

Indigenous Conservation territories and Community-conserved Areas (ICCAs) in Iran

UNDP-GEF/SGP-Iran



Indigenous and Community-conserved Areas (ICCAs) are natural and/or modified ecosystems containing **significant** biodiversity values, ecological services and cultural values, **voluntarily conserved** by indigenous peoples and local communities— both sedentary and mobile — through customary laws or other effective means.

In identifying ICCAs, three main features are important:

- A) One or more communities **closely relate** to the ecosystems and species culturally and/or because of survival and dependence for livelihood.
- B) The communities are the **major players** in decision-making and implementation regarding the management of the site.
- C) The community management decisions and efforts lead to the **conservation** of habitats, species, ecological services and associated cultural values, although the conscious objective of management may be different than conservation.

Despite their role in conserving biodiversity, ICCAs are generally poorly understood and neglected by conservationists and development experts alike and unrecognised in both official protected area systems and livelihood and development plans. Many of them face grave threats, both directly and indirectly. At times, the biodiversity embedded in ICCAs is recognised and prized by national governments, but too often their conservation agencies end up choosing to expropriate the communities and to establish expert-managed protected areas over their ICCAs. This has engendered conflicts that have unfortunately undermined both biodiversity and local cultures and communities.

GEF/SGP supports Global ICCA studies

The lack of recognition and support for ICCAs in national and international policies has led to the degradation of ICCAs in many countries. Having played a substantive role in promoting the broad conservation policy reassessment at the international level, several working groups of the IUCN Commission on Environmental, Economic and Social Policy (CEESP) have initiated a process to deepen the understanding of the ICCA phenomenon and identify and support crucial field-based initiatives where ICCAs can be safeguarded, enabled, strengthened and/or promoted in practice; and to support consequent national, regional and international policy, in particular through the CBD Programme of Work on Protected Areas.

While five regional reviews of ICCAs in Mesoamerica, East Himalaya, Southwest China, East Africa and the Arctic regions were funded by the Swedish International Development Cooperation Agency (SIDA), GEF SGP provided additional funding (October 2007 – 31 December 2008) for the following:

- 1– Three additional regional reviews (West Asia, Central Asia and South Pacific) to identify types and status of ICCAs ;



Traditional fisheries in Qeshm Island



This briefing note was prepared for CENESTA by Lisa Poulak with kind collaboration from ICCA Workshop participants and facilitators: Taghi Farvar, Nahid Naghizadeh, Pooya Ghoddousi, Mahmoud Jomepoor, Khadija Catherine Razavi, Moharram Nowroozi, Jalal Sepehri, Soudeh Jamshidian, Mona Kananian and Abbass Didari. It is dedicated to Uncle Sayyad—the Qashqai Elder who sadly passed away soon after the event. Layout and art work: Samira Farahani. Production: CENESTA, as part of the GEF/UNDP/SGP/CENESTA Project IRA-OP3-2-17(88). For more information please contact: Nahid@cenesta.org or Fariba.Aghakhani@undp.org and visit www.ICCAForum.org

- 2- Comparative analysis of regional reviews of ICCAs and compiled lessons learned for use at the national and regional levels;
- 3- Specific recommendations towards enabling policy and legislative frameworks for the recognition of ICCAs.

Some outputs of this project are: Four regional reviews; identification of various ICCA types and status; promoting the ICCA concept in international events (eg. COP9 of CBD and 4th IUCN World Congress, both in 2008); production of Briefing Notes, Best Practice Manual; draft Guidelines for Recognition of ICCAs; establishment of an active ICCA website and network; ICCA database; workshop on ICCAs and pilot projects, namely on customary territory-based management of rangelands in Iran. It is worth noting that most of the examples in here come from GEF/SGP Iran funded projects.

This briefing note has been prepared to meet the last objective.

