

A Task Force on Protected Areas, Equity, and Livelihoods

TERMS OF REFERENCE – DRAFT

Background

Although there is growing awareness of the contribution of protected areas (PAs) to sustainable development from a national and global perspective there are widely diverging views on the impact of PAs on indigenous and local communities living in and around these areas. Some believe that negative impacts are overstated, but others point to a widespread and systemic problem of the rural poor shouldering a disproportionate burden of the cost of conservation. There are also strong differences of opinion on what should be done to avoid or mitigate any negative impacts, and where the responsibility lies for implementing such actions. Sadly this is not just an academic debate. This polarisation of opinion undermines efforts to resolve social and environmental problems that clearly exist and so perpetuates what is ultimately a “lose-lose” situation.

Despite advances made at the World Parks Congress¹, recognition of the importance of PAs in the MDGs², changes in World Bank policy³, and the incorporation of “governance, participation, equity and benefits sharing” as one of the four major elements of the CBD Programme of Work on Protected Areas, there is still little evidence of the consensus and political will at the international level that is needed to address social equity in conservation to the depth and scale that is required. Indeed, results from the recent GEF Local Benefits Study suggest that many PA-focused conservation projects are actually making matters worse – 72 out of 88 GEF projects that supported PAs involved restricting resource use by local people, but only 40% of these made any attempt to address negative social impacts, and only 20% reported success in doing so.

At national level the picture is rather more encouraging in some countries where efforts to mainstream environment in poverty reduction strategies, and measures to promote more substantive participation of local communities in natural resource management, have significantly enhanced conservation efforts, and social equity in conservation. However, the “trickle up” of encouraging experience is still insufficient to counter the polarisation that prevails at the international level.

Although there are information and capacity gaps that need to be addressed, social and conservation science and capacity-building programmes are not a sufficient response. Some of the key barriers to progress are issues of environmental governance and the politics of conservation, and it is a political process (in the most constructive sense of the term) that is needed – a process that promotes understanding and reconciliation of different interests and delivers practical outputs that can be used to operationalize the emerging consensus.

The CBD Programme of Work on Protected Areas (PoW on PAs) is one obvious platform for such a process. Despite its many shortcomings, the CBD is a key driver of conservation policy at both global and national levels, and the PoW on PAs offers a unique opportunity to influence global and national policy and practice on equity in conservation. The high profile of equity in element 2 of the PoW presents a good entry point, but the equity dimension is almost totally missing in the other elements, notably in management effectiveness (element 1), enabling policy, capacity building and sustainable financing (element 3), and standards for PA governance and monitoring (element 4). Even where there is clear guidance on equity much remains to be done to translate rhetoric into reality during implementation. Most crucially there is a need to shift the emphasis of the dialogue and action from equity in process to equity in outcome as it becomes increasingly clear that participatory processes do not necessarily deliver equity in terms of impact on livelihoods.

In the progress that has been made in the last 5 years since preparations began for the World Parks Congress the Theme on Indigenous and Local Communities, Equity and Protected Areas (TILCEPA), a joint initiative of the World Commission on Protected Areas (WCPA) and the Commission on Environment, Economic and Social Policy (CEESP), has played a major role⁴. The Protected Areas and Poverty recommendation from the World Parks Congress (see Annex 1) and the equity element of the CBD PoW on PA's in particular provide a strong mandate for further work on PAs, social equity and poverty. Although major differences of opinion remain on how to address equity, there appears to be growing political will within conservation agencies to support new initiatives on this issue, as indicated by the many discussions on this issue that took place within and around CBD COP8 in March 2006. This taskforce on Protected Areas, Equity and

Livelihoods is a step forward in this process and will enable better coordination of activities within TILCEPA and the IUCN family and strengthen existing and develop new partnerships with other institutions.

A Task Force on Protected Areas, Equity and Livelihoods

This TOR proposes the establishment of a task force to promote social equity in the conceptualisation and management of protected areas, and so directly address the recommendation of the World Parks Congress on Protected Areas and Poverty¹. This task force is to be established as a task force of the World Commission on Protected Areas (WCPA) under Strategic Direction #4 on Governance, Equity and Livelihoods in the new WCPA Strategic Plan (i.e. under TILCEPA). The Task Force will primarily address equity and PAs within a Developing World Context. Activities of the Task Force will target a range of relevant fora at regional and global levels, but with particular emphasis on the CBD Programme of Work on PAs in the short term.

Although it deals with national and global policy as well as technical issues, this Task Force will be a technical forum comprising people acting in a technical capacity as experts in the field of PA conservation, poverty and social equity. Task Force members should therefore include opinion leaders from international NGOs, IUCN, and other multilateral agencies together with policy-makers, CBD delegates and practitioners from Developing Countries, including representatives of indigenous and local communities.

