



Protected Area Governance and Equitable Access in the Lao PDR



Miles Kenney-Lazar

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Author: Miles Kenney-Lazar, PhD. | miles.kenney@gmail.com

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Table of Contents

ABBREVIATIONS	4
EXECUTIVE SUMMARY	5
1. INTRODUCTION	7
2. EQUITABLE ACCESS IN PROTECTED AREA GOVERNANCE	8
2.1 CHANGING PARADIGMS OF PROTECTED AREA GOVERNANCE	9
TABLE 1. KEY DIFFERENCES BETWEEN OLD AND NEW PARADIGMS OF PROTECTED AREA GOVERNANCE	10
TABLE 2. TYPOLOGY OF PARTICIPATION FOR DEVELOPMENT PROJECTS	16
TABLE 3. IUCN PROTECTED AREA CATEGORIES	17
TABLE 4: IUCN PROTECTED AREA MANAGEMENT AND GOVERNANCE MATRIX	18
2.2 DEFINING EQUITABLE ACCESS	19
3. MODELS OF PROTECTED AREA GOVERNANCE ACROSS THE DEVELOPING WORLD	21
4. PROTECTED AREA GOVERNANCE IN THE LAO PDR	24
FIGURE 2. NPAS IN THE LAO PDR	26
5. CONCLUSIONS AND RECOMMENDATIONS	29
REFERENCES	32

Abbreviations

CBNRM	community-based natural resource management
CMLN	Collaborative Management Learning Network
GAPE	Global Association for People and the Environment
GoL	Government of Lao PDR
CCA	indigenous peoples' and community conserved territories and areas
ICD	integrated conservation and development
IUCN	International Union for Conservation of Nature
Lao PDR	Lao People's Democratic Republic
LUPLA	land use planning and land allocation
NBCA	National Biodiversity Conservation Area
NPA	National Protected Area
NTFP	non-timber forest product
PM	participatory management
TUF	traditional use forest
WWF	World Wide Fund for Nature

Executive Summary

Protected areas are important tools for achieving biodiversity conservation. However, they are often established in areas where people live, enclosing lands and resources for conservation that are critically important for rural livelihoods. Protected areas have historically been associated with displacement and dispossession of rural, especially indigenous, people who have lost access to ancestral lands, forests, and territories. Additionally, those very same people have been recognized as being essential to conservation efforts as land and forest managers. Consequently, conservation thinking has evolved over the past four decades to emphasize the integration of parks and people, to make conservation inclusive and participatory, and to achieve goals of conservation and livelihood development simultaneously. This study evaluates such changes and how they apply to various countries, with a particular focus on the design and implementation of participatory conservation strategies in the Lao PDR.

A variety of approaches have emerged over the past four decades that aim to address the problems of protectionist or “fortress model” conservation, an outdated approach that seeks to enclose natural resources while excluding people who have used and sustainably managed those resources for generations. These new approaches seek to combine conservation and development in a manner that is participatory, by directly involving the people that are living in or near protected areas. Integrated conservation and development (ICD) seeks to improve the livelihoods of residents through development projects that create alternative livelihoods, providing an incentive to not extract resources with biodiversity significance from protected areas. Community-based natural resource management (CBNRM) is based upon the idea that communities in protected areas should play a primary role in conservation activities because they have the most to gain from conservation benefits, they have been sustainably managing resources for long periods of time, and they are the most capable of managing protected area resources. In shared governance, or co-management, approaches, communities play a larger role in making decisions concerning the management of protected areas, in coordination with other actors, such as government and conservation organizations. Finally, the arrangement that offers the greatest amount of empowerment and participation for protected area residents is indigenous and community conserved areas (CCAs), areas that are voluntarily conserved by communities through local customs, rules, and regulations, and in which they have complete control over their governance.

Based upon lessons learned from these various types of participatory protected area governance approaches, a definition of *equitable access* has been developed in this report that can play an important role in the design and evaluation of participatory conservation strategies. Equitable access is the empowerment of communities to make decisions concerning the use and management of the resources that surround them and that they depend upon for their livelihoods. Intra-community differences along socio-economic, ethnic, and gendered lines must be accounted for to ensure that all community members have an equal voice. Communities should have equitable access to land and natural resources, revenue, and decision-making within their territories, including those designated as protected areas. Communities should have exclusive control over resources that belong to them based upon customary rights; benefits gained from the use of such natural resources should be distributed

equitably within the community, taking into consideration differences of ethnicity, socio-economic class, gender, and age.

In the Lao PDR, a system of National Protected Areas (NPAs) was established in 1993. The Lao NPA system has been praised for not only being established in areas of high conservation value but also for being developed with a partnership approach to protected area management that enrolls the participation of local people who live in and around the protected areas and depend on the natural resources for their daily livelihoods. However, Lao NPAs have still reproduced some of the errors of the protectionist approach. The involuntary resettlement that occurred throughout the country since the establishment of the Lao PDR in 1975 has also been applied to communities in NPAs. Additionally, restrictions on land use and agriculture-forestry practices implemented throughout the country have also been applied to villages inside NPAs, particularly efforts to stabilize and eventually eliminate shifting cultivation, an important means of food security for many upland communities.

Although participation is emphasized by the government and conservation organizations, the degree of meaningful participation that actually occurs is limited. First, the government has favored the ICD approach, which is more concerned with providing development and livelihood benefits to villagers than empowering them as active decision-makers. Second, participatory approaches tend to only involve villagers on paper, but not in actual decision-making processes; communities have expressed that partnerships are not genuine. Finally, a major challenge for equitable access in Lao NPAs is the severe degree of illegal resource extraction by outside actors. Such extraction depletes the resource base that villagers rely upon for their livelihoods and also deflates communities' motivation for conservation as they see that the resources they conserve can be extracted by other actors.

In conclusion, the report provides eight recommendations for implementing the concept of equitable access in the governance of protected areas, particularly in the Lao PDR. First, formalize and implement meaningful roles for communities in governance of protected areas, particularly by providing them with decision-making rights in management plans. Second, create zones of community conserved areas within protected areas, referred to in the Lao context as traditional use forests (TUF), which are exclusively designed and managed by communities. Third, support the land, agricultural, forestry, and other resource use practices of protected area residents, including swidden cultivation. Fourth, reform land and forest tenure in protected areas to reflect the goals of equitable access by providing greater customary use and ownership rights to residents. Fifth, create collaborative alliances between protected area managers and residents to patrol and report illegal resource extraction activities. Sixth, constrain or prohibit large-scale commercial resource extraction activities in protected areas, especially logging, mining, and hydropower. Seventh, ensure that protected area residents have equitable access to resources and decision-making processes within the community, among all members and among men and women. Eighth, conduct additional research on co-management and participatory conservation schemes in protected areas in the Lao PDR.

1. Introduction

This report supports the goals of the Community Management Learning Network (CMLN), a regional initiative that seeks to work with key actors to conserve biodiversity and sustainably use natural resources while ensuring that they contribute more effectively to the well-being of local people. The CMLN aims for these goals to be reflected in policies, programs, and strategies that support the involvement of local people in equitable governance and sustainable management of natural resources. Until the end of 2010, the CMLN project included 7 countries in Southeast Asia: the Lao PDR, Thailand, Vietnam, Cambodia, Malaysia, Indonesia, and the Philippines and was coordinated by the Asian Indigenous Peoples' Pact in Chiang Mai, Thailand. The current iteration of the project consists of three countries – The Lao PDR, Cambodia, and Vietnam – and is being coordinated by the Learning Institute in Cambodia. Since December 2005, the Global Association for People and the Environment (GAPE) has been implementing the Xepian NPA Co-Management for Improved Livelihoods and Biodiversity Conservation Project, as a member of the CMLN, in cooperation with the Champassak and Attapeu Provincial Department of Forest Resources Management, in southern Laos. The main focus of this work is to strengthen co-management of biodiversity protected areas by governments and Xepian NPA communities.

