

Indigenous Peoples and Conservation: WWF Statement of Principles



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Position Paper

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Foreword

Indigenous peoples inhabit nearly 20 per cent of the planet, mainly in areas where they have lived for thousands of years. Compared with protected area managers, who control about 6 per cent of the world's land mass, indigenous peoples are the earth's most important stewards.

During more than three decades of conservation work, WWF has been approached by many indigenous and rural communities seeking collaboration on issues like protected area management and the conservation of natural resources. Notable amongst them are the Hupa Indians of northern California, the Inuit of Isabella Bay in Canada, the Zoque Indians of Mexico, the Karen of Thailand, the Shona people in Zimbabwe, the Kuna of Panama, the Shimshali of Pakistan, the Phoka people of northern Malawi, the Imagruen of Mauritania, the Ewenk of Siberia, and many others scattered all over the globe. WWF is, or has recently been, working with indigenous peoples in all regions of the world: in Europe, Latin America, North America, Asia, the Pacific, and Africa.

WWF's views on the relationship between indigenous peoples and modern conservation have been touched upon in several of our recent publications. As a result of its central role in discussing indigenous peoples issues at the IV World Congress on National Parks and Protected Areas, WWF published the book *The Law of the Mother*, edited by Elizabeth Kemf, which collects and analyses experiences at the interface between indigenous peoples and conservation, including several project sites where WWF has been involved. In publications like *Conservation with People and Forests For Life*, WWF has expressed its conviction that indigenous peoples are crucial actors in conservation. Together with IUCN and UNEP, in *Caring for the Earth* WWF acknowledged the need for recognition "of the aboriginal rights of indigenous peoples to their lands and resources ... and to participate effectively in decisions affecting their lands and resources".

Despite this history, the statement which follows represents WWF's first attempt to enunciate a broad policy to guide its work. It has been prepared following extensive consultation

throughout the WWF network, which has an institutional presence in more than 50 countries. Building consensus on an emotive and politically sensitive topic is far from easy; moreover, there is a great diversity of national and regional situations in countries where WWF is active. The statement is our current best effort, but there may remain certain issues on which full consensus has still to be built. The interpretation and application of the statement may thus need to be adapted according to each national context. These variations must be interpreted as an expression of the diversity of circumstances within and outside the organization. From time to time, as WWF learns more about the topic, the statement may be updated to incorporate new views or perspectives.

Over the coming months, WWF will be preparing guidelines to assist its Programme staff in their work as it relates to the statement. As always, the implementation of such guidelines will be determined by the twin constraints of personnel and funds.

We believe the statement is a far-sighted step for an international organization whose mission is the conservation of nature, but we also recognize it may not be perfect to all eyes. Therefore, we would be pleased to receive comment and criticism from readers of this statement, to enable us to continue to improve our approach and contribution in this field.

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22 May 1996

Indigenous Peoples¹ and Conservation: WWF Statement of Principles

Principles for partnership between WWF and indigenous peoples' organizations in conserving biodiversity within indigenous peoples' lands and territories, and in promoting sustainable use of natural resources

Preamble

1. Most of the remaining significant areas of high natural value on earth are inhabited by indigenous peoples. This testifies to the efficacy of indigenous resource management systems. Indigenous peoples and conservation organizations should be natural allies in the struggle to conserve both a healthy natural world and healthy human societies. Regrettably, the goals of conserving biodiversity and protecting and securing indigenous cultures and livelihoods have sometimes been perceived as contradictory rather than mutually reinforcing.
2. The principles for partnership outlined in this statement arise from WWF's mission to conserve biodiversity, combined with a recognition that indigenous peoples have been often stewards and protectors of nature. Their knowledge, social, and livelihood systems - their cultures - are closely attuned to the natural laws operating in local ecosystems. Unfortunately, such nature-attuned cultures have become highly vulnerable to destructive forces related to unsustainable use of resources, population expansion, and the global economy.
3. WWF recognizes that industrialized societies bear a heavy responsibility for the creation of these destructive forces. WWF believes that environmental and other non-governmental organizations, together with other institutions worldwide, should adopt strategies with indigenous peoples, both to correct the national and international political, economic, social, and legal imbalances giving rise to these destructive forces, and to address their local effects. The following principles aim to provide guidance in formulating and implementing such strategies.

I. Rights and Interests of Indigenous Peoples

4. WWF acknowledges that, without recognition of the rights of indigenous peoples, no constructive agreements can be drawn up between conservation organizations and indigenous peoples groups.
5. Since indigenous peoples are often discriminated against and politically marginalized, WWF is committed to make special efforts to respect, protect, and comply with their basic human rights and customary as well as resource rights, in the context of conservation initiatives. This includes, but is not limited to, those set out in national and international law, and in other international instruments.

