Governance of protected areas: from understanding to action


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…across the world, "conservation" is changing…
a movement that has been building up for years among local communities, indigenous peoples, conservation professionals, policy makers, government staff and protected areas officials…

… has been enshrined in international policy and agreements: …World Parks Congress (Durban 2003)… CBD PoWPA (2004)… numerous IUCN Resolutions (2004, 2008, 2012)… the UN Declaration on the Rights of Indigenous Peoples (2007)… Strategic Plan for Biodiversity …..
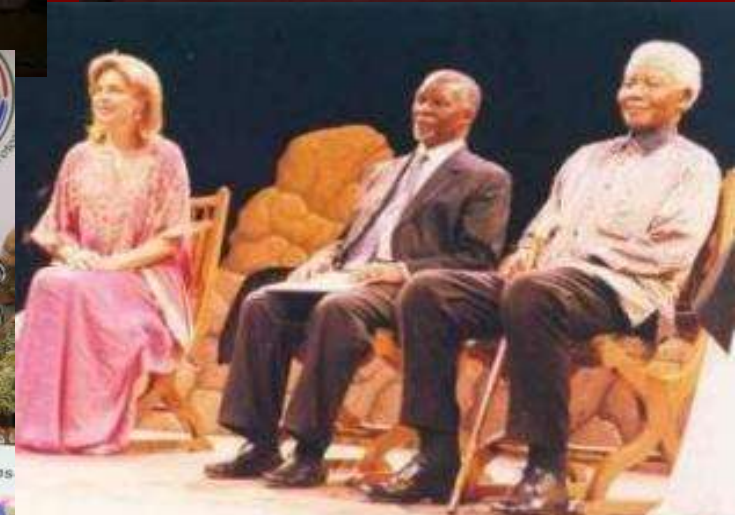
■ **Conservation needs the capacities, concerns & engagement of society as a whole, not of expert professionals or government officials only…**

Conservation needs to pay more attention to the crucial ties between biological and cultural diversity

…the conditions that allow indigenous peoples and local communities to be empowered for conservation

Conservation needs equity— a fair sharing of the costs and benefits of conserving biodiversity and managing natural resources in a sustainable way

Conservation needs to respect human rights and indigenous peoples' rights:

...do all that is possible to "do no harm" and, rather, have a positive impact on livelihoods...

Governance continuum

authority, responsibility and accountability in governing protected areas: a continuum

| Full control by governmental agency Type A | Sharing control by governmental agency & local rightsholders and stakeholders Type B | Full control by local rightsholders and stakeholders Type C & D |

