



Standing firm in Odisha (India). (Courtesy Jason Taylor— the Source Project)

Whose 'Inclusive Conservation'?

Policy Brief of the ICCA Consortium

Issue No. 5

The ICCA
Consortium

Produced in collaboration with **CENESTA** and with the supplementary support of **SwedBio**

Series Sponsors: The Christensen Fund and UNDP GEF SGP



There are widely divergent views of what 'conservation' is and should be and, likewise, by and for whom it should be undertaken. The term '**inclusive conservation**' has recently been adopted by the Global Environment Facility (GEF) in its 2018-2020 programme for biodiversity financing. In this context, the ICCA Consortium proposes here a **definition** of 'inclusive conservation' and specific **recommendations for legislators, policy makers and other conservation actors** willing to pursue it.

The Brief starts with an introductory **description of ICCAs-territories of life**— crucial components in inclusive conservation systems compatible with the wellbeing of people. As nature is being diminished under the combined pressures of widespread habitat loss and degradation, pollution and climate change, and as communities are driven off their lands in great part by the same processes that are overwhelming ecosystems, it is increasingly clear that a crucial capacity for conserving nature and the wellbeing of people is the **capacity of indigenous peoples and local communities to govern and manage their territories of life**. This capacity may remain viable and even match the huge current need to regenerate ecosystems if it will receive the appropriate recognition and support it deserves... making 'inclusive conservation' as meaningful as it can be for **satisfying livelihoods** and **vibrant cultural and biological diversity** on our planet.

Conserving nature

What is 'conservation'?¹ If we ask an indigenous person or a member of a local community, we often hear a description of '**fortress conservation**'—² what governments and other powerful entities impose upon communities³ when they disregard or curtail their rights *in the name of conserving nature*. If the question is discussed more deeply,

however, another understanding often surfaces, which reflects the agency and role of communities and their concerns for, and rights and responsibilities towards, nature. This is '**indigenous conservation**'—⁴ what many indigenous peoples and local communities have been practicing for generations, applying their adaptive knowledge and skills, and negotiating, deciding and enforcing their customary laws and collective rules about access to and use of land, water and the gifts of nature. These starkly divergent views, and the wide and more nuanced spectrum that lies between them, have diverse historical roots, manifestations and legacies.

'Fortress conservation' is rooted in the control of nature by powerful elites (such as royalty and colonial masters) and tends to disregard the presence, concerns, capacities, rights and roles of communities. Today, it is still very present wherever dominant state and non-state conservation organisations and enterprises impose their rules and designate protected areas upon

'Indigenous conservation' is responsible for protecting this Ramsar site in Iran (Courtesy: CENESTA)



1 The World Conservation Strategy defines conservation as including "preservation, maintenance, sustainable use, restoration and enhancement of the natural environment" (IUCN, UNEP and WWF, 1980:18).

2 'Fortress conservation' has been described in various ways over the last two decades. See Doolittle, 2007:704-705.

3 For purposes of this brief, we use the term 'communities' to refer to 'indigenous peoples and local communities' and 'indigenous conservation' to refer to 'conservation self-determined by indigenous peoples and local communities'.

4 See Note 2.

non-consenting peoples and communities.

'Indigenous conservation', on the other hand, is self-determined, rooted in local contexts, and has led to sustaining and conserving innumerable **territories of life** throughout the world. There are as many names as there are languages for the territories and areas cared for and maintained by 'indigenous conservation'—*wilayah adat*, *agdal*, *qoroq*, *comunales*, *hima*, *territorios de buen vivir*, umbilical forests, *tagal*, *faritra ifempivelomana*, ancestral domains, conservancies, *territorios autonomos comunitarios*, *kawawana*, sacred lakes, vital migratory routes, village forests, pastures and fisheries, and many more. To

Mapping the autonomous territory of the Wamapio Nation—1,370,000 hectares in the Peruvian Amazon (Courtesy the Wamapio Nation)



communicate about all of them in cross-cultural situations, the ICCA Consortium has been using the umbrella term 'ICCAs' or, more recently, '**ICCAs—territories of life**'.

