

# indigenous peoples and protected areas management

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## *in this issue...*

- Policies on protected areas and indigenous peoples
- Compatibility between protected area objectives and those of indigenous peoples
- Land and natural resource rights
- Recognition of indigenous and traditional institutions
- Access to benefits from protected areas
- Indigenous peoples and transboundary protected areas



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In Latin America, it is estimated that the surface area to which indigenous peoples have acquired legal rights, or where these rights are in the process of being adjudicated, is almost ten times greater than the surface area of all existing protected areas in the region (Redford and Mansour, 1996). Moreover, many of these natural protected areas have been created on ancestral indigenous lands or in regions that have historically been a source of subsistence for indigenous peoples. In most cases, these areas were created without the prior consent of the local inhabitants.

Currently, the trend of majority opinion among conservationists is that local populations are their natural allies in the face of the modern processes of territorial occupation that threaten both biodiversity, and the livelihoods and traditions of indigenous peoples. This perspective views protected areas as promoters of local development because they provide a source of livelihood for the local populations. This perspective also considers that local populations having strong ties to the land, as indigenous peoples do, make the best conservation allies because they have a permanent presence in the region; further, the changes they make in their environment are much smaller than the environmental impacts generated by other social groups. Generally, indigenous peoples are aware of the relationship of dependence between their way of life and conservation of the services their ecosystems provide (Cicchón, 2007).

However, there is also the contrary argument that biodiversity conservation is not always compatible with economic development and that protected areas deprive native communities of access to lands and resources without offering them compensation or alternative livelihoods. In any case, the question remains whether protected areas contribute to poverty alleviation or whether, to the contrary, they make local social and economic conditions more difficult because they limit access to natural resources (Granizo and Arroyo, 2007). Moreover, conservationists and indigenous peoples are perceived to have very different agendas since the priority of the former is to protect and legalize their territories for their own use, while for the conservationists, the priority is to establish protected areas with no human presence, if possible. If conservationists go so far as to include indigenous peoples in their management plans, they only take them into account as a means to an end and not an end in themselves (Chapin, 2004).

What is certain is that conservation organizations have been increasing their work with indigenous peoples around the world in recent years, recognizing that effective conservation is not possible without effective participation of the people who live in the place. Aware of this reality, the Program of Work on Protected Areas, developed in 2004 during the Seventh Conference of the Parties (CoP7) to the Convention on Biological Diversity, established as one of its goals (Goal 2.2) the achievement, by 2008, of a full and effective participation of indigenous and local





communities in the management of existing protected areas and the establishment of new areas in full compliance with their rights and recognition of their responsibilities, and consistent with applicable national law and international obligations, as well as with the participation of other relevant stakeholders (SCDB, 2004).

The purpose of this bulletin is to review a number of principles that have been adopted by different conservation organizations and can serve as a guide to achievement of the above-mentioned goal. The contents of this bulletin are fleshed out with experiences gathered from protected areas in Latin America and the Caribbean that have received support from the Nature Conservancy (TNC) through the Parks in Peril (PiP) program; these experiences are described throughout this publication.

## Existing policies related to protected areas and indigenous peoples

Over the last two decades, international conservation organizations have found it necessary to define specific institutional policies to guide their actions regarding indigenous communities. This was the case of the World Conservation Union (IUCN) and the World Wildlife Fund (WWF), which adopted the Principles and Guidelines on Indigenous/Traditional Peoples and Protected Areas in 1999. These principles and guidelines have served as a model for other organizations to develop their own policies and practices regarding indigenous peoples. The principles adopted by IUCN and WWF are based on the following premises (Beltrán, 2000):

- *protected areas will survive only if they are seen to be of value, in the widest sense, to the nation as a whole and to local people in particular;*
- *governments and protected area managers should incorporate customary resource use and indigenous land tenure, as well as control systems, as a means of enhancing biodiversity conservation;*
- *knowledge, innovations, and practices of indigenous and other traditional peoples have much to contribute to the management of protected areas;*
- *governments and protected area managers should incorporate customary, indigenous tenure and resource use, and control systems, as a means of enhancing biodiversity conservation.*

Following are five sections relating to key concepts contained in the principles adopted by IUCN and WWF regarding protected areas and indigenous and traditional peoples. Each section presents different points of view on these concepts and how they are translated in implementation. The implementation point is illustrated with relevant case studies relating to the particular experience of the Parks in Peril program.



## Compatibility between protected area objectives and those of indigenous and traditional peoples

Convention No. 169 of the International Labor Organization (ILO), concerning Indigenous and Tribal Peoples, recognizes that many indigenous people have a profound relationship with their territories as a result of living in them for generations. Often, the territories are sacred or have spiritual significance (ILO, 2003). For indigenous peoples, the concept of land generally embraces the whole territory they use, including forests, rivers, mountains, and seas, on both the surface and the subsurface. Thus, land is a central element of the life and culture of indigenous peoples since not only their economic survival depends on it, but also their spiritual well-being and their cultural identity (ILO, 2003).

This conception partly explains the fact that large expanses of territories occupied by indigenous peoples are mostly maintained in a pristine state. Their traditional resource-use practices based on the maintenance of the services provided by the ecosystems have also contributed to this pristine quality.

For all of the above reasons, it is said that protected areas objectives should not be incompatible with the existence of indigenous and traditional peoples in or around their borders. On the contrary, conservation strategies should be developed and implemented with these peoples, treating them as legitimate partners in conditions of equality (Beltrán, 2000). When protected areas overlap with indigenous lands and territories, it is necessary to establish formal agreements between the communities and agencies responsible for conservation, and to frame these agreements within national policies and protected area legislation. These agreements should establish common objectives and commitments for conservation of these areas, also defining responsibilities for the conservation and sustainable use of biodiversity and resources. Traditional indigenous knowledge and practices, as well as modern tools drawn from social

and natural sciences, should be used in the development of management plans for sustainable use of the site's resources. The same applies to monitoring biodiversity health practices, which should integrate traditional knowledge and practices of the indigenous peoples who live in or around the protected area (Beltrán, 2000).

Formal agreements between governments and indigenous communities have taken different forms in Latin America, depending on the extent to which the countries' legislation recognizes indigenous territories or establishes co-management mechanisms for the protected areas that have been created in ancestral territories. This legal

recognition of indigenous rights is found in the individual country's constitution, international agreements (for example, ILO 169), or both. Countries where this legal framework is more advanced have a series of regulations defining specific actions to ensure these rights, including the legal recognition of indigenous lands (Roldán, 2004).

The international system of protected area categories proposed by IUCN includes conservation categories intended to be compatible with interests of indigenous groups and local inhabitants (Beltrán, 2000). In effect, protected area systems in most Latin American countries include areas whose main management objective is the sustainable use of natural ecosystems, with the dual purpose of (1) guaranteeing maintenance of the biological diversity they contain and (2) satisfying the needs of the communities that benefit from the natural products and services these natural spaces provide. However, the model of protected areas where natural resource management is allowed may not be satisfactory to indigenous peoples who demand recognition of their territorial rights; instead, they would prefer a model of autonomous indigenous territories where they can exercise their right to self-determination. In Peru, for example, indigenous organizations reject the overlap of protected areas – whatever their category -- with territories used by indigenous peoples in voluntary isolation, demanding instead establishment of indigenous territorial reserves.

It is a fact that the legal recognition of indigenous territorial rights has progressed considerably over the last 20 years in Latin America, where large expanses of natural areas have been declared indigenous territories. In Brazil alone, more than 100 million hectares – that is, more than 12% of the national territory – are now recognized as indigenous territories (Roldán, 2004).



Angela Martín



## case 1

### Adjudication to the Cofan nation of the conservation corridor between the Cofan Bermejo and Cayambe-Coca Ecological Reserves, Ecuador

The ecological corridor located between the Cofan Bermejo and Cayambe-Coca Ecological Reserves, to the north of the Condor Bioreserve, contains a high level of endemism and species concentration in addition to allowing the flow of species and ecological processes between the two protected areas. This corridor also forms part of the ancestral territory of the Cofan nation.