Marine Ecosystems

Iran borders three major marine bodies: the Caspian Sea in the north, the Persian Gulf and Oman Sea in the south. In both coasts for thousands of years traditional fishing methods have been practiced, and fisheries were managed through customary rights and regulations. Fisheries have been in decline only since 40 years ago since ICCAs have been undermined by inadequate government policies. For example, "Damgostar" and "Parreh" fishing methods were practiced by local fishermen in the North, allowing them to benefit from rich fish resources of the Caspian Sea namely Sturgeon. However, since 1990's traditional fishing rights were bought back by the Fisheries Organization of Iran (Shilat). Since then fishermen have been fined for practicing the traditional fishing methods (e.g. Damgostar). Instead, industrial Kilka fishing has been promoted by the government, which some believe contributed to the decline of sturgeon fisheries in the Caspian.

Similarly in the South, trawl fishing has been promoted by Shilat while still small traditional fisheries (eg. "Moshta")

are being practiced for example by villagers of northern Qeshm Island where the



Parreh fishing in the Caspian

water is relatively calm. A comparative analysis between past and present fishing practices shows that timing and tools for fishing in the past were more sustainable than the present ones. Other factors that contribute to the decline of fisheries and related ICCAs are water pollution, climate change, over-fishing, invasive species, and rapid urbanization of the coastal areas especially in the Caspian area.

Desert Ecosystems

Most of Iran is covered by deserts, thus historically people have learned to live in and around desert regions, coping with water scarcity. One of the ingenious ways of collecting and managing water resources was formed around "Qanats". Qanats are still counted as one of the main ways of procuring water for irrigation and agricultural development in the internal plateau of Iran. In most cases however, Qanats are more than just a way of using groundwater. They represent a unique and integrative system illustrating use of indigenous knowledge and wisdom in sustainable management of land, water, and agricultural biodiversity.



Camel herding is common in desert regions

Construction, maintenance and management requires strong collaborative work. Each person working on construction and maintenance of a Qanat system has a title which reflects his special expertise. With the decline of Qanats, mainly due to low water tables (partially caused by an increase in the number of wells), and skilled workers (eg. "Moghanees") as a result of weak insurance, welfare/old age security plan schemes, a wealth of knowledge on water management in dry regions of Iran is fast disappearing.

There are many other types of ICCAs in desert regions which over the centuries have allowed desert dwellers to live adaptively with the

drought and survive while resources are scarce. This is reflected for example in the life of the Abolhassani tribes in the Khar Touran region near Biarmand (Province of Semnan). The tribe consists of approximately 800 people who migrate regularly between summer and winter territories. Their main occupation is rangeland and livestock management. Camel herding is also a main source of livelihoods in



Qanat system near Esfahan seen from above

Yazd, Kerman and southern provinces of Iran.

Some of the threats to ICCAs in desert regions are: Drought and Climate Change, government projects such as mining and roads, weak government support (e.g. restricted grazing permits to local and indigenous people) and lack of social security nets for people living in remote and harsh desert environments. As a result there is a tendency for youth to abandon their villages.

Rangeland Ecosystems

Some of the most important ICCAs in Iran belong to the tribal communities. There are many different tribes incl. Qashqaies, Shavsavans, Bakhtiars spread all over Iran. Tribal communities are highly organized in terms of social structure. Customary territories of tribal communities consist of summer and winter territories as well as migratory corridors. In the past decisions about timing of migration was taken by the Elders who were appointed based on merit and trust. For example, in times of extreme drought when rangelands could only support a limited number of livestock, the community took an adaptive approach by selling out the extra number of livestock. Since the customary rights have been taken away, migration routes cut by development projects, social structures undermined, rangelands are being degraded as migration starts earlier to get better access to resources.



Migration of Qashqaie tribe in Zagros Mountains

Wetland Ecosystems

Wetlands have always attracted people for water (for agriculture), fisheries, tourism, and other services. Many of Iran's ICCAs are formed in and around these wetlands and their resources. Ingenious ways of using wetland resources to keep them sustainable have developed over years, and because of their importance in supporting livelihoods, communities have developed ways to protect wetlands. One example is the Fereydoonkanar wetlands whereby establishing "Damgahs" for the purpose of duck trapping in winter, has contributed to protection of the site for a number of important migratory birds including the critically endangered Siberian cranes (*Grus leucogeranus*). As a result of community guarding the area, these wetland complexes have been protected from urbanization, shooting, exotic species, mass tourism, pollution, water shortage, etc. In most wetlands however, top-down government projects (e.g. roads, agriculture, dams and other water extractions, unplanned or mismanaged tourism) have degraded much of the wetland values. Drought also contributes to wetland degradation.



