

## **WCC-2016-Res-030-EN**

### **Recognising and respecting the territories and areas conserved by indigenous peoples and local communities (ICCAs) overlapped by protected areas**

RECOGNISING that many indigenous peoples and local communities care for, self-govern, manage, protect, sustainably use, restore and enrich – in one word 'conserve' – all or parts of their territories and areas, including commons, sacred sites, and locally managed marine areas, in ways that meet IUCN definitions of indigenous peoples' and community conserved territories and areas (ICCAs), IUCN and the Convention on Biological Diversity (CBD) definitions of protected areas, and the CBD's use of the term "other effective area-based conservation measures";

CONCERNED that government-designated and privately protected areas often overlap with ICCAs without appropriately recognising and respecting them;

RECALLING IUCN's affirmation of the United Nations Declaration on the Rights of Indigenous Peoples and of indigenous peoples' collective rights and responsibilities with respect to their territories, lands, water and resources, including within protected areas, and additional prerogatives and responsibilities relevant to participating fully and effectively in protected area governance;

RECALLING that IUCN and the Parties to the CBD affirm the rights of indigenous peoples and local communities to participate fully and effectively in protected area governance and that IUCN guidance encourages fostering governance diversity, quality and vitality in protected and conserved areas;

RECALLING Resolution 5.094 *Respecting, recognizing and supporting Indigenous Peoples' and Community Conserved Territories and Areas* (Jeju, 2012), including its call for recognising and supporting ICCAs "in situations where they overlap with protected area or other designations";

NOTING Recommendation 4.127 *Indigenous peoples' rights in the management of protected areas fully or partially in the territories of indigenous people* (Barcelona, 2008), which calls for indigenous peoples' governance of Indigenous Conservation Territories when protected areas fully or partially overlap with those territories;

MINDFUL OF Resolution 4.038 *Recognition and conservation of sacred natural sites in protected areas* (Barcelona, 2008) and Recommendation 5.147 *Sacred Natural Sites – Support for custodian protocols and customary laws in the face of global threats and challenges* (Jeju, 2012), which call for recognition of custodians' care and protection of Sacred Natural Sites in protected areas;

WELCOMING recommendations of the IUCN World Parks Congress (Sydney, 2014) to recognise and support ICCAs both "within and outside protected areas" and to ensure collective governance rights in overlap situations (Stream 6) and "ensure Indigenous governance of protected areas" in their traditional territories (Stream 7);

RECALLING that the Durban Accord and Action Plan and the Convention on Biological Diversity's Programme of Work on Protected Areas recognise ICCAs and indigenous peoples' and local communities' right to participate in protected area governance;

ACKNOWLEDGING that Native Hawaiian people lived in areas of Hawai'i now designated as national parks and other protected areas and may continue to maintain or wish to restore ICCAs in them; and

APPRECIATING the work of the ICCA Consortium;

### **The World Conservation Congress, at its session in Hawai'i, United States of America, 1-10 September 2016:**

1. REQUESTS the Director General, Council, Commissions and Members, together with the ICCA Consortium and relevant partners, to:

- a. develop, disseminate, and urge implementation of best practice guidance on identification, recognition, and respect for ICCAs in protected area overlap situations;
  - b. require appropriate recognition and respect for overlapped ICCAs before including any protected area in IUCN's Green List of Protected and Conserved Areas or before advising the granting of World Heritage status, including by ensuring that the custodian indigenous peoples and/or local communities maintaining these ICCAs give their free, prior and informed consent to the proposed designation;
  - c. encourage indigenous peoples' organisations and networks and the Whakatane Mechanism to support the recognition and respect of ICCAs overlapped by protected areas, including recognition of indigenous peoples' continuing governance and management of them;
  - d. encourage the Parties to the Convention on Biological Diversity to implement existing CBD decisions as well as best practice guidance on identifying, recognising, and respecting ICCAs overlapped by protected areas as a means of implementing Articles 8(j) and 10(c) of the Convention, meeting the Aichi Biodiversity Targets 2011-2020, and advancing the Programme of Work on Protected Areas, the Plan of Action on Customary and Sustainable Use of Biodiversity, and the 2014 Chennai Guidance for the Integration of Biodiversity and Poverty Eradication, among other relevant CBD decisions;
  - e. encourage agencies and donors to promote recognition and respect of overlapped ICCAs and to assist their custodians in including them in the World Database on Protected Areas and the ICCA Registry with their free, prior and informed consent;
  - f. encourage the UN Special Rapporteur on the Rights of Indigenous Peoples and other relevant rights monitoring mechanisms to take ICCAs into account in their work, including by promoting good practices that affirm and secure rights by appropriately recognising and respecting ICCAs overlapped by protected areas; and
  - g. report annually on the above actions to the IUCN Council, biennially to the CBD, and in IUCN's annual report to the United Nations Permanent Forum on Indigenous Issues;
2. CALLS UPON IUCN Members, non-member States, and other actors involved with protected areas to develop and implement laws, regulations, agreements, protocols, plans, and administrative procedures and practices that appropriately recognise and respect ICCAs overlapped by protected areas; and
  3. CALLS UPON IUCN Members and Parties to the CBD, in collaboration with the CBD Secretariat and other relevant actors, to include reporting on the implementation of best practices in recognising and respecting ICCAs overlapped by protected areas in CBD Parties' reporting to the CBD Secretariat, including in national reports, progress reports on achievement of the Aichi Targets (particularly Target 11), reports on implementation of the CBD Programme of Work on Protected Areas, and the Global Biodiversity Outlook.