



International Indian Treaty Council 47th Anniversary Conference

March 1 - 3, 2022

Panajachel, Sololá, Guatemala

CONFERENCE RESOLUTION ON “PROTECTED AREAS”

Delegates representing 61 Indigenous Peoples and Nations from North, Central and South America, the Arctic and the Caribbean participating in International Indian Treaty Council (IITC) 47th Anniversary Conference in the sacred place called Lake Atitlán, Panajachel, Sololá, Guatemala, after thoughtful deliberations, adopted by consensus the following resolution to defend the inherent rights and ways of life of Indigenous Peoples and support the continuity of life for our future generations:

1) We underscore and reaffirm Article 26 of the United Nations Declaration on the Rights of Indigenous Peoples which states:

- 1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.*
- 2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.*
- 3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.*

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- 2) We reject the exclusion of Indigenous Peoples in the development of the “30 by 30” policy, also known as the “Leaders’ Pledge for Nature”, currently endorsed by Heads of State and Governments from over 90 countries to create “Protected Areas” covering 30% of each country’s remaining wilderness and forest lands. This policy was developed and endorsed in the context of the United Nation Convention on Biological Diversity (CBD) without the participation or Free Prior and Informed Consent (FPIC) of the Indigenous Peoples who will be directly impacted.
- 3) We oppose the inclusion of **ANY** Indigenous lands or territories, as defined in Article 26 of the UN Declaration on the Rights of Indigenous Peoples, in the implementation of the 30X30 policy. Only lands and waters where tenure or ownership is not contested or claimed by Indigenous Peoples should be designated as Protected Areas under their 30x30 programs.
- 4) We fully and firmly denounce the violations of the human rights of Indigenous Peoples that are being generated by the creation and maintenance of Protected Areas, biodiversity conservation areas, nature preserves, national parks, and world heritage sites on Indigenous lands and territories. These include denial of access to ancestral lands, waters and food sources, violations of Treaties and Agreements, denial of self-determination,



prohibition of the use of natural resources, and denial of access to the ceremonial sites and medicinal plants that have sustained Indigenous Peoples' ways of life for millennia. We also denounce with one voice the criminalization and violence carried out against the affected Indigenous Peoples, which have included forced evictions from their homes, burning of their communities, arrests, intimidation, sexual assault, beatings and killings.

- 5) We reaffirm the right to self-determination contained in both Article 3 of the UN Declaration on the Rights of Indigenous Peoples and Article 1 in common in the Human Rights Covenants, affirming that Indigenous Peoples have the right to decide for themselves whether any of their traditionally owned, occupied, used or otherwise acquired lands or resources will be designated as Protected Areas or used for extractive industries, timber and/or agribusiness.
- 6) We demand that if Indigenous Peoples freely decide to establish Protected Areas based on the application of their Indigenous scientific knowledge regarding care and use of their ancestral territories, such protected areas will receive the full and unqualified legal recognition of their land tenure and title, as affirmed in Article 26 paragraph 3 and Article 37 of the UN Declaration on the Rights of Indigenous Peoples and will be formally and legally recognized by States and relevant UN bodies on an equal basis with other protected areas.
- 7) We insist that Protected Areas freely established by Indigenous Peoples' within their own lands and territories be administered by the Indigenous Peoples themselves in accordance with their own scientific knowledge, traditions, laws and customs, and land tenure systems, and that the protections they put in place to safeguard biodiversity, traditional livelihoods, food systems, cultural and ceremonial access and practices, and other sustainable uses be fully respected by States and 3rd parties.
- 8) We request that adequate and equitable funding for the administration and maintenance of these Indigenous Protected Areas be provided to the relevant Indigenous Peoples by the 30X30 program, considering the commitments affirmed in Article 41 of the UN Declaration.
- 9) We affirm that the above stated rights and principles must also apply to other relevant UN processes as well as national or private sector projects, including, for example, the establishment of World Heritage Sites by UNESCO, forest carbon offsets projects established under Article 6 of the UNFCCC "Paris Rulebook, private parks, and any other initiatives carried out in the name of sustainable development, biodiversity conservation and/or climate change mitigation which may impact the lands, territories or rights of Indigenous Peoples.
- 10) We express our deep concern regarding the role of the UN Educational, Scientific and Cultural Organization (UNESCO) through the establishment of "World Heritage Sites" which have further restricted access to traditionally owned, occupied and used lands and resources by Indigenous Peoples. We call upon UNESCO to implement an immediate moratorium on the creation of new World Heritage Sites until all concerns about related violations of Indigenous Peoples' rights are resolved to the satisfaction of all involved parties, in particular the Indigenous Peoples concerned.



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- 11) We also call upon UNESCO to monitor the activities of all parties involved in the implementation and maintenance of its World Heritage Sites that are already established, and to implement a transparent and effective redress mechanism that ensures that the rights of Indigenous Peoples are fully respected, upheld and implemented on an ongoing basis.
- 12) Prior to the final adoption and implementation of the 30x30 policy by the CBD, and all related policies and programs on the national and international levels, we call for the inclusion of language to safeguard the rights affirmed in internationally-recognized minimum standard for the rights of Indigenous Peoples as follows: ***“Nothing in this policy can be construed as diminishing or extinguishing the rights of Indigenous Peoples as affirmed in the United Nations Declaration on the Rights of Indigenous Peoples.”*** This will ensure that such programs and policies implemented by States and UN bodies are in accordance with their obligations as affirmed in Article 42 of the UN Declaration.
- 13) Finally, we insist on full and transparent disclosure of all private, public, UN and NGO funding and financial transactions involved in the establishment, implementation and maintenance of Protected and Conservation Areas including World Heritage Sites and National Parks, and that this information be made available upon the request of the impacted Indigenous Peoples without delay.

Adopted by consensus in Paxil Kayala, Ixim Ulew (Panajachel, Sololá) Guatemala, on March 3, 2022