

Equitable management of protected areas

Discussion paper prepared for CCEA Yellowknife workshop, October
2016

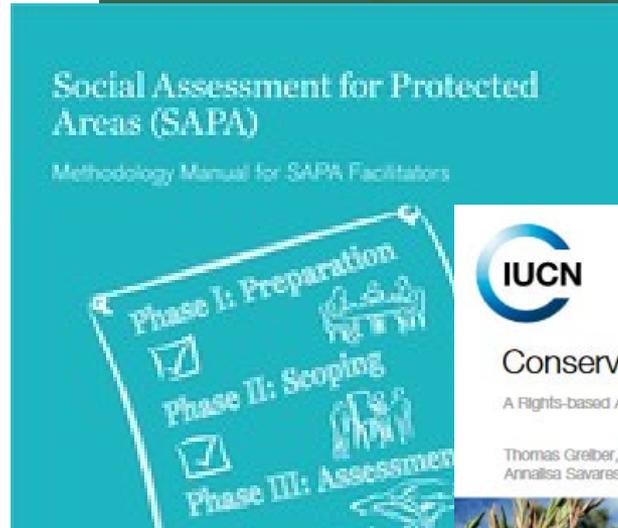
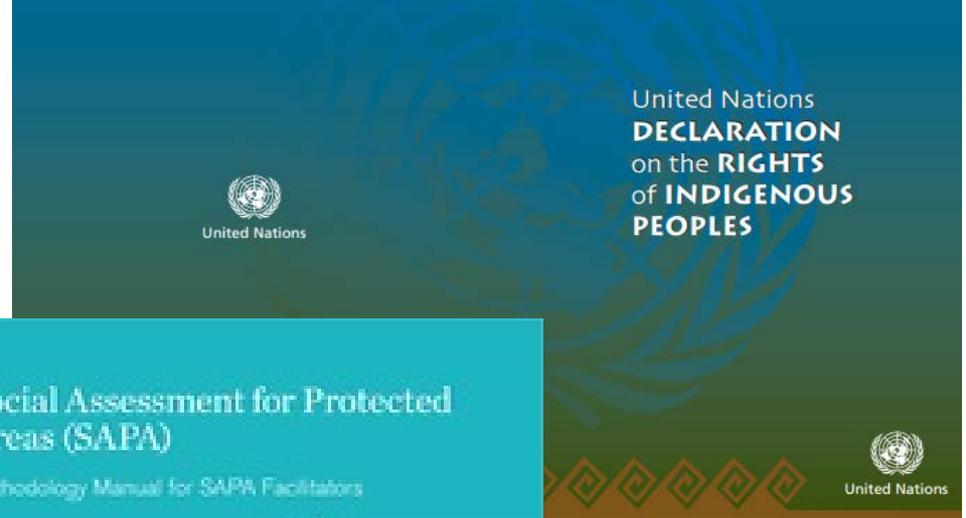
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Understanding equity

- Equity used broadly as concept in CBD (Aichi Target 11), SDGs.
- Draws upon consideration of justice in rights-based approaches, inclusion in PA management, recognition of social impacts of conservation.
 - *Includes the sharing of relevant responsibilities, rights, costs and benefits associated with PAs with attention to fairness and distribution of benefits.*
- There is potentially tension between fulfilling area-based targets of Aichi 11 and respecting rights and justice
- Need to raise concerns where protected areas planning and management may be in conflict with equity, rights and justice, including within existing protected areas.