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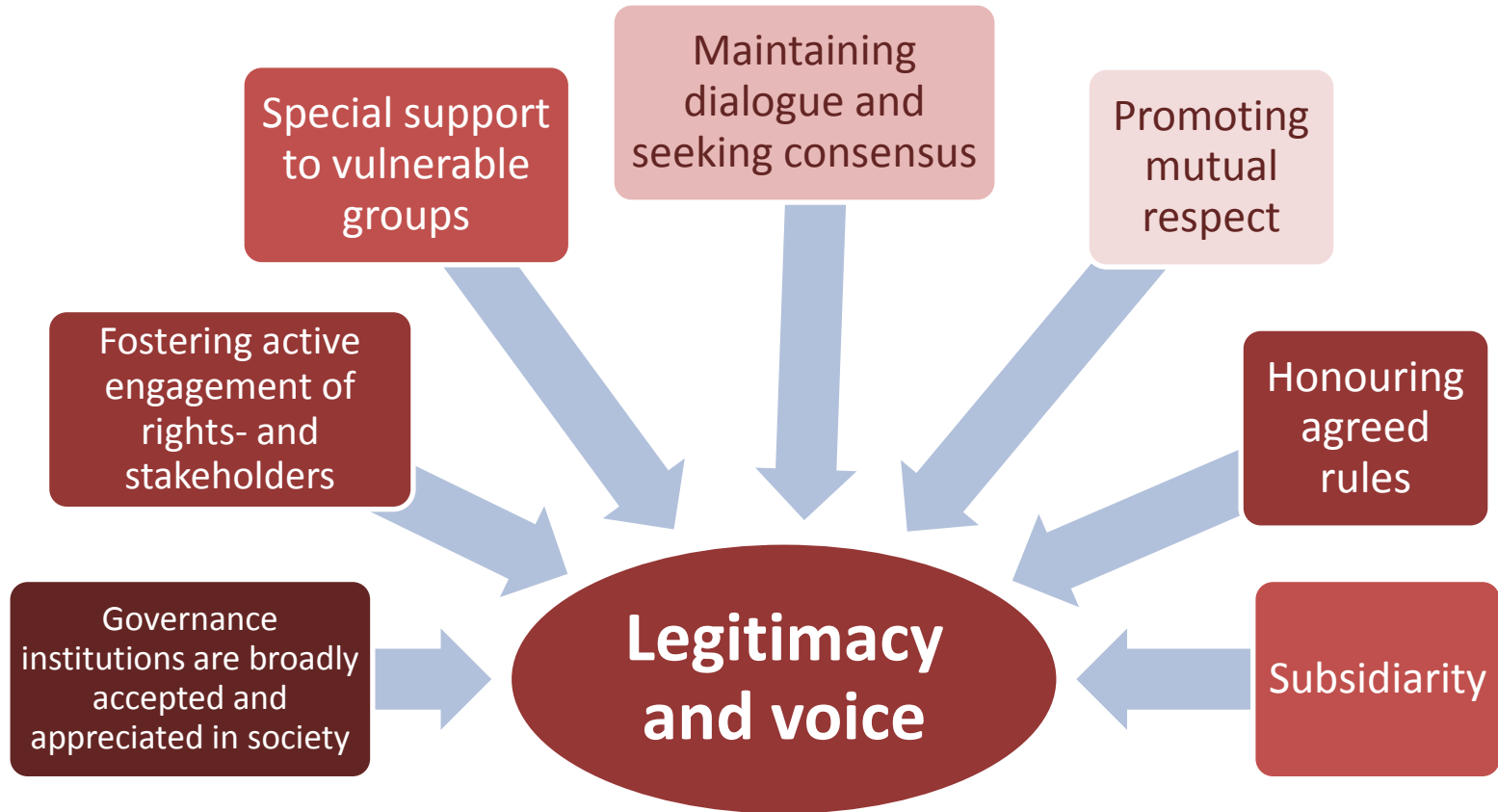| Taking management decisions without consultation | Consulting local actors & seeking their consent (at times via benefit sharing) | **Negotiating** specific agreements | Ceding authority & responsibility in a formal way (e.g., relinquishing most seats in a governance body) | Recognising/ transferring full authority & responsibility to local actors |

