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IUCN's 2008 World Conservation Congress (Barcelona, Spain 5-14 October) brought together over 8000 people from IUCN member organizations, commissions, secretariat, indigenous and local communities, UN Agencies, private businesses and other organizations. The Forum (6-9 October) was organized into twelve thematic Journeys, including the Rights and Conservation Journey, to help guide participants.

The Rights and Conservation Journey explored the many and complex relationships between human rights and natural resource/ biodiversity conservation. This included looking at how positive synergies between conservation and rights can be harnessed, and how we can better ensure that conservation respects human rights in all cases.

The journey consisted of more than 30 events, including workshops, knowledge cafés, and learning opportunities. Through these diverse events, participants grappled with the challenges and promises of embracing rights as a core consideration in conservation. Core questions included: What are rights-based approaches, and what tools and methods can support them? How can rights issues be practically integrated in the work of field practitioners?

This report summarises the journey, with an emphasis on key messages and recommendations, so that the conservation community and partners can further advance the pursuit of effective, equitable, and just conservation.

Report prepared by  
Jessica Campese and Gonzalo Oviedo  
with Robert Fisher, Thomas Greiber, Armelle Guignier, and Sudeep Jana

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## 2 Y H U Y L H Z

The IUCN World Conservation Congress (WCC) is among the world's largest and most important conservation events, and a central decision making institution in the IUCN governance system. The 2008 WCC (Barcelona, Spain, 5-14 October) brought together over 8000 individuals from IUCN member organizations, Commissions, Secretariat, indigenous and local communities, UN Agencies, private businesses, and others. The Congress Forum was structured around three core streams: Safeguarding the diversity of life; Healthy environments - healthy people; and a New climate for change. To help participants take full advantage of the range and richness of issues, IUCN also identified 12 thematic Journeys. One of these was a - R X U Q H \ R Q 5 L J K W V & R Q V H U Y D W L R Q Z K L F K O L Q N H G R Y H U P H P E H U F R P P L V L R Q D D G G U H V V H G U L J K W V L V V X H V L Q F R Q V H U Y D W L R Q

Conservation impacts and is impacted by the state of human rights. Conservation can contribute to the realization of many human rights, from water and health to life itself. Respect and realization of rights also helps create an enabling environment for effective conservation, e.g., by securing long term access to the lands and resources people use and manage. However, there are often difficult trade-offs between conservation and rights objectives, and conservation has too often led to rights infringements, including in cases of under-compensated or involuntary economic or physical displacement. Conservation and natural resource management are also important dimensions of addressing the human rights impacts of climate change and its mitigation.

Given this complexity, it is not surprising that questions regarding rights-conservation linkages remain relatively unexplored and often contested. The time has come to address these linkages. The conservation community and its partners need, among other things, better understanding of the issues, more information on the options, better tools and methods, and more opportunities for action. *Our aim was for the Rights and Conservation Journey, and its outcomes, to contribute to this endeavour.* Among the many questions grappled with in this Journey were:

- What are the key relationships between conservation, rights, and responsibilities?
- How can we help ensure that conservation respects rights in all cases, and that wherever possible further rights realisation and positive synergies are realised?
- Do rights issues provide only social benefits/safeguards? For whom?
- Can addressing rights issues also enhance conservation outcomes?
- Are there potential costs in considering rights? For whom?
- What are the rights implications of climate change and other global environmental challenges, and how can conservation help respond to these challenges?
- What are rights-based approaches to conservation, and what tools and methods can support them?
- How can rights issues be effectively and practically integrated in the work of field practitioners?

The presentations and conversations throughout the Journey confirmed and further demonstrated that rights and conservation are often closely linked, in diverse and complex ways. A clear message was that the conservation community has opportunities, and obligations, to address these links. By understanding and addressing the rights-dimensions of conservation of biodiversity and natural resources, and the rights-dimensions of failure to conserve them, we can help ensure better governance, greater equity in processes and outcomes, and in many cases enhanced conservation effectiveness. What was also abundantly clear, however, is that the Q D W X U H V F R S H G L U H F W L R Q D O L W \ D Q G S U D F W L F D O L D U H I D U I U R P V W U D L J K W I R U Z D U G

Overall N H \ P H V included:

- Rights and responsibilities are inextricably linked, though the nature of the relationships between them is an issue requiring further dialogue and consensus.
- Environmental rights (including the rights of nature and human rights to a healthy environment) and the

There are tensions between market-based and rights-based conservation approaches, as well as potential synergies. Market based schemes must also ensure respect for rights, including those of the most vulnerable.

Climate change poses major human rights challenges, including an immediate and pressing global justice (intra-generational) dilemma. Adaptation must happen now, especially for the most vulnerable.

Climate change mitigation schemes must also be carried out in ways that respect human rights (including in the context of Reduced Emissions from Deforestation and Forest Degradation (REDD), biofuels, hydroelectric power generation, and others).

Rights (including tenure, resource, cultural, self-determination, and development rights) are a key component of comprehensive, effective, and equitable protected area (PA) governance. While many positive examples can now be shared, rights infringements in the context of PA establishment and management continues to be a pressing concern.

Secure procedural and substantive rights (including land and natural resource access rights) can help ensure effective ecosystem management, and in return effective ecosystem management can help support substantive rights realization.