The process for consensus building that lies at the heart of this initiative will be based on two key premises. The first is that the closer we get to field level the easier it is to find consensus amongst different interest groups, i.e. the dialogue must engage the global level with national and local levels that are more grounded in reality. The second is that consensus is more likely if the *entry point* is equity in conservation, i.e. the way in which we do conservation rather than the question of whether or not conservation agencies should contribute to poverty reduction. Naturally the Task Force will address the relationship between protected areas, poverty and equity and in so doing will hopefully resolve some of the confusion, and reconcile some of the conflicting viewpoints, that continue to polarise discussion on this issue.

It is proposed that the Task Force be sub-divided into three regional groups – Africa, Latin America, Asia - but working to a common set of objectives and outputs (see next section). Some outputs could be region-specific whilst others could be produced by combining contributions from the regional groups. The rationale for taking the regional level as the entry point is that this is the level at which it is easiest to establish meaningful vertical linkages between opinion leaders at the global level and policy-makers and practitioners at national/local levels. A second consideration is the differences in context between regions, and language.

Although this is a global level initiative, this should not preclude activities focused at a national or regional level. For example a couple of countries within a region might be selected as pilots where the task force could seek to influence policy or pilot best practice guidelines to serve as an example of what could be achieved at larger scale through CBD processes. Likewise although there is a focus on the CBD process in the short term, this should not preclude engaging in other relevant fora at regional level, for example the Latin America protected areas congress that will take place in September 2007. Regional priorities may therefore dictate additional activities and outputs.

Specific Objectives:

1. To promote a better and more widely shared understanding of the linkages between protected areas, social equity, including poverty and poverty eradication, and sustainable development.
2. To strengthen provisions for social equity in regional and global conservation policy related to protected areas, with particular emphasis on the Convention on Biological Diversity (and particularly in elements 1, 3 and 4 of the CBD Programme of Work on PAs)
3. To achieve more equitable outcomes in the implementation of regional and global conservation policy related to protected areas, with particular emphasis on the Convention on Biological Diversity.

Core Activities and Outputs

Listed below are proposed “core” activities and outputs that apply to the Task Force as a whole which will be implemented by each regional group, or by inter-regional sub-groups mandated by the regional groups to

deliver a specific output. This list will be reviewed at the first regional level meetings of the Task Force and may be reduced in scope according to available resources.

1. Strategy and workplan development. Consider how best to deliver the specific objectives of the Task Force in terms of the overall strategy for engagement in CBD and other processes, and develop a workplan and funding strategy for the Task Force. Outputs:
 - i. Revised TOR for the Task Force
 - ii. Strategy paper and workplan
2. Foster dialogue and partnerships between opinion leaders with different expertise and perspectives within the Task Force and in the wider conservation community through meetings and electronic discussion. Outputs:
 - iii. Discussion paper presenting a Task Force consensus on the meaning and application of social equity in PA conservation and linkages to poverty and poverty reduction.
 - iv. Facilitated discussion of key issues on the TILCEPA list-server.
 - v. New partnerships between conservation and poverty-focused agencies
3. Action research and analysis: generate new information and develop practical methods and tools for use by researchers and conservation agencies. Outputs:
 - vi. A collective synthesis of available information on the social, cultural and economic outcomes of PA establishment and management at local, national and global levels
 - vii. A compendium of methods and tools to assess social, cultural and economic impacts of PAs at local level
4. Guideline preparation: capture key results of the dialogue, and action research/analysis activities (above) in the form of practical guidelines for conservation policy-makers and practitioners. Output:
 - viii. WCPA best practice guidelines on social equity, poverty and protected area conservation - including specific best practice standards⁵
5. Awareness raising and promotion: provide information and advice to guide the further elaboration of the CBD Programme of Work on Protected Areas, and other relevant policy frameworks at regional-global levels, and support monitoring of compliance by key actors with accepted standards. Outputs:
 - ix. A review of what's working and what's not working in the implementation of existing provisions on PAs and equity (to be presented at COP9)
 - x. Policy briefs for specific audiences

The taskforce will utilize several mechanisms to achieve the proposed objectives and outputs.

- Active engagement in relevant international fora (e.g. CBD, WPC, WCC, UN Meetings)
- Active engagement in relevant regional fora (e.g. Regional Parks Congress)
- Contribution to on-going initiatives (e.g. IIED-PCLG, IUCN Conservation and Poverty Taskforce, Rights and Resources Initiative, WCMC Vision 2020)
- Development of new initiatives

Building on the existing foundation, the IUCN Commissions and Secretariat, CARE International, and IIED will take a leading role in supporting TILCEPA to convene and fund the activities of this Task Force. At the regional level CARE will take a leading role in Africa. Arrangements for Asia and Latin America are still to be confirmed. Through its Poverty & Conservation Learning Group IIED will provide support for information synthesis/dissemination.

