

Re-examining “Displacement”: A Redefinition of Concepts in Development and Conservation Policies

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ABSTRACT: Social research has generated large bodies of empirical findings proving that many population groups, including but not limited to tribal groups, are materially impoverished and made worse off by the introduction of “restriction of access” to natural resources, either under some development projects or by establishing parks and protected areas (PA) for biodiversity conservation. This convincing social and environmental evidence has long been overlooked by Governments and development agencies. However, a significant change, still little known, has recently taken place. This change, analyzed further, consists in a conceptual and policy revision adopted by the multilateral development agencies (e.g., the Asian Development Bank, the World Bank, and others). Grounded in empirical evidence, this policy development has direct relevance for the condition of tribal and aboriginal populations inhabiting remote areas, for national Governments, and for many international development and environment programs.

The revised policy conceptually redefines “restricted access” to certain natural resources as a form of involuntary displacement, *even if the affected groups are not physically relocated*. This redefinition

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broadens the understanding of *displacement* beyond its usual acceptance as *geographic relocation*, to include also economic dislocation; most importantly, its application to policy results in an institutionalized demand for commensurate economic reconstruction activities in such displacements without physical removal.

The local users affected by the introduction of “protected areas” (PAs) and “restriction of access” to those areas have not been compensated under the previous policies for the big opportunity costs and losses imposed upon them. Moreover, argues the author, social and economic analyses show that benefits from conserving biodiversity through PAs tend to be highest at the global and national levels but are lowest at local communities’ level. Conversely, the costs are highest for the local communities and lowest for the global actors. Thus, the risks of impoverishment caused by access-restriction even in non-physical displacement are severe and must be recognized, counteracted and prevented. The new policy is all the more relevant as it contains self-obligations: it prescribes means correlated with ends. In this vein, among other measures, in April 2004 the World Bank adopted a new land financing policy that, for the first time, opens up the use of Bank financing for land acquisition in displacement situations. The new policy on access-restriction recognized as displacement is backed up by institutionalized new approaches, examined further, and multiplies the practical options for compensation and for the economic rebuilding of livelihoods.

I. RESEARCHING AND CONCEPTUALIZING FORCED DISPLACEMENT

The accelerating pace of development in (formerly) less developed countries has vastly multiplied the instances of compulsory population displacement and resettlement. Today, such processes occur often both in public and private sector development projects. As industrialization and urbanization gain speed and breadth, while population densities increase, such processes are not likely to abate: unfortunately, they will continue and expand.

Within the areas of science, sociologists and anthropologists were the first professional social scientists who undertook a systematic inquiry of these complex and traumatic processes. In India, for instance, the original research initiated in the late ‘50s by Roy Burman in Orissa (Roy Burman, 1961) on the forced displacement entailed by the

Rourkela industries² predated, to his credit, the research carried out by European and American social scientists studying cases of displacement in Africa (see Cernea, 1997). The knowledge on displacement and resettlement generated by social scientists has been accumulating long before their findings started to be taken into account (haltingly and reluctantly) by development agencies and Governments.

As research expanded, the body of knowledge generated by social scientists evolved from case-focused mono-ethno-graphies to the formulation of concepts and to the slow and gradual build up of general propositions, theories, and models. In other words, elements of a specialized subfield of social inquiry have started to gradually emerge and in time coalesce into the building blocks of a field of distinct and recognized expertise. Currently, the studies on population displacement and resettlement have “exploded” in many countries, primarily in China, India, Brazil, the US, the UK, Ethiopia, Bangladesh, Argentina, and several others.

In parallel, the practical needs of the planners of development projects have pushed them to start paying attention to the social scientists’ research and to consider the formulation and adoption of codified guidelines and norms for actual development programs that confront displacement and resettlement tasks. Absorption of this knowledge, however, has not been smooth and easy: it has occurred through a constant uphill battle against cognitive dissonance. Social scientists have had a direct hand in writing up the first international policies adopted by some development agencies to minimize and mitigate development-induced displacement and resettlement.

During the last two decades, the “ripple effect” of the initially adopted policies has become wider and wider, through a process too complex to be outlined in this paper (on these issues, see Cernea, 2005a). Suffice is to say that this advance could not have

² Roy Burman’s research was continued by L.K.Mahapatra (1991, 1994) and subsequently has inspired much broader research in India on similar processes (see also Parasuraman’s 1999 re-analysis of the beginnings of resettlement research in India, in light of the new, considerably larger and more traumatic processes of population displacement and resettlement unfolding in India in recent decades, such as those triggered by the Narmada Sardar-Sarovar dam, by the industrial displacements in Orissa, and by many other (see also Pandey, 1999; Baviskar 1997, Dreze 1997, Mathur and Marsden 1998)

happened without the forceful political struggle of civil society organizations and of the displaced peoples themselves against the stern resistance of many governments and private sector corporations. Even today, progress in resettlement policy adoption is still opposed in many countries.

At the same time, development agencies not only absorb this knowledge but also test it and sometimes contribute to it with lessons from experience. We can observe significant situations in which the interaction between sociologists, anthropologists and other social scientists, on the one hand, and institutions and practitioners, on the other hand, has resulted in the further codification of this knowledge and in the refining of prior concepts. This process of knowledge accumulation, codification, correction and refinement continues.

The present article is devoted to a recent instance of such knowledge refinement and policy improvement. Specifically, the present article will analyze a significant broadening of the basic concept: the concept of ***displacement***, and the related issue about the entitlements of people affected by displacement.

This recent conceptual and policy development [and its socio-economic rationale] are still largely unknown, despite their importance for practice and relevance for resettlement theory. It is worth, therefore, to examine them in detail, that is – to think further about their ramifications in other types of development projects and conservation projects, and their application in different country situations. They may affect the strategy of creating protected areas (PA) worldwide by instituting new approaches, and have far-reaching operational implications.

II. A SIGNIFICANT REDEFINITION: RESTRICTION OF ACCESS SEEN AS DISPLACEMENT

This policy development consists in, and builds upon, the redefinition of the concept of “restriction of access”. Two elements must be noted from the outset:

- (a) this redefinition was introduced first in the resettlement policy of the World Bank, as part of the revision and updating of that policy, as re-issued and

instituted from January 2002 on;

(b) soon thereafter, and most significantly, this redefinition was replicated and introduced in the policies of other multilateral donors such as the Asian Development Bank, the Inter-American Development Bank, and the African Development Bank, for their programs. It affects also programs financed by the Global Environmental Facility (GEF).

