



WCPA SPECIALIST GROUP ON GOVERNANCE, EQUITY AND RIGHTS IN PROTECTED AND CONSERVED AREAS

TERMS OF REFERENCE¹

Background

Governance of protected and conserved areas is a critical element in the legal, policy, institutional and practical framework of conservation around the world. Although no longer a novelty, the concept and its application remain a challenge for many countries and agencies. Despite challenges, and in line with the vision of the Promise of Sydney, countries are committed to foster governance diversity, equity, and vitality for their systems of protected and conserved areas, and to strengthen relevant policies, practices and capacities.

Technical tools such as the IUCN WCPA *Best Practice Guidelines on Governance of Protected Areas* and the *Primer on Governance for Protected and Conserved Areas* are available to offer guidance. Networks of experienced and concerned professionals were created in the occasion of the IUCN World Parks Congress 2014 in Sydney (WPC 2014). At the conclusion of the WPC 2014, the Governance Stream provided a set of three strategic directions and twenty recommendations to clearly outline the needed work ahead. Regional Parks Congresses, including the 2nd Asia Parks Congress in May 2022 and the 1st Africa Protected Areas Congress in June 2022, again highlighted the critical importance of governance, and of securing and advancing rights and equity in the identification, designation, and management of protected and conserved areas.²

The IUCN World Commission on Protected Areas has a unique role in strengthening understanding of the diversity governance of protected and conserved areas, and supporting effective and equitable governance, by fostering, coordinating and actively and coherently engaging in a set of initiatives to take such strategic directions and recommendations to practice.

Purpose of Specialist Group

The WCPA Specialist Group on Governance, Equity and Rights in Protected and Conserved areas (SG-GER) seeks to promote more equitable and rights-based approaches to PCA governance at scale, including playing a leading role within WCPA in delivering on the equitable governance theme/element of the post-2020 global biodiversity framework. As a

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² (1) 'Kigali Call to Action' https://www.iucn.org/sites/default/files/2022-07/apac-kigali-call-to-action-final_0.pdf

(2) 'Kota Kinabalu Declaration' <https://www.env.go.jp/content/000052075.pdf>; (3)

'Api Api Declaration' https://www.iccaconsortium.org/wp-content/uploads/2022/05/api-api-declaration_final-29may2022.pdf

membership-based network, the SG-GER actively engages WCPA members and other relevant experts and practitioners to develop best practices, operationalise, and collaborate within the Specialist Group and across the IUCN WCPA on strategic directions and recommendations that emerge from the once in ten-year World Park Congress and other relevant global and regional conferences of conservation policy-makers and practitioners (hosted by IUCN).

Integration in GPAP/WCPA's Quadrennial Programme 2021-2024

The GER Specialist Group directly addresses two of the three impact targets of IUCN's Quadrennial Programme 2021-2024,

1. Fully realised rights, roles, obligations, and responsibilities to ensure just and inclusive conservation and sustainable use of nature
2. Equitable and effective governance of natural resources at all levels to benefit people and nature

And through advancing rights-based, and IPLC-led approaches to area-based conservation makes an important and distinctive contribution to the third impact goal.

3. Enhanced realisation and enforcement of the environmental rule of law

Objectives and Indicative Activities

1. Innovation: Promote enhanced awareness and understanding of better-informed policies and improved practices on governance, equity and rights in area-based conservation

- 1.1. Engage in processes of governance **inquiry, assessment, evaluation and action** in as many countries as possible, with a view to improving governance **standards and guidance**, and developing **stronger and more supportive legal and policy frameworks**, including better integration of customary law at all levels.
- 1.2. Promote and support a variety of **conservation partnerships** among governments and civil society, focusing on exemplary Transboundary Conservation Areas, migratory species and marine areas beyond national jurisdiction.
- 1.3. Promote the recognition and support of **voluntary preservation, sustainable use, restoration and enrichment practices** of Indigenous Peoples, local communities, landowners and other actors for both protected and conserved areas, with specific attention to the overlaps between protected and conserved areas.
- 1.4. Develop further **guidance on quality of governance** with specific reference to rights, equity and effectiveness standards and their integration in the IUCN Green List of Protected Areas and other knowledge products of IUCN.
- 1.5. Develop **guidance on vitality of governance** with specific reference to indicators and assessment processes on equity and rights and their integration in the IUCN Green List of Protected Areas and other knowledge products of IUCN.

2. **Closing the implementation gap: strengthen the implementation of existing policies and agreements relevant for governance, equity and rights for area-based conservation**