Rights based approaches to conservation present a potentially powerful framework for integrating rights issue in conservation... but much further work is needed to clarify and operationalise these approaches, including understanding what the costs and

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Conservation and rights have many, complex linkages.







627		Arab Group for the protection of nature
837	How to build support for grassroots environmental stewardship	Global Greengrants Fund



The human right to a healthy and safe environment, and rights of species and the environment itself, should remain critical considerations for the conservation community, though rights of the environment and nature may be particularly difficult to operationalise.

Climate change is already impacting the enjoyment of human rights, and will likely continue to do so, particularly for more vulnerable peoples and countries. However, equitable and sustainable natural resource management can contribute to climate change mitigation and adaptation, including helping to increase people(s)' and ecosystems' resiliency.

There can be conflicts between rights-based and market-based approaches, particularly where market-based conservation activities are carried out in weak governance contexts; market-based approaches to conservation should include proactive measures to ensure respect for rights.



do so. But are non-state actors responsible only for respecting rights? Or do they have obligations to protect and help fulfil rights? Under what circumstances, and with what resources? These questions were raised in more and less explicit ways throughout Journey events.

A perhaps more contested issue was the nature and scope of rights-holders' responsibilities. Many expressed the position that individual and collective rights to resource use/ access are limited by corresponding responsibilities for sustainable use. Linking rights and responsibilities in this way can help ensure balance between competing interests. At the same time, as rights are inherent and inalienable, it is not by virtue of a corresponding responsibility that one possesses a right, including rights to resource access or use. This is not to say that humans possess an unequivocal right to use resources in any manner we choose. This is rather an argument focused on rights as fundamental, minimum standards for lives for human dignity, which cannot be 'traded-off', even where there are conflicts between the interests of nature conservation and human wellbeing. In other words, there may be laws or necessary restrictions to which all people must adhere, but the right is possessed by the individual independent of such rules. Conceived of in this way, the focus may shift from linking responsibilities of rights-holders in where or how they use resources, to ensuring that, even where restrictions in resource use or access must be made to ensure long-term sustainability, basic rights must still be fulfilled.

Several Journey events (in particular Event no. 519 - New developments in assessing the social impacts of protected areas and operationalising the "do no harm" principle), and a related Resolution (RES4.058 – Conservation and poverty reduction), raised the principle of "do no harm" as a minimum-standard guiding principle for conservation (including protected areas) impacts. That is, "*Where conservation policies and activities affect people at the local level, those policies and activities should strive to contribute to poverty reduction and, at the very minimum, do no harm*".

Other participants pointed to instances in which rights and responsibilities are mutually reinforcing. Peter Laban (IUCN, REWARDS) and Omar Zayed (Palestinian Water Authority) shared a vision of RBA to water management based on the premise that people can effectively and collectively manage scarce resources, but only in an institutional environment in which they can understand their rights and responsibilities, and have the authority and capacity to act on these together. In this conceptualization, rights and responsibilities are

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Enhance capacity of rights holders and duty bearers to recognize and meet their responsibilities; and  
Wherever possible, design rights-based conservation and resource management regimes in ways that  
bring together rights and responsibilities in mutually reinforcing ways.

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(See details in Annex I)

- (178) The evolving governance of protected areas under IUCN Category II (National Parks): exploring institutions, performance, social engagement and equity
- (449) Exploring issues and opportunities for rights based approaches to conservation
- (459) Facing the Challenges of REDD
- (494) Working with forest managers to ensure sustainable practices
- (519) New developments in assessing the social impacts of protected areas and operationalising the "do no harm" principle
- (571) Community Forest Tenure, Governance and Benefits: The missing links to climate change mitigation and adaptation
- (592 & 921) The landscape dynamic mosaic - embracing diversity, equity and change - Part I & II
- (603 & 3015) Recognizing and supporting indigenous and community conserved areas - Part I & II
- (627) Environmental Security and Measures for Liability and Compensations
- (1071) Replicable models of participatory water management in the Thar desert, India
- (1191) Land Tenure, Resource Rights and Conservation: Collaborative Experiences and Lessons for Future Practice
- (1200) Rethinking Conservation through the lens of "Food Sovereignty": implications for policy and practice
- (1239) Keeping Nature Alive - the ethical foundations of nature conservation in the 21st Century
- (1532) Conservation with Justice: A Rights-based Approach
- (1535) Livelihoods and Landscapes: Better Forests, Better Lives
- (1547) Climate Change, Vulnerability, Rights and Justice

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Environmental rights (including the rights of nature and human rights to a healthy environment) and the rights of environmental defenders must be included within the conservation community's engagement with rights.

The discourse on rights in the context of environmental protection emerged first in reference to 'environmental rights', including: the human right to a healthy environment, as now recognized in various forms in many national constitutions; 'rights approaches to environmental protection', or using the human rights framework to defend the environment; and rights of nature and the environment. Calls for stronger protections of the rights of environmental defenders have also arisen in recent years.

