

Governance, participation, equity and benefit sharing



Implementing
the
CBD Programme of
Work on Protected
Areas

“Well managed protected areas, *when combined with participatory and equitable governance*, provide crucial benefits far beyond their boundaries”

Ahmed Djoghlaif,
Exec. Secretary, CBD



...what is “governance”?

Is it not the same as “management”?



management -
what we do:
means to achieve
specified aims

governance -
who decides what
we do and how we
do it: power,
authority,
responsibility

emerging lessons

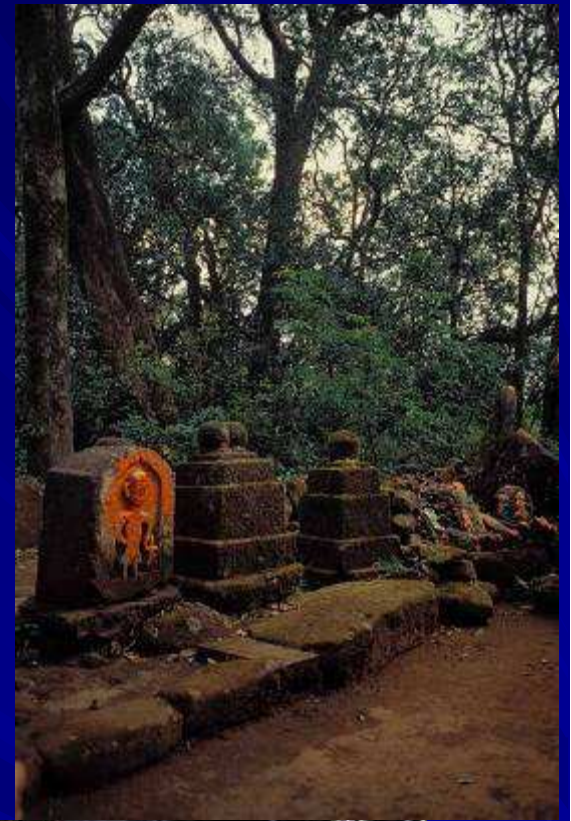
- To be effective, conservation needs the capacities, concerns & engagement of society as a whole, not of expert professionals or government officials only



emerging lessons

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

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



emerging lessons



- Conservation needs equity: a fair sharing of the costs and benefits of preserving biodiversity and managing natural resources in a sustainable way

emerging lessons

- Conservation needs to respect human rights:
“do no harm”...& have a positive impact on livelihoods wherever possible.



In last few years, conservation community has started paying more attention to governance issues:

2003 -- 5th World Parks Congress (Durban, South Africa)

2004 -- CBD Programme of Work on Protected Areas (Kuala Lumpur, Malaysia)

also World Conservation Congresses 3 and 4, Marine Parks Congress 1



Relevant provisions spread through PoWPA

governance

gender & social equity

1.1.4, 1.1.7, 1.2.1, 1.4.1, 1.5.6

2.1.1 to 2.2.7

culture

decentralisation

3.1.2, 3.1.4, 3.1.6, 3.5.2, 3.5.4

4.2.1, 4.4.2

co-management

Indigenous & community conserved areas

benefits & incentives

private protected areas

customary use

prior informed consent

rights & responsibilities

poverty reduction

participation, involvement

A sample of committed activities

By 2006...

- National reviews to include innovative **governance types**: indigenous/community conserved areas (ICCAs), private protected areas (PPAs), co-managed protected areas (CMPAs)
- Studies on integration of PAs into sectoral plans, e.g. **poverty reduction** strategies
- Develop methods, standards, criteria, **indicators** re. PA governance

A sample of committed activities

By 2008...

- Full participation, respecting rights & responsibilities, in all PAs (existing and new)

- Policies & measures to eliminate illegal trade, taking into account sustainable customary uses (article 10c)

QuickTime™ and a
decompressor
are needed to see this picture.

A sample of committed activities

By 2008...

