



Rights and Conservation in a Diverse and Sustainable World: A Journey at the 2008 IUCN World Conservation Congress

Barcelona, Spain 5 to 14 October 2008
A Congress Forum Journey Report



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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.

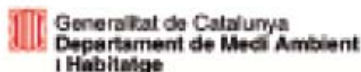
The journey consisted of more than 30 events, including workshops, knowledge cafés, and learning opportunities. Through these diverse events, participants grappled with the challenges and promises of embracing rights as a core consideration in conservation. Core questions included: What are rights-based 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.

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This report and all available background documents, presentations, and event reports are available at the Rights & Conservation Journey Page (www.iucn.org/congress_08/forum/journeys/rights_conservation/) and the Forum Resource Centre (<http://208.112.69.59/agenda/?jr=4>).
WCC (2008) Resolutions and Recommendations are at: www.iucn.org/congress_08/assembly/policy/

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Acronyms and Abbreviations

CEESP	(IUCN) Commission on Environmental, Economic, and Social Policy
CEL	(IUCN) Commission on Environmental Law
CIEL	Centre for International Environmental Law
CIFOR	Center for International Forestry Research
COICA	Coordinator of Indigenous Organizations of the Amazon Basin
ELC	(IUCN) Environmental Law Centre
ELP	(IUCN) Environmental Law Programme
ICCA	Indigenous and Community Conserved Area
IIED	International Institute for Environment and Development
LLS	Livelihoods and Landscapes
PA	Protected Area
PES	Payment for Environmental Services
RBA	Rights Based Approach
REDD	Reduced Emissions from Deforestation and Forest Degradation
TGER	(IUCN CEESP) Theme on Governance, Equity, and Rights
TILCEPA	(IUCN CEESP – WCPA) Strategic Direction on Governance, Communities, Equity and Livelihood Rights in Relation to Protected Areas
TNC	The Nature Conservancy
WCPA	World Commission on Protected Areas
WCS	World Conservation Society
WWF	World Wide Fund for Nature (or World Wildlife Fund – US)

I. Overview

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 **Journey on Rights and Conservation, which linked over 30 member, commission, and secretariat organized events that addressed rights issues in conservation.**

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 **nature, scope, directionality, and practical implications of rights-conservation links are far from straightforward.**

Overall **key messages** 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 rights of environmental defenders 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 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 benefits are (and to whom they apply).

More detailed explorations of each of these themes, and specific recommendations, are provided in the sections below.

Some of the 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:

- Forming new alliances (e.g., with local peoples, social movements, humanitarian organizations) to build capacity and understanding on rights.
- 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.
- Building understanding of rights within the conservation community, and developing greater consensus on the form, function, and terminology for RBAs, while maintaining a broad and flexible framework.
- Developing equitable and transparent processes, tools, and mechanisms for resolving conflicts between rights, between the claims of rights holders, and between conservation/ rights objectives where mutually beneficial options are not available.
- Understanding and addressing the potential costs and risks of RBAs for conservation practice.
- Developing and promoting mechanisms and tools to prevent rights infringements, and to resolve/ redress cases of rights infringements when they do arise (or have arisen) from conservation practice...
- ... but also going beyond “violations” based RBAs to become better rights advocates and to find ways for conservation to help realize rights fulfilment, and visa-versa.

The events and discussions in the Journey on Rights and Conservation made it clear that ***rights are no longer a side line issue in conservation. Rather they are increasingly critical for the conservation community to embrace. However, this is no easy feat and much learning, cooperation, candid discussion, and hard work remains to be done.***

We thank all those who participated in this Journey, and we look forward to working with the entire Union to advance the integration of rights in conservation for the benefit of human wellbeing and biodiversity governance.

II. Making the case: Why ‘Rights and Conservation’?

Conservation and rights have many, complex linkages. Conservation can contribute to the realization of many human rights, from water and health to life itself. Well designed participatory approaches to conservation, increasingly common over the last several decades, can help uphold people(s)’ procedural rights, e.g., to information, participation, and access to justice, as well as providing a space for people to identify and claim more substantive rights. Conservation is critical to the fulfilment of the right to a healthy and safe environment, including helping to safeguard against socially and environmentally destructive development.

Conservation and natural resource management are also important dimensions of addressing the human rights impacts of climate change and its mitigation. Climate change is already having profound impacts on people(s) enjoyment of their rights, particularly vulnerable peoples and nations, and these impacts are likely to become greater and more far reaching. Further, many climate change mitigation mechanisms, including biofuels use and forestry-based carbon sequestration, pose potentially high risks and rewards for local peoples’ land and resource access rights. Mitigating these risks in sustainable ways requires an effective and equitable conservation component.

Respect and realization of rights also helps create an enabling environment for effective conservation, e.g., by giving people secure, long term access to the lands and resources they use and manage. Likewise, failing to fulfil rights can lead to environmental destruction by reducing people(s)’ options for sustainable realization of their own basic needs

Despite these potential synergies, there are also often difficult trade-offs between conservation and rights objectives, and conservation has too often led to rights violations, including in cases of under-compensated or involuntary economic and physical displacement, unjust conservation enforcement practices, and failure to realize equitable access and benefit sharing. Indigenous peoples and local and mobile communities have often born the greatest costs, though conservation also impacts many other groups and individuals.

Rights are also closely linked with responsibilities. Recognising or granting rights entails the responsibility to secure them. Rights-holders also have responsibilities, including not to harm others’ enjoyment of their rights. In the conservation context, the nature of rights-holders’ responsibilities raises difficult questions, however, when scarcity or threats to the environment pose trade-offs between core conservation objectives (e.g., species survival and resource sustainability) and basic human wellbeing objectives. How can all rights-holders respect one another’s rights, and ensure basic sustainability, where resources are simply insufficient for meeting all objectives? How can fundamental conflicts between the legitimate claims of different rights-holders’ be resolved where resources are too scarce to fulfil both their interests?

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 is being called upon to take stronger measures to respect rights within its sphere of influence, and has new opportunities to act upon its potential positive contributions to protecting and further fulfilling rights. To respond effectively, 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 is for the Rights and Conservation Journey, and its outcomes, to contribute to this endeavour.***

III. Setting the Stage: The World Conservation Congress Forum and the Journey on Rights and Conservation

The IUCN World Conservation Congress (WCC), held every four years, 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. These and other diverse actors shared their knowledge, visions, and innovations for conservation. Congress outcomes can help to improve how we manage our natural environment for human, social and economic development, including through helping to shape conservation policy and practice of actors throughout the Union.

The 2008 WCC started with a four-day Forum in which IUCN members and partners discussed cutting edge ideas and practice in conservation and sustainable development. The Forum was structured around three core streams: Safeguarding the diversity of life; Healthy environments - healthy people; and A new climate for change. The Forum was followed by the IUCN Members' Assembly, during which members considered, refined, and voted on a wide range of Motions. The resulting Resolutions and Recommendations guide IUCN policy and programming, and also make recommendations to members, States, UN Agencies, the private sector, and others.

To help participants take full advantage of the range and richness of issues at the Forum, IUCN identified **12 thematic Forum Journeys**.¹ A Journey on Rights and Conservation was created as one of these, in part because, while attention to and action on rights issue is quickly growing within the conservation community, clarification and further discussion of the issue is greatly needed. The objectives of the Journey on Rights and Conservation included:

- Facilitating discussion, sharing experiences and lessons learned, and generating interest for further exploration of rights-conservation relationships.
- Providing a framework for IUCN members, constituents and partners to integrate their events and activities at the WCC to optimize efforts and learning, and boost the outcomes in terms of IUCN decisions.
- Exploring examples and implications of 'rights based approaches' to conservation.
- Supporting greater engagement and capacity of the international community in their efforts address challenges, and act on opportunities, presented by conservation and rights links.

Among the many questions grappled with in this Journey were:

- Is consideration of rights useful and appropriate for conservation work? How does it add to the broader trend towards inclusion of social considerations in conservation?
- 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 positive synergies are realized?
- 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 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?

The rationale for developing a Journey on Rights and Conservation was several fold. The rights- conservation relationships described in Section II above are relevant to all three WCC Streams – i.e., Safeguarding the diversity of life; Healthy environments - healthy people; and A new climate for change. Further, rights arose as a key issue in the Forum; IUCN Members, Secretariat, Commissions, and partners planned nearly 30 events focusing on some dimension of rights (see Table 1). Together, these events aimed to, *inter alia*: enhance knowledge about the nature and implications of rights-conservation links; highlight innovative approaches,

policy mechanisms, practices, and tools – including ‘rights based approaches’ – aimed at practically addressing these links; and identify and encourage opportunities for future action.

The number of related events at the Congress demonstrated that the conservation community has begun to grapple with rights considerations. At the same time, the issues are relatively new and much contested. The Journey provided a way of linking these events, and drawing out both the commonalities and differences in how right issues are being conceptualized and addressed. It thus helped WCC participants recognize the “rights issues” as just that – an emerging, core issue for conservation – and contributed to the primary Congress objective of generating ideas, action and solutions for a diverse and sustainable world.

There was a **parallel Journey at the Congress on Bio-cultural Diversity and Indigenous Peoples** in which many rights concerns specific to indigenous peoples were raised. A separate report of that Journey is available from the IUCN website.²

Finally, as rights are a broadly cross-cutting theme in conservation and sustainable development, not all of the potentially relevant events were included in this Journey, and not all relevant issues can be captured in this summary report. However, we have tried here to bring together some of the key messages.