Kushk-e Zar wetland in the Fars province

The "Damgahs" of Fereydoonkanar, Sorkhrud and Ezbaran are located in the vicinity of Fereydoonkanar in the Province of Mazandaran. The area consists of a complex wetland system that is being managed by local communities of farmer-trappers. These are rice farmers who use their land for agriculture in summer and for duck-trapping in winter. Total area is about 400 hectares. Each Damgah is composed of many trapping stations known as "Douma". Each Douma supports at least two households. Since 2003 because of the importance of Damgahs in hosting a diversity of migratory birds including the critically endangered Siberian cranes (*Grus leucogeranus*), the area has been declared a "No Shooting Zone" and a Ramsar Site. However, the land is owned by local farmers and at present they make their own management decisions to bring in the water to the Damgahs, to build shelters and fence the area using reeds.

As regards to the governance structure of the CCA, trappers assemble annually in the month of August to take decisions on management, such as water distribution, collecting funds, designating guards and dividing responsibilities for the new season. According to documents, this governance system has been in place for at least 50 years. The land in this ICCA is privately owned while the stations are used by owners or rented out to those who have the necessary skills and knowledge of trapping.

Although Damgah trappers were considered illegal by the Department of Environment, through a GEF-SGP funded project and with collaboration of local communities and the Mazandaran Crane Conservation Association, Damgah trapping was recognized by government officials and by implementing a UNEP/GEF project local Cooperatives were formed which officially get into negotiations with government offices.

Threats include disturbance by hunting around the Damgahs, rapid development due to proximity to cities (roads, etc.), and potential as tourism destination.

Forest Ecosystems

There are at least three forest types in Iran: Hyrcanian (Caspian) forest in the north, Oak forests of the Zagros mountains, and Mangrove forests along the southern coasts. Local communities living in the forests have always had the knowledge and know-how on how to manage the forest and its resources. A good example is about “Galazani” in Kurdistan which consists of selectively harvesting tree branches. Although this practice was considered illegal till recently, a GEF/SGP project worked on convincing relevant government sectors to giving due recognition to this ICCA.



Scientific studies have proved that this practice actually helps in rejuvenation of Oak (*Quercus spp.*).

Another example is sacred forests of the Uraman region, which have been protected by local communities for centuries. Talesh tribes have also been practicing their customary rights in managing the Caspian forests. Despite these efforts, forest ecosystems are in rapid decline both in terms of quantity and quality due to population increase, pressure on forest dwellers to abandon their villages, lack of grazing permits and poverty.



Galazani, in Havareh Khol Village (Kurdistan)

Recommendations to support ICCAs

ICCAs vary enormously in their size and history, management approaches, governance systems and future prospects. Their needs consequently vary and responses need to be closely tailored to the individual context. Some common worldwide recommendations are the following:

a) Formal recognition of rights to land, water and other natural resources

Most indigenous peoples and local communities see some measure of formal recognition of their rights to land, water and other natural resources as a critical building block in securing their ICCA. This could be anywhere from formal ownership and title deeds to the land or resources, legal recognition of management capacities and rights, recognition of communal rights of using natural resources, recognition of the self-declaration of the ICCA as a protected area.

b) Recognition and respect for community governance

Functioning community governance institutions with roots in local culture and traditions are incomparable assets for the sound management of natural resources and conservation of biodiversity, as they include local knowledge, skills, organizations, rules, values and worldviews tailored through time to fit the local context.

c) Protection against imposed ‘development’ initiatives

Many otherwise successful ICCAs face threats involving loss of ecological and cultural values because powerful outside forces manage to impose ‘development’ projects such as large dams, mining, roads, industries and urbanisation. Most often the relevant communities are not strong enough to be able to resist such developments, and need support from civil society or government in doing so.

