



INTERNATIONAL  
LAND CONSERVATION  
NETWORK

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**Please join us in celebrating two firsts.**

First, is the recent passage of the *Derecho Real de Conservación* in Chile - a precedent-setting piece of legislation in a civil code country. This landmark legislation has been moving through the Chilean National Congress for eight years, shepherded by a dedicated team of legislators, NGOs, lawyers, foundations, and other partners. The newly implemented law adds a new conservation property right to the existing legal code, allowing landowners to celebrate their natural resources by choosing to protect them. [Learn more about the \*derecho real\* in the newsletter below.](#)



Photo: Antonio Vizcaino | America Natural



Photo: Bank Australia

Second is an innovative partnership between Trust for Nature and Bank Australia. Customers at this 100% customer-owned bank also collectively own a 954-hectare (over 2,300-acre) Conservation Reserve woodland in Victoria. Serving to offset the bank's home and car loans, the Reserve is protected in perpetuity through a Trust for Nature conservation covenant. This is thought to be one of the first such conservation projects in the world for a Bank lending money to consumers. [Learn more about this public-private conservation model below.](#)

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**In this newsletter:**

- [Celebrating the \*Derecho Real de Conservación\*](#)
  - [Banking on Nature: Trust for Nature & Bank Australia Partnership](#)
  - [Steering committee spotlight: Victoria Alonso](#)
  - [Upcoming events](#)
  - [Please take our survey](#)
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# Highlights from the ILCN

We are excited to share the following stories from ILCN members. If you have a successful conservation initiative, story, event, or webinar to share, please contact us at [ILCN@lincolninst.edu](mailto:ILCN@lincolninst.edu).

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## Celebrating the *Derecho Real de Conservación*

After eight years of moving through the legislature, the Chilean National Congress unanimously passed a bill introducing a new property right – the *Derecho Real de Conservación* – on May 31, 2016. This bill was signed into law shortly thereafter by President Michelle Bachelet.

The passing of this law is a historic occasion. Chile's legal system is based on the civil code, derived from Roman legal code devised 2,000 years ago. Not only does the new *Derecho Real* legislation amend the code by adding a new conservation property right – it is also distinctive in that it is nature-centered, rather than human-centered.

The *Derecho Real* has been designed to be a flexible tool for the conservation of private land – intended to be used, typically, in conjunction with civic (NGO or non-profit) organizations. Prior to the passage of the new law, if private landowners wanted to protect their land in Chile, they had limited options. They could donate the land to the State or work with the State to have it designed as a nature conservation area. Alternatively, some landowners wanting to protect their land entered into a *servidumbre* agreement. However, creating a *servidumbre* is a less-than-ideal solution: it requires two parcels of land – a “dominant” parcel and an adjacent parcel with a restriction on it; is not a legal mechanism explicitly designed for land conservation; and it cannot assure the landowner that the land being protected will be protected in perpetuity.

The *Derecho Real* allows an individual landowner to protect their own land, using a mechanism roughly analogous to what is called a conservation easement in the United States. However, rather than written as a restriction on property, the law creates a right to conserve the property's natural resources. The mechanism is designed so that a landowner can enter into an agreement with an NGO, for example, outlining a conservation action plan and defining acceptable land uses for the property. This agreement is then attached to the land deed, so it follows the land title in the event of a land sale and new ownership. The length of the agreement, ranging from short term to in perpetuity, is agreed upon by the landowner and the NGO. The NGO is then responsible for ensuring that the agreement is followed and may support the landowner in carrying out the conservation plan.

There are already several Chilean landowners starting the process of using the *Derecho Real* to protect their land. These initial agreements will likely take time, but they will pave the way for more landowners and more NGOs to start using the tool in the future.

Many other countries in Latin America and around the world have legal codes similar to that of Chile, and have



land owners and conservation organizations interested in the perpetual protection of private land. Accordingly, the *Derecho Real* may serve as a model for other countries to emulate. Chilean proponents of the *Derecho Real* hope that as Chile tests and refines this tool, other countries will be interested in enacting laws similar to the Chilean *Derecho Real de Conservación*.

