RECOGNITION AND SUPPORT OF ICCAs IN FIJI

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Case study for:

RECOGNISING AND SUPPORTING
TERRITORIES AND AREAS CONSERVED BY INDIGENOUS PEOPLES AND LOCAL COMMUNITIES
Global Overview and National Case Studies

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ICCA Consortium, IUCN/TILCEPA, Kalpavriksh, and Natural Justice

CBD Secretariat Technical Series No. 64

Citation: Govan, H., S. Jupiter and J. Comley. 2012. Recognition and Support of ICCAs in Fiji. In: Kothari, A. with Corrigan, C., Jonas, H., Neumann, A., and Shrumm, H. (eds). *Recognising and Supporting Territories and Areas Conserved By Indigenous Peoples And Local Communities: Global Overview and National Case Studies.* Secretariat of the Convention on Biological Diversity, ICCA Consortium, Kalpavriksh, and Natural Justice, Montreal, Canada. Technical Series no. 64.

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October 2012

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List of acronyms

BINGO	Big International Environmental Non Governmental Organization
EBM	Ecosystem Based Management
FLMMA	Fiji Locally Managed Marine Area network
ICCA	Indigenous and Community Conserved Area
LMMA	Locally Managed Marine Area
NGO	Non Governmental Organization

Acknowledgments

Ashish Kothari and Aurélie Neumann provided editorial inputs.

Summary

The Republic of Fiji shares with other independent Pacific Island Countries a globally unique situation in which most of the territory is under customary ownership. While this situation originally represented a considerable challenge to European models of protected area establishment, the past 15 years have seen a proliferation of Indigenous and Community Conserved Areas (ICCAs) mainly in marine and coastal areas where they are known as Locally Managed Marine Areas (LMMAs). ICCAs comprise all of Fiji's Marine Protected Areas covering 1,772,600 ha and three quarters of the terrestrial Protected Areas or 38,000 ha.

Fiji's marine ICCAs do not have legal recognition and are driven by utilitarian and, to some extent, spiritual or stewardship values. The ICCAs are supported by government and NGOs alike under partnerships such as the Fiji Locally Managed Marine Area Network (FLMMA) and more recently the Protected Areas Committee (PAC). The LMMAs under the FLMMA Network form the basis not only for achieving national commitments to Protected Areas but also the main strategy for national inshore fisheries management.

The increasing pressure on natural resources exerted by increased monetization of the economy, moves to promote mining and other extractive industries, erosion of traditional governance and political and legal instability along ethnic lines (including 4 coup d'états and 2 abrogated constitutions since independence) represent threats demanding an increased attention to legal and institutional support of ICCAs. Terrestrial conservation is particularly neglected and under threat from potential land reforms and development.

Since the last coup in 2006 the legal situation is in a great state flux with the abrogation of the constitution, changes to the institutions and procedures for land management and the

abolishment of the Great Council of Chiefs on the one hand and a large number of decrees and legislation under development such as the review of the Fisheries Act, Forestry legislation and Mining Act on the other. The rapidly changing legal situation provides opportunities and also risks for the recognition of ICCAs, which will need careful monitoring and input in what has been a hitherto unconducive environment owing to the censorship and intimidation experienced under the Public Emergency Regulations which were only lifted in January 2012.

ICCAs are generally recognized to be core to the management of terrestrial and coastal resources, but greatly increased emphasis is required to develop strategies for building overall national approaches supported by government policy, legislation, budgetary and institutional mechanisms.

1. Country description and context

1.1. Key features of Fiji

Fiji lies in the heart of the tropical Pacific Ocean between longitudes 174º East and 178º West of Greenwich and latitudes 12º and 22º South. Fiji's Exclusive Economic Zone, which extends 200 nautical miles from shore, contains approximately 330 islands, of which about a third are inhabited. This covers about a 130 million ha of the South Pacific Ocean.

Fiji's total land area is 1,833,300 ha. There are two major islands, Viti Levu (1,042,900 ha) and Vanua Levu (555,600 ha). Other main islands include Taveuni (47,000 ha), Kadavu (41,100 ha), Gau (14,000 ha), and Koro (14,000 ha). There are only two designated cities in Fiji: Suva, the capital, located on the southeast of Viti Levu, and Lautoka, located on the northwest of Viti Levu.

The population in 2007 was 837,000, of which 57% comprises indigenous Fijians (*i Taukei*), 37% descendants of Indian immigrant labourers, and 6% other races including Pacific Islanders, Europeans, Chinese and Rotumans. The indigenous i Taukei hold 87.9% of the land under traditional ownership and Rotumans have tenure over 0.3% safeguarded under the Native Lands Act. Freehold land comprises 7.9%, while 3.9% is State Land (FIBS 2010).

Well-endowed with forest, mineral, and fish resources, Fiji is one of the most developed of the Pacific island economies, though still with a large subsistence sector. Sugar exports, remittances from Fijians working abroad, and a growing tourist industry – with 400,000 to 500,000 tourists annually – are the major sources of foreign exchange. Sugar processing makes up one-third of industrial activity but, along with the garment manufacturing industry, is facing an uncertain future owing largely to the reduction of preferential trade agreements under increasingly promoted free trade.

Fiji was settled by several waves of people originating in Southeast Asia. The first settlers were attributed to the Lapita culture some 3,500 years ago and although the exact relation between these people and subsequent migrations is not clear, the strong links of the present day population are still apparent with the Melanesian peoples to the West and the Polynesian people predominantly to the East and South. European contact resulted in rapid developments, including more sophisticated wars and the introduction of diseases. Eventually Fiji was ceded to the British in 1874, who introduced legislation – such as the Fisheries Act – that reflected their worldview of open access to sea resources but is inconsistent with many indigenous perceptions of marine resource ownership.

Fiji became independent in 1970, but democratic rule was interrupted by two military coups in 1987 caused by concerns over a government perceived as dominated by the Indian community. The coups led to heavy Indian emigration, and the population loss resulted in economic difficulties but ensured that Melanesians became the majority. A new constitution enacted in 1997 and subsequent elections resulted in a government led by an Indo-Fijian, but a civilian-led coup in May 2000 ushered in a prolonged period of political turmoil. Criticism of subsequent governments' pro-indigenous stance reflected in proposed legislation affecting land and inshore marine rights led to a military coup in 2006. The subsequent 'interim government' has abrogated the constitution and governed largely through the use of decrees,

while developing a new constitution and key legislation including laws that govern natural resource use.

Key points:
- ⇨ Most land (87%) is legally under customary landownership. Marine tenure is vested in the Crown but communities assume de facto rights and are legally consulted for development purposes.
- ⇨ The political and legal situation has experienced marked instability with issues of indigenous rights and customary tenure particularly contentious.

