



# CBD Briefing

## **Indigenous and Community Conserved Areas (ICCAs): The role of incentives and rights in promoting good governance in conservation**

### **1. Introduction: Indigenous communities, poverty and conservation**

Areas rich in biodiversity and the focus of conservation interventions are for the most part countries where high level of poverty occurs and development needs are strongest. Moreover, extreme conditions caused by climate change and unsustainable exploitation of natural resources are likely to increase the vulnerability of poor communities and dramatically reduce their livelihood resource bases.

In Indonesia, millions of people living in and around crucial ecosystems depend on natural resources for their livelihoods. While natural resources are abundant, tenure insecurity, local elite capture, overexploitation of resources and degradation, unfair distribution of benefits and exclusion, have plagued natural resource management. Poor management of natural assets have in turn caused enduring poverty and erosion of livelihood resource bases through the pursuit of short term economic benefits.

Building up the assets of the poor is part of a strategy to increase the resilience of the poor and secure sustainable use. Moreover, Indigenous Peoples are still among “the poorest of the poor” although they often manage areas and territories rich in natural resources (The World Bank, Policy Brief 2010).

Report by Forest Trends (2004) and Ford Foundation (Ellsworth and White, 2004) both argue that community driven conservation represents a credible and important alternatives to biodiversity conservation beyond protected areas<sup>1</sup>. This is mainly due to the fact that, globally:

- Large areas of natural forests are owned or managed by indigenous and traditional communities;
- Local ecological knowledge and management practices are crucial for biodiversity composition and preservation.

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<sup>1</sup> Strong evidence shows that removing people from their territories and resources to guarantee better management and conservation of natural resources does not guarantee better conservation results. In Khata, Nepal, the traditional *tharus* system protects more than 500 hectares of forest next to the Bardia National Park. The forests protected by *tharus* are denser and richer in wildlife compared to the Bardia National Park. In Brazil, studies have shown that established indigenous lands were far more effective than parks and biological reserves in inhibiting deforestation and fire in the active agricultural frontier (Nepstad et al 2006).

The traditional protected areas system has proven in many cases unable to ensure protection of critical biodiversity. Insufficient funding, limited number of staff, low level of participation have considerably undermined the effectiveness of the system.

However, the concept and practices of conservation have now moved beyond official protected areas towards a broader definition that includes sustainable development, sustainable natural resource management, and landscape approach. Nature is increasingly regarded as a set of valuable products and services that, if governed well, can generate economic benefits especially for those people who are dependent on natural resources for their living. This new approach to the relationship between people, especially poor communities, and the environment can make a real difference in terms of creating value and maintaining sustainability of natural resources (WWF-Indonesia 2007).

The participation and recognition of the positive role that local people can play in sustainable (and more accountable) management of natural resources and conservation is at the core of the development of new governance types such as **Indigenous Community Conserved Areas (ICCAs)**.

## 2. What are ICCAs?

In general, ICCAs are defined as natural or human modified ecosystems which have significant biodiversity value and are voluntarily conserved through traditional laws and other means by indigenous and local communities which depend on these resources culturally or for a livelihood. In general, ICCAs are for the most part commons or collectively governed lands (Kothari, 2006; CEESP 2008).

ICCAs are managed for a combination of reasons, needs, functions, and beliefs, but in general these include: protection of forest resources; sustainable access to livelihood sources; food security; preserve ecosystem functions and services like freshwater, fish, and wildlife; religious beliefs, spiritual values, and cultural identity; secure collective land tenure; etc.

There has been a growing recognition of ICCAs and their role in conservation. At the World Parks Congress in September 2003, ICCAs were accepted as legitimate conservation sites. The proposed Programme of Work on Protected Areas of the Convention on Biological Diversity (CBD) suggested important measures for recognizing and supporting Community Conserved Areas as a complement to official Protected Areas systems. The programme was approved at the CBD (COP7) in Malaysia in February 2004<sup>2</sup>. The CBD programme of Work on Protected Areas has explicitly

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<sup>2</sup> From the programme of work (COP7):

1.1.4 By 2006, conduct, with the full and effective participation of indigenous and local communities and relevant stakeholders, national-level reviews of existing and potential forms of conservation, and their suitability for achieving biodiversity conservation goals, including innovative types of governance for protected areas that need to be recognized and promoted through legal, policy, financial institutional and community mechanisms, such as protected areas run by government agencies at various levels, co-managed protected areas, private protected areas, indigenous and local community conserved areas.

committed countries to recognize, support, and take other action regarding ICCAs by 2008.