An important component of the CMLN project that GAPE is implementing in the Xepian NPA is the development of protected area co-management. The project has thus far been successful in improving understanding between villagers and the government in park management: government officials are listening to villagers' perspectives and villagers have gained a greater understanding of the NPA rules and how they can benefit from certain regulations. Villagers have gained more confidence to report infractions of NPA regulations to officials. Government officials are learning that handing over responsibility and decision-making to villagers can assist conservation efforts. Additionally, agreements have been reached to establish traditional use forests (TUFs) (also known as community forests) and fish protection zones for villages located within the NPA. Despite these successes, the development of co-management has encountered key challenges. As the concept of co-management of protected areas is fairly new in the Lao PDR, many government officials have yet to fully understand. Additionally, agreements to work on co-management in the Xepian NPA have only been made at the provincial level and thus lack the political support of an agreement from the central level.

As the major goal of the project is to strengthen co-management practices that enhance biodiversity conservation and improve livelihoods of the people living in or near protected areas, this study has been commissioned by GAPE to identify a more precise definition and understanding of the concept of “equitable access” that can be used to achieve project goals in protected areas like Xepian. Disseminating awareness of the concept and rationale of equitable access in co-management of protected areas will be useful for addressing some of the challenges identified above in co-management approaches in the Lao PDR.

Examining protected area governance and developing conceptual approaches for improving governance

is critically important for the Lao PDR, the other countries in the CMLN, and the developing world more broadly. There are large numbers of people in the developing world, and in Southeast Asia in particular, who are dependent upon forested areas for their livelihoods, including protected areas. Research by Poffenberger (2006) estimates that there may be over 140 million forest dependent people in Cambodia, Indonesia, the Philippines, Thailand and Vietnam, approximately one third of the population in these nations. Throughout the developing world, protected areas have been established to limit resource exploitation and deforestation and to protect biodiversity. Protected areas are often established on lands used by rural communities, especially indigenous peoples, who can be displaced and resettled; in other cases, their land use and agricultural-forestry practices are highly curtailed. At the very least, the creation of protected areas on community lands limits autonomy and decision-making power by local communities.

Problems of protected areas, particularly when they exclude and disempower rural peoples, have been recognized over the past four decades and a number of approaches have been developed to include park residents in decision-making processes. Such approaches aim to meet conservation goals through participatory involvement that reduces rather than exacerbates poverty. While participatory approaches are a step in the right direction, they do not always lead to meaningful power sharing and effective involvement of protected area residents. The purpose of this report is to assess these types of governance efforts—at a conceptual level, in the Lao PDR, and in other developing countries—and contribute to the debate by developing the concept of “equitable access” for communities living in or near protected areas.

This study is based upon a review of various types of literature on protected area governance: conceptual literature on the meaning of different types of governance models, empirical literature on Laos, and empirical literature on other developing countries. The studies and reports reviewed were largely sourced from the LaoFAB (Farmers and AgriBusiness) Document Repository (laofab.org) and Google Scholar (scholar.google.com). Searches were made using a variety of key terms such as “protected area governance”, “community-based forest management”, “co-management”, “equity in natural resource management”, “integrated conservation and development”, and “indigenous peoples and conservation”. Sources were also found in reference lists of the studies reviewed.

2. Equitable access in protected area governance

“Equitable access” has potential for improving the governance of protected areas and livelihoods of their communities in the Lao PDR, the Mekong region, and other developing countries. The term, however, is not prominent in the literature on protected area governance as well as protected area project documents and thus lacks a clear definition. One of the major aims of this study is to clarify the meaning of “equitable access” and how it can be used to achieve both aims of conservation and the improved well-being of peoples living in and near protected areas.

Although there is not a clear definition of “equitable access,” various meanings have been attached to

the term through its use in the CMLN. These include: 1) when communities living in and near protected areas have meaningful control over how natural resources surrounding their place of residence are used and managed; 2) when communities are able to refuse external attempts to extract resources from the area surrounding their residence (e.g. logging, harvesting NTFPs) or negotiate the terms of use and benefit-sharing; 3) when communities have a direct role in governance and decision-making of the protected area; and 4) when women play a prominent role in natural resource management decisions and implementation.

In order to further develop and build upon these ideas, the conceptualization of equitable access inevitably must borrow from ideas coming out of other paradigms of conservation, such as community-based management, community conservation areas, and shared governance (co-management). These ideas are used to arrive at the following definition: ***the empowerment of communities to make decisions concerning the use and management of the resources that surround them and that they depend upon for their livelihoods. Intra-community differences along socio-economic, ethnic, and gendered lines must be accounted for to ensure that all community members have an equal voice.***

The details of this definition are explained in section 2.2 below. First, section 2.1 provides an overview of key paradigms of protected area governance. The merits and demerits of each model provide a basis for developing the equitable access model of governance that best achieves goals of conservation as well as community well-being and rights.

2.1 Changing Paradigms of Protected Area Governance

In the past half-century there has been a broad, albeit uneven transition in conservation thought and practice concerning human-environment relationships and protected areas. People living in or near areas of conservation interest are increasingly considered vital to, rather than being excluded from, the conservation model. Scholars and practitioners have increasingly embraced approaches that focus on the interface of conservation, forest use, agriculture, and community participation in forest management (Agrawal and Gibson 2001, Brown 2002, Poffenberger 2006, Zimmerer 2006). Associated with this transition is a change in thinking about relationships between humans and nature, from one that views the separation of people from nature as necessary for conservation to one that emphasizes the importance of particular types of people-nature relationships for conservation. The differences between these paradigms are summarized in Table 1 below, adapted from Stevens (2014), with special reference to indigenous peoples.

Characteristic	Old paradigm	New paradigm
Rights	No recognition of rights Rights are not considered relevant because protected areas are uninhabited and former residents have surrendered rights and claims	Rights are affirmed and fostered Indigenous rights exist in all protected areas established in the customary territories of Indigenous peoples, including those they have been displaced from
Establishment	Unilaterally declared by states	Declared by or with Indigenous peoples with their free, prior, and informed consent
Tenure	Owned by the state	Owned by Indigenous peoples
Governance	Governed by state agencies No participation by Indigenous peoples	Governed by or with Indigenous peoples Indigenous peoples' full and effective participation required, including when living outside of protected area
Knowledge base	Western science	Indigenous knowledge; Indigenous and Western sciences
Goals	Biodiversity conservation	Conservation, identity, cultural values, livelihood security, ecosystem services, sustainable development, restoration, restitution
Management principles	Protect ecosystems unimpaired Preserve or restore uninhabited wilderness Protect and restore biodiversity Eliminate settlement, migration, and use of cultural and natural resources (or restrict natural resource use to authorized commercial use in the case of national forests) Tourism development only	Protect and restore ecosystems and cultural landscapes Maintain and restore cultural landscapes Protect and restore biodiversity Maintain settlement, migration, use of cultural and natural resources, and land and marine management practices consistent with Indigenous peoples' wishes and rights and compatible with agreed-upon protected area goals Sustainable development
Settlement and resettlement	All settlement is banned; coercive displacement is justified, although voluntary resettlement may be preferred	Continued settlement (and return in the case of involuntarily displaced peoples) is recognized as a right No coercive displacement or relocation Free, prior and informed consent to any relocation, with agreed on, equitable compensation and Indigenous peoples' full participation in decision-making and planning
Equitable benefits, obligations, and responsibilities	All revenues and other benefits belong to the state or its designates All responsibility rests with the state or its delegates	Indigenous peoples have the right to an equitable share of all benefits Recognition of Indigenous peoples' responsibilities, including those to their peoples, ancestors, future generations, territories, beliefs, and values

Table 1. Key differences between old and new paradigms of protected area governance. Source: Stevens (2014)

The old paradigm is best represented by the protectionist model, also known as “fortress conservation”, and marked by enclosure and dispossession. In the fortress conservation approach, areas of conservation interest are identified by states, development agencies, and NGOs. The boundaries of the protected area are drawn on maps and efforts are made to reduce and eliminate human activity in the protected area in order to enable preservation of biodiversity. In some cases, communities are resettled out of protected areas while in other cases strict limits are placed on how they can use surrounding land and resources in the park. The land is typically owned by the state while customary land use and ownership rights of park residents are not recognized. The conservation area is managed and governed by the state and conservation approaches are based upon Western, conservation science. The primary goal is biodiversity conservation, which is sought by preventing impact upon ecosystems and wilderness, allowing perhaps only tourism development.

