

Strengthening Indigenous Peoples' Governance for Biodiversity Conservation , Sustainable Use and Equitable Sharing



“Múuch'tambal” Summit, CBD COP 16, Cancun
UN Special Rapporteur on the rights of indigenous
peoples, Victoria Tauli Corpuz

OUTLINE

- Duty of States to respect, protect, fulfill indigenous peoples' rights
- Community strengthening through IPSSDD
- Community mapping and monitoring and information systems (CBMIS)
- Community biocultural protocols
- Autonomous territorial governments

Duty of States to respect, protect and fulfill rights in the UNDRIP, ILO C. 169

- right of indigenous peoples to lands, territories and resources (**Articles 10, 26,27,28,29)**
- right to cultural heritage, traditional knowledge, traditional cultural expressions (**Art.31**)

Human rights duty of States to respect, protect and fulfill

- **right to self-determination (Art. 3)**
- **right to development (Arts. 20,23,32)**
- **free, prior and informed consent (Articles 10,11,19, 28, 29, 32)**

Human rights duty of States

- **Respect customary laws, community protocols and procedures** in implementing their obligations relating to traditional knowledge (TK) and equitable sharing of benefits from its use **(Arts.5, 31 in UNDRIP) and CBD articles, Nagoya Protocol, etc.**

Indigenous peoples'sustainable and self determined development (IPSSDD)

- Human-rights based approach
- Ecosystems approach/ landscape approach
- Economic sufficiency and sustainability
- Gender sensitivity
- Interculturality
- Intergenerational justice

Community Strengthening Activities

- Awareness-raising
- Education and Training
- Research , Documentation,
Communications
- Community organizing
- Livelihood development / establishment
of cooperatives

Community Strengthening Activities

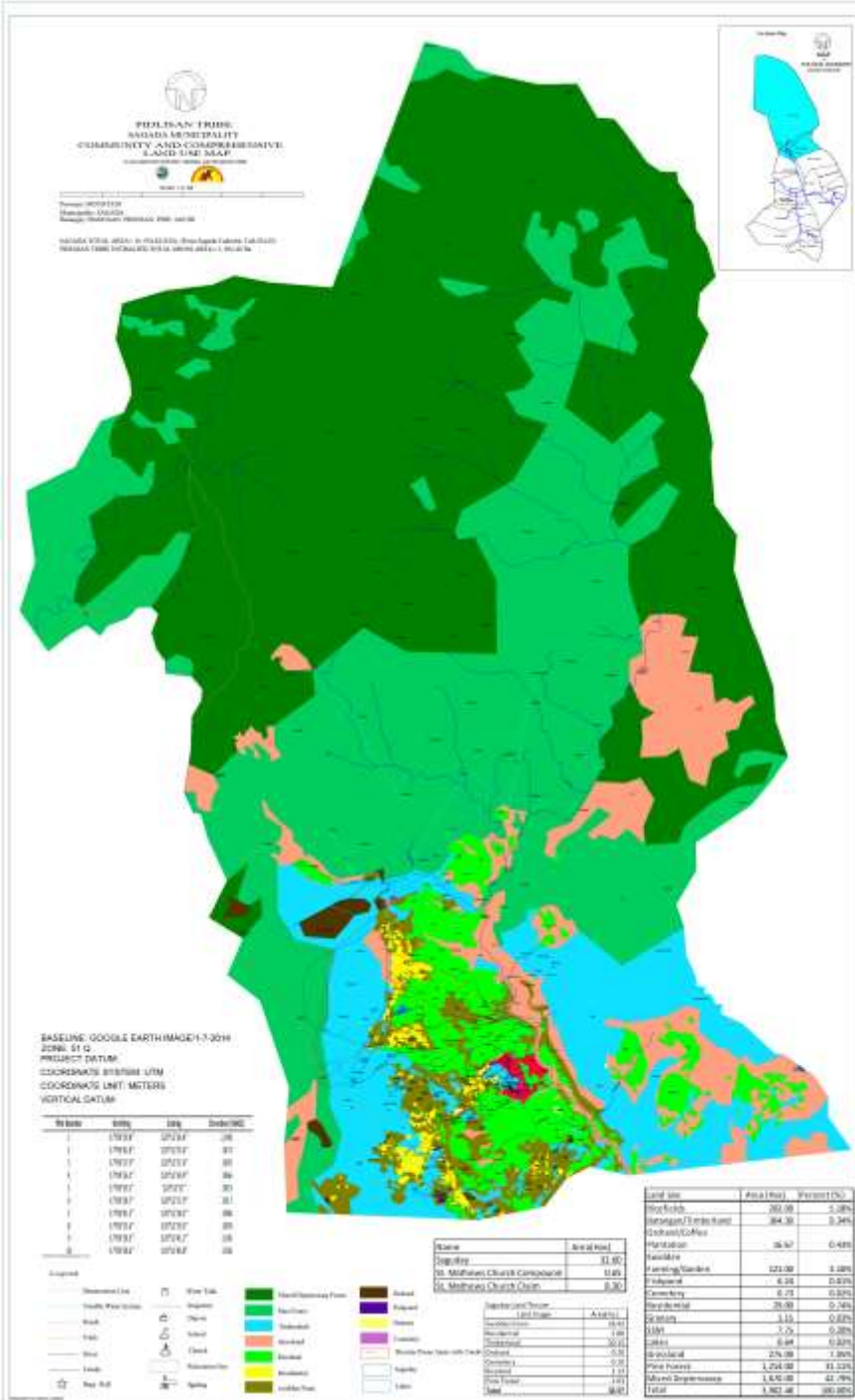
- Ancestral land titling
- Social entrepreneurship
- Advocacy at local, national, global levels
- Filing of cases and complaints before HR Treaty bodies, national courts, regional multilateral courts, Special Procedures (UNSRIP, etc.)