At the World Park Congress (WPC) in Barcelona (2008), the IUCN officially adopted a new protected areas category system that incorporates ICCAs in the governance dimension. Governments are exploring ways to provide legal recognition to ICCAs (e.g. Oviedo 2006) which are usually managed by community institutions.

While there have been important initiatives in some countries to document the extent and types of ICCAs (e.g. India, Nepal), and experiences of ICCAs have been described for several regions in the world (CEESP 2008), many ICCAs remain undocumented and neglected in most national conservation management policies (Borrini-Feyerabend 2006). A proper and overdue process of documentation would need to be conducted on a larger and more systematic scale. In Indonesia, initial efforts at documenting ICCAs are conducted by communities and coordinated by AMAN (Alliance of Indigenous Peoples in Indonesia). WWF-Indonesia is also facilitating local communities and organizations to document examples of ICCAs in crucial conservation landscapes like the Heart of Borneo and Papua.

Challenges to the continued resilience and sustainability of ICCAs exist, both external and internal. The intensification of exploitation of natural resources for expanding development needs and consumption is putting pressure on these areas often considered, as put, “underutilized” (CEESP 2008:9). Lack of or uncertainty with regard to tenure security or expropriation of land can jeopardize enabling conditions for ICCAs regimes. Indigenous and local communities also experience rapid changes that can increase the vulnerability of ICCAs, and foremost the erosion of traditional values and knowledge, the weakening of traditional institutions, and growing social inequities.

### **3. Why ICCAs? Incentives and good governance in natural resource management**

WWF maintains that **good governance** and appropriate incentives are key to effective and equitable conservation, and natural resource management.

WWF defines good governance as the mechanisms and conditions that ensure power sharing, transparency, accountability, participation, and equitable distribution of costs and benefits. More specifically, good governance in natural resource management can be secured by:

- Promoting institutional pluralism, partnership schemes and ICCAs that include those stakeholders/rightholders who bear the highest costs for conservation;
- Maintaining the conditions that enable local stakeholders to derive benefits from natural resources (access and control, capital, knowledge, access to market);
- Guaranteeing transparent procedures and decision-making;
- Promoting social inclusiveness and participation at all levels of governance and management of conservation areas.

WWF believes that both economic and a social **incentive structures** are needed to encourage good governance in conservation and natural resource management, and ICCAs in particular.

The recognition of social entitlements remains a powerful incentive to encourage responsibility and accountability in the use of natural resources. Communities who have rights to access and manage natural resources are more likely to manage those resources in sustainable ways (Gibson, McKean, and Ostrom 2000; Mayers 2006). Monetary rewards and income are also a necessary but not a sufficient condition (Wollenberg et al. 2001).

One of the most important challenges in setting up positive incentives for conservation is to make sure that they accrue to the right beneficiaries. This is particularly important in the developing economic valuation approach and the increasing commodification of natural assets and services. Economic incentives, for example, need to be framed by rules that ensure that the benefits created also flow to poor people and communities that bear the highest costs for conservation (LAN-WWF Asia Pacific 2006; WWF-Indonesia 2007). The application of economic tools needs to rely on policies and institutions that influence distribution and increase benefit retention among the most resource dependent people (cf. Ribot 2005). Similarly, beneficiaries need to be guaranteed the right to take part fully in the management and access to resources.

ICCAs are an important element in a broader land management strategy and protected landscape approach. This approach recognizes that the cultural and natural values of landscapes are inextricably linked, and that local communities are central to sustaining them.

The establishment of ICCAs could balance the need for protecting critical forest areas while securing the rights of local communities. Communities would enjoy the benefits for which they are entitled as rightholders and managers of the area, e.g. continued forest and natural resource use, reward schemes, recognition, tenure security, employment, and revenues from local conservation-based enterprises.

In the face of the severity of climate change challenges, and the vulnerability of many indigenous and poor communities exposed to those risks, ICCAs can offer new opportunities for engaging communities and local stakeholders in conserving and managing natural assets and services in return for appropriate reward. ICCAs can play an important role in mitigation and adaptation strategies in climate change, including the aspect of avoided deforestation in REDD+ schemes. ICCAs could also be considered as legitimate candidates for carbon trading mechanisms that clearly link compensation to environmental services provided, like carbon sequestration.

