

**Community Conserved Areas: a review of status & needs after
Durban 2003 and CBD COP 7 2004**

Preliminary Synthesis

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Executive summary

Community Conserved Areas (CCAs) is the name adopted in recent years to describe natural sites, resources, species and habitats conserved in a voluntary and self-directed way by indigenous peoples and local communities throughout the world. This conservation practice—profoundly intertwined with local strategies for livelihoods and with the spiritual and material values of local cultures—is the oldest on earth. Paradoxically, it is also the least understood and recognised, and it is in severe jeopardy today. Through the last couple of centuries, “conservation” has come to be considered the nearly exclusive domain of professional experts, state agencies and dedicated non-governmental organisations and companies. Indigenous peoples and local communities have been asked (in the best of cases) to “participate” in activities conceived and directed by others. Rarely, if ever, they have been assisted to strengthen their own unique knowledge, skills and institutions and to apply them to natural resource management and conservation. On the contrary, their local knowledge, skills and institutions have been systematically neglected when not actively undermined.

The World Parks Congress of 2003, the Programme of Work on Protected Areas of the Convention on Biological Diversity (CBD) of 2004 and First Congress on Marine Protected Areas of 2005 marked a broad reassessment of the situation described above. Community Conserved Areas have been “re-discovered” as one of the few remaining avenues to strengthen the edifice of sustainable natural resource use and conservation, crumbling under the imperatives of market-based development. These undoubtedly important advances in international conservation policy are not yet fully reflected, however, in national policies or practices. Overall, conservation institutions and donors still pay little more than lip service to bio-cultural diversity and the unique conservation institutions of indigenous peoples and local communities.

Having played a substantive role in promoting the broad conservation policy reassessment mentioned above, TILCEPA, TGER, TSL and other partners have supported the understanding of the CCA phenomenon with respect to varying historical/ regional contexts. A number of regional studies were commissioned, analysed, commented upon and revised throughout 2007, and are now available on the dedicated web site.¹ These studies added in-depth information to the reviews commissioned in 2002 in preparation to the World Parks Congress² and to the other case studies developed and diffused by CEESP and WCPA members.³ This Synthesis has been conceived as a “document in process”, which will be uploaded in subsequent versions at different times. The Synthesis draws from all the studies mentioned above and from the published prior synthesis.⁴

After recalling some broad understanding of the CCA phenomenon, including its historical and cultural dimensions, this document discusses its richness and complexity in terms of CCA size/ scale, type, governance institutions and government recognition. CCAs come in all sizes, from the very small to the immensely large, stretching the very concept of protected “area”. At times they are also found to exist in nested structures, where smaller building blocks combine to strengthen a conservation landscape of larger proportions. While CCAs are established for a variety of purposes, two main sub-sets can be broadly distinguished, namely “mostly preservation-focused” (broadly corresponding to IUCN categories I-IV) and “mostly focused on sustainable use” (broadly corresponding to IUCN categories V-VI). Interestingly, strict preservation can be very effectively enforced by indigenous peoples and local communities, and practical or economic reasons can positively reinforce ethical/ spiritual reasons in setting up and maintaining CCAs.

¹ <http://www.iucn.org/themes/ceesp/CCA/reviews.html>

² http://www.iucn.org/themes/ceesp/Wkg_grp/TILCEPA/community.htm#epp

³ <http://www.iucn.org/themes/ceesp/CCA.htm>

⁴ <http://www.iucn.org/themes/ceesp/Publications/TILCEPA/guidelinesindigenouspeople.pdf>

Preservation and sustainable use areas, however, may be found to partially overlap (e.g., because of a seasonal variation of rules).

In terms of governance institutions CCAs show remarkable diversity and ingenuity. The relevant institutions may be tradition-based (often depending on unwritten norms within a given religions or cultural environment) or possess more “modern” characteristics (formal bodies, written rules, etc.). Traditional institutions may have remained substantially unchanged through time (sub-type T1) or may have adapted to new socio-political conditions (in particular the interaction with the state government) while retaining their unique characteristics and remaining accountable and “in tune” with their communities (sub-type T2). CCAs governed by institutions that respond to “modern” criteria (e.g. key decision making by voting) may emerge spontaneously from the communities and be designed by community members without major outside influence (sub-type N1) or emerge as a consequence of the encouragement and support of outside actors and projects and be designed to fit legislative requirements, schemes or projects (sub-type N2).

Following the very definition of CCA, the authority and responsibility for a CCA rest *de facto* with indigenous peoples or local communities. It is also possible, but not necessary, that they rest with them *de jure*. This is another important characteristic of CCA sub types. Some are ruled by communities purely on a *de facto* basis, following their own customary institutions and having no intervention by government agencies, no relation to official policies and no incorporation in formal legislation (sub-type DF1). For other CCAs the power relationship between the state and the indigenous peoples or local communities is unclear, uncertain and at times negotiated on an *ad-hoc* basis (sub-type DF2). In other cases, there is a willingness of governments to recognise and support the existing CCAs for their own biodiversity or livelihood benefits. Two main sub-types are again possible. In sub-type DJ1, formal recognition applies to the institutions *de facto* governing the CCAs and does not reduce the autonomy and decision-making power of the local communities. The CCA conservation status is strengthened and the community benefits from legal authority to enforce its decisions. In sub-type DJ2, on the other hand, formal recognition implies a significant change in the institution governing the CCA. The government demands that the community institution changes to fit legislative requirements or other specific schemes and projects and agrees to formal recognition only after this change has taken place.

The status of CCAs varies greatly from region to region and from country to country within the same region. A critical factor for the functioning of CCAs appears to be the national legal and policy framework, in particular the possibility of indigenous peoples and local communities to be recognized as legal subjects, to make collective decisions about land and resource uses, to hold secure tenure over CCA resources, and to exclude outsiders from appropriating them. Noticeably, these issues go well beyond conservation policies and include basic constitutional guarantees, land tenure legislation and civil legislation. If the state government is not directly helping CCAs, however, it should at least “let them be” (some CCAs appear to be thriving in remote, isolated locations). In general, Community Conserved Areas face challenges of external origin, such as ‘development’ projects and invading market forces, privatization of natural resources, educational systems that undermine local culture and self-esteem, disruptive party politics, major migration processes, and even supposedly supportive but inappropriately designed government interventions. They also suffer from internal challenges, such as social injustices, unfair distribution of costs and benefits, rapid and destructive socio-cultural change, and economic hardships. External and internal challenges may combine, as when population increases shrink the total available resource base and lead to over-exploitation of natural resources that the community is unable to curb on its own.

Fortunately, challenges can be effectively faced *jointly* by communities, national governments and other partners, and some positive environmental and social trends related to CCAs are also

visible. This synthesis and, even better, the regional and site-based studies,⁵ discuss such trends in a variety of contexts. Overall, what transpires from them is the urgent need to understand the CCA phenomenon in much greater depth. Biodiversity inventories and in depth recording and studies of site-based institutions and practices should be carried out by the very communities that harbour them, with or without external support. This is an urgent need, as some such communities are being affected by fast socio-cultural change and only a few elders maintain alive the knowledge and skills developed through centuries. In parallel, some broader understanding of the factors affecting CCA sustainability and the effectiveness of achieving their conservation and livelihood objectives should be carried out, in particular in light of some key CCA characteristics (e.g., type of governance institutions and recognition by government). Table 1 of this Synthesis Document illustrates the research arena open to this type of investigations and points at some questions that deserve following up. As much as possible, characteristics found to be positive for CCA sustainability and effectiveness should be supported, preventing the conflicts that result in destructive open access and livelihood problems. In a preliminary way, our analysis points at two relatively stable situations for CCAs: 1. remote areas in which traditional institutions are “let alone” by state governments; and 2. CCA institutions bent by the relevant communities to adapt to new socio-political conditions that are met by enlightened government policies willing and capable to formally recognize them.

