

# Governance as key for effective and equitable protected area systems



The 5th IUCN World Parks Congress (WPC, 2003), the Programme of Work on Protected Areas endorsed by the 7<sup>th</sup> Conference of the Parties (COP 7, 2004) of the Convention on Biological Diversity (CBD) and the first International Marine Protected Areas Congress (IMPAC, 2005) generated new commitments and policy guidance for protected areas worldwide. In all these events, the **concept and practice of "governance"** were recognized as **centrally important**. These are clear signals that the work of the UN on governance—in particular the commitment of the Millennium Development Goals and the analyses included in the

*The **CBD Programme of Work (PoW, target 4.1)** calls Parties to develop and adopt standards, criteria, and best practices for **management and governance** of national and regional systems of protected areas. **But what is governance? How is it different than management?***

*Governance is a relatively new and powerful concept that people concerned with protected areas should understand and clearly distinguish from 'management'. While '**management**' addresses what is done about a given protected area or situation, '**governance**' addresses who makes those decisions and how.*

Human Development Reports of 1999 and 2002—has been heard by the conservation community. "Governance" is recognised as having a major

influence on the achievement of protected areas objectives (**effectiveness**), the sharing of relevant responsibilities, rights, costs and benefits (**equity**), the generation and sustenance of community, political and financial support (**viability**) and the application of a wise mix of scientific and traditional knowledge and skills for sustainable use (**sustainability**). Furthermore, paying attention to governance helps to link protected areas within their broader land and waterscapes, promoting ecological integrity within a supporting environment rather than creating isolated "islands" of conservation.

The CBD Programme of Work on Protected Areas (PoW) highlights governance throughout its formulation and in particular in its element 2— **Governance, Participation, Equity and Benefit Sharing**, calling the Parties to the Convention to achieve measurable targets by 2012 or earlier. [The yellow boxes in this Briefing Note give the specific requirements of the PoW side-by-side with relevant concepts summarised in the text.] Today, many have come to see governance as central to achieving the vision of the World Conservation Union of "a just world that values and conserves nature". Why is it so?

## Governance of protected areas

Governance is about power, relationships, responsibility and accountability. It is about who has influence, who decides, and how decision-makers are held accountable. There are many important decisions to be made





about protected areas and, related to those, come specific powers and responsibilities. These include:

- ▶ determining whether a protected area is needed, where it should be located and what type of status and management approaches it should have (including IUCN category);
- ▶ determining who is entitled to have a say (advising or actually deciding) about matters relevant to the protected area;
- ▶ creating rules about the land and resource uses allowed inside the protected area, and establishing zones for different levels of access and use;
- ▶ allocating financial and other resources to support specific conservation and sustainable development activities;
- ▶ generating revenues, for example by selling permits and generating fees, taxes and in kind contributions, and deciding how those are to be employed;
- ▶ deciding on a fair share of the costs and benefits of conservation among concerned parties; and
- ▶ entering into agreements with parties to share or delegate some of the above powers or to decide about other relevant matters.

*The **CBD PoW** (target 2.2) calls Parties to achieve **full and effective participation 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. It also urges Parties to **recognise and promote various protected area governance types** in national and regional systems.*

The “governance setting” of a protected area clarifies who has the authority and responsibility of taking the above decisions. This depends in large part on formal mandates, institutions, processes and relevant legal and customary

rights. But it is a more complex and nuanced phenomenon than one may imagine. Regardless of formal authority, decisions may be influenced by history and culture, access to information, basic economic outlook and many other factors. To bring some clarity to this complex subject, two main variables appear useful: **type of protected areas governance**, and **quality** (which basically answers the question “what is ‘good governance?’”).

## Governance types

“Types” of governance of natural resources can be distinguished on the basis of “who holds management authority and responsibility and is expected to be held accountable according to legal, customary or otherwise legitimate rights”. In this sense, four broad types have been identified and mentioned in the CBD PoW:

**A. Government protected areas**— government agencies at various levels make and enforce decisions. Most people are familiar with this type of governance, in which a government body (such as a ministry or park agency reporting directly to the government) holds the authority, responsibility and accountability for managing the protected area, determines its conservation goals and management objectives (such as the ones that distinguish the IUCN categories). Often, the government also owns the protected area’s land, water and related resources. Reflecting the trend towards administrative decentralisation, sub-national and municipal government bodies have become prominent in declaring and managing protected areas. The state may even delegate the management of protected areas to a parastatal organisation, NGO or even a private operator or community, but in type A it still retains full land ownership and/or control and oversight. The government may or may not have, however, a legal obligation to inform or consult other identified stakeholders prior to setting up protected areas and making or enforcing management decisions.





**B. Co-managed protected areas**— various actors together make and enforce decisions. This type of governance responds to the variety of interlocked entitlements recognised by democratic societies and is compatible with any form of land ownership (e.g. state property, private property, communal property, or a combination thereof). Complex processes and institutional

*The **CBD PoW** calls Parties to conduct **national-level reviews** of existing and potential forms of conservation including **innovative types of governance** for protected areas such as protected areas run by **government agencies** at various levels, **co-managed protected areas**, **private protected areas**, **indigenous and local community conserved areas**.*

mechanisms are employed to share management authority and responsibility among a plurality of actors— from national to sub-national and local government authorities, from representatives of indigenous peoples and local communities (sedentary or mobile) to user associations, from private entrepreneurs to land-owners. The actors recognise the legitimacy of their respective entitlements to manage the protected area and agree on subjecting it to specific conservation goals and management objectives. Distinct co-management sub-types may be identified, depending on the formality of the arrangements by which authority is shared among various actors (Borrini-

Feyerabend *et al.*, 2004a). Some form of multi-stakeholder management is particularly suited to the needs of transboundary conservation areas (Sandwith *et al.*, 2001).