... from the perspective of a governmental agency **vis-a-vis local rightsholders and stakeholders**
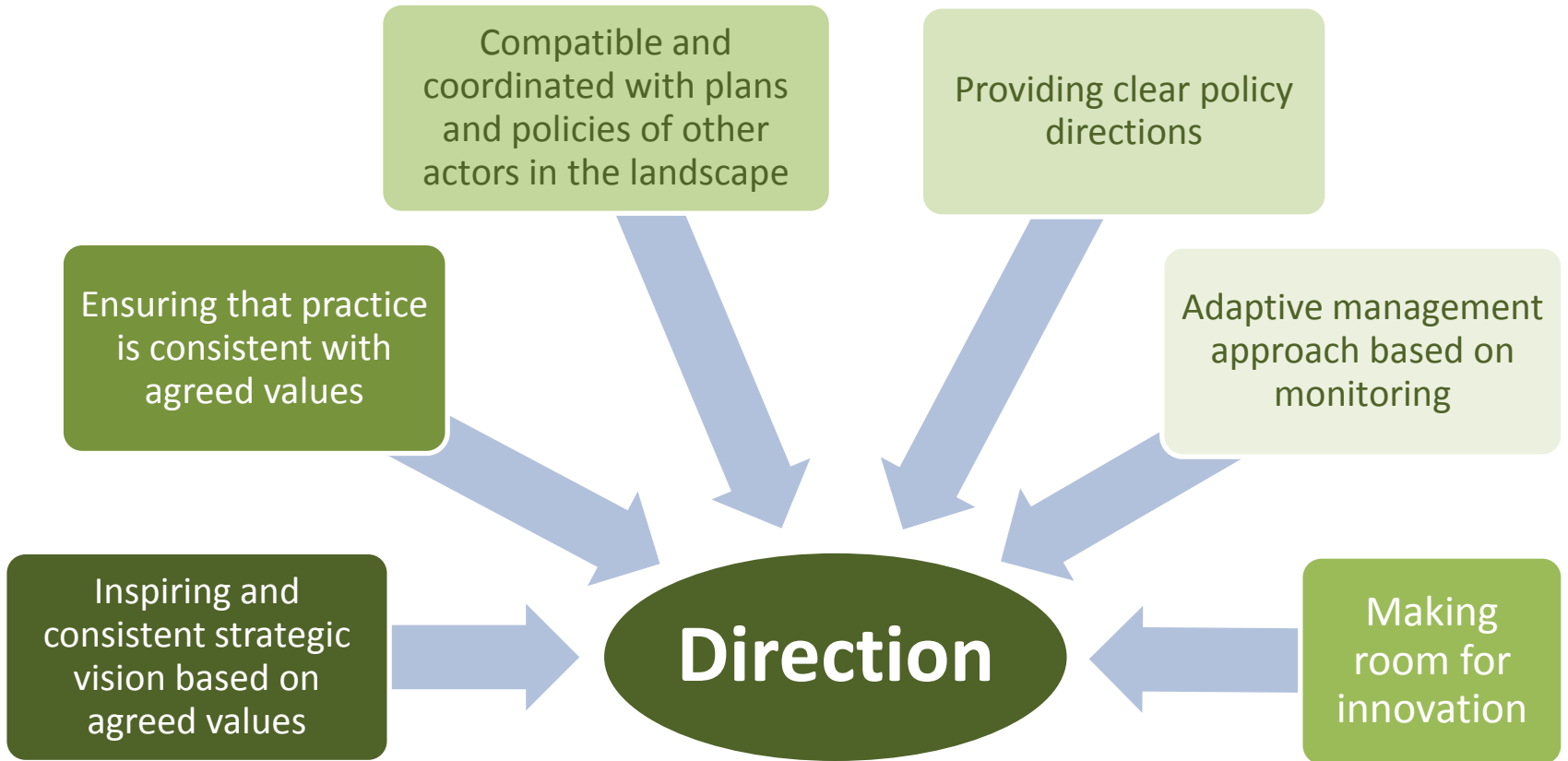
Quality:
principles of "good governance"

