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PROTECTED AND CONSERVED AREAS GOVERNANCE IN THE CONVENTION ON BIOLOGICAL DIVERSITY: A REVIEW OF KEY CONCEPTS, EXPERIENCES, AND SOURCES OF GUIDANCE

Note by the Executive Secretary

1. In paragraph 9(a) of decision [XIII/2](#), the Conference of the Parties invited Parties, other Governments, relevant partners, regional agencies, bilateral and multilateral funding agencies, in conjunction with the Secretariat of the Convention on Biological Diversity, taking into account information provided by, and in consultation with Parties and other Governments, to undertake a review of experiences on, inter alia, (iv) effective governance models for management of protected areas, including equity, taking into account work being undertaken under Article 8(j). Then, in paragraph 10(a) of the same decision, the Conference of the Parties requested the Executive Secretary to develop voluntary guidance on the elements listed in paragraph 9(a).
2. Accordingly, the Secretariat, issued notification [2017-065](#), dated 12 July 2017, inviting Parties, other Governments, relevant partners, regional agencies, as well as bilateral and multilateral funding agencies, to submit information and experiences on various elements of protected areas, pursuant to paragraph 9(a (i-iv)). A total of 23 Parties and organizations responded and 39 documents were submitted. Then, the Secretariat, within the framework of the Memorandum of Understanding with the [German Ministry of Economic Cooperation and Development](#) (BMZ) and in collaboration with the [Deutsche Gesellschaft für Internationale Zusammenarbeit](#) (GIZ) GmbH,¹ prepared voluntary guidance on effective governance models for management of protected areas, including equity and presented it as annex II in the pre-session document submitted to the twenty second meeting of the Subsidiary Body on Scientific, Technical and Technological Advice ([CBD/SBSTTA/22/6](#)).
3. The present information document is submitted in support of the voluntary guidance. The Case Studies in annexes 1 to 5 have been vetted by the respective Parties.

* CBD/SBSTTA/22/1.

¹ Taking into account submissions received in response to notification (2017-065), decision X/31, other available information, and noting lessons learned from the relevant biodiversity-related conventions and agreements.

Protected and Conserved Areas Governance in the CBD: A review of key concepts, experiences, and sources of guidance

(Prepared in response to Decision XIII/2, paragraph 9a, item iv of the Conference of the Parties to the Convention on Biological Diversity)

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EXECUTIVE SUMMARY

Background and Purpose

Recognising the importance of governance for effective and equitable conservation in protected and conserved areas, Parties to the Convention on Biological Diversity (CBD) have resolved to promote and undertake action, including through: assessing governance; diversifying governance types; supporting participation; mitigating negative impacts and equitably sharing benefits; considering and incorporating governance principles; and respecting and promoting the knowledge and rights of indigenous peoples and local communities.

This document reviews concepts, experiences, sources of guidance, and some challenges related to protected and conserved areas governance. It complements the “[voluntary guidance on effective governance models for management of protected areas, including equity](#)” proposed for Parties’ consideration at SBSTTA 22. Together, these documents aim to provide a reference for policy makers, other stakeholders, and rightsholders eager to enhance governance of protected and conserved areas.

Key Concepts

‘Governance’ concerns *who* makes decisions about a protected or conserved area, *how* decisions are taken, and *who* is (or should be) accountable for seeing decisions through. Two important aspects of protected and conserved areas governance are its *type* (who governs) and *quality* (whether governance is ‘good’, meaning that it is both *effective* and *equitable*). *Diverse governance systems* enable and encourage a variety of governance types, e.g.:

- Type A. governance by government (at various levels)
- Type B. governance by various actors together (shared governance)
- Type C. governance by private individuals and organisations (usually the landholders)
- Type D. governance by indigenous peoples and/or local communities (often referred to as ICCAs)

Social equity is a key element of good governance. Equity means ‘fairness’ and is closely related to justice. It can be broken down into three dimensions:

- Recognition - acknowledging and respecting rights and the diversity of identities, knowledge systems, values and institutions of different actors.
- Procedure – equitable participation of actors in decision making, transparency, accountability, and processes for dispute resolution.
- Distribution - equitable allocation of benefits and recognition of costs incurred across actors, and, how the costs/burdens experienced by some actors are mitigated.

Recognition and respect for procedural and substantive rights is a key element of both good governance and equity.

Why Governance?

Conservation and social outcomes can be positively reinforcing. However, conservation can also have substantial social costs, and benefits may not be equitably distributed. Diverse and good governance can contribute to positive conservation outcomes in and around protected and conserved areas, including helping to ensure conservation is effective, resilient, widely covered, and well-connected. In terms of social outcomes, enhancing governance can help ensure that protected and conserved areas positively contribute to (and do not undermine) wellbeing and sustainable development within connected landscapes and seascapes. Given this, a focus on governance can contribute to the achievement of commitments within and beyond the CBD, including Aichi Biodiversity Target 11 and the Sustainable Development Goals.

Enhancing Governance – Approaches, experience, and sources of guidance

The Secretariat of the CBD and other organisations have developed a wealth of guidance that can support efforts to enhance governance. Further, many CBD Parties have taken innovative steps to enhance the diversity and quality of

protected and conserved areas governance, and this progress continues. Actions include legal and policy changes, documentation, assessment, capacity building, and expanded support and recognition of different governance types.

Enhancing governance *diversity* involves encouraging different governance types in order to achieve a good fit of arrangements for the local context and to mobilise a range of actors, their capacities and resources for a collective conservation effort. It can include both incorporating different governance types in protected areas systems and supporting voluntary conservation outside of these systems. Diversification can be achieved through a number of strategies, including, *inter alia*, assessing governance at the systems-level, reforming law and policy, empowering diverse actors to contribute to conservation, fostering coordination, building capacity, addressing obstacles such as lack of tenure clarity and security, and monitoring and reporting, including to inform adaptation. Change over time in the World Database on Protected Areas indicates both progress and need for stepping up action in diversifying governance.

Governance *quality* (i.e., its effectiveness and equity) can also be enhanced at systems and site levels, as appropriate. Multi-stakeholder governance assessments can assist in this process, e.g., by identifying strengths and challenges and generating ideas for action. Five broad principles for good governance of protected areas, identified by the International Union for Conservation of Nature, are:

- **Legitimacy and voice** - governing in ways that are broadly accepted and appreciated by society and that fully respect procedural rights, including to participation, information, and access to justice, e.g., supporting subsidiarity and enabling and fostering dialogue, mutual respect, and consensus, without discrimination
- **Direction** - developing and following an inspiring and consistent strategic vision that, *inter alia*, is grounded in broadly agreed values, incorporates an appreciation of complexities, fosters coordination, is consistent with relevant international commitments, and is clear while being responsive and adaptive
- **Performance** – governing in ways that enable the achievement of conservation and other planned objectives, e.g., promoting learning, engaging in advocacy and outreach, being responsive to rightsholders and stakeholders, securing and wisely using sufficient resources (including financing), managing risks, and overcoming challenges
- **Accountability** – those who have power and authority to govern do so with integrity and responsibility towards their constituencies and the public, including through transparency, clear roles and responsibilities, appropriately allocated resources, and reliable evaluation systems with incentives and independent oversight
- **Fairness and rights** – including recognising and respecting rights; equitably sharing (material and non-material) benefits without adversely impacting vulnerable people; upholding gender equity and the decency and dignity of all; being fair, impartial, consistent, and non-discriminatory; and promoting local empowerment in conservation

These principles can be roughly divided into those primarily concerned with effectiveness (performance and direction) and those primarily concerned with equity (legitimacy and voice, fairness, and rights), with accountability being critical to both. To further unpack these equity dimensions of governance, a framework for advancing equity in the context of protected areas has recently been developed. Across the three dimensions of equity (see above), the framework identifies twelve specific principles, as well as enabling conditions for their application.

Challenges, Conclusions, and Next Steps

There are challenges and obstacles to enhancing governance, such as lack of understanding (or agreement) about the meaning and importance of governance; insufficient resources and capacities for action; lack of clarity or agreement about who governs (and should govern) a certain area; and weak enabling environments.

Despite these challenges, the need for enhanced governance is clear and urgent, including to attain Aichi Biodiversity Target 11 and implement the CBD Programme of Work on Protected Areas (PoWPA). Fully implementing the proposed [*voluntary guidance on effective governance models for management of protected areas, including equity*](#) would greatly advance governance diversity and quality. However, a step-wise approach can be taken, starting with actions that are relatively easy to implement. Such actions can be identified through systems- and site-level governance assessments, undertaken together with rights-holders and stakeholders. Further, the sources of guidance, country case studies, and short examples throughout this document can serve as inspiration and ideas for action.

ACRONYMS

CBD	Convention on Biological Diversity
CEESP	(IUCN) Commission on Environmental, Economic, and Social Policy
CMWG	(CEESP) Collaborative Management Working Group
COP	Conference of the Parties (to the Convention on Biological Diversity)
FPP	Forest Peoples Programme
GEF	Global Environment Facility
ICCA	(general abbreviation) Territories and areas conserved by indigenous peoples and local communities
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
IIED	International Institute for Environment and Development
IUCN	International Union for Conservation of Nature
NRT	Northern Rangelands Trust
PoWPA	(CBD) Programme of Work on Protected Areas
PPA	Privately protected area
SCBD	Secretariat of the Convention on Biological Diversity
UN	United Nations
UN CCD	UN Convention to Combat Desertification
UN FCCC	UN Framework Convention on Climate Change
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
WDPA	World Database on Protected Areas
WPC	(IUCN) World Parks Congress

A. BACKGROUND AND PURPOSE

1. **Recognising that governance is a key factor for protected areas to succeed in conserving biodiversity while supporting sustainable livelihoods, Parties to the Convention on Biological Diversity (CBD) have agreed to take action and enhance protected and conserved areas governance together with indigenous peoples, local communities, and relevant stakeholders.** The Programme of Work on Protected Areas (PoWPA), adopted by the Conference of the Parties to the Convention (COP) in 2004, recognised “poor governance” as an obstacle to achieving protected areas objectives and included Programme Element 2 setting out goals on governance, participation, equity, and benefit sharing.¹ Since then, these have remained important parts of decisions concerning protected and conserved areas. For example, Aichi Biodiversity Target 11 calls for expanding conservation “through effectively and *equitably* managed... protected areas and other effective area-based conservation measures” (OECMs).² Further, Aichi Biodiversity Target 18 and work on Article 8(j) and related provisions call for recognition and respect for indigenous peoples’ and local communities’ contributions and rights in the context of protected and conserved areas.³ Collectively, agreed recommended actions related to protected area governance under the CBD include, *inter alia*,:

- assessing governance⁴ and considering and incorporating governance principles;⁵
- diversifying, strengthening, and recognising the contributions of protected and conserved areas under different governance types, including territories and areas conserved by indigenous peoples and local communities and by private actors;⁶
- enhancing and securing involvement, particularly through the full and effective participation of indigenous peoples and local communities,⁷ and recognition and respect for their rights, knowledge, and capacities;⁸
- respecting and promoting “prior and informed consent”, “free, prior and informed consent” (FPIC) or “approval and involvement” depending on national circumstances, of indigenous peoples and local communities [hereafter, FPIC, for purposes of this document];⁹ and
- assessing the economic and socio-cultural costs, benefits and impacts; avoiding and mitigating negative impacts; and, where appropriate, compensating costs and equitably sharing benefits;¹⁰

2. These **COP decisions complement developments in other international policy fora.** Governance, participation, equity, and rights were key topics at the 2003 International Union for Conservation of Nature (IUCN) World Parks Congress (WPC) and in the resulting visionary [Durban Accord](#) and Action Plan.¹¹ The “new paradigm for protected areas” called for in the Durban Accord continues to evolve today. The Promise of Sydney, the outcome of the 2014 IUCN WPC, stresses the importance of equitable and effective governance, including respecting human rights and equitably sharing benefits, particularly in the strategic recommendations on “[Enhancing Diversity and Quality of Governance](#)”.¹²

3. The COP has repeatedly called for guidance related to protected and conserved areas governance, including for implementing the PoWPA¹³ and the Aichi Biodiversity Targets.¹⁴ Many sources of such guidance have since been identified or developed and numerous countries have shared experiences.¹⁵

4. **This document reviews some key concepts, experiences, and sources of guidance on governance, including equity, of protected and conserved areas,** as invited by the thirteenth meeting of the COP.¹⁶ It also highlights some remaining gaps and challenges in realizing equitable and effective protected areas governance. This document is meant to complement the proposed [voluntary guidance on effective governance models for management of protected areas, including equity](#) taking into account work being undertaken under article 8(j).¹⁷ Together, these documents **aim to provide a reference for policy makers, other stakeholders, and rightsholders eager to enhance governance of protected and conserved areas.** Doing so can, in turn, contribute to the achievement of CBD commitments, including PoWPA and Aichi Biodiversity Target 11.

B. OVERVIEW OF KEY CONCEPTS

5. This section introduces some of the inter-related concepts explored throughout the document.

Governance

6. ‘Governance’ concerns *who* makes decisions about a protected or conserved area, *how* decisions are taken, and *who* is (or should be) accountable for seeing decisions through.¹⁸ Put another way, governance is "the interactions among structures, processes and traditions that determine how power and responsibilities are exercised, how decisions are taken, and how citizens or other stakeholders have their say".¹⁹

7. **Governance is related to but distinct from management.** Management pertains to *what* is done in a protected or conserved area to achieve specific objectives. It usually concerns a set of activities and the means of carrying them out.²⁰ Management is normally accountable to a (higher-level) governance body.

8. **The CBD²¹ and IUCN²² distinguish between four broad ‘types’ of protected and conserved areas governance,** which correspond to who has authority and responsibility to make and enforce decisions. These are:

Type A. governance by government (at various levels)

Type B. governance by various actors together (shared governance)

Type C. governance by private individuals and organisations (usually the landholders)

Type D. governance by indigenous peoples and/or local communities (often referred to as ICCAs²³)

9. Two key aspects of protected and conserved areas governance are its ‘diversity’ and ‘quality’.²⁴ **Governance diversity concerns the variety of governance types within protected and conserved areas systems.** The governance type of an individual protected area is a key determinant of its appropriateness for a given context. Governance type is determined not only by who holds authority in law (*de jure*), but also who makes decisions in practice (*de facto*).²⁵

10. **Quality concerns whether governance is effective and equitable or, in other words, how ‘good’ it is.** This is usually evaluated in terms of whether (or the degree to which) the exercise of governance meets agreed upon good governance principles – e.g. being socially inclusive, legitimate, fair, and respectful of rights; having clear and agreed upon direction; and achieving objectives in accountable ways.²⁶ A framework of five good governance principles is described and illustrated in Section D of this document (under “good governance principles”).

Equity

11. **Social equity is a key element of good governance.** In simple terms, equity means ‘fairness’ and is closely related to justice.²⁸ Equity can be broken down into three dimensions:²⁹

- **Recognition** - acknowledging and respecting rights and the diversity of identities, knowledge systems, values and institutions of different actors.
- **Procedure** – equitable participation of actors in decision making, transparency, accountability, and processes for dispute resolution.
- **Distribution** - equitable allocation of benefits and recognition of costs incurred across actors, and, how the costs/ burdens experienced by some actors are mitigated.

12. Equity (treating everyone fairly) and equality (treating everyone the same) are not always synonymous. They may demand the same (or similar) action, but it will depend on the context because, among other reasons, equity involves taking account of people’s different circumstances in determining what is fair. For example, *equitable* distribution may mean dividing benefits *equally*. However, equitable distribution can also be based on merit (where preference is given to

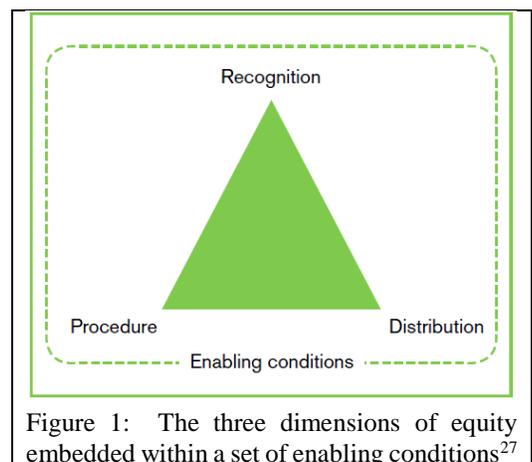


Figure 1: The three dimensions of equity embedded within a set of enabling conditions²⁷

those who contribute more, suffer costs, or who have the right to certain treatment) or need (where preference is given to the poorest, most vulnerable, or otherwise most in need).³⁰

13. A framework for advancing equity in protected and conserved areas governance comprising three dimensions and twelve principles embedded in a set of enabling conditions has recently been developed.³¹ This framework is described and illustrated in Section D of this document (under “Taking a closer look at equity in good governance”).

Rights (and rights-holders)

14. **Recognition and respect for rights is a key element of the concepts of both good governance and equity.** Both procedural rights (such as participation, information, and access to justice) and substantive rights (such as adequate food, water, and health, as well as rights to lands, territories, and resources) are important in protected and conserved areas governance.³³ The scope of relevant rights includes those recognised in international law, such as the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), and the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), as well as statutory and customary rights, e.g., regarding tenure.³⁴

15. In the context of protected and conserved areas, ‘rightsholders’ are those with statutory or customary rights with respect to land, water and/or natural resources. ‘Stakeholders’ are those with direct or indirect interests and concerns, but not necessarily a legally or socially recognised right.³⁵ ‘Human rights’, including those recognised in the ICCPR and ICESCR, are the rights held by all people by virtue of their being human.

„The full enjoyment of human rights ... depends on biodiversity, and the degradation and loss of biodiversity undermine the ability of human beings to enjoy their human rights...“

Protecting the rights of those who live closest to nature is not just required by human rights law; it is also often the best or only way to ensure the protection of biodiversity.... In short, respect for human rights should be seen as complementary, rather than contradictory, to environmental protection”.

– John Knox, UN Special Rapporteur on human rights and the environment ³²

C. WHY GOVERNANCE?

16. This section provides an overview of some of the potential benefits of enhancing governance.

Diverse and good governance can contribute to positive conservation outcomes

17. Diverse and good governance can help ensure that biodiversity conservation in protected and conserved areas is effective, resilient, comprehensive, and connected.

(a) **Conservation effectiveness:** Diverse governance systems can support effective conservation because, among other reasons, they engage the knowledge, capacity, resources and commitment of different actors. For example, conservation in many ICCAs and privately conserved areas has been shown to be highly effective,³⁶ and the Protected Planet Report notes that many protected areas “benefit, or could benefit, from traditional knowledge, innovations and practices”.³⁷ Also good governance matters for conservation effectiveness. For example, local people are often more supportive of protected areas that they feel are well-governed, e.g., that they benefit from, are engaged with, believe to be accountable, and/or feel to be legitimate, and conservation is generally more effective where local people support and contribute to it.³⁸ Participation of different actors in decision-making often goes hand in hand with their involvement in management tasks, thus additional resources can be mobilised.³⁹

(b) **Resilience:** Protected and conserved area systems that engage the capacity, resources, and commitment of a variety of different actors can help ensure the ability to respond to changes and pressures, including mitigating threats like the effects of climate change or coping with volatility in flows of funding or other resources linked to a specific type or actor. In short, “having multiple institutions engaged in protected area governance buffers the system against the failings of any one institution”.⁴⁰

(c) **Coverage, connectivity, and representativeness:** Many actors contribute to conservation, using diverse approaches and knowledge. These actors include national and sub-national government bodies, indigenous peoples, local communities, individuals, organisations, and companies. Appropriate recognition and support of their diverse approaches can help to attain coverage, connectivity, and representativeness targets, including for Key Biodiversity Areas (KBAs) and ecosystem services.⁴¹ For example, while estimates vary, it is clear that areas conserved by non-governmental actors have substantial global coverage. A 2012 analysis indicates that, conservatively, ICCAs may cover as much or more of the world's terrestrial surface as government protected areas.⁴² A 2016 review of privately protected areas in 17 countries suggests that they may collectively cover upwards of 293,000 km².⁴³ In some countries, including Costa Rica, Brazil, Chile and South Africa, privately conserved areas may exceed land protected by governments.⁴⁴

Diverse and good governance can contribute to positive social outcomes

18. Protected and conserved areas hold diverse values for indigenous peoples and local communities, private individuals and organisations, governments, and others at multiple levels.⁴⁵ These values can be both material (e.g., food, water, income) and non-material (e.g., cultural, spiritual, or recreational meaning).

19. However, protected areas establishment and management can also have substantial social costs and adverse impacts on the rights and interests of indigenous peoples and local communities, including through physical or economic displacement⁴⁶ and increased human-wildlife conflict.⁴⁷ Further, costs and benefits may be unevenly distributed, e.g., between local and distant populations, between wealthier and poorer community members, and between generations.⁴⁸ The quality and appropriateness of governance are critical factors in how protected and conserved areas impact social outcomes.⁴⁹ While straightforward ‘win-win’ solutions are not always attainable,⁵⁰ good governance, and diverse governance systems, can help enhance positive, and avoid or mitigate negative, impacts on human wellbeing; contribute to inclusive and sustainable development; and strengthen connections between protected and conserved areas and their broader landscapes and seascapes.