1.2. Brief history of conservation, state- and community-based

The Fijian relationship between people and their land and sea, the *vanua*, is traditionally defined among other things as the duty of care that people have to each other, the future generations, as well as the environment (Govan et al. 2009a). Traditional approaches to conserving resources for consumption have long been practiced through initiatives such as setting aside areas or species from hunting, fishing or gathering to build up quantities of food or other resources for special occasions (Veitayaki 1997). Such approaches are generally known as *tabu* (see Box 1). Some places or plants or animals were forbidden to some people, but this was for cultural or spiritual reasons rather than explicitly for conservation. These approaches to resource use continue in parts of Fiji today and are sometimes used as the basis for modern community conservation initiatives (Lees and Siwatibau 2007).

Sun setting on the remote village of Tovu, Totoya Island, Fiji
© Stacy Jupiter

Box 1: Generalized differences between Marine Protected Areas (MPAs) and *tabu* areas (Based on Govan et al. 2009a)

	MPA	*Taboo area*
Duration	Permanent	Limited or periodically harvested
Size	Small to large	Usually small
Purpose	Biodiversity protection or multiple	Resource management or food security
Governance	Legislation	Individual, clan or community recognition
Enforcement	External assistance	Local
Design considerations	Mainly technical/biological	Mainly societal or practical
Zoning	May be zoned	Usually not zoned
Perceived analogy	Investment generating bank account – 'spillover'	Savings bank accessed when needed – 'piggy bank'

In recent years, numerous local, national and regional projects have emerged to meet concerns about the environment as Fiji has developed as a nation. In the words of Lees and Siwatibau (2007): *"Protecting hunted species, conserving rivers and streams, managing the growth of the timber industry, regulating agricultural practices and providing for population growth were common early issues. When conservation leapt to the forefront of international concerns by the early 1990s, the focus of attention for biodiversity conservation in Fiji was on logging and protected area establishment. During this decade there was one local NGO working exclusively on environment matters. In the early 1990s the first international conservation NGO opened an office in Suva. A second opened an office in 1998 and the remaining ten have opened offices since 2000. In the last few years, several Fiji NGOs have opened offices and begun conservation programmes of their own. The relatively recent arrival of the NGOs to the conservation scene in Fiji has seen a marked shift away from an earlier government-focused approach to project-based work in communities".*

The first environmental legislation – known as the Rivers and Streams Ordinance – was passed by the Colonial Government in 1880. Since then Fiji has enacted at least 26 pieces of legislation for the protection of its environment and natural resources that have mandated at least 15 Ministries, statutory bodies and other agencies with authority in this field (Lees and Siwatibau 2007).

Setting aside the argument that many or most customarily owned areas could be considered ICCAs (Box 2), there are currently a number of established conservation areas in Fiji. These conservation areas vary in their size and ecological value, and do not yet form an adequate or representative protected area system. The legal status of these areas varies, including: strict nature reserves declared under national forestry legislation; heritage sites owned or leased by the National Trust; conservation leases held by individuals and businesses; and, increasingly, marine and coastal community□declared conservation areas (Clarke and Gillespie 2008).

Box 2: ICCAs and customary tenure
(From Govan et al 2009b)

In the broadest sense, all areas under customary tenure and for which the inhabitants have that special obligation of stewardship discussed above (typified by the Fijian *vanua*) meet the first two criteria in the definition of Community Conserved Areas, that of a strong relationship between area and local community and that the community as key decision-maker.

Regarding the third criteria – that the efforts of the concerned community lead to conservation – it could be argued that customary stewardship results in 'more conservation' than alternative and elsewhere more common tenure systems in which people have a less engrained 'duty of care'. On the face of it, the argument for the enhanced resources management provided by customary tenure is supported by evidence such as expulsion of poachers, prevention or control of squatters or control of access to natural areas (through fees) commonly experienced in the region.

However, despite the genuine and profound relationship between people and land there are many examples of such areas being exploited unsustainably by their 'stewards'. Many factors may be at play here including loss of traditional knowledge about the environment, increasingly efficient and speedy methods in which exploitation or damage can be wrought and new interpretations by traditional decision-makers as to the extent of their traditional rights and obligations in modern scenarios of cash incentives, changing governance roles and the ability to be absentee 'landlords'.

For over 25 years, the existing conservation areas have been considered by experts as inadequate, and calls for a national system of protected areas continue to this day (Lees and Siwatibau 2007). Views about what model of protected area is appropriate for Fiji have changed in the 27 years, since the National Trust for Fiji first put forward their recommendations for a national parks system for the country. Nowadays, models for conservation have a much stronger community basis and are often linked to livelihoods, sustainable resource use, and cultural issues (Lees and Siwatibau 2007). The past decade has seen most progress in marine conservation and very little in terrestrial terms with the exception of some emphasis on ecosystem wide approaches and the significant initiative of conserving Sovi Basin and its design of an appropriate community trust fund (Lees and Siwatibau 2007).

Sustainable use of resources is a cornerstone component of biodiversity conservation in Fiji, reflecting a Fijian-centred view of nature and recognising the reality of an economy dependent on its natural resources. Indeed the major development over the last 10-15 years has been the spread of Locally Managed Marine Areas (LMMAs) based on community priorities in terms of fisheries and livelihoods. The rapid spread of this model was in part due to active support of, and by, a national network (see Box 3). Progress was impressive and in 2005 the Fiji government stated: "*by 2020, at least 30% of Fiji's inshore & offshore marine*

areas, (i qoliqoli[4]) will have come under a "comprehensive, ecologically, representative networks of MPAs, which are effectively managed and financed"[5].

Box 3: Fiji's Locally Managed Marine Area Network (FLMMA): A community governed network to guide national marine resource management
(From Govan et al. 2011)

In 1994, the son of a high chief from Ucunivanua Village in the Verata district sought assistance from staff at the University of the South Pacific (USP) to resolve some of the problems facing the village, particularly the loss of the *kaikoso*, or clam, a staple food and main source of income. The ensuing collaboration resulted in the development of a management plan, declaration by chiefs and elders of a *tabu* (closed) area for 3 years, and implementation of community monitoring. Monitoring data indicated that management measures resulted in the rather quick recovery of *kaikoso* and associated increases in harvests and income. Other communities and NGO partners were also exploring local solutions to diminishing marine resources; Cuvu district on the Coral Coast of Viti Levu was working with the Foundation for the Peoples of the South Pacific (FSP, now Partners in Community Development Fiji) and in Ono, in the island group of Kadavu, villagers were working with the World Wildlife Fund for Nature (WWF) to find ways to protect some key coral reef areas. Each of these projects was testing, under different social, ecological and economic conditions, whether Locally-Managed Marine Areas (LMMAs) could contribute to conservation of biodiversity and habitats alongside improvement of local livelihoods.

The promising results of these projects emerging in 2000 were of great interest to communities around Fiji. However, achieving a widespread implementation of LMMAs in the remaining 407 *i qoliqoli* (traditional fishing areas) in Fiji, in a cost effective way that respected community protocols and best practices, represented a considerable challenge. Team members from the three projects – Ucunivanua, Cuvu, and Ono – joined in 2001 to form the Fiji LMMA Network (FLMMA), to serve as a forum in which communities and their project partners could share methods, results and lessons learned. Membership of the network rapidly expanded and NGOs, government departments and many communities began sharing valuable experiences and information. The strong representation of community leaders defined the priorities, procedures and appropriateness of the network. Regular exchanges and meetings, the formation of an executive and sub-committees that were answerable to the membership at the Annual General Meetings (AGMs), and partnership with other national and international collaborators such as the regional LMMA Network underpinned the function, effectiveness and accountability of the network.