- Legitimacy and Voice
- Direction
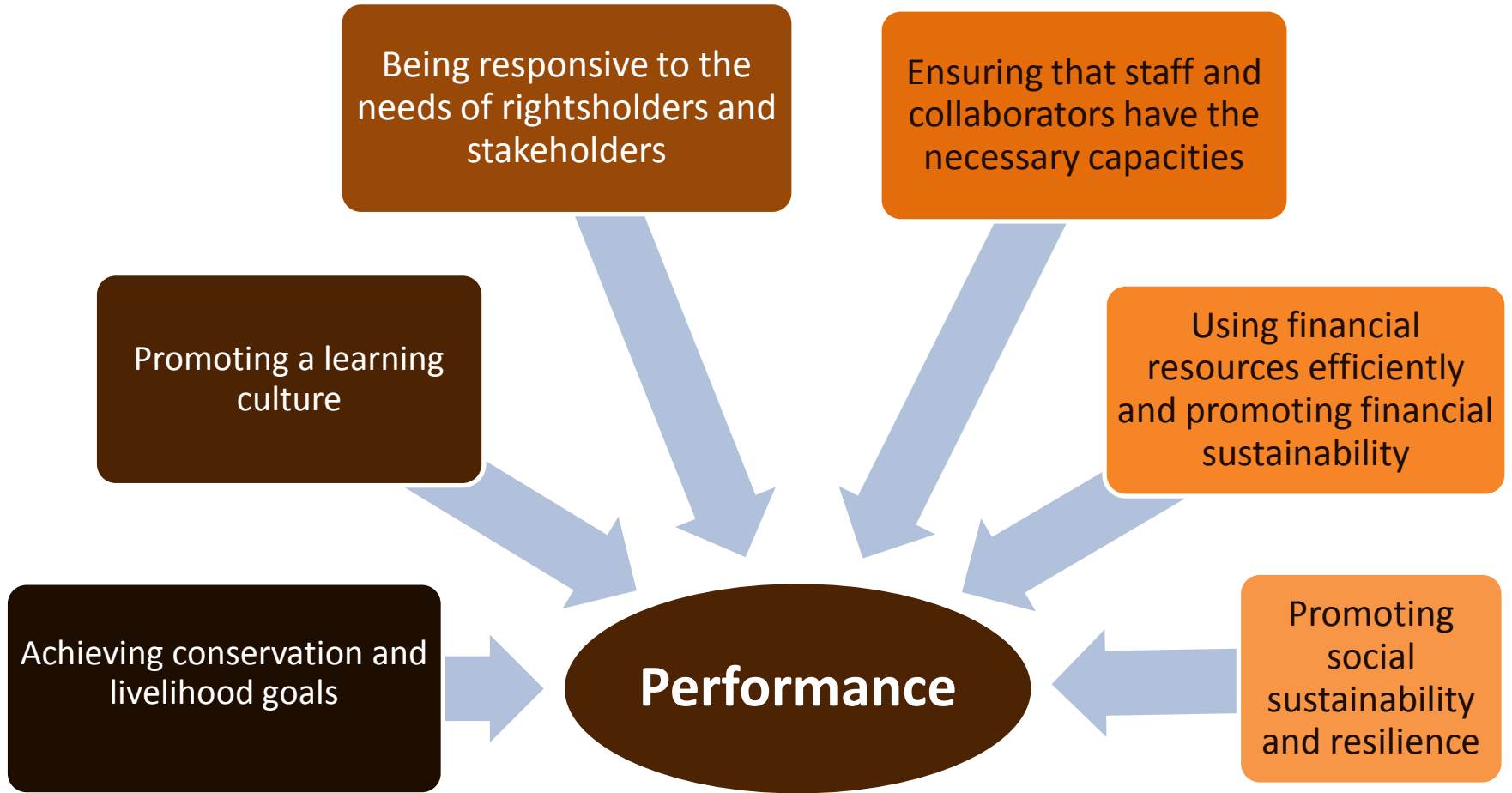- Performance
- Accountability
- Fairness and rights
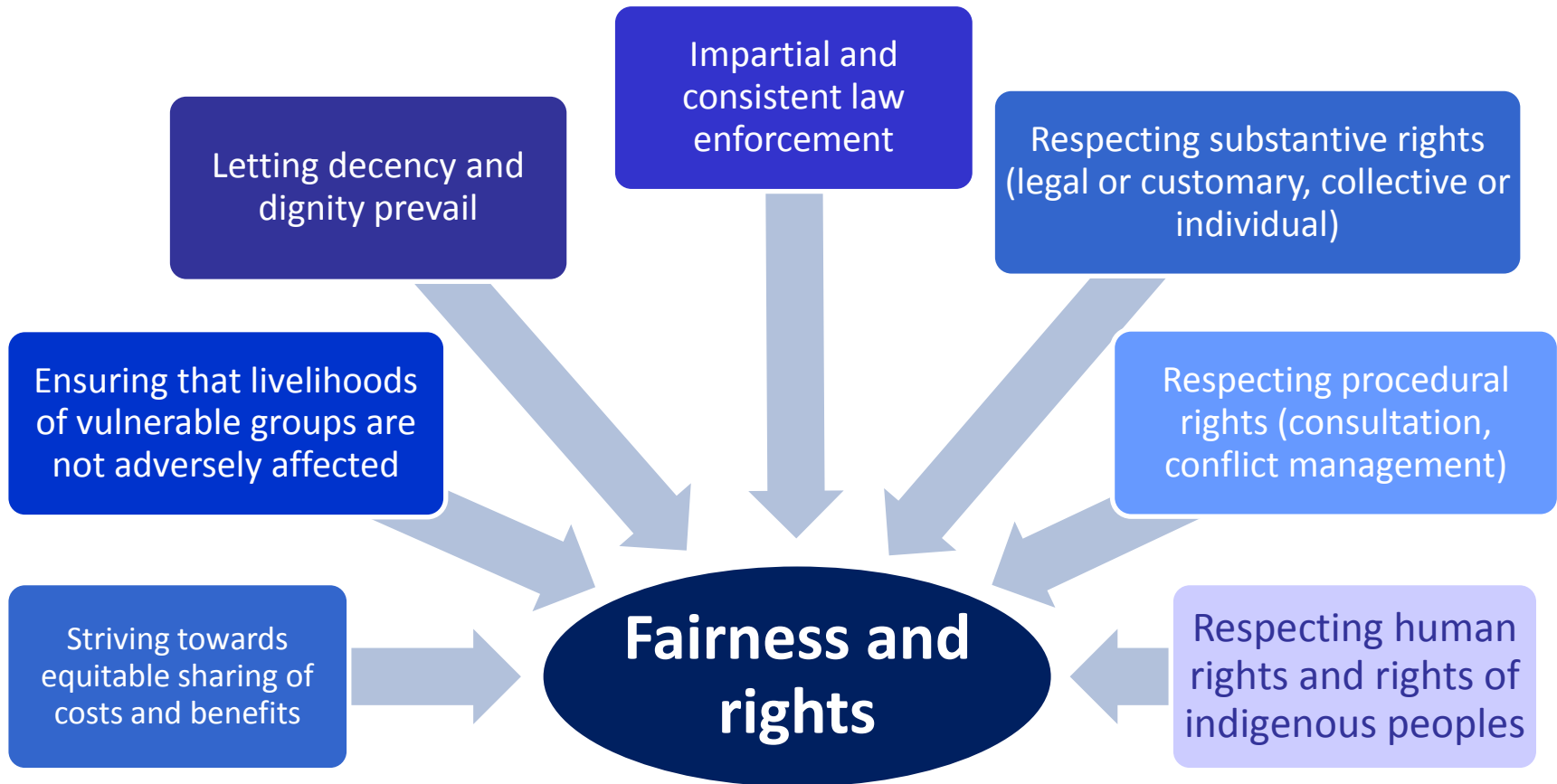
1. Legitimacy and voice