ICCAs—Territories of Life

'ICCAs—territories of life' refers to an age-old, widespread, diverse and dynamic phenomenon: **territories and areas conserved by indigenous peoples and local communities**. Well-defined 'ICCAs—territories of life' exist wherever:

- ▶ There is a **close and deep connection** between a territory or area and an indigenous people or local community. This relationship is generally embedded in history, social and cultural identity, spirituality and/or people's reliance on the territory for their material and non-material wellbeing.⁵
- ▶ The custodian people or community makes⁶ and enforces decisions and rules (e.g., access and use) about the territory, area or species' habitat through a **functioning governance institution**.⁷
- ▶ The governance decisions and management efforts of the concerned people or community contribute to the **conservation⁸ of nature** (ecosystems, habitats, species, natural resources), as well as to **community wellbeing**.⁹

Territories and areas across diverse contexts and regions demonstrate to varying degrees¹⁰ these **three key characteristics**, and their community custodians have voiced their importance, calling for those to be maintained and strengthened.¹¹

5 The custodian indigenous people or community may or may not physically reside in the territory, although the vast majority of ICCAs are inhabited and regularly used by their custodian communities. Notably, there are diverse views regarding what an ICCA is vis-à-vis the entire territory of an indigenous people or the collective customary lands, waters and other gifts of nature to a community. For some, there is no distinction between an ICCA and an entire territory or collective customary lands, waters and other gifts of nature to a community. For others, an ICCA is one or more special places within such a territory, where special rules apply. The two views are largely compatible, and diverse understandings are an asset, rather than a problem, as long as the concerned community is informed, aware, able to discuss matters freely and capable of reaching an internal consensus.

6 Decision-making may be through a process of negotiation with other key actors.

7 The existence of the ICCA and the legitimacy of its governing institution and rules may or may not be recognised in statutory law of the relevant country. The important condition, however, is that they function de facto. In some cases, the governing institution may have been overpowered by other authorities or interests but may still be able to revive itself under propitious conditions.

8 'Conservation' is here understood as explained in note 1, where some increasingly stress the capacity of custodians to restore and regenerate nature.

9 Many custodians do not distinguish between the conservation of nature and community well-being. Distinguishing between them, or, worse, setting them in opposition to one another, may legitimise imposed conservation and undermine the social relations and cultural norms that have successfully conserved nature through time.

10 Borrini-Feyerabend and Campese (2017, page 12) discuss the distinction among 'defined', 'disrupted' and 'desired' ICCAs.

11 Borrini-Feyerabend et al., 2010; Kothari et al., 2012.



Women in Burkina Faso have strong opinions about why nature should be conserved. (Courtesy Grazia Borrini-Feyerabend)

ICCAs do not meet the IUCN definition of '**protected area**'.¹³ However, when the territories are conserved *de facto*, regardless of their motivations, they can be considered '**conserved areas**'.¹⁴ There are also contested cases, e.g., where the objectives of a community do not match the conservation objectives of other concerned actors. In such

cases, diverse bundles of rights and interests may need to be reconciled or adjudicated through a fair process.

ICCAs—territories of life are associated with an enormous variety of **governance institutions**, from committees of elders to village assemblies. They likewise exhibit widely varying **management approaches**, from seasonal migration to rotational farming. In turn, diverse governance institutions and management approaches have generated, shaped and kept alive unique forms of **biological and cultural diversity**. They support conservation while contributing to livelihoods, social and spiritual wealth and identity and pride for the concerned communities.

Some communities govern and manage their ICCAs—territories of life with the **explicit intention** to conserve nature and thus maintain the long-term wellbeing of both humans and non-humans.¹² For others, an explicit conservation objective is not needed, as the survival and productivity of nature, the reproduction of the community and life itself are **implicit values**. Rather, they may be explicit about protecting spiritually or culturally significant places, securing the natural resources needed to sustain livelihoods, or preventing disasters. When there is no explicit conservation objective,

ICCAs—territories of life are perceived by communities as their own **living heritage**, embodying identity and culture, autonomy and freedom, livelihoods and continuity of life. In their ICCAs—territories of life, indigenous peoples and local communities generate knowledge and transmit it through generations, identify values and name what is vital to their wellbeing and what they consider sacred. In them, they find links between their history and their desired future, connections between visible and invisible realities. With them come spiritual, social and material wealth, dignity, self-determination and the demonstrated capacity to sustain a significant part of our planet's biological and cultural diversity. **This demonstrated capacity to care for, maintain and regenerate nature underpins and adds meaning to community territorial rights and responsibilities.** It also supports the arguments of communities who sustainably manage their territories today to assert such rights and responsibilities in the future.

¹² Examples include many communities in India (see e.g. Pathak Broome, 2009).

¹³ Dudley, 2008.

