

INDIGENOUS PEOPLES AND PROTECTED AREAS AT THE WORLD PARKS CONGRESS

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Introduction

One of the most striking features of the Vth World Parks Congress was the presence of over 120 representatives from indigenous, mobile and local communities worldwide. This presence was evident throughout the Congress, as representatives spoke at the opening plenary, on panels, and in workshops. Clearly, indigenous perceptions of conservation are shifting, and indigenous peoples are increasingly challenging conservation-as-usual. Throughout the Congress, indigenous and local community representatives spoke of conservation initiatives undertaken without their consent, and of exclusion from ancestral lands. They took pains to stress that they were not opposed to conservation as such, but only against forms that marginalize or exclude them.

That indigenous issues were on the agenda at the WPC was a combination of preparatory work by indigenous organizations and their allies before the Congress, as well as the openness of IUCN to the inclusion of indigenous issues on the agenda. A key precursor was the creation of the *Theme on Indigenous and Local Communities, Equity, and Protected Areas* (TILCEPA) in 2000 by the World Commission on Protected Areas (WCPA) and the IUCN Commission on Environmental, Economic and Social Policy

(CEESP). Further, the Forest People's Programme, working with TILCEPA and the IUCN Secretariat, worked closely with indigenous groups to create the *Indigenous Peoples Ad Hoc Working Group for the World Parks Congress* in January 2003, and was asked to serve as its "desk" to coordinate activities prior to the Congress. This included lobbying to secure speaking slots for indigenous representatives on the agenda and in drafting committees, seeking funding for indigenous participation, coordinating regional meetings, and organizing an Indigenous Peoples Preparatory Conference in Durban immediately before the Congress. Once the WPC began, indigenous and local representatives were well-prepared to make their voices heard and ensure they were included in the final outputs of the Congress.

Governance, Communities, and Equity

Certain structural aspects of the Congress also played an important role in ensuring that indigenous and local concerns were addressed on the agenda and represented in the outcomes. Most significant were the inclusion of *Governance* as one of the seven Streams of the Congress, and *Communities and Equity* as one of three Cross-Cutting Themes.

The Governance Stream was devoted to establishing governance as a crucial dimension of effective conservation, and to defining a set of "good governance" principles to guide conservation policy and practice. It acknowledged the importance of equity, accountability, transparency, and inclusiveness in conservation. Governance Stream coordinators also developed a governance typology, which they hope will be adopted as an element in the IUCN PA Category System. The focus on governance

recognizes that many indigenous and local communities have traditional mechanisms to manage biodiversity, and that their role should be strengthened in establishing and managing PAs. It also places conservation within the context of a broader landscape matrix beyond conventional PAs. The work of Governance Stream participants is embodied in Recommendation 5.16, *Good Governance of Protected Areas* (IUCN 2003d:39-40) and Recommendation 5.17, *Recognising and Supporting a Diversity of Governance Types for Protected Areas* (IUCN 2003d:41-43).

The Communities and Equity Cross-Cutting Theme was dedicated to furthering the idea that conservation will be more successful when issues of local participation and equity are addressed. A focal point of this Theme was the promotion of a new Governance type, Community Conserved Areas (CCAs), through the drafting of Recommendation 5.26, urging that the IUCN PA Category System be expanded to include CCAs; “natural and modified ecosystems...voluntarily conserved by concerned indigenous and local communities through customary laws or other effective means” (IUCN 2003d:70).

Other Recommendations also addressed indigenous concerns. Recommendation 5.28 (*Protected Areas: Mining and Energy*) expressed solidarity between indigenous peoples and the conservation community in addressing the issue of mining and fossil fuel extraction (IUCN 2003d:73-74). Recommendation 5.13 (*Cultural and Spiritual Values of Protected Areas*) acknowledged indigenous concerns about establishing protected areas on sacred lands, and urged that steps be taken to address those concerns in the future (IUCN 2003d:31-33).