Finally, the passing of this tool has sparked new conversations about how Chile may be able to institute tax or monetary incentives to encourage landowners to put perpetual protections on their land. Creating a suitable tool has been the first part of the effort – making it a driver for conservation through financial incentives is the next step. The Chilean team that persevered to see the *Derecho Real* become law is very excited to address this next challenge.

For more information on this law, start with [this press release](#).

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## Banking on Nature: A Partnership between Trust for Nature and Bank Australia

[Trust for Nature](#) is an Australian not-for-profit organization that works with private landowners to protect native plants and wildlife on their land in the state of Victoria. The organization supports private land conservation in a number of ways, including through [conservation covenants](#) (simile to conservation easements in the United States) and unique partnerships.

One such partnership is with [Bank Australia](#), Australia's first 100% customer owned bank. Core to the bank's mission is creating "mutual prosperity - for our customers, the communities they live in, and the planet we all live on." Part of achieving that mission includes investing in the Bank's [Conservation Reserve](#).

The Conservation Reserve is an aggregation of five rural properties in the Wimmera region of western Victoria, the first of which was purchased in 2008 from Trust for Nature's [Revolving Fund](#). The idea behind the reserve is simple – when customers borrow money from the bank to build a new house, the Bank allocates land for protection and/or re-vegetation in the Reserve; when customers buy a car with a loan from the Bank, it plants enough trees to absorb the carbon of an average car per year for the life of the loan; and these actions are taken on lands with suitable habitat for endangered flora and fauna. It is thought that this is one of the sustainability projects of its kind in the world for a bank lending money to customers.

Due to the Bank's community-owned model, its customers now collectively own this 954-hectare (over 2,300-acre) Reserve. These customers, many of whom live in urban areas, also have opportunities to volunteer at the Reserve and connect with nature.

In order to ensure its conservation in perpetuity, the Bank also elected to protect the Conservation Reserve properties with conservation covenants held by Trust for Nature. Bank Australia saw the covenant as providing a 'gold standard' to safeguard the Reserve's conservation values, and to ensure third party verification of the Reserve's ongoing security.

Located within one of Trust for Nature's focal areas, the Reserve protects threatened woodland communities that are of high priority to the organization. The large size of Bank Australia's Conservation Reserve also makes it an important stronghold for endangered species, such as the iconic South-Eastern Red-tailed Black Cockatoo.



Photo: Bank Australia

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Two-thirds of Victoria is privately owned, which means that the protection of native plants and wildlife on private land is vital. In total, Trust for Nature has more than 1,300 conservation covenants, protecting more than 59,000 hectares across Victoria, as well another [45,000 hectares of reserves](#) owned by Trust for Nature itself.

After eight years, the Bank and its customers' commitment to the Reserve continues to grow. Bank Australia has recently appointed Trust for Nature, along with another Australian conservation organization, [Greening Australia](#), to help manage the Reserve, and to work with the Bank to refine its strategy for the Reserve.

This mutually beneficial relationship between the Trust for Nature, Bank Australia, and its customers is a strong model for corporations around the world that are committed to offsetting the biodiversity and carbon impacts of their work.

To learn more about the work of the Trust for Nature, please contact Victoria Marles, Chief Executive Officer, [victoriam@tfn.org.au](mailto:victoriam@tfn.org.au).

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## Steering Committee Spotlight

### *Victoria Alonso*

Growing up in Chile, Victoria has always had an interest in the natural world. Once an aspiring zoologist, she ended up studying agronomy. This practical approach to nature inspired her thinking about the connection between people and nature.

A Master's degree in Sustainability jumpstarted her career in conservation, which has since included positions with Chile's Ministry of the Environmental and The Nature Conservancy (TNC). While she was with TNC, Victoria participated in a working group that was tasked with developing potential tools and incentives to advance private land conservation in Chile. It was this group that dreamed up the *Derecho Real de Conservación* that recently became law.

