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Redefining Conservation in World Society: Indigenous Peoples' Challenges to Green Colonialism in the UNESCO World Heritage Regime

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Abstract

This study explores how the globalisation of Indigenous human rights is reshaping nature conservation within the UNESCO World Heritage regime and challenging the enduring legacies of "green colonialism." Building on environmental-historical accounts of fortress conservation and on Indigenous critiques of exclusionary protected-area politics, the study expands Thomas Schmitt's cultural-geographic approach to UNESCO World Heritage by including the perspective of a global nature conservation regime in which competing conservation paradigms are negotiated. It asks (1) how the global institutionalisation of Indigenous rights norms, especially the 2007 UN Declaration on the Rights of Indigenous Peoples, contests exclusionary conservation practices in World Heritage, and (2) how paradigm competition transforms power relations between Indigenous peoples and the institutional complex of States Parties, Advisory Bodies, and the World Heritage Centre.

The analysis combines world society theory, figurational sociology, and decolonial approaches to trace shifting dependencies, normative isomorphism, and the coloniality of knowledge in World Heritage decision-making. Empirically, the dissertation employs a historical and regional comparative approach across four sites: Manú National Park (Peru), Tongariro National Park (Aotearoa/New Zealand), Lake Bogoria (Kenya), and Pimachiowin Aki (Canada). A qualitative content analysis of official UNESCO records from 1987 to 2023 (including World Heritage Committee decisions, Advisory Body evaluations, State of Conservation reports, nomination files, and management plans) is conducted.

Findings show an uneven institutionalisation of Indigenous rights across cases and over time. While formal references to participation and Indigenous human rights have expanded, implementation often remains partial, reflecting a persistent decoupling between normative commitments and conservation practice. Nevertheless, the regime displays limited but notable openness to human rights-based and inclusive conservation, particularly when Indigenous actors and human rights institutions intervene. Overall, the study argues that the World Heritage regime has become a contested platform for addressing historical injustices and that its legitimacy increasingly depends on Indigenous-led approaches to the designation and management of World Heritage properties. Methodologically, it demonstrates how UNESCO's repository of official records can be used to reconstruct organisational "documentary realities" and trace institutional change comparatively.

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List of Acronyms

ACHPR	African Commission on Human and Peoples' Rights
AWHF	African World Heritage Fund
CBD	Convention on Biological Diversity
CEMIRIDE	Centre for Minority Rights Development
CICI	Commission International de Coopération Intellectuelle
ECOSOC	United Nations Economic and Social Council
EMRIP	Expert Mechanism on the Rights of Indigenous Peoples
EWC	Endorois Welfare Council
FPIC	Free, Prior, and Informed Consent
ICCAs	Indigenous Peoples' and Community Conserved Territories and Areas
ICOMOS	International Council on Monuments and Sites
IIPFB	International Indigenous Peoples Forum on Biodiversity
IIPFWH	International Indigenous Peoples' Forum on World Heritage
ILO	International Labour Organization
INGO	International Non-Governmental Organisation
IPBES	Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services
IUCN	International Union for Conservation of Nature
IWGIA	International Work Group on Indigenous Affairs
LBNR	Lake Bogoria Nature Reserve
MAB	Man and the Biosphere Programme
MLUM	Multiple Land Use Model
NCA	Ngorongoro Conservation Area
NCAA	Ngorongoro Conservation Area Authority
NGO	Non-Governmental Organisation
QCA	Qualitative Content Analysis
OUV	Outstanding Universal Value
SoC	State of Conservation

UN	United Nations
UNCED	UN Conference on Environment and Development
UNDRIP	UN Declaration on the Rights of Indigenous Peoples
UNEP-WCMC	UN Environment Programme World Conservation Monitoring Centre
UNESCO	UN Educational, Scientific and Cultural Organization
UNFCCC	UN Framework Convention on Climate Change
UNPFII	United Nations Permanent Forum on Indigenous Issues
UNPO	Unrepresented Nations and Peoples Organization
WDPA	World Database on Protected Areas
WGIP	Working Group on Indigenous Populations
WHIPCOE	World Heritage Indigenous Peoples Council of Experts
WWF	World Wildlife Fund for Nature

1 Introduction

The issue of exclusionary nature conservation practices within the UNESCO World Heritage Convention lies at the core of ongoing debates about the impact of World Heritage sites on Indigenous peoples. Despite widespread acknowledgement of the need for inclusive nature conservation frameworks, long-standing exclusionary practices, historically rooted in colonial paradigms, continue to shape conservation strategies implemented at World Heritage sites. Ongoing critiques of designating World Heritage sites on Indigenous territories often highlight the lack of consultation and consent from the Indigenous inhabitants. Similarly, Indigenous people are often relegated to subordinate roles in the management of World Heritage sites on their territories. This situation often results in restricted land-use rights and exacerbates their political and cultural marginalisation. Moreover, the violation of Indigenous peoples' human rights persists across numerous World Heritage sites. Although these issues have been addressed in the World Heritage Committee sessions, Indigenous peoples remain excluded from the Convention's decision-making processes.

In recent years, these practices within the World Heritage Convention have faced increasing criticism for three key reasons. First, the adoption of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) (United Nations 2007) accelerated the globalisation of Indigenous rights claims. These claims focus on self-determination and the protection of culture, traditions, and societal institutions (cf. Xanthaki 2007; Morgan 2011; Dahl 2012; Bennani 2016). Second, international conservation efforts have increasingly incorporated Indigenous peoples' demands into the broader conservation agenda. A significant example is the Vth International Union for Conservation of Nature (IUCN) World Parks Congress in 2003, held in South Africa. This congress led to the adoption of the Durban Accord, which called for the recognition of the equal treatment of Indigenous peoples' rights and interests in international conservation efforts (cf. Stevens 2014a). As an Advisory Body, IUCN advocates for these principles to the World Heritage Committee and the States Parties to the World Heritage Convention. Third, the inclusion of cultural landscapes in the World Heritage Convention since 1992 has introduced conservation approaches that also contribute to the protection of Indigenous cultural heritage. These three developments have fostered a discursive shift, allowing discussions and negotiations about contradictions and conflicts regarding the Indigenous peoples' rights within the World Heritage regime.

The context of the World Heritage Convention's development provides a comprehensive explanation for the ongoing controversies surrounding Indigenous peoples' rights. Disko

and Sambo Dorough observed that, in light of the date of adoption, the World Heritage Convention "was drafted without the participation of Indigenous peoples" and its text "does not give any reference or recognition to their rights over cultural and natural heritage" (2022, p. 490). In contrast to recent UNESCO conventions, such as the 2003 Convention for Safeguarding of Intangible Cultural Heritage, the World Heritage Convention does not make any references to international human rights frameworks (ibid. p. 491). According to Disko and Sambo Dorough, it is difficult to determine the exact number of World Heritage sites that have been established entirely or partially on Indigenous lands and territories (ibid. n. 52). However, Disko and Sambo Dorough estimate that over one hundred of the World Heritage sites inscribed to date[1] are located on Indigenous territories (ibid.). In addition, most of the World Heritage sites on Indigenous lands were listed as natural sites. This pattern suggests that these World Heritage properties are protected areas that prioritise nature and biodiversity conservation. Therefore, to understand the impact of World Heritage properties on Indigenous peoples' livelihoods, it is necessary to ask what the objectives of establishing these sites are.

The preamble of the World Heritage Convention highlights its purpose of establishing "an effective system of collective protection of the cultural and natural heritage of outstanding universal value, organized on a permanent basis and in accordance with modern scientific methods" (UNESCO 1972). In this context, Outstanding Universal Value (OUV) refers to cultural and natural heritage properties of global significance. Therefore, its "deterioration or disappearance constitutes a harmful impoverishment of the heritage of all the nations of the world" (ibid., Preamble). Consequently, the preamble of the World Heritage Convention identifies three dimensions that continue to influence Indigenous peoples' experiences with World Heritage sites. First, the institutional aspect establishes the Convention as an international conservation model that can impose land-use restrictions on Indigenous peoples, often seen as coercive due to their limiting nature. Second, the reference to "modern scientific methods" indicates that traditional and Indigenous knowledge are often overlooked in the implementation of the Convention.[2] Finally, the cultural and natural heritage that the Convention seeks to protect is primarily recognised and valued through the legal frameworks of nation-states. This emphasis on nations is institutionally manifested by limiting the Convention's parties to sovereign nation-states. Con-

[1] According to the World Heritage Centre, there are 1,223 World Heritage properties listed on the World Heritage List. See "World Heritage List" <https://whc.unesco.org/en/list/> (accessed 10 January 2025).

[2] For example, the UN Convention on Biological Diversity acknowledges the importance of Indigenous knowledge systems in biodiversity conservation and calls on its States Parties to ensure the involvement of Indigenous peoples in the context of in-situ conservation. (United Nations 1992, art. 8 (j)). However, in 2018, UNESCO adopted a policy on engaging with Indigenous peoples in all its areas, specifically referencing their knowledge systems (2018, p. 15).

sequently, respect for the rights of Indigenous peoples in the designation and management of World Heritage properties depends on the domestic legal frameworks of States Parties and their commitment to ensuring their meaningful participation (cf. Disko & Sambo Dorough 2022, p. 491).

This study investigates the contentious conservation practices, particularly those that conflict with Indigenous rights, within the context of the World Heritage regime. The study empirically compares potential violations of the human and land rights of Indigenous communities living in World Heritage sites through four case studies, using qualitative and quantitative data. Building upon the work of the French environmental historian Guillaume Blanc on *The Invention of Green Colonialism* (2020), this research explores how a specific model of creating protected areas continues to influence the World Heritage Convention and its treatment of Indigenous peoples. This model, which dates back to the establishment of the first national parks in the late nineteenth century (cf. Dowie 2010), is based on the assumption that local (Indigenous) populations exploit natural resources, ultimately leading to biodiversity loss and environmental degradation. As a result of this assumption, Indigenous communities often face forced relocation or even expulsion. The recent example of the Ngorongoro Conservation Area (NCA) in Tanzania, where tens of thousands of Maasai face the threat of displacement, highlights that the model of "green colonialism" persists within the World Heritage regime and cannot be considered overcome (cf. Disko 2017; Currier & Mittal 2021; Disko & Sambo Dorough 2022).

The case of the Maasai residents of NCA exemplifies the ongoing conflict between conservation and Indigenous rights in the context of the implementation of the World Heritage Convention. In particular, the systematic exclusion of the Maasai communities from substantial decision-making processes regarding the World Heritage property, characterised by lack of consultation and participation, has recently been brought to the attention of the UN Special Rapporteur on the Rights of Indigenous Peoples (Maasai Indigenous Residents of Ngorongoro Conservation Area 2022). NCA was designated as one of the first natural World Heritage sites in 1979 and was reinscribed as a mixed site in 2010 to better protect the hominid fossils discovered in the Olduvai Gorge. In their report to the UN Special Rapporteur, the Maasai residents criticised the Tanzanian government's failure to ensure meaningful involvement of the Indigenous communities prior to the 2010 renomination of the World Heritage site (ibid. p. 2). Considering the relevance of the UNDRIP, the Maasai report to the Special Rapporteur highlighted the particularly contentious context of the 2010 renomination, especially due to the lack of Indigenous community consent and involvement:

> "Important to point out here is that the 2010 inscription came three years after the UN approved and adopted the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), which meant that organisations like the UNESCO had a legal obligation to ensure the consent and involvement of indigenous communities in decision-making processes on matters that can potentially affect local communities' livelihoods, ways of life and cultural survival." (ibid. n. 4).

The Maasai report asserts that the implementation of the World Heritage Convention violates existing international human rights standards that aim to protect the rights of Indigenous peoples. Furthermore, UNESCO advocating to relocate the Maasai is perceived as a rights violation. The Maasai community contends that these demands stem from inaccurate and prejudiced narratives that fail to acknowledge Indigenous peoples' "local knowledge" (ibid. p. 2) regarding ecosystem stewardship. It is noteworthy that the Special Rapporteur, José Francisco Calí Tzay, presented the Maasai residents' case of NCA to the UN General Assembly in July 2022 within the thematic report on *Protected areas and indigenous peoples' rights: the obligations of States and international organizations* (United Nations 2022). Thus, this study argues that cases such as the Maasai residents of NCA illustrate the importance of investigating the relationship between the legacies of exclusionary nature conservation practices within the World Heritage regime and Indigenous challenges to "green colonialism".

The literature on the World Heritage Convention's impact on Indigenous rights generally agrees that conflicts persist between global conservation agendas and the rights and livelihoods of Indigenous peoples (Disko & Tugendhat 2014; Disko & Sambo Dorough 2022). Through the protection of World Heritage sites, UNESCO has contributed to perpetuating exclusionary conservation practices that often entail the marginalisation or displacement of Indigenous communities (Stevens 2014b, pp. 36–40). These practices are deeply rooted in the colonial misconception that the conservation of untouched wilderness requires the exclusion of human presence (Blanc 2022, p. 176). However, recent studies on nature conservation emphasise a growing recognition of these deep-seated issues by exploring mechanisms for fostering more inclusive frameworks in global conservation agendas (cf. Stevens 2014c). Nevertheless, Disko et al. (2014) identified various controversies, particularly the negative impact of the designation of World Heritage sites on the lands and territories of Indigenous peoples. The key issue remains the inadequate involvement of Indigenous peoples in decision-making regarding the nomination and management of World Heritage sites. This marginalisation has led to the violation of Indigenous rights, manifesting as restricted access to traditional lands, forced relocations, and the lack of equitable benefit-sharing from conservation efforts (ibid. pp. 5–7). Despite historical injustices, Indigenous communities, supported by international human rights mecha-

nisms, have increasingly mobilised to challenge these practices through advocacy, legal action, and participation in international forums (Disko 2015, pp. 362–364). More specifically, Indigenous peoples have asserted their rights under the UNDRIP and advocated for revising World Heritage site designation and management procedures to recognise Indigenous cultural values and ensure their participation and consent (cf. Disko & Tugendhat 2013).

Nevertheless, current research suggests that efforts to align the nominating procedures for World Heritage properties with Indigenous claims have continuously faced substantial obstacles. For instance, Meskell (2013a) retraced the broader political challenges, including the failed attempt to establish the World Heritage Indigenous Peoples Council of Experts (WHIPCOE) from 2000 to 2001. Meskell emphasised the resistance of States Parties to a mechanism that would have granted Indigenous peoples a formal role in implementing the World Heritage Convention (ibid. pp. 162–166). In particular, concerns over national sovereignty continue to undermine inclusive decision-making processes in the implementation of the World Heritage Convention. Meskell's study calls for greater accountability and structural reforms to address these systemic issues.

Logan (2014) argued that the intergovernmental structures of the World Heritage Convention often marginalise Indigenous voices in favour of state-centric priorities. However, Logan also highlighted the potential of rights-based approaches in the nomination and management of World Heritage sites, particularly for the empowerment of Indigenous peoples (ibid. pp. 167–168). For example, Bille Larsen et al. (2014) noted IUCN's approach to align the implementation of the World Heritage Convention with the UNDRIP. Due to the introduction of the category of associative cultural landscapes in 1992, World Heritage sites like Uluṟu-Kata Tjuṯa and Tongariro National Parks successfully integrate Indigenous values and collaborative management frameworks (Disko 2017, p. 46). Bille Larsen et al. stressed the need for a systematic evaluation of the current procedures to inform reforms in the World Heritage processes that align with the UNDRIP (2014, pp. 81–82). Additionally, Disko and Sambo Dorough identified essential steps to ensure the Convention adheres to standards set by the UNDRIP, including committing to collaborating with UN human rights mechanisms and meaningfully incorporating Indigenous perspectives and cultural values (2022, p. 520). In summary, previous research indicates that exclusionary practices are fundamentally embedded in the World Heritage framework despite attempts to overcome systemic inequities.

Exclusionary nature conservation practices have also become increasingly contested due to the expansion of protected areas in regions inhabited by Indigenous peoples. A recent study by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IP-

BES) (2019) found that approximately 35 percent of protected areas worldwide are both inhabited and traditionally owned by Indigenous peoples. However, a vast number of these protected areas have been established as nature reserves, national parks, and wilderness areas with strict restrictions on land use and access to resources. Therefore, Stevens described this distinctive form of protected area as a legacy of an old conservation paradigm (2014b, p. 36). This model was often based on the assumption that "effective […] management requires protected areas to be uninhabited and without any human use of natural resources, because Indigenous peoples […] are threats to the objectives of [conservation]" (ibid.).

Furthermore, these wildlife conservation practices can be traced back to colonial visions in the late nineteenth century, when the first national parks were established. As Blanc showed in his seminal work *The Invention of Green Colonialism* (2022), the first national parks were game reserves, established by colonial governments in Africa. The establishment of these reserves often resulted in the forced eviction of local rural populations, including Indigenous communities. Similarly, in the creation of the first national parks in the USA, such as Yosemite National Park, the presence of Indigenous peoples was systematically neglected by conservationists (Dowie 2010, pp. 7–9). Blanc argued that these colonialist and early conservationists' notions of wilderness remained dominant when international conservation organisations, such as UNESCO and the IUCN, developed their conservation agendas in the post-war era (2022, p. 42). Consequently, "green colonialism" reflects the continuity of a colonial rationale in contemporary environmental agendas. These agendas impose an exclusionary conservation model on previously colonised regions, asserting that the local population is mainly responsible for environmental degradation.

Regarding the rights of Indigenous peoples, international conservation agendas, including the World Heritage Convention, increasingly conflict with international human rights standards, especially since the adoption of the UNDRIP in 2007. Although the Declaration is not legally binding, former Special Rapporteur James Anaya described it as an "authoritative instrument [that sets a] path for remedying the injustices and inequitable conditions faced by indigenous peoples" (2013, p. ix). More importantly, the Declaration is the result of collective efforts by Indigenous peoples from disparate regions of the world, who entered the UN system through the Working Group on Indigenous Populations (WGIP), established in 1982 (Dahl 2012, p. 34). The WGIP provided Indigenous peoples with access to UN human rights institutions and was crucial for formulating the draft versions of the Declaration. Since the adoption of the Declaration, "indigenous peoples have an instrument for scrutinizing each state's human rights behaviour in relation to indigenous peoples" (ibid. p. 42). The Declaration calls on na-

tion-states as well as the UN specialised organisations, such as UNESCO, to secure Indigenous peoples' "rights within a model of respect for their self-determination and distinctive cultural identities" (Anaya 2013, p. ix). Consequently, the adoption of the UNDRIP reflects decades of collective effort by a global Indigenous movement (cf. Morgan 2011) that has "re-specified" (Bennani 2016, p. 232, author translated) the UN human rights discourse on Indigenous demands for self-determination in areas such as culture, heritage, education, and health.

The present study examines the political negotiation processes regarding the rights of Indigenous peoples in the context of the World Heritage Convention. It uses Schmitt's (2011) conceptualisation of the World Heritage regime as a theoretical framework to investigate the negotiation processes and the roles of key actors, including the World Heritage Committee, States Parties, Advisory Bodies, and Indigenous peoples. Schmitt's concept reveals the mechanisms by which the World Heritage regime is able to disseminate notions of global cultural and natural heritage protection and implement them at the level of nation-states (ibid. pp. 77–80). While Schmitt's concept of the World Heritage regime is rooted in international relations theory, it should be regarded as a distinct concept. Schmitt seeks to clarify how local and national views on cultural and natural heritage are transformed globally and integrated into national policies through the World Heritage regime. Schmitt's concept is particularly relevant because it enables the analysis of the empirical material to examine heterogeneous understandings of the overarching concepts of cultural and natural World Heritage. The present study's empirical analysis is based on a document analysis that compares four World Heritage sites: Manú National Park (Peru), Tongariro National Park (New Zealand/Aotearoa), Lake Bogoria (Kenya), and Pimachiowin Aki. The comparison of the case studies provides a basis for the discussion of the political negotiation processes in the World Heritage regime in relation to Indigenous challenges to the legacies of exclusionary conservation practices.

Regarding the theoretical perspective, this study investigates the negotiation processes from a world society perspective. Specifically, the study utilises the concept of world polity, grounded in sociological neo-institutionalism (Meyer 2010a). World polity theory provides an analytical framework to understand the globalisation of Indigenous rights, as illustrated by the UNDRIP (Bennani 2016). World polity theory helps to understand the decentralised authority within the World Heritage regime, which consists of the intergovernmental World Heritage Committee, the scientific experts from the Advisory Bodies, the States Parties, and the World Heritage Centre (Elliott & Schmutz 2012). In particular, the theory illuminates how the World Heritage regime drives the diffusion of universalistic cultural and institutional norms (ibid. pp. 260–261). This theoretical approach elucidates how the regime operationalises the notion

of OUV, constructing a global commitment to preserving sites of cultural and natural significance for humanity as a whole (Schmutz & Elliott 2017). The institutional processes underpinning the World Heritage regime illustrate a rationalistic, scientific approach to evaluating OUV, demonstrating the interplay between cultural norms and scientific expertise (ibid. pp. 143–146). Furthermore, the theory highlights the role of the Advisory Bodies, such as the International Council on Monuments and Sites (ICOMOS) and IUCN, in defining and legitimising universalistic standards for heritage conservation through standardised evaluative criteria (Elliott & Schmutz 2016, pp. 159–162). As a manifestation of the global expansion of conservation principles, the World Heritage regime exemplifies how specific values of cultural and natural heritage are institutionalised within world society. Moreover, the theory illuminates the persistent regional disparities in representation and access to resources within the World Heritage regime.

Both before and particularly since the adoption of the UNDRIP, numerous scholars have examined the systemic inequities Indigenous peoples face in the nomination and management of World Heritage sites. As outlined above, these studies primarily focus on how the intergovernmental structure of the World Heritage Convention has hindered its effective alignment with international human rights standards for Indigenous peoples. Nevertheless, prior research has largely overlooked the legacies of exclusionary conservation practices, which continue to shape the relationship between the World Heritage regime and Indigenous peoples. Previous studies on the World Heritage Convention have also neglected the broader implications of Indigenous efforts to foster more inclusive conservation of protected areas. Acknowledging Indigenous challenges to "green colonialism" within the World Heritage regime, this study poses the guiding question: What is the role of Indigenous peoples in redefining the global model of nature conservation?

Thus, this study contributes to the research on World Heritage sites and Indigenous peoples in several ways. First, it advances the understanding of the legacies of exclusionary practices within the context of the World Heritage Convention. Second, it develops a theoretical model to investigate the impact of the globalisation of Indigenous rights on political negotiation processes in the World Heritage regime. Third, by comparing four case studies, the study advances Schmitt's initial concept of the World Heritage regime by distinguishing between mechanisms that foster or hinder collaborative frameworks in the designation and management of World Heritage properties. Finally, this study connects current debates on the World Heritage Convention to broader implications for ensuring Indigenous rights in nature conservation.

The scope of this study focuses on the global dimensions of Indigenous rights within the World Heritage regime, rather than on local or national-level impacts. To achieve this, the

four case studies were selected because they represent different regional contexts, types of World Heritage sites (e.g., natural sites, cultural landscapes), and varying levels of Indigenous involvement. While the case selection allows for comparing different contexts, cases from other regions, such as Asia or Europe, were not included. The primary reason for the case selection was to compare a set of case studies inscribed on the World Heritage List before and after the adoption of the UNDRIP in 2007, and the selected case studies span a period from the late 1980s to recent years. Moreover, the empirical analysis relies on a qualitative document analysis of secondary data, including official UNESCO records and management plans. Lastly, it is important to note that this study examines the role of the World Heritage regime in international nature conservation agendas. While the case studies focus on the recognition of Indigenous cultural values, the analysis explores how Indigenous peoples utilise the World Heritage regime to promote socially just and inclusive conservation of protected areas.

The study is divided into six chapters. Chapter 2 provides the foundation for understanding the legacies of exclusionary nature conservation and their persistent impact on the preservation of World Heritage. Chapter 3 introduces the theoretical concept of the World Heritage regime and offers a critical examination from Indigenous and decolonial perspectives. Chapter 4 reflects on the theoretical implications of the guiding question from a world polity perspective and outlines the main research questions. Chapter 5 presents the comparative research design and details the approach to the qualitative document analysis, including a justification for the case study selection. Chapter 6 presents the findings of the qualitative document analysis in response to each research question. Chapter 7 relates the findings to prior research and expands on the theoretical and methodological implications of the case study research. Furthermore, it examines whether the World Heritage regime is addressing exclusionary conservation practices and the extent to which Indigenous challenges to “green colonialism” are redefining conservation in world society.

2 Unmasking "Green Colonialism": Indigenous Peoples' Struggle for Inclusive Conservation within the World Heritage Convention

The intertwining of UNESCO World Heritage sites with Indigenous peoples' territories raises normative questions about the nature of conservation practices and their implications for Indigenous rights (Disko, Tugendhat & Gracía-Alix 2014). Within the realm of nature conservation, the legacy of "green colonialism" (Blanc 2022) becomes evident as many of these protected areas have been established without the consent of the Indigenous communities who have inhabited them for generations. Such exclusionary practices underscore the need to determine the impact of conservation efforts on Indigenous peoples' right to self-determination (Stevens 2014d). Recognising the significance of conservation efforts in safeguarding natural and cultural heritage sites worldwide, UNESCO has faced demands time and again to acknowledge the crucial role played by Indigenous peoples in the sustainable management of these protected areas.

However, the legacy of "green colonialism" emphasises the necessity for a more inclusive approach to conservation – one that unequivocally accepts Indigenous knowledge and its instrumental role in ensuring the resilience of these areas (Stevens 2014c). Such an approach must guarantee Indigenous peoples' participation in the decision-making processes concerning World Heritage sites on their lands and accept their knowledge and practices as vital to conservation efforts (Disko 2017). Therefore, to understand the origins of exclusionary practices and how they have evolved in the World Heritage Convention, it is first necessary to explore the complex relationship between Indigenous peoples and protected areas.

This chapter delves into these interconnections, exposing the legacy of "green colonialism" in international conservation and contrasting these practices with the calls for a more inclusive conservation paradigm. The chapter first examines the impact of "green colonialism" on Indigenous peoples (section 2.1) and then traces the development of inclusive conservation within the context of the UNESCO World Heritage Convention (section 2.2).

2.1 The Legacy of "Green Colonialism" and the Shifting Conservation Paradigm towards Indigenous Stewardship

The international nature conservation model can be traced as far back as the establishment of the first national parks in the late nineteenth century in the USA. Dowie argued that, soon after the creation of Yellowstone National Park in 1872, the idea of national parks was disseminated to other regions colonised by Europeans (2010, pp. 11–12).[3] Protected areas such as Yosemite National Park in the USA, Tongariro National Park, and Serengeti National Park, which are included today on the World Heritage List, emulated this conservation model according to Dowie (ibid.). This model marked a shift, presuming that there is no nature detached from historical context, nature itself lacks inherent naturalness (Escobar 1999, p. 2; Zúñiga 2020, p. 494) by idealising these parks as spaces of pristine wilderness (Dowie 2010, p. 15). While this early sentimental tendency towards nature has been largely superseded by concerns with halting biodiversity loss, it is important to remember that many of these "protected areas […] are the homelands of indigenous peoples" (Stevens 1997, p. 14). This argument is supported by an IPBES global assessment report, which estimated that Indigenous peoples occupy approximately a quarter of the land area worldwide and that 35 percent of these territories are legally established protected areas (2019, p. 14). However, the scale of Indigenous presence in protected areas can obfuscate conservationists' reservations concerning Indigenous settlement and land use within those protected areas (1997, p. 24). While international conservation agencies have changed their views regarding Indigenous stewardship of protected areas since the publication of Stevens's seminal essay, according to Blanc, it is necessary to remember that Indigenous communities still face the legacies of "green colonialism" (2022).

