

MAKING INDIGENOUS AND COMMUNITY LAND RIGHTS A GLOBAL CONSERVATION PRIORITY

Workshop 2.8

November 14, 2014

World Parks Congress

Sydney, Australia



NATURAL JUSTICE



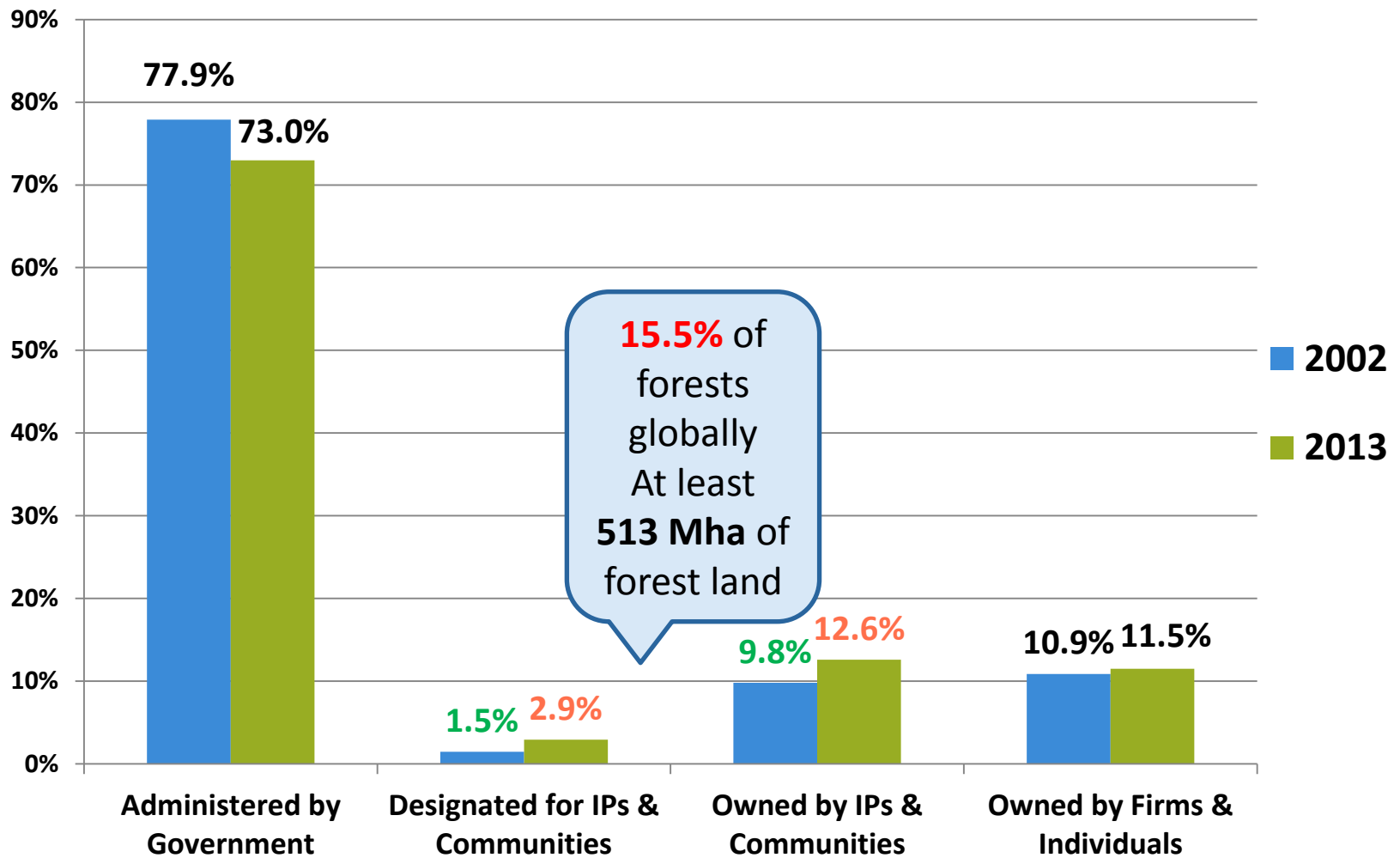
“INDIGENOUS & COMMUNITY LANDS”

- Lands & territories traditionally owned & used by Indigenous People and local communities
- Governed under customary systems and/or statutory law – customary tenure often lacks formal legal recognition
- Often include both collective and household land holdings

