

Rapporteur Report on Session 1.3

Regional Lessons Learned in Protected Area Governance

Chairs: Vivienne Solis (Costa Rica) and Webster Whande (South Africa)

Presentations by: Kule Chitepo (South Africa); Paul Ouèdraogo (Burkina Faso); Chimère Diaw (Cameroon); Gonzalo Oviedo (Ecuador); Vivienne Solis (Costa Rica); Claudio Maretti (Brazil); Francisca Baraza Martines (Spain); and Dave De Vera (Philippines)

Rapporteurs: Didier Babin (France) and Thomas Price (USA)

Overall Results of the Session:

The presenters and participants particularly highlighted the following issues during the session:

- 1) a historical perspective on protected areas and the overall social, political and cultural contexts;
- 2) devolution of power and authority to the lowest appropriate level; mechanisms for negotiation and consultation to legitimate authority;
- 3) the difficulty of arriving at methods for an effective sharing of benefits, and equitable distribution of conservation costs;
- 4) recognition of a plurality of actors, institutions and levels; broaden participation to all stakeholders;
- 5) definitions of the limits, rights and duties of the stakeholders; the recognition of collective rights;
- 6) development of an overarching legal framework (emphasised for Africa, MesoAmerica and the Mediterranean); recognition of (communal and indigenous) tenure and customary management arrangements;
- 7) recognition of different values, visions of conservation, and definitions of nature; the non-comparability of contemporary, co-existing value systems;
- 8) the need for a conceptual framework for different governance types;
- 9) and, finally, that “community” or “indigenous” solutions for conservation are not always ideal, and depend on flexibility, adaptability and negotiation with all concerned stakeholders

The session incorporated the results of many processes in different regions of the world in preparation for the governance stream discussion in Durban.

Session Implications for the Durban Accord, Action Plan and the Congress Recommendations

The presentations and remarks of the session participants clearly support the overall scope of the Durban Accord and particularly of the sections concerning local engagement and empowerment, nesting these areas to multiple scales and within social and economic networks, and recognising their community status and values. In the Action Plan, The content of Outcome 5 on empowerment and Outcome 7 on improved forms of governance incorporate many of the points raised during the session. Finally, WPC Recommendations 5.16, 5.17, 5.24, 5.25, 5.26 and 5.27 all fall within the sphere and correspond to the spirit of the discussions.

General Discussions during the Session

During the discussions, the lack of recognition of community conservation areas from the colonial period onward was emphasized, bringing with it the attendant problems of lack of control of land and a legal framework that does not recognise powers at the local level. Understanding and starting from local priorities and organization should replace the dominance of external actors and their

perspectives. How can such management arrangements and actions be recognised? How can existing, localised arrangements be supported?

In conclusion, questions from the floor stressed the need to be less “optimistic” about the increasing importance of community and indigenous conservation areas and to note that rights are often still not recognised, the need to reinforce local structures and arrangements, and the pressures on resources in many such areas.

The Reporters would stress that the implications of these remarks is a restructuring of authority and legitimacy overall, which suggests a significant political and social investment and considerable negotiation with a broad range of “stakeholders” and relevant actors over time. Protected Areas can be the focus for processes of redistribution of power that concern both dominating international private and public, as well as national government and private sector, interests. In order to prove viable, community and indigenous conservation areas must have the tools and support to successfully face tremendous pressures.

The Session:

Vivienne Solis opened the session, reminding the participants of the key characteristics of governance and the efforts of the Collaborative Management Working Group and TILCEPA on the importance of revision of types of governance categories, on the specification of what is co-management, and on the role of indigenous and local communities for protected areas. The session should contribute comparative perspectives on these issues from different regions worldwide, on the state of governance in each region, and on the solutions to arriving at equitable benefits and use,

Africa

Kule Chitepo intervened on Southern Africa, emphasising the need to take a **historical perspective** on the diversity of protected areas and political and social relationships dating to at least the colonial period. In his region, the **devolution of power and authority** to the “lowest proprietary units” is absolutely fundamental. Drawing on the conclusions of a regional workshop held in February 2003, it was agreed that governments do not generally recognise community conserved areas and sufficiently devolve their authority or offer a favourable institutional context for such initiatives. Another key issue identified was the **difficulty at arriving at methods for an effective sharing of benefits** between local and external actors. Such resources should serve as a basis for socio-economic development. All agreed at the regional event that no “one size fits all” approach could work, in spite of the efforts of a regional body – the SADCC – to put tools and methods in place.

