

Social Assessment

Aug 3, 2022

CEPF Grant 13216

FISHBIO

A new model of community-based inland fisheries management for Costa Rica

Rey Curré, Costa Rica

Grant Summary

1. FISHBIO
2. A new model of community-based inland fisheries management for Costa Rica.
3. CEPF 13226
4. Amount \$25,000 USD
5. Proposed start: Feb 1, 2023. Proposed end: Jan 31, 2025
6. Country: Costa Rica. Province: Puntarenas. Indigenous Territory of Rey Curré
7. Summary of the project

Rationale:

Costa Rica is a conservation leader and a role model for the world. To date, the country has protected about 28% of its land, 2.7% of the ocean, and is planning to expand its oceanic protected area to more than 30% of its territorial waters (Price 2021, World Bank, 2022, UNEP-WCMC and IUCN, 2022). Costa Rica is also building the foundation for the sustainable, efficient, and socially-inclusive use of its natural resources for economic growth (i.e. green and blue economies). The government and numerous NGOs are at the forefront of these efforts, ensuring that the economic benefits are received by the local people.

The last environmental frontier of Costa Rica lies in the effective conservation and sustainable use of its freshwater resources. Ignoring the health of rivers, lakes, and other freshwater wetlands can hinder the large investments in ocean conservation and the blue economy. Specifically, mismanaged watersheds may result in the creation of dead zones that affect coastal fisheries (Darghouth *et al.* 2008, UNEP 2006). Riparian restoration, agriculture, and waste management at the watershed level clearly require better management. For example, wastewater and greywater remain largely unregulated due to multiple regulatory authorities involved without clearly defined responsibilities (Shahady and Boniface 2018). A more overlooked issue is that of freshwater fisheries management and conservation (Funge-Smith 2018). This is likely due to the fact that the freshwater fishery is small compared to the country's significant marine fisheries. However, small communities in Costa Rica, and especially within indigenous territories, depend on freshwater fish and invertebrates for food security, nutrition, culture, and social connection. Many of the marine fish that migrate into freshwater are also important food sources to these communities. If effective management of freshwater fisheries continues to be a low priority, the local communities' livelihoods will be at stake, especially within indigenous territories.

According to the Costa Rican law (Ley de Conservación de la Vida Silvestre No. 7317), only hook and line fishing is allowed in freshwater, for subsistence and sport fishing purposes. However, it is common practice to ignore these laws. Fishers regularly utilize illegal fishing gear such as spears, gillnets, venom, cast nets, and long lines to catch fish in freshwater. Unfortunately, due to a lack of data, it is hard to identify the extent of this problem. The mechanisms of enforcement appear to be more efficient in some regions than others, and the underlying reasons need to be evaluated on a case-by-case basis. There are two main potential factors 1) a lack of clarity on enforcement procedures, and management, administrative, and judicial competencies 2) a lack of sufficient government staff and resources to take care of the issue on a country-wide scale. In order to ensure the health of freshwater fisheries for the future, a more sustainable management approach that directly involves local communities in the decision-making process will be essential. Local people have a wealth of historical knowledge and most often are passionate about the specific issues that need to be resolved within their region. Involving the communities in the process will result in additional support and increased local capacity.

A strategic action would be to create community-managed protected areas in key locations to increase the efficiency of monitoring and enforcement. These protected areas could be designated in spawning and nursery areas, in illegal fishing hotspots, or in places that are logistically easy to access. Motivated communities could start gathering the currently lacking freshwater fisheries data, such as standardized fisheries-independent data. These protected locations could be attractive places for developing rural ecotourism and education programs. Then, replicating these protected areas in other parts of the watershed adjacent to interested communities, could enhance protection of important fish species for human use. Networks of protected areas would benefit fish migration corridors and increase species resilience by offering refuges of high-quality habitat. The benefits of community-based protected areas extend past biological and ecological importance. For example, the existence of these networks would increase the communities capacity for conservation and inspire collaboration. By unifying themselves with other communities, the smaller and more rural fisheries would have the opportunity to have a larger voice, potentially having more of an influence on policy-makers. Once collaborations have been established, communities may feel compelled or more confident to tackle other environmental challenges (agricultural management, deforestation, dam construction, and water quality) or social issues (human rights, economic alternatives, and culture).

