



Advancing indigenous peoples' rights in IUCN's conservation programme

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IUCN's mission is to influence, encourage and assist societies throughout the world to conserve the integrity and diversity of nature and to ensure that any use of natural resources is equitable and ecologically sustainable. It is a membership Union uniquely composed of both government and civil society organizations. It provides public, private and non-governmental organizations with the knowledge and tools that enable human progress, economic development and nature conservation to take place together.

Indigenous peoples hold and manage a significant part of the Earth's most biodiverse regions and play a vital role in conserving lands, seas and resources. They cultivate strong economic, cultural and spiritual relationships with their natural environments and have developed and often maintain traditional management practices and knowledge that contribute to biodiversity conservation and to the sustainable use of natural resources.

This paper provides brief introductory information on IUCN's constituencies and governance, policy frameworks and programme activities as they relate to indigenous peoples, as a contribution to the 2019 Expert Group Meeting (EGM) on Conservation and the Rights of Indigenous Peoples.

IUCN Constituencies and Governance

IUCN's constituency is composed of three pillars: IUCN Members, the IUCN Secretariat, and IUCN Commissions. IUCN's Members include States, Government Agencies, Affiliates (with no voting rights), International Civil Society Organizations, National Civil Society Organizations, and Indigenous Peoples' Organizations. The IUCN Secretariat is the Union's executive component and includes global thematic programmes, regional programmes, and several corporate units. IUCN's six Commissions are large bodies of volunteer experts who implement parts of the IUCN programme in their respective fields of expertise: Species, Protected Areas, Environmental Law, Ecosystem Management, Education and Communication, and Environmental, Economic and Social Policy (CEESP).

IUCN convenes a global assembly of Members every four years at the World Conservation Congress (WCC). One of the most notable outcomes of the 2016 WCC was a landmark decision by the IUCN Members' Assembly to create a new category of membership for Indigenous Peoples' Organizations (IPOs). This decision opened the opportunity to strengthen

the presence and role of IPOs in IUCN. IUCN had never before altered the structure of its Membership; it did so for the first time specifically to better accommodate indigenous peoples' representative institutions, which now have a clear and distinct identity with their particular features recognized. This major change has been a significant step towards increasing the membership of indigenous organizations, giving them a clearer identity as a distinct constituency and amplifying their voice in the internal policy making of IUCN and the general life of the institution. IUCN believes that this fundamental change in the governance structure of the institution can become an example of the ways in which international organizations can better integrate indigenous peoples in their institutional architecture and at decision-making levels. Seventeen regional and national Indigenous Peoples Organizations have joined IUCN as IPO Members. (The list of IPO members is available and maintained on the IUCN website at <https://www.iucn.org/about/members/iucn-members>).

Members' assemblies also elect representatives to the IUCN Council, which serves as the principle governing body of IUCN in between assembly sessions. IUCN's Council has recognized the need for direct participation of indigenous leaders in this highest level of IUCN's governance, and indigenous leaders have been appointed as members of the IUCN Council for more than 20 years.

IUCN's Commissions also have indigenous expert members who significantly contribute to IUCN's work on indigenous issues. The IUCN Commission on Environmental, Economic and Social Policy is particularly engaged on indigenous issues through groups such as the Theme on Governance, Equity and Rights (TGER) and the Specialist Group on Indigenous Peoples, Customary & Environmental Laws & Human Rights (SPICEH). Other Commission themes and specialist groups with indigenous participation include (but are not limited to) the CEESP Theme on Culture, Spirituality and Conservation and the WCPA Specialist Groups on Governance and on Cultural and Spiritual Values of Protected Areas.

The IUCN World Conservation Congress, held every four years, and the IUCN World Parks Congress, held every ten years, bring together thousands of leaders, decision-makers, practitioners and experts and help shape the direction of conservation and sustainable development. Both of these Congresses have established procedures to formally include indigenous peoples' effective involvement and representation in their activities and in framing Congress outcomes. At the Sixth IUCN World Parks Congress in Sydney, November 2014, *Stream 7: Respecting indigenous and traditional knowledge and culture* was led by indigenous organizations (NAILSMA from Australia, SOTZ'IL from Meso-America and IPACC from Africa). IUCN's commitment to indigenous peoples issues was demonstrated and advanced at the last IUCN World Conservation Congress which took place in Honolulu, Hawai'i, in September, 2016. Overall, about 100 events on indigenous peoples' issues were held at the Congress Forum.