Tools and instruments used by indigenous peoples

- International Human Rights Laws and Instruments
- Multilateral Environmental Agreements (CBD, UNFCCC, etc.)
- Community- participatory mapping, Resource Inventories
- Community-based monitoring and information systems
- Community biocultural protocols
- Local Biodiversity Outlook

Guinaang, Pasil, Kalinga





Land-use mapping and resource inventory, Pidlisan

Dap-ay: Indigenous Socio-political, religious structure





- Community-participatory 3-dimensional mapping, Maco, Compostela Valley

3-D mapping, SILDAP area

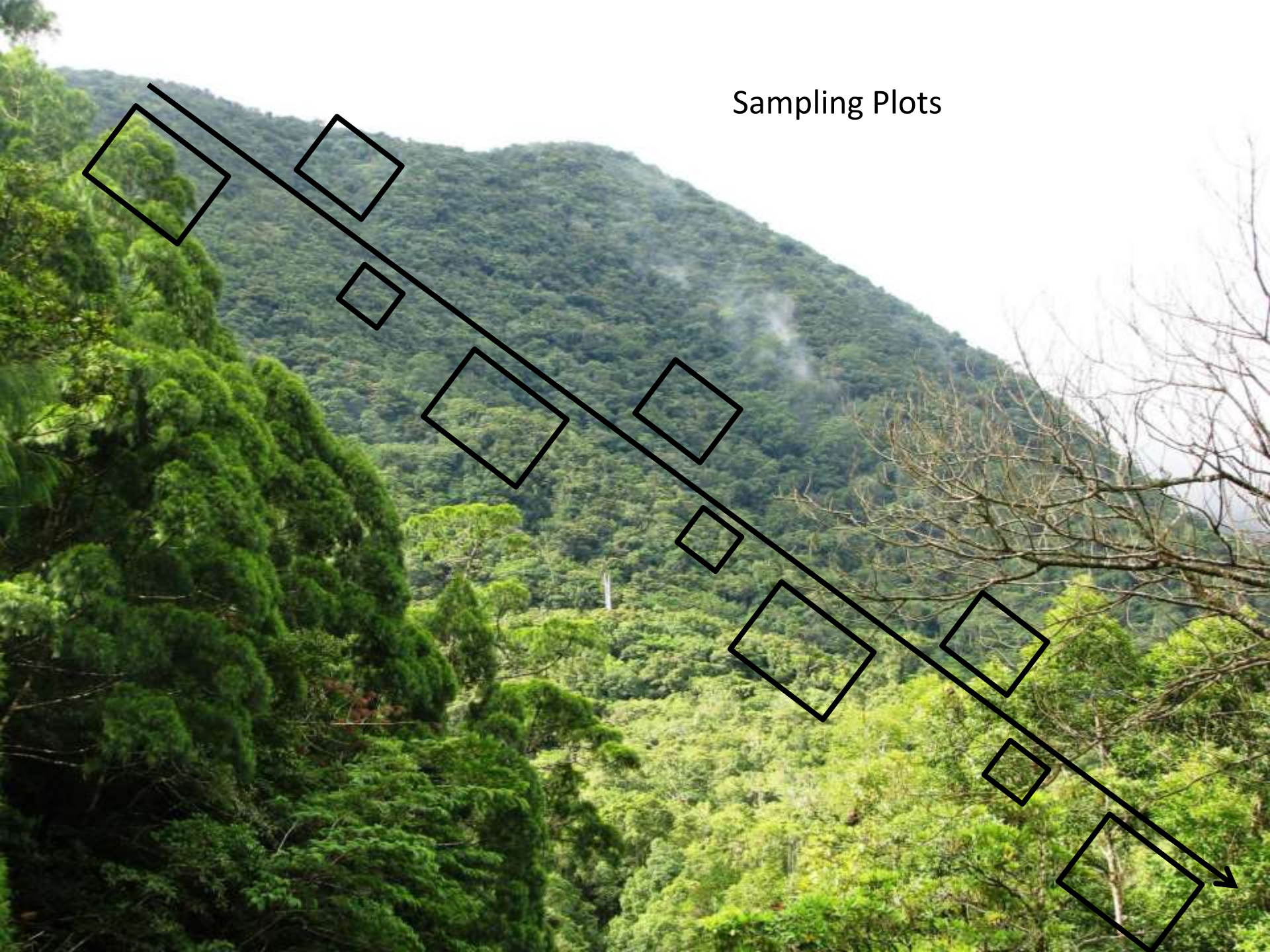


3-D map, Teduray Justice and Governance



BIODIVERSITY RESOURCE INVENTORY, Tinoc Ifugao

Sampling Plots



Carbon Accounting, Tinoc, Ifugao



Inventory of insects in Tinoc , Ifugao



INSECT INVENTORY, Tinoc Ifugao



Biodiversity resource inventory

- Carbon Accounting



INVENTORY of Flora, Fauna, Carbon - SILDAP communities



Lakbay-tribu para sa Gubat



RITUAL FOR BIODIVERSITY PROTECTION (left), LAKBAY TRIBU PARA SA GUBAT (right); TJG

Community biocultural protocols

Community protocols, establish foundations for;

- equitable and sustainable local economies based on biocultural goods and services,
- build community capacity to negotiate *equitable* agreements with third parties.

Community biocultural protocols

- external use in ABS and FPIC
- internal governance tools which
 - ✓ Use customary laws and governance systems
 - ✓ Underpinned by national and international laws,
 - ✓ Adapted to local conditions,
 - ✓ Regulate interactions among biocultural resource users, and define and guide the behaviour of communities.

Community biocultural protocols

- embedded in the traditional values, ethical norms, customary uses, and cultural and spiritual practices associated with the biocultural resources
- Examples: **Potato Park Biocultural Protocol/ Inter-community Agreement for Equitable Access and Benefit Sharing , Kenya (MPIDO)**
- **Community protocols of several indigenous communities in Brazil**

Impacts of Activities

- Development of local ordinances, national laws and policies on indigenous peoples
- 3-D maps and digitized maps leading to collective ancestral land titles and certificates of land use
- Data-bases of biodiversity resource inventories
- Inclusion in local and national government budgeting
- Better delivery of social services
- Strengthened indigenous governance systems and justice systems

Establishment of autonomous governments: Wampis Nation

- November 29, 2015, the Wampis nation declared the formation of the first Autonomous Indigenous Government in Peru.
