

Enabling Pathways

for Rights-based Community-led Conservation

Executive Summary



Landscape of rice fields along the road heading to Tebat Pulau, Sumatra, Indonesia. Photo by Jacob Maentz for Rights and Resources Initiative, 2022.

The Kunming-Montréal Global Biodiversity Framework (GBF) recognizes that durable conservation outcomes cannot be achieved without the rights, leadership, and knowledge of Indigenous Peoples, Afro-descendant Peoples, and local communities (IPs, ADPs, and LCs). This report assesses the legal frameworks and biodiversity strategies of 30 high-biodiversity countries across Africa, Asia, and Latin America to evaluate progress toward rights-based, community-led conservation. The findings show both notable opportunities and persistent gaps that will either need to be seized or addressed if countries are to deliver on the GBF's promise. The report's five key findings are:

1 Legal pathways for legally recognized community-led conservation exist but remain underused and insufficient.

Twenty-six out of 30 countries have at least one legal pathway that could allow communities to pursue formally recognized community-led conservation under protected areas (PAs). While 29 out of 30 countries have legal pathways through community-based tenure regimes (CBTRs) that could enable communities to pursue such recognition under Other Effective Area-based Conservation Measures (OECMs) and Indigenous and Traditional Territories (ITTs), many countries still lack the necessary policy or legal frameworks to recognize OECMs and ITTs under GBF Target 3 (to effectively conserve and manage at least 30 percent of Earth's land, waters, and seas by 2030). PAs remain the overwhelming national approach to conservation, with analyzed countries reporting far fewer OECMs (227 compared to 12,257 PAs) and no ITTs. Community governance of PAs and OECMs remains under-recognized, with only 987 of 12,257 PAs and 7 of 227 OECMs governed by IPs and LCs.

2 Despite widespread legislative reforms since 2015, opportunities for effective community-based conservation remain mixed across PAs, OECMs, and ITTs.

While 17 of the 30 reviewed countries have passed legislative reforms since 2015, results of these interventions are broadly uneven. Some reforms expanded formal recognition of Indigenous, Afro-descendant, and local communities' tenure and management rights, resulting in strengthened potential pathways for community-led conservation, whereas others have rolled back previously secured rights, illustrating the fragile legal landscape communities must navigate to exercise stewardship of their territories.

Moreover, the extent of recognized community rights is often inadequate to ensure local stewardship and autonomy in area-based conservation systems. Of the 26 countries that recognize community-led conservation within their national PA systems, 12 do so for lands that are fully owned by communities and voluntarily included in national PA systems, and eight are conditioned by special management regimes that restrict community decision-making rights in overlapping areas. In comparison, 24 countries were found to have legal pathways that could enable community conservation via OECMs and ITTs for areas fully owned by communities, but based on available data, none were found to have formally recognized ITTs as a distinct and complementary pathway to PAs and OECMs, as defined in GBF Target 3.

3 Free, prior, and informed consent remains inadequately protected.

Despite international consensus that conservation activities must respect the right to free, prior, and informed consent (FPIC), fewer than half of the 30 countries recognize FPIC as an enforceable right. Only 11 countries recognize and define this right, while six recognize the right but lack a clear definition. With over half the countries lacking recognition of a clear and enforceable right to FPIC, communities are left especially vulnerable to rights violations as countries seek to expand their PA systems to meet their conservation targets for the GBF Target 3 land area goals.

4 The rights of women within communities are poorly protected in legislation, ignoring their key roles within community governance and conservation initiatives.

Within CBTRs that both recognize communities' full bundle of rights and establish a pathway for community-led conservation, women's rights to equal membership, voting, and leadership remain insufficiently recognized. There are 35 CBTRs across 24 of the 30 countries analyzed in this report where community-led conservation could be guaranteed through the recognition of community ownership and a potential inclusion of such areas as OECMs or ITTs. However, under these 35 CBTRs, the rights of IP, ADP, and LC women to membership, voting, and leadership remain inadequately protected. Community women's right to equal membership within their communities is the most recognized of these indicators, but equal membership is still only guaranteed in slightly over half of community-led conservation CBTRs. Only two CBTRs (6 percent) adequately protect women's voting rights and only three CBTRs (9 percent) adequately protect community women's leadership rights by requiring both a quota and a quorum of women within community-level executive bodies.

Recognition of the rights of IPs, ADPs, and LCs in National Biodiversity Strategies and Action Plans varies significantly across GBF Targets.

Only 12 out of the 30 countries explicitly recognize a human rights-based approach within their National Biodiversity Strategies and Action Plans (NBSAP). While most countries used a participatory process to develop their NBSAP, only 19 explicitly mention consultations with IPs, ADPs, and LCs. Recognition of community rights to their territories; equitable benefit sharing; use of natural resources; participation in decision-making; access to justice and information; and the rights of women, youth, persons with disabilities, and environmental human rights defenders varies significantly across countries.

Opportunities and Ways Forward

This analysis demonstrates that rights-based, community-led conservation is within reach: legal frameworks already exist in nearly every country studied. The challenge is to translate commitments on paper into real recognition, protection, and support on the ground. To achieve this, governments, donors, and conservation actors must:

- **Secure community tenure rights.** Guarantee the full bundle of rights for IPs, ADPs, and LCs and ensure existing and new PAs do not override or weaken community ownership of territories.
- **Recognize Indigenous and Traditional Territories as a distinct conservation pathway.** Enable community-led conservation under Target 3 of the Global Biodiversity Framework and establish the necessary mechanisms and frameworks to include ITTs within nationally recognized and reported conservation areas.
- **Strengthen legal frameworks and reform gaps.** Review and harmonize existing laws to prevent rollbacks, address inconsistencies, and ensure alignment with community-led conservation pathways and international human rights obligations.
- **Guarantee FPIC.** Enshrine enforceable FPIC rights in law and practice.
- **Advance gender equality.** Reform laws to guarantee women's membership, voting, and leadership rights in community governance and conservation initiatives.
- **Align NBSAPs with rights obligations.** Fully embed human rights commitments across all GBF targets, include ITTs under Target 3 strategies, and ensure communities are equal partners in policy design and implementation.
- **Bridge the gap between law and practice.** Implement and enforce existing legal protections, provide financial and technical support for community-led initiatives, ensure equitable benefit-sharing, and protect communities from violence and reprisals.

Turning opportunities for rights-based conservation into credible actions, however, will require the broad-scale support of national and international partners, including the dedicated engagement of affected communities and the leaders that support them. While governments may have the legal authority to realize the rights-based ambition of the GBF, the political authority to make this happen and initiate urgently required transformative change ultimately lies in the hands of societies as a whole.