- Mechanisms for **equitable** sharing of **costs** and **benefits** (incl. assessments)
- Promotion & legal recognition of full set of **governance types** (incl. ICCAs, PPAs, CMPAs)
- Consider governance principles: **decentralisation, participation, accountability...**

A sample of committed activities

By 2008...

- Resettlement only with prior informed consent

- Public awareness re. needs, priorities, values of indigenous/local communities and of their knowledge

- Mechanisms for dialogue & information exchange between officials and indigenous/local communities



A sample of committed activities

By 2010/2012...

- Establishment of PAs benefiting indigenous/local communities, incl. respect and maintenance of **traditional knowledge** (article 8j)
- All PAs to have effective management, using highly **participatory planning processes**



What is “innovative” about governance of protected areas?

- quality

- type



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

- Transparency
- Accountability
- Participation
- Equity/ Fairness
- Vision/ Direction
- Performance
- Rule of law
- Decentralisation



Type ...

...who holds PA management authority and responsibility?

Governments are *not* the only managers of PAs

4 main “governance types” based on this, with PAs managed by:

- A. **government** (at various levels)
- B. **indigenous peoples** and **local communities**
- C. private **owners** of land and natural resources (individuals, corporate actors...)
- D. **various parties** (together)



IUCN matrix of protected areas categories and governance types (new IUCN Guidelines)

[illegible]

IUCN matrix of protected areas categories and governance types (new IUCN Guidelines)

[illegible]

Collaboratively Managed Protected Areas (CMPAs)

where **decision making power, responsibility and accountability** are shared by government, indigenous peoples & local communities, NGOs...

Increasingly the norm
in Europe, Canada,
Australia, South
America ... emerging
in Asia...but power-
sharing still weak,
value of bringing
communities on board
not fully appreciated

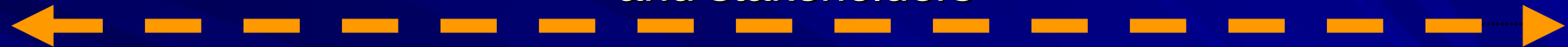


Participation in PA decision-making : a continuum

Full control by
agency in charge

Shared control by
agency in charge
and stakeholders

Full control by
stakeholders



ignoring
and
coercing

consulting &
seeking
consensus
(at times via
benefit
sharing)

negotiating
specific
agreements

formally
sharing
authority &
responsibility
(e.g. in a
management
body)

recognising/
transferring
authority and
responsibility

Govt
management

Co-management

Community
management

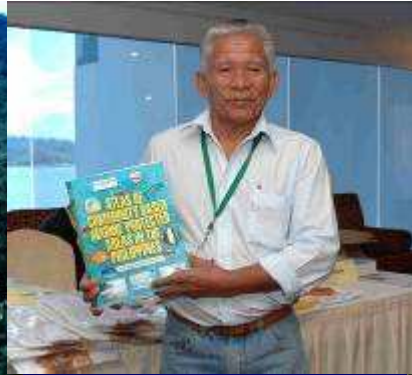
Are we under shared governance?

- is there a share in decision-making?
- Is there a governance body which has stakeholders represented?
- does participation take place from planning to implementation and monitoring?



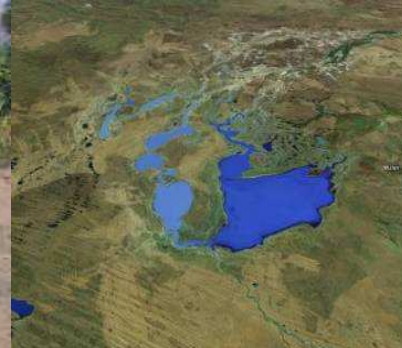
IUCN matrix of protected areas categories and governance types (new IUCN Guidelines)

[illegible]



Indigenous and community conserved areas

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



range of community conserved areas...

sacred spaces & natural features...



Chizire sacred forest,
Zimbabwe



Sacred crocodile pond, Mali



Sacred hill tops,
Tibet, China



Sacred lake, Indian Himalaya

range of community conserved areas...