The results of our regional studies show the richness and complexity of the CCA phenomenon and the major gaps in recognition and support that exist today in many countries. The studies also point at the importance of respecting customary institutions when such support is available, and to promote a shift in conservation thinking, a shift needed to help CCAs deliver their potential for conservation and livelihood security. Without easy and false simplifications, professionals and practitioners in the formal world of conservation may need to pay more attention to the world’s oldest conservationists— indigenous peoples and local communities. More often than not, their community conserved areas are not recent ‘projects’, but elements of livelihoods and social identity, grounded in history and part of life plans. It is in this broader and more fundamental perspective that CCAs reveal their meaning and that lessons learned can be better understood. CCAs are, by their very nature, context dependent and culturally various. Generic “top-down” solutions and imposed institutional settings risk destroying their cultural and biological diversity. On the contrary, state agencies and non-governmental organizations need to find ways of embracing the unique governance institutions that maintained CCAs over time. This document ends with a number of lessons learned and recommendations in this sense, which can hopefully be of help to conservation professionals, in particular in view of the mandatory implementation of the Program of Work on Protected Areas for all countries signatories of the Convention on Biological Diversity.

⁵ available by navigating from the CEESP/CCA web page <http://www.iucn.org/themes/ceesp/CCA/Index.html>

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Acronyms

CCA	Community Conserved Area
CEESP	IUCN Commission on Environmental, Economic and Social Policy
CMPA	Co-managed Protected Areas
IUCN	The World Conservation Union
NGOs	Non Governmental Organizations
PAs	Protect Areas
PIC	Prior Informed Consent
TAR	Tibetan Autonomous Region
TGER	Theme on Governance Equity and Rights (of CEESP)
TILCEPA	Strategic Direction on Governance of Protected Areas, Equity and Livelihoods (of CEESP and WCPA)
TSL	Theme on Sustainable Livelihoods (of CEESP)
WCPA	IUCN World Commission on Protected Areas

1. What are “Community Conserved Areas”?

For millennia, indigenous peoples and local communities, both sedentary and mobile, have played a critical role in conserving natural environments and species. They have done so for a variety of purposes, livelihood-related as well as cultural, spiritual, aesthetic and security-related. The term “Community Conserved Areas”— CCAs for short— is now commonly adopted to represent specific sites, resources or species (where “areas” refer to the species’ habitats) voluntarily conserved through community knowledge, values, practices, rules and various advisory and decision making bodies (in one word, community institutions). A number of different terms are used around the world for this phenomenon, including indigenous protected areas, bio-cultural heritage sites, community reserves and community forests. CCAs is encompassing but not submerging this diverse reality and a variety of terms are appropriately suited and used in different context.

Today, many of the Community Conserved Areas of the past are no longer under community control. State agencies and private or corporate owners have taken over or purchased much of the land and natural resources over which communities held customary rights. Yet, many CCAs are still alive and well and their customary institutions keep ensuring management and conservation results. In addition, “modern” varieties of CCAs have arisen, whereby indigenous peoples and local communities devised new collective ways and purposes for conserving biodiversity and managing natural resources in sustainable ways. All considered, thousands of Community Conserved Areas can be identified throughout the world. They include sacred forests, sources and lakes; sacred species and their habitats and means of survival; indigenous territories and cultural landscapes; seasonal migration routes of wildlife and domestic herds managed by mobile indigenous peoples; community-managed resource reserves (e.g., biomass, medicinal plants, non-timber forest products, fisheries...); village catchment forests; village-managed wetlands, coastal areas, islands, fishing grounds and tanks; and even community-managed formal protected areas in both the South and the North of the world.⁶

The CCA phenomenon is so pervasive that, for some conservationists⁷, properly including CCA territories as part of national PA systems may result in doubling the amount of land under conservation status all over the world.

But most CCAs are, today, in severe jeopardy. As the forces of “economic development” swallow up resources and trample human rights all over the world, many CCAs are defended only by the determination of communities,⁸ which possess minute political and economic means and are only

CCAs are natural and modified ecosystems, containing significant biodiversity, ecological services and cultural values, voluntarily conserved by indigenous peoples and local communities (sedentary or mobile) through customary laws or other effective means. CCAs include ecosystems with minimum to substantial human influence, cases of continuation, revival or modification of traditional practices, and new initiatives taken up by communities in the face of recently arisen threats or opportunities. CCAs include inviolate zones and restored ecosystems and range from very small (less than one hectare) to entire landscapes and waterscapes.

⁶ TILCEPA, 2004; Borrini-Feyerabend, Kothari and Oviedo, 2004.

⁷ Kothari, 2006.

⁸ In the rest of the paper we will use “community” for simplicity to refer to “indigenous peoples and local communities, both settled and mobile”.

able to count on the strength of their own sense of identity, culture and relationship with nature. Not recognising the value of CCAs as part of national conservation efforts may mean leaving them without support in the face of enormous threats.

Three features need to be present to **define a CCA** :

- ✓ **a strong relationship exists between a given ecosystem, area or species and a specific indigenous people or local community** concerned about it because of cultural, livelihood-related or other strongly felt reasons ;
- ✓ the concerned indigenous people or local community is a major player in decision making about the management of the ecosystem, area or species; in other words, **the community possesses—*de jure* or *de facto*— the power to take and enforce the key management decisions** regarding the territory and resources (a community institution exists and is capable of enforcing regulations).
- ✓ **the voluntary management decisions and efforts** of the concerned community **lead to⁹ the conservation of biodiversity, ecological functions and associated cultural values**, regardless of the objectives of management originally set out by the community.

Globally, it has been estimated that 400 to 800 million hectares of forest are owned or administered by communities. In 18 developing countries with the largest forest cover, over 22% of forests are owned by local communities or reserved for them. In some of these countries, such as Mexico and Papua New Guinea, community forests cover 80% of the total area.¹⁰ More land and resources are under community control in other ecosystems, such as coastal areas in the Philippines and in the Pacific, Indigenous Protected Areas in Australia, community conservancies in Namibia, community forests in Europe, India, China and North America, or indigenous territories in Canada, Brazil and Colombia. By no means all areas under community control are effectively conserved, but a substantial portion is. In this sense, CCAs are an important complement to official systems of protected areas (PAs):

- CCAs help conserve critical ecosystems and threatened species, maintain essential ecosystem functions including water security, and provide important gene pools;
- CCAs provide corridors and linkages for animal and gene movement, including between two or more officially protected areas;
- CCAs help synergise the links between agricultural biodiversity and wildlife, providing larger landscape or waterscape level integration.
- CCAs are often built on sophisticated ecological knowledge systems, elements of which have wider positive use;
- CCAs are part of indigenous peoples and local communities' resistance to destructive 'development', e.g. rainforests threatened by mining, dams, and logging industries, ecologically sensitive high-altitude ecosystems threatened by tourism; over-exploitation of marine resources by industrial fishing, etc.;
- CCAs offer lessons in systems of conservation that integrate customary and statutory laws.
- CCAs offer crucial lessons for participatory governance of official PAs, lessons already used in many countries to resolve conflicts between PAs and local people;

⁹ ...or, at least, *are well in the process of leading to* the conservation of habitats, species, ecological functions and associated cultural values ...

¹⁰ Molnar *et al.*, 2003.

- last but surely enormously important, CCAs are critical to the cultural and economic survival of millions of people.

