

**International Expert Group Meeting**  
**“Conservation and the rights of indigenous peoples” (Articles 29 and 32 of the**  
**United Nations Declaration on the Rights of Indigenous Peoples)**

23-25 January 2019

United Nations Office in Nairobi, Kenya

**Introduction and rationale**

Every year, the Indigenous Peoples in Development Branch within the Division of Inclusive Social Development of the Department of Economic and Social Affairs organizes an international expert group meeting (EGM) on a theme recommended by the Permanent Forum on Indigenous Issues and endorsed by the Economic and Social Council. In 2019, the expert group meeting will be held on the theme “Conservation and the rights of indigenous peoples” as recommended by the Permanent Forum at its 2018 annual session. Indigenous peoples have consistently expressed their concern with mainstream conservation efforts that frequently fail to consider the rights and knowledge of indigenous peoples in the designation of conservation areas leading to displacement and loss of livelihoods for a significant number of people. This issue was raised by the Special Rapporteur on the Rights of Indigenous Peoples in her 2016 Report<sup>1</sup> and was also taken up in a special half day discussion at the 2018 session of the Permanent Forum on Indigenous Issues.

Indigenous peoples play a crucial role for conservation of the environment. They make up around 5 per cent of the global population and occupy, own or manage an estimated 20 per cent to 25 per cent<sup>2</sup> of the Earth’s land surface. This land area holds most of the earth’s remaining biodiversity and intersects with about 40 per cent of all terrestrial protected areas and ecologically intact landscapes.<sup>3</sup> While the expanse of protected areas nearly doubled from 8.7 million sq. kms. to 16.1 million sq kms between 1980 and 2000,<sup>4</sup> some estimates suggest that 50 per cent of protected areas worldwide has been established on the traditional territories (lands and waters) of indigenous peoples. This proportion is even higher in the Americas, where it may exceed 90 per cent in Central America.<sup>5</sup> The lands of indigenous peoples are very valuable for conservation as about 65 per cent of them have not been intensively developed, compared with 44 per cent of other lands.

However, indigenous peoples’ custodianship of the environment and ecosystems, and their rights to land and natural resources are unrecognized. They often face the negative impacts of conservation programmes, which have often been based on the concept of protecting biological resources and land and seascapes, while

---

<sup>1</sup> Report of the Special Rapporteur on the Rights of Indigenous Peoples to the General Assembly, 2016. (A/71/229).

<http://unsr.vtaulicorpuz.org/site/index.php/en/documents/annual-reports/149-report-ga-2016>

<sup>2</sup> Estimates of indigenous lands in the Earth surface are put at 20% (State of the World’s Indigenous Peoples, Volume I, 2009, p 84) and 22% (World Resources Institute (WRI) in collaboration with United Nations Development Programme, United Nations Environment Programme, and World Bank. 2005. World Resources 2005: The Wealth of the Poor—Managing Ecosystems to Fight Poverty. Washington, DC: WRI, referred to in The World Bank, The Role of Indigenous Peoples in Biodiversity Conservation: The Natural but Often Forgotten Partners, 2008, p 5). Most recent estimate is that indigenous peoples manage or have tenure rights over 38 million square kilometers – about a quarter of all land outside Antarctica. Garnett et. al., A spatial overview of the global importance of Indigenous lands for conservation, 2018 [https://www.nature.com/articles/s41893-018-0100-6.epdf?author\\_access\\_token=ZAToIUuNYxVkJz7d3hQ7M9RgN0iAjWeI9jnR3ZoTv0Nlxfg9aDwpfTJNvkjtOhIOfIXDVJWZFuEjrvz\\_ddjYPdyZUDeslOuuUllw0kxM40S57aYeel-fxx5OnZm1\\_hkRRK99bTVuwMuTfscdzwtwg%3D%3D](https://www.nature.com/articles/s41893-018-0100-6.epdf?author_access_token=ZAToIUuNYxVkJz7d3hQ7M9RgN0iAjWeI9jnR3ZoTv0Nlxfg9aDwpfTJNvkjtOhIOfIXDVJWZFuEjrvz_ddjYPdyZUDeslOuuUllw0kxM40S57aYeel-fxx5OnZm1_hkRRK99bTVuwMuTfscdzwtwg%3D%3D)

<sup>3</sup> Garnett et. al.

