Governance in the CBD Programme of Work on Protected Areas—

- understanding
- assessing
- taking action

CBD PoWPA review of progress and capacity-building Africa Regional Workshop – Abidjan (Ivory Coast, Oct 6-9, 2009)

Dr. Grazia Borrini-Feyerabend gbf@cenesta.org
2003 -- 5° World Parks Congress (Durban, South Africa)
2004 -- CBD Programme of Work on Protected Areas (COP 7, Kuala Lumpur, Malaysia)
2004 World Conservation Congress (Bangkok, Thailand)
2005 First Marine Protected Areas Congress (Geelong, Australia)
2008 -- CBD PoWPA Review (CBD COP 9, Bonn, Germany)
2008 World Conservation Congress (Barcelona, Spain)
Conservation needs the capacities, concerns & engagement of society as a whole, not of expert professionals or government officials only.
key messages

- 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 preserving biodiversity and managing natural resources in a sustainable way.
key messages

- Conservation needs to **respect human rights:**
  
  “do no harm”...& have a positive impact on livelihoods wherever possible.
CBD Programme of Work on Protected Areas – PoWPA

espouses the “key messages” throughout its text but in particular in its element No.2: Governance, participation, equity and benefit sharing
Specific CBD TARGETS

By 2008, the CBD parties will make sure that indigenous peoples and local communities **participate fully and effectively in identifying, implementing and managing new PAs**

... signatory countries should:

- recognise the conservation capacities of civil society
- engage in participatory research, planning and management with indigenous peoples and local communities
Specific CBD TARGETS

By 2008, the CBD parties will have **developed and adopted standards, criteria and best practices for the planning, identification, establishment, management and governance** of their own national and regional PA systems.

...signatory countries should:

- work with, and learn about, PAs under various governance types, in particular areas and territories conserved by indigenous peoples and local communities (ICCAs)
- establish and follow “good governance” principles
Specific CBD TARGETS

By 2008, the CBD parties will have developed **mechanisms** for an **equitable sharing of costs and benefits** of PAs

... signatory countries should:

- Understand the needs, priorities and values of indigenous peoples and local communities
- Use conservation benefits to alleviate poverty
- Ban relocation or sedentarisation of indigenous peoples without their prior informed consent
Specific decisions/ emphasis from 2008 POWPA Review of COP 9

- CBD parties should give **special attention to** the implementation of **PoWPA element 2**...

- establish **multisectoral advisory committees** in support of **PoWPA implementation**

- improve, diversify and **strengthen PA governance types**, leading to or in accordance with appropriate national legislation

- recognize [**various PA governance types**] through acknowledgement **in national legislation or other effective means**
many of the real key innovations of the CBD Programme of Work on Protected Areas are about governance.
“Well managed protected areas, when combined with participatory and equitable governance, provide crucial benefits far beyond their boundaries”

Ahmed Djoghlaf
Exec. Secretary, CBD
...but what is “governance”?
Is it not the same as “management”?

management->
what do we do?
governance->
who decides what we do? ...
(and how)
management

- Has to do with the understanding of a situation, the aims we wish to achieve, the means to reach those aims (human, technical, financial...), the actions we take and the results we obtain (effectiveness)...

governance

- Has to do with power, responsibility, accountability, relations, conflicts... (formal and informal ways...)

- “...interaction among structures, processes and traditions that determine the exercise of authority, the sharing of responsibilities, the taking of decisions, and the engagement of citizens and other actors in those decisions...”
What is “innovative” about governance of protected areas?

1. that we talk about it!
2. that we try to understand it & deal about it:

- quality
- type
Quality: principles of “good governance”
related to the work of UN agencies and highlighted at the Vth World Parks Congress and beyond

- Legitimacy and Voice
- Transparency
- Accountability
- Equity/ Fairness
- Vision/ Direction
- Performance
- Respect of human rights
...who holds PA management authority and responsibility and is held accountable for decisions about a given protected area?

A. the government (and its agencies at various levels)
B. various parties (together)
C. the owners of the concerned land and natural resources (individuals, corporate actors...)
D. the concerned indigenous peoples and local communities

4 main “governance types” distinguished on the basis of the answer

all types are legitimate and important for conservation!
### IUCN matrix of protected areas categories and governance types (new IUCN Guidelines)

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Shared Governance (co-managed) Protected Areas

“... protected areas where decision making power, responsibility and accountability are shared between governmental agencies and other stakeholders, in particular the indigenous peoples and local and mobile communities who depend on them culturally and/or for their livelihoods”...