Since late 2019, FISHBIO has worked, with financial support from CEPF, to identify groups in Costa Rica that are interested in implementing community-based inland fisheries management models similar to the Fish Conservation Zones (FCZs) implemented in SE Asia. FISHBIO identified high interest and need in two communities within the indigenous territory of Rey Curré: Las Vegas and Curré. For the past two years, FISHBIO has established a relationship with the indigenous territory government (ADI-Curré), local organizations and the local people, mapped out the key external actors that will need to be involved, and laid out the foundation to establish a freshwater protected area. FISHBIO has shared the SE Asia experiences with local communities, documented the perceptions of community members on watershed and fishery issues, mapped key river locations, established biological and socio-economic baselines, and started youth education and awareness efforts. The project culminated with a formal agreement from the ADI-Curré to pursue the establishment of a community-based fisheries management model with support from INCOPESCA (Costa Rican fisheries agency).

Preliminary steps have been taken towards the creation of the protected area, including: identifying and establishing coordination committees in Curré and Las Vegas; broadly defining the protected area's geographic boundaries, target species, and regulations; and conducting discussions with INCOPESCA about the procedure, including a draft letter to request support, which is currently under review by the ADI-Curré. At present, INCOPESCA has a small-scale fisheries co-management model called Responsible Fishing Areas (RFAs) that has been applied to marine fisheries, but never to inland fisheries. INCOPESCA proposed the creation of a new model, similar to the RFAs, but with considerations to fit characteristics of freshwater fisheries and indigenous territories. The Ministry of Environment (MINEC) and the Ministry of Justice and Peace (MJP) will also be involved in the establishment of the freshwater protected area. It will be the first initiative of its kind in Costa Rica, and the model will be intended to be replicable, and ideally adaptable to communities outside indigenous territories as well.

The declaration of the freshwater protected area and the design of the management plan will be accompanied by the following activities to ensure management effectiveness and to avoid any circumstance where the protected area could become a "paper park". This project will work with the Costa Rican government and the local indigenous communities involved to: (a) facilitate the creation of a novel freshwater protected area category: a community-based inland fisheries model; (b) build a management plan with the indigenous community and

INCOPECA that will be applied to this protected area; (c) seek top-down support to improve the law enforcement process, and to build local capacities; and (d) prepare an accessible guidebook documenting the process with the intent to facilitate the replication of the model in other indigenous territories.

Key threats:

- Unsustainable illegal fishing methods affecting fish biomass and/or abundance.
- Poison fishing damaging ecosystem and people's health.
- Freshwater endemic and threatened species loss in unprotected tributaries.
- Lack of government support for enforcement.

Critical Opportunities

- Involving local communities that will engage and become more passionate about local inland fish conservation and sustainability.
- Creating the first community-based freshwater protected area of its kind in Costa Rica, and the first within an indigenous territory.
- Inspiring collaborations between freshwater fish conservation practitioners in Costa Rica.
- Facilitating enabling conditions for a freshwater protected area and connecting the proper collaborators will pave the way for other interested indigenous communities to establish their own protected areas in the future.
- Protecting habitats and/or reducing fishing pressure for at least 37 species of fish; and at least 5 species of freshwater shrimp (Picado Barboza 2022).
- Protecting habitats within the expected geographic range of 16 fish species that are endemic to a very small geographic area (pacific slope of southern Costa Rica and west Panama, Angulo 2021). Six are endangered, nine are vulnerable and one is near-threatened under the IUCN Red List. Five have been directly observed in the area to be protected. Note that one of the 16 fish species didn't have a UICN code and wasn't added in the endangered species section of this proposal. That species is *Brachyrhaphis terrabensis*, near threatened but with stable populations.

What would happen if the project were not implemented?

- Aquatic species will continue to decline
- Poison fishing will continue to target and cause decline of all sizes of shrimp, including juveniles, and other aquatic species.
- Endemic freshwater species will continue to be endangered with little actions for protection from poison fishing and restoring habitat quality.
- Freshwater fish of fishery importance will continue to be targeted without consideration of minimum catch size or reproductive seasons.
- Attention to freshwater fish issues will continue to lack
- The freshwater fish conservation local groups are small and are losing traction due to lack of funding and public interest. This project could spark new connections and renovate public interest.
- Lost opportunity: The local indigenous community, FISHBIO, and collaborators have worked hard over the last two and a half years to establish enabling conditions for freshwater protected areas. The local indigenous community has welcomed FISHBIO and INCOPECA support and they are motivated.
- The health of the ocean and the rivers of Costa Rica are intertwined and connected. Therefore, the impacts of Costa Rican ocean conservation investments could decrease if the issues that current freshwater environments face continue to be ignored.
- Watershed management will continue to be minimal and little collaboration between freshwater and marine groups will continue to be the norm. Habitat degradation,

erosion, and pesticides will continue to wreak havoc in the Costa Rican watersheds and coastal areas, negatively impacting inland and coastal fisheries.