<sup>4</sup> See para 14, A/71/229

<sup>5</sup> Stan Stevens, ed., Indigenous Peoples, National Parks and Protected Areas: A New Paradigm Linking Conservation, Culture and Rights (Tucson, Arizona, University of Arizona Press, 2014) as referred to in A/71/229 para 14

<http://unsr.vtaulicorpuz.org/site/index.php/en/documents/annual-reports/149-report-ga-2016>

excluding human beings from these areas. Since the creation of the first State-designated protected area, Yellowstone Park, in the United States of America in 1872 and the subsequent Yosemite National Park in 1890 whereby the US government violently expelled Native Americans living in or dependent on the resources in the areas, conservation interventions around the world have far too often resulted in gross violations of the rights of indigenous peoples, in particular to their rights to land and resources. This includes forced displacement and evictions from their territories; criminalization and destruction of livelihoods; loss of rights to lands, waters and resources and sacred sites; violence and extrajudicial killings of environmental defenders. Many of indigenous persons have been dispossessed and displaced due to the exclusionary approach of protected-area management built on the premise that human activities are incompatible with conservation. This approach is often referred to as "fortress" conservation.

This includes the Baka of Cameroon<sup>6</sup>, the Basarwa of Botswana<sup>7</sup>, the Maasai of Tanzania<sup>8</sup>, the Tharu and other groups in Nepal<sup>9</sup>, the U'wa in Colombia<sup>10</sup>, the Mbuti in the Democratic Republic of Congo<sup>11</sup>, the Wanniyala Aetto ("Vedda") in Sri Lanka<sup>12</sup>, the Baiga and other Adivasis in India<sup>13</sup>, the Kalina and Lokono Peoples in Suriname<sup>14</sup>, the Karen in Thailand<sup>15</sup>, Jummas in Bangladesh, the Batwa in the Congo Basin and the Ogiek and the Senwger in Kenya<sup>16</sup>, among other indigenous peoples. Studies have shown that conservation has been a widespread mode of dispossession of indigenous lands and territories, often referred to as "green-grabbing" by some scholars. Such dispossession has increased with the urgency to address climate change and realize development priorities, which has created undue pressures and impacts on indigenous peoples, particularly in the Global South countries.<sup>17</sup>

Due to the fact that in some States the regulatory framework does not recognize customary law in relation to ownership and control over land and resources, indigenous people's land and housing rights are not being recognized and protected by laws. Apart from legal constraints for respecting the rights of indigenous peoples in conservation contexts, they have not added up to concrete actions. While indigenous peoples are effective conservationists and make substantial investments in conservation efforts, the conventional conservation approach has been a source of injustice for them. A new approach is needed for effective and equitable conservation, which respects the rights of indigenous peoples. The EGM is expected to contribute to the discussions on applying this approach, with emphasis on strengthening the rights of indigenous peoples to their lands, housing, territories and resources, and their rights of being effectively protected by the States against forced evictions.

### **Human rights standards and policies and practices**

---

<sup>6</sup> <https://www.cnn.com/2017/08/16/africa/baka-cameroon-pygmy/index.html>

<sup>7</sup> <https://www.bbc.com/news/world-africa-24821867>

<sup>8</sup> <https://qz.com/africa/1278167/maasai-evicted-in-tanzania-for-ecotourism-and-land-conservation/>

<sup>9</sup> <http://www.recordnepal.com/art-letter/books/the-dark-side-of-nepals-national-parks/>,

<https://news.mongabay.com/2017/07/behind-rising-rhino-numbers-in-nepal-a-complex-human-story/>

<sup>10</sup> <https://news.mongabay.com/2016/09/indigenous-peoples-demand-protection-of-sacred-sites-at-world-conservation-congress/>

<sup>11</sup> <https://www.theguardian.com/global-development/2016/aug/30/clashing-conservation-saving-democratic-republic-congo-forest-pygmy-drc>