- 1.3 million hectare territory – a region the size of the State of Connecticut - the newly elected government brings together 100 Wampis communities representing some 10,613 people who continue to live a traditional subsistence way of life through hunting, fishing and small scale agriculture.

Wampis Nation

- does not seek independence from Peru,
- main role is to protect Wampis ancestral territory and promote a sustainable way of life that prioritizes well-being, food security and a healthy harmonious existence with the natural world.
- Established a Statute of the Autonomous Territorial Government of the Wampis Nation.
- Has President, vice-President and 80 members of Parliament

Wampis Nation

- the Statute requires that any activity that could affect Wampis territory must secure the Free, Prior and Informed Consent of the Wampis nation.
- Specifically, this means that the Government of Peru cannot give out any further concessions that allow oil or mining companies to enter Wampis territory without a prior consultation process.

Quote from a Waimaku (Wampis Visionary)

"We will still be Peruvian citizens but now we will have our own government responsible for our own territory. This will allow us to defend our forests from the threats of logging, mining, oil and gas and mega dams. As every year goes by these threats grow bigger.

This unity will bring us the political strength we need to explain our vision to the world and to the governments and companies who only see the gold and oil in our rivers and forests. For them, too often we are like a small insect who they want to squash. Any activity planned in our territory that will affect us will now have to be decided by our own government which represents all our communities" Andres Noningo Sesen, Waimaku

Wampis Nation



Wrays Pérez Ramirez

- Wrays Pérez Ramírez, the **Wampis first Pamuk (or President)**, said,
- The “historic decision will help us meet our commitments to protect the Peruvian Amazon as part of its objective to tackle climate change.”

CONCLUSION

- **Indigenous peoples are and will continue to contribute in sustaining and enhancing biological and cultural diversity and mitigating climate change.**

Key factors;

- Respect, protection and fulfilment of their collective and individual human rights by states and third parties
- Legal, policy, financial, technical support for the community strengthening efforts of IPs.

Dakkel ay Iyaman, Thank you!

- Victoria Tauli-Corpuz
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