Indeed, Blanc emphasised that the creation of global organisations such as IUCN followed the justification that former colonial authorities used to subdue the rights of Indigenous inhabitants (2020, pp. 76–79). "Green colonialism" was prevalent during the era of European

[3] In the context of this study, it is important to comment on certain reservations raised by Stevens (2010) regarding Dowie's book *Conservation Refugees: The Hundred-Year Conflicts Between Global Conservation and Native Peoples* (2010). While acknowledging its relevance for understanding the effects on Indigenous peoples caused by international conservation efforts, Stevens expressed doubts about its journalistic nature. While reservations towards popular non-fiction books written by journalists are not uncommon in academic scholarship, the sweeping criticism in this case seems disproportionate. Dowie's argument is supported by extensive primary source documentation in the reference section, appendix, and index, and he employs specific terminology and concepts to address the problem at hand. However, Dowie, a former journalism professor at the University of California, did not provide a clearly defined analytical or methodological approach in his book, potentially causing readers from specific disciplines to view his conclusions as overly simplistic. Nevertheless, as a monograph published by a reputable academic publishing house, Dowie's book is considered a valuable historiographic source within this interdisciplinary study, shedding light on the issues discussed, particularly in relation to the history of international conservation organisations and transnational conservation NGOs. Furthermore, his arguments are evaluated in relation to other studies and empirical evidence.

colonial domination of regions outside Europe and can be described as an example of Steinmetz's definition of colonialism as the "conquest of a foreign people followed by the creation of an organization controlled by members of the conquering polity and suited to rule over the conquered territory's indigenous population" (2014, p. 79). This rule over conquered Indigenous territories became apparent in the creation of the first game reserves by the end of the nineteenth century. In Africa, colonial officials implemented a restrictive legal regime to govern game reserves, similar to laws employed by the upper classes in medieval Europe to control revenues from hunting expeditions and restrict the local population's access to those reserves (Blanc 2020, p. 64).[4] After the independence of African nations, Western experts assumed control over major conservation agencies such as IUCN and reinforced a modified approach to the preservation of protected areas by demanding the transformation of game reserves into national parks (ibid. pp. 67–68). Blanc also demonstrated that this modified framework for protected areas emerged during the colonial era of the late nineteenth and early twentieth centuries, notably when European powers adopted the *Convention Relative to the Preservation of Fauna and Flora in their Natural State* in 1933 (ibid.).

As a consequence, it is not surprising that Indigenous peoples have denounced the legacies of "green colonialism" in international conservation frameworks. According to Stevens, one of the most decisive rebukes was the *Indigenous Peoples' Declaration to the World Parks Congress* in 2003 (2014c, p. 48). At the Vth IUCN World Parks Congress in Durban, South Africa, a group of Indigenous representatives confronted governments, international organisations, research institutions, and NGOs about the lack of effective participation in establishing and managing protected areas. The Indigenous ad-hoc working group that drafted the declaration decried that it "is difficult to talk about benefits for Indigenous Peoples when protected areas are being declared on our territories unilaterally" (Indigenous Peoples Ad Hoc Working Group for the World Parks Congress, 2003, as cited in Stevens, 2014, p. 48). The declaration eventually led to the adoption of the Durban Accord, which marked the emergence of a new protected area paradigm (ibid. p. 52 ff). Before explaining the relevance of the Durban Accord for developing the

[4] In the context of German colonial rule in East Africa, Gißibl (2019) convincingly demonstrated that the colonial policy of the German Empire at the beginning of the twentieth century was closely linked to the establishment of new game reserves and national parks. In particular, the relationship between the British and the German Empire in East Africa, despite the imperial competition between these European powers, reflected forms of exchanging and cooperating in the emerging field of nature conservation. These reciprocal influences were enshrined in the London Convention of 1900. Against this backdrop, Gißibl concluded that "wildlife policies in British and German East Africa up to the First World War are best understood as entwined in coevolution" (ibid. p. 241). With the rise of safari tourism, there was a constant exchange between the two European colonial powers related to the ivory trade, sustainable elephant hunting, and the control of infectious diseases. This combination of hunting and conservation shaped the character of the 1900 *Convention for the Conservation of Wild Animals, Birds and Fish in Africa* (ibid. p. 250). Thus, Gißibl showed how the roots of international conservation efforts were entwined with European imperialism (ibid. p. 253).

new paradigm of Indigenous-led conservation, this subsection highlights the legacies of "green colonialism" that are still prevalent. At the same time, although Indigenous concerns have been formally incorporated into ratified international conservation instruments such as the World Heritage Convention and the Convention on Biological Diversity, the legitimacy of Indigenous peoples' relationship with their lands and territories remains disputed among conservationists (Dowie 2010, p. 266).[5]

Unearthing the Colonial Roots of Conservation

In order to understand this continued contention of Indigenous rights within the context of existing parks and reserves, it is necessary to shed light on the colonial roots of conservation and their neo-colonial manifestations. According to Blanc, conservation in Africa soon evolved into a response to the "ecological shock" (2020, pp. 57–58, author translated) that the colonial expansion caused in the conquered overseas territories. The factors that directly led to this ecological shock include intensive game hunting, the importation of uncommon livestock, widespread deforestation for agriculture, and the development of large-scale infrastructure like railways (ibid.). At the same time, the "Europeans did not realise that it was their presence that was causing the ecological devastation they were witnessing" (ibid. p. 59, author translated); they condemned the African inhabitants for the decline of species. More importantly, this disposition fuelled contempt towards the local population among European scientists, who carried out extensive studies on the state of ecosystems in the colonies at the beginning of the twentieth century. According to Blanc, it led to the creation of political myths about the capabilities of Africans in safeguarding flora and fauna (ibid. p. 60). These speculative assumptions regarding the African populations were frequently treated as objective realities.

The impact of these assumptions did not remain within the realm of mere speculations about foreign lands and people. Africans were perceived to be in opposition to European endeavours to safeguard large-scale ecosystems in their overseas colonies. Hence, this fusion of knowledge and power mirrored the discourse of Orientalism, as expounded by Said (2003). Echoing this sentiment, Kabbani contended that Europe's imperial ideology "was hardly ever a brute jingoism; rather, it made subtle use of reason and recruited science and reason to serve its ends" (1994, p. 6 as cited in McLeod 2010, p. 50). Consequently, scientific viewpoints regarding con-

[5] Because of the remaining reservations towards Indigenous peoples with protected areas, Indigenous activists use international fora such as the UN Biodiversity Conference to protest their marginalisation and exclusion. Particularly striking was the banner displayed by West Coast Indigenous youth, who interrupted Canadian Prime Minister Trudeau's opening address at the UN Biodiversity Conference in Montreal in December 2022. The protesters decried "Indigenous Genocide = Ecocide" (Riga 2022) to question to targets of protecting 30 percent of the world's terrestrial and marine ecosystems by 2030.

servation requirements and their tangible impacts on local populations became intertwined, forming an intrinsic part of the political mythmaking surrounding "green colonialism". In the context of East Africa, as Blanc posited, these connections became manifest as a consequence of scientific endeavours at the beginning of the twentieth century "because science gave Europe the legitimacy it needed to exploit Africa and expropriate Africans" (2020, p. 60, author translated). In other words, "green colonialism" was firmly bound to Europe's political domination, and scientific knowledge about the state of African ecosystems served as a justification for evicting and displacing local communities to protect nature from continued deterioration (ibid. p. 64).

Likewise, within the same timeframe, the USA. witnessed the emergence of a conservation movement spearheaded by prominent figures like John Muir, founder of the Sierra Club, leading to the establishment of the country's initial national parks (Dowie 2010, p. 7). His speculative assumptions about areas like Yosemite Valley produced another myth of conservation by insisting that "before the arrival of Euro-American settlers, [these areas have] been unoccupied wilderness" (ibid. p. 8). As Dowie's study demonstrates, the establishment of this novel approach to wildlife preservation in Yosemite Valley was intrinsically linked to a disregard for the extensive history of Indigenous presence, thereby negating their long-standing settlements (ibid.). The neglect of Indigenous peoples' presence became particularly evident with the enactment of the Wilderness Act of 1964, signed into law by the US president. This legislation defined national parks as pristine ecosystems free from human interference (ibid. p. 11). As Dowie emphasises, during this period, a significant number of Indigenous tribes were displaced or forcibly removed from their ancestral lands and territories when these areas were designated as parks and reserves (ibid.). Hence, the historical nexus between nature conservation and colonial domination, as evidenced by the development of national parks, laid the groundwork for the subsequent global proliferation of "green colonialism" as a model of conservation.

The Globalisation of "Green Colonialism"

Kaltmeier's examination of the transnational entanglements surrounding the creation of the first national parks in Argentina in the early twentieth century sheds light on the dynamic nature of the global expansion of the "green colonialism" model by introducing a different regional perspective (2020, p. 90). Argentina's case is notable for establishing the first national parks in South America, facilitated by the interaction between science and government, Pan-American collaboration, and international networking (ibid. p. 92). In this context, Kaltmeier highlighted that towards the end of the nineteenth century, Argentina had assumed control over the peripheral regions in the north and south, several of which were inhabited by Indigenous peoples. As

a result, the country was now confronted with the imperative of implementing continuous colonisation and administration of these regions (ibid. p. 4). Throughout the mid-nineteenth century, the development of these internal frontiers remained largely centred around agricultural colonisation (ibid. p. 130). However, Kaltmeier's findings illustrated the gradual rise of the national park discourse in the first half of the twentieth century, strategically opening up peripheral regions to tourism (ibid.). Particularly in southern Argentina, national parks functioned as a foothold for colonial expansion, according to Kaltmeier (ibid. pp. 210–211). On one hand, they served to promote the region as an untamed wilderness for tourism while concurrently reinforcing state dominance over the Indigenous Mapuche communities (ibid.). Argentina's example demonstrates that the distinct convergence of nature conservation and state-led initiatives to foster tourism in peripheral regions defined the global dissemination of "green colonialism" during the later decades of the twentieth century.

This unique combination of nature conservation and tourism promotion was particularly striking in the case of the Serengeti National Park in northern Tanzania. As Dowie highlighted, the German veterinarian Bernhard Grzimek, who served as president of the Frankfurt Zoological Society after the Second World War, portrayed the Serengeti as a primordial wilderness and viewed the pastoral nomadic Maasai represented a threat to the conservation of the park (2010, pp. 24–25). In his internationally acclaimed publication, *Serengeti Shall Not Die* (1973), Grzimek wrote that in "the coming decades and centuries, men will not travel to view the marvels of engineering, but they will leave the dusty towns in order to behold the last places on earth where God's creatures are peacefully living" and "[c]ountries which have preserved such places will be envied by other nations and visited by streams of tourists" (1973 as cited in Dowie 2011, p. 25). According to Dowie, Grzimek and other conservationists of that era were firmly convinced that the Maasai's nomadic lifestyle posed a long-term threat to conservation objectives (ibid. p. 26). As a result, they strongly advocated for the British colonial authorities to restrict Maasai grazing rights and impose limitations on their unrestricted access to the Serengeti (ibid.). These developments created significant precedents for fortress conservation, a paternalistic and racialised approach to wildlife preservation (Bluwstein 2018, p. 147).

Eventually, approximately 50 thousand Maasai were evicted from the Serengeti National Park, which became one of the largest conservation fortresses in East Africa (Dowie 2010, p. 26). The British colonial authorities allowed them, however, to move their cattle herds to the neighbouring Ngorongoro Game Reserve (ibid.). Following Tanzania's independence, the Maasai encountered new challenges as conservation organisations campaigned for their displacement within the newly established NCA. This relocation was driven by the significant rise

in the Maasai population within the Ngorongoro Crater after their expulsion from the Serengeti National Park (ibid. pp. 29–30). While fortress conservation initially served to justify evictions and forced relocations that separated local populations from wildlife, this approach evolved to encompass broader "green colonialism" objectives, including ensuring revenues from international tourism and achieving global conservation goals (Bluwstein 2018, p. 147). Indigenous peoples' revolt against the existing conservation paradigm has been pivotal in fostering a transition towards a reformed framework that acknowledges their contributions to international conservation objectives and seeks to avoid the harmful effects caused by "green colonialism".

The Transition to Inclusive Conservation and Indigenous Stewardship

Throughout the twentieth century, the implications of the globalisation of fortress conservation for Indigenous peoples were neglected. During this same period, there was a considerable increase in the number and geographical extent of protected areas. Data from the UN World Conservation Monitoring Centre attributes the increase over the past 60 years to the recognition of protected areas, including World Heritage sites, as a cornerstone of biodiversity conservation (UNEP-WCMC 2014). Despite this, it is crucial to emphasise that there is compelling evidence of species loss happening at a concerning pace.[6] According to the recent Red List Quadrennial Report 2017–2020 by IUCN, 28 percent of the listed species face the threat of extinction, with specific species experiencing even higher rates of extinction since 1990 (IUCN Red List n.d.). Due to this trend in extinction rates, it is understandable that international conservation organisations have sought to establish large-scale protected areas to ensure the preservation of significant concentrations of biodiversity (Myers, Mittermeier, Mittermeier, Da Fonseca & Kent 2000, p. 853; as cited in Schuster et al. 2023, p. 5). However, Wilshusen et al. (2003, pp. 3–4) suggested that matters of social justice were frequently disregarded in the context of large-scale conservation initiatives, particularly in regions characterised by unequal income distribution, high adult mortality rates, and populations lacking or having limited access to basic services, despite the establishment of numerous protected areas for biodiversity preservation. Hence, international conservation organisations such as IUCN and the Secretariat of the Convention on Biological Diversity (CBD) have placed rights-based conservation at the core of alternative approaches to conservation (Stevens 2014b, p. 22).

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[6] Between 1970 and 2014, the Living Planet Index of the World Wildlife Fund (WWF) documented a significant 60 percent decline in species population sizes (Grooten & Almond 2018, chap. 3). Furthermore, the report emphasised a concerning percent decline in species populations in the tropics, particularly in South and Central America, since 1970 (ibid.).

Rights-based conservation aims to address social injustices and human rights violations within protected area policies (Borrini-Feyerabend, Kothari & Oviedo 2004, p. 18; Campese, Sunderland, Greiber & Oviedo 2009). As the examination of the globalisation of "green colonialism" has revealed, the creation of national parks involved interventions that imposed new forms of control over Indigenous livelihoods. To illustrate these exclusionary forms of conservation, Stevens defined four types of displacement and marginalisation of Indigenous peoples in the context of protected areas. As evident from this classification, these interventions imposed knowledge and practices upon Indigenous communities residing within these protected areas, even though international conservation organisations had good intentions. As a result, rights-based conservation, understood as a potential means to mitigate these power imbalances, actively seeks to establish authority at multiple levels through engaged participation.[7] While Stevens' classification includes most forms of exclusionary conservation practices on the ground, Fortwangler's (2003) perspective on social justice sheds light on additional barriers that hinder the achievement of inclusive protected area policies, in particular concerning Indigenous peoples.

Table 2.1: Stevens's classification of protected area displacement and marginalisation of Indigenous peoples

Type	Characteristics
Spatial/Physical	Forced or induced relocation; continued residence made conditional to compliance with imposed restrictions on settlement, transhumance, and migration; lack of recognition of customary territories, including collective tenure and usufruct rights
Economic	Imposed restrictions or bans on land and marine use or specific practices; loss of livelihoods and livelihood security; loss of food security; loss of access to shelter, water, and other rights; opportunity costs from foreclosed avenues of development; lack of benefits from protected area revenues or employment
Political	Loss of territorial control and self-governance; lack of recognition of customary governance and resource management institutions and practices; loss of governance authority for commons management; loss of stewardship authority for cultural sites
Cultural	Loss of shared life in homelands; loss of responsibility for the care of homelands; loss of access to and care for cultural sites and cultural resources; cultural and religious sites desecrated or untended; lack of recognition of territory and tenure; and lack of respect for customary law, customary institutions, customary livelihoods, and other cultural practices

Source: Stevens 2014b, p. 38

[7] For example, to seek more equitable participation in the governance of protected areas, IUCN distinguishes between "rightsholders" and "stakeholders" (Borrini-Feyerabend et al. 2013, p. 15 ff). According to this perspective, rightsholders should meaningfully participate in the management of protected areas for various reasons, which include: *ownership* or legally acknowledged entitlement and usage rights to the relevant land; *customary rights* pertaining to ownership, governance, access, and utilization of the land, water, and natural resources; and/or *historical*, cultural, spiritual, or recreational connections to the land, water, and natural resources (ibid.).

In this context, Fortwangler (ibid. pp. 28–29) specifically highlighted Indigenous peoples' limited access to intergovernmental forums on the environment and biodiversity. These forums, as reflected in *Agenda 21*[8] or the CBD, embraced declarations urging signatory governments to ensure increased involvement of Indigenous peoples in the establishment and administration of protected areas (ibid.). However, Indigenous representatives have contended that these forums do not implement measures that protect their fundamental rights. For example, prior to the United Nations Conference on Environment and Development (UNCED) – also known as the Earth Summit – held in Rio de Janeiro, Brazil, in 1992, more than 650 Indigenous representatives met in Kari-Oca, Brazil and signed a joint declaration that affirmed Indigenous peoples' rights to self-determination as "inalienable rights to their lands, territories, resources, and waters" (ibid. p. 29). According to Stevens, respecting Indigenous self-determination through consultation and co-management is key to transforming conservation approaches on Indigenous lands and territories (1997, pp. 61–62). While Stevens raised cautious reservations concerning idealising Indigenous peoples' "environmental stewardship" (1997, p. 24), he argued that global conservation frameworks should develop ways to effectively include Indigenous knowledge in the creation and management of protected areas (ibid.).

In the following years, however, Indigenous peoples had increasingly pushed for substantial changes in global conservation, even in international forums. In particular, the Vth World Parks Congress marked an exemplary shift in the re-conceptualisation of protected area conservation. The congress "became the site of a historic dialogue (at times confrontational) between Indigenous peoples and international conservationists that transformed international protected area policy" (2014a, p. 47). The principal outcomes of the congress, the Durban Accord and the *Durban Action Plan Message to the Convention on Biological Diversity*, took into consideration the concerns expressed by Indigenous peoples' representatives at the event, in particular the *Indigenous Peoples' Declaration to the World Parks Congress* (ibid.). Stevens highlighted that at the Vth World Parks Congress, "Indigenous peoples, the IUCN, and the CBD had developed a new vision that links conservation, culture, and rights in new kinds of protected areas" (2014a, p. 80). Consequently, the Conference of Parties to the CBD adopted similar objectives in its *Programme of Work* (CBD 2004, p. 16). According to Stevens, the Vth World Parks Congress was seen as a decisive step towards a new paradigm of protected areas, one that aimed to ensure Indigenous stewardship (2014c, p. 48 ff, 60 ff). This new paradigm was also marked by efforts to decolonise the historically exclusionary conservation frameworks that had been prevalent until then (ibid.). In addition, Stevens stressed that "the new paradigm goes far beyond earlier parks

[8] *Agenda 21* is a nonbinding agreement adopted in 1992 by the state representatives at the Earth Summit.

and people approaches […] [that] have ignored Indigenous peoples' existing conservation practices, contributions, and potential, instead promoting standardized programs designed by international conservation organizations and states" (ibid. p. 61).

In summary, this section focused on the legacy of "green colonialism" in the establishment of protected areas and the evolving conservation approach towards Indigenous stewardship. It traced the origins of international conservation back to the creation of the first national parks in the late nineteenth century, which were subsequently replicated in colonised regions. Even after African countries gained independence, the colonial influences on conservation persisted, perpetuating global "green colonialism" and its profound impact on Indigenous peoples. However, the notion of untouched wilderness – central to "green colonialism" – grew increasingly indefensible. At the same time, evidence of Indigenous peoples' extensive presence in protected areas worldwide exposed how conservation practices systematically disregarded Indigenous rights. Responding to Indigenous concerns regarding exclusionary conservation practices, international conservation organisations such as IUCN initiated specific programmes to embrace more inclusive approaches to conservation.

A remarkable milestone in this shift was the adoption of the Durban Accord at the Vth World Parks Congress in 2003, emphasising the recognition of Indigenous rights in protected areas. The Durban Accord was remarkable as it endorsed Indigenous stewardship under the new umbrella term of "Indigenous Peoples' and Community Conserved Territories and Areas (ICCAs)" (Stevens 2014c). This broadened approach to protected areas defined ICCAs as "natural and modified ecosystems, including significant biodiversity, ecological services, and cultural values, voluntarily conserved by indigenous and local communities through customary laws or other effective means" (IUCN 2005, p. 202, recommendation V.26 of the Vth World Parks Congress). Hence, the Vth World Parks Congress, for the first time, acknowledged the significance of integrating areas conserved by Indigenous peoples into the international framework of protected areas management.

2.2 Examining the Persistence and Transformation of "Green Colonialism" in the Preservation of World Heritage

The preservation of UNESCO World Heritage sites as protected areas has garnered increasing attention due to the persistence of exclusionary practices in conservation (Smith 2006, chap. 8; Disko, Tugendhat & Gracía-Alix 2014). While the origins of this phenomenon were explored in the previous section, the focus now shifts toward examining its ongoing manifestations and implications within the context of the World Heritage Convention (Colchester 2014, pp. 49–

51). This section delves into the persistence of "green colonialism" in the establishment of World Heritage sites, addressing the issue of reinforcing exclusionary practices that have historically marginalised and displaced Indigenous peoples and their communities (Disko & Tugendhat 2013). By exploring the contested connection between the human rights of Indigenous peoples and biodiversity conservation, this section highlights the growing recognition of rights-based approaches[9] as a means to facilitate meaningful involvement of Indigenous peoples and their communities in the establishment of World Heritage sites, ultimately leading to more inclusive conservation practices. Such an approach acknowledges UNESCO's responsibility in redeeming these historical injustices by ensuring respect for Indigenous peoples' rights to their lands, territories, and cultural heritage.

Despite Indigenous peoples' struggles against these historical injustices, the persistence of "green colonialism" in the context of the World Heritage Convention continues to impact Indigenous peoples to this day. For example, the Tanzanian government's attempts to strengthen conservation efforts in the NCA by relocating the pastoralist Maasai away from the World Heritage site. These conservation efforts have notably intensified since 2010 when the national park was extended and designated as a cultural heritage site after it was inscribed as one of the first natural heritage sites on the World Heritage List in 1979. Since being designated as a mixed site, there has been an increase in land-use restrictions, limiting the Maasai community's access to grazing land and water sources for their cattle herds (Olenasha 2014, pp. 199–206). Prior to the extension in 2008, bans on subsistence farming were imposed, which the Maasai communities residing within the park consider to be a primary cause of ongoing food insecurity (Maasai Indigenous Residents of Ngorongoro Conservation Area 2022).[10] Furthermore, in 2008, UNESCO and IUCN conducted a monitoring mission that concluded that the growing Maasai population in the NCA poses a significant threat to the integrity of the World

[9] Emphasising the importance of rights-based approaches to conservation, the recent global report by the *Rights and Resources Initiative* highlights the need for international organisations to address potential risks faced by Indigenous peoples in proposed expansions of conservation areas. According to the international expert network, this is essential because the existing global frameworks for biodiversity protection often undermine the pursuit of more equitable approaches to conservation (Rights and Resources Initiative 2020, pp. 10–11).

[10] Safari et al. (2022) examined the prevalence and determinants of food insecurity among pastoral communities in the NCA. The study involved a household survey (n=238), key informant interviews, and field observations. The findings confirmed that over half of the surveyed households experience food insecurity, which aligns with the perception of Maasai representatives. Despite a relatively small sample size, the use of both quantitative and qualitative data collection methods allowed for a comprehensive understanding of the issue. Furthermore, the study revealed that household food insecurity is influenced not only by socio-demographic factors but also by cultural, environmental, and production system factors that impact food access, consumption practices, and overall household food security. These findings suggest that restrictions on land use in the NCA pose a significant threat to the cultural survival of Maasai communities. Based on the authors' recommendations, this issue seems particularly urgent because there is a lack of measures in place to incorporate these perspectives into conservation initiatives, such as the development of more effective strategies that uphold the rights and address the needs of the Maasai communities.

Heritage site (Debonnet & Wilson 2008, pp. 11–12). Meanwhile, UNESCO has adjusted its position to some extent and recently urged the State Party "to engage local communities and other stakeholders in exploring alternative livelihood solutions to its current voluntary resettlement scheme consistent with the policies of the *Convention* and relevant international norms" (UNESCO 2019, p. 126, emphasis in the original). Despite implicitly acknowledging Indigenous peoples' rights, the matter of resettlement remains unresolved in UNESCO's position on conservation efforts in the NCA.

Concerning the threat of resettlement, the American environmental policy think tank Oakland Institute published a comprehensive report on the Tanzanian government's plans for the NCA (Currier & Mittal 2021). The report disclosed that the Tanzanian government took up the recommendations of the last Reactive Monitoring Mission Report of the World Heritage Centre, IUCN, and ICOMOS (Moukala, Taruvinga & Zulu 2019). According to the institute's report, the Ngorongoro Conservation Area Authority (NCAA) was urged to implement a management approach that allows for the simultaneous and compatible use of land for various purposes, such as conservation, recreation, and residential development (Currier & Mittal 2021, p. 8). Although this Multiple Land Use Model (MLUM) should minimise conflicts between different land uses, the proposed measures include a resettlement plan, which the Maasai communities vehemently oppose (ibid. p. 11). This plan is particularly concerning for the Maasai communities because approximately 40,000 people could be affected by resettlement to alternative regions in a short time (ibid. p. 12). In addition, the Maasai expressed their concerns regarding the park's importance as a major revenue generator from the tourism sector. At the same time, the Indigenous residents continue to grapple with poverty and food insecurity (Maasai Indigenous Residents of Ngorongoro Conservation Area 2022). They raised these concerns in their report to the UN Special Rapporteur on the Rights of Indigenous Peoples. These events highlight the ongoing persistence of "green colonialism" in the implementation of the World Heritage Convention. Consequently, it is necessary to understand UNESCO's responsibilities and efforts in the context of recent advancements in international law concerning the rights of Indigenous peoples.

The Impact of the UN Declaration on the Rights of Indigenous Peoples on the World Heritage Convention

The most significant advancement in international law was the adoption of the UNDRIP in 2007 by the UN General Assembly. Today, it constitutes a significant human rights instrument that provides a comprehensive framework for recognising Indigenous peoples' rights world-

wide (Dahl 2012, p. 8). While not legally binding, it stands as the primary international framework that acknowledges Indigenous peoples' cultural rights as collective rights (Echo-Hawk 2013, pp. 4–5). Its adoption reflects the UN's commitment to empowering Indigenous peoples to actively participate in all sectors and operations related to the UN system and its specialised agencies (Anaya 2013). Additionally, the history of the adoption of the Declaration reflects Indigenous peoples' notions of human rights, particularly their right to self-determination (Morgan 2011, p. 122 ff).[11] By advocating for their right to self-determination, Indigenous activists furthered their ties with international organisations and transnational NGOs (ibid. p. 72 ff). According to Logan, Indigenous peoples have significantly influenced the shift towards rights-based approaches in the identification and management of World Heritage sites due to the increased concern with Indigenous peoples' right to self-determination (2012, p. 238). As the case of the NCA illustrates, the persistence of exclusionary conservation practices highlights the "paradox of empty promises" (Hafner–Burton & Tsutsui 2005) in the international human rights system. The "paradox of empty promises" refers to the gap between the ratification of the growing number of human rights treaties and the poor implementation of their provisions by nation-states (ibid. p. 1378). In the context of the current study, the paradox lies in the "empty institutional commitments" that are intended to empower Indigenous rights advocates (ibid.). While Hafner-Burton and Tsutsui primarily focused on the pressure exerted on governments to promote compliance, the adoption of the UNDRIP has equipped Indigenous peoples with the means to exert pressure on UNESCO and its Advisory Bodies.

Given that the drafting of the Declaration dates back to the establishment of the UN WGIP in 1982, it is necessary for this study to explore the preceding developments leading up to its adoption, specifically in the context of the World Heritage Convention. Within that context, two UNESCO strategies are particularly relevant for Indigenous rights. First, as Logan emphasises (2014, p. 159), UNESCO endeavoured to tackle the issue of declining credibility by adopting the *Global Strategy for a Representative, Balanced and Credible World Heritage List* in 1994. This strategic framework aimed to foster a more inclusive and equitable representation of cultural and natural heritage, encompassing diverse regions and categories (Labadi 2013, p. 45 ff). The second visionary initiative was the introduction of cultural landscapes as a new type of World Heritage site in 1992. Cultural landscapes in protected areas embody the acknowledged connections between local communities, their heritage, and the surrounding nat-

[11] According to Morgan, "Indigenous rights claims challenge legal meanings that attribute rights to individuals rather than collectives, and are a dramatic example of the way in which new rights claims call into question long-established understandings of the nature of rights […]" (2011, p. 70).

ural environment (Rössler 2006, p. 334). In particular, the category of associative cultural landscapes was crucial for the recognition of Indigenous values in protected areas (ibid. p. 336).

Consequently, the first two cultural landscapes inscribed on the World Heritage List reflected UNESCO's efforts to engage with the cultural history of Indigenous peoples (Logan 2014, p. 159). In 1993, Tongariro National Park in New Zealand/Aotearoa became the first to be recognised as a World Heritage site under these revised criteria. The park's inclusion was primarily attributed to its significant religious importance to the Māori people (Rössler 2006, p. 335). In the subsequent year, Uluṟu-Kata Tjuṯa National Park was also inscribed on the World Heritage List under the new criteria, acknowledging its significance as one of the world's oldest cultural landscapes (ibid.). Despite some progress in involving Indigenous peoples, concerns were raised about the insufficient participation of Indigenous communities in the nomination and management of World Heritage sites (Logan 2014, p. 159). These criticisms also reflected the increasing significance of Indigenous claims within the UN.