**C. Private protected areas**— private landowners make and enforce decisions. Private governance has a relatively long history, as kings and aristocracies often preserved for themselves certain areas of land or the privilege to hunt wildlife, with important secondary conservation benefits. Today, private ownership is still an important force in conservation (Mitchell, 2005). A private protected area refers to a land parcel owned by individuals, corporations or non governmental organisations and managed for biodiversity conservation with or without formal government recognition. Landowners can pursue conservation objectives because of their sense of respect for the land or their desire to maintain its beauty and ecological value. Utilitarian purposes, such as gaining revenue from ecotourism or reducing levies and taxes, can be additional incentives or even the main ultimate aim. In all cases, authority for managing the protected land and resources rests with the landowners, who are responsible for decision-making, determine a conservation goal and impose a management regime. While landowners are subject to applicable legislation and their freedom is restricted under terms agreed with their governments, their accountability to the larger society is quite limited. Some forms of accountability may be negotiated with the government in exchange for specific incentives.

**D. Community conserved areas**— indigenous peoples or local communities make and enforce

decisions. This governance type involves governance by indigenous peoples and local communities— including settled and mobile groups— on land and water under any type of formal ownership. This is the oldest form of protected area governance and it is still widespread (Kothari, 2006). Over thousands of years, human communities managed, modified and conserved their environments (at times even increasing local biodiversity), generating the symbiosis that some refer to as 'bio-cultural units' or 'cultural landscapes/ seascapes'. Much of this interaction happened in pursuit of a variety of interlocked objectives and values (e.g., livelihood, security, spiritual



and religious values), which did, however, result in the conservation of biodiversity and ecosystem functions. Many such interactions continue well into today. In addition, communities developed new conservation initiatives in response to new threats and opportunities, at both new sites and sites where traditional mechanisms existed in the past. In all such Community Conserved Areas, authority and responsibility rest with the communities through a variety of forms of customary governance or locally agreed organizations and rules. These forms and rules can be very diverse and complex. Generally, however, the community's accountability to the larger society remains limited, although it can be defined as part of negotiations with the national government and other partners.

## Governance and the IUCN categories of protected areas

While no governance type is in principle superior to another, under similar circumstances different types are likely to produce different conservation outcomes. Importantly, they also tend to produce different equity outcomes. Equity is related to a fair share of the relevant costs and benefits of conservation and to the opportunity of participating in decision-making on the basis of entitlements and rights. As governance is different from management, governance types are different from the IUCN/WCPA management categories, which are based on the management objective of the protected area. The four governance types mentioned above and several sub-types are presented in Table 1 in

Table 1

## The IUCN protected area matrix

a classification system comprising management category and governance type

Governance Type	A. Government Managed Protected Areas			B. Co-managed Protected Areas			C. Private Protected Areas			D. Community Conserved Areas	
IUCN Category (management objective)	Federal or national ministry or agency in charge	Local/municipal ministry or agency in charge	Government-delegated management (e.g. to an NGO)	Trans-boundary conservation (involving state agencies & others)	Collaborative management (various forms of pluralist influence)	Joint management (pluralist management board)	Declared and run by individual land-owner	...by non-profit organisations (e.g. NGOs, universities, etc.)	...by for profit organisations (e.g. individual or corporate land-owners)	Declared and run by indigenous peoples	Declared and run by local communities
<b>I - Strict Nature Reserve/ Wilderness Area</b>											
<b>II – National Park (ecosystem protection; protection of cultural values)</b>											
<b>III – Natural Monument</b>											
<b>IV – Habitat/ Species Management</b>											
<b>V – Protected Landscape/ Seascape</b>											
<b>VI – Managed Resource</b>											

*The **CBD PoW** calls Parties to develop comprehensive and effective national protected area systems. Is your system taking advantage of all possible category-governance type combination? Or of just a few?*



combination with the IUCN/WCPA category system. The four main governance types are fully complementary to the IUCN categories, *i.e.*, **protected areas exist that**

**fill each possible combination of IUCN category and governance type.**

The IUCN protected area definition and associated management categories do not prescribe any type of ownership or authority (they are 'neutral' about these), thus protected areas in any of the six categories can be governed by communities, private parties, government authorities, NGOs or various combinations of these. In particular, private ownership and customary community rights can coexist with the status of a protected area, although an official declaration may impose some restrictions and obligations. Large protected areas, particularly but not only in management categories V and VI, may include land under diverse ownership status and/or governance type. As to a human presence in protected areas, whether as residents or resource users, the IUCN protected area categories V and VI are conceived to be quite inclusive while greater restrictions

*The **CBD PoW** invites the Parties to recognize and promote a broad set of protected area governance types related to their potential for achieving biodiversity conservation goals in accordance with the Convention, which may include areas conserved by indigenous and local communities and private nature reserves. The promotion of these areas should be **by legal and/or policy, financial and community mechanisms.***



on human activities normally apply in Categories I-IV. Again, this may be valid for all governance types.