<sup>12</sup> <https://www.survivalinternational.org/tribes/wanniyala>

<sup>13</sup> <https://www.survivalinternational.org/tribes/tigerreservetribes>

<sup>14</sup> <http://www.forestpeoples.org/en/topics/inter-american-human-rights-system/news/2016/02/indigenous-peoples-suriname-win-important-cas>

<sup>15</sup> <https://iphndefenders.net/thailand-respect-karens-rights-in-kaeng-krachan-national-park/>

<sup>16</sup> <https://www.forestpeoples.org/en/legal-human-rights-rights-land-natural-resources/news-article/2017/ogiek-kenya-win-landmark-land>, <https://www.amnesty.org/en/latest/news/2018/05/kenya-sengwer-evictions-from-embobut-forest-flawed-and-illegal/>

<sup>17</sup> Elifuraha I. Laltaika and Kelly M. Askew, Modes of Dispossession of Indigenous Lands and Territories in Africa, pp 7-17, [https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/01/Laltaika-and-Askew\\_UN-paper\\_rev3.pdf](https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/01/Laltaika-and-Askew_UN-paper_rev3.pdf)

There is a growing body of legal standards and jurisprudence at national and international levels and the policies of conservation organizations to guarantee the rights of indigenous peoples in the context of conservation.

The 2007 UN Declaration on the Rights of Indigenous Peoples (UNDRIP) specifically provides that indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources and that States shall establish and implement assistance programmes for indigenous peoples for such conservations and protection, without discrimination (art. 29). Further, it states that indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources and that States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources (art. 32).

Human Rights treaty bodies have affirmed the rights of indigenous peoples to land and self-determination through their General Comments on the International Covenant on Civil and Political Rights (ICCPR) and the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), and Human Rights Committee's jurisprudence of article 27 of ICCPR. The Indigenous and Tribal Peoples Convention (No. 169) of the International Labour Organization also provides for land rights of indigenous peoples. Decisions from regional human rights systems have also established key jurisprudence on the rights of indigenous peoples to their lands with reference to conservation.<sup>18</sup>

There has generally been a paradigm shift away from the exclusionary State-centric "fortress" model towards a human rights based approach, including by the International Union for Conservation of Nature (IUCN), which shapes conservation policies at the global level. Conservation organizations have adopted principles, policies and action plans with greater recognition and realization of the rights of indigenous peoples. Several conservation organizations have set up advisory bodies or taken other steps to engage with indigenous representatives. However, there are considerable criticisms that effective implementation of those plans and policies has been lagging due to lack of necessary resources.<sup>19</sup>

There have also been some legal and administrative measures undertaken at national levels to respect the rights of indigenous peoples in conservation contexts. For example, India, in 2006, adopted the Forest Rights Act, which guarantees the rights of forest-dwelling communities, to land and other resources, including the need to obtain their consent for resettlement, in reserved, village or protected forests. Under the law, over 26,000 hectares were recognized under community forest rights for 43 tribal villages in the Simlipal Tiger Reserve in Odisha in 2015. National courts have also made positive judgments such as the 2013 Constitutional Court ruling in Indonesia which recognizes the rights of indigenous Adat (customary) communities over forests, which had earlier been designated as State forests under the purview of government authorities. As a result, management of forests are being handed over to the communities.<sup>20</sup> Similarly, in Colombia, a "Parks with People" policy has been developed for participatory conservation in national parks that have overlapping areas with resguardos (indigenous collective territories), which is the case for 29 out of 54 resguardos. Park authorities have been able to reach agreements on co-governance arrangements and joint park management with several communities through negotiations. Indigenous peoples have been engaged in implementing the Pathway to Canada Target 1, which aims to conserve at least 17 per cent of terrestrial

---

<sup>18</sup> For relevant standards and jurisprudence, see para 20-32, A/71/229; Also see E/C.19/2018/9, para 7-8, particularly for UN Declaration on the Rights of Indigenous Peoples provisions in relation to conservation