Specifically, these concerns have become a prominent topic of discussion in the UN General Assembly. In his 2012 report to the General Assembly, James Anaya, the Special Rapporteur on the Rights of Indigenous Peoples, devoted a dedicated section to addressing concerns regarding the insufficient participation of Indigenous communities in the nomination and management processes of World Heritage sites (Anaya 2012, p. 9 ff, as cited in Disko, Tugendhat & Gracía-Alix 2014, pp. 3–4). Anaya emphasised that "Indigenous peoples have expressed concerns over their lack of participation in the nomination, declaration, and management of World Heritage sites, as well as concerns about the negative impact these sites have had on their substantive rights, especially their rights to lands and resources" (2012, p. 10). Moreover, Anaya voiced concerns over the absence of precise data on the number of sites located on Indigenous peoples' lands and territories (ibid.). He also highlighted to the General Assembly that the Operational Guidelines had insufficient specific procedures to ensure the meaningful involvement of Indigenous peoples (ibid.). Simultaneously, Indigenous representatives and experts collaborated with officials from the World Heritage Centre to formulate specific recommendations concerning the necessary revisions to the Operational Guidelines (see 'World Heritage and Indigenous Peoples - A Call to Action' in IWGIA 2012a, p. 60 ff).[12]

[12] The recommendations emerged from an international expert workshop organised by the International Working Group on Indigenous Affairs (IWGIA). They were subsequently presented at the closing event of the 40th anniversary celebration of the World Heritage Convention in Kyoto, Japan, in the same year. The workshop report includes numerous first-hand accounts detailing the experiences of Indigenous peoples regarding the implementation of the World Heritage Convention. As such, the report likely focused on the most urgent on-the-ground issues in a concise manner, making it valuable for assessing changes and progress in subsequent years.

While the expert workshop proposed extensive changes to the Operational Guidelines, the subsequent years saw the World Heritage Committee adopting only some of the recommendations put forth. As an example, at its 39th session in 2015 in Bonn, Germany, the World Heritage Committee considered some of the recommendations (UNESCO 2015a, pp. 7–8).[13] One key change was the incorporation of the international norm of free, prior, and informed consent into the Operational Guidelines, with particular emphasis on paragraph 123 (UNESCO 2015b). The World Heritage Committee's decision urges States Parties to ensure the active participation of Indigenous peoples in the nomination process for properties to be included in the World Heritage List (ibid.). However, the revised guidelines merely encourage States Parties to involve Indigenous communities in the preparation of nominations. This revision falls short of mandating the acquisition of free, prior, and informed consent from the communities affected by the proposed nominations.[14] An inherent challenge lies within the Convention itself, as it grants States Parties ultimate authority in determining which heritage sites are eligible for inclusion under its regime (Disko 2017, p. 64). Consequently, States Parties retain the power to decide whether or not to seek the consent of Indigenous communities impacted by the proposed nominations (ibid.).

However, due to the substantial time gap between the adoption of the World Heritage Convention in 1972 and the UNDRIP in 2007, attempts have yet to be made to amend the procedures. As emphasised by Disko (ibid.), Article 5 of the World Heritage Convention merely encourages States Parties to "endeavor, in so far as possible, […] a general policy which aims to give the cultural and natural heritage a function in the life of the community" (UNESCO 1972, art. 5). The role of communities is thus relegated to a subordinate position, particularly when compared to the role of experts (Disko 2017, p. 64). The experts from the three Advisory Bodies hold statutory rights under the World Heritage Convention, enabling them to participate

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[13] In the interest of brevity, a thorough examination of the recommendations is not feasible within this context. The joint statement *World Heritage and Indigenous Peoples – Call to Action* (IWGIA 2012b) was adopted by participants of the expert workshop and subsequently deliberated upon during the 37th session of the World Heritage Committee in Phnom Penh, Cambodia (UNESCO 2013a, para. 12 b)). Within the scope of this study, the demands to implement the UNDRIP is presumably decisive. The recommendations emphasise the importance of transparent procedures and meaningful participation of Indigenous peoples in the nomination and management of World Heritage sites (IWGIA 2012b, arts. 1–9). In particular, the recommendations to appoint Indigenous representatives as advisors to the World Heritage Committee sessions and to incorporate the three special UN mechanisms for Indigenous rights reflect the ongoing negotiation processes involved in addressing Indigenous rights violations in the context of the World Heritage Convention.

[14] The expert workshop in Copenhagen, for example, extended its recommendations. In addition to advocating for Indigenous peoples to be recognised as rights holders rather than just stakeholders, the experts urged the World Heritage Committee that States Parties secure free, prior, and informed consent through their own representative institutions before nominating a World Heritage site on Indigenous territories (see Annex 3 'Proposed amendments to the Operational Guidelines for the Implementation of the World Heritage Convention related to Indigenous peoples' free, prior and informed consent' in IWGIA 2012a).

in the meetings of the World Heritage Committee "in an advisory capacity" (UNESCO 1972, art. 8 (3)). Nonetheless, recent efforts by the World Heritage Committee, as argued by Brumann (2015, p. 275), have aimed to address this gap. At its session in 2007, New Zealand/Aotearoa convinced the World Heritage Committee to add "community" as a "fifth C" to the "four Cs" strategic objectives[15] that were previously proclaimed on the 30th anniversary of the World Heritage Convention (ibid.). Furthermore, in this "discursive turn" (ibid. p. 276), it was notable that New Zealand/Aotearoa clearly linked the notion of "community" with Indigenous communities (UNESCO 2007). Despite these rhetorical advancements, Brumann concluded that "World Heritage site communities [such as Indigenous peoples] continue to remain outside the picture painted about the sites during the World Heritage Committee sessions or are only in it to the degree that their nation-state wants them to be" (2015, p. 281).[16]

Before the adoption of the strategic objectives, it was apparent that the World Heritage Committee was growing more responsive to the criticisms concerning the disregard for Indigenous rights (ibid. p. 280). During the 2000 session of the World Heritage Committee in Cairns, Australia, the idea of establishing an additional Advisory Body called WHIPCOE gained support from Australia, New Zealand/Aotearoa, and Canada (Logan 2014, p. 159). Nevertheless, the implementation of this initiative encountered substantial opposition, with France and the USA. raising concerns primarily related to the matter of sovereignty[17], as highlighted by Meskell (2013a, pp. 164–165).[18] Despite the lack of further funding and the discontinuation of the

[15] The strategic objectives known as the "four Cs" were outlined in the Budapest Declaration on World Heritage, adopted by the World Heritage Committee in 2002. It calls on "all interested parties […] to promote […] the credibility of the World Heritage List […], effective conservation […], capacity-building measures […], and public awareness […] for World Heritage through communication" (UNESCO 2002, art. 4). As such, the original "four Cs" encompassed credibility, conservation, capacity-building, and communication.

[16] The discourse surrounding community participation was also prominent during the 40th anniversary celebration of the World Heritage Convention in 2012, which revolved around the theme "World Heritage and Sustainable Development: The Role of Local Communities" (Brumann 2015, p. 275).

[17] The exact intentions behind the concern with sovereignty in this context remains ambiguous. Disputes about the inclusion of the term "peoples" within the UNDRIP indicate that nation-states tend to reject Indigenous peoples' sovereignty out of concerns for potential ramifications on their own national territories. However, it is important to note that Indigenous scholars interpret the concept of sovereignty differently, as highlighted by Shrinkhal (2021). On one hand, some reject the notion of sovereignty due to its association with Western colonization and external dominance. On the other hand, other scholars advocate for an Indigenous sovereignty framework, which has gained global recognition as the right to self-determination in the UNDRIP. These contrasting perspectives contribute to a complex discourse on sovereignty and, according to Shrinkhal, any notion of "fixed contours" (ibid. p. 73) of sovereignty undermine the need for further exploration and understanding of its implications. For example, Kuokkanen proposed the concept of "Indigenous Westphalian Sovereignty" (2022) to describe the distinctive path of self-determination pursued by Inuit Greenlanders. Contrary to conventional notions of self-determination as non-secession, Kalaallit Nunaat (Greenland) stands as an example of *de facto* Indigenous self-government, characterized by an Inuit-controlled legislature, challenging prevailing understandings of self-determination (ibid. p. 313).

[18] During her opening remarks at the 2012 expert workshop in Copenhagen, Mechtild Rössler, Chief of the Policy and Statutory Meetings Section at the UNESCO World Heritage Centre, expressed profound disappointment over the rejection of WHIPCOE (Disko & Tugendhat 2013, p. 15).

initiative, the concept of WHIPCOE continued to be invoked by officials and Indigenous representatives in the subsequent years (ibid. p. 168).[19] Presumably, these initiatives resulted in the establishment of a platform aimed at providing guidance and advice to Indigenous peoples regarding the nomination and management of World Heritage sites. In 2017, at its 41st session in Krakow, Poland, the World Heritage Committee welcomed the creation of the International Indigenous Peoples' Forum on World Heritage (IIPFWH) (UNESCO 2017, p. 12).

While the newly established forum functions as a consultative body, the World Heritage Committee is yet to fully realise the envisioned concept of an additional Indigenous Advisory Body, as proposed by the advocates of WHIPCOE. The structure of the forum aligns with the model of the International Indigenous Peoples Forum on Biodiversity (IIPFB), as stated by the IIPFWH (IIPFWH n.d.).[20] To the author's knowledge, no study to date has specifically examined the impact of the IIPFWH. However, it is reasonable to assume that the establishment of the new forum has enhanced the influence and participation of Indigenous peoples in the deliberations of the World Heritage Committee. For example, the IIPFWH has consistently referenced the provisions of the UNDRIP, particularly in relation to the responsibilities of UN specialised agencies like UNESCO in ensuring meaningful participation of Indigenous peoples (IIPFWH 2021).

In sum, this section has provided an examination of Indigenous rights in the recent development of the World Heritage Convention. Moving forward, the subsequent section delves deeper into the implications of these provisions within the context of the Convention.

The UNDRIP and Indigenous Rights: Implications for the World Heritage Convention

The drafting process, as well as the adoption of the UNDRIP in 2007, have sparked extensive research on advancements in Indigenous peoples' human rights (for seminal work on Indigenous rights in international law prior to the adoption of the Declaration, see Niezen 2003; for understanding the significance of the draft Declaration for international human rights see Keal 2003). Scholars from various disciplines, including international law (Xanthaki 2007), international relations (Peterson 2010; Lindroth & Sinevaara-Niskanen 2013; Eichler 2022), political theory (Mende 2015; Rethmann 2015), and sociology (Morgan 2011; Bennani 2015),

[19] According to Logan (2014, p. 159), while the WHIPCOE was not established, there was a significant shift in the approach to addressing Indigenous issues, with UNPFII in New York taking on a prominent role.

[20] The International Indigenous Forum on Biodiversity (IIFB) was formed at the third session of the Conference of the Parties (COP) to the Convention on Biological Diversity (CBD) in Buenos Aires, Argentina in 1996. It provides a platform for Indigenous representatives to coordinate strategies, advise government parties, and advocate for recognition and respect of Indigenous rights to knowledge and resources in relation to the CBD (CBD Secretariat 2021).

have dedicated significant attention to exploring the implications and impact of the UNDRIP. Additionally, scholars have noted that a process of creating a common understanding of being Indigenous seems to have emerged as a result of the drafting and adoption of the Declaration (Dahl 2012, pp. 50–54; Hodgson 2014, pp. 63–71). Although the Declaration is not legally binding, it has played a crucial role in fostering a shared understanding of Indigenous peoples' rights, among diverse Indigenous communities worldwide and also within the UN and its affiliated programmes and specialised agencies (Anaya 2013, p. X). However, as mentioned above, this section focuses specifically on the relevant aspects of the UNDRIP in relation to Indigenous rights and the World Heritage Convention.

The UN mechanisms established to uphold Indigenous rights are particularly important to this discussion. The inclusion of Indigenous peoples' rights within the broader framework of global human rights protection is a noteworthy advancement in the field of international law (Eichler 2022, p. 23). In the context of the present study, three distinct mechanisms established before the adoption of the Declaration are relevant (see Figure 2.1). In 2000, the United Nations Economic and Social Council (ECOSOC) established the UN Permanent Forum on Indigenous Issues (UNPFII) as a novel Advisory Body (Morgan 2011, pp. 30–31). The UNPFII holds particular significance in this study as it offers counsel to ECOSOC, a key UN organ overseeing specialised agencies like UNESCO (Gareis & Varwick 2014, pp. 49–50). Comprising 16 independent experts serving for three years, the UNPFII includes eight government nominees and eight nominees from Indigenous organisations in their respective regions. The other two bodies directly report to the UN Human Rights Council. In 2001, the UN Commission on Human Rights, replaced by the Human Rights Council in 2006, resolved to appoint a Special Rapporteur on the Rights of Indigenous Peoples (Morgan 2011, pp. 29–30). The Special Rapporteur undertakes country visits, receives complaints, and provides recommendations to promote and safeguard Indigenous rights. The third entity, known as the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP), was established in 2007 as a subsidiary body of the Human Rights Council (ibid. p. 32). Its primary role is to offer guidance on accomplishing the objectives outlined in the UNDRIP. Its seven members are appointed by the Human Rights Council, and the selection and appointment process requires that "due regard be given to recognized competence and experience in the rights of indigenous peoples, experts of indigenous origin, and gender balance" (United Nations 2016, art. 6). The General Assembly is the primary policymaking and representative organ of the UN, being the primary body where all member states are equally represented (Gareis & Varwick 2014, pp. 45–47).

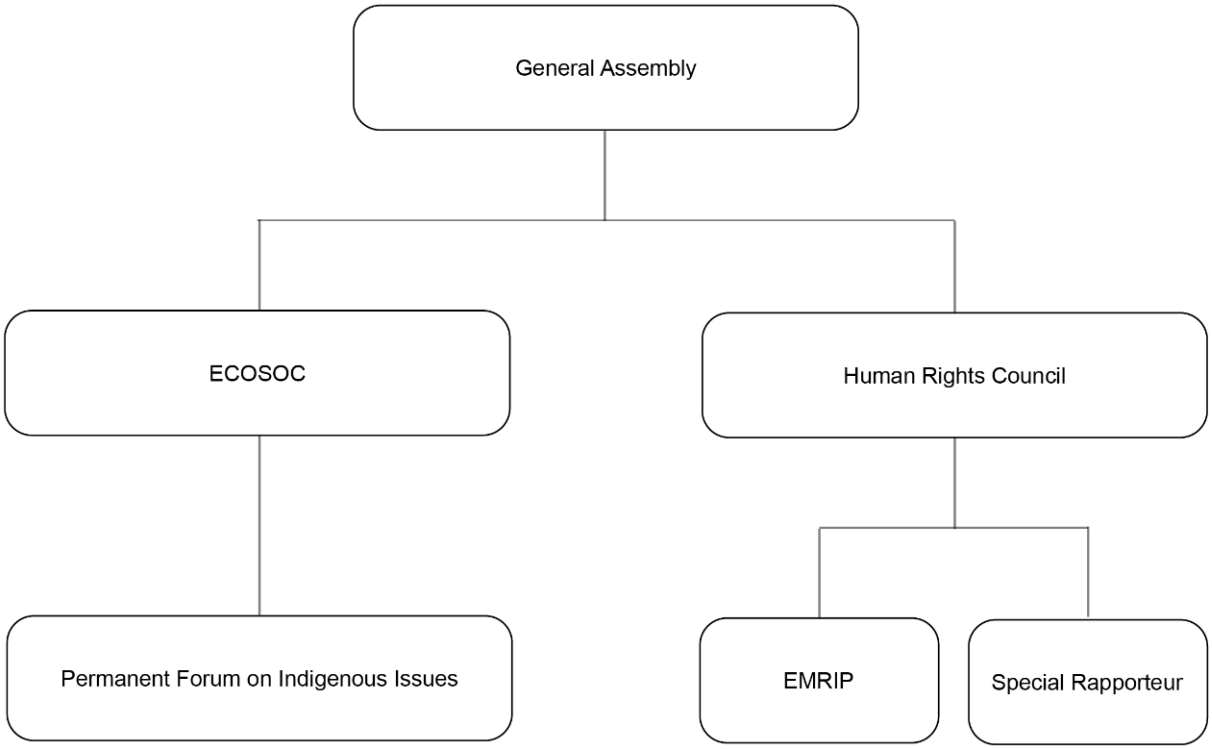

Figure 2.1: UN human rights mechanisms on Indigenous peoples' rights (cf. Dahl 2012, p. 35)

Another key aspect concerns the definition of Indigenous peoples as a category in international law. Unlike other well-defined areas in international law, there is no universally accepted and legally binding definition of Indigenous peoples (Morgan 2011, p. 55). The lack of a standard definition arises from the diverse cultural, historical, and geographical contexts of Indigenous communities across the globe. It is through self-identification that Indigenous peoples assert their distinct cultural, historical, and ancestral connections to their lands, territories, and resources. According to Morgan (ibid. p. 56), the most widely accepted working definition of Indigenous peoples was put forward by José R. Martínez Cobo, who authored the first comprehensive UN study on the global situation of Indigenous peoples while serving as Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities:

> "Indigenous communities, peoples and nations are those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories consider themselves distinct from other sectors of societies now prevailing in those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal systems." (United Nations 1986, para. 379 as cited in Morgan 2011, p. 56)

This self-identification is not always recognised or accepted by states or international bodies (Xanthaki 2007, p. 20). The UNDRIP acknowledges the importance of self-identification and states that Indigenous peoples have the right to determine their own identities (United Nations 2007, art. 33), but it does not provide a specific definition of who qualifies as Indigenous. Different regions and countries may define Indigenous peoples based on specific historical, cultural, or legal contexts (for an overview of regional concepts in early Indigenous activism, see Bennani 2015, p. 103 ff). These definitions can vary significantly, leading to challenges when it comes to addressing Indigenous peoples' rights on a global scale. Therefore, the primary purpose of the Declaration "is to connect the human rights of indigenous peoples to the larger body of international human rights law and make that body of law more accountable to the needs and circumstances of indigenous peoples" (Echo-Hawk 2013, p. 40). Hence, instead of offering a precise definition of the term, the Declaration primarily aims to provide Indigenous peoples with a framework to assist them in self-identifying and defining their distinct identities and rights (United Nations 2007, art. 5).

Before exploring the relevant provisions, it is important to clarify the Declaration's primary driving force: justice. Though the concept of justice brings the Declaration's purpose and significance into focus (Echo-Hawk 2013), it has received surprisingly limited attention in scholarship despite its demonstrated importance across various fields. The importance of justice is seen in areas such as the empowerment of Indigenous peoples (Dahl 2012, pp. 219–222), the redefinition of human rights (Bennani 2016, p. 227 ff), the strategies employed by the global Indigenous movement in the UN (Morgan 2011, p. 117 ff), the recognition of collective Indigenous rights as a counterbalance to Eurocentric notions of human rights (Mende 2015, p. 25 ff), and the protection of Indigenous peoples against racism and discrimination (Eichler 2022, p. 91 ff). On the other hand, Walter R. Echo-Hawk, an activist and a law professor from the Pawnee Nation, emphasised the fundamental importance of justice as a core principle of the Declaration's "distinct remedial purpose" (2013, p. 40):

> "This grounding in modern values creates a more just foundation for indigenous rights in the 21st century, and a better climate for promoting them, than the medieval notions of colonialism, conquest, religious intolerance, ethnocentricity, and racial discrimination that underpin early international law and the domestic law regimes that adopted those outmoded values to define tribal rights. That new foundation is sorely needed in many former colonies and settler states before the conditions of indigenous peoples can materially improve." (ibid. p. 41)

Echo-Hawk's notion of justice primarily emphasises the recognition of "historical wrongs" (ibid. p. 250) and acts of violence committed by nation-states against Indigenous peoples. Nev-

ertheless, it is critical to underscore that these injustices persist and pose important challenges in the contemporary. In the context of this study, the enduring legacy of "green colonialism" remains evident in the creation and administration of protected areas, posing an ongoing threat that can have continued negative repercussions for Indigenous communities. These adverse consequences are exemplified through instances of planned displacement of Indigenous communities from World Heritage sites, as demonstrated by the case of the Maasai in the NCA (Currier & Mittal 2021). On the other hand, Echo-Hawk's notion of justice reflects a pervasive tendency that shapes future-oriented political objectives "*through the disasters of the past*" (Torpey 2006, p. 5, emphasis in the original).

In contemporary international politics and Western intellectual discourse, there is a broad acceptance of the importance of engaging with historical events and their legacies (ibid.). Torpey argued that this focus on "coming to terms with the past" (ibid.) should be understood in relation to the decline of two historical forces. First, the decline of the Soviet Union in the early 1990s impeded the possibilities of thinking about an alternative to the contemporary capitalist – or neoliberal – international political economy (ibid. p. 24). Torpey highlighted that "the very existence of the Soviet Union, and socialist movements in general, were critical in achieving national self-determination for the formerly colonized and transforming racial practices in the United States" (ibid. p. 25).[21] The second trend involves the rejection of nationalism as a viable framework for self-determination (ibid. p. 28).[22] Instead, a growing emphasis on confronting historical injustices has gained momentum in the twentieth century through the dissemination of historiographical interpretations of significant and devastating events (ibid. p. 32).

The heightened attention on traumatic historical events of the twentieth century, including those arising from European imperialist expansion, has raised awareness. However, Torpey cautioned against a blanket equivalence of injustices, such as the crimes of the Nazi era, with those of European colonisation (ibid. p. 34). Nevertheless, the full implications of this claim

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[21] The Guatemalan National Revolutionary Unity (URNG) is an illustrative example of the convergence of socialist and indigenous movements during the Cold War. Throughout the country's civil war, the URNG fought against an oppressive regime that tragically resulted in the deaths and disappearances of approximately 200,000–250,000 Indigenous inhabitants. This conflict stands as one of Latin America's most devastating. Despite its transformation into a political party after the war, the URNG has encountered difficulties gaining significant electoral support, even though it has put forward numerous Indigenous candidates (Allison 2016).

[22] On the other hand, the Inuit population of Kalaallit Nunaat (Greenland) is advocating for their unique concept of self-determination, termed "Indigenous Westphalian Sovereignty" by Kuokkanen (2022). This alternative perspective challenges the widely held notion that Indigenous self-determination is exclusively limited to non-secessionist goals of Indigenous demands for self-determination. This does not imply that the Inuit of Kalaallit Nunaat (Greenland) are pursuing the establishment of their own independent nation-state. However, in practice, one can observe a significant level of autonomy and self-governance in Kalaallit Nunaat (Greenland).

cannot be thoroughly examined at this stage.[23] Torpey asserts that the essence of political arguments addressing historical injustices lies in "coming to terms with the past" (ibid. p. 8), which is also fundamental for the persuasiveness of such arguments. Against this backdrop, Echo-Hawk's concept of justice is particularly noteworthy as it presents a framework that can engage with historical injustices (2013, p. 249). To "actualize the remedial provisions of the Declaration that alleviate those historical injustices" (ibid. p. 250), Echo-Hawk put forward a comprehensive process that includes apology, acceptance, and forgiveness as essential prerequisites for healing inter-generational trauma and paving the way for reconciliation (ibid. pp. 270–279). Furthermore, he highlighted the potential religious origins of these concepts, which can be applied independently to effectively address the question of justice in practice (ibid. p. 260). Therefore, Echo-Hawk's concept of justice offers new ways of understanding the importance of the Declaration in the context of World Heritage sites, as it provides a comprehensive approach to redressing historical injustices inflicted on Indigenous peoples.

In addition to discussing the specific notion of justice in the UNDRIP, it is crucial to examine its normative content. While this chapter cannot delve into an exhaustive analysis of the Declaration's 23 preambular paragraphs and 46 articles, the following section provides a brief overview of areas that are relevant within the framework of this study, such as the right to self-determination, participatory rights, cultural rights, and land rights (cf. United Nations 2007):

1. Self-Determination

The right to self-determination, contained in Article 3 of the UNDRIP, is considered Indigenous peoples' "core demand" (Morgan 2011, p. 17). According to Morgan, Article 3 has to be read in conjunction with Article 46(1) (territorial integrity of independent states), 4 (right to autonomy and self-government), and 5 (the right to distinct institutions), as they "define the meaning and content of self-determination intended by the Declaration" (ibid.). While the provisions in Articles 4 and 5 acknowledge Indigenous peoples' rights to self-government and to maintain their distinct political, legal, economic, social, and cultural institutions, the primary objective of introducing Article 46(1) was to address the concerns raised by different UN member states (ibid. p. 18). In essence, it outlines that Indigenous peoples do not possess the right to secede from existing states without mutual agreement. In the context of the World Heritage Conven-

[23] The comparative approach, examining the crimes of Nazi Germany alongside those of European colonialism, has sparked an important controversy in recent years. For example, Rothberg's influential work *Multidirectional Memory: Remembering the Holocaust in the Age of Decolonization* (2009) demonstrated that since the end of World War II, there has been a discernible interest in exploring the Holocaust's crimes in relation to other genocides, colonial violence, and racism.

tion, Disko et al. highlighted that the right to self-determination provides Indigenous peoples with the right "to manage, for their benefit, their natural resources" (2014, p. 9). As a result, the establishment of World Heritage sites on Indigenous peoples' territories must align with their right to self-determination.

2. Participatory Rights

The concept of free, prior, and informed consent[24] forms the basis of Indigenous participatory rights, emphasising the significance of obtaining consent before engaging in activities that may affect their rights, lands, or resources (United Nations 2007, art. 32). As stated in Article 10 (prohibition of forced relocations), states have a duty to seek the consent of Indigenous peoples in situations involving their relocation from their lands or territories. Hales et al. (2013) stressed that integrating the principle of free, prior, and informed consent into the World Heritage Convention requires more than simply aligning it with the Declaration. Moving forward, the World Heritage Convention must also address challenges related to the implementation of this principle, such as self-exclusion, representation, Indigenous decision-making processes, the power of veto, and self-determination (ibid.).

3. Cultural Rights

Articles 11–13 (right to practise and revitalise cultural traditions; right to practise and teach their spiritual and religious traditions; right to develop and transmit histories, languages, and oral traditions) emphasise the preservation of Indigenous peoples' cultural integrity (United Nations 2007). These articles acknowledge Indigenous peoples' freedom to practice and revitalise their cultural and spiritual traditions while safeguarding their tangible and intangible cultural heritage, traditional knowledge, and cultural expressions. According to Morgan, "Article 13 reflects the general tenor of the Declaration in recognizing the dynamism of indigenous cultures and conferring upon indigenous peoples the right to determine the direction of their cultural evolution" (2011, p. 24). Furthermore, Disko et al. (2014, p. 11) argued that Article 10 of the Declaration, which prohibits forced removal or displacement of Indigenous peoples from their lands and territories, holds particular significance within the framework of the World Heritage Convention. Therefore, the coerced displacement of Indigenous peoples within the context

[24] *Free* means that consent is given without coercion or manipulation. *Prior* indicates that consent is sought well before any activities, respecting the time requirements of indigenous consultation processes. *Informed* entails providing comprehensive information on various aspects, such as project details, impacts, risks, personnel involved, and procedures (cf. UN Office of the High Commissioner for Human Rights 2016).

of World Heritage sites threatens their cultural integrity and undermines the diverse cultural meanings they attribute to their lands and territories, which they consider as shared homelands (Stevens 1997, p. 20). In addition, within the scope of the World Heritage Convention, the significance of Article 31 (the right to maintain and control their cultural heritage) cannot be overstated, as it explicitly underscores the rights of Indigenous peoples in relation to the control of their cultural heritage and traditional knowledge.

4. Land Rights

Lands, territories, and natural resources are the foundation of Indigenous peoples' livelihoods, cultural identity, and spiritual connection (Disko, Tugendhat & Gracía-Alix 2014, p. 12). Therefore, access to and control over land and its resources are crucial for the material and cultural survival of Indigenous communities. The majority of provisions pertaining to the protection of Indigenous peoples' lands and territories are concentrated in Articles 25–30 (right to maintain and strengthen their relationship to their traditional lands and territories; right to redress and restitution; right to the conservation of their lands and territories). According to Morgan, Article 26 can be a source of contention for some nation-states, as it asserts the general right of Indigenous peoples to the lands and territories they traditionally owned, as well as their right to exercise control over their current territories (2011, p. 21). Article 28 establishes that "Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands and territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent" (United Nations 2007, art. 28(1)). Furthermore, Disko et al. highlighted that recognition of Indigenous peoples' rights to their ancestral lands and resources is crucial for the fulfilment of various other rights, such as food, health, housing, culture, and religion (2014, p. 13).