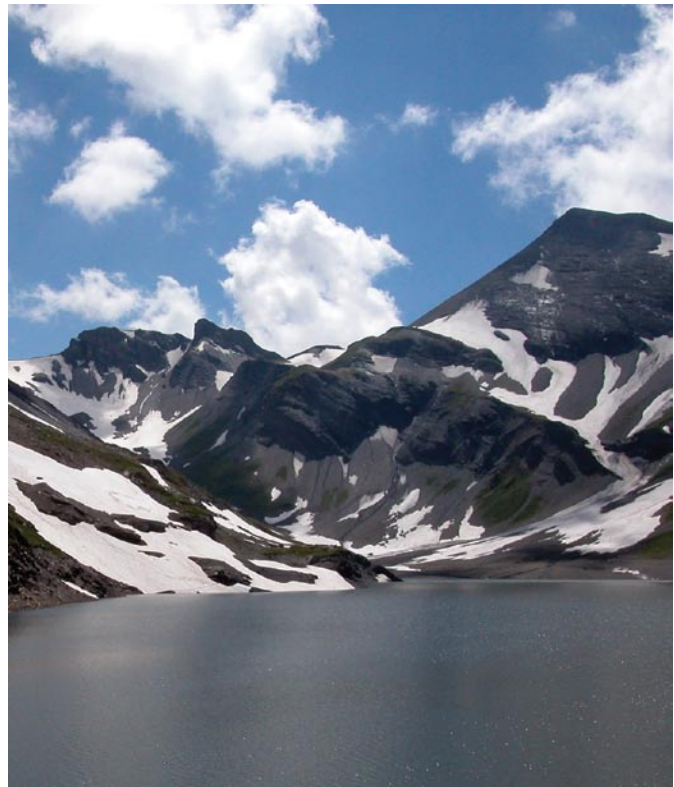
## Scale of governance settings

Scale is an important consideration in governance settings. **Local governance** arrangements are often dependent on customary requirements and norms and need to engage a variety of local actors in developing and implementing regulations. They are well suited

*The **CBD PoW** (target 1.2) calls Parties to **integrate protected areas into their wider land- and seascape**, and relevant sectors, by applying the ecosystem approach and taking into account ecological connectivity and the concept, where appropriate, of ecological networks*

for protected areas of limited size and specific local value. Arrangements at **ecosystem level**, suited for larger protected areas of IUCN category II or V, tend to engage actors from different backgrounds, and to require specific efforts at communication and conflict management. Arrangements at **national or international levels** are best indicated to understand and optimise the collective value of a system of protected areas. They are often developed by people who have indirect stakes in the matters decided. Governance settings at different levels are often 'nested' into one another, needing compatible rules and smooth communication.

Every protected area needs to fit within a broader landscape or seascape. In 'buffer zones', activities negatively affecting the protected area are controlled. UNESCO **biosphere reserves** broaden and refine this approach, providing for 'transition areas' that can include ecological corridors. A further step is the requirement to regulate processes and activities occurring well outside a protected area, but still likely to affect it. Overall, the necessity is apparent to move from the governance of isolated areas to the **governance**



**of systems of sites**, planned to be representatives of the biodiversity of a region and to promote the genetic diversity of species through good biological connectivity. Further, systems of protected areas are to be taken into consideration as part of a wider mosaic of other land and water uses in **landscape conservation** approaches (Beresford and Phillips, 2000; Brown *et al.*, 2005). There is also a growing trend to take into better account the social and economic realities surrounding protected areas. In this sense, sound governance would be reflected into social acceptance, transparency and accountability and a conservation vision shared by society at large.<sup>1</sup>

**Transboundary conservation areas** present unique governance challenges. On the one hand, they typically involve and affect many parties, and thus require some form of coordination/ co-management. If the relevant border is a national border, governance involves at least the protected area agencies of two or more governments. Depending upon the scale and the inclusion of both protected areas and intervening lands and marine environments, however, it can also involve the foreign affairs, agriculture, fishery, minerals and forestry ministries of those governments; several state, provincial, district or local authorities; communities and private landowners; and international NGOs (Mittermeier *et al.*, 2005; Sandwith and Lockwood, 2006). Often there are multiple legal systems at play, and the laws of various national or sub-national political units may confer different sets of rights and



obligations upon institutions and individuals. On top of what may be an already complex political landscape, transboundary conservation may thus superimpose a new set of institutions and rules (Wolmer 2005). But informal transboundary agreements can also be effective, and much easier to achieve. As these challenges are being successfully confronted in many countries, they offer lessons for the co-management of marine protected areas beyond the jurisdiction of any one country (high-seas protected areas).

## Systems of protected areas

Protected areas find their full meaning complementing one another in the context of the three goals of the Convention on Biological Diversity— conservation, sustainable use and equitable access to and benefit sharing from genetic resources. In this

*The **CBD PoW** (target 3.1) calls Parties to **review and revise policies** as appropriate, including use of social and economic valuation and incentives, to provide a supportive enabling environment for more effective establishment and management of protected areas and **protected area systems***

sense, the protected areas of the world form an “international system”, rooted in regional, national and local systems. A systematic perspective is based on the understanding and optimisation of the functional roles of component parts, their mutual influences and the dynamic behaviour of the whole. For that, systematic conservation planning (Margules and Pressey, 2000),

effective management (Hockings *et al.*, 2006) and sound governance (Borrini-Feyerabend *et al.*, 2004b) can be seen as **the “oil” that makes protected areas work “as a system”**.

The IUCN Protected Area Matrix (see Table 1) and its underlying concepts (management categories; governance types; management effectiveness; quality of governance) are of great use to develop and improve national systems of protected areas. They



*The **CBD PoW** invites the Parties to consider **governance principles**, such as the rule of law, decentralization, participatory decision-making mechanisms for accountability and equitable dispute resolution institutions and procedures*

can help to identify ways (including novel governance types) to fill gaps in the system.<sup>2</sup> They can be used to understand protected areas in the context of other protected areas in the country, possibly prompting a participatory evaluation of the appropriateness of both management category and governance type.<sup>3</sup> And they can encourage communication, collaboration and mutual learning among the various actors and institutions, towards more effective management and better governance of individual protected areas and their systems at various levels.



Ultimately, the IUCN Matrix and an appropriate understanding and application of its underlying concepts<sup>4</sup> can help a country to:

- ▶ expand the coverage of its protected areas and address gaps in the system (develop more coherent protected area systems);
- ▶ improve biological connectivity at landscape and seascape level through bringing more land and water under a coherent conservation strategy;
- ▶ enhance public support for conservation, benefiting from a variety of culturally-based conservation capacities;
- ▶ promote cost-effective conservation by harnessing the support and capacities of civil society; and
- ▶ increase the flexibility and responsiveness of the system as a whole, and thus its overall effectiveness and sustainability.

