

#### 4.052 Implementing the United Nations *Declaration on the Rights of Indigenous Peoples*

WELCOMING the adoption of the *Declaration on the Rights of Indigenous Peoples* by the United Nations General Assembly (UNGA) on 13 September 2007;

UNDERLINING that the use of the term 'indigenous peoples' is consistent with the aforementioned UN *Declaration*;

RECOGNIZING that the UN *Declaration* is the accepted international mechanism for relieving the tremendous pressures and crises faced by indigenous peoples throughout the world as they endeavour to protect indigenous ecosystems, including biological, cultural and linguistic diversity;

SHARING the Republic of Bolivia's concerns that "at the day of adoption of the Declaration, the Planet was clearly wounded" and while "it did not solve the problems, nor ease the tensions between people," it was a step forward in allowing indigenous peoples to "participate in global processes for the betterment of all societies";

NOTING that the 76th session of the General Conference of the International Labour Organization (June 1989) adopted Convention No. 169 concerning *Indigenous and Tribal Peoples in Independent Countries*, which entered into force on 5 September 1991, and which furthers respect for indigenous peoples and facilitates their participation in decision making;

RECALLING that the UN *Declaration* recognizes "... that respect for indigenous knowledge, cultures and traditional practices contributes to sustainable and equitable development and proper management of the environment...";

RECOGNIZING that the II Latin American Congress of National Parks and Other Protected Areas (Bariloche, 2007) acknowledged that Indigenous Conservation Territories are a legitimate governance model for protected areas established in indigenous peoples' ancestral territories, a model whose key features are the integration of culture and nature, the role of customary rights, the traditional institutions and exercise of Indigenous authority in such territories;

RECOGNIZING that the ability of indigenous peoples to protect and support biological and cultural diversity is strengthened by a fuller recognition of their fundamental human rights, both individual and collective, and that there is a correlation between the rapid decline of biodiversity and the destruction of Indigenous linguistic and cultural diversity;

ACKNOWLEDGING that indigenous peoples have suffered greatly from the colonization of their lands, territories and resources, and from historic institutional efforts to destroy indigenous languages (linguicide), cultures and spiritual traditions;

NOTING that these culturally and ecologically destructive effects are conceptually rooted in several Vatican papal bulls and other similar documents on indigenous peoples - *Dum diversas* (1452), *Romanus Pontifex* (1455), *Inter Caetera* (1493), Letters Patent to John Cabot (1496), (official authorizations to "invade, capture, vanquish, and subdue," as well as "subjugate," indigenous peoples, to "reduce their persons to perpetual slavery," and "take away all their possessions and property") - which led to such present-day judicial doctrines as "discovery," "terra nullius," and "terra nullus," as revealed by indigenous scholars during the United Nations Decades of the World's Indigenous Peoples;

CONCERNED that, to this day, these historic doctrines have continued to prevent indigenous peoples from exercising their full right of self-determination and traditional responsibilities in relation to their lands and territories, thereby resulting in tremendous losses of ecological and biological diversity, sacred sites and places, making the UN *Declaration* necessary;

EMPHASIZING that the foundations for sustainable development require intra-generational and intergenerational equity;

RECOGNIZING AND REAFFIRMING that indigenous individuals are entitled to all human rights recognized in international law, and that indigenous peoples possess collective rights which are indispensable to their existence, well-being and integral development as peoples;

ACKNOWLEDGING that the UN *Declaration* restates that indigenous peoples have the right to self-determination, freely determining their political status, and pursuing their economic, social and cultural development;

CALLING for strengthened dialogue and partnerships between indigenous peoples, non-governmental organizations, states and intergovernmental organizations; and RECALLING that the *World Charter for Nature*, the *Earth Charter*, Resolution 16.40 *World Charter for Nature* adopted by the 16th IUCN General Assembly (Madrid, 1984), Recommendation 18.16 *Recognition of the Role of Indigenous Communities* adopted by the 18th IUCN General Assembly (Perth, 1990), Resolution 19.20 *IUCN Action on Indigenous Peoples and Sustainable Use of Natural Resources*, Recommendation 19.21 *Indigenous Peoples and the Sustainable Use of Natural Resources* and Recommendation 19.22 *Indigenous People* adopted by the 19th IUCN General Assembly (Buenos Aires, 1994), Resolution 1.49 *Indigenous Peoples and IUCN* adopted by the 1st IUCN World Conservation Congress (Montreal, 1996), Resolution 3.022 *Endorsement of the Earth Charter* and Resolution 3.055 *Indigenous Peoples, protected areas and the CBD Programme of Work* adopted by the 3rd IUCN World Conservation Congress (Bangkok, 2004) affirm the contributions of indigenous peoples for stewardship of the Earth;

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

1. ENDORSES the United Nations *Declaration on the Rights of Indigenous Peoples*;
2. CALLS ON all IUCN members to endorse or adopt the UN *Declaration*, and to apply it in their relevant activities;
3. DIRECTS Council to form a task force to examine the application of the *Declaration* to every aspect of the IUCN Programme (including Commission Mandates), policies and practices and to make recommendations for its implementation;
4. ACKNOWLEDGES that injustices to indigenous peoples have been and continue to be caused in the name of conservation of nature and natural resources; and
5. INVITES international organizations to provide all appropriate financial and other capacity-building measures to ensure participation by indigenous peoples and their communities in sustainable development;

**In addition, the World Conservation Congress, at its 4th Session in Barcelona, Spain, 5-14 October 2008, provides the following guidance concerning implementation of the IUCN Programme 2009-2012:**

6. INSTRUCTS the Director General and Commissions to identify and propose mechanisms to address and redress the effects of historic and current injustices against indigenous peoples in the name of conservation of nature and natural resources; and
7. REQUESTS that the Director General make indigenous peoples' role in conserving biological and cultural diversity a main concern of IUCN and future World Conservation Congresses, and present a statement of progress to the annual UN Permanent Forum on Indigenous Issues beginning in April 2009.

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 Resolution.

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.