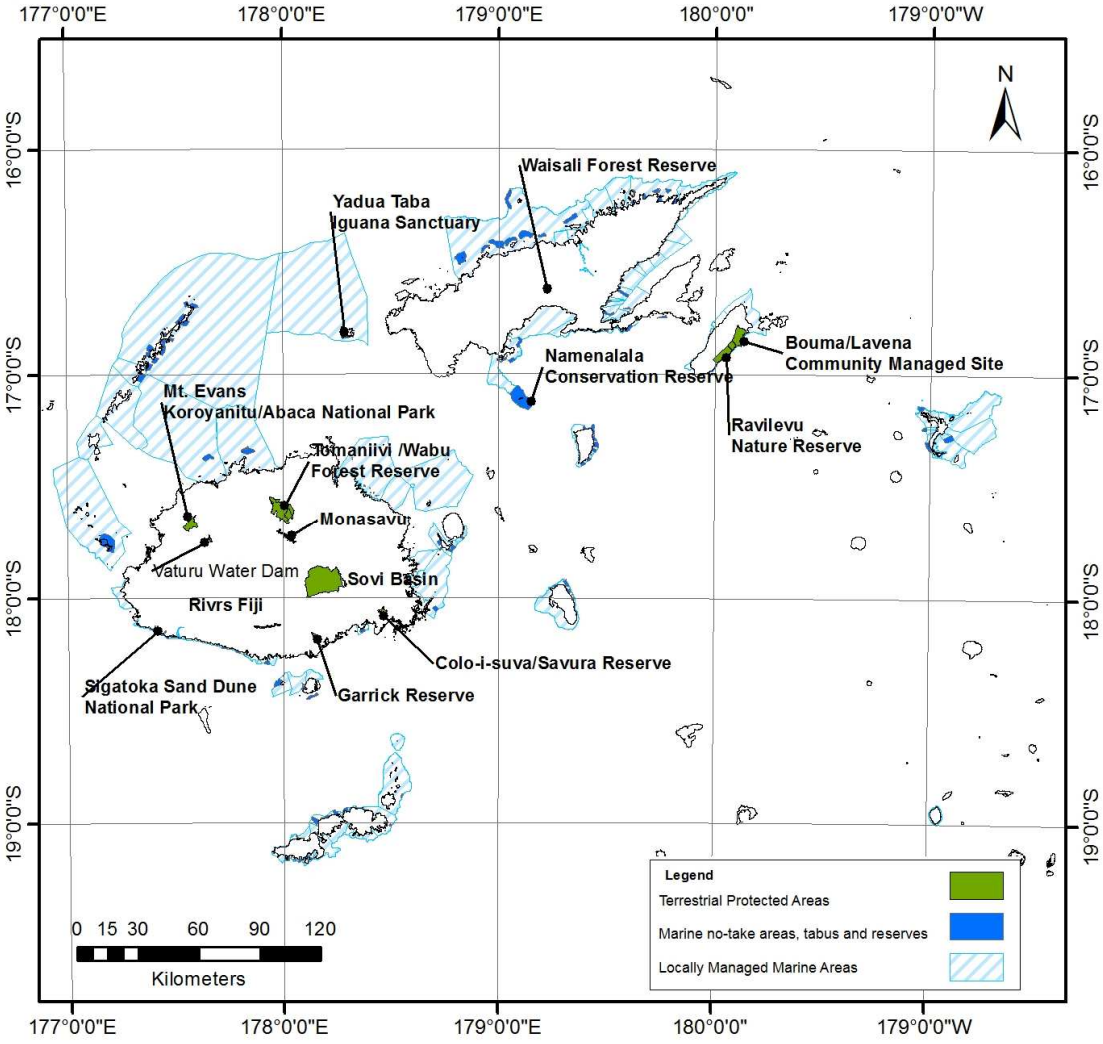
By 2011, more than 150 LMMAs containing around 200 *tabus* or no-take areas had been established in Fiji, covering more than half the area of the country's *i qoliqoli* (equivalent to about 10% of the territorial waters) and managed by nearly 400 communities. With the help of the respective project teams, the community members in the network presented the results of their monitoring activities to fishery policy makers of the Fijian government. While surprised at first to be given scientific findings by villagers, the government representatives grew excited about the idea of adapting Fijian customary ownership and governance systems to the management of marine resources. The national government has formally adopted the LMMA approach and has designated a division of the Fisheries Department to promote

[4] *I qoliqoli* are inshore traditional fishing grounds.
[5] Speech by the Hon. Minister Kaliopate Tavola, Minister of Foreign Affairs & External Trade, Review meeting of the Barbados Programme of Action for Small Island Developing State in Mauritius (BPOA + 10), 2005.

inshore management and to work with FLMMA. FLMMA is now coordinated from this office.

FLMMA was registered in 2004 under the Charitable Trust Act and has established a Trust Fund. A number of operating procedures have evolved from lessons learned over the years and have been enshrined in an Operations Guide which covers establishment of community and network research priorities and protocols that govern any collaborating researchers, minimum monitoring approaches for network and community purposes, communications and intellectual property issues, and membership criteria. FLMMA maintains a site database, library of research and monitoring results and coordinates incoming researchers and research priorities.

By 2011, more than 150 LMMAs had been established in Fiji, covering more than half the area of the country's *i qoliqoli* (equivalent to about 10% of the territorial waters) and managed by nearly 400 communities (Mills et al. 2011a). An LMMA in Fiji has been defined as an area of inshore waters governed by local residents and involving a collective understanding of, and commitment to, management interventions in response to threats to marine resources (Govan et al. 2008).



Equivalent to MPAs, LMMAs can be subject to multiple, simultaneous management actions (Mills et al. 2011a). Within the boundaries of an LMMA, community members may choose to establish permanent closures or closures in which periodic harvest is allowed (Box 4). The application of periodic harvest is based on long-standing Pacific traditions of resource management and may allow harvests once per year or less as dictated by a management plan or collective decision at the community level. However, many of the periodically harvested areas in Fiji are harvested without any predefined frequency and duration, leading to rapid depletion of marine resources through focused fishing effort (Jupiter et al. in press). Other management actions, including bans on fishing gear, take of certain species, and seasonal prohibitions, operate in LMMAs but outside closures (Mills et al. 2011a). Decentralized support approaches include teams established under Provincial councils, the *yaubula* (natural resources) management support teams.

Box 4: Summary of protected area information for Fiji

Marine ICCAs comprise Locally Managed Marine Areas within which one or more areas closed to fishing known as *tabus* may be designated. *Tabus* may be permanent (122 km^2), conditional with controlled harvesting (233 km^2) or conditional with uncontrolled harvesting (212 km^2).