- Indigenous group voices will continue to be minimal in fish conservation and fisheries agendas.
- Management actions for marine species that enter rivers will be solely focused on benefiting coastal people, ignoring the importance of these resources for indigenous people living inland.
- Inland fisheries will continue to be overlooked, despite their critical importance to indigenous people living inland.
- Indigenous peoples' livelihoods, food security, and nutrition will decrease as the fishery resources continue to decline.

Approach

The project will have the following steps

- 1 Letter and agreement
- 2 Build support
- 3 Create the management plan proposal
- 4 Consultation process and revisions
- 5 Approval
- 6 Replication

1. Letter and agreement

ADI-Curré will finalize the draft letter of intent and send it to INCOPECA. INCOPECA will create a formal agreement of work with FISHBIO to support the ADI-Curré in the process

2. Build support

Building and increasing support from the government and the local people will be key to the success of establishing the protected area. For example, the Curré people are concerned with the existing illegal fishing enforcement process. They expressed frustration reporting illegal fishing because the authorities they call do not follow up. This may be related to lack of clarity on procedures and responsible staff within MINAE. Investigating the root cause of the lack of enforcement will be fundamental to the success and effectiveness of the potential freshwater protected area. Rey Curré leaders also expressed a need to build local capacities in enforcement and patrolling, and therefore will need training in these skills. They also expressed an interest in learning how to monitor a freshwater protected area and how to financially support it, yet another way that they can build their capacity. Rey Curré leaders are also concerned with the lack of connection between their youth, the river and surrounding environment. They expressed that it will be important for FISHBIO and the community to continue building awareness and emphasize the value of conservation, sustainable fishing, and endemic and endangered species.

Top-down support: Inter-institutional meetings with ADI-Curré, INCOPECA, MINAE, and MJP will be held to accomplish the three following objectives: 1) clarify the illegal fishing enforcement process, 2) build a plan for capacity building training, and 3) start capacity building and training activities when possible.

Bottom-up support: The bottom up support will be additional activities that are not budgeted under this proposal. FISHBIO will seek to identify more local and indigenous river conservation leaders, and will continue with hands-on education and awareness activities, building from previous efforts started during the earlier project. FISHBIO will support the Rey

Curré river festival by including fish storytelling activities that rekindle local emotional connections with the fishery and highlight the need for conservation.

3. Create the management plan proposal

The management plan will be established with facilitation from FISHBIO and INCOPECA, including the following:

- Setting up goals and objectives
- Determining management strategies
- Delineating the protected area boundaries (specific coordinates)
- Determining regulations and penalties
- Determining monitoring plan and indicators
- Creating patrolling and enforcement protocols
- Creating budget and financial mechanisms
- Determining the adaptive management process for protected areas
- Assigning roles and responsibilities

4. Consultation process and revisions

The Costa Rican government is obligated by law to carry out a consultation process with the representative from the indigenous people institutions whenever there is a project proposal that could involve or affect the indigenous livelihoods in any way (such as the creation of a protected area). The Instancia Territorial de Consulta Indígena (ITCI) is the governmental institution responsible for facilitating the consultation process and the Ministry of Justice and Peace (MJP) is responsible for supporting the technical and financial management part of the process. FISHBIO will be responsible for supporting the ITCI in communicating the protected area proposal to the indigenous territory.

5. Approval

After the Costa Rican government and the Rey Curré indigenous community have consulted, revised, and approved the management plan for the freshwater protected area, the plan will be submitted to INCOPECA for the official establishment. From the start of the project and before the plans are submitted, INCOPECA will be working with FISHBIO, ADI-Curré, MINAE, and MSP to set up the design of the new freshwater protected area management category that will be officially recognized by the Costa Rican government. The establishment of the first freshwater protected area process is expected to take 1.5-2 years, from submitting the letter of support to INCOPECA, building the management plan, establishing the new category, and finally, declaring the official establishment of the protected area.

6. Replication

- The entire establishment process will be documented by FISHBIO, and a step-by-step guide will be produced and distributed among other indigenous territories to assist them in replicating the process in their own territories if they choose to do so.
- The process will also be shared with other indigenous territories through in-person meetings or webinars.
- A webinar will be conducted with other aquatic biologists in Costa Rica to talk about the establishment of a freshwater protected area process, how to replicate the model in other locations, and how to document perspectives.

8. **Date of preparation of this document.**

August 3, 2022

9. **Indigenous People affected:** This section will describe the Indigenous People in the project area.