The Community Park Dialogue

One of the most remarkable events at the Congress was the “Local-Global Leader Dialogue” that took place between indigenous representatives and the leaders of three conservation organizations: Russ Mittermeier (Conservation International), Steve McCormick (The Nature Conservancy), and John Croxall (Royal Society for the Protection of Birds). As these three sat on a bench surrounded by a standing room only crowd, indigenous representatives from around the globe described the difficulties they faced from the establishment of protected areas. A question posed by Mittermeier in response summed up a key challenge: “How do you translate global priorities into local realities?”

The most important outcome of this meeting was a proposal for the creation of a Truth and Reconciliation Commission “to promote the restitution of the rights of indigenous peoples in protected areas established on their lands without their consent” (Forest Peoples Programme 2003:10). This was carried forward into the outcomes of the Congress in Recommendation 5.24, *Indigenous Peoples and Protected Areas* (IUCN 2003d:64). The need for such a Commission was stressed by Governance Stream Co-Lead Grazia Borrini-Feyerabend: “Building the necessary trust demands coming to terms with the past, vastly improving the conservation behaviour in the present, and working very differently in the future” (Personal Communication).

Mobile Indigenous Peoples

The theme of the Congress, Benefits Beyond Boundaries, had special salience to mobile indigenous peoples who, with substantial logistical support from TILCEPA and

CEESP, were represented to an unprecedented degree. They stressed two things. First, though recognizing the need for solidarity with other indigenous peoples, they have distinctive concerns about conservation: migration routes blocked by national or protected area boundaries; forced sedentarization; less visible indicators of their historical presence in the landscape, leading to dispossession or removal; and relative invisibility in the consultation process (WAMIP 2003). Second, their ways of life should be seen as sound management strategies, and they can be important partners in conservation if their practices are given greater legitimacy. This was most eloquently expressed at an opening plenary address by Sayyaad Soltani, representing the pastoralist Kuhi subtribe of the Qashqai Confederation in Iran.

Stand on our side in opposing the forcible settlements of our people and herds. Allow us to preserve the splendid genetic diversity of our herds, as well as the wildlife diversity that depend on it. Help us preserve our cultural integrity and build our capacities. Talk to us, involve us in your decisions, refuse to understand us by stereotypes, and tell us how we can help you. We, the mobile peoples and pastoralist communities of the world, are prepared to be your strongest allies in conservation. *Are you?* (Sayyaad Soltani 2003)

The presence of mobile indigenous peoples resulted in two significant outcomes. First, they announced the formation of the *World Alliance of Mobile Indigenous Peoples* (WAMIP). Second, they drafted Recommendation 5.27, *Mobile Indigenous Peoples and Protected Areas*, which was adopted by the Congress. Its distinctive elements include

calls for “ transboundary mobility; seasonal and temporal rights; corridors for movement;...restoration of mobility where appropriate; and cross-cultural dialogue and conflict resolution among and between mobile indigenous and sedentary peoples in and around protected areas” (Castelo 2003).

**The Durban Action Plan, the Durban Accord, and
the Message to the Convention on Biological Diversity**

Indigenous issues were addressed in the other major outcomes of the Congress, notably in Outcome 5 of the *Durban Action Plan* and in *The Durban Accords*. Outcome 5 of the Durban Action Plan states that “The rights of indigenous peoples, mobile peoples and local communities [should be] recognized and guaranteed in relation to natural resources and biodiversity conservation” (IUCN 2003b:23). It is followed by three “Key Targets.” Amplifying Recommendation 5.24, Key Target 10 specifies the implementation of “participatory mechanisms for the restitution of indigenous peoples’ traditional lands and territories that were incorporated in protected areas without their free and informed consent ...by 2010” (Ibid:24). Key Target 10 also specifically addresses mobile indigenous concerns in stressing recognition of “collective and customary rights of mobile communities...” (Ibid: 25) and in calling for recognition of “Mobile Indigenous Peoples’ community conserved areas as a protected area governance type” (Ibid: 25) built upon traditional institutions. Finally, Key Target 10 urges “Governments to approve the UN Draft Declaration of the Rights of Indigenous Peoples” and to “ratify and effectively implement ILO Convention 169 concerning Indigenous and Tribal Peoples in Independent Countries...” (Ibid:25).