In 2002, the Chicago Field Museum conducted a rapid biological inventory in a small portion of this corridor. The researchers found an extraordinary diversity of plants and animals, including at least 12 species new to science. The team of researchers estimated the existence of between 2,000 and 3,000 plant species along altitudinal gradients ranging from lowland forests to montane forests. The Cofan depend on this floristic diversity, exploiting a huge variety of plants for different uses, including medicinal purposes. The fauna is also exceptionally rich; local reports suggest that there may be as-yet-undescribed mammal species in the area. Healthy populations of jaguar (*Panthera onca*), mountain and lowland tapir (*Tapirus terrestres* y *T. pinchaque*) and spectacled (Andean) bear (*Tremarctos ornatus*) have been found, as well as other large mammals whose populations are greatly reduced in other areas.

However, due to the fact that the corridor is outside the limits of the reserves and territories adjudicated to the Cofan nation, the habitat of these species is constantly threatened by timber extraction, hunting, and gold mining. In addition, settlement of the area has been reducing the Cofan's access to their territories. As a solution to these threats, a habitat conservation corridor was identified where Cofan park rangers would carry out control and patrol actions, in coordination with the Ministry of Environment.

The Cofan Survival Foundation (CSF) and TNC jointly obtained funding from the Global Conservation Fund (GCF) to carry out a process of land acquisition and adjudication in the area, as well as to finance the Cofan Park Ranger Program and the development of a proposal for long-term financing of conservation activities in the territories that would remain under Cofan management. FEINCE has also committed itself to ensuring that all adjudicated or purchased lands are managed under Cofan regulations establishing that these territories belong to the Cofan nation and cannot be used for private interests.

For the acquisition/adjudication process, a land tenure study was carried out that identified those areas needing to be purchased and those needing to be requested in adjudication, due

to their location on fiscal lands. In the first case, eight properties were purchased, totaling 250 hectares located on the southeast limit of the Cofan Bermejo Ecological Reserve (RECB). In the second case, a request was presented to the National Institute for Agrarian Development (INDA) for the adjudication of 35,800 hectares of fiscal lands located to the north of the RECB. Efforts were also carried out to expand the northeastern part of the RECB, as well as to expand the limits of the southwestern and southeastern limits of the RECB.

As a result of these efforts, on September 6, 2007, the Ministry of Environment signed an agreement with FEINCE that includes expansion of the RECB by 30,000 hectares. This agreement also contemplates the expansion of the RECB by 3,800 hectares. Finally, the INDA adjudicated to the Cofan nation 30,800 hectares that the nation claimed as ancestral territory, part of which overlaps with the previously described expansion of the RECB. In addition, a joint management agreement was reached with Sofia parish for conservation, under a participatory "good neighbor" scheme, of 5,000 hectares belonging to this government.

Both expansion of the RECB and the RECB, and the adjudications obtained in favor of the Cofan nation have been important milestones in the creation of the conservation corridor between the two protected areas, as well as in the process of territorial recovery by the Cofan nation. These additions brought the total territory under Cofan administration in Ecuador to 420,000 hectares.

Currently, negotiations are underway with the Ministry of the Environment to sign an agreement for adjudication of the San Rafael Waterfall area. The control and patrol of this area are performed by the Cofan since the MAE does not have the resources to maintain park rangers in the area. The agreement proposes creation of a tourist site in this area, where the Cofan can share their culture while at the same time generate income to cover the costs of the site's park ranger program. The area is especially important to the Cofan nation since, according to stories told by the elders, it is a sacred site due to the presence of the waterfall and the El Reventador volcano.

*Source: Communication with Luis Narváez, President of FEINCE, August 2007; communication with Paulina Arroyo, TNC/Amazon Conservation Program and Tatiana Eguéz, TNC/Condor Bioreserve, August 2007; communication with Mateo Espinosa, GCF-CSF Project Coordinator, Cofan Survival Foundation, August 2007; TNC, 2007(4).*



## Rights of indigenous peoples to the traditional use of their lands and resources

Since the subsistence economies of indigenous peoples are based on the use of and access to natural resources, protection of these resources and of traditional practices for their use, management and conservation are essential to ensure their survival. ILO Convention 169 specifies that indigenous and tribal peoples have the right to participate in the use, management, protection, and conservation of natural resources, as well as the right to be consulted before natural resources on their territories are explored or exploited (ILO, 2003). MacKay (2002) indicates that these rights originated long before the existence of any concessions the state may have granted the indigenous peoples because they are derived from both the ancestral occupation and traditional use of lands and resources by these peoples, as well as from their laws and traditional customs related to property and resource use.

Establishment of protected areas in the ancestral territories of indigenous peoples necessarily requires agreements between the governmental agencies that administer these areas and the indigenous peoples whose lands and other resources are affected. These agreements should specify the rights and obligations of both parties, involving not only respect for the indigenous and traditional peoples' full rights to the traditional use of their resources but also their commitment to maintaining the ecological integrity of the protected areas (Beltrán, 2000).

Therefore, legal recognition of indigenous and traditional peoples' collective rights to the resources they possess or use should be a key consideration when establishing new protected areas. The legal recognition of these rights may still be in process when the protected area is established; in this case, it is recommended that protected area administrators promote provisional arrangements with indigenous communities to ensure establishment of protection measures



### case 2

#### Organization of voluntary indigenous forest ranger corps in Bosawas, Nicaragua

The Voluntary Indigenous Forest Rangers Corps of Bosawas were created by TNC in the mid-1990s within the framework of the project "Natural Resource Management in Bosawas" (MRNB). A forest ranger corps was established in each of the six indigenous territories in the Bosawas Natural Reserve. These corps responded to the need to halt invasions by the mestizo population into the indigenous territories of the Miskitos and Mayangnas peoples, and also to address the need to implement ecological regulations in the territories to improve natural resource management. After the MRNB project terminated at the end of the 1990s, the forest ranger corps was weakened as a result of the sudden reduction in funding.

However, beginning in 2001, thanks to the Bosawas Parks in Peril project, TNC was able to resume support of three of the forest ranger corps it had helped to create. PiP strengthened organization of the forest ranger corps in each of the three territories, providing them with equipment and ongoing training in forestry management, plant identification, fire management, first aid, and other topics required for the surveillance and protection of priority areas of the reserve.

Currently, the six territories in the Bosawas Natural Reserve are staffed with about 250 forest rangers, most of whom were selected during the MRNB project. One park ranger is chosen from each community, with the selection made at a general community assembly. The assembly may also dismiss a forest ranger if he is not doing his job, or replace him if he resigns. This latter case rarely happens, since the forest rangers, who are seen as guardians of the forest—the communities' principal wealth—, have a high status within the indigenous social structure.

With respect to the hierarchical structure of the forest ranger corps, each territory has a general coordinator who oversees a chief ranger for each sector of the territory. He, in turn, heads up a group of forest rangers whose numbers corresponds to the number of communities in the sector. The members of each group also have different specialties – for example, map readers, trackers, community public relations representative, etc.

The forest rangers are highly motivated people who are committed to the Reserve and defense of their territorial integrity. The forest rangers know exactly where the limits of their territory are since they are responsible for maintaining the tracks or paths that have been established to demarcate the borders between the territories. But perhaps their greatest motivation to protect their resources is to ensure that the territories belong to them and their communities.

*Source: Communication with Norvin Sepúlveda and Manuel Bojorge, TNC/Nicaragua, October, 2007; TNC, 2007(3).*



that may be based on management or co-management agreements (Beltrán, 2000).

