



Asia Land Forum 2021, Thematic session

Securing Tenure Rights - The Foundation of Human Right-Based Conservation

Organized by Asia Indigenous Peoples Pact (AIPP)

Date: 28 October 2021

Time: 10.30am: Bangkok, Jakarta, 11.30am: Manila, 5.30am: CET

Methodology: Zoom online

Background

The right to land is fundamental for the livelihoods, food security, identity and survival of Indigenous Peoples, local communities, and other rural communities. Subsequently, securing land rights forms the backbone for equitably achieving the Sustainable Development Goals.

A 2015 [report](#), by the Rights and Resources Initiative (RRI), found that Indigenous Peoples and local communities customarily claim and manage over 50% of the world's land area. However, they only legally own just 10%. As a result, at least 40% of the world's land surface with customary ownership – around 5 billion hectares – remain unsupported and precariously vulnerable to commercial pressures, land grabbing by more powerful entities such as governments and corporations, and environmental destruction.

Advocates, academics, Indigenous organizations and the international community have continuously demonstrated and acknowledged the contributions of Indigenous Peoples in conserving biodiversity and mitigating climate change. A systemic regional lack of culturally appropriate legal provisions for Indigenous Peoples over their identities, lands, territories, and resources exacerbate structural inequalities and hinder their important environmental contributions. The failure to reform national institutions will ensure environmental degradation, conflicts over resources, expropriation of land and human rights violations will continue to detrimentally impact Indigenous Peoples and the environment.

In recognition of the utilitarian environmental contributions of Indigenous Peoples and local communities and the structural inequalities that hinder their agency to enact locally determined strategies affectively, human rights-based approaches to conservation are gaining traction across various international and national fora. While a moral and ethical necessity, implementing a human rights-based approach to conservation is an obligation for all States under international human rights commitments.¹ However, in light of the widescale marginalization of Indigenous Peoples and local communities, there is a lack of clarity regarding what human rights-based approaches to conservation look like on the ground and which agents are responsible for implementing these strategies.

A new technical analysis - led by AIPP, CIPRED and RRI - counters dominant notions that conservation is governed by external institutions by highlighting the leadership of Indigenous Peoples and local

¹ Forest Peoples Programme, ICCA consortium, Asia indigenous Peoples Pact. (2021). Applying a human rights-based approach: Guidance on the application of a human rights-based approach in the post-2020 Global Biodiversity Framework. Access: https://www.iccaconsortium.org/wp-content/uploads/2021/09/humanrights_biodiv-aug.pdf



communities in conserving biodiversity and implementing the necessary political and legal reforms needed to achieve a more equitable and just society. Rather than replacing existing and affective forms of land governance with protected areas, conservation governance and leadership need to be in the hands of customary rights- and knowledge-holders. Initiating the devolution of conservation governance to traditional institutions requires scaling up collective tenure rights in order to support the pre-existing self-determined strategies of Indigenous Peoples and local communities working towards the social, economic and ecological resilience of rural landscapes.

This thematic session offers a moment to reflect on the socio-environmental impact of externally-led conservation strategies while sharing stories of leadership from the ground. Taken together, the traditional practices of Indigenous Peoples and local communities are the dominant form of conserving biodiversity and promoting harmony with the surrounding world through reciprocity and stewardship. This side event will therefore discuss the need to promote the existing relationships held between spaces and cultures by supporting ongoing political movements and local initiatives creating culturally appropriate human rights-based solutions. The discussion will be oriented to understand the trends, existing strategies, explore concrete opportunities and the requirements for scaling-up political and financial support Indigenous and local conservation initiatives.

Speakers will shed light on following specific topic:

- The scenario of a human rights-based approach to conservation in Asia and enabling local institutions, leadership, and community agency by securing land rights – AIPP & RRI. (30 minutes)
- Rights-based strategy in claiming Indigenous territories using a territorial map – Pak Deny, Indonesia (15 minutes)
- Indigenous community-led initiative on land and resource restoration and management – Hin Lad Nai, Thailand. (15 minutes)

Objectives:

- To examine the scope and means of integrating rights-based approach to conservation in the land rights strategy.
- To share critical lessons learned from land rights claim through community and territorial mapping.
- To share good practices relating to collective protection mechanism for territorial protection and sustainable use of resources for informing the regional land rights strategy and out-scaling.

Target Audience:

- ILC Member organizations
- Indigenous Peoples: leaders, activists, and community members
- Regional networks: NIWA, IKPA, AIYP, IVAN, IPHRD, AIWN.
- Conservation organizations, support organizations and Institutions: Samdhana, Land Tenure Facility, NTFP, ICCA, RECOFTC etc.
- INGOs, UN Agencies and government
- Donors