Traditional village heronry, Kokare
Bellure, Karnataka



Blackbuck (*Antelope cervicapra*) - Protected by the
Bishnoi community, Rajasthan/Punjab

Wildlife populations

nesting, roosting,
feeding habitats



Rushikulya turtle conservation,
Orissa

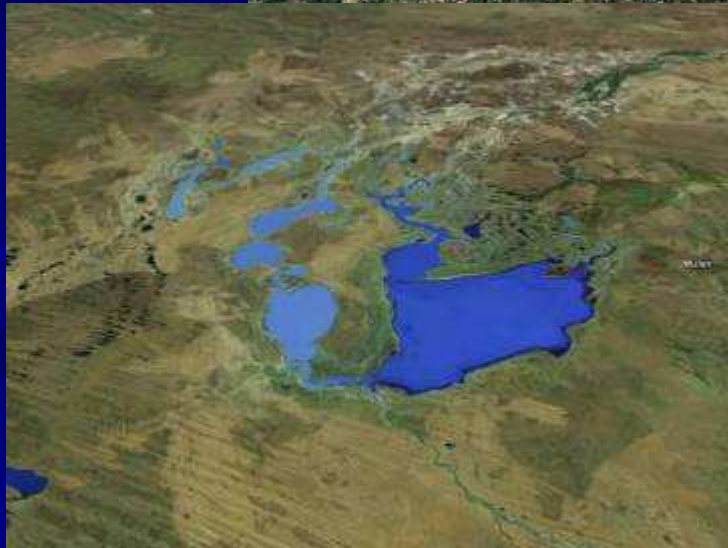
range of community conserved areas...

indigenous territories and cultural landscapes/seascapes...

Caribou
crossing
site in Inuit
territory,
Canada



Alto Fragua Indi-wasi National Park, Colombia



Paruku Indigenous PA, Western Australia



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



Temporarily
and/ or
permanently
forbidden
sites
(manjidura),
Bijagos
biosphere reserve,
Guinea Bissau



Lubuk Larangan river, Mandailing, Sumatra



Coron Island, Philippines

range of community conserved areas...

sustainably-
managed resource
reserves (water,
biomass, medicinal
plants, timber and
non-timber forest
products...)



Qanats, Central Asia



Parc Jurassien Vaudois, Switzerland

Jardhargaon forest, Indian Himalaya



Community forests and lake, Rupataal, Nepal

What is the worldwide significance of ICCAs?

- *Could double the earth's PA coverage!*
- Maintain critical **ecosystem services** and provide **ecological connectivity**
- Are the basis of livelihoods and cultural identity for millions of people
- Are site-specific, adaptive, and built on **sophisticated ecological knowledge systems**
- **YET MOSTLY NOT RECOGNISED**



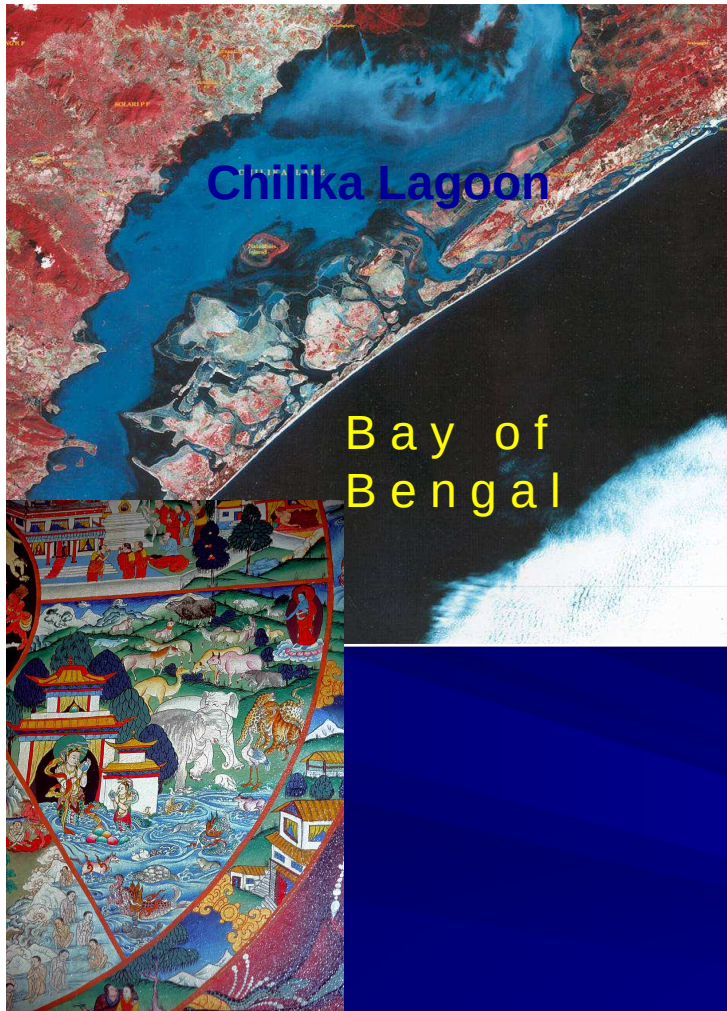
Shimshal Community
Conserved Area,
Pakistan



