local population;
 - g) The visitation rules of the area, whenever necessary, the safety of visitors, nature information and interpretation aspects and, in general, any public use;
 - h) The facilities and infrastructure necessary for the management of the area;
 - i) The special plans that must be prepared to address in detail every infrastructure or management needs of the area;
 - j) The studies necessary for a better understanding of the area, including the monitoring of the environmental and usage conditions needed to support the management, and an economic estimate of the corresponding investments, if any;
 - k) The management system and engagement of other stakeholders.
2. The management plan must cover the conservation area and its buffer zone, including measures aimed to promote their integration into the economic and social life of the local communities.
 3. The management plan of a conservation area has the same legal force as the Environmental Management Plan and Territorial Planning.
 4. As a provisional measure, while there is no management plan in place or during its preparation, the conservation area can be managed through a management letter of intent, which should include a description of the values of the significant natural and cultural resources existing in the area and a proposal for their management and utilisation.

CHAPTER IV
(Recovery and Restoration of Biodiversity)

ARTICLE 45
(General Criteria)

1. The state promotes the recovery of degraded areas through reforestation, preferably in dunes, mountain bases and slopes, valleys and other sensitive areas, watersheds and fragile ecosystems.
2. The State shall promote the repopulation of wildlife in accordance with the management plan previously approved and in compliance with the relevant legislation.
3. The transformation of degraded areas for another purpose is not allowed in conservation areas, which must be restored to their previous condition.

ARTICLE 46
(Accountability)

1. When the degradation of ecosystems is caused by deforestation, fires or any other voluntary acts, the offender must recover the degraded areas under the terms and conditions to be defined by a specific regulation, notwithstanding other applicable civil and criminal proceedings.
2. Whoever causing in any manner the decline of wildlife must restock the affected species, in the terms and conditions to be set forth by decree, notwithstanding any applicable civil and criminal proceedings.

CHAPTER V
Management of Endangered Species

ARTICLE 47
(Endangered Vegetal and Animal Species)

1. The Council of Ministers will approve by decree the list of protected species and the list of species which use is permitted, hunting included.

2. The State promotes the investigation and research on the country's biodiversity status so as to produce decision-making support information applicable to the management of the species.

ARTICLE 48

(Import and Export of Endangered Animal and Vegetal Species)

1. The State shall take appropriate measures to enforce the provisions of the Convention on International Trade in Endangered Species of Wild Flora and Fauna threatened with extinction.
2. The international trade in species of endangered wild fauna and flora is subject to a broad scientific knowledge about their existence, their ecological value and the determinants for their conservation.
3. The relevant authorities shall determine the import and export mechanisms of live or dead species covered by the convention on international trade in species of wild flora and fauna threatened with extinction.

CHAPTER VI

Responsibilities

ARTICLE 49

(Population Resettlement)

1. The State may resettle human populations out of conservation areas provided that their presence is incompatible with the legal status of the conservation area or prevents its sound management.
2. The resettled individuals must be assured living conditions equal to or better than those they had in the area in which they lived, through fair compensation along with measures promoting livelihoods in a consultative process involving not only the representatives of the resettled individuals but also the administrator of the conservation area in question and the local authorities of the State.

CHAPTER VII

Fees

ARTICLE 50

(Fees)

1. Fees are due for the access and use of natural resources, for the compensation for the conservation effort and for the ecological services of the conservation area.
2. The Council of Ministers shall set the values of the fees referred to in the preceding paragraph and for the issuance of licenses to conduct activities and other authorisations, including restocking surcharges.
3. Local communities are exempted from the payment of fees for the use of natural resources, provided they use them for non-commercial purposes and in areas where such activities are permitted.
4. The Council of Ministers shall set the percentages of the fees for the access and use of resources intended for the benefit of the local communities.

CHAPTER VIII

Oversight

ARTICLE 51

(Exercising of Oversight)

1. The protection, conservation, preservation, sustainable use, transportation and handling of the resources covered by this Act are subject to oversight.
2. The oversight is aimed to prevent the performance of any activities that disturb the harmony of nature, including within the buffer zones, and is exercised by government and community agents and sworn inspectors.
3. The defence forces and security services of the State will participate in the oversight of the conservation areas.

ARTICLE 52
(Duty to Collaborate)

All public and private entities and all nationals and foreigners, as well as license holders, must collaborate by exercising the necessary vigilance to protect forest, animal, fisheries and other resources, reporting the offences they may become aware of to the closest relevant authorities and providing the support and information requested by the inspectors and other oversight personnel.

ARTICLE 53
(Use and Carriage of Firearms)

Inspectors in the exercise of their duties are entitled to use and carry a firearm and other equipment to be defined by a specific statute.

