

# Api-Api Declaration

*This Declaration is made by the 247 indigenous peoples' and local community representatives who gathered in Kota Kinabalu, representing communities and peoples from 9 countries in the Asia region, on the occasion of the 2nd Asia Parks Congress, from 24-29 May 2022.*

## **Preamble**

*We acknowledge* our ancestors who have walked before us, and we hold our responsibilities to those who will follow us as sacred, and we recognise and thank the indigenous peoples on whose lands we meet today,

*We recognise and welcome* the support provided for our participation in this Congress, both from IUCN, and from the local hosts in Sabah Parks and in the government of Malaysia, we note that the prior Asia Parks Congress in 2013 did not host an IPLC forum and we look forward to continued support to pro-actively engage in future Asia Parks and World Parks Congresses,

*We further recognise and welcome* the importance that IUCN has placed on acknowledging and supporting diverse governance of protected and conserved areas, including the emphasis placed on governance in this Congress,

*We emphasize* the importance of our visibility and our full, effective, and meaningful participation in policy making arenas that have the potential to impact on our collective and individual rights, and on our lands, territories, and resources,

*We recognise* the particular importance of conservation policy and practise for our lives, livelihoods, lands, territories, and futures, and seek positive partnership with those conservation actors who are committed to positive and respectful relationships with us,

*We also recall* the outcomes of the 5<sup>th</sup> World Parks Congress held in Durban, South Africa, and the commitments made in the Durban Action Plan to ensuring existing and future protected areas would be managed in compliance with our rights, inclusion of our representatives in the management of relevant protected areas and to establishing mechanisms to enable the restitution of all of our lands taken without consent,

*We further note* that these commitments were made nearly two decades ago, and were intended to be met by the last World Parks Congress, held in 2014, yet despite some advances in specific sites and areas, they remain largely unmet,

*We note* that even western scientific evidence increasingly underscores the roles and contributions of indigenous peoples and many local communities in conserving and sustainably using our lands, territories, and resources, and note the central importance of our own traditional and indigenous knowledge systems and the need for these to be recognised on par with conventional or mainstream knowledge,

*Finally, we re-affirm* our values of co-responsibility and care for the beings in this world, both human and non-human, and recognise the leadership of local communities and indigenous peoples in resisting threats to our lands and territories, including from land grabs, mega-development projects and corporate activities.

## ***Our realities***

In our communities, for our peoples and in our countries, our experiences of conservation policy and practice continue to fall far short of the international commitments that have been made,

In too many countries in Asia, our governments fail to recognise our status as indigenous peoples and do not recognise or support our roles as customary owners, and custodians, of biodiversity and socio-ecological well-being, yet areas of remaining high biodiversity value often overlap with the areas that we have been managing for generations,

In many communities, we continue to suffer the impacts of historical injustice, where protected areas created without consent remain in place, and we continue to see protected areas declared or expanded without our free, prior, and informed consent, or through manipulated, selective consultation processes erroneously called consent,

We have experienced and continue to experience evictions, violence, and forced relocations in the name of conservation and declare our solidarity with our brothers and sisters evicted from the Kaeng Krachan Forest Complex: we reject the inscription of that site into the World Heritage List in 2021 despite direct and repeated opposition by the indigenous Karen,

We continue to experience militarisation of our lands and territories and the criminalisation of our indigenous practices and use of our traditional ecological knowledge, in too many places national laws, structures and policies are incoherent with the idea of equitable governance and need urgent review and reform,

We are seeing increasing action by our governments to reduce the civil space we have in which to be active, and actions by private actors using strategic lawsuits to silence our voices when we are fighting for our land and territorial rights,

In countries in which legal frameworks exist which recognise our rights in part and where Court judgements have been in our favour, implementation by government agencies lag or Court judgements are ignored,

We are seeing the increasing growth of carbon-related finance, in both negative and positive ways: we have communities beginning to access direct funding through the voluntary carbon market to enhance their livelihoods, at the same time we see attempts to sell carbon credits in which others receive money for the resources held in our territories, without our consent and without sharing of the benefits,

In some countries, particularly during the pandemic, we have seen unprecedented provision of direct financial support by governments for indigenous peoples' communities for livelihood activities and shared governance, and we reiterate the importance of sustained, direct funding to support self-determined governance, we also recognise that for some of our brothers and sisters, the pandemic released new waves of violence and discrimination,

We have seen in the past 20 years an improvement in the participation of indigenous representatives in management structures in a number of Parks, but it remains critical for this to expand and that such participation is meaningful with genuine influence on the decisions being made,

Where a rights-based approach to conservation is used, and respectful and equitable partnerships between conservation agencies and communities are built, we see much better outcomes and we stand ready to increase our collaboration with you on this basis.

### ***Recommendations***

1. We call on IUCN, through its Commissions and the Secretariat, to work with us and with all members to implement existing Resolutions related to indigenous peoples' rights
2. We call for a moratorium on the declaration of any protected areas without the involvement of indigenous peoples and local communities, recognition of our governance and customary management systems, and our free, prior, and informed consent
3. We call for the recognition of our rights to self-determination, including free, prior, and informed consent, and support for, and recognition of, our self-generated FPIC protocols,
4. We call for both conservation agencies and governments to make a rights-based approach standard in all existing and future conservation initiatives and to recognise and support the leadership of grassroots communities in conservation initiatives
5. We call for increased recognition of diverse forms of governance, including our traditional governance systems, and for increased recognition of the unique roles and contributions of indigenous peoples and many local communities to the conservation of cultural and biological diversity
6. Where protected areas have impact on indigenous peoples and local communities, we call for the establishment of local, accessible, and effective complaints mechanisms, the use of human rights monitoring tools, and the engagement of protected area staff in human rights training with incentives for staff to build better relationships with communities and peoples with whom they work
7. We call on all governments, and relevant funding agencies, to continue, or initiate, direct financial provision for indigenous peoples and our communities, including through collaborative territorial management and monitoring activities and for climate resilience actions
8. Where new initiatives and mechanisms emerge, like carbon financing and nature-based solutions, which identify new monetary values in our lands and territories, their implementation must be based on full respect for our rights and recognition of our own roles and contributions in providing solutions to the biodiversity and climate crises.

29 May 2022

Api-Api, Kota Kinabalu, Sabah