

# Briefing

**Biodiversity, governance**

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## Policy pointers

**Protected areas can** provide many global-to-local benefits, but the costs may outweigh the benefits at the local level.

**Equitable governance** and management of protected areas are important goals in their own right and can also contribute to the goal of conservation effectiveness.

**Advancing equity** requires attention to its three core dimensions of recognition, procedure and distribution, which can be further elaborated into principles.

**Existing protected area** assessment methods, which provide a good starting point for advancing equity, can be strengthened by the use of an integrating equity framework.

## Advancing equity in protected area conservation

The important global, national and local benefits provided by protected areas may come at a cost to communities, and any resultant experience of injustice can undermine protected area conservation. Conversely, the success of many areas conserved by Indigenous Peoples and local communities makes a compelling case for the stronger engagement of local rights-holders and stakeholders in all types of protected area. The Convention on Biological Diversity recognises the need to govern and manage protected areas effectively and equitably; this briefing provides an equity framework to support policymakers, protected area managers, Indigenous Peoples, local communities and other local stakeholders in achieving this.

Protected areas (PAs) cover more than 15 per cent of the earth's terrestrial surface and provide important global, national and local benefits by conserving biodiversity and maintaining ecosystem services. Yet such benefits may come at a cost to communities, and any resultant experience of injustice can undermine PA management. Many PAs are in regions characterised by high levels of cultural diversity and often poverty, and ignoring the rights and needs of marginalised groups in and around PAs has led to significant conflict.<sup>1</sup> In addition to the moral argument for equitable conservation, a growing body of research provides evidence that the empowerment of local people and more equitable sharing of benefits increase the likelihood of effective conservation.<sup>2</sup>

The requirement for PAs to be governed and managed equitably was expressed in the Convention on Biological Diversity's 2004 Programme of Work on PAs (in which goal 2.1 calls for the promotion of "equity and benefit sharing") and then in Aichi Target 11 in 2010.<sup>3</sup> The expression of these goals has coincided with

increased emphasis within sustainable development discourse more generally (eg in the Sustainable Development Goals) on addressing inequality and promoting equity.

The International Union for Conservation of Nature (IUCN) identifies four main PA governance types: 1) governance by governments; 2) governance by Indigenous Peoples and local communities; 3) private governance; and 4) shared governance (combinations of the other three).<sup>4</sup> The need to improve conservation and social outcomes is a common challenge in all PAs, but the equity and justice issues that apply may differ depending on the PA's governance type and how it was established. This briefing has been prepared for actors<sup>5</sup> involved in PAs of all governance types (and the systems of which they are part); it provides a framework for assessing and advancing equity and justice in the establishment, governance and management of PAs.

Although the briefing draws on work on both equity and environmental justice, we use the term

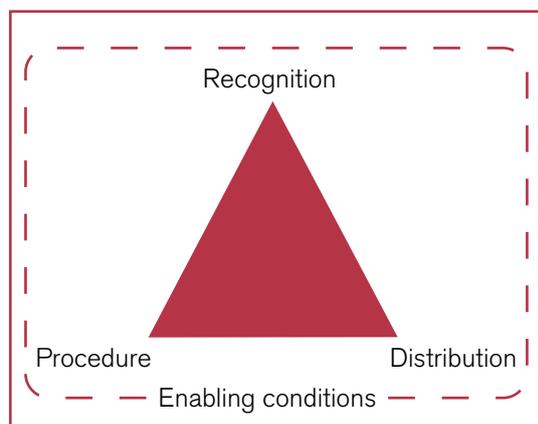
## Empowering local people and sharing benefits more equitably increase the likelihood of effective conservation

'equity' here in response to language used in the context of the Convention on Biological Diversity and the Sustainable Development Goals. We focus on advancing rather than achieving equity because we recognise that equity is a dynamic concept and that perceptions of what is fair or unfair evolve as the context changes (eg as people obtain rights or become wealthier).