CHAPTER IX
Offences and Penalties

ARTICLE 54
(General)

1. The offences under this Act are subject to fines and accompanied by recovery measures or compulsory compensation of the caused damages, notwithstanding any criminal sanctions that may apply.
2. In duly justified cases, an offender may be imposed alternative penalties, including community services related to the conservation effort;
3. The lack of voluntary payment of the fine subjects the offender to the consequences provided for under criminal law in the jurisdiction where the offence was committed, notwithstanding other applicable legal procedures.
4. For the purposes of the preceding paragraph, the following shall be considered stakeholders in the oversight and control process: government and community agents, sworn inspectors and the local communities that participated in the infraction and, in general, any citizen who reported an infringement.

5. The Council of Ministers shall periodically update the values of the fines provided for under this Act.

ARTICLE 55
(Offences and Penalties)

1. The following are offences punishable by fine worth 1 to 10 times the value of a public servant minimum wage:
 - a) The storage, transportation and marketing of natural resources under this Act without authorisation or in breach of the conditions laid down by law;
 - b) Receipt of resources under this Act without having proof of authorisation from the seller or freighter;
 - c) Illegal transport of animals, camouflaged so as to disguise their gender or species.
2. The following are offences punishable by fine worth 11 to 50 times the value of the national minimum wage:
 - a) Conducting an illegal exploitation of natural resources in conservation areas;
 - b) Conduct archaeological works or other works within a conservation area without permission of the relevant authority;
 - c) Import or export of natural resources without license or contrary to the conditions laid down by law;
 - d) Abandonment of licensed forest, animal or fisheries products;
 - e) Any actions that disturb natural or cultural resources in conservation areas.
3. The exploitation, storage, transportation or illegal trade of species listed in the list of protected species in the country are offences punishable by fine worth 50 to 1000 times the value of the national minimum wage;
4. The violation of the provisions on international trade in specimens of wild fauna and flora threatened with extinction involving any of the species listed in the Annexures is punishable by the following fines:
 - a) Annexure I: 50 - 1000 times the value of the national minimum wage;
 - b) Annexure II: 40 - 500 times the value of the national minimum wage;
 - c) Annexure III: 30 - 400 times the value of the national minimum wage.

ARTICLE 56
(Aggravating Circumstances)

The following are aggravating circumstances in the setting of fines, in addition to those laid down in criminal law:

- a) Committing the offence during the closed hunting season;
- b) Committing the offence against protected species;
- c) The offender being a government agent, sworn agent, community agent, employee or agent of the State, of the police or equivalent;
- d) Committing the offence at night, on a Sunday or holiday;
- e) Using violence or threats or in any way oppose the exercise of oversight;
- f) The offender or jointly liable party being a license holder;
- g) Using forbidden practices, tools, techniques and arts; and
- h) Committing the offence in organised groups.

ARTICLE 57
(Mitigating Circumstances)

1. The following are mitigating circumstances in the setting of fines, in addition to those laid down in criminal law:
 - a) Being a first-time offender;
 - b) Having the offender spontaneously sought oversight personnel in order to voluntarily report the damage;
 - c) Being the offender unaware of the consequences of the action performed, taking into account his background, literacy level, socioeconomic status, local habits and place of residence.
2. In general, any other circumstances preceding, accompanying or following the infraction, weakening the culpability of the offender or diminishing in any way the gravity of the fact.

ARTICLE 58
(Recidivism)

1. Recidivism occurs when the offender, having been convicted for any offence by a final judgment, commits another offence of the same nature within five years since the said conviction, even if the first offence's penalty has already prescribed.
2. In case of recidivism, the amount and the minimum and maximum fines shall be doubled, the instruments used in the commission of the offence shall be confiscated by the State, and the license revoked.
3. If a foreign national, a repeated offender may be prevented from working in Mozambique for a period of up to thirty-six months.
4. Recidivism also applies whenever the offender has committed one offence and is an accomplice of the other.

ARTICLE 59
(Accumulation of Offences)

An accumulation of offences occurs when the offender commits more than one offence at the same time, or when, having committed one already, commits another before having been convicted for the former.

ARTICLE 60
(Offenders and Joint Liability)

1. The offenders are guilty, accomplices or accessories of the crime as defined under criminal law.
2. A government or sworn agent failing to take the measures provided for under this Act and its regulations, as well as anyone failing to comply with his legal obligation to cooperate in the exercise of oversight.