Programme

The first meetings of the Task Force will be in early to mid 2007, and in this case the Task Force will meet at a regional level (Africa, Latin America, Asia). The Task Force will then meet in full immediately before the next meeting on the CBD Ad Hoc Working Group on Protected Areas (February 2008), and then again immediately before the 9th CBD Conference of Parties (COP9) in mid 2008 (although maybe limited to a sub-group mandated by the larger group?). In addition to this core programme of meetings there may be additional meetings, either of the regional groups, or of specific regional or inter-regional sub-groups of Task Force members that are working on specific outputs. There may also be meetings of partnerships that TILCEPA could be involved with at the global level.

Task Force Structure and Membership

The Task Force at the global level will be chaired by Ali Kaka (WCPA Vice Chair for Eastern Africa) with support from two co-chairs, Phil Franks (CARE) and Lea Scherl (TILCEPA). It is to be constituted as one Task Force, but with regional groups that may meet independently.

It is proposed that each regional group of the Task Force have a maximum of 18 members so that the total membership of the Task Force will be around 50. To ensure a range of different perspectives and technical expertise it is proposed that the balance in Task Force membership be roughly as follows:

- 6 members from national government agencies (e.g. Wildlife Authorities, Forest Authorities, Ministries of Environment etc) including at least 2 people who have been, and will continue to be, members of national CBD delegations, and at least two who have been involved in international fora on sustainable development.
- 6 members from international agencies (e.g. Development Banks, IUCN, UNEP, CBD Secretariat, International NGOs, IIED, international tour operators etc) representing a range of different perspectives, including at least one resource person with in depth knowledge of the CBD Programme of Work on Protected Areas and the CBD processes leading to its development.
- 6 members from national or local civil society organisations representing a range of different perspectives, including at least 3 from organisations representing perspectives of communities living in/around protected areas, at least one being from an indigenous peoples' organisation.

Note: balance in geographic coverage within a region is desirable but secondary to the above.

Criteria applying to all members of the Task Force:

- Substantial interest and experience at policy and/or field level in the issue of protected areas and equity, and linkages with poverty and poverty reduction
- Sufficiently fluent in English or Spanish (Latin America) to actively participate in discussions in these languages.
- Able to engage in discussion beyond the specific context of their own experience (i.e. motivated to participate in this process by an interest in the bigger picture)
- Able, and well placed, to influence policy development processes at national or regional levels

Funding

The first meeting of the Africa regional group in January 2007 will be funded by CARE. The first meeting of the Asia regional group will be held in early/mid 2007 in conjunction with a regional WCPA meeting (to be confirmed). In Latin America the first meeting of the regional group will be held in September/October 2007 in conjunction with the Latin America Parks Congress (to be confirmed). On this assumption only a small amount of additional funding will be needed for the Asia and Latin America meetings.

CARE, IUCN and IIED are actively seeking funding for the proposed follow up meetings at the CBD Ad Hoc Working Group on Protected areas and CBD COP9, and for other activities to deliver specific outputs.

For further information contact: Ali Kaka (director@eawildlife.org), Phil Franks (phil@ci.or.ke or Lea Scherl (lea.scherl@bigpond.com)

Notes:

¹ recommendation on PAs and Poverty supported by a diverse group of stake-holders which endorsed the principle that PAs should “do no harm” in terms of the livelihoods of indigenous/local communities and where possible have a positive impact – see annex 1

² As an indicator for MDG #7

³ the policy on displacement which now recognises restrictions on access to PA resources as a form of involuntary displacement, whether or not the affected people are physically relocated. This policy now requires the design of any WB-funded initiative that may restrict resource access to include a participatory process to identify any potential adverse impacts, leading to the implementation of appropriate mitigation measures that “assist affected persons restore their livelihoods to pre-displacement levels”.

⁴ Organisation of specific sessions related to protected areas, equity and poverty at the World Parks Congress, CBD COP7 and COP8 and the World Conservation Congress in 2004.

⁵ Drawing on on-going work by Winer, Turton and Brockington)

Annex 1:

WPC Recommendation 5.29: Poverty and Protected Areas

Protected Areas play a vital role in sustainable development through protection and maintenance of biological diversity and of natural and associated cultural resources. Protected Areas cannot be viewed as islands of conservation, divorced from the social and economic context within which they are located. Poverty, displacement, hunger and land degradation have a profound impact on bio-diversity and Protected Areas, and pose a very serious threat to their survival. Poverty is multi-dimensional (lack of assets / opportunities, vulnerability, and lack of power or voice), and Protected Areas have a powerful potential to make a significant contribution to poverty reduction and to the broader development framework established by the Millennium Development Goals and the WSSD Plan of Implementation.

