

4.127 Indigenous peoples' rights in the management of protected areas fully or partially in the territories of indigenous peoples

CONSIDERING the need to harmonize, broaden, strengthen and update mechanisms and legal and institutional frameworks, in order to promote a propitious context for the involvement and participation of key actors, especially local communities and indigenous peoples, in decision making and management at all levels and the fair distribution of the costs and benefits associated with the establishment and the management of protected areas;

ASSUMING that indigenous peoples living in or near protected areas have the right to participate in their management, under conditions equal to those of the rest of the actors involved in these areas; and

CONVINCED of the need to contribute to the creation of societies consciously committed to a political environment favouring the effective management of protected areas and solution of the problems and threats they face, through the strengthening of institutions, programmes and initiatives aimed at communication, awareness, interpretation and formal and informal education, as well as through the use of appropriate means and messages for specific target audiences that contribute to a better understanding, on the part of local communities, visitors to protected areas, decision makers and society, of the importance of protected areas and their contribution to sustainable development and to the future of life on our planet;

The World Conservation Congress at its 4th Session in Barcelona, Spain, 5-14 October 2008:

URGES states to:

- (a) Within a framework of cooperation and taking into account national and regional characteristics, make available the means necessary for the full exercise and effective implementation of the rights recognized in the United Nations *Declaration on the Rights of Indigenous Peoples*; and
- (b) In the designated protected areas fully or partially within the territories of indigenous peoples:
 - (i) respect the rights of these peoples, ensuring the full and effective participation of their representative organizations in making decisions on the management and protection of these areas; and
 - (ii) apply Article 28.1 of the United Nations *Declaration on the Rights of Indigenous Peoples* which states: "Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent."

State and agency members of the United States refrained from engaging in deliberations on this motion and took no national government position on the motion as adopted for reasons given in the U.S. General Statement on the IUCN Motions Process.

The Statements for the record made by the State members Australia, Canada, New Zealand and United Kingdom in relation to Resolution 4.048 also apply to this Recommendation.