2. Direction

Compatible and coordinated with plans and policies of other actors in the landscape

Providing clear policy directions

Ensuring that practice is consistent with agreed values

Adaptive management approach based on monitoring

Inspiring and consistent strategic vision based on agreed values

Direction

Making room for innovation

3. Performance

Being responsive to the needs of rightsholders and stakeholders

Ensuring that staff and collaborators have the necessary capacities

Promoting a learning culture

Using financial resources efficiently and promoting financial sustainability

Achieving conservation and livelihood goals

Performance

Promoting social sustainability and resilience

4. Accountability

Ensuring clear roles and lines of responsibility and answerability

Ensuring resources are targeted to objectives

Evaluating performance and linking quality of results with rewards and sanctions

Ensuring transparency / access to information

Establishing communication avenues

Upholding the integrity and commitment of all in charge of specific responsibilities

Accountability

Ensure independent oversight

5. Fairness and rights

Principles of good governance

Legitimacy and voice

- Participation
- Consensus orientation

Direction

- Strategic vision

Performance

- Responsiveness
- Effectiveness and efficiency

Accountability

- Accountability and transparency

Fairness and rights

- Equity
- Rule of Law

Equitable governance

Effective governance

Equitable governance

Why promote governance quality of PAs?

- **Improve management effectiveness**

- **Involve more / other stakeholders**

- **improve social acceptance**

- **Improve equity**

Assessing and evaluating PA governance

Assessment

- **History and culture**
- **Actors and institutions**
- **Spatial analyses**
- **Governance process & quality**

Evaluation

- **How does the situation compare to our objectives?**
- **What options exist to improve the situation?**