Given the leading role of the multilateral development agencies in financing development, conservation, and general environmental protection programs, this change in their policies and its conceptual foundation are likely to be deeply consequential. Obviously, it will have impacts at the level of national policies of many countries as well, particularly when countries and states are to adopt new, or revise existing, resettlement and rehabilitation policies. For instance, the vast debate currently ongoing in India around the principles and provisions of R & R policies at various levels – national, sectoral, or state-wide – is confronting the “restricted access” issues within the specific conditions of Indian law and needed reform.

When is “restriction of access” instituted through development projects?

Circumstances justifying the introduction of “restricted access” to some natural resources or activities tend to occur in several categories of projects: in various area development or extractive industries projects, and in conservation projects protecting biodiversity resources or protecting cultural heritage endowments and natural monuments.

Development projects may cause sometime obstructions in local activities not just because their land needs for “right of way”, but also for such situations as creating, even without expropriation, safety zones that obstruct access and former local productive activities. For instance, the Tangguh natural gas extraction project in Indonesia needed to institute a marine safety protection zone of some 20 ha. of marine surface around the offshore extraction rigs and on the bay area between the offshore rigs and the onshore port and processing plant; this prevents the circulation of local boats, for fishermen’s protection, and also prevents the traditional fishing by several

local clans in that bay area³, affecting incomes. Therefore, this private sector major project considered this marine safety zone as part of the *displacement impact* of the project⁴, as it relocated part of people's fishing *activities*, even though this safety zone in itself didn't relocate people's habitat.⁵

In sum, the essence of the policy change we discuss, as conceptualized and adopted by the multilateral development agencies, consists in two elements:

First, it defines the imposition of "restricted access" to certain resources in protected areas as *a form of involuntary population displacement*.

Second, the new policy broadens the definition of "displacement" beyond its usual acceptation as geographic relocation, to include also occupational and economic dislocation not necessarily accompanied by *the physical (geographic) relocation of the local users*.

The economic impoverishment risks and occupational displacement imposed by such restrictions are recognized as having many consequences comparable to physical displacement, although substantive distinctions between the two do exist.

³ The social assessment studies for preparing the Tangguh LNG project found that the various clans of the Simuri tribe inhabiting that area around Bintuni Bay had rules and norms of customary sea tenure over the bay's surface, i.e., a system of fishing rights known and mutually respected within inter-clan relationships.

⁴ Consistent with the new conceptualization of displacement in situations of project induced restriction of access, adopted by ADB, which provides part of financing for the Tangguh LNG project. This is described in detail in the Land Acquisition and Resettlement Plan (LARAP) for the project (see www.adb.org).

⁵ To provide income generation alternatives to this restriction, the project implemented creative solutions: among other measures for helping improve the construction of boats used in the project area, the Tangguh project provides an outboard motor, free of charge, to each of the almost 300 fishermen families in the affected clans. This enables them to much extend the radius of fishing beyond and around the restricted safety zone, while the motor-propelled bigger boats that replace the paddle-propelled boats are also capable of increased speed and fishing productivity.

As is rather well known, the World Bank's resettlement policy (with its preventive measures, and compensatory and entitlement provisions) has been historically covering, among many other sectors⁶, also the displacements caused by conservation programs through the establishment of parks. But it *did not cover* the projects that introduced "restriction of access" without imposing people's physical relocation. The recognition of restricted access as a form of economic displacement was introduced by beginning of 2002, when by the Bank Board's decision the previous (1990) version of the resettlement policy, code-named OD 4.30, was replaced with an updated resettlement policy, code-named OP/BP 4.12.

What explains this change? What did this change arrive at and why was the modified approach elevated to policy status?

III. TWIN OBJECTIVES IN ESTABLISHING PROTECTED AREAS

The changed definition of "restriction of access" as displacement even when physical uprooting isn't mandated was arrived at as result of long and in-depth internal discussions between the World Bank social and environmental specialists, grounded in their joint examination of previous worldwide experiences with the use of "restricted access."

The key twin reasons for it are the pursuit of *environmental effectiveness* and of *social*

⁶ The World Bank's initial policy on involuntary population resettlement was issued in 1980, at which time it was the first policy ever adopted by any international organization for regulating project-caused processes of displacement and resettlement. Its adoption triggered a long series of international efforts for improving the norms and practice of population resettlement, but also opened up a period of recurrent tensions and criticism, both inside the World Bank and between the Bank and its borrowers, resulting from multiple instances of inconsistency between policy principles and projects' implementation. During the difficult uphill battles that followed after 1980, the initial R&R policy was revised, gradually strengthened, and its provisions were refined and expanded in several stages in 1986, 1988, 1990, 1994 (for a history of this policy, see Cernea, 2005a.) The revised policy (OP/BP 4.12). that broadens the previous policy's coverage as described here, was adopted in November 2001 and became effective in January 1, 2002.

equity. Environmental effectiveness requires real and sustainable protection of biodiversity. In turn, social equity requires identifying and preventing the adverse impacts of PAs upon those whose access to some natural resources is suddenly restricted, by offering them alternative options for securing their livelihood sustainably. This way, they will not end up impoverished, worse off. These two goals are seen as interdependent twin goals, which must be pursued concomitantly.

For this to take place, the means necessary are prescribed and provided through the new policy. These means, absent in the past, are specific entitlements, comparable with those prescribed in typical development-caused displacement situations.

Protected areas are seen by the multilateral development agencies as a crucial modality for conserving unique biodiversity resources and areas endowed with major cultural heritage or natural monuments. Restrictions of access to such resources are objectively necessary to prevent total loss, overuse, or gradual depletion, since many such resources have global or national importance, beyond their immediate benefits for the local populations. The challenge is to involve those local populations in genuinely managing sustainably such resources, either by themselves or in various patterns of co-management. In certain such situations restrictions become indispensable. This need for reasonable restrictions is not, in itself, at issue.

At issue, however, are two types of recurrent failures of the institution of restricted access, highlighted increasingly by independent research/evaluation studies.

