



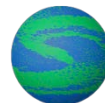
# WHAKATANE MECHANISM

A rights-based tool to improve governance and  
equity in protected areas

World Parks Congress, Sydney 14 Nov. 2014



FORD FOUNDATION



SYNCHRONICITY  
EARTH



[www.whakatane-mechanism.org](http://www.whakatane-mechanism.org)

# What are its objectives?



**To realise the new conservation paradigm by:**

- Enabling indigenous peoples/ local communities affected by protected areas to **address and redress the effects of injustices** against them in the name of conservation.
- Celebrating and **promoting best practice** and successful partnerships between indigenous peoples/ local communities and protected areas.

# Where does it come from? Part 1

## Basis for equity: Durban Accord (WPC 2003)

- **Full participation** in establishing and managing PAs
- Recognition of, and support for, **community conservation**
- **Traditional knowledge and customary laws** and resource management practices should be respected, promoted and integrated into PAs
- Future PAs in full compliance with **rights**
- **Costs and benefits** related to protected areas should be equitably distributed
- **Historical injustices** caused through the establishment of PAs should be addressed, through compensation and/or restitution (mechanisms for restitution by 2010 for lands taken without FPIC)

# Where does it come from? Part 2

## WCC 2008 and 'Sharing Power' 2011

- **CEESP's "Sharing Power: A New Vision for Development"** conference in Whakatane Jan 2011, on the implementation of IUCN Resolutions:
- **WCC4 Resolution 4.048** calling for  
"a mechanism to ... advance the key recommendations of the Durban Accord and Durban Action Plan ..." and
- **Resolution 4.052 'Implementing the UNDRIP'**  
which calls for IUCN to set up a Taskforce force to examine the application of the Declaration to every aspect of IUCN's work, and the development of:  
"a mechanism to address and redress the effects of historic and current injustices against indigenous peoples in the name of conservation of nature and natural resources".

# Methodology

- Through **multi-stakeholder fieldwork** in a protected area and through **high-level dialogue**, it enables park authorities, government, indigenous peoples / local communities and relevant organisations to **develop a common strategy** to address and resolve conflicts in protected areas and/or promote good practice.
- Has the potential to be effective because of:
  - (1) The experience and **convening power of IUCN**
  - (2) International Human Rights law, **UNDRIP** and FPIC
  - (3) Shared evidence based on facts through **fieldwork**

# How does it work?

- **Steering Committee** considers IPs/LCs request;
- **Initial** presentation & request to national authorities;
- **Task force** created including all parties concerned
- **1<sup>st</sup> Roundtable** brings all right-holders and stakeholders to the table;
- **Assessment** of situation through field visit;
- **Validation** of findings by IPs / LCs;
- **2<sup>nd</sup> Roundtable** decides road map;
- **Implementation, follow up and monitoring.**

