

## Appendix II

# Glossary of Key Terms

In this Appendix:

### Define the key terms that inform the work of this Guide

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#### Equity

Fair and just systems, institutions and practices that ensure all people have full access to power and resources to achieve their potential and thrive. Equity requires acknowledging the impacts of systemic racism, exclusion and discrimination, and dismantling all barriers to participation, opportunity and self-determination.<sup>[1]</sup>

#### Free, Prior & Informed Consent

An international legal standard that assesses whether interactions and decision-making affecting IPLCs reflects best practices for protecting the indigenous right to self-determination.<sup>[2]</sup>

- Free means consent that is given free of coercion, intimidation or manipulation.
- Prior means that consent should be sought not just in advance of any authorization or commencement of activities, but at the earliest stages of project development, before key decisions are made.
- Informed means that the IPLC has been given access to all relevant information about the purpose of the project, its size, scope and lifespan, likely participants, and impact assessments. The process must allow time to dig into underlying issues and follow up.
- Consent refers to an authoritative and legitimate collective decision made by the IPLC, using its own customary decision-making processes.

#### Gender

Gender refers to the roles and responsibilities of men, women and other genders that are created in our families, our societies and our cultures. The concept of gender also includes expectations about the characteristics, aptitudes and likely behaviors of different genders. Gender roles and expectations are learned. They can change over time, vary within and between cultures, and be influenced by other social intersections such as race or class. Understanding gender dynamics in a particular context is important for understanding and navigating power dynamics.<sup>[3]</sup>

#### Gender-disaggregated data

Information obtained through a survey or interview where people of different genders are engaged separately. This is important in situations where different genders may have different experiences, knowledge, priorities, needs, or behavior.<sup>[4]</sup>

## Human rights

Rights inherent to all people, whatever the nationality, place of residence, sex, gender identity, sexual orientation, national or ethnic origin, race, religion, language, age, ability or any other status. We are all equally entitled to human rights without discrimination.<sup>[5]</sup>

## Human rights-based approach to conservation

Integrating human rights norms and standards into policy, planning, implementation and monitoring and evaluation to ensure that conservation practice respects and promotes these rights. Using this approach, human rights and conservation become mutually and positively reinforcing pursuits.<sup>[6]</sup>

## Human well-being

A state of being in which one's needs are met, one can act meaningfully to pursue chosen goals, and one enjoys a satisfactory quality of life.<sup>[7]</sup>

## Indigenous peoples and local communities

Peoples and communities who possess a profound relationship with their natural landscapes, which they depend on for cultural, spiritual, economic and physical well-being. Original inhabitants and migrants who have a close relationship with the landscape are likewise considered to be IPLCs. TNC recognizes the collective rights of indigenous peoples as codified in international law. In this Guide, "IPLCs" is used to refer to all indigenous peoples and local communities.<sup>[8]</sup>

## Individual vs. collective rights

Most human rights treaties reflect an individualistic concept of rights and rights holders; for example, the right to education or the right to life is the right of every individual. For many indigenous peoples, identity is inseparably connected to the group to which a person belongs. For them, collective rights, such as the right to self-determination or to collective lands, are essential.<sup>[9]</sup>

## Intellectual property rights

The rights given to persons over the creations of their minds.<sup>[10]</sup> According to the Mataatua Declaration on Cultural and Intellectual Property Rights of Indigenous Peoples, indigenous peoples should define for themselves their own intellectual and cultural property.<sup>[11]</sup>

## Peoples

The plural "Peoples" recognizes that more than one distinct group comprises the population being referred to. For example, "Indigenous People" (singular) might mean each Indigenous individual or member of a particular community, whereas "Indigenous Peoples" (plural) indicates multiple distinct Indigenous populations.<sup>[12]</sup> The "s" at the end of "indigenous peoples" signifies that they are recognized as peoples, which signifies their collective rights, most foundationally the right to self-determination. The United Nations first accepted the term "indigenous peoples" in 2002 at the World Summit on Sustainable Development in Kimberley, South Africa.<sup>[13]</sup>

## Safeguards

Standards, policies, criteria, tools, systems and operational guidance that help ensure that design and implementation of an initiative avoids, minimizes or compensates for negative impacts.<sup>[14]</sup>

## Self-determination

The right of self-determination of peoples is a fundamental principle of international law. It is embodied in the Charter of the United Nations and the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. Common Article 1, paragraph 1 of these Covenants provides that: "All peoples have the rights of self-determination. By virtue of that right, they freely determine their political status and freely pursue their economic, social and cultural development."<sup>[15]</sup> The United Nations Declaration on the Rights of Indigenous Peoples (as well as other key pieces of international legislation) codifies indigenous peoples' collective right to self-determination in international law.

