



Beyond Markets: How to Achieve Just and Transformative Biodiversity Conservation

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Summary

Conservation needs reform as current approaches have failed to halt biodiversity loss. Increasingly, environmentalists are questioning whether market-based approaches and conventional policy instruments, particularly protected areas, can make a substantial contribution towards mitigating the biodiversity crisis. Moreover, serious concerns about their equity and justice implications have been voiced by indigenous rights organisations, peasant movements and scholars.

In light of these concerns, this policy brief provides a number of suggestions on how to make biodiversity conservation more just, equitable and effective. It builds on discussions held during the sixth Enjust Conference “Offsetting Justice? Environmental justice in the age of market and militarized conservation”, which took place in Bonn from 3 to 5 December 2025. The conference brought together environmental justice scholars, political ecologists, activists as well as development and conservation practitioners from around the globe.

Our reflections and proposals support policymakers, members of parliament, conservation practitioners, and Indigenous Peoples and Local Communities (IP&LCs) at the local and regional levels in initiating reforms of the protected area system and other conservation mechanisms for more effective, transparent and fair protection.

Key messages:

- **Just conservation:** Conservation policies that contribute to environmental justice have the greatest potential to achieve long-term, sustainable and legitimate conservation outcomes for people and the planet.
- **Land rights-based conservation:** Land rights reconfigure power relations and are a key prerequisite for environmental justice. Collective land titles such as Colombia’s Peasant Reserve Zones (ZRCs) are a promising instrument.
- **Towards distributive justice by reforming conservation finance:** IP&LCs should benefit more directly from forest, climate and biodiversity funding and should have a say in how money is spent in their communities. IP&LC-led funds and designated funding windows for IP&LCs are promising options.
- **Basic Income for Nature and Climate (BINC):** We suggest BINC as a promising measure to improve the livelihoods of IP&LCs and to overcome the transactional logic of market-based instruments. BINC compensates for past environmental injustices and enables recipients to make land-use decisions that are less influenced by precarity and market forces.

Success while failing? The status quo of biodiversity conservation

Despite ongoing biodiversity loss and rising greenhouse gas emissions, conservationists have achieved a number of important successes. These include multilateral agreements such as the Paris Agreement, the Kunming-Montreal Global Biodiversity Framework (GBF) of the Convention on Biological Diversity (CBD) and the Agreement on Marine Biological Diversity of Areas beyond National Jurisdiction (BBNJ). Moreover, the number of marine and terrestrial protected areas has more than quadrupled since the 1970s.

However, despite the increase in the number of protected areas and the emergence and mainstreaming of market-based conservation instruments such as payments for ecosystem services (PES), biodiversity credit schemes and voluntary carbon markets (forest carbon offsets) since the 1980s, biodiversity loss continues. The reasons for the continued decline are manifold. First, there is clear evidence that our ever-expanding and growth-oriented economies are degrading ecosystems and, consequently, causing the loss of biodiversity (Otero et al., 2020). Second, existing conservation instruments are not sufficient to halt and reverse biodiversity loss (Arneth et al., 2023). Many protected areas are not properly managed, and harmful activities such as mining remain legal, are tolerated or not sanctioned as they are considered to have low impact. Third, market-based instruments have been criticised for their lack of additionality (West et al., 2023; zu Ermgassen et al., 2019;). Additionality refers to the extent to which a PES scheme, biodiversity credit scheme or forest carbon offset project generates positive environmental impacts that would not have occurred in the absence of the intervention.

Fourth, beyond their limited effectiveness in protecting biodiversity, market-based instruments and protected areas have been criticised for distributive and procedural injustices. These concerns mainly relate to a lack of free, prior and informed consent (FPIC) and weak benefit

sharing and the fact that market-based instruments tend to legitimise a right to pollute for powerful and economically strong actors. Moreover, instruments such as biodiversity credits, PES, forest carbon offsets and protected areas are shaped by modernist worldviews that separate humans from nature and objectify nature. They thereby dominate and erase other ways of knowing and relating to non-human species. In particular, offsetting approaches build on the logic of replication and on transactional language rooted in (neoclassical) environmental economics. In more concrete terms, they rest on the assumption that the destruction of a forest or a wetland in one location can be compensated for by creating a new one. This transactional language and logic of destroying habitats in one place and offsetting the damage elsewhere does not recognise relational values such as kinship and spiritual ties that people may have with particular species and habitats such as forests (Huff & Brock, 2023).