¹⁴ The Convention on Biological Diversity refers to those as "other effective area-based conservation measures". See Borrini-Feyerabend and Hill, 2015; Jonas *et al.*, 2017 and references therein.

Challenges

Huge expanses of forests, wetlands, oceans, mountains and pastures are still cared for and conserved by indigenous peoples and local communities in territories of life throughout the world.¹⁵ The forest peoples of India and Indonesia, wetland peoples of the Amazon and Congo basins, peasants of Laos and Colombia, forest commoners in Spain, traditional fishers of the Pacific and indigenous pastoralists of Morocco and Iran still maintain precious knowledge and skills, live in and with nature and are its primary custodians. But they all face enormous challenges.

Nature is everywhere in retreat in the face of expanding large-scale industrial developments, such as logging and mining, oil and gas extraction, industrial fishing, tree and crop monocultures, major water diversion and urbanisation and infrastructure projects, all of which have devastating impacts on local socio-ecological systems. Climate change adds to, and complicates, all this. **Cultures are also in retreat** in the face of diversity-flattening influences, from formal education to mass communication, from evangelisation to the penetration of commercial interests in the remotest corners of the world. In addition, much national legislation and policy actively disempowers the local institutions

that used to govern and manage land, water and natural resources.¹⁶ Further, while the 20th century saw an impressive growth in the number and coverage of protected areas worldwide,¹⁷ formal protected areas are insufficient for stopping biodiversity loss¹⁸ and remain at the mercy of political will and budgetary allocations. Importantly, many protected areas have been created *in toto* or in part over pre-existing ICCAs—territories of life. Often, this has disrupted or displaced pre-existing governance systems

The indigenous peoples of Brazil demonstrate great courage in resisting damage to their territories of life. (Courtesy: Conselho Indigenista Missionário, Brasil)



that could have continued to play their invaluable conservation roles, particularly with appropriate recognition and support. This **legacy of misunderstanding and injustice requires redress and reconciliation.**¹⁹

15 See Garnett *et al.*, 2018 and Corrigan *et al.*, 2018.

16 See Jonas *et al.*, 2012. The disempowerment has sometimes origin in colonial rules (e.g. the Forest Act of India of 1927, which nationalised forests governed as common property by local institutions, criminalising local decisions and forest uses) or postcolonial state governance (in Peru, the revised 1993 Constitution (Art. 89) eliminates the prior standing inalienability of indigenous communities' lands, the Natural Protected Areas Law of 1997 (Art. 22) transforms "communal reserves" into "natural protected areas" and replaces community governance by governance by a government agency; the Forestry and Wildlife Law of 2011 imposes restrictions and requirements on native communities curtailing their autonomy). The phenomenon continues to our days (see the Spanish Law of 27 December 2013 for the Rationalisation and Sustainability of the Local Administration).

17 UNEP-WCMC and IUCN, 2016.

18 Secretariat of the Convention on Biological Diversity, 2014.

19 Stevens *et al.*, 2016a and 2016b.

Defending territories of life

Despite the huge challenges and meagre recognition and support provided to territories of life, indigenous conservation is very much alive. **Indigenous peoples and local communities are active as both custodians and defenders of their territories of life, and particularly so in the face of undesired, destructive appropriation and 'development'.**

Coastal communities in the south of Senegal and Madagascar organise against industrial trawling and other damaging fishing operations. Batwa communities in the Democratic Republic of Congo struggle to keep their land free of foreign mercenaries and loggers. Indigenous pastoralists in West and Central Asia ally themselves with wildlife as they defend migratory routes from disruption by dams and expanding agricultural projects. Communities in Hawai'i, India and Indonesia resist promises of economic perspectives and jobs and affirm their col-

lective rights and pride in their direct relation to territories and nature. Communities in Namibia and Tajikistan resist conversion of wildlife habitats and maintain various forms of sustainable use. Indigenous peoples in the forests of Peru and the Philippines fight against illegal mining and palm oil plantations. So many communities, from Honduras to Mongolia, find in their collective connection to the land **the courage to defend their rivers, forests and sacred sites even at the cost of their lives.**²⁰ It is that courage, together with local, traditional knowledge and capacity to care, that has been nourishing indigenous conservation all over the world.

The collective work of **hundreds of thousands of caretaker communities defending their territories of life, using them sustainably, regenerating and restoring them and enriching their habitats and biodiversity is the**

inescapable backbone of achieving any ambitious target for conservation and sustainable development.

Yet, despite innumerable examples and a growing body of evidence,²¹ this reality has long been neglected in conservation circles.²² It remains an area in need of dedicated attention, analysis and re-thinking.