ARTICLE 61
(Accessory Penalties)

The following accessory penalties result from the application of the penalties provided for under this Act:

- a) Restoration of the damages caused to nature, restocking of devastated areas;
- b) Confiscation by the State of the flora, fauna and cultural products and by-products;
- c) Appropriation by the State of the instruments used in the commission of the offence;
- d) Revocation of the license and cancellation of permits issued in the name of the offender;
- e) Suspension of the activities causing the offence;
- f) Interdiction of the works;
- g) Demolition of the completed work by the administrative authority of the conservation areas, after having verified the illegality of the work and the severity of the damage resulting from the offence;
- h) Ban on new authorisations for a period of one year.

ARTICLE 62
(Crimes Subject to Imprisonment)

Offenders shall be sentenced to imprisonment of up to two years and to the payment of the corresponding fine when they:

- a) Perform illegal activities, illegally using firearms and mechanical traps;
- b) Are repeated offenders.

ARTICLE 63
(Crimes Subject to Longer Imprisonment)

Offenders shall be sentenced to imprisonment of eight to twelve years and to the payment of the corresponding fine when:

- a) Commit arson and by this means destroy in whole or in part a forest, woods or groves.
- b) Kill without license any specimen of a protected species;
- c) Fish using means forbidden by law, particularly the use of explosives, poisonous or toxic substances or equivalent means.

ARTICLE 64
(Destination of Seized Goods)

Products, objects and instruments seized and declared forfeited to the State under this Act shall have the following destination:

- a) Sale of the products in public auction, with the exceptions provided for under this Act;
- b) Donation of perishables to social institutions, non-profit organisations or local communities, after a detailed breakdown of said products in the seizure report;
- c) Seized timber coming from a conservation area can be immediately used by the relevant conservation area;
- d) Return of live specimens of wild flora and fauna to their area of origin or to closer conservation areas;
- e) Return of the instruments to the first-time offender, provided such instruments are not forbidden, after the payment of the fine and fulfilment of other penalties and obligations provided by law;
- f) The instruments used in the commission of the offence shall be given to conservation entities and other social, scientific or cultural institutions, provided such instruments are useful to them and are not claimed within fifteen (15) days.

CHAPTER X
Transitional and Final Provisions

ARTICLE 65
(Revocation)

Paragraph 21 of Article 1, Articles 10, 11, 12, 40, and Paragraph 1 of Article 22 of the Forests and Wildlife Act (Act No. 10/99 of 7 July) and Article 13 of Act 20/97 of 1 October, as well as all other legal provisions contrary to this Act, are hereby revoked.

ARTICLE 66

(Studies and Research)

The conduction of scientific missions involving studies or activities under this Act does not require the permission of the Council of Ministers, yet must be informed to the management authority of the conservation area.

ARTICLE 67

(Fines and their Destination)

The Council of Ministers shall set the values from the fines destined for the benefit of the various stakeholders involved in the oversight and control of resources under this Act.

ARTICLE 68

(Regulatory)

The Council of Ministers shall adopt the necessary regulatory measures to give effect to this Act.

ARTICLE 69

(Entry into force)

This Act shall come into force ninety days after its publication.

Approved by the Assembly of the Republic on 2013.

The President of the Assembly of the Republic, *Veronica Nataniel Macamo Dlhovo*

Enacted on 2013

Be published.

The President, *Armando Emilio Guebuza*

ANNEXURE

GLOSSARY

1. **Tourist activity** - A commercial activity providing lodging and recreational services and the satisfaction of the needs of people travelling for leisure or business reasons, or other activities with a tourism-related purpose.
2. **Conservation Area** - Delimited land or aquatic area established by a specific statute, especially dedicated to the protection and maintenance of biodiversity and its associated natural and cultural resources.
3. **Degraded Area** - Parcel of the territory suffering adverse alterations on its natural environmental features, including soil erosion, water and air pollution, deforestation, desertification or habitat fragmentation and loss, among others, as a result of anthropogenic factors.
4. **Multiple Use Area** - Area outside the protection zones dedicated to different forms of land use, with the application of land planning instruments.
5. **Sharp weapon** - A weapon having a cutting or piercing blade, used in close combat.
6. **Firearm** - Any weapon based on the explosion of an explosive charge resulting in the release of gases which expansion propels a projectile.
7. **Hunting** - A form of rational exploitation of game resources.
8. **Hunting Actions** - Series of moves a hunter makes using his hunting gear, consisting of a series of operations characterised by the action of searching, chasing, waiting, seizing, killing and transporting wild animals, either dead or alive.
9. **Local Community** - A group of families and individuals living in a territorial jurisdiction defined as a town or smaller, aiming to safeguard common interests through the protection of residential or agricultural areas, whether cultivated or fallow, forests, sites of cultural importance, pastures, water sources, hunting and breeding areas.
10. **Conservation** - Set of interventions aimed to the protection, maintenance, rehabilitation, restoration, enhancement, management and sustainable use of natural resources, so as to ensure their quality and value, protecting its material essence and ensuring its integrity.
11. **Closed hunting season** - Period of the year intended to allow the reproduction and growth of species during which their exploitation activities are forbidden.
12. **Sustainable Development** - Development based on an environmental management that meets the needs of the present generation without compromising the balance of the environment, allowing future generations to meet their needs as well.
13. **Spoils of hunting** - The parts of the animal that do not meet the definition of trophy, namely, meat, raw skin (not tanned).

