What is governance?

The interactions among structures, processes and traditions that determine how power and responsibilities are exercised, how decisions are taken and how citizens or other stakeholders have their say.

(Graham et al., 2003)

Who has influence? Who decides? Who is accountable?
What is governance about in protected areas?

“...a clearly defined geographical space, recognised, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values”

(IUCN Definition of protected area, 2008)
Looking at protected areas through a governance lens

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Governance and management: what is the difference?

Management = what to do

Governance = who decides what to do and how the decisions are taken
Governance and management: what is the difference?

**Management**

- understanding a situation
- Specific objectives to reach the goal / vision
- carrying out actions to achieve them
- allocating resources (human, financial...)
- monitoring achievement

**Governance**

- institutions for decision-making
- Dividing responsibilities and functions
- making and enforcing rules
- Exercising and sharing power
- “how to go about” all this: participation, equity, accountability, transparency...

- management effectiveness

“good governance”
Why does governance matter?

“I see no future for parks unless they address the needs of communities as equal partners in their development.”

Nelson Mandela at IUCN World Parks Congress, 2003, Durban, South Africa
Conservation & development

Complementary? Synergies?

**From PA islands to conservation landscapes**

- Isolated protected areas
- Conservation areas with buffer zones around them
- Linear connections between protected areas = biological / ecological corridors
- PA's embedded in landscape with different types and intensities of resource use

**From PAs as “blank spots” to integration into regional development**

- PA as a “blank spot” in regional context – no mandate / no perceived connection with development agenda
- PA as service provider (ecosystem services)
- PA expected to generate income via payment for ecosystem services (i.e. water, tourism, carbon storage)
- PA's “claimed” by local and regional stakeholders, as part of their customary / development rights

Source: Thora Amend
The international policy response

2003: IUCN World Parks Congress, Durban

2004: CBD Programme of Work on Protected Areas (PoWPA) (COP 7 Kuala Lumpur, Malaysia)


2010: CBD Strategic Plan 2011-2020 and Aichi targets

2014: IUCN World Parks Congress, Sydney
CBD PoWPA
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.

Goal 2.2: To enhance and secure *involvement of indigenous and local communities and relevant stakeholders*

**Target:** full and effective participation of local and indigenous communities, respect of their rights and recognition of their responsibilities, participation of stakeholders;
But....

Goals accomplished?

At CBD COP 9 (2008) and COP 10 (2010) reviews of achievements revealed:

PoWPA implementation is particularly lagging behind in the area of governance, participation, equity, and benefit sharing

- guidance needed!
- Baselines/assessments needed!
„Governance of Protected Areas
– From understanding to action“

http://www.iucn.org/pa_governance
Two dimensions of PA governance

Diversity
Who holds authority, responsibility, accountability for the PA?

Quality
How is that authority exercised? How fairly, effectively, accountably, transparently?

Governance type
Good governance
Governance diversity
Governance types

Type A: Governance by government

Type B: Shared Governance

Type C: Governance by private actors

Type D: Governance by indigenous peoples and local communities
How to determine the governance type of a protected area?

Key question:
Who holds *de facto* authority and responsibility for the protected area?

**De jure or de facto?**

*De jure* (by law): what is prescribed and recognised by the law

*De facto* (in fact): what actually happens in real life
Type A: Governance by government

A. Governance by government

<table>
<thead>
<tr>
<th>PAs established and governed/ managed by federal or national ministry or agency</th>
<th>PAs established and governed/ managed by local/ municipal ministry or agency</th>
<th>PAs established by government with delegated management (e.g. to an NGO or a private operator)</th>
</tr>
</thead>
</table>

- Park Agency, Ministry, parastatal institution...
- Often on lands owned by the government
- Increasingly involved: government structures at sub-national and municipal levels
- Possible delegation to NGOs or private operators

Decision making authority, responsibility and accountability held and exercised by government (at various levels)
## Type B: Shared Governance

### B. Shared governance

<table>
<thead>
<tr>
<th>Trans-boundary governance between at least two governments (and other actors)</th>
<th>Collaborative governance (various forms of pluralist influence on relevant decisions)</th>
<th>Joint governance (formal pluralist decision-making body)</th>
</tr>
</thead>
</table>

- plurality of actors
- mutual recognition, collective interests
- need for negotiation/compromise/consensus
- reaching an agreement
- at times complex processes and institutions

**Decision making authority, responsibility and accountability shared** between governmental agencies and other stakeholders (in particular the relevant landowners and the indigenous peoples and local communities - sedentary or mobile - who depend on the natural resources culturally and/or for their livelihoods)
Type C: Governance by private actors

C. Private governance

<table>
<thead>
<tr>
<th></th>
<th>PAs established and governed by individual land-owners</th>
<th>...by non-profit organisations (e.g. NGOs, universities, monasteries, etc.)</th>
<th>...by for-profit organisations (e.g. corporate land-owners)</th>
</tr>
</thead>
</table>

**Mechanisms and incentives:**

- voluntary protected area designations
- voluntary surrender of legal rights
- charitable contributions
- corporate set-aside, donations, or management of an area for conservation

- **Individuals** (single persons, families, trusts)
- **Corporations** (companies, shareholders)
- **Non-governmental organisations** (private or semi-private, religious, researching, teaching and training)
## Type D: Governance by indigenous peoples and local communities

### D. Governance by indigenous peoples and local communities

<table>
<thead>
<tr>
<th>Territories and areas established and governed by indigenous peoples</th>
<th>Territories and areas established and governed by local communities</th>
</tr>
</thead>
</table>