(a) **Wellbeing:** ‘Wellbeing’ is a broad concept that includes, but also goes far beyond, economic poverty. It concerns the whole set of material and non-material needs that people have.⁵¹ Governance can help determine protected and conserved areas’ impacts on poverty reduction.⁵² Beyond this, enabling diverse governance types can empower people(s) in maintaining conserved areas that contribute to diverse (livelihood, cultural, spiritual, economic, or other) needs.⁵³ Being treated with respect is also part of well-being,⁵⁴ and good governance helps to foster an approach that ensures respect for the rights and contributions of indigenous peoples and local communities, women, and others living in and near protected areas.⁵⁵

(b) **Sustainable, inclusive development:** Good governance can help ensure that protected and conserved areas contribute to sustainable development within and well beyond their boundaries,⁵⁶ and that this development is inclusive. *Inclusive* development fully engages people, including vulnerable peoples and communities, and can therefore respond to their interests and rights and respectfully incorporate their knowledge.⁵⁷

(c) **Connected landscapes and seascapes:** Protected and conserved areas are impacted by (and impact) their broader context. Good governance can help ensure coordination and collaboration with broader decision-making processes and engagement with a range of rights-holders and stakeholders.⁵⁸

Conservation and social outcomes are closely related

20. Conservation and social outcomes are closely inter-related, and diverse and good governance can contribute to both. Effective conservation can enhance social outcomes, and likewise, better social outcomes may enable better conservation outcomes.⁵⁹

Example Box 1:

Kawawana, Senegal: Building a governance model bottom-up for social and conservation benefits

The Kawawana ICCA in Senegal is an innovative, community-led governance system that has enhanced both biodiversity conservation and local livelihood security. Responding to the degradation of their coastal environment, fishermen from eight villages of the rural community Mangagoulack formed an association and established an ICCA they call Kawawana (an abbreviation of a Djola expression meaning “our patrimony, for us all to preserve”). Kawawana covers nearly 10,000 hectares of land and water in a highly productive riverine mangrove ecosystem. Government recognition of the ICCA was enabled by the association’s innovative use of a new decentralisation policy. This innovative governance approach would not have been possible without the acceptance and support of the local government and other authorities. The association also received support from the ICCA Consortium and GEF SGP.⁶⁰

The association developed a zoning system, a management plan, a surveillance system, and a governing structure, each of which integrates their traditional knowledge. The zoning system, for example, includes a no-take zone coinciding with ancient sacred areas, as well as regulated sustainable use zones, one open to everyone and another open only to local people.⁶¹

As summarised in the 2014 Global Biodiversity Outlook: “The results include restored fisheries and biodiversity (e.g. for twenty types of coastal fish, rare humpbacked dolphins and manatees), enhanced solidarity in the villages, and improved local diets and income”.⁶² Kawawana won a 2012 Equator Prize, in recognition of their contributions to local incomes, food security and sovereignty, and biodiversity conservation.⁶³

Governance diversity and quality contribute to achieving wider policy goals for biodiversity conservation and sustainable development

21. For the reasons outlined above, **enhancing governance contributes to achievement of commitments within the CBD**. It is critical for fully implementing element 2 of PoWPA and attaining Aichi Biodiversity Target 11. Given the cross-cutting nature of protected and conserved areas’ issues and the synergies between targets,⁶⁴ it can also contribute to attaining other Aichi Biodiversity Targets and the programme of work on Article 8 (j) and related provisions.⁶⁵ For example, as concluded by the 2016 Protected Planet Report:

“protected areas that respect and integrate traditional knowledge into governance and management measures are a key mechanism for the attainment of Target 18. This can be achieved by welcoming indigenous peoples and local communities into shared governance structures and management of formal protected areas, and by respecting, supporting and appropriately recognising the leadership and knowledge embedded in protecting their own areas and territories”.⁶⁶

Governance is also an important factor determining the extent to which protected and conserved areas contribute to achieving other international policy commitments. For example, the multiple benefits of protected and conserved areas can help achieve many targets of the SDGs,⁶⁷ and a strong focus on diverse and good governance can help ensure those benefits are realised. Likewise, where it enhances conservation and social outcomes, governance can help ensure that protected and conserved areas contribute to other international environmental commitments, including the United Nations Framework Convention on Climate Change (UNFCCC), the UN Convention to Combat Desertification (UNCCD), the UNESCO Man and the Biosphere Programme, and the World Heritage Convention. Finally, as good governance includes recognising and respecting rights, a focus on governance can help ensure consistency with human rights commitments, including UNDRIP. Lastly and importantly, building and engaging in **models of good and appropriate governance for protected and conserved areas can inspire transformative pathways for other policy arenas** towards a world in which “all human beings can fulfil their potential in dignity and equality and in a healthy environment” as called for in Agenda 2030.⁶⁸

Example Box 2:

Good governance can help ensure that protected and conserved areas contribute to poverty eradication

A study of four selected MPAs found that improved local governance (including community empowerment in decision-making and management and respect for local and customary use rights) was an important, positive factor in the areas' contribution to local sustainable development and poverty reduction. One reason was that community engagement ensured decision-making was more responsive to local people's rights and interests. Effective conservation in these MPAs was also key to poverty reduction, with people benefitting from increased fish catches (including spill-over from no-take areas) and jobs. In other words, "marine protected areas need local communities just as local communities need marine protected areas". The four MPAs were Navakavu (Fiji), the Arnavon Islands (Solomon Islands), Bunaken National Park (Indonesia), and the Apo Island Protected Landscape and Seascape (the Philippines).⁶⁹

D. ENHANCING GOVERNANCE – APPROACHES, EXPERIENCE, AND SOURCES OF GUIDANCE

22. **This section provides an overview of some key approaches to enhancing protected and conserved areas governance, with case examples and sources of guidance.**⁷⁰ It focuses on the two inter-related aspects of governance introduced above – *diversity* and *quality*. Specific recommended actions to enhance governance diversity and quality can also be found in the proposed [voluntary guidance on effective governance models for management of protected areas, including equity](#).⁷¹

23. **Many CBD Parties are taking action to enhance protected area governance diversity and quality.** Parties are increasingly recognising and supporting areas conserved by indigenous peoples and local communities, private individuals and organisations, and shared arrangements. In the context of six regional capacity building workshops on Aichi Targets 11 and 12 conducted by the SCBD (2015, 2016), 32 Parties indicated that they had completed a protected areas governance assessment⁷² and 79 countries identified 161 priority actions for addressing equity and governance issues in protected areas going forward.⁷³ Over twenty countries and other relevant organisations also shared experience about protected and conserved areas governance, including equity, in response to a 2017 SCBD notification.⁷⁴ Collectively, these experiences and plans include changing laws and policies, building capacity for shared governance, enhancing benefit sharing mechanisms, documenting and mapping conserved areas under different governance types, and assessing governance.

Example Box 3:

Many CBD Parties are taking action to enhance protected and conserved areas governance

The following are a sub-set of experiences and plans shared in the context of SCBD-organised regional capacity building workshops on Aichi Targets 11 and 12 (2015, 2016) and in response to an SCBD notification (2017)⁷⁵ (See also the country case studies in Annexes 1 to 5 and short examples throughout this document).

Bangladesh recognises collective and private management and Community Conservation Areas as official protected areas governance types. This has enabled co-management in most protected areas. Bangladesh also has grant mechanisms to increase equity and has established social forest programmes in reserves. Priority actions include community-capacity building.⁷⁶

Cameroon's priority actions include supporting communities in creating community-managed hunting areas, particularly around protected areas, and identifying and classifying cultural sites reserved for customary or traditional practices.⁷⁷

Guyanese law recognises 'community-owned conservation areas', which can be integrated into the national protected area system if desired. The first such area, the Konashen Community-Owned Conservation Area

(COCA), is governed by the indigenous Wai-Wai people. It covers over 1 million acres, or about 3% of Guyana's land.⁷⁸ The community has applied for inclusion in the national protected areas system. Guyana has also established a code of conduct for forest operations, which requires all large logging operations to set aside a percentage of their lease for protection.⁷⁹

Kiribati has several community-based management programs. Its priority actions include further developing its community-based management programme, to contribute to biodiversity conservation and sustainable local development.⁸⁰

Himas are effective and adaptive traditional systems of community natural resource management. In **Lebanon**, eleven terrestrial Himas and three inland water Himas have been established, with more to be supported as a priority action. There are also ongoing Hima support efforts from civil society organisations.⁸¹

In **Lesotho**, there are a variety of community managed areas as well as temporary Managed Resource Areas (MRAs) to managed highland grazing areas. Lesotho's priority actions include declaring community MRAs as formal protected areas, increasing protected or conserved areas coverage to 25% of the country.⁸²

Madagascar's priority actions include implementing decentralised, sustainable community-based forest management in KoloAla sites. The governance of KoloAla sites can help attain the equitable management element of Target 11, "while their role in poverty alleviation could support the achievement of sustainable development goals".⁸³

A law in **Mozambique** (passed in 2014) enables the establishment of Sustainable Use Conservation Areas, including community conservation areas. Mozambique's priority actions include creation of conservancies around the Gorongosa protected area complex, which will increase the area under protection and improve integration with the landscape.⁸⁴

Enhancing diversity - a key pathway to appropriate governance

24. This section provides more in-depth reflection on governance diversity: it reviews direction from the CBD, provides more detail about the four governance types drawing on IUCN and partner publications for definitions and illustrative examples,⁸⁵ explores what enhancing governance diversity is about and how it can be approached, describes how governance types are reported in the World Database on Protected Areas (WDPA), and reviews experiences and lessons from five countries who have taken action to diversify governance.

Direction from the CBD

25. Many COP decisions provide direction on enhancing governance diversity. PoWPA recommends activities for recognising innovative and diverse governance types – including those conserved by indigenous peoples and local communities, and private actors⁸⁶ - in order to, *inter alia*, establish and strengthen protected and conserved areas systems⁸⁷ and promote equity and benefit-sharing.⁸⁸ PoWPA suggested doing so through legal and/or policy, financial, and community mechanisms.⁸⁹ Subsequently, COPs 9 and 10 invited Parties to diversify, strengthen, and recognise the contributions of different governance types,⁹⁰ including recognition of the roles of areas conserved by indigenous peoples, local communities, and other stakeholders.⁹¹ To achieve Aichi Biodiversity Target 11, COP 13 invited Parties to consider, *inter alia*, areas managed by indigenous peoples and local communities when establishing or expanding protected areas and OECMs.⁹²

26. Enhancing governance diversity can support Article 8(j)'s implementation, e.g., through recognition and empowerment of indigenous peoples' and local communities' collective action. Likewise, the programme of work on Article 8 (j) and related provisions can help guide diversification, e.g., ensuring that the contributions and rights of indigenous peoples and local communities are respected in the process, including FPIC.⁹³ Relevant sources of guidance include: the CBD Plan of Action on Customary Sustainable Use,⁹⁴ Addis Ababa Principles and Guidelines for the Sustainable Use of Biodiversity,⁹⁵ Akwé: Kon Voluntary Guidelines for the Conduct of

Cultural, Environmental and Social Impact Assessments,⁹⁶ the Tkarihwaié:ri Code of Ethical Conduct to Ensure Respect for the Cultural and Intellectual Heritage of Indigenous and Local Communities,⁹⁷ and the Mo'otzkuxtal Guidelines for Traditional knowledge.⁹⁸ These are discussed in more detail below, in relation to governance quality.

The four governance types of protected and conserved areas

TABLE 1: PROTECTED AND CONSERVED AREA TYPES AND EXAMPLE SUB-TYPES⁹⁹

TYPE	Example sub-types
1. GOVERNANCE BY GOVERNMENT	<ul style="list-style-type: none"> – Governance by a government body at any level – Governance delegated by a government to another actor (e.g., a private company or an NGO empowered to govern on behalf of government)
2. SHARED GOVERNANCE¹⁰⁰	<ul style="list-style-type: none"> – Transboundary conservation areas (different states or nations working together) – Collaborative governance (different institutions working together) – Joint governance (multi-party governing body, such as a board)
3. PRIVATE GOVERNANCE	<p>Areas established and conserved by:</p> <ul style="list-style-type: none"> – individual landowners (e.g., a single person, family, or trust) – non-profit organisations (e.g., NGOs, universities, religious institutions) – for-profit organisations (e.g., corporate landowners)
4. GOVERNANCE BY INDIGENOUS PEOPLES AND LOCAL COMMUNITIES	<p>Areas and territories established and conserved by indigenous peoples or local communities (often abbreviated as ‘ICCA’s)</p>

Type A - Governance by government

27. This governance type exists where one or more government bodies hold the authority, responsibility, and accountability for making and enforcing decisions. The governing body (or bodies) may be at multiple levels, working on their own or in coordination with one another. This type also includes instances where a government has delegated its authority to a private company or an NGO. The City of Cape Town (South Africa) provides an example of protected areas governed by a municipal government. Cape Town has established, and is managing and governing, more than 30 Local Protected Areas. This is enabled by municipal bylaws authorised under the South African Municipal Systems Act. They are included in the National Register of Protected Areas and are subject to provincial and national laws. Communities in and around Cape Town have the right to be consulted, but not to make decisions, about these Local Protected Areas.¹⁰¹

Type B - Shared governance

28. In many cases, protected and conserved areas are governed by various actors who share authority and responsibility – e.g., government bodies, indigenous peoples, local communities, and/or private actors. Three common aspects of shared governance arrangements include: a negotiation process; an agreement describing the roles, responsibilities, and expected benefits and contribution of each party; and a shared governance institution. Specific arrangements vary widely - e.g., from a collaboration between distinct governing institutions to a formalised, integrated joint governing body.¹⁰² Transboundary conservation areas are also examples of shared governance.¹⁰³ Some shared governance arrangements are enabled through national law or policy. For example, under Brazilian law, protected areas establish a multi-sectoral committee with representatives of both the government and society, including indigenous and Afro-Brazilian (Quilombola) people. In France, collaborative management has been established in over 44 regional natural parks over the last 30 years. A 2006 law extends shared governance to all of France’s national parks.¹⁰⁴

Type C - Private governance

29. Many private actors across the world conserve their lands and waters, and in some cases have been doing so for many decades, though these areas are only beginning to receive greater national and international attention. ‘Private’ actors, in this context, may include individuals or groups of individuals, non-profit organisations (e.g., NGOs, universities, religious institutions), or for-profit organisations (e.g., corporations).¹⁰⁵ In 1990, the Santuario El Cañi, (meaning “vision that transforms”) became the first protected area in Chile owned by an NGO solely for conservation purposes. It hosts native forests and many important mammal and bird species. The NGO Fundación Lahuen created the 524ha to protect native forests from logging companies and monoculture plantations. Early in the process of creating the protected area, the NGO engaged the adjacent community in dialogue and offered to train local guides. Today, the NGO delegates most management functions to the local Cañi Guides Group, which also provides training and environmental education programmes and runs an organic native plant nursery.¹⁰⁶

30. Private actors have different motivations for conservation. They may be motivated by personal, organisational (mission-driven), cultural, or spiritual commitment to a particular land or species. Landowners may be also motivated by quality of life concerns, potential financial gains, or other incentives. Corporations may be required to conserve land as a condition for using resources.¹⁰⁷ In some cases, privately protected or conserved areas are also supported by national laws or policies. For example, in Finland, the Nature Conservation Act (1996) enables establishment of both Private Nature Reserves and state-owned nature reserves.¹⁰⁸

Type D - Governance by indigenous peoples and local communities

31. All over the world, there are also territories and areas conserved by indigenous peoples and local communities. Many such arrangements are age-old, and others are newly established or revitalised. In the last two decades, the general abbreviation ‘ICCA’ has emerged to refer to these highly diverse phenomena (see also example box 5 below),¹⁰⁹ though other terms (e.g., indigenous protected areas, biocultural heritage sites, and community reserves or forests) are also used.¹¹⁰ Many ICCAs also have specific names given by their custodians or owners.¹¹¹ ICCAs can be understood as “natural and modified ecosystems with significant biodiversity, ecological and related cultural values, voluntarily conserved by indigenous peoples and local communities through customary laws or other effective means”.¹¹² They are primarily, though not exclusively, found on common or collectively owned/managed property, and may or may not have permanently fixed boundaries.¹¹³ While each is unique, ICCAs typically share three characteristics:¹¹⁴

- There is a close and deep connection between a territory, area, or species’ habitat and an indigenous people or local community.
- The custodian people or community makes and enforces decisions about the territory, area, or species’ habitat through a functioning governance institution.
- The governance decisions and management efforts of the concerned people or community lead to conservation of nature, as well as to their own wellbeing, though conservation may not be an explicit objective.

32. ICCAs hold diverse material and non-material value for those who govern and care for them, including for many peoples’ and communities’ cultures and livelihoods.¹¹⁵ Their contributions to global biodiversity conservation are also being increasingly recognised in international arenas, including the CBD, the Global Environment Facility (GEF), and IUCN, as well as in many countries.¹¹⁶ However, ICCAs also face many pressing threats, including from lack of appropriate recognition.¹¹⁷

Example Box 4: Governance by indigenous peoples and local communities

CBD Technical Series no. 64 “Recognising and Supporting Territories and Areas Conserved by Indigenous Peoples and Local Communities” identifies nine broad categories or ‘kinds’ of ICCAs. They are briefly described below.¹¹⁸

- **“Indigenous peoples’ territories governed and managed as part of their history and life**, encompassing sustainable use, cultural values, and/or, in more recent times, explicit conservation objectives, e.g. indigenous territories in Suriname, IPAs in Australia, Indigenous Reserves in Costa Rica, and Indigenous ‘Comarcas’ in

Panama”. [In addition, indigenous peoples’ territories exist throughout the Amazon, with many recognised by state government as being under collective local/ traditional governance.¹¹⁹]

- **“Territories (terrestrial or marine) over which mobile or nomadic communities have traditionally roamed**, managing the resources through customary regulations and practices, e.g. customary rangelands of tribal confederacies in Iran and pastoral landscapes in Kenya and Ethiopia”.
- **“Sacred natural sites or spaces**, ranging from tiny forest groves and wetlands to entire landscapes and seascapes, often (but not necessarily) left completely or largely inviolate, e.g. sacred groves and landscapes of South Asia, sacred lakes and marine burial sites in the Philippines, sacred forests of Kenya, and many others spread through the world”. [In China, sacred natural sites range in size from individual compounds to entire regions.¹²⁰]
- **“Resource catchment areas**, from which communities make their essential livelihoods or from which key ecosystem benefits are derived, managed in such a way that these benefits are sustained over time, e.g. LMMAs in the South Pacific, Madagascar, [and Senegal¹²¹] autonomous marine protected areas and Satoumi seascapes in Japan, marine areas for responsible fishing in Costa Rica, community forests in countries of South Asia, Tanzania and others”.
- **“Areas conserved for optimising productivity of related ecosystems**, e.g. ‘fisher forests’ or ‘fish-breeding forests’ in Japan”.
- **“Areas and species populations sustainably managed for commercial benefits**, e.g. sites managed for ecotourism in Suriname and Kenya, and areas managed for sustainable hunting and ecotourism like Namibia’s Communal Conservancies”.
- **“Nesting or roosting sites, other critical habitats of wild plants and animals, or wildlife populations spread over large territories, conserved for ethical or other reasons explicitly oriented towards protecting these plants and animals**, e.g. dozens of bird nesting and roosting sites in India, sacred crocodile ponds of Gambia and Mali, certain tree species like arawone (*Tabebuia serratifolia*) in Suriname, marine turtle nesting sites in Chile, Costa Rica, Suriname, and several countries of South Asia”.
- **“Landscapes with mosaics of natural and agricultural ecosystems**, containing considerable cultural and biodiversity value, managed by farming and pastoral communities or mixed rural-urban communities, e.g. Parque de la Papa in Peru (<http://www.parquedelapapa.org/>), some protected landscapes in Europe, and other”.
- **“Small to large urban and rural spaces**, conserved for aesthetic and ecological reasons (e.g. many Greens, community woodlands and nature reserves in England, UK, community conserved gardens and/or orchards with high biodiversity in various cities of Europe)”.

Enabling and empowering a diversity of governance types both within and beyond protected areas systems

33. **Enhancing governance diversity is about enabling and encouraging a range of different governance types** to achieve a good fit of governance arrangements for the local context and to mobilise a range of actors and their capacities for a collective conservation effort. Broadly, diversification can include both incorporating a range of governance types within protected areas systems and providing recognition and support for different voluntarily conserved territories and areas outside of these systems.¹²² It may involve both enabling existing approaches and incentivising new ones. **Diversification can be achieved through a number of strategies**, as described in the proposed [voluntary guidance on effective governance models for management of protected areas, including equity](#)¹²³ and identified in the country case studies (see “*Review of country experiences...*” below and Annexes 1 to 5). These strategies include, *inter alia*, developing a policy or vision statement, conducting a systems-level governance assessment, reforming law and policy, empowering diverse actors to contribute to conservation, clarifying roles and fostering coordination and partnerships, building capacity, addressing obstacles such as lack of tenure clarity and security, and monitoring and reporting, including to inform adaptation.

34. For purposes of the CBD, some voluntarily conserved areas may be appropriately recognised as ‘**other effective area-based conservation measures**’ (OECMs). (OECMs are referred to in Aichi Biodiversity Target 11 and described in the ‘[scientific and technical advice on the definition, management approaches, and identification of \[OECMs\] and their role in achieving Aichi Biodiversity Target 11](#)’,¹²⁴ proposed for Parties’ consideration at SBSTTA 22)



Figure 2: A well-connected system of protected and conserved areas in a landscape¹²⁵

35. **Protected and conserved areas may both be under any of the four governance types.** In other words, in a diverse system, there may be protected areas governed by governments, private actors, indigenous peoples and local communities, and/or combinations of these working together.¹²⁶ Likewise, there may be voluntarily conserved areas under each of these governance types.¹²⁷

Example Box 5: Assessing governance diversity in a protected areas system

A systems-level governance assessment can provide a good overview of governance types employed in protected and conserved area systems, help to analyse to what extent the governance types present are a good fit in the given context, and point to opportunities for enhancing diversity. More specifically, it can serve as “a gap analysis between an existing national or subnational protected area network and the potentially achievable area-based conservation, if areas presently protected or conserved *de facto* by various actors and approaches were recognized, encouraged and supported to take or share responsibility”.¹²⁸ Such an analysis helps to identify the location, conservation status, and governance arrangement of important biodiversity sites, as well as opportunities to strengthen the system.¹²⁹ IUCN / World Commission on Protected Areas (WCPA) Best Practice Protected Area Guidelines Series No. 20 ([Governance of Protected Areas: From understanding to action](#)) provides guidance for both system-level and site-level governance assessment. (See Sources of Guidance Box 1).