The new paradigm, by contrast, is led by and with indigenous peoples or other communities living in or near the protected area. Protected areas are only established with the free, prior, and informed consent of indigenous peoples and communities, who have fully recognized land rights and play a major role in the governance and management of the park, including all conservation decisions. The protected area is defined by a diverse set of goals, not only biodiversity conservation but also livelihood development, maintenance of ecosystem services, and protection of cultural identity and diversity. People's settlement in the park is recognized as a right, even for those who were involuntarily resettled in the past, and any proposals for resettlement must be agreed to voluntarily by communities residing in the park. Residents of the park are responsible for sustainable management but also are able to receive subsistence, cultural, and monetary benefits of the protected area.

A number of different approaches to conservation and protected area governance have been developed in order to address the failures of the old paradigm. The most prominent of these include: integrated conservation and development, community-based resource management, shared governance (co-management), and community conservation areas. These various approaches are represented on a spectrum in figure 1 below, based upon the degree of participation and recognition of rights of the people residing in conservation areas.

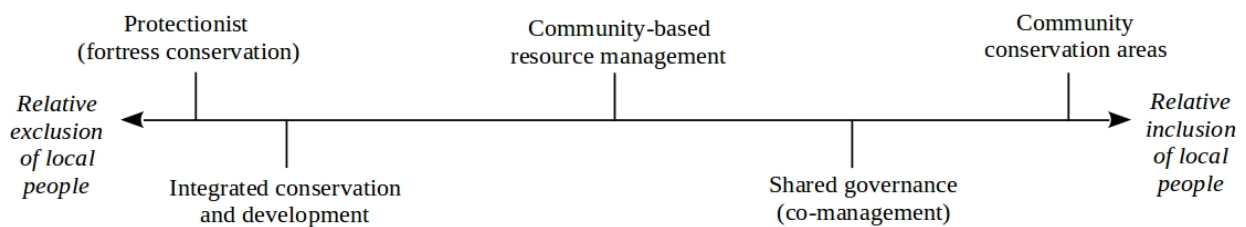


Figure 1. Spectrum of inclusion in protected area governance approaches.

The transition towards the new paradigm and more inclusive governance approaches has largely been in response to the social and environmental failures of the protectionist approach, or fortress conservation. The involuntary displacement of communities from protected areas, especially indigenous peoples, and the severe curtailment of the livelihood activities of those who remain in protected areas, has been criticized for leading to the impoverishment of such communities by restricting access to natural resources critically important for their livelihoods. The approach has been given pejorative names like “fortress conservation” because it is set up to keep local people out. It has also been referred to as a “fines and fences” approach, named after the main tools used to promote this type of conservation. Fences keep people out and nature in the park while fines are used to punish those who break the rules. Additionally, the protectionist approach has been unsuccessful at achieving conservation goals (Agrawal and Gibson 2001). At the most basic level, states are often unable to coerce their citizens into unpopular development and conservation programs, such as when they seek to prevent people from accessing resources like fodder, fuelwood, fish, and wildlife that are intrinsic to everyday livelihoods. Other factors responsible for poor outcomes of state-centered conservation include faulty design, inefficient implementation, and corrupt organizations, which become particularly problematic when combined with local intransigence and lack of livelihood alternatives (Agrawal and Gibson 2001).

One attempt to address the shortcomings of the protectionist approach has been integrated conservation and development (ICD) projects. ICD projects were first introduced in the 1980s by the World Wide Fund for Nature (WWF) in order to address the main problems of the protectionist approach to conservation (Cagalan 2013). They represent an evolution in conservation thinking toward greater emphasis on the broader societal role of protected areas and their potential contributions to sustainable development (Wells and Brandon 1992). They are essentially biodiversity conservation projects with rural development components. The main assumption behind the ICD approach is that people living in or near protected areas break conservation rules because they are impoverished and have few other livelihood options. Therefore, by providing rural development and alternative livelihood opportunities to people in or near parks they would have less of an incentive to extract and use resources in contravention to park rules. Most ICD projects focus on agricultural intensification, arguing that by increasing yield from a smaller amount of land, forests can be better preserved as rural people will have less of an incentive to expand agricultural activities into forested areas. ICD projects are particularly focused on the livelihoods of people living adjacent to protected areas in buffer zones.

Wells and Brandon (1992) argue that one main challenge for ICD projects is the lack of an explicit linkage between rural development and conservation of biological diversity, especially in the absence of effective enforcement. In their review of ICD projects in 23 different countries they found that, despite many projects leading to livelihood and socio-economic gains, none of them led to any conservation improvements, due to the lack of explicit linkages between development and conservation. Part of the problem was that although the projects were intended to involve local people in conservation, few of the projects specified what was meant by participation and most treated local people as passive beneficiaries rather than as active collaborators. The authors additionally argue that

ICD projects cannot address the primary threats to biological diversity, which include: public ownership of extensive areas of land unmatched by the capacity of government agencies to manage these lands; powerful financial incentives encouraging overexploitation of timber, wildlife, grazing lands, and crop fields; and laws, policies, social changes, and economic forces over which poor people in remote rural areas have no influence. While ICD projects provide a greater role for people in the process of conservation than protectionist approaches, they remain top-down and do not involve any meaningful degree of local participation and involvement.

Community-based natural resource or forest management (CBNRM) is another important response to the shortcomings of the protectionist approach. CBNRM seeks to respond to the social injustices as well as the impracticalities and failures of protectionist conservation (Agrawal and Gibson 2001, Roth 2008). It is based upon the assumption that local communities are in the best position to conserve resources because their livelihoods depend upon sustainable management of such resources, they have the most knowledge about how to conserve, and they are able to patrol and manage the use of resources, thus making their role in conservation efficient and effective (Li 2007, Dressler and McDermott 2010). Conversely, it is argued that if communities are not involved in the active management of their natural resources then they will use resources destructively. CBNRM emerged in the 1970s and was adopted throughout the developing world in the 1980s and 90s. It is framed as a decentralized approach to forest and resource management by which communities are given increased access to and control over forest resources, especially as a result of tenure reforms (Cagalan 2015).