Setulang
river,
Indonesia

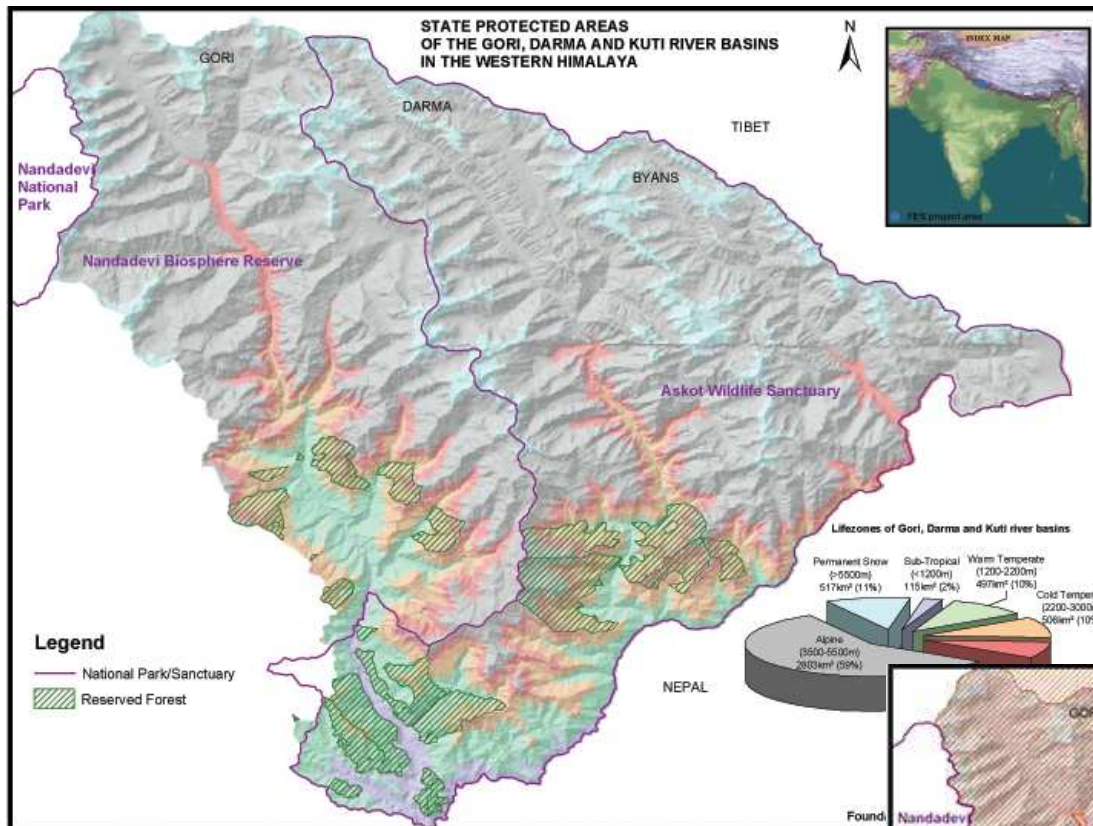


Walalkara Indigenous PA, Australia

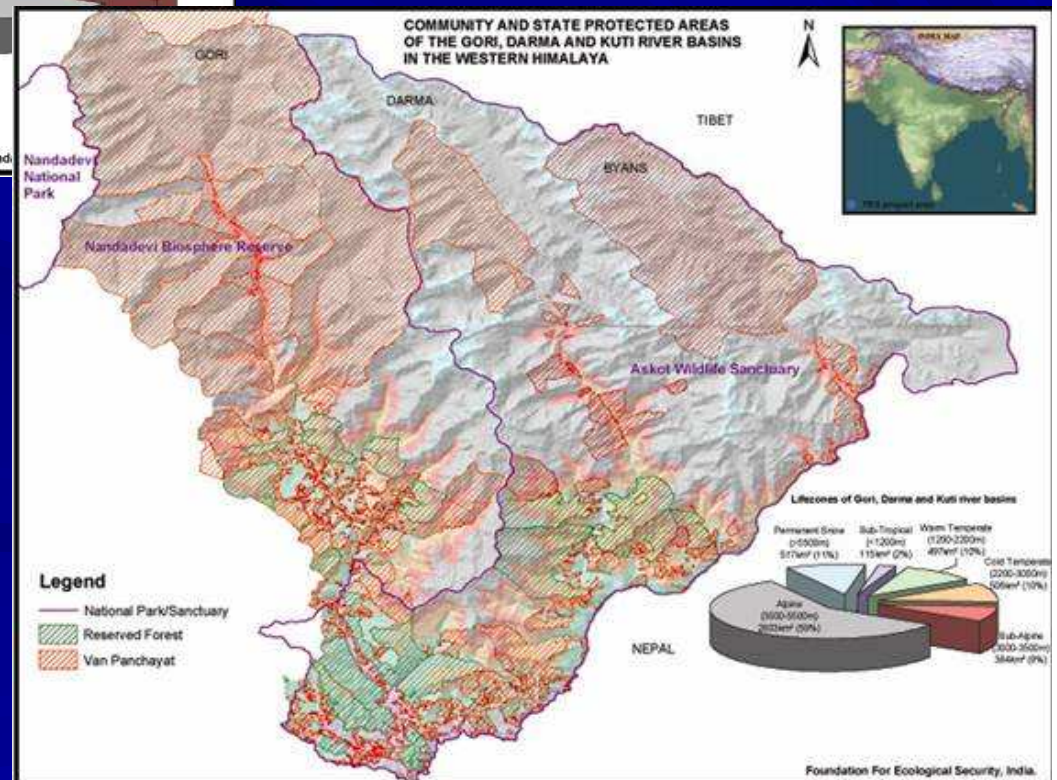


combining a variety of categories and governance types in a national system of protected areas can help to:

- 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
- help adapt to **climate change**