A 2014 study of governance diversity¹³⁰ in 19 countries in Eastern Europe included detailed case analysis of examples of different governance types in the region, highlighted progress on diversification, and identified lessons and recommendations for further action. While not a complete systems-level assessment per se, the study aimed to, among other things, document and promote understanding, recognition, and use of different governance types in the region.¹³¹

36. **It is important that efforts to enable and encourage different governance types, both within and outside of protected areas systems, are taken appropriately.** This includes ensuring that voluntarily conserved territories and areas are only incorporated into a protected areas system with clear agreement from rightsholders. For example, in the case of areas conserved by indigenous peoples or local communities, any steps towards recognition and

incorporation into a government (or other external) system should only be taken with their free, prior, and informed consent, and with respect for their knowledge and institutions. Likewise, in the case of areas conserved by private landowners, such steps should only be taken with their approval and based on respect for the owners' rights and knowledge.¹³²

Example Box 6: Action-oriented site-level governance assessment leading to shift in governance type

Site-level participatory governance assessment and action planning can provide a useful starting point for jointly reviewing governance type and its appropriateness for a given situation as they promote common understandings and visions amongst rightsholders and stakeholders. For the Hin Nam No National Protected Area in Lao PDR, a participatory governance assessment conducted with support from a Lao-German development cooperation project resulted in the government agencies initiating a collaborative governance approach based on recommendations and actions agreed in a strategic planning workshop that followed the assessment. Jointly developed collaborative governance agreements have subsequently been formalised by district by-laws. They outline clear delegation of management tasks, related incentives, and access and use rights based on customary rights over certain areas. The shift towards a shared governance arrangement responds to the willingness of guardian villages to collaborate in conservation and contribute as customary rightsholders and the need of the government agencies for additional manpower to fulfil management tasks.¹³³

Sources of Guidance Box 1: Understanding and diversifying governance

To complement the direction from CBD (see above), sources to consider include:

- CBD Technical Series No. 18 (*Towards Effective Protected Area Systems*) focuses in part on understanding and supporting diverse governance types, as part of implementing PoWPA Element 2.¹³⁴
- CBD Technical Series No. 64 (*Recognising and Supporting Territories and Areas Conserved By Indigenous Peoples And Local Communities: Global Overview and National Case Studies*) overviews many national and sub-national laws and policies recognising ICCAs and provides detailed guidance on appropriate legal, social, and financial support.¹³⁵
- The proposed '*voluntary guidance on effective governance models for management of protected areas, including equity*' introduces the concepts of governance quality and diversity and provides specific recommended actions to enhance governance.¹³⁶ (Note that this proposed text it is still pending adoption)
- Proposed voluntary guidance on '*scientific and technical advice on the definition, management approaches, and identification of [OECMs] and their role in achieving Aichi Biodiversity Target 11*' provides up to date guidance on OECMs, including on their definition and recognition. (Note that this proposed text is still pending adoption).¹³⁷
- IUCN / World Commission on Protected Areas (WCPA) Best Practice Protected Area Guidelines Series No. 20 (*Governance of Protected Areas: From understanding to action*) provides detailed information on protected area governance concepts as well as guidance for both system-level and site-level governance assessment. It includes ideas for action to enhance governance diversity and quality, and guidance for reporting corresponding to related CBD decisions.¹³⁸
- IUCN/WCPA Best Practice Protected Area Guidelines Series No. 21 (*Guidelines for applying protected area management categories...*) includes guidance for understanding and appropriately identifying governance type.¹³⁹
- The International Institute for Environment and Development (IIED), IUCN Commission on Environmental, Economic, and Social Policy (CEESP), and Cenesta book '*Sharing power: a global guide to collaborative management of natural resources*' provides detailed descriptions and examples of shared governance.¹⁴⁰
- The IUCN '*The Futures of Privately Protected Areas*' report provides detailed information about the concept of and key issues facing PPAs, including in 17 case studies. It provides "a framework to allow governments to expand their use and support of PPAs" and raise awareness "that PPAs can and should be reported to the World Database on Protected Areas (WDPA) and the CBD".¹⁴¹
- Community Protocols have been noted in CBD Decisions as a useful tool to help recognise the knowledge and collective action of indigenous peoples and local communities, including for documenting their conserved areas.¹⁴² The Natural Justice published '*Biocultural Community Protocols: a toolkit for facilitators*' provides information and tools for communities and supporting organisations to develop protocols.¹⁴³

- The UNEP-WCMC and UNDP published [‘A toolkit to support conservation by indigenous peoples and local communities...’](#) offers “tools to support the effectiveness and viability of ICCAs as governance structures for the protection of biodiversity and ecosystems”.¹⁴⁴
- The website, [PANORAMA - Solutions for a Healthy Planet](#),¹⁴⁵ is a “partnership initiative to find and promote examples of inspiring, replicable solutions across a range of conservation and development topics”, including protected areas. It includes over 400 solutions. The implementing partners are GIZ, IUCN, UN Environment, GRID-Arendal and Rare.
- The ICCA Consortium website provides in-depth information about ICCAs, including how they are being recognised in national and international law and policy, including under the CBD.¹⁴⁶

Governance type reporting and distribution in the WDPA

37. The World Database on Protected Areas (WDPA) is “the most comprehensive global database of marine and terrestrial protected areas”. It is a joint project between UN Environment and IUCN. The database is compiled and managed by the UN Environment World Conservation Monitoring Centre (UNEP-WCMC), in collaboration with governments, non-governmental organisations, academia, and industry.¹⁴⁷ As of March 2018, it includes over 230,000 protected area records, covering 245 countries and territories.¹⁴⁸ Information and maps are available online and for download at the Protected Planet website.¹⁴⁹

38. WDPA includes information on protected areas from all governance types, if they meet the IUCN and CBD protected areas definitions. This includes ICCAs that both meet this definition and self-identify as protected areas or are recognised and reported as such by governments.¹⁵⁰ In the future, OECMs will either be included in a parallel database or in the WDPA itself (with a field to indicate their status as OECMs).¹⁵¹

39. **Changes in the WDPA over time indicate both progress and room for continued improvement in recognition of governance diversity.** Of protected areas in the WDPA with a reported governance type, the proportion (*by area*) under non-governmental and shared governance has increased substantially, from 4% (1990¹⁵²) to 23% (2010¹⁵³) to 26% (2016¹⁵⁴). At the same time, the proportional number of protected area *sites* reported as being under non-governmental and shared governance types remains fairly low. For example, the 2016 Protected Planet Report notes that:¹⁵⁵

“With regard to governance, 84% of protected areas in the WDPA are reported as being governed by governments, 4.5% as private governance, 1.8% as shared governance, and 0.6% as governance by indigenous peoples and local communities. This potential under-reporting of non-government governance types is, in many cases, likely to be a result of national reporting. Efforts are underway to identify areas under these governance types that may not be currently recognised and/or reported by government sources”.

40. In addition to the WDPA, there is an ICCA Registry maintained by UNEP-WCMC with support from the ICCA Consortium. The CBD invited Parties to consider this Registry in their voluntary in-depth reporting.¹⁵⁶ The format is similar to the WDPA but includes more detailed information about ICCAs. Currently, narrative case studies are available on the website.¹⁵⁷ In the future, parts of the database may be made publicly available. The Registry complies with free, prior and informed consent (FPIC), as data-providers decide whether (and with whom) information is shared.¹⁵⁸

Sources of Guidance Box 2: The WDPA and the ICCA Registry

- *The WDPA Manual* provides information and guidance about the data held within the WDPA, including its history, how it is collected, managed and distributed, and how it should be interpreted and used for analyses and research. The Manual has been prepared for WDPA data providers and users. It is available in [English](#), [French](#), [Spanish](#), and [Russian](#).¹⁵⁹
- *Global Databases to Support ICCAs: a Manual for Indigenous Peoples and Local Communities* is a manual designed to assist indigenous peoples and local communities in listing their ICCAs in the WDPA and/or ICCA Registry. It is available in [English](#), [French](#), and [Spanish](#).¹⁶⁰

Review of country experiences of diversifying governance in protected area systems

41. A **review of five country experiences** on diversification of protected area governance systems was undertaken as part of this report for Colombia, Madagascar, Namibia, Peru and the Philippines (the full country case studies are provided in Annexes 1 to 5):

42. The **Colombian** government reformed the legal and policy frameworks of the country's protected areas system in 2010, with the aim to move towards "a complete, ecologically representative and efficiently managed system". Completeness of the system was defined as integrating all the elements in a synergistic manner: the integration of private protected areas, the strengthening of the shared governance approach to protected areas overlapping with indigenous and Afro-Colombian communities' lands and territories, and the creation of regional subsystems that provide room for local and regional government protected area initiatives. Diversification of governance was therefore at the core of the system's reform. Challenges remain in implementation, but there are solid indications that the system is moving in the direction set by the government in its 2010 policies.

43. **Madagascar's** 2003 "Durban Vision" was an ambitious agenda designed to triple the coverage of protected areas of the country in five years. Substantial legal and policy changes were put in place, including the promulgation of a new Protected Areas Code. In 2006, Madagascar introduced a new System of Protected Areas (Système d'Aires Protégées de Madagascar, SAPM), which shifted from the conventional strict protection model to a wider set of categories and management objectives; most of the newly created protected areas are now managed by non-governmental organizations and community user groups under several contractual modalities such as the management transfers (transferts de gestion, TDG). The protected areas coverage has quadrupled since 2003.

44. The protected areas network of **Namibia** is composed of a diversity of governance models: the national parks are the formal State component of the system; communal conservancies and community forests represent the community-based natural resource management (CBNRM) component; freehold management units and private game reserves correspond to conservation areas under private property; tourism concessions with a conservation function, marine protected areas and Trans-frontier Conservation Areas are also components of the system. National parks cover approximately 18% of the country's landmass, while all the forms of protected areas together represent some 46.8% of Namibia's terrestrial area. The most important part of the expansion of conservation areas has been achieved through increases in the coverage of community-based areas: communal conservancies cover the largest share of land under conservation in Namibia (approximately 45% compared to 38% of formal state protected areas. In 2011 a new initiative called Protected Landscape Conservation Areas (PLCAs) was launched, seeking to combine and harmonize the functioning of the various models in the landscape and promote greater connectivity among them.

45. The Natural Protected Areas System of **Peru** is composed of three types of protected areas: (i) those under central government administration; (ii) areas under regional administration, called Regional Conservation Areas; (iii) Private Conservation Areas. The first type includes a category with important attributes regarding diversification of the governance models, the Communal Reserves, established at the request of indigenous communities and governed by them under contractual instruments and plans agreed with the government; they are the fourth-largest category in terms of the average size of individual areas, which is an indication of their potential for conservation in terms of coverage of ecosystems. Conservation Agreements for the Management of Protected Areas are another important co-management and co-governance tool that guides the involvement of the local population in conservation actions. Management Committees are established by mandate of the Protected Areas Law as the main participation mechanism in the administration of protected areas, integrating state agencies (national and regional), communities, non-governmental organizations, private companies, and other stakeholders.

46. The Government of the **Philippines** launched in 2010 the GEF-funded project Expanding and Diversifying the National System of Terrestrial Protected Areas in The Philippines (NewCAPP), aimed to expand and strengthen the terrestrial protected areas system through the development of new conservation models and building capacity for effective management of the system. A key approach was partnerships: to recognize new conservation areas such as those managed by indigenous peoples, local communities and local government units, and work with key organizations, local communities and other stakeholders to establish solid foundations for expansion of the system. Local Conservation Areas (LCA) and Indigenous Community Conserved Areas (ICCA) were integrated as new governance models. LCAs are designed for management by Local Government Units (LGUs) and other local

stakeholders, while ICCAs correspond to areas located in indigenous peoples' Ancestral Domains. A subsequent initiative, the Protected Area Management Enhancement (PAME) Project, funded by the German Government, involved LGUs in planning processes and supported the designation of new protected areas, including the development of their legal and financial frameworks. A significant expansion of the system has been achieved through these initiatives for the diversification of the governance approaches.

47. **In summary, the review found** that integration of diverse governance models and approaches in national protected area systems and strategies was significantly beneficial for enabling them to achieve Aichi Target 11 and more broadly for enhancing conservation, sustainable development and livelihood security outcomes. The countries:

(a) Considerably **expanded the coverage of their protected area systems**, by integrating lands that the conventional model of government-owned protected areas could not cover because those were lands owned, occupied or otherwise used by indigenous peoples, local communities and private landowners, or lands that fell under the jurisdiction of regional, municipal, and other local governments;

(b) **Empowered land and resource users, as well as regional and local authorities**, to actively take control of land and resources, under agreed conservation agendas, and to implement and enforce actions oriented to reduce and stop unsustainable uses that formerly were difficult for the governments to address;

(c) **Enabled the communities and landowners to become active participants and decisive actors in local and national conservation agendas**, including through the recognition of the value of their traditional knowledge and practices and of the effectiveness and legitimacy of their customary governance systems;

(d) Improved the **livelihood security and the wellbeing** of local communities through mechanisms oriented to support and ensure the flow of economic benefits to them from protected areas management;

(e) Increased the **efficiency of the protected areas system**, by reducing the burden of centrally managed government operations through placing the dynamics of management under local structures and processes, including regional, municipal, and other local governments;

(f) Enhanced the **social ownership and support to protected areas**, which are no longer seen by the communities and landowners as extraneous impositions from governments, but as tools and opportunities for common goals of conservation and sustainable development.

48. The experiences also show that, while effective diversification of the governance models of national protected areas system brings multiple benefits, its **achievement and success are conditioned by a number of important factors**, among them:

(a) Root causes of **lack of clarity in tenure regimes and land tenure insecurity need to be addressed**. In all countries, recognition of the land and resource rights of the communities in relation to protected areas was a key step in the process of integrating indigenous peoples and community conserved areas in the systems and in setting up shared governance arrangements with the communities – although in some cases tenure security still requires consolidation;

(b) **Legal frameworks** and decisions supporting new governance approaches are fundamental but can be complex and require lengthy processes. Without prejudice to undertaking legal reform, **measures such as management agreements, special management regimes, and agreements for transfer of management duties** can be **effective tools** to empower the communities and move forward towards a diverse approach to protected area systems;

(c) **Partnerships are fundamental** – not only between the government and the individual or community landowners, but with a range of actors that can bring diverse experiences, skills and expertise to the new initiatives. More broadly, a partnership approach is essentially similar to the diversification of governance because it embodies the principle of participation and collective responsibility on the stewardship of the land and resources;

(d) Setting up partnerships for more effective and diverse governance needs to be coupled with **sustained efforts for building the capacity** of all actors on matters related to governance, management and approaches for working collaboratively in protected areas;

(e) **Decentralization and regionalization** are also fundamental strategies for successful diversification of the systems. Regional and local authorities are closer to the land and resource users than central governments, and therefore can often interact more effectively with them; further, in today's national environmental agendas of all the countries reviewed, the regional and local governments have their own protected areas programmes and commitments, and are themselves actors of the remodelling of the systems.

Enhancing quality – a key pathway to effective and equitable ('good') governance

49. This section provides more in-depth reflection on governance quality, including reviewing direction from the CBD and describing the five IUCN principles for good governance in protected areas as well as a newly published framework that further explores the concept of equity in protected areas.

Direction from the CBD

50. PoWPA and subsequent decisions pertaining to protected and conserved areas, including the Strategic Plan for Biodiversity 2011-2020 and Aichi Biodiversity Target 11, provide direction related to effective and equitable (i.e., good) governance. This includes direction on:

(a) **Enhancing and securing the involvement of indigenous peoples, local communities, and relevant stakeholders**, including the full and effective participation of indigenous peoples and local communities, in full respect of their rights and recognition of their responsibilities in protected areas establishment and management;¹⁶¹

(b) **Respecting and promoting free, prior, and informed consent or approval of indigenous peoples and local communities**, including in the context of protected areas establishment, expansions, governance, and management of protected areas, and regarding traditional knowledge;¹⁶²

(c) Assessing the economic and socio-cultural costs, benefits and impacts; avoiding and mitigating negative impacts; and, where appropriate, compensating costs and **equitably sharing benefits**;¹⁶³

(d) **Making positive contributions to poverty alleviation and sustainable development**,¹⁶⁴ including for the livelihoods of indigenous peoples and local communities;¹⁶⁵

(e) **Assessing the effectiveness and equity of protected areas governance**,¹⁶⁶ **and considering and incorporating governance principles**,¹⁶⁷ as well as supporting participatory assessments to engage different sources of knowledge, skills, resources and "institutions of importance for conservation"¹⁶⁸ and participatory reviews of stakeholder involvement, ensuring gender and social equity;¹⁶⁹ and

(f) **Following Article 8 (j) and related provisions**, e.g., respecting, preserving, and maintaining traditional knowledge;¹⁷⁰ identifying best practice to promote the use of community protocols to assist indigenous peoples and local communities in affirming and promoting customary sustainable use in protected areas;¹⁷¹ establishing or strengthening national policies for access to genetic resources within protected areas and the fair and equitable sharing benefits arising from their utilisation;¹⁷² and otherwise taking into account Article 8(j) related principles and guidelines.¹⁷³

Sources of Guidance Box 3: CBD Guidelines, Protocols, and Plans Related to Article 8(j)

Sources of guidance under Article 8(j) and related provisions include the following:

The **CBD Plan of Action on Customary Sustainable Use** aims to promote just implementation of Article 10(c) on protecting and encouraging customary use with "the full and effective participation of indigenous and local communities at all stages and levels".¹⁷⁴

The **Mo'otz kuxtall Traditional Knowledge voluntary guidelines** concern the development of mechanisms, legislation or other appropriate initiatives to ensure the “prior and informed consent”, “free, prior and informed consent” or “approval and involvement”, depending on national circumstances, of indigenous peoples and local communities for accessing their knowledge, innovations and practices, for fair and equitable sharing of benefits arising from the use of their knowledge, innovations and practices relevant for the conservation and sustainable use of biological diversity, and for reporting and preventing unlawful appropriation of traditional knowledge.¹⁷⁵

The **Addis Ababa Principles and Guidelines for the Sustainable Use of Biodiversity** include principles and guidelines on, *inter alia*, considering local customs and traditions in drafting new legislation and regulations; delegating rights, responsibility, and accountability to those who use and/or manage biological resources; enabling participation in decisions; putting adaptive management in place; and generating sustainable revenue in ways that respect the rights of indigenous peoples and local communities and ensure equitable sharing of benefits.¹⁷⁶

The **Akwé: Kon Voluntary Guidelines for the Conduct of Cultural, Environmental and Social Impact Assessments** enable transparency, consultation, full participation and accountability in assessments of activities to take place on or impact sacred sites, lands, or waters traditionally occupied or used by indigenous peoples and local communities.¹⁷⁷

The **Tkarihwaí:ri Code of Ethical Conduct to Ensure Respect for the Cultural and Intellectual Heritage of Indigenous and Local Communities** offers guidance on ethical conduct for research, access to, use, exchange and management of information concerning traditional knowledge. The code includes, *inter alia*:¹⁷⁸

- Obtaining prior informed consent and/or approval and involvement that is not coerced, forced or manipulated
- Ensuring mechanisms for fair and equitable benefit sharing
- Protecting and enhancing relationship between indigenous peoples or local communities and their environment
- Recognising traditional land tenure
- Full and effective participation, respecting local decision-making processes and time-frames
- Respecting the dynamics and structures of indigenous and local communities
- Avoiding conflict and putting resolution mechanisms in place
- Integrating the vital role that indigenous and local community women play in conservation and sustainable use

The **Bonn Guidelines on Access to Genetic Resources and Fair and Equitable Sharing of the Benefits Arising out of their Utilization**¹⁷⁹

The **Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization to the Convention** includes, *inter alia*, that „traditional knowledge associated with genetic resources ... held by indigenous and local communities is accessed with the prior and informed consent or approval and [their] involvement”.¹⁸⁰

Good Governance Principles

51. Governance quality is often understood in relation to a set of “good governance” principles. Drawing on UNDP and other frameworks,¹⁸¹ IUCN has identified five broad good governance principles for protected and conserved areas.¹⁸² They are **(1) legitimacy and voice, (2) direction, (3) performance, (4) accountability, and (5) fairness and rights**. Each principle is briefly described in Table 2, based on related IUCN guidance. These principles are each important in themselves, and are inter-related, e.g., ensuring fairness and respect for rights is difficult if accountability is weak or people are not able to meaningfully participate.