	Total number	Total surface (km^2)	ICCAs number	ICCAs surface (km^2)	*Tabus* number	*Tabus* surface (km^2)
Terrestrial PAs	23	502	14	380	NA	380
Marine PAs	149	17,726	149	17,726	216	567

Sources: National Trust for Fiji, Mills et al. 2011a and FLMMA Network

The last few years have seen renewed attempts to integrate terrestrial management into these approaches adopting Ecosystem Based Management (EBM) approaches and increasing emphasis on the support of national protected area planning approaches (cf. Jupiter et al. 2011).

It is important to note that the development and rapid expansion of LMMAs in Fiji (and most elsewhere in the Pacific) proceeded without a basis in legislation or government policy. Policy and legislation is now being developed informed by the experiences in the field. Almost a decade after the expansion commenced, the first reviews of legal support and gaps started appearing as follows:

- Fisheries-based protected areas (Mintner 2008, Techera and Troniak 2009);
- Terrestrial protected areas (Clarke and Gillespie 2009);
- Integrated approaches (Lane 2008, Troniak et al 2009, Clarke and Jupiter 2010).

These studies situate Fiji amongst the best studied Pacific Island nations from the legal and policy standpoint.

Key points:

⇨ Significant strides have been made towards a national approach to marine conservation based on ICCAs in inshore marine areas. This approach relies on de facto community

rights over inshore waters
⇨ Terrestrial conservation has been seriously neglected and similar community approaches have not emerged.

2. Features of ICCAs

2.1. Range, diversity, and extent of ICCAs

The majority of documented ICCAs are LMMAs in marine and coastal areas. Some LMMAs consider actions that cover terrestrial or fresh-water threats but there are relatively few terrestrial ICCAs.

(i) Marine and coastal ICCAs

A ridge-to-reef seascape from Waya Island, Fiji
© Stacy Jupiter

In the 1990s, residents of villages such as Ucunivanua in Verata, Tailevu, Cuvu in Nadroga and Waisomo in Ono, Kadavu, began re-implementing customary bans on harvesting to stem perceived declines in resources within their *i qoliqoli.* By 2001, these local practitioners, together with government and non-government partner organizations, had organized themselves within the Fiji Locally Managed Marine Area (FLMMA) network to "*promote and encourage the preservation, protection and sustainable use of marine resources in Fiji by the owners of marine resources*" (Govan 2011). Under the FLMMA umbrella government, universities and NGOs successfully promoted and supported ICCAs known as LMMAs progressing rapidly from 1 in 1997 to approximately 149 LMMAs in 2009, with at least 216 *tabu* areas. In total the LMMAs and *tabus* covered, respectively, about 60% (approximately 17,726 km^2) and 2% (approximately 567 km^2) of the total extent of traditional fishing grounds (Mills et al. 2011a). The FLMMA experience has achieved some mainstreaming through its recognition by Fiji Government, including the Departments of Environment and Fisheries, as the optimal forum for practitioners, researchers and government officials to learn how community-based marine conservation can be implemented on local and national scales (Veitayaki et al. 2003, Jupiter et al. 2011, Govan 2011). An undocumented but possibly significant number of coastal ICCAs may also exist outside the umbrella of FLMMA in the form of traditional closures, sacred sites and community arrangements (either as part of formal leases or informally) with coastal hotels and resorts.

(ii) Freshwater ICCAs

Temporary bans on harvesting freshwater species have been recorded, and at least 6 cases of short bans on fishing mud crabs in Rewa delta villages are known (J. Comley, personal communication). In Viria village on the Rewa river, communities have put in place a ban (*tabu*) on fishing for the freshwater mussel (*Batissa violacea*) to restore and safeguard stocks of the important commodity. Villagers believe a shark (bull shark, *Carcharinus leucas*) guards the *tabu* area. The ban on fishing can only be lifted when the high chief of Bau (an important district) craves freshwater mussels and it is the tradition that only women from Viria village are able to safely catch the mussels. These are later accorded a traditional presentation to the high chief (Copeland, L. in prep. M.Sc. thesis, USP). In Macuata-i-wai, a two-year ban on cutting riparian vegetation and harvesting freshwater resources led to higher than predicted species richness of freshwater fish (Jenkins et al. 2010), however these benefits were rapidly overturned when the community subsequently lifted the ban (Jenkins and Jupiter 2011). There are also reports of freshwater ICCAs in Macuata and proposed freshwater ICCAs in Wailevu district (Cakaudrove Province) and Kubulau, Wainunu, Nadi and Solevu districts in Bua Province (S. Jupiter, pers. comm.).

(iii) Terrestrial ICCAs

Given the preponderance of customary land ownership, it may be possible to argue that all protected areas that are not on free-hold or state land possess sufficient community involvement to be considered ICCAs, including some 16 terrestrial protected areas are listed in the World Database of Protected Areas. For instance, though the designation 'National Heritage Park' has no legal status in Fiji, it has been used at Koroyanitu, and at Bouma on the island of Taveuni, to denote areas where landowners, the i Taukei Land Trust Board and the government have agreed to protect nationally important natural and cultural heritage values and to assist their protection by the development of ecotourism (Clarke and Gillespie 2008). Notable recent examples of terrestrial ICCAs include the Natewa Tunuloa Peninsula in Vanua Levu supported by an international NGO in which 11 *mataqalis* (or traditional landowning clans) have declared 6,000 ha as a protected area that will be sustainably managed for the next 10 years by the clans in an MoU with the NGO (see http://www.iccaregistry.org/en/sites/4), as well as the Kilaka Forest Park in Kubulau District (Clarke and Jupiter 2010). The Sovi Basin, the largest proposed protected area in Fiji, is owned by thirteen clan (*mataqali*) with small areas of Crown land and freehold parcels. In 2005, landowners agreed to cancel the logging concession that covered the basin in exchange for the establishment of a compensatory conservation trust fund. An international NGO and commercial donors have set up the fund to compensate for loss of income for landowners and support management activities in the protected area. The legal mechanism was intended to include a conservation lease, together with one or more financing and management agreements. This mechanism has been successfully applied in the past where a resort was granted a conservation lease to develop on Namenalala Island under the condition that 90% of the land is maintained as a Nature Reserve (Clarke and Jupiter 2010). However, the process in Sovi is now in jeopardy as conflicts with mining interests in the neighbouring basin have resulted in the suspension of the leasing process.

Key points:

- ⇨ Several hundred coastal ICCAs have been established over the last decade and these are supported by government and NGOs through a network.
- ⇨ Terrestrial and freshwater ICCAs are far fewer and appropriate approaches are still to

be adequately piloted.

⇨ ICCAs comprise virtually all of Fiji's protected areas with the exception of a few terrestrial examples on state or freehold land. The marine ICCAs have not been gazetted and most do not have specific legal recognition.

2.2. Key ecological, cultural, socio-economic and political values of ICCAs

The upsurge in LMMAs over the past decade seems to be a direct response to the development by support partners of conservation models that meet community needs or give communities hope that such needs may be met while being compatible with donor funding requirements.

