

► The West African Protected Areas Newsletter



“La lettre des aires protégées en Afrique de l’Ouest”

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In January 2011, the 38th APAO newsletter (see www.papaco.org) was giving a quick overview of the work achieved by PAPACO since 2008. This work has of course

continued this year, with a developing team (12 people now), new studies (including the one on extractive industries impacts on PA in West Africa), new projects, new sites or countries assessments (Congo Brazzaville, for example), new training courses etc. All these results are presented in the newsletter month after month so you know them already well, not to mention your contributions, your actions, your results also included...

But what matters now is 2012!

In preparation for this new and most certainly critical year (20 years after Rio...), we held, a few weeks ago, near Ouagadougou, a large meeting with various stakeholders involved in protected areas, in Africa or elsewhere. The meeting aimed at describing and understanding the situation of the parks on the continent, at suggesting new ways of thinking, of working (better) and finally at writing a roadmap for our AP, for the months and years ahead. This roadmap will be our "**green line**" in 2012: a line that we'll follow and that will give us priorities and will (hopefully) bring altogether our partners. A green line that will be resolutely turned towards results in terms of conservation: more nature preserved, more biodiversity saved ... a green line

that will lead us perhaps to a "**green list**" of the best conservation areas of the continent? Why not, it would be an exciting challenge...

In any case, we will come back regularly to this road map, which will be published in the APAO newsletter soon. It will help us prepare for the IUCN Congress in Jeju, Korea, next September, where all conservation stakeholders who make IUCN will meet, as in Barcelona four years ago. It will also help us to restructure the program, with more exchanges between different regions of Africa (PAPACO is growing pan-African!), more exchanges with other areas that are or will become conservation areas, more partnerships. To do this in the coming months, the program's website will be upgraded, and the letter itself will be improved. Changes in shape and content... but the goal will remain the same: working better for more results...

In short, 2012 will be another year of change; finally it makes sense, what routine could there be in a world moving so fast? We expect these changes for the best, and we count on you, your support, your ideas... so that the green line brings us all together to success.

The first letter of this year presents early results of a study we conducted in the second half of 2011, on the different actors involved in the management of protected areas in West Africa ... As usual, you'll learn more about the results (full study) on the site www.papaco.org...

***For now and from the whole team of PAPACO,
our best wishes for 2012!***



West Africa protected areas' actors and governance

The classical forms of governance of West African protected areas, was based on the principle that State was managing these territories, the State generally being the owner of the land. This model has been deeply affected by the States' weaknesses and the emergence of new stakeholders. Some of these actors are, for example, new "official" institutions that take more and more responsibilities regarding natural resources management: local communities, national or international NGOs, or local associations... Other stakeholders are not so well structured; they are less visible and often less recognized but they have been playing a key role for a long time: they are for example the local populations using the protected areas... It is the multiplicity of actors and the need to understand and to effectively take into account their points of view, their spatial representations and diverging interests that led IUCN-Papaco to conduct, in 2011, in partnership with the GRET (a French NGO that calls itself "co-development professionals"), a study on the region's protected areas governance modes and the respective roles of the various players involved.

Below are some elements extracted from this study. The full report will be available online this month on www.papaco.org. Don't miss in particular the detailed case studies conducted in many countries of the sub-region...

Introduction

In theory, the establishment of protected areas goes, hand in hand, with the development of new modes of consultation that will differently rely on the stakeholders' logic and the territorial dynamics, at local and central levels. However, power transfer regarding renewable natural resources management are often included in legal frameworks which validity and viability are not always guaranteed. Besides, it is noted that, in the sub-region, protected areas control is often the subject of disputes between the State and local communities. In reality, participatory management principles are almost never implemented in West Africa because they still remain vague for the stakeholders and for the protected areas managers in particular. There is lack of data and tools for implementing them, even though relevant legislative texts have been set up in many countries of the sub-region. And despite the fact that more and more organized and informed actors have

emerged to strengthen new and sometimes improving modes of governance of these territories...

1. Objectives of the study

The study identifies the various types of governance of protected areas in West Africa by analysing the role of each category of stakeholders and defining the main modes of official and/or real governance through concrete case studies in Benin, Burkina Faso and Senegal, and by conducting bibliographical reviews in several other West African countries.