While the number of events focused on rights issues in this sense was relatively few among the total number of Journey events, the message was loud and clear. The ethical foundations of nature conservation were explored in an event organized by the IUCN Commission on Environmental Law (CEL) Biosphere Ethics Project. It was argued that "...IUCN has the ethical responsibility to speak to and uphold the "rights" of all living creatures..."<sup>5</sup> The Arab Group for the Protection of Nature argued for compensation liability and compensations for transgressions against the environment and natural resources during armed conflict.<sup>6</sup> A 'step-wise' approach to rights-based conservation presented by the Environmental Law Programme incorporates environmental rights into a broader RBA to conservation framework.<sup>7</sup> More generally, several participants examined the rights impacts of unchecked development in the context of climate change.





challenges posed by climate change. Countries with higher emissions of greenhouse gases are less vulnerable to climate change impacts, and vice versa. People with higher standards of living produce more emissions but are less vulnerable than those who produce little or no emissions. Many communities, peoples, and even entire nations (particularly small island nations) risk losing their lands and livelihoods, and international humanitarian

Findings from the report '*Making REDD work for the Poor*', which was available at the Congress, informed several presentations dealing with climate change.

[http://www.iucn.org/about/work/programmes/social\\_policy/sp\\_resources/?2052/Making-REDD-Work-for-the-Poor](http://www.iucn.org/about/work/programmes/social_policy/sp_resources/?2052/Making-REDD-Work-for-the-Poor)

the definition of refugees in humanitarian law to account for both cases of climate induced internal displacement and the loss of entire territories or countries due to climate change.

- o Develop, promote, and adopt practical and rapid rights based approaches on the ground where climate change is affecting local people(s).
- o Increase and develop more effective and equitable targeting for adaptation funding.
- o Work with Indigenous Peoples and local communities and other parties in developing strategies and creating policies to ensure that mitigation mechanisms are in line with the rights and interests of vulnerable people(s).
- o Seek ways for conservation to contribute to the prevention and alleviation of climate change impacts (e.g., mainstreaming ecosystem management and conservation into climate change responses).
- o Promote both stronger global leadership and local people(s)' engagement in addressing climate change and its impacts.
- o Develop and require application of guidelines/ standards/ regulations that ensure local people(s)' rights are identified and respected in climate change mitigation schemes. (For examples see Box 2).

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(See details in Annex I)

(459) Facing the challenges of REDD

(571) Community Forest Tenure, Governance and Benefits: The missing links to climate change...

(611) From Chico Mendes to Copenhagen: Learning from Forest Peoples how to make REDD work

(614) Life as Commerce? Market-based conservation mechanisms, community governance and Indigenous Peoples' rights

(1200) Rethinking Conservation through the lens of "Food Sovereignty": implications for policy and practice

(1532) Conservation with Justice: A Rights-based Approach

(1547) Climate change vulnerability, rights and justice

(7012) Climate Change and Justice - highlighting a new frontier for climate change research

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Likewise, local knowledge, ownership, and effort are very important to making PES systems work in the long run. One Journey event, organized by the Environmental Defence Fund and partners, brought together forest peoples to discuss their views and recommendations on REDD. They stressed the fact that “effective participation of forest peoples, indigenous peoples, and their organizations in REDD will be central to successfully reducing the 20% of annual global Greenhouse Gas emissions from tropical deforestation.”<sup>22</sup> As mentioned above, the UN Permanent Forum on Indigenous Peoples facilitated a process to identify and communicate indigenous peoples’ recommendations on making REDD systems effective and consistent with their rights.<sup>23</sup>

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In addition to the REDD-related recommendations outlined below (see Box 2), IUCN, state and non-state conservation organizations, indigenous and local peoples, grant making institutions, researchers, and others should, as appropriate:

Continue to communicate, document, and disseminate cases of PES/ REDD in terms of their positive and negative rights impacts to better understand the nature of conflicts and the opportunities for complementarity.





(1532) Conservation with Justice: A Rights-based Approach  
(1547) Climate Change, vulnerability, rights, and justice

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A range of procedural and substantive rights are important in designing equitable and effective protected areas (PA) governance.

Respect for human rights is among commonly recognized components of (good) governance, including in the PA context. Rights issues are relevant across all PA governance types, and IUCN PA management categories. This includes government owned and managed National

Several presentations reviewed land tenure and resource access rights around protected areas, forests, and other areas in Nepal. A WWF Nepal representative discussed how the new government and constitution have opened space for more democratic and equitable conservation and natural resource management.<sup>36</sup> Sudeep Jana and Stan Stevens described an emerging framework for community use rights in protected areas (PAs) and PA buffer zone forests. PA buffer zones have already begun generating social and conservation benefits, but many challenges remain in ensuring that the benefits are equitably distributed within and across communities. Further, realisation of indigenous peoples' rights with respect to their lands, including community conserved areas, inside national protected areas re



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IUCN, state and non-state conservation organizations, indigenous and local peoples, grant making institutions, researchers, and others should, as appropriate:

- o Seek opportunities to understand, recognize, and strengthen rights-based protected areas governance. This should include greater support for indigenous and community conserved areas, including through better securing collective tenure and resource access rights, but in all cases in ways that respect the customary structures that have historically conserved these areas.<sup>40</sup>
- o Develop and implement mechanisms to ensure that national environmental and protected areas law respect customary law. Legal research should be carried out to develop a concrete set of recommendations.<sup>41</sup>
- o Undertake further research on effective and equitable landscape level conservation, including integrating conservation in landscapes that also support land rights, culture, and substantive rights to food, water, and housing.
- o Further efforts to develop and disseminate tools/ methods for ensuring PA establishment and management respects human rights, such as PA Social Impact Rapid Appraisal tools<sup>42</sup>

