

PROPOSITION OF IUCN RESOLUTION ABOUT AN IUCN RIGHTS BASED
APPROACH TO NATURAL RESOURCES CONSERVATION

RECALLING the interdependence between all human rights, including procedural and substantive rights;

AWARE that environmental conservation and respect for human rights are critically interlinked both positively or negatively, and are interdependent values as affirmed by article 4 of the draft International Covenant on Environment and Development (2004);

RECOGNIZING that conservation practices can act on human wellbeing and that certain conservation practices have undermine human local livelihoods through direct human rights violations, forced resettlements, exclusions and direct economic and cultural impoverishments, especially of indigenous peoples and local communities;

CONVINCED that conservation practices and fulfillment of human rights, should be mutually supportive; that integrated conservation practices are required to fulfill human and environmental rights for improving environmental governance to improve governance with equity necessary for guarantying conservation outcomes;

RECALLING that the link between human rights and the environment were first spelled out in the Stockholm in 1972, and then expanded by the 1982 World Charter for Nature, the Rio Declaration and Agenda 21, adopted at the 1992 UN Conference on Environment and Development, the Preamble to the Aarhus Convention;

FURTHER RECALLING IUCN Resolution 3.015 “Conserving nature and reducing poverty by linking human rights and the environment” adopted by the World Conservation Congress at its the 3rd Session in Bangkok, 17–25 November 2004 which

- a. (2) decides “to assess the implications of the use of human rights-related legal resources and actions to protect the environment and the rights of those who defend it, especially through existing international human-rights protection systems”;
- b. and (3) encourages “IUCN’s State members, in cooperation with its non-governmental members, to analyse legislation in the field of human rights and the environment in their respective countries and regions with the aim of providing effective access to justice in the event of the violation of those human rights”;

REAFFIRMING the statements of the IUCN Resolution 3.015 that IUCN’s Mission aims to ensure that “any use of natural resources is equitable and ecologically sustainable”; and that “social equity cannot be achieved without the promotion, protection and guarantee of all human rights”;

WELCOMING the ongoing work of the IUCN Environmental Law Centre and the Commission on Environmental law on Rights-based approach and the Environment;

CONSCIOUS that NGOs, environmental organizations, private institutions, development banks, are not directly bound by international obligations regarding human

rights;

RECOGNISING the ideal position of the IUCN for building a productive policy able to promote at the international level biodiversity conservation practices respectful of human rights, especially of all indigenous peoples and local communities;

The IUCN World Conservation Congress at its fourth session at Barcelona, Spain, 5-14 October 2008:

1. DECIDES that IUCN should identify and develop a clear strategic direction/policy on respecting basic human rights, and further fulfilling where possible and appropriate;

2. REQUESTS the IUCN Director General to ensure that the implementation of IUCN programme 2009-2012, of the annual plans of programmes, initiatives and projects carried out by IUCN, respect basic human rights as cross cutting principle;

3. REQUESTS IUCN Secretariat and Commissions to work with IUCN members

a. to facilitate learning on rights-conservation relationships, and rights-based approach to conservation more specifically, and to help identify practice lessons about why rights matter for conservation and what practical options conservation actors have to address these linkages,

b. to assess a full range of rights and methods ensuring that conservation practitioners are neither neglecting the human rights, nor undermining the human livelihood of indigenous peoples and local communities, at least that conservation activities are implemented with minimized interference, free and informed prior consent with indigenous peoples and local communities abilities to fulfill their rights;

c. to work on the elaboration and implementation of a Rights-based approach for defining the policies and the processes to implement as well the performances to reach

4. CALLS on IUCN to encourage governmental members to monitor its respective ministries and other, private organizations (NGOs, private institutions, etc.) involved in conservation projects to ensure they respect a human right-based approach to biodiversity conservation;

5. ENCOURAGES IUCN to act as a promoting agent of the RBA in all sectors including the private sector highly solicited for assuming a larger share of responsibilities towards the fulfillment of human and environmental rights.