<sup>19</sup> See para 39-50 A/71/229

<sup>20</sup> <http://blog.worldagroforestry.org/index.php/2017/02/15/indonesian-president-hands-management-forests-indigenous-people/>

areas and inland water, and 10 per cent of marine and coastal areas through networks of protected areas and other effective area-based measures by 2020. In Northern Canada, the Auyuittuq National Park is managed cooperatively with the Inuit and Parks Canada through a Joint Park Management Committee, that was provided for in the Nunavut Land Claims Agreement. Australia has implemented Indigenous ranger projects since 2007, which has created more than 2,000 jobs for Aboriginal and Torres Strait Islander peoples in land and sea management.<sup>21</sup> Australia has managed to reach the global target of 17 per cent terrestrial lands and inland waters protected, 5 years ahead of the CBD's 2020 deadline by recognizing and supporting indigenous protected areas. In the United States, there are examples of even greater control by indigenous peoples of conservation areas, where Native American governments wholly manage conservation areas within their reservations, such as the Monument Valley Navajo Tribal Park in Arizona.

Various other good practices have been reported in relation to the respect for the rights of indigenous peoples in conservation interventions, such as indigenous-led conservation, co-management and community participation, and indigenous cultural- or ecotourism. Various standards and guidance have been developed with specific toolkit to support conservation by indigenous peoples and local communities.<sup>22</sup>

However, the progress remains overshadowed by non-recognition indigenous peoples or their rights, in a majority of countries and a lack of full and effective implementation of existing international obligations.

## **Opportunities**

### *Local ownership and management*

A recent global assessment of protected areas and the factors affecting both social and conservation outcomes found that sites that have been directly incorporating indigenous peoples and local communities, and bringing them in as active stakeholders, were generally more effective with respect to both biodiversity conservation and socio-economic development<sup>23</sup>. Thus, respecting the rights of indigenous peoples and local communities and encouraging their participation will ensure conservation efforts are most successful.

The Joint Task Force on Biodiversity and Protected Areas of IUCN's World Commission on Protected Areas and Species Survival Commission Areas recently conducted a global analysis on the factors influencing biodiversity in protected areas, finding that considering both the social and economic context of a protected area is vital for its success<sup>24</sup>. Importantly, sites will be most successful when indigenous peoples and local communities are supportive of them and see the benefits of protected areas, in addition to other management related factors (sufficient funding, adequate staffing and management capacity). While ecological factors (size, fragmentation and connectivity) are central for long term successes, they may be overcome by social and economic factors in short-term.

As of August 2017, the coverage of terrestrial and inland waters areas in the World Database on Protected Areas is 14.81 per cent, requiring 2.19 per cent more to reach the 17 per cent specified in Aichi Biodiversity Target 11. With respect to Indigenous and Community Conserved Areas (ICCAs), a 2012 assessment identified over 2.3 million km<sup>2</sup> of potential ICCAs, though this has been deemed an underestimate of the total global

---

<sup>21</sup> <https://www.pmc.gov.au/indigenous-affairs/environment/indigenous-rangers-working-country>

<sup>22</sup> See para 47, A/71/229; para 14 E/C.19/2018/9; and Corrigan, C. and Hay-Edie, T. 2013. 'A toolkit to support conservation by indigenous peoples and local communities: building capacity and sharing knowledge for indigenous peoples' and community conserved territories and areas (ICCAs)' UNEP-WCMC, Cambridge, UK.  
[https://sgp.undp.org/images/ICCA\\_toolkit\\_FINAL\\_18may2013.pdf](https://sgp.undp.org/images/ICCA_toolkit_FINAL_18may2013.pdf)

<sup>23</sup> Oldekop, J.A., et al. (2015). A global assessment of the social and conservation outcomes of protected areas *Conservation Biology*, 30(1): 133–141

<sup>24</sup> UNEP-WCMC and IUCN (2016) *Protected Planet Report 2016* UNEP-WCMC and IUCN: Cambridge UK and Gland, Switzerland.

coverage<sup>25</sup>. Recent studies have also recorded nearly 1,000 potential locally managed marine areas in the Pacific Islands region, covering around 8 per cent of island communities<sup>26</sup>. The issue of ICCAs that overlaps, partially or completely, with other designated protected areas and the possibility of conflicts over governance and management systems need to be addressed in full consultation with the affected communities and governance entities<sup>27</sup>.