2. Diversity of the CCA phenomenon

As all Community Conserved Areas have strong historical and cultural dimensions, they exist in very many shapes and forms. They can thus vastly differ in terms of:

- size of the area and/or extent of the resources being protected;
- intrinsic biodiversity value and naturalness of the area and resources;
- involved capacities, means and length of time the protection effort or practice has been sustained;
- extent of community support, reflected in the effectiveness and legitimacy of their governing institution;
- tenure security for the relevant communities, including political backing and presence of supportive legal and policy references;
- type of management objectives agreed by the relevant indigenous peoples and local communities;
- effectiveness of management practices (ecological, social and economic performance/ results);
- type and extent of support received from the government and others.

The richness and complexity of the CCA phenomenon worldwide is well illustrated by the regional reviews supported throughout 2007 by the CCA initiative.¹¹ Below we review their results in terms of CCA size, type, governance institutions and government recognition.

Size of CCAs and scale of conservation

In size, the regional reviews identified CCAs that range from a tiny forest patch of less than a hectare to entire landscapes. For example, sacred forest groves in East/Central Africa are typically very small in size (1-10 ha... although some can extend up to 200 ha) yet harbour a high diversity of species and often provide the last refuges in degraded landscapes. On the other extreme, the Indigenous Peoples of the circumpolar Arctic have preserved millions of hectares of tundra ecosystems.

These observations stretch our understanding of the concept of “area” in CCAs, and the concept of protected area in general. On the one hand, CCAs can cover fragments of ecosystems, small patches that would not be considered worthy of official protection status but may nevertheless play crucial ecological roles in land- and waterscapes. On the other, the territories perceived by indigenous peoples and local communities as “deserving to be conserved” and not disrupted (e.g., by infrastructures, factories, mines and oil exploration) can be exceedingly large and without clear borders, especially when they are associated with the migration patterns of wildlife or highly variable climatic phenomena. In addition, the value of a particular area may change with time. Protecting a territory or sea area at calving time may be essential... but at other times the same

¹¹ See <http://www.iucn.org/themes/ceesp/CCA/reviews.html>

area may be relatively trivial. These observations are particularly true for mobile indigenous peoples, who relate to very broad territories and resources strongly affected by varying climatic conditions and depend directly on migrating wildlife, such as reindeer, whales or fisheries. In the circumpolar Arctic, for instance, most indigenous peoples do not conceive of their ancestral areas in sub-divided parts that can be properly conserved as separate units, and they even more rarely perceive one such unit as more worthy of protection than another one. To maintain their indigenous lifestyles, they need to utilise wide land- and waterscapes that include several interdependent ecosystems. For example, the caribou populations in the Arctic migrate seasonally across extensive landscapes and over decades change their migration patterns to cover other routes and landscapes, following the vagaries of climate that dictate local availability of pasture and water. Thus, conserving the caribou population— and thereby the livelihoods and culture of the Inuit and other indigenous people that rely upon them— depends on conserving a variety of wide landscapes. Conceiving specific “protected areas” (including CCAs) is a phenomenon largely unknown among indigenous organizations, local communities, academics, government and others working in nature conservation and management in the Arctic. If the concept of CCA can bend around the specifics of conservation in the Arctic environment, however, it can be very useful, in particular as a tool for indigenous peoples to advocate the recognition of their traditional practices and governance systems.

When considering issues of size of CCAs (or scale of conservation phenomena), we should note that the conservation of large, landscape-based CCAs may be found to rest on practices at the household or village level. This is the case in South-West China, where the local sacred sites of Tibetan communities, sometimes local sites sacred for one family only, appear as essential building blocks to maintain the cultural values and practices at the foundation of larger sacred landscapes.

Purposes of establishing and managing CCAs

The regional reviews identified CCAs in a wide range of ecosystems, both terrestrial and marine. Many concerned various types of forests (from the mountain forests of South-West China’s biodiversity hotspot to the temperate and tropical forests in Mesoamerica, from the highland forests in the Eastern Arc mountains of Africa to the boreal taiga forests of Canada and Russia) but others were found in other ecosystems, such as semi-arid savannah, coastal and marine areas, inland water bodies and wetlands, and the Arctic tundra. CCAs conserve wildlife, including endangered species, but also a variety of resources essential to human livelihoods, such as fisheries, grazing areas, timber and non timber forest products and medicinal plants, and maintain environmental functions, such as freshwater catchments.

The surveyed CCAs were established for a variety of purposes, but two main sets can be broadly distinguished, depending on whether the conservation practices established and enforced by the communities are mostly preservation-focused or mostly focused on sustainable use:

1. CCAs established and managed principally for the strict preservation of species, ecosystems and ecological features – broadly corresponding to IUCN categories I-IV

These include:

- Critical habitats and wildlife strictly conserved for ethical or other reasons (including tourism, academic research or even hunting in close-by areas or at specific times only). *Examples: critical whale habitats and caribou calving areas managed by the Inuit in Canada; Wildlife Conservation, Management and Sustainable Use Units in Mexico; taboos against the killing and eating of Mountain Gorillas in Rwanda.*

- Sacred or symbolic sites voluntarily conserved for spiritual, traditional and cultural purposes; often forest patches, but also sacred lakes, spawning grounds, islands and mountains. *Examples: forest patches tied to legends associated with Kings in Rwanda; Seidjavr lake on the Kola Peninsula in Russia; Tibetan sacred sites in South-West China-- ranging from the household level to entire mountains;*
- Watershed forests conserved for their water and soil retention capacities, including for water-production (quantity and quality of water) and security-related properties (protection of villages from land and mudslides, from invading groups or for hiding their field and animals from potential thieves) *Examples: village forests in Guatemala, Kenya and China; sacred forest groves such as the “Kayas” of coastal Kenya.*

Interestingly, strict preservation can be effectively enforced by communities and practical and ethical/ spiritual reasons can positively reinforce one another.

2. CCAs established and managed principally for the sustainable use of land and waterscapes and natural resources— broadly corresponding to IUCN categories V-VI

These include:

- Community forests situated on indigenous peoples territories or communal lands, managed for sustainable use (for example providing timber, firewood, herbal medicines or serving as genetic reservoir for domesticated and semi-domesticated plant species) *Examples: Community and Ejido reserves in Mexico; Community Forests in Cameroon; Village Land Forest Reserves in Tanzania; birch forests managed by the Saami people in Russia.*
- Inland or coastal fishery areas managed for the purposes of maintaining fishery resources. *Examples: Community Fishery Management Areas off Zanzibar (Tanzania); Beach Management Units on the shores of Lake Victoria (Tanzania); whaling areas in the Arctic seas of Canada.*
- Extensive rangeland areas or seasonal pasture managed by mobile communities as grazing land for the domesticated or wild herds they depend upon directly or indirectly: *Examples: dry-season grazing areas of the Maasai in northern Tanzania; reindeer herding pastures in Russia; Wildlife Conservancies in Kenya.*

Noticeably, preservation and sustainable use CCAs may be found to partially overlap (e.g., because of a seasonal variation of rules).

Community governance institutions

Well-functioning community governance institutions (comprising local knowledge, skills, values and cultural practices, rules and agreements, advisory and decision-making bodies) are crucial for both strict preservation and the sustainable use of natural resources. Under changing ecological and socio-economic conditions, the functioning of such institutions, each tailored to a unique context, is a challenging and inspiring endeavour, the heart of CCAs’ diversity and ingenuity.

Given the immense variety of socio-cultural features that characterize communities all over the world, there exist a corresponding variety of governance institutions in charge of CCAs. Communities, in fact, develop context-specific and resource-specific bodies and regulations for their natural resources. For instance, land and/or some resources may be community owned and managed by a council of elders, but other resources may be individually owned and managed, or managed on a clan-basis. Some species may be considered as untouchable by some or by all

members of a community, while other species are freely harvested. The interaction with some species may be seasonally regulated, or regulated as a consequence of climatic variations. Different communities may have customary rights over the same lands at different times. The bodies in charge of managing CCAs may be ancient or newly created, they may enjoy outside assistance or be left entirely on their own. In all cases, the governing bodies and rules interact with local values and cultural practices, which very strongly influence what is or is not possible in a given environment. At times, there is not even a “body” in charge of managing an area or enforcing rules, but unwritten cultural/ spiritual norms apply and they are as effective, if not more effective, than written laws.