In addition to the implications of the UNDRIP for the World Heritage Convention, Stefan Disko, an independent consultant on World Heritage to the International Work Group on Indigenous Affairs (IWGIA), emphasised that the Convention's potential to engage Indigenous peoples had not yet been fully realised due to two issues (2017). The three UN mechanisms for Indigenous rights (see Figure 2.1) have also raised concerns about these issues. The first is the "problematic separation of natural and cultural heritage" (ibid. p. 43), which is the result of dividing the criteria into two sets for cultural and natural sites. It is possible to nominate mixed sites for inscription, but their number remains small. While mixed sites have the potential to align the inscription of

World Heritage sites with the cultural rights of Indigenous peoples, their nominations encounter heightened challenges as they must satisfy cultural and natural criteria (ibid. p. 45). Disko raised a second issue regarding the challenging process of assessing the OUV of World Heritage sites (ibid. p. 51). The Operational Guidelines establish that the "Outstanding Universal Value means cultural and/or natural significance which is so exceptional as to transcend national boundaries and to be of common importance for present and future generations of all humanity" (UNESCO 2021a, para. 49). In this regard, Disko demonstrated that the definition of the OUV can raise concerns among Indigenous inhabitants of the sites because their relationship with their ancestral lands has to be exceptional to be included in the nomination (2017, p. 60). Therefore, the OUV appears as an inappropriate requirement for the inscription of World Heritage sites on Indigenous peoples' territories.

In summary, this section focused on the issue of "green colonialism" within the context of the World Heritage Convention. It explored the implications of Indigenous rights for the Convention to ensure equitable conservation of World Heritage sites on Indigenous territories. Nevertheless, the establishment of World Heritage sites has had and continues to have detrimental consequences for Indigenous peoples and their communities. This section emphasised the need to recognise and rectify these exclusionary practices within the context of the Convention and the historical marginalisation and displacement of Indigenous groups. Through the adoption of the UNDRIP by the UN General Assembly in 2007, a comprehensive framework for acknowledging and safeguarding the rights of Indigenous peoples and justice was adopted. Within the context of the World Heritage Convention, the chapter examined how the recognition and empowerment of Indigenous rights through the UNDRIP influenced the evolution of the Convention itself. In particular, this section explored how UNESCO, as the governing body responsible for World Heritage sites, adapted its responsibilities and approaches to align with the advancements in international law concerning Indigenous rights. The chapter highlighted how UNESCO attempted to address the legacy of "green colonialism" within the World Heritage framework and how it sought to promote the meaningful participation of Indigenous communities in decision-making processes. However, challenges remain in integrating free, prior, and informed consent; bridging the natural-cultural heritage divide; and evaluating the OUV of World Heritage sites on Indigenous territories.

3 Bridging International Relations and Decolonial Perspectives: Navigating the UNESCO World Heritage Regime and Indigenous Rights

Building on Schmitt's (2011) seminal study of the UNESCO World Heritage regime and global cultural governance, this chapter integrates decolonial perspectives to provide a comprehensive understanding of the complex dynamics within the regime in relation to Indigenous rights. The first section, 3.1, sets the stage by introducing the concept of the World Heritage regime and its theoretical underpinnings. Additionally, it draws from international relations theory to analyse the World Heritage regime as a framework encompassing multifaceted interactions between the World Heritage Committee, States Parties, Advisory Bodies, the World Heritage Centre, and Indigenous peoples. By adopting this theoretical perspective, this chapter examines the power dynamics, decision-making processes, and relationships within this complex international regime. The second section, 3.2, delves into the critical examination of the World Heritage regime from a decolonial perspective, with a particular focus on the impact of the UNDRIP. This section explores decolonial and Indigenous perspectives, presenting a nuanced analysis of the challenges, opportunities, and tensions that arise when Indigenous rights intersect with the World Heritage regime.

The examination of these diverse theoretical approaches demonstrates that the World Heritage regime is not a static entity but rather an evolving and contested space where power, knowledge, and Indigenous struggles intersect. By bridging these perspectives, this chapter highlights the complexities and possibilities of engaging with Indigenous rights within the framework of the World Heritage regime. This chapter contributes to a deeper understanding of how international regime theory combined with decolonial perspectives enriches Schmitt's concept of the World Heritage regime and its implications for Indigenous rights. By critically examining the manifestations and impacts of this international regime, this chapter uncovers approaches to addressing historical injustices and where these approaches have failed. Ultimately, this chapter establishes the theoretical foundation for formulating the research questions in the subsequent chapter. These research questions served as the cornerstone for the investigation of the case studies.

3.1 Theoretical Approaches to Understanding the World Heritage Regime

The term “regime” often carries negative connotations because of its historical association with illegitimate or autocratic forms of power, from France’s absolutist “ancien regime” and its aristocratic “Court Society" (Elias 2003, pp. 196–197, author translated) to Nazi Germany and Cold War communist states.[25] However, while acknowledging these critical associations is important for clarifying this study’s terminology and avoiding misinterpretation, the term itself fundamentally denotes an institutional context in which power is exercised, making it analytically useful to examine the World Heritage “regime” despite its potentially deprecatory implications

While these negative connotations resonate to a certain extent with the concept of the UNESCO World Heritage regime, it is necessary to distinguish the commonly understood meaning of regime from the theoretical concept of international regimes. This subsection shows that although the UNESCO World Heritage Convention holds the classification of an international treaty to preserve sites with cultural or natural significance, its activities and history dictate that it can be classified as an international regime. Of paramount importance in this context is to demonstrate the advantages of defining World Heritage as a regime. Moreover, while uncovering unequal power relations is at the centre of the present study, previous evidence has shown that conceiving World Heritage as a regime can yield a novel perspective on the dynamic nature of those relations (Schmitt 2011, 2013).

Additionally, the regime perspective sheds light on relations between nation-states, Advisory Bodies, Indigenous peoples, and international bureaucracies that extend beyond formal procedures. As a matter of describing social relations in the World Heritage field, the concept of international regimes serves to define a set of explicit and implicit principles, norms, rules, and procedures (Krasner 1982; Stone, Slantchev & London 2008) in this particular area of international cultural diplomacy (Meskell and Liuzza 2022). On the other hand, Gu defined *principles* as fundamental functions, *norms* as standards of behaviour, *rules* as formal or technical regulations, and *procedures* as deliberative and decision-making practices (2018: 167). All four dimensions of international regimes are relevant within the context of this study; however, this section establishes how UNESCO World Heritage is a regime that impinges upon the functions

[25] It seems almost surprising, however, that the usage of the term appears less common today. At least in Western media, the term dictatorship is used more frequently to describe the nature of contemporary authoritarian regimes that share many characteristics with former communist or fascist regimes. In contrast, after a series of failed Western military interventions in recent decades the term regime change gained new attention, although the usage of the term remained deprecative as the public in those countries condemned the outcomes.

of heritage and the standards of behaviour of States Parties, international officials, experts, and Indigenous peoples.

To define the World Heritage regime as a key term of this investigation, this study draws on Schmitt's (2011) analysis of World Heritage as a regime of global cultural governance. Schmitt's work remains relevant as one of the rare efforts to study World Heritage from a perspective of cultural geography and international relations.[26]A This study contrasts Schmitt's concept of cultural governance with a critique of the "authorised heritage discourse" (Smith 2006, 2017) to provide an understanding of the paradoxes and unequal power relations in the World Heritage regime. Upon establishing a critical conceptualisation of the international regime, this section explores recent developments in the World Heritage regime that are relevant to Indigenous peoples. It then highlights previous studies that have extensively researched the issues associated with the World Heritage regime's tangible and intangible cultural heritage. A significant gap in this literature is the widespread disregard for the World Heritage Convention's significance for nature and biodiversity preservation, which has left the effects of the World Heritage regime on Indigenous livelihoods poorly understood.

Cultural Governance and the World Heritage Regime

One of the significant issues Schmitt highlighted is the diverging understandings and perceptions of crucial elements of the World Heritage Convention (2011, pp. 66–67). For example, experts, international officials, States Parties, and Indigenous peoples have different views on how to safeguard humanity's cultural and natural heritage. Negotiating these differing perspectives has been central to efforts toward a more representative World Heritage List (Labadi 2013, pp. 37–48). Schmitt's approach constitutes a theoretical innovation, as it considers that differing and conflicting perceptions are at the core of the World Heritage Convention as a (global) cultural governance regime (Schmitt 2011, pp. 20–22). Focusing primarily on the technical aspects of implementation, however, conceals these conflicts over understandings and perceptions of cultural and natural heritage sites (Tauschek 2013, p. 105). Furthermore, by introducing con-

[26] A recent study by James (2024) provided a new perspective on the development of the World Heritage regime. James specifically addressed the tensions between heritage experts and States Parties, resulting from a "Faustian pact between protection and prestige"(ibid. p. 18). According to James, the role of experts in the World Heritage regime can be better understood by shifting the focus on how prestige shapes relations between experts and States Parties. While nation-states increasingly seek to enhance their international status through the prestige of World Heritage sites, experts offer technical and scientific expertise for the "highest form of international recognition on particular places" (ibid. p. 19). Although James contributed to understanding debates regarding the problem of politicisation in the World Heritage regime, Schmitt developed a model with more theoretical insights relevant to the present study. Nevertheless, James's study offers insights into the motivations for listing World Heritage properties.

temporary international relations theory to the study of World Heritage, Schmitt's approach offers two advantages.

The first advantage relates to cultural governance. Unlike the concept of global governance – which critics dispute the validity of (Sending & Neumann 2006) – cultural governance focuses on the nexus between the local and global levels of interaction (Schmitt 2011, p. 72). Schmitt's approach, therefore, remains open to considering the extent to which the processes on the local level also shape negotiations in the cultural governance of World Heritage, as can be seen in the role of NGOs, for example (ibid. pp. 74–75). Critics, drawing on Foucault's theory of governmentality, argue that global governance enables nation-states to transform their techniques of government by constructing new meanings for specific problems in international relations (Death 2011, pp. 17–20). In contrast, Schmitt turns to the Neo-Gramscian theories of international relations to stress that the World Heritage regime reproduces a hegemonic discourse in specific areas such as cultural and natural heritage (2011). While the concept of global cultural governance may appear to primarily describe formal rules and procedures, this approach addresses issues such as the production of particular discourses, an idea that is central to poststructuralist criticism of global governance (Innes and Steele 2012). Nevertheless, poststructuralist theories also provide explanations of which elements are attributed to a particular hegemonic discourse (Ziai 2016, pp. 21). While differences between Neo-Gramscian and poststructuralist accounts of global governance remain, Schmitt reminds us that the emergence of the World Heritage regime cannot be understood empirically if it is viewed exclusively as a tool of global hegemony (2011, p. 80). Neo-Gramscian accounts can, however, serve to improve the conceptualisation of the World Heritage regime from a historical-sociological perspective.

Additionally, the second advantage of the cultural governance approach is its capacity to integrate transdisciplinary perspectives and establish an aggregated framework of analysis (Simonis 2022, p. 12).[27] As this study suggests, transdisciplinary perspectives are required because the World Heritage regime represents an institutional arrangement that transcends the

[27] According to Simonis (2022, p. 12), transdisciplinarity involves the definition and examination of a global problem through the collaboration of diverse knowledge disciplines and stakeholder groups. In the context of global governance, transdisciplinary cooperation entails the integration of scientific knowledge, advanced technologies, and non-state actors to address these global problems (ibid.). While this notion primarily reflects current trends in the study of global governance within international relations, it also applies to the concept of cultural governance. In cultural governance, effective coping strategies require expertise from various scientific disciplines, such as cultural and natural heritage conservation, as well as the involvement of stakeholders including conservationists and Indigenous representatives. Consequently, the cultural governance perspective analyses the interface between science and policy and employs data-driven assessments to ensure the sustainable protection of humanity's cultural and natural heritage.

international law stipulated in the World Heritage Convention and the Operational Guidelines for its implementation. The regime promulgates a notion of heritage that requires constant collective action by States Parties, Advisory Bodies, and the World Heritage Centre to ensure the safeguarding of the cultural and natural heritage of humanity (Elliott & Schmutz 2012, p. 268). The World Heritage regime, as put forward by Schmitt, has developed into a central structure of global cultural governance that seeks to mitigate the consequences deriving from the destruction and the decay of heritage worldwide (2011, p. 77). While the threats of destruction or deterioration to cultural and natural heritage were initially issues that individual societies had to confront on their own – or often ignored altogether – the World Heritage regime has, through its role in global cultural governance, elevated these risks to significant problems for world society (ibid. p. 78). Furthermore, the analytical framework of global cultural governance is not equivalent to Western hegemony, which critics consider as a tool to shape identity according to dominant orientation systems (Smith 2017, p. 18), for instance, similar to nineteenth-century European imperialism.[28]

Further to this, the majority of the empirical evidence confirms that the World Heritage regime is a central element of global cultural governance (Pavone 2007, pp. 85–92, 2008, pp. 149–153; Schäfer 2009; Barthel-Bouchier 2012, pp. 53–78; Elliott & Schmutz 2012; Hüfner 2013, pp. 45–53; Kozymka 2014, pp. 29–50).[29] Concerns about the expanding "global hegemony of World Heritage and UNESCO" (Harrison 2013, p. 188) appear to be short-sighted considering the valorising effect of the regime on non-Western World Heritage sites (2011, p. 80). Nevertheless, global cultural governance as an analytical framework for the World Heritage regime does not preclude any "reflection of Eurocentric biases in international agencies" (Elliott & Schmutz 2012, p. 258). Therefore, global cultural governance as an analytical frame-

[28] Among those critics, Mishra (2012) has proposed a different argument about Western hegemony that seeks to disclose the conditions for "rise of the rest". While there is not enough space here to elaborate on the author's claims in depth, the most compelling aspect of his historical essay is that the industrialization of non-Western countries in Asia can be traced back to key figures among political reformers and intellectuals in the late nineteenth and the first part of the twentieth centuries. His argument implies that the rise of the rest should be considered as a response to Western domination in Asia. However, Mishra draws on the idea that Western domination remained somehow unchanged by drawing a sharp distinction between the West and the rest. Such a critique of Western hegemony leans on fuzzy ideas like the end of history or the clash of civilisations, overlooking how the misguided dichotomy between "universalism versus relativism" (Breidenbach & Nyíri 2009, pp. 31–35) has been refuted in recent years.

[29] Elliot and Schmutz established a close link between globalisation processes and the ratification of the World Heritage Convention (2012, p. 267). From the moment of its adoption until the late 2010s, 187 countries have ratified the Convention. Specific concerns with the unequal distribution of World Heritage sites that suggests a lack of representation of non-Western countries on the World Heritage List point to the continued expansion of the Convention as central element of cultural globalization. To address the challenges of diversifying the List, the World Heritage Committee launched its Global Strategy in 1994. While the margins of the distribution of World Heritage sites have not changed significantly by 2010, Elliot and Schmutz stress that the number of sites in every region has increased, and, as a consequence, more countries are represented on the World Heritage List (ibid. p. 270).

work must seriously consider any claims that the World Heritage regime is increasingly prioritising commercial or ideological interests (Barthel-Bouchier 2015, p. 162).[30] Before examining recent developments and critiques of the World Heritage regime, the next section briefly reviews international regime theory and its limitations for defining the World Heritage regime.

International Regime Formation and World Heritage: Problem-Oriented Perspectives

International regimes became the focus of a novel approach in international relations scholarship during the 1970s and 1980s. According to Gu, one of Keohane's major studies (1984) was a significant theoretical innovation to investigate increased interdependence among nation-states, international organisations, and non-governmental organisations (2018, p. 165). It is important to emphasise that in this context, the term international regime marked a shift away from viewing nation-states as the main foundation of international relations (Nye and Keohane 2008). As a theoretical concept, an international regime, therefore, transcends questions of power and legitimacy confined to the boundaries of a particular nation or state (Nye and Keohane 2011). International regime theory offers insights into both cooperation and power asymmetries in the World Heritage system between UNESCO as a specialised UN agency, member states, NGOs, "epistemic communities" (Haas 1992, p. 2; Cross 2013, p. 137), and Indigenous peoples. The destruction of that which is "cultural and natural [and] of outstanding interest" (UNESCO 1972, preamble) represents a "worldwide threat that might ultimately cause an impoverishment of cultural diversity" (Tauschek 2013, p. 97, author translated). In terms of regime theory, this characterisation illustrates how the World Heritage Convention became a cultural diversity policy tool through which international organisations and member states respond to global problems (Rittberger 1993; Rittberger, Zangl & Kruck 2013, pp. 21–22). Hence, the World Heritage regime emerged to address the need for heritage conservation to "serve as a hedge against cultural loss, because material culture, environmental ties and aesthetic satisfaction remain important to individual and collective quality of life" (Mason, R. &

[30] In his discussion of the structure and decision-making processes, Tauschek reminds us of the centrality of disguised political processes in the designation of World Heritage sites that tend to undermine their cultural valorisation: "Considering these political contexts in which decisions on the inscription of a new site on the World Heritage List are made, the cultural values of the sites to be nominated (...) sometimes assume a secondary relevance compared to political interests. It may be due to the competitive nomination process - a scarce commodity in the form of symbolic recognition that many actors crave, provoking competitive behaviour - that political strategies are also used to assert one's own particular national interests. The result of this process is thus by no means the product of a well-thought-out and inherently stringent programme for the benefit of humanity as a whole, but rather the manifestation of nation-state interests in an international arena." (2013, pp. 101–102, author translated).

De La Torre 2000, p. 176).[31] Based on this problem-oriented approach, a closer examination of regime creation is necessary to determine the theoretical appeal of the World Heritage regime.

Additionally, a problem-oriented perspective suggests that specific demands can lead to the creation of international regimes. As one of the classical theorists, Keohane argued (1982, p. 347) that these demands reflect expectations for international cooperation (on expectations concerning international climate change regimes see Ciplet 2015, p. 254). However, other scholars, such as Strange (1982, pp. 491–493), refuted such claims as misleading assumptions about the positive effects of the proliferation of international organisations, NGOs and the interest of governments to enhance cooperation in specific areas (on the misleading assumptions about the authority of the international human rights regime see Hafner-Burton & Tsutsui 2007). In the case of human rights, Donnelly also questioned this type of state-centred view on international cooperation due to the fact that ineffective global human rights regimes, such as the Universal Declaration of Human Rights, primarily reflect "widely accepted norms but extremely limited international decision-making powers" (2013, p. 138). A relevant case in this context includes the short-lived WHIPCOE initiative in 2000. This initiative, while intended to improve cooperation within the World Heritage regime, resulted in a proliferation of disagreements among States Parties about the meaningful involvement of Indigenous peoples in decisions regarding the designation and protection of World Heritage sites (Meskell 2013a). A problem-oriented approach, therefore, needs to take into consideration the degree to which certain groups, such as conservation professionals or Indigenous representatives, have been able to change the perceptions and increase the awareness of problems related to the marginalisation of Indigenous peoples in the World Heritage regime. While the developments concerning Indigenous peoples' involvement are highlighted in section 3.2, this problem-oriented approach

[31] An in-depth discussion of cultural diversity as an area of study is beyond the scope of this study. For context, in the World Heritage regime at the level of organisations and governments, cultural diversity has implications in the development of policies that seek to avoid the pitfalls of cultural essentialism and racism. From a psychological perspective, Verkuyten and Yogeeswaran outlined the effects of cultural diversity on pluralistic societies (2020). Their arguments build on the problematic narrative of multiculturalism that tends to construe cultural diversity in terms of group differences. In their view, "[m]ulticulturalism […] needs to avoid a unidimensional (race, ethnicity) and essentialist interpretation of group differences" (ibid. p. 3). As a solution to this misconception of cultural diversity, they put forward that interculturalism provides a less assimilationist framework to improve intergroup relations concerning "reduced social dominance [and] reduced essentialism" (ibid.). Despite the persisting problems in avoiding the essentialists misconceptions of cultural diversity in reality, this definition of interculturalism has also become a key paradigm of UNESCO's policy approach to globalisation since the end of the Cold War (UNESCO 2009). UNESCO's programmes and conventions such as the World Heritage Convention shall promote intercultural dialogue as a response to tensions and conflicts between peoples, regions and nations (Hüfner 2016, pp. 51–52). World Heritage sites in particular are considered as suitable places where intercultural dialogue can promote the potential of post-conflict reconciliation as the example of Robben Island Prison in South Africa demonstrated (UNESCO 2009, pp. 50–51).

is more relevant for explaining the formation of the World Heritage regime, according to Schmitt (2011, pp. 89–94).

The "Three UNs": Illustration of Regime Formation in the World Heritage Context

To illustrate how the World Heritage regime is institutionally structured, this section draws on Weiss et al.'s (2009) model of "three different UNs". While it is not a comprehensive theoretical framework, this model offers a valuable heuristic tool for understanding the structure of the World Heritage regime (see Figure 3.1). The model demonstrates the interaction between governments, specialised agencies, and NGOs within the UN, highlighting how these dynamics contribute to the development of international regimes, such as the World Heritage Convention. The "first UN" refers to the realm of governments, focusing on negotiations and voting procedures among UN member states. The "second UN" pertains to specialised agencies and programmes, emphasising the internal organisation and bureaucratic aspects of the UN. Finally, the "third UN" encompasses NGOs and experts from various fields operating beyond the formal structures of the UN. According to the model, the emergence of a networked space (D) within the UN system has challenged the traditional dominance of nation-states by enabling broader participation from these actors. Regime formation is therefore increasingly shaped by the involvement of such "outsiders", whose interactions within this networked space, as well as with the first and second UNs (A and C), allow the third UN to play a growing role in advancing international goals within the UN arena.

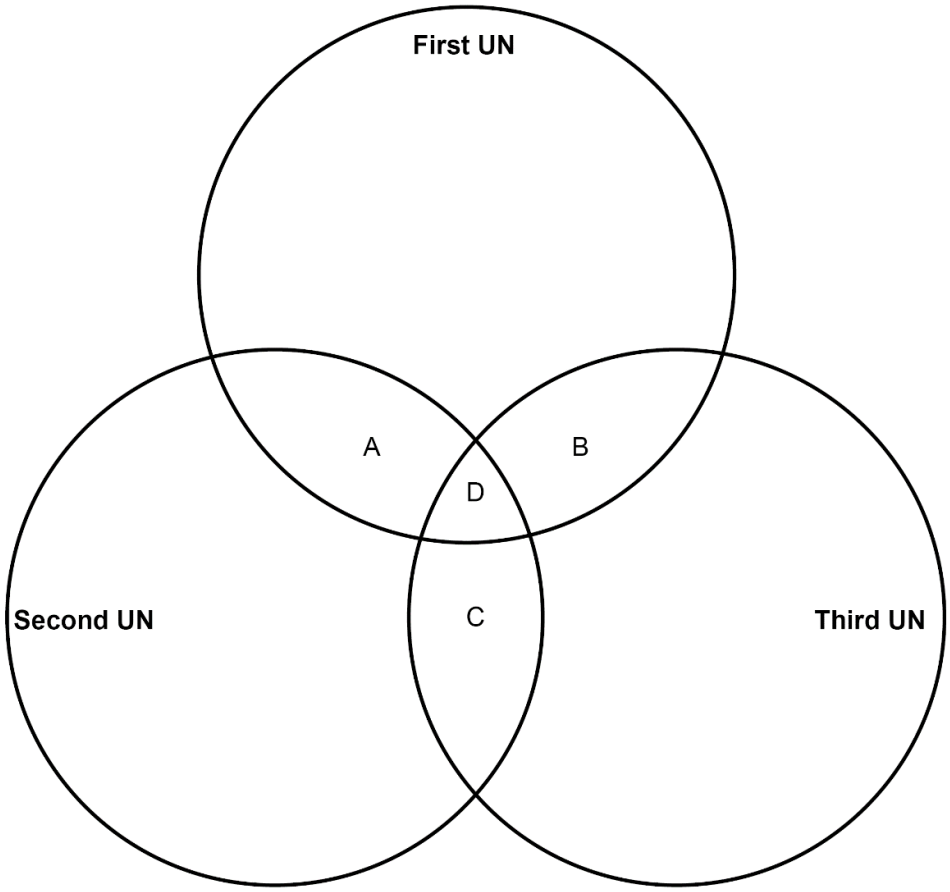

Figure 3.1: Interactions among the three different UNs (cf. ibid. p. 135)
***A**: International and national civil servants' interactions*
***B**: State–-civil society interactions*
***C**: Secretariat–civil society interactions*
***D**: The networked space within which individuals and private organisations interact with the first UN and the second UN to influence or advance UN thinking, policies, priorities, or actions*

This model can be applied to the World Heritage regime (see Figure 3.2). The "first UN" consists of two intergovernmental bodies with decision-making authority under the World Heritage Convention. All States Parties participate in the General Assembly, which convenes every two years during the UNESCO General Conference to elect 21 new members to the World Heritage Committee. In accordance with the Convention and Operational Guidelines, States Parties assume the responsibility of identifying potential sites for inclusion on the World Heritage List. The Committee meets annually to evaluate applications for listing on the World Heritage List. Over time, World Heritage Committee meetings have increasingly transformed into a "networked space" where states, international administrative bodies, and representatives of the "third UN" engage in the implementation of the World Heritage Convention.

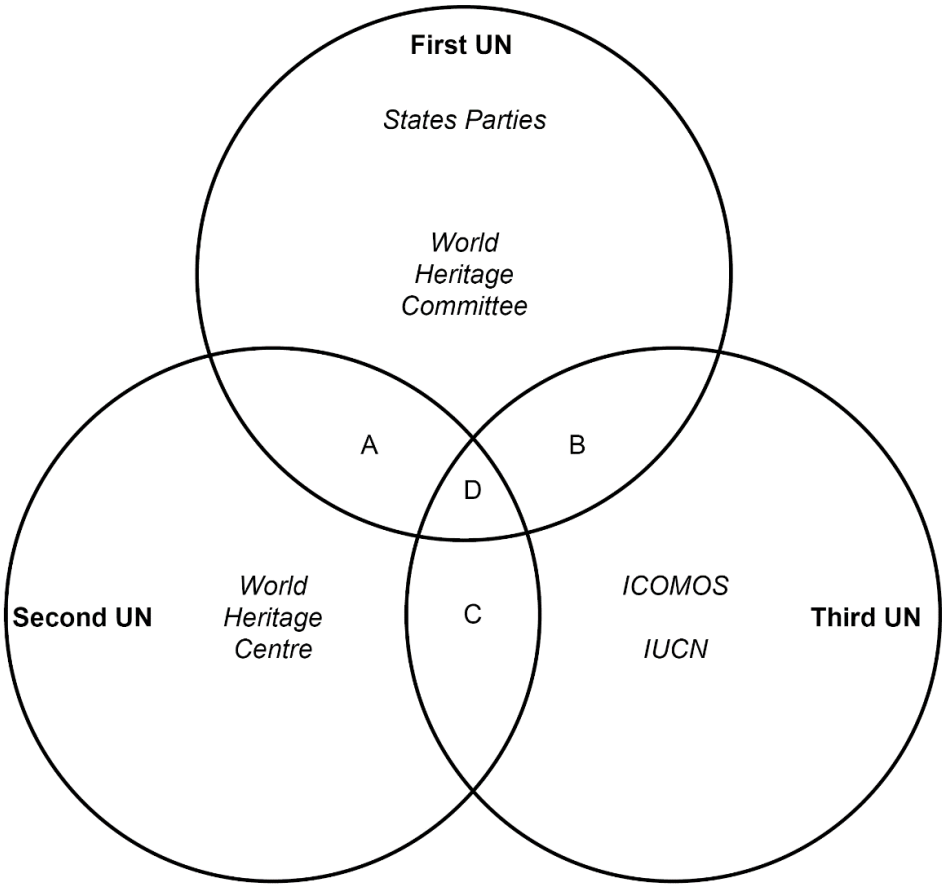

Figure 3.2: The World Heritage regime from a "three UNs perspective"

Established in 1992, the World Heritage Centre serves as the administrative arm of the "second UN". Its primary role is to oversee the inscription and preservation of World Heritage sites. The Centre provides guidance to States Parties on nominations and prepares regular reports on the condition of listed sites. Additionally, it organises and supports the annual meetings of the World Heritage Committee. Representing the "third UN" are two key non-governmental organisations: IUCN and ICOMOS. These organisations bring together independent experts who assess and evaluate States Parties' nominations. Although the Committee's decisions are based on these evaluations, recent trends show a growing deviation from experts' recommendations. This raises concerns about the influence of States Parties' interests on the World Heritage regime (Brumann 2021, pp. 101–104). More precisely, both Advisory Bodies hold statutory rights under Articles 13 and 14 of the World Heritage Convention (UNESCO 1972). Their roles as Advisory Bodies are outlined in paragraphs 30–37 of the Operational Guidelines (UNESCO 2023).[32]

[32] The International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM) is another Advisory Body, which was established in Rome in 1956 as an intergovernmental organisation. ICCROM's experts, elected by the General Assembly, provide training, information, research, and advocacy for the protection of World Heritage. ICCROM's structure resembles the "second UN".

