

## Biodiversity Challenge Funds Projects Darwin Initiative, Illegal Wildlife Trade Challenge Fund, and Darwin Plus Half Year Report

*Note: If there is any confidential information within the report that you do not wish to be shared on our website, please ensure you clearly highlight this.*

**Submission Deadline: 31<sup>st</sup> October 2023**

<b>Project reference</b>	<b>30-023</b>	
<b>Project title</b>	Rights of Wetlands Operationalisation for Biodiversity and Community Resilience	
<b>Country(ies)/territory(ies)</b>	Bolivia, Ecuador, Guyana, Kenya and Sri Lanka	
<b>Lead partner</b>	Wetlands International Kenya	
<b>Partner(s)</b>	<ul style="list-style-type: none"> <li>• Wetlands International Global Office, Netherlands</li> <li>• ATAYAK - Asociación de Yachak del Pueblo de Sarayaku, Ecuador</li> <li>• Cobra Collective, UK</li> <li>• Community Environmental Legal Defense Fund, USA</li> <li>• International Water Management Institute, Sri Lanka</li> <li>• Ministry of Environment, Sri Lanka</li> <li>• North Rupununi District Development Board, Guyana</li> <li>• Practical Action in Bolivia, Bolivia</li> <li>• Universidad Católica de Bolivia "San Pablo", Bolivia</li> <li>• Worcester State University, USA</li> </ul>	
<b>Project leader</b>	Dr. Matthew Simpson	
<b>Report date and number (e.g. HYR1)</b>	31 <sup>st</sup> October 2023 HYR1	
<b>Project website/blog/social media</b>	<a href="https://cobracollective.org/portfolio/rights-of-wetlands-operationalisation-for-biodiversity-and-community-resilience/">https://cobracollective.org/portfolio/rights-of-wetlands-operationalisation-for-biodiversity-and-community-resilience/</a> <a href="http://www.rightsofwetlands.org">www.rightsofwetlands.org</a>	

**Outline progress over the last 6 months (April – Sept) against the agreed project implementation timetable (if your project has started less than 6 months ago, please report on the period since start up to end September).**

During the period June to September 2023 the focus has been setting up the project, undertaking a review of the Rights of Wetlands policy, legislation, governance, communication and management approaches context in each of the countries and developing a questionnaire to assess the baseline understanding regarding Rights of Wetlands. To this end the activities below have contributed to meeting the following output.

### **Outputs**

1. Output 1 - Robust Evidence Base of Rights of Wetlands in Five Countries

### **Activities**

- 1.1 Online start-up workshop
- 1.2 Initial review of Rights of Wetlands context – draft published on [www.rightsofwetlands.org](http://www.rightsofwetlands.org)
- 1.3 Development of online and offline questionnaire

### **Country updates**

#### ***Bolivia***

#### Stakeholder engagement

- During the quarter, we visited communities of Santa Rosa municipality: San Bartolomé, Triunfo – Petas, Rosario, Agua y Sal, Puerto Tucumán, and Villa Fátima. Our primary objective was to gain insights into these localities, gathering data on population demographics, economic pursuits, and the communities' perspectives on the significance of wetlands. These communities, primarily comprised of peasants, are strategically located around lagoons, engaging in diverse economic activities such as tourism, livestock rearing, fishing, and agriculture. The communities are clear about the importance of protecting wetlands, as these are the sources of water and without them, in the coming years, livestock and agricultural activities, as well as fishing and tourism, could be affected. In essence, our findings underscore the symbiotic relationship between these communities and the wetlands. The need for conservation is not just an environmental concern but a pragmatic recognition of the interconnectedness of ecological health and the sustenance of local economies.
- Establishment of contacts with communities is a key step for the project. We have started the process of getting the formal community engagement consent.
- Additionally, we engaged in dialogues with technicians and park rangers at the Pampas del Yacuma Municipal Protected Area (MPA). Notably, a key area of concern, as articulated by their perspective, is the ongoing monitoring of wetlands and the potential loss of local biodiversity. A promising avenue for intervention, according to their vision, lies in the nexus between tourism and wetland conservation within these territories. Furthermore, there is a keen interest in receiving support for the effective implementation of their protected area management plan. Worth highlighting is the current limited external support, with only Wildlife Conservation Society (WCS) offering guidance. It's noteworthy that, as per their acknowledgment, no other NGO or foundation is actively involved in supporting their initiatives. This presents an opportunity for collaboration and the potential expansion of our involvement to fortify the efforts dedicated to the preservation of this critical ecosystem.
- Also, we had meetings with the WCS team and the Destination Sustainable Tourism Council. Their emphasis lies on the critical need to empower grassroots communities with knowledge about Ramsar sites and the significance of wetlands in the realm of conservation. Simultaneously, they underscored the dearth of reference models for the management of these sites in the country, a concern heightened by the intricate structure that spans multiple municipalities. Another important point is the delimitation of these sites and how the management of MPAs can support the construction of a management model for Ramsar sites. From the tourism point of view, they are of vital importance for the destination, as the "pampas" are one of its main attractions. The intersection of conservation, management, and tourism forms a dynamic nexus that requires strategic attention for the sustainable development of these vital ecosystems.