We understand a “governance institution” as a functioning whole encompassing organisations (“bodies”), agreements and rules, capacities (e.g. local knowledge and skills), cultural values, systems of beliefs and practices, which make a society function for a given purpose. The authors of our regional studies have noted that it is necessary to “zoom in” upon different types of CCAs to clarify the details of their governance institutions and to understand how community decision-making and action deal with social, economic, political and ecological change. In a broad sense, however, their results help us to sketch a broad distinction among four governance sub-types for CCAs:

- **Sub-type T1:** CCAs governed by **traditional institutions** relatively **unchanged since ancient times**; these institutions may include formal or informal decision-making bodies and rules, but many depend on shared unwritten norms within a given religious or cultural environment. Examples include the unspoken management practices and reciprocity rules of Inuit peoples in the Arctic, the spiritually-based sense of respect for natural sites in South-West China or the taboos and fear of reprisals that enforce respect of sacred forests in Rwanda.
- **Sub-type T2:** CCAs governed by **traditional institutions** that in recent times **adapted to new socio-political conditions** (in particular the interaction with the state government), but managed to retain their unique characteristics (e.g., decision making patterns and structures) and remain accountable and “in tune” with their communities. Examples include the traditional village institutions recognised in Tanzania as legitimate governing bodies of Community Forest Reserves).
- **Sub-type N1:** CCAs governed by **relatively new institutions** that respond to “modern” criteria (e.g., written rules, decision making by voting); their conservation ideas, however, emerged spontaneously from the communities and CCAs were **designed by community members without major outside influence**. Examples are provided by the Mexican Community and Ejido Reserves voluntarily set aside for conservation purposes through the community’s own statutes and representative assemblies. Such CCAs are regulated by community organisations formally recognized by the state and can be certified as productive lands set aside for the public interest (the legal mechanisms to accomplish this are complex and difficult to implement, but not impossible). Similarly, the Guatemala Community Farm Reserves are decided by community assemblies and governed by formal directive boards but simply signal the continuation of community land use practices that ensured the protection of natural resources through long stretches of time.
- **Sub-type N2:** CCAs governed by **relatively new institutions** that respond to “modern” criteria and that emerged as a consequence of the encouragement and support of outside governmental or non-governmental actors and/or development and conservation projects. In this case the responsible bodies and rules are **designed to fit legislative requirement, schemes or projects**. An example in point are the Wildlife Community Conservancies promoted by the Kenyan tourism industry, state agencies (mainly Kenya Wildlife Service)

and conservation organizations. The conservancies are meant to direct financial benefits from wildlife to local communities and thereby provide incentives for habitat conservation. Tourism operators set out contractual agreements with local communities, organized through Group Ranch Committees or as independent local trusts, for land to be set aside as a ‘conservancy’ in exchange for payments to the community based on annual fees or proportional payments (e.g. a percentage of gross or net revenues).

Recognition by the government

Following the very definition of CCA, the authority and responsibility for a CCA rest *de facto* with indigenous peoples or local communities. It is also possible, but not necessary, that they rest with them *de jure*. *De facto* authority over a territory and its natural resources may be on the basis of customary laws, traditionally recognised rights of use, or simply the absence of viable and effective alternatives, even despite legal pronouncements affirming the contrary... *De jure* authority means formal recognition by the state of communal property rights, management authority over some specific resources, usufruct rights, etc. The distinction between CCAs governed by communities on a *de facto* basis and CCAs governed through formal recognition by the state is another important characteristic of CCA sub types.

De facto CCAs can further be distinguished as follows:

- **Sub-type DF1:** CCAs governed by communities on a *de facto* basis, following their own customary or self-appointed institutions with **no intervention by government** agencies, no relation to official policies and no incorporation in formal legislation. Indeed in some cases the community maintains a degree of confidentiality over the exact location, boundaries and resources, making the CCAs not only un-recognised but also virtually unknown. The contribution of such CCAs to a country’s conservation system is usually un-noticed and unsupported. A typical example in our regional reviews is the Dongba Sacred Land in Tibet TAR (China). The area was heavily deforested by government enterprises in the 1960s, and is now being regenerated and replanted by the local community on a totally voluntary and self-organised basis. Other examples in China are a variety of isolated sacred hills and mountains *de facto* conserved by near-by villages and monasteries without any intervention by the state.
- **Sub-type DF2:** CCAs in **uncertain situations**, with the power relationship between the state and the indigenous peoples or local communities being unclear and at times negotiated on an *ad-hoc* basis. The Loita and Loima forests of Kenya may be considered in this situation. They have survived “as CCAs” on trust lands where local tenure is statutorily weak, but communities have *de facto* been able to exclude outsiders from appropriating the resources. Other cases that survived until recently as CCAs have now been taken over by the state, as there was no effective way for communities to claim customary collective rights. Several community forests in Kenya and Rwanda appear to have disappeared exactly because of this. In Rwanda, the Busaga and Buhanga Forests, once under the custody of traditional community institutions and managed as CCAs, have recently been appropriated by the state and converted into central government forest reserves.

In other cases, there is a willingness of governments to “recognise” CCAs for their own biodiversity or livelihood benefits, and to let communities take decisions about their land and natural resources. Two main sub-types are again possible:

- **Sub-type DJ1:** CCAs governed by **community institutions formally recognized** by the government, **without any reduction of community autonomy and decision-making power.** The CCA’s conservation status is actually strengthened and the community benefits from some legal authority to enforce its decisions. The Community Forest Reserves of Tanzania are the best example of this. In other countries, the legislation apt to recognize CCAs does exist but it not implemented. In China, for instance, the Regional Autonomy Law for the Ethnic Groups gives great flexibility to the autonomous county and prefecture governments to legislate locally in the best interests of local ethnic groups. But there is little evidence of local legislative innovations by such local governments for the recognition of CCAs. The Russian Federation appears to have the only law within the Arctic that could assign full *de jure* protection to CCAs. Unfortunately, other laws and legal conditions largely disable the implementation of the 2001 law on Territories of the Traditional Use of Nature (TTUNs). Indigenous communities have proposed to declare some TTUNs on their land, but none have been approved so far.
- **Sub-type DJ2:** CCAs governed by **community institutions formally recognized** by the government and **designed to fit legislative requirements or other specific schemes and projects.** The government offers CCA recognition (total or partial) but demands a change in any pre-existing community governance institution. For instance, Kenyan communities are encouraged to acquire secure collective tenure over resources (land if not wildlife) by establishing Group Ranches. The relatively large size of these management units, however, is dictated by government schemes, a fact that contributes to the widespread problems of corruption and lack of transparency in their management. Similarly, only so-called “Authorised Associations” can apply for management rights of wildlife in Tanzania and forests in Kenya, potentially placing traditional, “created” and local government institutions at loggerheads.

There are other ways for a state government to “recognize” a CCA, and they can be even more disruptive. The government can, for instance, demand to share authority and responsibility with the community, transforming the CCA into a Co-managed Protected Area. For instance, the Canadian land claim agreements recognize aboriginal ownership of large tracts of land, but most indigenous land is still owned by the government, and co-managed through institutions whose boards of directors is made up of equal numbers of Inuit and government representatives. From an Inuit point of view, this co-management system falls short of even giving the parties equality in decision-making. Government Ministers retain ultimate responsibility for biodiversity conservation and have overruled several decisions by the Nunavut Wildlife Management Board, the institution largely responsible for biodiversity conservation. In Guatemala, the legal framework should allow— in theory—the official recognition of CCAs as indigenous territories. The government should recognize that the land is being conserved for the benefit of society, and the communities should gain access to financial resources to support their governance and management role. In practice, the national government has showed interest only in some weak form of participatory management. The country is plagued by social discrimination, and by a widespread lack of recognition of the rights of indigenous peoples and local communities.