Table I. Events in the Rights and Conservation Journey

See Annex I for Journey schedule and links to presentations and event reports

CODE	EVENT TITLE	ORGANZIER
178	The evolving governance of protected areas under IUCN Category II (National Parks): exploring institutions, performance, social engagement and equity	Parcs Nationaux de France pour le Ministère Français du Développement durable
390	Linking Conservation and Poverty Reduction - Building new Alliances	German Federal Agency for Nature Conservation
449	Exploring issues and opportunities for rights based approaches to conservation	IUCN (CEESP, ELP, Social Policy) and CIFOR
459	Facing the challenges of REDD	Fauna & Flora International
494	Working with forest managers to ensure sustainable practices	Rainforest Alliance, Inc.
519	New developments in assessing the social impacts of protected areas and operationalising the "do no harm" principle	CARE International and The Nature Conservancy on behalf of the WCPA/CEESP PAs, Equity and Livelihood Task Force
571	Community Forest Tenure, Governance and Benefits: The missing links to climate change mitigation and adaptation	Rights and Resources Initiative
592	The landscape dynamic mosaic - embracing diversity, equity and change - Part I	IUCN Commission on Environmental, Economic, and Social Policy
603	Recognizing and supporting indigenous and community conserved areas - Part I	IUCN - TILCEPA/ TGER/ CEESP
611	From Chico Mendes to Copenhagen: Learning from Forest Peoples how to make REDD work	Environmental Defence Fund
614	Life as Commerce? Market-based conservation mechanisms, community governance and Indigenous Peoples' rights	Global Forest Coalition

627	Environmental Security and Measures for Liability and Compensations	Arab Group for the protection of nature
837	How to build support for grassroots environmental stewardship	Global Greengrants Fund
890	Gender and biodiversity conservation and management: communicating a lost world?	Both ENDS
921	The landscape dynamic mosaic - embracing diversity, equity and change - Part II	Politecnico di Torino - Diter (CED PPN)
1071	Replicable models of participatory water management in the Thar desert, India	Jal Bhagirathi Foundation
1129	Environmental (In) Justice: it is a reality in Latin America?	Programa de Pósgraduação EICOS da UFRJ
1158	Using The Access Initiative's methodology to assess government's performance on public access to information, participation, and justice	World Resources Institute (WRI)
1191	Land Tenure, Resource Rights and Conservation: Collaborative Experiences and Lessons for Future Practice	World Wildlife Fund - US
1200	Rethinking Conservation through the lens of "Food Sovereignty": implications for policy and practice	IUCN CEESP and International Institute for Environment and Development
1239	Keeping Nature Alive - the ethical foundations of nature conservation in the 21st Century	IUCN Commission on Environmental Law
1240	Developing Effective Legal And Institutional Frameworks part 2: the CBDPOW on Protected Areas and innovative governance in the field	IUCN Commission on Environmental Law (Specialist Group on Protected Areas)
1532	Conservation with Justice: A Rights-based Approach	IUCN Environmental Law Center
1535	Livelihoods and Landscapes: Better Forests, Better Lives	IUCN Forest Conservation Programme
1547	Climate change vulnerability, rights and justice	IUCN - Climate Change Initiative, Senior Advisor on Social Policy, and Oceania Programme
3015	Recognizing and supporting indigenous and community conserved areas - Part II	IUCN - TILCEPA/ TGER/ CEESP
7006	'Linking Conservation and Poverty Reduction - Landscapes, People, and Power' - Book Launch and Reception	IUCN: Senior Advisor on Social Policy
7012	Climate Change and Justice - highlighting a new frontier for climate change research	IUCN: Senior Adviser on Social Policy



Many Rights and Conservation Journey events drew a packed house to the UNDP Poble space (photo (c) Christian Chatelain)

IV. Key Themes & Messages of Events in the Journey

A key question framing the Journey was whether “consideration of rights is useful and appropriate for conservation work”. Conversations and activities at the Congress strongly suggest that the answer is YES. Journey events demonstrated that rights and conservation are often closely linked, in diverse and complex ways, and 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 failing to conserve them, we can help ensure better conservation governance, greater equity in processes and outcomes, and in many cases enhanced conservation effectiveness. What was also abundantly clear, however, is that the **nature, scope, directionality, and practical implications of rights-conservation links are far from straightforward**, and the factors that frame these relationships are many and complex.

Rights-conservation relationships demonstrated and/or advocated for during the Journey included the following:

- Biodiversity and natural resource conservation should respect rights, or ‘do no harm’.
- Conservation and natural resource management should, where possible, contribute to human wellbeing and the greater realization of human rights.
- Rights and responsibilities are inextricably linked, though the nature of the relationships between them is contested.

- 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.
- Rights are at the heart of good conservation governance, including protected areas governance.
- Rights, including tenure and resource access, can also help create an enabling environment for people to sustainably manage biodiversity.
- More generally, ecosystem management and resource/ tenure rights can be mainstreamed into poverty reduction and livelihood security initiatives to help ensure minimum standards of for human wellbeing are met. In this sense, conservation, rights, and poverty reduction are closely intertwined.
- Rights-based approaches (RBA) to conservation present tools and methods proposed to reconcile conservation and human rights and realize their positive synergies. These innovative and challenging approaches require further discussion and learning within the conservation community and its partners, however, to be operational.

There was also great variety in the nature and scope of the rights issues addressed within the Journey, including the following:

- A wide range of procedural and substantive rights are relevant for the conservation context. Procedural rights (as ends in themselves, and as entry points to identifying and raising substantive rights issues) and land tenure and resource access rights are often particularly important. Collective and customary rights, including the rights of indigenous peoples, must also be embraced within the conservation context.
- Inter-generational rights are a core consideration in the conservation context, including in helping to ensure sustainable resource use to support livelihoods of both present and future generations.
- Intra-generational rights, and distributive justice between nations and peoples, are also central, and highly challenging, issues at the intersection of conservation and rights. One example is the global justice implications of climate change; the people and nations with the lowest carbon emissions tend to be the most vulnerable to the impacts of climate change, and vice versa.
- Conflicts between rights, and between the claims of rights holders, as well as trade-offs between conservation/ rights objectives present some of the many complications of adopting rights approaches to conservation.

These and other issues were addressed in Forum events, side meetings, and other activities throughout the Congress. As further evidence of the central role given to rights issues at this Congress, about 20 of the 139 Motions adopted as IUCN Resolutions and Recommendations specifically mention human rights and equity concerns in their recommended actions. (See Table 2)

Overall, the number of Forum events and WCC outputs linked to rights demonstrate that this is no longer a sideline issue...Rights are a core and pressing concern. At the same time, the range of issues, and variety of ways in which they are understood, also shows that we are far from a clear vision or consensus on integrating rights in conservation policy and practice. Some of these key Journey messages are explored in more detail below, with the aim of distilling recommendations and lessons for future action by the IUCN and its partners.

Table 2: Examples of rights related Resolutions and Recommendations from the 2008 WCC

The full text of all 2008 WCC Resolutions and Recommendations can be downloaded at
http://www.iucn.org/congress_08/assembly/policy/

RES No.	Name
RES4.038	Recognition and conservation of sacred natural sites in protected areas
RES4.047	Empowering local communities to conserve and manage natural resources in Africa
RES4.048	Indigenous peoples, protected areas and implementation of the Durban Accord
RES4.049	Supporting indigenous conservation territories and other indigenous peoples' and community conservation areas
RES4.050	Recognition of indigenous conservation territories
RES4.051	Indigenous rights and protected areas of la Mosquitia in Mesoamerica
RES4.052	Implementing the U.N. Declaration on the Rights of Indigenous Peoples
RES4.053	Mobile indigenous peoples and biodiversity conservation
RES4.055	Mainstreaming gender equity and equality within the Union
RES4.056	Rights-based approaches to conservation
RES4.058	Conservation and poverty reduction
RES4.068	Reducing emissions from deforestation and degradation (REDD)
RES4.077	Climate change and human rights
RES4.081	Equitable access to energy
RES4.083	Industrial agrofuels production
RES4.086	Guiding and improving IUCN's involvement with the private sector
RES4.088	Establishing the IUCN Extractive Industry Responsibility Initiative

Responsibility & Rights:

Making the connections. Understanding the differences.

Key messages, actions, and ideas

Rights and responsibilities cannot be separated, though the nature of the linkages between them is an issue requiring further dialogue and consensus.

Rights and responsibilities are inextricably linked. However, the nature of these linkages, and what they imply for rights-based conservation, is far from a point of consensus among conservation actors or their partners. It is a basic premise of rights approaches that there are rights (and rights-holders) and corresponding responsibilities (and duty-bearers) that must be upheld. These duties, or responsibilities, are often categorized as:

- *Respecting rights*: refraining from taking actions that infringe on people(s)' enjoyment of their rights;
- *Protecting rights*: ensuring that third parties do not infringe on people(s)' rights; and
- *Fulfilling rights*: developing an enabling environment in which people(s)' can fully realise their rights.

Calls for integrating rights in conservation raise challenging questions about who rights-holders and duty-bearers are, and what the scope and nature of their rights and responsibilities are. States remain core duty bearers, but private sector and civil society actors, including conservation NGOs, are increasingly being called upon to take more responsibility for their rights impacts, and in some cases are already developing methods to

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 accountabilities are mutually supportive, and thus both central to the success of the RBA.³

The question of how rights and responsibilities are linked, and what this means for conservation action and resource use, is further complicated when we think of these linkages across generations (inter-generational rights) and species (rights of nature, animal rights). Exploring the 'ethical foundations of nature conservation', and responsibilities of all people to the environment, Kathryn Kintzele (Biosphere Ethics Project, IUCN CEL), stated that "... It falls ... to the IUCN ... to prevent the destruction of the biodiversity of the world by anyone, rich or poor, north or south -- and to ensure that the genes of wild species survive in situ, to be handed over in good condition to the next generation."⁴ At the same time, the rights of nature and the environment may be particularly difficult to operationalise within the 'rights' framework.