d) Support to engage and inspire the community youth

One of the important challenges facing ICCAs all over the world is local cultural disruption and the change in values imposed on them, which foster the passive imitation of external models and create unhealthy dependencies. As part of this phenomenon, the youth may feel detached from their land, culture and institutions at the very crucial moment when they should learn about them, nourishing their own sense of identity and pride, including links with their ICCAs. Government agencies and other concerned actors can do much to counter this tendency through effective initiatives including:

- ☐ Joint analyses, study groups, participatory action research on the local environment and society.
- ☐ Local employment opportunities to prepare inventories and analyses of biodiversity and cultural diversity
- ☐ Integration of ICCA related materials into the local educational system

National Workshop on ICCAs

On 8-9th July 2008, through the Global ICCA project and with the aim of identifying Iranian ICCAs, a national-level workshop was held in Teheran with support from GEF-SGP Iran, IUCN/CEESP and Cenesta. In total 35 persons attended the workshop with a good representation from local communities from all around the country, NGOs, government and experts. Initial workshop objectives were to list past and existing ICCAs by ecosystem type; to better understand ICCAs including root causes of threats and possible solutions to be proposed as recommendations to policy-makers.



Some of the Workshop participants

One of the main outputs of the workshop was a draft declaration to share common concerns and recommendations on ICCAs in Iran.

During the workshop ICCAs of various ecosystem types were also discussed, the results of which are presented in this Briefing Note.

Recommendations to support ICCAs

- ☐ Local celebrations, declarations of local identity and pride related to the ICCA
- ☐ Exchange visits and study visits among the youth of different ICCAs

e) Support to generate livelihoods

In many communities, there is a serious inadequacy of livelihoods and employment options. Support in generating livelihoods linked to the existence of the ICCA are significant investments in sustaining ICCAs. As a matter of fact, most ICCAs are very closely related to the livelihoods of their related communities, and they live, thrive, fail or perish with the communities alike. In a changing environment support to acquire new skills may also be sought for the maintenance of ICCAs. This may include:

- ☐ Job training, including for new jobs linked to the ICCA, such as tourism management.
- ☐ Training in skills that may be unknown, formerly unnecessary, or changing—such “re-training” is likely to increase in importance as climate change alters once familiar conditions
- ☐ Basic infrastructure, health, and educational requirements to encourage people to remain in the area

f) Support to meet the conservation challenges of the ICCA

Maintaining ICCAs in good ecological conditions may be a challenge today, for a variety of reasons, including impending change that is difficult to predict. Indigenous peoples and local communities are candid about their need for help to maintain and in some cases reclaim or regenerate their ICCA. Support can come technically, culturally or financially. Important forms of support to ICCAs all over the world have provided punctual technical inputs for the ICCA to be recognized.

g) Support for organising and networking

People involved in ICCAs see the importance of networking at different scales, from the local level to the national level. This can be via formal or informal networks of similar ICCAs that can share ideas and experiences and with supporting institutions, such as social and environmental NGOs, collaborative businesses and other actors. Sometimes communities need to go through some internal strengthening before being able to benefit from exchange visits and connections with others.

CBD Guidelines

Following recommendations from the World Parks Congress, the Convention on Biological Diversity (CBD) has included in its Programme of Work (POW) on Protected Areas a specific section (element 2) on “Governance, Equity, Participation and Benefit Sharing”, and embedded its key concepts also in all other elements. The PoW includes several specific activities that request the signatory countries to:

- *Developing better practices and stronger patterns of accountability in PA governance.*
- *Recognising and promoting various PA governance types in national and regional systems to support people’s participation and community conserved areas through specific policies and legal, financial and community means.*
- *Establishing policies and institutional mechanism to facilitate the above with full participation of indigenous and local communities.*
- *Seeking prior informed consent before any indigenous community is relocated for the establishment of a protected area.*
- *Better appreciating and understanding local knowledge, the priorities, practices and values of indigenous and local communities.*
- *Identifying and removing barriers preventing adequate participation of local and indigenous communities in all stages of protected area planning, establishment, governance and management.*