The Durban Accord recognizes the successes of indigenous and local communities in conserving biodiversity, as well as “their efforts to make protected areas places of natural, cultural and spiritual convergence” (IUCN 2003a:2). A “Cause for Concern” is that “many places which have been conserved over the ages by local communities, mobile and indigenous peoples are not given recognition, protection and support” (Ibid:2). It urges “commitment to involve local communities, indigenous and mobile peoples in the creation, proclamation and management of protected areas” (Ibid:4), as well as more effective benefit sharing and support for CCAs.

Finally, the *Message to the Convention on Biological Diversity* calls on the Conference of the Parties to “Ensure that indigenous and mobile peoples...fully participate in the establishment and management of protected areas and that mechanisms are put in place to guarantee that they share in the benefits arising from these areas” (IUCN 2003c:2). Further, it urges empowering “local and indigenous communities living in and around protected areas to effectively participate in their management” (Ibid:4).

Assessing the Outcome

Those whose efforts were devoted to addressing indigenous issues at the World Parks Congress had a largely positive assessment of what transpired. According to Grazia Borrini-Feyerabend, “All the key policy documents state a new attitude” (Personal Communication). According to Ashish Kothari, “the WPC represented a significant breakthrough in the global thinking on conservation”; the inclusion of communities, equity and governance on the Congress agenda, along with the presence of indigenous participants in the discussion “resulted in...a very forward-looking, progressive set of

results” (Personal Communication). According to IUCN Chief Scientist Jeff McNeely, “at least seventeen of the thirty two congress recommendations specifically mentioned indigenous peoples and their issues...For the first time ever, the indigenous peoples were successful in ensuring that their issues were given a full and sympathetic hearing” (Personal Communication)

For all their optimism, there were also reservations. While being very pleased with the outcomes of the Congress, Ashish Kothari noted that “international events such as this obviously have only a limited impact on national policies and programmes, and even more limited impact on practice on the ground” (Personal Communication). Grazia Borrini-Feyerabend added that “Even the impact on conservation organizations can only be gauged in the long run, as the risk of backlash is real” (Personal Communication). A post-Congress report prepared by the Forest Peoples Programme described indigenous representatives as “not thrilled with the vague language of the Durban Accord, the final draft of which had been handed over to a ghost-writer for editing after the drafting committee had finished its work” (Forest Peoples Programme 2003:14). Indigenous peoples and advocates who attended the Congress recognize that their work is far from done, in part because Congress outputs are not legally binding; they can only influence conservation policies and practices. Thus, as Ashish Kothari observed, “there is a huge challenge ahead of all of us to translate the WPC results into actual national level policy and practice...and to ensure that the move towards participatory conservation actually results in enhanced protection for ecosystems and species!” (Personal Communication)

Indigenous Peoples and the Future of Conservation

What the indigenous presence at the Congress represented was a challenge to many basic assumptions about conservation. Indigenous peoples at the Congress were suggesting that conservation could be done without models, management plans, or monitoring and evaluation. They were also challenging assumptions about the roles of both Western science and major conservation organizations, asserting that conservation goals could be accomplished outside circuits of transnational expertise. Their message was that indigenous and local communities must represent something other than a “transaction cost,” that threat assessments that classify their land use practices as disturbances are unacceptable, and that participatory methods that define them as just one more category of stakeholder have no place in their vision of conservation.

Making meaningful progress in the future will entail a willingness on the part of conservation scientists and practitioners to work with indigenous, mobile, and local communities in new ways; ways in which the tools of Western science are offered in support of local conservation priorities. What that means for how conservation initiatives are planned, implemented and governed is not yet clear, but it is an effort that we must take seriously. As Kent Redford has pointed out repeatedly, conservation biologists and indigenous peoples are natural allies (Redford & Stearman 1993). The challenge for a crisis discipline such as conservation biology is to seek productive terms of engagement. We cannot afford to perpetuate the polemic that the goals of conservation and indigenous rights are at odds with each other. The fate of biodiversity rests in part on how the conservation community responds to the challenge posed by indigenous, mobile, and local communities, and whether it is able to embrace this as an opportunity to create new alliances for conservation.

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