IUCN Policies and Institutionalization

IUCN's work on indigenous issues is supported and guided by a broad and coherent body of institutional policies.

IUCN policies are primarily contained in the Resolutions and Recommendations that are formally adopted every four years at the Members' Assembly, based on vote by the Members and following well established democratic, parliamentary decision-making rules. IUCN policies are mandatory for IUCN's Secretariat and IUCN's Commissions, because both have been created by the Members as implementing branches of the IUCN programme.

Since 1975, a total of 159 Resolutions pertaining to indigenous issues have been adopted by IUCN Members and thus integrated into IUCN's overall mandate.¹ The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) was endorsed by IUCN in 2008 through Resolution 4.052 "*Implementing the United Nations Declaration on the Rights of Indigenous Peoples.*" Mainstreaming of UNDRIP in the IUCN Programme was reinforced in 2012 by Resolution WCC- 2012-Res-097 "*Implementation of the United Nations Declaration on the Rights of Indigenous Peoples,*" which requires that the principles of the United Nations Declaration on the Rights of Indigenous Peoples are observed throughout IUCN's work.

This advance helped to propel IUCN towards the formulation and adoption of its Environmental and Social Management System (ESMS) and associated Standards and requirements regarding work on indigenous issues. The ESMS, developed in 2014, provides a systematic procedure and operational tools for managing the environmental and social performance of projects implemented or supported by IUCN.

The ESMS is governed by a normative framework, the ESMS Policy Framework, which consists of eight ESMS principles and four ESMS standards, including a Standard on Indigenous Peoples. This Standard focuses on the potential impacts of any programme or project on indigenous peoples and ensures that affirmative action is taken to strengthen the capacity of indigenous peoples to defend their rights to, and interests in, lands and resources, participate in and benefit from development processes and promote their roles in conservation and sustainable resource management. The Standard recognizes UNDRIP as a key policy reference for all issues relevant to indigenous peoples and requires projects to obtain free, prior and informed consent (FPIC) from indigenous groups for any intervention that takes place on their lands, waters, or territories; may have negative economic, social, cultural or environmental impacts on their rights, resources or livelihoods; involves the use of their traditional knowledge; or promotes social or economic benefits from cultural heritage sites or resources to which they have legal (including customary) rights. The Standard defines specific requirements and steps to ensure that any proposed interventions are consistent with the ESMS Principle on FPIC.

While the Standard on Indigenous Peoples is the most central standard for indigenous issues in the ESMS, there are two other standards (Standard on Involuntary Resettlement and Access Restrictions and the Standard on Cultural Heritage) that may also be applied to address specific impact issues faced by indigenous people.

Through the ESMS, IUCN is equipped with the highest level of standards, including safeguards and positive actions, on matters concerning indigenous peoples in project design, implementation and monitoring. The ESMS Standards, including the Indigenous Peoples Standard, apply to all IUCN projects including actions of project implementing partners from government agencies and civil society organizations.

As part of the ESMS, IUCN has established a project grievance mechanism to enable communities to raise complaints related to the implementation of its projects. It is based on effective, accessible and transparent procedures to receive and resolve complaints. The institution-wide Grievance Mechanism can be accessed through the IUCN website (<https://www.iucn.org/resources/project-management-tools/environmental-and-social-management-system>). In addition, IUCN projects that trigger the Standard on Indigenous Peoples are required to develop a project-level grievance mechanism to further ease access to conflict resolution and redress.