Sacred crocodile pond, Mali



Sustainable fisheries, Sri Lanka

Specifically, among the targets to be reached and reported upon by the parties are the following:

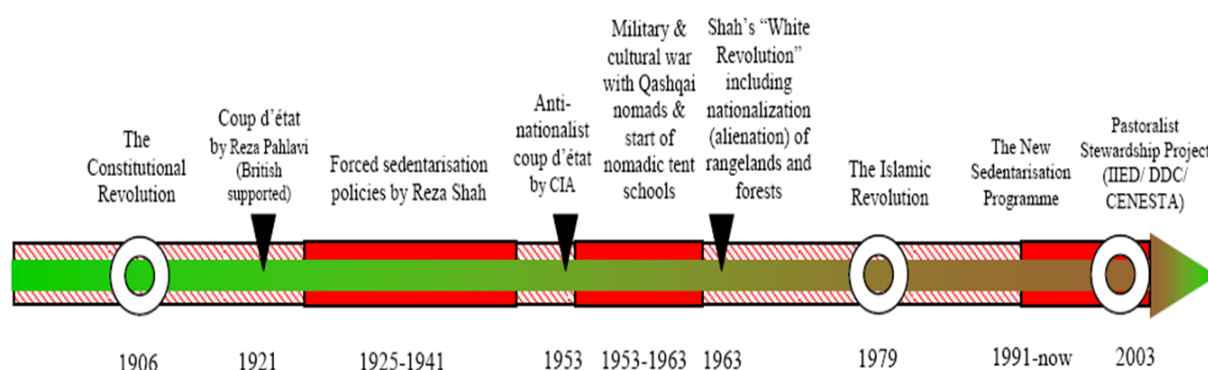
Target 1.4: All protected areas to have effective management in existence by 2012, using participatory and science-based site planning processes that incorporate clear biodiversity objectives, targets, management strategies and monitoring programmes, drawing upon existing methodologies and a long-term management plan with active stakeholder involvement.

Target 2.1: Establish by 2008 mechanisms for the equitable sharing of both costs and benefits arising from the establishment and management of protected areas.

Target 2.2: Full and effective participation by 2008, of indigenous and local communities, in full respect of their rights and recognition of their responsibilities, consistent with national law and applicable international obligations, and the participation of relevant stakeholders in the management of existing, and the establishment and management of new, protected areas

Target 4.1: By 2008, standards, criteria, and best practices for planning, selecting establishing, managing.

Changes in Governance in the past 100 years



Historic events in Iran affecting nomadism and rangelands (not to scale)

Draft Declaration on ICCAs

We the participants in the National Workshop on “Indigenous and Community-Conserved Areas (ICCAs)” held on 8-9 July 2008 at the GEF /SGP in the United Nations Development Programme in Teheran, Iran, representing concerned local and indigenous communities, civil society organisations, government agencies and academics, draw attention to the following workshop results and recommendations:

WE RECOGNISE that:

- There are still many examples of ICCAs in all the various biomes of Iran;
- These ICCAs have an important role in the conservation of nature, be it coastal, mountain, desert, forest, rangeland, wetland and marine environments;
- ICCAs have been in decline since about 50 years ago due to internal and external pressures, including the nationalisation of natural resources resulting in the decline of a feeling of belonging in their user communities.

As a result, **WE RECOMMEND** that:

- ICCAs should be officially recognized in the context of the customary laws governing them, as per the UN Declaration on the Rights of Indigenous Peoples;
- ICCAs should be included in decision-making over natural resources as the key right-holders (Participatory Management);
- Sense of ownership of ICCAs need to be enhanced in a better regulatory framework, primarily through restoration of rights and security of tenure for the communities that have conserved and used them sustainably;
- Networks of ICCAs should be formed at local, provincial and national levels;
- Role of ICCAs as contributors to local livelihoods and the national economy should be recognised and enhanced;
- ICCAs should be able to sustain their livelihoods and gain additional income (through community owned ecotourism, medicinal plants, handicrafts, etc.);
- Indigenous knowledge, needs to be better researched, recognised and applied (respecting patent rights of ICCAs).