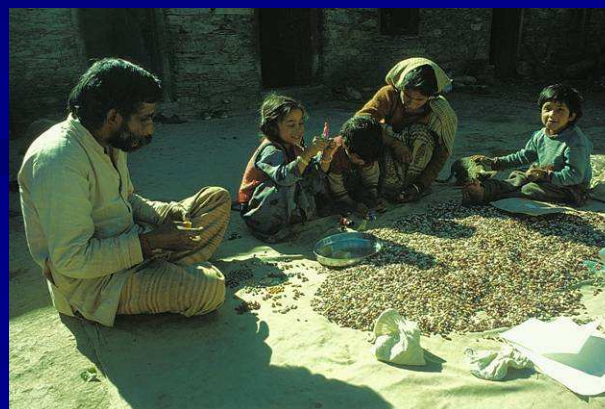
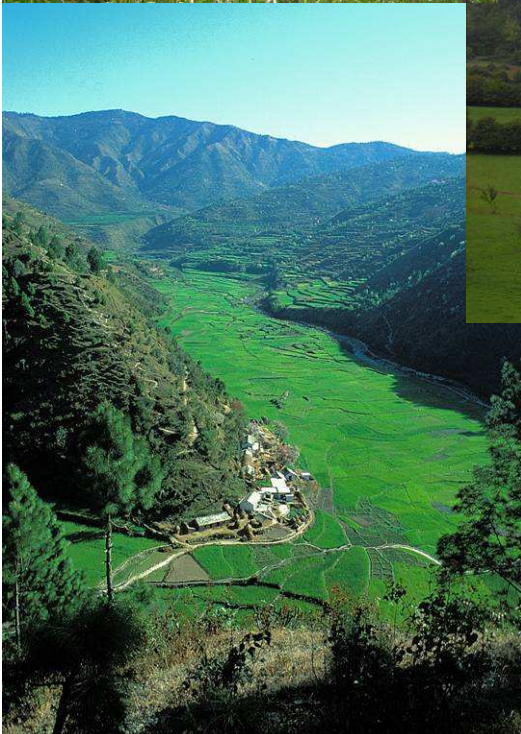


Van Panchayats,
Uttarakhand, India,
spread over several
hundred sq.km....
acting as critical
wildlife corridors,
spaces for
dispersal...