#### Presentation workshop

- The presentation workshop unfolded seamlessly, adhering to the outlined plan. Translation support was provided, enhancing accessibility for all participants. The session drew engagement from a diverse group of 14 participants hailing from Bolivia, comprising 4 women and 10 men. The diverse representation underscored the inclusive nature of the workshop, fostering a rich and varied exchange of insights and perspectives:
  - Santa Rosa local government
  - Ministry of Environment and Water through:
    - Plurinational Authority of Mother Earth
    - Vice Ministry of Environment - General Directorate of Biodiversity (Bolivia RAMSAR focal point)
  - Sustainable Tourism Board of the Region
  - WCS
  - Universidad Católica Boliviana San Pablo
  - Practical Action

- The suggestions from Bolivia for the indicators were:
  - Santa Rosa local government: Focused on community management and its integration with tourism, the MPA of Pampas del Yacuma expresses a keen interest in receiving support for the effective implementation of their protected area management plan.
  - Plurinational Authority of Mother Earth: Geared towards national planning, the Ministry of Environment and Water is currently involved in updating the wetlands country's strategy. This strategic initiative encompasses broad aspects of environmental stewardship.
  - Vice Ministry of Environment – Ramsar focal point: The issue of rights, though somewhat restrictive, requires clarification for better understanding. The pressing need for reference models for managing these sites becomes apparent, considering the intricate structure that spans different municipalities.

#### Country review document

- We have developed the Country review document considering country policy, legislation, governance, and management.

#### Online questionnaire

- We have joined efforts with WCS on data collection about wetland perception as this can add benefit to the project.

### **Ecuador**

In early June, project partners travelled to Ecuador to hold meetings about the project in Sarayaku and at the Ministry of the Environment, Water and Ecological Transition in Quito. In Sarayaku we met with José Gualinga, the in-country project coordinator and the Kawsak Sacha (Living Forest) team who together will implement the project in Sarayaku. We also held additional meetings with Sami Gualinga, vice-president of Sarayaku's government and other government officials to present and discuss the project.

In Quito, we met with the Directorate for International Cooperation of Ministry of the Environment, Water and Ecological transition led by Nuvia Besilla Renteria. The other members of the team present were Jose Luis Naula, Marcela Torres, Daniel Guerra, Pablo Nicolas and Toro Torres. In this meeting we had the opportunity to answer a few pending questions regarding the Ministry's participation in the project and also held preliminary discussions about Ecuador's interest in being a, or the leading proponent of a Rights of Wetlands Resolution at the Ramsar Convention in 2025 a major objective of the project.

Between June and September, the country review was undertaken and a series of meetings with the Sarayaku were undertaken to introduce the project and deliver on Output 1.

### **Guyana**

The North Rupununi District Development Board reviewed and signed the partnership agreement for project implementation in June.

Letters and notices were sent out to 11 stakeholder agencies and organisations to participate in the launch workshop held online for the project on 18/19 July. One stakeholder confirmed participation and hopes to engage further. The British High Commissioner also attended the launch workshop.

Two positions for community researchers were advertised in June. The deadline was extended to August 31<sup>st</sup>. The selection and interviews were completed on 19<sup>th</sup> September.

We continued the process for FPIC with the communities. The Toshaos for the North Rupununi District Development Board were reported to on the 18<sup>h</sup> August. They were provided with a summary of the project and given an outline for project activities for the remainder of the year. They were also provided with a draft letter of consent for project participation to begin discussions with their communities to work with the project.

The first draft of the country review was completed for Guyana.

### **Kenya**

A start up workshop was held on 18<sup>th</sup> July 2023 bringing together representatives from national government (National Environment Management Authority) county government of Tana River, civil society organisations and local community. The objectives of the start-up workshop were to introduce the project to the stakeholders and seek ownership and collaboration especially from the government at national and county level. Opportunities for collaboration were explored especially from ongoing interventions at county level such as that development of the Tana River County Climate Change Action Plan. The need to lobby for the adoption of the draft Environmental Management and Co-ordination (Wetlands, River Banks, Lake Shores and Sea Shore Management) Regulations, 2017 by the Ministry of Environment,

Climate Change and Forestry was highlighted by NEMA as key in the realisation of the Rights to Wetlands in Kenya.