INDIGENOUS & COMMUNITY LANDS ARE EXTENSIVE AND RICH IN BIODIVERSITY

- Customary, communal lands make up an astounding **8.5 billion hectares of land** out of a global land estate of 13 billion hectares (Alden Wily)
 - roughly two thirds of the world's land area
 - In Africa: 69.25% of land area held under customary tenure
- Estimated that indigenous territories hold **80 percent** of the planet's biodiversity (Sobrevilla)

LEGAL RECOGNITION INCREASING— E.G., FORESTS (RRI)



EXAMPLES OF INDIGENOUS & COMMUNAL LAND RIGHTS RECOGNITION

50% of Mexico's area that falls under *ejidos* tenure

80% of land areas in Ghana defined as Customary Lands

69% of Tanzania categorized as Village Lands

3.4% of the Philippines under ancestral lands entitlement

80% of Papua New Guinea under community based tenure

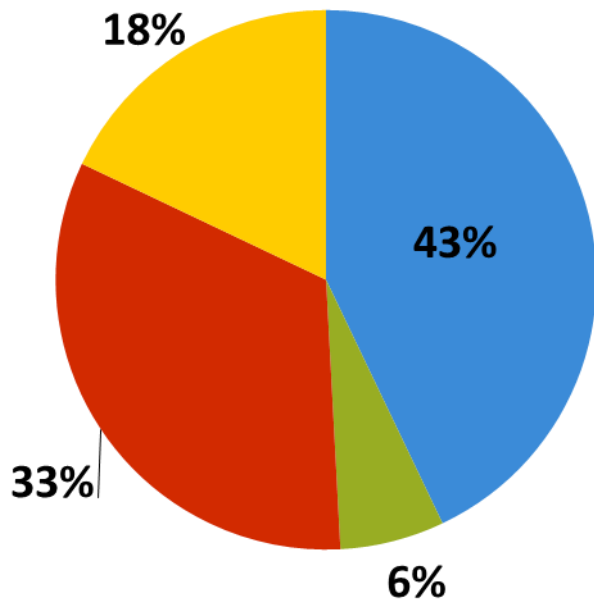
13.3% of Brazil as Indigenous territories