Work reviewed and compiled in Govan et al. (2009a,b) suggest that community objectives tend to revolve around fishery management and livelihood issues, and it appears that biodiversity or species specific conservation objectives are mentioned more frequently in more top-down or externally driven conservation approaches. The 170 communities in over 140 Fiji LMMA sites surveyed during the course of work by University of the South Pacific – Institute of Applied Sciences (USP-IAS) staff reported that the primary goal of management in 44% was "*fisheries management*", 14% "*conservation*" and at 42% "*both*" (Govan et al. 2009a). The main objectives reported for most sites related to quality of life, threat reduction, food security, economic security and income generation. Other factors are at play, though not necessarily explicitly stated, such as the potential to reinforce marine tenure, prevent access to other groups, protect sources of income, increase access to knowledge or institutions and receive 'donations' of money or gear from researchers and associated visitors (Govan et al. 2009a).

A survey of the Navukavu site in Fiji, which has a community management plan focused on livelihood benefits, found that respondents assigned a relatively high value attached to preserving the ecosystem for use by future generations, independent of their own use of the ecosystem (bequest value). This was identified by most respondents (78.2%) as the main motivation for protecting the marine resource. The bequest value was estimated to be equivalent to nearly 7% of household income (O'Garra 2012). This seems to reflect the 'duty of care' that the relationship between the people and land in the *vanua* situation entails and may be one of the first quantitative valuations of an 'indigenous conservation ethic' in the region (Govan et al 2009a). The duty of care shared by members of the *vanua* cannot be discounted as a strong underlying motivation in many if not all LMMAs and reflects the respect for ecological values inherent to the indigenous culture.

Despite the fact that LMMAs are based on the clear understanding that community access rights to coastal resources guarantee that they will receive the local benefits to their conservation actions, the rights relating to community bans or protected areas are not explicitly recognised in the legal framework for coastal fisheries management (Minter 2008; Clarke and Jupiter 2010). This omission may be an incentive for communities to grasp projects that may add legitimacy to customary tenure. Furthermore, the tension over land, caused by ownership residing mainly in the indigenous half of the population, has been a central theme of at least one if not all coup d'états and driven recurring moves to alter the land tenure legislation in Fiji with potential knock-on effects from resource management.

Terrestrial ICCAs have tended in recent years to explore tangible benefits that landowners can accrue from conservation agreements. Such benefits include conditional lease arrangements,

trust funds and commitment to explore and/or develop alternative livelihood options from government or, in most cases, NGOs.

Key points:
- ⇨ ICCAs are motivated by utilitarian and, to some extent, spiritual or stewardship values. While the ICCAs stand to serve the nation, as well as a core fisheries resource management tool, the historical tension along ethnic lines situates this discourse in a delicate position.

2.3. Main threats to ICCAs

The main threats to ICCAs can be classified as political/legal, institutional, internal and external/environmental drivers.

(i) Political and legal threats

The basis for community management actions in ICCAs is the presumption of clear rights to benefit from such actions. This translates in the case of Fijian ICCAs to rights over the resources or territory. While ownership rights are relatively clear in the terrestrial realm (or at least were until the recent abrogation of the constitution), ownership does not exist below the high tide mark or for freshwaters, though a right of access is acknowledged.
One of the triggers of the 2006 coup d'état was the attempts by the then government to move ahead strengthening indigenous rights over land (Indigenous Claims Tribunal Bill) and coastal areas (Qoliqoli Bill). The post-2006 military government has moved ahead resolving specific legal issues through the issuing of decrees and the opportunity is being taken to modernize much of the outdated legislation.
The Land Use Decree 2010 establishes a new Land Use Unit within the Ministry of Lands and Mineral Resources that will run the Land Use Bank, a registry in which landowners can voluntarily 'bank' their land for government to administer. This provides landowners with an alternative to the Native Land Trust Board (NLTB), which has controlled leasing arrangements of native land since the 1940s, and intends to facilitate economic development opportunities while potentially improving the returns to land owners who participate. However, the lack of consultation in the development of the decree and the fact that all processes taking place within it may not be challenged in a court of law have raised concerns that the decree could pave the way for effectively alienating native land (Tabureguci 2010).
The enacted Regulation of Surfing Areas Decree 2010, while opening all coastal areas to water sports, specifically excludes any other activities such as fishing but does seem to create potential for conflict over different stakeholder uses and interest. Protected area and forestry legislation are also currently under review and consultations are soon to start on a new constitution. The implications of the recent (March 2012) abolition of the Great Council of Chiefs without consultation and in contravention of the ILO Convention 169 have yet to be fully understood. The pace and scope of legislative reform will mean that those advocating ICCAs will need to keep closely involved in consultations in many arenas and despite the considerable disincentive caused by the censorship and intimidation experienced under the Public Emergency Regulations which were only lifted in January 2012.
Perhaps one of the biggest though most unpredictable threats to ICCAs is the political instability over the last generation in which the constant tensions over indigenous rights stand to undermine the basis for most sorts of indigenous and indeed local co-management.

(ii) Institutional weaknesses and threats

Regardless of the historical or future legal context none of the relevant government institutions appear to have made or be preparing future structures or staffing arrangements that would adequately support ICCAs in practice. This is reflected in, for example, inadequate flows of information to and from communities and coordinators/government, lack of structured policing or legal procedures to deal with infringers and inadequate resourcing such as the lack of boats or vehicles for enforcement (Lane 2008).

(iii) Internal threats to continued support of ICCAs

Some authors note that since the rapid expansion of the LMMA approach a number of major emergent issues have not been addressed. These include the fact that most *tabu* areas are regularly opened to harvesting, the tendency for a significant number of sites to apparently lose interest or momentum without regular support, erosion of respect for community agreements or chiefs and poor distribution of benefits such as licence fees (Teh et al. 2009, Seidl 2009, Govan et al. 2009, Jupiter et al. in press). Under-performance as a conservation or resource management tool could lead to a reduction in government support for ICCAs or NGOs falling back on hitherto abandoned top-down approaches to protected areas.

(iv) External and environmental threats

The increasing commercialization of resources and monetization of the economy puts pressure on community management systems that may erode or even eventually totally undermine ICCAs. For example, surveys in 1993 by Rawlinson et al. (1995) showed that 37% of fish caught by coastal communities in Viti Levu were for sale, while surveys in the same area in 2008 estimated around 70% were for sale (IAS 2009). There are also marked changes in land use including hotels, clearing of mangroves, construction of roads, drainage, dams and culverts (Jenkins et al. 2010). Natural disasters and extreme weather events are expected to increase with climate change and these environmental threats will increase the challenges associated with management of ICCAs

Key points:

- ⇨ The rapidly changing legal situation affecting everything from the constitution down provides opportunities and also risks for the recognition of ICCAs, which will need careful monitoring and input from the affected stakeholders.
- ⇨ Despite efforts to ensure government participation in networking and support for ICCAs, little provision has been made for long-term institutional support of ICCAs.
- ⇨ Effectiveness of individual ICCAs has been hard to maintain, and in many cases declined, commensurate with the rapid increase in numbers of ICCAs. Perceptions that ICCAs are not functioning could lead to a decrease in support.
- ⇨ Economic and environmental threats are expected to increase, which will increase the challenges facing managers of ICCAs.