IUCN Members at WCC advocated that RBAs to conservation seek understanding of and opportunities for linking rights and responsibilities in ways that ensure mutually positive impacts for human and biodiversity interests. Certainly this should be pursued wherever possible. However, if rights are genuinely integrated into conservation practice, conflicts and trade-offs are also inevitable, and it is in such instances that conservationists are likely to face the greatest challenges in embracing rights. Such conflicts are unlikely to be easily resolved, and will certainly need more discussion and clarification within the conservation community and its partners.

Recommendations

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

- Continue to explore the nature and scope of rights and responsibilities in conservation, including their links and their differences. This may include legal and policy research, case study documentation, wide stakeholder engagement, and other possibilities;

- 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.

Closely related Journey events

(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

The continuing importance of protecting environmental rights and the rights of environmental defenders

Key messages, actions, and ideas

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..."⁵ 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.⁶ A 'step-wise' approach to rights-based conservation presented by the Environmental Law Programme incorporates environmental rights into a broader RBA to conservation framework.⁷ More generally, several participants examined the rights impacts of unchecked development in the context of climate change.

Other Journeys – notably the Journey on Biocultural Diversity and Indigenous Peoples – included several events exploring the impacts of extractive industry and environmental destruction on indigenous peoples.⁸ There were also several Resolutions and Recommendations related to environmental rights (see RES4086 - Guiding and improving IUCN's involvement with the private sector and RES4.088 - Establishing the IUCN Extractive Industry Responsibility Initiative). WCC 2008 RES4.119 addresses the Protection of rangers within and in areas adjacent to protected areas.⁹

Recommendations

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

- Environmental rights are a critical component of rights-conservation relationships and need to be further developed, promoted, and supported by the conservation community.
- The rights of environmental defenders must also be upheld and given stronger protections within the conservation arena.
- The CEL Biosphere Ethics Project and its partners should continue research and development of platforms for the rights of nature and the ethical foundations of conservation.
- IUCN and other members of the conservation community should stay committed to and effective in their mission of nature conservation.
- IUCN, the UN, and others should explore and help establish systems for liability and compensations for transgressions against the environment and natural resources during armed conflict.
- (See other relevant recommendations under the section on climate change below).

Closely related Journey events

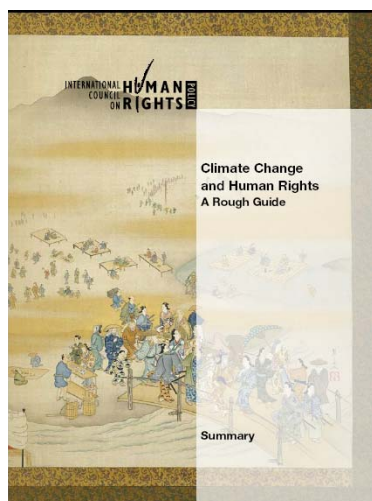
(See details in Annex I)

- (627) Environmental Security and Measures for Liability and Compensations
- (1239) Keeping Nature Alive - the ethical foundations of nature conservation in the 21st Century
- (1532) Conservation with Justice: A Rights Based Approach
- (1547) Climate Change, Vulnerability, Rights, and Justice

Climate change is a rights issue ... Right now!

Key messages, actions, and ideas

Climate change itself 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).



Climate Change and Human Rights – A Rough Guide (ICHRP) was one of several new research initiatives presented at a Journey reception on Climate Justice (Event no. 7012)

While the human rights implications of climate change are only starting to be understood and addressed, it is clear that it ***is already*** creating grave human rights concerns that are likely to become more pronounced over time. These include mass displacement, food insecurity, endemic disease spread, water scarcity, and others.

An event organized by the IUCN (Climate Change Initiative, Senior Advisor for Social Policy and Oceania Programme) explored the implications of the major global justice

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 law is ill prepared to address their plight.¹⁰ A diverse expert panel explored emerging issues in this arena. Stephen Humphreys (International Council on Human Rights Policy, Switzerland) stressed that, while the fact that there are human rights implications of Climate Change is self evident, the practical responses are poorly formed. Standard human rights link duty-bearers to violations of specific obligations against particular rights-holders. Climate change causes and impacts are widely dispersed...

Given this, *who are the duty-bearers, who are the rights holders, and how do we operationalise their relationships?* Victoria Tauli-Corpuz (Chair, UN Permanent Forum on Indigenous Issues) stressed the global justice dilemma faced by indigenous peoples, being among the most vulnerable, and the least contributing parties to climate change. There is arguably a right to adaptation that is not being met. Rights based approaches are now well known in several arenas... but it remains very difficult to get such approaches fully accepted and adopted. Systems of international law and justice, and the approaches of a wide range of governmental and non-governmental institutions, must be adjusted to account for the new challenges posed by climate change. Sustainable management of local/ national/ global resources is one way that we can help adapt to and mitigate against climate change impacts.

In addition to adaptation-related challenges, many mitigation mechanisms (e.g., REDD, biofuels, hydroelectric power expansion) also pose potential human rights risks that must be accounted for in their design and execution. A large subset of Journey events focused on the land, resource, cultural and other rights impacts that REDD may have on local people(s) (see Box 2). In the IUCN Environmental Law Programme (ELP) organized event 'Conservation with Justice', several participants addressed climate change mitigation policies, including the existing Clean Development Mechanism and possible new opportunities and challenges under REDD schemes.¹¹

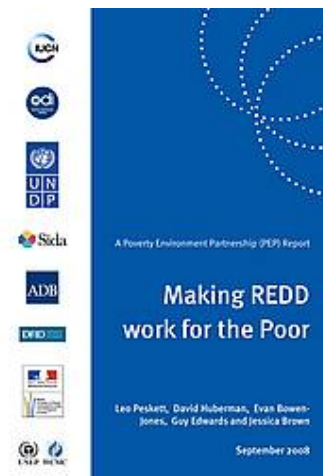
There are also many promising initiatives aimed at addressing the human rights dimensions of climate change. Several participants pointed to emerging treatment of climate change as a human rights issue by the UN, mainstream human rights organizations and the conservation community. The UN Permanent Forum on Indigenous Issues announced plans for three regional conferences on climate change and Indigenous peoples, to culminate in a global climate change conference in Alaska (April 2009) to discuss adaptation and mitigation measures, and develop set of recommendations from Indigenous peoples.

Several Resolutions and Recommendations also address rights and climate change in various ways, including 4.068 Reducing emissions from deforestation and degradation (REDD); 4.077 - Climate change and human rights; 4.081 - Equitable access to energy; and 4.083 - Industrial agro-fuels production.¹² (See Box 1)

Recommendations

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

- Continue to research, document, and widely share information about the links between climate change, conservation, and human rights. (See related Resolution in Box 1)
- Promote and/or adopt "polluter-pays principles" as part of global solutions to climate change; the people(s) who have contributed most to the problem should pay the most, and vice versa. This principle should be reflected in international conventions such as the UNFCCC and relevant Human Rights Conventions.
- Refine (or advocate for the refinement of) international and national laws and policies to address rights and responsibilities regarding climate change related impacts, including displacement. This includes revising



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

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.

- Develop, promote, and adopt practical and rapid rights based approaches on the ground where climate change is affecting local people(s).
- Increase and develop more effective and equitable targeting for adaptation funding.
- 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).
- 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).
- Promote both stronger global leadership and local people(s)' engagement in addressing climate change and its impacts.
- 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).

Closely related Journey events

(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

Box 1: Resolution 4.077 - Climate change and human rights

The World Conservation Congress at its 4th Session in Barcelona, Spain, 5–14 October 2008:

1. CALLS on IUCN's members and interested parties to contribute information on the impact of climate change on human rights to the United Nation's Human Rights Council in line with the above mentioned resolution that establishes a mandate for the UN to carry out a detailed analysis of the relationship between climate change and human rights;

In addition, the World Conservation Congress, at its 4th Session in Barcelona, Spain, 5–14 October 2008, provides the following guidance concerning implementation of the *IUCN Programme 2009–2012*:

2. CALLS ON the Director General to contribute to the consideration of matters related to climate change and human rights in the context of IUCN's global Mission;

3. REQUESTS CEL and the IUCN Environmental Law Programme, in collaboration with the Director General and IUCN's members, to undertake a study on the relationship between climate change and the effective enjoyment of human rights, and to produce a detailed report that takes into account the work of the United Nations Human Rights Council; and

4. REQUESTS the Director General to disseminate the results of the study to the membership, once it has been published. State and agency members of the United States refrained from engaging in deliberations on this motion and took no national government position on the motion as adopted for reasons given in the U.S. General Statement on the IUCN Resolution Process.

Market-Based and Rights- Based Conservation: Conflicting or Complimentary?

Key messages, actions, and ideas

There are potential tensions (and synergies) between market-based and rights-based conservation; market based schemes must also ensure respect for rights, including those of the most vulnerable.



The cover of the report features a green header with the title "LIFE AS COMMERCE: The impact of market-based conservation on Indigenous Peoples, local communities and women" and a logo of a tree with roots. Below the header is a photograph of three children, and at the bottom is a white box with text.