#### *Indigenous community conservation areas or indigenous protected areas*

Several countries have already formally adopted CCAs into national legislation and a few are planning to broaden governance types used to manage protected areas, while other countries are recognizing CCAs through other area-based conservation measures. For example, in India, community reserves are legally protected under the Wildlife Protection Act of 1972, while, in Brazil, recent legislation governing protected areas calls for the establishment of local councils for each protected area as a mean to strengthen engagement with society and local communities. Parties are increasingly exploring the role of indigenous and local community conservation areas (ICCAs) or indigenous protected areas (IPAs), as possible contributions to the national protected areas estate.

For instance, Australia has reported<sup>28</sup> 72 declared IPAs, covering 64,629,395 hectares and making up 43.6 per cent of the National Reserve Network. IPAs are supported through multi-year funding, which some Indigenous groups supplement through other income-generating activities. Some also seek additional support through private sector and philanthropic organizations.

In such countries as Australia, Canada and Sweden, conservation is increasingly guided by the development of “two-way” (indigenous and western scientific) approaches to land, water and sea management, management of protected areas and the exchange of ideas and practices, and through improved engagement with science on relevant topics, including indigenous livelihoods, monitoring and evaluation. Parties pursuing initiatives to bring knowledge systems together (such as science and traditional knowledge) are discovering traditional knowledge and sciences can be complimentary and mutually beneficial to scientists and communities so long as there is recognition of the particular strengths and limitations of both types of knowledge.<sup>29</sup>

### **Challenges**

As identified by the Special Rapporteur on the rights of indigenous peoples, one of the key challenges to ensure full realization of the rights of indigenous peoples in the contexts of conservation is the ongoing legacy of State-centric “fortress” approach to conservation. Indigenous peoples and local communities in many countries remain under threat of arbitrary eviction and resettlement without their free prior informed consent or adequate safeguards, such as effective participation and notification, and where consent is given, provision of compensation and alternative territory and housing, etc. A case in point is the repeated evictions

---

<sup>25</sup> Kothari, A., et al. (eds.) (2012). *Recognising and Supporting Territories and Areas Conserved By Indigenous Peoples and Local Communities: Global Overview and National Case Studies*. Secretariat of the Convention on Biological Diversity, ICCA Consortium, Kalpavriksh, and Natural Justice, Montreal, Canada Technical Series no. 64 This has subsequently been updated with the addition of several other countries, between June and September 2013.

<sup>26</sup> Govan, H. (2015). Preliminary review of public expenditure of the Fisheries Agencies of Pacific Island Countries and Territories: Policy, operational budget and staffing support for coastal fisheries. Final report to the SPC Division of Fisheries, Aquaculture and Marine Ecosystems doi: 10.13140/RG.2.1.4949.9363.

<sup>27</sup> Stevens, S., Broome, N.P. and Jaeger, T., with J. Aylwin, G. Azhdari, D. Bibaka, G. Borrini-Feyerabend, M. Colchester, et al. (2016). *Recognising and Respecting ICCAs Overlapped by Protected Areas Report for the ICCA Consortium*. Available at: [www.iccaconsortium.org](http://www.iccaconsortium.org)

<sup>28</sup> As of November 2015.

<sup>29</sup> Fraser, Coon, Prince, Dion and Bernatchez, 2006.

of Ogiek in Kenya from their ancestral forest lands since the creation of the Mount Elgon national park in 1968 and further gazettement of their lands for the Chepkitale game park in 2000. Similarly, the Sengwer continue to face displacement from the Embobut forest, dating back to the 1970s.<sup>30</sup> Also, the Karen in the protected areas within the Kaeng Krachan Forest Complex in Thailand have been relocated since the 1960s and most recently in 2011.

Even if compensation and resettlement projects are planned to accommodate evicted indigenous groups, such programmes and domestic building regulations may not factor in customs and traditions from indigenous peoples and exclude them from their traditional way of living. Therefore it is important to allow flexibility in designing houses and neighbourhoods to accommodate indigenous people's needs. Indigenous peoples have to be carefully understood when engaging in urban and rural planning processes, as traditional way of life can be compatible with the provision of adequate infrastructure and basic services but should not be enforced to change. The States should allow and promote vernacular designs and building techniques for dwellings that can help achieve better flexibility of residence, as well as improved environmental performance, tap into local building materials, and promote the use and transmission of vernacular construction techniques.