Finally, the most destructive way for governments to “recognize” a CCA is to notice it as a repository of environmental and/or economic values because of the natural resources it managed to conserve. Because of this, countless CCAs have simply been expropriated by state governments. In the best of cases, they have been transformed into official protected areas. In the worst, they have been sold out and plundered.

3. Status, threats and trends

The status of CCAs varies greatly from region to region and from country to country within the same region. As mentioned, many customary conservation practices, including some of ancient origin, are today severely threatened or have been disrupted. Others, however, are surviving well and some are even thriving. What sub-types of CCAs seem to be functioning best?

One appears to be de facto CCAs in remote location, far from the influence of national governments and private entrepreneurs (sub-types DF1/T1). Typical examples are the sacred mountains of Tibetan people in China and the rangelands of pastoralist communities living predominantly traditional lifestyles in very remote locations, such as the Maasai, Turkana, Pokot, Samburu and others communities in Kenya. Especially when the local resources are not attractive to outsiders and the areas are remote, we see the survival of traditional community governance institutions more or less undisturbed by lack of government attention and support.

The other characteristic appears to be an appropriately supportive legal and policy framework, matching community institutions able to take advantage of it. Although many CCAs are based on customary law and traditional practice, the level of recognition and support by the state and other social actors can be decisive for their survival. Our regional studies found that the CCAs that are most “visible” and important in terms of ecological values and natural resources are critically dependent on the ability of indigenous peoples and local communities to be recognized as legal subjects, to make decisions about land and resource uses, to hold secure tenure over resources, and to exclude outsiders from appropriating these resources. Noticeably, these issues go well beyond conservation policies and depend on basic constitutional guarantees, land tenure legislation and civil legislation.

A telling example of this second characteristic is the one of Tanzania’s villages. Rural villages in Tanzania are managed by Village Councils, accountable to the assemblies of all adults living within the village area, a system dating back to Nyerere’s *ujamaa* program, which established villages as legal subjects and enabled them to develop their own by-laws. As long as they do not violate any other laws of the country, by-laws are legally binding and enforceable in courts of law. The village by-laws thus provide communities with a powerful tool to develop natural resource management rules and procedures at the local level. In addition, land can be held and managed communally by Village Councils and Assemblies, which can develop zoning and other land use plans, including traditional land use practices such as CCAs. It has been estimated that hundreds or even thousands of CCAs may exist as legal entities at the village level in Tanzania comprising pastoralist dry season grazing reserves and local forests (Village or Community Land Forest Reserves).

As mentioned, many CCAs disappeared as such because the government sold out their resources or established an “official” protected area on top of them— knowing or not knowing about it. This obviously disrupts the relationship between the community and the relevant territory and resources, although communities may attempt to maintain that relationship despite the new setting and related new rules and prohibitions (e.g., prohibition to enter the PA to carry out rituals in the pre-existing CCA). There is a lack of systematic information and analysis about such instances, but it is likely that traditional institutions and management systems cannot survive unchanged if the CCA is fully incorporated into an official protected area.

Community Conserved Areas face many challenges to their existence and development, and suffer from serious limitations and problems, of external and internal origin.

Challenges of external origin

- Severe threats to CCAs come from development projects, such as major infrastructures, mining, oil and gas explorations and production, the expansion of urban areas, industrial and agricultural developments and now the fast spreading practice of converting large tracks of land to biomass production for so called bio-fuels. These can rapidly destroy or degrade CCAs as the dominance of governments and private corporations on community lands may render communities helpless against such projects. As just one of the many examples we could make, Tanzania has found place in the midst of one of its culture and biodiversity treasure chests – the Rufiji and Tana deltas - for 20,000 ha of pesticide-laden cotton and 20,000 ha of sugarcane. It is now fast preparing for an extra 100,000 ha of village land to be converted into sugarcane in the same delta of the Tana.
- Local traditional institutions and knowledge systems can also be eroded by the rapid and poorly prepared integration of rural local economies into national and international markets and the consequent incursion of overpowering commercial forces; by inappropriate educational systems that undermine local cultures and self-esteem; by disruptive party politics, coming to play into village life and create havoc for outside benefits; and even by supposedly supportive but inappropriately designed government interventions. For instance, the Inuits of Canada and the Nenets and Saami of Russia have all suffered acculturation impacts, including educational, linguistic, spiritual and cultural displacement and assimilation, as well as territorial displacement from ancestral lands and homes by force or coercion. They have faced intense resource competition, reinforced by legislative and socio-economic dominance, which has led to displacement, reduction and destruction of critical ecosystems and natural landscapes through development, and local and long- distance pollution, reinforced by the immigration of dominating non-indigenous peoples into their ancestral lands. The Saami of Russia have the greatest number and seriousness of urgent needs in maintaining their lifestyle. They have lost much of their former land base, and still have no secure and inalienable access or ownership rights. The Nenets may not be far behind in suffering a similar fate, as resource exploration and development accelerates across their traditional lands.
- New socio-political events, such as the local arrival of large fluxes of migrants, or the departure of large numbers of local people as migrants, have also undermined pre-existing CCAs. This is particularly true for Mesoamerica. At times migration phenomena are related to war and violent struggles for resources.
- In many countries, a substantial part (often almost all) of common lands and waters are under government control and are increasingly passing into private ownership. This is a powerful phenomenon in Kenya, which reduces the community ability to act on their own conservation capacities.
- CCAs generally lack governmental support except in a few countries. A view still held by several government institutions, including in relatively CCA-aware countries such as Mexico, is that “nobody should live within a protected area...”. Thus, if a CCA includes biological values deserving protection ... it should be deprived of its people!
- Even well-intentioned government policies in support of CCAs may be based on straitjacketed approaches, taking over key community functions, or establishing blueprint institutions based on imported “democratic” criteria foreign to the local culture and social customs. There are clear examples around the world that such approaches may mark the demise, rather than the flourishing, of CCAs.

Challenges of internal origin

- Communities may be plagued by internal inequities and social injustices, with decisions regarding natural resources being taken by the powerful (the men, the landowners, the ‘upper’ castes) at the cost of the powerless (the women, the artisans, the pastoralists); this can skew the distribution of CCA benefits and ultimately undermine them.
- Conflict with neighbouring communities, or inter-village inequities in access to land and resources, can threaten CCAs.
- Newer generations can be less interested in carrying on conservation-oriented traditions, as they may be influenced by ‘modern’ education that devalues such traditions, or may have found them irrelevant in the face of severe livelihood problems. In China, short-term economic benefits are increasingly attractive to community members and the communities’ capacity to develop a consensus over natural resource management decisions is at great test.
- Communities may find it difficult to sustain the current costs of managing CCAs, such as investment in time and labour, funds for the salaries of village guards, conflict situations with neighbours or migrating communities, opportunity costs related to the inability to access or utilise certain land or resources, and human-wildlife conflicts.

Challenges of mixed origin

- In some cases, previously sustainable levels of resource use may now be causing over-exploitation, as a number of extraneous circumstances may have led to the decline in extent or abundance of natural resources. For instance, human and livestock population increases coupled with diminishing land availability because of humongous development projects may shrink the total resource base available for livelihood needs, and lead to local over-exploitation that communities are unable to curb on their own. This may also happen with traditional hunting of wild animals where the populations of these species have declined due to various factors emanating from within and outside the community.
- Sharing and communication among indigenous peoples and local communities, and between them and governments may be generally problematic in the Arctic because of difficulties inherent in cross-cultural communication and small, widely scattered, dispersed populations.