## Quality of protected area governance

Often the term governance is accompanied by the adjective “good”, as we seek “good governance” rather



Table 2

## Some governance principles for protected areas (is this “good governance?”)

PA governance principles & the United Nations Principles on which they are based		Related governance responsibilities that can be taken on by the people in charge and fostered by various other actors
<b>Do no harm!</b>	Universal Declaration of Human Rights Millennium Development Goals UN Declaration of the Rights of Indigenous Peoples	Conservation with decency: no humiliation or harm to people  If a new protected area is established, the legal and customary rights of indigenous peoples, local communities and other stakeholders are fully respected
<b>Legitimacy and voice</b>	<i>Participation</i> : all women and men have a voice in decision-making, directly or through legitimate representation  Freedom of association and speech  <i>Consensus orientation</i> : mediating interests to reach consensus decisions	Free expression of views, no discrimination related to gender, ethnicity, social class  Social dialogue and collective agreements on PA management objectives, strategy, activities and tools  Social trust is promoted, society “owns” the PA rules, citizens associated to deal with PA issues are respected, the role of independent media is secured  <i>Subsidiarity</i> (EU): Decisions are taken at the level closest to the issues at stake compatibly with capacities.
<b>Equity</b>	<i>Fairness of opportunity</i> : all men and women have opportunities to improve or maintain their well-being  <i>Rule of law</i> : legal frameworks are fair and enforced impartially, particularly the laws on human rights	Participatory mechanisms for decision-making about the protected area  Fair avenues for conflict management, non-discriminatory recourse to justice, including about past injustices resulting from the establishment of protected areas  Equitable distribution of costs and benefits of conservation  Fair management practices of protected area staff  Consistency and impartiality in enforcing PA regulations
<b>Direction</b>	<i>Strategic vision</i> : leaders and public have a long-term perspective on good governance and human development, & a sense of what is needed for it  <i>Embracing complexities</i> : the historical, cultural and social complexities in which the long-term perspective is grounded are understood and effectively taken into account	Listening to people, understanding their concerns, fostering the generation and support of innovative ideas and processes  Providing effective leadership by fostering and maintaining an inspiring and consistent vision for the protected area in the long-term, mobilising support for this vision, and garnering the necessary resources to reach it  Clarifying PA objectives, partnerships, adaptive initiatives, links between traditional & ‘modern’ best practices  Ensuring consistency with international & national legislation and agreements  PA governance provides a model of good conduct, including consistency about what is said and done
<b>Performance</b>	<i>Responsiveness</i> : institutions and processes try to serve all stakeholders.  <i>Effectiveness and efficiency</i> : processes and institutions produce results that meet needs while making the best use of resources.	Ensuring capacity to carry out roles and assume responsibilities  Competent administration, cost-effective in achieving objectives  Robust and resilient management structure  Dealing with complaints and criticism in a responsive and constructive manner  Regular monitoring and evaluation as part of an adaptive management strategy
<b>Accountability</b>	<i>Accountability</i> : decision-makers are accountable to public at large  <i>Transparency</i> : free flow of information, access to inf. to understand and monitor PA institutions and their decision-making processes	The public possesses adequate quantity & quality of knowledge about the PAs, and related responsibilities and performance  The media is allowed to carry out rule-based investigative reporting  Mechanisms for accountability exist, are effective & accessible to all  Performance is linked to appropriate sanctions & rewards

than governance as usual. As “good” can be specified only in terms of benchmarks and criteria, a number of **principles of good governance** have been advanced

at various levels. The principles discussed at WPC and taken on board by the CBD derive from those proposed in recent years by various agencies of the United

Nations and regional conventions (see Table 2), and include **"Legitimacy and Voice", "Accountability", "Performance", "Fairness", and "Direction"**.

The principles encourage all those involved in the establishment and management of protected areas to recognise and involve diverse management partners and be transparent, inclusive and accountable in decision making.

*The **CBD PoW** (target 2.1) calls Parties to establish mechanisms for the **equitable sharing of both costs and benefits** arising from the establishment and management of protected areas*

Of crucial underlying importance to all these principles is the **link between conservation and human rights and the fight against poverty**. Too often, the management of precious natural resources has been based on models that exclude the local resident populations and identify their concerns, and often their very presence, as incompatible with conservation. Not a few resident communities and nomadic user communities have been, and at times still are, forcibly denied access to land and natural resources without negotiated agreement and fair compensation.<sup>5</sup> Both the 5<sup>th</sup> World Parks Congress and CBD COP 7 discussed this for the case of protected areas and stated that these are unacceptable practices, especially as the international community adopts commitments for the reduction of poverty, the application of principles of "good governance" at the recognition of indigenous peoples' rights. In this sense it was argued



that conservation must embrace moral and ethical principles, which start by "doing no harm", especially to local people who depend on natural resources for their livelihoods.<sup>6</sup> The risk of impoverishing some of the world poorest people in the name of conservation must be avoided by all means. Human rights should be respected in conservation no less than in other endeavours.<sup>7</sup>



In a positive and constructive sense, WPC and COP 7 recognised that **community empowerment can be a powerful avenue to enhance conservation**. They stressed that attention should be given to traditional and local institutions for natural resource management, effective forms of representation in co-management bodies and participatory democracy in general. Further, they acknowledged that **conservation is and should be part of cultural identity and pride**.<sup>8</sup>

## **Governance awareness and innovations**

Why did the Durban Congress and the CBD PoW place such emphasis on understanding and improving the governance of protected areas? There would be no reason to complicate the field of conservation without real necessity and benefits. But protected areas have become quite ambitious, enlarging their size and assuming more complex tasks in the environment (while irrevocable damages to the natural non-protected environment, however, have progressed unabated). People are more conscious than ever about the need to establish comprehensive and effective conservation systems, and of the challenge that this implies. The challenge involves **extending current protected areas coverage to close the gaps** that still exist for specific ecosystems and species, and to **ensure the physical connectivity** essential for their long-term survival. It also involves **making more cost-effective and dramatically improving the management of the protected areas that already exist**. For all these challenges, the concept of governance is crucial:

- ▶ "governance quality" introduces considerations of principles and values, affecting what is considered



as possible and desirable for protected areas, as well as the overall **perception of civil society** and its desire to be engaged and supportive; and

- ▶ “governance types” broaden the spectrum of the **legitimate social actors** governing PAs and the perspective on the **estate that can be formally protected**; these are essential for improved system coverage, connectivity, resilience and overall sustainability of PA systems.