Last but of no less importance, many protected areas as well as market-based instruments have been associated with violations of the human and land rights of IP&LCs. They have led to the displacement of peasants and Indigenous Peoples, often without proper compensation. In contrast, more powerful actors such as agribusiness and mining companies as well as organised crime groups can continue irregular practices or influence policymaking through lobbying and legalise destructive practices. Uneven enforcement of environmental law and legally permitted destruction undermine the effectiveness and legitimacy of biodiversity conservation policies.

To make conservation more legitimate and ultimately more effective, we argue for a clear shift towards approaches grounded in environmental justice at multiple scales and for more fundamental socio-ecological transformations that tackle the structural root causes of environmental crises. We also call for acknowledgment of historical responsibilities and measures to compensate victims of historical and contemporary environmental harms and of harm caused by con-

servation projects (Forsyth et al., 2021; Newell, Srivastava, Naess, Torres Contreras, & Price, 2021).

Our reflections and reform options aim to support policymakers, members of parliament, conservation practitioners, conservation NGOs and IP&LCs in developing conservation measures that contribute to environmental justice and effective biodiversity protection. We draw on discussions held during the sixth Enjust Conference on “Offsetting Justice? Environmental justice in the age of market and militarized conservation”, which took place in Bonn from 3 to 5 December 2025. The conference brought together around 80 environmental justice scholars, political ecologists, activists as well as development and conservation practitioners from around the globe.

A reform of conservation measures requires changes to discourse on conservation. We regard this policy brief and other publications taking similar positions (e.g. Büscher & Fletcher, 2019; Fletcher et al., 2025) as first steps towards change. They represent what Gaventa (1982, p. 24) describes as the “formulation of issues and strategies” needed to develop awareness of possibilities for change. In our case, this includes considering conservation measures that promote environmental justice and strategies to challenge the status quo. Empowerment and political mobilisation can lead to political negotiations on the reallocation of resources and to the reform of

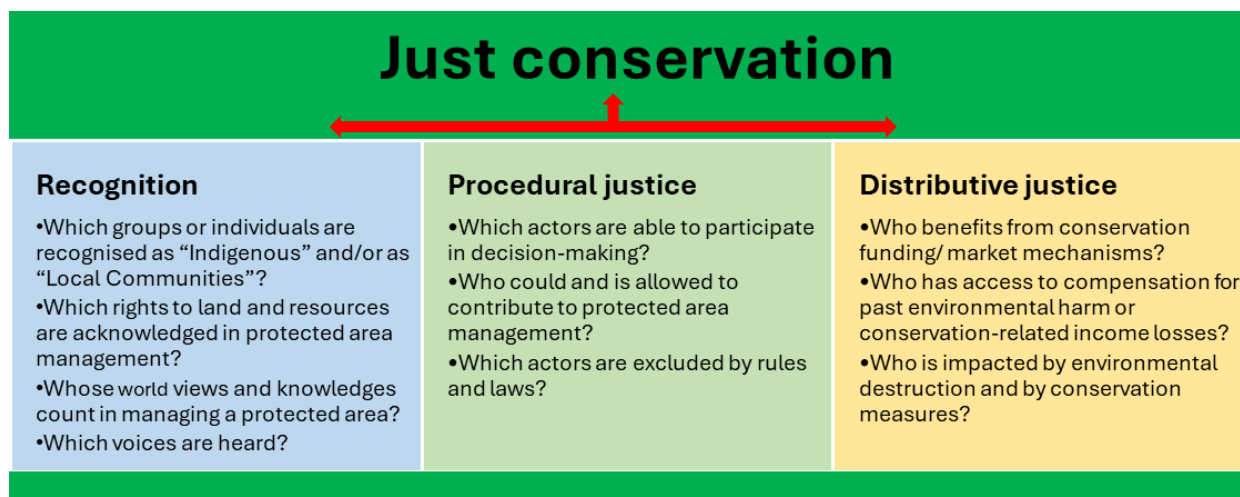
conservation instruments. We first outline three dimensions of environmental justice and how they relate to conservation measures. We then outline reform options that promote environmental justice while addressing these challenges.

Environmental justice dimensions in biodiversity conservation

In this policy brief, we focus on three dimensions of environmental justice: recognition, procedural justice and distributive justice. We use these dimensions to structure our recommendations and guide the development of “just” conservation measures (Figure 1).