First, in numerous situations the introduction of restricted access has sadly failed to achieve its environmental objectives: the resource depletion by the former users has continued, rendering the protection ineffective. Therefore, to avoid further environmental failure, the protection regime needs to be introduced with better incentives and additional organizational skills, improving implementation and monitoring.

Second, the practice of simply declaring some areas and some prior resource-use patterns as suddenly “restricted” and prohibited has caused imposed heavy opportunity costs on local people, *subtracting without restitution from their livelihood*. The social outcome has been net de-capitalization and impoverishment of those affected.

The change in policy is intended to help in overcoming both types of failures, by creating organizational, economic and social premises conducive to “double sustainability”: that is, to protecting both people’s livelihoods and the environment at the same time.

IV. WHAT IS THE CONTENT OF “FORCED DISPLACEMENT” ?

Forced population displacement caused by development or environmental projects is usually defined as occurring when people lose, through expropriation, either their *house*, or their *land*, or *both* simultaneously. They are compelled to yield the “right of way” to the project.

However, this broadly accepted definition of forced displacement has given place to at least two long simmering conceptual and definitional debates. The debates, not just academic, are loaded with heavy implications for practice.

In the first debate, the definition mentioned above was opposed by a somehow more limited definition of forced displacement, which introduced a distinction between loss of home and loss of land. The supporters of the narrow definition contended that displacement occurs only when people lose their dwellings, being evicted from their houses. Loss of cultivated land or of access to land, it was narrowly argued, would “affect” people’s productive activities but will not necessarily dis-*place* them because they don’t lose their “place,” are not forcibly relocated and could remain in their house.

At closer scrutiny, this view-point appeared unrealistic. It belittles the core *economic content* of displacement and reduces it to geography. People’s “place” is their land too, not only the roof above their heads. Land is livelihood and identity.

Confronted with vast empirical evidence and robust theoretical response, that narrow definition of displacement as house-expropriation only has lost the debate. Land dispossession, even if occasionally not accompanied by loss of housing, has been vastly recognized as forced displacement. Today, that narrow definition of displacement is virtually forgotten. That debate is basically settled, even if isolated advocates unrepentantly return to the narrow definition.

In the second debate, the issue at stake was more complex. It referred primarily to populations with customary land ownership, not formal title. When protected areas are established, the populations with customary ownership over those areas (most often tribal or other indigenous groups) are often relocated forcibly.

Forced resettlements from park areas, however, have compiled a historical record abundant in well documented social disasters. Those physically uprooted were not given equitable, realistic and viable alternatives. Specifically, no land title to other sites have been allotted as part of such forced relocations; compensations were not paid or were woefully under-paid; people's place-rooted identity was undermined; conflicts with hostile host populations have frequently ensued. In turn, the displaced people, lacking an alternative livelihood, kept pressure on the PA from the outskirts, so that the "displacements-without-proper-resettlement" have also detracted from the expected environmental effectiveness of PAs.

Scholars of various specialties have empirically researched and explained these negative impoverishing outcomes in great detail. The essence of the deep economic conflict between park-displaced people and park-promoting conservation has been well captured by Geisler in the suggestive title of his study *"Your Park, my Poverty"* (Geisler 2003) and by Kaimowitz and his colleagues in their study –*"Your Biosphere is my Backyard"* (Kaimowitz et al. 2003) about the Bosawas Reserve in Nicaragua. Volumes and countless studies have reported hard evidence about the unmitigated impoverishment risks inflicted on those displaced, demonstrating how these risks turned into actual impoverishment and tragic destitution occurrences, and about the ethical clouds and unsolved dilemmas that the responsibility for causing such social pathologies has placed upon protected areas and their one-sided proponents (Feeney , 1998; Turton, 2002; Chatty and Colchester, 2003; Brechin et al., 2003; Cernea and Schmidt-Soltau, 2003 and 2005; Ghimire and Pimbert, 2004; Rudd, 2004; Brockington and Igoe, in press, 2006)

The mounting criticism of socially irresponsible forced physical relocations has had some impact, and a slight tactical shift was introduced in the establishment of conservation areas: namely, the promotion of PA approaches continued to enact "restriction of access" and create protected areas based on "restrictions of access", but it de-linked in some instances such restrictions from the pursuit of immediate physical displacement. The assumption was that, without imposing forced geographic

displacements, the enactment of “restriction of access” would become benign in its socio-economic effects, and the obligation to compensate and relocate those “restricted” would disappear because they were not physically removed.

The real situation of the “restricted populations” inside parks and other types of PAs has become the subject of what I termed the second debate. The responses to the critique of park-caused physical displacements have varied on a broad range ⁷

On the ground that no physical removal takes place, some promoters of protected areas have denied that the displacement concept is applicable when populations are subjected to “only restricted access”. They argued that because there was no physical resettlement, there was no displacement either, and cited cases of populations that are still inside PAs, despite the laws that either made their residence there illegal or that “restricted” their access to resource-streams.

This is a fallacious reasoning. What in fact happens is displacement in its economic sense, without even the mitigation, alternatives and the entitlements provided through planned and organized resettlement. People made into illegal residents and prohibited by access-restricting laws from using the land and resources declared “protected areas”, also remain under the constant threat of being at any moment physically relocated.⁸

⁷ Some of these responses were so insensitive to the social and moral issues, and so deeply immersed in denial, that they hardly deserve consideration. For instance, one of such responses argued that resettlement is a “political matter”, and poverty reduction is a moral goal, while conservation is a “scientific matter” and science-based conservation should not be mixed or “compromised” with social considerations.

⁸ One case in point, subject to recent articles and discussions, illustrates well the complexities of such situations. This is the case of the Mursi, whose territory lies within and between the Omo and Mago National Parks in southwestern Ethiopia (Turton, 1987; 2002). The Mursi depend for about 75 per cent of their subsistence needs on land lying within the park boundaries - agricultural land in the Omo Park and dry-season grazing land in the Mago Park. Although these parks were set up, in a practical sense, over thirty years ago, it was only in early 2005 that the Ethiopian government began taking effective steps to have their boundaries legally established. This was in connection with a proposal from a Netherlands-based organization, African Parks Foundation, to run the parks in a public-private partnership with the government. The

The denial of the displacing effects resulting from “restriction of access” without counter-risks measures implicitly justifies the promoters’ refusal to grant the deprived populations compensation and entitlements to alternative land resources or activities, impoverishing them further.