¹ Resolutions are available on the IUCN Resolutions and Recommendations Platform <https://portals.iucn.org/library/resrec/search>

As another monitoring mechanism, IUCN has recently launched an Online Tracking System for Resolution implementation, which aims to enhance Members' participation in monitoring IUCN's work and provide valuable information about how IUCN's Resolutions are shaping conservation practice around the world. Use of this tool will grow, but there are already examples of progress reports available on Resolutions relevant to indigenous issues.

IUCN's Secretariat has presented reports on its work on indigenous issues to its Council on a regular basis since 2010. These reports have included information from regional and global levels on advances in implementing the provisions under UNDRIP (including a special focus on FPIC) in its work on the ground as well through its role in influencing policy.

Since 2008, IUCN has provided regular submissions to the United Nations Permanent Forum on Indigenous Issues (UNPFII) and presented statements at every session.

Programme highlights

Indigenous issues are integral to many projects and initiatives across IUCN's thematic and regional work. The following points provide some examples of this work.

The IUCN Global Programme on Governance and Rights (GPGR) includes a dedicated program of work on Indigenous Peoples. In 2018, the GPGR and CEESP supported IUCN's IPO Members to meet together to develop a self-determined strategy for advancing indigenous rights and issues in conservation and within IUCN. The priorities identified by these IPO Members focus particularly on leveraging IUCN's convening power, knowledge generation, standard setting and policy engagement in regard to indigenous issues. Implementation of priority activities is underway, with ongoing support from GPGR and CEESP.

The IUCN Global Protected Areas Programme (GPAP) has worked for over two decades with IUCN Commissions and partners to publish and disseminate best practice guidelines on indigenous peoples and protected areas. Several volumes of guidelines based on IUCN policies have been published as part of IUCN's Best Practice Guidelines for Protected Areas, including: *Indigenous and Traditional Peoples and Protected Areas: Principles, Guidelines and Case Studies* (2000); *Indigenous and Local Communities and Protected Areas: Towards Equity and Enhanced Conservation* (2004); and *IUCN Sacred Natural Sites Guidelines for Protected Areas Managers* (2008).

The 2013 *Best Practice Guidance on Governance of Protected Areas* strongly promotes respect for the rights of indigenous peoples and links to several Articles of UNDRIP, including through provisions for an inclusive, participatory approach to the assessment and evaluation of protected area governance, supporting governance by indigenous peoples and local communities, and the application of FPIC in all aspects of assessment, evaluation, planning and reporting.

The Global Protected Areas Programme is also working together with partner organizations to implement a series of protected area governance assessments at national and site levels that highlight issues pertaining to the rights and legal recognition of the territories and resources of indigenous peoples. Specific guidelines for thematic work have been published and disseminated in relation to indigenous peoples and protected areas.

In November 2017, the IUCN Green List Standard for Protected and Conserved Areas was approved by the IUCN Council. The IUCN Green List has the objective of encouraging protected areas to measure and improve performance through globally consistent criteria that benchmark good governance, sound design and planning, effective management, and

successful conservation outcomes. A key element of the Green List Standard is the rights of indigenous peoples as framed by UNDRIP. Through the Green List Standard, IUCN promotes the mainstreaming of indigenous rights and roles in protected areas management. As one example, the Amarakaeri Communal Reserve, managed by the Harakmbut community, was recently declared as a new Green List Site in Peru.

IUCN is a promoter and supporter of Indigenous Peoples' and Local Community Conserved Territories and Areas (ICCAs) and advocates their recognition in land use planning processes, protected areas and conservation policy. IUCN also supports recognition of the links between indigenous peoples' rights and Locally Managed Marine Areas (LMMA), especially in the Pacific.

IUCN has also promoted and supported significant advances in improving formal World Heritage instruments, including the World Heritage Operational Guidelines, to include Free Prior and Informed Consent processes and safeguards for indigenous peoples' rights and values in World Heritage. These improvements help guide States in fulfilling rights when designating and managing World Heritage Sites.