The dimension of recognition entails acknowledging and respecting individuals and specific social groups, such as ethnic minorities, as full and equal partners in social interactions (Fraser, 2000). This also includes recognising individual and group-specific rights, such as human rights, land rights, minority rights and the right to self-determination. Moreover, conservation interventions as well as other “policies and programmes must meet the standard of fairly considering and representing the culture, values, and situations of all affected parties” (Whyte, 2011, p. 200). This implies that interventions should allow for value and knowledge pluralism when it comes to how people come to know and relate to nature (Pascual et al., 2023).

Figure 1: Guiding questions for just conservation



Source: Authors

A forest or river might be primarily perceived as a habitat, an ecosystem and a source of natural resources by state actors and conservation practitioners. However, IP&LCs might regard a river as a living being and a forest as a place where humans meet spiritual beings. They might also have different ways of categorising species and narrating nature. To implement protected areas and other spatial conservation measures, the following questions should guide the planning processes: Which groups or individuals are recognised as “Indigenous” or as “Local Communities”? Which rights to land and resources are considered in conservation planning and protected area management? Which groups are considered legitimate inhabitants of a protected area and the wider landscape? Whose worldviews and knowledges count in managing a protected area? Which voices are heard?

The dimension of procedural justice focuses on existing regulatory systems, laws, participation, and access to knowledge and information (Ruano-Chamorro, Gurney, & Cinner, 2022; Zafra-Calvo et al., 2017). The following questions are relevant to the planning and implementation of protected areas and just conservation measures. Which actors are able to participate in decision-making on matters such as border designation and zoning? Who is able to contribute to protected area management and who is allowed to do so? Which actors are excluded by rules and laws? On whose land is a conservation project implemented? Who has a say in conservation spending?

The dimension of distributive justice concerns the distributive and spatial implications of nature conservation and climate protection measures as well as environmental damage. In other words, it concerns how the benefits and costs of conservation and environmental change are distributed. The following questions are relevant for assessing distributive implications when planning protected areas: Who was particularly affected by the destruction of ecosystems in the region? Who is affected by new land and resource restrictions imposed by conservation authorities? Who has

access to compensation for past environmental harm or conservation-related income losses and benefit-sharing schemes? How are such compensation payments and benefits distributed?

In our view, the three dimensions of environmental justice and the associated questions are central to reforming biodiversity conservation measures. This is because protected areas are not established in an isolated realm of “nature” but within landscapes, that is, social-ecological systems that have been co-shaped by human and non-human beings. We need to move beyond the Western Enlightenment conception of humans as separate from “nature” and understand humans as relationally embedded within the webs of life.

Towards recognition and procedural justice in conservation

Recognition and procedural justice are fundamental to developing legitimate and sustainable conservation measures (Loos et al., 2023). This includes acknowledging IP&LCs’ historical and contemporary role in sustainable landscape management. Moreover, it includes both recognising that IP&LCs have suffered from environmental destruction, colonialism and state-building and strengthening inclusive conservation governance. In the following, we propose three main measures to enhance recognition and procedural justice. First, we call for continued support for IP&LCs in international environmental negotiations. This support primarily concerns participation in the Rio Conventions (UNFCCC, CBD, UN Convention to Combat Desertification) established during the first Earth Summit in Rio de Janeiro in 1992 to tackle existential environmental issues. Second, we argue for land rights-based conservation. Third, we point to measures to incorporate diverse knowledges, worldviews and practices.

At the international level, the rights of Indigenous Peoples have been recognised by the International Labour Organization (ILO) Convention No. 169 and the UN Declaration on the Rights of Indigenous Peoples. However, they have not been signed by all UN member states, nor have they

included specific provisions on Local Communities. Within the UNFCCC and the CBD, the representation of IP&LCs at Conferences of the Parties (COPs) has improved significantly. The UNFCCC created the Local Communities and Indigenous Peoples Platform. The platform is the only body of the UNFCCC in which IP&LCs and country representatives have equal status. The platform ensures that the knowledge and practices of IP&LCs feed into the negotiation process. In 2024, the CBD established a subsidiary body to guarantee the participation of IP&LCs. At COP 17 in Yerevan, Armenia, in October 2026, Parties are likely to agree on the exact scope and work programme and how the respective inputs of IP&LCs are to be considered. We argue for continued support to enhance the participation of IP&LCs in processes under all three Rio Conventions.