- 2.1. Assist governments, conservation agencies, NGOs, Indigenous Peoples, local communities and landowners to **identify, gather, analyse and report governance data for protected and conserved areas** to feed into Protected Planet (the World Database on Protected Areas hosted by IUCN/UNEP WCMC) and into reporting on the CBD PoWPA and other reports to the CBD, including for Transboundary Conservation Areas, privately protected and conserved areas, and ICCAs.
- 2.2. Support access by governments, conservation agencies, NGOs (especially community support organizations), Indigenous Peoples, local communities and landowners to field-based practical resources for improving natural resources governance in protected and conserved areas.
- 2.3. Review and draw lessons from implementation at a regional and/or national level as appropriate, of the commitments, implementation and enforcement of governance-relevant binding agreements in conservation (e.g., the Aarhus Convention, national provisions to implement CBD's PoWPA, National Biodiversity Strategies and Action Plans, initiatives to achieve all Aichi Targets by 2020, etc.).
- 2.4. Assist the CBD Secretariat and relevant partners to develop guidance on assessing the "equitable management" dimension of Aichi Target 11 (and subsequent CBD agreed targets) and on recognizing and monitoring "other effective area-based conservation measures".
- 2.5. Strengthen governance capacities via **regional learning networks** that focus, as appropriate, on policy implementation, enhanced practices, and identify ways into which to address the consequences of a breakdown in good and vital governance, e.g. transnational wildlife crime and patterns of unsustainable exploitation of natural resources
- 2.6. Support willing countries and relevant organisations to explore **innovative legal frameworks and tools** to promote equity, conflict resolution and the respect of procedural and substantive rights in conservation, and to redress conservation-related injustices that have occurred in the past.

3. **Communication: Highlight, support and diffuse models of well-governed area-based conservation that exemplify the importance of equitable and diverse governance**

- 3.1. Identify, review, analyse and draw lessons and inspiration from a number of cases where **well-governed protected and conserved areas deliver ecological success and sustainability**-- from the local level (e.g., a village forest) to the national level (e.g., fisheries in a marine economic exclusive zone), from the regional level (e.g., migratory wildlife) to the global level (e.g., the atmosphere and climate).
- 3.2. Identify, review, analyse and draw lessons and inspiration from a number of cases where **well-governed protected and conserved area deliver food and water sovereignty and human development**.
- 3.3. Develop and apply a **communications strategy** to promote the lessons learned in well-governed protected and conserved areas that exemplify sustainable, equitable and satisfying local economies and societies, including through platforms such as the Panorama: Inspiring PA Solutions.

Leadership and Organization

The three Co-Chairs of the Specialist Group and at least two Senior Advisors will be appointed, and work together with the WCPA vice-Chair for Rights, Equity and Governance. Focal point persons from within the SG membership may be identified for specific regions, biomes and themes/ initiative. The co-chairs, WCPA vice-Chair, Senior advisor(s) and focal point persons will constitute a collegial body engaged in securing support, continuity and technical leadership for WCPA's work on governance of protected and conserved areas. They will develop the membership of the Specialist Group and engage it at best in all relevant initiatives.

The Specialist Group on Governance, Equity and Rights in Protected and Conserved Areas will interact with other Themes, Specialist Groups, Tasks Forces and Working Groups, as well as with other Commissions (in particular the Theme on Governance, Equity and Rights in IUCN CEESP) and the IUCN Secretariat (i.e. the Protected and Conserved Areas Team, Regional Offices) and other regional or global networks, as appropriate, to set cross-cutting priorities, raise funds and operate harmonically in all regions.

Membership and Engagement

A global network on governance requires specialized members, capable of effectively contributing to the Specialist Group outcomes. As noted above, the SG has three core objectives within which a wide range of activities and initiatives are possible. Members from throughout the SG are invited to engage in these activities and to propose ways in which they can be delivered or enhanced. The success of the SG depends in large part on the engagement and dedication of its membership.

Members should have technical background and/or an extensive practical experience and demonstrated positive results in promoting equitable governance for the conservation of nature (specific experience in protected areas will be welcome but it is not necessary; experience in governing conserved areas will also be appreciated).

Demonstrated capacities and leadership in developing, supporting and running governance institutions for the conservation of nature, carrying out relevant advocacy work and academic research and/or providing legal support, training and distilling lessons for action towards more equitable and effective governance will be key membership criteria. The SG is particularly keen to increase membership from local community representatives and from Indigenous Peoples' organisations and networks.

Proficiency in English and/or Spanish and/or French will be important to facilitate interaction with the other members of the Group but is not necessary if other members can bridge the communication gap. Any additional language possessed by willing members will be taken as an asset.

Partnerships, Funding and Fundraising

From commitments made at the World Parks Congresses and other relevant IUCN-hosted global and regional congresses, it is expected that the IUCN PCA Team and the WCPA Specialist Group on Governance, Rights and Equity will collaborate inter alia with UNDP, the ICCA Consortium, UNEP WCMC, the SCBD, GIZ and others to obtain financial and in-kind resource contributions and to carry out the Specialist Group's planned activities in coordination with the IUCN WCPA Chair's office. The Co-chairs and collegial body will draw project profiles and

present them to strategic donors, with the support of national and regional focal points and other members who will help mobilize official information, support letters, and other forms of in-kind voluntary contributions (including collaboration with other WCPA and IUCN Commissions).

Communication

Electronic means will be the basis of communication of the Specialist Group, while “bridging” persons will assist in contacting in-the-field experts and communities.

IUCN outreach channels such as newsletters and mailing lists, social media, will be used for progress dissemination, calls for proposals, engaging new members, will be included as part of the communications strategy.

Reporting

The Co-chairs of the Specialist Group will report on an annual basis to the WCPA Steering Committee, and will submit other periodic reports as requested by the Commission Chair.

Reports from implementing organizations in governance related projects will also be monitored and offered to the attention of the WCPA SC and membership of the Specialist Group.