The indigenous people in the project area are the Bruncaj (or Brunka, Brunca or Boruca) people living in the territory of Rey Curré. The Bruncaj people are currently distributed in two territories, Rey Curré (or Yimba Cajc), and Boruca, both in the province of Puntarenas and located in the geographic vicinity of each other. It is estimated that there are more than 2,000 bruncaj people. Also, there are Bruncaj people living outside of these territories. They currently speak mainly Spanish. Traditionally, they spoke the Boruca or Brunca language that is nearly extinct, but there are ongoing efforts for its recovery. This language belongs to the Chibchan language family of South American roots. The ancestral lands were larger than today. The ancestors of the modern Bruncaj ruled most of Costa Ricas southern Pacific coast and portions of Panama.

The year 1992 is used as a reference point for Rey Curré because it was a key transition during the fight for indigenous rights. In 1993 the current limits of Rey Curré were established with an extension of 10,600 ha. However, much of the territory is under current possession by non-indigenous people. During the 1990´s there were preparations by the Costa Rican government to undertake a large hydroelectric dam that was going to affect Rey Curré and other indigenous territories in the area. There was going to be an effect on the territory, and they had large fights to avoid the imminent threats. This process made a strengthening of their identity and a reaffirmation of their autonomy.

The people of Rey Curré dedicate mostly to agriculture, and they require to recover their lands to expand the activities. The production has been for subsistence in its majority, any excess is sold, especially plantain. There is also production of corn and rice. The fishing is also a source of food, it is especially important during the dry season. Hunting is mainly prohibited with some exceptions.

There is salary employment offered by the companies that have plantations of coffee, banana, palm and pineapple. There is also source of employment for construction and housekeeping services. Another important source of income is the production of crafts such as masks and sculptures. There are many community members that have undertaken university studies and now are currently teachers in the territory.

The community is organized by the Asociación de Desarrollo Indígena (ADI) of Rey Curré that was established in 1979. It is the maximum legal and political representation of all the indigenous people within the territory and represents them in front of the Costa Rican government authorities. The population size is estimated of about 1,000 people of 300 households, but the indigenous people within the territory are estimated of about 500 people on 115 households.

10. **Potential impacts:** This section will assess expected project impacts (both positive and adverse) on Indigenous People.

With the implementation of this project there will be positive benefits to the indigenous people of Rey Curré.

- Indigenous group voices will be amplified in fish conservation and fisheries agendas.
- Management actions for marine species that enter rivers has traditionally focused on benefiting coastal non-indigenous people. This will be changed and the project will help highlight the importance of these resources for indigenous people living inland.
- Inland fisheries won't be overlooked anymore because they are of critical importance to indigenous people living inland.
- Indigenous peoples' livelihoods, food security, and nutrition will increase as the fishery resources improve with sustainable use and protection measures.

Currently we do not anticipate negative impacts of the project on indigenous people, except for those that practice unsustainable fishing practices. The management plan will include plans to monitor for any impacts on the wellbeing of the indigenous (and non indigenous) people living in Rey Curré.

11. **Participatory preparation:** This section will describe the participation of affected communities during the project design process (i.e. prior to submission of the full proposal), and explain how Free, Prior and Informed Consent was obtained during project preparation or will be obtained prior to implementation of project activities affecting Indigenous Peoples.

Since 2020 FISHBIO has been working with the people of Rey Curré and the local government and has obtained Free, Prior and Informed consent to carry out the project activities (see attached documentation).

12. **Mitigation measures:** This section will outline measures to avoid, minimize and mitigate adverse impacts and provide culturally appropriate benefits.

- We are only working with the Curre and Las Vegas communities that are highly interested to create a protected area. This initiative comes from their desire to work with us to facilitate the sustainable use of the natural resources of the rivers that they highly appreciate.
- Meetings and workshops are always coordinated with the ADI Curre, the ITCI and the project committees established in Curré and Las Vegas. These committees were formed by them, never proposed by us. We work with all of them to ensure that the dates of our events are compatible with their agendas and timelines, and check

frequently to make sure that there is representativeness of the diverse voices within each community, jobs, age groups, and gender representation. For that, we check the participants that agreed to come to the meetings, and during the meetings we ask people to sign-in to keep a record of participation and analyze the demographics of the participants. We seek to diversify the activities in which people can participate to increase representation of the different sectors. We have open communication on WhatsApp channel with the community members, and a WhatsApp group, and individual communications too, so that people can come forward and express their opinions with us. Through these channels, we sometimes can learn if some people have been left out of meetings or activities and why.

