



Evolving Conservation for Culture: How Conservation Organizations are Adapting Existing Tools and Approaches to Recognize Indigenous Values, Practices, and Priorities

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As land trusts and conservation organizations across the globe grapple with biodiversity loss and the climate crisis; social inequity and disconnection between people and nature, they are increasingly looking to Indigenous knowledge systems to inform a way forward.



Kwesawe'k, off the coast of Prince Edward Island, is a culturally significant landscape to the Mi'kmaq Nation. The land is currently owned by NCC but will be transferred to the Nation. Credit: Mike Dembeck.

Indigenous cultures hold deep knowledge around caring for and healing Country, demonstrated by tens of thousands of years of land management that was sustainable, respectful, and deeply embedded in a sense of place and belonging. The World Economic Forum (WEF) recently published research proving that where land is owned and managed by Indigenous cultures, nature is <u>healthier</u>.

This article will explore the ways in which conservation organizations are evolving existing systems and tools to support healthy Country, land justice and healing for First Nations Peoples, including by better embedding Indigenous knowledge, enabling access to and management of Country, and facilitating two-way learning.

Creating strong foundations: Trust, respect and shifting attitudes

At the seminal <u>Reimagining Conservation Forum</u> – Working Together for Healthy Country, hosted by the <u>Australian Committee for the International Union for the Conservation of Nature</u> and held in 2022 in Australia, First Nations People and conservation organizations from across the country and region came together to reimaging how we manage land and sea Country. The forum was designed to ensure that Indigenous voices were emphasised, and explored ways in which conservation approaches need to change to serve the needs of the environment, Indigenous peoples, and society more broadly. Emerging strongly from the forum was an understanding that change can only occur when strong foundations of trust, respect, learning, and reciprocity are created.

Growing trust

Before conservation organizations adapt the tools they use to better enable cultural knowledge and access, it is critical that they build strong and trusting partnerships with Indigenous peoples. This takes deep listening, early engagement, and being ready to commit for the long term. As the WEF report notes, "everyone who seeks to enter into Indigenous community relationships carries both the general weight of settler-colonial past histories and the strategic weight of past relationship efforts (failed or successful). Genuine relationships will require more than simply new faces, new intentions and new contracts".

In a previous <u>webinar</u> on this theme, Bambi Lees, a Torres Strait Islander Woman and Aboriginal Partnerships Manager at <u>Bush Heritage Australia</u>, reflected on some key elements of what successful partnerships look like to her. "It's all about relationships," she said. "So, you need to work at the speed of relationships". This means taking time to listen, spending time on Country, and rethinking some of the old rules of conservation.

Lees is working with Bush Heritage and local Traditional Owners, the <u>Dja Dja Wurrung</u>, to develop the Wurreka Galkangu framework. This framework is about "turning Western systems upside down and inside out"; finding new language when talking about conservation—for example using the term knowledge team, rather than science team; using new practices, such as *Dhelkunya Wi*—healing fire cultural burning practices; and thinking about land management as an approach to achieving social and cultural outcomes. Creating systems and frameworks that reflect Indigenous priorities helps build trust across conservation and Indigenous communities.

Building cultural competence

Another important aspect of the trust-building process is developing cultural competence among non-Indigenous conservation staff. This is vital both to fully appreciating the depth of Indigenous history and culture; and to navigating partnerships with respect and sensitivity.

<u>Cultural competence</u> is the ability to participate ethically and effectively in intercultural settings and requires an understanding of one's own cultural values and world view. It can be built via cultural safety training, recruiting First Nations staff to all levels of the workplace, including them in key decision-making positions, having open and trusting relationships with Indigenous groups, and spending time on Country listening and learning.

Undertaking formal and informal training and engagement around this issue is an important aspect of staff development in conservation organizations. Not only does it build important interpersonal skills and lead to better conservation outcomes, but it can also have valuable impacts more broadly. Cultural competency allows conservation organizations to support their communities, including the landholders they work with, to continue learning about Indigenous history and practice. This can, in turn, help to encourage landholders opening their land for Indigenous access.

Expanding our understanding of conservation

Western cultures have increasingly been on a path that treats nature as an abstract and external concept. Even the conservation sector has treated "wilderness areas" as separate from our everyday life, to be visited from afar, or preserved in a static state. Seeing nature separate from humans and society is an anathema to the Indigenous worldview. As the World Economic Forum's <u>2023 report</u> observes:

Seeing nature and society as separate ... is a fiction – one that allows us to separate action from obligation, to distance ourselves from the ethics of our actions, to simplify our thinking and standardize our approach. The fiction is then used to justify a transactional relationship between economic participants and nature. This practice also allows us to distance cause from effect, dependency from impact, and to isolate the deeper, true value of nature from our corporate, political, social and personal responsibilities to help it heal.