Within countries and regions, IUCN is valued as a convener of actors across government, civil society, NGO and other stakeholder groups. There are many examples of multi-stakeholder dialogues (e.g. between government actors, civil society organizations and indigenous peoples' organizations) facilitated by IUCN. The IUCN Regional Office for Central America, Mexico and the Caribbean (ORMACC), for example, convenes and supports dialogues among indigenous peoples' organizations, government actors and other stakeholders in the context of development and conservation interventions that may impact on the lands, territories and resources of indigenous peoples. IUCN South America has played similar roles in the Amazon as well as in the paramos highlands.

In West Africa, IUCN has played a key role in supporting and organizing the FIPAC (Central Africa indigenous peoples' forum). Government actors, NGOs and indigenous peoples' organizations attend these fora. IUCN engagement extends beyond the fora itself and provides technical guidance in implementation of the agreements reached at FIPAC, which aim to significantly strengthen the recognition and protection of indigenous peoples' rights in Central African forests.

In Nepal, a project on strengthening capacities for implementation of the Nagoya Protocol includes the Nepal Federation of Indigenous Nationalities (NEFIN) as a member of the Project Steering Committee that is guiding and overseeing the overall project's execution. Similarly, district representatives of NEFIN are members of District Project Coordination Committees in implementation districts, which ensures the effective participation of indigenous groups in project activities at the local level.

The Natural Resource Governance Framework (NRGF) is an IUCN initiative that provides a thorough, inclusive and credible approach to assessing and strengthening natural resource governance, at multiple levels and in multiple contexts. Indigenous rights and customary governance of lands and resources are integral to the Framework and across its Principles, including one specifically focusing on recognition and respect for tenure rights with particular attention to the customary, collective rights of indigenous peoples.

In Central America, a region that is home to 63 different indigenous peoples, IUCN produced a [map](#) of indigenous peoples territories, protected areas and natural ecosystems. This has provided evidence of the important contribution of indigenous peoples' territories to the conservation of natural ecosystems, and serves as a valuable argument to increase the role and rights of indigenous peoples in conservation. In addition indigenous organizations, the academic sector, NGOs and Central American government agencies now have access to an

IUCN digital cartography platform (Map Server) with 27 thematic maps (indigenous peoples' territories, protected areas, natural ecosystems, forest and productive landscape restoration, location of climate change adaptation and mitigation projects, Central American biotopes) for informing decision making across sectors and stakeholders and in strengthening the evidence-base for advocacy. Similar tools have been produced in West and Central Africa for land tenure, ecotourism and productive landscapes. In Choiseul (Solomon Islands), IUCN has mapped ownership and tenure rights within customary lands in priority sites.

In Honduras IUCN worked with the Miskitu people to develop an Indigenous Protocol to ensure continued access to, management and use of fishery resources in the Karataska lagoon. In Brazil and Peru, IUCN has worked with indigenous peoples in the design of social and environmental safeguard monitoring schemes in eight indigenous territories. IUCN has also conducted a training program on local governance for indigenous leaders in the Amazon and is engaging with the Kawsak Sacha initiative to protect the territory and natural resources of the Kichwa people of Sarayaku in Ecuador.

In Cambodia, IUCN is supporting the development of Cambodia's Ratanakiri Indigenous Peoples' Association, which will represent indigenous groups as a unified network in order to better raise their concerns and claim their rights. Aspects of this work include strengthening the capacity of a local IPO, the Highlanders Association, to provide secretariat support to the network and building capacity to advocate against the granting of economic land concessions and other threats in forests and lands on which indigenous communities depend.

IUCN works to increase recognition and support of the contributions of customary law and governance systems to the conservation of biodiversity, sustainable management of natural resources and livelihoods. There are several examples of IUCN's promotion of customary law as part of conservation efforts. For example IUCN worked with communities in the Xe Champhone Ramsar Site, Lao PDR, to strengthen their customary laws and demonstrate their value for conservation of their area.