During the period of June to August, Wetlands International conducted a review of the policy, legal and institutional framework in Kenya relevant to the Rights of Wetlands including management practices. The review has been compiled with others undertaken by partners from other project countries. The Constitution of Kenya, 2010 and Wetlands Policy are critical in ensuring the Rights of Wetlands in the country.

### **Sri Lanka**

1) To get a head start on the project activities, IWMI invited a selected number of legal professionals (n= 5) active in the field of public litigation on environmental matters for an informal discussion. The meeting was held on the 6<sup>th</sup> of June 2023 at the IWMI premises and was attended by five legal experts. An introduction was made to the project by describing the Universal Declaration of Rights of Wetlands (RoW) and intended project activities. The main guiding questions for the discussion were:

- In the context of Sri Lanka does it make sense to promote a RoW approach?
- Is it feasible?
- What are the opportunities and challenges for such an approach?"

Some agreed that the existing legislation is adequate to guide sustainable natural resource management, but the primary issue is lack of enforcement. Others suggested the need to look beyond wetlands and to include all ecosystems (i.e. a Rights of Nature approach). All suggested the study of historical relationships, inclusive of cultural and religious aspects, between people and nature, to assess the applicability of RoW. It was also suggested that a RoW approach might be best applied on case-by-case basis; prioritising highly sensitive ecosystems that can benefit from increased protection or regulatory processes. All experts agreed that institutionalising RoW in local legislation will need long term discussions and consensus among different stakeholders, but building local awareness and sensitising the public to the RoW concept is important.

2) An initial Online Start-up Workshop was held on the 18<sup>h</sup> July 2023 to introduce the project and its objectives. The main targeted audience for the workshop included key state and non-state actors engaged in wetland management. The session provided project background, introduced project activities for the year 2023/2024, discussed potential stakeholder engagement and collaboration, and provided details on the Rights of Wetlands approach. Director of the Biodiversity Secretariat (under the Ministry of Environment), Ms. Sujeewa Fernando, participated in the session and extended her support for the project.

3) The official project launch and inception meeting (hybrid) was held on the 10<sup>th</sup> of August at the IWMI premises. Key government and NGO sector stakeholders with a direct and indirect mandate on wetland management were invited and a total of 42 stakeholders attended the meeting and contributed to the discussions. Cobra Collective and IWMI presented the introduction to the project, outlining the background and objectives. Much of the meeting was dedicated to facilitating discussions and receiving input/feedback from the stakeholders. The participants were requested to form four groups and were provided with four different prompting questions for a structured discussion. The questions were aimed at:

- Identifying relevant social and environmental legislation, policies and initiatives related to RoW
- Determining the opportunities to align RoW with current policies and plans
- Recognising the challenges and barriers to implementing RoW
- Understanding the capacity needs/skill gaps that the project can help address in relation to wetlands and RoW

Many suggested that there is an opportunity to align RoW with the existing environmental policies (e.g. Flora and Fauna Protection Ordinance, National Environmental Act, Invasive Alien Species Policy and a few other policies under development) but also recognised that there are significant barriers for implementation. The main challenges identified included: i) the lack of coordination between agencies with overlapping mandates; ii) heavy political influence on natural resource management decisions; and iii) the potential contradiction that RoW may have with elements of human rights. The stakeholders identified that need for capacity building in the areas of wetland ecology, community engagement and knowledge on RoW.

The team prepared an initial report on the RoW review for Sri Lanka, where key local legislation inclusive of legal acts (~32) and policies (~15) relevant to wetland conservation and wise use were collated and analysed. The report is structured based on a standard template provided by the Project Lead and also includes preliminary information on the wetland governance structure and community management approaches in the country. These sections will be further strengthened (with case studies) as information

is gathered from relevant state agencies and based on interactions with community groups envisaged under the project.

**2. Give details of any notable problems or unexpected developments/lessons learnt that the project has encountered over the last 6 months. Explain what impact these could have on the project and whether the changes will affect the budget and timetable of project activities.**

There are no issues currently that will impact the delivery of the project but country partners have reported the following:

***Bolivia***

- In September, forest fires erupted in the Santa Rosa municipality. The local government dedicated all their efforts and resources to control the fires, leading to a suspension of our coordination activities during that month.
- Bolivia is currently facing a severe drought stage that has significantly affected the flow and volume of rivers and lagoons surrounding the intervention area. This situation is raising concerns about the sustainability of crucial economic activities, including tourism and agriculture, and is also posing potential threats to the health of wetlands.
- Regarding financial matters, we encountered an issue with the initial transfer of funds:
  - The first transfer was unsuccessful due to an error in the name of Practical Action during the disbursement process.
  - Subsequently, the disbursement for Bolivia was conducted in the local currency instead of Euros, as agreed upon. Unfortunately, the African Bank utilized an unfavourable exchange rate (more than 50% less), resulting in the non-receipt of the planned budget.