Widespread form of governance ... the norm in much of Europe, Canada, Australia, South America ... increasingly adopted in the USA and Central America... and also emerging in Asia and Africa...
Are we under **shared governance?**

3 essential « ingredients »:

- a **negotiation** process
- a (co-management) agreement
- one or more **pluralist governance bodies**
I. Preparing for the partnership

- Start-up Team
- Social communication
- Organising the parties (strengthen IPs, local communities...)
- Agree on negotiation procedures

II. Negotiating the management agreement and the governance institution

- Situation analysis
- Patrimonial vision
- Strategy, resources, actions
- Facilitate and manage conflicts towards a co-management AGREEMENT
- Set up a PLURALIST GOVERNANCE institution

III. Implementing and revising the agreement (“learning-by-doing”)

- Implement, enforce, clarify
- Participatory action research
- Monitor and evaluate
- Improve as learning proceeds
## IUCN matrix of protected areas categories and governance types (new IUCN Guidelines)

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Indigenous Peoples’ and Community Conserved Areas and Territories-- ICCAs

“...natural and modified ecosystems including significant biodiversity, ecological services and cultural values voluntarily conserved by indigenous and local communities through customary laws or other effective means...”

Oldest form of conservation...at times recognised by the state, most often not recognised ...many ICCAs in severe jeopardy today... but exciting work on ICCAs is also happening in a number of countries...
sacred spaces & natural features...

range of community conserved areas...

Sacred lake, Indian Himalaya

Chizire sacred forest, Zimbabwe

Forole sacred mountaign
Borana/ Gabbra
Ethiopia/ Kenya

Sacred crocodile pond, Mali
indigenous territories and cultural landscapes/seascapes...

Paruku Indigenous PA, Western Australia

Caribou crossing site in Inuit territory, Canada

Alto Fragua Indi-wasi National Park, Colombia
range of community conserved areas...

territories & migration routes of nomadic herders / mobile indigenous peoples...

Wetlands in Qashqai mobile peoples’ territory, Iran
range of community conserved areas...

sustainably-managed wetlands, fishing grounds and water bodies...

Rekawa lagoon, Sri Lanka

Lubuk Larangan river, Mandailing, Sumatra

Coron Island, Philippines

Temporarily and/or permanently forbidden sites (manjidura), Bijagos biosphere reserve, Guinea Bissau
sustainably-managed resource reserves (water, biomass, medicinal plants, timber and non-timber forest products...)

range of community conserved areas...

Jardhargaon forest, Indian Himalaya
Parc Jurassien Vaudois, Switzerland
Qanats, Central Asia
Rekawa lagoon, Sri Lanka
Natural Community Reserves & Pastoral Units of Ferlo, Sénégal
“sacred” areas on the mountain and hill tops & close to the villages in all Tibetan villages, Song Pan County (China)... the local villagers managed to preserve their forest cover even from the timber cutting spree of the State Forest Enterprise...

“sacred” island next to a major town in North Madagascar— perfectly conserved as it is strictly forbidden even to set foot there...
range of community conserved areas...

community-established and managed protected areas in industrialised countries...

Ancestral territory of the Regole di Cortina d’Ampezzo (today Regional Park), Italy – 1000 years of recorded history
African example 1: Kawawana – new (but ancient) patrimony of Mangagoulak Rural Community, Casamance (Senegal)

...community-declared conserved area, community-developed management plan & detailed zoning, integrated traditional and “scientific” knowledge, volunteer activities, use rules, surveillance, in the process of recognition by Regional Council...
limited use of *Festuca* grass and wood fire, pasture only in extreme drought conditions; zone is closed for 3-5 years for the regeneration of grasses; century old governance by *Qero system*, abolished by decree in 1975; resilience: “Guassa Conservation Council”, community surveillance… Great conservation results for Ethiopian wolf (*Canis simensis*) gelada baboons (*Theropithecus gelada*) and a magnificent alpine flora…
What is the worldwide significance of ICCAs?

- Community forest, Oregon (USA)
- Shimshal Community Conserved Area, Pakistan
- Setulang river, Indonesia
- Community forest, Costa Rica
- Walalkara Indigenous PA, Australia
they are “meeting points” of conservation and livelihood security ... in unique ways for unique contexts...

- ICCAs conserve a huge range of ecosystems, habitats and species, maintain ecosystem functions, and provide biodiversity connectivity in the landscape/seascape.

- ICCA coverage has been estimated as being comparable to the one of governments’ protected areas (12% of terrestrial surface).

- ICCAs are the basis of livelihoods for millions of people, securing resources (energy, food, water, fodder) and income.
they enhance resilience in the face of global change

- ICCAs are based on rules and institutions “tailored to the context”, (bio-cultural diversity), skilled at adaptive management and capable of flexible, culture-related responses.

- ICCAs are built on sophisticated collective ecological knowledge and capacities, including sustainable use of wild resources and maintenance of agrobiodiversity, which have stood the test of time.

- ICCAs are typically designed to maintain crucial livelihood resources for times of stress and need, such as during severe climate events, war & natural disasters...
they are a focus for empowerment of indigenous peoples and local/rural communities... and local youth!

- ICCAs play a crucial role in securing the rights of IPs & local communities to their land & natural resources through local governance – de jure and/or de facto

- ICCAs can help prevent excessive urban migration

- ICCAs are the foundation of cultural identity and pride for countless indigenous peoples and local communities throughout the world
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An effective “system” of protected areas

- is **complete**— protects all key ecosystems and species (gap analysis)
- conserves biodiversity and its associated natural and cultural resources
- is **biologically well connected**— if necessary by restoration initiatives
but an effective and equitable system of protected areas is also...

