Building a New Framework to Address Ecological Crises: The Relationship Between Biocultural Diversity Discourse and Indigenous Collective Rights

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OUTLINE

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Context of research projects:

Traditional indigenous territories encompass about 22 percent of the world’s land surface and overlap with areas that hold 80 percent of the planet’s biodiversity.

Conservation policies implemented in indigenous lands have adversely impacted the enjoyment of collective rights.

Decolonial Critique. A) embraced indigenous epistemologies and ontologies; B) addressed existing racist and colonial structures; C) respect indigenous legal systems.

Problem statement

My research explores how the emerging approach of biocultural diversity (ethnobiology and ethnoecology) can support and strengthen indigenous participation in climate change governance and conservations solutions while respecting indigenous epistemologies/ontologies and right to self-determination.
My research investigates three main areas:

1) Hybridization of the legal field (legal pluralism; legal studies, indigenous studies, decolonial scholarship, political ecology, ethnoecology)

2) Implementation of the jurisprudence on biocultural rights (legal studies, indigenous studies, political ecology, judges, lawyers, policymakers)

3) Paradigm change for UN conservation policies (legal studies, indigenous studies, political ecology, policymakers)

Methodology and framework

Methodological tools from constructivist, legal pluralism, decolonial, and Science, Technology and Social Studies. Analyze court decisions, indigenous customary law, international law, UN documents, and interviews collected during field works. Geographic area: Mexico, Colombia, Ecuador, Australia, international.

Epistemologies of the South production and validation of knowledges anchored in the experiences of resistance of all those social groups that have systematically suffered injustice, oppression, and destruction caused by capitalism, colonialism, and patriarchy (Boaventura de Sousa Santos, 2018)

Knowing-with: participatory methodology

Contribute to the dialogue of knowledge/epistemologies of knowledge
Special Rapporteur on the Rights of Indigenous Peoples- Francisco Cali Tzay

- Promote good practices, including new laws, government programs, and constructive agreements between indigenous peoples and states, to implement international standards concerning the rights of indigenous peoples;
- Make recommendations and proposals on appropriate measures to prevent and remedy violations of the rights of indigenous peoples;
- Report on the human rights situations of indigenous peoples around the world;
- Address specific cases of alleged violations of indigenous peoples’ rights.

Two thematic reports
Two country visits
Communications to States
Amici curiae and Expert testimonies in Courts
Policy Briefs

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Soon: UoA SR Website
THANK YOU