The "three UNs" model developed by Weiss et al. provides a non-state-centric lens for understanding the interplay between the States Parties, the World Heritage Committee, the World Heritage Centre, and the Advisory Bodies within the World Heritage regime. Moreover, the non-state-centric approach reveals how the concern to protect natural and cultural heritage of global significance shaped the structural dynamics that led to the formation of a cultural regime around the World Heritage Convention (cf. Elliott & Schmutz 2016, pp. 145–146). From this perspective, the emergence of the World Heritage regime can be understood in terms of the expansion of universalistic discourses, legitimising mobilisation around natural and cultural heritage in world society (cf. Meyer, Frank, Hironaka, Schofer & Tuma 1997, pp. 625–627).

Similar to Weiss et al.'s argument regarding the ability of NGOs to act as norm entrepreneurs through the third UN (Weiss, Carayannis & Jolly 2009, p. 132), world society theory argues that scientific and civil society associations frame global issues through discourse (Meyer, Frank, et al. 1997, pp. 634–635). While the "three UNs" model highlights the practical interactions within the World Heritage regime, the world society perspective underscores the cultural frameworks that reinforce the regime's global legitimacy. Consequently, the World Heritage regime increasingly frames challenges to the protection of cultural and natural heritage "in a way that involves the legitimate and almost universal interests and perspectives of people, organizations, and nation-states" (ibid. pp. 630–631). However, the World Heritage regime does not merely represent an authoritative structure for addressing global concerns regarding the protection of humanity's cultural and natural heritage. The regime's emergence is closely tied to the rise of UNESCO as an intergovernmental platform after the Second World War. This development facilitated the organisational structures necessary for its expansion, following a series of informal conferences that took place in the early twentieth century and during the interwar period (Elliott & Schmutz 2012, pp. 265–269).

The World Heritage Regime and its Discontents: Latest Developments

Taking a problem-oriented approach to regime formation in this context requires an understanding of structures, practices, and forms of cooperation and conflict in the World Heritage regime. Due to its complex dependency on UNESCO as a specialised UN agency, the World Heritage regime's formation and development have been characterised by controversies over UNESCO's foundational idealism and concerns about the ineffectiveness of the organisation in practice (Singh 2011, pp. 18–19). The complex nature of this dependency on UNESCO remains relatively unclear, as is evident from recent studies on the World Heritage Convention (Meskell

2018; Brumann 2021). Although UNESCO's idealism is inextricably connected with a perception of peace that transcends the simple absence of violence or hostilities (Pavone 2008, p. 25)[33], issues of ineffectiveness and controversies over "politicisation" (James & Winter 2017, p. 37) affect all of UNESCO's programmes and conventions. Critics tend to overlook, however, the problems arising from UNESCO's various initiatives, such as the continued growth of member states, the differentiation of fields of action and the development of novel instruments such as the UNDRIP (Hüfner 2016, p. 9). Additionally, Gareis and Varwick noted that this unlimited growth in the mandates and responsibilities of UNESCO had affected the UN system as a whole in a harmful way and has seen all areas of the system brought to the limits of their capability (2014, p. 23). Hence, it is not surprising that Gareis and Varwick offered similar recommendations for structural and institutional reform of the UN system (ibid. p. 293 ff), which Hüfner also deemed necessary in the specific case of the UNESCO (2016, p. 126 ff). While it is not possible to discuss all the issues related to UNESCO's lack of reform in detail, it is relevant to emphasise that the World Heritage regime's problems and the associated discontent stem mainly from the issues outlined above.

Recent studies on the growing discontentment with the activities of the World Heritage regime focus primarily on its prominent role in establishing standardised procedures for the designation of cultural and natural heritage sites and the growing dominance of States Parties (on the shortcomings of standardisation see Labadi 2013, pp. 25–58; on the increasing role of experts see Schmutz & Elliott 2017; on the problem of branding see Meskell 2018; on the increasing dominance of State Parties see Brumann 2021). Smith highlighted the importance of the World Heritage Convention in institutionalising Western "conservation ethic" (2006, p. 27) globally. In fact, disagreements over the criteria for inscription and the OUV of cultural and natural sites have accompanied the Convention since inequalities in the regional representation of World Heritage sites have become apparent (Labadi 2013, pp. 33–39). Schmutz and Elliot asserted that the consequences of these regional inequalities would need to be addressed through an exploration of the practices of scientific standardisation and evaluation in the World Heritage regime (2017, p. 155). In contrast, Brumann offered explanations for why States Parties are inclined to force specific nominations onto the World Heritage List, even when "increasingly sophisticated"

[33] Singh notes that UNESCO's idealism is based on the objective of altering peoples' perceptions of war and peace through international cooperation and binding treaties in the fields of education, science, and culture (2011, pp. 18–20). This distinctive view reflected a certain optimism that the formation of the UN and its specialised agencies in the aftermath of the Second World War could tame hostilities. Despite the fact that the work of the organisation was marked by ideological clashes during the Cold War in the subsequent decades, UNESCO upheld its belief in a "positive peace agenda" (ibid. p. 19), which remained the guiding idea for the majority of its programmes and conventions.

(2021, p. 37) evaluations by the Advisory Bodies do not clearly demonstrate that these designations meet the criteria for inscription.[34] Hence, the main sources of dissatisfaction are the trend towards intergovernmental bargaining (ibid. p. 143) in the World Heritage regime and conflicts over the ideas of universal heritage values (Harrison 2013, p. 110).

Moreover, in her historical investigation of the World Heritage regime, from the precursors of the Convention to the present, Meskell provided empirical evidence that the dissatisfaction developed as a result of the change in UNESCO's mission (2018, pp. 56–58). A historical basis for this dissatisfaction can be traced back to the period after the Second World War. During that period, UNESCO had maintained an idealistic vision of international cooperation, which it had inherited from its forerunner, the Commission International de Coopération Intellectuelle (CICI) (Hüfner 2005, p. 15 ff; Pavone 2008, p. 25 ff). As Meskell highlighted, prior to the adoption of the World Heritage Convention, UNESCO altered its initial idealistic vision when it led a campaign to salvage archaeologic monuments in Southern Egypt and Northern Sudan, where it assumed global responsibility for preserving heritage through technical assistance and international scientific cooperation (2018, p. 47). Meskell's study suggests that following the adoption of the Convention, this idealistic vision experienced a continuous decline marked by a substantial change in the "model of international cooperation" (ibid. p. 56).

Similar to Brumann (2021, p. 83 ff), Meskell notes that the unquestionable trend towards intergovernmental procedures in the World Heritage regime has caused dissension concerning the concept of World Heritage (2018, p. 72). This trend became particularly apparent in the appointment of "politicians, rather than cultural and natural heritage experts, [dominating] the national delegations" (ibid. p. 79) at the World Heritage Committee sessions. Therefore, the dissatisfaction stems from "state agendas [that] now eclipse substantive discussions of the merits of site nominations in tandem with issues raised over community benefits, the participation of indigenous stakeholders, or threats from mining, exploitation, or infrastructural development" (ibid. p. 80). In particular, regarding Indigenous peoples' human rights, doubts over the political agendas of national delegations resulted in contestations of the World Heritage regime (Disko 2017).

In summary, this section demonstrated the benefits of expanding the concept of the World Heritage regime as an international regime. In particular, Schmitt's (2011) approach,

[34] In a similar vein, Cameron claimed that these practices are "producing a form of 'insignificance'" (2020, p. 851), because States Parties can override recommendations by the Advisory Bodies when the World Heritage Committee decides on the listing of nominated sites. She argued that States Parties fear "that they will not benefit from the World Heritage brand, from its international protection and cooperation, nor will they receive financial support from the World Heritage Fund and other global partners" (ibid.).

which considers the World Heritage regime as an element of global cultural governance, opened new pathways for transdisciplinary perspectives on conflicting perceptions about heritage. Despite certain limitations, global cultural governance offers a framework for investigating interactions across various geographical, cultural, and political scales. A critical conceptualisation of global cultural governance, however, requires exploring unequal power relations and Eurocentric biases in the World Heritage regime, as well as the impact of these factors on Indigenous peoples' involvement (Elliott & Schmutz 2012). World Heritage as a regime also draws on international regime theory that marked a shift away from state-centred theories in international relations. Mason and De La Torre (2000) asserted that increasing global demands to safeguard cultural and natural heritage in different locations require nation-states, experts, and international officials to cooperate more closely; in contrast, recent studies have taken a problem-oriented approach (Schmutz & Elliott 2017; Meskell 2018; Brumann 2021). These studies stress the relevance of conflicts over procedures and values and the dominance of political agendas in the World Heritage regime. Hence, a problem-oriented approach considers the extent of dissatisfaction with the World Heritage regime.

3.2 Indigenous and Decolonial Perspectives on the World Heritage Regime: A Critical Examination

Building on the idea of a problem-oriented approach, this section focuses on Indigenous and decolonial perspectives on the World Heritage regime. These perspectives bring a critical lens to the discourse, illuminating the complexities, power dynamics, and inherent colonial legacies within the regime. By examining these perspectives, this section explores how Indigenous peoples challenge the existing power structures within the regime – specifically the ostensibly inclusive decision-making processes and the lack of recognition and protection of their rights and knowledge. Through this exploration, this section unpacks the historical power imbalances and injustices that continue to shape the regime. This problem-oriented perspective has also permeated the UN mechanisms, which have provided a platform for critically questioning the inherent unequal power dynamics within the World Heritage regime.

In a study conducted in 2015, EMRIP evaluated the dissatisfaction expressed by Indigenous peoples regarding their participation in cultural heritage policies at the international level (United Nations 2015, p. 11). The EMRIP study centred on submissions from Indigenous organisations, emphasising the significance of land and territories in safeguarding Indigenous cultural heritage. During this instance, the Unrepresented Nations and Peoples Organization (UNPO) submitted a report on the situation of the Batwa people in Central Africa (2015). The

case exemplifies the persistent legacy of "green colonialism" within the World Heritage regime, posing a threat to the cultural heritage of Indigenous communities, especially those in vulnerable positions. The forced eviction of the Batwa from Bwindi Impenetrable National Park in Uganda in 1991, followed by the park's inscription on the World Heritage List in 1994, highlights the disregard for the Indigenous inhabitants. The report also stresses the adverse effects on the Batwa's wellbeing and cultural practices resulting from the loss of access to their ancestral lands, which has forced them to adopt alternative livelihoods (ibid. p. 28).

In the context of the present research, the EMRIP study provided a comprehensive analysis that underscored the vital interconnection between lands, territories, the environment, and the cultural heritage of Indigenous peoples (United Nations 2015, p. 4). This recognition of the central link between these elements was further reinforced by incorporating insights and contributions from Indigenous communities across different regions worldwide. However, as per Smith's critique of the authorised heritage discourse, dominant heritage frameworks often focus narrowly on aesthetically pleasing material objects, sites, places, and/or landscapes that are deemed important for education and the forging of a common identity of the past by current generations. The justification for establishing World Heritage sites on Indigenous peoples' lands must extend beyond singular interpretations of the past. Smith's critique suggests that Western societies view, appropriate, use, misuse, construct, reconstruct, glorify, and distance the past (cf. Lowenthal 1985). Echoing this, the prevailing narratives within the World Heritage regime remain heavily influenced by the recognition and value attributed to historical remnants and the preservation of cultural heritage (cf. Choay 2001). By acknowledging and incorporating these diverse perspectives, the EMRIP study shed light on the global significance of this connection and its relevance to the preservation and understanding of Indigenous cultural heritage.

In order to define Indigenous and decolonial perspectives on the World Heritage regime, this subchapter further delves into the colonial legacies and power dynamics inherent in global conservation practices. It addresses critical issues such as Indigenous advocacy in the World Heritage regime, negotiating control in collaborative settings, and the structural inequalities rooted in Eurocentric knowledge production. By drawing on examples of World Heritage sites, including the Batwa people, Uluṟu-Kata Tjuṯa National Park, and Pimachiowin Aki, this section explores the role of Indigenous knowledge systems and sovereignty in decolonising heritage management. Finally, this section examines contemporary decolonial perspectives on inclusive conservation practices that integrate holistic approaches to Indigenous cultural heritage within the World Heritage regime.

Negotiating Control: The Intersection of Indigenous Activism and Conservation in the Shifting Middle Ground of the World Heritage Regime

Smith's critique of authorised heritage discourse brought attention to a key issue contributing to the persistent impact of "green colonialism" within the World Heritage regime (2006, chap. 8). However, it is essential to distinguish between the critique of the authorised heritage discourse and a critique of the World Heritage regime itself. Smith's perspective is predominantly shaped by disciplinary frameworks in the field of cultural heritage, resulting in a limited examination of alternative narratives in the World Heritage regime, including conservation (ibid. p. 281).[35] The critique of "green colonialism" reveals that Indigenous perspectives on heritage encompass not only cultural aspects but also extend to conservation and the protection of biodiversity within World Heritage sites. Nevertheless, her concept of the authorised heritage discourse sheds light on the dominant framework and narratives through which heritage is constructed, controlled, and represented by institutions of power in the World Heritage regime. Furthermore, these narratives often marginalise or exclude alternative perspectives and voices, in particular Indigenous conceptualisations of heritage. The ongoing marginalisation stems from the power struggle over symbolic heritage resources, which, according to Smith, defines the legitimacy of Indigenous claims:

> "[T]he ability of governments and policymakers to also control symbolically important heritage, or vest that control in 'objective' experts through the heritage management process, is also an exercise in which the ability to grant or withhold legitimacy to Indigenous cultural claims may be regulated or governed by governments and their policymakers." (ibid. p. 282)

Therefore, the control of heritage is a politically charged issue that encompasses power dynamics, unequal distribution of power, and the use of heritage and practices to legitimise or challenge claims to identity and resources (ibid. p. 281). As the case of the Batwa confirms, the lack of control experienced by Indigenous peoples when their territories overlap partly or entirely with World Heritage sites is a consequence of the "dominance of non-Indigenous perceptions

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[35] This limitation becomes apparent in Smith's definition of the authorised heritage discourse, which "focuses attention on aesthetically pleasing material objects, sites, places and/or landscapes that current generations 'must' care for, protect and revere so that they may be passed to nebulous future generations for their 'education', and to forge a sense of common identity of the past" (2006, p. 29). While it is challenging to fully capture the breadth of Smith's definition, it is crucial to emphasise that the justification for establishing World Heritage sites on Indigenous peoples' lands extends beyond singular interpretations of the past. Hence, the notion of heritage that the critique of the authorised heritage discourse addresses refers to how Western societies view, appropriate, use, misuse, construct, reconstruct, glorify, and distance themselves from the past (cf. Lowenthal 1985). However, the prevailing narratives within the World Heritage regime remain heavily influenced by the recognition and value attributed to historical remnants and the preservation of cultural heritage (cf. Choay 2001).

in the legal and heritage management process" (ibid. p. 283) in the World Heritage regime. Consequently, the World Heritage regime amplifies the presence of "discursive barriers" (ibid.), which contribute to the marginalisation of Indigenous knowledge and the exclusion of Indigenous ways of transmitting their histories that are linked to their lands and territories. While the issue of control was not addressed in Schmitt's conceptualisation of the World Heritage regime, Smith's critique established a link between authorised heritage discourses and the political struggles of Indigenous peoples for self-determination (ibid. p. 295). This link underscores the need for Indigenous communities to actively participate in the World Heritage regime, using it as a platform to assert their right to self-determination. It emphasises that the establishment of World Heritage sites on Indigenous territories goes beyond environmental preservation, representing a global undertaking to negotiate the political recognition of Indigenous knowledge and access to resources (ibid. p. 296). According to Smith, "[t]hese struggles may occur at family, local, community, national and international levels, but central to them will be conflict over whose experiences and perspectives are valid and whose are not" (ibid.).

In contrast, the World Heritage regime has emerged as a dynamic platform marked by intricate interactions between Indigenous activists and conservationists. These encounters reflect the growing concern with "the global project of nature conservation [which] is inextricably intertwined with the global project of cultural conservation" (Brockington, Duffy & Igoe 2008, p. 124). Brockington, Duffy, and Igoe described these encounters as the "[shifting] middle ground […] which represents a paradox of the convergence of conservation and indigenous peoples" (ibid. p. 125). Thus, this middle ground serves as a space where conservationists and Indigenous activists can move beyond the "discursive barriers" created by their respective assumptions about each other's abilities and contributions. Within this context, it is crucial to recognise that the discourse of the ecologically noble savage, as discussed by Ellingson (2001), has been introduced into conservation and may hinder the active promotion of Indigenous cultures and values as intrinsically valuable and significant. The noble savage myth creates unrealistically high expectations within the realm of World Heritage sites, and it can be considered as the antonym, so to speak, of the problem of "green colonialism" in the World Heritage regime. Both discourses originate from the historical context of European colonialism. In the middle ground, Indigenous activists globally emphasise the alignment of their environmental connections with conservation principles. They seek effective collaboration with international conservation organisations and employ these strategies as crucial means to retain authority over their ancestral lands (ibid. p. 127). In the context of the World Heritage regime, a notable example of this middle ground is the case of Kakadu National Park in Australia and the Mirarr

people's struggle against a uranium mining project supported by the Australian government (O'Brien 2014). As O'Brien notes, the case of the Mirarr people is a prominent example of successful collaboration with environmental NGOs and anti-nuclear activists, actively challenging the World Heritage Convention and its administrative practices (ibid. p. 324). The Mirarr people were granted observer status at the World Heritage Committee meetings, enabling them to express their concerns regarding the proposed mining project near the World Heritage site. Consequently, the Advisory Bodies recommended the inclusion of the property on the List of World Heritage in Danger, despite the Australian government's efforts to prevent such action (ibid. p. 333). O'Brien concluded that "[t]he World Heritage Committee proved an effective international stage to highlight the impacts of the imminent destruction of country and culture in a remote but significant corner of the globe" (ibid. p. 335).

Therefore, the collaborations that occur between Indigenous peoples and conservationists in the World Heritage regime reflect the shifting middle ground in global conservation efforts. While a certain convergence between Indigenous peoples and the objectives of the World Heritage Convention is likely in some cases, the middle ground might also obscure problematic forms of political mythmaking. In his discussion of *The Myth of the Noble Savage*, Ellingson (2001) demonstrated that conservationists in the twentieth century created the myth of the ecologically noble savage. Although international conservation organisations have reasons to assume that Indigenous knowledge of their lands and territories provides important insights about biodiversity, Ellingson argued that the introduction of the noble savage myth into conservation might lead to "unrealistically high expectations" (ibid. p. 354). Within the realm of World Heritage sites, this rhetoric further discourages the active promotion of Indigenous cultures and values as intrinsically valuable and significant. As Disko emphasised, the need to establish an OUV for each site further contributes to misrepresenting Indigenous communities living within World Heritage sites as extraordinary (2017, p. 55). The discourse of the ecologically noble savage can be considered as the antonym, so to speak, of the problem of "green colonialism" in the World Heritage regime. Nevertheless, it is crucial to recognise that both discourses originate from the historical context of European colonialism.

The Prospects of Challenging the Coloniality of Power and Decolonising the World Heritage Regime

The previous section demonstrated that the convergence between Indigenous demands and global conservation goals contradicts expectations that Indigenous peoples universally critique the World Heritage regime as "green colonialism". This section illustrates two elements of con-

tentious conservation in the regime and the extent to which they may have shaped circumstances for decolonising the safeguarding of World Heritage sites: the coexistence of exclusionary conservation practices with more inclusive approaches and the persistence of colonial power dynamics.

First, the coexistence of exclusionary and inclusive approaches reflects how the convergence of Indigenous demands and global conservation goals has created a sustained synthesis of opposites in how World Heritage sites are designated and managed. The example of the joint management model of Uluṟu-Kata Tjuṯa National Park in Australia reflects this enduring tension between opposing approaches. In discussing the importance of Indigenous Anangu values for re-inscribing the World Heritage site as a cultural landscape in 1994[36], Adams found that joint management with an Indigenous majority on the management board could not resolve all tensions (2014, p. 309). In particular, the tensions connected to the influence of tourism and Australian political priorities exert pressures on the Anangu, who are recognised as the traditional owners of the landscape. As a result, their cultural practices of protecting the site, which entail passing them on to subsequent generations, are constantly marginalised (ibid.). According to Adams, the Anangu tend to accommodate their concerns with Western approaches to protected areas management[37] and Australia's interest in promoting the park as a major tourism focus (ibid.).

Second, colonial power dynamics still persist within the World Heritage regime alongside these evolving conservation practices. According to Martínez Salazar, these dynamic are sustained by a process of globalisation that has given rise to the contemporary colonial/modern capitalist world-system (2012, pp. 5–6). Drawing on Quijano's distinction of the "coloniality of power" (2019, p. 24, author translated), Martínez Salazar argued that the consolidation of the current global order was achieved through two interrelated processes (2012, pp. 7–8). The first process was the establishment of a new social classification based on race leading to the perpetuated devaluation of formerly colonised people (ibid.). According to Quijano, the second

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[36] Uluru-Kata Tjuta National Park was initially inscribed on the World Heritage List as a natural site in 1987 and re-inscribed under cultural criteria in 1994. The re-inscription of the park as a cultural landscape reflects the recognition of "[t]raditional Anangu law, the Tjukurpa, [which] is the foundation of the Anangu living cultural landscape associated with Uluru-Kata Tjuta National Park" (UNESCO 2021b, p. 9).

[37] The Western approaches to protected areas management are apparent in the IUCN World Heritage Outlook on the site. IUCN's World Heritage Outlook assesses the conservation prospects for natural World Heritage sites, identifying threats, and proposing actions to improve their conservation outlook (IUCN n.d.). Since the mixed site was inscribed under natural criteria (vii) for its exceptional natural beauty and (viii) for ongoing geological processes of remarkable interest, the recent IUCN World Heritage Outlook report emphasised the natural values as well as "other important biodiversity values" (IUCN World Heritage Outlook 2020a, p. 2). Nevertheless, the report also acknowledged that "the loss of traditional cultural and ecological knowledge is considered one of the greatest threats to World Heritage values" (ibid. p. 5).

process was the expansion of Western capitalism that fused race with a new global division of labour (2019, p. 31). Consequently, this particular development of capitalism marginalised how the colonised populations produced knowledge and created meaning. Given that the World Heritage regime is rooted in European colonial and Western hegemony over knowledge production, Quijano's concept of the coloniality of power provides crucial insights for challenging the enduring legacy of "green colonialism" within the regime. As Quijano noted:

> "All cultural experiences, histories, resources, and products were eventually integrated into a single global cultural order revolving around European or Western hegemony. In other words, Europe, as a component of the new global power model, ultimately gathered under its hegemony all forms of control over subjectivity, culture, and especially knowledge, the *production of knowledge*" (ibid. p. 42, author translated, emphasis added)

Against this backdrop, the synthesis of opposites can be observed in the production of knowledge in the World Heritage regime. As the example of Uluṟu-Kata Tjuṯa National Park illustrates, the interaction between Western conservation practices and Indigenous knowledge depends on constant re-negotiation. The Anangu community, though gradually, is striving to disentangle itself from the enduring colonisation of its cognitive perspectives (cf. Adams 2014). For example, after several decades, the Anangu successfully achieved a ban on climbing Uluṟu in 2019, as they consider the sandstone monolith a sacred site (Parks Australia n.d.). Similarly, Uluru has gradually supplanted the English colonial name Ayers Rock (regarding the dual naming of Uluru, see Tourism Australia, n.d.). Furthermore, the convergence of opposites has become a justification for ensuring the park's conservation and long-term use as a World Heritage site. According to the site's management plan (Director of National Parks 2021), both cultural and natural values are given equal importance, evident in the emphasis on *Tjukurpa*, the Anangu's traditional law. Hence, this focus on the Anangu's traditional meanings demonstrates a shift in the recognition of Indigenous ways of knowledge production. The example of Uluṟu-Kata Tjuṯa National Park illustrates a reversal of the devaluation of Indigenous knowledge, and, consequently, it prompts a re-evaluation of the coloniality of power in the World Heritage regime. This section, therefore, proposes a framework to comprehend the prospects of decolonising the World Heritage regime.

Considering the convergence of opposites, understanding Indigenous demands for greater control is essential to challenging the coloniality of power within the World Heritage regime. As highlighted in the preceding subchapter, Indigenous demands represent a long-term struggle against discrimination, marginalisation, and exclusion in the designation and management of World Heritage sites. Furthermore, Indigenous peoples' discursive activism in the

UNDRIP drafting process centred on challenging discrimination to affirm their right to self-determination (Morgan 2011, pp. 123–128), with contestation of exclusionary conservation practices in the World Heritage regime emerging as a central focus of that activism. In this context, Stevens's four types of protected area displacement and marginalisation (see Table 2.1) are relevant, as they can also be observed as exclusionary conservation practices in the World Heritage regime (cf. Colchester 2014). For example, the EMRIP study reflected this Indigenous discursive activism, which addressed exclusionary conservation practices as a central concern[38], firmly criticising "repeated complaints by indigenous peoples and human rights organizations about violations of the rights of indigenous peoples in the implementation of the World Heritage Convention" (United Nations 2015, para. 38).

Moreover, the authorisation of discourses in the World Heritage regime concerning cultural heritage and conservation is inherently intertwined with the enduring consequences of the coloniality of power. According to Quijano and Ennis, the global expansion of colonial/modern capitalism is the underlying cause for the enduring presence of Eurocentric and Western hegemony (2000, p. 533). As a result, the authorisation of heritage and conservation discourses in the World Heritage regime stems from a Eurocentric production of knowledge in the colonial/modern capitalist world order. The cornerstone of Eurocentric knowledge production lies in constructing the "Other" or non-European, evident in Said's critique of the discourse of "Orientalism" (2003) within European arts and academia. Amin, however, emphasised that Said's critique of Eurocentrism was insufficient as it did not fully address the problem that "once [Europe] became capitalist and developed the power to conquer, [it] granted itself the right to represent others, […] and even judge them" (2011, p. 175). Amin contended that since the end of the Second World War, Eurocentric knowledge production has become synonymous with the "progressive Westernization of the world [which] is nothing more than the expression of the triumph of the humanist universalism invented by Europe" (ibid. p. 180). Drawing on Smith's critique of the authorised heritage discourse, the primary function of the World Heritage regime can be understood in terms of legitimising the diffusion of European universalist notions of heritage:

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[38] IWGIA and the Forest Peoples Programme elaborated on this central concern in their contribution to the EMRIP study. Both NGOs highlighted various specific concerns of Indigenous peoples about exclusionary practices in World Heritage sites, including the absence of regulations to ensure meaningful participation in designating World Heritage sites, insufficient respect for Indigenous rights in the inscription on the World Heritage list, lack of transparency in implementing the World Heritage Convention, inadequate involvement of Indigenous communities in management, restrictions on land-use activities, insufficient benefit-sharing with Indigenous peoples, lack of consultation in monitoring World Heritage sites, challenges in effectively bringing concerns to the attention of the World Heritage Committee, and insufficient efforts to address past and ongoing violations of Indigenous rights (IWGIA & Forest Peoples Programme 2015).

> "Part of the authority of the European AHD [authorised heritage discourse] […] lies in its own legitimizing assumptions that it *is* universally applicable and that there is, or must be, universal cultural values and expressions. The whole discourse of universality is itself a legitimizing strategy for the values and nature of heritage that underline the AHD. […] Although the claims to universality within the text of the World Heritage Convention and associated guidelines, practices and debates appear to offer a straightforward description of a value that simply *is*, it is nevertheless an explicit argument about the legitimacy of cultural narratives and values." (Smith 2006, p. 99, emphasis in the original)

In other words, Smith's critique of the universalist discourse in the World Heritage Convention reveals its primary function for validating and prioritising Eurocentric views on culture and nature on a global scale. Furthermore, Smith suggested that the adoption of the World Heritage Convention in 1972 should be contextualised within Western countries' encounters with the post-war destruction and deterioration of their historical heritage fabric (ibid. p. 100). On the other hand, by the 1990s, international conservation organisations began to recognise Indigenous peoples' role in preserving World Heritage sites (Brockington, Duffy & Igoe 2008, p. 113 ff). Nevertheless, to a certain extent, Indigenous peoples are often compelled to internalise universalist demands of the World Heritage regime, such as preserving the natural values of World Heritage sites on their lands and territories. Drawing on Brockington, Duffy, and Igoe, this internalisation is necessary for them to articulate their concerns about land rights and self-determination in the regime (ibid. p. 120). As highlighted by Lindroth, Indigenous peoples "are free to demand their rights but only within the boundaries set by these acceptable forums and instruments" (2014, p. 346).