The theoretical formulations of governance put forward by protected areas managers and their partners are compared to the real practices of governance, in their diversity and their relative weight in West Africa. This analysis allows, amongst others, identifying innovative practices, poorly represented or unknown, that might be source of learning for the sub-region protected areas managers.

2. The major different types of governance in West Africa

The four usual types of governance described for protected areas, according to the nature of the management authority, are represented in West Africa:

- **Governance by government:** it is realised when the stakeholders, at federal, national, sub-national and/or local levels have the management authority and responsibility on the protected territory, under the supervision of the government. The government can also delegate the management authority to another stakeholder but it still keeps the main responsibility.
- **Shared governance:** the management authority and the responsibilities are shared between many governmental and non-governmental actors through more or less complex institutional processes: (i) between many governments – for example trans-boundary parks; (ii) "collaborative management": the decision-making authority and the responsibility are entrusted with a specific organization, but this organization is bound by the law or a political decision, to inform or consult the other stakeholders; (iii) "joint management": various stakeholders sit in a management body that has the decision-making authority and responsibility.

- **Private governance:** it can be undertaken by (i) an individual owner; (ii) associations (NGO, foundation...); (iii) a profit-making company.
- **Governance by indigenous populations and local communities:** it can be multifaceted depending on local laws, traditional rules in particular, but is always linked to a territory managed under the direct responsibility of the local stakeholders.

The study does not aim at qualifying a mode of governance versus another one. All types are recognized to have their place, their role and of course their strengths and weaknesses. Therefore, the aim of this analysis is not to promote a theoretical model compared with another one, but on the contrary, it is about considering the existing differences between theory and practice in order to understand these differences and try and determine the positive elements of these various forms of governance (see the full report for more details).

3. Case studies: analysis of protected areas' official and real governance

Protected area's "official" governance is governed by norms such as laws, by-laws, management plans, project documents and rules and regulations, etc. However, in the field, this official governance becomes "real" governance that will be influenced by various factors:

- the diversity of the stakeholders themselves, who sometimes have diverging interests, each group defending his own particular interests;
- norms plurality: official (state) norms which are not always clear, local norms (said traditional), international norms (conventions), etc.;
- superposition of centres of power and decision-making centres with a multiplicity of decision-making bodies (for example: protected area's manager, traditional authorities, territorial collectivities, decentralized administrations, etc.)

The protected areas that have been involved in the case studies in our region are:

In Benin:

- Pendjari National Park and its peripheral area

In Burkina-Faso:

- Pô National Park (Kaboré Tambi) and its peripheral area (including the Nazinga classified forest)

- The local hunting areas (Zovic, managed by local populations) of the eastern part of the country
- Pama classified forest in the East, managed on a private mode.

In Senegal:

- The Saloum Delta protected areas complex, including a national park and surrounding territories of various status;
- The protected areas complex of the Djoudj National Park region, the Langue de Barbarie National Park and the Gueumbeul Reserve, near Saint-Louis.



A Dama gazelle in the Gueumbeul reserve

The official governance for these protected areas that is the one formalized by laws and regulations (creation act), is described by the managers in the relevant documentation. Then, the real governance, that is the relationships really existing between the stakeholders when time comes to make decisions on the protected area's management, has been evaluated and documented. Finally, these two described governances have been compared in order to determine their level of adequacy and superposition and, if need be, formulate recommendations for making progress towards (real) types of governance allowing to manage the protected area more effectively.

It comes out from the analysis made on these various territories that there is a gap between the official types of governance described and what is implemented on the ground. Thus, although they sometimes say the contrary, governments generally still have a central role in protected areas governance. The management regulations are still developed at a centralized level by public authorities. Therefore, the laws governing these protected areas contain mainly rules and interdictions; but one should note that the State does not always have the means

to implement them and therefore their utility is under question.