3. Governance and management of ICCAs

3.1. How are ICCAs governed and managed?

Management can be based on spiritual or traditional rules (as in the sacred areas of Totoya or Solo Reef in Kadavu), traditional practices such as the closure of resource areas upon the death of chiefs or simple (even verbal) management agreements or plans (see Box 5). Some ICCAs have more detailed and lengthy management plans usually facilitated by NGOs such as the Kubulau management plan (WCS 2009).

Box 5: Simple management plan for Navukavu village, Viti Levu, Fiji

Customary governance is the primary mechanism for regulating the use of terrestrial and marine resources and specifically ICCAs. Respect for customary law and institutions is an integral feature of rural life, and even where state institutions exist at the local level, they co-exist with customary institutions in Fiji (Clarke and Jupiter 2010) and much of the rest of the Pacific (NZLC 2006).

Fijian woman performing a traditional meke dance, Waya Island, Yasawa Group
© Stacy Jupiter

Clarke and Jupiter (2010) detail the arrangements in Kubulau illustrating the above points: In response to local concerns about over-exploitation of marine resources during the early 1990s, the Kubulau district council of chiefs (*Bose Vanua*) established a district fisheries committee. The Bose Vanua, chaired by the paramount chief (Tui Kubulau), does not have any formal status under national law and does not have legal powers to adopt or enforce natural resource management measures. Nonetheless, its traditional authority is widely respected in the district, and it has played an increasingly prominent role in promoting sustainable resource management in Kubulau. For instance, in 1997, the district fisheries committee established by the Bose Vanua banned commercial fishing by non-resource owners in the Kubulau qoliqoli. The committee also established the Namena Marine Reserve, a no-take area. By 2005, the Bose Vanua established the Kubulau Resource Management Committee (KRMC) to promote integrated management of marine, freshwater and terrestrial resources throughout the district. The committee consists of one nominated representative from each village appointed by the Bose Vanua. Since its establishment, the KRMC has taken a central role in the management planning process.

Fiji has yet to structure a section of the Fisheries Division specifically to service coastal ICCAs, something that has been done in neighbouring Samoa (Govan et al. 2009). However, the navy has enforced community management plans in collaboration with communities and the Fisheries Division (Fiji Times, October 25, 2007) and the police have arrested poachers in community-managed areas (Fiji Times, April 10, 2010). Government endorsed fish wardens are frequently appointed in communities and the duties of forestry extension officers are also potentially supportive. Provincial Offices and Divisional Commissioners are more or less involved in the decentralized work of the provincial Yaubula Management Support Teams.

Key points:

- ⇨ Customary governance constitutes the key approach to managing ICCAs and indeed almost all protected areas in Fiji. Despite a lack of supporting legislation, government and non-government stakeholders tend to work in support of such tradition-based conservation approaches.

3.2. Key issues faced in governing and managing ICCAs

(i) Lack of legal certainty

The constitution, the main document protecting indigenous land rights, is currently (as of early 2012) abrogated. The various legal reforms affecting land and natural resources are still in process, and discussions swing both towards and away from securing rights of traditional resource owners. In this context, the current promotion of extractive industries has the potential to seriously affect landowners' stewardship and responsibilities.

(ii) Application of legal recognition of 'national interest' and state rights over customary land

Activities considered of 'national interest', such as mining, power production and water supply, can be, and are currently being, pursued regardless of landowners agreement and compulsory acquisition remains a resort. The relevant legislation is being reviewed in most cases, but the emphasis appears to be on improving fee distribution rather than landowners' rights. This will potentially undermine the exercise of stewardship in favour of pursuing the most attractive financial deals.

(iii) Enforcement and implementation issues

The existing legal framework is fragmented over the various sectors (e.g. Forestry, Fisheries, Environment) and therefore leaves considerable gaps for attempts at enforcement. For instance, the police cannot apprehend suspected offenders at sea: this role is relegated to village fish wardens. However, fish wardens can only apprehend from high tide mark seawards and must hand over custody of the offenders to the police once ashore. In practice, coordinating police and fish wardens to achieve adequate enforcement has proven impossible and similar issues, combined with the lack of equipment, salaries and resources, plague environmental management in general and ICCA enforcement (Lane 2008; Clarke and Jupiter 2010; Minter 2008). Another example is provided by the gazettal of protected areas contemplated under the Fisheries Act – in practice the process has been found impracticable to implement and inflexible in terms of accommodating traditional use and adaptive management (J. Comley, personal communicatino).

(iv) Cultural shifts

Potent drivers for increased economic development contribute to an increasing erosion of traditional governance upon which successful ICCA implementation is based. Traditional leaders have been criticized also for failing to adapt their leadership to the new economic environment and have been accused of benefiting from their roles as opposed to equitably distributing economic benefits as part of their duty of care for people and environment.

Fijian youth in traditional attire, Suva, Fiji
© Stacy Jupiter

Key points:
- ⇨ The increasing pressures of economic development and erosion of traditional governance mechanisms are bringing the inadequacies in legal and institutional support for community resource management to the fore as one of the key challenges faced by ICCAs.

4. Recognition and support

4.1. Government recognition and support to ICCAs

(i) Legal backing

Technically, any customary owned areas could qualify as ICCAs (see Box 2) but protected areas established purely on the basis of customary law are subject to certain limitations. Most importantly, there are limits on the extent to which resource owners can lawfully control the activities of individuals or entities that do not belong to the resource-owning group (Clarke and Gillespie 2008). The applicable legislation is summarized in Annexes 1 and 2. Though there is currently a lack of legal recognition, cabinet has given approval to develop protected area legislation that provides recognition for ICCAs. However, the form that this will take is still unclear and will need to be developed with extensive consultations of stakeholders to the Protected Area Committee, including representatives from the FLMMA network.

(ii) Administrative

The FLMMA network has set out from its inception to support and eventually integrate with government. Currently the Department of Fisheries hosts the FLMMA secretariat and it is hoped that further integration of functions will occur.

(iii) Networking

One of the principal functions of FLMMA is networking. In so far as the government hosts and supports FLMMA, there can be said to be government support. FLMMA networking activities include exchange trips, consultations and meetings amongst others (see Box 3).

(iv) Funding

The financial contribution of government is largely limited to contributions towards the salary of one of the FLMMA secretariat staff, ad hoc staff time contributions and some administrative costs. Fisheries, extension and provincial officers may be active in decentralized management.

(v) Direct support

Fisheries officers support around 12 FLMMA sites, though the details of the nature of their support are not clear. Support has been provided to some of the terrestrial ICCAs to assist in developing ecotourism alternatives, although the type of support is similarly vague.

(vi) Social support

The government has publicly recognized community conservation efforts and joins with the FLMMA network members in celebrating their achievements in national and international venues including the receipt of international prizes on FLMMA's behalf such as the Equator Initiative Award from the United Nations Development Programme.

Key points:

- ⇨ Though legal backing is deficient, the collaborative approach to LMMAs/ICCAs in Fiji has ensured that NGOs, communities and government work together. Some to moderate government support to ICCAs has been provided.

