



WPC Recommendation 24

Indigenous Peoples and Protected Areas

Indigenous peoples, their lands, waters and other resources have made a substantial contribution to the conservation of global ecosystems. For this trend to continue, where appropriate, protected areas, future and present, should take into account the principle of collaborative management attending to the interests and needs of indigenous peoples.

Many protected areas of the world encroach and are found within and overlap with lands, territories and resources of indigenous and traditional peoples. In many cases the establishment of these protected areas has affected the rights, interests and livelihoods of indigenous peoples and traditional peoples and subsequently resulted in persistent conflicts.

Effective and sustainable conservation can be better achieved if the objectives of protected areas do not violate the rights of indigenous peoples living in and around them.

It is widely acknowledged that successful implementation of conservation programmes can only be guaranteed on long term basis when there is consent for and approval by indigenous peoples among others, because their cultures, knowledge and territories contribute to the building of comprehensive protected areas. There is often commonality of objectives between protected areas and the need of indigenous peoples to protect their lands, territories and resources from external threats.

In addition to the benefits to conservation, it is also necessary to acknowledge that indigenous peoples have suffered human rights abuses in connection with protected areas in the past and in some cases continue to suffer abuses today.

Resolution WCC 1.53 *Indigenous Peoples and Protected Areas*, adopted by IUCN members at the 1st World Conservation Congress (Montreal, 1996), promotes a policy based on the principles of:

1. Recognition of the rights of indigenous peoples with regard to their lands or territories and resources that fall within protected areas;
2. Recognition of the necessity of reaching agreements with indigenous peoples prior to the establishment of protected areas in their lands or territories; and

3. 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.

At the request of the World Commission on Protected Areas (WCPA), IUCN's Council endorsed in 1999 "Principles and Guidelines on Indigenous Peoples and Protected Areas", in response to actions called for in Resolution WCC 1.53. In addition, several inter-governmental bodies and international agreements, as well as international conservation organizations, have adopted and promote policies that support recognition of the rights and interests of indigenous peoples in the context of biodiversity conservation and protection of the environment.

Therefore, PARTICIPANTS in the Cross-Cutting Theme on Communities and Equity and in the Stream on Governance at the Vth World Parks Congress, in Durban, South Africa (8-17 September 2003) stressing that the following recommendations shall be conducted in full partnership with the freely chosen representatives of indigenous peoples:

1. RECOMMEND governments, inter-governmental organizations, NGOs, local communities and civil societies to:
 - a. ENSURE that existing and future protected areas respect the rights of indigenous peoples;
 - b. CEASE all involuntary resettlement and expulsions of indigenous peoples from their lands in connection with protected areas, as well as involuntary sedentarization of mobile indigenous peoples;
 - c. ENSURE the establishment of protected areas is based on the free, prior informed consent of indigenous peoples, and of prior social, economic, cultural and environmental impact assessment, undertaken with the full participation of indigenous peoples;
 - d. Further ELABORATE and APPLY, in coordination with indigenous peoples, the IUCN-WWF *Principles and Guidelines on Indigenous and Traditional Peoples and Protected Areas* (available at http://www.iucn.org/themes/wcpa/pubs/pdfs/Indig_people.pdf), as well as principles that build on IUCN Resolution WCC 1.53 and which fully respect the rights, interests, and aspirations of indigenous peoples;
 - e. RECOGNISE the value and importance of protected areas designated by indigenous peoples as a sound basis for securing and extending the protected areas network;

- f. ESTABLISH and ENFORCE appropriate laws and policies to protect the intellectual property of indigenous peoples with regards to their traditional knowledge, innovation systems and cultural and biological resources and penalise all biopiracy activities;
- g. ENACT laws and policies that recognise and guarantee indigenous peoples' rights over their ancestral lands and waters;
- h. ESTABLISH and implement mechanisms to address any historical injustices caused through the establishment of protected areas, with special attention given to land and water tenure rights and historical/traditional rights to access natural resources and sacred sites within protected areas;
- i. ESTABLISH participatory mechanisms for the restitution of indigenous peoples' lands, territories and resources that have been taken over by protected areas without their free, prior informed consent, and for providing prompt and fair compensation, agreed upon in a fully transparent and culturally appropriate manner;
- j. ESTABLISH a high level, independent Commission on Truth and Reconciliation on Indigenous Peoples and Protected Areas;
- k. ENSURE respect for indigenous peoples' decision-making authority and SUPPORT their local, sustainable management and conservation of natural resources in protected areas, recognising the central role of traditional authorities, wherever appropriate, and institutions and representative organizations;
- l. REQUIRE protected area managers to actively support indigenous peoples' initiatives aimed at the revitalization and application, where appropriate, of traditional knowledge and practices in land, water, and resource management within protected areas;
- m. UNDERTAKE a review of all existing biodiversity conservation laws and policies that impact on indigenous peoples and ensure that all parties work in a coordinated manner to ensure effective involvement and participation of indigenous peoples;
- n. DEVELOP and promote incentives to support indigenous peoples' self-declared and self-managed protected areas and other conservation initiatives to protect the lands, waters, territories and resources from external threats and exploitation;
- o. ENSURE open and transparent processes for genuine negotiation with indigenous peoples in relation to any plans to establish or expand protected area systems, so that their lands, waters, territories and natural resources are preserved and

decisions affecting them are taken in mutually agreed terms;

- p. INTEGRATE indigenous knowledge and education systems in interpretation of and education about natural, cultural and spiritual values of protected areas; and
- q. ENSURE that protected areas are geared towards poverty alleviation and improve the living standards of the communities around and within the parks through effective and agreeable benefit sharing mechanisms;

2. RECOMMEND IUCN and WCPA to:

- a. FORMULATE and CARRY OUT a programme of work, with the full participation of indigenous peoples, to support their initiatives and interests regarding protected areas, and to actively involve indigenous peoples' representative authorities, institutions and organizations in its development and implementation;
- b. PROVIDE support and funding to indigenous peoples for community conserved, co-managed and indigenous owned and managed protected areas;
- c. ENCOURAGE international conservation agencies and organizations to adopt clear policies on indigenous peoples and conservation and establish mechanisms for the redress of grievances; and
- d. CONDUCT an implementation review of the World Conservation Congress Resolution 1.53 *Indigenous Peoples and Protected Areas* and the IUCN-WWF *Principles and Guidelines on Indigenous and Traditional Peoples and Protected Areas*; and

3. RECOMMEND IUCN Members to consider the establishment of an IUCN Commission on Indigenous Peoples and Protected Areas at its next World Conservation Congress.

Stream: Indigenous/Local Communities, Equity, and Protected Areas

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