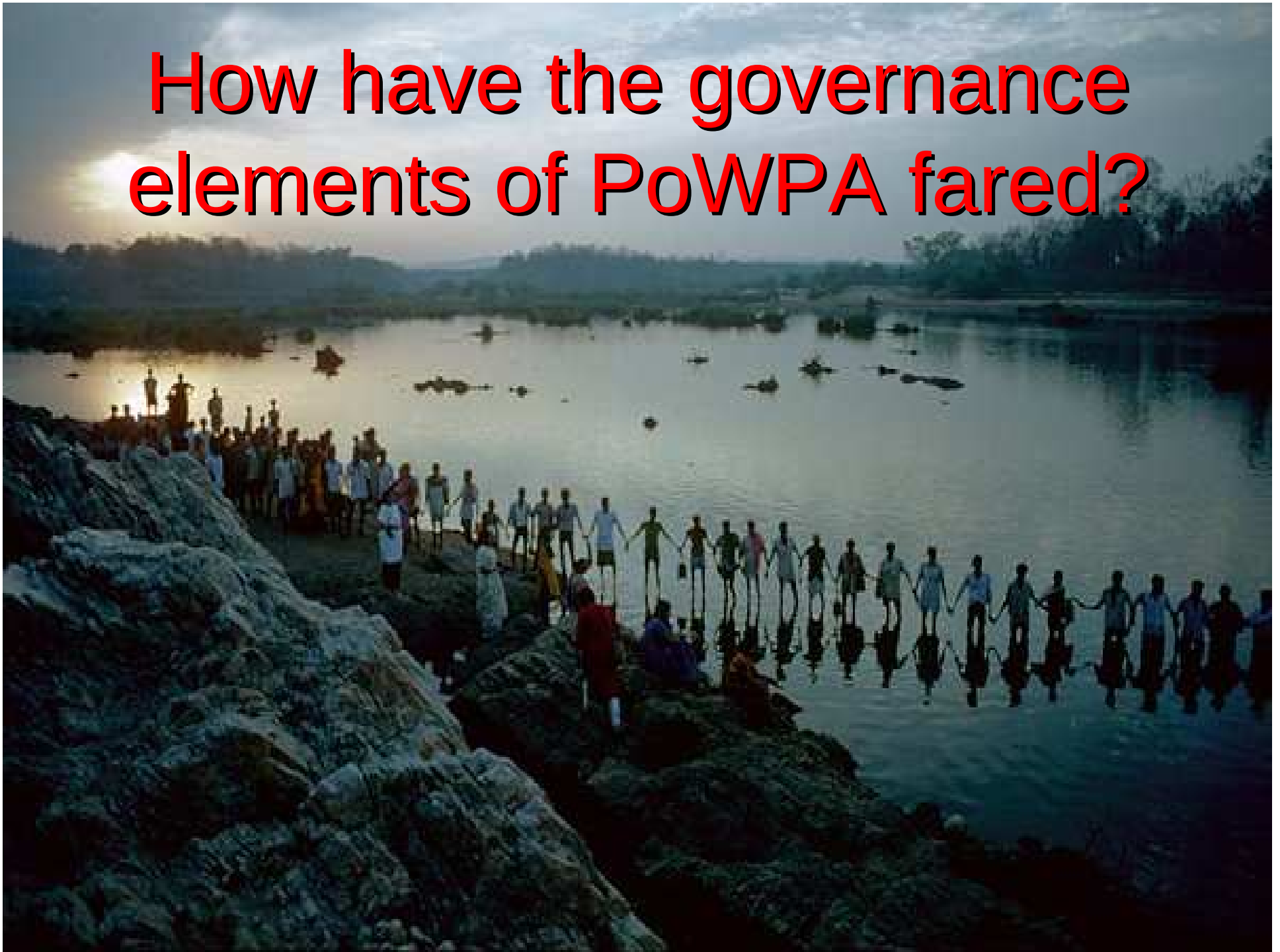


Courtesy: FES

PAs in various governance types...linking wild and domesticated biodiversity, and associated cultures...providing resilience, adaptation, food security



How have the governance elements of PoWPA fared?



In general...

- Good progress in some countries, halting progress in others
- Governance/equity etc recognised as a core concern for action, but...
- Element 2 the most neglected in implementation
- Integration of rights, sharing of decision-making, and equity generally inadequate

Progress....

- Several countries with progressive policy and practice (some pre-dating PA POW), e.g.:
 - The Philippines: recognition of **indigenous rights & participation** (CMPAs) under PA law
 - Australia, Colombia, Peru, Madagascar, Mexico, Canada, India, Nepal: recognition of **CMPAs** and/or **ICCAs** (~20 more countries assessing governance types, UNDP/GEF project)
 - Brazil, Bolivia, Ecuador: recognition of **private PAs**

Progress...

■ More...

- South Africa: **restitution** of territories in PAs
- Burundi, Congo, India: indigenous rights, **free/prior informed consent** in place or proposed