### Why an equity framework?

Concepts of equity, justice and inclusion have become increasingly prevalent in policies on PAs (and in conservation in general), reflecting the increased importance afforded to PA governance and the social impacts of conservation. Progress is often constrained in practice, however, by differing understandings of what equity means and differing ideas of how to advance it, and because different aspects of equity are addressed by different PA assessment methods. This lack of clarity is a recipe for weak political and financial support, poorly constructed strategies, the inefficient use of resources, and a lack of accountability for action to advance equity.

**Figure 1. The three dimensions of equity, and enabling conditions<sup>9</sup>**



Advancing equity, which is an inherently pluralistic concept, will require attention to multiple perspectives. The challenge is to determine how differing perceptions of equity relate to each other and, with this common understanding, to reach a point at which actors can accept multiple objectives and agree on overall priorities. A framework is a tool for this purpose — that is, for elaborating different elements of a key idea and how they relate to each other.

Building on research on equity in payments for ecosystem services<sup>6</sup> and environmental justice<sup>7</sup>, and on guidance developed for the good governance of PAs<sup>4</sup>, we propose a framework for understanding and assessing equity in PA governance and management. Broadly, equity is considered to have three dimensions that should apply in any field of conservation or development: 1) recognition; 2) procedure; and 3) distribution (Figure 1). Within each dimension, the framework (Table 1) identifies a set of priority equity issues for PA governance and management framed as principles or desired outcomes. The framework also identifies the enabling conditions in which all three dimensions are embedded.

### Equity dimensions and principles, and enabling conditions

Although presented separately below, the three dimensions of equity are highly interlinked and mutually supportive, and they should be considered as parts of the whole rather than in isolation of each other.

**Recognition.** This means acknowledging — and respecting — the legitimacy of rights, values, interests, priorities and human dignity. These aspects of equity are particularly important for marginalised groups who lack the ability to make their voices heard and in situations where particular actors have undue power to influence, undermine or silence others. The term 'respect' is included in several of the principles in this dimension because 'recognition' is quite often defined narrowly in a manner that is insufficient to prevent people's rights, values, interests and priorities from being ignored or overruled.

### Box 1. Understanding equity helps improve effectiveness<sup>10</sup>

Research in Nyungwe National Park, Rwanda, has found that local motivations to support conservation are influenced by the perceived equity of protected area management. Where management interventions are viewed as inequitable, managers must rely on enforcement to ensure results; where interventions are seen as equitable, managers can expect more active support. It cannot be assumed that local views of equity will be the same as those held by other actors. For example, Nyungwe residents do not favour certain principles of distribution widely employed elsewhere in the design of conservation interventions, such as rewarding those most in need or those who have borne the highest costs. Dialogue among actors is important, therefore, to identify key equity concerns and the principles that should apply.

**Procedure.** Whether PA establishment, governance and management are considered to be equitable will be influenced not only by the outcomes but also by the processes by which decisions are made, whether these relate to PA management, resolving disputes<sup>8</sup>, or identifying and assessing the costs and benefits associated with PAs. Underpinning all procedural principles is the effective participation of all actors, giving particular consideration to the right of Indigenous Peoples and local communities to free, prior and informed consent and enabling the participation of marginalised groups.

**Distribution.** Distributive equity is about how costs are distributed and benefits are shared among stakeholders. Although the distributive dimension of equity is often the one that receives the most attention, the specific ways in which the costs of PAs can be avoided, minimised or mitigated, and the benefits shared, often receive insufficient consideration. External assumptions that benefits should be allocated to those incurring opportunity costs, for example, may go against existing property rights or a local preference to direct benefits towards poverty reduction (see Box 1). Equitable distribution of costs and sharing of benefits relies on the recognition of power dynamics and strong procedures to avoid the elite capture of benefits and the imposition of unmitigated costs on particular groups.