The Penan, Kenyah, Kelabit and Saban peoples have set up the Baram Peace Park the Malaysian federal state of Sarawak to prove that environmental protection, economic prospects and indigenous rights are compatible and mutually supportive. (Courtesy Bruno Manser Fonds)

20 Global Witness, 2017; Global Witness, 2018.

21 See notes 15 and 20.

22 Some would say inexplicably neglected. Others would say that neglect is explicable by the desire to maintain control.

Whose 'inclusive conservation'?

The term '*inclusive conservation*' is increasingly being used in international forums to discuss the need to include indigenous peoples and local communities in the conservation efforts of state and non-state actors, presumably in attempt to remedy the failures of top-down '*fortress conservation*'. Its growing prominence can be seen in the lead up to the 14th Conference of the Parties to the Convention on Biological Diversity (CBD) (COP 14) in 2018,²³ and in its inclusion in the 2018-2022 Global Environment Facility (GEF) funding programme.

This attention to inclusiveness has the potential to generate significant opportunities for 'indigenous conservation' and ICCAs—territories of life. At the same time, the very term 'inclusive conservation' may be interpreted as top-down or even paternalistic, in parti-

cular when conveying the idea of state and non-state conservation actors 'including' indigenous peoples and local communities in their work.

The ICCA Consortium believes that inclusion should be viewed the other way around. It is **the custodians of ICCAs—territories of life**, the concerned indigenous peoples and local communities, **who should decide whether and how to include others as supporters in their own conservation endeavours**. In other words, the key question about inclusive conservation should be: under what conditions are custodian indigenous peoples and local communities open to including others—such as governmental agencies and large conservation organisations – in supporting roles for their own conservation efforts?²⁴

'Inclusive conservation' in the Global Environment Facility

Since 2004, the Parties to the UN CBD have recognised ICCAs and other forms of community conservation in multiple decisions, and some have taken important strides to implement these decisions within their countries. The Trust Fund of the Global Environment Facility (GEF) is the main financial mechanism for implementing the CBD and, as such, could be an important source of financial support for ICCAs—territories of life.

In June 2018, the GEF Assembly adopted the programme for its 7th replenishment (GEF-7) for the period of 2018-2022.²⁵ Biodiversity is one of five focal areas in **GEF-7** and **"inclusive conservation" is one of its program areas**. Although GEF-7 does not define this new term,²⁶ a short section on inclusive conservation in the program document recognises indigenous peoples' and local communities' "role as stewards of the global environment",²⁷ noting that their territories contain an estimated 80% of the world's biodiversity and cover nearly 25% of the world's surface. In the same section of the GEF-7 program document, GEF commits to building on the foundation of previous support for indigenous peoples and local communities (IPLCs), including through the Small Grants Program (SGP) and full- and medium-sized projects, to "work with indigenous peoples and local communities, national governments, NGOs, and others to strengthen the capacity of IPLCs to conserve biodiversity".²⁸ The document continues by stating that: "GEF

23 Notably ways of understanding "inclusive conservation" were discussed at the UN Permanent Forum on Indigenous Issues, in April 2018, and in meetings and events organised in 2018 by the IUCN, WWF, WRI and other conservation organisations.

24 Cfr. the capacity of effective resource management institutions to include some and exclude others from accessing and using natural resources (Ostrom, 1990).

25 GEF/A.6/05/Rev.01.

26 Notably, the use of "inclusive conservation" in GEF-7 and the present brief is distinct from its use in academic debates about the inclusion of diverse perspectives and values in nature conservation (see Tallis *et al.*, 2014). It is understood that there may be "many different conservations" (Matulis and Moyer, 2016) involving many different actors. However, "inclusive conservation" as used in GEF-7 and this brief focus specifically on conservation by indigenous peoples and local communities.

27 para. 66, Annex A, GEF/A.6/05/Rev.01

28 para. 67, Annex A, GEF/A.6/05/Rev.01

projects funded with the regional/global set -aside will focus in geographies where IPLC territories that are home to globally significant biodiversity, and that may also include important carbon stocks, are under threat". Finally, it notes that: "Project investments will focus on: Site-based conservation and sustainable use; Sustainable financing of IPLCs-driven conservation; and Capacity development for IPLC organisations and integration of diverse knowledge systems to achieve conservation and sustainable natural resource management outcomes".



