

# Conserving biodiversity, respecting rights

## Title

Most people will be familiar with BirdLife's strapline, 'Together for Birds and People'. And many will also know that these five words reflect commitments embedded in BirdLife's Mission and Strategy. But fewer will recognise the role of conservation in reinforcing and asserting people's rights. In fact there are close links between conservation and human rights, and conservation projects that are well-designed and well-executed can make a significant positive contribution to their fulfilment. This article draws on examples from the work of BirdLife Partners around the world, to explain the linkages, and to demonstrate the contribution the BirdLife Partnership is making.

**What exactly are human rights?** Rights are things to which one is entitled, and can lay claim, either legally, or morally. These rights fall into one of two categories. *Substantive* rights are focused on the substance of life (health, happiness, food) while *procedural* rights are more about process - the right of individuals or communities to have a voice in decision-making, to be represented, and to participate.

**Why are human rights relevant to conservation projects?** First, there is a legal obligation – internationally and nationally, people everywhere have a legal responsibility to respect fundamental human rights. Then, for organisation and individuals, there exists a moral or ethical duty to respect the rights of people. Thirdly, conservation will often be more effective if people's rights are respected and fulfilled, so that they are involved rather than marginalised or excluded. And lastly, donors are increasingly requiring NGOs to demonstrate that human rights have been and will be respected.

**Local Conservation Groups – an entry point for addressing human rights in conservation** BirdLife's Local Conservation Group approach provides an important entry point for delivering on procedural rights. LCG members are generally from local communities, and engagement frequently focuses on developing a partnership for conservation and sustainable use. Empowerment, building institutional capacity, and providing LCGs with the information they need to make informed decisions (and to inform the decisions of others) are often at the heart of the relationship. Although their membership often comprises only a small part of the community at IBAs, LCGs can provide access to the wider community. The long-term commitment implied by the LCG approach is also important, giving time for the necessary relationship of trust and partnership to develop.

**Conserving biodiversity and fulfilling human rights – examples of what BirdLife Partners are doing** At least in the long-term, many human rights, especially 'substantive'

rights, depend on a healthy environment that can meet peoples' needs. Indeed, a healthy environment is itself considered a human right, both internationally and within many national constitutions. Some of the human rights that have a clear link to the environment are described below, with examples of how conservation work by BirdLife Partners is contributing to their fulfilment.

The right to life and livelihood: Activities which damage the environment, such as mining, industrial development or commercial logging, can deprive people of their livelihoods and cultural rights.

In Tanzania, the **Wildlife and Conservation Society of Tanzania** (WCST) is spearheading a campaign to conserve Lake Natron. The delicate ecology of this site, of critical importance for breeding Lesser Flamingo, is threatened by plans to construct a soda ash plant on its shores. The development would also be detrimental to the livelihoods of local people, who are dependent on pastoralism and tourism. WCST is working with local communities to ensure that their voices are heard by decision-makers, and their rights to life and livelihood respected.

The right to health: BirdLife Partners are often quick to respond to pollution which threatens birds and human health. In the USA the **National Audubon Society** continues to respond to threats posed by the oil spill in the Gulf of Mexico and its impacts on fish, shrimp, and many other unseen, underwater species. The loss of these critical sources of food has potentially devastating consequences, both for birds, and for the coastal economy. On many islands in the Pacific, birds and their habitats are under intense threat due to the accidental introduction of invasive pests, particularly Black Rat *Rattus rattus*. The rats hunt birds, their eggs and chicks for food, but also cause serious economic loss by damaging crops, and can bring grave human health problems because of their role as disease vectors.

**Forest and Bird**, the BirdLife Partner in New Zealand, is implementing rat eradication programmes on a number of islands – conserving biodiversity and also delivering on Pacific islanders' right to health. The right to water: The right to adequate, safe water is closely linked to the rights to health and livelihood. The availability and quality of water are affected by a number of environmental factors. Lake Burdur IBA in Turkey is internationally important for wintering and passage waterbirds, but has been threatened in recent years by pollution, urban development and unsustainable agricultural practices.