#### **4. Advantages of ICCAs**

The recognition of ICCAs would ensure numerous positive contributions to sustainable and equitable management of natural resources:

- Communities would retain control over their territory and gain tenure security;
- With community protected areas under ICCA status, existing customary regulations with conservation value would be maintained and applied, and thus allow the effective integration of traditional knowledge in sustainable resource management;
- The areas set aside as “conserved areas” would have been identified by the communities (self-declaration). Under these conditions, communities would have high stakes and invested interest in maintaining these areas as conservation areas;

- Local communities would enjoy specific rights (access, decision-making) but also take on corresponding responsibilities/duties in the management of ICCAs. The conserved areas would remain integral part of the community territory and formally accommodated in government spatial plans and development plans;
- ICCAs would be best designed to suit local biodiversity protection and fulfill economic needs. Economic alternatives include: community management and business licensing schemes (e.g., ecotourism development area; NTFP exploitation; water catchment area; carbon sequestration; etc).

It should be acknowledged, however, that recognition by government and the incorporation of ICCAs in existing legislative frameworks and schemes is not per se a panacea, and due attention should be paid to ensuring that the communities retain the needed space, own institutions, have control over the process, and are informed and involved in planning and decision-making, especially with regard to ICCAs (i.e., application of FPIC principles and respect of UN Declaration of the Rights of IPs). Once ICCAs are recognized, it is important to ensure that a clear set of criteria and indicators for management effectiveness be in place and agreed by all parties.

## **5. WWF Indonesia action plan**

WWF believes that ICCAs are local governance systems and new models of accountability in conservation that attempt to balance the rights of local people, build natural assets and livelihoods, and preserve environmental services. The following actions should be taken, all based on the free and prior informed consent of the concerned communities, and in partnership with them:

### **a. Documentation:**

- Continue to document ICCAs in conservation landscapes like HoB, Papua, etc., based on standard format used also internationally (e.g. India, Nepal)
- Analyze common factors and challenges with regard to ICCAs
- Facilitate exchange of ideas, information, etc.

Initial documentation of ICCAs in the Heart of Borneo landscape (districts of Malinau and Kapuas Hulu) indicated some common aspects:

- ✓ The prevalent function of ICCAs is to ensure sustainable and long-term use of resources;
- ✓ Local institutions play a key role but the level of, and capacity for, enforcement varies (sanctions);
- ✓ The influence of customary institutions is still strong but recognition and support by government can ensure better sustainability of those institutions;
- ✓ Economic returns and incentives are important, particularly in situations where local communities are faced with development alternatives (e.g., building of a road, oil palm plantation).

b. Legal analysis and policy advocacy:

- Analyze alternatives for recognition of ICCAs in the current legal framework;
- Advocate legal recognition of ICCAs at district and central levels using appropriate legal instruments;
- Encourage the recognition and integration of ICCAs in national protected area system.

Preliminary analysis indicates that legal space for recognition of ICCAs might currently be in the context of PERDA (=district regulations) or as forest areas with special function.

c. Institutional strengthening and good governance:

- Strengthen community management system and regulations of ICCAs;
- Build on existing institutions and mechanisms, and strengthen capacity (technical, financial, managerial, and legal) for communities managing ICCAs;
- Strengthen capacity of conservation authorities to ensure common understanding on ICCAs and enable conservation authorities to support ICCAs managers;
- Network with other IPs and conservation organizations on promoting ICCAs;
- Develop ecological and social monitoring systems of ICCAs and criteria for management effectiveness;
- Involve ICCAs representatives in larger level conservation initiatives, including decision-making at landscape, sub-national and national levels.

d. Equity and incentives:

- Broker financial support for ICCAs and inclusion in REDD+ schemes;
- Provide support to the resolution of internal inequities (benefit sharing).

ICCAs can play an important role in expanding conservation beyond the traditional boundaries of protected areas towards integrated sustainable management and development at landscape level. The recognition of ICCAs can help maintain crucial areas that are rich in biodiversity and provide important ecological services, outside national parks. At the same time, ICCAs can be actively managed by communities to fulfill needs and secure economic benefits for local stakeholders/rightholders.

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