

M054

Sacred Natural Sites – Support for custodian protocols and customary laws in the face of global threats and challenges

AWARE that sacred natural sites are defined in the IUCN-UNESCO *Sacred Natural Sites: Guidelines for Protected Area Managers* as “Areas of land or water having special spiritual significance to peoples and communities”;

NOTING the importance of sacred natural sites for the conservation of biological and cultural diversity as they contribute to connectivity, resilience and adaptation in interconnected socio-ecological systems;

UNDERSTANDING that the customary laws of indigenous peoples, local communities, faith groups and custodians of sacred natural sites and territories contain long-standing protocols regarding the care and guardianship of sacred natural sites – which can be mountains, springs, lakes, forests, waterfalls, caves, pilgrimage routes, and often encompass territories that may be known as Cultural Landscapes;

RECALLING Resolution 4.038 *Recognition and Conservation of Sacred Natural Sites in Protected Areas* adopted by the 4th IUCN World Conservation Congress (Barcelona, 2008), with a high level of support (97% governments, 99% NGOs), and also recalling Recommendation V. 13 *Cultural and Spiritual Values of Protected Areas* adopted by the Vth IUCN World Parks Congress (Durban, 2003);

ALSO RECALLING IUCN Recommendation 4.136 *Biodiversity, Protected Areas, Indigenous People and Mining Activities* adopted by the 4th World Conservation Congress (Barcelona, 2008) and Recommendation 2.82 *Protection and conservation of biological diversity of protected areas from the negative impacts of mining and exploration* adopted by the 2nd World Conservation Congress (Amman, 2000);

NOTING that IUCN and UNESCO in 2008 published the Best Practice Protected Area Guidelines No. 16 on *Sacred Natural Sites: Guidelines for Protected Area Managers*;

RECALLING the *Akwé: Kon Voluntary guidelines for the conduct of cultural, environmental and social impact assessments regarding developments proposed to take place on, or which are likely to impact on, sacred sites and on lands and waters traditionally occupied or used by indigenous and local communities*, published in 2004 by the Secretariat of the Convention on Biological Diversity (CBD);

ACKNOWLEDGING the importance of sacred natural sites in relation to the CBD *Programme of Work on Protected Areas* (PoWPA), especially Element 2 on “Governance, participation, equity and benefit-sharing,” and its role in fulfilling Aichi Target 11 of the *Strategic Plan for Biodiversity 2011–2020*;

FURTHER ACKNOWLEDGING Article 8j of the CBD on *Traditional Knowledge innovations and practices* and Article 10c of the CBD on *Sustainable use of components of biological diversity*, and especially the Nagoya Protocol to the CBD on *Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization*, which encourages parties to raise awareness of and support the development by indigenous and local communities, including women within these communities, of community protocols;

ALSO ACKNOWLEDGING that the Declaration on the Rights of Indigenous Peoples affirms the right of indigenous peoples to determine and develop priorities and strategies for the development or use of their lands or territories and other resources, and to free, prior and informed consent with regard to development issues (Article 32);

RECOGNIZING that similar provisions should also apply to other custodians of sacred natural sites, such as local communities and faith groups, which despite having longstanding relationships to land and sacred natural sites may not be recognized as “indigenous” under international or national definitions;

ALSO RECOGNIZING that with an increasing worldwide demand for non-renewable natural resources, indigenous peoples and local communities are disproportionately suffering the consequences of related industrial developments and climate change;

FURTHER RECOGNIZING that indigenous peoples, local communities and site custodians have articulated that extractive industries and associated infrastructure are a high priority threat to their sacred natural sites and territories due to the extensive impacts of exploration, mining, drilling, logging, infrastructure development, waste disposal and related activities;

AFFIRMING that urgent action is needed for culturally appropriate sacred natural site conservation and management both within and outside of official protected areas;

The World Conservation Congress, at its session in Jeju, Republic of Korea, 6–15 September 2012:

1. CALLS on all IUCN State Members to recognize the rights of indigenous peoples to practise their cultural traditions and customs, including the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites;
2. FURTHER CALLS on all IUCN State Members and other governments to engage indigenous peoples, local communities, faith groups and custodians of sacred natural sites and territories, to recognize their customary laws and cultural protocols for the management of sacred natural sites and territories, and to develop programmes that respect and endorse these customary laws and associated institutions, which are unique to each culture and landscape, but which exemplify values held in common by indigenous people, local communities, faith groups and custodians around the world;
3. URGES State Members of IUCN and other national governments to develop appropriate policies, laws and programmes (for example by adopting Resolution 4.038 and implementing the IUCN-UNESCO Best Practice Guidelines 16 for planning and management of SNS in protected areas) that allows the custodians to continue to maintain and protect their sacred natural sites using their traditional practices and protocols, and in doing so respect the confidentiality of sites and practices;
4. RECOMMENDS that all governments develop national legislation to:
 - a. Bring into force the CBD’s *Akwé: Kon Voluntary guidelines for conduct of cultural, environmental and social impact assessments regarding developments proposed to take place on, or which are likely to impact on, sacred sites and on lands and waters traditionally occupied or used by indigenous and local communities*;
 - b. Adopt a presumption against development that could damage or destroy sacred natural sites, and develop mechanisms that give indigenous peoples, local communities, faith groups and custodians of SNS the right to say no to mining or other industrial activities on their sacred natural sites and territories; and
 - c. Enable and encourage the development of community protocols as a means for indigenous peoples, local communities, faith groups and custodians of SNS to

exercise their rights, gain legal recognition for SNS and custodial governance systems, and determine their own access and benefit sharing arrangements (as per the CBD Nagoya Protocol); and

5. URGES transnational and national companies from the extractive and energy industries, agriculture, forestry, infrastructure, tourism and other development sectors to:
 - a. Support, respect and promote the implementation of the United Nations Declaration on the Rights of Indigenous Peoples;
 - b. Utilize the *Akwé: Kon guidelines for the conduct of cultural, environmental and social impact assessments regarding developments proposed to take place on, or which are likely to impact on, sacred sites and on lands and waters traditionally occupied or used by indigenous and local communities*;
 - c. Prohibit activities that damage sacred natural sites, enforce this policy, and communicate this best practice principle to shareholders; and
 - d. Enable and provide support for indigenous peoples, local communities, faith groups and custodians of sacred natural sites and territories to build capacity and develop their own protocols based on their traditional laws and beliefs in response to demands placed on their sacred natural sites and territories.

Sponsor:

Fundacion Pro-Sierra Nevada de Santa Marta, Colombia

Co-sponsors:

Fundación Urundei, Argentina

Center for Humans and Nature, USA

Applied Environmental Research Foundation, India

Fundación para el Desarrollo de Alternativas Comunitarias de Conservación del Trópico,
Ecuador

Terralingua, Canada

The Christensen Fund, USA

Indigenous Peoples of Africa Coordinating Committee, South Africa

The Wilderness Foundation, South Africa