The Global Forest Coalition report *Life as Commerce: The impact of market-based conservation on Indigenous Peoples, Local Communities and Women* was launched at the WCC.
<http://www.globalforestcoalition.org/img/userpics/File/publications/LIFE-AS-COMMERCE2008.pdf>

Market-based conservation strategies, and particularly payment for environmental services (PES) schemes, were a major issue explored at WCC, including within a parallel Journey on Markets.¹³ While promising in many ways, market-based approaches can also pose a number of potential conflicts with local people(s)' rights. Overall, the Rights and Conservation Journey revealed a clear call among IUCN members and partners for social safeguards and more harmonization between rights and market based approaches. An International Institute for Environment and Development (IIED) and IUCN Commission on Environmental, Economic, and Social Policy (CEESP) organized event on Food Sovereignty looked broadly at the tensions between market-based and rights-based approaches from the perspective of impacts the right to food and food production systems.¹⁴ Members of the Global Forest Coalition launched the publication, *Life as Commerce: The impact of market-based conservation on Indigenous Peoples, Local Communities and Women*. The publication explores market-based conservation approaches in various contexts, including carbon sinks (Colombia), forest certification (South Africa), ecotourism (India), bioprospecting (Costa Rica), and biodiversity offsets (Paraguay).¹⁵ Rights and Conservation Journey events raised various potential risks of PES and market-based conservation more generally, including the following:

- Greater incentives for land and resources to be conserved for their global or 'off-site' values, rather than for local needs, can 'out compete' food production systems and other land use systems important for local livelihoods. This may physically or economically displace subsistence farmers, pastoralists and others.¹⁶
- Financial incentives for governments to retain 'top down' or centralized management of forests and other natural resources for their PES benefits may undermine ongoing efforts towards decentralized natural resource management and governance.¹⁷
- PES systems may primarily benefit those systems of land use and resource valuation that align easily with capitalist markets, and reward most heavily those groups and individuals with upfront capital to invest in conservation. This may disadvantage people with the least market access, such as subsistence farmers, and may marginalise traditional cultures and systems of knowledge.¹⁸
- Impacts of poorly-designed market based schemes may be particularly harmful to women.¹⁹
- In general, market-based systems are being developed and promoted without sufficient input and participation of indigenous and local people(s)' representatives.

At the same time, **market-based systems can compliment rights-based systems**. For example, market based systems embedded within sound, equitable governance arrangements, including secure tenure rights, and can help generate income and other benefits that will, in fact, accrue to local people(s). In the IIED and CEESP organized event on Food Sovereignty, Michel Pimbert and other speakers promoted a vision for conservation grounded in secure land and food rights, and equitable systems for agricultural trade.²⁰ The IUCN Forest Conservation Programme's Livelihoods and Landscapes (LLS) initiative links poverty reduction; forest governance, rights and tenure; markets and incentives; and forest landscape restoration. LLS draws on the synergies between rights-based forest governance and market access as a means of empowering people to enhance their livelihoods and overall wellbeing.²¹

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.”²² 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.²³

Recommendations

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.
- Support more and deeper opportunities for indigenous and local and mobile peoples to engage with policy makers and international organizations, in events like WCC or through other appropriate venues, to ensure greater voice in the creation of any PES/ REDD guidelines, policies, or standards.
- Develop and apply rights based approaches to PES, including REDD, to ensure such systems are effective and equitable. This should include developing standards and guidelines, better regulating (PES) markets, and a more general focus on strengthening natural resource governance systems, including forest governance.
- Engage with consumers, large market actors, and other large scale resource exploiters about the rights impacts of market based conservation, to ensure that they better understand their impacts and responsibilities.
- Reduce liability / risks for vulnerable communities and community members engaged in PES contracts.
- Enhance security of collective land tenure and resource access rights to create an enabling environment for people to engage in market based mechanisms in ways that generate collective benefits.

Box 2: A REDD hot topic in the Journey on Rights and Conservation

Adapted from several WCC presentations²⁴

Prominent among the discussions on both climate change and market-based conservation were questions about how carbon markets will impact biodiversity and human rights, in potentially positive and negative ways. REDD mechanisms received particular attention and concern.

For a number of reasons, including apprehensions from several states about sovereignty over forest resources, regulated markets under the Clean Development Mechanism excluded REDD from the set of eligible land use and forestry climate change mitigation activities. Carbon credits and off-sets for conservation and avoided deforestation have been available though unregulated, voluntary markets in the last several years, however, and REDD mechanisms are now back on the agenda for consideration and potential adoption under UNFCCC mechanisms. It is in large part this new potential influx of investments for forest conservation that has placed the issue at the centre of conservation and rights discourse.

Potential rights and justice concerns arising from REDD

The main social concerns around REDD relate to negative impacts on human rights and interests that may arise as states and external investors act on new incentives to retain or obtain areas of forest for conservation. Specific concerns raised in the Journey events included:

- Physical displacement, economic displacement (e.g., reduced access), or forced eviction from lands, territories and forest resources;
- Lack of indigenous and local people(s)' meaningful participation in negotiations over the legal and institutional mechanisms for REDD at the international, regional, national, and site levels;
- Stalling or reversing progress on decentralizing control and benefits of forests to communities.²⁵
- Lack of information and transparency around carbon market transactions, and resulting marginalization of local people or others without power or access to sufficient information; and
- Benefit capture by those most engaged in market economies, and/or those with upfront capital to invest in carbon credit projects, to the disadvantage of more vulnerable populations.

Utilizing WCC as a space for voicing concerns and sharing suggestions on REDD

In a linked set of Forum events, "delegates of indigenous peoples from 6 countries presented a coordinated approach to Climate change, REDD and related topics". The indigenous delegation, which was selected by the coordinating bodies of the indigenous organizations of the Amazon Basin,²⁶ participated in events and exchanges throughout the week to communicate their demands and strategize for the recognition of indigenous rights in REDD and climate change negotiations more generally. Related Journey events in this set included:

- *Indigenous Forest Tenure, Governance and Benefits: The missing link to climate change mitigation and adaptation* (no. 571), organized by the Amazon Alliance, Rights and Resources Initiative and Forest Peoples' Programme.
- *From Chico Mendes to Copenhagen: Learning from Forest Peoples how to make REDD work* (no. 611), organized by the National Wildlife Federation and the Environmental Defence Fund.

Existing and developing recommendations for making REDD and rights compatible

Rights and Conservation Journey events presented several suggestions and examples for REDD frameworks including:

*General recommendations from COICA and COIAB representatives,*²⁷ including the following expressed in events organised by Amazon Alliance, Rights and Resources Initiative and Forest Peoples' Programme (no. 571) and the National Wildlife Federation and the Environmental Defence Fund (no. 611):

- Engaging in full consultation with indigenous and other local communities on the development of programs, including information about different program options and potential impacts
- Ensuring information is shared widely with community members, and not only the top leadership
- Establishing Free Prior and Informed Consent (FPIC) before key decisions are made at international, national and regional level;
- Demarcating and securing tenure and access rights of indigenous lands and territories. This includes enforcement of existing laws enabling and protecting indigenous peoples collective rights, and expansion such mechanisms; and
- Clarifying who owns carbon rights, using a process in line with the other recommendations listed here.

The COICA - Quito Declaration

The elected leaders of COICA met in Quito, Ecuador (August 2008) and developed and endorsed a Declaration stating their concerns and recommendations for REDD. This document was introduced and explained in Event no. 611 - *From Chico Mendes to Copenhagen: Learning from Forest Peoples how to make REDD work*, and many of the specific recommendations in the Declaration were re-expressed throughout Forum events (see above).²⁸ COICA and its member organizations are in the process of developing an Indigenous Strategy on Climate Change, which will address the concepts of "adaptation" and "mitigation", but will implement these concepts in accordance with Amazonian indigenous cosmivision and the Amazonian Indigenous Agenda.

Accra Caucus on Forest and Climate Change draft 'Principles and Processes as Preconditions for REDD'

Representatives from civil society and Indigenous Peoples' organizations from nearly 30 countries met in Accra, Ghana in August 2008 to discuss issues and concerns with REDD. They summarized their main concerns and recommendations in a statement of "Principles and Processes as Preconditions for REDD", which included (in paraphrased form):

- Recognize and respect Indigenous Peoples' and local communities land, territory and resource rights; REDD should not lead to displacement;
- States wishing to participate in REDD implementation should be required to adopt and implement the UN Declaration on the Rights of Indigenous Peoples. They should also ratify and implement ILO Convention 169 and the human rights covenants, as well as the Convention on Biological Diversity.
- Indigenous Peoples and local communities must be involved at all stages of decision-making, including decisions based on FPIC.
- Indigenous peoples and local communities should directly and substantially benefit from their conservation efforts.
- National level REDD implementation strategies should include conflict resolution and grievance mechanisms.²⁹

United Nations Permanent Forum for Indigenous Issues – developing climate change recommendations (see above)

CCBA - Climate, Community and Biodiversity Project Design Standards

Joanna Durbin, Director of the Climate, Community & Biodiversity Alliance (CCBA), presented the Climate, Community and Biodiversity Project Design Standards (CCB Standards) at a WCC reception on *Climate Change and Justice*. The CCB Standards are designed to help "evaluate land-based carbon mitigation projects in the early stages of development" and "foster the integration of best-practice and multiple-benefit approaches into project design and evolution".³⁰

Global Forest Coalition – Life as Commerce report

The GFC report 'Life as Commerce' explores several case studies in market based conservation, including REDD, and makes recommendations for better monitoring impacts and claiming rights.

Challenges to making REDD work for local people

While the above listed recommendations and experiences for equitable approaches to REDD are encouraging, many challenges remain to their implementation and ultimate effectiveness, including³¹:

- At this stage, REDD is still being piloted and negotiated. Expectations are high, in terms of both benefits and costs, but concrete planning is difficult to undertake in the face of this uncertainty.
- Ensuring that local people can benefit from REDD will often be contingent on their having secure rights to forest resources... but securing these rights is no easy feat! Even where rights are officially recognized, implementing their realization is difficult.
- More generally, making REDD "work for people" means undertaking these mitigation activities within effective and equitable forest governance institutions... yet such institutions are lacking in many countries and forestry contexts.

Closely related Journey events

(See details in Appendix I)

- (459) Facing the challenges of REDD
- (571) Community Forest Tenure, Governance and Benefits: The missing links to climate change mitigation and adaptation
- (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

Rights as a Core Consideration in Protected Areas Governance

Key messages, actions, and ideas

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 Parks, as described in even no. 178 organized by Parcs Nationaux de France pour le Ministère Français du Développement durable. However, the centrality of rights within the broader category of PA governance was most often raised in the context of shared governance and community governance regimes.