Protected Areas generate significant economic, environmental and social benefits. These benefits are realized at local, national and global levels. Unfortunately, a disproportionate amount of the costs of Protected Areas are borne locally. As with other forms of large scale land use, many local communities have been marginalized and excluded from Protected Areas. Given that their natural and cultural wealth often constitutes an important asset for local communities, denying rights to these resources can exacerbate poverty. Protected Area establishment and management cannot be allowed to exacerbate poverty.

However, given the fact that many local communities living in and around Protected Areas have limited development opportunities, Protected Areas offer a currently untapped opportunity to contribute to poverty reduction while continuing to maintain their vital function in conserving biodiversity. Recognising the importance of people in conservation, we need to support poor communities to act as the new front-line of conservation. This implies new ways of working with local communities to act as custodians of biodiversity through working with Protected Area authorities, and to build their ability to manage their own areas.

Increasing the benefits of Protected Areas and reducing their costs to local people can help mobilize public support and reduce conflicts and the enforcement costs of Protected Area management, particularly in areas of widespread poverty. The long term sustainability of Protected Area networks (including their growth through new forms of Protected Areas) and the achievement of poverty reduction are inextricably linked. The practical implications of realizing this linkage will require new investment to enhance benefits and reduce costs. There is a need for strengthening existing and developing new financial mechanisms that can provide fair reward for stewardship of nationally and globally important biological resources. The convergence of the poverty reduction and Protected Area agendas represents a real opportunity to generate new and additional resources for conservation.

Therefore, PARTICIPANTS in the Vth World Parks Congress, in Durban, South Africa (5-17 September 2003):

1. CALL ON governments, inter-governmental organizations, private sector and civil society to adopt the following overarching principles on the linkage between Protected Areas and poverty:
 - In order to achieve their potential both to conserve biodiversity and to assist in reducing poverty, Protected Areas should be integrated within a broad sustainable development planning agenda;
 - Protected Areas should strive to contribute to poverty reduction at the local level, and at the very minimum must not contribute to or exacerbate poverty;
 - Biodiversity should be conserved both for its value as a local livelihoods resource and as a national and global public good;
 - Equitable sharing of costs and benefits of Protected Areas should be ensured at local, national and global levels;
 - Where negative social, cultural and economic impacts occur, affected communities should be fairly and fully compensated;
 - A gender perspective should be incorporated that encompasses the different roles of women and men in livelihood dynamics, thus contributing to equitable benefit sharing and more effective governance systems.

2. RECOMMEND that local actors, communities, governments, Protected Area authorities, inter-governmental organizations, private sector and conservation agencies develop policy, practices and forms of inclusive government for protected area management that enhance opportunities, reduce vulnerability, and empower the poor and vulnerable, especially in areas of severe poverty, based on:
 - Building partnerships with poor communities as actors and shareholders in Protected Area development
 - Strengthening mechanisms for the poor to share actively in decision making related to Protected Areas and to be empowered as conservators in their own right;
 - Developing pro-poor mechanisms to reward environmental stewardship, including payments for environmental services, minimize and mitigate damages to both biodiversity and to livelihoods, and provide fair compensation for losses incurred from human-wildlife conflicts and from restricted access and decreased environmental services;
 - Respecting and recognizing customary ownership, use and access rights for local people, particularly for the poor, during the negotiation and decision making processes, and preventing further loss of customary rights;
 - Improving accountability and transparency of decision making processes related to Protected Areas;
 - Embedding regular participatory poverty and social impact assessments in planning, management, and monitoring and evaluation systems for Protected Areas.
 - Developing more inclusive interpretations of Protected Area categories that reflect the interests and initiatives of the poor, including the role of community conserved areas;
 - Fostering programmes of restoration to deal with modified and degraded areas that yield biodiversity benefits as well as providing goods and services to improve livelihoods within Protected Areas and in the landscape surrounding them;
 - Encouraging governments to reflect the above principles regarding local rights and opportunities related to Protected Areas in their legal and regulatory frameworks.
3. RECOMMEND that Governments, donors and other development partners consider how to maximize the contribution of Protected Areas to sustainable development, and in particular poverty reduction efforts, by:
 - Mainstreaming Protected Areas into national and international development planning and policy, particularly poverty reduction strategies and the implementation of the MDGs;
 - Develop innovative financial and governance systems to optimize synergies between Protected Area management and poverty reduction efforts;
 - Increasing financial resources available for rewarding poor communities and poor countries for their stewardship of global public goods;
 - Improving knowledge and understanding of linkages between Protected Areas and poverty reduction, and specifically the impact of Protected Areas on the livelihoods of the rural poor, negative and positive
4. RECOMMEND that the Parties to the Convention on Biological Diversity:
 - Develop guidelines on the management of protected areas based on the principles mentioned in paragraph 1 and 2, and ensure that National Biodiversity Strategies and Action Plans are aligned with poverty reduction strategies;
 - Extend the principle of equitable benefit sharing to include all components of biological diversity.