## Social identities

Throughout the Guide, we refer to “social identities” to promote inclusivity in our human rights-based approach to conservation. These include:

- cultures
- Indigenous identity, including homelands, culture and kinship relations
- race and ethnicity
- religions or local belief systems
- national or regional origins
- ages, including youth and elders
- ability and disability status
- sexual orientations
- gender identities
- military and protected veteran status
- language
- education, including literacy and numeracy
- socioeconomic status, including class or caste
- geographic location, including seasonality or remoteness
- migration or visa status
- criminal record
- other status protected by law

## Notes

- [1] Definition draws from [The Nature Conservancy in Washington's Equity Statement & Definitions \(2019\)](#).
- [2] Definition draws from: Food and Agriculture Organization of the United Nations. (2016). Free and Prior Informed Consent: An indigenous peoples' right and a good practice for local communities: <http://www.fao.org/3/a-i6190e.pdf>
- [3] Definition draws from: UNESCO's Gender Mainstreaming Implementation Framework: <http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/BSP/GENDER/PDF/1.%20Baseline%20Definitions%20of%20key%20gender-related%20concepts.pdf>
- [4] Y. Masuda, personal communication, June 13, 2015.
- [5] Office of the UN High Commissioner for Human Rights. What are human rights? Retrieved June 17, 2015 from <http://www.ohchr.org/EN/Issues/Pages/WhatareHumanRights.aspx>
- [6] Campese, J., Sunderland, T., Greiber, T. and Oviedo, G. (eds.) 2009 Rights-based approaches: Exploring issues and opportunities for conservation. CIFOR and IUCN. Bogor, Indonesia.
- [7] The Nature Conservancy. Conservation by Design 2.0 Guidance Document (2016): [https://www.conservationgateway.org/ConservationPlanning/cbd/Documents/CbD2.0\\_Guidance%20Doc\\_Version%201.pdf](https://www.conservationgateway.org/ConservationPlanning/cbd/Documents/CbD2.0_Guidance%20Doc_Version%201.pdf)
- [8] T-Roots, TNC 2015. This definition pulls from the following sources:
- UNEP and EDO NSW. (2013). Community Protocols for Environmental Sustainability: A Guide for Policymakers. UNEP, Nairobi and EDO NSW, Sydney.
- Corrigan, C. and Hay-Edie, T. 2013. 'A toolkit to support conservation by indigenous peoples and local communities: building capacity and sharing knowledge for indigenous peoples' and community conserved territories and areas (ICCAs)' UNEP-WCMC, Cambridge, UK.
- Rey, D., Roberts, J., Korwin, S., Rivera, L., and Ribet, U. (2013) A Guide to Understanding and Implementing the UNFCCC REDD+ Safeguards. Client Earth, London, United Kingdom.
- Expert Group Meeting of Local Community Representatives within the Context of Article 8(j) and Related Provisions of the Convention on Biological Diversity, (Montreal, 7 July 2011) Guidance for the Discussions Concerning Local Communities within the Context of the Convention on Biological Diversity, UNEP/CBD/AHEG/LCR/1/2, p.1.
- [9] Buppert, T., & McKeehan, A. (2013). Guidelines for applying free, prior and informed consent: A manual for Conservation International: [https://www.conservation.org/docs/default-source/publication-pdfs/ci\\_fpic-guidelines-english.pdf?sfvrsn=16b53100\\_2](https://www.conservation.org/docs/default-source/publication-pdfs/ci_fpic-guidelines-english.pdf?sfvrsn=16b53100_2). Citing Office of the UN High Commissioner for Human Rights: Frequently asked questions on a human rights-based approach to development cooperation (2006): <http://www.ohchr.org/Documents/Publications/FAQen.pdf>.

## Notes (Continued)

<sup>[10]</sup> World Trade Organization:

[https://www.wto.org/english/tratop\\_e/trips\\_e/intel1\\_e.htm](https://www.wto.org/english/tratop_e/trips_e/intel1_e.htm)

<sup>[11]</sup> The Mataatua Declaration on Cultural and Intellectual Property Rights of Indigenous Peoples. (1993):

[https://www.wipo.int/export/sites/www/tk/en/databases/creative\\_heritage/docs/mataatua.pdf](https://www.wipo.int/export/sites/www/tk/en/databases/creative_heritage/docs/mataatua.pdf)

<sup>[12]</sup> <https://indigenousfoundations.arts.ubc.ca/terminology/>

<sup>[13]</sup> [https://www.un.org/esa/socdev/unpfii/documents/SOWIP/en/SOWIP\\_web.pdf](https://www.un.org/esa/socdev/unpfii/documents/SOWIP/en/SOWIP_web.pdf), page 102)

<sup>[14]</sup> Wongbusarakum, S., Myers Madeira, E., & Hartanto, H. (2014). Strengthening the social impacts of sustainable landscapes programs: A practitioner's guidebook to strengthen and monitor human well-being outcomes. The Nature Conservancy, 10:

<https://www.conservationgateway.org/ConservationPractices/PeopleConservation/SocialScience/Documents/TNC%20Guidebook%20draft%20070814%20-%20for%20office%20print.pdf>

<sup>[15]</sup> <https://www.iwgia.org/en/focus/land-rights/330-self-determination-of-indigenous-peoples.html>