The Karen people of Burma defend the territory of life they have named Salween Peace Park. (Courtesy HESAM)

territories and areas. They should never be treated as mere recipients, beneficiaries or stakeholders of initiatives conceived and carried out by others. Rather, they should be allowed to analyse their own circumstances and devise their own visions and plans. Conservation of their territories and areas should be in accordance with their own decisions, carried out meaningfully and purposefully, with the assistance of supporters of their own choosing.

This understanding draws on the experience

In the context of GEF-7 and related conservation programs, the ICCA Consortium recommends that **'inclusive conservation'** be understood as conservation where **indigenous peoples and local communities are the key actors governing, managing and conserving their lands, waters and other gifts of nature** and, as necessary and desired, **invite others to collaborate with and support them on community-defined terms.**²⁹

Indigenous peoples and local communities have unique rights, responsibilities, laws, knowledge, capacities interests, concerns and values in relation to their specific

of failed initiatives of the past, such as the many 'integrated conservation and development projects'³⁰ that were anything but integrated and that failed to respect communities as conservation actors, or 'community-based conservation' projects that failed to respect rights and responsibilities.³¹ It also draws on cases of successful conservation and sustainable and satisfying livelihoods in ICCAs—territories of life.³² Many such **emblematic ICCAs** have the **capacity to inspire** other communities, policy makers and positive leaders.³³

²⁹ A key point here is to distinguish between rights-holders (e.g., the indigenous peoples or local communities active as custodians of the relevant territory) and stakeholders with relevant concerns (e.g., neighbouring communities, governmental agencies and conservation organisations and enterprises).

³⁰ Examples in Wells *et al.*, 1998; Wishusen *et al.* 2002; McShane and Wells 2004.

³¹ Stevens, 2014:61, 64. See also Wishusen *et al.*, 2002.

³² See Borini-Feyerabend *et al.*, 2010.

³³ Search www.iccaconsortium.org for 'emblematic ICCAs'.

A shared vision, and ideas about achieving 'inclusive conservation'

If 'inclusive conservation' is to fully unleash its potential and properly address the content and dimensions of current conservation challenges, it needs to match both the complexity of the issues and the magnitude of the problems. Fortunately, it can build upon the capacities, resources and goodwill that remain – or could be re-awakened – in indigenous conservation approaches throughout the world.

Drawing on the work of its Members and other organisations, the ICCA Consortium has noted a broadly shared vision among many indigenous peoples and local communities across all regions: **regaining, or retaining, collective control over their territories of life in order to govern and manage them effectively and sustainably.**³⁴ Underpinning that, are also several remarkably common aims: conserving nature, because this is what communities *want* to do, not because of any external imposition; engaging in sustainable livelihood practices to maintain their territories for themselves, other beings and future generations ('**sustainable self-determination**'³⁵); and welcoming appropriate support, on their own terms, to maintain and enhance their capacities to govern and manage their territories of life.

To match the complexity of the issues, anyone aiming to support inclusive conservation should advance approaches and initiatives carefully tailored to contexts and conceived and run by the directly concerned rights-holder custodians. Accordingly, the ICCA Consortium has been facilitating **self-strengthening processes grounded in mapping, inventories and self-documentation of ICCAs—territories of**

life and communities' own rules, protocols, institutions and values.³⁶ The Consortium is also ready to help strengthen the capacities of agencies and organisations invited to support communities engaged in such processes.

To match the magnitude of the problems, **self-strengthening processes** should take place in all world regions, **wherever indigenous peoples and local communities assert rights to their territories, lands and waters.** Ideally, this would engage hundreds of thousands of communities³⁷ in billions of hectares³⁸ of conserved territories of life.

Together with local work tailored to the local context, it is also important to understand the national policy, legal and institutional contexts and advocate for their meaningful improvement and implementation. Accordingly, the ICCA Consortium has supported the **development and strengthening of national ICCA networks, such as working groups, coalitions and federations** uniting the custodians of ICCAs—territories of life, as well as their supporters, partners and friends. National networks should **engage in analyses and advocacy towards meaningful legal and policy reforms** and secure collective rights and responsibilities for true inclusive conservation in territories of life.

A crucial test of inclusive conservation— if indeed communities, governments and conservation agencies have the intention and capacities to pursue it— will be whether ICCAs overlapped by protected areas, where diverse worldviews and diverse understandings of 'conservation' often apply, are appreciated and

34 See <https://www.iccaconsortium.org/index.php/movement/vision/>

35 Cortassel, 2008.

36 Borini-Feyerabend and Campese, 2017; Alden Wiley, 2018.

37 Members from 79 countries (as of October 2018) unite in the ICCA Consortium to promote appropriate recognition and support to ICCAs—territories of life. The ICCA Consortium has been expanding its activities throughout the world, and it has seen a steady growth in membership of 20% a year since its founding in 2008.

