

ICCA Consortium Policy on “Defending Territories of Life & Their Defenders”

**ICCA Consortium XIIIth General Assembly
12-13 November 2018**























“Existential” Threats

These are **existential threats** to territories of life and their custodians / defenders

- They run counter to **customary laws** and worldviews
- They affect **all** international human rights (not just civil and political rights) – both individual and collective
- Perpetrators often act with impunity – **access to justice** is rare



global witness



The defenders

This year, in collaboration with Global Witness, the Guardian will attempt to record all of the deaths of people who are killed while defending their land, forests, rivers or wildlife - most often against the harmful impacts of industry. We will also document the stories of some of the land and environmental defenders still under attack

FRONT LINE DEFENDERS

of land and
environmental
defenders in 2016

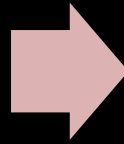
Why Develop this Policy?

- We have a **responsibility** to stand up to these systemic issues and **support** our Members and Honorary members facing these threats
- Work since 2012: responding to requests from Members to **focus more on issues of threats to ICCAs**, Alerts, developing “SAFE” and MoU with FoEI, engaging with various NGOs, networks and UN system, etc.
- Policy aims to lay the **foundation** for a more explicit and coherent **strategy + programme of work**, bringing together all of our efforts to defend territories of life and their defenders
- Intention to identify and collaborate with **strategic partners** (networks, alliances, etc.) for different aspects

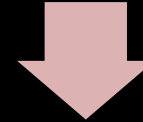
The Process So Far...

- Led by Consortium's **Policy & Programme Committee**
- **Members of the Committee:**
 - Patricia Mupeta-Muyamwa (Chair)
 - Taghi Farvar
 - Grazia BF
 - José Aylwin
 - Aman Singh
 - Thomas Jalong
 - Felipe Gomez
 - Jorge Nahuel
 - Antonino Morabito
- Secretariat support: Holly Jonas

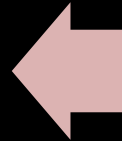
2012-2014: early 'alerts' for situations in Philippines, Italy, Tanzania, etc. and early ideas for "SAFE"



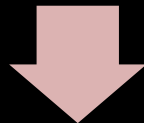
2015-2016: proposed SAFE – meetings + regional scoping reports



2017: included in Strategic Plan; draft position on "ICCAs as 'No Go' areas" discussed at Xith GA in Geneva

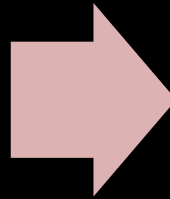


2016: MoU with FoEI; Members asked for more support at Xth GA in Felipe Carrillo Puerto

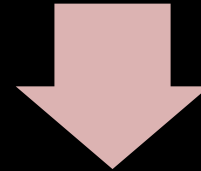


2017-early 2018: developed framework for feasibility study, focusing on SE Asia – partnership w/FoEI changed

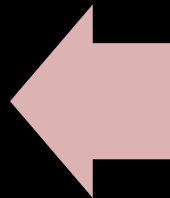
2017-2018: broadening partnerships (Front Line Defenders, Defending the Defenders Coalition, UN Special Rapporteurs, etc.)



June-Nov 2018: second iteration of draft policy discussed at EGA in Montreal; discussions in Regional Assemblies



Next steps: further develop Action Plan + partnerships to operationalize it



Nov 2018: draft policy (third iteration) tabled for adoption by XIIIth GA in Bishoftu

Main Parts of the Draft Policy

1. Context

- ICCAs at the nexus of global trends in biodiversity loss and threats to environmental human rights defenders
- International legal and policy basis for this policy
- Institutional policy for this basis (mission, Strategic Plan+)

2. A policy for the ICCA Consortium

- Preamble (setting the context)
- Five operational provisions

3. Operationalising the policy

- Action plan to be reflected in yearly Consortium work plans
- Voluntary theme / working group

Annexes

- Annex I: Explanation of process to date and acknowledgements
- Annex II: International legal and policy context (in brief)
- Annex III: Overview of proposed action plan

Operational Provisions

“Under this policy, the ICCA Consortium, with all its means and capacities and in collaboration with strategic allies and partners, will strive to:

- a) Actively defend ICCAs—territories of life from harm, particularly from externally driven natural-resource intensive activities, in full concert and solidarity with their custodian indigenous peoples and local communities;**

Operational Provisions

- b) Actively support and defend the custodians and defenders of territories of life and stand in solidarity with them** as they assert and secure their rights and responsibilities to govern, manage and conserve their territories and areas, **including those who wish to independently self-declare their territories and areas as “no go” areas for certain harmful activities and/or in relevant registries and databases;**

Operational Provisions

- c) Enhance the capacities of its Members to recognise and stand up to threats and harms to territories of life and their defenders, including by facilitating access to practical mechanisms and tools to secure their rights, continue their work without interference and harm, monitor compliance, and seek redress and justice in the case of violations;

Operational Provisions

- d) Highlight and demonstrate how ICCAs—territories of life embody sustainable self-determination and livelihoods, including by providing alternatives to the mainstream economic systems that threaten and harm territories of life and their defenders with impunity, and promote worldviews and systems that support territories of life in their entirety; and

Operational Provisions

- e) Advance global, national and local systems of rights and responsibilities and foster enabling policy and legal environments in support of territories of life and their defenders, including through multiple complementary forms of legal and non-legal recognition and support.”

Overview of Proposed Action Plan

1. **Securing and monitoring compliance with existing rights in specific situations** of threats to ICCAs—territories of life and their defenders:
 - a) Preventing the occurrence of harms and violations
 - b) Protecting and defending territories of life and their defenders at risk (e.g., by working on specific Alerts cases and joint campaigns...)
 - c) Monitoring and reporting on situations of threats and harms (e.g., databases and registries...)
 - d) Securing redress for harms and violations and remembering those we have lost

Overview of Proposed Action Plan

- 2. Advancing global systems** of rights, responsibilities and mechanisms to support territories of life and their defenders at risk:
- a) Promoting reform and advancement of legal and institutional frameworks
 - b) Influencing broader narratives, supporting research and communications and shining a spotlight on territories of life and their defenders, the threats they face and the viable alternatives they embody for sustainable self-determination

Overview of Proposed Action Plan

3. Building the ICCA Consortium's **institutional basis and capacities** to support territories of life and their defenders at risk:
 - a) Developing internal policies and procedures (e.g. risk assessment, digital security...)
 - b) Building internal capacities and resources and partnerships (e.g. legal support, mental health...)

Breakout Groups on Action Plan

One group for each main heading

For each group:

- a) What are you **already doing** to address these issues? Who are you working with?
- b) What are the main **needs and priorities** of Members and Honorary members?
- c) What should be the **ICCA Consortium's role**?

Next Steps

- a) Update + circulate the policy and draft action plan in English, Spanish and French
- b) Further develop the action plan with the membership + Secretariat
- c) Work on implementation...
- d) Review policy ahead of GA in 2019

Thank you!
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