Responding to this view, many social researchers and resettlement specialists, including also some conservation specialists, have argued and documented empirically that the enforcement of “restricted access” to resources vital for livelihood is tantamount to economic displacement, destitution and impoverishment. I have been myself a participant in this argument, both inside and outside the World Bank; long before the adoption of the revised Bank policy OP 4.12, I argued that “the concept of displacement describes also situations in which some people are deprived of their productive lands, or of other income-generating assets, without being physically evicted from their houses.” (Cernea 1999)

Confronted with field-findings and critical analysis, the assumption mentioned above was proven precarious and incorrect. The poverty effects of access-restriction and of denying a prior food/income stream remained severe even in the absence of physical relocation. The underlying issue is that, as long as the deep consequences of these restrictions on people are not recognized, preempted, and counteracted, they suddenly and severely subtract from the livelihood of the local communities. Vulnerable and poor populations are made even poorer. The economic effects on their livelihoods end up being almost the same as if they were physically forcibly displaced. Moreover, lacking

implications of this for the customary land rights of the Mursi are not yet fully evident, but could be disastrous. Once the park boundaries have become a legal ‘fact’, the Mursi will face the likelihood of permanent restricted access to subsistence resources within the parks which they need to sustain their economy, without receiving alternative livelihood options from the foundation that would manage the park commercially. The authorities, meanwhile, would be able to claim that, in denying such access, they would not be ‘evicting’ the Mursi physically from their territory and would not, therefore, be obliged to provide alternative livelihood opportunities. (Turton, 2005) An even more dramatic case was reported by Patricia Feeney from Uganda a few years ago: the brutal relocation of inhabitants from the Kibale area allocated for a “game corridor”, including setting afire the existing villages (Feeney, 1998). Physical displacement from other PAs, after years of residence endorsed by authorities, are also known.

alternatives, such groups soon revert to surreptitious and now illegal use of the restricted areas, sapping the intended conservation as well. Rather than the vaunted “win-win”, a “lose-lose” situation is created.

This debate, as opposed to the first one, has been long simmering. But accumulating empirical research evidence has revealed the dire impoverishing effects on people inside parks and protected areas and the failure to ensure sustainable livelihoods. This empirical evidence and the lessons from painful experiences with “restricted access” have led the major multilateral development agencies to new conclusions, that is to recognizing that the practices of restricted access, even without physical relocation, are tantamount to occupational displacement with imposed impoverishment. For the first time, the newly adopted policy provisions and definitions regarding restricted access bring key international actors to an unambiguous position in this debate. This is why *The conversion of this research conclusion into explicit policy* is a landmark.

V. NEW POLICY CONCLUSIONS

How is this conversion reflected in the texts of the updated policies?

The new policy statements explicitly broaden the coverage of the policy from only situations of involuntary “taking of land” through expropriation, extending it also to situations of imposed and

“involuntary restriction of access to legally designated parks and protected areas, resulting in adverse impacts on the livelihoods of the displaced persons.” (World Bank, OP 4.12 art. 36).

Further, the policy explains what is understood by “involuntary restrictions” and to whom it refers. It states:

“For the purposes of this policy, involuntary restriction of access covers restriction on the use of resources imposed on people living outside a park or protected area, or on those who continue living inside the park, or protected area, during and after implementation.” (OP 4.12, Note 9).

In the 25 year history of the World Bank’s resettlement policy, this is for the first time that “loss of access” is being explicitly considered as a form of displacement. However, this is fully consistent with the conceptual definitions and argument developed by the

sociologists and anthropologists studying displacement. It is also consistent with the theoretical principle adopted by the World Bank long ago: namely, that the *definitional* characteristic in forced displacements is not only the *physical geographic removal*, but the imposed *loss of assets and income*. (Cernea 2005a) It is precisely this displacement-caused *loss* that must be corrected by restoring and improving people's livelihoods.

Indeed, these two distinct definitional elements have been, and probably for some time will still be, often confused. In practice, imposed deprivation of assets can take place and often does take place *in situ*, without the physical removal of inhabitants. Therefore, this time the policy warns against such confusion. Explicitly, it specifies that, similar to situations of actual "taking of land", in restricted access situations the policy also covers the

"loss of income sources or means of livelihood, whether or not the affected persons must move to another location"; OP 4.12, and 3aIII).

The policy of the World Bank applies also to all GEF projects executed by the Bank, as well as to projects by private sector entities that are co-financed by IFC, the World Bank's group arm for private sector projects.

VI. HARMONIZATION OF INTERNATIONAL POLICIES

Beyond the World Bank itself, other major development agencies responded supportively to the re-definition of restriction of access as displacement, by endorsing this change and adopting it for their own policies. The inter-agency consultations for sharing information and for policy harmonization in "safeguard policies" have been effective on this matter (Lintner 2006) and reached rapid consensus⁹. Replication

⁹ The World Bank has created, several years ago, a special and very influential central unit for "quality assurance", set in its central Vice-Presidency for Environmentally and Socially Sustainable Development (ESSD). This unit is mandated to monitor compliance with the Bank's safeguard policies and also to share information about, promote the dissemination, and pursue the harmonization of, these basic policies. This work is constantly ongoing, and includes also periodic meetings for sharing experiences

followed shortly.

Thus, for Africa – the primary region about which “the literature is brimming with reports, books, and articles deploring the old practices of eviction, offering a massive catalogue of past, recent, and ongoing abuses” (Borgerhoff-Mulder and Coppolillo 2005, p.36) – the African Development Bank has included in its 2003 policy on resettlement a new and most explicit statement, absent in the prior (1995) policy version.

The revised AfDB 2003 policy states:

*“This policy covers economic and social impacts associated with Bank financed projects involving loss of assets or involuntary restriction of access to assets including national parks, protected areas or of national resources; or loss of income sources or means of livelihood as a result of projects, **whether or not the affected persons are required to move.**”* (AfDB 2003, para 3.4)

The African Development Bank explicitly places the new provisions on protected areas in the context of its stand against the impoverishment risks induced by displacement. It emphasizes the responsibility of its own staff and borrowers to identify in each project the impoverishment processes inherent in displacement, and to list them transparently. It also stresses the need for applying counter-risk reconstruction strategies.

