

# CONSERVATION AND PROTECTED AREAS

Friends of the Earth International (FoEI) is the world's largest grassroots environmental federation, with 73 national member groups. FoEI actively works on the Convention on Biological Diversity (CBD) and in recent years, together with other organisations and social movements, we have focused on the negotiations on the new global biodiversity framework. The issue of protected areas is part of these negotiations.

The diversity of ecosystems, species and genetic resources, is the foundation of life; we cannot live without it. In an ideal world, humanity and biodiversity would be in equilibrium. Currently, due to an ever-increasing upward spiral of growth and consumption and an ever stronger exploitation of resources and natural habitats, this is not the case. In many cases, protected areas are becoming spaces of biodiversity while the rest is left free for exploitation, and this situation is extremely serious for the future of life on our planet. Although, in discursive terms and in some practices, nature conservation currently seems to be a priority and many people and organisations are genuinely concerned about the accelerated deterioration of nature, there are other narratives that posit it merely as a way to perpetuate business, which is why the very meaning of conservation occupies a central place today.

Without systemically confronting our current exploitative development model with a vision of system change and environmental justice, the biodiversity crisis – and climate change – cannot be overcome. At the same time, countries party to the CBD must fulfil their obligations, while fully respecting human rights – to provide more tools to help stop the deterioration of biodiversity, the climate crisis and the violation of human rights.

FoEI actively participates in numerous campaigns, political processes and initiatives that both attack this model and build and propose real solutions together with local communities, Indigenous Peoples and other social movements.

FoEI states the following, on the issue of protected areas and in relation to the ongoing negotiations at the CBD:

- In order to achieve in situ nature conservation, there are various tools available. Protected areas are one such tool. We understand a protected area to mean "...a geographically defined area that has been designated or regulated and managed in order to achieve specific conservation objectives". This definition refers to areas where the state has a role in designating, regulating or managing them;
- Protected areas are diverse, from those where almost any human activity is allowed to areas which are off-limits for humans. From models with no community participation to others where community participation plays an important role. There is a great variety from country to country. Their impact on conservation has been positive and has allowed some ecosystems to continue to exist today and in good condition. Protected areas are a valuable tool that can be improved and promoted. Where properly applied, governed and managed, protected areas can substantially contribute to the conservation of species, habitats, natural processes and ecosystems and thus become an important tool against biodiversity loss, the climate crisis and the violation of human rights;
- Protected areas should enable long term conservation and restoration of valuable ecosystems and species. Their quality, integrity and connectivity are important;

- **Studies** have established that the best conservation results are achieved when protected areas are governed by Indigenous Peoples and local communities (IPLCs). Their rights must be protected, implemented and respected. In regions where Indigenous Peoples do not live, models of governance with participation of the local population is ideal;

Despite their importance, conservation areas, in some countries, have often had negative impacts on IPLCs and their rights because they have been imposed without any free, prior and informed consent or other mechanisms of consultation or participation and have therefore led to land dispossession, which goes hand in hand with forced eviction and the violation of human, collective, cultural and historical rights. Such conservation models do not allow for any form of participation at all. These conservation models, framed as “fortress conservation”, violate the rights of IPLCs and livelihoods and can be qualified as new forms of colonisation.

## **RIGHTS AND CONSERVATION: INDIGENOUS PEOPLES AND LOCAL COMMUNITIES, TOWARDS A RIGHTS-BASED APPROACH TO CONSERVATION<sup>1</sup>:**

- In order to avoid human rights violations in relation to protected areas, a rights-based approach to conservation is now being promoted, which also helps to combat the structural causes of the deterioration and destruction of nature. If people have the right to use, govern and conserve biodiversity and use practices that promote its regeneration and diversity of life more, biodiversity will be used and conserved sustainably;
- This approach recognises the role IPLCs – many of whom conserve nature through their way of life – have played for centuries. For this recognition to become a reality, it is necessary to recognise, respect and promote IPLCs’ human and collective rights, culture and livelihoods. This rights-based approach to conservation provides elements to strengthen equity. However, IPLCs are often faced with highly bureaucratic policies and laws as well as financial hurdles which make it impossible or very difficult to obtain formal recognition of their rights;