**Enabling conditions.** Certain enabling conditions can greatly advance the equity with which PAs are established, governed and managed at the local scale. One of these is acknowledgement (nationally or subnationally) of the full range of PA governance types identified by the IUCN, thereby encouraging the engagement of diverse actor groups. Another enabling condition is ensuring that all actors have the capacity and opportunity to be recognised and to participate — as even the most equitable procedures will struggle in the face of entrenched societal discrimination (eg by gender, ethnicity, religion or class). Resolving serious PA-related conflicts, such as those arising from the lack of recognition of customary rights to resources, will be easier if relevant national laws are aligned with international laws, and if policies on PAs are aligned with those on other land uses. Finally, the process of advancing equitable PA governance and management is more likely to succeed if it is understood as part of an adaptive learning process that responds to evolving local perceptions of equity and enables forms of governance that are dynamic enough to address new challenges as they arise.

**Table 1. Equity framework for protected areas — equity dimensions and principles that apply to prior assessments and the establishment, governance and management of protected areas and to other conservation and development activities directly associated with protected areas**

### Recognition

1. Recognition<sup>i</sup> and respect<sup>ii</sup> for human rights
2. Recognition and respect for statutory and customary resource rights<sup>iii</sup>
3. Recognition and respect for the right of Indigenous Peoples to self-determination
4. Recognition of different identities, values, knowledge systems and institutions
5. Recognition of all relevant actors<sup>iv</sup> and their diverse interests, concerns, capacities and powers to influence
6. Non-discrimination by age, ethnicity, language, gender, class or beliefs

### Procedure

1. Full and effective<sup>v</sup> participation of recognised actors in decision-making
2. Clearly defined and agreed responsibilities of actors
3. Accountability for actions and inactions
4. Access to justice, including an effective dispute-resolution process
5. Transparency<sup>vi</sup> supported by timely access to relevant information in appropriate forms
6. FPIC<sup>vii</sup> for actions that may affect the rights of Indigenous Peoples and local communities
7. Build on rights-holders' customary governance and management arrangements
8. Identification and assessment of costs, benefits<sup>viii</sup> and risks, and their distribution<sup>ix</sup> and trade-offs<sup>x</sup>

### Distribution

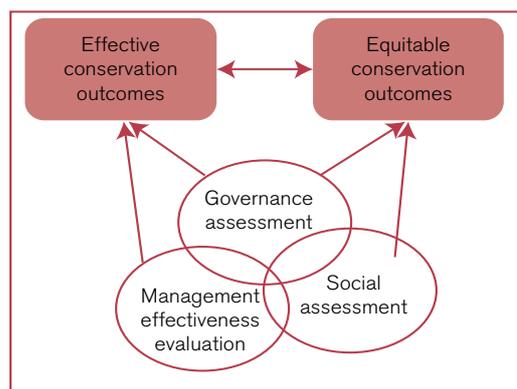
1. Effective mitigation<sup>xi</sup> of any costs to Indigenous Peoples and local communities
2. Benefits shared among relevant actors according to one or more<sup>xii</sup> of the following five criteria:
  - equally between relevant actors or
  - according to contribution to conservation, costs incurred, recognised rights<sup>xiii</sup> and/or the needs of the poorest
3. Benefits to the current generation do not compromise benefits to future generations

### Enabling conditions

1. Legal, political and social recognition of all PA governance types<sup>xiv</sup>
2. Relevant actors have awareness and capacity to achieve recognition and participate effectively
3. A process for aligning statutory and customary laws and norms
4. An adaptive, learning approach