While many individual conservationists are aligned with this view, the sector as a whole is still largely caught up in that transactional relationship and often focuses on single management issues without considering the holistic nature of this work. This leaves room for a paradigm shift toward recognizing cultural landscapes, where people are of the land, not on it. Still, change is happening. "Where previously nature was viewed as something that needed protection from people, now there is a growing acceptance that people are a part of nature," <u>said</u> Jennifer McKillop, Acting Director of Indigenous Conservation Engagement at the Nature Conservancy Canada.

There is also an evolving role for conservation science, which is increasingly drawing on Indigenous knowledge. For example, the Australia State of the Environment <u>report</u> 2021 actively weaves in Indigenous knowledge to create the first holistic <u>assessment</u> of the current state of Australia's environment. This recognizes that Indigenous participation in management of land and sea is important to environmental outcomes, and is in line with the objects of the country's key environmental legislation, the <u>Environment Protection and Biodiversity Conservation Act 1999 (Cth)</u> – promoting a cooperative approach to environmental management.

Adapting existing systems: Strategies, funding, and joint management

Engagement and Empowerment Strategies

Strong conservation foundations also rely on clear strategies. A growing number of conservation organizations are developing Indigenous Engagement Strategies to acknowledge the role of First Nations People in protecting and caring for the natural world, and the role of conservation organizations in supporting reconciliation through conservation.

For example, the <u>Nature Conservancy Canada</u> has an <u>Indigenous Conservation Engagement</u> <u>Framework</u> that guides the organization as it seeks to become a trusted partner and ally to Indigenous Peoples in conservation. To achieve this, the framework identifies four strategies. To (1) build meaningful relationships, (2) enable a culturally competent organisation, (3) transform its conservation practice, and (4) support Indigenous-led conservation. Each of these strategies is further defined by four actions that help measure impact.

The <u>Biodiversity Conservation Trust</u> (BCT) in NSW Australia, has taken its strategy further, and is preparing to release its Aboriginal Empowerment Strategy 2024-27. Chels Marshall, Senior

Aboriginal Engagement Officer at BCT, took an active role in developing the strategy. Through this, she <u>said</u>, "we are not only empowering Aboriginal landowners and the Aboriginal community, we also want to empower our staff ... to work in the space around Aboriginal knowledge systems, engaging and partnering with Aboriginal people". A key difference between engagement and empowerment is that the latter acknowledges the deep history, knowledge, and losses of Aboriginal culture, but also, as Chels observed, "enables people hold and practice that empowerment".

Aneika Young, Te Ao Māori Advisor for The Nature Conservancy Aotearoa New Zealand, <u>reinforces</u> this idea. "When we create spaces and pathways for Indigenous people to own and lead projects, ... and drive the thinking and planning, and bring in Indigenous ways, real empowerment happens," she said. Part of enabling empowerment is for conservation organizations and other institutions to be able to let go of their control over conservation space and decisions when needed.

Enabling access to funding opportunities

Much conservation work still depends heavily on access to government funding, which often requires organizations to submit grant applications. Historically, Aboriginal groups have been inadvertently excluded from these processes for a range of reasons, including constraints around capacity, resourcing, and timelines. The BCT is finding ways to address this issue through its <u>Cultural Biodiversity Conservation Pilot</u>.

The Pilot allows eligible Aboriginal landholding organizations to apply for ongoing financial contributions, via annual payments, to protect and manage important sites on their land for conservation. It aims to actively support Aboriginal communities' cultural and spiritual obligation to care for Country alongside the delivery of agreed conservation and cultural land management activities on their land.

The pilot differs from standard grant application

The NSW Biodiversity Conservation Trust connects local landholders, Traditional Custodians, and future generations of landcarers through its Conservation Champions program, which supports shared learning and respect for Country. Credit: Colin Elphick/NSW Biodiversity Conservation Trust

processes in that it squarely acknowledges and addresses the barriers to participation for Aboriginal stakeholders. It extends the timeframes for the Expression-Of-Interest process, and management plan development, to give Aboriginal groups time to learn about the offer and work with BCT to clarify governance arrangements. It also enables community organizations to access support for cultural activities, such as cultural burning, or works for protection of cultural values; and provides resources allowing BCT to increase the number of Aboriginal Engagement employees to support the engagement process. The hope is that, at the conclusion of the pilot process, a standing Cultural

Biodiversity Conservation offer will be available on a rolling basis from 2024-26 for Aboriginal-owned lands.