CBNRM has run into a number of challenges in implementation—it has struggled to reach its environmental goals, often as a result of governance problems (Dressler *et al.* 2010). One major challenge is that actual decentralization to the community level does not occur in practice and in many cases can actually increase state control over local communities (Ribot 2004). Additionally, the participation of communities is often not meaningful, whereby participation is more akin to involvement rather than actual empowerment and control. Additionally, communities can still be severely restricted from making a living from their forests (Gritten *et al.* 2015)

Another challenge for CBNRM—and all conservation strategies in which communities play an important role—is that assumptions about the relationships between community and environmental conservation do not always play out as expected. CBNRM depends upon assumptions about what a community is that do not always play out in practice. These are that the community is a small group of people with attachment to a particular territory, the community has a homogeneous social structure, and the community has common interests and shared norms. It is assumed that a combination of these factors increases the likelihood that the community will be interested in conservation and will be able to engage in conservation effectively by creating agreed upon rules and enforcement mechanisms to govern resources for the benefit of the community. Many groups of people living in and near protected areas do not fit these conditions. Cagalan (2015) shows how attempts to develop CBNRM with communities adjacent to the Northern Negros National Park in the Philippines has failed to achieve positive conservation outcomes due to a lack of a sense of community—most households are only

concerned with management of their private land, there is little experience with group decision-making, and households are much more concerned with livelihood security than conservation. While the combination of these factors is particular to this case study, any attempt at CBNRM must take into account the internal social-economic dynamics and differences within communities. Furthermore, even if a community is small and homogeneous and has common interests and shared norms, these factors may not translate into positive conservation outcomes. For example, communities may have common goals that emphasize resource extraction over conservation. Or, just because rules are important for a community to sustainably govern natural resources does not mean that the community will come up with them on their own.

Stevens (2014) argues that the above approaches largely fall into the old paradigm of conservation because they do not provide a significant role for indigenous peoples and local communities in the *governance* of protected areas—at best, people in conservation areas are involved in management and at worst they are used as cheap labor. IUCN (2008) has argued that taking governance seriously is critically important for protected areas. While *management* is concerned with what is done in a given protected area or situation, *governance* addresses who makes those decisions and how. Thus, governance concerns power, relationships, responsibility, and accountability—who has influence, who decides, and how decision-makers are held accountable. Decisions need to be made concerning a wide range of issues, such as: 1) whether a protected area is needed, where it should be located, and what management approaches should be used, 2) who has a voice in relevant matters for a protected area (advising or actually deciding), 3) creating rules about what types of land and resource use are allowed in a protected area, 4) allocating financial and other resources to support conservation and development activities, 5) generating revenues and how to use them, and 6) deciding on fair divisions of costs and benefits of conservation among stakeholders.

As conservation approaches have transitioned away from exclusionary models, like the protectionist approach, they have embraced the concept of participatory conservation and development. However, the type of participation that actually occurs in projects can vary significantly. Participation in conservation, at its worst, is simply involvement of villagers in ways that are not meaningful or empowering. Pretty (1994) has developed a typology of participation in development projects that shows the degree to which meaning and power can vary in different forms, reproduced in table 2 below.

There are two types of governance approaches in the new paradigm (Stevens 2014) whereby local communities play an important role in decision-making: shared governance (co-management) and community conservation areas. In a shared governance, previously referred to as a co-management approach, a variety of different actors work together to make and enforce decisions regarding the management of a protected area. This governance approach can potentially be applied to any form of land ownership (state, private, communal, or a mix). Complex processes and institutional mechanisms are employed to share management authority and responsibility among a plurality of actors, potentially including national and local government authorities, representatives of indigenous peoples and local

communities, user associations, private entrepreneurs, and landowners. All of the actors recognize the legitimacy of their respective rights and responsibilities to manage the protected area and agree on subjecting it to specific conservation goals and management objectives. Across the developing world shared governance approaches are implemented with an enormous variety of institutional arrangements, participation and decision-making dynamics and degree of power sharing. Although shared governance of protected areas is often portrayed as an equal partnership, in practice there are significant power differentials between actors, and as a result states and NGOs tend to have more power over decision-making than indigenous peoples and local communities (Stevens 2014). Nonetheless, shared governance approaches offer a number of benefits and opportunities for indigenous peoples and communities: recognition of territorial claims; recognition of and respect for their knowledge and institutions; support for capacity building and projects; increased access to revenues from protected area entrance fees and license fees; employment; and conservation funding, such as payments for ecosystem services. Sharing governance, however, can also diminish autonomy, especially if compared with community conservation areas.

Type of participation	Characteristics
Passive participation	People are told what is going to happen or has already happened. This involves a one-sided announcement by project managers, without listening to people's responses. The information being shared is 'owned' by external professionals.
Participation in information giving	People participate by answering the questions of external experts and project designers. People do not have an influence on what comes out of the project, as information and ideas are not shared and there is no checking with stakeholders about the accuracy of information.
Participation in consultation	People are consulted, and external people listen to views. The problems and solutions are designed by external stakeholders, who may change these in the light of people's responses. Such consultation does not give local stakeholders any share in decision-making, as professionals are not required to take on board their perspectives.
Participation for material incentives	People contribute resources, for example labour, in return for food, cash or other material incentives. For example, farmers in agricultural research may provide their fields to test a crop, but are not involved in the experimentation or the process of learning. It is very common to see this called participation, but people have no stake in carrying on activities when the project ends.
Functional participation	Stakeholders are involved after major decisions have been made rather than early in the project cycle. People form groups to meet project objectives that have been developed by external stakeholders, or sometimes an externally initiated body may be set up to coordinate the efforts of local people.
Interactive participation	Stakeholders jointly analyse the problems, formulate action plans, and work to set up new local institutions or strengthen existing ones with a lead role in decision-making. Interactive participation often has a strong learning component, and involves working with different kinds of knowledge (local-technical, social-scientific) to pick up on different perspectives.

Self-mobilization	People take the initiative to change systems or practices. They may develop contacts with external institutions to get resources and technical advice, but retain control over how resources are used. Self-initiated programs may sustain rather than challenge local inequities in wealth and power.
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Table 2. Typology of participation for development projects. Source: (Pretty 1994).

Community Conservation Areas (CCAs) lie at the far right end of the spectrum of involvement in governance. IUCN recognizes CCAs as “Natural and modified ecosystems, including significant biodiversity, ecological services and cultural values, voluntarily conserved by indigenous peoples and local and mobile communities through customary laws or other effective means”.¹ CCA is a broad term that encompasses the many ways in which indigenous peoples and local communities achieve conservation in particular places through cultural norms, their human-environment relationships, and self-governance. In such an approach indigenous peoples and local communities make and enforce decisions regarding the use and management of protected areas. It is the oldest form of protected area governance and is still widespread. Over thousands of years, human communities have managed, modified, and conserved their environments (even increasing biodiversity at times), generating symbiosis often referred to as “bio-cultural units” or “cultural landscapes”. Such conservation occurred while indigenous peoples and communities pursued a variety of goals such as livelihood, security, spiritual, and religious objectives. For all such areas, authority and responsibility lie with the communities through a variety of types of customary governance or locally agreed upon organizations and rules. These rules and conservation approaches can be formalized if recognized by higher-level authorities and organizations. Stevens (2014) argues that the term community conserved areas is powerful for indigenous peoples and their allies to use in conversations with the state, NGOs, and extractive industries to gain recognition and support for their self-governance, stewardship, and protection of their territories.

Importantly, the five governance approaches described above can apply to a range of different types of protected or conservation areas, such as the six types of protected areas classified by IUCN, summarized in Table 3 below. The link between governance and protected area types can be visualized as a matrix, as IUCN has produced (see Table 4 below).

1 IUCN website: <https://www.iucn.org/about/union/commissions/ceesp/topics/governance/>. Accessed on 16 December 2015.

IUCN category	Summary
Ia Strict nature reserve	Category Ia are strictly protected areas set aside to protect biodiversity and also possibly geological/geomorphic features, where human visitation, use and impacts are strictly controlled and limited to ensure protection of the conservation values. Such protected areas can serve as indispensable reference areas for scientific research and monitoring.
Ib Wilderness area	Category Ib protected areas are usually 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.
II National park	Category II protected areas are 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
III Natural monument or feature	Category III protected areas are set aside to protect a specific natural monument, which can be a landform, sea mount, submarine cavern, geological feature such as a cave or even a living feature such as an ancient grove. They are generally quite small protected areas and often have high visitor value.
IV Habitat/species management area	Category IV protected areas aim to protect particular species or habitats and management reflects this priority. Many Category IV protected areas will need regular, active interventions to address the requirements of particular species or to maintain habitats, but this is not a requirement of the category.
V Protected landscape/seascape	A protected area where the interaction of people and nature over time has produced an area of distinct character with significant, ecological, biological, cultural and scenic value; and where safeguarding the integrity of this interaction is vital to protecting and sustaining the area and its associated nature conservation and other values.
VI Protected area with sustainable use of natural resources	Category VI protected areas 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, where a proportion is under sustainable natural resource management and where low-level non-industrial use of natural resources compatible with nature conservation is seen as one of the main aims of the area.