Concerning Indigenous peoples' role, Chapin (2004) argued that the IUCN-WWF joint policy statement *Principles and Guidelines on Indigenous and Traditional Peoples and Protected Area* (1997) was one of the first international attempts to define the need to implement joint management models in the conservation of protected areas including World Heritage sites. However, the recognition of Indigenous peoples' "significant contributions to the maintenance of many of the earth's most fragile ecosystems" (ibid., principle 1) still reflects Eurocentric or Western notions of knowledge about the environment.[39] Drawing on Quijano's and Ennis' distinction of "Europe's hegemony over the new model of global power concentrated all forms of the control of [...] the production of knowledge under its hegemony" (2000, p. 540), this type of convergence of opposites also entails a new form of producing knowledge about conserva-

[39] On the other hand, it is important to engage cautiously with this critique of Eurocentrism, as it tends to homogenise "Europe" and its heir, the "West", without considering the nuances of diverse perspectives in contexts such as the World Heritage regime.

tion. While inequalities persist, obtaining Indigenous peoples' consent to establish World Heritage sites on their lands and territories is now important to preserve biodiversity on a large scale. Nevertheless, the denial of Indigenous modes of knowledge production in the designation and management of protected areas on their lands and territories reflects the role of "green colonialism" in the enduring inequalities in the World Heritage regime.

Expanding upon Quijano's critique of the coloniality of power, Mignolo elaborated on the "colonial semiosis" (2012, p. 14) to contextualise the emerging tensions and conflicts surrounding knowledge production in the colonial/modern global order. By colonial semiosis, Mignolo referred to the production of meanings in hierarchies of knowledge shaped by the coloniality of power (ibid.). In this context, the legacy of "green colonialism" within the World Heritage regime exemplifies this meaning-making process, wherein enduring exclusionary conservation practices mirror the historical legacies of Europe's colonial expansion (Mignolo 2012, p. 17). Consequently, the persistent effects of "green colonialism" are a manifestation of "colonial difference" (Mignolo 2002, p. 61), which has emerged in the globalisation process of the colonial/modern world order. Following the downfall of Europe's last colonial empires, the "myth of colonial difference" (Meghji 2021, p. 151), – in which civilised Europeans imagine themselves as superior to inferior colonised subjects – transformed into new forms of difference, such as the contrast between developed and underdeveloped countries (cf. Escobar 1995, chap. 2; Easterly 2007, chap. 8). Furthermore, Mignolo emphasised the dynamic nature of colonial differences:

> "The colonial difference is a connector that, in short, refers to the changing faces of colonial differences throughout the history of the modern/colonial world-system and brings to the foreground the planetary dimension of human history silenced by discourses centering on modernity, postmodernity, and Western civilization." (Mignolo 2002, pp. 61–62)

The colonial difference in the World Heritage regime pertains to the Western perception of Indigenous peoples as distinct, different, or "backward" (cf. Meghji 2021, p. 21). The colonial difference influences the regime to undertake certain interventions, such as addressing Indigenous presence as threats to conservation goals, as seen in the case of NCA in Tanzania (Olenasha 2014). Nonetheless, by recognising the unique historical experiences of colonial difference, it is possible to understand the dynamics of coloniality and explore ways of decolonising knowledge production. To this end, Mignolo's concept of "border thinking" (2012, p. 18) can transcend the confines of Eurocentric knowledge production and bridge the divide between internal and external perspectives (ibid.). Border thinking entails adopting an external perspec-

tive and engaging with alternative knowledge systems and diverse modes of expression (Mignolo, W. D. & Tlostanova 2006).

To incorporate border thinking into the World Heritage regime, it is, therefore, essential to accept that the "restoration, creation, and transmission of Indigenous cultural heritage is often about place, the environment, and relationships with human and non-human agencies" (Porsanger & Virtanen 2020, p. 296). Such a restoration of Indigenous cultural heritage can be discerned in the case of Pimachiowin Aki in Canada. As highlighted in the management plan of the World Heritage site, the "[Indigenous] Anishinaabe beliefs, values, knowledge, and practices are central to sustaining the natural and cultural values of the landscape and fulfilling the sacred duty to protect Pimachiowin Aki for present and future generations" (Pimachiowin Aki World Heritage Project 2016, p. 36). These principles for the protection of the site are reflected in the Anishinaabe concept of *Ji-ganawendamang Gidakiiminaa* (keeping the land), which was included in the management framework (ibid. p. 37). Furthermore, Porsanger and Virtanen underscored the relevance of the EMRIP study's focus on Indigenous perspectives on cultural heritage and their inseparable link with protecting the environment in traditional territories (2020, p. 291). In addition to the important ties with traditional territories, Porsanger and Virtanen identify two other elements affirmed by the EMRIP study (United Nations 2015) that can shape Indigenous perspectives on their cultural heritage through the lens of "border thinking":

> "Indigenous cultural heritage is a *holistic* and *inter-generational* concept based on common material and spiritual values influenced by the environment" (United Nations 2015, p.4 as cited in Porsanger & Virtanen 2020, p. 291, emphasis added by the authors)

In this context, *holism* challenges two problematic dichotomies globally authorised by the World Heritage regime, which have consistently marginalised Indigenous contributions to preserving World Heritage sites: the dichotomy between nature and culture in the World Heritage Convention and between tradition and modernity in understanding of Indigenous knowledge.

Porsanger and Virtanen argued that the differentiation between nature and culture in the World Heritage Convention hinders Indigenous peoples from overcoming this Eurocentric dichotomy through a holistic comprehension of cultural heritage (2020, p. 294). Examining Indigenous Australian ontologies, Harrison noted that they challenge the "Western anthropocentrism" (2013, p. 212) and the subsequent artificial separation between cultural and natural and between tangible and intangible heritage values. This separation is fixed in the World Heritage Convention, as inscribing mixed World Heritage sites requires separate evaluations by IUCN and ICOMOS (ibid.). IWGIA and the Forest Peoples Programme also outlined the implications of this divide between natural and cultural heritage in their contribution to the EMRIP study

(United Nations, (2015, p. 19). For example, the inscription of natural or mixed sites in the World Heritage List often leads to restrictions on Indigenous land-use practices, potentially leading to coerced displacement (ibid.). The adverse effects of restrictions on land use are exemplified in the case of the NCA (cf. Currier & Mittal 2021). Moreover, in an interview with the World Heritage Centre, Myrna Cunningham, the former Chair of UNPFII, criticised the harmful perception that Indigenous peoples threaten conservation within their own territories as a result of natural World Heritage inscriptions (World Heritage Centre 2012, p. 54).

Concerning the dichotomy between tradition and modernity in understanding Indigenous knowledge, Porsager and Virtanen highlighted that traditional Indigenous knowledge can adapt to changes that affect Indigenous communities (2020, p.293). Accordingly, Indigenous knowledge should be perceived as dynamic rather than confined within the narrow tradition–modernity divide (ibid.). Furthermore, the *inter-generational* concept of Indigenous cultural heritage reflects "the importance of the intergenerational relation to the land and communities" (Porsanger & Virtanen 2020, p. 292). As a result, Indigenous knowledge of cultural heritage relies on kinship relations among communities, and the preservation of these communities' oral history is intricately woven into their collective experiences (Porsanger & Virtanen 2020, p. 291). These collective experiences hold meaning across multiple generations within Indigenous communities and find expression through sacred objects or places (Porsanger & Virtanen 2020, pp. 292–293). Consequently, there is a compelling need to preserve Indigenous languages as they serve as the primary means of transmitting knowledge about the cultural heritage of Indigenous communities, such as "understanding time, ownership, collectivity, and many other things, among them those that do not have words in other languages" (Porsanger & Virtanen 2020, p. 294).

Nonetheless, it is important to consider that Indigenous peoples inhabit various geographic, ecological, and linguistic environments, each with their own unique historical experiences of colonisation.[40] Consequently, it is impossible to delve into lived experiences, management, advancement, transmission, and cultural heritage learning among all Indigenous communities. However, Porsanger and Vitranen's holistic approach demonstrates that preserving Indigenous peoples' cultural heritage is inextricably linked to their lands and territories (2020, p.

[40] Dahl highlighted the different historical trajectories between Indigenous peoples from North America, Australia or Aotearoa/New Zealand, Latin America, Asia, and Africa (2012, pp. 13–14). In settler countries such as the USA, Canada, Australia, or Aotearoa, Indigenous peoples were decimated by European settlers who took their lands, but settlers in most Latin American countries remained dependent on Indigenous inhabitants. In contrast, Indigenous peoples' experiences in Africa or Asia are distinct, because the native population remained the majority after independence. In many newly created Asian and African nation-states, however, Indigenous communities faced marginalisation and exclusion. As Dahl emphasises, "[t]he historical roots of marginalization in Asia and Africa are different from those in settler countries, as are the relationships to the state" (ibid. p. 14).

291). The authors went even further and claimed that it is necessary to "study how Indigenous societies and communities establish their notions of a system of cultural heritage" (2020, p. 296). The authors advocated for considering Indigenous peoples' views in the processes related to determining heritage. They stress the importance of including the social consequences of designating cultural expressions as heritage in legal expertise and academic discussions (ibid.). With regard to the World Heritage regime, this emphasis on processes also reflects the critical factors influencing "World Heritage-making" (Smith 2017, p. 20). According to Smith, "it is a negotiated process in which heritage meanings or heritage-making are constantly made and remade for the needs of the present" (ibid.). Given this context, it is crucial to examine whether the World Heritage regime has predominantly disseminated Eurocentric or nation-state conceptions of heritage globally and whether it adequately accommodates and negotiates non-European or non-national conceptualisations during the World Heritage-making process (Smith 2017, pp. 22–23).

Smith also highlighted that preserving World Heritage cannot be reduced to a technical matter because this view overlooks the intersecting social and political debates it embodies (2017, p. 35). For example, the World Heritage Committee has tended to ignore the eviction of the Indigenous Endorois from Lake Bogoria, as demonstrated in the case of the inscription of the Kenya Lake System in the Great Rift Valley in 2011 (cf. Abraham 2014). Concerning Indigenous peoples' notions of heritage, it is crucial to avoid reducing them to mere additional viewpoints that require special treatment[41] in the designation and management of World Heritage sites. For instance, Porsanger and Virtanen cautioned against essentialising Indigenous heritage because the boundaries between traditional cultural expressions and new influences are "constantly negotiated" (2020, p. 295). By adopting a purely technical perspective, the issue of the Eurocentric hegemony in the production of knowledge is overlooked, potentially perpetuating the coloniality of the World Heritage regime. On the contrary, by drawing on Smith (2017), it can be assumed that Indigenous notions of heritage reflect "claims for the recognition of difference and identity [that] are linked to demands and calls for restorative justice, social inclusion and greater equity in policy negotiations" (2017, p. 26). Consequently, promoting inclusive conservation and decolonising the World Heritage regime entails engaging with alternative Indige-

[41] "Special treatment" can imply an overly positive attitude towards Indigenous peoples and their cultural expressions, such as indicating support for their contributions to World Heritage preservation. However, caution should be exercised when using the term, as it may suggest preferential benefits for Indigenous communities through such remedial measures. In contrast, this study emphasises Indigenous peoples' historical marginalisation and exclusion in World Heritage sites, with documented evidence only emerging in recent decades. Hence, "special treatment" as a favourable bias towards Indigenous peoples may also imply a discriminatory or patronising attitude (cf. Pedersen, Dudgeon, Watt & Griffiths 2006).

nous knowledge systems to preserve and manage World Heritage sites. Nevertheless, promoting Indigenous knowledge systems within the framework of managing World Heritage sites remains an ongoing challenge, as exemplified in the case of Tongariro National Park in Aotearoa/New Zealand. While the park was inscribed as the first cultural landscape to recognise Indigenous Māori living traditions, beliefs, and artistic works, Asher emphasised that the management remains insufficient regarding protecting "sacred areas in the Park" (2014, p. 394).

Moreover, it is necessary to comprehend to which extent Indigenous rights to their cultural heritage remain contested in the complex web of political, bureaucratic, and normative entanglements surrounding the World Heritage regime (Brown 2003, p. 197 ff). More precisely, the prospects of decolonising the World Heritage regime depend on accepting Indigenous peoples' challenges to hegemonic modes of knowledge production and the legacies of "green colonialism". As y Blanc asserted, the legacies of "green colonialism" persist because "the ecological burden of the Western expert lies in theories about environmental decline that legitimise control" (2020, p. 39, author translated). However, World Heritage-making has evolved into an arena for "border thinking" and the engagement with Indigenous peoples' alternative ways of restoring, creating, and transmitting their cultural heritage (Porsanger & Virtanen 2020, p. 296). Harrison's exploration of Indigenous ontological perspectivism suggests that it profoundly challenges World Heritage-making processes by emphasising "the relationship between people, 'things' and their environments as part of a dialogue […] of keeping the past alive in the present" (2013, p. 216), signifying the potential for "border thinking".

This section critically examined Indigenous and decolonial perspectives on the World Heritage regime, focusing on the regime's complexities, power dynamics, and inherent colonial legacies. By drawing on the concepts of the authorised heritage discourse, the coloniality of power, and "border thinking", it explored how Indigenous peoples challenge existing power structures in the regime, particularly concerning the recognition and protection of Indigenous rights and knowledge. The analysis investigated how Indigenous peoples negotiate control over their cultural heritage and territories in the shifting middle ground of global conservation, where they encounter both opportunities and challenges in collaborating with environmental NGOs and activists. Furthermore, the discussion addressed prospects for decolonising the regime by engaging with alternative Indigenous knowledge systems and modes of expression that transcend problematic Eurocentric dichotomies of nature, culture, tradition, and modernity, arguing that holistic notions of Indigenous cultural heritage are inextricably connected with their lands, environments, inter-generational relationships, and identities. The problem-oriented approach shed light on historical power imbalances and injustices that continue to shape the regime, while

also demonstrating that it is not a static entity but a dynamic and contested arena where diverse perspectives can be negotiated in the World Heritage-making processes. By incorporating insights and contributions from Indigenous communities across different regions worldwide, this section highlighted the global relevance of Indigenous cultural heritage as a way of "border thinking" for understanding and preserving World Heritage.

4 Redefining Conservation in World Society: Sociological Challenges and Theoretical Conversations

The previous chapters provided an overview of contemporary literature on the key issues that contribute to the ongoing exclusionary conservation practices within the World Heritage regime. Despite some advances in the recognition of Indigenous peoples' rights, their marginalisation remains a pressing concern, particularly through the ongoing phenomenon of "green colonialism". This chapter addresses research gaps concerning the exclusion of Indigenous peoples within the World Heritage regime. Section 0 identifies critical gaps in understanding the marginalisation of Indigenous peoples, focusing on their underrepresentation in decision-making processes. Section 4.2 builds on these insights using a world society approach to formulate the research questions that guide case studies in subsequent chapters. By proposing a theoretical dialogue between world society theory and decolonial and Indigenous perspectives, this chapter broadens sociological understanding of the intersection between Indigenous rights and global conservation practices. This approach lays the groundwork for exploring the transformative potential of Indigenous claims and the challenges of integrating justice into the World Heritage regime.

4.1 Research Interest: Mapping Overlooked Indigenous Agency in the World Heritage Regime in Existing Research

This section outlines the research interests of the present study, establishing the direction and scope for the comparative analysis of World Heritage sites in the following chapter. This study explores the agency of Indigenous peoples within the World Heritage regime and, specifically their challenges to, and resistance against, exclusionary conservation practices in protected areas. To address this problem, this study follows a sociological approach informed by world society research, international regime theory, postcolonial theory, and research on the UNDRIP. Furthermore, this approach recognises that the issues of exclusion and marginalisation faced by Indigenous peoples in the context of conservation are not solely local or national but are embedded within the global framework of the World Heritage regime.

The study's empirical focus lies in investigating the impact of Indigenous rights claims within the World Heritage regime and their implications for the redefinition of conservation in world society. Given the persistence of exclusionary conservation practices, one of the central objectives of this study was to explore whether Indigenous peoples can promote socially just

and inclusive protected area conservation within the regime. Although there have been meaningful advances in the recognition of the human rights of Indigenous peoples through the UN (cf. Morgan 2011; Dahl 2012; Bennani 2016), Indigenous communities can still be marginalised by the dominant conservation models within the World Heritage regime, as these protected areas were often established on their territories without their consent. While existing research has demonstrated that Indigenous peoples have contested the dominant paradigm of protected areas conservation (cf. Stevens 1997, 2014c; Colchester 2014), there is a clear gap in understanding the persistent marginalisation of Indigenous communities within the World Heritage regime. This section highlights the key research gaps related to the ongoing issues of exclusion and lack of representation for Indigenous peoples in the realm of World Heritage sites.

This interdisciplinary research addresses a central question in Critical Heritage Studies: the extent to which Indigenous peoples control the cultural and natural heritage designated for preservation on their lands and territories. Critical Heritage Studies foregrounds the dynamics of power relations and the impact of colonial legacies on safeguarding cultural and natural heritage (cf. Harrison 2013). Furthermore, this study adopts a sociological perspective and intersects with international relations, particularly concerning the World Heritage regime. Regarding the strengths of a sociological perspective, world society theories provide the specific analytical framework guiding this study's research questions on how the World Heritage regime affects Indigenous claims and vice versa. However, a succinct clarification of three research gaps identified through the literature review is needed before presenting them in more detail below and delineating the theoretical perspective of the research questions in the next section. These gaps indicate areas where further investigation is needed to refine existing knowledge on the redefinition of conservation in world society. Existing research on the World Heritage regime has focused primarily on its function in protecting global *cultural* heritage. However, there is a lack of understanding of how it interacts with protected area conservation and the resulting impacts on the livelihoods of Indigenous peoples. The implications of using the World Heritage regime as a theoretical framework have also not been sufficiently explored, particularly in relation to Indigenous rights. Additionally, the ongoing issue of "green colonialism" and its impact on Indigenous communities remains under-researched within the World Heritage regime.

The literature review analysed the scope of the problem by drawing upon previous studies that examined the origins and globalisation of "green colonialism", along with its implications for the rights of Indigenous peoples within the World Heritage regime. In particular, the discussion of previous studies on the regime revealed that existing research approached this problem horizon from a narrow perspective. For example, prior research by Schmitt (2011) on

the World Heritage regime and Meskell (2018) on the Convention has predominantly concentrated on the ramifications for cultural heritage. Notwithstanding the seemingly unexpected nature of this claim, it is striking that research on the World Heritage Convention has usually disregarded the enduring repercussions of "green colonialism." More precisely, existing research has primarily emphasised the cultural heritage dimension of the World Heritage Convention, thereby neglecting the important gaps in understanding the Convention's implications for Indigenous rights in terms of establishing protected areas on their lands and territories. Even though Indigenous peoples' human rights consistently occupy a central position in critical discussions of the World Heritage Convention, such criticism frequently fails to address calls for a "holistic" (Porsanger & Virtanen 2020, p. 291) notion of (Indigenous) heritage or to bridge the problematic separation of cultural and natural heritage (Disko 2017, p. 43 ff). However, previous research primarily relied on examining the importance of tangible and intangible dimensions of cultural heritage for the rights of Indigenous peoples (on Indigenous claims to assert their identity in the identification of cultural heritage, see Smith 2006, p. 298; on the discussion on the recognition of Indigenous peoples' cultural values in the inscription of cultural landscapes, see Harrison 2013, pp. 118–127).

Simultaneously, it is notable that research on Indigenous rights within the framework of the World Heritage Convention has largely overlooked crucial insights from research on the UNDRIP. Since its adoption, the Declaration has served as a standard-setting international framework that outlines the range of Indigenous peoples' collective rights and is a key pillar in promoting their self-determination, cultural integrity, and equal treatment within the UN system. For instance, Morgan examined the role of the global Indigenous movement in transforming the discourse and institutional setting in the UN in relation to Indigenous people's human rights (2011, p. 139 ff). Dahl considered the strategies through which Indigenous peoples exercise agency at the UN, using it both as a political platform and as a site for creating autonomous spaces within the organisation (2012, p. 33 ff). In this context, Lindroth and Sinevaara-Niskanen (2013) critically analysed how the political legitimacy of Indigenous peoples' agency occurs in international politics, emphasising that expectations of Indigenous participation and the recognition of their knowledge rely on essentialised aspects of "being Indigenous". Hence, Lindroth (2014) underscored the importance of the UNDRIP as an authorised platform for asserting Indigenous rights in international contexts, but also highlighted that it has resulted in limitations on Indigenous demands by requiring them to conform to nation-state acceptability. These aspects have received limited attention in research on the World Heritage Convention, for example, in relation to WHIPCOE (Meskell 2013a). On the other hand, the historical devel-

opment and theoretical underpinnings of the UNDRIP have been largely overlooked, particularly regarding the discursive impact of the global Indigenous movement on understanding human rights (Morgan 2011). During several decades of drafting the Declaration, Indigenous peoples have employed a specific discursive repertoire, most notably by contesting discrimination through their claims for self-determination (ibid.). As a result, the global institutionalisation of "being Indigenous" as a human rights category was driven by Indigenous peoples' reinterpretation and redefinition of existing human rights (Bennani 2016). The reinterpretation of existing human rights constitutes the theoretical underpinnings of the Declaration, which eventually led to an expansion of Indigenous legal claims such as the right to self-determination.

Furthermore, more research is needed on the institutional environment of the World Heritage Convention (cf. Barthel-Bouchier 2015). The institutional perspective, in particular, provides a theoretical framework for examining the negotiation of norms and practices among various actors within the institutional environment of the World Heritage Convention (Elliott & Schmutz 2012). Therefore, the institutional perspective was explored by drawing on Schmitt's (2011) conceptualisation of the World Heritage regime. Schmitt applied insights from international regime theory to understand how the World Heritage regime emerged, developed, and changed over time and how it influences and is influenced by other regimes, such as human rights and environmental protection. This approach focuses on the formal and informal rules, principles, norms, and procedures that guide the behaviour and cooperation of states and other actors in a specific issue area (cf. Krasner 1982). Furthermore, current research in the field of international relations indicates an increased prevalence of international regimes in contemporary global politics as they facilitate ways for voluntary collaboration (Gu 2018, p. 174). To understand the circumstances under which international collaboration emerges in specific issue areas, it is crucial to recognise that international regimes frequently shape the interests and perspectives of nation-states and other actors in constitutive ways (Zangl 2010). In the case of the World Heritage regime, these effects are, for example, an increased sensitivity to the participation and representation of Indigenous peoples in designating and managing World Heritage sites. As outlined in the literature review, significant gaps remain in understanding how problems related to Indigenous participation are perceived and subsequently influence the development of the World Heritage regime (Disko 2017). However, by considering the development of the UNDRIP and adopting the specific World Heritage regime perspective, it becomes possible to explore research on Indigenous rights through a problem-oriented approach.

In addition, the problem-oriented approach employed in this study examines Indigenous peoples' rights within the World Heritage regime through three interconnected perspectives.

Drawing on insights from environmental history and political ecology (Brockington, Duffy & Igoe 2008) on the concept of "green colonialism" (Blanc 2020), the first perspective investigates its repercussions on Indigenous peoples in the World Heritage regime. Current research on Indigenous peoples' rights within the World Heritage regime has yet to comprehensively address the interplay between political conflicts and the global ecological crisis (on the intersection between biodiversity conservation and Indigenous rights, see Stevens 2014b). Moreover, recent studies on challenges facing the World Heritage Convention have overlooked its relevance in global biodiversity conservation, as exemplified by Meskell's (2018) insightful examination of the processes within the World Heritage Committee. The limitations of focusing predominantly on cultural heritage when addressing Indigenous peoples' rights in the World Heritage regime are also evident in Smith's critique of the authorised heritage discourse (2006). The argument in her seminal work is based on the premise that the World Heritage regime portrays heritage as an apolitical and primarily technical issue by giving preference to the expertise of professionals like archaeologists and conservationists. In particular, Smith highlighted that this approach overlooks the contested aspects of Indigenous peoples' cultural heritage, which frequently leads to their marginalisation within the World Heritage decision-making processes (ibid. chap. 8). However, Smith's critique of the authorised heritage discourse has largely overlooked the broader scope of natural World Heritage sites as protected areas that encroach upon Indigenous lands and territories as well as the persistence of "green colonialism" in the World Heritage regime.

The second perspective analyses the question of justice within the context of historical injustices, framing the discussion around the UNDRIP and the globalisation of Indigenous rights without taking a normative stance. In previous studies, the role of justice in "trans-historical claims" (Torpey 2006, p. 164) in the context of Indigenous rights and the World Heritage Convention remains poorly understood. For example, Engle (2010) argued that the intersection of culture as heritage, development, and land within the discourse of Indigenous rights has often been overlooked as an issue of justice. Unlike Echo-Hawk (2013), Engle placed particular emphasis on the issue of economic justice in this context (2010, p. 275). In the context of the present study, justice refers to the processes of negotiating historical injustices, as Indigenous peoples who suffered from exclusionary practices of conservation achieved more recognition in the World Heritage regime (on the IUCN perspective on Indigenous participation in World Heritage, see Bille Larsen, Oviedo & Badman 2014). This view of justice aligns closely with Echo-Hawk's interpretation of the "distinct remedial purpose" (2013, p. 40) of the Declaration. Echo-Hawk asserted that justice constitutes a core principle of the Declaration, facilitating the

transformation of Indigenous demands into contemporary international legal contexts, thereby seeking substantial enhancements in the well-being of Indigenous peoples (ibid.). As a result, it must be noted that previous research has yet to consider the complexities linked to tackling historical injustices in implementing the Declaration within the framework of the World Heritage regime.

The third perspective explores the coloniality of the World Heritage regime through Indigenous and decolonial critiques of colonial difference.. The concept of colonial difference originated in the era of European colonial empires, allowing these empires to view other regions as less developed and requiring colonial intervention (Meghji 2021). Furthermore, coloniality encompasses the enduring impacts of colonialism, exemplified by the dominance of Western knowledge over non-Western knowledge (ibid.). Hence, the critique of the coloniality of the World Heritage regime implies that the deconstruction of the legacy of "green colonialism" can only be achieved when Indigenous knowledge is given equal consideration to the Western conceptualisation of conservation (as an example of how Indigenous claims have influenced protected area programmes in Canada, see Morrison 2000). On the other hand, current research indicates that the Advisory Bodies are increasingly incorporating Indigenous perspectives in nomination evaluations (Fogarty 2022). Nonetheless, the ultimate authority to decide on the inscription of sites lies with the States Parties on the World Heritage Committee (ibid.). Therefore, the limitations of previous research regarding the persistence of the coloniality of the World Heritage regime are increasingly apparent, particularly concerning the relations between States Parties, Advisory Bodies, and Indigenous peoples.

In summary, this section underscores the necessity of a robust theoretical framework to address the research gaps concerning the marginalisation of Indigenous peoples within the World Heritage regime. Building on the preceding literature review, it highlights the persistence of exclusionary conservation practices and the inadequate integration of Indigenous perspectives as critical issues. The analysis identifies three key gaps in existing research on Indigenous peoples and the World Heritage Convention. First, the literature predominantly focuses on *cultural* World Heritage sites, often overlooking the implications of natural World Heritage sites, resulting in an incomplete understanding of Indigenous participation in conservation. Second, despite its potential to advance respect for Indigenous self-determination and collective rights, the transformative implications of the UNDRIP within the World Heritage regime still remain underexplored. Finally, the decision-making processes within the World Heritage regime continue to reflect colonial legacies, with state and institutional interests frequently overshadowing

Indigenous voices. These identified gaps inform the central research questions of this study, which are addressed through the theoretical framework elaborated in the following sections.

4.2 Sociological Challenges and Theoretical Conversations: Overview of the Research Questions

The scope of the problem presented here, in conjunction with the explanations provided by the three critical dimensions, emphasises the importance of world society perspectives on processes of globalisation in this study. More precisely, this study contributes to the critical study of the World Heritage Convention by conducting a sociological analysis of the phenomenon known as "green colonialism" in the World Heritage regime. Against this background, the overarching theme of this study, the redefinition of conservation in world society, is not simply a short formula for the central problem. Instead, the underlying premise of the issue is that the globalisation of Indigenous human rights has generated a distinct realm of possibilities that transforms the way international conservation organisations operate. In addition, this study establishes a connection between current research on Indigenous rights in world society (cf. Bennani 2016) and research on the World Heritage regime, in particular with regard to its role in global conservation efforts. The theoretical framework employed in this study purposefully draws upon sociological research on world society, as it provides key concepts and theoretical intuition to develop the empirical investigation. As highlighted by Kleinschmidt (2018), the contemporary concepts of world society underscore its pluralistic and conflictive character, which challenges the notion of the nation-state as the dominant entity of world society.