Three essential characteristics of ICCAs:
- an indigenous people or local community possesses a close and profound relation with a site
- the people or community is the major player in decision-making and has *de facto* and/or *de jure* capacity to develop and enforce regulations
- the people’s or community’s decisions and efforts lead to the conservation of biodiversity, ecological functions and associated cultural values

- oldest “conserved areas”, widespread but poorly acknowledged
- “bio-cultural units” or “cultural landscapes/ seascapes”...
- livelihoods and conservation linked
How do the governance types relate to the management categories?
# IUCN Protected Area categories

<table>
<thead>
<tr>
<th>Protected Area Category and International Name</th>
<th>Management Objectives</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ia - Strict Nature Reserve</td>
<td>Strictly protected areas set aside to conserve biodiversity and, possibly, geological/geomorphological features, where human visitation, use and impacts are strictly controlled and limited to ensure protection of the conservation values. They serve as indispensable reference areas for scientific research and monitoring.</td>
</tr>
<tr>
<td>Ib - Wilderness Area</td>
<td>Large unmodified or slightly modified areas, retaining their natural character and influence, without permanent or significant human habitation, which are protected and managed so as to preserve their natural condition.</td>
</tr>
<tr>
<td>II - National Park (ecosystem protection; protection of cultural values)</td>
<td>Large natural or near natural areas set aside to protect large-scale ecological processes, along with the complement of species and ecosystems characteristic of the area, which also provide a foundation for environmentally and culturally compatible spiritual, scientific, educational, recreational and visitor opportunities.</td>
</tr>
<tr>
<td>III - Natural Monument</td>
<td>Areas are set aside to protect a specific natural monument, such as a landform, sea mount, a cave or even a living feature such as an ancient grove. They are generally quite small areas and often have high visitor, historical or cultural value.</td>
</tr>
<tr>
<td>IV - Habitat/Species Management</td>
<td>Areas dedicated to the conservation of particular species or habitats. Many Category IV protected areas need regular, active management interventions to meet their objective.</td>
</tr>
<tr>
<td>V - Protected Landscape/Seascape</td>
<td>An area where the interaction of people and nature over time has produced a distinct character and significant ecological, biological, cultural and scenic values, and where safeguarding the integrity of this interaction is vital to conserving nature and sustaining other values.</td>
</tr>
<tr>
<td>VI - Protected Area with Sustainable Use of Natural Resources</td>
<td>Protected areas that conserve ecosystems and habitats, together with associated cultural values and traditional natural resource management systems. They are generally large, with most of the area in a natural condition and part under sustainable natural resource management. Low-level non-industrial use of natural resources compatible with nature conservation is seen as one of the main aims of this type of protected areas.</td>
</tr>
</tbody>
</table>
## IUCN Protected Areas Governance Matrix

<table>
<thead>
<tr>
<th>Governance Type</th>
<th>A. Governance by Government</th>
<th>B. Shared Governance</th>
<th>C. Private Governance</th>
<th>D. Indigenous Peoples &amp; Community Governance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management category</td>
<td>Federal or national ministry or agency</td>
<td>Sub-national ministry or agency in charge</td>
<td>Governed delegated management (e.g. to an NGO)</td>
<td>Trans-boundary governance</td>
</tr>
<tr>
<td>I - Strict Nature Reserve/Wilderness Area</td>
<td></td>
<td></td>
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<td>V - Protected Landscape/Seascape</td>
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<tr>
<td>VI - Managed Resource</td>
<td></td>
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</tbody>
</table>
Reality often lies in between: the Governance Continuum

From the perspective of a government agency:
Areas of particular importance for biodiversity and ecosystem services are conserved in systems of **PROTECTED AREAS** and other **OTHER AREAS**

**EFFECTIVE AREA-BASED CONSERVATION MEASURES**

**PROTECTED AREAS** defined by IUCN recognized and reported by governments

**OTHER AREAS**
EFFECTIVE AREA-BASED CONSERVATION MEASURES

- PROTECTED AREAS defined by IUCN recognized and reported by governments
- OTHER AREAS Privately conserved Community-conserved Areas conserved by Indigenous Peoples

- Conserving nature must be an objective
- Effectively managed
- Equitably governed
- In the long term
- Effective
EFFECTIVE AREA-BASED CONSERVATION MEASURES

- Conserving nature must be an objective
- Effectively managed
- Equitably governed
- In the long term
- Effective

- Aren’t recognized
- Could be recognized
- Don’t wish to be recognized

- Nature is conserved de facto
- In the long term
- Nature conservation prevails over other uses
- Effective
Why promote governance diversity in a PA system?

Recognition of a diversity of management categories and governance types helps to:

- Achieve coverage targets
- Close gaps
- Build connectivity
- Involve more stakeholders and improve social acceptance
- Improve adaptability and resilience of the system
- Better integration of biodiversity into land-use and marine spatial planning and decision-making
- Integration into wider landscapes and seascapes
# IUCN Protected Areas Governance Matrix

**Exercise**

1. Think of one PA that you are familiar with
2. Try to find the correct place in the matrix
3. Briefly present your example to the group giving reasons (management / governance)
4. Choose one other PA from your country of a different governance type and place it on the matrix, too. Discuss.

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**Exercise**

1. Pensez à une AP qui vous est familière
2. Essayez de trouver le bon endroit dans la matrice
3. Présentez brièvement votre exemple au groupe en donnant les raisons (gestion / gouvernance)
4. Choisissez une autre AP dans votre pays qui a un autre type de gouvernance et placez-la aussi dans la matrice. Discutez.