- The culture and way of life of many IPLCs, which promote and strengthen biodiversity conservation, are based on self-determination and rooted in local contexts. There is a historical, social, cultural and spiritual link to the territory. IPLCs refer to it by many names (wilayah adat, agdal, qoroq, communal, hima, territories of good living, umbilical forests, tagal, faritra ifempivelomana, ancestral domains, conservancies, autonomous community territories, kawawana, among many others). In recent years, these historical practices have come to be known as Indigenous Peoples’ and Local Community Conserved Territories and Areas (ICCAs) or territories of life<sup>2</sup>;

- According to the ICCA Consortium<sup>3</sup>, “potential ICCAs are estimated to cover more than one-fifth (21%) of the world’s land area (i.e. about the size of Africa), and more than one-fifth (22%) of the world’s key biodiversity areas.” Furthermore, “almost one third (31%) of the planet’s land would already be included in areas dedicated to conservation or to maintaining land in good ecological condition if potential ICCAs were incorporated.” These findings underline how essential it is to adequately recognise and support the rights of IPLCs and the conservation efforts they already undertake. It is important to remember that these lands should be considered as conservation areas, under the control and according to the terms and conditions of IPLCs;

- All ICCAs should be recognised and supported by public authorities for conservation and livelihoods. This reduces their vulnerability to external offers, for example from corporations that want to grab IPLC land and cause adverse impacts on nature and people for their own profit;

- It is therefore important that the post-2020 global biodiversity framework includes the recognition, protection and promotion of all ICCAs as part of the protected areas target, provided that all ICCA rights are respected.

## **IMPROVING AND EXPANDING THE PROTECTED AREA SYSTEM**

It is important to continue establishing protected areas within a model that respects and promotes rights. FoEI has worked on all types of protected areas,

<sup>1</sup> Read FoEI’s analysis on rights: <https://www.foei.org/publication/essential-rights-community-forest-management/>

<sup>2</sup> Find out more about the importance and current state of ICCAs <https://report.territoriesoflife.org/>

<sup>3</sup> Data taken from <https://report.territoriesoflife.org/>

including with IPLCs, and from this work we established the following prioritisation:

1. The historical work done by many IPLCs in this matter should be recognised as a key contribution to the conservation of biodiversity. Thus, those lands that IPLCs decide should be incorporated into conservation systems – after traditional internal consultation processes – should be considered as such. Furthermore, these lands shall remain within their control;
2. In regions not inhabited by IPLCs, ecosystems shall be protected in order to protect all species, habitats and ecosystems including in the seas and the oceans. In many cases, this goes hand in hand with the fulfilment of ecosystem functions that satisfy the basic needs of society (water supply, landscape protection). This would effectively and in the long term provide greater protection against destruction and economic and political interests (usually coming from corporations or their interests);
3. There is a need to increase the quantity, quality and interconnectivity of areas with valuable habitats and ecosystems, to ensure that all threatened species and ecosystems are contained therein and achieve a favourable conservation status. Their designation must be based on science, including the sound monitoring and distribution data of species and habitats, and requires the following parameters:
  - **Ecological representativity:** the protected area system needs to cover all major landscapes and contain sufficient areas to ensure the long-term survival of all species and ecosystems, by selecting a significant proportion of valuable areas where these species and habitats already exist.
  - **Connectivity:** protected areas need to be connected with each other to enable species to migrate, to exchange and avoid inbreeding, and to have access to different elements of their habitat.
  - **Effectiveness:** protected areas need to define specific conservation outcomes and must be well governed and managed, so that these outcomes are achieved.
  - **Equity and participation:** the rights of people and IPLCs living in or next to the area concerned must be fully respected; and any governance, plans and measures need to be based on an

open discussion and full participation of all rights- and stake-holders.