Table 3. IUCN protected area categories. Source: <http://www.iucn.org/theme/protected-areas/about/categories>. Accessed on 10 August 2016.

Management Category	Governance Type			
	A. Governance by government	B. Shared governance	C. Private governance	D. Governance by indigenous peoples and local communities
	Federal or national ministry or agency in charge	Sub-national ministry or agency in charge	Government-delegated management (e.g. to an NGO)	Transboundary governance
			Collaborative governance (various forms of pluralist influence)	Joint governance (pluralist governing body)
			Conserved areas established and run by individual landowners	..by non-profit organisations (e.g. NGOs, universities)
				..by for-profit organisations (e.g., corporate landowners)
			Indigenous peoples' conserved areas and territories – established and run by indigenous peoples	Community conserved areas and territories – established and run by local communities
I a. Strict Nature Reserve				
Ib. Wilderness Area				
II. National Park				
III. Natural Monument				
IV. Habitat/ Species Management				
V. Protected Landscape/ Seascape				
VI. Protected Area with Sustainable Use of Natural Resources				

Table 4: IUCN protected area management and governance matrix. Source: Borrini-Feyerabend et al. 2013.

Finally, a gender perspective should be incorporated in all protected area governance approaches. Gender can be understood as the socially constructed differences and relations between men and women that vary according to situation, place, time, and context, and which influence structure and decision-making within communities, institutions, and families (González and Martin 2007). Regarding the sustainable management of biodiversity and natural resources, a gender perspective is essentially important for understanding and integrating the relations and differences between men and women. This includes the different roles, rights, and opportunities of men and women concerning access, use, management and conservation of natural resources. It also involves considering the ways in which environmental degradation affects men and women differently. Some important differences between men and women living in protected areas and buffer zones include: men often play a greater role than women in the exploitation of natural resources for commercial purposes; women generally have greater restrictions in their access to land and natural resources, especially with respect to independent

ownership; men and women have different perspectives about the use of natural resources based upon their relationships with the environment; and women generally have fewer opportunities to participate in environmental decisions (González and Martin 2007).

Research has shown that conservation projects that apply gender equity and promote women's participation are more effective in reaching their goals (Biermayr-Jenzano 2003). Some of the benefits of taking a gender perspective include: women's and men's traditional rights over resource use in protected areas are not diminished; decisions are based upon the differential, gendered knowledge that men and women have of the environment; conflicts of interest in management of protected areas are resolved by recognizing different interests and priorities of men and women; increased opportunities for sustainable activities that women have traditionally carried out or are interested in; roles and interests of women that are typically ignored are recognized; women are more effective at galvanizing and organizing community conservation efforts; and women can pass on traditional knowledge and environmental messages to the next generation (González and Martin 2007).

2.2 Defining equitable access

The concept of equitable access that GAPE and the CMLN seek to develop for their work fits well within the new paradigm of protected area governance, and particularly reflects the goals and objectives of the CCA approach but also integrates key aspects of CBNRM and the shared governance model. Based upon lessons learned from the approaches reviewed above, a definition of equitable access can be constructed. As introduced at the beginning of section 2, we define equitable access as: ***empowerment of communities to make decisions concerning the use and management of the resources that surround them and that they depend upon for their livelihoods. Intra-community differences along socio-economic, ethnic, and gendered lines must be accounted for to ensure that all community members have an equal voice.*** Equitable access is a perspective or approach concerning the role that local communities should play in conservation measures. Thus, it can play an important role in a variety of protected area governance models, but it would fit most closely with CCA, CBNRM, or shared governance arrangements.

In order to further explain the meaning of the concept “equitable access”, the meaning of the phrase is broken down into the two terms: “equitable” and “access”. First, access can be used in reference to a number of important aspects of protected areas. Access, at its most basic level, can be understood as the *ability* to benefit from things (Ribot and Peluso 2003). Those things can be land and natural resources, employment, or revenue. Access can also be used in reference to decision-making—the ability to be involved in decision-making. Ultimately, access in protected area governance is about *power*. Each of these dimensions of access are explained, as follows:

- *Access to land and natural resources:* People and communities living in protected areas should have access to land and natural resources (e.g. forests, water, wild plants and animals, construction timber). These lands and resources may be ancestral or customary, those which they have had access to over multiple generations, or lands and resources that have been

determined to be part of their village territories through participatory mapping, physical and verbal evidence and allocation processes. The communities, themselves, should be the main actors in deciding which lands and resources they have access to and how they are managed, while still being accountable to society in managing and using resources sustainably. Additionally, the flip side of having access to land and resources is that the communities should also have control over who does not have access, or who is excluded, from their lands and resources. Thus, they are able to decide if outside actors are able to extract resources from their lands, and if so, how the community will benefit from such activities.

- *Access to revenue:* Communities in protected areas should be able to access all forms of revenue and income. There are multiple potential sources of income that protected area residents could access, such as: park entrance fees, license fees, tourism concession payments, and resource extraction royalties. Additionally, residents should have access to any form of employment related to investment or development projects in or near the protected area.
- *Access to decision-making:* Protected area residents should have access to decision-making processes, and should play a dominant role in making decisions concerning protected area governance as well as governance of their surrounding land and resources. All decisions concerning use of communities' land and resources should only be made with their free, prior, and informed consent. Protected area communities should be the primary decision-makers for governance of the protected area as a whole, albeit in consultation with state and non-state external actors.

The “equitable” aspect of “equitable access” can be defined and understood using the concept of equity. Equity can be understood as fairness or justice in the way people are treated.² An equity approach treats people according to their needs and addresses diversity. It targets various obstacles to fulfillment and can target impoverished and marginalized communities. When it comes to protected area governance, there are two types of equity that are important: external equity, concerning the fairness of power relationships between communities and external actors, and internal equity, the fairness and justice of power relationships among actors within the community.

- *External equity:* Communities must be treated fairly and with respect by external actors, such as the government (at all administrative levels), NGOs, and private companies and traders. Additionally, the challenges that communities face in pursuing self-governance of the protected area and their land and resources must be addressed. Although communities may not have the capacity and experience for conservation and resource governance, this should not be an excuse for excluding them from decision-making but should instead be an incentive for greater involvement. External equity can only be guaranteed if their decision-making rights are agreed to by all involved actors and formally written into project and protected area governance documents.

2 The RECOFTC approach toward equity is employed, as explained on their equity portal: <http://www.recoftc.org/project/green-mekong>. Accessed on 9 December 2015.

- *Internal equity*: All community members must be treated fairly and with respect, paying attention to diversity and differences of power between community members, along lines of ethnicity, socio-economic class, gender, and age. All community members ought to have the right to play a role in decision-making processes. Efforts must be made to ensure that disadvantaged or marginalized peoples are able to voice their perspectives, and also that they are supported in ways that they may be involved, despite obstacles that they may face. Women, especially, should be encouraged to play a major role in decision-making considering that they are important actors for resource use, management, and conservation, as described above.