38 Alden Wiley, 2011. See also Rights and Resources Initiative, 2015.



A bond of solidarity among people and with the environment is positive for both nature and community wellbeing. (Courtesy TICU)

appropriately recognised and respected.³⁹ An appropriate practice of inclusive conservation should level the playing field for dialogue and negotiations, offer meaningful support and spare communities and others from ongoing conflicts. This is particularly important where ICCAs

are not recognised by governments or where there are ICCAs in contentious overlaps with protected areas. Embracing and practicing this type of inclusive conservation could be the saving grace for many ICCAs—territories of life under serious jeopardy today.

Towards inclusive conservation in policy, law and practice

In line with grassroots analyses of many ICCAs—territories of life carried out over several years, and with the aim of supporting communities, the ICCA Consortium has distilled recommendations

for legislators, policy-makers and conservation practitioners who desire to **participate in inclusive conservation at the invitation of custodian communities**. These are summarised in Tables 1 and 2 below.

39 Stevens *et al.*, 2016.

Table 1. Recommendations for supportive policies and legislation

- ▶ Incorporate the **principles of international conservation and human rights law, policy and guidance**, including ILO Resolution 169, CBD decisions, the UN Declaration on the Rights of Indigenous Peoples, and IUCN policies on human rights-based conservation, as well as the Declaration of the Rights of Peasants and Other Persons Working in Rural Areas to be voted on by the UN General Assembly in December 2018;
- ▶ **Respect and appropriately recognise ICCAs – territories of life and their conservation contributions**, including when they entirely or partially **overlap with protected areas**;⁴⁰
- ▶ **Respect the diversity and autonomy of the community institutions** that, by governing and managing their ICCAs—territories of life, have effectively conserved nature and sustained livelihoods; recognise that those institutions come in a variety of shapes and forms and can be accommodated in a pluralist legal approach; recognise that interfering with such institutions risks destroying their vitality and effectiveness for conservation;
- ▶ Officially recognise and support ICCAs— territories of life through **a variety of legislation and policies** (e.g., innovative laws for protected and conserved areas, decentralisation policies, and laws recognising indigenous peoples' rights) on the basis of lessons learned from experience;⁴¹
- ▶ Embrace in conservation legislation and policy **the full spectrum of management categories and governance types**⁴² for protected and conserved areas as described by IUCN and CBD in recent publications;⁴⁴
- ▶ Identify "**governance by indigenous peoples and local communities**" as a distinct governance type for both protected and conserved areas, applicable to all management categories;⁴⁵
- ▶ Foster **coherent, effective and equitable conservation systems that include both protected areas and conserved areas** and highlight the comparative advantages of diverse actors, the benefits of ecological connectivity, and the positive contributions of mechanisms that promote communication, accountability and conflict management;
- ▶ Ensure that revenues and other **benefits** generated from ICCAs—territories of life are not expropriated, diverted or unduly taxed, but rather **flow back into the conservation practices and livelihood security of the concerned communities**;
- ▶ **Protect communities from unwanted intervention by external interests** and promote equity in case of benefit-sharing schemes, including by requiring the full and effective participation of indigenous peoples and communities in decisions that affect them and their right to give or withhold free, prior and informed consent (FPIC) for proposed activities, as defined and controlled by the concerned communities;
- ▶ Make and implement provisions to address past injustices via the **restitution of rights**, access and capacity to fulfil responsibilities regarding **territories, lands and waters** taken from indigenous peoples and local communities without their FPIC and agreed compensation;
- ▶ Adopt the ICCA Consortium's understanding of '**inclusive conservation**' in **CBD post-2020 policy and action frameworks** and as inspiring demonstration of many **UN Sustainable Development Goals**.

40 See the relevant guidance in IUCN World Conservation Congress 2016. Resolution 6.030 (which cites earlier policies) and CBD COP13 Decision XIII/2 (para.7). More is available regarding recognition and respect for the use, management and protection of sacred sites, including in protected areas (e.g., see Wild and McLeod, 2008).

41 Examples from diverse countries are examined in CBD ICCA Country Case Studies (here: <https://www.iccaconsortium.org/index.php/category/publications-en/cbd-ts-64-en/>) and in ICCA legal reviews (here: <https://www.iccaconsortium.org/index.php/category/national-local-en/legal-reviews-en/>).