IUCN promotes ecosystem-based approaches for climate change mitigation and adaptation, and improved forest governance to encourage sustainable and equitable forest management, conservation and restoration. In Ecuador, for example, IUCN has been supporting restoration assessments and activities in the paramos of Chimborazo with the participation of indigenous peoples. In Sikkim, IUCN India is working in the Mamlay-Kamrang watershed, a biologically rich ethno-cultural landscape that is home to four indigenous groups (Scheduled Tribes as per Government of India), the Lepcha, Subba, Bhutia and Tamang. This work focuses on building the capacity of communities to use ecosystem-based approaches to adapt to climate change impacts. Project activities include promotion of alternate energy, revival of natural springs, forest landscape restoration, and creation of livelihood opportunities in keeping with local interests, needs and cultural identities.

IUCN has been leader on gender and environment considerations for decades. A new IUCN Gender Equality and Women's Empowerment Policy recalls the importance of facilitating active and meaningful engagement of indigenous women and girls in IUCN activities. This has been done in South America by integrating work with indigenous women in conservation and sustainable use initiatives in the in paramos highlands. The publication "Mujeres de los páramos: Experiencias de adaptación al cambio climático y conservación en Colombia, Ecuador y Perú" highlights these experiences.

In Nicaragua IUCN supported the engagement of women of the Tawira, Karatá and Prinzu Ahuya Un indigenous communities in the development of the inter-territorial agreement of the Miskito Cays Biological Reserve. As a result of this support, the women of these three indigenous groups formed the Inter-territorial Commission on Women's Participation in Governance, which will ensure that indigenous women continue to contribute to the

management of the inter-territorial agreement for the Reserve.

In Honduras, under the Goascorán Watershed Management Project, IUCN has supported the organizational strengthening of 30 Lenca Indigenous Women. These women are now organized into a network, they have increased their knowledge on natural resources management and governance, and they have prepared an action plan to participate in the community management of watersheds within the framework of the Cancun Micro-watershed Council in Guajiquiro, La Paz.

In Sonora, Mexico, IUCN collaborated with UNDP México to develop a climate change gender action plan (ccGAP) with local stakeholders. The first of its kind, this local-level ccGAP will support the adaptation and mitigation strategies of a protected area, which is managed by the Indigenous people of the Comca'ac nation (also known as the Seri people).

“People in Nature” (PiN) is an initiative hosted by the IUCN Commission on Environment, Economics and Social Policy that focuses on the interrelationship between humans and nature and the contributions of nature to improving local livelihoods and well-being. Indigenous rights, values and perspectives are included as important components of its scope and application. In South America, work is being done promoting sustainable productive activities with benefits for men and women from local indigenous communities of the Amazon and the paramo/highlands, in sectors such as tourism, fishing, the production of essential oils or non-timber forest products.

IUCN supports and advocates for the protection of sacred natural sites, inter alia through its Task Force on Cultural and Spiritual Values of Protected Areas (CSVPA), which is part of the World Commission on Protected Areas. The aforementioned *IUCN Sacred Natural Sites Guidelines for Protected Areas Managers* provide a key resource for conservation professionals and the custodians of sacred sites interested in the role of cultural and spiritual values in nature conservation to ensure the long-term survival of such valuable sites.

Traditional ecological knowledge and conservation practices offer fundamental contributions to biodiversity conservation. Recognizing this, IUCN has passed a number of Resolutions and Recommendations that relate to the means used by communities for conserving, valuing, protecting and applying traditional knowledge. (e.g. Recommendation GA 15.07, Recommendation GA 19.22, WCC 1.50, Resolution WCC 1.56, Resolution WCC 3.018, Resolution, WCC Resolution 4.099, WCC Resolution 4.055).

IUCN is represented in the Inter-governmental Panel on Biodiversity and Ecosystem Services (IPBES), where it has worked to ensure inclusion of indigenous perspectives and values in the development of guidance on how to incorporate diverse values into ecosystem assessments. IPBES has adopted a decision to implement an “Approach to recognizing and working with indigenous and local knowledge in the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services”, of which IUCN has been an active promoter. IUCN will continue to work with IPBES’s Indigenous and Local Knowledge task force to support implementation of the Approach.