The IUCN Commission on Environmental Law (CEL) Specialist Group on Protected Areas organized an event on “Developing Effective Legal and Institutional Frameworks...” for the CBD Programme of Work on PAs. A pervasive message from the event was the importance of upholding traditional knowledge, recognizing and respecting customary law, and further supporting indigenous peoples’ land rights with national law systems to help create an enabling environment for indigenous peoples to secure and manage their traditional lands as part of protected areas systems.³²

The CEESP TGER/ TILCEPA events on indigenous and community conserved areas (ICCA)³³ had a prominent focus on the importance of respecting and protecting a range of legal and customary rights in order to help ensure a supportive environment for communities to maintain their ICCAs. This is a key opportunity for realizing synergies between rights and conservation objectives. At the same time, such inclusive approaches to PA governance remain relatively poorly understood and under-supported. Better informed and more careful and respectful approaches are urgently needed, including rights-based approaches to PA establishment and management. Formal recognition and support for ICCAs, while often crucial, has to be done with care and with respect for the customary structures that have historically conserved these areas. Otherwise, imposed, top-down governance structures risk destroying the very areas that they seek to conserve. Recognition of ICCAs has to be linked with the protection of ancestral territories, customary governance and the principle of self-determination, as well as security of land tenure.

Landscape level governance – moving out of strictly bounded PAs to conservation in the historic, ecological, socio-economic, and cultural ‘mosaic’ across time and/or geographical space – was also presented by CEESP (TGER) and Politecnico di Torino - Diter (CED PPN) as an area of PA governance innovation where rights continue to play a central role. Secure and clear rights and responsibilities help ensure effective and equitable conservation with a range of actors across landscapes.

Protected areas are one area in which rights – conservation relationships have been the most contested. Despite the presentation of many ‘success stories’, the continuing tension between people(s) and parks was a prominent theme within the Journey. Presenters from the indigenous delegation selected by COICA (in an event organised by the Amazon Alliance, Rights and Resources Initiative, and Forest Peoples’ Programme) raised many historical and continuing instances of physical and economic displacement, and of procedural, land, resource, economic, cultural, and self-determination rights infringements associated with PA establish or management. Jorge Furigaro, Leader of the OPIAC federation of Ecuador, for instance, stressed that many indigenous territories overlap with protected areas, crossing different administrative departments and peoples’ territories. The conservation of these areas, and the underlying policies, create conflicts between the two sets of institutions. Peoples in these areas are restricted from utilising resources and practices important to their traditional lifestyles and basic wellbeing, and to which they have rights claims.³⁴ Issues of indigenous peoples’ rights, including continued demands for restitution, were also raised in many events within a parallel Journey on Bicultural Diversity and Indigenous Peoples.³⁵

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.³⁶ 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 remains a challenge. Jana and Stevens describe the importance of community collective action claiming and securing rights.³⁷ Their presentation focused on the PA/ PA buffer zone context. Community forests more broadly in Nepal (outside of the PA context) are governed by a relatively robust set of rights and tenure arrangements.

Rights in the context of PA governance are very closely tied to the discussions on land tenure/ resource access rights and ecosystem management below, and many of the relevant event details are discussed in those sections.

Rights and PAs were a key issue in several WCC 2008 Resolutions and Recommendations,³⁸ including:

- 4.038 - Recognition and conservation of sacred natural sites in protected areas
- 4.047 - Empowering local communities to conserve and manage natural resources in Africa
- 4.048 - Indigenous peoples, protected areas and implementation of the Durban Accord
- 4.049 - Supporting indigenous conservation territories and other indigenous peoples' and community conservation areas
- 4.050 - Recognition of indigenous conservation territories
- 4.051 - Indigenous rights and protected areas of la Mosquitia in Mesoamerica
- 4.052 - Implementing the U.N. Declaration on the Rights of Indigenous Peoples
- 4.053 - Mobile indigenous peoples and biodiversity conservation

More analysis of PA and rights related events can be found in the report on the Journey on Biocultural Diversity and Indigenous Peoples.³⁹



Grazia Borrini-Feyerabend (left), previous TGER and TILCEPA Co-Chair and Taghi Farvar (right), previous CEESP Chair, present key messages and examples of Community Conserved Areas at an event in the Rights and Conservation Journey. (photo © Christian Chatelain)

Recommendations

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

- 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.⁴⁰
- 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.⁴¹
- 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.
- Further efforts to develop and disseminate tools/ methods for ensuring PA establishment and management respects human rights, such as PA Social Impact Rapid Appraisal tools⁴²

Closely related Journey events

(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
- (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
- (1191) Land Tenure, Resource Rights and Conservation: Collaborative Experiences and Lessons for Future Practice
- (1240) Developing Effective Legal And Institutional Frameworks part 2: the CBDPOW on Protected Areas and innovative governance in the field

The Role of Rights in Making Natural Resource and Biodiversity Conservation Work for Human Wellbeing, ... and visa-versa

Key messages, actions, and ideas

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.

Several WCC events spoke to the importance of ecosystem and natural resource management in supporting human wellbeing and poverty reduction. Poverty, broadly defined, is a critical rights issue in itself, and **rights play multiple roles in the processes through which ecosystem management contributes to livelihoods, wealth, and poverty reduction.** For example, where systems of resource and tenure rights are in place, people can more effectively and sustainably manage ecosystems for their food, water, health, and general livelihood security and quality.

Food security, and beyond this food sovereignty, is one area where rights, ecosystem management, and livelihoods links can clearly be seen. The Food Sovereignty paradigm, as presented by IIED and CEESP in

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 production and regulation of trade and markets (e.g., restrict 'dumping' on local markets). In this workshop, Lal Si spoke to how pastoralists' cultures, knowledge, food production systems, and collective land rights can support both conservation and peoples' food sovereignty. Alejandro Argumedo described how local potato growing communities in Peru conserve agro-biodiversity on their collective lands to help ensure their food sovereignty in face of market development pressures that could otherwise have detrimental impacts on both.⁴³

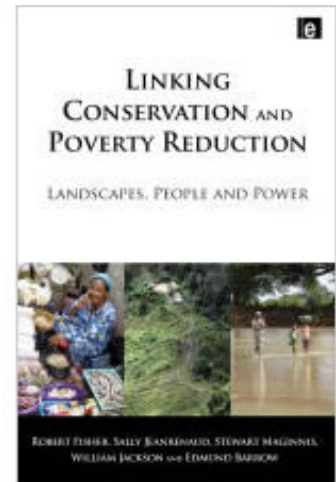
The Jal Bhagirathi Foundation organized a Knowledge Café on participatory water management models. Participants described a process in which rural communities in the Thar desert, India, who are severely affected by acute water crisis, have established grassroots water user associations (Jal Sabha) for conservation and management of water resources. These communal systems help identify local people's water rights, which in turn helps ensure vulnerable people retain access to sufficient quantities of quality water.⁴⁴

In an IUCN, CEESP, and CIFOR organized event on rights based approaches to conservation, Peter Laban (IUCN REWARDS programme) and Omar Zayed (Palestinian Water Authority) presented experiences working with water management systems in West Asia. Among their key messages was that water governance processes must include clear and reliable *rights* and *responsibilities*, across all users and management levels, for water use to be both sustainable and inline with people's rights to water.⁴⁵

In addition to the human wellbeing benefits, many Journey events simultaneously addressed the related **biodiversity benefits that can arise from addressing land and resource rights in conservation activities**. Throughout the world, many indigenous peoples and local and mobile communities own, manage, and contribute to the conservation of globally significant biodiversity in their lands and territories. The conservation community is increasingly recognizing the importance of collaborating with indigenous peoples' and local communities, and respecting and protecting their land and resource access rights, to generate positive benefits for both human wellbeing and conservation effectiveness.⁴⁶ Thus, **recognizing and supporting land and resource rights in conservation activities is often a central element in harnessing positive synergies between biodiversity and human livelihoods**.

A WWF-US organized event provided a space for several local representatives to share concrete examples of conservation – human wellbeing synergies supported in part by secure land tenure and resource rights. In Peru, the efforts of the indigenous organization AIDSEP and partners has led to the clarification and strengthening of the status of indigenous reserves of peoples living in voluntary isolation. In Sabah, Malaysia, the organization Pacos Trust and community groups are working with Sabah Parks to map and recognize community use zones with the Crocker Range Park. In Mozambique, community fishing zones have been demarcated and protected as part of the establishment of Quirimbas National Park. In the Amazon region, broader partnerships highlighting links between territorial rights and conservation are developing between indigenous and conservation organizations. Conclusions of this event included that: "Security of community land tenure and resource rights contributes to conservation and sustainable land management; Efforts to secure land tenure and resource rights, linked to conservation objectives, are an important area for collaboration among indigenous organizations, local communities, and conservation groups; The common objective of communities, governments and organizations to manage and protect resources provides a basis for collaboration."⁴⁷

Several cases highlighted the important role that national law can play in supporting land and resource rights for the benefit of conservation and peoples. The Chief of the WaiWai people from south Guyana described his tribe's progress from owning no land to getting title to 2,300 square miles and creating their own protected area using national law.⁴⁸ However, while national legal and policy recognition of indigenous and local people's land and resource rights appears to be important in many cases, a key message from CEL, CEESP, and many



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

others is that **national and international legal frameworks should also be flexible enough to respect and uphold customary law.**

As with protected areas (see above), while many success stories and good examples were shared in the Journey events, many people(s) continue to face threats to the continuation of their livelihoods and the continued enjoyment of their rights.