4.2. Civil Society recognition and support to ICCAs

Virtually all the marine ICCAs are primarily supported by NGOs and/or the University of the South Pacific (USP). Indeed, the initiative has been taken and maintained by the FLMMA group comprising approximately 10 national and international NGOs, as well as the USP. Approximately half the terrestrial ICCAs have been supported by NGOs, though collaboration between these and other national and government organizations, such as the National Trust, is the norm.

The FLMMA network has emphasized community participation and leadership in its governance since the outset. FLMMA support partners have offered extensive guidance in the application of protocols and procedures to ensure trust and transparency in community relations (cf. Govan and Meo 2011).

NGOs carry out strategic planning, fund raising and research guided by protocols of community consultation and rules of engagement that aim to ensure accountability and relevance. This is achieved to varying extents, though individual organizations carry out their own consultations using varying protocols. The resulting programmes cover aspects of

technical and information support, as well as national planning, legal and policy development, advocacy, communication and recognition, and strengthening leadership.

Marine ICCAs are not generally supported through direct funding to communities but rather the provision of support activities (facilitation, awareness, alternative livelihood projects, etc.). The model has been more or less explicitly designed to be cost effective and reduce the risks of community dependence, though ultimately the allocation of resources is constrained by NGO strategic and operational imperatives.

Indications suggest that terrestrial ICCAs may differ radically in approach and in many cases direct funding through lease arrangements may provide the most realistic option for conserving large areas as is being piloted in the Sovi Basin and Natewa Tunuloa Peninsula mentioned above.

Social recognition: FLMMA has received prestigious prizes such as the Equator Initiative Award from the United Nations Development Programme and the Whitley Fund for Nature and FLMMA or member NGOs organize prize awarding for special achievements among the member sites.

Key points:

- ⇨ The primary source of support and indeed promotion of ICCAs has come from NGOs.
- ⇨ The NGO supported FLMMA network has developed rules and protocols of engagement, consultation and governance mechanisms in an attempt to ensure relevant and appropriate community support, including trying to not make communities dependent on NGOs.
- ⇨ Support generally excludes direct payments to communities for conservation and consists largely of technical support and information provision.

4.3. Key issues for the recognition and support to ICCAs

(i) Dependency

Despite an original strategy intending to reduce community dependency and phase from NGO support to modest government support, only partial progress has been made in the past decade. A few NGOs have explored the issue of phasing out support or 'graduating' sites, but so far structured approaches do not seem to have emerged. Evidence suggests that numerous sites, perhaps more than half the marine ICCAs, are barely active or inactive with lack of motivation or technical problems emerging where NGOs or other agencies have not been able to provide regular or good quality follow-up. The envisaged handing over of support roles to government has not progressed beyond that of the housing of FLMMA secretariat in the Department of Fisheries, with only small signs that functions will be assumed by provincial and national field officers. Government has come to rely on NGOs while not necessarily mapping out the support needed to achieve the national interest (cf. Lees and Siwatibau 2006). It is probable that most ICCAs will require a minimum level of ongoing follow-up and specific support on demand and discussion of the long terms provisions for this are urgently needed.

(ii) Legal and institutional support for ICCAs

As discussed in section 3.2 and above, the rapid emergence of ICCAs as the core inshore fisheries resource management tool in the context of legal uncertainty, impoverished institutions and ethnic tension has exacerbated the challenges to implementation and maintenance of ICCAs.

(iii) Development not management

Despite international recognition that wise management of the fisheries sector should take precedence over fisheries development, there is still a strong national political emphasis on increasing yields from fisheries and indeed all extractive industries. This potentially undermines many attempts at sustainable management as well as ICCAs.

Key points:
- ⇨ ICCAs are recognized to be core to the management of terrestrial and coastal resources, but strategies are not well developed towards building overall national approaches supported by government policy, legislation, budgetary and institutional mechanisms.

5. The Future

5.1. Future activities planned by communities, the government, and civil society, especially in relation to issues of recognition and support

Government is proceeding with legislative reform and is consulting with NGOs. The extent to which it will address the issues raised remains to be seen. Fijian civil society in general is not represented by the NGOs who are almost exclusively Big International Conservation NGOs (BINGOs) with no direct grass roots mandate.

The national Protected Area Committee has recently completed a terrestrial and marine gap analysis as part of its commitment to the Convention on Biological Diversity. From the marine analysis, it is clear that ICCAs within the FLMMA network are responsible for the majority of coverage of target habitats (Mills et al. 2011a). However, given the current rate of addition of sites to the FLMMA network, the government will be unlikely to rely on ICCAs alone to meet its commitment to effectively manage 30% of inshore and offshore marine areas (Mills et al. 2011b).

Marine environmental management is also being reviewed. The Fisheries Act is under review and will likely be replaced with three decrees: an Inshore Fisheries Decree; and Offshore Fisheries Decree; and an Aquaculture Decree. The draft Inshore and Offshore Decrees make large improvements with respect to increasing the penalties for infringement, which will hopefully prove a larger deterrent if they can be successfully prosecuted. Importantly, there may be an opportunity in the Inshore Fisheries Decree to grant legal power to customary fishing rights holders to fully restrict access to their *tabu* areas, as long as their management plans are consistent with the other provisions of the decree and other Fijian law. However, this provision has not consistently appeared in recent drafts of the decree. The draft Aquaculture Decree purports to expedite the issuance of leases for aquaculture purposes guided by existing legislation on 'Native Lands' and makes provision to protect the fishing interests of "*artisanal and subsistence fishers and small scale fishers*".

Legislation that potentially affects community conservation is being reviewed in the areas of mining, forestry and fisheries. The Mining Act of 1978 is specifically targeted by government for updating, but its rigorous implementation could result in severe disenfranchisement of customary land owners (see Annex 1), especially in view of recent drives to increase the contribution of mining to the economy. The review of the act through the development of the 2006 Mineral Exploration and Exploitation Bill (MEEB) is focusing attention on outstanding issues, in particular the compensation and royalty components.

5.2. Recommendations

- ✓ Free and prolonged discussion must be promoted, perhaps under the auspices of forthcoming discussions over a new constitution that lays out the role and necessary rights and responsibilities of community approaches to national natural resource management. Such discussions need to proceed from general to specific issues and, importantly, the envisaged national institutional mechanisms for coordination and strategic overview need to be considered down to basic issues of resourcing, staffing and transport.

- ✓ Legislation must recognize the right of communities, at least to manage, in a way that is community appropriate (technically and financially not onerous). Penalties for infringement must be severe enough to deter potential offenders, offenders must be successfully prosecuted, and revenue from penalty payments must be used to support further monitoring and enforcement, whether through government or communities themselves.

- ✓ Although the Department of Fisheries hosts the FLMMA secretariat, additional resources are needed. To improve organization of the network, FLMMA needs dedicated, well-paid staff who have the capability and motivation to update site-support databases, provide regular communication to community sites and inform national policy.

- ✓ FLMMA, government and community partners will need to increase efforts to monitor the effectiveness of ICCAs in achieving local and national objectives and invest in improving such effectiveness through appropriate information or legal support. Otherwise government or donors may choose to support other tools to achieve national objectives.