The 2003 AfDB policy states:

“...the above lessons highlight the need for improvements in the planning and implementation of resettlement components (and) for identifying the key impoverishment processes entailed in the displacement of persons arising from these projects. These are landlessness, joblessness, homelessness, marginalization, food insecurity, loss of access to common property resources, increased morbidity and community dislocation. Therefore, the key to a development-oriented resettlement scheme is to identify the impoverishment risks of a project and attempt to counteract them by adopting a program with a people-centered focus rather than a property-compensation approach, e.g. by addressing landlessness with land-based schemes; joblessness with employment schemes; homelessness with home reconstruction schemes; community disarticulation with community reconstruction schemes, etc.” (AfDB, 2003, para.

between relevant representatives of the multilateral donors (Lintner 2006).

2.3.6).

In answering the perennial argument that “there isn’t enough money to apply such better provisions”, the AfDB policy correctly notes that the costs of NOT applying a good policy in displacement

“almost invariably outweigh the investments that would have been needed to plan and execute an acceptable resettlement program.”

In turn, the Asian Development Bank extended in 2003 its involuntary resettlement policy to also explicitly address the

“social and economic impacts that are permanent or temporary and are caused by...change in the use of land or restrictions imposed on land as a result of an ADB operation.” (ADB, 2003 para. 3).

*“An initial poverty and social assessment (IPSA) is required for every development project and should be undertaken as early as possible in the project cycle...It quantifies any land acquisition, land changes, or **restrictions that will necessitate involuntary resettlement planning**”* (ADB 2003, para 23-24, added emphasis)

Surely, the chain consensus of the multilateral development banks is more than just inter-agency replication: it reflects a self-critical reconsideration of their previous position and the intent to close a loophole that allowed dispossession without planned resettlement to occur under internationally financed projects. Beyond this correction, it institutionalizes positive changes materially able to optimize the governance of the protected areas, thus becoming part of what is seen as a broader set of governance changes in this domain.(Borrini-Feyerabend 2004)

The policy change by the multilateral donor agencies also recognizes and validates the long and increasing resistance of indigenous people and their NGOs, in all continents, against the impoverishment and social injustices inflicted upon them during the creation of many parks and protected areas of various forms, including corridors or game reserves for elephants, tigers and other animals, that in fact do require protection against extinction.

Such dispossession occurs also under numerous development projects that not just

restrict usage but fully take away and exclude the tribal groups from their customarily owned land, displacing them physically without offering them sustainable livelihood alternatives. A recent case in India (Orissa state) gained international exposure, because the resistance of tribal groups at Kalinganagar against exclusion¹⁰ from their lands, sold by the state to the private TATA steel company, was met with a police fusillade that killed at point blank range 12 tribal people. Had the international policy standards for displacement and resettlement been implemented in this case, with viable livelihood alternatives being created for the affected tribal population, such tragedy would not have taken place. This dramatic case demonstrates once again that without equitable policies and enacted laws, consistently implemented by the private sector corporations as well, such corporations will be less and less able to obtain the land they need even if they rely on state implementation of procedures that are intrinsically unfair and impoverishing.

The policy changes adopted by the World Bank and the regional multilateral Banks are setting a model to follow also for private sector foundations that pursue not “development” projects but strictly speaking biodiversity conservation programs. Commercial corporations, various organizations, or private foundations from developed countries which undertake park management roles in developing countries need to assume, in their turn, ethical responsibility for supporting and applying the same moral and economic safeguard standards protecting the livelihood of conservation-affected local people as those embodied in the policy provisions described above. Such organizations, often funded also by OECD governments or by donations from the civil society, can not escape the moral and political responsibility for the destructions and impoverishing displacement carried out with the hands of local governments when such displacements are in fact the preliminaries for those organizations’ projects to establish a new park or to commercially manage a park (Pearce 2005).

¹⁰ The concept of “social exclusion”, directly relevant to our entire discussion in this paper, has been analyzed in depth by Amartya Sen (2000), in the context of his broad, far reaching theory on entitlements. In our own opinion, the important concept of social exclusion, germane to the impoverishment risks and effects intrinsic in forced displacement, as well as Amartya Sen’s theory of entitlements, ought to be employed more broadly as analytical and conceptualizing tools by the students of compulsory displacement and resettlement.

Fairness to resident populations, as well as basic ethics and respect of human and civil rights, requires making sure that any displacement, physical or economic, does not leave the affected people worse off, even if technically it occurs “prior” to the foundations’ formal involvement in the management of a given park.

VII. THE ECONOMIC RATIONALE UNDERPINNING THE POLICY CHANGE

The policy reassessment discussed in this paper has not occurred lightly. It is the result of considerate analysis of factual evidence and of dialogue between conservation and social specialists. It is also **grounded in the fundamentals of environmental economics**. David Pearce, one of the founders of environmental economics and among the very few economic scholars analyzing population displacement issues, argued that in conservation as well as in development projects

“the first rule is that all parties to the project should be better off with the intervention than without it. The fundamental justification for this rule is that if any party is made worse off by the intervention, they are likely to act in such a way that the success of the project will be jeopardized. Clear examples exist in the conservation policy area where protected area might restrict access to local communities who previously used the area of various ecosystem services and products – the so-called ‘evictions from Eden’. Unless the local community is compensated in some way, restricted access will generate losses and resentment, and this may result in what then becomes illegal activity, threatening the project...Each party must have an incentive to ‘sign up’ to the project, which in turn means that the benefits of the project to them must exceed the costs of the project to them.” (Pearce, 2005)

From the economic viewpoint, therefore, the strategy conclusion is that the economic displacement caused by access-restrictions – even “displacement in situ”, *inside* the protected area – must (a) be help generate benefits that exceed the costs incurred by the affected people and (b) the benefits need to be channeled back to the affected people. These channeled-back benefits may take the form of a package of entitlements, combining compensation, incentives and added investments to cover losses and incremental costs.