In particular, WWF fully endorses the provisions about indigenous peoples contained in the following international instruments:

- Agenda 21
 - Convention on Biological Diversity
 - ILO Convention 169 (Convention Concerning Indigenous and Tribal Peoples in Independent Countries)²
 - Draft UN Declaration on the Rights of Indigenous Peoples³
6. WWF appreciates the enormous contributions indigenous peoples have made to the maintenance of many of the earth's most fragile ecosystems. It recognizes the importance of indigenous resource rights and knowledge for the conservation of these areas in the future.
 7. WWF recognizes indigenous peoples as rightful architects of and partners for conservation and development strategies that affect their territories.
 8. WWF recognizes that indigenous peoples have the rights to the lands, territories, and resources that they have traditionally owned or otherwise occupied or used, and that those rights must be recognized and effectively protected, as laid out in the ILO Convention 169.
 9. WWF recognizes the right of indigenous peoples to exert control over their lands, territories, and resources, and establish on them the management and governance systems that best suit their cultures and social needs, whilst respecting national sovereignty and conforming to national conservation and development objectives.
 10. WWF recognizes, respects, and promotes the collective rights of indigenous peoples to maintain and enjoy their cultural and intellectual heritage.
 11. Consistent with Article 7 of the ILO Convention 169, WWF recognizes indigenous peoples' right to decide on issues such as technologies and management systems to be used on their lands, and supports their application insofar as they are environmentally sustainable and contribute to the conservation of nature.
 12. WWF recognizes that indigenous peoples have the right to determine priorities and

strategies for the development or use of their lands, territories, and other resources, including the right to require that States obtain their free and informed consent prior to the approval of any project affecting those lands, territories, and resources.

13. WWF recognizes and supports the rights of indigenous peoples to improve the quality of their lives, and to benefit directly and equitably from the conservation and sustainable use of natural resources within their territories.
14. In instances where multiple local groups claim rights to resources in indigenous territories, WWF recognizes the primary rights of indigenous peoples based on historical claims and long-term presence, with due regard for the rights and welfare of other legitimate stakeholders.
15. WWF respects the rights of indigenous peoples to enjoy an equitable share in any economic or other benefits realized from their intellectual property and traditional knowledge, building on the provisions of the Convention on Biological Diversity.
16. In conformity with the provisions of the ILO Convention 169, WWF recognizes the right of indigenous peoples not to be removed from the territories they occupy. Where their relocation is considered necessary as an exceptional measure, it shall take place only with their free, prior informed consent.

II. Conservation Objectives

17. At the heart of WWF's work is the belief that the earth's natural systems, resources, and life forms should be conserved for their intrinsic value and for the benefit of future generations.

WWF bases all of its conservation work on the principles contained in its Mission statement.

In addition, WWF fully endorses the provisions about biodiversity conservation and sustainable development contained in the following documents:

- Agenda 21
 - Convention on Biological Diversity
 - Convention on Trade in Endangered Species of Flora and Fauna (CITES)
 - Convention on Wetlands of International Importance (Ramsar Convention)
 - Caring for the Earth
18. WWF encourages and supports ecologically sound development activities, particularly those that link conservation and human needs. WWF may choose not to support, and may actively oppose, activities it judges unsustainable from the standpoint of species or ecosystems, or which are inconsistent with WWF policies on endangered or threatened species or with international agreements protecting wildlife and other natural resources, even if those activities are carried out by indigenous communities.
19. WWF seeks out partnerships with local communities, grass roots groups, non-governmental organizations, governments, corporations, international funding institutions, and other groups, including indigenous communities and indigenous peoples' organizations, who share WWF's commitment to the following conservation objectives:
- i) Conservation of biodiversity: to conserve biological diversity at the genetic, species, and ecosystem levels; to improve knowledge and understanding of species and ecosystems; to protect endangered species of animals and plants; to maintain ecosystem functions; to maintain protected areas and improve their management.
 - ii) Sustainable use of resources: to ensure that any harvest of natural resources is sustainable; to support community management of renewable resources according to subsistence and cultural needs; to use recycling methods where appropriate; to use resource-efficient methods and technologies; and to substitute non-renewable with renewable resources wherever possible.
 - iii) Pollution prevention: to prevent, wherever possible, discharges of environmentally damaging substances, and ensure that products and processes are non-polluting.