Paradoxically, among the new “legitimate actors” to be discovered are indigenous peoples, local communities and civil society in general— possibly the oldest in terms of historical experience. They have various advantages and limitations as governing bodies for protected areas, many of which relate to the collective nature of their perceived rights and the wide variety of their “community conserved areas”.

## Community Conserved Areas

Community Conserved Areas (CCAs) are one of the four main types of governance of protected areas recognised as part of the CBD PoW. They comprise **‘natural and modified ecosystems including significant biodiversity, ecological functions and cultural values voluntarily conserved by indigenous**



**peoples and local communities (settled and mobile) through customary laws or other effective means’.**<sup>9</sup> Thus, three main features define a CCA:<sup>10</sup>

- ▶ a **strong relationship** between a given ecosystem, area or species and a specific indigenous people or local community concerned about it because of cultural, livelihood-related or other strongly felt reasons;
- ▶ the fact that the community possesses—*de facto* if not also *de jure*— the **power to take and enforce the key management decisions** regarding the territory and resources;
- ▶ the fact that the voluntary management decisions and efforts of the community have lead to (or are well in the process of leading to) the **conservation of biodiversity, ecological functions and associated cultural values**, regardless of the objectives of management originally set out by the community.

Community Conserved Areas are an important complement to official protected area systems. They come in all sizes, from the very small to the very large, stretching the very concept of protected “area”. CCAs are established for a variety of purposes and managed to various ends, including “mostly preservation-focused areas” broadly corresponding to IUCN categories I-IV, and “areas mostly focused on sustainable use”, broadly corresponding to IUCN categories V-VI. Both strict preservation and sustainable use can be effectively enforced by indigenous peoples and local communities, while practical/ economic motivations can positively reinforce ethical/ spiritual reasons in setting up and maintaining CCAs.

*The **CBD PoW** invites the Parties to promote, through the CHM, technical publications and other means, the international **sharing of experience on effective mechanisms for stakeholder involvement and governance types in conservation in particular with regard to co-managed protected areas, indigenous and local community conserved areas and private protected areas***

Some CCAs fall outside the IUCN and CBD definitions of a protected area, as they were neither “dedicated” nor “designated or regulated and managed” towards an explicit conservation objective. This is so despite the fact that the CCA definition is somehow “more demanding” than the IUCN and CBD definitions of protected area, as it implies effective conservation rather than a mere designation or management aim.

Several CCA examples are offered in this Briefing Note (see below) to illustrate their variety and



contributions for conservation. Detailed country documentation on CCAs exists in some cases,<sup>11</sup> but for most world regions Community Conserved Areas are just beginning to be studied systematically.<sup>12</sup> What is already apparent, however, is that **the status and conservation effectiveness of CCAs are related to a country's conservation policies**, broader legislation and other factors. The studies available so far, for instance, point at the importance of appreciating the role of traditional institutions governing CCAs and finding careful ways to support them without imposing change.

## EXAMPLES OF COMMUNITY CONSERVED AREAS

### Coron island (The Philippines)



migrant fishers, tourism operators, politicians seeking land deals and government agencies. This caused a number of problems, in particular the impoverishment of the marine resources, essential for the local livelihood. In the mid-1980s, the islanders organized themselves into the Tagbanwa Foundation of Coron Island (TFCI) and applied for a Community Forest Stewardship Agreement (CFSA). In 1990, the stewardship agreement was granted over the 7748 hectares of the island of Coron and a neighboring island called Delian, but not over the marine areas. In 1998 the islanders managed to obtain a Certificate of Ancestral Domain Claim (CADC) for 22,284 hectares of land and marine waters, and in 2001, with the help of a high quality map and an Ancestral Land Management Plan (ALMP), gained a Certificate of Ancestral Domain Title (CADT), which grants collective right to land.

The Tagbanwa people in the Philippines inhabit a stunningly beautiful limestone island for which they have established strict use regulations. The forest resources are to be used for domestic purposes only. All the freshwater lakes but one are sacred and entry there is strictly restricted, except for religious and cultural purposes. The only lake accessible for tourism is Lake Kayangan, albeit with strict regulations concerning garbage disposal, resource use, etc.

Until recently, the Tagbanwas' territorial rights were not legally recognised, leading to encroachment by

Despite successful community management, in 2001 the Tagnabwa CATD was put under review, as the national policies and systems were being restructured. A governmental proposal was also advanced to add Coron Island into the National Integrated Protected Area System (NIPAS). The Tagbanwa resent these moves, as they fear that they would engender losing control of their natural resources. From being owners and protectors of their territories, they would become only one of the management actors.



## Alto Fragua-Indiwasi National Park (Colombia)

The Alto Fragua-Indiwasi National Park was created in February 2002, after negotiations amongst the Colombian government, the Association of Indigenous Ingano Councils and the Amazon Conservation Team, an environmental NGO. The Park is located on the piedmont of the Colombian Amazon, part of a region that has the highest biodiversity in the country and is one of the top hotspots of the world. The site protects various ecosystems of the tropical Andes including highly endangered humid sub-Andean forests, endemic species such as the spectacled bear (*Tremarctos ornatus*), and sacred sites of unique cultural value.