It is vital to understand that none of the challenges just described offers an argument against the viability of CCAs as a conservation model. Fortunately, most challenges can be effectively faced *jointly* by communities and formal conservation and development agencies, with help from a variety of partners. This is actually happening in countries where Community Conserved Areas are formally recognised for their role in the conservation of biodiversity and the sustenance and promotion of community livelihoods.

Some environmental and social trends

In Tanzania, where CCAs in forest ecosystems are quite widespread and have been supported by prevailing legislation, evidence appears to be mounting that forests under community management are showing signs of effective management, reduced disturbance and improved condition. In Kenya, where the legal and policy environment is more complex and contested, experiences are mixed. Traditional grazing areas on rangelands in northern Kenya, supported by

incentives generated through partnerships with private tourist interests, suggest that recovery and conservation are effective. In Cameroon, early signs are that the Community Forests initiative is leading to improved management, but disputes over the definition of community institutions as well as concerns over elite capture would suggest that once again, local governance processes are critical. The centrality of lands and resources to rural livelihoods, and the highly contested nature of land and natural resource rights both historically and in the region's present political environment, are fundamental to the future of CCAs in East and Central Africa. Rural land rights- and in particular, the ability to exercise collective rights at the local level- are perhaps the single most important factor in determining the current status of CCAs, and their future prospects.

In Mesoamerica, the CCA phenomenon is very extensive and growing in strength; the regional study describes the CCA movement as vibrant in Mexico and growing in Guatemala. When well administered and funded, CCAs are likely to survive in the long run, and proactive government support can enhance their longevity. This includes both *de facto* CCAs, such as traditional and sacred forests as well as *de jure* CCAs, reinforced by formalisation and legal recognition. In Mexico, most of the well preserved ecosystems are in hands of indigenous and *campesino* communities. They have repeatedly proved their capacity to effectively conserve natural resources with or without official support. Most of the reasons for this effectiveness are embedded in the organization (participation and plurality, political willingness, linkages with external organizations, economic diversification) and ways of life of the communities, though external factors can foster local efforts. In some communities, some factors may have relatively negative impacts on livelihoods, but have helped to conserve natural resources. These include geographic isolation of some communities, technological limitations for resources exploitation, cultural resistance to adopting western ways of life and incentives to migrate to urban areas of Mexico and the United States. There are also individuals and indigenous organisations that view official interest in "recognising CCAs" as a threat for their autonomous efforts to maintain traditional ways of living, resource use and landscape management. They consider that government and private interest in recognizing or regulating community conservation efforts could lead to a homogenization of a mosaic of biodiversity-related cultural expressions. Despite the generally positive indicators just mentioned, the official reaction to some CCAs in Mesoamerica has ranged from benign neglect to veiled opposition. The attitude of the national and state government depends on the political situation of the community, and its historical and social context. In many cases, CCAs are embedded in a wider struggle for liberty, democracy, justice, land tenure, control of natural resources use, production, knowledge, technology, education and culture. Indigenous autonomy movements are a strong trend in Mesoamerica, particularly in Chiapas and Oaxaca, and CCAs can be seen by governments as "unacceptable components" of local autonomy.

The findings of the CCA situation in South-West China are encouraging, but somehow also alarming, urging more CCAs work to be undertaken soon. There are still varying sizes of ecologically sound forests, mountains and water bodies harbouring fauna and flora and providing essential ecosystem services to local communities and others. Importantly, the linkages between local livelihoods and natural resources are very strong, and so are the communities' concern to maintain the health of such linkages and the sustainability of the resource base. Local communities still demonstrate a considerable level of internal cultural consensus and determination to hold on to their cultural practices of sacred land. There are still respected individual elders or well-trusted middle-aged members of the communities, and monasteries or monastery individuals who show great concerns to endangered sacred land. They are the central pillars supporting traditional institutions, which are often intangible to outsiders. But such pillars can be slowly eroded by socio-cultural change. CCAs are found as part of nested structures. Sacred lands exist from the household to the regional level, and the ones at the household level are most vulnerable. Without foundations of day-to-day attachment and practices, the larger

CCAs at the top might lose their cultural constituency. The current property rights system in China does not work in favour of recognizing CCAs, but there is a shared optimism that CCAs in the Western Provinces are on the rise, and the new Protected Areas laws can support this trend.

Indigenous peoples have occupied the entire circumpolar Arctic over a period of up to 10,000 years after continental ice sheets contracted northward. They adapted to the harsh climatic characteristics of the Arctic in a variety of ways and modified very little the fundamental elements and processes of Arctic ecology, in particular when compared to modern “southern” development and exploitation. Indigenous peoples developed practices that conserved the Arctic’s biodiversity while benefiting from its resources. Their practices of sustainable use are closely embedded in their culture, and they manage to live well with the animals they are hunting, such as the Arctic whales, the reindeer and the caribou, while profoundly respecting them (for instance, it is considered inappropriate to inflict suffering on animals, calving areas are not to be disturbed, etc.). Throughout the Arctic tundra, the institutions in charge of CCAs can continue to maintain the fragile and unique Arctic biodiversity and cultural diversity but they need much better recognition and support in the face of the immense forces against them— from market based development of some of the most lucrative world resources, such as oil and gas, to military interests, to global warming. It appears crucial to foster in the indigenous youth a sense of pride about their traditional knowledge and customary practices, which will encourage them to remain involved and active in CCA management activities.

4. Research needs

In the light of all of the above, two main research needs seem to stand out. The first is basic research on CCAs, such as the regional reviews synthesized in this paper, but also, and most importantly, site-based research and documentation of CCAs that face serious impending threats. Biodiversity inventories and in depth recording and studies of site-based institutions and practices should be carried out by the very communities that harbour them, with or without external support. This is an urgent need, as some such communities are being affected by fast socio-cultural change and losing the knowledge and skills developed through centuries. For instance, it is critical that indigenous peoples in the Arctic are given the resources to document the knowledge of their few remaining elders who stayed on the land until fairly recently. This should include the information and skills needed for traditional teaching systems, and the mental skills and discipline needed to transmit decades-old information accurately and appropriately, as well as the basic knowledge and skills related to animal behaviour and anatomy, herding and hunting skills, and indigenous conservation strategies and methods.

Indigenous communities should determine the extent and effort that they wish spend on “written” methods (e.g., on paper, video, computer and other fixed media) of conserving their knowledge, compared to conserving the traditional “oral” methods of their knowledge systems. Some elders have recommended the use of videos to preserve not only the oral knowledge and physical skills, but also to illustrate the methods used in traditional teaching. This would be important to do in small family groups on the land, as was done before elders started lecturing to large classes in schools. Written guidelines could also be made available based on traditional rules, practices and standards of conduct for each species and community.

The second key direction of research would have to be more broadly based and analyze the sustainability of CCAs and effectiveness of achieving their main management purpose and equitable sharing of their benefits, in light of some of their key characteristics, in particular type of governance institutions and recognition by the government. This kind of research could help

out in developing international and national action plans and support programs. Some issues and questions deserving attention are listed in Table 1 below.