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(See details in Annex I)

- o (178) The evolving governance of protected areas under IUCN Category II (National Parks): exploring institutions, performance, social engagement and equity
- o (449) Exploring issues and opportunities for rights based approaches to conservation
- o (519) New developments in assessing the social impacts of protected areas and operationalising the "do no harm" principle
- o (571) Community Forest Tenure, Governance and Benefits: The missing links to climate change mitigation and adaptation
- o (592 & 921) The landscape dynamic mosaic - embracing diversity, equity and change - Part I & II
- o (603 & 3015) Recognizing and supporting indigenous and community conserved areas - Part I & II
- o (1191) Land Tenure, Resource Rights and Conservation: Collaborative Experiences and Lessons for Future Practice
- o (1240) Developing Effective Legal And Institutional Frameworks part 2: the CBDPOW on Protected Areas and innovative governance in the field

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event no. 1200, includes: the right of peoples to define their own food, agriculture and land use policies; gender inclusive and equitable access and control over land, water, seeds, livestock breeds, territories; ecologically sustainable production, mainly agro-ecological production and artisanal fisheries based on high bio-cultural diversity; and protection of domestic agricultural pro

*Linking Conservation and Poverty Reduction: Landscapes, peoples and power*, was launched at the WCC, as part of the Journey on Rights and Conservation.  
[http://www.iucn.org/about/work/programmes/social\\_policy/sp\\_resources/?2200/Linking-Conservation-and-Poverty-Reduction-Landscapes-People-and-Power](http://www.iucn.org/about/work/programmes/social_policy/sp_resources/?2200/Linking-Conservation-and-Poverty-Reduction-Landscapes-People-and-Power)

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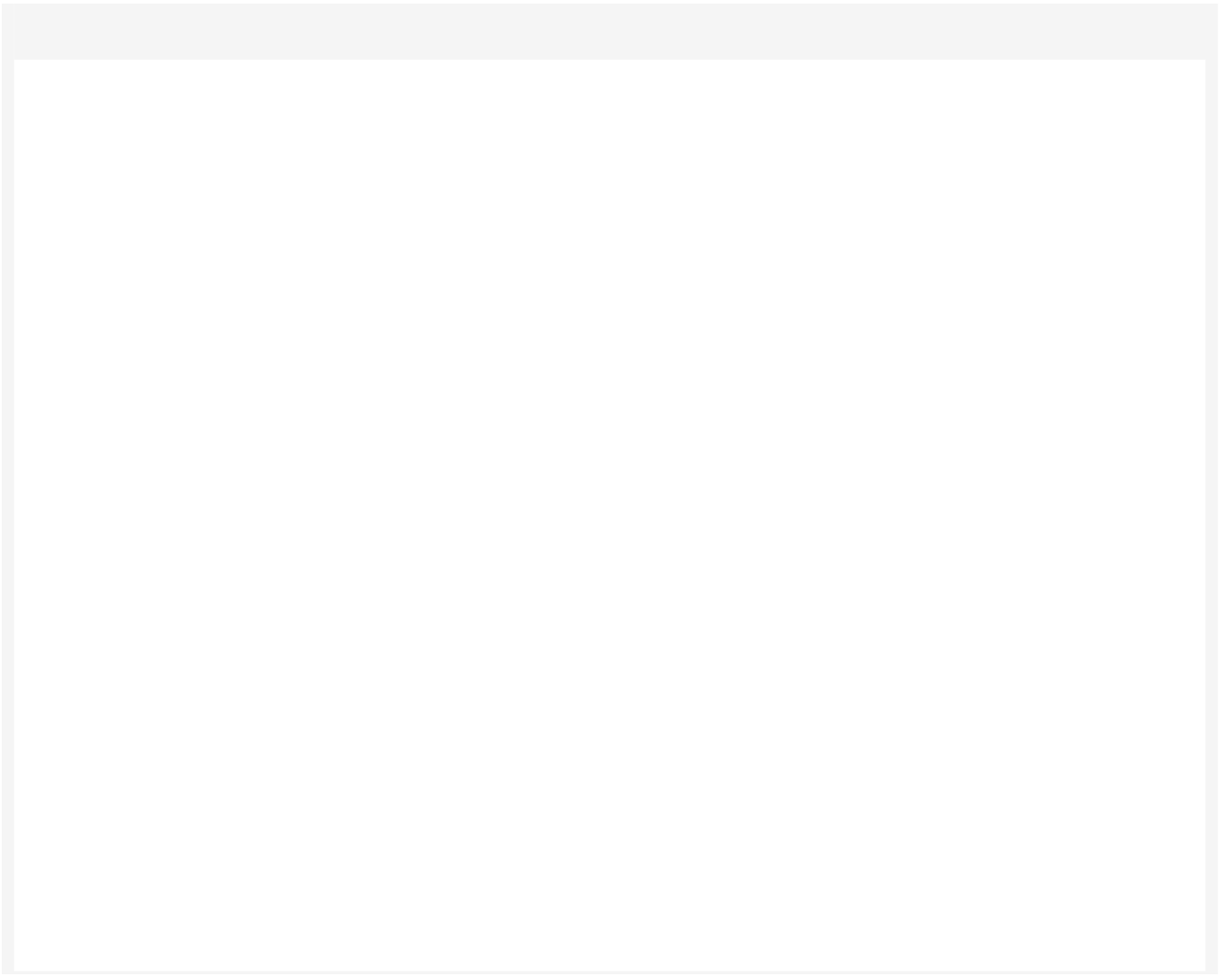
As with protected areas (see above), while many success stories and good examples were shared in the

(592 & 921) The landscape dynamic mosaic - embracing diversity, equity and change - Part I & II  
(603 & 3015) Recognizing and supporting indigenous and community conserved areas - Part I & II

national, or customary law, or other appropriate instruments. Examples of such protected areas include those established by indigenous peoples on their recognized, customary lands.

