Tailoring social safeguards in conservation to reflect the local context and level of risk

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The conservation community recognizes that the costs of conserving nature for current and future generations should not fall, disproportionately, on those least able to afford them nor on those least responsible for causing the degradation of nature and the loss of biodiversity in the first place. Social safeguards (i.e., a set of mutually reinforcing processes that are designed to respect and protect the rights of people whose lives may be impacted by development or conservation decisions and actions) have emerged as one mechanism for identifying and putting measures in place to avoid and mitigate adverse social impacts that may occur through conservation policy and practice. Safeguards are also essential to ensure that people engaged in conservation activities do not suffer harm. Social safeguards have long been an element of decision-making regarding development projects (Dann & Riegner, 2019) but increasingly, grant makers are requiring social safeguards be put in place as a condition for grantees to receive funds for conservation.

The development sector (IFC, 2015; The World Bank, 2017) and REDD+ (Reduce Emissions from Deforestation and forest Degradation) sector (McDermott et al., 2012; Tegegne et al., 2017) have advocated for implementation of safeguards to minimize the risk of adverse social impacts associated with externally designed and financed projects. Several authors (Humphrey, 2016; Lederer, 2012; Schwarte, 2010) have noted that there will probably not be a one-size-fits-all set of practices to address social safety as project objectives and approaches differ as widely as do risks to project-affected communities.

Wildlife Conservation Society (WCS) acknowledges the importance of conducting social impact assessments and putting in place locally appropriate social safeguards.
to avoid or mitigate risks. WCS staff also recognize how important it is not to apply a formulaic one-size-fits-all solution. At WCS our field programs tailor social safeguards to the local ecological, social, and historical context to ensure that conservation actions do not impinge on human rights. Flexibility in determining what set of social safeguards to apply and how to apply them is vital to minimize the risk of adverse impacts on the wellbeing of Indigenous Peoples and local communities (IPLCs) in the context of conservation. Applying a single top-down or outside-driven standard may lead inadvertently to a violation of the rights of IPLCs. For example, any attempt to impose an FPIC process that requires participatory mapping of community territories and naming of rights-holders, would be inappropriate and possibly harmful where traditional practices view tenure boundaries and rights-holders as fluid and not fixed.

WCS has developed and is implementing both organization-wide and locally adapted social safeguard mechanisms, policies and procedures to support active and meaningful engagement with rights holders, ensure respect for human rights, and protect the safety of our staff, as well as community, government agency and civil society partners.

To respect and protect the rights of IPLCs, WCS field programs currently consider seven social safeguards based on globally acknowledged best-practice standards (The World Bank, 2017). These include: 1) free prior and informed consent (FPIC) – Article 19 in UNDRIP – (United Nations, 2007); 2) avoiding physical and economic displacement of IPLCs from their territories and homelands; 3) grievance redress in the face of impacts; 4) gender impact assessment; 5) human rights training for staff; 6) ensuring confidential source or informant consent; and 7) human subject’s protections in research. To minimize risks to WCS staff and partners we conduct training on, for example, protected area ranger and community guard safety and 2) wildlife crime intelligence source safety.

To achieve our mission of saving wildlife and wild places, WCS invests staff time and resources on five major approaches to conservation, many of which are similar to the activities of other conservation organizations. These include: 1) assisting state governments to establish and manage protected areas (IUCN categories I-VI); 2) engaging with Indigenous Peoples and local communities using a rights-based approach to support their efforts to consolidate legal ownership over their ancestral lands and conserve nature within their territories (e.g., Indigenous-led conservation, protected areas, co-management, and other IPLC governance mechanisms); 3) generating actionable intelligence on wildlife crimes and providing it to national and international law enforcement agencies; 4) working with private sector companies to avoid and mitigate the environmental and social impacts of their business practices; and 5) conducting sound and ethical ecological and social science, to produce high quality information, that guides policy making at all levels and informs best practices. Each of these approaches may be deployed separately. Alternatively, several or all may be deployed simultaneously with IPLCs to effect conservation within the same geographic location. Each approach poses different risks to IPLCs, bystanders, and conservation staff. For example, gathering intelligence on wildlife crime from informants poses different and much greater risks, than gathering information on food consumption from research subjects. Both should not be expected to require the same type of social safeguards and level of investment.

In our experience, each conservation approach undertaken by WCS and our local allies and partners warrants different combinations of social safeguards and level of investment given the social, historical, political and cultural context, and potential risks (Table S1). For example, FPIC is required when the proposed actions of an external organization, like WCS, might infringe on the IPLCs rights by affecting access and use of their lands, waters, and wild resources. In contrast, if a community of Indigenous Peoples, that has the authority to freely determine how they use natural resources within their formally recognized territory, decides to restrict their own members access to community natural resources this would not be a taking of rights and would not warrant FPIC, even if an external organization was invited by the community to support their efforts. Similarly, research proposed by an external organization within the territory of an Indigenous Peoples would not typically require a full FPIC process. That said, the informed and prior consent of the community or individual would be required to conduct the research and an ethics review (Institutional Review Board in the USA) might be needed if the research involved human subjects or Indigenous Knowledge systems. Further elaboration of how WCS and our local partners decide how and why to tailor a suite of social safeguards to different approaches to conservation can be found in the Supporting Information.

WCS recognizes that social safeguards are essential. But we argue that the suite of social safeguards, needed to align with globally adopted World Bank and IFC performance standards, will be most effective in protecting the rights of IPLCs if they are: a) tailored to avoid or mitigate risks associated with the conservation approach or approaches being deployed in a particular geography, and b) reflect the interests and preferred protocols of IPLCs themselves. WCS’ organization-wide policies based
on recognized international performance standards provide the foundation for procedures tailored to local needs, the protocols and guidance developed by IPLC allies, and the approaches WCS staff and local partners are using to achieve conservation outcomes in a particular place. Working with government protected area authorities warrants one configuration of safeguards, combating wildlife trafficking another. Though different approaches to achieve conservation may share some common risks, assumptions, and ethical guidance, no two approaches necessarily use the identical menu of safeguards to address the unique situations encountered across these different conservation and cultural contexts.

To ensure that social safeguards in the context of conservation achieve their objectives without being unnecessarily burdensome and costly to community support organizations like WCS or impinge on the rights of Indigenous Peoples and local communities, we need to encourage all conservation organizations, grant makers, and government partners to consider how different conservation approaches and contexts constitute different levels of risk to the rights and wellbeing of IPLCs, and this might warrant application of different sets of safeguards. Lastly, risks are best avoided or mitigated when IPLCs take the lead in determining the most ethically and practically relevant safeguards for conservation in their context.

AUTHOR CONTRIBUTIONS
David Wilkie and Heidi Kretser conceived the idea. All authors co-wrote the article.

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CONFLICT OF INTEREST
The authors declare no conflicts of interest.

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SUPPORTING INFORMATION
Additional supporting information can be found online in the Supporting Information section at the end of this article.

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