Nari Nari Tribal Council's Jamie Woods stands amid the waters flowing over Gayini Nimmie Caira. These waters are part of the Lowbidgee floodplain and make up the largest remaining area of wetlands in the Murrumbidgee Valley within the southern Murray-Darling Basin. They're protected under an agreement between Nari Nari Tribal Council, the NSW Biodiversity Conservation Trust, and The Nature Conservancy to support the cultural land management practices of Traditional Custodians. Credit: Annette Ruzicka/The Nature Conservancy

Two-way learning via joint management

New approaches are also emerging around partnerships and joint management, including where joint management conservation projects are squarely guided by cultural worldviews. In Aotearoa New Zealand, 15 partners have come together in recent years to form the <u>Kotahitanga mõ te Taiao</u> <u>Alliance</u>, meaning collective action for our nature. According to its 2023 annual impact report, the <u>alliance</u> is made up of nine *lwi* (Tribes) and a number of government agencies and is focused on scaling conservation and restoration efforts on New Zealand's South Island, following the Māori principle of *kaitiakitanga* – a cultural system founded on the belief that all people are guardians of nature, not mere consumers of its bounty; and that it is a shared responsibility to protect and maintain the natural world for future generations.

In 2020, Kotahitanga mō te Taiao entered into a Memorandum of Understanding with <u>The Nature</u> <u>Conservancy Aotearoa New Zealand</u> (TNC NZ), which formalized a mutual collaboration. Among other things, that collaboration involved TNC NZ building capacity within the Alliance, <u>including</u> by providing expertise in landscape-scale restoration planning and implementation; supporting in developing sustainable financing tools; and providing fundraising expertise and capacity.

Martin Rodd, Co-Chair Kotahitanga mō te Taiao said, "TNC brings independence, proven international experience leading landscape conservation programs and access to the latest research and thinking in conservation, economic, and social tools that can make working at this scale possible.

I see our partnership with TNC as game-changing for achieving our vision". This is a two-way street, with TNC NZ standing to benefit from partnerships that are underpinned by a sophisticated environmental <u>strategy</u> and which bring important cultural values and practices of <u>Te Ao Māori</u> to the fore.

Adapting existing tools: Conservation easements as a tool for advancing cultural rights

Enabling access to private conservation lands

In many parts of the world, Indigenous peoples' connection to Country is blocked due to the injustice of land dispossession and broken programs, promises, and treaties. When they are given an opportunity to reconnect with the land, it facilitates reconnection with family, tradition, culture, and knowledge, as well as emotional and spiritual restoration.

Conservation easements, or covenants as they are known in Australia and Aotearoa New Zealand, offer opportunities to help rebuild these pathways. In California, the legal group <u>Conservation</u> <u>Partners</u> is working with Indigenous tribes to enable access on private conservation lands. In 2020, with the use of a <u>conservation easement</u>, the <u>Tsnungwe Council</u> regained the right to access what was once its ancestral homeland, Hlel-din, to gather traditional plants and medicines and to perform ceremonies. The easement also prevents the land from ever being developed or altered from its natural condition. In this case the land is not owned by the Tsnungwe Council, rather the easement conveys the rights.

Conservation Partners outlines a range of other <u>innovative models</u> for reestablishing cultural access rights to Indigenous tribes, using traditional legal real property agreements. These include <u>cultural</u> <u>access easements</u>; conservation easements where the land trust and tribe are named as cograntees; and conservation easements where the land trust serves as grantee, but the easement provides cultural rights.

In Victoria, <u>Trust for Nature</u> has updated its standard deed of covenant to recognize and embed cultural practices on covenanted land and provide improved pathways for Traditional Owners to access private conservation land. The update also encourages engagement with Traditional Owners on covenanted land management approaches and includes an acknowledgement of First Peoples as the original custodians of Victoria's land and waters, with recognition of their unique ability to care for Country. These changes will apply to all new covenant deeds going forward, irrespective of whether land is owned or managed by Traditional Owners, with cultural activities or access to the covenanted land to be agreed by mutual consent of landholders and Traditional Owners.

Ash Bartley, First Peoples Partnership Manager at Trust for Nature said, "the changes to the deed of covenant recognize the importance of First Peoples cultural practice and enable Traditional Owners to heal Country. We still have a way to go, but this is an important first step."

The next step will be to co-design an appropriate agreement for land owned and managed by a Traditional Owner group. Here, the intent is to work closely with Traditional Owners to create a tailored agreement that meets their priorities, principles, and expectations.