Decentralization is a more or less advanced process depending on West African countries. Generally, we note a developed political will (speeches at least) about decentralization of natural resources management in many countries of the region. All the countries or almost all of them have proceeded to the “communalization” of their territory with elected local communities. This movement is accompanied by a transfer of capacities at the local level, at least in laws, and this is in fact more or less effective according to the country. In some cases, the States have started working very closely with international or national NGOs by delegating the management of a given protected area. Examples of this kind are starting to multiply, notably through the setting up of international programmes, as international environmental NGOs are generally able to raise the international funds that countries are desperately but unsuccessfully looking for now.

Progressively, the State’s central role as the only holder of the decision-making power is “questioned” and a process enabling to increase the number of stakeholders in the decision-making process on natural resources is emerging and being established. Shared governance has thus been developing for years. For example, the trans-boundary protected area developed between Burkina Faso, Benin and Niger (W parks) enables to emulate the relevant governments and administrations and develop a “spirit” of cooperation and exchange, at least in theory. However, these trans-boundary cooperation agreements have difficulty to concretize on the ground, further to political declarations. An interesting example of shared governance is the joint governance developed by the Pendjari National Park (Benin) where various stakeholders sit within a management body that really holds a part of the decision-making authority and responsibility. Among the main official actors involved in the park’s governance (and its peripheral area included in a Man and Biosphere (MAB) reserve), one finds private tourism companies, local fauna resource management associations (AVIGREF), communes, the park’s Management and CENAGREF, its national supervising structure; most of the financial commitment are met, the statutory meetings are regularly held and a significant part of the officially recognized populations’ rights and their representative bodies are respected. The organizational rigor of the governance bodies is recognized by the members and justifies the high level of the stakeholders’ adhesion, notably local

populations, to the initiatives in favour of the protected area and surrounding territories.



Information of the public in the Langu de Barbarie NP (Senegal)

Private governance, for profit-making purpose or not, is a model that is rarely found in West Africa compared with East or South African countries. And in most cases of private wildlife management, this is not strictly speaking a protected area (in the sense of IUCN definition). The study will probably have to be extended to English-speaking countries to find more examples of that type and to assess pro and cons of the model.

Over the past decades, we have noticed a generalization of the attempts to transfer centralized natural resources management towards more locally delegated models, commonly called community-based natural resources management (CBNRM). Generally, community-based management relies on the effective transfer of management of the resources to local communities. However, the boundaries of these communities are often poorly defined, at least legally; also, these communities often claim, with good reason, their own users’ rights on the resources. In West Africa, many projects targeting community-based management have been supported by international agencies and NGOs.

These projects are generally developed with variable levels of collaboration between the communities and the State. Often, these projects have fostered the establishment of new groups that had different status and no link or guaranteed legitimacy. Globally, there are relatively few cases where communities have got formal authority on the lands and their natural resources. Centralized natural resources control remains the norm in spite of the change noticed everywhere in speeches about lands and natural resources management processes. Here again,

examples will have to be sought elsewhere in Africa, and notably in English-speaking countries which are more advanced in this process.

Today, we are going towards negotiated systems where public authorities support and enhance local rules inspired from traditional rights and usages, but also compatible with the country's laws and taking into account common property at a higher level than community (for example, watershed), as well as the interests of other social groups out of the community (for example transhumant people). It is a new approach that may achieve promising outcomes...

4. Recommendations for effective protected areas governance and strengthening of stakeholders capacity

The principle of concerted natural resources management based on dialogue between the States and the relevant stakeholders (whoever) remains a concept to be fostered because theoretically satisfying. From the above-summarized observations, three main groups of recommendations can be made to propose intervention models that are coherent with the objectives of natural resources conservation, as part of real synergies between the stakeholders leading to more efficient modes of governance.

4.1. To ensure protected areas economic and social viability

The durability of the management modes and governance of protected areas is strongly dependent of the (economic) enhancement of the resources and the returns for populations and for the managing organisations. Today, in terms of effectiveness and equity as well, it is considered that in return for the efforts required from populations to protect the biodiversity and for the loss resulting from the restrictions of their traditional use rights, it is important to ensure tangible and sustainable benefits from the relevant natural resources (when possible in respect of conservation objectives). Diversification of protected areas modes of conservation (and exploitation) is an avenue worth investigating. Enhancing biodiversity products such as non-timber forest products by developing Geographical Indications, fair trade, local market development are ways worth privileging. Such a process can be developed through the setting up of "territory markers" at the profit of the protected areas bordering populations. It is also necessary to ensure

an income redistribution system allowing all the parties to play their role (and get their benefit). Thus, negotiation on how to share natural resources and biodiversity incomes is indispensable for the smooth running of the system.