(see relevant sections above). With respect to climate change mitigation, FPIC issues were raised in a presentation on the Changuinola I CDM Project in Panama and The Jeparachi Wind Power CDM Project in Colombia.<sup>59</sup>

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Right to privacy and home life	Right to health
Right to property	Right to privacy
Freedom of religion	Rights to (customary) lands and territories
Right to an adequate standard of living (food, medicine, clothing, housing, water)	
Self-determination of peoples and other substantive indigenous peoples rights	

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Access to information	Due process/ fair hearing
Participation in decision-making	Substantive redress
Access to justice (including redress and restitution)	

The significance of intra- and inter-generational rights, and collective (vs. individual) rights were also discussed.

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Several presenters and audience members raised challenging questions regarding who is responsible for developing and implementing rights approaches, and what the scope of their responsibilities should be. Returning to the discussion above on 'Rights and Responsibilities', human rights instruments have traditionally been, and still are, addressed to States. However, with recognition of the new and expansive powers of non-state actors, private sector and civil society institutions are increasingly being called upon to respect rights. Moreover, conservation actors can contribute to protecting and fulfilling rights, and conversations throughout the Journey suggested that more focus is needed on RBAs in this sense.

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Conservation policy and practice in the last 20 years has been moving towards approaches that are more inclusive and that give greater attention to issues of human wellbeing and social justice. Given this, it is not surprising that among the many challenging questions raised in the Journey was how a rights approach differs from the other approaches that have arisen as part of this trend. In other words, what value does RBA add over participatory, pro-poor, or other socially conscious approaches to conservation? Further, how can we ensure (as one participant suggested) that RBAs are not used as a "Trojan horse" through which unjust conservation practices are carried out under the pretence of being more socially just, or used to label activities as "rights-consistent" that do not, in fact, provide robust treatment of rights issues.<sup>64</sup> The relationships between "RBA" and "other" conservation approaches deserve more and careful attention, to avoid simply "putting old wine in a new bottle".

Potential benefits suggested by Journey participants<sup>65</sup> included that RBAs can provide:

- a stronger and clearer basis for identifying the nature and scope of rights and responsibilities by recognizing human wellbeing impacts as a matter of duty, and drawing on the internationally recognized and negotiated human rights framework;
- a focus on governance, power, and empowerment, including identifying and reversing power differentials;
- a more comprehensive platform than general 'participatory approaches'; and
- understanding of impacts on communities, but also socially disaggregated impacts on individuals and groups within and across communities.

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The human rights framework in international law is often used to raise objections to violations that have already taken place, or are ongoing. Conservation organizations must be able to respond to allegations of infringements, and likewise people should be able to raise such allegations and have them addressed and resolved. At the same time, many rights-based conservation tools are envisioned as tools to prevent violations, or further enhance rights realization. Throughout the Journey, participants grappled with the question of if and when RBA to conservation should focus on these different approaches (i.e., prevention, promotion/ advocacy, violations response, etc). The answer is likely that all possibilities are relevant, but the appropriate approach will vary by conservation actor and context.



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Phil Franks (CARE Int'l), in presenting his experiences with RBAs to conservation, pointed out that the “very poor complain that they can’t eat rights”.<sup>66</sup> Are RBAs helpful where they don’t produce immediate and tangible benefits for the most vulnerable? How do we ensure that these benefits are realized in ways and at timescales that matter for rights-holders? One suggestion is ensuring RBAs are part of broader approaches that also deliver more immediate (conservation and human wellbeing) benefits.

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Addressing rights impacts requires reliable, disaggregated, and wide ranging information about the context in which the conservation activity is or will be conducted. This may include ecological, socio-economic, legal, political, and historical dimensions of the situation. This kind of information can be costly and difficult to collect, if it is available at all, and the methods required will often be outside the standard skill set of conservation practitioners. In presenting a hypothetical RBA to Clean Development Projects, Marcos Orellana (Center for International Environmental Law) raised the question of the nature and scope of required information as a key issue and practical challenge for such approaches.<sup>67</sup>

RBAs also require that conservation actors understand rights frameworks and develop skills in assessing and responding to rights issues. One suggestion was that conservation organizations engage with one another and with other organizations (e.g., humanitarian and human rights groups) to share lessons and build capacity. IUCN has also been called upon to support Members in learning about and building capacity for RBA (see RES 4.056).

Financing for RBAs is another key challenge. An event by the GreenGrants programme, several examples shared in CEESP organized presentations on ICCAs, and many events in the UNDP Community Poble suggest that small, flexible grants may be one way to support and further develop equitable and ‘rights based’ approaches to conservation in particular sites. However, the question of how large NGOs can fund major organizational changes remains an important and open question...