Recommendations

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

- Support rights-based resource management, including by seeking ways to link rights and responsibilities of local resource users and managers.⁴⁹
- Develop and further disseminate information about Forest Product Certifications for small holder forest managers and community-based forestry institutions.⁵⁰
- Document and widely communicate examples of the role of rights in linking conservation and poverty reduction (what works and what does not). Communication should take place across multiple levels and in multiple languages.
- Support development and application of principles and guidelines that help ensure conservation contributes to poverty reduction, sustainable development, and the realization of human rights, including through more and deeper inter-disciplinary exchange.⁵¹
- Enhance security of collective land tenure and resource access, including by developing and promoting policy tools such as 'rights-based approaches' to conservation and development.
- Encourage conservation organizations to engage more directly in discussion and action around food security, especially working from a right-to-food and food sovereignty perspective.
- Adopt a Food Sovereignty lens to jointly address conservation, bio-cultural diversity and livelihoods through, *inter alia*: strengthening local organizations; empowering citizens in decision making around food production systems; focusing on social inclusion and the human right to food; supporting agrarian reform and equitable property rights; developing agro-ecology, eco-literacy and resilience; and re-governing trade and rethinking economics.⁵²
- Prioritize "securing land tenure and resource rights of indigenous peoples and local communities as part of all conservation efforts involving their traditional lands and resources Actions to secure land and resource rights contribute to fundamental rights, to human well-being and to positive conservation outcomes".⁵³
- Understand, recognize, and legalize the relationship of indigenous peoples to their land and resources, including by understanding and incorporating dynamic customary law into international mechanisms and guidelines like the CBD and UN FCCC. These efforts can be supported by legal research to develop a set of recommendations on incorporating customary law in national and international Protected Areas instruments.⁵⁴
- Continue to document and widely share examples and information about when and how supporting land and access resource rights can contribute to conservation and livelihoods, and examples of when such synergies were not possible or were not realized. Ensure communication is carried out at multiple levels and in multiple languages.

Closely related Journey events

(See details in Annex I)

- (390) Linking Conservation and Poverty Reduction - Building new Alliances
- (449) Exploring issues and opportunities for rights based approaches to conservation
- (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...

- (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
- (611) From Chico Mendes to Copenhagen: Learning from Forest Peoples how to make REDD work
- (921 & 592) The landscape dynamic mosaic - embracing diversity, equity and change - Part I and II
- (1071) Replicable models of participatory water management in the Thar desert, India
- (1191) Land Tenure, Resource Rights and Conservation: Collaborative Experiences and Lessons...
- (1200) Rethinking Conservation through the lens of "Food Sovereignty": implications for policy and practice
- (1240) Developing Effective Legal And Institutional Frameworks part 2: CBDPOW on Protected Areas...
- (1535) Livelihoods and Landscapes: Better Forests, Better Lives
- (7006) 'Linking Conservation and Poverty Reduction - Landscapes, People, and Power

Rights Based Approaches to Conservation... Bringing it all together?

Key messages, actions, and ideas

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 benefits are (and to whom they apply).

Rights based approaches (RBA) are beginning to be promoted and accepted as ways to integrate conservation, human wellbeing, and justice concerns. Such approaches were a theme in many Journey events, and the main topic of several dedicated events. While the benefits of RBAs for social justice and conservation appear to be many, it is also clear that that **the questions of what RBAs are, and how such approaches can be operationalised and practically implemented in the conservation arena, remain a challenge.** More learning and coordination is needed to clarify the form and function of RBAs and to fully harness their benefits for both conservation and human wellbeing.

Defining 'Rights based approaches'

The term 'rights-based approach' is being used by various actors and organizations in different ways. In general RBA in this context refers to a set of **concepts, processes, tools, or methods for integrating rights norms and principles into conservation planning, implementation, and outcomes assessment.** Some common elements include:

- Processes that link rights (of rights-holders) & responsibilities (of duty-bearers and rights holders) and build capacity of both to claim rights and meet obligations;
- Using rights norms and principles as a standard for measuring process and outcomes;
- Understand and addressing underlying causes of conservation and social concerns, and
- Focusing on the most vulnerable (in addition to other rights-holders).

They can be applied at multiple scales and in diverse contexts, and are, in principle, applicable to any of the Journey sub-themes described in the sections above. Discussions in the Journey suggest that this integration can be done through advocacy, legal actions, policy, programming, project design, or other avenues. Some of the definitions and implied conceptualizations of RBA to conservation presented in the Journey are listed immediately below. This list is not meant to be exhaustive, and the examples are not mutually exclusive or strictly distinct. They rather represent some of the broad "kinds" of RBAs demonstrated.

- "...[A]ll actors planning or engaged in policies, projects, programmes and activities shall secure to potentially affected people their substantive and procedural rights guaranteed in national and international law in order to ensure: an ecologically sustainable environment, inter-and intra-generational equity and respect for the intrinsic value of nature."⁵⁵
- Protected areas establishment and management recognizes and respects and/or helps further secure the rights of indigenous peoples, local and mobile communities, and other vulnerable people(s). This includes procedural, tenure, resource access, cultural, and self-determination rights held in international,

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

- Resource management involves an explicit assessment and incorporation of the full range of rights and responsibilities of the various stakeholders, including all people's substantive rights to the resource or related ecosystem products or services (e.g., food, water, etc)
- Participatory approaches to conservation and environmental management are grounded in the understanding that information, participation, and other procedural rights are core human rights, and that participatory approaches help rights-holders better understand claim their substantive rights. (This example also raises controversy, as RBA must go beyond procedural rights).
- Engagement with rights-holders and duty-bearers helps to inform them of their rights and responsibilities, and enhance their capacity to claim rights and meet obligations.
- Climate change adaptation and mitigation mechanisms are designed and implemented in ways that respect individual, collective, intra- and inter-generational rights, including updating international legal frameworks to account for climate change refugees and other "new" rights concerns.
- Environmental defence and protection draws on the human (and non-human) rights framework as an instrument and guiding principle.

Processes, tools, methods, guidelines to help operationalise RBA to conservation

Several innovative ideas and examples of tools and methods for RBA were described within the Journey, including those described below (in random order):

- **Rights performance evaluation toolkit:** The Access Initiative (TAI) hosted a Learning Opportunity on assessing government performance on public access to information, participation, and justice. The toolkit is aimed at helping to pinpoint strengths and weaknesses in environmental governance and identify opportunities to make positive changes. Using case studies and indicators that evaluate laws and government practices, TAI coalitions aim to answer questions such as: Does the government inform citizens when pollution poses a health threat? Do citizens have a say in how natural resources are used? and Does the justice system equitably resolve environmental disputes? The course taught participants how to conduct a comprehensive assessment using the TAI toolkit. In addition, it guided users on how to use their assessment data to work with policymakers for increased public access to information, participation and justice in decision making for the environment.⁵⁶
- **Protected Areas Social Impact Assessment Tools.** Speakers in an event organized by CARE International and The Nature Conservancy on behalf of the WCPA/CEESP PAs, Equity and Livelihood Task Force described PA social impact assessment tools. For example, Phil Franks (CARE Int.) described a low cost (10,000 USD per site) PA Social Impact Rapid Assessment tool that supports participatory assessment of a PA's overall impact on well-being. The tool was tested by CARE, IUCN, and African Wildlife Foundation in 12 protected areas across 4 countries (Kenya, Uganda, Thailand, Philippines) and 3 PA governance types (government managed, co-managed, and community managed). The tool can be used for, *inter alia*, assisting communities in defending their interests and rights.⁵⁷
- A **'step-wise' approach to RBA to conservation**, developed by IUCN ELP as a comprehensive preventative (and, where necessary, response) measure for project or programme pre- evaluation and monitoring. See Box 3 for a summary of the approach.
- **Human rights impact and compliance assessment tools.** Rights impacts and compliance assessment models are becoming more widely available. Available models tend to be 'stand-alone', but could in principle be integrated with environmental and social impact assessments. These tools have not been widely developed for the conservation context, but models exist in the business and development context, and could serve as a basis for developing similar models for conservation. Human Rights Impact Assessment (HRIA) and Human Rights Compliance Assessment (HRCA) were introduced as concepts for further exploration in the IUCN/ CEESP/ CIFOR organized Journey event on RBA to conservation.⁵⁸
- Establishing strong mechanisms for indigenous and local peoples' **Free, Prior, and Informed Consent (FPIC)** where land or resource tenure, use, or access will be substantively impacted by conservation or climate change-related activities. Several relevant models were discussed in the protected areas context

(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 Jepirachi Wind Power CDM Project in Colombia.⁵⁹

- Using processes that **focus on procedural rights, as both ends in themselves and as ways to ensure greater capacity for action on substantive rights**. This includes participatory decision making processes, ensuring access to full information, mediation or conflict resolution processes, and procedures for claims making and restitution where rights violations have occurred. Among others, this approach was presented by Phil Franks (CARE International).⁶⁰
- Mainstreaming gender rights, or other particular rights issues, into environmental management regimes. An event organized by Both ENDS and Alterra, focusing on gender and biodiversity, included a presentation by the IUCN Senior Advisor on Gender on supporting gender mainstreaming in the CBD, among other EMAs and conservation platforms.
- Several innovative institutions that involve both resource users and managers, and explicitly link their rights and responsibilities. This includes water management processes facilitated by the IUCN REWARDS programme in the Middle East and North Africa and the Jal Bhagirathi Foundation in the Thar desert.⁶¹
- **Advocacy and social activism for rights realization**, particularly in environments where rights are not currently being recognized, at least to the satisfaction of concerned rights-holders. Stan Stevens and Sudeep Jana shared strategies that people are pursuing in Nepal, including active advocacy campaigns, awareness raising, and social movements amongst rights-holders and their partners.⁶²
- **Policies and guidelines for engagement developed for and by indigenous peoples and local communities** were also presented, including the Dana Declaration of mobile peoples and the Quito Declaration guidelines on conservation and REDD presented by COICA (see Box 2 above).