As important as recognising IP&LCs' rights at the international level is the recognition of their rights at the national and local levels, including for communities living in and around protected areas. In Colombia and Brazil, for example, Indigenous Peoples' movements and human rights activists have made significant progress in this regard. The Constitutional reforms in Colombia (1991) and Brazil (1988) mark important achievements in terms of recognising rights to self-determination and territories.

We suggest the term "land rights-based conservation" to emphasise the importance of "land" and "territory". The land question is at the centre of many conservation controversies and conflicts. We focus here on land, but we acknowledge that for many coastal dwellers, the rights to marine resources, beaches, mangroves and to access the ocean are also important. Land is the most important means of production in rural areas and is hence central to human dignity and self-determination. Land rights-based conservation entails considering historical patterns of land allocation, including pre-colonial access and property relations, the often disruptive and violent forms of colonial land (re-)allocation and land politics in post-independence states in conservation

planning (Ramutsindela & Sinthumule, 2017). In many former colonies, multiple land tenure regimes coexist, reflecting power relations among different actors vis-à-vis the state. These regimes are characterised by customary or communal forms of tenure under state control and authority and privatised, individualised forms of tenure legitimised by the state. The latter are often controlled by historically privileged ethnic groups (e.g. because of colonialism) and often enable them to participate in conservation and benefit financially from it, resulting in racialised benefit frameworks (Ramutsindela, 2017). For example, land rights are often a prerequisite for benefiting from ecotourism and market-based conservation instruments. Even more importantly, they often provide the opportunity to participate in negotiations over conservation regulations and compensation. In contrast, IP&LCs, particularly peasants and rural migrants without land titles or customary rights to land and resources, have often been criminalised and evicted in the context of implementing protected areas. A promising policy instrument to recognise peasants' rights to self-determination and their historical contributions to conservation is Colombia's system of ZRCs (Box 1).

To conclude, we suggest that before any spatial conservation measure is implemented, the history of land alienation and the "unresolved land and agrarian questions" (Ramutsindela, 2017) be considered. We recommend that the (historical) ownership of land in conservation areas be recognised and, where possible, restored (while considering potential equity concerns, for example avoiding land concentration and the displacement of peasant migrants) with the direct involvement of IP&LCs, rural migrant communities and other relevant land users. National and international conservation policies should explicitly recognise the land rights of IP&LCs. More importantly, ongoing relocations of IP&LCs – sometimes presented as voluntary resettlement – and the various forms of violence they experience on their own lands must be recognised as human rights violations and criminalised. Upholding land and

human rights in conservation should be a prerequisite for undertaking conservation projects and receiving donor support.

However, recognition is not only about Indigenous rights and land rights. Recognition is also about the role of Indigenous and peasant knowledges and worldviews in conservation. Most protected areas are managed on the basis of assumptions drawn from conservation biology and anthropocentric ecosystem service approaches and are rooted in modern “definitions of space and time” (Gelves-Gomez, Carter, Beilin, & Brincat, 2023, p. 793). This often contrasts sharply with the conservation practices of most IP&LCs, which are grounded in relations of care, interdependence, empathy and a sense of place (Flemmer, Verena, & Hein, 2024). Consequently, questions about “who gets to decide what is at stake” in conservation, what values and meanings are taken into account, what should be protected or restored and which measures should be used are often contested (Flemmer et al., 2024). In this sense, recognising and strengthening the rights to self-determination and free, prior and informed consent, as well as the broader autonomy of local, often customary, forms of governance is fundamental to advancing recognition and procedural

justice. As illustrated by the case of the ZRCs in Colombia (Box 1), states often already have constitutional and legal frameworks that support IP&LCs’ conservation practices.

Thus, we suggest not only incorporating the knowledge of IP&LCs into conservation planning but also developing shared stewardship approaches. A promising example is the Balpara approach in Australia, which includes joint stays in the field and monitoring activities involving Indigenous and non-Indigenous rangers under the authority of local clans. The Balpara approach “acknowledges that all actors bring capabilities, experience and perspectives that are useful for conservation” (Campion et al., 2024, p. 696). Moreover, shared stewardship devolves territorial control to Local Communities as a matter of justice and territorial rights, while co-management strategies and clear commitments to conservation can be negotiated. Indigenous knowledge, including knowledge of particular species, can improve restoration and conservation and contribute to local acceptance (Reyes-Garcia et al., 2019).