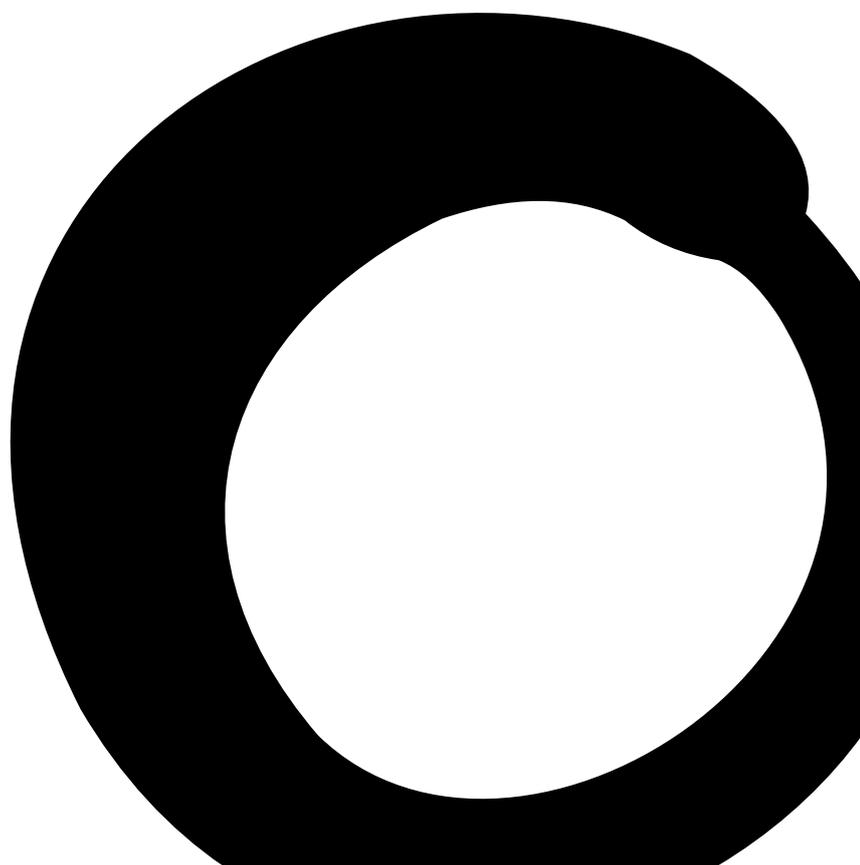
- **Financial support:** Protected area systems must have public funding to ensure their proper functioning. These funds should not come from agreements with corporations or from funds that allow for compensation. In turn, they must guarantee that Indigenous Peoples and local communities have access to their lands and public funds and, in cases where land remains under private ownership, agree with their owners on mechanisms for their protection in accordance with public policies.
4. It must be ensured that the establishment of any conservation measure cannot count as compensation for other areas where “development” projects take place.
  5. The CBD needs to establish separate accounting on:
    - Loss of areas with ecosystems (area, quality);
    - Ecosystem restoration understood as the re-establishment of ecosystems (carried out in an inclusive manner) and not as artificial ones such as plantation forestry, which should be excluded;
    - Only protected areas that fulfil all the requirements listed above – in other words that are effectively, equitably and gender-responsively governed and managed, ecologically representative, well-connected and that respect IPLCs rights – should count towards any numerical target the CBD may decide;
    - The respect of human rights in relation to the designation and governance of protected areas.
  6. The negative impacts of human activities outside protected areas must be avoided as well. All areas used by humans inside and outside protected areas need to be used in a sustainable way, and drivers of biodiversity loss – such as harmful subsidies – need to be harnessed. States have obligations regarding the protection of and respect for human rights that must always be fulfilled.

Any new protected areas should be based on technical, environmental, scientific and social reasons for their establishment, and must respect rights and have a rights-based approach. These new areas should be representative, effective and contribute to equity. Protected areas must result in a better conservation system than the present one.

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