Improving action

- **What do we want to do about it?**

System level

Site level
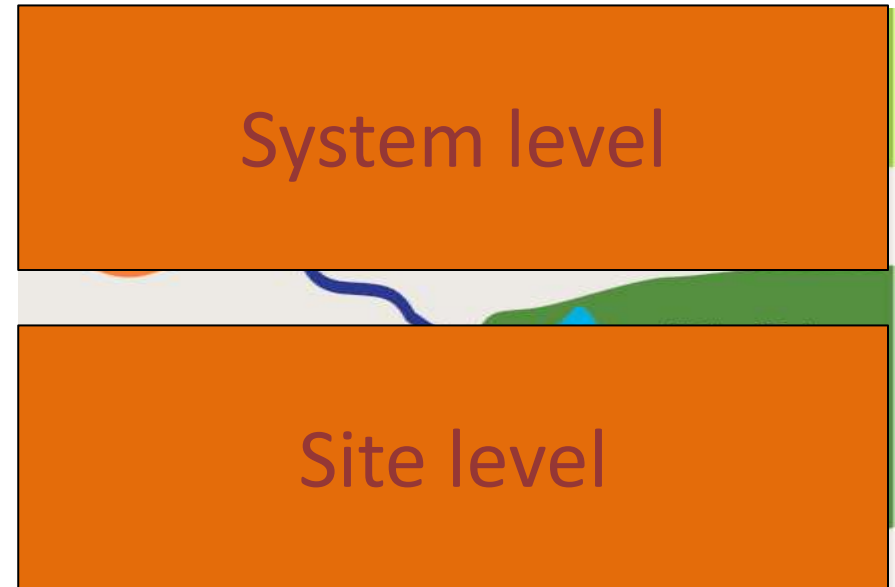
the governance assessment, evaluation and action process

Phase1: the Team plans the process

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Phase 2: gathering information and technical support, promoting awareness, helping participants to organise (some weeks or months)

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Phase 3: workshop to assess and evaluate governance and plan for action (one week to ten days)

→

Phase 4: taking action and obtaining results (..for as long as it is needed)

- Listing and mapping of protected areas
- History and culture
- Actors and institutions
- Conservation *de jure* (legal analysis)
- IUCN Protected Area Matrix analysis
- Spatial analysis of governance for protected areas
- Listing, mapping and conservation status of KBAs
- Active damage and risk analysis for KBAs
- Spatial analysis of governance for KBAs
- Governance quality

"phase III"
assessment steps for a PA system…

KBA = areas of particular importance

Step example: legal analysis

- What legal frameworks (legislation and/or policy, possibly included in different sectors) regulate governance of protected areas in Southern Africa countries ? Do they allow a diversity of protected area governance types?

- In practice, how diverse are the protected area systems in terms of governance types?

Step example: IUCN Matrix analysis

What can we learn from situating in the IUCN Matrix the protected areas of a given country?   Is the distribution even or skewed? Are certain governance types clearly under-represented?
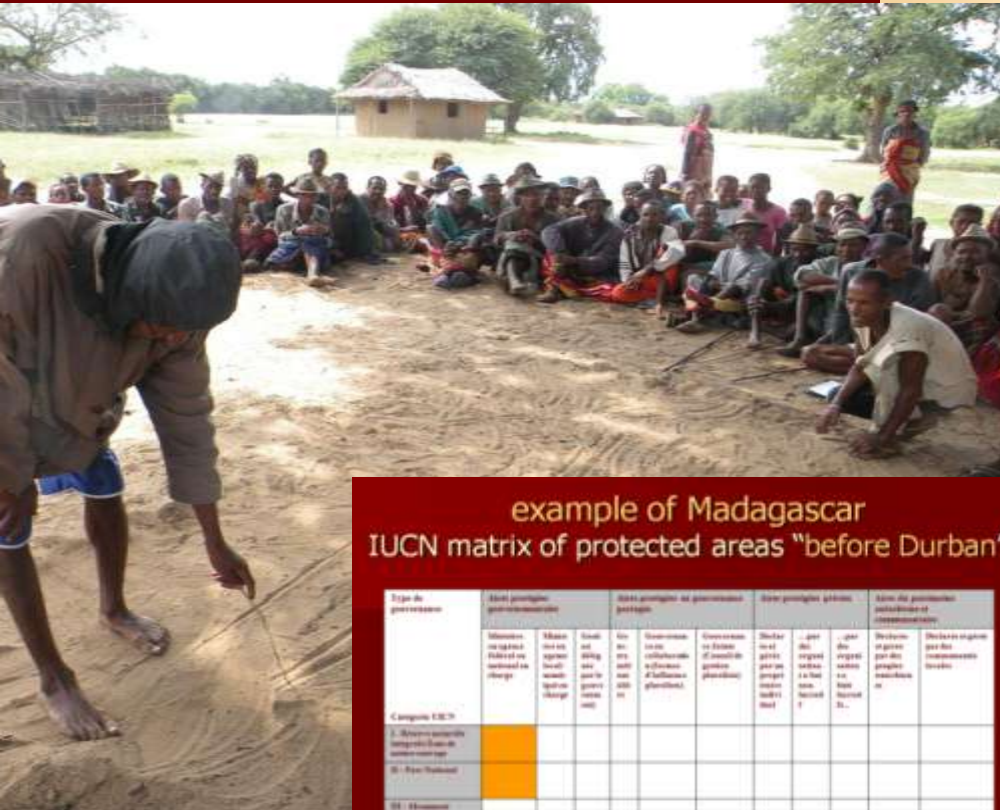
example of Madagascar
IUCN matrix of protected areas "before Durban"