Under the terms of the decree that created the Park, the Ingano are the principal actors in the design and management of the park. The area, whose name means 'House of the Sun' in the Ingano language, is a sacred place for the indigenous peoples.

The creation of Indiwasi National Park is a part of the Ingano Life Plan (Plan de Vida), or long-term vision for the entirety of their territory and the region. In addition, the creation of the park represents an historic precedent for the indigenous people of Colombia, as for the first time an indigenous community is the principal actor in the design and management of a protected area fully included in the national protected area system.



## The Regole of the Ampezzo Valley (Italy)

The Regole are an institution with a recorded history of approximately 1,000 years, and the common property resources they manage were initially established as a CCA by the work of the early Regolieri (extensive pasture creation and maintenance out of the original woods). To date, the Regolieri comprise only the descendants of the early founders of the community and their male sons who remain *residents* in the valley. Their general assembly takes management decisions after extensive discussion and by a "qualified majority", a procedure more akin to consensus than voting. The decisions and rules (which, incidentally, is the meaning of the word "regole") are carefully crafted to use the natural resources sustainably and in non-destructive ways. No dividends are shared among the Regolieri and all the income from the natural resources

(e.g., from tourism, timber sale) is re-invested in their management. Through time, the early inhabitants of the Ampezzo Valley maintained their rights of occupation and modes of local production thanks to their internal unity and skills as diplomats (for instance, they ensured agreements with the Venetian Republic at the time of Marco Polo; with the Austrian Emperors; etc.).

In 1918, the end of the First World War saw the Ampezzo Valley annexed by the Italian state. The Regole had again to strive to maintain their rare autonomous status under special exceptions in the national legislation and regional laws, a feat that depended on a combination of personal skills of the Regolieri and importance and visibility of the landscape they managed to conserve. About 15 years ago, the Regole finally received major recognition as the sole and full legal managers of the *Parco Naturale delle Dolomiti d'Ampezzo*— a regional protected area established on the land and the resources the local community has conserved through the centuries. From the economic point of view, the Regole are today less directly reliant on the natural resources that they manage, but the unique tourism and real estate value of their valley depends on the magnificent landscape they have maintained. It is notable that they have obtained a tax-free status from the Italian government, and secured major project funds and subsidies from the European Union, the Italian state and the Veneto regional government.



## The Duru-Haitemba Village Forest Reserve (Tanzania)

The Duru-Haitemba Forest—located approximately 60km south west of the town of Babati, in Tanzania—is managed jointly by nine villages as a Village Land Forest Reserve. This 9,020 ha miombo woodland plays a major role in the livelihoods of the villages, mainly through the provision of non-timber forest products. Decision-making is carried out by a village management committee under the authority of the Village Council. It is regulated through written management plans and village by-laws governing forest use and imposing penalties in case of violations.

The Duru-Haitemba Village Forest Reserve was initiated in the early 1990s as a then-novel effort to decentralize forest management to the local level, following conflict over the gazettement of the forest as a centrally-managed reserve. Its experience was catalytic in spurring the adoption of community based forest management legislation and policies in the mid to late 1990s. The Forest Act of 2002 calls for forests to be managed at the lowest possible level of government and provides flexible institutional arrangements for the Village Land Forest Reserves. Community based forest management at the village level in Tanzania effectively legitimizes traditional practices and institutions, giving communities a wide array of flexibility to determine and— most critically— to enforce appropriate rules and management activities. Today, the Tanzanian forests managed at village level show increasingly well-documented positive conservation outcomes and improvements in livelihood conditions.



## Indigenous Protected Areas (Australia)

In Australia, a very strong CCA model has come to be officially recognised in 1998 as Indigenous Protected Area— IPA (see <http://www.ea.gov.au/indigenous/ipa/index.html> ). The model was built on the understanding that some Aboriginal landholders are prepared to protect their land and part of the Australia National Reserve System in return for government funds and other types of technical assistance. The first IPA was formally proclaimed in 1998 over an Aboriginal-owned property called Nantawarrina, in the northern Flinders Ranges of South Australia, and several more came in subsequent years in other states. IPAs can be established as formal conservation agreements under state or territory legislation, or under Indigenous Law. Aboriginal land-owners have a variety of legal mechanisms to control activities on their land, including local by-laws and privacy laws.

The process of establishing an IPA is entirely voluntary, and Aboriginal people can choose the level of government involvement, the level of visitor access (if any), and the extent of development to meet their needs. In return for government assistance, the Aboriginal owners of IPAs are required to develop a management plan and to make a

commitment to manage their land (and/or waters and resources) with the goal of conserving its biodiversity values. IPAs provide public recognition of the natural and cultural values of Aboriginal land, and of the capacity of Aboriginal peoples to protect and nurture those values. They are also attractive to government agencies because they effectively add to the country conservation estate without the need to acquire the land, and without the cost of establishing the infrastructure, staffing, housing, etc. required for a government-run protected area.





## Mendha-Lekha forests (India)

In the 1970s, successful mobilisation by indigenous (*adivasi*) people against a dam in the thickly forested central highlands of India united the communities into a campaign towards tribal self-rule. Villages began to be declared as small republics within the Constitution of India. Mendha-Lekha was one such village, with about 400 *adivasis* called Gonds. The move led to their re-establishing *de facto* control over about 1800 ha. of forests that had been taken over by the government in the 1960s (for revenue through logging, charcoal making, and bamboo extraction). The crucial act was the establishment of the *Gram Sabha* (Village Assembly) including all adult residents, and other institutions including a Forest Protection Committee. Villagers declared that henceforth all major local initiatives

required the permission of the Gram Sabha (GS). Decisions in the GS are taken unanimously and implemented through unwritten yet strong social rules. Informal *abhyas gats* (study circles), where villagers gather and discuss information with or without outsiders, help make informed decisions in the GS.