To address the challenges encountered with the initial disbursement, we have agreed to use our UK bank account for Practical Action for the upcoming transfer and make the disbursement in Euros to UCB while working towards resolving the issues associated with the first disbursement.

***Ecuador***

The major issue that has arisen was the Sarayaku's request for a third paid position for a field coordinator to take responsibility of all the travel logistics related to this project. While, for the Sarayaku this position was a given in previous projects with US and European partners the lack of funding for that position created a friction that needed to be solved. The lesson here is that we need to be especially attentive to other unanticipated cultural issues that might emerge by engaging in clear question and answer communication whenever there is a sense that something maybe amiss.

The other issue pertains to access to lines of communication. While we are in contact with José Gualinga and other members through WhatsApp and email, these channels do not allow for timely communication when our partners are in the Forest. This has led to some delays in the work process. José and the project country coordinator have engaged a third person, Viviana Castro, who works in the Sarayaku office in Puyo, the gateway town to that region of the Amazon. Viviana will streamline the communication between the country coordinator and the Kawsak Sacha team when direct communication is not available.

**Guyana**

Some unforeseen issues with transferring funds to Guyana that needs to be worked out or issues with foreign exchange rates will significantly impact the project's implementation in Guyana.

**Kenya**

The project implementation experienced delays due to insecurity in Tana River. We were not able to start the process of community consent because of insecurity incidences. This is also the case for administering stakeholder and community Stakeholder and community questionnaire to determine knowledge of Rights of Wetlands.

**Sri Lanka**

The team is engaging closely with the Ministry of Environment (MoE), who is currently developing a Policy on Living Entities. The policy aims to declare three biodiversity rich, upper watershed areas in the montane region of the country as "Living Entities". Upon the request of the MoE, the initial RoW policy review was shared (with caution to consider it as an initial draft).

Discussions on RoW also spawned questions on the effects of operationalising RoW – whether it will prohibit any activity within wetlands entirely, limit wise use of wetlands and the potential negative impacts this may have on social wellbeing. It was ascertained that even if certain activities are allowed, the extent of activity/ degree of disturbance, needs to be scientifically assessed and rationalised. The discussions also highlighted the lack of clarity on how RoW may improve the conservation of wetlands in countries that have strong environmental laws but lack stringent enforcement. It is becoming clear that the concept of rights for wetlands is new, and questions around who might be the legal guardian to represent the wetlands are emerging.

We propose to work closely with the committee established by the MoE to oversee the Living Entities policy to ensure that research conducted through this project is relevant and contributes to providing an evidence base for the Ministry's process. One team member – Priyanie Amerasinghe – is an invited member of the Living Entities policy advisory committee.

**General**

We are working as a project team to find different approaches to transferring funds so we do not lose so much through currency exchanges.

**3. Have any of these issues been discussed with NIRAS and if so, have changes been made to the original agreement?**

Discussed with NIRAS: Yes/No

Formal Change Request submitted: Yes/No

Received confirmation of change acceptance Yes/No

Change request reference if known: N/A

**4a. Please confirm your actual spend in this financial year to date (i.e. from 1 April 2023 – 30 September 2023)**

Actual spend: £ [REDACTED]

**4b. Do you currently expect to have any significant (e.g. more than £5,000) underspend in your budget for this financial year (ending 31 March 2024)?**

Yes  No  Estimated underspend: £

**4c. If yes, then you need to consider your project budget needs carefully.** Please remember that any funds agreed for this financial year are only available to the project in this financial year.

**If you anticipate a significant underspend because of justifiable changes within the project, please submit a re-budget Change Request as soon as possible. There is no guarantee that Defra will agree a re-budget so please ensure you have enough time to**

make appropriate changes if necessary. **Please DO NOT send these in the same email as your report.**

NB: if you expect an underspend, do not claim anything more than you expect to spend this financial year.

**5. Are there any other issues you wish to raise relating to the project or to BCF management, monitoring, or financial procedures?**

No – the project remains on track in this first period.

**If you are a new project and you received feedback comments that requested a response, or if your Annual Report Review asked you to provide a response with your next half year report, please attach your response to this document.**

**All new projects (excluding Darwin Plus Fellowships and IWT Challenge Fund Evidence projects) should submit their Risk Register with this report if they have not already done so.**

**Please note: Any planned modifications to your project schedule/workplan can be discussed in this report but **should also** be raised with NIRAS through a Change Request. **Please DO NOT send these in the same email.****

Please send your **completed report by email** to [BCF-Reports@niras.com](mailto:BCF-Reports@niras.com). The report should be between 2-3 pages maximum. **Please state your project reference number, followed by the specific fund in the header of your email message e.g. Subject: 29-001 Darwin Initiative Half Year Report**