example of Madagascar
IUCN matrix of protected areas "after Durban"

Spatial analysis of governance

- Mapping APIs, protected areas, "threats to nature" and governance types…

- Identifying overlaps and associations

- What governance types appear associated with APIs, protected areas, and/or "active damage and risks"?

- What governance types appear preferentially associated with APIs *within* the protected area system? With APIs well conserved *outside* the protected area system? With APIs under threat?

Quality analysis of governance

- Examine the functioning of the system (how are decisions actually taken?)

- Assess whether the legal and institutional framework for protected areas is suited to promote "good governance"

- Evaluate how the protected area system can be governed as legitimately, purposefully, effectively, accountably, fairly, and respectfully of rights as possible…

Evaluating a system of protected areas

- <u>Legal and other options to improve governance quality & recognize diverse governance types</u>…

- <u>…and thereby strengthen conservation</u>
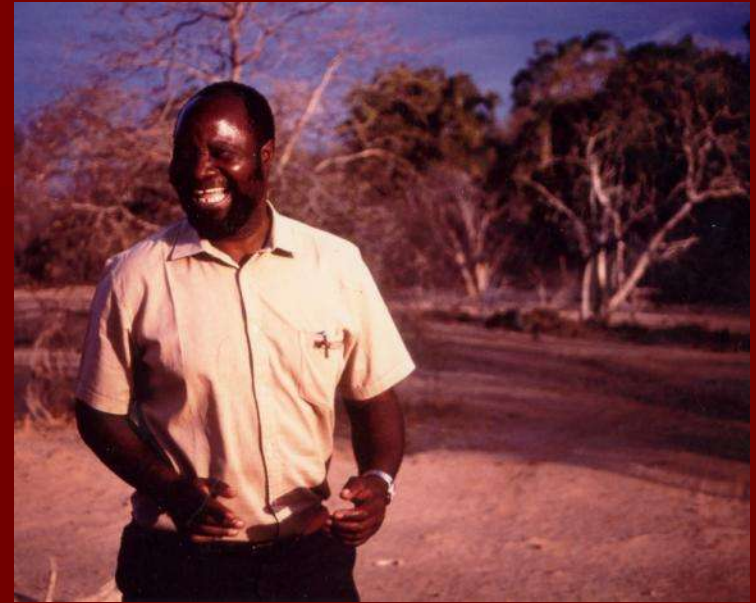
Reporting and action

- Governance Assessment and Evaluation Report (to be used in national reporting to the CBD, PoWPA and others)
- Governance Action Plan to address governance issues at a system or at an individual site level

Possible results of an assessment at the system level

Answers to the following questions:

- **Does governance type and quality correlate with effective conservation?**

- **Are any existing conservation efforts left out of the system?**

- **Are any areas particularly important for biodiversity left out of the system?**

- **Are the provisions for good governance sufficient in the overall system?**

The evaluation might come up with the following:

- **Governance options to consolidate, strengthen and expand conservation**

- **Legal and other options to recognise diverse governance types**

- **Legal and other options to improve governance quality**
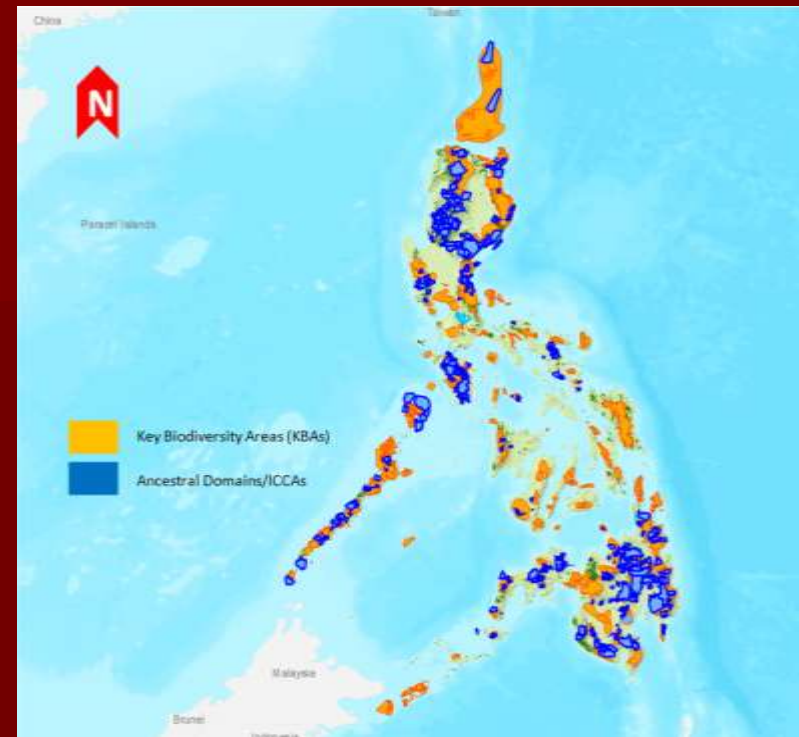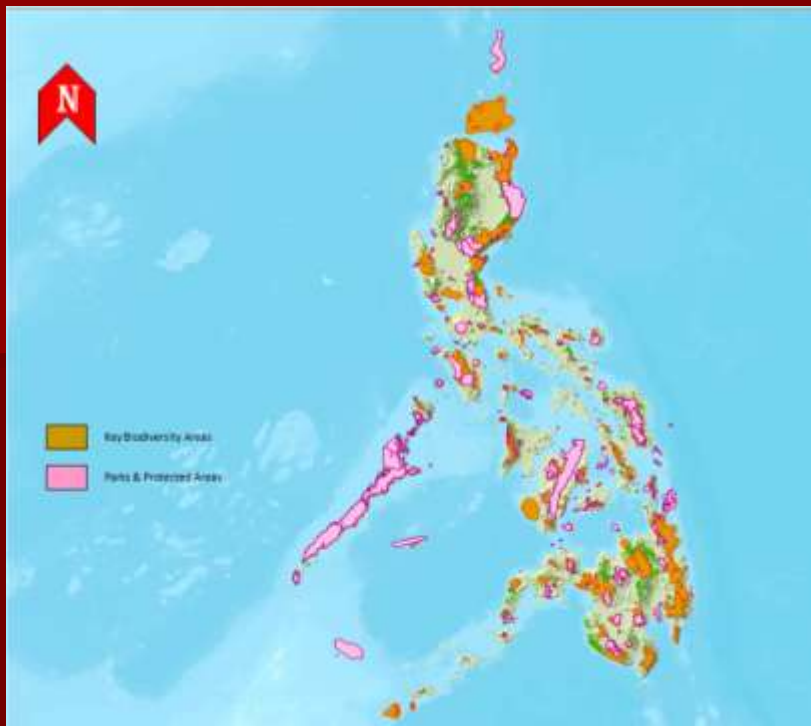
Key Biodiversity Areas and Important Bird Areas in The Philippines overlaid with protected areas (pink) and with the ancestral domains of indigenous peoples (blue) (Lim, 2012).

Questions for discussion

- **Have any countries conducted an assessment of the governance of the whole system of protected areas?**

- **Have any countries instituted legal reforms to address issues of governance?**

- **Are the provisions for good governance sufficient in your overall system?**

- **What are the opportunities to address issues where there may be room to enhance the quality of governance?**