Box 1: Peasant Reserve Zones in Colombia

In Colombia, peasant, Indigenous, Afro-Colombian and fishing communities are advancing self-governance initiatives centred on self-determination, autonomy and land rights that benefit biodiversity conservation. One of the most important examples is Peasant Reserve Zones (Zonas de Reserva Campesina – ZRCs), a territorial and legal figure introduced in 1993 that has increasingly become a platform for peasant self-governance and collective control over common goods such as land, water and forests. Originally designed to limit land concentration in agrarian frontier regions and ensure access to land for peasants, ZRCs have been used by peasant organisations and communities as tools to safeguard territorial autonomy, strengthen local governance of common goods, and resist top-down forms of environmental management and territorial control. In several ZRCs, peasant organisations promote agroecology rooted in local knowledge, traditional practices and social-ecological relations. For example, initiatives in the Upper Venecia ZRC in the Andean highlands include recovering and exchanging native seeds, bartering among families and communities, sharing local knowledge of non-industrial agricultural methods and developing local forest, soil and water protection regulations. In Upper Venecia, the ZRC initiative emerged from earlier community-led struggles for land redistribution that successfully transformed a large hacienda into an agro-biodiverse landscape that combines subsistence agriculture and sustainable forest management. This transformation and the consolidation of the ZRC facilitated forest recovery and enabled the return of endemic species. Similar patterns are evident in Afro-Colombian Community Councils and Indigenous territories across the country (Vélez Triana, 2025).

Box 2: Basic Income for Nature and Climate (BINC)

BINC would provide regular, unconditional payments to communities near areas important for conservation or climate change mitigation, supporting their livelihoods and creating a stable social safety net. BINC explicitly centres on people and seeks to build trust between those who have historically benefited from resource exploitation and caused more harm and those who have suffered and continue to suffer injustices arising from environmental exploitation. By reducing oversight, cutting bureaucracy and bypassing intermediaries, BINC could empower Local Communities and streamline funding. Compared with market-based instruments, BINC could provide more stable, long-term financial support for conservation efforts. BINC can be understood as an instrument of social justice rather than a PES scheme, handout or gift. BINC payments can be thought of as a return of a rightful “share” of the global commons to those who often play a critical role in maintaining them. For people who have previously been displaced from culturally, spiritually and economically important spaces in the context of conservation measures, BINC can also be framed as a form of compensation or reparation. It can also be understood as compensation for the unpaid labour many rural people devote to conservation activities and for the limited development opportunities they have when living in or close to protected areas.

Reforming conservation finance: towards distributive justice

There is clear evidence that IP&LCs’ land-use practices have contributed significantly to biodiversity conservation and to maintaining forest cover (WWF et al., 2021). However, less than 1 per cent of international forest, climate and biodiversity funding reaches IP&LCs (McLaren, Salcedo-La Viña, Ding, Gonzalez, & Cervera, 2025). To enhance distributive justice, we suggest four reform options. First, we point to the need to decommodify ecosystem services and strengthen relational approaches. The reductionist metrics and the transactional language of “ecosystem markets” are difficult to align with the relational values of IP&LCs.

Second, as a way forward we suggest basic income schemes for biodiversity conservation and climate protection to improve the livelihoods of IP&LCs and overcome the transactional logic of market-based instruments. Conservation Basic Income (CBI) and Basic Income for Nature and Climate (BINC) were first proposed by Fletcher and Büscher (2020) and Mumbunan, Maitri, Buchholz and Schmidt-Pramov (2022) as non-market-based instruments (Box 2). Several pilot schemes are underway. The most advanced is a pilot project being implemented by the NGO Cool Earth in collaboration with the Asháninka and

Yánesha Indigenous communities in Peru. International development aid organisations are exploring options for implementing additional pilots. Basic income schemes should be tailored to the needs of IP&LCs rather than to the supposed monetary value of ecosystems, whose valuation is deeply contested (Fletcher et al., 2025).