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RBAs are likely to pose many challenges for conservation. Several Journey participants expressed concerns that a focus on RBAs can: move IUCN and its partners away from core missions of nature conservation; demand that conservation organizations make changes that are outside

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IUCN, state and non-state conservation organizations, indigenous and local peoples, grant making institutions, researchers, and others should:

Continue researching and sharing experiences that help define the nature and scope of the relationship between conservation and substantive and procedural rights.

Expand opportunities for conservation practitioners, and people(s) impacted by conservation, to learn about human rights and their relevance to natural resource and biodiversity protection.

Help develop and widely distribute information about rights based approaches, including their potential costs and benefits for local people(s), conservation practitioners, governments, donors, and other stakeholders.

Develop the idea of rights as an active strategy towards development, not only as preventative or safeguard mechanisms.

Develop mechanism for better decentralized benefit distribution.

Incorporate explicit focus on rights in broader efforts to improve natural resource governance.

Better document, analyze, and share within the conservation community and its partners the work that is already being done towards RBA. To support this effort, IUCN and its members and partners should develop and implement a strategy to work together to identify examples and to assess the current state and scope of rights approaches within the conservation community.

Continue to develop, test, refine, and promote additional tools and methods to support rights-based approaches to conservation.

Seek new and deeper partnerships with human rights, social justice organizations, social movements, and other to better understand the human rights framework and its implications for conservation policy, programming, and practice. As part of this, conservation organizations may seek opportunities for staff and partner training in human rights.

Ensure the meaningful and continuing participation of indigenous peoples and local and mobile communities early on and throughout the RBA development process.

Continue to research and promote action on the rights dimensions of climate change, including promoting adaptation, especially for the most vulnerable, and developing and promoting rights approaches to REDD, biofuels production, and other mitigation mechanisms.

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(See details in Annex I)

All events in the Journey provide some insight into the potential form and content of rights based approaches to conservation. Those that most explicitly focused on exploring RBAs – as a distinct approach – were:

(449) Exploring issues and opportunities for rights based approaches to conservation

(571) Community Forest Tenure, Governance and Benefits: The missing links to climate change mitigation and adaptation

(1191) Land Tenure, Resource Rights and Conservation: Collaborative Experiences and Lessons for Future Practice

(1532) Conservation with Justice: A Rights-based Approach

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1. CALLS ON IUCN's governmental and non-governmental members as well as non-member states and non-state actors, to:
  - a. develop and/or work towards application of rights-based approaches, to ensure respect for, and where possible further fulfilment of human rights, tenure and resource access rights, and/or customary rights of indigenous peoples and local communities in conservation policies, programmes, projects, and related activities;
  - b. encourage relevant government agencies, private actors, businesses and civil-society actors to monitor the impacts of conservation activities on human rights as part of a rights-based approach;
  - c. encourage and establish mechanisms to ensure that private-sector entities fully respect all human rights, including indigenous peoples' rights, and take due responsibilities for the environmental and social damage they engender in their activities; and
  - d. promote an understanding of responsibilities and synergies between human rights and conservation;

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2. REQUESTS the Director General and IUCN's Commissions to engage with IUCN's members, representatives of indigenous peoples and local communities, and other relevant partners to:
  - a. facilitate exchange of experiences, methods, and tools on rights-based approaches to conservation;
  - b. develop greater understanding and capacity for rights-based approaches;
  - c. actively promote and support the adoption and implementation of such approaches; and
  - d. explore ways to ensure rights-based approaches enhance conservation objectives;
3. CALLS ON the IUCN Council and the Director General, in collaboration with CEESP, CEL and other Commissions, IUCN members, representatives of indigenous peoples and local communities, and other relevant partners to:
  - a. promote the analysis of rights-based approaches as a cross-cutting principle within IUCN and its membership;
  - b. develop a comprehensive IUCN Policy on Conservation and Human Rights, including guidance on rights-based approaches to conservation, to be tabled for adoption at the 5th IUCN World Conservation Congress
  - c. use the principles concerning human rights in conservation prepared by ELC as one starting point for further consultation, reflection, and development (see the Annex to this decision), as well as drawing on other relevant guidance; and
  - d. undertake further work to support and guide IUCN on the implementation of policies and actions reflecting a rights-based approach to conservation.

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1. Promote the obligation of all state and non-state actors planning or engaged in policies, projects, programmes or activities with implications for nature conservation, to secure for all potentially affected persons and peoples, the substantive and procedural rights that are guaranteed by national and international law.
2. Ensure prior evaluation of the scope of conservation policies, projects, programmes or activities, so that all links between human rights and the environment are identified, and all potentially affected persons are informed and consulted.
3. Ensure that planning and implementation of conservation policies and actions reflect such prior evaluation, are based on reasoned decisions and therefore do not harm the vulnerable, but support as much as possible the fulfilment of their rights in the context of nature and natural resource use.
4. Incorporate guidelines and tools in project and programme planning to ensure monitoring and evaluation of all interventions and their implications for human rights of the people involved or potentially affected which will support better accountability and start a feedback loop.
5. Support improvement of governance frameworks on matters regarding the legal and policy frameworks, institutions and procedures that can secure the rights of local people in the context of conservation and sustainable resource use.