It is sometimes pointed out that a protected area, by preserving biodiversity resources,

may ultimately generate biodiversity benefits shared in by the affected people as well. This is indeed true, but it is crystal clear that the negative impoverishment impacts on the locals, poor to begin with and made poorer by displacement, are immediately livelihood wrecking, long before any ultimate benefits may be felt.

Conservation is undertaken in the name of global interests, and this brings into discussion the relationships between benefits at global and local levels. Economic analysis has demonstrated convincingly that the *benefits* of biodiversity conservation through protected areas or parks tend to be highest at the global and national levels and lowest at the level of local communities. (Wells 1992) In the same vein, economic research has concluded that:

“when analyzing costs, they are (found to be) highest at the local level and lowest at the national and international levels...At the local level, net benefits may be negative, indicating that there is no local incentive to undertake land conservation. This suggests that not only must the local community be involved in conservation efforts, but that they should also be able to appropriate a fair share of the under values of conservation.” (Brown, Pearce *et al.*, 1993).

The benefits from protected areas accrue primarily to stakeholders and groups which are far away, are developed, and by far much better off than the local resident poor populations. In other words, costs of conservation are externalized, imposed upon, and are born by those less able to afford them. (Daly 2004) The substantial opportunity costs/losses incurred by PAs residents are not compensated to those unwittingly bearing them. The ethical failure is obvious. In this case, a known syndrome is at work: “some get the gains, while others get the pains.”

Social analysis, in turn, has demonstrated that displacement and loss of access to common natural resources is closely associated with social disarticulation, loss of income-generating occupation and identity, increased morbidity and mortality, marginalization (Cernea and Schmidt-Soltau 2003) – in short, with most of the basic risks identified by the general model of impoverishment risks and reconstruction (IRR) that applies to development-caused displacement/ resettlement in other sectors as well (Cernea 2000). The vastly documented body of findings about these impoverishment risks in Africa (Cernea 2005b) raises issues of social justice and equity in conservation strategies too. The general rationale of the IRR framework, when tailored analytically to the case of parks and protected areas, is congruent with the classic rationale about

the economic harm and moral injustice of development-induced displacements in all sectors, which must be reversed by organized reconstruction.

Significantly, awareness about these unacceptable social, economic and cultural effects is also increasing within the conservation community, as a recent paper critical of western environmentalists' biases has stated. Because

“protected areas have often increased poverty amongst the poorest of the poor, there is now emerging recognition of both an ethical and practical imperative to why we must consider the linkages between protected areas and poverty. Ethically, western environmentalists, no matter how well-meaning, have no right to run roughshod over local needs and rights.” (McShane, 2003)

Although this position is not yet generally embraced, and direct reference to forced displacements is still not made, the 2003 World Parks Congress and the 2004 IUCN Congress in Bangkok adopted the recommendation that areas protected for biodiversity conservation should under no circumstance exacerbate poverty.¹¹ The big conservation organizations still have to issue “how to” self-binding prescriptions on how to actually accomplish impoverishment prevention in protected areas and to formally commit themselves to avoid and oppose displacements that ruin livelihoods.

VIII. FROM POLICY TO IMPLEMENTATION

How will the multilateral agencies' new policy definition be implemented? The short answer is: it will face substantial difficulties, at least initially. However promising it is for both protection and social equity, consistent implementation of the new policy will have to confront serious obstacles: a wide range of interests vested in repeating old approaches to PAs; shortage of institutional capacity for enforcing the new approach; technical difficulties in measuring costs and allocations; and entrenched biases ready to exploit all these difficulties for subverting the new approach. Yet implementation success is of highest interest, both to the affected people AND to the conservation supporters. Both groups gain important new means for promoting sustainable and equitable protection. It is therefore indispensable that Governments, major international conservation organizations like IUCN and WWF, and country-based NGOs,

¹¹ IUCN 3dWorld Conservation Congress, Bangkok, 2004.

genuinely join forces in implementing the new policy approach.

Two decisive premises for implementing this policy will be (a) increased financial resources, and (b) more detailed socio-economic planning work. To be noted, the World Bank has not simply revised concepts and policies without securing means for making them stick. It also prescribed new procedures, project tools and resources. Among these is an improved process of project preparation tailored to protected areas, supported by access to certain financing options previously not available.

By supporting a better equipped approach to establishing PAs, the new policy's implementation will not endorse the proclamation of protected areas without the financial backing necessary, as these are simply predicated on the dispossession of resident populations under the cover of conservation-correct rhetorical discourse. The multilateral agencies have learned the hard way – from their own and others' experiences – that such past approaches have produced fake protection and compounded social misery. Instead, the new policy's implementation is bound to place an incomparably more solid financial platform under the establishment of enduring PAs. This way, it is apt to increase and improve effective protection. It will secure genuine global environmental goods more effectively, because it will compel the provision of a more fair and equitable, that means higher, restitution of costs imposed on locals, through entitlements to the kind of measures and resources granted in recognized development-caused displacements.

A new policy is always more credible when it contains self-obligations and prescribes means correlated with ends.

Through its new policy, the World Bank has committed itself to a sequence of “required measures” tailored to the needs of the affected populations. Governments asking for Bank assistance and Bank staff members are now required to prepare a “process framework” for all “projects involving restriction of access to legally designated parks and protected areas” (OP 4.12, para. 7), since the type of resettlement action plan (RAP) required usually when populations are physically relocated ¹² would not apply in this case.

¹² For those situations, projects must include a distinct “Resettlement Action Plan” (RAP).

What is called “the process framework” is a formal project document which spells out the steps needed to implement the policy in ways germane to specific protected areas. The purpose of this framework is to institute genuine involvement and consultation, through which members of potentially affected communities would participate in designing the project’s components. These consultations are explicitly not only about measures for biodiversity sustainability but also about measures for the sustainability of people’s livelihoods. The framework will lay the foundations of a resource management plan, which can be, in time, improved gradually through a process of jointly identifying¹³ those activities which may be continued sustainably as distinct from those which must be restricted for protection and replaced with other income generating activities.