<sup>i</sup> Recognition means acknowledging and accepting the legitimacy of a particular issue, value, right or interest, etc. / <sup>ii</sup> Respect means not interfering with the enjoyment of a right. / <sup>iii</sup> In a PA context, resource rights include rights to own or use resources. / <sup>iv</sup> Actors include both rights-holders and stakeholders. These are organisations (including the PA authority itself), groups and individuals with relevant interests, rights or (in many but not all cases) influence. / <sup>v</sup> 'Full and effective participation' means meaningful influence throughout a decision-making process. / <sup>vi</sup> Transparency relates particularly to decision-making processes, responsibilities and actions, and financial flows. / <sup>vii</sup> Free, prior and informed consent (FPIC) is a process through which rights-holders are empowered to determine whether an activity that will affect their rights may proceed by giving, or having the right to withhold, their consent. / <sup>viii</sup> The terms 'costs' and 'benefits' are used in the broadest sense to include all types of impacts on human well-being, whether or not they have monetary value. / <sup>ix</sup> Distribution includes: a) *spatial* — between actors at site level and also between site and other levels, and b) *intergenerational* — between youths and adults, and also between current and future generations. / <sup>x</sup> 'Trade-off' in this context refers to a situation in which decisions over the distribution of benefits and costs involve compromises between two competing objectives. / <sup>xi</sup> Possible mitigation strategies include avoidance, minimisation, compensation (cash or in-kind, or support for alternative sources of livelihood), voluntary relocation and restitution, decided through an effective FPIC process. / <sup>xii</sup> In many cases, benefit-sharing strategies apply a combination of these criteria. / <sup>xiii</sup> As determined by recognition principles 2 and 3. / <sup>xiv</sup> PA governance types identified by the IUCN — government, Indigenous Peoples and local communities, private, and shared.

**Figure 2. Protected area assessment tools, and how they support effective and equitable conservation outcomes**



## Equity and social, governance and management assessments

PAs are subject to three types of performance assessment that may include consideration of equity: 1) social assessment, which focuses on the distributive dimension of equity; (2) governance assessment, including rights-based assessment (eg the Whakatane Mechanism), which focuses mainly on the recognition and procedural dimensions of equity and conservation effectiveness; and 3) management assessment, including Protected Area Management Effectiveness Assessment

(PAME), which focuses mainly on the quality of PA management. The proposed equity framework helps operationalise equity by drawing together the equity elements of these three assessment types (Figure 2), and by identifying and addressing gaps.

## Next steps

We welcome comments on this framework as a step towards enhanced consideration of equity in PA governance and management. It will be validated with fieldwork in several PAs as well as at the level of an entire PA system, and a revised version will be presented at the IUCN World Conservation Congress in September 2016. The framework will be useful for PA actors during the planning, establishment and ongoing management of PAs, thereby facilitating and monitoring progress towards more equitable PA governance and management.

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## Knowledge Products

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## Notes

<sup>1</sup> Lele, S *et al.* (2010) Beyond exclusion: Alternative approaches to biodiversity conservation in the developing tropics. *Current Opinion in Environmental Sustainability* 2: 94–100. / <sup>2</sup> Oldekop, JA *et al.* (2015) A global assessment of the social and conservation outcomes of protected areas. *Conservation Biology* DOI: 10.1111/cobi.12568. / <sup>3</sup> In the Convention of Biological Diversity's Strategic Plan for Biodiversity 2011–2020. / <sup>4</sup> Borrini-Feyerabend, G *et al.* (2013) *Governance of protected areas: From understanding to action*. Best Practice Protected Area Guidelines Series No. 20, IUCN, Gland, Switzerland. / <sup>5</sup> Actors in this context comprise rights-holders and stakeholders. / <sup>6</sup> McDermott, M *et al.* (2013) Examining equity: A multidimensional framework for assessing equity in payments for ecosystem services. *Environmental Science and Policy* 33: 416–427. / <sup>7</sup> Sikor, T. (ed.) (2013) *The justices and injustices of ecosystem services*. Earthscan, London. / <sup>8</sup> Jonas, H *et al.* (2014) *Human rights standards for conservation: An analysis of responsibilities, rights and redress for just conservation*. IIED Issue Paper. IIED, London. / <sup>9</sup> Adapted from McDermott *et al.* (2013) and Pascual, U *et al.* (2014) Social equity matters in payments for ecosystem services. *Bioscience* 64(11): 1027–1036. / <sup>10</sup> Martin, A *et al.* 2014. Whose environmental justice? Exploring local and global perspectives in a payments for ecosystem services scheme in Rwanda. *Geoforum* 54: 167–177.