A factor that has made it difficult to establish management agreements between conservation agencies and indigenous peoples has been the absence of an adequate legal definition of the management of indigenous territories that overlap protected areas. The legal systems of Latin American countries do not recognize two titles to the same territory, which leads to a conflict between the national government that has declared the protected areas and the indigenous peoples who claim ancestral rights to these same areas (Roldán, 2004). One solution would be to establish usage restrictions to preserve biodiversity in the indigenous territories, as in the case of the agreements established between the government of Ecuador and the Cofan nation for the management of the Cofan Bermejo Ecological Reserve; a similar process took place in the Bosawas

*“The presence of park guards is showing positive results. At first, people were negative about it, but now they understand that, in reality, they are protecting the future, not just of the Cofán but also of Ecuador and the world.”*

*Luis Narváez, President of the  
Cofán Nation (FEINCE),  
Ecuador*

Natural Reserve in Nicaragua. But governments often have resisted these types of schemes, perhaps due to fear of losing control over the natural resources these areas contain (Roldán, 2004).

Another related problem is the lack of definition of property rights, and rights to natural resource use and administration in indigenous territories. In most Latin American countries, this legal definition does not exist or is ambiguous. Roldán (2004) is of the opinion that this situation is partly due to governments not wanting to lose control over the income they obtain from valuable natural resource concessions. When indigenous territorial rights have not been recognized, in all likelihood, natural resource use rights are not defined either. On the contrary, in countries where indigenous territorial rights are recognized, as in Colombia and Panama, indigenous rights to natural resources have been recognized without generating much controversy (Roldán, 2004).







## case 3

### Forest ranger system in the ancestral Cofan territory, Ecuador

The Cofan territory has suffered biodiversity loss and changes in its environmental quality due to the felling of trees, hunting, indiscriminate fishing, oil extraction, and mining, among other activities. In an effort to halt the accelerated destruction of the Cofan territory, the Cofan Bermejo Ecological Reserve (RECB) was created in 2002. One year later, the Cofan Park Rangers Program was established, involving the creation of a 52-member team of Cofans who are responsible for control and surveillance activities to face the existing threats.

The establishment and training of the park ranger corps was handled in a participatory manner involving the Ministry of Environment (MAE), the Indigenous Federation of the Cofan Nation in Ecuador (FEINCE), the Cofan Survival Foundation (CSF), TNC, the Chicago Field Museum, the Ecuadorian Museum of Natural Sciences (MECN), and the Institute for Environmental Conservation and Training (ICCA). The Cofan park rangers are legally recognized as community park rangers by the Ministry of Environment and have the same rights and obligations as a state park ranger. This is the first time that this type of recognition has been granted within the System of Protected Areas of Ecuador.

Creation of the Reserve and implementation of a park ranger system for the area produced a change of attitude in other settlers and resource extractors. This was largely thanks to dissemination of the message that natural resources are important and need to be conserved. Despite this eventual success, in the beginning, some people dedicated to gold mining resisted giving up their activities inside the RECB. However, the Cofan administration obtained the support of the Armed Forces to control this situation, and the number of infractors since then has been considerably reduced.

Currently, the Cofan Park Rangers Program is responsible for controlling and patrolling approximately 380,000 hectares corresponding to the ancestral Cofan territory, including the RECB, the Sinangoe area – recognized as an ancestral Cofan territory within the Cayambe-Coca Ecological Reserve, the Zabalo territory in the Cuyabeno Ecological Reserve, and the territories titled in the name of the Cofan. To this end, they have six control stations and 52 duly trained people who are equipped and

accredited by the Ministry of Environment to carry out patrolling actions in the territory.

The Program operates as follows: Seven five-person brigades go into the field with responsibility for carrying out control and both patrolling, and monitoring activities on established and planned routes, while six two-person groups remain in field stations located in the sectors determined to be facing the greatest threats. For the purpose of coordinating the whole program, there is a central office in the city of Lago Agrio, where a general coordinator and two people responsible for logistics and the warehouse are stationed.

Each park ranger prepares a monthly report on the activities carried out; these reports are later used to carry out periodic evaluations of the work performed and the state of the territory, as well as to plan each park ranger's monthly work assignments.

In addition to being a source of employment for the Cofan, the park ranger program provides training in different techniques such as the management of GPS, community relations, and first aid, among others. Ten of the 52 existing park rangers are women. Selection of the members of the park ranger corps is made by the community. The next selection filter takes place during the training courses.

The philosophy behind the park ranger program goes beyond control and surveillance activities to include an indigenous political position that consists of the Cofan youth really getting to know and love their territory. One of the problems the Cofan people face is that their youth are losing traditions, feeling more and more distanced from their territory; as a result, the issue of fighting for their territories is very abstract for many of them. Therefore, the fundamental premise of the park ranger program is that if people recognize their territory as their own as a result of traversing and protecting it, this will create an emotional bond to the land.

*Source: Communication with Luis Narváez, President of FEINCE, August 2007; communication with Paulina Arroyo, TNC Amazon Conservation Program and Tatiana Eguez, PiP Condor Bioreserve, August 2007; communication with Mateo Espinosa, GCF-CSF Project Coordinator, Cofan Survival Foundation, August 2007; TNC, 2007(4).*



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## case 4

### Conservation Area Planning for the Bosawas Natural Reserve, Nicaragua

The Bosawas Natural Reserve, located in the region of Nicaragua known as la Mosquitia, on the border with Honduras, forms part of the ancestral territory of two of Nicaragua's largest ethnic groups: the Mayangnas and the Miskitos. Most of their over 700 thousand hectares of extension are divided into six indigenous territories that TNC helped to demarcate in the 1990s and that were titled in favor of the communities of these two indigenous peoples during the life of PiP.

Given the need to have a specific management plan for the Reserve and the indigenous territories it encompasses, within the framework of the PiP project, a conservation action plan (CAP) was jointly designed with leaders of the communities in each of the six territories. Scientists, NGOs, and the Technical Secretariat for Bosawas (SETAB) – appertaining to the Ministry of the Environment and Natural Resources (MARENA) – were also involved in the process. It should be noted that the Bosawas Natural Reserve is part of the core zone of the Bosawa Biosphere Reserve, which already had a management plan for several years; however, this plan was not specific enough nor did it have an adequate approach to management of the indigenous territories in the core zone, which also constituted a State-protected area.

The CAP for the Bosawas Natural Reserve was developed with technical support from the Center for the Understanding of Nature (Centro de Entendimiento con la Naturaleza-CEN), a Nicaraguan organization with extensive experience in the empowerment and recovery of indigenous peoples' social institutions and traditions. At the beginning of the process of developing the CAP, a meeting was held with all of the key stakeholders of Bosawas Natural Reserve, including indigenous leaders, NGOs, scientists who carried out research in Bosawas, and government officials. During this first workshop, a vision was established for the Reserve and the objects of conservation were selected. The objects selected were both natural and cultural. The process then split into two parallel paths: an expert workshop was held in the capital city with scientists and government officials, and a series of workshops was carried out in the indigenous territories.

The expert workshop discussed the viability of and threats to the objects of conservation. In addition to scientific opinions, the group had access to information on traditional knowledge of threats to the Reserve and its objects of conservation, which had been gathered by an indigenous consultant. Another input consisted of published and unpublished information from research

and development institutions, including the preliminary results of research on hunting that the St. Louis Zoo had been carrying out in the Reserve.

The workshops held in the indigenous territories analyzed threats and strategies using a simplified version of the CAP methodology. This made it possible to obtain the vision of indigenous peoples regarding the objects of conservation and their attributes. For example, from the indigenous perspective, the abundance of the white-lipped peccary (*Tayassu pecari*) in the intangible area of the Reserve was explained by the fact that the hunters did not enter this area because they considered it a sanctuary inhabited by a deity who ruled over the animals. Also, the indigenous people identified their own communities as an object of conservation, something that had not been considered in the other workshops.

Maps of threats and objects of conservation were prepared and used at a final workshop with indigenous leaders, where the participation of women was significant. The setting for this workshop was a mountain located in one of the protected areas of the Bosawas Biosphere Reserve and considered sacred by the indigenous elders. The workshop had indigenous facilitators who helped the leaders draw maps of their territories showing the main threats and sacred places. Next, conservation and sustainable natural resource use strategies were developed for each territory; these strategies describe actions that could be taken, where these actions would be implemented, and what resources would be needed to implement them.