Paul Ouédraogo presented the results of the Workshop on the Governance of Africa’s Protected Areas held in La Komienga, Burkina Faso, in March 2003. The participants highlighted three key areas of concern: **adapting governance** to the local context to transfer and share authority, the need to **revise existing legal frameworks**, and the desirability of an effective process for **labelling the diversity of protected areas** governance types. Protected Areas represent a particularly fruitful domain for testing innovative and entrepreneurial approaches to rural and regional development.

Using Central Africa as an example, **Chimère Diaw** developed a picture of the different meaning(s) of governance, and of the various norms and practices. He emphasised the **plurality of actors, institutions and levels** involved. Experience in the region confirmed that both strict observance of law and corruption of its application were ineffective, but that possibilities for negotiation and adaptation exist in order to achieve balance amongst stakeholders to transform powers into authority and legitimacy. People’s behaviour is at the centre of successful governance, which implies that effective **consultative and learning processes** are essential to arrive this goal. Establishing such mechanisms is particularly important given **the non-comparability of the value systems** applied to conservation questions.

Latin America

Moving on to Latin America, **Gonzalo Oviedo** presented the increasing importance of the size and number of protected areas and the growing percentage of community and indigenous areas. In fact, much of the current growth in protected areas is at this level. There is a **general trend** in the region for the State **to recognise local arrangements**, which has strong advantages in terms of history, culture, inter-generational responsibility, livelihoods, and dynamic linkages among and within ecosystems.

Vivienne Solis then presented how the participants in a regional workshop in MesoAmerica had highlighted **the need to open, legitimise and strengthen the spaces for civil participation**. Collaborative management can be successful, but it requires definitions of the limits, rights and duties of the stakeholders. It also serves to facilitate a decrease in conflicts, a redistribution of benefits and so on. The regional participants concluded on the need for a **conceptual framework** for different governance types, the need for a **legal and political framework** for the different governance types and the need to recognise participation as a **collective right**. Promotion of participation of local and indigenous groups and recognition of their rights were included within the MesoAmerican ministerial statement known as the Managua Declaration.

Claudio Carrera-Maretti then moved on to the example of Brazil, where complex cultural and historical conditions have contributed to **the juxtaposition of a diversity of actors and different values, visions of conservation, and definitions of nature**. He noted that “indigenous” or “local” solutions are not always ideal, and have to be balanced with comparative views, information and proposals of action. There are still considerable tensions between the visions of “technicians” and community and indigenous groups regarding natural areas, with little recognition of local rights.

Mediterranean

For the Mediterranean region, **Francisca Baraza Martines** stressed the need for an **equitable distribution of conservation costs**. Given diversity of institutions and the vulnerability of ecosystems, there is a need for increasing collaboration within governments and among countries. This diversity is also a reflection of the rich and varied regional history. There are considerable weaknesses at the national and regional levels on many issues including laws, legislation, organizational structures, tools and methods for conservation, monitoring and evaluation, education, needs assessment and stakeholder inclusion. An instrument for **an overarching legal framework** – “The Barcelona Convention” – has been developed to achieve these goals in this region.

South East Asia

And finally, **Dave De Vera** presented the challenges for South East Asia. In a region of mega natural and cultural diversity, the State maintains a strong regulatory role and has not operationalised participatory approaches. **Recognition of tenure and customary management arrangements** remains fundamental, as well as the need to **broaden the scope of participation** in conservation to all stakeholders and to all stages of conception and action.