4.2. Setting up concerted and efficient governance

The foundations of an alliance with local institutions and groups for concerted management have to be set up and the protected area's centre/periphery model rethought in most cases (but not necessarily everywhere, a prior analysis of the context and the stakeholders is necessary). It seems possible to consider dropping the central and peripheral areas scheme, and developing multi-usage protected areas integrating a central area with a strong conservation objective. These « multi-usage » areas meet the IUCN categories V concept developed worldwide, and for example in Central Africa under the landscape concept and for which integrity conservation goes through the taking into account of men and nature interaction which cannot be ignored for the protected area's protection and conservation. It would thus be to promote category V protected areas that would encompass the central part and the periphery, the whole of which would be led by an equitable management committee where each population, local community and relevant governmental department representative would have a real decision-making right to manage the protected area as a whole. Therefore, we go from a closed area management to a global territory management approach, more promising in terms of results.

It is also necessary to ensure mechanisms for the community to control and manage the resource, by giving them the means to influence the processes through which elites, privates and administrators get their rights over these resources. One of these means could be their participation to the decision-making bodies that select the private operators and administrators to manage the protected area. Therefore, the priority is to ensure that communities are effectively able to make a decision and thus to preserve their interests. However, this requires having representative structures of the population's diversity. In addition to the needed trainings and information, these actions should be supported by the implementation of a mutual control system among actors regarding the use of the natural and financial resources. To summarize, the new governance to be set up should result in a real increase of local communities and collectivities' power to influence decisions and practices regarding protected areas. For such a strong local governance

to be effective, formalized rules have to be set up and applied to govern the share of prerogatives and returns. In addition, the organizational level of the bodies that act in the name of populations has to be raised and, eventually, local communities' legal recognition mechanisms have to be set up. It should not result in lowering the level of protection of the territory, but rather in raising the level of implementation and conservation in the field.

It is therefore important to promote the co-management principle between the populations, the communes and the State, as co-management conventions should set the rights and duties of the different parties mainly regarding protection, exploitation and financial management. This presupposes to make sure that the villages or their central structure are effectively associated to communal management and take part in the decisions that concern them. Supporting such process should not only aim at setting up agreements on a consensual basis, but also at applying them and eventually assessing them.

4.3. Setting up adapted political frameworks

Generally in West Africa, we notice that the State has a central role. It is recommended that this role be reaffirmed as it plays a key role in the creation of a legal and political environment that ensures the durability of local, national or regional agreements on natural resources management. The land issue in particular is a vast area of uncertainties and conflicts in West Africa, and it is necessary to officially recognize the property or user rights on territories that have been granted for and through local populations.

Today, most projects do not come to formalized governance mechanisms that are applied by the different categories of the concerned stakeholders; and those who come to that point focus mainly on defining modes of management at the local level; the established governance mechanism only works if the project remains active. Beyond this local learning, it is necessary that the rules developed at the project's level be officially recognized and durably implemented at the same time as public policies, legislative system and administrations are evolving. It is particularly important to find institutional arrangements that allow involving consistently and in a complementary manner the State technical departments, local communities, traditional authorities and the regulation system, by applying as far as possible the principle of subsidiarity and avoiding capacity and supremacy conflicts.

Priority has to be given to ascending endogenous processes in order to achieve acceptance, recognition and appropriation. These are the lessons learnt from the actions taken in the Pendjari during the last decade. We have to be aware that the programmes aiming at strengthening protected areas governance in view of making them progressively autonomous (by securing economic, social, ecological and institutional viability) should be designed on periods of about decades rather than the three-year period as for most projects.

The implementation of national and international mechanisms such as "basket funds" type that are jointly managed by the State and NGOs or by ad hoc foundations might be a step towards sustainability...

For more information: www.papaco.org

The study: **impacts of extractive industries on West African protected Areas** is now available in English on www.papaco.org, page « publications »

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