As part of the group, Victoria participated in an educational trip to the US designed to introduce key Chilean decision makers to the US private lands movement, as well as another trip to South Africa. She saw firsthand the value of sharing experiences across borders, countries, and continents. As a member of the International Land Conservation Network, she is excited to see the network become a platform to share practical actions that have resulted in on-the-ground results around the world.

She is also excited to continue to share the Chilean conservation experience. Ninety percent of Chilean land is privately owned; therefore, if new lands are to be protected, organizations will have to work with private landowners. She hopes that the newly enacted *derecho real* will become an important tool in advancing the private land conservation movement in Chile, as well as will be a model for other countries with similar land codes and conservation goals.

Victoria is a partner at [Templado](#), a land planning and policy consulting company in Santiago, Chile, and the president of [Tierra Austral](#), one of the first Chilean land trusts dedicated to protect private lands conservation in Chile.



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## Upcoming Events:

### **IUCN World Conservation Congress --**

*September 1-10 in Honolulu, HI, USA*

Held once every four years, the [IUCN World Conservation Congress](#) aims to improve how we manage our natural environment for human, social and economic development. This year's Congress will be focused on how to achieve the goals adopted in the Paris climate agreement and the Sustainable Development Goals.



**IUCN  
World  
Conservation  
Congress**  
Hawai'i 2016

IUCN Member organizations may also exercise their rights, influence the global conservation agenda and guide IUCN's work plan for the four years to follow. This year, they will have the opportunity to vote on [Motion 37](#), proposed by the [Specialist Group on Privately Protected Areas and Nature Stewardship](#) of IUCN's [World Commission on Protected Areas](#). This motion will support the development and documentation of privately protected areas around the world.

### **International Workshop: Nature Conservation and EU Financing - Challenges, Best Practices and Options --**

*October 10 Bratislava, Slovakia*

This workshop will bring together nature conservation experts, decision-makers and stakeholders from across the EU to discuss how best to address the deficiencies in existing finance and how that may be addressed in the upcoming reforms of the EU Multiannual Financial Framework. More information is available [here](#).

### **Workshop on Cross Boundary Collaboration --**

*October 27 in Minneapolis, MN, USA*

Hosted a day before the start of the 2016 Land Trust Alliance Rally, the ILCN will host a workshop featuring case studies from Mexico, Canada, the European Union, the United States and others. Participants will explore successful models of cross-border conservation collaboration, planning, and fundraising. Presenters will share lessons learned and discuss how their successes may be replicated in other localities. Capacity for this workshop is 60 participants, so please [register](#) as soon as possible to ensure there is a spot for you. More information is available [here](#).



### **Rally 2016 - National Land Conservation Conference --**

*October 28-30 in Minneapolis, MN, USA*

Hosted by the Land Trust Alliance, [Rally](#) is an annual gathering of nearly 2,000 inspired and passionate land conservation practitioners from the US, Canada, Latin America, Australia and beyond, who are dedicated to conserving cherished places in local communities. [Registration is currently open](#), and international participants in the ILCN event are eligible for a discounted registration rate.

See more on the ILCN's [Calendar of Events](#).

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## Please take our survey

We are currently compiling a survey of organizations around the world that are engaged in the conservation of private land.

If you have not yet completed our survey and feel that your organization's work is in line with the mission of the ILCN, we invite you to [please take our brief survey](#) and to share it with relevant partners.



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Many thanks to our content contributors: Victoria Alonso (Co-Founder, Templado; President, Tierra Austral Land Trust), Victoria Marles (Chief Executive Officer, Trust for Nature), Marnie Lassen (Strategic Projects Manager, Trust for Nature), and Ashley Chaley (Bank Australia).

The mission of the International Land Conservation Network is to connect organizations and people around the world that are accelerating voluntary private and civic sector action that protects and stewards land and water resources.

Learn more at [landconservationnetwork.org](http://landconservationnetwork.org).



The ILCN is a project of the [Lincoln Institute of Land Policy](#).

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