3. Models of protected area governance across the developing world

Protected areas were first created in the 19th century. Yellowstone National Park of northwestern Wyoming, USA, established in 1872, is recognized as the first national park in the world. It is also the first example of the displacement of people associated with protected areas, as it led to the exclusion of Crow and Shoshone Native Americans from their ancestral lands. Since then, protected areas have expanded dramatically across the world—there are now 197,368 terrestrial protected areas, covering 20.6 million square kilometers or 15.4% of the world's land area (Juffe-Bignoli *et al.* 2014). Many developing countries have set aside more than 10% of their land for conservation. Most national parks in the developing world were created based upon the Yellowstone model, in which the design and management of the park was intended to protect nature from surrounding society. Decisions concerning management of the parks were made by the state and executed by experts and professionals. This approach has held that people have a negative impact upon conservation. The British colonial government in Kenya emphasized that “the public good was best served through the protection of forests and water resources, even if this meant the displacement of local communities” (Kamugisha *et al.* 1997).

The social impacts of such policies became quite obvious. Additionally, the erosion of customary forest management systems has been recognized by major development agencies, like the World Bank, to lead to the deterioration of forests in many parts of the world (Bromley and Cernea 1989, Poffenberger 2006). As a result, the trend in conservation thinking over the past four decades has been to put people back into conservation through participation, and this has been reflected in the range of different types of donor-driven conservation projects in protected areas across the developing world that involve some degree and form of participation. Participation, however, is interpreted in many different ways, as discussed in section 2. Dearden *et al.* (2005) conducted a study of 41 developing and developed countries showing that between 1992 and 2002, the governance of protected areas has become increasingly participatory: there is participation of more stakeholders, greater use of formal accountability mechanisms, and a wider range of participatory techniques. This section of the report focuses on examples of the newer models of forest conservation that are emerging in the developing world, with attention paid particularly to evidence of approaches that have been effective for both conservation and livelihood development.

The transition from the old to new paradigm of conservation is well represented by changes in conservation approaches in India (Poffenberger 1994). Since the middle of the 19th century, large forest areas throughout India were designated as public lands and put under management of state forest departments for production and protection. Millions of rural inhabitants who had used these lands had their rights taken away by the state. By 1980, 23% of India's land was under state management, displacing nearly 300 million people. The conflicts that resulted led to unsustainable forest exploitation and the degradation of India's forests. Forests covered less than 10% of the country's land area by 1990, thus demonstrating the perils of misalignment between conservation programs and the needs and interests of local people. Since the mid-1990s, planners and forest administrators have sought to address forest conflicts by creating collaborative forest management systems. In eastern India, between 6,000 and 8,000 villagers have begun patrolling and protecting hundreds of thousands of hectares of degraded forest as part of the new joint management approach, which has had a positive effect upon forest regeneration (Poffenberger 1994).

Many of the success stories of participatory resource management that capture the ideals of “equitable access” are resource management schemes driven by communities, but outside of government-established protected areas. Studies at the global level comparing exclusionary protected areas with community-based conservation measures have shown that the latter are more effective at reducing deforestation and maintaining biodiversity while also providing greater livelihood benefits for conservation communities. Porter-Bolland *et al.* (2012) and Seymour *et al.* (2014) have conducted meta-analyses of scholarly articles on conservation area governance approaches and forest outcomes, finding that community managed forests and areas with stronger local land tenure have better forest outcomes than exclusionary protected forests managed by the state. Porter-Bolland *et al.* (2012) reviewed studies of 40 protected areas and 33 community managed forests and found that deforestation was lower and less variable in the latter. Seymour *et al.* (2014) found that strong indigenous or local land and forest tenure is associated with forest management outcomes that are at least as good or better than outcomes for areas owned or managed by the state.

One example of the success of decentralization efforts that put communities at the forefront of conservation is the Duru-Haitemba Forest near the town of Babati, Tanzania, a Village Land Forest Reserve managed jointly by nine villages (IUCN 2008). The area was originally supposed to be gazetted as a centrally-managed forest reserve, but this led to conflict between the central government and the communities, and the area was eventually created as a village reserve as part of a new effort in the 1990s to decentralize forest management to the local level. The reserve covers 9,020 ha and plays an important role in village livelihoods, largely by providing access to NTFPs. Decision-making is in the hands of a village management committee, which creates management plans and village by-laws governing forest use and imposes penalties for violations. Legislation on community forestry in Tanzania developed since the 1990s recognizes traditional practices and institutions, providing communities with the freedom and flexibility to determine and enforce rules and management activities. Community forests in Tanzania have been highly effective at improving livelihoods as well as achieving conservation goals.

Some studies have been conducted comparing exclusionary protected areas with community forests in the same national context. These studies have shown that community forests are more effective at reducing deforestation. Ellis and Porter-Bolland (2008) compared a protected area, La Montaña in the state of Campeche and a community forest, Zona Maya, in the state of Quintana Roo, both in the central Yucatan peninsula of Mexico. Deforestation was higher in La Montaña (0.7% from 2000 to 2005) than in Zona Maya (-0.002% from 2000 to 2004). Bray *et al.* (2004) further show that deforestation in the community forest has been minimal over a longer period from 1984-2000, at 0.01%. Forest conservation in Zona Maya was stronger in part due to the creation of common property forests for NTFP extraction and the creation of local community forestry institutions to manage these lands. The creation of these communal forest areas and management institutions at the community level were supported by donor projects and the Mexican government. However, the critical variable leading to success was community ownership and stewardship of the initiative. Another factor that enabled the success in Zona Maya was the presence of ecotourism in the area and the ability for people to make an income from involvement in ecotourism rather than agricultural development, which was limited in the La Montaña area.

Some protected areas, however, are created jointly by governments with local communities. The Alto-Fragua-Indiwasi National Park in Colombia is an example of such a protected area. The park was created in 2002 at the request of indigenous communities and was established through negotiations among the Colombian government, the Association of Indigenous Ingano Councils and an environmental NGO (IUCN 2008). The park is located in the Colombian Amazon, in a location with some of the highest biodiversity in the country, and protects a number of different ecosystems and endangered species. The area also includes important sacred cultural sites for the indigenous people. The terms of the decree that established the park make the indigenous Ingano people the principal actors in design and management, as the area is a sacred place for them. It is also the first time for Colombia that an indigenous community has been the primary actor in designing and managing a protected area that is part of the national protected area system.

In Brazil, the Chico Mendes Extractive Reserve in Acre state is an example of a protected area established by the Brazilian Federal Government, but based upon a community-led movement and set up to provide access to land and forest resources for the livelihoods of local people (FAO 2014). The model was developed by Chico Mendes, a famous Brazilian rubber tapper, trade union leader, and environmentalist who fought to preserve the Amazon rainforest while simultaneously advocating for the rights of Brazilian peasants and indigenous peoples. Local rural workers' unions and the National Council of Rubber Tappers proposed the establishment of extractive reserves, within which access and use rights, including natural resource extraction, are allocated to local groups or communities. The aim of extractive reserves is to simultaneously conserve forests and extract their resources in a sustainable and equitable way. The extractive reserve encourages local development by creating employment opportunities and increasing income, while locals also play an important role in managing natural resources. The Chico Mendes Extractive Reserve covers nearly 1 million ha, and thus is the largest

extractive reserve in Brazil. It is rich in biodiversity and hosts many varieties of economically valuable trees. Households in the reserve must follow strict rules concerning land conversion for agriculture and livestock areas in order to ensure sustainable forest management. There are 64 such extractive reserves in Brazil, covering an area of approximately 12 million ha.