Table 1:

Towards an analysis of characteristics affecting sustainability, good governance and management effectiveness of CCAs

	High threat for CCAs	Some threat for CCAs	Relatively stable CCAs	
Recognition by the state	DF1: government offers no recognition and support (but does not interfere with existing <i>de facto</i> institutions)	DF2: uncertain power sharing between state & community, at times negotiated on an <i>ad-hoc</i> basis	DJ1: government is willing to formally recognize <i>de jure</i> the institution governing the CCA <i>de facto</i>	DJ2: government is willing to recognize only “modern” institutions, fitting a legislative act, scheme or project
Type of governing institution for the CCA				
T1: traditional institution substantially unchanged through time		Strong chance of conflicts between government and communities? Generation of “open access”?	Possible conflicts intra-community if the traditional institution is unable to fit socio-cultural change?	Multiple conflicts (intra-community and with government) likely to destroy the very basis of CCAs?
T2: traditional institution adapted to new socio-political conditions but formally rather unchanged	Some frustration because of lack of government support?	Likely conflicts between government and communities?		Strong chance of conflicts between government and communities? Generation of “open access”?
N1 “modern” institution emerged spontaneously and designed by the community	Some frustration because of lack of government support?	Possible conflicts between government and communities?		Possible conflicts if the community-designed institution is not recognized by government?
N2 “modern” institution, fitting a legislative act, scheme or project, emerged with main outside support	Frustration because of high expectation/need of government support?	Frustration because of high expectation/need of government support?	Possible conflicts intra-community if the “modern” institution is not fully legitimate?	Possible conflicts intra-community if the “modern” institution is not fully legitimate?

The preliminary and very broad analysis of the regional reviews presented in this Synthesis seems to point at only two relatively stable situations for CCAs. The first are remote areas in which traditional institutions substantially unchanged through time are “let alone” by state government substantially uninterested in their natural resources. The second refers to traditional or more modern community institutions bent by the relevant communities to adapt to new socio-political conditions met by enlightened government policies willing and capable of formally recognize them. Many more combinations of conditions are possible, but questions can be raised regarding their viability and effectiveness.

5. Lessons learned and recommendations

The results of our regional studies show the richness and complexity of the CCA phenomenon and the important gaps in recognition and support that exist today in many countries. The studies also point at the importance of respecting customary institutions when such support is available, and to promote a shift in conservation thinking, a shift needed to help CCAs deliver their potential for conservation and livelihood security. Without easy and false simplifications, professionals and practitioners in the formal world of conservation may need to pay more attention to the world's oldest conservationists— indigenous peoples and local communities. More often than not, CCAs are not recent 'projects' that communities take up, but elements of livelihoods and social identity, grounded in history and part of life plans. It is in this broader and more fundamental perspective that community conserved areas reveal their meaning and that lessons learned can be better understood. CCAs are, by their very nature, context dependent and culturally various. Generic "top-down" solutions and imposed institutional formats risk destroying their cultural and biological diversity. On the contrary, state agencies and non-governmental organizations need to find ways of embracing the unique governance institutions that maintained CCAs over time.

The following recommendations emerge from the findings of the regional CCA studies, but they also build on a wealth of previous studies and experiences of professionals within the TILCEPA network.

Understand and assess the conservation and livelihood potential of CCAs

Given the relatively recent introduction of CCAs into formal conservation thinking, and their lack of recognition in many countries, available information on the extent, status, conservation performance and needs of CCAs is still scarce. Some initiatives have taken steps towards filling this knowledge gap, but more in-depth and more extensive assessments are necessary for CCAs to be fully understood and recognized at the national level and for legislation and policies to become supportive in appropriate and effective ways. Indigenous peoples and local communities that want their CCAs to be officially recognized may wish to survey and document their biodiversity resources and demarcate the boundaries of their conservation areas as soon and as thoroughly as possible. As mentioned, this work is urgent also because sweeping socio-cultural change and the simple passing of time may destroy forever the memory of unique knowledge, skills and institutions.

Any type of research on specific CCAs should be agreed upon with the concerned communities, conducted in a participatory manner, and the publishing of data subjected to the communities' Prior Informed Consent. The evaluation and monitoring of conservation outcomes of CCAs, particularly, is a difficult subject since there is not only one view on what constitutes 'conservation', what its priorities should be, and by what criteria its effectiveness should be assessed. Indeed, conservation professionals agree that different criteria may be relevant to different sites. Diverse cultural conceptualizations of the natural world and of conservation do exist, and there are concerns about whether an external/"objective" evaluation of conservation outcomes would be valid and/ or acceptable. Conversely, for communities to demonstrate CCAs' conservation effectiveness, the performance of CCAs might have to be evaluated from more than the local perspective. Criteria and indicators to evaluate CCAs need to be mutually agreed and, possibly, also jointly assessed.

Recommendations:

- Support communities in documenting and demonstrating their sustainable resource

management practices and related governance institutions and capacities (in particular traditional knowledge of biodiversity)

- Support community-led studies and demarcation of Community Conserved Areas
- Support communities in documenting and monitoring the conservation performance of their CCAs, along agreed criteria and indicators that incorporate both locally meaningful and more broadly accepted concepts of “nature” and “conservation”.
- Take action, if any, only on the basis of the Prior Informed Consent of the concerned communities and of a good understanding of the specific scope, status and needs of Community Conserved Areas in the context at stake

Recognise CCAs in careful and appropriate ways

While the national legislative and policy framework sets the stage for the successful functioning of many CCAs, their official recognition and incorporation into national Protected Area systems remains a highly sensitive matter. Far too often, such recognition is bound to entail the more or less voluntary imposition of pre-conceived organizational models—such as *ad-hoc* “management committees”—designed by project managers and legislators to fit some legislative act, scheme or project. Such organisational forms may be alien to the relevant indigenous peoples and local communities, they may perform poorly and even lead to the destruction of customary pre-existing institutions and natural resources they were managing to conserve. This process is not inevitable, however, and more careful ‘light touch’ approaches can be put in place.

CCAs should be officially recognized as such only when communities are ready and willing, when their reasons for establishing a CCA and their understanding of what is being conserved are clear, when well functioning community institutions are in place, and when these institutions request official recognition. There are different possibilities of recognition at different levels of formality (from simple acknowledgement to specific legal mechanisms) and by actors at different scales (local, national, international) including:

- acknowledgement – either informal (*de facto* recognition on the ground by state representatives; positive publicity) or formal (for example, through official letters, statements or awards from external institutions);
- inclusion in specific CCA listings or databases at national, regional or international level;
- legal recognition of community rights, in particular regarding land tenure, resource rights, self-governance, etc.;
- legal frameworks specifically set up for CCAs, either as part of the national formal protected areas system or in other legal/ policy sectors.
- legal recognition of the specific CCA and provision of government support to the relevant community specifically for the governance and management of that CCA.

A formal status as Protected Area might be appropriate for some CCAs, but for many others it is not. Overall, the desirability of formal recognition and the level at which it is appropriate will vary from case to case according to the nature of political and legislative frameworks, the characteristics of the CCA, and the ultimate purpose of seeking recognition. Formal recognition—especially at the national level—may bring in needed financial and technical support, but may bear costs in terms of decreased local decision-making power, the imposition of management structures and, ultimately, a loss of rights. As a rule of thumb, formal (legal) recognition of a

CCA as a protected area may make sense when there is an immediate threat to it and an urgent need for government support – otherwise, “if it works, don’t fix it”.

Recognition in listings and databases can be valuable in building information and understanding of CCAs and their value for conservation. Also, inclusion in an international database, such as the World Database of Protected Areas, could mean that when a CCA faces a threat, it would be possible to mobilize international support more quickly than for an area that is not already recognized. However the modalities of the database and the information to include need to be discussed carefully. Some communities may want details of their CCAs to be published; others may not. In all cases, Free Prior Informed Consent should be assured and, for this, the uses of the information in the database need to be clarified and respected.

Recommendations:

- Promote the social recognition of the governance institutions and management capacities of indigenous people and local communities (sedentary and mobile).
- Support communities’ efforts to have Community Conserved Areas recognized as they see fit and, if communities so desire, incorporated into official protected area systems.