**Do?a Derne?i** (BirdLife in Turkey), has been working with local communities to find ways of conserving the lake's ecology and the quality of the water supply. The right to practice one's culture: Cultural rights refer to the rights of traditional and indigenous peoples to pursue activities that are important to their cultural identity. In the 1990s populations of three *Gyps* vulture species in parts of their ranges in South Asia fell by more than 95 percent in just three years. It is now known that the cause of the decline was exposure to carcasses of animals that had been treated with the drug diclofenac, which causes renal failure in *Gyps* vultures. The decline in vultures has had serious impacts on the ability of some religious groups, such as Parsees in India, to practice their culture, as the birds play a key part in their funerary rites.

BirdLife's Partner in India, the **Bombay Natural History Society**, is working with the Indian Government to ban diclofenac and replace it with a safe alternative, and breeding vultures in captivity to re-stock wild populations once it is safe to do so. The right to development: There are many examples from all BirdLife regions of how conservation is being linked to local development. Kfar Zabad wetland IBA is a small marshland on the plain of the Bekaa Valley in Lebanon, and an important site on the migration route of African-Eurasian water birds.

The **Society for the Protection of Nature in Lebanon** (SPNL) is working with the local community and in partnership with a private ecotourism company to support local development through training, employment as tour guides, and the development and sale of local produce. The rights of Indigenous Peoples: The rights of Indigenous Peoples are of special relevance to conservation, because of their custodianship of many lands with high biodiversity value, and their close relationship with nature. The United Nations Declaration on the Rights of Indigenous Peoples sets out the individual and collective rights of Indigenous Peoples to their lands and resources, and the free enjoyment of their culture and traditional way of life.

The BirdLife Affiliate **Cameroon Biodiversity Conservation Society** is implementing a project around the Ngovayang Massif, which aims to empower the indigenous Bagyeli and Bakola communities to play a bigger role in forest management, and claim their rights to land and resources. A key goal has been to help people to obtain national identity cards. Without such recognition, it is hard for Indigenous People to make claims for tenure or government services. Even marketing of non-timber forest products is made problematic, as travel through check points is difficult without identification.

### ***Do good; avoid harm***

These examples illustrate the opportunities that exist to add significant value to conservation projects by identifying how they can contribute to delivering rights, and then working with rights-holders to ensure that they do so most effectively. But there is also the danger that conservation activities implemented without effective safeguards can *harm* human rights. Conservation frequently involves bringing about changes in the way natural resources are used and managed. For example, strict environmental protection can exclude people and deprive them of resources on which they are dependent, without providing viable alternatives. It is important to be aware of this danger, and to take measures to avoid or compensate for such harm. Adopting a project process which respects people's procedural rights can help to identify and avoid or resolve such situations. It is important to make sure that people are well informed, and have access to relevant information. A process should exist which allows people to have a say in the decisions that are made, to explore mutually beneficial outcomes, and to have an opportunity for genuine participation.

### ***A win-win every time?***

Even with procedures in place it may be difficult to reconcile conflicting interests. As well as human rights there are other categories of rights that are relevant to conservation (though not held as universally): the rights of **society**, the rights of **nature**, and the rights of **future generations**. In practice it can be impossible to deliver on all these rights (or on the rights claims of different individuals), in the same place, at the same time. The challenge for conservation is to work through a process with stakeholders and rights-holders which achieves an acceptable level of trade-offs. This might require people whose rights are

affected to be compensated in some way.

### ***Emerging issues***

Human rights are relevant to all conservation projects, but they are at the forefront of a number of emerging issues for BirdLife. Most significant of these is REDD – Reducing Emissions from Deforestation and Degradation, a programme that aims to mitigate climate change by offering incentives to developing countries to reduce emissions from forested lands, providing a financial return for the carbon stored in forests. REDD will potentially lead to the transfer of billions of dollars from developed to forested developing countries. However, the inclusion of forests in climate change discussions is a concern of Indigenous Peoples' organisations and local communities, as the decisions made and their outcomes will directly and indirectly affect them, their livelihoods and rights. Where BirdLife is engaged in this kind of project it will be especially important to give close attention to the issue of rights.

### ***BirdLife's position on rights***

The BirdLife Partnership has recently adopted a position on Conservation and Rights. The position "reaffirms BirdLife's commitment to support the basic and procedural rights of the individual within its sphere of influence, and within a framework that brings these rights alongside those of future generations, wider society, and other species".

One of the BirdLife Partnership strengths is the opportunity it provides for Partners to share experience and learn from one another. If you have any comments on this article, or experience of conservation and rights that you would like to share, please write to David Thomas, Head of Communities and Empowerment (email: david dot thomas at birdlife dot org).