These findings are paralleled across South and Southeast Asia. In northern Vietnam, community forest management and the transfer of land use rights from the state to communities and groups of households have led to enhanced equality and distribution of benefits as well as better protection of forest resources (Pinyopusarerk *et al.* 2014). Comparisons of community forestry sites with state production forest areas in Prey Long Forest, Cambodia, have shown that community forestry leads to lower impacts upon the forest: less anthropogenic damage, higher aboveground biomass, more regenerating stems, and reduced canopy openness (Lambrick *et al.* 2014). Nepal's community forestry program has also been effective at improving forest conditions, smallholder livelihoods and environmental sustainability (Gurung *et al.* 2013).

4. Protected area governance in the Lao PDR

The Lao system of National Protected Areas (NPAs), previously referred to as National Biodiversity Conservation Areas (NBCAs), was established in 1993 with the passage of Prime Ministerial Decree No. 164 (Robichaud *et al.* 2001). There were three stated objectives for the establishment of NPAs:

1. Protection of forests, wildlife and water
2. Maintenance of natural abundance and environmental stability
3. Protection of natural beauty for leisure and research

The Forestry Law of 1996 enshrined NPAs as a legally defined forest type. The establishment of the protected areas resulted from collaboration since 1988 between the International Union for the Conservation of Nature (IUCN) and the Lao Ministry of Agriculture and Forestry (MAF). Part of the government impetus for creating protected areas was to address the increasing rate of deforestation and forest degradation occurring due to logging. Timber extraction had increased to generate revenue in the absence of declining Eastern Bloc aid. Additionally, there was increasing demand for timber from Thailand after the Thai government banned logging in 1989. Areas for the establishment of NPAs were identified based upon various factors including the presence of key species significant for conservation, good habitat conditions for such species, a low degree of disturbance, and at least 500 km² of contiguous forest in each protected area. The Lao NPA system has been praised for being one of the best in the world in terms of biogeographic design (Robichaud *et al.* 2001). Originally, the protected area system included 18 NPAs, while another two were added later in the 1990s and three more in the 2000s. There are now 23 NPAs in total covering more than 30,000 km² (see figure 2). Over 1,000 villages are located within or near NPAs. Villages are typically categorized into four types, depending upon location relative to the NPA:

1. Enclave villages: the whole territory of the village falls entirely within the NPA boundary

2. Straddle villages: part of the territory of the village falls within the NPA boundary
3. Adjacent villages: the territory of the village is outside the NPA but shares a common boundary
4. External villages: the territory of the village is outside of the NPA and does not share a common boundary, but village activities have an impact upon the NPA

In contrast to protected area systems in other countries of the Global South, the NPA system in the Lao PDR was established after the protectionist approach or “fortress model” had been heavily criticized and discarded at the global level. Thus, the system in the Lao PDR does not carry the weight of historical injustices typically associated with protected areas throughout postcolonial contexts (Neumann 2004), and has potential to develop relationships between protected area residents and managers based upon trust and free of suspicion (Robichaud *et al.* 2001). As a result, the system implemented in the Lao PDR was designed to incorporate important features and dimensions of the “new paradigm”, by creating NPAs that are multi-functional, conserve biodiversity while simultaneously providing livelihood opportunities for their residents, and that are participatory, involving protected area residents in conservation activities and decision-making. Robichaud *et al.* (2001) argue that the Lao NPA system is more progressive than in other Asian nations due to three key participatory goals:

1. Management should benefit NPA residents
2. Management should proceed in collaboration with local residents, emphasizing a participatory, non-confrontational approach
3. Management implementation should be delegated to local government (although this is mostly envisioned as being the district government, with participatory input from village government)



Figure 2. NPAs in the Lao PDR. Source: www.mekong-protected-areas.org/lao_pdr/maps/pas.gif

The NPA system was designed to provide benefits and incentives to residents in protected areas via three mechanisms (Manivong and Sophatilath 2007):

1. Provision of secure and equitable land use rights
2. Assistance for livelihood and community development activities in return for residents' participation in conservation management
3. Support for sustainable harvesting activities in NPAs to give residents an economic stake in the protected area resources

While progressive ideals of conservation, development, and participation have guided the design of the

NPA system in the Lao PDR, they have not always been realized in practice, and in some cases dimensions of the non-participatory, protectionist approaches have been reproduced due to the realities of the Lao political economy, governance system, and land and forest policies. Additionally, the 1993 Decree that established the NPA system also contains elements that heavily restrict local livelihoods in NPA areas. For example, it put a full ban on shifting cultivation, prohibited land holding or house construction and the expansion of agricultural fields, banned hunting and fishing, and prevented NTFP collection in some restricted areas.

The Lao NPA system has been designed to avoid the worst dimensions of displacement and dispossession associated with the protectionist approach to conservation. For the most part this has been followed by not forcibly resettling people out of protected areas. This has not always been the case, however, in large part due to government programs to resettle people from upland to lowland areas throughout the country, which has been applied to NPA areas as well. A number of these cases have been documented by Baird and Shoemaker (2005). In 2001-02 a UNESCO ecotourism project in the Nam Ha NPA in Luang Namtha province of northern Laos had successfully trained villagers in the ethnic Akha village of Nam Mat Kao to be ecotourism guides. Ecotourism had generated additional income for villagers, which was being shared equally among households, but in 2004 local authorities moved the village to the lowlands without considering the benefits of the project and the perspective of villagers. Baird and Shoemaker also describe a case in which an ethnic *Salang*³ community from inside of the Phou Hin Poun NPA was moved to an area adjacent to a village on the border of the park, in part because they were a semi-nomadic hunter-gatherer group and the government wanted them to settle permanently. In other cases, NPAs were established in areas that had been depopulated due to other forces, such as conflict during and after the Second Indochina War—post-war insurgencies along the borders with Cambodia, Thailand, and China led to the depopulation of a number of areas that are now within NPAs, such as in the Xepian NPA of southern Champassak province and the Nam Phouy NPA of western Xayaboury province (Dwyer *et al.* 2016).

Designing NPAs in a way that simultaneously benefits local livelihoods and achieves conservation goals has been a central goal for the GoL and donor-driven projects. According to DOF, sustainable development does not refer to large projects such as roads, dams, and resorts, but rather should emphasize livelihood improvement for local people (Robichaud *et al.* 2001). The objective to design NPAs in ways that simultaneously benefit local livelihoods and achieve conservation goals has been realized through a mix of approaches of Integrated Conservation and Development (ICD) projects and Participatory Management (PM), also known as co-management or joint management. There is a variation, however, in how the activities are designed, especially the role of NPA residents, differing by donor and project. The GoL favors ICD but also endorses PM, not only involving villagers in conservation activities but also in management decisions (Southammakoth and Craig 2000a, 2000b).

Despite GoL aims to integrate development and conservation via ICD and PM, in many cases

3 A term used by ethnic Lao people to refer to hunter-gatherer groups in central Laos.

livelihoods of residents in NPAs are highly constrained. The GoL believes that NPA residents will be unable to reach the same level of material prosperity as residents of towns or agriculture development zones, but they still believe that the NPA can result in a net benefit for them. The most significant restriction placed upon residents of the protected areas is on their land uses and their agriculture and forestry practices, particularly swidden cultivation, largely implemented through land use planning and land allocation (LUPLA). While such restrictions are implemented by the government in and outside of protected areas alike, LUPLA occurs differently in NPAs, with greater restrictions on land and resource use for larger portions of village areas, considering the higher significance of conservation goals.

Restrictions upon village land use and agriculture-forestry practices may partly explain why residents of NPAs continue to face food insecurity and poverty. If residents do not have an economic stake in protected areas by benefiting from the use of resources within the boundaries of the NPA then they will not have an incentive to support conservation efforts (Corbett 2008). Communities will only invest time and effort in sustainable protected area management if they perceive their future livelihood security will be improved as a result. A study by Sirivongs and Tsuchiya (2012) in the Phou Khao Khouay NPA of central Lao PDR found that residents with positive perspectives of the NPA were more likely to participate in conservation management, and that residents who gained income from ecotourism had a much more positive perspective than those who did not. Participatory ecotourism has been recognized as one of the most positive examples of increasing village incomes and ensuring their meaningful involvement in conservation activities. The UNESCO-sponsored ecotourism project in the Nam Ha NPA in Luang Namtha province, northern Laos, has been recognized as highly successful at both increasing rural incomes and conserving forested areas (Lyttleton and Allcock 2002).