Create an enabling policy and legislative environment

The centrality of lands and resources to rural livelihoods, and the highly contested nature of land and natural resource rights, both historically and today, are fundamental to an understanding of CCAs. In particular, a theme that emerges from our regional studies is that rural land rights- and in particular, the ability to exercise *collective* rights to land at the local level- are a paramount factor in determining the current status of CCAs, and their future prospects. For that, indigenous peoples and local communities need to be recognized as legal subjects, be allowed to make collective decisions about land and resource uses, hold secure tenure over such resources, and be able to exclude outsiders from appropriating them. In general, effective CCAs tend to be linked to one basic factor:

- security of tenure exercised by communities over the land and natural resources, particularly when such resources are under major appropriative claims and encroachment pressures.

Noticeably, this goes well beyond conservation policies and includes basic constitutional guarantees, land tenure legislation and civil legislation.

Recommendations:

- Support policy/ legal frameworks that recognise communities as legal actors, respect collective decision-making and acknowledge communal land and resource tenure
- Establish legislation that recognizes the rights of indigenous peoples to land and resources, and that respects their collective rights over their territories
- Establish laws protecting the intellectual property rights of indigenous peoples and local communities in particular regarding their biodiversity-related institutions and capacities
- Promote the fair enforcement of existing legislative frameworks and reforms towards improved governance at all levels
- Promote decentralization and the devolution of decision-making concerning natural resources but make sure that equity and effectiveness remain paramount concerns

- Take action to resolve land use conflicts that affect the success of community conservation efforts, promote land tenure reforms that provide tenure security to communities
- Promote civil society's engagement in environmental subjects, including its concrete input into decision making and action
- Seek a dialogue with the concerned communities and develop a responsive interface between traditional and "modern", state-led governance systems
- Promote legislation and policies that recognise and support voluntary designation and protection of CCAs

Provide careful and appropriate support to CCAs

Even when enabling legislative frameworks are in place, they have to be translated into concrete action in support of CCAs at the local level. For this, a focus on inclusive processes is crucial. It is important not to promote static models for local natural resource governance, but to invest time into processes by which local communities can assess their own situation and needs on an ongoing basis. Top-down, generic solutions imposed upon CCAs that are, by their very nature, context dependent and culturally various, presents a serious risk of destroying both cultural diversity and natural resources. On the contrary, state agencies and non-governmental organizations can respect the unique governance systems that have led to the existence and maintenance of CCAs over time.

Indigenous and local communities and their organizations may require new and rather sophisticated capacities and resources in order to interact effectively with government agencies and conservation NGOs in formal settings. Assistance to local institutions to gain legal recognition is one means of supporting Community Conserved Areas, but financial, technical, institutional or security-related support may also be warranted. What is crucial is that these inputs are provided upon request, and in all cases with the Prior and Informed Consent of the communities concerned, and based on a thorough understanding of the local situation. In some exceptional circumstances there may be a case for external inputs or interventions, such as when a Community Conserved Area faces an imminent very serious threat from an external or internal agent, but these should be rare events indeed. Interventions should always be undertaken in the interests of both conservation and the relevant communities.

Recommendations:

- Avoid overly bureaucratic processes for the recognition of CCAs
- Recognize community institutions without imposing outside models, but engage communities in dialogues regarding issues of equity and human rights.

Appropriate support for a CCA will depend on the country, the community and the context. Some different forms that support might take are as follows:

Capacity Building

This is a most useful aspect of support and can include strengthening:

- Governance capacity (e.g., analysis of different governance models and criteria and mechanisms to ensure transparency and accountability, including via exchange visits)

- Management capacity (e.g. to assess, monitor, survey and ensure the CCA boundaries, the inventory of CCA biodiversity and other ecological functions, the sustainable use of resources and species, the effectiveness of specific interventions, etc.)
- Legal capacity (e.g., to enhance community awareness of their own rights and responsibilities, to develop formal organisations)
- Accounting capacity (e.g., to handle various forms of support to the CCA, to be able to be fully and openly accountable)
- Marketing capacity (e.g., to commercially use local products that can be harvested in a sustainable way)

Economic and financial support

Caution is always advisable in the case of substantial financial support. Many local communities are not accustomed to handle large sums of money, which may even attract outside unscrupulous actors. Even when managed by individuals from within the community, major funds can result in community conflicts. Caution should also be exercised when promoting the linking of local livelihoods to wide outside markets, as these can create perverse incentives, leading communities to abandon diverse, sustainable livelihoods.

Technical and technological support

This can be helpful but should not undermine the autonomy of the community, and the community capacity to develop their own strategies and solutions to problems. Technical support and the transfer of appropriate technologies may be extremely useful, however, in areas undergoing rapid social or environmental change and in cases of newly formed communities.

Strengthening CCA institutions

Community Conserved Areas are typically governed by community institutions that include formal or informal decision-making and advisory organisations, such as indigenous assemblies, village assemblies, or management boards. Support to CCAs may involve help to such organisations, via legal advice, financial or material aid to set up an office or take up other functions, training in administrative or management skills, support to networking with similar structures, etc. Any such assistance should ensure that endogenous solutions are improved but never undermined. Considerations of social justice, equity and conservation may prompt a desire to “improve” existing community organisations, but it is a fine line between intervening constructively and interfering in a destructive way. Change can be stimulated from outside, but it should only be carried out with the understanding and support of the concerned community.

Help to address internal and external threats

A Community Conserved Area may face a variety of threats emanating from within or outside the community. Externally-driven threats include development projects, such as major infrastructures, mining, oil and gas explorations and production, the expansion of urban areas, industrial and agricultural developments and now the fast spreading practice of converting large tracks of land to biomass production for so called bio-fuels. Rapid socio-cultural change can add to this via the full monetisation of local economies, overpowering commercial forces, inappropriate educational systems, disruptive party politics and inappropriate government interventions. Other external threats may come from invasive species, pollution, climate change and genetically modified organisms. In some regions, dangers arise from war, ethnic violence and the consequent influxes of refugees and migrants who are not necessarily bound by the local

norms and rules. External threats are hard for communities to tackle. As globalisation processes render commercial-industrial-military forces all the more powerful, communities are under increasing pressure. Yet, successful struggles against external threats have been waged by communities across the world, at times organized into large movements. Sympathetic government agencies, local authorities, NGOs, local leaders and donors can play a crucial role in supporting communities facing external threats.

Recommendations:

- Ensure two-way information between community and external actors and providing both platforms for dialogue and effective legal advice to communities
- Support the active involvement of communities in demanding and contributing to Environmental Impact Assessment studies
- Support Participatory Action Research by local communities on the problems and opportunities facing their CCAs and on ways to protect and manage them effectively
- Support field visits, exchange visits and in country and/or international learning networks linking CCAs

Internal challenges to CCAs can arise from violations of the community rules and ethics by community members. Social injustices, unfair distribution of costs and benefits, rapid and destructive socio-cultural change and economic hardships may combine to create internal conflicts and erode the conditions that rendered CCA institutions lively and effective at different times. Most communities have their own mechanisms for tackling internal conflicts (though some may have been displaced by external mechanisms like courts). Such mechanisms may, however, be ineffective in the face of some specific challenges, e.g. conflicts between two communities, or between a community and an arm of the state, an industrial enterprise or a mining company. Many Community Conserved Area initiatives have been plagued by conflicts between the conserving community and its less conscientious neighbours. In such situations, external agents like government agencies and NGOs can play a critical role in facilitating the management of such conflict.

Recommendations:

- Promote transparency and accountability of community governance institutions;
- Make available qualified external individuals for independent investigation purposes;
- Provide platforms for facilitated community dialogues;
- Help mediate or arbitrate solutions among conflicting parties or, as necessary, refer to court proceedings and/or appeal to national or international Truth and Reconciliation Commissions and other human rights mechanisms.

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