III. Principles of Partnership

20. The following principles will govern: (i) WWF conservation activities within indigenous peoples' lands and territories; (ii) WWF partnerships with indigenous peoples' organizations; (iii) WWF partnerships with other organizations whose activities may impact upon indigenous peoples.
21. Whenever it promotes conservation objectives, and in the context of its involvement in conservation activities affecting indigenous peoples' lands and territories, WWF will encourage governments to "take steps as necessary ... to guarantee effective protection of [indigenous peoples'] rights of ownership and possession" of those lands and territories, as determined by the ILO Convention 169 (Art. 14).
22. Prior to initiating conservation activities in an area, WWF will exercise due diligence to:
 - seek out information about the historic claims and current exercise of customary rights of indigenous peoples in that area; and
 - inform itself about relevant constitutional provisions, legislation, and administrative practices affecting such rights and claims in the national context.
23. When WWF conservation activities impinge on areas where historic claims and/or current exercise of customary resource rights of indigenous peoples are present, WWF will assume an obligation to:
 - identify, seek out, and consult with legitimate representatives of relevant indigenous peoples' organizations at the earliest stages of programme development; and
 - provide fora for consultation between WWF and affected peoples, so that information can be shared on an ongoing basis, and problems, grievances, and disputes related to the partnership can be resolved in a timely manner.

In addition, consistent with the relevance and significance of the proposed activities to the achievement of conservation objectives, WWF will be ready to:

- assist indigenous peoples' organizations in the design, implementation, monitoring, and evaluation of conservation activities, and to invest in strengthening such organizations and in developing relevant human resources in the respective indigenous communities;
 - assist them in gaining access to other sources of technical and financial support to advance those development objectives that fall outside WWF's mission.
24. In instances where states or other stakeholders, including long-term residents, contest the rights of indigenous peoples, WWF will be ready to assist indigenous peoples to protect, through legally accepted mechanisms, their natural resource base, consistent with the achievement of WWF's Mission and subject to availability of resources.
 25. Where the resource rights of indigenous peoples are challenged by national

governments, private corporations, and/or other groups, and the defence of those rights are deemed relevant and significant to the achievement of its Mission, WWF will, in coordination and consultation with indigenous peoples' organizations and subject to availability of resources:

- seek out and/or invest in the development of legitimate and transparent mechanisms to resolve conflicts at local, regional, national, and international levels, as appropriate;
 - seek to ensure that the primary rights and interests of indigenous peoples are well represented in such fora, including investment to inform and prepare indigenous peoples' representatives to take part in negotiations.
26. Consistent with WWF conservation priorities, WWF will promote and advocate for the implementation of Article 7 of the ILO Convention 169:
"Governments shall take measures, in co-operation with the peoples concerned, to protect and preserve the environment of the territories they inhabit".
27. WWF will not promote or support, and may actively oppose, interventions which have not received the prior free and informed consent of affected indigenous communities, and/or would adversely impact - directly or indirectly - on the environment of indigenous peoples' territories, and/or would affect their rights. This includes activities such as:
- economic or other development activities;
 - natural resources exploitation;
 - commercially oriented or academic research;
 - resettlement of indigenous communities;
 - creation of protected areas or imposition of restrictions on subsistence resource use;
 - colonization within indigenous territories.
28. With respect to the existing knowledge of indigenous communities, prior to starting work in a particular area, WWF will establish agreements with the indigenous organizations representing local communities, to ensure that they are able to fully participate in decisions about the use of knowledge acquired in or about the area they inhabit, and equitably benefit from it. These agreements will explicitly determine the ways and conditions under which WWF will be allowed to use such knowledge.
29. In the context of its partnerships with organizations other than those specifically representing the interests of indigenous peoples (including national governments, donor agencies, private corporations, and non-governmental organizations), WWF will:
- ensure that such partnerships do not undermine, and if possible serve to actively promote, the basic human rights and customary resource rights of indigenous peoples;
 - ensure that all relevant information developed through such partnerships and accessible to WWF, is shared with the appropriate representatives of indigenous peoples;
 - ensure that any national or international advocacy or fundraising activity related to indigenous peoples will be undertaken in consultation with

representatives of relevant indigenous peoples' organizations.

30. WWF recognizes that the resolution of problems related to indigenous peoples may require action in international fora, in addition to national interventions. In pursuit of the foregoing principles, and in order to enhance its own understanding of indigenous peoples' issues, and when consistent and relevant to its conservation objectives, WWF will:
 - actively seek inclusion and engagement in relevant international, as well as national fora.
 - initiate an ongoing process of dialogue with indigenous peoples' groups on the principles for partnership proposed herein.
31. WWF commits itself to promoting nationally and internationally, whenever possible and appropriate, the implementation of all of these principles in the context of conservation actions within indigenous peoples' lands and territories.
32. WWF is committed to upholding the above principles, and the spirit that informs them, to the best of its abilities.

Notes

- 1 In this position statement, as well as in other institutional documents, WWF refers to indigenous and tribal peoples using the definition of the ILO Convention 169. Unless explicitly said otherwise, the term "indigenous peoples" includes both concepts, "indigenous" and "tribal".
- 2 Adopted by the General Conference of the International Labour Organization on 27 June 1989.
- 3 As adopted by the Working Group on Indigenous Populations of the Sub-Commission on Prevention of Discrimination and Protection of Minorities of the UN Commission on Human Rights, at its eleventh session (UN document E/CN.4/Sub.2/1993/29, Annex I).

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