Adaptive management: Protecting HCVs in the long-term

How to address changes in HCVs and HCV-related information.
Introduction

The High Conservation Value (HCV) Approach is used to protect important environmental and social values in commodity production settings – for example for oil palm, rubber, timber, cocoa, cotton and sugar. The HCV identification or assessment process is a relatively rapid, one-off exercise, whereas management, monitoring and protection of HCVs is a long-term process. To ensure good management and monitoring of HCVs, it is necessary to consider whether HCVs and their associated management areas have changed since an HCV assessment took place. However, it can be complex to define changes in HCVs and to know who has the authority to make and decide on these changes.

How and whether HCVs are maintained over time is of concern to a wide range of actors. To begin with, the HCV Network has a vested interest in knowing where HCVs are in the world and whether they are being maintained over time to understand the impact of the Approach and to improve management and monitoring tools and guides. From Indigenous Peoples and Local Communities (IPLCs) and farmers who want to manage HCVs effectively, to the financial sector who need to verify the long-term impacts of their investments on environmental and social values. For certification schemes, compliance and impact assessment is essential to prevent greenwashing. For growers and companies who seek to comply with their polices and commitments and to qualify for certification or other verified supply chain systems.

This has been happening on an ad hoc basis and managers, auditors, community members and others have encountered such challenges over the past two decades, however, there is not currently a credible system in place for the recognition of such updates or amendments. There is a need for a transparent and credible process – for how land managers/companies can update HCV information, how local communities can request changes to HCV status, how NGOs can see what the reasons are for HCV changes (legitimate or not), and how the HCV Network can track the changing status of HCVs.

Given this challenge, the HCV Network Secretariat has drafted this discussion paper to raise awareness about this topic and to serve as a starting point for practical solutions. The paper is based on discussions with companies individually and as part of our company discussion group and with members of the HCV Network more broadly. We gathered ideas and developed this paper to raise awareness of the issue and we invite our members, partners and other interested stakeholders to engage on this topic of the challenges of HCV management and the necessity to maintain HCVs in a consistent and credible way over the long term. In this paper, we will first look at a variety of examples of why HCVs and HCV-related information may change over time and then we propose options for what is needed to ensure robust management and monitoring. Though this list is unlikely to be exhaustive, it is a good starting point as it represents the implementation challenges that growers face.
Reasons why HCVs and HCV-related information may change over time

There are several reasons why HCVs and HCV-related information may change over time. First, we will explain what we mean by HCVs and HCV-related information. Changes to HCVs would mean for example that there is a new HCV found or an HCV has been damaged, whereas changes to HCV-related information may mean that there is a more accurate map available for an HCV area. Below we describe the situations and examples we have gathered from various discussions.

Social and political processes

Social HCVs (HCVs 5 and 6 and some aspects of HCV 4) are locally defined so are likely to be dynamic, yet special care is needed to ensure all users within a community are involved in decisions related to any changes to the status of social HCVs. This category of changes to HCVs is related to how use and/or dependence on HCVs and HCV areas may change over time. For example, what if:

- Communities no longer depend on certain natural resources once classified as HCV 5.
- Communities no longer consider an area important for cultural purposes (HCV 6).
- A community requests an HCV area be converted to plantation or another use (e.g., public facilities and infrastructure).

HCVs can also be affected by changes in ownership and/or control over resources and areas. For example, if:

- There was a failed negotiation of a long-term lease between a company and a landowner where the HCV is found (so the company will have no control over, nor use the area where the HCV is located).

Natural environmental processes

Many types of HCVs (e.g., habitats, species, environmental services, corridors) are subject to natural processes such as disturbance (e.g., fire, tree falls, wind), disease and predation. There could also be changes in routes of migratory species and changes due to climate change, pollution, etc. Some of these disturbances could be related to human activities, but others may not be.
Land rights or use conflicts arise due to overlapping of land gazettlement.

The law assigns or maintains property/use rights to “productive land” which require that either the whole property is converted, or that “non-productive” areas kept intact are excluded from the holder’s rights and duties.

**Improved techniques and data affect the designation or delineation of an HCV and/or HCV management area**

In other cases, new understanding or new and/or better-quality information may emerge because of monitoring or because new techniques or additional fieldwork were conducted. Examples of this include where:

- Improved mapping techniques or better-quality maps show a discrepancy between boundary lines, HCV locations and/or overall HCV area calculations.

- Presence of an HCV documented in an assessment – was done using the precautionary approach or based on information that later turned out to be wrong. In other words, there is no HCV present in the area, and it was unlikely an HCV was present at the time of the assessment.