Similarly, Corbett (2008) identifies that one of the main problems facing participation in the Lao PDR, Cambodia, and Vietnam is the lack of meaningful power sharing. Oftentimes, the partnerships that do develop are “paper partnerships”, meaning that they do not involve actual power sharing, especially the transfer of responsibilities *and* rights. This was found to be a significant issue in the Dong Houa Sao NPA of Laos, where none of the communities interviewed expressed that they had a genuine partnership with local authorities in managing or benefiting from the protected area (Corbett 2008).

A major challenge facing governance efforts of NPAs in the Lao PDR is the continued presence of resource extraction by external commercial interests, particularly in the form of illegal logging, which has led to an alarming loss of biodiversity and resources for local community livelihoods, mirroring results in other Greater Mekong Region countries like Cambodia and Vietnam (Corbett 2008). In the Dong Houa Sao NPA between 1992 and 2007, local communities experienced a loss of 50-80% of key forest resources (including timber, wildlife and fish and other NTFPs) on which their livelihoods depend (Corbett 2008).

Oftentimes, politically powerful actors are involved in logging in NPAs. Dwyer *et al.* (2016) have shown how the military has invoked the rhetoric of national security in NPAs along border areas with histories of anti-government insurgency to maintain military control over logging in such areas,

effectively blocking activities by foreign conservation and development projects. Not only do illegal logging and other resource extraction activities in NPAs deplete the resources that are essential for livelihoods of villagers living in such areas, they deflate the motivation of communities in and near NPAs to protect and conserve the forest, knowing that forest resources will be extracted by other actors anyways. As recorded by Dwyer *et al.* (2016, 6), an elder from a village on the Champasak side of the Xepian NPA expressed that “For many, many years we have protected this forest. They told us that it was our duty to the nation. But now they are taking all of it. If they will no longer protect the forest, then we do not see that we have a responsibility to continue doing so”.

5. Conclusions and Recommendations

Governing protected areas in ways that achieve goals of conservation and livelihood improvement via participatory involvement of park residents is one of the greater governance challenges in developing countries. While many protected area conservation projects seek to involve protected area residents in a participatory fashion, particularly through co-management in the Lao context, oftentimes the participation element falls short of being meaningful. When protected area residents are not meaningfully participating in governance and decision-making, project goals are jeopardized. In this report we contend that the concept of *equitable access* is useful for addressing these challenges and ensuring that protected area residents play a meaningful role in governance processes, are in control of their livelihoods, are motivated to support conservation goals, and gain meaningful benefits from conservation outcomes. To this end, we define equitable access as *empowerment of communities to make decisions concerning the use and management of the resources that surround them and that they depend upon for their livelihoods. Intra-community differences along socio-economic, ethnic, and gendered lines must be accounted for to ensure that all community members have an equal voice.*

With this definition in mind, a number of recommendations can be made for improving protected area governance in the Lao PDR, with relevance to other countries in the Greater Mekong Region and throughout the developing world. These recommendations are for the GoL as well as conservation donors and projects. These recommendations are interrelated and strengthened if implemented in a coordinated fashion.

1. Formalize and implement meaningful roles for communities in governance of protected areas. If residents are to play an important role in decision-making for protected areas, their rights and responsibilities need to be written into protected area management plans and acknowledged and respected by managers and government. If such roles are to be meaningful, then communities must have the rights to be involved in decision-making processes rather than solely provide consultation input. The rights of all community members, especially women, to make such decisions, rather than only village leaders or committees, must be included.
2. Create and expand zones of community conservation areas, or traditional use forests, within protected areas. While protected area residents should be involved in decision-making concerning the

protected area as a whole, they should have a more direct role in conservation of their customary lands, potentially zoned as their village boundary. The community should be the principal actor for designating which village areas are zoned as community conservation areas and for designing the rules and regulations of such areas, as appropriate for their livelihood needs and approaches for sustainable management of resources.

3. Support, rather than hinder, protected area residents' land, agricultural, forestry, and other resource use practices. Attempts to constrain village rural livelihood practices, such as shifting cultivation, can lead to impoverishment and increased food insecurity, and as a result they may turn toward other more destructive practices like illegal logging to support themselves. If conservation of the protected area is integrated with local livelihoods, they will have an economic stake in sustainable management of the protected area. Communities are more likely to invest time and effort in sustainable protected area management if they perceive that their future livelihood will be improved as a result.

4. Ensure equitable access by providing greater use and ownership rights to residents. One of the major shortcomings of approaches that emphasize participation of residents in protected area governance and empowering them to retain autonomy over their livelihoods is that this emphasis is not coupled with tenure security. If protected area residents are to have rights and responsibilities in governing protected areas, particularly their own village territories, lands, and resources, then an effective way to formalize and guarantee such rights and responsibilities is with land and forest tenure arrangements. If villagers have secure tenure over private and common agricultural and forest lands then they will have greater incentives to sustainably manage these resources, which is beneficial for their livelihoods and for achieving conservation goals.

5. Create collaborative alliances between protected area managers and residents to patrol and report illegal resource extraction activities in protected areas. Protected area residents should be supported and treated as the front line defense against illegal activities in protected areas as they are most immediately aware of resource extraction occurrences. A major constraint, however, is that villagers are often concerned that they do not have the right to report illegal activities or that such reporting will create problems for themselves. Thus, there must be political support from the government for villagers acting as protection agents. Some projects established by NGOs and development donors have been successful at promoting village participation for patrols and monitoring, but these activities tend to cease once the projects end (Poulsen and Luanglath 2005).

6. Constrain, limit, or prohibit large-scale commercial resource extraction activities in protected areas, including logging, mining, and hydropower. When such activities are permitted, not only do they degrade the resource bases important for village livelihoods, they also deflate villagers' motivation to conserve resources, knowing that the resources might be unsustainably extracted by other actors. Restricting large-scale resource extraction in NPAs is challenging because such activities often involve powerful actors. Addressing this recommendation requires political effort at multiple scales: district, provincial, national.

7. Ensure that protected area residents have equitable access to resources and protected area governance decision-making within the community—equally among all community members and among men and women. The role for all community members, including women, should be formally established in protected area governance rules and regulations, as discussed in recommendation 1 above. However, formal recognition is not enough—as important is long-term, community-level engagement via discussions, workshops, and trainings, or other methods for examining how to increase participation by all community members, including women. These approaches should also be respectful of the cultures and traditional governance approaches of protected area communities.

8. Conduct additional research on co-management and participatory conservation schemes in protected areas in the Lao PDR. Much of the research on protected areas in the Lao PDR is focused on governance of protected areas at the scale of the protected area and concerns the roles played by the government and external conservation organizations. There is little research focused on the participatory role of protected area residents. In particular, it is difficult to determine from the research whether attempts at resident participation are meaningfully empowering villagers to make governance decisions, or whether such participation is merely involvement and limited consultation input. Additionally, little research has been conducted concerning whether village participation has given them greater control over their livelihood options and conservation activities, and what the overall effect of such participation is upon conservation goals.

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Global Association for People and the Environment
ຕັ້ງ ປ.ນ 860, ຈຳປາສັກ, ສ.ປ.ປ.ລາວ P.O. Box 860, Pakse, Champasak, Lao PDR
ໂທ/ແຟັກ Tel/Fax: +856 031.251.427 | www.gapeinternational.org