Currently, the CAP strategies remain to be validated in each community, which CEN recommends be done through community assemblies. It is also necessary to discuss with each assembly what legal/administrative mechanisms will be used to facilitate implementation of the strategies; it is clear that indigenous territorial governments need to be constituted. For the moment, SETAB/MARENA is taking the CAP as a reference point to develop management plans for other protected areas in the core zone of the Bosawas Biosphere Reserve and also as the basis for updating the Master Plan for the Biosphere Reserve and individual plans for the Indigenous Territories.

*Source: Communication with Alan Bolt and Edgard Herrera, Center for Understanding of Nature, October 2007; communication with Jacobo Sánchez, Executive Director of SETAB; communication with Norvin Sepúlveda and Manuel Bojorge, TNC/Nicaragua, October, 2007; TNC, 2007(3); TNC, 2006.*



## case 5

### Consolidation of a practical management model for the Cofan Bermejo Ecological Reserve, Ecuador

Over the years, the Cofan nation has suffered fragmentation of its ancestral territory due to settlement processes that have occurred in Ecuador, especially beginning in the 1970s. During this decade, penetration highways were built for oil activities and these facilitated the massive migration of settlers toward the Amazon region. The settlers then gradually began to appropriate lands that were part of the Cofan territory.

The ancestral Cofan territory located to the north of the Condor Bioreserve, in the border zone with Colombia, is considered an area of high biological diversity and endemism, where the flora of the Amazon converges with that of the Andes. The rapid evaluations carried out by the Chicago Field Museum in 2002 documented an extraordinary diversity of plants and animals, discovering at least 12 species new to science. The area is, therefore, a conservation priority for both TNC and Ecuador.

After several years of struggling to recover territories and oppose oil activities in the area, the Indigenous Federation of the Cofan Nation in Ecuador (FEINCE) proposed to the Ministry of Environment (MAE) this: declaration of a protected area in part of the ancestral Cofan territory, with the idea that this territory would be handed over to the Cofan people for their administration. The proposal was well received by the MAE since it represented an opportunity to protect a priority area for conservation while also benefiting the Cofan people through a co-management model that was unprecedented in the National System of Protected Areas (SNAP).

Thus, the Cofan Bermejo Ecological Reserve (RECB) was created through a Ministerial Agreement in January 2002, with a total surface area of 55,451 hectares. In this manner, the RECB became part of the National System of Protected Areas. An agreement was also signed between FEINCE and the MAE to delegate the use, management and administration of the Reserve to FEINCE.

In this way, the Cofan nation became the first indigenous people in Ecuador to have official agreements with the government for the co-administration of a complete protected area. Likewise, the RECB is the first protected area of the SNAP that has also been officially declared an ancestral territory. However, since creation of the protected area occurred first, the Cofan are prevented from obtaining title to that area. Therefore, in the subsequent processes that FEINCE has been carrying out to recover territories, it has been a priority to secure recognition of the ancestral territories; once this is obtained, to then evaluate whether or not to promote recognition of the protected area by the State.

The RECB is home to an active Cofan community of 158 inhabitants with an ancestral presence in the area. This gave cause for concern that the restrictions generally applied to protected areas would prevent the Cofan from carrying out their traditional activities in the Reserve. Therefore, it was deemed necessary to develop a management plan for the Reserve that serves both the Cofan population and the conservation purposes of the State.

TNC began to support the process of developing the RECB

Management Plan during the last year of the Parks in Peril Program, for which it received USAID funds and counterpart funding from the Global Conservation Fund (GCF). Previously, the Chicago Field Museum had supported the process of creating the RECB by conducting biological inventories of the area that demonstrated its exceptional conservation value.

Development of the Management Plan was the result of collaboration between MAE, FEINCE, and the Cofan Survival Foundation (CSF), a non-profit organization comprised of members from the Cofan community and a TNC partner. The Cofan participated actively in the design and negotiation of the Management Plan, thus ensuring that the guidelines for management of the area are in agreement with both the traditional uses and customs of the people living inside the Reserve, and the conservation objectives of an Ecological Reserve.

In zoning described in the Management Plan, FEINCE and the local Cofan communities committed themselves to preserving 85% to 90% of the RECB, restricting all types of use in these areas, while the 10% to 15% of the Reserve lands located around their four settlements would be used sustainably according to their cultural tradition. An important component of this tradition is that the Cofan do not live for long periods of time in a single place. Once they consider that the place where they have settled has “aged,” they leave it and move to a new one. This can occur due to a reduction in soil productivity or in cases of an epidemic such as influenza, which leads them to look for another place that is “healthy.” With respect to cropland management, the Cofan generally establish at least one-hectare plots. These characteristics of their lifestyle were fundamental design elements of the zoning of the RECB.

Furthermore, the Management Plan established the need to create an ecological corridor between the RECB and the Cayambe-Coca Ecological Reserve, to the north of the Condor Bioreserve, due to the high biological diversity of the cloud forests located between the two areas.

Currently, negotiations are underway for creation of a trust fund to ensure financial sustainability of the protected area and cover the costs of the Cofan park ranger program, thereby ensuring the control and surveillance of the whole Cofan territory. This initiative, which is being supported by TNC through PiP and the GCF, has so far designed the trust fund’s institutional structure, as well as its procedures manual, based on TNC’s experience with the Water Conservation Fund (FONAG). Currently, the GCF has allocated US\$1 million to capitalize the fund and TNC is in the process of raising counterpart funds. GCF’s commitment is to contribute one dollar for each counterpart dollar obtained from private funds and two dollars for each dollar obtained from state funds.

*Source: Communication with Luis Narváez, President of FEINCE, August 2007; communication with Paulina Arroyo, TNC/Amazon Conservation Program and Tatiana Egue, TNC/PIP Condor Bioreserve, August 2007; communication with Mateo Espinosa, GCF-CSF Project Coordinator, Cofan Survival Foundation, August 2007; TNC, 2007(4). Cofán, Agosto 2007; TNC, 2007(4).*

## Recognition of the decision-making institutions and mechanisms of indigenous and traditional peoples

ILO Convention 169 establishes that the application of national legislation to indigenous and tribal peoples must take into account the customs or customary law of these peoples. They have the right to conserve their own customs and institutions as long as they do not violate the fundamental rights defined by national legislation or internationally recognized human rights. Many indigenous peoples have their own institutional structures, such as legal and administrative entities or councils, that have rules and penalties to ensure that their customary law is enforced (ILO, 2003).

For this reason, protected areas that overlap the territories of indigenous peoples are not viable if the State does not recognize the authorities that represent these peoples and their decision-making processes. If necessary, the legislation and institutional structure of the national system of protected areas should be modified to incorporate these traditional institutions and administrative processes (Beltrán, 2000).

Unfortunately, international cooperation projects with indigenous peoples have often introduced new institutions to serve as a link between indigenous communities and the project, instead of strengthening the existing traditional institutions. This has resulted in the weakening of the traditional institutions and of indigenous decision-making structures (Griffiths, 2005).

Therefore, before undertaking conservation actions in areas occupied or used by indigenous peoples, it is essential to be familiar with the manner in which these peoples make and implement decisions. This preliminary step is based on the recognition of indigenous institutionality, that effective agreements can be established between conservation agencies and organizations, and indigenous peoples.

Management and co-management agreements are formal mechanisms that are being applied in various Latin American countries for the conservation of protected areas based on recognition of the rights and duties of indigenous peoples. These agreements are implemented through management plans jointly designed by indigenous peoples and the agencies responsible for admin-

## case 6

### Participatory formulation of a governance model in the Li Lamni territory, Bosawas, Nicaragua

The Bosawas Natural Reserve constitutes most of the Core Zone of the Bosawas Biosphere Reserve, which contains the largest area of as-yet-undisturbed humid tropical forest in Central America. 80% of the surface area of the Natural Reserve (744,190 has) is divided into six indigenous territories that have been titled in favor of the Miskito and Mayangna communities. In the 1990s, TNC decisively supported both indigenous peoples in strengthening their rights to the territories, resulting in the delimitation, zoning, and eventual titling of the indigenous territories in favor of the indigenous communities.