Third, we argue that IP&LCs should receive financial benefits from climate and biodiversity funding. Indigenous-led funds and designated funding windows for IP&LCs are promising options. They could be used to finance BINC. Examples include the funding window for Indigenous Peoples under the Legacy Landscape Fund or the Tropical Forest Forever Facility’s (TFFF) commitment to allocate at least 20 per cent and the Cali Fund’s commitment (the fund established at COP 16 in 2024 to provide companies the opportunity to share benefits from the use of digital sequence information on genetic resources) under the CBD to allocate at least 50 per cent of its resources to IP&LCs. Recently, Indigenous organisations have established Indigenous Peoples-led funds such as the Brazilian Podáali Fund. The fund is managed entirely by Indigenous Peoples from the Brazilian Amazon. The fund has received support from environmental NGOs, private foundations and traditional public donors, among others. Additional examples include the Keepers of the Earth Fund run by the US-based, Indigenous-led

organisation Cultural Survival, the Nusantara Fund in Indonesia and the Indigenous Peoples Resilience Fund in Canada. As of 2025, approximately 30 Indigenous-led funds were operating worldwide (McLaren et al., 2025). However, while Indigenous Peoples, at least in the Americas, Australia and New Zealand, often control substantial areas of land and increasingly have the capacity to manage larger funds, Local Communities often lack formally recognised land tenure rights and the institutional ability to manage such funds. Consequently, Indigenous-led funds and funding windows need to be complemented by financing mechanisms dedicated to Local Communities, including peasant communities. Again, BINC could play an important role here.

Fourth, we suggest scaling up conservation funding and going beyond voluntary commitments by states and philanthropists by introducing new taxes or increasing existing ones to finance conservation and subsidise biodiversity-friendly land-use practices. A BINC scheme could be financed, for example, through a global tax on business-class and first-class airline tickets, a levy on traded carbon certificates or, at the national level, by phasing out subsidies for fossil fuels and cancelling debt (debt-for-nature swaps). Moreover, domestic taxes on digital services and the introduction of new environmental taxes could generate domestic funding for conservation (von Haldenwang, 2026). In Indonesia, a forest carbon dividend has been proposed to finance basic income for IP&LCs (Mumbunan et al., 2022). A further example from Indonesia – facing heavy opposition from the oil palm sector – is the plan to implement a surface water tax on oil palm plantations in some provinces. Although the provinces do not plan to use the additional tax revenue to fund protected areas, this could be a positive measure, as large-scale oil palm plantations have serious impacts on local hydrological cycles and their development has often led to the destruction of forests and wetlands. Target 19 of the GBF calls, among other things, for measures to increase domestic funding for biodiversity conservation (goal b), to increase contributions from “developed countries” (goal a) and to enhance the role of non-

market-based approaches and collective action, including by IP&LCs (goal f).

Last but not least, conservation funding is unlikely to match large-scale investments in unsustainable resource use, as is the case for most oil palm and soy production or mining. The successful conservation of biodiversity requires measures that go beyond protected areas. It necessitates changes in production and consumption patterns. A first step towards change would be the implementation of target 18 of the GBF, which calls for significant reduction of harmful subsidies. Moreover, we consider the EU Deforestation Regulation (EUDR) as a step in the right direction. However, its implementation should contribute to environmental justice and empower Indigenous Peoples and Local Communities, as they have historically contributed to maintaining forest cover and biodiverse landscapes (Muradian et al., 2025).

Conclusion and next steps

In this policy brief we outline a number of options for enabling “environmentally just” reforms of conservation measures. We recognise that the rise of autocratic governments requires defending the achievements secured in recent decades by Indigenous Peoples, Local Communities, human rights activists and environmentalists and rethinking conservation beyond neoliberal market logics. Our suggested reform options provide different entry points for achieving socially inclusive conservation measures and point to the importance of recognising IP&LCs’ land rights, acknowledging their knowledges and practices in conservation and redistributing conservation finance. Some of our suggestions are rather straightforward (e.g. establishing funding windows for IP&LCs), while others could require complex agrarian reforms. We believe that only conservation policies rooted in environmental justice can achieve sustainable and legitimate conservation outcomes for people and the planet. Failing to give serious consideration to distributive, procedural and recognition justice in the design and implementation of conservation measures has rendered many of them ineffective.

The end of the “liberal environmental compromise” (Taggart, Clapp, Dauvergne, & Ralston, 2026, p. 3) implies that market-based approaches no “longer possess a clear social fit” (Taggart et al., 2026, p. 3) and requires new “conservation visions” (Büscher & Fletcher, 2019, p. 284), which we outlined above. However, our proposals are not a

blueprint and do not operate in a political vacuum. IP&LCs’ practices are not sufficient to reach conservation goals, and not all land-use practices of IP&LCs are biodiversity-friendly. Achieving conservation goals also requires changes in consumption and production patterns and broader reforms of the global economic system.

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