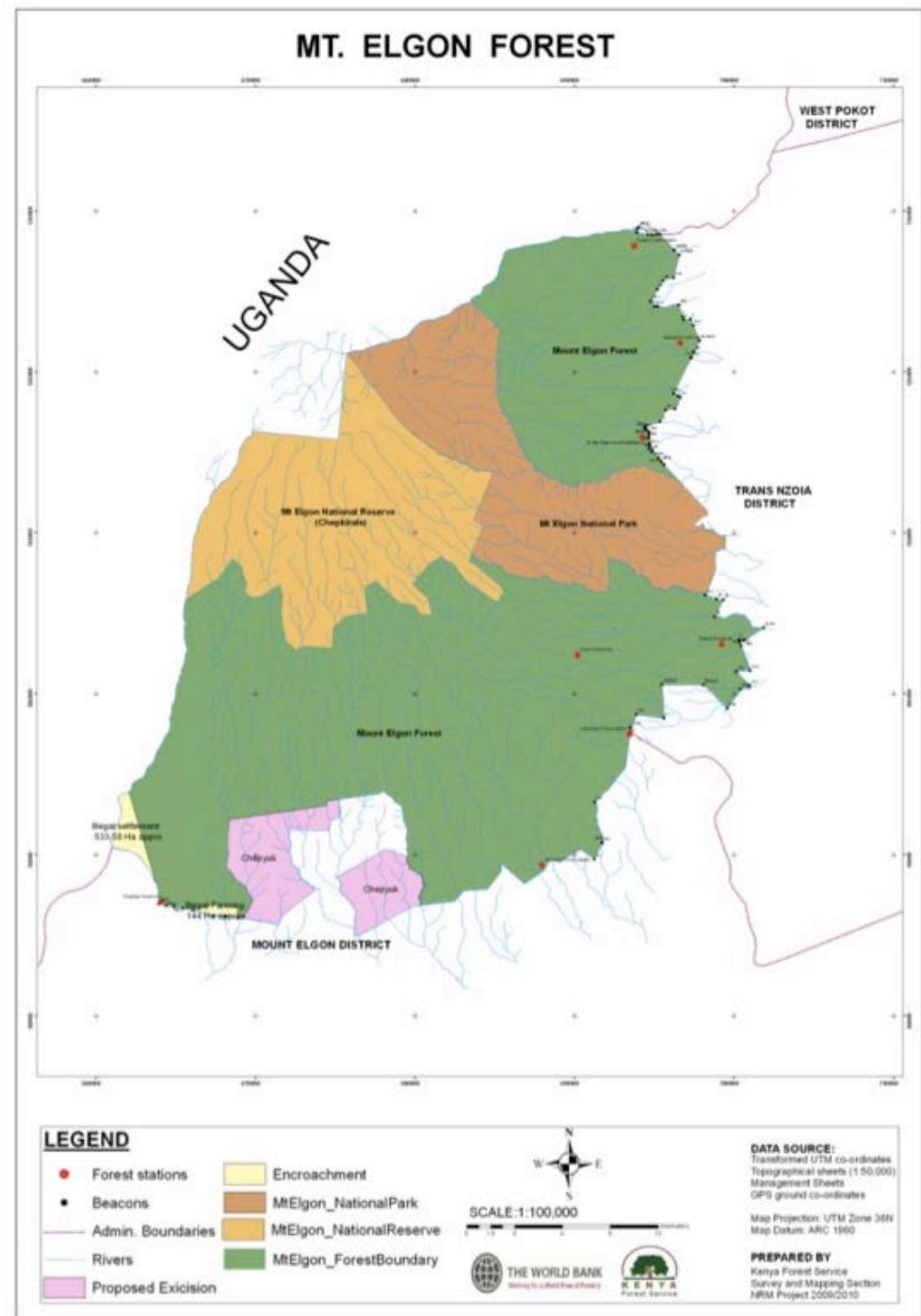
# Field team composition of pilot Whakatane assessments

Indicative composition of the team:

- 2 from IUCN
- 4 from indigenous peoples' organizations
- 2 from non-indigenous local people (where relevant)
- 2 representatives of the government
- 2 from FPP
- 2 from relevant conservation organization(s) or relevant NGO

# Pilot Whakatane Assessment in Mt Elgon, Kenya

- **1938**: Creation of **Mt Elgon Forest Reserve** - Evictions of Ogiek began from 'forest reserves' below Chepkitale
- **1968**: **Mt Elgon National Park** created – Total eviction of Ogiek from 'park'
- **2000**: **Chepkitale National Reserve** created as requested by Mt Elgon County Council with IUCN technical support - Final evictions from their land, but people resisted, and remain there
- **2011**: IUCN/ IPO/ FPP **pilot Whakatane Assessment**







# What are the current results of Whakatane and of Ogiek struggle at Mt Elgon?

- **Mt. Elgon County Council** unanimous resolution to revert the land back to community (2013)
- **Ministry of Environment** team makes positive assessment of sustainability of Ogiek (2013)
- **Ogiek Sustainability bylaws** developed & adopted by community (2013)
- **Ogiek Community rangers arrest intruders:** stopping charcoal burning & elephant poaching (2013-14); & to be **trained** by KWS
- **Seeking legal ownership** through National Land Commission and Community Land Bill (2012-date)



# Pilot Assessment in Ob Luang, Thailand

- **1991**: Park established with no consultation.
- **Late 1990s**: Karen and Hmong communities harassed (including arrests) and threatened by resettlement. Conflict in highlands and lowlands.
- **2003-2006**: community mapping and customary use studies demonstrate communities' capacity to manage environment.
- **2005-2009**: JoMPA starts resolving conflict.
- **2012**: WA consolidates collaborative approach, celebrates good practice and provide recommendations for further improvement





# Thailand: land use map of Khuntae village

Total area: 15,337 Rai  
Farming: 1,730 (11.2%)  
Use Forest: 7,210 (47%)  
**Conservation** 5,855 (38.2%)  
Govt Project: 364 (2.4%)  
Settlements: 178 (1.2%)  
[total forest area: 85.2%]