By adopting transparent and open decision-making processes and assuming social and ecological responsibility, Mendha-Lekha's residents have

developed the capacity to deal with a range of natural resource issues, including documenting the local biodiversity, and handling tedious financial

dealings and official procedures. All logging and other commercial exploitation of forests by outside agencies have been stopped. Non timber forest produce and bamboo are currently extracted in a strictly regulated manner (after a decade long moratorium), jointly by the forest department and villagers. Most encroachment of forests by the villagers and forest fires have been stopped. Women, youth and economically weaker sections have equal status in the decision-making process. Through non-violence, strong relationships have been established with government officials, who in turn have helped the villagers at many crucial points. Livelihood security is assured through access to forest resources or employment opportunities.



## The Chartang-Kushkizar wetland (Iran)

The Chartang-Kushkizar wetland, extending some 9 kilometres in length, has been a community conserved wetland from time immemorial, its stewardship been shared between the Kuhi and the Kolahli subtribes of the Qashqai nomadic pastoralists of southern Iran. The Kuhi know all too well that they obtain many "ecosystem benefits" from this wetland, including water reserves, reeds for handicrafts, fish, medicinal plants, micro-climate control and wildlife, and they wish to preserve it as a crucial node in their yearly migration routes between wintering and summering grounds. Recently, the government had earmarked part of the area to be divided up for agricultural use. The "Council for Sustainable Livelihoods of the Kuhi Migratory Pastoralists", however, believes it is better to preserve this area as a *qorukh*— an area conserved in its natural status. It has thus submitted a petition and a proposal to the relevant government authorities to formally declare the wetland and surrounding rangelands as a Community Conserved Area with use rights being regulated by the Elders of the sub-tribe. The petition is under review but has already received some important support in the government. For the moment, however, major agricultural uses of the wetland water have been stopped.

This CCA shows important ways in which nomadic livelihoods can fully reconcile with conservation. In terms of IUCN categories, the overall CCA covering the Kuhi wintering and summering grounds together with the access routes, could be considered as a category V ("landscape management" objective), with the wetland portion under category II ("ecosystem management" objective).



## Conservation of the African wolf (and more!) in Guassa CCA (Ethiopia)

The Guassa area of Menz is found in the Central Highlands of Ethiopia comprising 111 km<sup>2</sup> of Afro-alpine moorland at



an altitude above 3200 meters. The area persisted in its current, relatively pristine state for hundreds of years and its governance system dates back to the 17<sup>th</sup> Century. The area was then set aside as a resource for the local communities, which harvests its *Festuca* grasses for thatching roofs and uses it as a last reserve pasture in drought conditions. In essence, the use of the area's resources was always restricted to a limited number of users during limited periods, and the relevant rules were enforced through an indigenous institution, known as "Qero System", uniting all user communities. The *Qero system* entailed the closure of the Guassa area from any type of use for as long as three to five consecutive years, depending upon the growth of

the grasses, and the prohibition was strictly enforced by the users themselves (regular patrols, severe punishment, etc.).

In the early 1970, the new revolutionary government of Ethiopia proclaimed the nationalization of all rural land and abolished the Qero system. The communities, however, adapted to the condition set by the new regime and formed a new "Guassa Conservation Council" among eight peasant associations, with the main function to enforce their old agreed by-laws. They also developed a draft management plan for their community conserved area— the first of its kind in Ethiopia.

By regulating the exploitation of the area, the ancient system has beautifully protected the unique and diverse alpine flora and important fauna of the area, including 22 mammal species among which the most endangered canid in the world, the Ethiopian wolf (*Canis simensis*) and the endemic gelada baboon (*Theropithecus gelada*). Noticeably, the Ethiopian wolf thrives in the area as the rodents that constitute its main prey thrive in regularly cut grasses habitats. In

other words, the community-modified natural resources maintain the very habitat needed for the preservation of this highly endangered species. Not less importantly, 26 rivers, springs and streams have their origin in Guassa and the protection of the vegetation by the local community is invaluable to all the downstream users.



## The Potato Park (Peru)

In the highlands of Peru, six communities of Quechua-speaking peoples have established a Potato Park (Parque de la Papa) as a unique initiative to conserve domesticated and wild biodiversity. Over 8,500 hectares of titled communal land are being jointly managed to conserve about 1200 potato varieties (cultivated and wild) as well as the natural ecosystems of the Andes. Since this is one of the regions of origin of the potato, the effort is of global significance.

The Potato Park was initiated by an indigenous-run organisation, the Quechua-Aymara Association for Sustainable Livelihoods-ANDES. The villages entered into an agreement with the International Potato Institute to repatriate 206 additional varieties, and have a long-term goal to re-establish in the

valley all of the world's 4000 known potato varieties. Traditional techniques are being augmented by new ones, including greenhouses, education on potato varieties through video filming in the local language, production of medicines for local sale, and establishment of a database. Native species are being used to regenerate forests, and a form of "agro-ecotourism" is being developed. The initiative has brought together communities that had land conflicts, partly through the revival of the village boundary festival in which the boundaries are "walked".

The Park is a powerful example of an integrated protected landscape, suitable for IUCN's Category V designation. Despite this, it has not yet received a formal status in Peru's protected area system.