Table 2: Good Governance Principles for Protected and Conserved Areas

IUCN Good Governance Principles ¹⁸³	Examples ¹⁸⁴
<p>1. Legitimacy and Voice</p> <p>Following a principle of ‘legitimacy and voice’ means governing in ways that are broadly accepted and appreciated by society and that fully respect procedural rights, including to participation, information, and access to justice. This involves proactively enabling and fostering dialogue, mutual</p>	<p>Since 2013, in Finland the CBD Akwé: Kon guidelines have been applied to various planning processes on state owned lands within the indigenous Sáami Homeland.¹⁸⁵ The process includes formation of a special Akwé: Kon working group comprised of indigenous knowledge holders, which engages with the government authority (Metsähallitus) and other stakeholders during the planning process.¹⁸⁶ It was piloted between 2010 and</p>

<p>respect, and consensus between diverse actors, without discrimination. Often legitimacy and voice are facilitated through subsidiarity – meaning that, to the extent possible, authority and responsibility are held by (and relevant support is given to) institutions that are closest to the resources and a ‘good fit’ for governing them.</p>	<p>2012, when updating the plans for the Hammastunturi Wilderness Area, a reindeer pastureland which is situated almost entirely within the Saami Homeland.¹⁸⁷ The Saami Parliament appointed the Akwe: Kon working group, comprised of resource users and traditional knowledge holders of both genders and various age and language groups.¹⁸⁸ The working group identified both strengths and concerns with the impact assessment. It was able to discuss and address those concerns¹⁸⁹ suggesting that the process enhanced the voice of the working group and those it represents, and the legitimacy of the resulting plan.</p>
<p>2. Direction</p> <p>‘Direction’ involves developing and following an inspiring and consistent strategic vision. This vision should be grounded in broadly agreed values, incorporate an appreciation of complexities in the context, and, where appropriate, foster coordination and compatibility with the larger landscape or seascape. For protected areas, the direction should also be consistent with international commitments, including those under the CBD. While clear policy and practice are important, direction also means being responsive and flexible, e.g., enabling adaptive management and favouring the emergence of champions and tested innovations.</p>	<p>Plan de Vida (Life Plans) of peoples in Colombia embody self-determined visions for territories and life, including for future generations. For example, the indigenous territory of the Yapú, covering 150,000 ha in the Amazon, is the legally recognised collective property of its indigenous peoples. Its leaders have formulated a Life Plan (Plan de Vida), describing their priorities for their life and territory. While their traditions have been maintained, the Plan has evolved over time, including now listing the management rules that everyone (insiders and outsiders) must follow to conserve nature. „The indigenous peoples of the Yapú are determined to continue governing their territory, and implementing their Plan de Vida“.¹⁹⁰</p>
<p>3. Performance</p> <p>The principle of ‘performance’ implies that a governance system is able to achieve conservation and other planned objectives. Governance approaches that can help achieve performance include promoting learning, engaging in advocacy and outreach, being responsive to rightsholders and stakeholders, and securing and wisely using sufficient resources (including financing). Further, performance implies sustainability and resilience, rather than just achieving goals at a point in time. This involves managing risks and overcoming and being strengthened by challenges.</p>	<p>The Zululand Rhino Reserve (South Africa) hosts more than 70 mammal species, including a new rhino population that is reproducing well, and has exceptionally diverse birdlife. This privately protected area was established in 2004 as a partnership between 17 landowners. They removed the fences between their land and invested substantial resources into rhino monitoring and protection. In 2009, it was made an official Nature Reserve, legally recognised under the Protected Areas Act 57 of 2003. Collective action and pooling resources under this governance model has strengthened performance and, thus, conservation outcomes.¹⁹¹</p>
<p>4. Accountability</p> <p>‘Accountability’ means, among other things, that those who have power and authority to govern do so with integrity and responsibility towards their constituencies and the public. Transparency is a crucial aspect of accountability, including ensuring that rightsholders and stakeholders have timely and appropriate access to information. Accountable governance also generally includes clear roles and responsibilities; appropriately allocated resources, in line with agreed plans; established communication channels; and reliable evaluation systems with incentives and independent oversight.</p>	<p>Parks Canada’s protected areas reporting system is defined in law, including a biannual Citizens’ Roundtable.¹⁹² Additionally, as summarised by the government of Canada, in the Sgaan-Kinghlas Bowie Seamount marine protected area,¹⁹³ “a Memorandum of Understanding [MoU] signed between Canada and the Council of the Haida Nation (CHN) confirms a mutual commitment for cooperative management and planning of the MPA and establishes a Management Board that provides advice to both the Minister and the CHN. An Advisory Body for the Protected Area provides an open forum for the sharing of information and ideas between groups that might not otherwise interact, and further serves as an important connection between the Management Board, the Government of Canada, the Council of the Haida Nation, the larger marine community and the general public.”¹⁹⁴ These clear roles and platforms for information sharing contribute to accountability in the relationship.</p>
<p>5. Fairness and Rights</p>	<p>Participatory mapping can help rights-holders advocate for and claim rights, and bring them together with stakeholders and other</p>

<p>The principle of ‘fairness and rights’ covers a number of critical concerns. These include recognising and respecting rights; equitably sharing benefits without adversely impacting vulnerable people; upholding gender equity and the decency and dignity of all; being fair, impartial, consistent, and non-discriminatory; and promoting local empowerment in conservation.¹⁹⁵ Material and non-material costs and benefits should be considered,¹⁹⁶ noting that they may not be evenly distributed,¹⁹⁷ and that those who bear the costs may not necessarily be those who accrue benefits.¹⁹⁸ As noted above (section B) the scope of relevant rights includes procedural and substantive rights recognised in international law, as well as other statutory and customary rights, including tenure. Tenure rights – including the customary rights of many indigenous peoples and local communities – are important in themselves, and help ensure the enjoyment of other rights (such as food) and enable sustainable use.¹⁹⁹ Cultural rights are also important, including in connection to Article 8(j) and related provisions.</p>	<p>decision-makers to share knowledge, plan, and come to more shared understanding, including in the context of protected and conserved areas governance.²⁰⁰ For example, participatory mapping in Gabon helped persuade the government to involve local people living in or near protected areas in decision-making about their customary lands.²⁰¹ Participatory mapping in Samoa’s Mauga o Salafai National Park helped community members and other stakeholders recognise current threats and agree together on new plans to conserve biodiversity and support local livelihoods.²⁰² The processes for developing and using information from such maps should also respect rights, including FPIC.</p>
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52. While these five principles are inter-related, they can be divided into two rough categories: (a) those that relate primarily to *equity*, i.e., legitimacy and voice and fairness and rights, and (b) those that relate primarily to effectiveness (i.e., performance and direction). The principle of accountability relates strongly to both.²⁰³ The section below will take a closer look at the equity aspects of good governance.

Example Box 7:

Action-oriented, multi-stakeholder governance assessment can help enhance governance quality

A site-level governance assessment can provide important information about the quality of governance in a particular protected or conserved area, and help identify priority actions for its enhancement.

A multi-stakeholder governance assessment was conducted with rights-holders and stakeholders in the Kalama conservancy in Kenya, using a site-level methodology developed by IIED and partners. The nearly 500km² Kalama conservancy was established in 2002. It is part of a large conservation area that includes twenty conservancies and four government protected areas. Kalama is situated within the larger Girgir Group Ranch, which is collectively owned by a group of about 1500 households. A conservancy management team handles operations, including law enforcement, animal control, and benefit-sharing. This team reports to a Board of community members, which has several sub-committees dealing with key issues such as grazing and tourism.

The assessment, convened and facilitated by the Northern Rangelands Trust, included:

- an initial workshop in which stakeholder representatives conducted a full stakeholder analysis to identify participants and refined the assessment focus;
- information gathering, including focus groups and in-depth interviews;
- analysis of governance strengths and challenges; and
- a concluding stakeholder workshop in which participants reviewed and validated results and generated ideas for action.

Participants identified strengths, challenges, and responsive actions with regard to a set of specific good governance principles. For example, with regard to accountability, participants identified strengths such as an annual meeting that is open to all members and general cooperation between the conservancy management and members. They also identified challenges related to accountability, including documentation and sharing of information about whether and how key actors meet their responsibilities. One of the recommended actions was ensuring a system for people to be accountable for their responsibilities (a check system).²⁰⁴

Taking a closer look at equity in good governance...

53. As noted in section B, equity can be unpacked into three broad dimensions: recognition, procedure, and distribution. A framework for advancing equity in the context of protected areas has been developed through expert workshops, consultations, and field validation, starting in mid-2015. The framework draws on literature about equity in the contexts of payments for ecosystem services and environmental justice, as well as on the IUCN/ WCPA Protected Area Guidelines Series No. 20 on governance of protected areas.²⁰⁵ Across the three dimensions of equity, the framework identifies twelve specific principles which can easily be mapped to those of the broader good governance principles described in the section above (see table 3). The equity framework also identifies a set of enabling conditions for the application of the principles in a given context.

Table 3: A Framework of Equity Principles for Protected Areas Conservation

Equity principles for protected areas conservation ²⁰⁶	Related, broader good governance principles ²⁰⁷
Equity Dimension: Recognition (concerns acknowledging and respecting rights and the diversity of identities, knowledge systems, values and institutions of different actors)	
1. Recognition and respect for human rights under international and national law	Fairness and Rights
Example: ²⁰⁸ In the nearly 1 million ha Chico Mendez Extractive Reserve (CMER) in Brazil, local people who depend on the forest for their livelihoods can access land and harvest natural resources. This helps ensure respect for substantive rights, including adequate food. While CMER is a government protected area, local people play substantive roles in governance and management, in line with procedural rights. The extractive reserve model emerged from a bottom-up movement in the 1980s. As of 2014, there were 64 extractive reserves in Brazil, collectively covering about 12 million ha. ²⁰⁹	
2. Recognition and respect for statutory and customary rights to land and resources	Fairness and Rights
Example: Mendha-Lekha village in India governs a nearly 2,000ha community-conserved forest. It obtained legal title under the Forest Rights Act (2006), and reinforced and updated its customary rules. The village also stopped a paper mill from depleting local bamboo. Forest related revenues are now deposited into a village account and used to support forest related activities that contribute to village livelihoods. The village is able to provide fair wages and timely loans to residents, as well as to others who would like to work in the village (as long as they follow local rules). ²¹⁰	
3. Recognition and respect for the rights of indigenous peoples, including FPIC and self-determination	Fairness and Rights
Example: Mobile indigenous peoples often face obstacles to secure grazing area and water access. In Iran, for example, many nomadic pastoralists' migratory routes have been obstructed. ²¹¹ National law forbids the obstruction of, or land use change in, such customary routes. These laws have not been widely respected, but are being revitalised by mobile indigenous peoples, conservation organisations and some government officials. Since the adoption of the CBD PoWPA, the government has been assigning mobile tribes with governance authority for their traditional migration territories. These indigenous peoples are gradually re-claiming their rights, ²¹² including through mapping customary boundaries and restoring customary governance systems. ²¹³	
4. Recognition and respect for all relevant actors and their diverse interests, capacities and influence	Legitimacy and Voice
Example: Before the multiple-use Soufriere Marine Management Area (SMMA) in St Lucia was created, there were many conflicts between the local traditional fishers and tourists. Fish populations were threatened and anchors were damaging the reef. In 1992, the Department of Fisheries and the Caribbean Natural Resources Institute initiated conflict resolution and participatory planning to help address these conflicting interests. Over time, a transparent governance system with wide acceptance and legal standing was developed. By 2005, fish populations had substantially increased, the area was financially self-sufficient, institutional capacity had grown, and tourism was bringing benefits to the local community. Challenges continued to arise, but stakeholders were committed to dealing with them. ²¹⁴	

Equity principles for protected areas conservation ²⁰⁶	Related, broader good governance principles ²⁰⁷
5. Recognition and respect for different identities, cultures knowledge systems, values and institutions	Legitimacy and Voice
<p>Example: The Agusan Marsh Wildlife Sanctuary is a Ramsar site containing one of the Philippines' most important freshwater wetlands. It also overlaps in large part with the ancestral territory of the Manobo people. As part of a Philippine - German cooperation project, research was conducted to document indigenous biodiversity conservation practices through an approach that emphasized recognition, respect, and strengthening of indigenous institutions. After the project was granted the rights-holders' free, prior, and informed consent, indigenous researchers, selected by their elders, worked together with academics. This helped to ensure that the research process followed the Manobo people's customary laws and oral traditions of knowledge sharing. The process further empowered local people to apply their traditional conservation practices. It also encouraged them to use the results in land use planning for their territory.²¹⁵</p>	
<p>Equity Dimension: Procedure (concerns the participation of actors in decision making, transparency, accountability, and processes for dispute resolution)</p>	
6. Full and effective participation of all relevant actors in decision-making	Legitimacy and Voice
<p>Example: 'Full and effective participation' is at the heart of well-functioning shared governance. In the Wet Tropics World Heritage Site in Australia, Rainforest Aboriginal Peoples are governing natural resources within their traditional lands (including within several Indigenous Protected Areas) and together with many other actors in the landscape, including national and sub-national government bodies, civil society organisations, and private landholders and businesses. They have defined their co-governance arrangements as „a continual solution-building process, not a fixed state, involving extensive talking, negotiations and jointly learning, so it gets better over time“.²¹⁶ To reflect on the strengths and weaknesses of these co-management arrangements, a ‚diagnostic tool‘ was developed as part of a co-research project that also included social scientists, spatial analysts, and other partners. This tool considers, among other things, the „health of their institutions for ‘keeping engagement strong’ and ”factors that ‘keep Rainforest Aboriginal Peoples strong‘.²¹⁷</p>	
7. Transparency supported by timely access to relevant information in appropriate forms	Accountability
<p>Example: Timely information sharing is key to transparency. In 2009, the State of São Paulo (Brazil) was preparing to extend the protected area complex of the Cantareira mountain range by 28,600 hectares, nearly quadrupling its size, to protect critical resources from urban sprawl. This required appropriating land from private landowners. The state Forest Institute explained the reasons new / expanded protected areas were needed, listened to local people's concerns and fears, and involved landowners in the process of determining the parks' precise boundaries. This transparency helped to ensure that the process was fair and respectful so that “the end result, even if very uncomfortable for some, would be seen as legitimate and defensible”.²¹⁸</p>	
8. Accountability for fulfilling responsibilities, and other actions and inactions	Accountability
<p>Example: Participatory public hearings and audits can enhance the accountability of those responsible for protected and conserved areas governance. Within the Hariyo Ban Program (Nepal), Forest User Groups conducted annual public hearings (on management processes and outcomes) and audits (on financial transactions). Hearings and audits involved information sharing and question-answer style discussion, allowing for “mutual assessment of performance by user group members (the rights holders) and user group executive committee members (the duty bearers)”. Participants agreed on and reviewed progress towards recommendations.²¹⁹</p>	

Equity principles for protected areas conservation ²²⁰	Related, broader good governance principles ²²¹
9. Access to justice, including an effective dispute-resolution process and procedures for seeking redress	Fairness and Rights
<p>Example: Itombwe Massif in eastern Democratic Republic of Congo is home to more endemic and threatened species than any other area in Africa. The Ministry of Environment created the Itombwe Nature Reserve in 2006, but did not clearly demarcate its boundaries, raising concerns about rights violations. International and national humanitarian and conservation NGOs worked in conjunction with local communities for an equitable and conflict-sensitive approach to establishing the boundaries and managing the Reserve. In 2009, a series of meetings were held to reach more mutual understanding of the needs and positions of local communities. Smaller meetings were sometimes held prior to the larger stakeholder ones, to allow conflicts to be acknowledged and considered in advance. The meetings resulted in cross-party support of the establishment of Itombwe Natural Reserve, the incorporation of input from local stakeholders, and the consultation of local communities at each stage of planning the Reserve.²²²</p>	
<p>Equity Dimension: Distribution (concerns the allocation of benefits and costs across the set of actors, and how the costs/ burdens experienced by some actors are mitigated)</p>	
10. Identification and assessment of the distribution and impacts of costs, benefits and risks	Fairness and Rights
<p>Example The Social Assessment for Protected Area (SAPA) multi-stakeholder assessment methodology has been used to identify and assess the (positive and negative) impacts of protected areas in pilot studies in Rwenzori Mountain National Park (Uganda), Mumbwa Game Management Area (Zambia), Monts de Cristal National Park (Gabon), and OI Pejeta Conservancy (Kenya). This low-cost methodology aims to help PA managers, communities, and other local-level stakeholders to increase and more fairly share benefits (positive impacts) and reduce costs (negative impacts). It involves a mix of workshops and a survey, supported by specific tools and carried out in four phases: preparation, scoping, assessment, and taking action. In the pilot assessments, the main categories of positive impacts (benefits) identified were: ecosystem service benefits, improved law enforcement, PA-supported development projects, PA-related employment, and reduced costs or risks. The main negative impacts (costs) identified were: human-wildlife conflict, reduced or lost access, unjustified arrest, transaction or management costs, and unfair distribution of benefits. SAPA also provides some basic governance information. For example, concerns raised in the assessment in OI Pejeta in Kenya led to more transparent sharing of information about job opportunities.²²³</p>	
11. Effective measures to mitigate negative impacts on indigenous peoples and local communities	Fairness and Rights
<p>Example: Human – wildlife conflict harms community members living in and around many protected areas.²²⁴ In some cases, there are financial or other mechanisms in place to help avoid or mitigate some of these impacts. In Nepal, for example, the government invests in elephant proof fences and other measures to reduce adverse impacts of elephants on crops and other resources. Village residents can also receive compensation for crops damaged by wildlife. This is significant because the costs of damage from elephants can be upwards of one-third of village income for communities close to national parks. Costs tend to be higher where forests are fragmented, indicating that effective land-use planning may also reduce wildlife costs.²²⁵</p>	
12. Benefits equitably shared among relevant actors based on one or more of these targeting options: (a) Equally between relevant actors, (b) According to contribution to conservation, (c) According to costs incurred, (d) According to rights, past and present, or (e) According to the priorities of the poorest.	Fairness and Rights
<p>Example: As part of a broader project, civil society organisations worked with villages in Tanzania to pilot community-defined benefit-sharing arrangements for REDD+ payments based on conservation of their village land forests. Participation in the project was based on free, prior, and informed consent. Each village assembly (a governing body comprised of all adult residents) discussed and agreed on a payment system and codified it in their village bylaws. Some villages opted to divide dividends equally among each individual resident, including children, women, and men. They would then meet annually (as a village assembly) to decide on the proportion of dividends that each person would contribute for forest management or selected development projects, and what proportion would be retained for household use.²²⁶</p>	

For all principles, particular attention should be given to the interests and rights of women and other social groups who have traditionally had little or no involvement in PA governance matters

Enabling conditions for fulfillment of these equity principles are:²²⁷

1. Legal, political and social recognition of all protected area governance types
2. Relevant actors' awareness and capacity to achieve recognition and participate effectively
3. Alignment of statutory and customary laws and norms
4. An adaptive, learning approach

Sources of Guidance Box 4: Governance quality, including equity

Governance quality, broadly

There are many governance assessment frameworks and methodologies available, and growing examples of their use.²²⁸ For two that correspond to the governance principles in this document and that take CBD direction into consideration:

- IUCN/ WCPA Best Practice in Protected Area Guidelines Series No. 20 ([Governance of Protected Areas: From understanding to action](#)) provides information about each good governance principle and incorporates this into assessment and evaluation guidance.²²⁹
- The “Governance and Equity Assessment for Protected and Conserved Areas: a manual for facilitators” (forthcoming from IIED) provides practical guidance on a methodology for multi-stakeholder, site-level assessment of protected areas governance quality.²³⁰

The IUCN published book '[Protected Areas Governance and Management](#)' includes articles, case studies addressing a wide range of issues related to effective protected areas governance and management.²³¹

Equity dimension of recognition

- There are many international, regional, national, and local/ customary laws that define the rights of indigenous peoples and local communities. At the international level, for example, key instruments include the [Universal Declaration of Human Rights](#) and the [Universal Declaration of the Rights of Indigenous Peoples](#).²³²
- The recently released *Framework principles on human rights and the environment* includes 16 principles that “set out basic obligations of States under human rights law as they relate to the enjoyment of a safe, clean, healthy and sustainable environment”.²³³
- A 2016 discussion paper, [Conservation Standards: From rights to responsibilities](#), “aims to provide a set of draft conservation standards that outline: how indigenous peoples’ rights are enshrined in international law[,] how conservation interventions can infringe these rights[,] which rights conservation actors need to be most aware of — and why — [,] and conservation actors’ responsibilities in upholding these rights”.²³⁴
- The Forest Peoples Programme (FPP) [website](#) includes a list of resources on FPIC,²³⁵ including the FAO developed guide [Respecting free, prior and informed consent. Practical guidance for governments, companies, NGO's, indigenous peoples, local communities in relation to land acquisition](#),²³⁶ which is also available in Spanish, French, and Arabic.

Equity dimension of procedure

- The UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (‘Aarhus Convention’) recognises a number of procedural rights in relationship to environment.²³⁷
- Community Protocols can help ensure equity principles, including those related to procedure, are respected. The [Biocultural Community Protocols: a toolkit for facilitators](#) provides information and tools for communities and supporting organisations.²³⁸

Equity dimension of distribution

- The [Social Assessment for Protected Areas \(SAPA\) Methodology Manual for SAPA Facilitators](#) includes guidance on facilitating processes to understand and improve equity in the distribution of PA costs and benefits.²³⁹

Cross-cutting equity considerations

- The *FAO Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security* provide widely recognised guidance on improving the governance of tenure, in a framework that states can use when developing their own processes.²⁴⁰
- The *FAO Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication* provide guidance for “development and implementation of ecosystem friendly and participatory policies, strategies and legal frameworks for the enhancement of responsible and sustainable small-scale fisheries....”²⁴¹

Several references in Sources of Guidance Boxes 1 to 3 are also relevant to governance quality.

E. RECOGNISING PROGRESS, GAPS, AND CHALLENGES

54. A 2009 in-depth review found that progress on PoWPA Element 2 was lagging, including with respect to the adequate involvement of indigenous peoples and local communities and recognition of diverse governance types.²⁴² Since then, a wealth of guidance has been developed and identified, and important progress has been made in some countries towards equitable, effective, and diverse protected and conserved areas governance. At the same time, substantial gaps remain. Key elements of Aichi Biodiversity Target 11 require dedicated action if they are to be attained, including ensuring that protected and conserved areas are “equitably managed”, well-connected, and integrated into wider landscapes and seascapes, and that OECMs are appropriately accounted for.²⁴³ In 2016, COP 13 also noted, with concern, the limited progress towards attaining Aichi Targets 18 and 14 at the national level and in mainstreaming Article 8 (j) and related provisions, including regarding capacity development and the participation of indigenous peoples and local communities.²⁴⁴

55. Given this, it is clear that further enhancing governance (at site and system levels) is critical to attaining Target 11 and fully implementing PoWPA. It is also important for achieving other key environmental and social development commitments, including in relation to Article 8(j).