- An important component of this project will be to implement the consultation process regarding the protected area and its management. The management plan will be reviewed during the indigenous consultation process to maximize benefits while minimizing adverse impacts. The indigenous consultation paired with the grievance mechanism will help discern if there are significant impacts unaccounted for.
- As part of the monitoring plan of the new protected area, the community will be trained to monitor socioeconomic and environmental conditions with the support of FISHBIO, a social science consultant and the government authorities. The goal would be to detect socioeconomic and environmental impacts (positive or negative) after the implementation of the protected area. The protected area will have an adaptive management as part of its core. This means that changes to management could be implemented to reduce any socioeconomic significant impacts detected. Likewise, if the protected area is not effective for improving fisheries or wellbeing, changes to management could be implemented as well.
- The protected area will be community-based, with community co-management supported by the Costa Rican government authorities. To provide culturally appropriate benefits, the management plan will be mainly designed by them and facilitated by FISHBIO and government authorities. Opportunities to rescue sustainable traditional fishing practices to replace unsustainable practices will be sought after.

Grievance mechanisms:

In the past, we have encountered mild conflicts between some community members or representatives of Rey Curré. When issues arise, we first address any concerns directly with each person involved to carefully record their views. Then we look for ways to meet middle grounds and invite both groups to the meetings or offer different opportunities for these groups to participate separately. There has never been escalation of the issues, but if these arise, we will request a community meeting to discern how to resolve the issues.

At the beginning and end of every in-person and virtual meeting and workshop, we will inform of the opportunity to talk to us and/or CEPF regarding any project concerns. We will share the contact information of the project lead at FISHBIO, and of the CEPF Managing Director as a representative of the CEPF Secretariat. We will also share the following information in Spanish:

“We will share all grievances — and a proposed response — with the CEPF Managing Director within 15 days. If the claimant is not satisfied following the response, they may submit the grievance via the CI Ethics Hotline (toll-free telephone line: +1-866-294-8674 / secure web portal <https://secure.ethicspoint.com/domain/media/en/gui/10680/index.html>)”

This information will also be shared in any meeting and brochure produced during the indigenous consultation process.

We will keep record of any grievances received, communicate with CEPF if relevant, and respond and resolve as soon as possible.

13. **Timeline and resources:** This section will present an implementation timeline for each measure listed in Section 12, together with an estimate of resource needs.

-The management plan will be created between March 2023 and Sept 2024. It will have an approximate cost of \$10,000 taken from this grant and in kind costs of approximately \$70,000 by INCOPECA, FISHBIO and social science consultant.

-The consultation process will take place between July 2023 and Sept 2024 and will have an approximate cost of \$7,000 USD taken from this grant.

- Implementation of the monitoring plan will take place once a year once the protected area is implemented, starting with volunteers from the local communities. FISHBIO will coordinate with Rey Curré to estimate associated costs and identify sources of funding to maintain the running of the protected area and be able to continue these monitoring efforts once a year. A baseline socioeconomic and biological study is already in place to compare with.

14. **Monitoring and evaluation:** This section will explain how compliance with Safeguard Policy 7 on Indigenous Peoples will be monitored and evaluated. Monitoring and evaluation methodologies should be adapted to the local context, indicators, and capacity.

At all times we will respect indigenous people’s rights. The right to Free, Prior and Informed Consent is at the core of this project. A participatory consultation led by the ITCI of Curré (the Instancia de Consulta) will take place between July 2023 and Sept 2024, and a report of the process documenting the voices of the local people and input for the management plan will be a deliverable of this project. Potential impacts addressed during the consultation will be assessed and avoided, minimized or compensated. A revised version of the management plan will take into consideration these impacts.

Before the consultation takes place, and as part of the first component of this project (planning with authorities), we will facilitate the creation of the consultation plan with the ITCI.

The protected area management plan will have a monitoring plan that will be implemented by the indigenous people and will continue assessing socioeconomic and environmental impacts so that the management can be adapted as we learn.

15. **Disclosure:** CEPF requires that Social Assessments are disclosed to affected local communities and other stakeholders. Please describe your efforts to disclose this plan.

This assessment will be translated to Spanish and shared with the ADI Curré and the ITCI-Curré at the start of the project by Feb 2023. The strategy of compliance with indigenous safeguards presented here will be reviewed with the ADI and the ITCI at the start of this project. We will work with the ITCI to assist or facilitate on the creation of their consultation plan with the available budget.

16. **Grievance redress mechanism:** For all CEPF-funded projects, the grantee must provide local communities and other relevant stakeholders with a means to raise a grievance, and whereby this grievance may be considered and satisfactorily resolved.

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