## The island of Eigg (United Kingdom)

Eigg is a small island 10 miles offshore south of the Isle of Skye, in the United Kingdom, with a unique environment that supports many rare and threatened species of wildlife, and a community of 60 people. For a long time the island was owned by absentee landlords, seduced by the image of the place but with no real interest in its future. The island changed hands for ever more inflated sums, often in secret, leaving residents to guess what the next unknown owner will do. Under the circumstances, the island became progressively run down, with estate properties decaying, and both the community and wildlife under threat. In response, the island's inhabitants formed a partnership with the Scottish Wildlife Trust and the Highland Council, and developed a vision: an island community able to secure its livelihood whilst sustaining its unique environmental and cultural heritage. Today this vision is being realized. The Isle of Eigg Heritage Trust, founded in 1991, runs the island as a partnership body dedicated to maintaining the island as an outstanding natural heritage, and developing a great quality of life for its residents.

### Notes

- 1 New and evolving forms of local governance, such as biosphere reserve committees or biological corridor committees, need to fit broader jurisdictions and governance settings, such as local municipalities or regional planning fora. In these cases PA governance develops in parallel to other governance structures, possibly engendering tensions and risks of non-compliance.
- 2 This has already happened in Madagascar (MEEF, 2005). The governance concept has also been of great help in rethinking national parks in France (MEDD, 2006).
- 3 Abrams *et al.*, 2003.
- 4 See Dudley *et al.*, 2005; Dudley and Borrini-Feyerabend, 2007.
- 5 On this see Cernea, 2005.
- 6 Doing "absolutely no harm" may be impossible, but minimizing negative impacts and refusing to do something that has serious negative consequences for people may be both possible and morally desirable.
- 7 See Campese *et al.*, 2007.
- 8 See Stevens, 1997.
- 9 Borrini-Feyerabend *et al.*, 2004b. It has recently been suggested that geological diversity should also be mentioned as part of the conservation results of CCAs (Nigel Dudley, 2008).
- 10 Two characteristics alone are not sufficient. For instance, there exist many communities that manage their land and resources without appreciable positive results for biodiversity conservation. These cases cannot be considered as CCAs.
- 11 e.g., Australia (see Smyth, 2006) and India (see Pathak *et al.*, 2006).
- 12 See [http://www.iucn.org/themes/ceesp/CCA/Reviews/Regional\\_CCA\\_reviews\\_Synthesis.pdf](http://www.iucn.org/themes/ceesp/CCA/Reviews/Regional_CCA_reviews_Synthesis.pdf) and navigate from <http://www.iucn.org/themes/CEESP/CCA>

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## The Nagela sacred mountains (Yunnan, China)

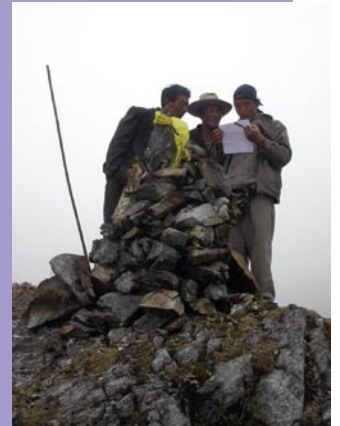


The Nagela sacred mountains are worshipped by four natural villages: Guiba (27 households), Zuoliri (42 households), Kelu (23 households) and Zhongsong (44 households) in the Diqin Tibetan Autonomous Prefecture of North Western Yunnan. The elevation of the villages is around 3500-4000 meters, and they are spread on the western side of the mountains' crescent. The villages form a sort of fortress before the sacred mountains and are inhabited by agro-pastoralist Tibetans, speaking the Khampa dialect. The community conserved area (approx 5000 hectares) includes temperate coniferous forests and alpine meadows, water sources and abundant biodiversity, such as several mammal species endemic to the region.

This has long been an isolated, mountain-locked region, and the villagers developed a good governance system for their natural resources, and particular rules for the sacred mountains. The latest Angweng Reincarnated Buddha is from this area, and the vil-

lagers feel a very special attachment to him, who, in turn, takes special care of the area, promoting its clear demarcation and regular management. There is no obvious governance structure for the CCA but, as needs arise, the household heads convene to discuss issues and ask for the advice of the Reincarnated Buddha. The Reincarnated Buddha and village heads then take decisions in the best interest of the sacred mountains, and to abate potential threats. There is no formal management plan but a simple community management agreement about some dos and don'ts.

The communities conserve the Nagela sacred mountains for spiritual, cultural and livelihood reasons (including collection of mushroom and herbs, grazing, and fuel wood) and their efforts have maintained the natural resources in a status that could correspond to a mix of IUCN category II (Ecosystem Conservation), V (Protected Landscape) and VI (Managed Resource). The Nagela sacred mountains are included in a proposed official protected area to encompass the whole of Balagengzong valley, but the CCA has so far been neither recognised nor supported. As a matter of fact, a newly built road is viewed by the Reincarnated Buddha as a potential to introduce into the region speculative business, such as mining. The communities will do all they can to protect their CCA in case this will prove necessary.



## Cerro Chango Ejidal Reserve (Mexico)

The Cerro Chango (Monkey Mountain) in the southern state of Oaxaca, Mexico, is managed by the community of Nuevo San José Rio Manso, whose 200 members are Chinanteco indigenous peoples. The 700 Ha of *Ejido* ecological reserve were set aside by the community to conserve high ever-green tropical forests crucial for local water capture and soil conservation. The reserve also harbours a great diversity of plant and animal species, including the spider monkey (*Ateles geoffroyi*), several palm species, mahogany (*Swietenia macrophylla*) and red cedar (*Cedrella odorata*).

The *Ejido* is a Mexican land grant scheme that allows a village to own common land besides

what each member (*ejidatario*) may own as private property. The *ejidatarios* have the power to make decisions about the management of their common land, but the land cannot be sold. Decisions are taken by an *ejidal* assembly. When an Ejidal reserve is created, such as in the case of Cerro Chango, it means that the community resolved to set aside some of its common land for conservation purposes. The reserves are regulated autonomously through the communities' own statutes and representative assemblies.

The Cerro Chango reserve has existed since the Ejido was created, but it has been officially certified as a protected area (a CCA) only in 2004.