- ✓ FLMMA, including its government partners, need a clear roadmap towards ICCAs being self-sustained and not unduly reliant on external support beyond what government can commit to in the long-term national budgets.

- ✓ If the Fiji Government wants to use FLMMA as a substantial part of inshore fisheries management strategy to meet national objectives for sustainable livelihoods and biodiversity conservation, then it needs to be properly resourced, staffed and assigned resources from existing government allocations.

- ✓ In view of the shortfall of ICCAs in meeting national PA commitments, especially for terrestrial and freshwater areas, the Protected Area Committee may wish to consider prioritizing areas for resource allocation in sites of national significance for biodiversity

conservation in order to be able to offer incentives to communities to self-restrict access to areas larger than they would need to meet their local needs for resource management and sustainable use.

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Annex 1: Selected national legislation relevant to terrestrial natural resource management in Kubulau District
(From Clarke and Jupiter 2010 Supplementary Materials)

Legislation	*Key features*	*Responsible agency*
Native Lands Act [Cap 134]	Recognizes and maintains communal ownership of native lands	Native Lands and Fisheries Commission
Native Land Trust Act [Cap 134]	Empowers NLTB to enter into land leases on behalf of native landowners	Native Lands Trust Board
Forest Decree 1992	Prohibits felling or extraction of timber without a licence. Exempts certain customary uses (e.g. firewood, village houses). Empowers forestry licensing officers to issue logging licences. Empowers the Minister for Forests to declare strict nature reserves	Department of Forests
Mining Act [Cap 146]	Vests ownership of mineral resources in the state. Empowers Director of Mines to grant mining permits and leases. Mining leases may be granted over native land without landowners consent. Mining restricted under certain sensitive areas, including villages, burial grounds, water catchment areas and nature reserves	Department of Mineral Resources
Land Conservation and Improvement Act [Cap 141]	Empowers the Land Conservation Board to issue orders prohibiting clearing, grazing, burning or cultivation of an area for conservation purposes	Land Conservation Board
Water Supply Act [Cap 144]	Minister may declare any area to be a water supply catchment area. Pollution of water within a declared catchment area is an offence	Department of Water Supply
Bird and Game Protection Act [Cap 170]	Prohibits killing, wounding or taking of native bird species, and regulates hunting of listed game bird	Department of Primary Industries

	species	
National Trust for Fiji Act [Cap 265]	Empowers National Trust to enter into binding conservation covenants with landowners, purchase land for conservation purposes, adopt by-laws for trust properties and maintain a register of nationally significant areas	National Trust of Fiji
Endangered and Protected Species Act 2002	Regulates international and domestic trade in listed protected species. Prohibits unauthorized possession or sale of listed protected species	Department of Environment
Environment Management Act 2005	Environmental impact assessment (EIA) and approval required for development proposals that are likely to have a significant impact on the environment. Traditional or customary structures exempt from EIA process	Department of Environment Various 'approving authorities'

Annex 2: Selected national legislation relevant to marine natural resource management in Kubulau District
(From Clarke and Jupiter 2010 Supplementary Materials)

Legislation	*Key features*	*Responsible agency*
Fisheries Act	Provides for registration of traditional fishing grounds (qoliqoli). Recognizes resource owners' subsistence fishing rights. Prohibits fishing for 'trade or business' without a licence. Empowers Minister to establish restricted areas and adopt management measures. Empowers the Permanent Secretary to appoint honorary fish wardens	Department of Fisheries
Crown Lands Act	Vests ownership of land below the high water mark in the state. Empowers the Department of Lands to issue leases and licences over this land	Department of Lands
Bird and Game Protection Act [Cap 170]	Prohibits killing, wounding or taking of native bird species, including sea birds	Department of Primary Industries
Endangered and Protected Species Act 2002	Prohibits unauthorized possession or sale of listed protected species, including marine species	Department of Environment
Environment Management Act 2005	Environmental impact assessment and approval required for development proposals that are likely to have a significant impact on the environment	Department of Environment Various 'approving authorities'

Annex 3: Background to Indigenous Peoples' and Community Conserved Areas and Territories

Territories and areas that have been governed and managed by Indigenous peoples and local communities are increasingly gaining recognition as being crucial for both the survival and well-being of such peoples as well as the biological diversity they contain and the ecological functions they provide. While these can be considered the world's oldest conservation areas (though not necessarily considered by the peoples themselves in such terms), recognition of their values in formal conservation circles is relatively new. The World Parks Congress in 2003, and subsequent global meetings relating to wildlife and biodiversity conservation, have consolidated this recognition. Such sites have come to be known as "indigenous peoples' and community conserved areas and territories", or in short, ICCAs.

Features of ICCAs

Three general features characterize an ICCA:

1) A well-defined people or community possesses a close and profound relation with an equally well-defined site (such as territory, area, or habitat) and/or species. This relation is embedded in local culture, sense of identity, and/or dependence for livelihood and wellbeing.
2) The people or community is the primary player in decision-making and implementation regarding the management of the site and/or species. Community-level institutions thus have the capacity to develop and enforce decisions, de facto and/or de jure (including according to both customary and state law). Other stakeholders may collaborate as partners, especially when the land is owned by the state, but decisions and management efforts are predominantly by the people or community.
3) The people's or community's management decisions and efforts lead to the conservation of habitats, species, genetic diversity, ecological functions/benefits, and associated cultural values, whether or not the conscious objective of management is conservation per se. For example, primary objectives may be livelihoods, security, religious piety, safeguarding cultural and spiritual places, etc., with conservation being an additional outcome.

Diversity of ICCAs

Some ICCAs are of ancient origin; some include cases of continuation, revival, or modification of traditional practices; some are new initiatives such as restoration and innovative uses of resources taken up by Indigenous peoples and local communities in the face of new threats or opportunities. Some conserve remote ecosystems that have had minimum human influence, while others manage various kinds of regulated uses in areas ranging from very small to large stretches of land- and waterscapes.

ICCAs are governed by Indigenous peoples, local and mobile communities, and combinations thereof in a great number of countries around the world, including in the global North. Importantly, the diversity of peoples and communities who utilize a wide range of strategies, both customary and recently established, for various reasons and motivations is the foundation of the diversity of the ICCAs themselves.

International and National Recognition of ICCAs

Possibly the most important of the international policy meetings that dealt with ICCAs has been the 7th CBD COP, one of whose outputs, the Programme of Work on Protected Areas (PoWPA), explicitly requires contracting parties to identify, recognize and support ICCAs. Since then, periodic reviews of the progress of PoWPA implementation have shown that

several countries are beginning to recognize and support ICCAs, but that most still have much to do. Indigenous peoples, local communities, and civil society organizations are also increasingly focusing their attention on ICCAs, in particular to identify, document, and study them, as also to do advocacy for their public, legal, or other forms of recognition and support. Part of this recognition is also the potential of ICCAs in achieving biodiversity targets related to the term ‘protected areas and other effective area-based conservation measures.’