Given the situation of mismanagement in the indigenous territories after the civil war ended, it was considered necessary to support creation in each territory of an entity that would serve as a link between the communities, the State, and international institutions. Thus, an association was created in each territory, the purpose of which was to represent the communities' needs and manage projects for the benefit of the territory and its population. Each association was also supposed to play an advisory role in the Council of Elders and mediate as a legal entity in the territory before the State and international institutions.

Although the associations are currently made up of members who are democratically elected by the communities and have a certain political representation, they are not a legally-constituted authority within the indigenous territory, which prevents them from establishing and enforcing regulations. The Nicaraguan legislation that recognizes the indigenous territories of Bosawas establishes that these indigenous territories must be administered by a representative government that is authorized to organize and manage the

territory, as well as to monitor the health and education of its inhabitants. The indigenous government also has the power to administer public funds and is able to receive government budget allocations.

Considering the need for indigenous territories to have a governance system that, among other things, has the legitimacy to establish and implement regulations for natural resource management in indigenous territories, within the framework of the PiP project and with the collaboration of the Center for Understanding of Nature (CEN), consultations were made in the Li Lamni indigenous territory in order to determine which would be the most appropriate model of government for the communities and what role the associations should play in this new scenario.

The idea of the pilot model in Li Lamni was to go back to the indigenous communities' ancestral government structure where the indigenous government's decisions would be made by the Council of Elders Assembly, which would democratically represent the whole population of the territory. Basically, the proposed governance structure consists of the following:

- ✓ Each community in the six territories shall, through a participatory process, choose the Elder who will represent the community in the Council of Elders.
- ✓ A Council of Elders will be organized for each sector, which consists of a group of communities having easy communication with each other.
- ✓ A Territorial Elders Council will be organized with representatives from each sector.

*Continued on page 11*



istration of the protected areas. Both parties should assume responsibility for achieving the objectives and plans that are agreed upon, including mutual evaluation of each other's performance through monitoring and the presentation of periodic reports (Beltrán, 2000). The Parks in Peril project has provided support for development and implementation of management agreements, such as those of the Bosawas Natural Reserve in Nicaragua and the Cofan Bermejo Ecological Reserve in Ecuador, as well as for co-management agreements, such as in the Yanesha Communal Reserve in Peru.

Establishing alliances with indigenous peoples for protected area management requires that the administrative capacities of indigenous organizations and communities be strengthened – a pro-

"The elders make the biggest decisions; for example, they have the final say in negotiations with the oil company. If it were up to young people, they would have already sold out, but the elders are the ones who have protected us. Because of their experience, and because of their wisdom, they have seen the very future through Yajé, so they know."

– Luis Narváez, President of the Indigenous Federation of the Cofan Nation in Ecuador (FEINCE), Ecuador

cess in which government agencies and conservation organizations play a very important role. This strengthening work sometimes requires significant changes in the way cooperation in the past has been directed at supporting indigenous communities. In general, indigenous organizations have been accustomed to being beneficiaries of conservation projects but not to being co-participants in their implementation, with the rights and responsibilities that implies. Likewise, conservation organizations have sometimes been reluctant for indigenous organizations to assume responsibility for the management of funds, considering them to lack the capacity for financial management and accountability.

In this respect, the support PiP gave the Federation of Yanesha Native Com-

...from page 10

- ✓ The Council of Elders will be the organization responsible for providing guidance and resolving conflicts between people and between communities. It will organize election of the executive director in each territory and administer all of the community's goods and services, and it will have the power to dismiss any corrupt member of the council.
- ✓ Through general elections, the Council of Elders will organize each territory's executive leadership. The members who have been elected will then organize the necessary technical team to implement the guidance and activities determined by the Council of Elders.
- ✓ The executive director shall have the authority and capacity to promote conservation and well-being strategies. The strategies will be presented to the Council of Elders for their approval.

The current situation is that each community has a Council of Elders, but when it is raised to the territorial level, it loses its power since the association has greater control over decision-making. However, the current distribution of powers is not in agreement with the ancestral tradition of communal management, which was based on the Council of Elders; hence, it has been proposed that this power be elevated to the territorial level.

The system of choosing the members of the Council of Elders and the way they make decisions illustrate the indigenous style of decision-making by consensus: the members of the Council of Elders are chosen from among the communities, not by vote, but rather by a "invisible consensus" where the population identifies over time

those people who stand out due to their wisdom and the respect they inspire in others. Three to five elders are chosen in each community, and the Council is formed by adding to this group a teacher, the judge, and the church pastor. It is in the community assemblies that decisions are made through a direct dialogue between the Community Assembly and the Council of Elders. These are meetings of 80 to 100 people, and the purpose of this dialogue is to reach agreement among all participants. Although the Council of Elders can exert its influence so that a particular decision is made, it cannot issue an opinion contrary to the majority.

In the framework of the PiP Project, the governance model of the Li Lamni territory reached the stage of the proposal being validated by the indigenous people, but it was not implemented. Fortunately, the intention exists on the part of the Ministry of the Environment and Natural Resources, through the Technical Secretariat of Bosawas, to implement the model as a pilot experience in the framework of the World Bank's "Green Heart" project, which has a budget of \$6 million dollars for the next six years. It is important to note that the model proposed for Li Lamni would not be the first experience of indigenous government in Nicaragua, since there are already experiences of other indigenous groups in the country with more than 100 years exercising authority and administering their territory.

*Source: Communication with Alan Bolt and Edgard Herrera, Center for Understanding of Nature, October 2007; communication with Jacobo Sánchez, Executive Director of SETAB, October 2007; communication with Norvin Sepúlveda and Manuel Bojorge, TNC/Nicaragua, October, 2007; TNC, 2007(3).*

munities (FECONAYA) in the Central Selva of Peru required changes in the ways in which support had been provided to indigenous peoples in the region. This support included the management of funds by FECONAYA, but based on joint planning of activities to achieve the objectives of both parties. This meant clearly defining the budget that FECONAYA would manage, as well as mechanisms for accountability. Building a relationship of trust between the indigenous organization and the project, with each treating the other as an equal, was fundamental to ensure the success of the relationship. Another example of shared responsibility was the support the PiP project gave community groups in the indigenous territory of Talamanca Bribri, in the buffer zone of the La Amistad International Park in Costa Rica, in which the project allocated funds for these groups to promote and regulate tourism activities within their territory. The community organizations had to learn to manage the funds under a scheme of accountability and how to present technical reports.

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## Access of Indigenous Peoples to the Benefits Associated with Protected Areas

Indigenous peoples represent less than 5% of the world's population; nevertheless, they comprise 15 percent of the world's poor. In Latin America, nearly 80% of the indigenous population lives in poverty (Patrinos and Skoufias, 2007). The Action Plan adopted by the 5th World Parks Congress in Durban urges international cooperation to avoid conservation actions that cause or increase poverty, including cultural impoverishment. It likewise recommends that protected areas make an effort to contribute to poverty reduction at the local level, or at least to not contribute to increasing poverty (Griffiths, 2005).

For indigenous and traditional peoples, the terms “biodiversity conservation”

and “natural resources management” are equivalent; in other words, conserving biodiversity ensures the availability of resources for future generations (Redford, 1996). In this respect, according to Stearman (1996), indigenous peoples expect conservation organizations to take into account indigenous natural resource use patterns in their territories and the way these use patterns contribute to their physical and cultural survival. In turn, Smith (1996) indicates that in a context in which the market economy has reached nearly every corner of the Amazon, indigenous populations will not give much priority to biodiversity conservation unless they find a sustainable way to satisfy their increasing demand for cash and consumer goods.