56. In practice, enhancing governance is likely to be an iterative learning and adaptation process. Some common challenges may include:

(a) **Lack of understanding (or agreement) about what governance is, and why it matters for conservation and social outcomes:**²⁴⁵ More research and learning about how governance impacts conservation and social outcomes are certainly needed.²⁴⁶ However, today there is a wealth of existing guidance and experience, which can form the basis for building stronger understanding and greater consensus.²⁴⁷

(b) **Lack of resources and insufficient capacity:** Many strategies to enhance governance at the site and system level will take dedicated resources²⁴⁸ and in some cases substantial time.²⁴⁹ Further, the current capacity of rights-holders, stakeholders, decision-makers, and others to assess and enhance governance may be limited.²⁵⁰ However, governance can be improved and the growing body of experience and assessment methodologies may build capacity and ease resource constraints.

(c) **Lack of clarity or agreement about who governs (and should govern) a certain area:** There may be unclear or insecure tenure arrangements. There may also be multiple governance systems in one place and/or lack of alignment between customary and statutory systems. For example, many ICCAs are overlapped by state (or other) protected areas.²⁵¹

(d) **Lack of understanding or agreement about which governance type and arrangements are the best fit for a certain context:** In many contexts there is a mismatch between the governance type established by law (de jure) and how an area is governed in reality (de facto), and the aspirations of rightsholders and stakeholders may not be reflected in how an area is governed. Site-level governance assessment can help clarify and adjust.

(e) **A weak enabling environment:** As noted in section D, while enhancing governance is possible, certain conditions will be conducive, such as supportive legal frameworks (including alignment of customary and statutory laws), partnerships and coordination, building of trust and recognition of and addressing power imbalances, sufficient capacity of all actors involved, and an adaptive, learning approach.

(f) **Knowledge gaps, including about governance ‘vitality’:** While the concept and importance of governance has become much better understood in the last several decades²⁵², much remains to be learned. There are important open questions, including why exactly some governance arrangements flourish and sustain themselves over the long term, while others fail to. The appropriateness and quality of governance are certainly two important factors in determining this... but there are other factors as well. The still emerging concept of ‘governance vitality’ is seeking, in part, to address this question. Governance vitality can be understood, roughly, as the extent to which “decision-making actors and institutions are functional, responsive and thriving”.²⁵³

57. **Despite these challenges, the need for progress on governance is clear and urgent.** Many protected and conserved areas are facing threats, including from destructive land uses,²⁵⁴ and protected areas related conflicts and displacements remain a concern.²⁵⁵

F. CONCLUSIONS AND NEXT STEPS

58. **This information document has reviewed concepts, experiences, sources of guidance, and some challenges related to protected and conserved areas governance, with a focus on diversity and quality, including equity.**

59. Conservation and social outcomes have great potential to be positively reinforcing. At the same time, conservation can have substantial social costs,²⁵⁶ and its costs and benefits are often unevenly distributed, e.g., between local and distant populations, between wealthier and poorer community members, and between generations.²⁵⁷ There is no simple equation to ensure positive outcomes and avoid or mitigate negative ones, but a focus on governance is one critical factor. Diverse and good governance can help ensure that conservation is effective, resilient, widely covered, and well-connected. In terms of social outcomes, enhancing governance can also help ensure that protected and conserved areas positively contribute to (and do not undermine) material and non-material wellbeing and inclusive, sustainable development within connected landscapes and seascapes.

60. Recognising that governance is a key factor for protected and conserved areas to succeed in conserving biodiversity while supporting sustainable livelihoods, Parties to the CBD have resolved to promote and take wide ranging action to enhance it, including:

- assessing governance;
- diversifying and strengthening governance types, including those conserved by indigenous peoples and local communities and by private actors;
- enhancing and securing participation, including the full and effective participation of indigenous peoples and local communities, and recognition and respect for their rights, knowledge, and capacities, including with regard to FPIC;
- assessing the economic and socio-cultural costs, benefits and impacts, avoiding and mitigating negative impacts and, where appropriate compensating costs and equitably sharing benefits;
- considering and incorporating governance principles; and

61. In the last decade, the SCBD and other relevant organisations have developed a wealth of guidance that can support these actions. Further, many CBD Parties have taken innovative, effective steps to enhance governance diversity and quality, and this progress continues. Actions include legal and policy changes, documentation, assessment, capacity building, and expanded national and sub-national support and recognition of shared governance, privately conserved areas, and ICCAs.

62. There are some challenges and obstacles to enhancing governance, such as lack of understanding (or agreement) about what governance is, and why it matters for conservation; lack of resources and insufficient capacity; lack of clarity or agreement about who governs (and should govern) a certain area; and weak enabling environments.

63. **Despite these challenges, the need for a focus on governance is clear and urgent, including to attain Aichi Biodiversity Target 11 and implement PoWPA.** The [voluntary guidance on effective governance models for](#)

[management of protected areas, including equity](#) taking into account work being undertaken under article 8(j) lays out specific, practical steps for diversifying governance and enhancing its quality. Fully implementing this guidance would greatly advance governance diversity and quality. However, a step-wise approach can be taken, starting with actions that are relatively easy to implement. Such actions can be identified through systems- and site-level governance assessments, undertaken together with rights-holders and stakeholders. Further, the sources of guidance, country case studies (see Annexes 1 to 5), and short examples throughout this document can serve as inspiration and ideas for action.

64. Finally, governance is a dynamic topic, and new questions and information needs will likely continue to arise as we learn. For example, what are the deeper relationships between governance and social and conservation outcomes, including in the face of climate change? How can we best support the capacity of governing and managing authorities, rightsholders, and stakeholders to understand and enhance governance, including equity and rights? Continued case analysis, assessment, and reporting on protected and conserved areas governance can contribute to this effort.

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ANNEXES –

COUNTRY CASE STUDIES ON PROTECTED AREA GOVERNANCE REFORM

Annex I: Case Study - Colombia

Background and summary

The current configuration of Colombia's National System of Protected Areas (SINAP) was established in 2010 through the Presidential Decree 2372²⁵⁸ that formulates a new normative framework for the application of the legal instruments relevant to protected areas created since 1938²⁵⁹, and a policy framework, CONPES 3680²⁶⁰, which provides the strategic directions for the application of the new legal framework. Essentially, the purpose of the reform was to achieve "The consolidation of a National System of Protected Areas that is complete, ecologically representative and effectively managed"²⁶¹.

Through these instruments, Colombia adopted a new model that integrates in a single system all protected areas of the country, under either public or private governance, and establishes roles and responsibilities for management at national, regional and local levels.

The new model, from a governance perspective, includes the following important features:

- It is defined as an “integral” system that includes the set of protected areas of the country, the social and institutional actors linked to them, as well as management strategies and instruments such as the SINAP Action Plan based on the commitments established in the CDB Protected Areas Work Programme. It is therefore a multi-actor and multi-institution system with distributed roles and responsibilities;
- Public or private governance come under the same system, including in terms of their integration in the National Single Registry of Protected Areas (Registro Unico Nacional de Areas Protegidas, RUNAP);
- The system is organized through six “Regional Subsystems of Protected Areas” (SIRAP), namely, Caribbean, Pacific, Amazon, Orinoco, Western Andes, and North-eastern Andes. The SIRAPs have instances that provide room for the direct participation of regional and local institutions and social actors. In addition, they have the strategies and mechanisms required to deliver on the commitments of the SINAP Action Plan at a regional level;
- To further the decentralization philosophy of the System, the SINAP is composed by Thematic Systems of Protected Areas, such as “Coffee Belt” (Eje Cafetero) and “Colombian Massif” (Macizo Colombiano), the “Departmental Subsystems of Protected Areas” (SIDAP), the “System of Marine Protected Areas” (SAM), the “Municipal System of Protected Areas” (SIMAP), and the “Local System of Protected areas²⁶²;
- Specific policies are implemented by the Natural National Parks authority (Parques Nacionales Naturales de Colombia, PNN), which coordinates the SINAP, regarding the indigenous territories (“Resguardos”) that overlap with protected areas, to strengthen, respect, and protect indigenous peoples’ tenure and governance while ensuring effective management of the areas. The same policies apply to lands, territories and resources of Afro-Colombian communities. The strengthening and protection of the communities’ governance systems are crucial to consolidate the local actors’ capacity to enforce area-based complementary conservation measures.

The SIRAPs are comprised of all the protected areas of the region, with the areas of the National Natural Park System as the core. The institutional framework for the operation of the SIRAP in each case is based on the Regional and Sustainable Development Autonomous Corporations²⁶³ and the regional environmental authorities, who work in

coordination with PNN. A range of institutional and social actors are integrated in the SIRAPs' structures, in particular in Steering Committees in charge of overseeing implementation of agreed actions.

Actions taken

Presidential Decree 2372 of 2010 establishes the seven categories of protected areas of the SINAP, clustered in two groups: national and regional areas, and public and private areas. The categories, and hence their jurisdictional scope, are defined in the declaration process by the public authorities, as established in Resolution 1125 of 11 May 2015. The Ministry of Environment and Sustainable Development declares the national areas, and the Regional and Sustainable Development Autonomous Corporations declare the regional areas. The private areas are designated, but not declared.

<i>Governance</i>	<i>National</i>	<i>Regional</i>
<i>Public</i>	<ul style="list-style-type: none"> • <i>Areas of the National Natural Parks System (National Natural Park, Fauna and Flora Sanctuary, Unique National Area, Via Park)</i> • <i>Protected Forest Reserves</i> • <i>Integrated Management Districts</i> 	<ul style="list-style-type: none"> • <i>Regional Natural Parks</i> • <i>Protected Forest Reserves</i> • <i>Integrated Management Districts</i> • <i>Soil Conservation Districts</i> • <i>Recreation Areas</i>
<i>Private</i>		<ul style="list-style-type: none"> • <i>Natural Reserves of Civil Society</i>

The category of Natural Reserves of Civil Society (Reservas Naturales de la Sociedad Civil) applies to areas that partially or totally conserve natural ecosystems where resources are managed under sustainability criteria and that are voluntarily designated for sustainable use, conservation or restoration of ecosystems²⁶⁴.

Natural Reserves of Civil Society are established on the basis of free and autonomous decisions by the landowners, and follow regulations and norms established by the SINAP. In this category, although a conservation commitment is expected for the long term, a decision of conservation in perpetuity is not a requirement.

The Colombian government at national or local levels has put in place a range of measures in order to support private conservation. For example²⁶⁵:

- Compensation for environmental impacts of projects or actions, which can help in some cases private reserves owners to undertake restoration or other actions;
- Tax exemptions at the municipal level, linked for example to the maintenance of the forest cover;
- Tax exemptions or other incentives for activities such as ecotourism;
- The *Conserva Colombia* programme of incentives for conservation, as part of a strategic public-private alliance to fund the registration of new private protected areas;
- The Pioneers in Conservation Programme, which promotes linking guests and hotels for taking care of flora and fauna, as well as the environmental services of the natural areas, public or private, of the country. The donation mechanism consists of matching funds generated by voluntary contributions of hotels and guests together, to support implementation of conservation projects in the areas.

Regarding the lands and territories of indigenous and Afro-Colombian communities, an important consideration is that 30% of the national land area is under the status of collective territories of those communities, with their own governance systems²⁶⁶. Most of those lands are located in areas of high importance for biodiversity conservation²⁶⁷. Given their size and location, important overlaps exist between those lands and the SINAP areas²⁶⁸.

Colombia has made important progress in developing models of shared governance with indigenous peoples and Afro-Colombian communities in protected areas linked to their lands and territories. Generally, three situations are found in this respect²⁶⁹:

- Areas of overlapping title (protected area and indigenous lands overlap in the same space owned by an indigenous group with its own government);
- Areas of overlapping use (protected areas overlap with ancestral use and occupation areas within traditional indigenous or Afro-Colombian territories, where they do not have titles to the land);
- Areas of community use in the zones of influence (there is no direct overlap with the protected area but there are interactions with the communities).

In the year 2002, PNN adopted a Policy of Social Participation in Conservation, which promoted a “new model of governance” between the protected areas system and the collective territories of indigenous and Afro-descendant communities. This conceptual model proposes co-responsibility over the territory and the need to coordinate functions and competences between the indigenous authorities and the environmental authorities, with the purpose of ensuring the conservation of biodiversity and the ethnic and cultural preservation of the communities²⁷⁰.

To implement this Policy, the Subprogramme of Special Management Strategies was created as a coordination mechanism, and the process involved the construction, formalization and implementation of Special Management Regimes (Regímenes Especiales de Manejo, REM) as joint planning and management instruments in areas of overlap of protected areas with indigenous public authorities, based on their life plans, and of Agreements on the Use and Management of Natural Resources with Afro-Colombian and Raizal communities. With peasant communities, the authorities develop Tables of Use, Occupation, and Tenure to build agreements regarding the permitted uses inside protected areas and in accordance with the established zoning. These instruments are meant to materialize the principles and strategic directions of the Policy of Social Participation in Conservation.

Special Management Regimes are sets of rules and procedures that guide “the planning, implementation and follow-up of coordinated actions between the governmental environmental authority and the indigenous public authority in the areas overlapped with indigenous reserves or ancestral territories”²⁷¹. They are established through formal agreements between PNN and the indigenous authorities, and their implementation is overseen by joint Steering Committees²⁷².

The strategic lines that structure the indicated instruments are culture, territory and governance, within an approach of joint and coordinated exercise of the public functions of environmental regulation of the territory and the use and management of natural resources between the two authorities. The competences of the indigenous public authorities on environmental matters in their territories were established by the Environmental Law of 1993, which equates indigenous authorities to municipalities²⁷³. Competences include planning, regulation, implementation of programmes, enforcement, control and monitoring, to be executed in coordination with government agencies.

Several success stories about shared governance with indigenous and Afro-Colombian communities have been reported in the literature. Cases examined are not exempt of problems, conflict and shortfalls, and divergent views exist, but overall this is a salient area of governance changes in Colombian Protected Areas²⁷⁴.

Conclusions and way forward

When the legal and policy decisions reported in the first section were adopted in 2010, the Colombian Government started from the realization that the SINAP at that time was (i) incomplete, (ii) insufficiently representative, and (iii) not effective enough, and that moving towards “a complete, ecologically representative and efficiently managed system” was needed.²⁷⁵

Completeness of the System was defined as integrating all the elements in a synergistic manner, and required a different governance approach: the integration of private protected areas in the system, the strengthening of the shared governance approach to protected areas overlapping with indigenous and Afro-Colombian communities' lands and territories, and the creation of regional subsystems that provide room for local and regional government protected area initiatives.²⁷⁶

As of April 2018, the SINAP showed the following configuration:

Jurisdictional Scope	Category	N° of areas per category	Hectares	% (Number)	% (Area)
National Protected Areas	National Protected Forest Reserves	57	599,760.90		
	National Integrated Management Districts	3	9,383,963.00		
	Protected Areas of the System of National Natural Parks	59	15,962,277.28		
	Subtotal	119	25,946,001.18	11.59%	89.56%
Regional Protected Areas	Recreation Areas	10	792.90		
	Soil Conservation Districts	13	71,472.59		
	Regional Integrated Management Districts	89	2,065,428.33		
	Regional Natural Parks	52	575,380.18		
	Regional Protected Forest Reserves	96	192,240.61		
	Subtotal	260	2,905,314.61	25.32%	10.03%
Private Protected Areas	Natural Reserves of Civil Society	648	119,182.60	63.1%	0.41%
	Subtotal	648	119,182.60	63.1%	0.41%
TOTAL		1,027	28,970,480	100%	100%

Source: RUNAP, authority of National Natural Parks of Colombia, 15 April 2018.

In terms of numbers, private protected areas have become the majority of the SINAP, followed by regional units. In terms of area, the National Protected Areas represent a very high proportion, which is understandable given the tradition of national protected area systems of focusing on large areas of public, undeveloped land in regions that at the time of the start of the systems were marginal from development and therefore had limited ecosystem conversion. The diversification of the system is important nevertheless, in particular because the social and institutional actors with direct responsibility on areas of the system represent today the majority – 88% compared to 12% under national areas of PNN. Although regional and private areas existed before 2010 in important proportions, their consolidation in the new system is a noticeable trend.

Regarding representation, the development of the subsystems of regional and private protected areas is contributing to its increase. National protected areas have made important progress towards the consolidation of a representative and complete System of protected areas. Nevertheless, according to the policy document “CONPES 3680”, National protected areas still have insufficient coverage of key ecosystems, for example of dry forests and coastal areas. Representation is improving through actions of the National Natural Parks authority related with the declaration and enlargement of national protected areas. In 2017, the Malpelo Fauna and Flora Sanctuary was enlarged (thereby achieving a 13,7% of marine and coastal protection through protected areas, which goes above the Aichi Target 11)

and the Cabo Manglares National Integrated District Management was declared. In 2018, the National Parks authority is working to enlarge four other national protected areas, and to declare eight new national protected areas.

In complement, programmes related to regional, local and private protected areas have played an important role to increase ecosystem representativeness. For example, the programme Conserva Colombia, a partnership of the Environmental and Childhood Action Fund (Fondo Acción Ambiental y la Niñez) and TNC for creating incentives for conservation specifically has focused on enhancing ecosystem representativeness of landscapes of inter-Andean dry ecosystems, Caribbean ecosystems, flooded savannas of the Orinoquía and wetlands of the Magdalena basin²⁷⁷ – all ecosystems previously underrepresented.

As indicated earlier, approaches and experiences of shared governance with indigenous peoples and Afro-Colombian communities have been reported as successful and growing in numbers and significance. Joint action by the government and the customary authorities brings the strengths of both parties – the local capacity of the customary authorities, and the political legitimacy of the government. The PNN Action Plan 2011-2019 seeks to ensure that by 2019 15 management plans under REM are established and implemented in National Parks overlapping with indigenous territories, as well as 38 agreements with Afro-Colombian communities in National Parks for natural resource use.

Some challenges remain for the further development of a diversified governance system in Colombia. The Fifth National Report of Colombia to the CBD mentions two important points relevant to indigenous and Afro-Colombian communities:²⁷⁸

- Regularization and legal settlement of land tenure issues in six key protected areas affected by tenure unclarity and insecurity;
- Development of special management strategies with ethnic groups to establish the conditions of viability, legitimacy and effectiveness of coordination between ethnic groups and the environmental authority of the Government.

The regional and private protected areas have also their own challenges, including the need to improve instruments and processes of shared governance at local and regional levels, and innovative and more flexible responses to the demands of social actors in their jurisdictions.

Annex 2: Case study - Madagascar

Background & summary

At the IUCN World Parks Congress in Durban in 2003, former Madagascar president Mark Ravalomanana announced that Madagascar would triple its protected areas surface, to cover 6 million hectares or 10% of the country in the next five years. This became to be known as “the Durban vision” and it entailed radical changes in the way protected areas were viewed and managed in the country²⁷⁹.

Until then, the Protected Areas System of Madagascar was basically constructed upon strict protection categories under public domain, managed by the National Association for the Management of Protected Areas (Association Nationale pour la Gestion des Aires Protégées, ANGAP) since 1990.

In January 2006, Madagascar introduced a new System of Protected Areas (Système d’Aires Protégées de Madagascar, SAPM), which included protected areas with varying degrees of sustainable resource use to contribute to poverty reduction and sustainable development²⁸⁰. The strict conservationist model previously applied for protected areas evolved into a new, more diverse model that increased the proportion of categories III, V and VI of the IUCN international protected areas category system. Concurrently, the governance system changed, allowing community, private or shared governance areas for the first time in the country, as well as governance by regional and local governments.

The objectives of the SAPM were expanded to include the conservation of cultural heritage and the promotion of sustainable natural resource use for poverty alleviation and development, in addition to biodiversity conservation.

The Durban vision process resulted in the revision of the Protected Areas Code (COAP) in 2008, although this legislation was not ratified until 2015 due to a political crisis in 2009.

The approach adopted goes in the direction of global trends in protected areas policy and reflects the realization that most priority sites were home to significant populations of rural people that depend to varying extents on natural resources for their subsistence and income.

ANGAP, the former entity in charge of managing the network of National Protected Areas, became Madagascar National Parks (MNP), a non-profit association operating under the tutelage of the Ministry of the Environment, Ecology, Sea and Forests, mandated to manage the national network of strictly protected areas. The mission of MNP is “to establish, conserve and manage in a sustainable way the national network of Parks and Reserves, representative of the biological diversity and natural heritage specific to Madagascar”²⁸¹. Its approach includes supporting development in the periphery of the protected areas.

As reported by the Ministry of Forests and Environment to the CBD in 2014, the stated purpose of the SAPM today is “to preserve the biodiversity while contributing to poverty reduction and to country development”²⁸². Besides the Network of National Parks, the SAPM includes “New Protected Areas” (NAP) as tools to supplement the representativeness of the system and to maximize other associated economic, natural, and cultural values.

Main actions taken

In the years that followed the Durban Vision, a broad partnership between the Government and national and international conservation organizations, called “The Durban Vision Group”, was set up and actively worked in support of the stated national objectives.

A key step in the process was the issuing of a decree in 2005 (Décret d’Application No 848-05) for the protected area law (Code des Aires Protégées, COAP), enabling the creation of four new categories of protected areas (Natural Park, Natural Monument, Protected Harmonious Landscape and Natural Resource Reserve, corresponding with IUCN categories II, III, V and VI respectively), in addition to the three pre-existing categories (Strict Nature Reserve,

National Park and Special Reserve corresponding with IUCN categories I, II and IV respectively). The decree also allowed the delegation of protected areas management to civil society organizations, enabled co-management and simplified the process for creation of protected areas²⁸³.