Signed by 32 representatives

The Legal Landscape of ICCAs in Iran: The case of indigenous nomadic peoples of Iran

A few of the legal issues are given below, particularly those concerning nomads and their ICCAs/ indigenous territories.

Article 2 of the Amended Law of Transfer and Rehabilitation of Land (enacted by the Revolutionary Council, 1981) authorises all State lands and nationalised natural resources to be given away for other uses. However, the transfer of certain types of land is absolutely forbidden, including natural forests and woodlands and the migration routes of nomadic tribes and their related rights of way. There are nationwide widespread serious violations of both of these exceptions which has seriously disrupted the exacting customary conservation and livelihood practices in the nomadic ICCAs.

Nationalisation of Forests and Rangelands (1963). The Nationalisation of Natural Resources Law was enacted in 1963 by the Shah, unlike its purported populist propaganda, was carried out relentlessly with a view to the elimination of small producers. It resulted in alienation of many nomadic indigenous peoples from their lands and resources, and the transfer of ownership from communal to governmental systems. In participatory multi-stakeholder workshops all nomadic elders and most experts and civil society organisations insisted that the single most important root cause of the degradation of rangelands, forests and wetlands in pastoral zones is the 1963 nationalisation law.

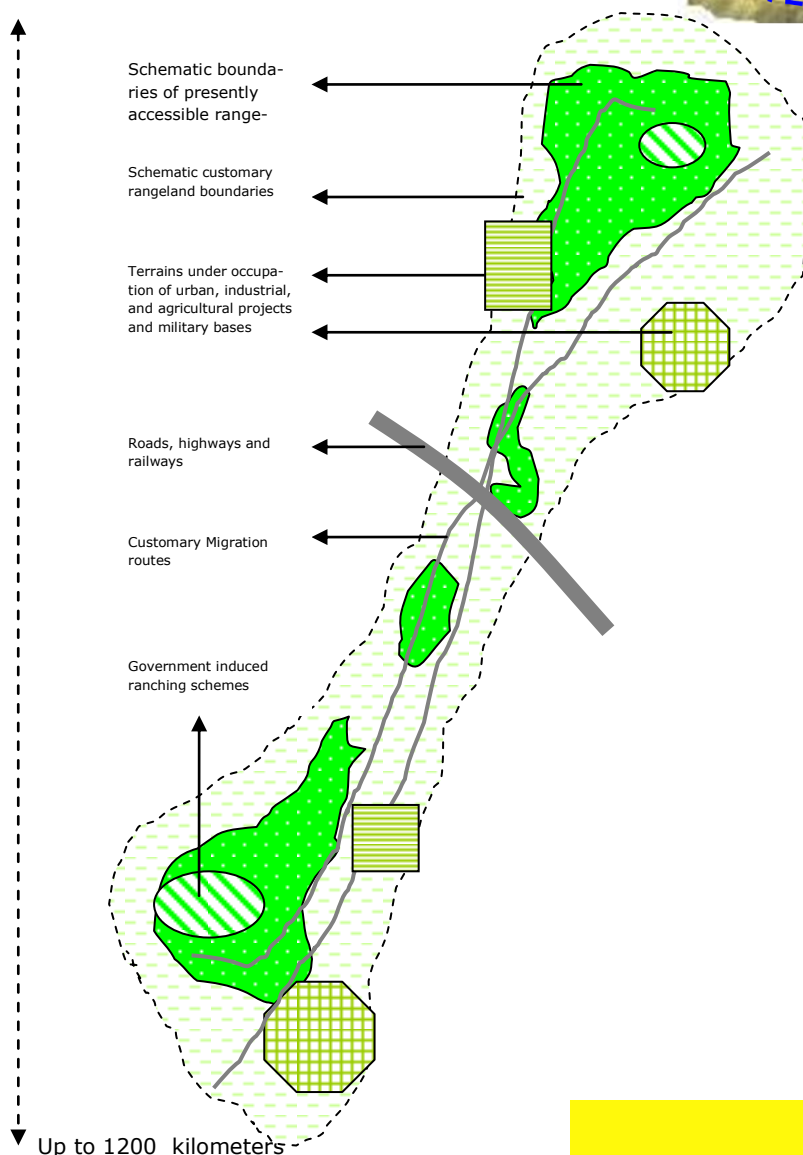
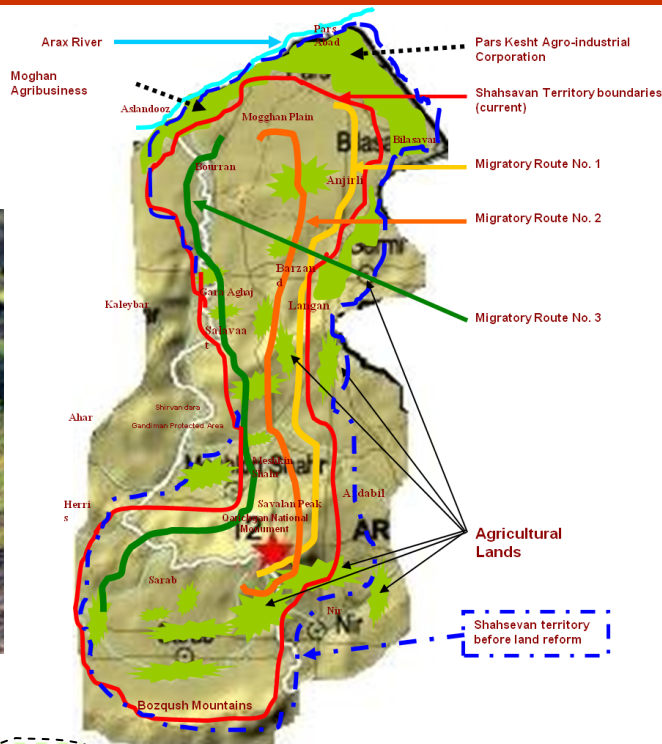
Induced sedentarisation of nomadic indigenous peoples was built into the Government's annual and five year