Adapting conservation covenants to meet the needs of Indigenous landholders

A more tailored approach to covenants is necessary in cases where the landholder is an Indigenous person or group. The <u>Native Land Conservancy</u> (NLC), an Indigenous-led land conservation nonprofit in Mashpee Massachusetts, works to acquire land and preserve culture on land. Its <u>cultural respect</u> <u>easement</u> is a legal agreement that guarantees Indigenous people cultural access to land in

perpetuity, providing Indigenous people with safe areas to practice tradition. For example, a trailblazing cultural respect <u>easement</u> was established with the <u>Dennis Conservation Land Trust</u> in 2021, providing access for local tribes to 440 acres of land in perpetuity. "A Cultural Respect Easement is the closest expression of land reparation to indigenous people achieved without an actual transfer of deed", said Ramona Peters, Wampanoag and Founder of the NLC.

Likewise in NSW Australia, BCT has entered into a <u>conservation agreement</u> (covenant) with the Nari Nari Tribal Council, which embeds cultural land management practices and conservation efforts across the 55,220-hectare (about 136,452-acre) conservation property Gayini Nimmie Caira.

"Nari Nari Tribal Council is proud to be leading the way in cultural land management, with the announcement of this groundbreaking agreement", said Nari Nari Tribal Council Chairperson Jamie Woods. "We have invested considerable time, knowledge, and effort to create a unique agreement with the NSW Biodiversity Conservation Trust, putting the protection of Culture and Country at the centre of the work we do."

Land back opportunities

Gayini Nimmie Caira is also one of Australia's most significant <u>land handbacks</u>, a critical piece in the puzzle for conservation land justice. There are an increasing number of <u>examples</u> of conservation reserves being handed back to local Indigenous peoples, and growing awareness of the role this plays not only in driving climate and biodiversity outcomes, but also its importance for Indigenous healing and reconciliation. This process is not to be taken lightly, and requires active involvement, support, resources, and capacity-building by non-Indigenous stakeholders to ensure a positive transition.



Members of Nari Nari Tribal Council, The Nature Conservancy, and NSW Biodiversity Conservation Trust celebrate the signing of a conservation agreement to protect 55,220 hectares of Gayini Nimmie Caira for future generations. The agreement was signed at Sandy Point, on the banks of the Murrumbidgee River, near Hay, in February 2023. Credit: Vince Bucello/NSW Biodiveristy Conservation Trust

Reflecting on the <u>land back</u> experience at <u>Neds Corner Station</u> in Victoria, Australia (which is still underway), Dr. Heather Builth, First Peoples of the Millewa Mallee Neds Corner project specialist, <u>observed</u> the vital importance of supporting Traditional Owners in the transfer of ownership, from a practical, governance, and resourcing perspective. "They've never known land coming back – only loss of culture, spirituality, and connection to that country" said Builth. "[This is about] two very different groups going in parallel but eventually converging".

Next steps: Pulling it all together

Change is occurring rapidly within and beyond conservation organizations to meet the challenges and opportunities of Indigenous-led conservation and Indigenous-western partnerships. In many cases, as Jennifer McKillop <u>said</u>, "the challenges are related not to the willingness of conservation organizations to do this kind of work, but due to the complexity of western property and charity law. But those are challenges we have created, so they can also be changed."

To begin addressing this, a project is underway in Australia to create a toolkit for conservation organizations and Traditional Owners to identify the key mechanisms available to drive access and ownership of private conservation lands. A partnership between universities, Traditional Owner groups, and conservation organizations, and supported by a <u>charitable donor</u>, the project aims to work through the needs, opportunities, and challenges for Traditional Owners and the conservation community across a range of land access and hand-back scenarios.

Similarly, in the US, the Confederated Salish and Kootenai Tribes and the <u>Heart of the Rockies</u> <u>Initiative</u> are working together to deliver a Land Trust toolkit that can identify new ways of using existing instruments that advance First Nations' priorities.

Conclusion

"Because we are all part of Nature, our shared responsibilities to Land transcend systems and colonized protocols," <u>wrote</u> Chloe Dragon Smith, and Indigenous scholar and conservationist, in a paper on creating ethical spaces through conservation. The challenge is to co-opt and adapt those systems and protocols to facilitate positive change. There are many examples of conservation organizations and First Nations People working together to re-interpret, review, and renew existing tools and approaches to achieve outcomes for culture, people and nature.

This article draws on discussions from the February 28 webinar "Adapting land conservation tools to recognize cultural values, practices, and access for Indigenous peoples", hosted by the ILCN and moderated by Cecilia Riebl. A recording is available <u>here</u>.