

#### 4.049 Supporting Indigenous Conservation Territories and other Indigenous Peoples' and Community Conserved Areas

AWARE that a considerable part of the Earth's surviving biodiversity is located on territories and areas under the ownership, control and/or management of indigenous peoples and local communities, including mobile peoples;

NOTING that such peoples and communities exercise their governance through both customary laws and other effective means, and that their territories and areas add considerably to humanity's efforts to protect and conserve biodiversity, agricultural diversity and cultural diversity;

ALSO NOTING that their conserved territories and areas serve often as examples of ways to reconcile biodiversity conservation, livelihoods and food sovereignty, and are crucial to local sustainable development and cultural identity;

RECALLING Resolution 3.049 *Community Conserved Areas* adopted by the 3rd IUCN World Conservation Congress (Bangkok, 2004), which provides a clear direction on the need to recognize and support "natural or modified ecosystems, including significant biodiversity, ecological services, and cultural values, voluntarily conserved by indigenous peoples and local communities through customary laws or other effective means";

CELEBRATING the 2007 United Nations *Declaration on the Rights of Indigenous Peoples*, and stressing that the 2004 *Programme of Work on Protected Areas* of the Convention on Biological Diversity (CBD) recommends that Parties to the CBD should recognize and support Community Conserved Areas;

WELCOMING the work carried out by TILCEPA - a joint Theme of the IUCN Commission on Environmental, Economic and Social Policy (CEESP) and the IUCN World Commission on Protected Areas WCPA) - to support inventories and participatory action research studies of Community Conserved Areas (CCAs) in various parts of the world, provide technical advice on issues at the interface of CCAs and livelihoods, equity, poverty eradication and food sovereignty, and facilitate innovative thinking on the subject leading to improved policies and practices;

CONSCIOUS that Indigenous Conservation Territories and other Indigenous Peoples' and Community Conserved Areas (ICTs and IPCCAs) are recognized by IUCN as important governance types in protected area systems;

ACKNOWLEDGING the tremendous variety of situations on a regional basis and that concepts and approaches are evolving among governments, indigenous peoples and local communities, including traditional fishing folks, pastoralists and peasants;

CONSIDERING that while most ICTs and IPCCAs remain unrecognized and largely outside official protected area networks, national recognition of these areas relies at times on hastily developed or otherwise inappropriate mechanisms that include the top-down imposition of homogenized institutional structures, rules or governance mechanisms;

ALSO CONSIDERING, on the other hand, that a number of countries have recognized ICTs and IPCCAs in appropriate ways within or outside their protected area systems, including through laws and policies that fully acknowledge the rights of indigenous peoples and other communities;

HIGHLIGHTING that ICTs and IPCCAs are facing ongoing and imminent threats, including from unsustainable development policies and projects, aggressive practices of extractive industries and industrial agriculture, insecure tenure arrangements, de-legitimization of customary rights, inequities of a social, economic and political nature, loss of knowledge, cultural change and climate change and - most recently - inappropriate forms of recognition by governmental agencies and conservation organizations; and

RECOGNIZING that indigenous peoples and local communities need support to be able to respond to these threats in ways that are both effective and equitable and which restore local adaptability and resilience;

**The World Conservation Congress at its 4th Session in Barcelona, Spain, 5-14 October 2008:**

1. CALLS ON IUCN's members to:
  - (a) fully acknowledge the conservation significance of Indigenous Conservation Territories and other Indigenous Peoples' and Community Conserved Areas - comprising conserved sites, territories, landscapes/seascapes and sacred places - governed and managed by indigenous peoples and local communities, including mobile peoples;
  - (b) support the fair restitution of territorial, land and natural resource rights, consistent with conservation and social objectives as considered appropriate by the indigenous peoples and local communities governing existing ICTs and IPCCAs and/or interested in establishing new ones;
  - (c) ensure that any inclusion of ICTs and IPCCAs within national systems is made with indigenous peoples' free prior and informed consent and after full consultation with local communities and proper consideration of their concerns; and
  - (d) support indigenous peoples and local communities to protect ICTs and IPCCAs against external threats by applying the principles of free prior and informed consent, participatory social, environmental and cultural impact assessments, and other measures as elaborated in CBD decision VII/28 or other international agreements with reference to new development and conservation initiatives;

**In addition, the World Conservation Congress, at its 4th Session in Barcelona, Spain, 5-14 October 2008, provides the following guidance concerning implementation of the IUCN Programme 2009-2012:**

2. URGES the IUCN Director General and the Chairs of all IUCN Commissions to provide leadership and supportive roles in the national and international recognition of ICTs and IPCCAs as a legitimate form of biodiversity conservation, through:
  - (a) providing assistance to CBD members in implementing the relevant elements of the CBD *Programme of Work on Protected Areas* within a strict framework of respect for human rights in conservation; and
  - (b) facilitating self-monitoring and evaluation of ICTs and IPCCAs consistent with their own governance systems by relevant indigenous peoples and local communities in collaboration with outside agencies/actors, as appropriate, and establishing effective mechanisms of internal and external accountability; and
3. REQUESTS CEESP and WCPA to renew and strengthen support and continue work in:
  - (a) understanding ICTs and IPCCAs in their regional, national and culture-specific dimensions and identifying examples of mechanisms and safeguards that can ensure their appropriate and nonintrusive national and international recognition;
  - (b) promoting the recognition of ICTs and IPCCAs, within or outside national protected area systems and the wider conserved landscape/ seascape, as local governance types unique to the indigenous peoples and local communities concerned (observing the requirements in paragraph 1(c) below);
  - (c) supporting the CBD Secretariat and Parties in regional workshops and other processes to enhance capacities and promote appropriate policies and practices for the implementation of the CBD *Programme of Work on Protected Areas*, and its element 2 in particular; and
  - (d) guiding relevant bodies in the updating of the *World Database on Protected Areas*, the *UN List of Protected Areas*, the *State of the World's Protected Areas* and other relevant databases or documents to ensure inclusion of ICTs and IPCCAs only where and as appropriate.

The Statements for the record made by the State members Australia, Canada and New Zealand in relation to Resolution 4.048 also apply to this Resolution.

The State member Norway indicated that it would vote against the motion.

State and agency members of the United States refrained from engaging in deliberations on this motion and took no national government position on the motion as adopted for reasons given in the U.S. General Statement on the IUCN Motions Process.