The above-mentioned case underlines the importance of indigenous peoples

having full and equitable access to the benefits associated with protected areas. To that end, governments should not only guarantee indigenous peoples legal security and the effective defense of their territories against external threats. They should also strengthen indigenous and local community capacities to manage their areas and resources, as well as offer them technical, financial, and political support for their direct management activities (Beltrán, 2001).

The protected areas have associated labor and economic opportunities, such as the generation of income from tourism and the demand for jobs related to the management of the protected areas. Governments should create the conditions in which indigenous and traditional peoples can also benefit from these opportunities (Beltrán, 2001).



Angela Martin



## case 7

### The Association for the Management of the Yanesha Communal Reserve in the Central Selva, Peru

In Peru, protected areas in the category of Communal Reserve have as their objective preservation of wild flora and fauna for the benefit of the adjacent local populations, including rural and native communities that have made traditional use of these areas for cultural purposes or for subsistence. The use that the local population makes of a communal reserve must be of a non-logging nature and governed by management plans. Peruvian legislation establishes that the administration of communal reserves should be the responsibility of an implementing entity representing the communities who have ancestrally used the resources from these areas for their subsistence. This implementing entity administers the site through an administration contract with the State, thereby forming a co-management scheme for the protected area.

The Yanesha Communal Reserve (RCY), created in 1988, was the first protected area to be established under this category of protection in Peru. The Reserve was created to benefit the neighboring Yanesha indigenous communities. However, it was not until 2005 that specific regulations for this type of area were defined through the Special Regime for the Administration of the Communal Reserves. Meanwhile, the absence of regulations concerning how to form the implementing entities and sign administration contracts prevented the Yanesha communities from becoming systematically involved in management of the area. During this lapse, the State also lacked an efficient presence to mitigate threats to the area, which resulted, in some cases, in conversion of forest areas within the reserve, and in illegal timber extraction.

In 2002, with help from the Peruvian conservation organization ProNaturaleza, the PiP project began to support the process of forming the implementing entity responsible for the administration contract of the RCY. This support was given by way of an agreement between the Federation of Yanesha Communities (FECONAYA) and ProNaturaleza, through which the PiP project committed itself to supporting the consolidation of the implementing entity, called the Association for the Management of the Yanesha Communal Reserve (AMARCY). This Association represents the ten indigenous communities surrounding the Yanesha Communal Reserve. Although AMARCY already existed before PiP, it did not satisfy a fundamental requirement to become the implementing entity responsible for the Reserve's administration contract: that it be officially recognized by the State through its registration in the Public Registries and its recognition by the National Institute of Natural Resources (INRENA).

ProNaturaleza's idea was that the process of formalizing AMARCY should be both a learning and empowerment process for members of this indigenous association, with respect to their role as the future managers of the Reserve. Therefore, ProNaturaleza's support methodology consisted of providing the association with guidelines for their process of seeking State recognition, leaving the responsibility for carrying out the corresponding steps to the

members of AMARCY themselves. The first step was to develop a joint work plan based on the procedures and deadlines required to formalize AMARCY before the State, and to reach agreement on the budget required for that purpose. Next, a process of training the members of AMARCY was initiated. They were instructed about the steps they needed to follow to formalize AMARCY, including development of the organization's statutes and inscription in public registries of both AMARCY and the indigenous communities that comprise it. The PiP Project allocated funds to AMARCY to cover the costs of the process, including related travel expenses, meetings in the communities, workshops, and training. In this way, AMARCY obtained State recognition at the end of 2005; the following year it was possible to sign an administration contract between AMARCY and the State.

During the process, AMARCY had the opportunity to participate in the different fora that INRENA organized for discussion of the new regulations for communal reserves, and it made contact with the other implementing entities that were being formed to administer the communal reserves in the rest of the country. Also, the members of its board of directors had the opportunity to make exchange visits to the Pacaya Samiria National Reserve (another PiP site), in order to see a successful example of non-timber resource management by local communities.

Since AMARCY was officially recognized as the implementing entity for the administration contract of the Yanesha Communal Reserve, its "horizon of action" has expanded notably. So far, AMARCY has managed to accelerate allocation of cooperation funds for the development of the RCY Master Plan and of an environmental education program for the Yanesha communities. Likewise, AMARCY is negotiating an allocation of regional government funds generated by fees and mining royalties to support administration of the Yanesha Communal Reserve beginning in 2008.



Source: Communication with Adilio Fernández Coz, President of AMARCY, July 2007; communication with Benjamín Kroll, Director of the Central Selva Program, July 2007; communication with Marcial Espíritu, former President of FECONAYA, July 2007; TNC, 2007 (5).

## case 8

### Participatory monitoring in the Bosawas Biosphere Reserve, Nicaragua

For centuries the Miskito and Mayangna peoples inhabited the forests that form part of what is known today as the Bosawas Biosphere Reserve in Nicaragua. During the 1980's, the civil war displaced these two indigenous groups outside their ancestral lands, forcing them to seek exile in Honduras and the interior of Nicaragua. The Mayangnas and Miskitos went for 10 years without hunting or cultivating their lands. Many of the oldest died during the diaspora, resulting in the loss of part of these peoples' traditional knowledge. An entire generation grew up in an environment that was foreign to their customs, where the common way of meeting basic needs was to receive food from humanitarian organizations. Ten years later, the people began to return to their former territories.

After the declaration of the forests of Bosawas as a Natural Reserve, the question arose of how to integrate the indigenous peoples' basic needs with conservation in light of the cultural changes the indigenous population had undergone during their displacement. Given that bushmeat is the principal protein in the indigenous diet, TNC considered that an essential conservation measure was to ensure that hunting in the Reserve was done sustainably.

With this objective, the Parks in Peril project formed a partnership with the St. Louis Zoo (SLZ) of Missouri, United States, to carry out research to determine if hunting in indigenous territories of the Bosawa Natural Reserve was sustainable or not, comparing the relative abundance of hunting species in different land use areas in the mountains with the consumption of wild game in the communities. Based on this information, specific measures would be proposed to regulate hunting of the most vulnerable species. The study was conducted by three post-doctoral researchers from the SLZ over a period of more than five years between November 2000 and May 2006.

The leaders of the indigenous territories selected a group of four indigenous forest rangers from each territory; the SLZ trained them as parabiologists responsible for monitoring hunting species, mainly mammals and birds. Their training included direct observation of animals, identification of tracks and birdsongs, and recording of data. Some parabiologists were also trained in the use of mist nets for capturing birds and in plant research. Initially they worked in two of the six indigenous territories of the Bosawas Natural Reserve. When they finished the studies in these territories, they continued with a third territory, where four of its forest rangers were trained with the help of the parabiologists and under the supervision of the SLZ. The territories where the study was carried out were Kipla Sait Tasbaika, Miskitu Indian Tasbaika Kum, Miskitu Indian, and Mayangna Sauni Bu.

One or two kilometer-long transects were established in each use area in each territory. The use areas corresponded to the indigenous peoples' traditional practices and included agricultural zones (near communities along rivers), hunting zones, and conservation zones. Each month the parabiologists walked the transects and collected data on the animals through the obser-

vation of tracks or the identification of songs. In this way, they determined that there is a relative abundance of animals for hunting in the use areas.

Two teams were also formed in each community. The first consisted of a group of 10 to 11 men, called promoters, who interviewed the hunters each week about the quantity, species, weight, and dimensions of the animals hunted, as well as the place where they had hunted. This group of promoters was also selected by the leaders of each community. The second team consisted of a group of 10 or 13 women who worked with the families in each community, teaching the homemakers how to record information on how many animals of each species had been consumed in the home during each day of the week.

With the information gathered from the transects and in the communities, it was possible to map the hunting area and to calculate the annual harvest rate and the maximum sustainable harvest limit using ecological models. The comparison between the two parameters made it possible to determine, for each species, if more of the species was being hunted than could reproduce itself each year and, therefore, if the level of hunting was sustainable or not.