Moreover, this study proposes a conversation between world society theories and emerging decolonial sociological approaches (Meghji 2021). By seeking to incorporate decolonial arguments into the theoretical framework, world society theories can be critically assessed in terms of the persistence of "colonial episteme" (ibid. p. 13), i.e., the epistemological dominance of coloniality in the social sciences today (Bhambra 2014). At the same time, the conservation model seeks to refute any assumption of world society as a form of global sociology. Particularly with regard to Indigenous rights, it is vital to avoid some of the ostensibly egalitarian Eurocentric presuppositions of globalisation research, such as development (for example, on the making of the Third World see Escobar 1995), North-South relations, or Sustainable Development Goals (on the persistence of modernisation discourses in the SDGs see Ziai 2016, chap. 14). As evidenced by the development of "green colonialism", the dispossession and displacement of Indigenous peoples in the guise of conservation persist. In addition, the objective of this study's approach was not to establish a foundation for a decolonial sociology through

theories of world society. Building upon preliminary efforts that sought to bridge postcolonial theories and world polity theory, it becomes evident that colonial epistemes cannot be dismantled solely through "thinking differently" (Grizelj & Kirschstein 2014, p. 101).

The next subsections present the two research questions that guide the empirical analysis of the case study research. Section 4.2.1 focuses on the implications of the institutionalisation of Indigenous rights as a distinct human rights category within the UN system. From a world society perspective, it is important to highlight that the institutionalisation of Indigenous rights has been the result of collaborative efforts of an Indigenous movement, respecifying the particular experiences of Indigenous peoples as collective human rights. Section 4.2.2 examines the interplay between global biodiversity conservation efforts and Indigenous advocacy that challenges the historical injustices of these frameworks. From a world society perspective, the globalisation of Indigenous rights has enabled Indigenous peoples to address these injustices through a discourse of collective human rights.

4.2.1 The Impact of the Globalisation of Indigenous Human Rights

The study's first research problem explores the impact of globalising Indigenous human rights on the World Heritage regime. To address this research problem, the theoretical approach is guided by a world polity theory perspective (Drori & Krücken 2010). According to Wobbe, the concept of world society in sociology is based on a distinct analytical framework (2000, pp. 5–6). Wobbe's emphasis on this distinction is particularly evident in comparison with the concept of globalisation that became dominant after the end of the Cold War. In very general terms, the concept of globalisation refers to the processes of interconnectedness, exchange, and interdependence that exist worldwide (cf. Giddens 1991; Robertson 1992). As Beck pointed out in his classic essay "What is Globalisation?" (2007b, author translated), this dynamic emerged from a new phase of economic globalisation, which shifted nation-state institutions, and ultimately all aspects of life, towards global interconnectedness and cross-border exchange. Furthermore, Giddens provided one of the earliest discussions of globalisation as interconnectedness by highlighting that "the modes of connection between different social contexts or regions become networked across the earth's surface as a whole" (1991, p. 65). The globalisation approach was also conceptualised in sociology as a response to methodological nationalism (Beck 2007b). The critique of methodological nationalism in the social sciences was based on observing that researchers often regarded the nation-state as the self-evident and unquestioned framework of their theoretical and empirical investigations (Wimmer & Glick Schiller 2002). While this conceptualisation of globalisation is relevant to understanding the emergence of the global Indige-

nous peoples' movement (Morgan 2011), there is a certain tendency to link this development merely to the changing role of the nation-state (for example, on the critique of Gidden's model of the global system and its institutional characteristics, see Robertson 1992, pp. 55–57).

Consequently, a world society perspective on the globalisation of Indigenous human rights needs to understand how it affects the World Heritage regime. In order to illustrate the advantages, it is useful to refer to Wobbe's definition of world society as a global layer of social organisation that operates as a common set of expectations for individuals, social groups, and societies (2000, p. 7). Against this backdrop, the theoretical world polity framework by John W. Meyer (2010b) is particularly relevant, as it identifies the "worldwide diffusion of expectations and related organisational forms" (Krücken 2005, p. 9, author translated) as central processes in world society. Moreover, Meyer, Boli et al.'s (1997, p. 145) concept of world society presupposes that the institutionalisation of all-encompassing cultural models helps to explain the diffusion of expectations and organisational forms.

Despite the considerable local variations, the institutionalisation of cultural models is evident in the globalisation of Indigenous human rights for two reasons. First, as Bennani noted, it is remarkable that within a human rights framework based primarily on individual rights[42], Indigenous peoples have succeeded in gaining collective rights (2015, p. 344). This process of "making indigenous human rights" (ibid. p. 339) in international law was the result of Indigenous peoples' long struggle against discrimination and racism. Second, Indigenous demands have become increasingly echoed at the UN, "where collective rights claims already existed as communicative offers" (ibid. p. 345, author translated). In this regard, Dahl emphasised that this development must be understood in the context of the International NGO Conference on Discrimination against Indigenous Peoples in the Americas, held in Geneva in 1977 (2012, p. 27). According to Dahl (2012, p. 29), the Geneva conference reinforced support for the first UN Decade for Action against Racism and Racial Discrimination (1973–1982), elevating Indigenous demands for UN representation. These developments ultimately led to the establishment of the WGIP in 1982 (ibid. p. 29).

[42] In addition, Joas characterised this framework as the global diffusion of the "sacredness of the person" (2011). He argued that each individual came to be considered sacred over time. He did not consider human rights to be inherent values waiting to be discovered (ibid. p.14). In contrast, Joas proposed a historically informed genealogy of human rights without attempting to deconstruct their universal claim to validity. His study emphasised a process of sacralisation of the inviolability of the individual, manifested in historical events such as abolishing torture or slavery, once a common practice in most societies. This, however, does not imply that torture and slavery have disappeared from the contemporary world. Moreover, there are ongoing efforts to justify the relativisation of human rights through appeals to nationalism or culture. However, Joas demonstrated that the development of the UN Universal Declaration of Human Rights in 1948 was a successful globalising process for the values of individual rights (ibid. p. 163). Consequently, the globalisation of these values will continue as long as there are institutions and discourses to protect them from ongoing human rights violations and attempts to relativise them.

On the other hand, following Moyn (2010, pp. 210–211), it would be more appropriate to consider the globalisation of Indigenous rights in the context of the development of human rights since the 1970s. In his seminal work, *The Last Utopia: Human Rights in History* (2010), Moyn argued that social movements and international law scholars have contributed to the consolidation of human rights as a set of alternative global principles. In particular, diverse actors endorsed human rights as a non-partisan framework for addressing violations worldwide. These actors included Amnesty International, Eastern European dissidents, and international law scholars, who converged on human rights as anti-colonial struggles for national self-determination, Cold War socialism, and US foreign policy all entered crisis (ibid. pp. 148–149). In a similar vein, Dahl found that the late 1970s and early 1980s were a turning point for the recognition of Indigenous peoples' human rights (2012, p. 27). One of the factors behind this development was the UN Commission on Human Rights, which initiated a study on discrimination against Indigenous peoples led by Special Rapporteur José R. Martínez Cobo (United Nations 1983). According to Dahl, by the time of the publication of the final part of Martínez Cobo's report in 1983, Indigenous peoples "had organized in international movements and were thus able to take up the recommendations and challenges highlighted in the report" (ibid.). Thus, from a world society perspective, the demands of Indigenous peoples represented a collaborative effort between Indigenous movements, international organisations, and international law scholars to introduce new ways of articulating Indigenous rights within the UN (cf. Heintz 2015, p. 33). In other words, the early rise of Indigenous participation within the UN created new ways to communicate Indigenous demands in the context of the World Heritage regime.

In the early stages of the World Heritage regime, the institutionalisation of perceptions regarding the adverse effects of protected areas on Indigenous peoples' lands and territories was limited. However, particularly since the UNDRIP adoption, the World Heritage regime has faced increased pressures from UN Indigenous rights bodies in its institutional environment. From the perspective of world polity theory, growing concern about the encroachments of "green colonialism" on Indigenous peoples' right to self-determination has now become a central challenge to the legitimacy of the World Heritage regime in its institutional environment (cf. Walgenbach & Meyer 2008, p. 63 ff). The issue of the legitimacy of the World Heritage regime is not so much about the particular cases in which the rights of Indigenous peoples have been violated. Instead, the overall perception of the issue and its historical development within the institutional environment is crucial (cf. Scott 1991, pp. 169–170). Consequently, it becomes apparent that the persistent violations of Indigenous rights, as in the case of NCA, are perceived

as undesirable[43] as they reflect the persistence of "green colonialism." In addition, the legitimacy of the procedures and arrangements of the World Heritage regime has become particularly vulnerable as the need to promote a new conservation paradigm has been institutionalised (Stevens 2014c). This conception of conservation illustrates Suchman's neo-institutionalist notion of legitimacy as "a *relationship* with an audience rather than being a *possession* of the organization" (1995, p. 594, emphasis in the original; as cited in Walgenbach & Meyer 2008, p. 64). In this sense, the inscription of Tongariro National Park as the first cultural landscape[44] property on the World Heritage List can be understood as an attempt to extend the World Heritage regime's relationship with Indigenous peoples in Aotearoa/New Zealand and worldwide (cf. Asher 2014).

Another feature of the neo-institutional theory of world society is that organisations appear as open entities, permeated by their institutional environment in world society. This institutional environment consists of "cultural models" (Drori & Krücken 2010, p. 10), which have expanded globally in particular since the end of the Second World War and are shared among actors such as nation-states, international organisations, and non-governmental organisations. This notion of global cultural models refers to "world polity", a concept coined by John W. Meyer as a specific approach to the neo-institutional theory of world society (2010b).[45] According to Meyer, the world polity is a broad cultural order that has originated in Western societies (1987, p. 41). More precisely, the cultural order results from an ongoing rationalisation process, whose origins can be found in dominant Western societies and has become globalised (Meyer, Boli & Thomas 2010, p. 76). As this assumption of rationality is informed by a Weberian sociological tradition[46], it will be the subject of critical reflection from a decolonial per-

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[43] As Suchman emphasises in his neo-institutional definition of legitimacy, the appropriateness of actions is primarily an outcome of perceptions and consequently a social construction of the institutional environment: "*Legitimacy* is a generalized perception or assumption that the actions of an entity are desirable, proper, or appropriate within some socially constructed systems of norms, vales, beliefs, and definitions" (1995, p. 574, emphasis in the original; as cited in Walgenbach & Meyer 2008, p. 64).

[44] The former director of the World Heritage Centre, Mechtild Rössler (2006), highlighted that the introduction of the associative cultural landscape category has been crucial in recognising the intangible values of Indigenous peoples. As Rode (2015) argued, these values underline Indigenous peoples' deep connections with the environment, including sacred sites, which have historically contributed to the preservation of biodiversity. However, Brumann and Gfeller questioned the achievement of the introduction of cultural landscapes by demonstrating that "[p]rioritising cultural landscape nominations in the 2014–2019 period ended up boosting European nominations" (2022, p. 157).

[45] Meyer uses the term world polity as synonymous with world society. In the neo-institutional theory of world society, world polity refers to a globalized social order that disseminates norms and institutional patters (Wobbe 2000, p. 37). In addition, the term polity in this context is not interchangeable with the polity dimension in political science, which refers to a constitutional order and corresponding political procedures (Schubert & Klein 2001, p. 229).

[46] Max Weber identified rationality as the central driving force behind capitalist expansion, specifically the ability to effectively match specific goals or desired outcomes with limited resources (on Weber's specific notion of instrumental rationality, see Münch 2008, p. 147). Meyer et al. use a similar notion of rationalisation that refers

spective later in this study (cf. Meghji 2021). Nevertheless, for the purpose of analysing the global diffusion of certain cultural patterns and their underlying structures, this study assumes that the world polity approach is suitable in the context of the World Heritage regime. Although Schmitt (2011, p. 72) did not base his concept of the World Heritage regime solely on the world polity approach, he did highlight its relevance for understanding its global diffusion. Against this background, the adoption of the World Heritage Convention can only be understood by considering, as Schmitt pointed out, that "the cultural norms of monument and nature conservation had, in principle, already been disseminated globally and had found their local and national institutional forms of expression" (ibid., author translated).

Thus, conforming to the cultural norms of the world polity should not be perceived as voluntarily choosing to comply. More precisely, the nation-states and organisations that comprise the World Heritage regime must be recognised as legitimate actors by the world polity (Senge 2011a, p. 128). In other words, the actions of the World Heritage regime, such as inscribing World Heritage sites, have legitimacy only through the cultural norms of the world polity. This perspective is congruent with Krücken, who argued that the world polity is not formed by individual actors and their interests but rather is shaped by overarching cultural principles that, in turn, create the actors within it (2006, p. 142). Moreover, the neo-institutional approach is of particular relevance for understanding the conflicting cultural norms of the world polity (Senge 2011b, p. 768). Consequently, as some aspects of global cultural models tend to be incompatible with local practices and resources, it is not possible for nation-states to fully adopt them.

Actors address this issue by decoupling, for example, where nation-states formally support the protection of Indigenous rights but at the same time infringe upon them due to local pressures (cf. Meyer, Boli, Thomas & Ramirez 2010, p. 182). Decoupling thus plays a prominent role in reinforcing the perception of Indigenous communities as a threat to the conservation of World Heritage sites.[47] As Meyer et al. noted, "[d]iffusion processes work at several levels and through a variety of linkages, yielding incoherence" (ibid.). Thus, some States Parties may find it easier to effectively implement the new conservation paradigm in their World Heritage nominations. In contrast, others may face impediments that prevent the full realisation of the

to "the structuring of everyday life within standardized impersonal rules that constitute social organization as a means to collective purpose" (2010, p. 76).

[47] The issue of decoupling is explored in more detail in the following case studies. As exemplified in the case of Lake Bogoria, the Indigenous Endorois, who had lived in the area prior to their eviction, were disregarded by the Advisory Bodies during their field assessments. Despite the formal commitment to meaningfully involve Indigenous communities in the processes of the World Heritage regime (cf. UNESCO 2015b, para. 40), there have been instances of decoupling in practice. In this particular case, decoupling occurred due to insufficient resources allocated to the field assessment (cf. Abraham 2014).

paradigm. Nonetheless, Meyer et al. argued that decoupling and inconsistency between norms and actions are common among nation-states in world society, as global cultural models legitimise the pursuit of "broad and diffuse goals" (ibid. p. 183).

However, these diffusion processes do not suggest that the rights of Indigenous peoples have been made "compatible with human rights" (Bennani 2016, p. 242, author translated). As Bennani pointed out, Indigenous human rights are characterised by "radical cultural difference" (ibid. p. 244, author translated) to give weight to collectivist legal claims. As a result, the communication of radical cultural differences is "far-reaching [and includes] the right to self-determination, land rights, and the right to their institutions" (ibid., author translated). Furthermore, globalising Indigenous human rights has had certain consequences for the World Heritage regime, as they now constitute, at least formally, an element of the "legitimising semantics" (Japp 2015, p. 81, author translated) of human rights in world society. As Bennani pointed out, the human rights of Indigenous peoples have a largely positive connotation in world society (2016, p. 244). Therefore, in the World Heritage regime, Indigenous ways of life are communicated as an equal and complementary value to nature conservation, at least in some cases, such as Pimachiowin Aki (cf. Pimachiowin Aki World Heritage Project 2016).

In summary, having clarified the benefits of a world society perspective on the World Heritage regime and the relevance of communicating Indigenous human rights, the following research question was formulated: *(1) How does the globalisation of Indigenous human rights challenge the legacies of "green colonialism" in the World Heritage regime?* This research question provides the theoretical underpinning for the subsequent empirical investigation of the four case studies. In particular, the theoretical concepts derived from the neo-institutional theory of world society can be employed to create theory-driven categories for the qualitative content analysis of the materials based on this research question (Kuckartz 2018, p. 64 ff). However, the empirical analysis also reveals ways to further refine the neo-institutional theory of world society. More specifically, the analysis draws on a more differentiated perspective on modernity, as advocated by Krücken (2006, p. 146), which challenges the conventional view centred on the global diffusion of Western models. Recent contributions arguing for the decolonisation of sociology promise starting points in this regard. In particular, Meghji's (2021) critique of Weber's concept of rationalisation provides an entry point for a critical examination of the notion of modernity in world polity theory. Meghji highlighted a West-Rest opposition embedded in Weber's understanding of rationalisation. In his view, "Weber offered […] internalist accounts of capitalism and modernity that made it appear as though capitalism developed in the West because of particular conditions *within* the West […], while it did not develop in the rest

of the world because of factors internal to those parts of the world" (ibid. p. 37, emphasis in the original). It can, therefore, be assumed that conflicts over Indigenous participation are not solely a consequence of decoupling between global cultural models and local practices. Rather, competing cultural models, such as the new conservation paradigm and the conventional understanding of conservation in the World Heritage regime, are embedded in the world polity. This linkage illustrates the expanding interdependence between Western and Indigenous as well as non-Western cultural models of conservation in world society.

4.2.2 The Impact of Paradigm Competition on Power Relations in the World Heritage Regime

The second research problem this study focuses on the competition between different conservation paradigms in the context of the World Heritage regime. As the literature review has shown, the colonial legacy of conservation has continued to influence the establishment of World Heritage sites on Indigenous peoples' lands and territories without their consent. Consequently, Indigenous peoples have advocated for a new conservation paradigm to address this enduring legacy of "green colonialism", particularly in the context of the Durban Accord (cf. Stevens 2014c). In contrast to the first research question, the second examines the power dynamics within the World Heritage regime. This research question goes beyond the assumptions of the world policy and world society perspectives, which need to confront the problem of power relations between the World Heritage regime and Indigenous peoples. From a neo-institutionalist perspective, the global diffusion of conservation models, exemplified by the World Heritage regime, is evident (cf. Schmitt 2011). However, the challenges posed by Indigenous demands for inclusive conservation have been overshadowed by the universalist focus of world policy research (cf. Meyer, Boli & Thomas 2010). Systems theory research on world society also suggests that improving Indigenous human rights also requires a shift towards greater Indigenous participation in the World Heritage regime as a form of legitimising semantics (cf. Japp 2015). At the same time, it is important to consider the conflicts and tensions emanating from unequal power relations and competing paradigms in the World Heritage regime.

To set the stage for a closer examination, it is crucial to determine whether there is a paradigm competition and how it influences the relationship between the World Heritage regime and Indigenous peoples. In his examination of the legacy of the Yellowstone conservation model, Stevens identified key conservation features that have affected Indigenous peoples, particularly when their lands and territories overlap with World Heritage sites (2014a, p. 36). Stevens argued that the primary feature of this model is that national authorities oversee protected

areas, emphasising strict conservation (ibid.). This approach discourages humans' presence and discourages resource use by local or Indigenous communities, who are viewed as a threat to conservation (ibid.). In certain situations, forcibly relocating residents for the purpose of biodiversity conservation is permissible (ibid.). In a similar vein, Colchester claimed that "[n]ational parks and other protected areas have imposed elite visions of land use that result in the alienation of common lands to the state" (2000, p. 101). More precisely, Colchester argued that "deep ecology" (2000, p. 99) ideas exemplify elite visions of conservation that regard preserving protected areas as incompatible with human use of these areas.[48] Accordingly, many conservationists hesitate to acknowledge advances in international recognition of the human rights of Indigenous peoples inhabiting protected areas (Colchester 2000, p. 122).[49] As the case of the NCA has demonstrated, the elitist vision of exclusionary conservation in the World Heritage regime is not a thing of the past, despite many efforts to recognise Indigenous rights.

However, it is worth noting that Indigenous activists and conservation experts have raised concerns about the dominant conservation paradigm within the World Heritage regime. These concerns were specifically highlighted during the 40th-anniversary celebration of the World Heritage Convention in 2012, as illustrated by gatherings such as the one documented by Disko and Tugendhat (2013). In this context, Bille Larsen, Oviedo, and Badman, conservation experts who frequently conduct evaluations on behalf of IUCN, emphasised the potential for incorporating Indigenous demands into nomination evaluations in the World Heritage regime (2014, p. 70). Nevertheless, this IUCN perspective is in line with the terms of the Durban Accord, which IUCN co-sponsored at the Vth World Parks Congress. According to Colchester, the Durban Accord represents a new paradigm that acknowledges "the conservation successes of indigenous peoples and urges the involvement of indigenous peoples in establishing and managing protected areas

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[48] However, based on recent research on conservation ethics, it can be argued that conservationists do not see this incompatibility at all (cf. Pearson 2016). In this context, Kopnina (2016) argued that this view on deep ecology constructs a misleading dichotomy between humans and nature: "Both deep ecology conservationists and eco-modernist conservationists reject human/nature dualism but do so for different reasons, drawing diametrically opposed ethical conclusions from their opposition to it. The reason some conservation critics argue that humans are part of nature is to show that, as products of evolution, whatever we do in and to the biosphere is natural. In other words, the human co-optation of the biosphere then becomes unobjectionable, as any other phase of evolution" (ibid. p. 179).

[49] Colchester, former director of the UK-based NGO *Forest Peoples Programme*, emphasises the principle of self-determination as enshrined in ILO Convention No. 169 (2000, p. 102). While Colchester also mentions the draft of the UNDRIP (ibid.), his pivotal study on protected areas and Indigenous rights was published seven years before its adoption. Although adopted in 1989, ILO Convention No. 169, also known as the *Indigenous and Tribal Peoples Convention*, serves as a precursor to the UNDRIP. Its adoption marked a significant departure from the assimilationist principles of ILO Convention No. 107, the *Indigenous and Tribal Peoples Convention* of 1957 (Xanthaki 2007, p. 67 ff). Although the ILO Convention 169 is legally binding, its impact is limited to the small number of states that have ratified it (ibid. p. 91). Furthermore, Indigenous representatives were not involved in the drafting of the ILO Convention, in contrast to the UNDRIP. From Xanthaki's point of view, the "lack of indigenous participation has been one of the main reasons why indigenous peoples have not taken advantage of ILO Convention No. 169 as much as they could in view of its positive language" (ibid. p. 68).

and their participation in decision-making" (2014, p. 42). While Colchester observed that the World Heritage Convention should "ensure that these areas are managed and protected to the highest international standards" (2014, p. 50), he found evidence that progress in implementing Indigenous rights has been limited. Among the various reasons for this problem, he highlighted "national policies, laws, and institutions [that] continue to be framed by the old exclusionary approach to conservation, and the actors empowered by these laws now resist reforms in line with international laws and agreements" (2014, p. 45). Furthermore, the globalisation of conservation has exacerbated the problem of conservation paradigm competition, as "[c]onservation organizations have traditionally derived their funding from the establishment and have sought to impose their vision through the power of the state" (Colchester 2000, p. 125).[50]

To analyse the paradigm competition in the World Heritage regime, this study adopts Elias's (2012b, p. 112 ff) concept of figuration alongside two established world society theories. The concept of human figurations emphasises the "radical interdependence of humans" (Dunning and Hughes 2012, p. 52), meaning that individuals cannot be understood without considering their dependence on others. This dependency on others not only affects an individual's immediate social context, such as the family, but also underlines the extensive interdependence of each individual within networks of human relationships. According to Dunning and Hughes, the concept of human figurations "is intended to counter the notion that 'social agencies', 'institutions', and 'society' are entities that exist somehow separately from the people that comprise them" (ibid.).[51] This study draws on the concept of human figurations to expand the perspective on the World Heritage regime. In contrast to regime theory in international relations, human figurations allow for the analysis of cooperation between the World Heritage Committee, Advi-

[50] Even though the aim of this study is to analyse the paradigm competition in the World Heritage regime, the objective is not to construct a simple dichotomy between conservation and Indigenous rights. In this context, Jaeger's reference to Manú National Park in Peru is particularly instructive, emphasising that criticism of conservation for the sake of preserving pristine wilderness is a rather simplistic view (2017, p. 60). Furthermore, he is wary of the notion of Indigenous peoples as being the rightful "stewards" (ibid. p. 62) of protected areas. According to him, Manú National Park illustrates that the presence of different Indigenous communities is compatible with contemporary conservation efforts (ibid.). It should be noted that the example of Manú National Park is one of the case studies that is analysed in more detail in the empirical part of this study.

[51] More precisely, Elias formulated a critique of the sociological concepts of individual and society. Although the usage of these concepts in sociology has evolved since Elias first published his seminal work *What is Sociology?* in 1970, understanding his critique remains central to the study of human figurations. According to Elias, sociologist tend to "make senseless conceptual distinctions, like 'the individual *and* society', which makes it seem that 'the individual' and 'society' are two separate things" (2012a, p. 108; emphasis in the original). In particular, he criticised how the distinction between individual and society as separate entities leads people to perceive themselves and societies as detached from each other. He introduced the term "*homo clausus*" (ibid. p. 112; emphasis in the original) to describe the problematic perception of oneself as an isolated individual akin to a closed vessel. In contrast, his concept of human figurations suggests that it is necessary to understand "people's fundamental relatedness to each other" (ibid. p. 109). Consequently, to explore empirical problems of human figurations more adequately, Elias considered human beings as "*homines aperti*" (Elias 2012a; emphasis in the original). Individuals must therefore be seen collectively, with due recognition of their fundamental openness to broad webs of social inter-relatedness.

sory Bodies, and Indigenous peoples despite significant power disparities. From this perspective, the World Heritage regime is a historical context in which interdependencies with Indigenous peoples have developed worldwide. However, interdependence does not imply that Indigenous peoples already have an equitable voice in World Heritage inscription decisions.[52] Unequal power relations still prevail in the World Heritage regime, but the new paradigm challenges the imposition of protected areas on Indigenous peoples' lands and territories.

Against this background, the next step is to clarify how the concept of human figurations can be used to investigate the unequal power relations in the World Heritage regime. This study's approach examines the increasing competition between conservation paradigms as a manifestation of the shifting power dynamics between the conservation establishment within the World Heritage regime and Indigenous peoples. More specifically, the distinction introduced by Elias of an "established-outsider" figuration can be used to explore the paradigm competition in the World Heritage regime (2008). Applied with caution, the main assumption of the concept asserts that, currently, the relationship between the establishment within the World Heritage regime and Indigenous peoples has evolved into a conflict between dominant and subordinate social groups. This distinction reflects the problem that control over the means of creating protected areas under the World Heritage Convention is asymmetrically distributed. Consequently, uneven power relations are a "structural characteristic" (Elias 2012b, p. 70) of the "established-outsider" figuration between the World Heritage regime and Indigenous peoples. In this context, the establishment comprises the States Parties in the World Heritage Committee, the national delegations at the annual sessions of the Committee, the Advisory Bodies, and the World Heritage Centre. Due to their statutory rights under the World Heritage Convention, the establishment possesses greater internal cohesion (Elias 2008, p. 4). While exclusionary practices of conservation persist in the World Heritage regime, the globalisation of Indigenous peoples' human rights has accelerated the transformation of power relations between the World Heritage establishment and Indigenous peoples. As a result, the possibilities for Indigenous peoples to contest decisions regarding World Heritage sites on their territories have increased. At the same time, the probability of imposing protected areas under the World Heritage Convention following the model of "green colonialism" has decreased.

In conclusion, after outlining the advantages of introducing Elias's theoretical concept of "established-outsider" figuration to explore the dynamic power relations between the World

[52] From the vantage point of the present, it can be concluded that the recognition of Indigenous claims as being of the same importance as the interest in protecting World Heritage was in part deliberately prevented, as demonstrated by the failure to establish WHIPCOE (cf. Meskell 2013a). Moreover, Colchester emphasises that this recognition not only requires the involvement of Indigenous peoples, but also affirms their right to refuse the creation of World Heritage sites on their lands (2014, p. 48).

Heritage establishment and Indigenous peoples, the second research question was formulated as follows: (2) *How does the competition between old and new conservation paradigms transform power relations between the World Heritage regime and Indigenous peoples?* The theoretical underpinnings of the research question open up further possibilities for analysing the four case studies. In addition, the concept of human figurations provides the theoretical means to analyse the "*relational* character of power" (Dunning and Hughes 2012, p. 66; emphasis in the original) from a world society perspective. Although Elias did not formulate another world society theory, in the present study, his approach is used as a theory of world society *avant la lettre*.[53] In particular, regarding the problem of paradigm competition, this new world society perspective is concerned with the changing conflicts and tensions between the establishment and Indigenous peoples within the figuration of the World Heritage regime. The concept of figuration explains the long-term transformation of the World Heritage regime due to compelling processes such as the globalisation of Indigenous human rights (cf. Elias 2010a, p. 70). In this respect, the "established-outsider" figuration in the World Heritage regime has been subject to long-term change, reinforced by the rise of Indigenous human rights. Despite persisting inequalities, the aim is to examine how the evolution of the paradigm competition can be understood as a conflict over changes to the institutional framework of the World Heritage regime (cf. Elias and Scotson 1993, p. 36).[54]

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[53] The term world society tends to be used occasionally in a way that does not correspond to the theoretical underpinnings of the conventional approaches by Luhmann (1991) and Meyer (2010b). In the case of Elias's sociology, for example, Eichener and Baumgart have described his theory of the civilising process (Elias 2010a, 2010b) as suitable sociological approach to explore phenomena of world society (2013, pp. 162–168). In his seminal work *On the Process of Civilisation* (2012b [1939]), Elias sought to identify the primary trajectories of human development. In particular, the new constraints arising from the intensified interdependencies that Elias anticipated, fostering an inevitable dynamic of global integration, provide a compelling framework for the application of his figuration model within the World Heritage regime (Elias 2010b, pp. 451–454). Furthermore, in order to reveal the social relations of power, Elias further developed the concept of figuration with the model of established-outsider relations (Barlösius 2004, p. 45 ff). While Elias originally developed the concept of established and outsiders in a study on local conflicts carried out in the late 1950s and early 1960s in a suburb of Leicester, United Kingdom, (Elias & Scotson 2008 [1965]), he argued that it also relates to conflicts of "many-levelled" (2008, p. 32) human figurations. In this regard, the World Heritage regime represents the characteristics of a many-levelled human figuration in world society.