Rotational fields 935 Rai

Public land  
51 Rai

Ritual forest 1,593 Rai

Burial grounds 296 Rai

Community  
conserved forest  
1,297 Rai

Traditional forbidden  
forest 67 Rai

Spring area 2,602 Rai

Government reforestation

232 Rai

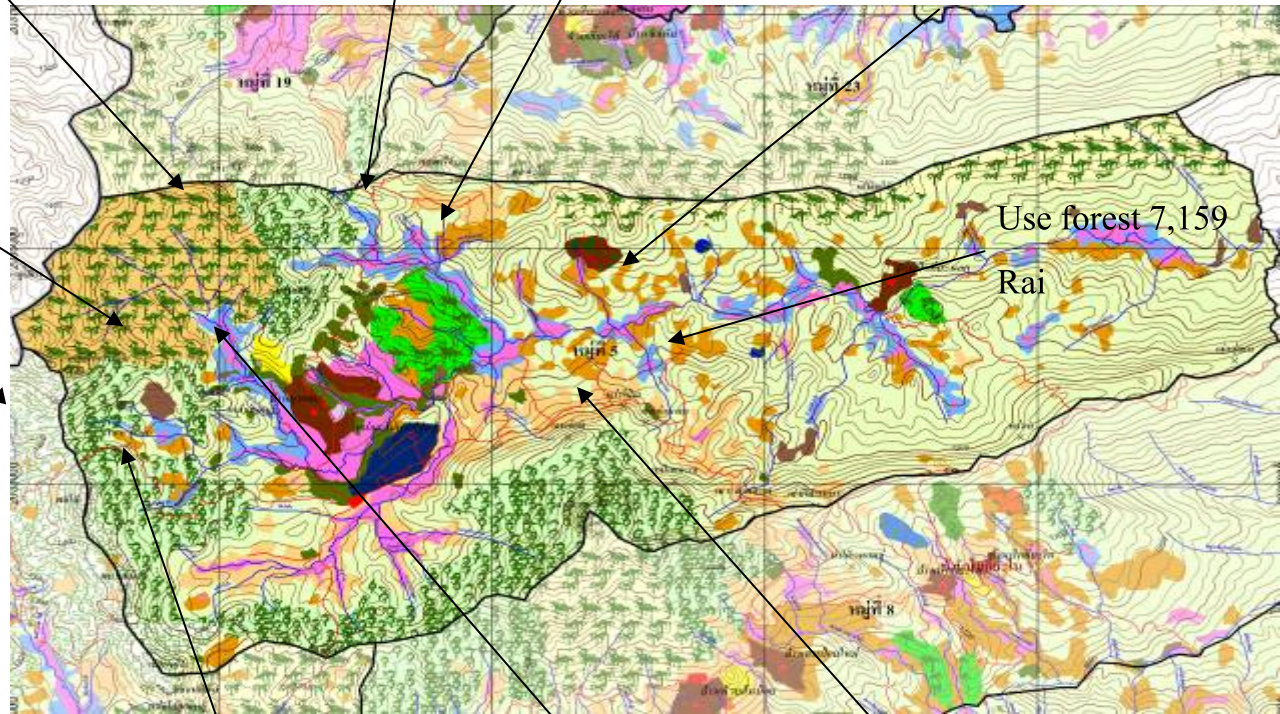
Settlement 178 Rai

Queen project 132 Rai

Paddy 795 Rai

Grazing area

Use forest 7,159  
Rai



# Recommendations from Ob Luang pilot assessment

- Strengthen the joint management approach by enhancing role of indigenous communities in the overall governance and management of the park
- Recognise full community rights over customary areas
- Address how the park can contribute to enhance people's livelihoods
- Use Ob Luang as a model for other national parks in the country, especially where top-down exclusionary conservation approaches (including violent eviction) are still in use
- Reform outdated national laws and policies

# Whakatane Pilot Assessment in Kahuzi-Biega, DRC

- **Bambuti Batwa people** evicted from park 40 years ago, generating poverty and marginalisation
- **2014 Whakatane Assessment**
- **Resulting road map** promises dialogue as equals. Proposes:
  - **Short term:** access to land and resources, education, health, jobs, benefit sharing of park revenues
  - **Long term:** identify park periphery lands for restitution, ongoing discussion concerning legal and policy changes for collective land ownership in Kahuzi Biega.





# Next steps

- Launch at WPC (on Friday 14<sup>th</sup> November)
- Establishment of Steering Committee
  - Location: IUCN CEESP
  - Representation: IPOs, IUCN, CIHR, FPP
- Fundraising and implementation