

WCC-2016-Res-072-EN

Enabling the Whakatane Mechanism to contribute to conservation through securing communities' rights

NOTING that it has been estimated that most of the existing protected areas contain lands or territories and resources of indigenous peoples and rural communities;

NOTING that the Whakatane Mechanism is a response to the call of the IUCN World Conservation Congress at its session in Barcelona, Spain (2008) for the Director General and Commissions to identify and propose "mechanisms to address and redress the effects of historic and current injustices against indigenous peoples in the name of conservation of nature and natural resources" (Resolution 4.052 *Implementing the United Nations Declaration on the Rights of Indigenous Peoples*);

RECOGNISING the importance of fully respecting the rights of indigenous peoples and local communities relying on protected areas;

NOTING the efforts of the Conservation Initiative on Human Rights to develop tools and approaches to support the above;

WELCOMING the establishment of the IUCN Environmental and Social Management System, and in particular the potential role of its Standards on Access Restrictions and Indigenous Peoples in ensuring the full respect of the rights of indigenous peoples and rural communities in IUCN conservation projects;

WELCOMING also the standards of the IUCN Green List of Conserved and Protected Areas and their approach and potential utility for safeguarding human rights in protected areas;

WELCOMING the endorsement by the 12th Meeting of the Conference of Parties to the Convention on Biological Diversity (CBD Decision XXII/12, Pyeongchang, 2014) of the Plan of Action on Customary Sustainable Use, which includes guidance to Parties and other relevant stakeholders to draw upon existing tools in identifying best practices in relation to protected areas and customary use of biodiversity, including the Whakatane Mechanism;

NOTING that the IUCN World Conservation Congress at its session in Jeju, Republic of Korea (2012) welcomed the work being developed through the Whakatane Mechanism in Resolution 5.097 *Implementation of the UN Declaration on the Rights of Indigenous Peoples* as "a significant contribution to the Programme's "rights-based and equitable conservation" undertakings and One Programme approach";

NOTING that three pilot applications of the Mechanism have so far been undertaken: in Democratic Republic of Congo, Kenya and Thailand; and

HIGHLIGHTING that appropriate recognition and support to the territories and areas conserved by indigenous peoples and local communities (ICCAs) within state-governed protected areas would allow the restitution of any collective governance rights and responsibilities to the relevant peoples and communities while supporting and safeguarding conservation; and ALSO NOTING that the establishment of shared governance mechanisms could be a means to support the recognition and protection of indigenous peoples' and local communities' rights in protected areas;

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

1. REQUESTS the Director General, drawing advice from the Steering Committee of the Whakatane Mechanism, IUCN Council, Commissions, Members, and relevant partners, as appropriate, to:

a. Engage with the Global Environmental Facility in identifying funding opportunities for projects that include approaches contained in the Whakatane Mechanism, in line with GEF-6 Programme directions and the upcoming GEF-7 phase, and explore as well other potential sources of funding; and

b. Include progress of the Whakatane Mechanism in IUCN's regular reporting to the UN Permanent Forum on Indigenous Issues;

2. INVITES the CBD to take account of the Whakatane Mechanism, particularly in its implementation of Articles 8(j) and 10(c) and its Programme of Work on Protected Areas;

3. INVITES Member as well as non-member States and other actors to:

a. raise awareness of the Whakatane Mechanism, including through documenting and disseminating information about its implementation and its benefits in favour of biodiversity conservation; and

b. take action, as appropriate, to implement the CBD Plan of Action on Customary Sustainable use, particularly task 3, including promoting, "in accordance with national legislation and applicable international obligations, the full and effective participation of indigenous and local communities, and also their prior and informed consent to or approval of, and involvement in, the establishment, expansion, governance and management of protected areas, including marine protected areas, that may affect indigenous and local communities"; and

4. ENCOURAGES parties to the Whakatane Mechanism processes in countries where such processes are ongoing to share information and lessons learned with the Commission on Environmental, Economic and Social Policy (CEESP) and the Steering Committee of the Whakatane Mechanism, to support its further development and application.