development plans since 1991. Despite the expenditure of huge budgets and contrary to the declared intent of the government to eliminate every migratory tenthhold within 20 years, the number of mobile indigenous pastoralists has increased by 10% to 220,000 tenthholds! The resulting increased pressure on biodiversity resources and the tendency to erode indigenous knowledge and customary management has had devastating impact on the coping mechanisms of the nomads at times of high stress such as drought and other climate change.

UN Declaration on the Rights of Indigenous Peoples September 2007. In this Declaration, some quarter-of-a-century in the making and accepted by Iran, the rights of the 700 indigenous peoples and tribal confederacies of Iran are protected and no change in their lifestyle or acquisition of lands used by them in accordance with customary law can be imposed. The correct application of this Declaration can begin to right many of the wrongs done to the nomadic peoples for the last several decades.

The Statutes of the Councils of Elders of the indigenous nomadic tribes and tribal confederacies and their associated community investment funds for sustainable livelihoods, are derived from their customary laws and traditional system of councils of elders. Their purpose is to safeguard their ICCAs and customary territories and to improve the tribes' sustainable livelihoods. Each tribe and tribal confederacy is now registering its Statutes and is working effectively with CENESTA and the relevant government agencies to advance their cause and defend their rights.

Schematic representation of invasion of community rights over natural resources in indigenous nomadic customary territories



Invasions/threats in wintering grounds:

Oil and gas refinery
Land invasion by settled farmers
Expansion of urban and rural settlements
Government induced ranching schemes—privatization of the commons

Invasions/threats in middling grounds:

Factories, e.g., cement plant
Land invasion by settled farmers and industrial farming
Allocation of land for urban development
Orchards obstructing migratory routes
Military bases
Road/highways invasion
Land confiscation for governmental protected areas

Invasions/threats in summering grounds:

Land invasion by settled farmers
Water take-over
Conversion of wetlands to agricultural lands
Allocation of pastures to other stake-holders and uses
Decimation of wildlife and its habitats

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