- Namibia, Malaysia, Nepal, Hong Kong, Cambodia: **benefit-sharing**
- Micronesia: **integrating traditional and modern knowledge**



But...

Much still needs to be done to:

- assess costs, benefits, & social impacts of PAs
- recognise or implement new governance types
- integrate equitable sharing of costs and benefits
- integrate democratic decision-making (e.g. moving towards co-management)
- clearly define tenurial and resource rights

But...(contd)

Much still needs to be done to:

- move towards landscape/seascape planning
- integrate traditional ecological knowledge & practitioners at same level as modern
- involve ILCs in national reviews and reporting
- involve ILCs in national level PA governance institution, or in national PA system planning
- enshrine free and prior informed consent in law or practice

Why have some things worked in some places?

Existence of pre-PA POW progressive policies
New champions within/outside govt, donors
Mobilisation by IP/LCs and civil society orgs

Regional or national training (*e.g. S-E Asia Co-management Learning Network*)

Support networks (*e.g. ICCA Consortium*)

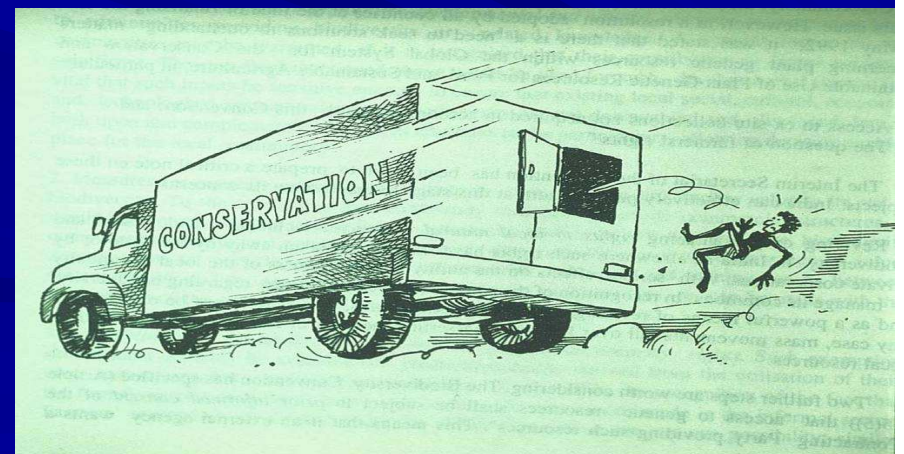
Why is there inadequate progress? (contd)