Another major challenge is the legal framework at the national level, which in many countries does not recognize customary land rights or indigenous peoples' rights. Even if the laws are in place, the poor implementation of existing legal protections can still be challenging. For example, in Colombia, the U'wa indigenous people have been struggling for full incorporation and custodianship of National Park of El Cocuy, which partly overlaps with their legally titled land.

The lack of full respect for human rights for indigenous people hinders the improvement of their living conditions, forcing them into escalating levels of migration. Their rights are often times violated when in transit and after arrival to host communities/countries. For that reason it is essential that there be a human rights focus for the entire migratory process, ensuring the integration and inclusion of indigenous groups. To achieve that, the local authorities should take the role in providing platforms for indigenous peoples to access opportunities such as job and adequate housing, etc.

Continued lack of meaningful participation of indigenous peoples in conservation-related international standards and guidelines or effective implementation thereof have also been identified as a significant challenge. A particular concern is when protected areas in indigenous lands and territories are accorded World Heritage sites status, although, in 2015 the World Heritage Committee amended its Operational Guidelines to recognize indigenous peoples as partners in the protection and conservation of World Heritage and encouraging states to obtain the free, prior and informed consent of indigenous peoples in nomination processes;

While indigenous peoples have been subjected to violations of their rights, governments have often utilized conservation as a door way for business interests, such as extractive industries<sup>31</sup> and tourism establishments in protected areas. For example, a 2016 study of 34 protected areas in five countries in the Congo Basin found that 25 of them bordered with logging concessions, 19 overlapped with mining concessions and 9 with oil

---

<sup>30</sup> See diamond mining in Panna tiger reserve <https://www.hindustantimes.com/bhopal/close-diamond-mining-in-panna-tiger-reserve-by-2017-panel/story-1BazHSvKyoOlk01XEvt6jL.html> or oil and gas exploration in Bears Ears Monument <https://www.nytimes.com/2018/03/02/climate/bears-ears-national-monument.html>

<sup>31</sup> See diamond mining in Panna tiger reserve <https://www.hindustantimes.com/bhopal/close-diamond-mining-in-panna-tiger-reserve-by-2017-panel/story-1BazHSvKyoOlk01XEvt6jL.html> or oil and gas exploration in Bears Ears Monument <https://www.nytimes.com/2018/03/02/climate/bears-ears-national-monument.html>

concessions. Thus, underlying political settings or vested interests of conservation may also pose another challenge.<sup>32</sup>

Year after year, killings of environmental defenders – of which indigenous leaders, activists and women make a disproportionately high number – have also been documented and reported. In 2017, 197 such killings were recorded, and 201 in 2016. In the first six months of 2018, 66 deaths have been reported.<sup>33</sup> Often unreported is the wide range of reprisals and intimidations, including threats, harassment, detention, etc., that the environmental defenders face. Thus, guaranteeing the life and security of environmental defenders is another emergent challenge. Further, dispossession of lands and resources and displacement or involuntary resettlement of indigenous peoples result in pressures where they move to, usually urban areas, with regards to the issues of their housing, employment and other social services as well as their cultural continuity and collective identity.

### Looking Forward

By 2020, the Parties<sup>34</sup> to the Convention on Biological Diversity, have set the targets to expand protected area coverage to at least 17 per cent of terrestrial and inland water areas and 10 per cent of coastal and marine areas. Thus, States and conservation organizations need to implement measures to recognize the rights of indigenous peoples as a matter of priority<sup>35</sup> and seize on the opportunities realised such as by community conservation areas (ICCAs) and Indigenous Protected Areas (IPAs). While the primary responsibility lies on the State authorities, conservation organizations can use their leverage to influence authorities through legal reforms and practical applications that respect the rights of indigenous peoples, particularly given their powerful position vis-a-vis authorities in developing countries.