70% of Botswana defined as Tribal Lands

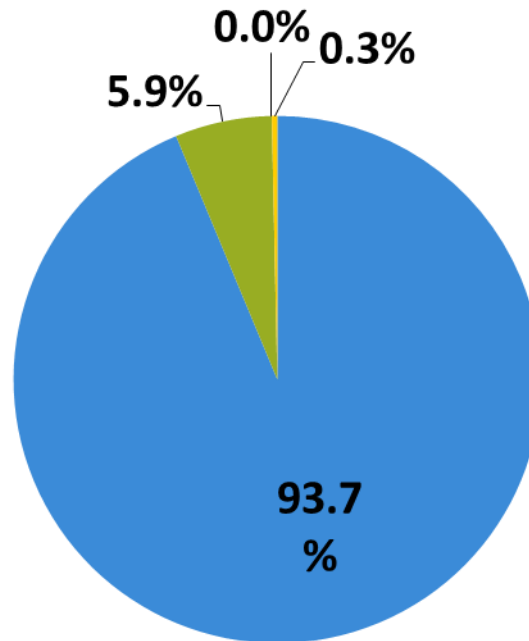
20% of Australia under Native title

LEGAL RECOGNITION VERY UNEVEN ACROSS REGIONS

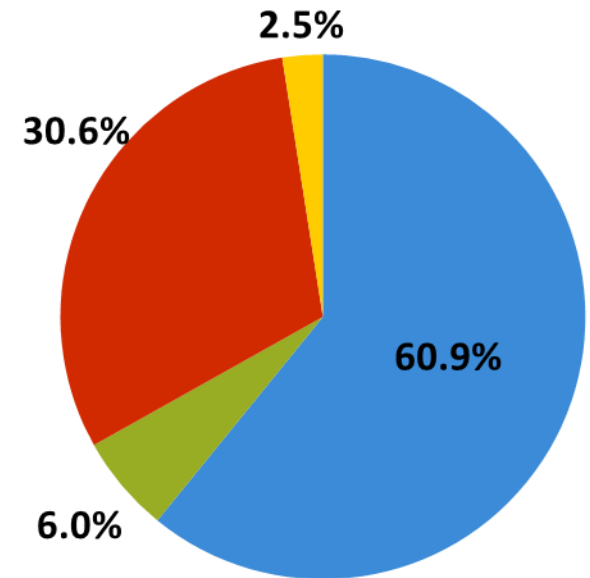
Latin America



Africa



Asia



- Administered by Government
- Designated for IPs & Communities

- Owned by IPs & Communities
- Owned by Firms & Individuals

LAND TENURE INSECURITY AND FAILURE TO RECOGNIZE INDIGENOUS & COMMUNITY RIGHTS IS A GLOBAL CRISIS

- Estimated to affect 2 billion people
- Large-scale land acquisitions
- Extractive industry concessions
 - ❑ Mining overlaps indigenous/community land and protected areas in Cameroon, Philippines, Indonesia
 - ❑ Covering almost all statutorily recognized Indigenous territories in Peru
- State protected areas overlapping customary lands

PROTECTED AREAS – LAND RIGHTS CONFLICTS

- Durban WPC outcomes – “new paradigm”
 - Full respect for rights
 - Appropriate management authority
 - Restitution
- National laws still fall far short of respecting customary rights to lands and resources
 - Only 8 of 21 countries have passed relevant new laws since Durban
 - 10 of 21 enable restitution, but implementation is weak
- Serious, persistent conflicts – evictions, restrictions on use of vital resource

Protected Areas and the Land Rights of Indigenous Peoples and Local Communities

Current Issues and Future Agenda

Rights and Resources Initiative
November 2014

SECURE LAND & RESOURCE RIGHTS ARE A FOUNDATION FOR RIGHTS-BASED CONSERVATION

- Broader land rights recognition provides a foundation for restitution of rights in protected areas
- Broader land rights recognition provides a foundation for voluntary collaboration in protected areas management
- Need to move beyond weak “participation” and “co-management” frameworks that have often remained highly centralized – recognition of land and resource rights is a basis for this

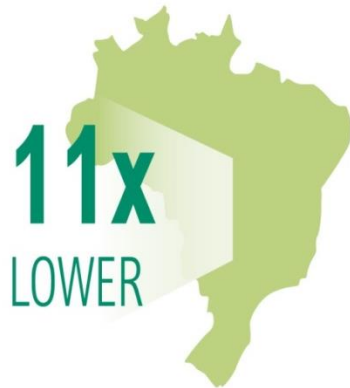
SECURE LAND & RESOURCE RIGHTS SUPPORT COMMUNITY-LED CONSERVATION AT SCALE

Evidence base for links between indigenous and community land rights and positive conservation outcomes

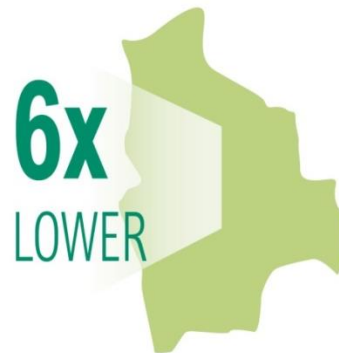
- Legal **forest** rights for communities and government protection of their rights tend to lower deforestation and carbon dioxide emissions (WRI-RRI study)
- Dramatic increases in **wildlife** populations where communities have rights to manage and benefit (Namibia CBNRM)
- Extensive **coastal/marine** areas under community tenure across 15 Pacific Islands, leading to documented increases in marine species (LMMA Network)

DEFORESTATION RATES INSIDE INDIGENOUS & COMMUNITY FORESTS WITH LEGAL RECOGNITION AND STRONG GOVERNMENT PROTECTION ARE SIGNIFICANTLY LOWER THAN IN FORESTS OUTSIDE THESE AREAS

BRAZILIAN
AMAZON



BOLIVIAN
AMAZON



GUATEMALA
(PETÉN)



WRI-RRI 2014

TOWARDS A REFORM AGENDA

- Need more active financial, political, program support from conservation actors for indigenous & community land rights (legal recognition, implementation)
- Need strong accountability mechanisms for government and conservation organizations to prevent violations of human rights
- Need stronger collaboration among conservation, human rights, governance reform agendas – including to address industry impacts
- CANNOT achieve global conservation goals without this shift

THANK YOU!



NATURAL JUSTICE