The rewriting of the Protected Areas Management Code in 2008 followed. It permitted actors other than MNP to manage protected areas within the SAPM and required all protected areas not managed by MNP to have a legally recognized promoter, typically international or Malagasy NGOs (although they could be also universities, mining companies and private individuals), which would then establish management arrangements with stakeholders.²⁸⁴

Gap analysis exercises were undertaken based on the new policy directions, followed by the establishment of new protected areas, generally through a two-step process: first, protection orders, issued by the government on request from promoting organizations, grant provisional legal protection, define management objectives and identify the organization delegated to manage the area.²⁸⁵ Promoters then complete all consultative, administrative and planning procedures to gain definitive protection;²⁸⁶ consultation and agreement with communities is a fundamental requirement to complete the process.

For many years, the Ministry of Environment and Forests collaborated with conservation professionals, experts and researchers to implement a large number of capacity building activities in several regions of Madagascar, focusing on many important topics related to protected areas management and conservation and sustainable use of biodiversity.

New protected areas not managed by MNP (some of which are getting the definitive status decree after their temporary status) are generally governed through shared governance arrangements incorporating local communities²⁸⁷, based on management transfers (transferts de gestion, TDG). Within a protected area, the shared governance system has typically two or three institutional layers: (i) a protected area committee made up of the promoter or manager organization and a community-based management committee, directly in charge of governing the protected area; (ii) a wider multi-stakeholder committee that includes regional authorities, supporting and providing advice for management of the area; (iii) community-based local management units in specific zones within the protected area, which often gain legal status through TDGs.

TDGs are contractual instruments that have some history in Madagascar. They were created in the 90s in the context of a process of decentralization of forest management; at least four pieces of legislation issued between 1990 and 2000 provide the legal framework for TDGs²⁸⁸. Essentially, they transfer limited management rights from the government to local community user associations, and require the development of agreed management tools such as zoning of the areas, management plans and community management terms of reference. As of 2014, more than 700 TDGs had been created in the country. Given this history and legal background, TDGs have been a useful tool to frame agreements with the communities for management of their lands within protected areas.

The Madagascar Foundation for Protected Areas and Biodiversity (FAPBM) was created in 2005 in the aftermath of the Durban congress²⁸⁹. It focuses on creating mechanisms for continued financing of the protected areas system. The FAPBM has allocated significant funding to protected areas, with Madagascar National Parks being the main beneficiary²⁹⁰.

Highlights of Results

The System of Protected Areas of Madagascar (SAPM) has quadrupled in coverage since 2003, from almost 1.7 million ha to 7.1 million ha in 2016, which represents a growth of 416% in area²⁹¹. In terms of numbers, it expanded from 46 protected areas in 2003 to 125 protected areas in 2017: 43 national parks managed by MNP and 82 NAPs, of which 64 are administered with support of international organizations, 16 are managed by the Ministry of Environment and two are privately managed²⁹².

In this period not only the protected areas coverage quadrupled, but also “the network of strict, centrally-governed protected areas expanded to include sites characterized by: i) multiple-use management models in which sustainable extractive natural resource uses are permitted, ii) shared governance arrangements involving non-governmental organizations (NGOs) and local community associations, and iii) a management emphasis on livelihood-based approaches and social safeguards”²⁹³.

The philosophy of the new System “takes into account the Malagasy specificities” not only with regard to the exceptional biological features of the country, but also to the social and cultural aspects such as the “omnipresence of traditional structures, consideration of social and traditional values, important role of natural elements and ecosystems for rituals, and for the Malagasy cultural identity”²⁹⁴. It further integrates consideration of economic aspects such as the reliance of poor rural people on natural resources and ecological services, especially water. Through these elements, the System as a whole, and its governance approach in particular, seek to become better tailored to the national biophysical and socio-cultural context.

Social safeguarding is one of the priorities for good management of the protected areas system; the approach is designed to support the rural development of local communities affected by restrictions imposed by the creation and management of protected areas and emphasizes the need for livelihood improvements. Many NPAs go beyond ensuring social safeguards to explicitly seek poverty alleviation as a core objective, and thus focus on livelihood-based interventions, such as tourism development and agricultural improvement, in some cases involving development NGOs or private sector partnerships; or channeling investments through innovative mechanisms such as community-based payments for ecosystem services (PES) schemes involving conservation agreements and inter-village competitions.

Conclusion and challenges

The key conclusion from the Madagascar experience is that expansion of the protected areas system, particularly in the socio-economic and political conditions of the country, could only take place through a fundamental reconfiguration of the System from a perspective of governance and social equity. It specifically required:

- new actors in charge of protected areas governance, including communities, local governments and civil society;
- a reconfiguration of the category system, to open it to areas under sustainable use;
- new approaches to community empowerment, local development, and sustainable livelihoods;
- new models of interaction between government and social actors, through agreements and sharing of responsibilities;
- capacity development for all stakeholders to implement the principle of "combining conservation and sustainable development".

An important challenge in community-based and shared governance application is that the effective level of local community participation in decision-making in protected areas varies significantly between sites, due to existing power imbalances and the exclusion of certain groups²⁹⁵. Changes in law and policy are fundamental and needed, but application of the new concepts needs to go through capacity development of the local communities in all aspects.

Similarly, local communities are expected to play an active management role in many protected areas, for example by undertaking surveillance and monitoring. However, in many cases there are no incentives for the communities to play such roles²⁹⁶.

The political and economic crisis of 2009 led to the loss of protected areas financing in a significant way, due to the withdrawal of nearly all of the traditional environment financial partners²⁹⁷. The conservation trust fund of the FAPBM has buffered some of the impacts by providing funding for basic operations for a large group of protected

areas, but available funding is insufficient to cover the costs of protected areas expansion, and per-unit resource availability has reduced; a sustainable financing strategy for SAPM remains a key priority.

Governance and law enforcement is a major challenge in Madagascar, where illegal resource exploitation in protected areas continues to be an issue and where the system to deal with infractions lacks effectiveness and human resources capacity. While the application of the customary normative system called “dina” is allowed and promoted at the local level, and “dina” application committees are now widely integrated into local governance structures²⁹⁸, it still lacks sufficient recognition and support by the statutory legal system.

Annex 3: Case study – Namibia

Background & summary

The national protected areas network of Namibia is composed of a diversity of governance models. The national parks are the formal State component of the system; communal conservancies and community forests represent the community-based natural resource management (CBNRM) component; freehold management units and private game reserves correspond to conservation areas under private property; tourism concessions with a conservation function, marine protected areas and Trans-frontier Conservation Areas are also components of the system. As of 2018, 20 national parks cover approximately 18% of the country's landmass²⁹⁹, while all the forms of protected areas together represent some 46.8% of Namibia's terrestrial area³⁰⁰.

National Parks are managed by the Ministry of Environment and Tourism (MET); Communal Conservancies and Community Forests are self-governed by the communities. Conservation on private land is coordinated by CANAM, the Conservancies Association of Namibia.

CBNRM as an integral component of the protected areas network started its history at the time when Namibia gained independence in 1990, when the NGO Integrated Rural Development and Nature Conservation (IRDNC) implemented a project involving 25 community game guards appointed by the traditional authorities in a remote region in the northwest of the country³⁰¹. The independence movement was the appropriate political context for promoting conservation approaches that meet the aspirations of local people. The new Namibian Government adopted policy and legislation in 1995 and 1996 that legally entrenched CBNRM through formally constituted local structures of conservancies and later, community forests, based on restoration of local ownership of resources such as wildlife, trees and high-value plants³⁰². The first four communal conservancies were gazetted in 1998; they have grown to 83 communal conservancies in 2018, covering around 19.8% of the country's total land surface area. 37 community forests have also been registered^{303, 304}.

The National Policy on Protected Areas, Neighbours and Resident Communities was approved in 2013³⁰⁵. This is the first formal protected areas policy of the country. Its aim is to improve management of protected areas, to provide greater social equity in the distribution of benefits from protected areas, and to stimulate local and regional economies. The policy gives particular attention to promoting the socio-economic development of neighbouring and resident communities and their involvement in the planning and development of protected areas. The policy states that the Ministry of Environment and Tourism will ensure that all sectors work together through participatory and integrated approaches, and sets out a framework for protected area managers to engage with local communities and stakeholders. Greater social equity in protected area benefits, as integral part of the aims of the Policy, involves strategies and actions for generating economic opportunities for the communities and improving their livelihood security, for example through concessions awarded to local communities and the conclusion of agreements for cooperation and benefit-sharing with residents and neighbours.

There is no specific provision for shared governance of state-run protected areas in the Namibian legislation. The MET's NamParks Programme, however, co-funded by the German development cooperation through KfW since 2006, adopted an approach of "Integrated Park Management" to promote "a new generation of parks that symbolise a fresh approach to conservation and development"³⁰⁶. It puts a strong focus on community involvement in benefit sharing and on the management of ecosystems in "complexes" with the network of conservancies and community forests next to the parks.

Within the Bwabwata National Park a unique arrangement has been established with the Kyaramacan Community Association (KA), by which communities living in the park are involved in community-based natural resource management. in the Multiple Use Area of the Park³⁰⁷.

Also, in the Mangetti National Park, MET signed a Memorandum of Agreement with the Ukwangali Traditional Authority and the Kavango Regional Council for benefit sharing and defining roles and responsibilities in park governance³⁰⁸.

The Policy is also the first legislative framework in the country to recognize the formation and promotion of Protected Landscape Conservation Areas³⁰⁹. These are landscapes comprised of an existing State protected area at its core and adjacent communal conservancies and private reserves or private land areas. Their aim is to ensure that land uses in areas adjacent to existing State protected areas are compatible with their biodiversity conservation objectives³¹⁰, and that corridors are established and maintained to provide connectivity to wildlife habitats.

After the successful development of the diverse models of governance of the protected areas network of Namibia (government, community-based and private governance), the Protected Landscape Conservation Areas (PLCAs) represent a new approach that seeks to combine and harmonize the functioning of the various models in the landscape.

A Landscape Approach

The origin of the Protected Landscape Conservation Areas (PLCAs) is the GEF-funded Namibian Protected Landscape Conservation Areas Project (NAM-PLACE), launched in November 2011, which developed the model and established five PLCAs as demonstration sites: Mudumu Landscape Conservation Area, Greater Waterberg Landscape, Windhoek Green Belt Landscape, Greater Sossusvlei-Namib Landscape and Greater Fish River Canyon Landscape.

In each of the demonstration Landscapes the project has supported interventions tailored to the needs of the site, from increasing security, to tackling water scarcity and pollution, to incentivizing game meat production versus cattle, etc.³¹¹

A key concept of the approach is to lift barriers for the establishment of a large-scale network of landscapes in the country to ensure connectivity and representativeness across the territory. Barriers are on the one hand the physical frontiers of management units in different areas of the landscape, such as national parks, communal conservancies, agricultural and forest areas, which may conform with some biogeographical features but are mostly determined by the historical delimitation of lands; such management and functional units have been disconnected and have fragmented the landscape, creating obstacles for example to the movement of wildlife. Barriers have been also created through land tenure, because different ownership status determines different roles and responsibilities in land use – for example, expansion of state-run protected areas has partly depended on the capacity of the government to purchase private land; where purchase has not been possible, frontiers to the conservation function of the parks have been created by private land use. There are also barriers created by the fragmented institutional governance framework, derived from the fragmented site-based model of management of the units in the landscape.

The landscape approach considers the needs and interests of all users by looking at the diverse and interconnected functions in the landscape.

Landscape Management Committees (LMCs) have been established, to ensure that all stakeholders within the landscape are part of decision-making processes and work together to develop and implement plans to address the key challenges. LMCs are made up of representatives of stakeholders within the landscape who are land custodians or land owners³¹².

Landscape management plans have been developed, outlining the key challenges needing interventions and responses for the benefit of the entire landscape. The management plans outline also the roles and responsibilities of stakeholders, land use zones, infrastructure development and resource uses, all elements that are collectively agreed upon.

Each landscape develops a Constitution with assistance of a legal practitioner provided by NAM-PLACE. The constitution is a normative framework for the LMC to operate and governs all decisions made with regards to activities taking place on the landscapes.

The collective governance structure is further strengthened through incentives and cost/benefit sharing arrangements aimed to ensure equity amongst stakeholders. This extends to topics such as business plans for wildlife stocking, biodiversity-friendly production systems, and a certification and verification system for game supply chains. These elements are expected to culminate in new market opportunities for local communities and wider Namibia³¹³.

Conclusion and Challenges

Two aspects of the development of the multi-governance protected area network of Namibia have been examined: the creation, expansion and contribution of CBNRM as a key governance model, and the landscape-level multi-governance approach currently in application in five landscape areas of the country and which has resulted in valuable lessons and guidance for expanding the landscape approach to other areas of the country.

Clearly the multi-governance protected areas network of Namibia has achieved the large proportion of 46.8% of land under conservation management due to the diversity of lands integrated in terms of ownership, uses, management objectives and institutional responsibilities. A system that combines diverse models has demonstrated to be more effective for expanding its coverage and representativeness.

Many of the lands involved in the different models also border each other, which offers opportunities for improved connectivity and integrated park management approaches³¹⁴.

Conservation of areas involved in the network has become an increasingly viable economic land use in Namibia, particularly since the rights of use were devolved to communities through the creation of the conservancies in 1996. Activities such as trophy hunting, accommodation establishments, and the harvesting and sale of natural resource products and crafts provide employment and direct benefits to landowners³¹⁵.

The CBNRM programme is able to show the linkages between biodiversity and poverty alleviation in conservation areas because they are systematically measured in relation to their economic benefits. CBNRM therefore provides a good indication of the role biodiversity can play in poverty reduction in rural areas.

The CBNRM programme has also highlighted the linkages between biodiversity management and gender, because women have been included in governance structures and they are most affected by biodiversity loss and degradation.

As indicated earlier, the main expansion of areas under conservation management in Namibia has been achieved through increases in the coverage of CBNRM areas. As reported by the Ministry of Environment and Tourism, communal conservancies cover the largest share of land under conservation in Namibia (approximately 45% compared to 38% of formal state protected areas)³¹⁶.

For a country where a large part of the population relies on direct use of the natural resources of the areas involved, the significance of communal conservancies highlights also the contributions of the model to improving the livelihoods of the communities, through a self-governance system where the communities are enabled to take care of their own livelihood security and their own local development. The governance system of the conservancies is not confined to concepts of “protected areas governance” or “conservation governance”, and is rather rooted in the land and resource rights and self-governance agendas of the socio-political context of post-independence Namibia.

Key elements behind the success of the model are the security of tenure and the devolution of governance and management rights to the communities, which ensures custodianship and responsibility on the management of land and resources. Other key elements for success are a strong network of CBNRM and conservation support

organisations and long-term support by a variety of international and national development partners as well as private sector

Regarding the PLCAs, which in total cover 92,392 km², the establishment of connectivity corridors has brought an additional 15,550 km² of land under protected landscapes management arrangements³¹⁷. The benefits of connectivity for wildlife and ecosystems have yet to be assessed in detail, but it is safe to assume that will be significant.

Landscape level conservation has been identified as important conservation model that brings many stakeholders together for better management of wildlife and associated resources at a larger scale, and has now been included in the draft legislation on wildlife and protected area management. Furthermore, the governance arrangements being implemented, such as the Landscape Associations and other means for collaborative governance, as well as the processes that have been set up for harmonizing agendas and interests, will bring more stability and enhanced capacity for delivery and expansion of the PLCAs model.

Annex 4: Case study – Peru

Background

The Natural Protected Areas System of Peru was established by the Law of Natural Protected Areas promulgated in 1997. According to the Law, the System is composed of three types of protected areas³¹⁸:

- National protected Areas: these areas, which are under central government administration, compose the National System of Natural Areas Protected by the State (SINANPE), and are classified in nine categories;
- Regional Conservation Areas: these areas are under regional administration;
- Private Conservation Areas.

The Law establishes that management of national protected areas that are part of SINANPE is the responsibility of the National Service for Natural Areas Protected by the State (Servicio Nacional de Áreas Naturales Protegidas por el Estado, SERNANP³¹⁹), a technical public entity ascribed to the Ministry of the Environment. It also requires management to be undertaken through integration of public institutions of central to local levels, private entities and local populations that are linked to the respective areas.

Further, the Law mandates the creation of multi-stakeholder Management Committees in all Protected Areas of the SINANPE as well as in Regional Conservation Areas, with duties such as of proposing measures and actions, participating in management and overseeing the implementation of agreements and other instruments.

Among the nine protected area categories of the SINANPE set out in the National Protected Areas Law, the category of Communal Reserves is of particular importance for indigenous peoples and local communities.

SINANPE is legally designed as a system of diversified governance that includes the exercise of governing functions by the central, regional and local governments, and provides for multi-stakeholder involvement through legally established Committees. Further, the system includes privately governed areas and offers opportunities for engagement of indigenous peoples and local communities in SINANPE areas under shared governance arrangements. These provisions have been in operation for more than 20 years, and have been adapted and enhanced based on lessons learned and in line with stated policy objectives.

Actions taken

In the last 15 years, Peru has moved forward significantly in strengthening and consolidating the multi-governance protected areas system that was created by the 1997 Law. This has been done among other means through the enactment of legislation and regulations for clarifying roles and responsibilities of actors in the three types of protected areas, facilitation of capacity building processes, and promotion of bottom-up conservation initiatives³²⁰. The German Cooperation has been a strong partner in the process, supporting the consolidation of SINANPE and the regional protected areas for more than twenty years. One of the motivations to extend SINANPE with new types of protected areas was the recognition that the SINANPE areas still lack sufficient representation of ecosystems and habitat types nation-wide and that ecosystem services need more protection and connectivity.

The Peruvian Protected Areas Law³²¹ has aimed since 1997 to consolidate in the long term a well-connected system of protected areas across the wider landscape. Therefore, the Peruvian commitments to CBD opened the opportunity to meet Aichi Target 11 through conservation areas that are complementary to SINANPE's central government areas.

In relation to Regional Conservation Areas, in 2002 the Peruvian Congress approved the Organic Law for Regional Governments³²², amended through Law 27902³²³, which delineates the duties of regional governments regarding protected areas:

“Preserve and administer, in coordination with the Local Governments, the reserves and regional natural protected areas that are included entirely within their jurisdiction, as well as the insular territories, in accordance with the Law” (Art. 53 (j)).

In 2015, the Government issued complementary regulations³²⁴ to guide the regional governments in the preparation of their proposals for establishing Regional Conservation Areas, including the requirements related to consultation and involvement of right-holders of the areas and in particular indigenous peoples and local communities. Further, SERNANP has established coordination spaces called macro-regional meetings through which technical assistance is given to regional governments in the preparation of their proposals for creating Regional Conservation Areas.

Regarding Private Conservation Areas, in October 2013 the Peruvian Government issued regulations for their recognition and management³²⁵ with less complex procedures, in the understanding that private conservation is voluntary and that facilities should be provided for the involvement of private conservation actors. Following this initiative, Private Conservation Areas increased in the country from 28 created in 13 years (1997-2010) to 63 created in 5 years (2013-2017), reaching as of 2018 the number of 123 areas. This is the fastest growing subsystem of protected areas of the country – very important not only in numbers but also because of ecosystem representation.

The Contracts of Administration of Protected Areas are one of the most innovative mechanisms for the involvement of civil society in protected areas under a shared governance model, with roles and responsibilities defined therein for the parties involved. The Contracts entrust a non-profit legal entity established under private law, called “executor”, the total or partial execution of the management operations laid out in the Master Plan of the area, prepared by the protected area administration, for a term of maximum 20 years³²⁶.

Conservation Agreements for the management of protected areas are another important co-management and participative governance tool. They guide the involvement of the local population in conservation actions, based on incentive mechanisms related to the sustainable use of natural resources for generating benefits to the local population.

Management Committees (Comités de Gestión), as indicated earlier, are coordination spaces that every protected area has to have by mandate of the Protected Areas Law. They are the main participation mechanism in the administration of protected areas³²⁷, made up of different actors: state agencies, both national and regional, communities linked to protected areas, non-governmental organizations, private companies, and even individuals. As reported by the Peruvian government, currently 88% of the protected natural areas have a Management Committee.

Communal Reserves are a very special protected area category of the SINANPE, established at the request of indigenous communities and co-managed by them with the SERNANP, through agreed management plans³²⁸. It is a category designed for shared governance with indigenous communities. Their objective is the protection of biodiversity in favour of the subsistence of the indigenous and rural communities that inhabit and use them, and are regulated by a Special Regime created in 2005³²⁹. Ten Communal Reserves had been declared as of 2017.

Governance and implementation of the agreed co-management plans is done through legal entities created by the indigenous communities called Executors of Contracts of Administration of Communal Reserves (Ejecutores de Contratos de Administración de Reservas Comunales, ECA). ECAs sign contracts with SERNANP establishing the roles and responsibilities of the parties.

In 2015 and 2016, ECAs from eight Reserves and SERNANP engaged in a collaborative process for designing a “new model of co-management” that involves the development of four complementary phases: (1) to find common objectives, (2) to clarify the form of relationship between the actors, (3) to build a new form of action and communication, and (4) to define the geographic scope of management. The process seeks to empower the communities as the main actors in the governance of their areas and the territories and resources that they contain, through an intercultural approach where the government, through SERNANP, is a true partner and enabler.

A legal instrument that has an important significance for indigenous peoples' relationship with protected areas is the 2011 Law on the Right of Prior Consultation to Indigenous or Aboriginal Peoples³³⁰ and its 2012 Regulations³³¹. Through these legal instruments, the government is obliged to consult with indigenous peoples on decisions that affect the life of their communities, including the creation and management of protected areas that include lands, territories or resources of traditional occupation and use.

Results and way forward

As of January 2018, the Natural Protected Areas System of Peru contains 217 protected areas grouped in the three subsystems as follows:

- 76 protected areas that make up the SINANPE, under the governance responsibility of the SERNANP;
- 18 Regional Conservation Areas under the responsibility of the regional governments;
- 123 Private Conservation Areas.

