

Bringing equity to protected areas

Summary

Protected Areas are a central component of the CBD strategy for conservation, protection of ecosystems and combating certain negative effects of climate change. Though Protected Areas extent is increasing globally, biodiversity and ecosystem resilience continue to decline. State parties are not adequately implementing or reporting on their obligations with regards to governance, participation, equity of benefit-sharing and livelihoods, and many protected areas face funding shortfalls and are threatened by extractive developments. Parties must dedicate more attention and support for social policy and social assessment, including the active representation and participation of Indigenous Peoples and local communities whose Free Prior and Informed Consent (FPIC) should be secured before the establishment of any new protected area.

What is at stake?

Unregulated industrial developments, human expansion and consumption (perpetrated mostly by a wealthy minority of the world's population), as well as extractive activities such as logging, mining, and destructive forms of agriculture, fishing and aquaculture are key drivers of biodiversity loss. They are the cause of widespread destruction of natural resources and degradation of sensitive habitats across the world, undermining the survival of Indigenous Peoples and local communities dependent on natural resources for their food security, livelihoods and their cultural, social and spiritual wellbeing. Ecosystem management by Indigenous Peoples, farmers, pastoralists, and fisherfolk is often effective and sustainable, yet overlooked, ignored, or even destroyed by industrial developments. Urgent steps to reverse this trend are essential, consistent with the objectives of the Convention.

Protected Areas an important tool, not a panacea

The Programme of Work on Protected Areas (PoWPA) is one of the CBD's main successes in confronting biodiversity loss. Just over 12 percent of the planet's surface area is covered by protected areas, with 5.9 percent of the territorial waters and 0.5 per cent of the extra territorial seas under marine protected areas.

But the situation is paradoxical—even as global protected area coverage has increased substantially, biodiversity loss has accelerated. Protected areas must be embedded in broader national and regional conservation and sustainability strategies that address the real drivers of biodiversity loss. Furthermore, many protected areas – from community conserved to National Parks - face funding shortfalls, are not always adequately regulated, and continue to face threats from unsustainable developments and activities.

Selection of the most important areas for protection should be seen as a complementary approach to improved effectiveness for protected area networks as a whole. Better management combined with better selection of protected areas makes for more effective networks.

Effectiveness, not just more territory

Though coverage of protected areas has increased, progress towards the goal of improving governance and securing full and effective participation of Indigenous Peoples and local communities in the PoWPA has been limited. Governance – and the issues of who gains and loses from protected areas - remains a critical issue that needs attention if goals of both biodiversity conservation and social justice are to be met. While governments have recognised that there are costs and benefits to establishing Protected Areas, Indigenous Peoples and local communities continue to bear many of the costs of protected area expansion, whether in terrestrial, marine (MPAs) or transboundary protected areas (TBPAs). National legislation and practices on ensuring community rights, including the right to Free Prior and Informed Consent, participation, equity and benefit-sharing under the PoWPA remain uneven amongst member states, despite research demonstrating the positive relationships between improved governance and effective biodiversity conservation. In the case of coastal and marine protected areas, the costs borne by Indigenous Peoples and local fishing communities are often high, given that rights to fishing grounds and to aquatic and fisheries resources are often of a collective nature, rarely recognized in legislation and therefore, less secure. Greater attention needs to be given to legal frameworks, norms and standards of TBPAs and MPAs with regards the rights of Indigenous Peoples and local communities.

There remains an urgent need for improved marine conservation. Marine Protected Areas, following appropriate ethical processes and community involvement, need to be expanded to include a greater representation of marine and coastal biodiversity, prioritising vulnerable areas and species habitats. COP10 will consider the legally complex issue of high seas conservation and protection. Parties need to ensure marine biodiversity protection within a reformed high seas ocean global governance framework.

Protected areas do not equal national parks

Contrary to popular perception, protected areas do not always equal national parks. Indeed there are multiple forms of governance, management and levels of protection and many conserved landscapes are not managed by the State or state agencies. The latter include Indigenous Peoples Conserved Territories and Areas Conserved by Indigenous Peoples and Local Communities (ICCAs), and Sacred Natural Sites which include landscapes conserved for religious, sacred, faith-based and pilgrimage purposes (SNS). In addition there are a growing number of private protected areas, often associated with commercial tourism, hunting or other forms of use. ICCAs are recognised in the decisions at COP 10, but SNS recognition is still under discussion. Some actors remain concerned that by drawing State and private sector attention to the sites it could mean that local governance is undermined and the sites destroyed, desecrated or drawn into commercial ventures which go counter to the local value systems. At the heart of both interest groups is a concern that values-based /culturally-based landscape conservation should be rewarded and not commoditized or forced into neo-liberal economic agendas.

Specific proposals for COP 10 and beyond

(1). Combat root causes of biodiversity loss

Protected area management frameworks should be nested within the ecosystem approach, with a focus on addressing key drivers of biodiversity loss, including perverse subsidies that promote unsustainable patterns of consumption, production and extraction of natural resources.

Parties should establish multi-sectoral advisory committees to facilitate the integration of protected areas into larger national and economic development plans, ensuring that such committees have adequate representation of Indigenous Peoples and local communities

(2) Improve governance of protected areas

Parties should focus on improving governance of existing protected areas particularly by implementing Programme Element 2 of the PoWPA on governance, participation, equity and benefit-sharing in transboundary, marine and terrestrial protected areas.

This includes:

- Conducting, in cooperation with Indigenous Peoples, local communities and civil society organizations, an analysis of the impediments to implement and report on Element 2, for discussion during the next COP
- Developing, prioritizing and financing training and capacity-building, particularly of government agencies, for improving governance of protected areas,
- Ensuring that the United Nations Declaration on the Rights of Indigenous Peoples informs the implementation of the PoWPA.

(3) Recognize and Support ICCAs and SNS.

Parties must ensure enabling policies to recognise and support Indigenous Peoples Conserved Territories and Areas Conserved by Indigenous Peoples and Local Communities (ICCAs) and Sacred Natural Sites and landscapes conserved for spiritual, religious, sacred, faith-based and pilgrimage purposes (SNS). Such policies should be based on Free Prior and Informed Consent (FPIC) of relevant Indigenous Peoples and local communities and respect the customary governance systems that have maintained ICCAs and SNS over time

(4) Develop sound and participatory processes for social assessments in protected areas

Parties should adopt a range of social assessment methodologies to address the gap in governance and transparency of reporting. Such reporting should use appropriate indicators to assess the various aspects relating to governance, equity and participation, and build on the work already done by various civil society organizations in this regard. Gender issues should be integrated into these indicators and assessment methods.

Further information

See the publication page of the ICCA Consortium:
www.ICCAforum.org

CBD Alliance
The Convention on Biological Diversity Alliance (CBD Alliance) is a network of activists and representatives from nongovernmental organizations (NGOs), community based organizations (CBOs), social movements and Indigenous Peoples' organizations (IPOs) advocating for improved and informed participation in Convention on Biological Diversity (CBD) processes.

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