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Our Journey on Rights and Conservation was initially framed by many open and challenging questions (see Section III) including:

- What are the key relationships between conservation, rights, and responsibilities?
- What is a *rights-based approach* to conservation, and what tools and methods can support it?
- How can rights issues be effectively and practically integrated in the work of field practitioners, including with respect to the opportunities and limitations within conservation actors' spheres of influence?

The preceding report provided some insight into the degree and manner in which responses to these questions emerged during the Congress. Further, while many challenges were raised, participants also offered examples and recommendations for practical steps to help ensure that conservation respects rights in all cases, and that wherever possible rights are further realised and positive synergies are harnessed.

Rights and responsibilities are inextricably linked, though the nature of the relationships between them is an issue requiring further dialogue and consensus.

Environmental rights (including human rights to a healthy environment) must be included within the conservation community's engagement with rights.

There are tensions between market-based and rights-based conservation approaches, as well as potential synergies. Market based schemes must also ensure respect for rights, including those of the most vulnerable.

Climate change poses major human rights challenges, including an immediate and pressing global justice (intra-generational) dilemma. Adaptation must happen now, especially for the most vulnerable.

Climate change mitigation schemes must also be carried out in ways that respect human rights (including in the context of REDD, biofuels, hydroelectric power generation, and others).

Rights (including tenure, resource, cultural, self-determination, and development rights) are a key component of comprehensive, effective, and equitable protected areas governance. While many positive examples can now be shared, rights infringements in the context of PA establishment and management continues to be a pressing concern.

Secure procedural and substantive rights (including but not limited land and resource access rights) can help ensure effective ecosystem management, and in return effective ecosystem management can help support substantive rights realization. However, many local and mobile communities continue to face rights insecurity on many fronts, which in turn threatens their lands and lives.

Procedural rights are important in themselves, but can also be effective entry points for identifying and realising other substantive rights.

Rights based approaches to conservation present a potentially powerful framework for integrating social just and equity in conservation... but much further work is needed to clarify and operationalise these approaches, including understanding what the costs and benefits are (and to w

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Some of the many issues and actions that will need to be addressed as we move towards more comprehensive integration of rights in conservation are likely to include the following:

Clarifying the nature and scope of rights-conservation links, and rights-based approaches, including in the face of climate change and other emerging global challenges.

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\*\*\* All available background documents, presentations, and event reports can be downloaded from the Journey Map, linked to the Rights and Conservation Journey Page ([http://www.iucn.org/congress\\_08/forum/journeys/rights\\_conservation/](http://www.iucn.org/congress_08/forum/journeys/rights_conservation/)) or by following the links from the 2008 WCC page ( [http://www.iucn.org/congress\\_08/forum/](http://www.iucn.org/congress_08/forum/) ) \*\*\*

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14:30-16:00	1239	Keeping Nature Alive - the ethical foundations of nature conservation in the 21st Century	COM IUCN Commission on Environmental Law 128
16:30-18:00 / 18:30-20:00	603 & 3015	Recognizing and supporting indigenous and community conserved areas - Part I & II	POB IUCN - TILCEPA/ TGER/ CEESP 113 Poble
18:30 - 20:00	611	From Chico Mendes to Copenhagen: Learning from Forest Peoples how to make REDD work	AW Environmental Defence Fund and National Wildlife Federation 121
20:30 - 21:30	7006	'Linking Conservation and Poverty Reduction - Landscapes, People, and Power' - Book Launch and Reception	PAV IUCN: Senior Advisor on Social Policy Futures Pavilion
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09:30 - 11:00	390	Linking Conservation and Poverty Reduction - Building new Alliances	KC German Federal Agency for Nature Conservation 114/7
09:30 - 11:00	459	Facing the challenges of REDD	KC Fauna & Flora International 114/2
11:30 - 13:00	890	Gender and biodiversity conservation and management: communicating a lost world?	AW Both ENDS 122
14:00 - 18:00	1158	Using The Access Initiative's methodology to assess government's performance on public access to information, participation, and justice	LO World Resources Institute (WRI) Eixample
14:30 - 16:00	1547	Climate change vulnerability, rights and justice	GTW IUCN - Climate Change Initiative, Senior Advisor on Social Policy, and Oceania Programme Plenary B
20:00 - 21:30	7012	Climate Change and Justice - highlighting a new frontier for climate change research	PAV IUCN: Senior Adviser on Social Policy Futures Pavilion

		exploring institutions, performance, social engagement and equity		Français du Développement durable	
16:30 - 18:00	1191	Land Tenure, Resource Rights and Conservation: Collaborative Experiences and Lessons for Future Practice	AW	World Wildlife Fund - US	Auditorium
18:30 - 20:00	519	New developments in assessing the social impacts of protected areas and operationalising the "do no harm" principle	AW	CARE International and The Nature Conservancy on behalf of the WCPA/CEESP PAs, Equity and Livelihood Task Force	125
18:30-20:00	614	Life as Commerce? Market-based conservation mechanisms, community governance and Indigenous Peoples' rights	POB	Global Forest Coalition	113 Poble
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09:30 - 11:00	627	Environmental Security and Measures for Liability and Compensations	AW	Arab Group for the protection of nature	122
09:30 - 11:00	837	How to build support for grassroots environmental stewardship	POB	Global Greengrants Fund	113 Poble
09:30 - 11:00 / 11:30 - 13:00	592 & 921	The landscape dynamic mosaic - embracing diversity, equity and change - Part I & II	COM	IUCN Commission on Environmental, Economic, and Social Policy / Politecnico di Torino - Diter (CED PPN)	115
11:30 - 13:00	1240	Developing Effective Legal And Institutional Frameworks part 2: the CBDPOW on Protected Areas and innovative governance in the field	COM	IUCN Commission on Environmental Law (Specialist Group on Protected Areas)	128
11:30 - 13:00	1535	Livelihoods and Landscapes: Better Forests, Better Lives	GTW	IUCN Forest Conservation Programme	121
14:30 - 16:00	449	Exploring issues and opportunities for rights based approaches to conservation	POB	IUCN (CEESP, ELP, Social Policy) and CIFOR	113 Poble
14:30 - 16:00	494				