The degree of detail in the policy’s exacting demands regarding the interactions between project sponsors and affected population is well reflected in the following, rather long but significant, excerpt:

“A process framework is prepared when Bank-supported projects may cause restrictions in access to natural resources in legally designated parks and protected areas. The purpose of the process framework is to establish a process by which members of potentially affected communities participate in design of project components, in determination of measures necessary to achieve resettlement policy objectives, and in implementation and monitoring of relevant activities...The document should briefly describe the project and components or activities that may involve new or more stringent restrictions on natural resource use. It should also describe the process by which potentially displaced persons participate in project design...The document should establish that potentially affected communities will be involved in identifying any adverse impacts, assessing of the significance of impacts, and establishing of the criteria for eligibility of any mitigating or compensating measures necessary.

Measures to assist affected persons in their efforts to improve their livelihoods or restore them, in real terms, to pre-displacement levels, while maintaining the sustainability of the park or protected area will be identified. The (process framework) document should describe the process for

¹³ E.g. through accepted forms of co-management of the restricted access areas

resolving disputes relating to resource use restrictions...and grievances that may arise from members of communities who are dissatisfied with the eligibility criteria, community planning measures, or actual implementation.” (OP 4.12, Annex A, para. 26, 27, added emphasis)

The content of this statement is particularly significant as it establishes the requirement of pursuing “double sustainability”, for both biodiversity and livelihoods. It breaks with the chronic de-linking of the vital interests of “park people” from biodiversity conservation. The new revisions to policy do not mean, however, that the policy prohibits physical relocation in all conditions, if at the limit it is unavoidable to relocate some groups as the only way to save a unique resource from further risks. Such situations may occur, for instance, when recent encroachers move in large numbers purposively to exploit the wealth of a rare and precious biodiversity resource – an old forest, an area of unique vegetation, etc – threatening their survival. Distinctions must always be made between natives and newcomers of various sorts. The point is that relocation, if unavoidable, is not a punishment tool but a last-resort tool for safeguarding the enduring survival of the resource, while also materially enabling the area’s native inhabitants and their children to achieve an alternative sustainable livelihood.

Pursuing constantly the “double sustainability” is the just compass for conservation activities.¹⁴ Of course, once the policy position is established, what matters ultimately are not just the statements in the policy documents but whether resources, both financial and human, are provided for on-the-ground implementation.

IX. ADDITIONAL FINANCING PROVIDED FOR CO-MANAGEMENT

The redefinition of restricted access as displacement changes the prior landscape of conservation work in some important ways, apt to prevent inducing impoverishment. It offers those affected, even when they are not being forced to physically move, access to the entitlements provided under multilateral agencies policies for those who are physically relocated. Like the World Bank, in turn, the Asian Development Bank policy similarly prescribes that

¹⁴ The argument for “double sustainability” was developed by the author in more detail in other papers as well; see Cernea and Schmidt-Soltau, 2003 and 2003/2005

“affected people will be provided with certain resettlement entitlements, dually as land and asset compensation and transfer allowances, prior to their displacement, dispossession, or restricted access” (ADB 2003, para. 38)

Even in the recent past, the establishment of protected areas has chronically suffered – even in projects supported by major donors or international NGOs – from insufficient financing. This has diminished the effectiveness of the restrictions themselves by not supplying the incremental resources needed for alternative income-generating productive activities. In turn, promoters of protected areas (including governments of the countries where PAs were created) explained-away the non-payment of just compensation to affected people by “lack of resources” to cover the costs, thus tacitly recognizing that the costs of creating protected areas were partly or fully externalized on the local populations.

Past situations therefore teach us that the recent change in definition will have no practical effects unless it is backed up on the ground by the delivery of material entitlements which the resettlement policies of the development banks grant to those targeted by the restrictions. This policy revision is NOT just a matter of shifting definitional labels: it is a matter of shifting resources. Because resources are shifted in the first place away from those restricted, therefore other resources must be shifted back to them. The means of livelihood subtracted from the affected must be replaced with access to alternative and sustainable means of livelihood (and not just with a one-time, soon-evaporating “compensation”). This material safeguard is the ultimate meaning of the change in the international definitions and policies.

How will this be accomplished – including the use of fair valuation procedures, the calculation of amounts, and the design for alternative productive activities? Not an easy task, certainly. Multilateral development banks are now expected to show practically (in the feasibility reports for PAs and project appraisal reports prescribing restricted access) how the restrictions’ costs are realistically calculated and quantified financially. In turn, international conservation organizations can not, morally, apply lower feasibility standards in their projects. Only terminology changes in artfully written feasibility reports would not change anything in the absence of transparent economic analyses, of explicit resource-allocation, and of instituted new NRM patterns, co-management included. In some cases, such artful descriptions depict imposed relocation as

voluntary relocation, while in fact the material and cultural prerequisites for such change in the nature of relocation are far from being met. The mechanisms for channeling the incremental resources needed for establishing PAs and protecting livelihoods should be transparent, to ascertain that they truly reach the members of the affected communities and are not siphoned off for other uses at intermediate national, regional or local levels.

Details on these entitlements and other compensation and mitigating measures are given throughout the OP/BP 4.12 policy on involuntary resettlement and in ADB's policies.¹⁵ In practice, the international agencies, as well as the local agency or NGO responsible for the PA, need to describe realistically and supply

“the arrangements for funding resettlement, including the preparation and review of cost estimates, the flow of funds, and contingency arrangements” (OP/BP 4.12 Annex A, para. 24).

That this is not just discourse language is already suggested by another significant decision. In April 2004, the World Bank has also adopted a new land financing policy, which for the first time allows the use of financing by IDA (International Development Association) and the Bank for land acquisition, within Bank-supported projects¹⁶. Prior to 2004, the World Bank did not allow its credits to be used to purchase lands, with only case-by-case exceptions. Any land acquisition had to be financed with government counterparts funds. Recently, this barrier was lifted, in the effort to facilitate realistic ways to preempt impoverishment.

Thus, the new policy represents a multisided change and does include added financial backing. Previously, a series of proposals to this respect inside the same institution, including recommendations of a special task force that was convened to examine the World Bank's financing of land acquisition in support of better resettlement, had been

¹⁵ The reader may consult, in addition to OP/BP 4.12, the Involuntary Resettlement Sourcebook, arguably the most complete technical manual in existence about how to carry out displacement and resettlement consistent with World Bank policy (see World Bank, 2004).