In each territory the results were presented at a workshop to which 70-80 leaders were invited, including hunters, teachers, church pastors, and women leaders. At the workshops, the results were presented and explained, reports were distributed, and historical information was also obtained from the inhabitants themselves regarding species abundance over the last 50 years, especially before and after critical events such as the civil war, Hurricane Mitch, and years of exceptional drought. Then, alternatives were discussed, which the inhabitants considered feasible to decrease pressure on species that were being over-exploited. As a result, various agreements were generated to control hunting, one of which was to establish a closed season for certain species, where hunting them would be prohibited during certain months. In the future, successful implementation of the agreements reached during the workshops will require a process of consciousness raising and participatory discussion, in which hunters and consumers are convinced to protect vulnerable species. According to Daniel Griffith of the SLZ, the agreements should be implemented within the framework of the existing cultural structures, such as traditional uses and social relationships, the latter being based on the extended family and, to a lesser extent, the community.

So far, the results of the study have provided important input for design of the conservation action plan for the Bosawa Natural Reserve, and for updating the management plans for each indigenous territory (including the ecological regulations governing those territories), as well as for informed management decision-making during the implementation of PiP.

*Source: Communication with Daniel Griffith, Field Coordinator, St. Louis Zoo, October, 2007; Manuel Bojorge, TNC/Nicaragua, October, 2007; TNC, 2007(3).*





## case 9

### Community tourism projects in San Pedro Municipal Park, Guatemala

San Pedro La Laguna is a municipality in Sololá Department in Guatemala whose inhabitants mostly belong to the Maya-tz'utujil ethnic group. It is one of the most visited places in the Lake Atitlán region.

The Parks in Peril project, through the non-governmental organization Vivamos Mejor, supported the municipality of San Pedro La Laguna in declaring a portion of the surface of the San Pedro volcano a municipal park. Excursions to the summit of the volcano constitute one of the principal tourist attractions in San Pedro and represent a source of income for the tz'utujil inhabitants, as several of them hold positions as guides for these excursions. However, before creation of the municipal park, tourism activity on the volcano was disorganized. The guides lacked training and did not have a fixed rate for their services. In addition, there were frequent attacks on tourists due to the absence of security in the area. This situation meant that many tourists abstained from visiting the San Pedro volcano. Furthermore, poaching was a constant threat that had been reducing the site's emblematic species, such as the Horned Guan (*Oreophasis derbianus*). For this reason, creation of the municipal park had the dual objective of conserving biodiversity of the area and strengthening the benefits that the area generated for the local population.

Once the management plan for the San Pedro La Laguna Municipal Park was developed, the first step taken towards its implementation was to organize the existing group of guides. At first, there was much resistance to this process since the guides were not willing to give the municipality part of the fee they charged the tourists. Likewise, they did not want to establish a standard fee, but rather to negotiate it directly with the tourists. They even came to think that the municipality was going to prohibit their access to the volcano.

After much effort to inform and convince them, the guides finally accepted the new conditions and organized themselves. All of the guides received training and were regularized before the municipality, which gave them badges identifying them as authorized guides. A fixed park entrance fee was established, including the cost of the guide service. The distribution of the fee was established as follows: of the US\$13 entrance fee, US\$10 goes to the guide and US\$3 is assigned to the municipality. The guides give a small percentage of their part to the guide association. In return, this association trains them and provides them with a liaison office. The municipality charges the entrance fee, and the next day gives the guides the amounts that correspond to them.

The guides now have their shifts well organized, which has allowed them to earn more than before. The guides no longer feel that some receive more tourists than others, which has eliminated conflicts among guides over tourists. Also, the guide association is becoming stronger every day; one of its immediate plans is for the guides to acquire basic knowledge of English.

In conclusion, the indigenous population of San Pedro has benefited from establishment and management of the municipal park. The benefits are not only limited to the people who work as guides. Since the park was established, there have been no more assaults because the tourism police have a permanent presence in the area. This has resulted in more and more visits to the park, which not only benefits the guides and the municipality but also generates indirect benefits due to the increase in business for restaurants and hotels. Finally, the experience has also served to increase the local inhabitants' feeling of pride in the volcano. Radio and television campaigns promoting the value of the park have greatly contributed to this.

*Source: Communication with Jorge Cardona, Director of Conservation, TNC/ Guatemala, August, 2007; TNC, 2007(2).*

## Indigenous Peoples and Transboundary Protected Areas

Frequently, the ecosystems that require protection and at the same time provide indigenous peoples with their livelihood extend across international borders. When the territories or resources used by indigenous peoples are located within transboundary protected areas, the governments of the countries that are involved should take measures to guarantee that the protected areas are managed in a way that respects the rights of indigenous and local communities (Beltrán, 2001).

With respect to areas located in areas of dispute or armed conflict, IUCN and WWF, in their Principles and Guidelines on Indigenous/Traditional Peoples and Protected Areas (Beltrán, 2001), suggest establishing agreements and measures so that the territories of indigenous and traditional peoples located within protected areas are treated as zones of peace and reconciliation, as a way of guaranteeing both conservation objectives and the rights of indigenous and traditional peoples.

Based on the experience of PiP, it can be said that the conservation objectives of protected areas are not necessarily incompatible with the objectives of indigenous and traditional peoples who have ancestrally occupied or used these territories. Although the agencies that administer the areas and the indigenous peoples may have different motives for conservation, it is a fact that some of the best preserved regions on the planet have been occupied by indigenous peoples for thousands of years.

A key lesson is that conservation projects involving indigenous peoples should be designed based on a thorough understanding of their organizational structure for the management of their territories, including their traditional decision-making institutions. Support for strengthening existing structures, and full recognition of the rights of indigenous peoples to their ancestral territories and the natural resources they use, are a fundamental component for alliances between conservation organizations and indigenous peoples to work. If indigenous ownership to their ancestral territories is assured or they can act as co-participants in the management of the protected areas, with full access to the benefits that they generate, indigenous peoples will be the best allies for conservation.



## case 11

### Participatory models for the management of transboundary protected natural areas, La Amistad International Park, Costa Rica and Panama

The La Amistad International Park (Parque Internacional La Amistad – PILA) is a bi-national protected area located in the Talamanca Range, a mountain massif extending from Costa Rica to Panama and containing the largest continuous forest in Central America. On the Costa Rican side, the PILA has an extension of around 200,000 hectares and is surrounded by a series of protected wild areas and indigenous territories. The Panamanian side has a similar area that is also surrounded by indigenous territories and protected areas. The indigenous territories, which make up the largest part of the PILA buffer zone, belong to four indigenous groups: Cabécar, BriBri, Naso/Teribe, and Ngobe. The first two constitute the largest indigenous population in Costa Rica.

The Parks in Peril project supported the updating of the PILA Management Plan on the Costa Rican side, with the aim of bringing it up to the same level as the Management Plan for the Panamanian side, which was supported by the World Bank's Mesoamerican Biological Corridor Project. The Management Plan established a shared administrative model based on strategic alliances between the BriBri and Cabécar peoples, local rural organizations, municipalities, and the National System of Conservation Areas (SINAC), which will work in a coordinated manner to ensure conservation of the ecosystems that make up the Park and its neighboring areas. It is worth noting that for 30 years the BriBri and Cabécar indigenous peoples have had an active political role in the defense of their territory in the Talamanca Range in the face of the threats posed by hydroelectric, mining, and oil projects. This defense has been fundamental in conserving the integrity not only of their territories, but also of the protected areas.

The shared administrative model establishes that the BriBri and Cabécar indigenous peoples, together with the other stakeholders, will commit to contributing human and material resources, knowledge, and political and financial support to maintain the ecological functions of the PILA. To that end, it proposes that Local Administrative Councils be established, to be comprised of indigenous peoples, small farmer

*Continued on page 17*





organizations and municipalities. In turn, these councils and the SINAC will jointly form the National Administrative Council, to which the Park Administrator will report. In this manner, a participatory decision-making structure will be created in which the Councils will act as the supervisory bodies that oversee the management of the PILA, and also as implementers of specific activities in the buffer zones. Given that the greatest threats to the PILA are found in the buffer zones, this participatory scheme seeks to have the organized communities benefit from the management of the Park, and for them to become allies in its protection.