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<sup>1</sup> For more information on all the 2008 WCC Journeys see [http://www.iucn.org/congress\\_08/forum/journeys/](http://www.iucn.org/congress_08/forum/journeys/)

<sup>2</sup> For more information on the Journey on Bio-cultural Diversity and Indigenous Peoples see [http://www.iucn.org/congress\\_08/forum/journeys/biocultural/](http://www.iucn.org/congress_08/forum/journeys/biocultural/)

<sup>3</sup> Based on presentation by Peter Laban and Omar Zayed in Event no. 449 – Exploring Issues and Opportunities for Rights Based Approaches to Conservation.

<sup>4</sup> Based on presentation by Kathryn Kintzele, J.D. (Member CEL) in Event no. 1239

<sup>5</sup> Carol Fialkowski, quoted in a presentation by Kathryn Kintzele event no. 1239

<sup>6</sup> Based on event no. 627 - Environmental Security and Measures for Liability and Compensations

<sup>7</sup> Based on event no 1532 – Conservation with Justice: A Rights Based Approach

<sup>8</sup> For more information on the Journey on Bio-cultural Diversity and Indigenous Peoples see [http://www.iucn.org/congress\\_08/forum/journeys/biocultural/](http://www.iucn.org/congress_08/forum/journeys/biocultural/)

<sup>9</sup> The full text of all 2008 WCC Resolutions and Recommendations can be downloaded at [http://www.iucn.org/congress\\_08/assembly/policy/](http://www.iucn.org/congress_08/assembly/policy/)  
<sup>10</sup> Adapted from background documentation for event no. 1547 – Climate change vulnerability, rights, and justice.

<sup>11</sup> Based on event no. 1532 – Conservation with Justice: A Rights Based Approach

<sup>12</sup> The full text of all 2008 WCC Resolutions and Recommendations can be downloaded at [http://www.iucn.org/congress\\_08/assembly/policy/](http://www.iucn.org/congress_08/assembly/policy/)

<sup>13</sup> For details on the 2008 WCC Forum Journey on Markets, see [http://www.iucn.org/congress\\_08/forum/journeys/markets/](http://www.iucn.org/congress_08/forum/journeys/markets/)

<sup>14</sup> Based on event no 1200 – Rethinking Conservation Through the Lens of Food Sovereignty

<sup>15</sup> Based on event no 614 - Life as Commerce? Market-based conservation mechanisms, community governance. and Indigenous Peoples' rights

<sup>16</sup> Adapted from presentation in Event no. 1200 – Rethinking Conservation Through the Lens of Food Sovereignty

<sup>17</sup> Adapted from presentation by Robert Fisher in Event no 1532 – Conservation with Justice: A Rights Based Approach

<sup>18</sup> Adapted from presentation by James Igoe in Event no. 1200 – Rethinking Conservation Through the Lens of Food Sovereignty

<sup>19</sup> Based on event no. 614 - Life as Commerce? Market-based conservation mechanisms, community governance. and Indigenous Peoples' rights

<sup>20</sup> Based on Event no 1200 - Rethinking Conservation Through the Lends of Food Sovereignty

<sup>21</sup> Based on Event no 1535 - Livelihoods and Landscapes: Better Forests, Better Lives

<sup>22</sup> Adapted from background materials for Event no. 611 - From Chico Mendes to Copenhagen: Learning from Forest Peoples how to make REDD work

<sup>23</sup> Based on event no. 1547 – Climate change vulnerability, rights, and justice.

<sup>24</sup> Text box context adapted from presentations in events no. 1532 (Fisher, Huberman), 611, 459, 614, 571, 1547

<sup>25</sup> Adapted from presentation by Robert Fisher, Event no. .1532 – Conservation with Justice: A Rights Based Approach

<sup>26</sup> The participating indigenous organizations of the Amazon Basin included:

Coordinator of Indigenous Organizations of the Amazon Basin (COICA) and

Coordenaç w 18 55.02 78(nd vu(y)12( 0sed o/rights 003 7852) – 47 on 36 y 16 (v)1( 7 0 45. a 0) 5 (nd 4 88) ce 0 4) 18 5 0 04 9 5 6 (T 9 4 0 9 8 6 0 0 4 0 9 5 5 0 2 7 4 2 2 1 8 7 1 mp



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<sup>49</sup> See presentation by Laban and Zayed (Event no. 449 – Exploring Issues and Opportunities for Rights Based Approaches to Conservation)