- **socially and culturally welcome** - merges with and benefits society...
- **cost effective** - as resources are not infinite...
- **flexible and secure** - as global change is ubiquitous and clearly under way...
combining a variety of categories and governance types in a national system of protected areas can help to:

- expand the total coverage of protected areas,
- address gaps in the systems
- improve connectivity in the landscape
- enhance public support for conservation
- increase the flexibility and resilience of the system

... i.e., it can ultimately improve overall PA sustainability and strengthen the ties between people and nature
## IUCN matrix of protected areas “before Durban”

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<th>Catégorie UICN</th>
<th>Aires protégées gouvernementales</th>
<th>Aires protégées en gouvernance partagée</th>
<th>Aires protégées privées</th>
<th>Aires du patrimoine autochtone et communautaire</th>
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<td>Gouvernance en collaboraton (formes d'influence pluraliste)</td>
<td>Déclarée et gérée par des organisations individuelles</td>
<td>Déclarée et gérée par des communautés locales</td>
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*example of Madagascar*
### example of Madagascar

**IUCN matrix of protected areas “after Durban”**

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...yes to allowing, recognizing and supporting shared governance and ICCAs...

... but “how” we do that is tremendously important...

...imposed management plans and governance structures get us back to square one...

...let us be careful and not destroy what we wish to conserve!
### Governance of a SPECIFIC protected area

<table>
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<th>Question</th>
<th>Answer</th>
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<td>1. Who holds authority, responsibility and accountability for the protected area at stake?</td>
<td>The answer to this question lets us know about the protected area <strong>GOVERNANCE TYPE</strong></td>
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<tr>
<td>1. How is that authority exercised? How fairly, effectively, transparently, accountably?</td>
<td>The answer to this question lets us know about the protected area <strong>GOVERNANCE QUALITY</strong></td>
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### Assessing your progress:

**Governance of a SYSTEM of protected areas**

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<th>1. How diverse is the range of governance types within your system of protected areas?</th>
<th>The answer to this question lets us know about the flexibility and responsiveness of the PA system with respect to its social context.</th>
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<td>1. Are some clear principles and criteria followed in developing and implementing your system?</td>
<td>The answer to this question (yes or no, and which principles and criteria) lets us know about whether the system is under “good governance”</td>
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Assessing governance gaps:

- combine governance assessment + ecological gap assessment + management effectiveness assessment: → understand the level of protection for each focal biodiversity feature (e.g., representative and threatened ecosystems, species/taxa and specific populations)

- ... the greater the diversity of management categories and governance types and the better the management effectiveness and the quality of governance, the stronger the status of biodiversity conservation!
Assessing your progress:

- Can all management categories and governance types be recognized in your system (directly or indirectly, through non-PA laws)?
- Do government agencies work in partnerships with civil society?
- Does such partnership extend to the planning of the entire PA system?
Assessing your progress:

- If you have some form of “shared governance” in your system, is it so mostly by name or also in fact? Is it performing well?
Participation in PA decision-making: a continuum
(authority, responsibility and accountability)

Full control by agency in charge
Type A

- enforcing rules & repressing violations
- consulting & seeking consensus (at times via benefit sharing)

Shared control by agency in charge and stakeholders
Type B

- negotiating specific agreements

Full control by Stakeholders
Type C & D

- sharing authority and responsibility in a formal way (e.g., via seats in a management body)
- recognising/ transferring authority and responsibility

increasing expectations of stakeholders

increasing contributions, commitment and ‘accountability’ of stakeholders
Assessing your progress:

- Do you recognize customary rights, common property, local conservation capacities & ICCAs?

- Are you capable of strengthening local knowledge, practices and institutions... or do you impose structures and practices from above?
Assessing your progress:

- Do you have ways to assess whether you are under “good governance”?
- Do you engage stakeholders in participatory governance assessment?
- Does basic training of conservation professionals deal with governance issues? Are there on the job training options?
- Is the PA system capable of learning from experience?
- Can it change?

Assessing your progress:

- Do you have ways to assess whether you are under “good governance”?
- Do you engage stakeholders in participatory governance assessment?
- Does basic training of conservation professionals deal with governance issues? Are there on the job training options?
- Is the PA system capable of learning from experience?
- Can it change?
a strategy to strengthen governance in your PA system, and take action:

- **legislation and policies** to foresee and regulate a diversity of governance types and management categories

- **financial and social incentives** for ICCAs and PPAs (no perverse incentives that weaken governance)

- **capacity building** (information, demonstration sites, exchanges, professional training, on the job training...
- national multi-stakeholder committees for PA system planning
- civil society and indigenous/local community focal points
- appropriate reporting formats and processes (disaggregate governance, clarify terms used in PoWPA)
- mechanisms for transparency, accountability, public engagement
- participatory governance evaluation
- regional & national learning networks, exchanges
- technical and financial support to effective ICCAs and PPAs
Many thanks for your kind interest and patience!

The ICCA Consortium

For more information:

www.iccaforum.org
www.tilcepa.org