- A previously undiscovered/undocumented HCV is found after the original HCV assessment report was completed and published.

**Changing context affects the designation of an HCV**

It is possible that intensification of threats and their impacts could result in degradation at a broader scale and hence increase the importance of certain values or areas, so they effectively “become” HCVs. For example, changes in Rare, Threatened and Endangered (RTE) status for ecosystems may lead to an area being considered as HCV 3 even if previously it was not so, because of widespread destruction elsewhere.

**Deliberate damage and destruction to HCVs**

In addition to natural processes, changing social and political contexts and new data – there may be unfortunate cases where HCVs are deliberately (or inadvertently/ ignorantly) damaged or destroyed. In these cases, the changes to HCVs should be documented and then depending on the context there may be a compensation and/or restoration procedure activated. Damage and destruction of HCVs is never endorsed by the HCV Network.
What is needed for a credible process?

At this stage, it is not yet clear what entity should take on the role of deciding whether changes to HCV-related information are valid or not. Below, the HCV Network proposes elements of a credible process to identify gaps and develop actions that could ensure more robust HCV management and monitoring.

For changes to HCVs discovered during routine M&M

In situations where there is a good HCV assessment report and M&M plan, but there have been changes to HCVs – detected during M&M and/or audits one must determine how to document these changes and update the records and public information, by finding potential causes and present evidence for changes to HCVs. This could include identification of a new HCV, or a change or changes to existing HCV(s). Based on discussions with companies, HCVN members and Secretariat expertise, we recommend the following elements be considered as part of a credible process for changing HCV-related information as part of a sound management system. When deciding what kind of information to collect, consider:

What led to a request for change to HCVs? Document the monitoring information (date, methods (e.g., field survey, re-mapping, consultation, etc.) that alerted the manager or other entity to the change.

Explain the reason(s) for the change, e.g.,

- HCV was unlikely to have ever been present
- HCV has been damaged or destroyed through
  - Natural processes
  - Deliberate actions
  - Accidental damage
- Rightful owner has decided they no longer acknowledge HCV. Institution/person who proposed and/or decided this change? When was, this decision made?
- New data or improved maps now allow for more accurate information

Depending on the reason for change – provide detail on:

- The HCV which was identified in the assessment report – with map
- Information included in the report which led to classification as an HCV.
If/how stakeholder consultation contributed to the identification of the HCV in the first place.

The area allocated for HCV protection and management and how it was defined.

Then, new evidence should be presented including:

- Data that contradicts/corrects the original assessment. Specify if the new information emerged from HCV management and monitoring, or from field work after the assessment.

- Explanation of why the new data is reliable/of good quality and must overrule previous information. Is it detailed, recent and complete enough to make informed decisions on the presence/absence of this HCV?

- If/how the stakeholders previously involved in the HCV identification have been contacted with this new evidence and appropriately consulted.

- Stakeholders’ views on the new information and whether the stakeholders agreed that the request for a change is valid.

Verification or approval of the change should include:

- Consideration of the evidence presented. Is evidence provided adequate to make a valid change to HCV status?

- Consideration of expert advice and stakeholder input

- Preparation of a report which documents the process for how the decision on change to HCV was made. The result of the evaluation will be public. Therefore, people will know which changes to HCV information have been approved. However, any relevant changes that need to be made to maps and other documents and then communicating these updates to stakeholders goes to the entity with HCV management responsibility.
What about updating HCV status from older assessment reports?

In some cases, an HCV assessment was conducted in the past, but the report has weaknesses (e.g., it was conducted before the creation of the HCVN ALS) – or it is outdated for various reasons. From that one must ask how to ensure HCV information is up to date and reflects reality and how to update the HCV assessment report?

To answer that question, some actions can be taken:

- Look at the original HCV assessment report and identify weak areas.
- Recommend targeted field work and stakeholder consultation to address gaps.
- If some HCVs seem to have been damaged or destroyed, flag if focus needed on retrospective analysis of HCVs.
- What has been learned through HCV M&M activities?
- Produce updated report. Update M&M plan accordingly.
Next steps

The Network would like this development process to be participatory and for those with direct experience with managing HCVs to contribute so that the process developed can be as credible and transparent as possible. To this end, the Network invites members, partners and other collaborators to provide feedback on this paper and to share practical management challenges related to changing HCVs and HCV-related information. Our desire is to find the best way to document these changes in a credible and consistent way and to ensure that HCV areas are protected as much as possible, and that greenwashing does not occur.

Please contact secretariat@hcvnetwork.org
HCVN is grateful for support from Musim Mas and GAR towards the development of this discussion paper and related activities.