At the same time, preparations are advancing for the post-2020 global biodiversity framework. The framework for the entire international community is expected to provide a "New Deal for Nature" to address the challenge of biodiversity loss and ecosystems damage and to ensure that the solutions and benefits that nature provides are integrated in systemic, inclusive and transformative actions to benefit human well-being, the economy, and the planet.<sup>36</sup> The development of the Post 2020 Global Biodiversity Framework has as its vision, humanity living in harmony with nature by 2050. The UNPFII is in a strategic position in the 2019-2020 period to provide views on possible elements of work for the Post 2020 Global Biodiversity Framework, including work of specific relevance to indigenous peoples, as well as aspirations for the participation of indigenous peoples in the Post 2020 Convention.

In this context, the Permanent Forum on Indigenous Issues, in its 17th session in 2018, conducted a thematic discussion on conservation and the rights of indigenous peoples. The discussion was based on a study to examine conservation and indigenous peoples' rights, which recognized the urgent need to develop a universally recognized set of standards for engaging in conservation efforts on the lands and waters of indigenous peoples. The study recommended States, UN bodies, conservation organizations, funders and indigenous peoples, to engage in a collaborative process to articulate such set of dedicated standards, which

---

<sup>32</sup> Aili Pyhälä, Ana Osuna Orozco and Simon Counsell, "Protected areas in the Congo Basin, failing both people and biodiversity?" (London, Rainforest Foundation United Kingdom, 2016), as referred to in para 54, A/71/229

<sup>33</sup> <https://www.theguardian.com/environment/ng-interactive/2018/feb/27/the-defenders-recording-the-deaths-of-environmental-defenders-around-the-world>

<sup>34</sup> 196 Parties including the European Union.

<sup>35</sup> A/71/229, para 32; Strategic Plan for Biodiversity 2011-2020, Aichi Biodiversity Target 11. See UNEP/CBD/COP/10/INF/12/Rev.1

<sup>36</sup> <https://www.cbd.int/post2020/>

will seek to ensure respect and recognition of the rights of indigenous peoples to territories and biological resources in conservation contexts.<sup>37</sup> This EGM is expected to contribute to these discussions.

### **Objectives of the meeting**

1. Take stock of the impacts and challenges of conservation;
2. Share good practices of conservation interventions in realizing the rights of indigenous peoples, in particular their rights to land and housing;
3. Identify gaps in current practices, standards and policies of conservation with respect to the rights of indigenous peoples, in particular their rights to land and housing;
4. Propose recommendations and next steps to ensure the rights of indigenous peoples in conservation contexts.

### **Proposed agenda**

1. Introduction: Conservation and the rights of indigenous peoples
2. Regional cases of conservation and impacts on the rights of indigenous peoples
3. Examples of good practices of conservation by or with indigenous peoples
4. Existing standards and policies for conservation vis-à-vis the rights of indigenous peoples, with focus on redress mechanisms
5. Recommendations including elements for a possible global set of standards or other measures to realize the rights of indigenous peoples in conservation contexts

### **Methodology**

EGMs are organized at the UN to bring together external expertise to explore state-of-the-art research and analysis, identify good practices and lessons learned and develop independent policy recommendations on a particular theme. An EGM is a working meeting and brings together experts from a variety of fields, including indigenous representatives, academia, government, civil society and United Nations as well as regional and international bodies.

The UN invites experts to submit papers on a specific theme, to present the paper at the meeting for comments and inputs. Based on these papers and discussions, the United Nations prepares a report of the meeting that is intended to enrich the deliberations of the Permanent Forum at its next session as well as to provide valuable information, analysis and policy recommendations to the UN system and Member States.

### **Working Language**

The working language of the EGM will be English (interpretation in other UN languages may be provided, depending on availability)

### **Background documents**

---

<sup>37</sup> E/C.19/2018/9 para 15



1. [Study to examine conservation and indigenous peoples' human rights by Brian Keane and Elifuraha Laltaika, members of the Permanent Forum on Indigenous Issues \(E/C.19/2018/9, March 2018\)](#)
2. [Report of the Special Rapporteur on the rights of indigenous peoples on conservation and indigenous peoples' rights \(A/71/229, July 2016\)](#)
3. [United Nations Declaration on the Rights of Indigenous Peoples, 2007](#)