In terms of area covered, 85.86% corresponds to the SINANPE areas, 12.53% to Regional Conservation Areas and 1.62% to Private Conservation Areas. Generally, SINANPE areas are considerably larger than areas in the two other subsystems. In terms of numbers, SINANPE areas represent 35% of the total, while 56.68% correspond to Private Conservation Areas and 8.29% to Regional Conservation Areas.

Amongst the SINANPE areas, the category that arguably is the most significant in terms of governance arrangements for greater diversity and equity is the Communal Reserves (covering more than 2 million hectares of the Amazonia); this is the only category where a consolidated scheme of co-management and shared governance has been formally established, for the whole category (not only for individual areas). Further, areas in this category are managed for sustained benefits for local communities as a requisite. This is also a rapidly growing category – from 2 areas in 2005 it has grown to 10 areas in 2018, with 11.14% of the total coverage of the SINANPE areas. It is important to note as well that Communal Reserves are the fourth-largest category in terms of the average size of individual areas, which is an indication of their potential for conservation in terms of coverage of ecosystems. Also, this category serves as a model for other types of protected areas, and is a source of guidance to them on inclusion, transparency, shared governance and equity.

Annex 5: Case study – The Philippines

Background & description of the case

Since 1992, the National Integrated Protected Areas System of the Philippines (NIPAS) has been the main government instrument to place important biodiversity areas under effective management. The Philippines' rich biodiversity is threatened by several drivers leading to habitat degradation and land conversion, such as logging, overharvesting of resources, mining impacts and infrastructure development.

In 2009, about 65% of the country's 128 'key biodiversity areas' (KBAs) – of global importance for biodiversity – lacked formal protection. In order to fill this gap, the Philippines Government resolved to expand the NIPAS, which also required improvements in management. To meet both objectives, it initiated a process for enlisting a broader set of actors as partners for protected areas.

The Department of Environment and Natural Resources-Biodiversity Management Bureau (DENR-BMB, formerly DENR-Protected Areas and Wildlife Bureau) started in 2010 implementation of the Global Environment Facility (GEF)-funded project entitled Expanding and Diversifying the National System of Terrestrial Protected Areas in the Philippines (briefly known as New Conservation Areas of the Philippines Project or NewCAPP), together with the United Nations Development Programme (UNDP) as the implementing agency and key local and regional stakeholders, including Local Government Units (LGU) and indigenous and local community organizations. The project ended in 2016.

The overall objective of this project was “to expand and strengthen the terrestrial protected areas system in the Philippines through development of new conservation models and building capacity for effective management of the system, which shall be supported by improved systemic and institutional capacities”³³².

The key approach of NewCAPP was partnerships: to recognize new conservation areas such as those managed by indigenous peoples, local communities and local government units, and work with key organizations, local communities and other stakeholders to establish solid foundations for the expansion of the terrestrial system of protected areas, improve management capacities, and ensure sustainable financing³³³. Through this approach, the NewCAPP became the main instrument of the country for diversification of governance of the protected areas system, as a strategic direction for its expansion and improvement.

Main actions taken

A key focus of NewCAPP was the development of new governance models for the expansion of the National Protected Areas System: Local Conservation Areas (LCA) and Indigenous Community Conserved Areas (ICCA). LCAs are designed for management by LGUs and other local stakeholders, while ICCAs correspond to areas located in indigenous peoples' Ancestral Domains, governed and managed by indigenous peoples.

NewCAPP implemented actions in policy, technical, capacity building and other fields to achieve the objective. Regarding law and policy, NewCAPP developed procedures and drafted supportive policy proposals for the two new governance models. An Executive Order recognizing them was prepared and submitted to DENR³³⁴.

An ICCA Bill entitled "Indigenous Peoples and Local Communities Conserved Areas and Territories (ICCA) Act" (HBN 115 and SBN 1185) is currently under deliberation by the Philippine Congress³³⁵. Through the Bill “the State recognizes, respects, protects and promotes ICCAs as a manifestation of the exercise by ICCs/IPs of their right and obligation to manage, maintain, and develop natural resources within their culturally and spiritually important areas”. In terms of policy support, the DENR through the Environment Management Bureau issued Memorandum Circular No. 2014-005 on the Revised Environmental Impact Assessment System Guidelines which provides among others, recognition of LCAs and ICCAs as environmentally critical areas.

With regard to capacity building, the Project helped set up a National ICCA Consortium (known as BUKLURAN), and supported indigenous communities to map, inventory, formally establish and manage ICCAs in their traditional territories.

Baseline studies and diagnostics were carried out in intervention areas, and capacity building processes took place with NGO partners, regional government offices, indigenous peoples and local government units. They included capacity assessments, capacity development programmes, and production of tools such as operational manuals to strengthen the capacities of local management bodies of existing protected areas and new conservation areas.

Participatory development of community conservation agreements between the local communities and the State for managing and governing the ICCAs in ancestral domains, according to specific rules and regulations that incorporate indigenous knowledge systems and practices, was a key activity in the ICCAs supported by the project.

With regard to reporting requirements, a concept paper for the establishment of a National Registry of conservation areas under the new governance models was prepared and submitted to UNEP/WCMC for technical assistance, given that the latter manages the global ICCA registry³³⁶.

Through the NewCAPP, the DENR-BMB engaged in the development of a “Guide to Local Conservation Area Management Planning”, and is also formulating the National Protected Area System Master Plan, as a “systems approach to protected area planning and management” which would “rationalize the expansion of protected areas into the System to take account of other modes of area-based conservation efforts” and provide for better arguments for relating protected areas with broader national development objectives³³⁷. The Master Plan therefore includes recognition of ICCAs and LCAs as part of the National Protected Area System of the Philippines.

The DENR-BMB and the National Commission on Indigenous Peoples (NCIP) are presently working on the documentation, recognition and registration of additional ICCAs.

Some follow-up actions after NewCAPP ended have been taken forward by the Protected Area Management Enhancement (PAME) Project funded by the German government and implemented by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) in cooperation with DENR-BMB. One of the specific objectives of the project was “Supporting the establishment of additional protected areas under innovative conservation management systems (e.g. involving local governments and communities)”. In this context, the PAME Project involved LGUs in planning processes and supported the designation of new protected areas, including the development of their legal and financial frameworks³³⁸, and adopted ICCA and LCA processes in its actions to achieve that objective³³⁹. Other biodiversity projects being implemented in the country such as the Biodiversity Partnership Project and Small Grants Programme funded by GEF, the Forest and Climate Protection in Panay Project, Conflict Sensitive Resource and Asset Management (COSERAM) Programme, and the National REDD+ Programme funded by the German government and implemented by GIZ, follow the ICCA and LCA framework in providing the necessary technical and financial assistance to local and indigenous communities. Likewise, LCAs and ICCAs are being considered as one of the approaches for financing local conservation actions by several development partners and civil society organizations such as the Foundation for Philippine Environment and the Philippine Tropical Forest Conservation Foundation, Inc.

Highlights of Results

With support of the NewCAPP, DENR-BMB has been successful in advancing the objective of expanding the NIPAS through the establishment of the two new governance models, ICCAs and LCAs. Among other results, it achieved³⁴⁰:

- The creation of 46 protected areas that were added to the Protected Area System;
- The establishment of a network of 7,921 hectares in Polillo Islands as LCAs under the LGUs regime, including the enactment of a local ordinance. Demarcation of LCAs has been done, and local community volunteers and LGUs are working in collaboration to protect and manage these areas;

- The expansion of the range of critical habitats by 200% under a protection status that encompass 186 globally threatened species;
- The Project's efforts in pilot testing of ICCA procedures resulted in the registration of 25,748 hectares of ICCAs at the global database at UNEP/WCMC;
- In the case of LCAs, the project completed management plans and the sites secured policies to formalize their establishment as LCAs covering 79,423 hectares;
- The Government at the national level is adapting to these new management regimes and incorporating them in future management plans, therefore moving towards mainstreaming these new modalities in the future development of the national protected area system.

In addition to NewCAPP's results, the PAME project established 56 new terrestrial and marine protected areas covering 170,000 hectares³⁴¹, through village, municipal/city or provincial ordinances, with 45 other proposed areas being considered by local legislative councils³⁴². Moreover, three other projects supported by the German development cooperation have contributed to the establishment of LCAs in the Philippines.³⁴³

Challenges and lessons

The Philippines case can be considered as a best practice example of how ICCAs and LCAs provide clear benefits in terms of better performance of the protected areas system, increase the coverage and representativeness of habitats including in KBAs, improve cost effectiveness in the expansion of protected areas coverage, and address the root causes of tension in the governance of protected areas within ancestral domains. However, important challenges remain.

Probably the major challenge for the new governance models is that the governance normative frameworks are still insufficient³⁴⁴. As an example, the ICCA House Bill 115, although successfully passed committee levels in the Parliament, still has a long process to follow before it becomes enacted legislation, particularly at a time of political tensions in some areas of the country. However, the DENR had an opportunity to include relevant provisions on the recognition of significant roles of local and indigenous communities play in protecting important areas for biodiversity conservation, in the Expanded National Integrated Protected Areas System Act, which is currently awaiting final legislation by the Philippine Parliament and will set the new legal framework on protected area management in the country.

Indigenous peoples and local communities have very limited support and resources available to them to sustain their ICCAs. The areas they had carefully protected for years are now being altered in many cases mainly due to external pressures; indigenous communities are witnessing in some cases a decline of their traditions and customs. This situation requires continued support to indigenous peoples and local communities.

Some other relevant lessons are³⁴⁵:

- The involvement of local stakeholders should be interwoven in the processes of recognition of ICCAs, and is key to its success;
- ICCAs offer an excellent win-win solution to indigenous communities and government in pursuing biodiversity conservation. However, appropriate forms of support are necessary for these objectives to be realized;
- ICCAs are seen by many indigenous communities as a form of recognition and strengthening of their rights to their domains, which further increases their interest and commitment to conservation;
- Upscaling of ICCAs requires the development of capacities of indigenous organizations and also of support groups who are expected to provide technical assistance or facilitation;
- LCAs and ICCAs are not yet fully protected by law, compared to formally established protected areas that follow the NIPAS legislation. Additional legal and policy decisions and measures are needed to fill this gap.

NOTES

¹Decision VII/28, Kuala Lumpur, 2004 (see para 17 and Programme Element 2)

²Strategic Plan for Biodiversity 2011 – 2020 (Decision X/2, Nagoya, 2010).

The Target 11 element of “equitably managed” is closely related to equitable governance (Borrini-Feyerabend et al., 2013:114, Footnote 400; Franks et al., 2018; SCBD, 2016:Para. 96)

Other Aichi Biodiversity Targets are also related to protected and conserved areas governance in various ways (e.g., Kothari and Neumann, 2014).

³ Article 8(j) calls for, among other things, respecting indigenous peoples’ and local communities’ knowledge, innovations, and practices, and promoting their wider application, with their approval and involvement and with equitable sharing of related benefits (CBD, 1992). See also Task III of the CBD Plan of Action on Customary Sustainable Use concerning protected areas (Decision XII/12, B, Annex, Pyeongchang 2014).

⁴ See for example, Decision X/31, para. 32 (f), Nagoya, 2010 and Decision XIII/2, para. 5(d), Cancun, 2016)

Other elements of these decisions (e.g., Decision X/31, para. 19 (b); Decision XIII/2 para. 9(b)) invite Parties to include information about governance, equity, and/or social impacts in assessment of management effectiveness, and are also in this sense related to governance assessment. However, while some management effectiveness assessments include governance and social elements, they generally include more limited information on these issues (Franks and Small, 2016a).

⁵ See, for example, Decision VII/28, para. 3.1.4, Kuala Lumpur, 2004 and Decision X/31 para. 23, Nagoya, 2010

⁶ See, for example, Decision VII/28, paras. 2.1.2., 2.2.4, Kuala Lumpur, 2004; Decision IX/18, paras 6(a,b), Bonn, 2008; Decision X/31, paras 31(b), 32(a,b), Nagoya, 2010; and Decision XIII/2 para 5(b)(vii), Cancun, 2016

⁷ See, for example, For example: Decision VII/28, paras 2.1.5 and 2.2.4, Kuala Lumpur, 2004; Decision IX/18/A, para. 6(d), Bonn, 2008; Decision X/31, para. 31(a) and 32(c) Nagoya, 2010; General Principles and Task III of the CBD Plan of Action on Customary Sustainable Use (Decision XII/12, B, Annex, Pyeongchang 2014; and Decision XIII/2 paragraph 5(b)(viii), Cancun, 2016

⁸ See, for example, CBD Articles 8(j) and 10(c), as well as Decision VII/28, para. 1.1.7. and 2.1.6, Kuala Lumpur, 2004; Decision X/31 para. 30(a) and 32(c), Nagoya, 2010; Decision XII/12, B, Annex, Pyeongchang 2014; and other guidance under 8(j) and related provisions, including those reviewed in this document.

⁹ See, for example:

- PoWPA suggests Parties „[e]nsure that any resettlement of indigenous communities as a consequence of the establishment or management of protected areas will only take place with their prior informed consent that may be given according to national legislation and applicable international obligations” (Decision VII.28, para 2.2.5, Kuala Lumpur, 2004).
- General Principles of the CBD Plan of Action on Customary Sustainable Use include that “Recognizing that indigenous and local communities are the holders of their traditional knowledge, innovations and practices, access to their traditional knowledge, innovations and practices should be subject to their prior informed consent or approval and involvement” (Decision XII/12, B, Annex, Pyeongchang 2014). Task III of the Plan includes identifying best practices to promote „the full and effective participation of indigenous and local communities, and also their prior and informed consent to or approval of, and involvement in, the establishment, expansion, governance and management of protected areas, including marine protected areas, that may affect indigenous and local communities” (Decision XII/12, B, Annex, V.3(i)).
- The Mo’otz Kuxtal Voluntary Guidelines on Traditional Knowledge concern “the development of mechanisms, legislation or other appropriate initiatives to ensure the, “prior and informed consent”, “free, prior and informed consent” or “approval and involvement” depending on national circumstances, of indigenous peoples and local communities” (Decision XIII/18, Cancun 2016).

¹⁰ See, for example, Decision VII/28, Goal and Target 2.1 and related paras including 2.1.1., 2.1.6., 3.1.2, 3.1.9, Kuala Lumpur, 2004; Decision IX/18, para A6(e), Bonn, 2008; and Decision X/31, paras 30(b), 31(a), and 32(d), Nagoya, 2010.

¹¹ WPC, 2003a,b

¹² WPC, 2014

¹³ See, for example, Decision VII/28, paras 2.2.7 and 4.1.1, Kuala Lumpur, 2004

¹⁴ See, for example, Decision XIII/2, paras 7 and 9(iv), Cancun, 2016 and Decision XIII/20, para. 21, Cancun, 2016.

¹⁵ See sources of guidance and case examples in Section D and Annexes 1 to 5

¹⁶ Decision XIII/2, para 9(a)(iv), Cancun, 2016 invites “review of experiences on... [e]ffective governance models for management of protected areas, including equity, taking into account work being undertaken under Article 8(j)”

¹⁷ SCBD March 2018 (CBD/SBSTTA/22/6, Annex II). This Voluntary Guidance is pending approval.

¹⁸ Borrini-Feyerabend et al., 2013 and Borrini-Feyerabend et al., 2014

¹⁹ Graham et al., 2003:2,3.

²⁰ Borrini-Feyerabend et al., 2013 and Borrini-Feyerabend et al., 2014

²¹ See, for example, Decision X/31, 31(b) and 31(a,b), Nagoya, 2010

²² See, for example, Borrini-Feyerabend et al., 2013; Dudley, 2008; Stolton et al., 2013

²³ The term ‘community conserved area’ (CCA) was first used before the World Parks Congress (Durban 2003). Subsequently, this term was expanded to refer more specifically to ‘indigenous and community conserved areas’ (ICCA). Today, these phenomena are more broadly referred to as ‘**territories and areas conserved by indigenous peoples and local communities**’, though ‘ICCA’ continues to be used as a general abbreviation.

²⁴ Another important aspect of governance is its ‘vitality’, or the extent to which “decision-making actors and institutions are functional, responsive and thriving” (Borrini-Feyerabend et al., 2014:21). Governance vitality is not explored in-depth in this document, as it is an emerging concept and guidance is still being developed. Nonetheless, it has important implications for governance systems, and is closely related to the concepts of governance type and quality.

²⁵ Adapted from Borrini-Feyerabend et al., 2013 and Borrini-Feyerabend et al., 2014

²⁶ Ibid.

²⁷ Adapted from McDermott et al., 2013 and Pascual et al., 2014

²⁸ Adapted from Franks et al., 2018

²⁹ Adapted from Schreckenberg et al., 2016

³⁰ Franks et al., 2018

³¹ See Franks et al., 2018 and Schreckenberg et al. 2016

³² Knox 2017: Paragraph 5 and 59

³³ Borrini-Feyerabend et al., 2014; Jonas et al., 2016; Jonas et al., 2014

³⁴ See, for example, Franks et al., 2018; Jonas et al., 2016; RRI 2017; RRI 2015

³⁵ Adapted from Borrini-Feyerabend and Hill, 2015:180

³⁶ See, for example, Alohou et al., 2017; Bray et al., 2008; Porter-Bolland et al., 2012; RRI 2017; Schleicher et al., 2017; Stolton et al. 2014

³⁷ UNEP-WCMC and IUCN, 2016:55

³⁸ e.g., Bennett and Dearden, 2014; Eklund and Cabeza, 2016; Islam et al., 2017; Kisingo et al., 2016; Oldekop, et al., 2015

³⁹ e.g., de Koning 2017

⁴⁰ e.g., Borrini-Feyerabend et al., 2013 (quote from page18)

⁴¹ e.g., Anderson 2003, cited in Borrini-Feyerabend and Hill 2015

⁴² SCBD, 2016a (UNEP/CBD/COP/13/INF/17): Para 53

See also section on “Review of country experiences of diversifying governance in protected area systems” and Annexes to this document for examples of how a focus on governance can contribute to coverage, connectivity, and representativeness.

⁴³ Kothari *et al.*, 2012

⁴⁴ Stolton *et al.* (2014) include case studies of PPAs in 17 countries (Australia, Brazil, Canada, Chile, China, Colombia, Finland, Germany, Japan, Kenya, Mexico, Namibia, Republic of Korea, South Africa, Spain, United Kingdom and the United States of America). Total area figure is based on aggregated information from these case studies in SCBD (2016a). The study (confirm which originally) notes that these estimations need to be verified based on the definition of PPAs as well as their relationship to other formalized protected areas.

⁴⁵ Anderson 2003, cited in Borrini-Feyerabend and Hill 2015

⁴⁶ e.g., Bennet and Dearden 2014; Borrini-Feyerabend *et al.* 2012; Clements *et al.*, 2014; Crawhall, 2015; Cundill *et al.*, 2017; Kothari *et al.*, 2012; Stolton and Dudley 2015; Stolton *et al.*, 2014

⁴⁷ e.g., Tauli-Corpuz, 2016

⁴⁸ e.g., Nyhus *et al.*, 2005 and Woodhouse *et al.*, 2018

⁴⁹ Nunan *et al.*, 2018

⁵⁰ Borrini-Feyerabend *et al.*, 2013

⁵¹ e.g., Woodhouse *et al.*, 2018

⁵² See, for example, the Millennium Ecosystem Assessment, 2005. See also Franks *et al.* 2018 for more detailed information about different frameworks and components of wellbeing, and how they relate to equity and governance.

⁵³ See, e.g., Leisher *et al.* 2010 and Leisher *et al.*, 2007:28

⁵⁴ See, e.g., Borrini-Feyerabend *et al.* 2012; FPP *et al.*, 2016; Kothari *et al.*, 2012

⁵⁵ See, e.g., Franks *et al.* 2018

⁵⁶ See, e.g., Borrini-Feyerabend *et al.* 2012; FPP *et al.*, 2016; Kothari *et al.*, 2012

⁵⁷ See, for example, the case of the Wilinggin, Dambimangari, Uunguu and Balanggarra Aboriginal groups in Australia working with the North Kimberley Fire Abatement project to reduce greenhouse gas emissions within and outside their IPAs (Borrini-Feyerabend and Hill 2015:199)

⁵⁸ See, e.g. https://www.oxfam.org/sites/www.oxfam.org/files/inclusive_development.pdf

⁵⁹ See, e.g., Borrini-Feyerabend *et al.*, 2013

⁶⁰ See, e.g., Bennett and Dearden, 2014b; Oldekop *et al.*, 2015

⁶¹ Adapted from case study on ICCA Consortium website (<https://www.iccaconsortium.org/index.php/2014/12/15/an-icca-in-casamance-the-story-of-kawawana/>).

⁶² Adapted from SCBD, 2014:60

⁶³ SCBD, 2014:60

⁶⁴ Adapted from case study on ICCA Consortium website (<https://www.iccaconsortium.org/index.php/2014/12/15/an-icca-in-casamance-the-story-of-kawawana/>).

⁶⁵ UNEP-WCMC and IUCN, 2016:7

⁶⁶ See, e.g., FPP *et al.*, 2016; Kothari and Neumann, 2014; UNEP-WCMC and IUCN, 2016

⁶⁷ UNEP-WCMC and IUCN 2016:56

⁶⁸ UNEP-WCMC and IUCN, 2016 ; CBD, 2015 (UNEP/CBD/SBSTTA/19/10)

⁶⁹ UNGA 2015 (Transforming our world: the 2030 Agenda for Sustainable Development)

⁷⁰ Leisher *et al.*, 2007 (quote from page iv)

⁷¹ This is not an exhaustive list, or a complete treatment of any of these rich concepts. Rather, it aims to provide an introduction.

⁷² SCBD March 2018 (CBD/SBSTTA/22/6, Annex II). This Voluntary Guidance is pending approval.