42 In each of these diverse management categories, there are different conservation objectives.

43 In each of these diverse governance types, different actors, or combinations of actors, hold authority and responsibility and are accountable for the territory or area at stake.

44 See for instance, Dudley, 2008; Kothari *et al.*, 2012; Borini-Feyerabend *et al.*, 2013.

45 See Dudley, 2008 and Borini-Feyerabend *et al.*, 2013.

The ICCA Consortium encourages indigenous peoples and local communities engaged in caring for and defending their territories of life to assert their indigenous conservation visions, plans and priorities



In Guatemala, the ancient institution of the 48 cantons of Totonicapán has conserved for centuries its huge forest in the watershed of Lake Atitlán (Courtesy Grazia Borrini-Feyerabend)

and— where relevant— to welcome other communities, agencies and/or organisations willing to support them and work side-by-side with them.

The ICCA Consortium also calls upon governmental agencies and conservation and development organisations to redefine their roles, retool and reskill themselves and collaborate respectfully with communities to:

- ▶ promote and support the collective governance and sustainable management of their territories of life;
- ▶ prevent their disempowerment and displacement from their territories of life;
- ▶ ensure the conditions for sustainable livelihoods in their territories of life; and
- ▶ strengthen their resolve for indigenous conservation in as many territories of life as possible.

Table 2. DOs and DON'Ts for supporters of 'inclusive conservation'

DOs	DON'Ts
Adopt a historical perspective in conservation , i.e. understand how and by whom the ecological values in any given locality were created, maintained and/or possibly damaged and impeded	Never take a conservation action before understanding how the socio-ecological situation has evolved and is related to cultural and political settings in any given locality
Emphasise that ICCAs— territories of life are living links between biological and cultural diversity , stressing history, ancestral territories, and cultural identity, as well as their continuing evolution, adaptation and emergence	Do not overtly or implicitly promote cultural uniformity, intolerance, ethnic disrespect, or any type of discrimination or prejudice against 'the others'
Respect and strengthen local, traditional knowledge , protect it against piracy and misuse, and facilitate its evolution in complementary partnership with other forms of knowledge, in particular to fill gaps and address power inequities	Do not impose external or 'scientific' ways of understanding and solving problems ; do not undermine customary approaches and values that provide effective contributions to conservation
Help to identify and document ICCAs— territories of life and help them to be better known and appreciated	Do not research, document or diffuse information about ICCAs— territories of life without the FPIC of the relevant community
Recognise and respect the local institutions that govern (or could govern) conserved territories through unique cultural processes and rules, and enable positive solutions in cases of ICCAs overlapped by protected areas or other situations where local institutions were undermined or displaced	Do not undermine or displace functioning local governance institutions or impose new institutions upon endogenous bodies and rules, in particular in case of ICCAs— territories of life overlapped by protected areas

Provide support and back-up to communities engaged in identifying their own problems or opportunities and deciding for themselves how to address them	Never impose upon a community a project conceived, initiated or solely supported by others or addressing problems and opportunities only of concern to others
Help prevent and mitigate threats, including by conferring a desired special status —e.g., as a conserved territory, 'no-go area' for destructive activities, ecologically important area, or part of a national system of protected and conserved areas— while stressing both the FPIC of custodian communities and the need to maintain their collective governance responsibility towards nature	Do not impose protected area status or any other special status on conserved territories without the FPIC ⁴⁶ of the relevant communities as decided and controlled by them
Provide coherent support to communities enforcing their own conservation regulations , including to apprehend violators and have them judged and sanctioned in fair and consistent ways	Do not leave communities to carry the full burden of surveillance and enforcement efforts , in particular when the ICCA rules match and enforce state rules
Assist communities to gain formal recognition of their collective rights and responsibilities for their territory, land, water, and bio-cultural resources, including by supporting their claims (property, custodianship, use...) through maps, demarcation and records highlighting where historical injustices have taken place	Do not acquiesce when rights and responsibilities to land, water, and biological and cultural diversity have been violated or ignored, do not neglect ICCAs—territories of life that overlap with protected areas and seek some form of recognition on their own right
Strengthen national laws and policies that recognise indigenous peoples and local communities as legal actors possessing collective rights to land, water and natural resources	Do not neglect communities in state legislation (e.g., by recognising only individuals, corporate actors or state agencies as legal subjects) nor fail to appropriately acknowledge their collective rights and responsibilities
Provide means for constructive self- or joint-assessment and evaluation of conservation initiatives by the relevant community, focusing on outputs and impacts for conservation, livelihoods, governance, and social, cultural and spiritual values	Do not evaluate conservation initiatives without the full engagement of the concerned communities or solely or mostly in terms of compliance with external expectations about their processes (e.g., regarding rules, plans, types of institutions)
Support communities to self-assess and strengthen the quality (e.g., accountability, effectiveness, equity) and vitality (e.g., integration, connectivity, wisdom, innovation) of governance of their territories of life	Do not impose governance evaluation methods, processes and indicators conceived from outside
Provide assistance in technical aspects of management , if required and sought by the community, through respectful, cross-cultural dialogue among different knowledge holders, including mutual validation where necessary	Do not impose management objectives, legal categories, or technical expertise that undermine local meaning and values; do not validate traditional knowledge by 'scientific' knowledge as a one-way process; do not impose management effectiveness evaluations
Help support local sustainable livelihoods and community wellbeing , including via activities both linked and not linked to the conservation of nature	Do not formally recognise ICCAs- territories of life in ways that diminish local livelihoods and wellbeing , nor support development that in the short or long run may undermine these (e.g., inappropriate tourism, initiatives that see nature and culture as commodities...)