As shown in these few examples, the conservation community is beginning to develop guidelines, tools, and methods for rights based approaches to conservation and climate change. However, fully developed and widely accepted instruments remain scarce. Coordination and shared knowledge between these efforts, and more elaboration, testing, and discussion is needed in all cases. This includes the need for ongoing and enhanced engagement across levels, sectors, regions, and people(s).

Box 3: A Step-wise Approach for RBA to Conservation

Developed by the IUCN Environmental Law Programme

Adapted from a presentation by D. Shelton⁶³

1. Step 1: The Role of the State:
 - Enact a legislative and regulatory framework
 - Identify and integrate human rights considerations in the design, prior approval and implementation of all projects, programmes, and activities that could negatively impact conservation.
 - Create and maintain the institutional framework to implement and monitor compliance with the normative framework.
2. Step 2: Pre-project Analysis
 - Learn: become informed about the legal, economic, human rights and environmental circumstances relevant to the project;
 - Collaborate: Identify and begin a broad, transparent, and equitable collaboration with interested and affected parties;
 - Plan: Prepare a comprehensive and transparent plan for development, policy-decisions, project definition, monitoring and evaluation;
 - Identify the critical potential conservation and human rights impacts, including for the most vulnerable people(s);
 - Develop indicators of human rights and conservation consequences, to be used throughout the process.

3. Step 3: The Formal Assessment

- Gather and disseminate comprehensive information consistent with procedural and substantive human rights in order to prepare for the assessment.
- Assessment of a project or activity should aim to avoid or mitigate negative impacts during the process as well as in the outcomes of the project or activity.
- The Assessment Procedure should be conducted in a manner consistent with equity, non-discrimination, Participation, and accountability, and should rely on a full set of indicators which are developed and used from the beginning of the process, and further refined at each step.
- The assessment process should also include a dispute resolution process

4. Step 4: Provide Information

- Under a rights-based approach, project proponents compile, publish and otherwise disseminate information in an understandable and easily accessible way; disseminate general information regarding the action; and disseminate specific information regarding legal rights, claims and duties of potentially affected persons.

5. Step 5: Ensure Participation

- Consult with all stakeholders on the options with the aim of developing a collective vision of desired outcomes;
- Develop options aimed at meeting each priority goal, in as inclusive a process as possible;
- Try to anticipate unintended consequences, including for long-term conservation objectives, other groups, and other rights;
- Develop criteria for choosing among the possible options;
- Further refine indicators and monitoring methods for each option to enable assessment of its impacts;
- Seek and promote free, prior informed consent;
- Provide or utilize mediation, administrative procedures or other mechanisms to secure rights

6. Step 6: Take Reasoned Decisions

- Carefully weigh all the information obtained and the available options and take a decision that is legitimate (the result of a transparent, participatory process); likely to achieve the identified goals; and proportionate (the alternative least-burdensome to the rights of potentially-affected persons).

7. Step 7: Monitor and Evaluate the Project in an iterative way, and report on results

Practical questions for understanding and operationalizing RBAs to conservation

The Journey raised several challenging questions, and in some cases suggested answers, for the practical application of RBAs to conservation, including those listed here.

• Which rights are to be considered in RBAs to conservation?

Conservation relevant rights may be drawn from a wide variety of sources, including:

- Treaties and customary international law
- Constitutions
- Legislation and Regulations
- Contracts, including international financial institutions and other funding agreements
- Codes of conduct and professional standards
- Local customs and practices
- Ethical and moral standards

The wide range of rights issues mentioned included:

Substantive rights to

- Non-discrimination and equal protection (including gender)
- Right to life
- Prohibition of force and child labour
- Freedom of movement and residence
- Right to development
- Cultural rights
- Minority rights
- Right to safe and healthy working conditions
- Freedom of assembly and expression/ opinion

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

Procedural rights to

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

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

• Who is responsible for adopting RBAs, and what level of responsibility do they have?

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.

• How do RBAs differ from, and add value to, participatory processes or other conservation mechanisms meant to address social concerns?

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.⁶⁴ 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 participants⁶⁵ 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.

• When should RBAs be used: advocacy, prevention, response...

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.

- **What substantive added value do RBAs have for the rights-holders?**

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”*.⁶⁶ 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.

- **What new resources and skills are required to undertake RBAs, and how they can be obtained?**

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.⁶⁷

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...

- **What are the potential challenges and risks of RBAs and how can they be mitigated?**

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 the scope of their power; and politicize conservation in ways that create additional obstacles to conservation practice. These are important concerns, but are not in themselves justifications for shying away from engaging with rights issues. Rather, they pose a challenge that we understand how we can, as a conservation community, get outside the arena of conservation 'business as usual' and address these concerns in transparent, candid, and effective ways.

Further, RBAs are likely to encounter conflicts between rights, between the claims of rights-holders, and between rights and conservation objectives where trade-offs are inevitable, and mechanisms for resolving such dilemmas within RBAs are not well formulated.

- **How can we gain clarity about what RBAs are (and aren't) and where and when they are appropriate?**

Finally, throughout Journey events questions were raised about how we can gain greater clarity about what RBAs are, and move forward work on them. Several mandates towards this end were given to IUCN in the Resolutions and Recommendations adopted at the end of the Congress (see Table 2), and this may help guide work within the Union. However, it will take the effort and cooperation of a broad set of conservation and other organizations, indigenous and local community members, donors, the private sector, and others to full operationalise this approach in the conservation arena.

Recommendations

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.

Closely related Journey events

(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

Box 4: Res 4.056 Rights-based approaches to conservation

The World Conservation Congress at its 4th Session at Barcelona, Spain, 5–14 October 2008:

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;

In addition, the World Conservation Congress, at its 4th Session in Barcelona, Spain, 5–14 October 2008, provides the following guidance concerning implementation of the IUCN Programme 2009–2012:

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.

ANNEX: Principles concerning human rights in conservation prepared by the IUCN Environmental Law Centre (ELC)

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.

V. Conclusions and Reflections

Summarizing key messages of the Journey

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. **Key messages** 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 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 whom they apply).

WCC4 Resolutions and Recommendations linked to rights and RBA

The focus on rights in the WCC Forum was mirrored by members' adoption of many rights-related Recommendations and Resolutions in the Assembly that followed. These include calls for IUCN to:

- **develop a comprehensive human rights policy (including rights-based approach guidance);**
- **support implementation at the programme level (tools, mechanisms); and**
- **build internal and member/ partner capacity for integrating rights in conservation.**

Further Resolutions and Recommendations call for this work to be carried out in the context of climate change, indigenous peoples issues and protected areas, gender, energy, and private sector engagement, using the 'do no harm' principle as an application (See Table 2). These Resolutions and Recommendations, and more generally the above-described recommendations from Rights and Conservation Journey participants, provide important opportunities and challenges to IUCN and its members and partners.

Reflecting on the opportunities and challenges ahead

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.
- Building understanding of rights issues within the conservation community, and developing greater consensus on form, function, and terminology for RBAs, while maintaining a broad and flexible framework.
- Developing equitable and transparent processes, tools, and mechanisms for resolving conflicts between rights, between the claims of rights holders, and between conservation/ rights objectives where mutually beneficial options are not available.
- Understanding and addressing the potential costs and risks of RBAs for conservation practice.
- Developing and promoting mechanisms and tools to prevent rights infringements, and to resolve / redress cases of rights infringements when they do (or have) arise from conservation practice...
- ... but also going beyond “violations” based RBAs to become better rights advocates and to find ways for conservation to help realize rights fulfilment, and visa-versa.

The events and discussions in the Journey on Rights and Conservation made it clear that ***rights are no longer a side line issue in conservation; rather they are increasingly critical for the conservation community to embrace. However, this is no easy feat and much learning, cooperation, candid discussion, and hard work remains to be done.***

We thank all those who participated in this Journey, and we look forward to working with the entire Union to advance the integration of rights in conservation for the benefit of human wellbeing and biodiversity governance.

Annex I: Full Journey Schedule

***** 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/) or by following the links from the 2008 WCC page (http://www.iucn.org/congress_08/forum/) *****

TIME	CODE	TITLE	TYPE*	ORGANIZER	LOCATION
Forum Day 1: Mon 6 Oct 2008					
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
Forum Day 2: Tues 7 Oct 2008					
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
Forum Day 3: Weds 8 Oct 2008					
08:30 - 18:00	1129	Environmental (In)Justice: it is a reality in Latin America?	PO	Programa de Pósgraduação EICOS da UFRJ	Poster Board 028
09:30 - 11:00	1071	Replicable models of participatory water management in the Thar desert, India	KC	Jal Bhagirathi Foundation	114/11
09:30 - 11:00	1532	Conservation with Justice: A Rights-based Approach	GTW	IUCN Environmental Law Center	115
09:30 - 11:00	1200	Rethinking Conservation through the lens of "Food Sovereignty": implications for policy and practice	COM	IUCN CEESP and International Institute for Environment and Development	125
11:30 - 13:00	571	Community Forest Tenure, Governance and Benefits: The missing links to climate change mitigation and adaptation	AW	Rights and Resources Initiative	124
14:30 - 16:00	178	The evolving governance of protected areas under IUCN Category II (National Parks):	AW	Parcs Nationaux de France pour le Ministère	120

		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
Forum Day 4: Thurs 9 Oct 2008					
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	Working with forest managers to ensure sustainable practices	AW	Rainforest Alliance, Inc.	121
18.30 - 20.00	7110	Last questions - Meet the IUCN Programme and Journey Leads	PAV	Global Programme Team	Futures Pavilion