⁷³ SCBD 2016a (UNEP/CBD/COP/13/INF/17 Para 97). For example, governance assessments were conducted by the Marshall Islands (UNEP/CBD/COP/13/INF/17 Para 102) and Uganda (UNEP/CBD/COP/13/INF/17 Para 105)

⁷⁴ SCBD 2016a (UN EP/CBD/COP/13/INF/17 Para 99)

⁷⁵ SCBD 2017 (Notification 2017-065, SCBD/SPS/DC/SBG/ESE/86683)

⁷⁶ SCBD 2017 (Notification 2017-065, SCBD/SPS/DC/SBG/ESE/86683)

⁷⁷ SCBD 2016a (UNEP/CBD/COP/13/INF/17 para 99)

⁷⁸ Ibid. para. 141

⁷⁹ Rapid Assessment Program, 2008

⁸⁰ SCBD 2016a (UNEP/CBD/COP/13/INF/17 para. 139)

⁸¹ Ibid. para. 146

⁸² Ibid. para. 140; BirdLife International, 2017 (Response to SCBD 2017 - Notification 2017-065, SCBD/SPS/DC/SBG/ESE/86683)

⁸³ SCBD 2016a (UNEP/CBD/COP/13/INF/17 para. 145)

⁸⁴ Ibid. para. 142

⁸⁵ Ibid. para. 143

⁸⁶ The primary sources for the descriptions of governance types below are Borrini-Feyerabend *et al.*, 2013; Dudley 2008; and Stolton *et al.*, 2014

⁸⁷ Decision VII.28, para 2.1.2, Kuala Lumpur, 2004

⁸⁸ Ibid. para 1.1.4 (to contribute to Goal 1.1 on establishing and strengthening national and regional systems of protected areas)

⁸⁹ Ibid. para 2.1.2 (to contribute to Goal 2.1 on promoting equity and benefit sharing)

⁹⁰ Ibid. para 2.1.2

⁹¹ Decision IX/18, para 6(a,b) and CBD Decision X/31, para 32(a,b)

⁹² Decision X/31 paragraph 31(b)

⁹³ Decision XIII/2 paragraph 5(b)

⁹⁴ See, for example, Decision XII/12, B, Annex, Pyeongchang 2014 and Decision XIII/18, Cancun 2016

⁹⁵ Decision XII/12, B, Annex, Pyeongchang 2014

⁹⁶ SCBD 2004a

⁹⁷ SCBD 2004b

⁹⁸ CBD 2011

⁹⁸ Decision XIII/18, Cancun, 2016

⁹⁹ Adapted from Borrini-Feyerabend *et al.* 2013:29 and Borrini-Feyerabend *et al.* 2014

¹⁰⁰ This type is sometimes referred to as ‘co-management’ but we use shared governance here to emphasise the sharing of governance (vs. management).

¹⁰¹ Adapted from Borrini-Feyerabend *et al.*, 2013:30

¹⁰² Adapted from Borrini-Feyerabend *et al.* 2013:32

¹⁰³ Sandwith *et al.*, 2001

¹⁰⁴ Adapted from Borrini-Feyerabend *et al.*, 2013:34,35 (citing Fédération des Parcs Naturels Régionaux, 2006 and French Republic, 2006)

¹⁰⁵ Adapted from Stolton *et al.* 2014. See also Borrini-Feyerabend *et al.*, 2013 and Worboys and Trzyna, 2015:241

¹⁰⁶ Borrini-Feyerabend *et al.* 2013:37, citing Eliana Fischman, personal communication, 2012.

¹⁰⁷ Adapted from Stolton *et al.* 2014

¹⁰⁸ Finland, 2017 (Submission in response to SCBD 2017, SCBD/SPS/DC/SBG/ESE/86683)

A detailed case study of Finnish PPAs is also included in Stolton *et al.*, 2014

¹⁰⁹ On the evolution of this general abbreviation, see endnote 23.

¹¹⁰ See, e.g., Kothari *et al.*, 2012

¹¹¹ See, e.g., Borrini-Feyerabend *et al.*, 2012; Kothari *et al.*, 2012; and “Many names, a value in itself” at <https://www.iccaconsortium.org/index.php/discover/>

¹¹² Kothari *et al.*, 2012:16

¹¹³ *Ibid.*, p.20

¹¹⁴ See “Three defining characteristics for ICCAs” at <https://www.iccaconsortium.org/index.php/discover/>

¹¹⁵ See e.g., Cundill *et al.* 2017; Kothari *et al.*, 2012; Worboys, 2015

¹¹⁶ In general, see information about ICCAs in international policies at the ICCA Consortium website (<https://www.iccaconsortium.org/index.php/international-en/>). With regard to the CBD, see endnote no. 6 in this document, including Decision VII/28, paras. 2.1.2., 2.2.4, Kuala Lumpur, 2004. With regard to GEF, see, for example, inclusion of ICCAs in developing programme for GEF 7, e.g., in March 2017 [Programming Directions and Policy Agenda](#) (GEF/R.7/02). With regard to IUCN, see resolutions promoting appropriate recognition and support of ICCAs and the [IUCN Programme 2017-2020](#)

¹¹⁷ Kothari *et al.* 2012 and “Threats” at <https://www.iccaconsortium.org/index.php/discover/>

¹¹⁸ Kothari *et al.* 2012:19,20 and other sources as cited

¹¹⁹ Borrini-Feyerabend *et al.*, 2013:423

¹²⁰ Borrini-Feyerabend *et al.*, 2013:42

¹²¹ Borrini-Feyerabend *et al.*, 2013:2,3; SCBD, 2014:60

¹²² Borrini-Feyerabend *et al.*, 2013; Borrini-Feyerabend *et al.*, 2014

¹²³ SCBD March 2018 (CBD/SBSTTA/22/6, Annex II). This Voluntary Guidance is pending approval.

¹²⁴ SCBD 2018 (CBD/SBSTTA/22/6, Annex III)

¹²⁵ Borrini-Feyerabend *et al.*, 2014:13

¹²⁶ Dudley 2008; Borrini-Feyerabend *et al.*, 2013

¹²⁷ Borrini-Feyerabend *et al.*, 2014; Jonas *et al.* 2017

¹²⁸ SCBD 2018 (CBD/SBSTTA/22/6, Annex II). – Proposed “voluntary guidance on effective governance models...”

¹²⁹ *Ibid.*

¹³⁰ The study also considers governance quality, or good governance principles, but the primary focus appears to be on type diversity.

¹³¹ Stanciu and Ioniță, 2014

¹³² Borrini-Feyerabend *et al.*, 2013:52, referring also to CBD Decision XII.28, para 2.2.5, Kuala Lumpur

¹³³ De Koning *et al.*, 2017, see also : <https://panorama.solutions/en/solution/additional-local-manpower-improves-protected-area-management-effectiveness>

¹³⁴ Nigel *et al.*, 2005

¹³⁵ Kothari *et al.*, 2012.

¹³⁶ SCBD 2018 (CBD/SBSTTA/22/6, Annex II).

¹³⁷ SCBD 2018 (CBD/SBSTTA/22/6, Annex III)

¹³⁸ Borrini-Feyerabend *et al.*, 2013, including Table 16 (Governance-related indicators from the National Profile on the Implementation of PoWPA), Table 17 (Governance-related indicators consistent with CBD decisions adopted outside PoWPA), and Annex 1 which provides ‘do’s and don’ts’ for supporting ICCAs.

¹³⁹ Stolton *et al.*, 2013

¹⁴⁰ Borrini-Feyerabend *et al.*, 2007 (first published as Borrini-Feyerabend *et al.*, 2004)

¹⁴¹ Stolton *et al.*, 2014:x

¹⁴² CBD Plan of Action on Customary Sustainable Use (Decision XII/12, B, Annex, Pyeongchang 2014)

¹⁴³ Shrumm and Jonas 2012

¹⁴⁴ Corrigan and Hay-Edie, 2013

¹⁴⁵ <https://www.iucn.org/theme/protected-areas/our-work/protected-area-solutions/panorama-solutions-healthy-planet>

¹⁴⁶ <https://www.iccaconsortium.org/>

¹⁴⁷ UNEP-WCMC, 2017:6

¹⁴⁸ March 2018 WDPA update at <https://www.protectedplanet.net/c/monthly-updates/2018/march-2018-update-of-the-wdpa>

¹⁴⁹ www.protectedplanet.net

¹⁵⁰ UNEP-WCMC, 2016a:9

¹⁵¹ UNEP-WCMC, 2017: 8-9

¹⁵² In 1990, 46% of the area in the WDPA was under a reported governance type. Of this, 96% was government governed. (Bertzky *et al.* 2012)

¹⁵³ In 2010, 51% of the area in the WDPA was under a reported governance type. Of this, 77% was government governed. (Bertzky *et al.* 2012)

¹⁵⁴ SCBD 2016: para 96 (UNEP/CBD/COP/13/INF/17) based on WDPA data as of August 2016.

¹⁵⁵ UNEP-WCMC and IUCN 2016:8

¹⁵⁶ [Decision X/31.B](#), para 33(c)

¹⁵⁷ www.iccaregistry.org

¹⁵⁸ UNEP-WCMC, 2016:9,10

¹⁵⁹ UNEP-WCMC 2017

¹⁶⁰ UNEP-WCMC, 2016

¹⁶¹ See, for example, For example: Decision VII/28, paras 2.1.5 and 2.2.4, Kuala Lumpur, 2004; Decision IX/18/A, para. 6(d), Bonn, 2008; Decision X/31, para. 31(a) and 32(c) Nagoya, 2010; General Principles and Task III of the CBD Plan of Action on Customary Sustainable Use (Decision XII/12, B, Annex, Pyeongchang 2014; and Decision XIII/2 paragraph 5(b)(viii), Cancun, 2016

¹⁶² See, for example: Decision VII.28, para 2.2.5, Kuala Lumpur, 2004; Decision XII/12, B, Annex, Pyeongchang 2014; Decision XIII/18, Cancun 2016

¹⁶³ See, for example, Decision VII/28, Goal and Target 2.1 and related paras including 2.1.1., 2.1.6., 3.1.2, 3.1.9, Kuala Lumpur, 2004; Decision IX/18, para A6(e), Bonn, 2008; and Decision X/31, paras 30(b), 31(a), and 32(d), Nagoya, 2010.

¹⁶⁴ Decision VII/28, para. 2.1.4, Kuala Lumpur, 2004

¹⁶⁵ Decision X/31 paragraph 30(b), Nagoya, 2010

¹⁶⁶ See for example, Decision X/31, para. 32 (f), Nagoya, 2010 and Decision XIII/2, para. 5(d), Cancun, 2016)

¹⁶⁷ See, for example, Decision VII/28, para. 3.1.4, Kuala Lumpur, 2004 and Decision X/31 para. 23, Nagoya, 2010

¹⁶⁸ Decision VII/28, para. 2.2.3, Kuala Lumpur, 2004

¹⁶⁹ Decision VII/28, para. 2.2.1, Kuala Lumpur, 2004

¹⁷⁰ Decision VII/28, para. 1.1.7. , Kuala Lumpur, 2004

¹⁷¹ Decision XII/12, B, Annex, Pyeongchang 2014

¹⁷² Decision VII/28, para. 2.1.6, Kuala Lumpur, 2004

¹⁷³ Decision X.31 paragraph 30(a), Nagoya, 2010

¹⁷⁴ Decision XII/12, B, Annex, Pyeongchang 2014

(CBD Article 10 (c) states that Parties shall, as far as possible and as appropriate: “Protect and encourage customary use of biological resources in accordance with traditional cultural practices that are compatible with conservation or sustainable use requirements.”)

¹⁷⁵ Decision XIII/18, Cancun, 2016

¹⁷⁶ SCBD 2004a

¹⁷⁷ SCBD 2004b

¹⁷⁸ CBD 2011 (The word “Tkarihwaie:ri” is a Mohawk term meaning “the proper way”.)

¹⁷⁹ SCBD 2002

¹⁸⁰ SCBD 2011 (Art 7)

¹⁸¹ For more information on the origins and evolution of these principles, see, e.g., Borrini-Feyerabend *et al.* 2013 and Graham *et al.*, 2003

¹⁸² In addition to (and building on) this work on protected areas governance principles, IUCN is also articulating a set of good governance principles for natural resources more broadly, referred to as the Natural Resources Governance Framework. See Springer 2016.

¹⁸³ Descriptions of each principle draw on Borrini-Feyerabend *et al.*, 2013 and Borrini-Feyerabend *et al.* 2014, with additional sources as cited.

¹⁸⁴ Examples do not address principles in their entirety. Rather, they are meant to illustrate an aspect, or aspects, of each principle.

¹⁸⁵ Finland 2017 (Response to SCBD 2017, SCBD/SPS/DC/SBG/ESE/86683) and Mervi *et al.*, 2014

(In Finland, the state agency, Metsähallitus, manages state-owned land, which includes over 90% of the indigenous Saami Homeland (Forward by Rauno Vaisanen, Director of Natural Heritage Services, Metsähallitus, in Suvi and Stolt, 2013)

¹⁸⁶ Finland 2017 (Response to SCBD 2017, SCBD/SPS/DC/SBG/ESE/86683); Suvi and Stolt, 2013

¹⁸⁷ Suvi and Stolt, 2013

¹⁸⁸ Suvi and Stolt, 2013:27

¹⁸⁹ Suvi and Stolt, 2013

¹⁹⁰ Adapted from Borrini-Feyerabend *et al.* 2013:47, 48 (drawing on ASATRIZY and Riascos de la Peña, 2008; Corporación Ecozoica, 2011). See also Children of the water: Plan de Vida (Life Plan)49 of the Misak people, Colombia in FPP *et al.* (2016:47).

¹⁹¹ Sue Stolton, cited in Borrini-Feyerabend and Hill, 2015:184

¹⁹² Borrini-Feyerabend *et al.*, 2013:91

¹⁹³ <http://www.dfo-mpo.gc.ca/oceans/mpa-zpm/bowie-eng.html>

¹⁹⁴ Canada 2017 (submission in response to SCBD 2017, SCBD/SPS/DC/SBG/ESE/86683)

¹⁹⁵ Borrini-Feyerabend *et al.* 2014:17

¹⁹⁶ Cundill *et al.* 2017, Franks and Small 2016a

¹⁹⁷ Karki 2013

¹⁹⁸ Swemmer *et al.* 2017

¹⁹⁹ See, e.g., RRI 2017 add Springer 2016

²⁰⁰ For an overview of participatory mapping and links to various resources, see Myer *et al.* 2015

²⁰¹ Pedrick, 2016:62

²⁰² *Ibid.*, p.24

²⁰³ Based on Borrini-Feyerabend *et al.*, 2013 and Franks *et al.* 2018

²⁰⁴ Case example details are adapted from Kiringo and Franks, in Franks and Booker (forthcoming). For more information about pilot assessments of this methodology, see this forthcoming publication, as well as the manual for use of the methodology (Booker and Franks, forthcoming).

²⁰⁵ Schreckenber *et al.* 2016

²⁰⁶ The current iteration of the framework is included as Annex I in Franks *et al.*, 2018:32-34. An earlier version was described and illustrated with case examples in Schreckenber *et al.* 2016.

²⁰⁷ Borrini-Feyerabend *et al.*, 2013

²⁰⁸ Case examples do not address principles in their entirety. Rather, they are meant to illustrate an aspect, or aspects, of the principle.

²⁰⁹ Adapted from FAO, 2014a:12

²¹⁰ Adapted from Kothari *et al.* 2015:802, based on Pathak Broome, N. and T. Dash ‘Recognition and support of ICCAs in India’, in Kothari *et al.* 2012

²¹¹ Farvar ([Presentation](#)) and FPP *et al.*, 2016:105, citing also Dr Farvar, T. M. Poverty eradication through biodiversity & territorial rights. Indigenous nomadic tribes of Iran rising to the occasio. Statewide Agricultural Land Use Baseline 2015 (2013)

²¹² Kothari *et al.*, 2012:51

²¹³ FPP *et al.*, 2016:105

²¹⁴ Kothari *et al.*, 2015:807, drawing on Gell and Roberts 2002, Geoghegan and Renard 2002, and Salm *et al.* 2000

²¹⁵ Schreckenber *et al.* 2016:14 (citing Osterhaus & Hauschnik, 2015)

²¹⁶ Hill *et al.* 2013:1

²¹⁷ Adapted from Borrini-Feyerabend and Hill 2015:197, with additional information from Hill *et al.* 2013

²¹⁸ Trzyna, 2014:59

²¹⁹ Description quoted from: Hariyo Ban Program, nd. See also Maharjan and Shrestha, 2006.

²²⁰ The current iteration of the framework is included as Annex I in Franks *et al.*, 2018:32-34. An earlier version was described and illustrated with case examples in Schreckenber *et al.* 2016.

²²¹ Borrini-Feyerabend *et al.*, 2013

²²² Kujirakwinja *et al.*, 2018

²²³ Franks and Small 2016a

- ²²⁴ See, e.g., Franks and Small 2016a
- ²²⁵ Elliott et al. 2008, as summarised by Dudley *et al.* 2016:51
- ²²⁶ See TFCG and MJUMITA 2014; Campese 2010; and <https://www.forestcarbonpartnership.org/sites/fcp/files/Documents/PDF/Nov2012/Tanzania-Benefit%20sharing.pdf> <http://www.mjumita.org/what-we-do/projects/redd/index.htm>
- ²²⁷ Schreckenber *et al.* 2016:15
- ²²⁸ See, for example, Bockstael et al., 2016; Jones, 2014; Hogg et al., 2017; McGinley and Cabbage 2017; Mutekwa and Gambiza 2016
- ²²⁹ Borrini-Feyerabend *et al.*, 2013, including Table 16 (Governance-related indicators from the National Profile on the Implementation of PoWPA) and Table 17 (Governance-related indicators consistent with CBD decisions adopted outside PoWPA)
- ²³⁰ Booker and Franks, forthcoming
- ²³¹ Worboys *et al.* (editors), 2015
- ²³² Information about these and other international human rights instruments can be found on the UNOHCHR website (<http://www.ohchr.org>)
- ²³³ UNHR Special Procedures, 2018 (A/HRC/37/59)
- ²³⁴ Jonas *et al.*, 2016
- ²³⁵ <http://www.forestpeoples.org/en/environmental-governance-legal-human-rights-responsible-finance/training-tool/2017/resources-free>
- ²³⁶ FAO 2014c
- ²³⁷ UNECE, 1998
- ²³⁸ Shrumm and Jonas, 2012
- ²³⁹ Franks and Small, 2017b
- ²⁴⁰ FAO, 2012
- ²⁴¹ FAO, 2014b
- ²⁴² SCBD, 2010
- ²⁴³ SCBD 2016a (UNEP/CBD/COP/13/INF/17 para. 151)
- ²⁴⁴ Decision XIII/1, paras. 8-9, Cancun, 2016
- ²⁴⁵ See, e.g., Bennet et al., 2017; Bennet and Dearden 2014b; Borrini-Feyerabend *et al.* 2013
- ²⁴⁶ See, e.g., Barret *et al.* 2006; Schreckenber *et al.* (eds) 2018
- ²⁴⁷ See, e.g., Bennet et al., 2017
- ²⁴⁸ See, e.g., Borrini-Feyerabend et al., 2013
- ²⁴⁹ See, e.g., Biggs et al., 2017
- ²⁵⁰ See, e.g., Borrini-Feyerabend et al., 2013, NRGF 2017
- ²⁵¹ Stevens *et al.*, 2016
- ²⁵² Bennet *et al.* 2017
- ²⁵³ Borrini-Feyerabend *et al.* 2014:21
- ²⁵⁴ See, e.g. Kothari et al. 2012; <http://www.paddtracker.org/>
- ²⁵⁵ e.g., Tauli-Corpuz, 2016; Malmer *et al.* 2018
- ²⁵⁶ Schreckenber *et al.* 2016
- ²⁵⁷ Nunan *et al.*, 2018
- ²⁵⁸ https://storage.googleapis.com/pnn-web/uploads/2013/08/Decreto2372_de_01_de_julio_de_2010-SINAP-1.pdf
- ²⁵⁹ The first protected areas were created in 1938 with the National Protected Forest Reserves (Reservas Forestales Protectoras Nacionales). The first National Natural Park, called “Cueva de los Guácharos” (Guácharos Cave) was declared in 1960, and the System of National Natural Parks was created in 1974.
- ²⁶⁰ http://www.parquesnacionales.gov.co/portal/wp-content/uploads/2013/08/Conpes3680jul212010_2.pdf
- ²⁶¹ *Ibid.*, p.29.
- ²⁶² <http://www.parquesnacionales.gov.co/portal/es/sistema-nacional-de-areas-protegidas-sinap/subsistemas-regionales-de-areas-protegidas/>
- ²⁶³ Regional and Sustainable Development Autonomous Corporations are legally established corporate public entities integrated by institutions that are part of the same geopolitical, biogeographic or hydrogeographic unit. They are mandated to administer, within their jurisdiction, the environment and renewable natural resources and to work for sustainable development, in accordance with legal provisions and with the policies of the Ministry of the Environment. <http://www.minambiente.gov.co/index.php/noticias/2067>
- ²⁶⁴ Sanclemente et al., 2014
- ²⁶⁵ *Ibid.*
- ²⁶⁶ Arango and Sánchez, 2004
- ²⁶⁷ Colombia, Ministerio de Ambiente y Desarrollo Sostenible - Programa de las Naciones Unidas para el Desarrollo. 2014. Quinto Informe Nacional de Biodiversidad de Colombia ante el Convenio de Diversidad Biológica. Bogotá, D.C., Colombia. P. 66.
- ²⁶⁸ As of 2007, Cisneros and McBreen reported that 35% of the protected areas of Colombia overlapped totally or partially with indigenous territories. Cisneros and McBreen, 2010.
- ²⁶⁹ Roza Melo , 2016.
- ²⁷⁰ <http://www.parquesnacionales.gov.co/portal/es/sistema-de-parques-nacionales-naturales/propuesta-de-documento-conceptual-del-trabajo-con-comunidades/>
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