Building partnerships across conservation actors and learning from each other is essential in advancing approaches and best practices in promoting and safeguarding indigenous rights. IUCN is a founding member of the Conservation Initiative on Human Rights (CIHR). This is a consortium of eight international conservation organizations (Birdlife International, Conservation International, Fauna & Flora International, IUCN, The Nature Conservancy, Wetlands International, Wildlife Conservation Society, and WWF) that seek to improve the practice of conservation by promoting integration of human rights in conservation policy and practice. CIHR members have been working together on some key indigenous issues relevant to UNDRIP, such as FPIC.

Challenges and ways forward

Some important challenges to ensure respect for the rights of indigenous peoples in the context of conservation and reflections on how to further strengthen the protection and respect of the rights of indigenous peoples in conservation work are as follows:

- 1. Enhancing community tenure security in protected areas and conservation landscapes:** Globally, protected area and broader conservation frameworks have evolved towards greater inclusion of rights and recognition of their role in enhancing conservation objectives and reducing related conflict. However, in some protected area and conservation landscape contexts, there remain significant gaps around legally recognized tenure and secure rights to lands, territories and resources. These issues are often a result of broader legal and policy frameworks (often at national level) that go beyond the scope of conservation approaches and interventions. To better address these drivers, conservation organizations can build partnerships with state and non-state actors with wider capacities and mandates regarding tenure security and build linkages between these wider efforts and actions to safeguard rights and tenure as part of conservation initiatives.
- 2. Building on IUCN's work regarding indigenous participation in environmental decision-making and facilitating conflict resolution:** IUCN plays an important convening and facilitating role for indigenous participation in environmental decision-making, as well as on conflict resolution as related to conservation, an issue of particular relevance for indigenous peoples. However, a challenge facing these efforts is that while IUCN and others can provide information, facilitation and advice to influence change, decision-making about conservation measures and reforms is under the authority of governments. Limitations of capacity and financial resources have also restricted IUCN's (and other conservation organizations') ability to help find solutions to existing conflicts. Lessons from experience with conflict-resolution in other sectors and more structured engagement with conflict-resolution organizations and experts can help strengthen efforts to resolve conflicts related to indigenous rights and conservation.
- 3. Focusing on indigenous peoples' lands, territories and resources in conservation:** IUCN (especially through Regional Programmes) works directly on issues pertaining to UNDRIP Article 29.1 and in promoting recognition of indigenous rights and governance systems in the conservation of land/seascapes both in and out of protected areas. However large areas of indigenous peoples' lands, territories and resources are threatened yet remain unprotected and lack conservation measures, with growing threats to the people defending those lands and territories. Many challenges remain in terms of raising awareness and recognition of indigenous peoples' contributions to conservation and providing support for measures to conserve and protect indigenous lands. IUCN seeks further opportunities to contribute in these areas.
- 4. Joining efforts on ensuring FPIC and improving related guidance across conservation organizations:** There needs to be a more systematic approach to capturing lessons and developing effective guidance, based on concrete cases that demonstrate which are the factors and conditions of successful implementation, and the value of FPIC for effective conservation of indigenous peoples' lands, territories and resources. The Conservation Initiative for Human Rights provides a platform from which to reach the wider network of conservation organizations on this matter.
- 5. Furthering work on traditional knowledge for conservation:** The Inter-

governmental Panel on Biodiversity and Ecosystem Services offers an opportunity and entry point to delivering more on the topic through understanding/ applying/ supporting measures for the preservation and application of traditional knowledge.

6. **Building capacities of IUCN and other conservation organization staff on indigenous issues:** Although awareness of indigenous and human rights has increased across many conservation organizations, there is a need to build capacities in operationalizing the provisions of UNDRIP in conservation – from project planning processes through to policy messages. Targeted training on safeguards and exposure to issues should be a priority for conservation organizations whose work impacts indigenous peoples.
7. **Strengthening work on indigenous issues in marine and coastal areas and resources:** There is an important and sustained need to enhance this work in conservation, particularly in some regions and in terms of global approaches and policy. IUCN is making progress in connection with a growing body of work on coastal and island conservation and Locally Managed Marine Areas (LMMAs), but this work remains limited compared to the needs of support of indigenous peoples in and around marine and coastal areas and island lands and resources.