

CONVENTION ON BIOLOGICAL DIVERSITY.  
CONFERENCE OF THE PARTIES TO THE CONVENTION ON  
BIOLOGICAL DIVERSITY. 7<sup>th</sup> Meeting.  
Kuala Lumpur, 9-20 and 27 February 2004.

**PROGRAMME ELEMENT 2: Governance, participation, equity and benefit sharing**

6<sup>th</sup> March 2004. Message from Grazia Borrini-Feyerabend [gbf@cenesta.org](mailto:gbf@cenesta.org)

re: [TILCEPA] CBD approved programme of work on protected areas.

Dear colleagues,

As you probably already know the Convention of the Parties (COP) of the Convention on Biological Diversity (CBD) has recently met in Kuala Lumpur and, among other important decisions, has approved a Programme of work on protected areas.

See: <http://www.biodiv.org/doc/meetings/cop/cop-07/official/cop-07-l-32-en.doc>

Within the CEESP Commission, CMWG, SLWG and TILCEPA members have been particularly active and can take at least part of the merit for the approval of element 2 of this plan of work, which commits about 168 countries all over the world to significant improvements in managing protected areas. I reproduce below this component of the programme, to stimulate your thinking and to invite you to offer ideas for implementing it. You may wish to frame your ideas in view of CEESP's contributions to the IUCN programme of 2005-2008, which will be approved at the World Conservation Congress of 2004 (find the preliminary work plan in the site <http://www.iucn.org/themes/ceesp>).

Let me also take the occasion to inform you that TILCEPA, CMWG and SLWG have also sponsored numerous documents that were circulated at COP 7 and during preparatory technical meetings (e.g. SBSTTA). Three Briefing Notes on Governance of Protected Areas, on Mobile Peoples and Conservation and on Community Conserved Areas were especially prepared and distributed and should soon also be available in the CEESP web site. For the French-speaking members, let me also signal Tchim Tchami: Fierté de la Co-gestion, a publication that recounts the joys, sorrows and actual details of developing a successful co-management setting for a National Park in very difficult circumstances in Central Africa (Republic of Congo). The small book (CEESP OP series number 2) recounts how the co-management process—supported by a GEF project implemented by the IUCN-- lit up the local energy for conservation. It also recounts, however, how the social and ecological situation is now again under jeopardy, as the conservation agency providing the support of the day prefers to rely on armed surveillance and top-down decision making. By reading this detail-packed booklet one cannot help but wondering how conservation approaches—including expensive ones involving GEF resources—could be provided their necessary continuity through time. The booklet will also soon be available from the CEESP site, and printed copies could be requested to me please.

Best to all, Grazia

PS: Here is element 2 of the programme of work on protected areas approved by the COP 7 of the CBD.

## PROGRAMME ELEMENT 2: Governance, participation, equity and benefit sharing.

### Goal 2.1 – To promote equity and benefit-sharing

Target: Establish by 2008 mechanisms for the equitable sharing of both costs and benefits arising from the establishment and management of protected areas.

Suggested activities of the Parties:

2.1.1. Assess the economic and socio-cultural costs, benefits and impacts arising from the establishment and maintenance of protected areas, particularly for indigenous and local communities, and adjust policies to avoid and mitigate negative impacts, and where appropriate compensate costs and equitably share benefits in accordance with the national legislation.

2.1.2. Recognize and promote a broad set of protected area governance types related to their potential for achieving biodiversity conservation goals in accordance with the Convention, which may include areas conserved by indigenous and local communities and private nature reserves. The promotion of these areas should be by legal and/or policy, financial and community mechanisms.

2.1.3. Establish policies and institutional mechanisms with full participation of indigenous and local communities, to facilitate the legal recognition and effective management of indigenous and local community conserved areas in a manner consistent with the goals of conserving both biodiversity and the knowledge, innovations and practices of indigenous and local communities.

2.1.4. Use social and economic benefits generated by protected areas for poverty reduction, consistent with protected-area management objectives.

2.1.5. Engage indigenous and local communities and relevant stakeholders in participatory planning and governance, recalling the principles of the ecosystem approach.

2.1.6. Establish or strengthen national policies to deal with access to genetic resources within protected areas and fair and equitable sharing of benefits arising from their utilization, drawing upon the Bonn Guidelines on Access to Genetic Resources and Fair and Equitable Sharing of the Benefits Arising out of their Utilization as appropriate.

### Goal 2.2 – To enhance and secure involvement of indigenous and local communities and relevant stakeholders

Target: Full and effective participation by 2008, of indigenous and local communities, in full respect of their rights and recognition of their responsibilities, consistent with national law and applicable international obligations, and the participation of relevant stakeholders, in the management of existing, and the establishment and management of new, protected areas

Suggested activities of the Parties:

2.2.1 Carry out participatory national reviews of the status, needs and context-specific mechanisms for involving stakeholders, ensuring gender and social equity, in protected areas policy and management, at the level of national policy, protected area systems and individual sites.

2.2.2 Implement specific plans and initiatives to effectively involve indigenous and local communities, with respect for their rights consistent with national legislation and applicable international obligations, and stakeholders at all levels of protected areas planning, establishment, governance and management, with particular emphasis on identifying and removing barriers preventing adequate participation.

2.2.3 Support participatory assessment exercises among stakeholders to identify and harness the wealth of knowledge, skills, resources and institutions of importance for conservation that are available in society.

2.2.4 Promote an enabling environment (legislation, policies, capacities, and resources) for the involvement of indigenous and local communities (in this context nomadic communities and pastoralists are given special reference) and relevant stakeholders[1] in decision making, and the development of their capacities and opportunities to establish and manage protected areas, including community-conserved and private protected areas.

2.2.5 Ensure that any resettlement of indigenous communities as a consequence of the establishment or management of protected areas will only take place with their prior informed consent that may be given according to national legislation and applicable international obligations.

#### Suggested supporting activities of the Executive Secretary

2.2.6 Make available to Parties case-studies, advice on best practices and other sources of information on stakeholder participation in protected areas

2.2.7 Promote, through the CHM, technical publications and other means, the international sharing of experience on effective mechanisms for stakeholder involvement and governance types in conservation in particular with regard to co-managed protected areas, indigenous and local community conserved areas and private protected areas.

---

[1] In this context nomadic communities and pastoralists are given special reference