¹⁶ World Bank OP/BP 6.00, Bank Financing, 2004 (Note: OP and BP 6.00 are based on Eligibility of Expenditure in World Bank Lending: A New Policy Framework (R2004-0026/1), approved by the Board of Executive Directors on April 13, 2004.

rejected along the year.¹⁷ On this background, the recent changes are even more significant.

The increased flexibility for using Bank and IDA financing towards land purchase in displacement situations will also help increase capacity for establishing co-management arrangements over natural resources. Despite their intrinsic promise, such co-management patterns have often failed because of lack of material means. The unfavorable cost-benefits ratios for the local communities made the rhetorical calls “to co-manage” sound vacuous, and alienated the local actors from co-managing.

Further, park promoters often promised local resident groups high alternative revenues from eco-tourism, in exchange of restriction-induced losses. But such promises have been hugely over inflated. They were employed sometimes as a smoke-screen to justify and hide the welfare losses caused by eliminating past income-streams. An important GEF study (Todd et al. 2005) on the global-versus-local benefits in GEF-financed projects found that eco-tourism benefits were unwarrantedly exaggerated in feasibility studies, and that local communities typically did not get the promised benefits. Hopefully, the new funding mechanisms for PAs with restricted access create new options and incentives for innovative co-management patterns.

In turn, the traditional agricultural knowledge possessed by local communities may also be more effective while people remain *in situ*, helping to balance restriction of access with sustainable use of other resources for personal consumption.

One step that must not be underestimated in future PAs planning is the analytical difficulty of calculating accurate estimates of the costs (losses) to be incurred by residents because of restrictions. This will require perceptive socio-economic work on the ground in preparing new PA projects, using adequate economic tool-kits. The more accurate the cost identification and coverage, the better the protection of the natural resources, and the higher the chances of creating PAs without making local population worse off.

¹⁷ I served on such a task force on financing land a decade ago, in mid 1990s. Yet the context was insufficiently favorable then and, despite a sharp battle of arguments, the task force’s initial recommendations to this respect, supporting land financing, were at that time derailed.

In sum, realistic economic and financial premises are indispensable for securing people's interested cooperation in genuine co-management. The World Bank's "process framework" explicitly requires that such cost-assessments be done not by outside conservation specialists alone, but with the direct participation of the local communities. The combination of local knowledge with outside expert knowledge, plus fairness in negotiating agreed estimates and in assessing incremental costs¹⁸, are the desirable, in fact the indispensable, mechanisms for preparing sound and sustainable conservation initiatives.

X. EXPANDING THE RESEARCH ON RESTRICTED AREAS AND POVERTY

The development and conservation communities are explicitly concerned with researching a fundamental question: "*Can Protected Areas Contribute to Poverty Reduction?*" (Scherl et al. 2004) In turn, to analyze further its own past and ongoing experiences with restricted access in more depth, and to derive lessons useful in implementing the new policies, the World Bank initiated in 2004 a project portfolio review; it identified a large number of projects – over 100 – supporting parks and access-restricted areas, out of which 48 projects were selected for detailed study.

Among its main preliminary findings, this study notes self-critically a lack of proper balance: namely, that in the reviewed projects, prior to the policy revision, the "*restrictions of access were thought of mainly in term of how to achieve conservation objectives, not in terms of impact on livelihood*" (also), "*mitigation strategies in feasibility analysis were more of an optimistic menu of potential options, rather than the results of thorough feasibility analysis: even when feasible, many strategies were inadequately supported by other elements of the designed projects*" (van Wicklin III, 2005).

This study recommends, among other operational measures, both the strengthening of technical analyses and more material support for sustainable strategies when protected areas are promoted through World Bank- and GEF-assisted projects. The review, in progress when this paper goes to print, will likely be a valuable knowledge source about alternative approaches to restriction of access, apt to protect both the biodiversity and the needs of the resident native people.

¹⁸ To be covered by projects aiming to institute protected areas.

At the 2004 IUCN World Conservation Congress, several research projects on these issues were announced and planned by CARE, by branches of IUCN, WWF and African Wildlife Federation, in partnerships with academic researchers. These revolve around “the social and economic costs and benefits of protected areas in East Africa”, and their defined objective is “promoting social justice in conservation.” (Franks 2004) A large scale, world wide synthesis study was initiated on the “social impacts of protected areas.” (Brockington and Schmidt-Soltau 2004).

Much of the credit for the current new policy definition of PAs, restricted access, and displacement adopted by development agencies should go to the efforts over long years of many researchers of the classic theme “people and parks”. In more than one way, this policy emerged not “from the outside”, but from this kind of long, patient and candid field research. It is this work that has gathered the empirical evidence revealing the risks and destitution inflicted on vulnerable indigenous populations by physical displacement or restricted access.

Some of these studies (Cernea and Schmidt-Soltau 2003/2005) went farther and made the critical policy recommendation **to stop and discontinue altogether forced physical displacements as the mainstream park-creation strategy**, *unless* the full complement of titled replacement land, just compensation, productive alternatives and civil rights protection is provided to the relocated populations.¹⁹ The debate continues around this recommendation, which was not yet endorsed by the major international conservation agencies. The supporters of forced displacements are reluctant to embrace it, although they remain unable to disprove the facts that led to it or to meet the requirements of livelihood protection. Yet the main challenge is to achieve what is termed as “**double sustainability**”, that is the sustainability of both the biodiversity and of people’s livelihoods.

The ability to derive strategy/policy recommendations from such field analyzes confirms

¹⁹ Studies recommending such de-mainstreaming of forced physical displacements were presented at the Durban World Parks Congress (2003) and at the Bangkok IUCN World Conservation Congress (2004), where they triggered intense discussion, as many, but not all, participants were ready to support the recommendation; see Cernea and Schmidt-Soltau 2003 and 2005.

why this kind of social research is indispensable and must be expanded. Now, the policy changes in creating new PAs, described above, must be tested through research on whether the new definition of “restricted access” is translated in projects’ design consistently, highlighting positive experiences and predictable difficulties.

Overall, the need for accountability in development and conservation interventions for the social effects they trigger, the relationships between poverty reduction and conservation work, the risks of impoverishment and the financing of counter-risk measures – re-emerge with increased immediacy as critical priority areas in resettlement and general development research

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