***Types of Events:**

SD – Sustainability Dialogue

KC – Knowledge Café

FP – Futures Pavilion

AW – Alliance Workshop

LO – Learning Opportunity

COM – Commission Workshop

DG – DG Event

PAV – Pavilion Event

POB – UNDP Poble

CC – Conservation Cinema

PO - Poster

GTW – Global Thematic Workshop

Notes

- ¹ For more information on all the 2008 WCC Journeys see http://www.iucn.org/congress_08/forum/journeys/
- ² For more information on the Journey on Bio-cultural Diversity and Indigenous Peoples see http://www.iucn.org/congress_08/forum/journeys/biocultural/
- ³ Based on presentation by Peter Laban and Omar Zayed in Event no. 449 – Exploring Issues and Opportunities for Rights Based Approaches to Conservation.
- ⁴ Based on presentation by Kathryn Kintzele, J.D. (Member CEL) in Event no. 1239
- ⁵ Carol Fialkowski, quoted in a presentation by Kathryn Kintzele event no. 1239
- ⁶ Based on event no. 627 - Environmental Security and Measures for Liability and Compensations
- ⁷ Based on event no 1532 – Conservation with Justice: A Rights Based Approach
- ⁸ For more information on the Journey on Bio-cultural Diversity and Indigenous Peoples see http://www.iucn.org/congress_08/forum/journeys/biocultural/
- ⁹ The full text of all 2008 WCC Resolutions and Recommendations can be downloaded at http://www.iucn.org/congress_08/assembly/policy/
- ¹⁰ Adapted from background documentation for event no. 1547 – Climate change vulnerability, rights, and justice.
- ¹¹ Based on event no. 1532 – Conservation with Justice: A Rights Based Approach
- ¹² The full text of all 2008 WCC Resolutions and Recommendations can be downloaded at http://www.iucn.org/congress_08/assembly/policy/
- ¹³ For details on the 2008 WCC Forum Journey on Markets, see http://www.iucn.org/congress_08/forum/journeys/markets/
- ¹⁴ Based on event no 1200 – Rethinking Conservation Through the Lens of Food Sovereignty
- ¹⁵ Based on event no 614 - Life as Commerce? Market-based conservation mechanisms, community governance. and Indigenous Peoples' rights
- ¹⁶ Adapted from presentation in Event no. 1200 – Rethinking Conservation Through the Lens of Food Sovereignty
- ¹⁷ Adapted from presentation by Robert Fisher in Event no 1532 – Conservation with Justice: A Rights Based Approach
- ¹⁸ Adapted from presentation by James Igoe in Event no. 1200 – Rethinking Conservation Through the Lens of Food Sovereignty
- ¹⁹ Based on event no. 614 - Life as Commerce? Market-based conservation mechanisms, community governance. and Indigenous Peoples' rights
- ²⁰ Based on Event no 1200 - Rethinking Conservation Through the Lends of Food Sovereignty
- ²¹ Based on Event no 1535 - Livelihoods and Landscapes: Better Forests, Better Lives
- ²² Adapted from background materials for Event no. 611 - From Chico Mendes to Copenhagen: Learning from Forest Peoples how to make REDD work
- ²³ Based on event no. 1547 – Climate change vulnerability, rights, and justice.
- ²⁴ Text box context adapted from presentations in events no. 1532 (Fisher, Huberman), 611, 459, 614, 571, 1547
- ²⁵ Adapted from presentation by Robert Fisher, Event no. .1532 – Conservation with Justice: A Rights Based Approach
- ²⁶ The participating indigenous organizations of the Amazon Basin included:
Coordinator of Indigenous Organizations of the Amazon Basin (COICA) and
Coordenação das Organizações Indígenas da Amazônia Brasileira (COIAB)
<http://www2.truman.edu/~marc/webpages/nativesp99/grito/weblinkCOICA.html>
<http://www.coiab.com.br/>
- ²⁷ Adapted from no. 571 - Community Forest Tenure, Governance and Benefits: The missing links to climate change mitigation and adaptation, and 611 - From Chico Mendes to Copenhagen: Learning from Forest Peoples how to make REDD work Event Reports
- ²⁸ The full text of the Quito Declaration can be found at: www.amazonalliance.org/sites/default/files/Quito_Declaration_August_2008.pdf
- ²⁹ Accra Caucus on Forests and Climate Change; Civil Society Strategy Meeting; Accra, Ghana, 18-20 August 2008; Principles and Processes as Preconditions for REDD
Full report available at <http://unfccc.int/resource/docs/2008/smsn/ngo/044.pdf>
The core principles were shared in a presentation on "Making REDD Work for the People" by David Humberman in Even no. 1532 – Conservation with Justice: A Rights Based Approach
- ³⁰ Presented at Event no. 7012 – Climate Change and Justice - highlighting a new frontier for climate change research
Second edition of the CCB Standards, launched shortly after WCC at the UN FCCC COP in Poznan (December 2008)
<http://www.climate-standards.org/index.html>
- ³¹ Adapted from several Journey presentations, including in particular presentation by Robert Fisher in Event no. 1532 – Conservation with Justice: A rights based approach.
- ³² See event no. 1240 - Developing Effective Legal and Institutional Frameworks part 2...
- ³³ TILCEPA and partners have been implementing initiatives to deepen the knowledge of the complex ICCA phenomenon, including regional reviews, national surveys of policy and legislation and in depth-case studies.
- ³⁴ See Event no. 571 - Community Forest Tenure, Governance and Benefits: The missing links to climate change mitigation and adaptation
- ³⁵ For more information on the Journey on Bio-cultural Diversity and Indigenous Peoples see http://www.iucn.org/congress_08/forum/journeys/biocultural/
- ³⁶ Event no. 1191 - Land Tenure, Resource Rights and Conservation : Collaborative Experiences and Lessons for Future Practice
- ³⁷ Based on presentation by Sudeep Jana and Stan Stevens in event no. 449 – Exploring Issues and Opportunities for Rights Based Approaches to Conservation
- ³⁸ The full text of all 2008 WCC Resolutions and Recommendations can be downloaded at http://www.iucn.org/congress_08/assembly/policy/
- ³⁹ See http://www.iucn.org/congress_08/forum/journeys/biocultural/
- ⁴⁰ Events no. 603 & 3015 - Recognizing and supporting indigenous and community conserved areas - Part I & II
- ⁴¹ Event no. 1240 - Developing Effective Legal and Institutional Frameworks for Protected Areas Part 2...
- ⁴² See tools presented in event no 519 - New developments in assessing the social impacts of protected areas and operationalising the "do no harm" principle
- ⁴³ Event no. 1200 – Rethinking Conservation Through the Lens of Food Sovereignty
- ⁴⁴ Event no. 1071 – Replicable models of participatory water management in the Thar desert, India
- ⁴⁵ See Event no. 449 – Exploring Issues and Opportunities for Rights Based Approaches to Conservation
- ⁴⁶ Adapted from report on Event no. 1191 - Land Tenure, Resource Rights and Conservation ...
- ⁴⁷ Adapted from report on Event no. 1191 - Land Tenure, Resource Rights and Conservation ...
- ⁴⁸ Event no. 1240 - Developing Effective Legal and Institutional Frameworks for Protected Areas Part 2...

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- ⁴⁹ See presentation by Laban and Zayed (Event no. 449 – Exploring Issues and Opportunities for Rights Based Approaches to Conservation) and the example of water management groups in the Thar Desert, India in event no. 1071 – Replicable models of participatory water management in the Thar desert, India
- ⁵⁰ See examples from presentations in event no. 494 - Working with forest managers to ensure sustainable practices
- ⁵¹ Adapted from recommendation in Event no. 390 - Linking Conservation and Poverty Reduction – Building new Alliances
- ⁵² Adapted from presentation by Michel Pimbert in Event no. 1200 – Rethinking Conservation Through the Lens of Food Sovereignty
- ⁵³ Based on Event no. 1191 - Land Tenure, Resource Rights and Conservation : Collaborative Experiences and Lessons for Future Practice
- ⁵⁴ Based on Event no. 1240 - Developing Effective Legal and Institutional Frameworks for Protected Areas Part 2...
- ⁵⁵ Based on presentation from Thomas Greiber, Environmental Law Centre, Event no. 1532 – Conservation With Justice: A Rights Based Approach
- ⁵⁶ Based on Event no. 1158 - Using The Access Initiative's methodology to assess government's performance ...
- ⁵⁷ Based on Event no. 519 - New developments in assessing the social impacts of protected areas and operationalising the "do no harm" principle.
- ⁵⁸ Based on presentation from Jessica Campese in Event no. 449 – Exploring Issues and Opportunities for Rights Based Approaches to Conservation
- ⁵⁹ Based on Event no 1532 – Conservation with Justice: A Rights Based Approach
- ⁶⁰ See event no. 449 – Exploring Issues and Opportunities for Rights Based Approaches to Conservation
- ⁶¹ See Event no. 1071 - Replicable models of participatory water management in the Thar desert, India and a presentation by Peter Laban and Omar Zayed in event no. 449 – Exploring Issues and Opportunities for Rights Based Approaches to Conservation
- ⁶² See presentation by Stan Stevens and Sudeep Jana in Event no. 449 – Exploring Issues and Opportunities for Rights Based Approaches to Conservation
- ⁶³ Based on Event no. 1532 – Conservation With Justice: A Rights Based Approach
- ⁶⁴ Plenary discussion in event no. 449 – Exploring Issues and Opportunities for Rights Based Approaches to Conservation
- ⁶⁵ See, in particular, a presentation from Phil Franks (CARE Int'l) in Event no. 449 – Exploring Issues and Opportunities for Rights Based Approaches to Conservation
- ⁶⁶ Based on presentation by Phil Franks (CARE Int'l), Event no. 449 – Exploring Issues and Opportunities for Rights Based Approaches to Conservation
- ⁶⁷ Based on presentation by M. Orellana (CIEL) in Event no. 1532 – Conservation With Justice: A Rights Based Approach