

1.53 Indigenous Peoples and Protected Areas

RECALLING that some protected areas have been established on indigenous lands and territories without the consent and participation of the affected people;

CONSIDERING the terms of ILO Convention No 169 and those of the Convention on Biological Diversity, regarding the role of indigenous peoples with respect to the management, use and conservation of biodiversity;

CONSIDERING the recommendations and guidelines established in Agenda 21;

CONSIDERING the emphasis placed in *Caring for the Earth* on the role of indigenous peoples in sustainable development and their rights in the management of natural resources;

CONSIDERING the recommendations of the IVth World Congress on National Parks and Protected Areas, calling for the development of policies for protected areas which safeguard the interests of indigenous peoples;

RECOGNIZING that several governments have already adopted policies and measures to fully incorporate the rights and interests of indigenous peoples in the establishment and management of protected areas within their lands and territories;

The World Conservation Congress at its 1st Session in Montreal, Canada, 14–23 October 1996:

1. REQUESTS the Director General, the Secretariat and technical programmes, Commissions, members and Councillors of IUCN, within available resources, to endorse, support, participate in and advocate the development and implementation of a clear policy in relation to protected areas established in indigenous lands and territories, based on the following principles:
 - a) recognition of the rights of indigenous peoples with regard to their lands or territories and resources that fall within protected areas;
 - b) recognition of the necessity of reaching agreements with indigenous peoples prior to the establishment of protected areas in their lands or territories;
 - c) recognition of the rights of the indigenous peoples concerned to participate effectively in the management of the protected areas established on their lands or territories, and to be consulted on the adoption of any decision that affects their rights and interests over those lands or territories;
2. URGES all IUCN members to establish appropriate mechanisms at the national level, for the development and implementation of policies on protected areas and indigenous peoples that are consistent with these principles;
3. REQUESTS the World Commission on Protected Areas to establish closer links with indigenous peoples' organizations, with a view to incorporating the rights and interests of indigenous peoples in the application of the IUCN Protected Area Management Categories.
4. REQUESTS the Director General, within available resources, to incorporate in IUCN's work on protected areas and natural heritage, specific actions aimed at ensuring the further development and implementation of appropriate policies based on these principles.

Note. This Resolution was adopted by consensus. The delegations of the State members Australia, Germany, New Zealand, Norway, Switzerland and United States indicated that had there been a vote they would have abstained, in the case of New Zealand and the United States for the reasons given under Resolution 1.49. The delegation of the State member India dissociated itself from this Resolution for the reasons given under Resolution 1.49.

The use of the term "indigenous peoples" in this Resolution shall not be construed as having any implications as regards the rights which may attach to that term in international law.