14. **Biodiversity** - The variety and variability among living organisms from all origins, including land, marine and other aquatic ecosystems, and the ecological complexes they are part of, including the diversity within a species and between species and ecosystems.
15. **Ecosystem** - A dynamic complex of communities of plants, animals and micro-organisms and their non-living environment, interacting as a functional unit.
16. **Fragile Ecosystem** - An ecosystem that due to its natural characteristics and geographic location is susceptible to a rapid degradation of its attributes and is difficult to recover.
17. **Ecotourism** - Set of tourism-related activities conducted in natural areas, ensuring the conservation of the environment and the welfare of the local communities thanks to the involvement of tourists and consumers of tourism-related products and services.
18. **Erosion** - Detachment of the soil surface by the natural action of wind or water, intensified by the anthropic removal of vegetation.
19. **Species** - A group of individuals sharing the same genetic background, morphologically similar and able to breed with each other, generating fertile individuals.
20. **Endemic Species** - Species confined to a particular geographic region.
21. **Species Threatened with Extinction** - Species whose population has dwindled or its habitat has been reduced, or is in a dwindling process, and requires special protective measures to ensure its recovery and conservation;
22. **Rare Species** - Species with a low abundance or restricted distribution which due to such ecological characteristics may become vulnerable.
23. **Specimen** - An individual or sample of any material or living thing. More specifically, an individual animal, plant or microorganism, or an identifiable part thereof, used as a representative sample for the study of the properties of a population of the species or subspecies to which it belongs.
24. **Carbon Stock** - Product of a particular natural or modified ecosystem by the weight of biomass and necromass converted to carbon.
25. **Sustainable Exploitation** - Rational and controlled use of forest and wildlife resources through the application of technical and scientific knowledge, aiming to achieve the resource conservation objectives for the present and future generations.
26. **Wildlife** - Set of wild terrestrial and aquatic animals, amphibians, birds and all aquatic mammals, of any species, at any development stage, which occur naturally, as well as wild species captured for captivity breeding purposes.
27. **Forest** - Vegetal coverage capable of providing wood or other vegetal products, provide a substrate to wildlife and have a direct or indirect effect on the soil, climate and water regimen.
28. **Net Loss of Biodiversity** - The impacts of activities on species composition, habitat structure, ecosystem functions, cultural values and biodiversity use by the communities.

29. **Fishing** - The practice of any action leading to the capture of aquatic species in a state of natural freedom, conducted in inland waters or their banks;
30. **Management plan** - Technical document containing activities and other technical measures to be implemented by different stakeholders for the conservation, management and utilization of forest and wildlife resources.
31. **Conservation** - Maintenance of an asset in its current condition, trying at the same time to halt or slow its degradation.
32. **Natural Resource** - Natural environmental component useful to man that generates goods and services, including the air, water, soil, forests, wildlife, fish and minerals.
33. **Mineral Resources** - Any solid, liquid or gas formed in the earth's crust by geologic phenomena or other phenomena associated to them.
34. **Biological Resource** - Includes genetic resources, organisms or parts thereof, populations or any other biotic component of the ecosystems with actual or potential use or value to the human kind.
35. **Hunting Resource** - Birds and terrestrial mammals in a state of natural freedom, whether they are sedentary within the national territory or migrate through it, even if they are the result of their reproduction in captivity or by artificial means.
36. **Forestry and Wildlife Resources** - forests and other forms of vegetation, including forest products, wildlife, trophies and spoils, either processed or not.
37. **Restoration** - Return of a degraded ecosystem or wild population as close to its natural condition as possible.
38. **Genetic Resources** - The genetic material, in particular of vegetal, animal or microbiological origin, containing functional units of heredity, with an actual or potential value of use.
39. **Trophy** - The durable parts of wild animals, including the head, skull, horns, teeth, leather, hair and bristles, nails, claws, hooves, egg shells, nests and feathers, provided they have not lost their original appearance by any manufacturing process.
40. **Indirect use** - One that does not involve consumption, harvest, damage or destruction of natural resources.
41. **Direct use** - One that involves the harvest and use, either commercial or otherwise, of natural resources
42. **Natural Value** - An element of biodiversity, landscapes, territories, habitats or geological sites.
43. **Zoning** - Division and classification of forests, wildlife and cultural assets, including related elements, according to the type, use and purpose.