Specific international initiatives and programmes; normative frameworks relevant for equitable management



WHAKATANE
MECHANISM



Environmental Policy and Law Paper No. 71

IIED equitable management framework

Recognition

1. Recognition and respect for human rights
2. Recognition and respect for statutory and customary property rights
3. Recognition and respect for the rights of Indigenous Peoples, women and marginalised groups
4. Recognition of different identities, values, knowledge systems and institutions
5. Recognition of all relevant actors and their diverse interests, capacities and powers to influence
6. Non-discrimination by age, ethnic origin, language, gender, class and beliefs

Procedure

7. Full and effective participation of all relevant actors in decision making
8. Clearly defined and agreed responsibilities of actors
9. Accountability for actions and inactions
10. Access to justice, including an effective dispute-resolution process
11. Transparency supported by timely access to relevant information in appropriate forms
12. Free, prior and informed consent for actions that may affect the property rights of Indigenous Peoples and local communities

Distribution

1. Identification and assessment of costs, benefits and risks and their distribution and trade-offs
2. Effective mitigation of any costs to Indigenous Peoples and local communities
3. Benefits shared among relevant actors according to one or more of the following criteria:
 1. Equally between relevant actors or
 2. According to contribution to conservation, costs incurred, recognised rights and/or the priorities of the poorest
4. Benefits to present generations do not compromise benefits to future generations

Enabling conditions

5. Legal, political and social recognition of all protected area governance types
6. Relevant actors have awareness and capacity to achieve recognition and participate effectively
7. Alignment of statutory and customary laws and norms
8. An adaptive, learning approach

Risks to equitable planning and management in Canada

- Barriers to participation in existing parks and protected areas
- Lack of enabling conditions for effective participation
- Risks to voice, participation and control in landscape-level conservation or regional processes.

Subset of equity issues that represent areas of interest for Canada

1. Enabling recognition of both protected governance types and protected areas categories, reflecting diverse planning and development goals of Indigenous and community territories;
2. Equitable distribution of protected areas coverage from south-to-north; and
3. Enabling endogenous processes through fuller recognition of ongoing negotiations with government on Indigenous territories

PA governance types, PA management categories and OECMs

- Type A: Governance by government (at various levels and possibly combining various agencies)
- Type B: Governance by various rightsholders and stakeholders together (shared governance)
- Type C: Governance by private individuals and organizations (e.g. landholders)
- Type D: Governance by indigenous peoples and/or local communities (e.g. ICCAs)
- Ia Strict Nature Reserve
- Ib Wilderness Area
- II National Park
- III National Monument or Feature
- IV Habitat/Species Management Area
- V Protected Landscape/ Seascape
- VI Protected area with sustainable use of natural resources
- OECMs

Governance Type	A. Government Managed Protected Areas			B. Co-managed Protected Areas			C. Private Protected Areas			D. Community Conserved Areas	
	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
I - Strict Nature Reserve/Wilderness Area											
II – National Park (ecosystem protection; protection of cultural values)											
III – Natural Monument											
IV – Habitat/Species Management											
V – Protected Landscape/Seascape											
VI – Managed Resource											

*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?***

Equitable distribution of protected areas coverage

- Concerns the equitability of a protected areas system (i.e. at a national or regional level), as sketched out in IUCN's PA governance approach
- Must be attentive to distribution of protected areas in relation to poor cross-sections of society, Indigenous peoples. Must they make up shortcomings in terms of completion of PA system and achievement of area based targets?

Enabling endogenous processes of planning and management

- Anticipation of future treaty or rights and title negotiations.
- Process vs outcomes as the focus.
- Existing and ongoing processes form groundwork for equitable future PA management
- Processes relevant for landscape approaches and inclusion of PAs in territorial planning and management.

Measurement of progress towards equitable management

- Distribution of governance types and protected areas categories, OECMs can be measured along with management effectiveness across categories.
- Geographical/ spatial and poverty indicators to create metrics for measuring equitability of protected areas system at provincial, regional, national levels.
- Consideration of/ respect for areas under ongoing processes to resolve long-standing land and resource governance issues.

Conclusions and recommendations

- Measurement of equitable management represents novel area of work.
- Recommend case studies built upon frameworks in development and examine ongoing processes (e.g., SAPA, RBA, conflict resolution and restitution).
- Recognition of polycentric governance contexts in Canada: time and patience needed.
- Indigenous groups and CCEA stand to contribute to international dialogue on equitably addressing concerns about biodiversity loss.