The development of the Management Plan was a long process requiring many layers of negotiation. In the first place, consensus had to be reached among the indigenous groups so they would have a single position. A similar process took place with the small farmer groups. Once the indigenous and small farmer positions were defined, both parties came together to negotiate a joint position. Internally, the SINAC also had to carry out a negotiation process between the two conservation areas that administer the PILA: the Caribbean area and the Pacific area. Finally, negotiation between SINAC and the communities took place, and the final

guidelines for the Plan were established, thereby laying the foundation for participatory management. It is interesting to note that it was more difficult to achieve joint positions within SINAC than among the communities.

As a result of the negotiations between the different stakeholders, agreement was reached on a general set of rules that will govern all interventions carried out in the PILA. The established regulations allow the BriBri and Cabécar peoples the use and traditional management of the border areas between their indigenous territories and the Park. Likewise, they establish that research on traditional indigenous knowledge of biodiversity should be consulted with, and approved by, the indigenous peoples. They also provide for the creation of Natural Resource Oversight Committees to be made up of indigenous and non-indigenous organizations adjacent to the Park; these committees will carry out protection work facilitated and coordinated by the Park administration. In a complementary manner, they propose creation of a state-validated indigenous “resource guard” corps that will support the park rangers in detecting and denouncing infractions. Finally, they establish that only local and national community organizations in the area of direct influence of the Park may obtain concessions for non-essential services within the Park.

Currently, TNC is supporting formation of the Local Administrative Council on the Pacific slope of the PILA, and efforts will soon be made to establish the Council on the Atlantic side. Likewise, some activities of the Management Plan are being carried out, testing the relationship between civil society groups and the government. An important factor in overcoming the State's distrust of the indigenous and small farmer organizations' administrative capacities was the process of training and capacity strengthening that resulted from the formation of the Indigenous Tourism Network and the Quercus Community Association Network. The Indigenous Tourism Network is comprised of 17 organizations and grassroots groups from the indigenous territories, representing a platform for work and coordination with the indigenous peoples. The Quercus Network is made up of five groups of rural communities and is currently negotiating the implementation of an environmental education plan with SINAC. This will be their first experience with shared project implementation.

It should be noted that the PILA Management Plan-Costa Rica was brought in line with the “Management Plan for the La Amistad International Park-Panama” and is set within the guidelines of the Bi-national Cooperation Agreement between Costa Rica and Panama. The basic concepts of neighboring zones, the role of indigenous and small farmer organizations in the management of the Park, traditional use, the development of science, mission-vision, objectives, objects of conservation and threats are practically the same.

*Source: Communication with Felipe Carazo, TNC/PIP Amistad, October, 2007; SINAC, 2006.*



## case 10

### Ecotourism with Andean communities in the Papallacta Lake System, Cayambe-Coca Ecological Reserve, Ecuador

The Papallacta system of lakes and wetlands is located in the high Andean zone to the south of the Cayambe-Coca Ecological Reserve (RECA) at about 3,700 to 4,300 masl. For many years it was under constant threat due to the existence of poachers, illegal fishing, the constant burning of the grasslands, and the invasion of land for cattle grazing.

The experiences of projects implemented in the RECA by TNC and its partners during the 1990s demonstrated that it was necessary to work on the development of biodiversity conservation alternatives, placing special emphasis on tourism activities that could generate income for the protected area while at the same time improving the income of the local population. After carrying out feasibility studies for a tourism project in the Papallacta area, an inter-institutional agreement was signed in 2001 between the Ministry of the Environment and the Rumicocha Ecological Foundation for the purpose of supporting tourism management in the Papallacta River Upper Watershed, in a total area of 5,900 hectares of the Reserve. Currently, with the support of the ECOFONDO (EcoFund), 4,000 additional hectares have been incorporated into the area of influence of the ecotourism and conservation project.

The Rumicocha Ecological Foundation (FER) is a private, non-profit organization comprised of members of the communities in the parish of Papallacta. Its mission is to contribute to conservation of the natural resources of the RECA and to the community development of the population of Quijos Valley. It is interesting to note that the Rumicocha Foundation grew out of the concerns of these same inhabitants upon noticing the progressive decrease of fauna in the area. A group of young people aware of this problem decided to form the Foundation.

From the beginning of the implementation of tourism activities by FER and MAE, biodiversity conservation was given an integral focus, where ecotourism activities had to generate income that would not only contribute to the protection of the lake system, but would also produce tangible benefits for the communities of Papallacta. In this sense, it is relevant to note that tourism is an activity that has become more and more important in the parish of Papallacta in terms of income genera-

tion. Fifteen years ago, agriculture and livestock farming were the principal economic activities in the area, but over the years tourism activity has increased to the point that much of the labor force that previously worked in agriculture is now employed in the thermal baths, restaurants, hotels, transportation, and other services related to tourism.

The tourism management system for the Papallacta area is comprised of men and women guides from the communities of the parish of Papallacta and Quijos Valley. There are currently 10 guides, but the hope is to eventually have at least 15 guides, thereby forming an association of local guides endorsed by the Ministries of Tourism and the Environment. The guides are trained in different subjects.

The ecotourism activities carried out in the area are hiking, fishing, and camping. Labor for work in trail maintenance and infrastructure improvements is hired from the community itself. Payment vouchers (tickets) authorized by the Ministry of the Environment are used to credit the aforementioned ecotourism activities. The income obtained from these services does not go into the State's fiscal coffers, but rather remains in a fund administered by the Foundation for trail maintenance and investment in the tourism project. The park area entrance tickets that are required for tourists to enter other visitor sites in the Cayambe-Coca Ecological Reserve are another source of income; this revenue does go into a State fund.

After six years of implementing the tourism project, hunting, illegal fishing, and intentional fires have practically disappeared, with an observable result being clear recovery of the flora and fauna of the lake system and of the Reserve's landscape in general. This example has become a model of how well-managed and monitored tourism can generate income for the protected areas, and at the same, constitute a source of employment for people from the local populations.

*Source: Communication with Marcelo Simbaña, Rumicocha Ecological Foundation, August 2007; communication with Paulina Arroyo, TNC/Amazon Conservation Program and María Fernanda Aillón, TNC/PIP Condor Bioreserve, August 2007; TNC, 2007(4).*



"In Latin America there was a general and illegal tendency to see indigenous peoples as appendages, shall we say, and not as fundamental elements of conservation... in order to change this, first all of their rights need to be recognized and then their institutionality must be strengthened in order to allow them to truly exercise their self-determination, one of the rights recognized by the General Assembly of the United Nations and by ILO Convention 169."

— Alan Bolt, *Centro de Entendimiento con la Naturaleza (CEN)*, Bosawas, Nicaragua

"If (indigenous peoples) strengthen themselves institutionally and their authorities are legitimized and if there are widely participatory processes and leaders are formed, then their traditions, values and feeling of communal well-being, which is very strong, can be recovered."

— Edgard Herrera, *Center for Understanding of Nature (CEN)*, Nicaragua

"In the Cofan Bermejo Reserve, other activities can now be carried out. The way they see the future is that there has to be work in order for the people to continue thinking about conservation. If not, all the natural resources that are at hand are a temptation to take advantage of like everyone else has. That too is a threat."

— Luis Narváez, *President of the Indigenous Federation of the Cofan Nation in Ecuador (FEINCE)*, Ecuador

"For (indigenous peoples) to function as governments, they have to make a decision and understand the advantages and disadvantages (of being a government), but that implies organizing public administration.... The indigenous peoples have their own institutional characteristics and that has to be strengthened, so they can exercise self-determination and practice conservation."

— Alan Bolt, *Center for Understanding of Nature (CEN)*, Nicaragua

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