46 All implications of establishing a protected area should be discussed in advance. Doing so is both complex and critical

Provide or strengthen community-determined socio-cultural, political, and economic incentives for conserving ICCAs—territories of life, while seeking to maintain their independence and autonomy	Do not displace or undermine existing community motivations for supporting their territories of life or make those primarily dependent on outside economic incentives
Assist communities in obtaining economic support for their conservation activities if required and desired by the community	Do not ‘use’ communities to obtain funding that will primarily serve interests extraneous to the community
Provide special support to young people, women and knowledge holders contributing to governing and managing ICCAs— territories of life	Do not support environmental or other educational programs that neglect local knowledge and capacities for conservation or ignore ICCAs—territories of life
Facilitate locally relevant, culturally-sensitive health and education services that incorporate local languages and knowledge about territories of life	Do not impose or support health, education or other services that are culturally insensitive, irresponsible to local contexts and livelihoods, and/or disruptive of local identities
Promote values of community integrity and solidarity and environmental awareness and care (e.g. by grassroots discussions, study groups, exchange visits)	Do not promote private interests and the accumulation of individual power as positive values and in opposition to community values
Support networking among ICCAs—territories of life for mutually beneficial learning and empowerment	Do not overwhelm any ICCA with external attention nor treat them as unique phenomena
Support respectful alliances among indigenous peoples, local communities, human right advocates, academics and development and conservation practitioners	Do not position local , culture-based rights, responsibilities and values against broader human rights, responsibilities and values , including development and conservation aspirations
Recognise conflicting interests while supporting conflict prevention and redress , and foster efforts at reconciliation that respect communities and their territories of life	Do not exacerbate conflicts within and among communities or between communities and external actors and interests

As nature is being diminished under the combined pressures of widespread habitat loss and degradation, pollution and climate change, and as communities are driven off their lands in great part by the same processes that are overwhelming ecosystems, a crucial capacity for conserving nature and the well-being of people is the **capacity of indigenous peoples and local communities to govern and**

manage their territories of life. This capacity **may remain viable** and even **match the huge current need to regenerate ecosystems** if it will receive the appropriate recognition and support it deserves... making ‘inclusive conservation’ as meaningful as it can be for **satisfying livelihoods** and **vibrant cultural and biological diversity** on our planet.



...vibrant biological diversity...(Courtesy Olivier Hamerlynck)

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A fisherman explores a locally-managed marine area, in Fiji—a typical example of customary community conservation in the Pacific. (Courtesy: Victor Balboa)

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Citation Farvar, M. T. and G. Borrini-Feyerabend, J. Campese, T. Jaeger, H. Jonas and S. Stevens, 2018. *Whose 'Inclusive Conservation'? Policy Brief of the ICCA Consortium no. 5. The ICCA Consortium and Cenesta. Tehran.*

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Note The views expressed in the Briefing Note do not necessarily reflect those of all the Members or Partners of the ICCA Consortium.

Policy Brief of the ICCA Consortium

Issue No. **5**

Produced in collaboration with CENESTA and with the supplementary support of SwedBio
Series Sponsors: The Christensen Fund and UNDP GEF SGP

The ICCA
Consortium