Lack of conviction about value of new paradigm:

“Why should we change, all is well”

“Communities will destroy everything”

“Rights & conservation don't mix”



Why is there inadequate progress? (contd)

Lack of knowledge, capacity, tools,
supportive environment re. PoWPA

“PoWPA...what is that?”

“How do we implement it?”

“We don’t have any ICCAs”

“We don’t have the policies in place”

How *not* to recognise co-management and ICCAs ...

- Top-down 'participatory' policies sometimes counter-productive, e.g.
 - replacing diverse local self-governance structures with uniform 'co-management' PA institution under some control of government (*some Latin American countries*)
 - dictating that indigenous/community conserved areas need to conform to uniform prescriptions to be recognised (e.g. *India, Malaysia*)

Assessing progress in governance

Governance of a SPECIFIC protected area

1. Who holds authority, responsibility and accountability for the protected area at stake?

The answer to this question lets us know about the protected area
GOVERNANCE TYPE

1. How is that authority exercised? How fairly, effectively, transparently, accountably?

The answer to this question lets us know about the protected area
GOVERNANCE QUALITY

Assessing progress in governance

Governance of a SYSTEM of protected areas

1. How diverse is the range of governance types within the system of protected areas?

The answer to this question lets us know about the **flexibility and responsiveness** of the PA system with respect to its social context

1. Are principles of governance followed in developing and implementing the system?

The answer to this question (yes or no, and which principles and criteria) lets us know about whether the system is under “**good governance**”

IUCN matrix of protected areas
example of Madagascar (before Durban)

[illegible]

IUCN matrix of protected areas

example of Madagascar (after Durban)

[illegible]

Assessing progress in governance

- Does PA policy recognize customary rights, common property, local conservation capacities & ICCAs?

- Is PA system capable of maintaining alive local knowledge, practices and institutions... combining it with modern knowledge and practices?



Assessing progress in governance

- Does the system engage stakeholders in participatory governance assessment?

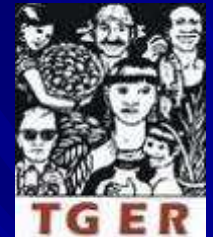


- Does training of conservation professionals deal with governance issues ?



Tools for implementation

- Management effectiveness evaluation (*assess governance*)
- Gap analysis (*assess governance gaps*)
- Reporting formats and processes (*disaggregate governance, clarify terms used in PoWPA*)
- Regional learning networks, exchange programmes
- National and subnational capacity workshops (*including for ground staff*)
- Documentation and dissemination of successful initiatives
- Participatory mechanisms for national multistakeholder committee, national PA system planning



for more information:

www.tilcepa.org

www.iccaforum.org

ashishkothari@vsnl.com



KALPAVRIKSH



कल्पवृक्ष

Environmental
Action Group

Governance assessment: working group exercise

Each group to identify, country-wise:

- 2-3 key **innovations**
- 2-3 key **hurdles/constraints**
- 2-3 key **recommendations** and **opportunities** to achieve these

Each group to then discuss regional commonalities

Example: Asiakistan

- **Innovations:** New legal provision to recognise ICCAs
- **Constraint:** Little knowledge or documentation of existing ICCAs
- **Recommendation/opportunity:** Engaging civil society to identify/document existing ICCAs; use UNDP SGP funds as opportunity