[54] Adopting a postcolonial perspective, Meghji directed the critique of intellectual imperialism at Elias (2021, p. 69). He specifically targeted Elias's major work *On the Process of Civilisation* (Elias 2012b [1939]), the basic premises of which seemed to underpin his tenure as a visiting professor at the University of Ghana in the 1960s. Intellectual imperialism, as Meghji defined it, is the persisting practice in sociology of studying societies in the Global South through the theoretical lenses established in the Global North (2021, p. 67). Although Meghji rightly highlights the responsibility of sociologists from the Global North to revise their concepts and ideas in the postcolonial era, his critique of Elias's work specifically targets a recurring motif. Citing Goody (2002), an anthropologist who was a contemporary of Elias at the University of Ghana, Meghji criticises Elias for basing his theory in *On the Process of Civilisation* solely on Europe, attributing to Elias a tendency towards Eurocentrism (2021, p. 69). In contrast, Liston and Mennell (2009) used Goody's critique as an opportunity to reflect on recurring misconceptions about Elias's work. In particular, Liston and Mennell emphasise that Elias did not intend to develop a concept of the social development of humanity as a whole along European lines (ibid. p. 60). Elias's rejection of the idea of progress is a reflection of this attitude (ibid. p. 66).

5 Study Design and Methodology of the Case Study Research

5.1 Study Design and Justification of Case Selection

This section presents this thesis's study design and research interest, building on the theoretical underpinnings established in the previous chapter to explore the two research questions. In this context, the primary goal of this study was to address a central issue in research on Indigenous peoples' rights within the World Heritage regime, namely the persistence of exclusionary conservation practices despite advances in the global recognition of Indigenous rights. Hence, it is imperative to investigate whether Indigenous peoples can advocate for socially just and inclusive conservation within the World Heritage regime, or whether they continue to be marginalised by dominant conservation models dictated by others.

The study's overarching approach involves comparing four World Heritage sites that overlap with Indigenous territories from different regions, each inscribed at varying stages in the development of the World Heritage Convention. While these cases may not be considered ideal types, their nomination and management provide insights into the involvement of Indigenous peoples within the World Heritage regime. Moreover, comparing the four cases reveals broader trends in the interplay between Indigenous rights and World Heritage protection.

The subsequent subsections provide a comprehensive overview of the study design and underlying research interests. Subsection 5.1.1 outlines the rationale behind the comparative analysis of the four selected World Heritage sites. Finally, subsection 5.1.2 articulates the rationale for case selection, covering both diachronic and regional aspects. This approach establishes a clear methodological basis for data collection and analysis (see section 5.2).

5.1.1 Study Design: Rationale for Comparing the Four World Heritage Sites

This section sets out the study's design by providing a justification for the selection of the World Heritage sites used in the comparative analysis presented in the following chapter. This analysis is grounded in two underlying assumptions. The first assumes temporal variation in the recognition of Indigenous peoples' rights within the World Heritage regime, requiring the selection of cases that enable diachronic comparison. The second assumes that regional context shapes conservation outcomes, thereby prioritising the comparison of sites across different regional contexts.

Building on these assumptions, four World Heritage sites were selected as case studies to systematically compare similarities, differences, and major changes. Table 5.1 summarises

the basic characteristics of the selected case studies, including the State Party, date of inscription, and selection criteria. The term "latter" refers to the official selection criteria outlined in the Operational Guidelines. Notably, two of the selected case studies belong to natural World Heritage sites (Manú National Park and Lake Bogoria), whereas the remaining two are mixed sites (Tongariro National Park and Pimachiowin Aki), meeting both natural and cultural heritage criteria (see Table 5.2) owing to their importance as Indigenous cultural landscapes. Thus, the comparison of these sites illustrates the manner in which Indigenous cultural values are safeguarded within the World Heritage regime. It is also noteworthy that two sites were inscribed prior to the adoption of the UNDRIP in 2007. Therefore, by comparing the four sites, the study illustrates the extent to which the globalisation of Indigenous human rights has influenced the conservation of protected areas within the World Heritage regime, particularly following the adoption of the Declaration.

Through the comparison of natural and mixed sites (see Table 5.1), this study explores the factors contributing to the heightened awareness of Indigenous demands within the World Heritage regime. In particular, Tongariro National Park and Pimachiowin Aki stand out as crucial Indigenous cultural landscapes listed in the World Heritage List.[55] As cultural landscapes were introduced as a distinct category in the World Heritage sites in 1992, their recognition marked an important shift in the acknowledging of Indigenous peoples' intangible cultural connections to their lands and territories (Gfeller 2013, p. 497). Moreover, the formulation and introduction of this new category were influenced by "an agenda developed in the post-colonial context of Australia" (ibid. p. 496). As Gfeller (2013) highlighted, archaeologists from Australia increasingly attempted to respond to the challenges of collaborating with Indigenous communities in preserving cultural heritage sites. In doing so, they gained an understanding of the multifaceted meanings the land holds for the Aborigines, representing a "living entity" (ibid. p. 498), embodying their cultural belief systems regarding the origins and evolution of the world. In this context, it is noteworthy that Tongariro National Park in New Zealand and Uluṟu-Kata Tjuṯa National Park in Australia were the first cultural landscapes enlisted in the World Heritage List. However, they were initially inscribed as natural heritage sites and underwent renomination under cultural criteria following the introduction of the cultural landscape category, acknowledging "the spiritual significance of these mountains for Indigenous communities" (Brumann & Gfeller 2022, p. 153). Although the reform of cultural landscapes might suggest a paradigmatic shift in the World Heritage regime towards a broader recognition of Indig-

[55] According to the UNESCO World Heritage Centre (2024), 121 properties have been inscribed as cultural landscapes on the World Heritage List to date.

enous cultural values, Brumann and Gfeller have argued that European states currently dominate the inscription of cultural landscapes (ibid. p. 155).

Table 5.1: Overview of selected World Heritage sites for the comparative study

World Heritage Site	State Party	Year of Inscription	Cultural Criteria	Natural Criteria
Manú National Park	Peru	1987		(ix) (x)
Tongariro National Park	New Zealand	1990/1993	(vi)	(vii) (viii)
Lake Bogoria*	Kenya	2011		(vii) (ix) (x)
Pimachiowin Aki	Canada	2018	(iii) (vi)	(ix)

Source: UNESCO World Heritage Centre (n.d.): World Heritage List. [Online]. Available at: https://whc.unesco.org/en/list/ [Accessed 7 January 2023].
** Note: Lake Bogoria is part of the Kenya Lake System in the Great Rift Valley World Heritage site.*

Nevertheless, the comparison between mixed and natural World Heritage sites illustrates the shifting nature of the conservation paradigm within the World Heritage regime. According to UNESCO et al., natural World Heritage sites are considered protected areas of global importance, characterised by their high value in terms of "scenery, geology, ecology and/or biodiversity" (2012, p. 20). Therefore, this study assumes that, particularly at the time of their nomination, the inclusion of the two natural World Heritage sites in the World Heritage List was primarily influenced by the old paradigm. More specifically, the circumstances of the Indigenous peoples and their importance in conserving the protected areas were either not considered or, at the very least, overlooked. Against this background, Disko's (2017) critique of the separation between cultural and natural criteria serves as a crucial argument for comparing different types of World Heritage sites (see Figure 5.1). Given the assumption that the majority of World Heritage sites in Indigenous territories are classified as natural heritage sites, this division prevents the recognition of Indigenous conceptions of their cultural heritage, which are closely connected to the land and its natural resources (ibid. pp. 43–44).

Table 5.2: Cultural and Natural World Heritage criteria

	Cultural World Heritage Criteria		Natural World Heritage Criteria
(i)	to represent a masterpiece of human creative genius	(vii)	to contain superlative natural phenomena or areas of exceptional natural beauty and aesthetic importance
(ii)	to exhibit an important interchange of human values over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning or landscape design	(viii)	to be outstanding examples representing major stages of earth's history, including the record of life, significant ongoing geological processes in the development of landforms, or significant geomorphic or physiographic features
(iii)	to bear a unique or at least exceptional testimony to a cultural tradition or to a civilization which is living or which has disappeared	(ix)	to be outstanding examples representing significant ongoing ecological and biological processes in the evolution and development of terrestrial, freshwater, coastal and marine ecosystems and communities of plants and animals
(iv)	to be an outstanding example of a type of building, architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history	(x)	to contain the most important and significant natural habitats for in-situ conservation of biological diversity, including those containing threatened species of outstanding universal value from the point of view of science or conservation
(v)	to be an outstanding example of a traditional human settlement, land-use, or sea-use which is representative of a culture (or cultures), or human interaction with the environment especially when it has become vulnerable under the impact of irreversible change		
(vi)	to be directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance		

Source: UNESCO (2023): Operational Guidelines for the Implementation of the World Heritage Convention, para. 77

Additionally, it should be noted that the individual criteria of the four World Heritage sites were not the determining factors in selecting these cases. Due to space constraints, a detailed discussion of the development of cultural and natural criteria, as outlined in Table 5.2, is not feasible in this section. It is important to highlight that the division between nature and culture has given

rise to a persistent dualism. Despite the reform of cultural landscapes, this division has not necessarily empowered Indigenous peoples with greater agency in the nomination of World Heritage sites (cf. ibid. p. 47). However, the evolution of criterion (vi) demonstrates that the World Heritage Convention can be more meaningful to Indigenous peoples' conceptions of their heritage and cultural practices, as this criterion recognises cultural associations and living traditions in World Heritage sites (Herrmann & Cameron 2014, p. 118). It is, therefore, notable that both cultural landscapes fall under criterion (vi). According to Hermann and Cameron's comprehensive analysis of World Heritage sites inscribed under criterion (vi), its application over-emphasises historical and religious or spiritual associations on the World Heritage List (ibid. pp. 116; 126). As a result, the dominance of these types of cultural associations might undermine Indigenous peoples' living traditions, including those related to land use, stock farming, and hunting.

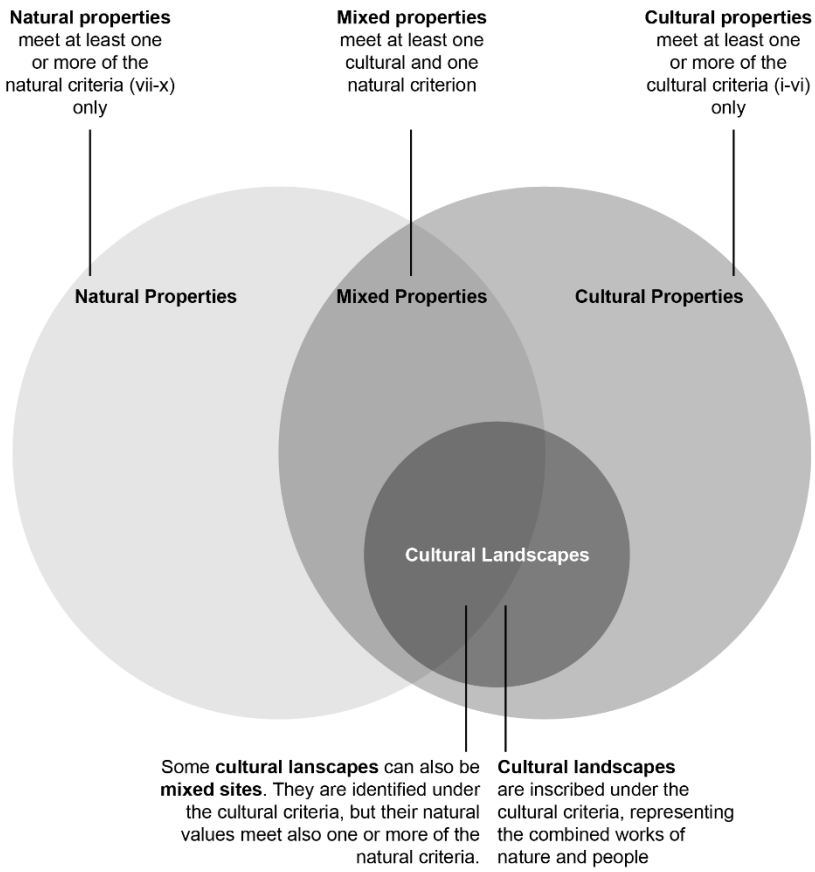

Figure 5.1: Types of World Heritage sites (UNESCO, ICCROM, ICOMOS & IUCN (2011): Preparing World Heritage Nominations, p. 34)

In summary, the selected set of case studies lays a comprehensive foundation for comparative analysis. By incorporating historical and regional dimensions, these cases facilitate an examination of Indigenous peoples' agency in relation to various World Heritage sites. This compar-

ison highlights the dynamic interplay between the conservation paradigm of the World Heritage regime and the diverse perspectives and aspirations of Indigenous peoples. The underlying assumption was that despite the likely persistence of "green colonialism", the case studies would reveal the impact of grassroots globalisation (cf. Appadurai 2000), manifested through the global Indigenous movement (cf. Morgan 2011), on the power dynamics within the World Heritage regime. Building on this premise, the comparative study design was intended to clarify the persistent paradox that exclusionary conservation practices have endured despite substantial progress in the global recognition of Indigenous peoples' rights.

5.1.2 Justification for Diachronic and Regional Case Selection

This section explains the rationale for selecting the four case studies on which the empirical study is based. The case studies were selected on two levels, allowing for their diachronic and regional comparison (see Table 5.1). While section 5.1.1 outlines the underlying research design for the comparative analysis of different types of World Heritage sites, this section justifies the motivation for the examination of the selected case studies from Peru, New Zealand/Aotearoa, Kenya, and Canada. In terms of their impact on Indigenous peoples, the comparative study of the case studies demonstrates how, in the context of the World Heritage regime, conflicts over the interpretation and application of Indigenous rights have developed over the past decades. Consequently, the case studies should reflect the heterogeneity that characterises Indigenous peoples' agency in international law and politics. In the context of this study, this heterogeneity is relevant because it stems from the varying degrees to which legacies of "green colonialism" (cf. Blanc 2020) and exclusionary practices of international conservation (cf. Stevens 2014c) have persisted in different regional settings. Furthermore, heterogeneity can be regarded as the globalisation and growing international recognition of Indigenous rights, which have been facilitated by the promotion of a broad conception of being Indigenous, underscored by cultural distinctiveness (cf. UN 2007, art. 34).[56]

However, this comparative approach, which is based on the assumption of the heterogeneity of the four case studies, raises questions about the generalisability of the results (cf.

[56] Mende (2015) examined the ambivalences of heterogeneity connected with the UNDRIP from the perspective of political theory. From her point of view, "the existence of indigeneity becomes a resource that […] can considerably increase the agency [of Indigenous peoples] in the transnational and national space" (ibid. p. 218, author translated). With regard to Indigenous peoples living on World Heritage sites, this resource for agency is not recognised by the World Heritage regime unless Indigeneity is reproduced in the actions of each Indigenous person that belongs to a specific Indigenous community. Therefore, Mende emphasises that indigeneity must be understood not only as a resource, but also as an imperative of being Indigenous (ibid.). In light of the heterogeneity of Indigenous livelihoods within and across world regions, such an imperative reinforces a contested concept of indigeneity.

Peräkylä 2011, p. 296). In the context of the selected four World Heritage sites, most studies investigating the impact of these protected areas on Indigenous inhabitants tend to adopt a case study approach (cf. Abraham 2014; Asher 2014; Jones 2014; Rodriguez & Feather 2014). Nevertheless, it is necessary to emphasise that these are not case studies in the sense of qualitative social research. Rather, they are delineated by the description of the circumstances of the Indigenous inhabitants of a specific World Heritage site.[57] Therefore, the advantages of a case study approach as a methodology must also be clarified (Yin 2018). Against the backdrop of the persistence of exclusionary conservation in the World Heritage regime, this study examines the question of how Indigenous peoples can foster inclusive forms of nature conservation. Two fundamental assumptions are important in this context. Firstly, despite their heterogeneity, Indigenous peoples share a history of injustice and exclusion that has resulted in violations of their right to self-determination. Secondly, the globalisation of Indigenous rights has contributed to the restructuring of Indigenous-state relations. Thus, these shared experiences of historical injustice and the gradual establishment of a specific classification of Indigenous rights within international human rights discourse provide a foundation for the generalisability of the four case studies.

In this respect, the present study assumes that the experiences of Indigenous peoples in the World Heritage regime can be understood as being structured by both the legacy of historical injustices and the globalisation of Indigenous human rights. Despite this understanding, the diachronic and regional selection of cases does not imply that the four case studies are ideal types of Indigenous experiences. A study of ideal types is unfeasible due to the heterogeneity of Indigenous lifeways. Rather, the methodological approach draws upon Yin's (ibid.) strategy for multiple-case study designs to explore the differences and similarities of exclusionary conservation practices and their impact on Indigenous agency. More precisely, these research designs encompass multiple cases within the same study, aiming to derive a set of conclusions across the selected cases (Kanazawa 2018, p. 190; Yin 2018, p. 54). Moreover, each selected case contains "embedded subunits" (ibid. p. 60) that facilitate drawing conclusions across all cases. On the one hand, the subunits differ in terms of the Indigenous inhabitants of the World Heritage sites and the State Party. On the other hand, the case studies share the same subunits, including the World Heritage Committee, the World Heritage Centre, and the Advisory Bodies.

[57] It is important to note that case studies employing a qualitative research design are similarly common in the context of World Heritage. In this context, Schmitt's (2013) work represents a combination of theoretical conceptualisation with qualitative research. Its primary strength lies in the theoretical conceptualisation of the World Heritage regime. In addition, it offers an ethnographic perspective for reconstructing the local level within the World Heritage regime, exemplified by the use of the M'zab Valley in Algeria as a case study.

The actions and agency of these subunits can be examined in the material. Furthermore, to analyse how Indigenous experiences are structured by exclusionary conservation practices and human rights discourses, an "embedded design" (ibid. p. 61) involves collecting and analysing the data material of each selected case study (see section 5.2).

Nevertheless, the aim of the multiple-case research design is not to relegate Indigenous experiences to the status of mere objects of study. Instead, the comparative approach focuses on the transnational dynamics of Indigenous agency within contemporary global conservation. Conceptual schemes such as those proposed by Pratt (2007) are, therefore, an auxiliary device to the generalisation of lived Indigenous experience. Pratt suggested that, despite a wide range of variations, lived Indigenous experiences can be characterised by elements such as "unsolicited encounter […], dispossession […], perdurance […], [and] unpayable debt […]" (ibid. pp. 401–402). In the context of the present study, these elements point to the persistence of contentious conservation practices when World Heritage sites threaten Indigenous ways of life. Consequently, these frictions can generate varying degrees of Indigenous claims for recognition of their right to self-determination (ibid. pp. 402–403). Additionally, Pratt emphasised the relational nature of being Indigenous, which is shaped by temporal and geographical situated encounters with non-Indigenous cultures (ibid. p. 398). Therefore, the "relational nucleus of indigeneity [i.e., being or identifying as Indigenous] explains the fact that 'indigenous' is rarely ever the primary identity of indigenous peoples" (ibid. p. 399). Thus, it is more accurate to assume that the Indigenous peoples residing within the boundaries of these World Heritage sites primarily self-identify as Matsigenka (Manú National Park), Ngāti Tūwharetoa (Tongariro National Park), Endorois (Lake Bogoria), and Anishinaabeg (Pimachiowin Aki) (cf. Tuhiwai Smith 2012). According to Pratt, these differentiations can be regarded as fundamental non-relational forms of self-identity among Indigenous peoples that pre-date encounters with non-Indigenous societies (2007, p. 399).

Having outlined the advantages of the comparative approach, the subsequent subsections explore the situation of Indigenous inhabitants in the four World Heritage sites, focusing on developments related to the establishment of the World Heritage sites as protected areas and their impact on Indigenous peoples. The selected cases are presented to draw attention to specific features of the diachronic and regional approach. By examining these cases, the study provides a nuanced understanding of how the establishment of World Heritage sites as protected areas has influenced Indigenous ways of life, highlighting specific diachronic and regional developments.

5.1.2.1 Manú National Park, Peru (1987): Monitoring Indigenous Lifestyles

Manú National Park, situated at the confluence of the Tropical Andes and the Amazon Basin in Southeast Peru (see Figure 5.2), was inscribed as a natural World Heritage site in 1987 under criteria (ix) and (x) (see Table 5.2). Due to its extensive area of over 1.7 million hectares, the park has been the subject of numerous debates regarding its management and interactions with the Indigenous communities that reside within it (Rodriguez & Feather 2014). It is regarded as one of the largest natural parks in the Amazon region due in part to its remote geographic location and difficult accessibility (IUCN World Heritage Outlook 2020b). The first formal conservation initiatives began in 1968 with the creation of the Manú Nature Reserve. Subsequently, the national park was created in 1973. In 1977, UNESCO designated Manú National Park as the central area of an extended biosphere reserve, marking the beginning of the park's integration into global conservation efforts.

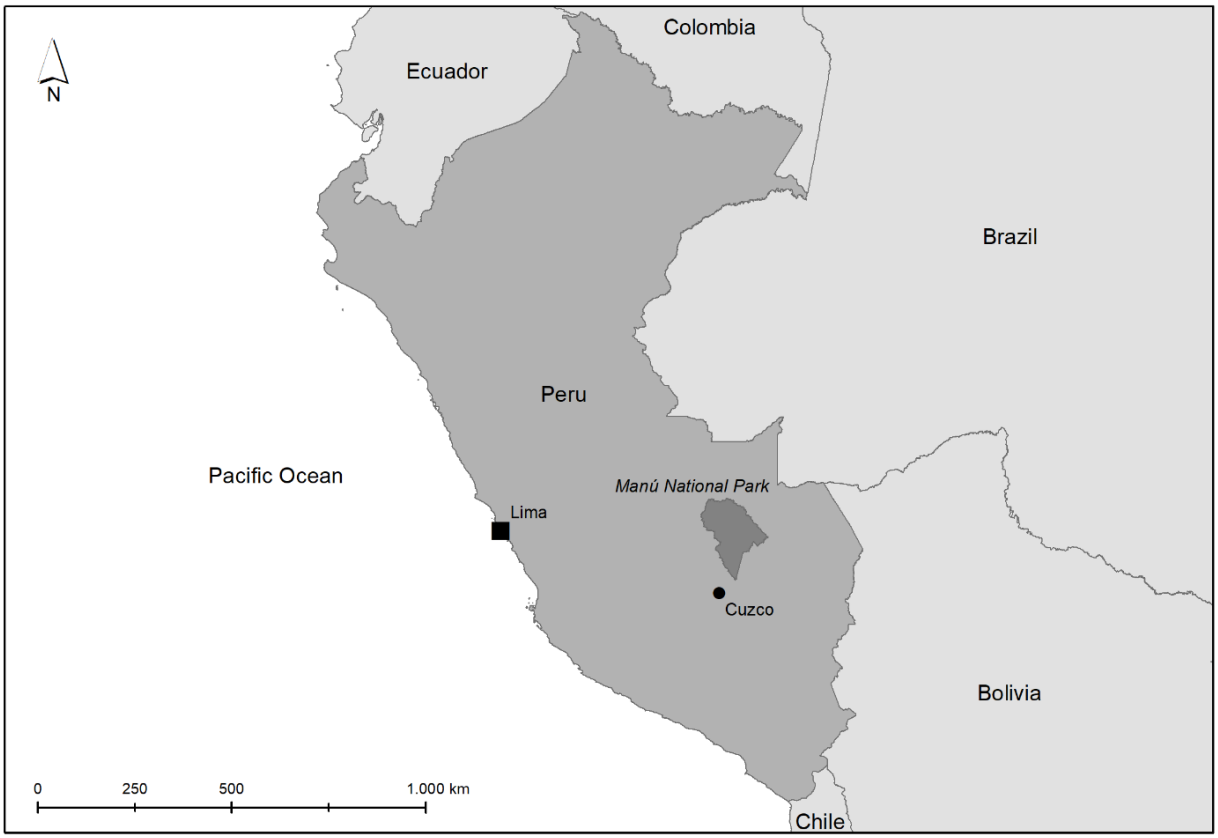

Figure 5.2: Location of Manú National Park

As highlighted in the OUV statement, Manú National Park was inscribed on the World Heritage List as a natural heritage site due to its ecological importance for the global protection of biodiversity (UNESCO World Heritage Centre n.d.). An OUV statement for a World Heritage site typically adheres to a structured format designed to provide a comprehensive understanding of

the property's significance and attributes (cf. UNESCO 2023, app. 10). In the case of Manú National Park, it is notable that the Indigenous inhabitants are only mentioned in the section on the integrity of the World Heritage site. In essence, the integrity section provides a crucial assessment of the property's overall condition and capacity to sustain its OUV. Furthermore, the *Operational Guidelines for the Implementation of the World Heritage Convention* recognise that properties nominated under the natural criteria may involve contact with Indigenous peoples (ibid. para. 90). The OUV statement for Manú National Park, however, confines interactions with Indigenous residents to their impact on the long-term conservation goals. More precisely, the presence of Indigenous peoples is thought to have no adverse effects, "[p]rovided they maintain a lifestyle compatible with conservation objectives" (see the integrity section on UNESCO World Heritage Centre n.d.). Although the OUV statement does not provide a comprehensive account of the site's impact on Indigenous inhabitants, it clearly indicates that their agency in terms of achieving long-term conservation goals is considered of secondary importance.

Regarding the effects on Indigenous peoples, Rodriguez and Feather observed that the designation of Manú National Park as a World Heritage site "has failed to lead to an improvement in the Park's relationship with indigenous peoples" (2014, p. 480). Their research also indicates that various Indigenous communities reside within the boundaries of the national park (ibid. p. 460 ff). This aspect is notably absent in the OUV statement, despite the diverse impacts of conservation efforts on Indigenous livelihoods. Rodriguez and Feather highlighted that the park is inhabited by at least five Indigenous groups, comprising the Matsigenka, Yine, Harakmbut, Nahua, and Mashco Piro (ibid. pp. 461–463). These Indigenous communities have distinctive characteristics in terms of language and settlement history, with notable differences evident between groups across the national park's various geographical locations, and particularly the Amazon region. Additionally, a distinctive trait of the Mashco Piro is their voluntary isolation and mobile lifestyle, coupled with their rejection of external contact (ibid. p. 463). Rodriguez and Feather observed that Manú National Park has become a refuge for Indigenous communities in voluntary isolation, as they have migrated from adjacent areas into the park due to mounting pressures from extractive industries (ibid. p. 477).

Furthermore, the continued presence of Indigenous populations within protected areas has led to debates over resettlement. In this context, Shepard et al. identified a paradox between the continued presence of Indigenous populations and long-term conservation goals (Shepard, Rummenhoeller, Ohl-Schacherer & Yu 2010, p. 254). In the core area, where various Indigenous groups reside, human use is excluded under the prevailing conservation framework. This exclusion of human use is particularly contentious in contexts where Indigenous groups continue to inhabit and use these areas. As Shepard et al. stressed, conservationists have expressed concern

that the growing Matsigenka population within the park will have adverse effects on its ecological integrity (ibid.). Although some conservationists have proposed the resettlement of these Indigenous residents outside the park, Shepard et al.'s analysis has shown that these measures have "little political or practical viability" (ibid. p. 290).

To address both the needs of the Indigenous communities and the long-term conservation objectives, other research has highlighted the importance of income opportunities for the Matsigenka communities (Ohl-Schacherer, Mannigel, Kirkby, Shepard & Yu 2008). While the Matsigenka historically exhibited a lack of confidence in the Manú Park administration, the community-based ecotourism project, Casa Matsigenka, aimed to facilitate economic opportunities for the Indigenous inhabitants of two areas within the park. This ecotourism initiative has fostered closer relations between the Matsigenka communities and the park's administration (ibid. p. 23). Nevertheless, the reconciliation of Indigenous rights and needs with biodiversity conservation remains a complex challenge. For example, the Matsigenka's subsistence economy has been examined regarding the effect of their hunting activities on vertebrate game populations in the park (Ohl-Schacherer et al. 2007). In conclusion, the case of the Matsigenka demonstrates that the presence of Indigenous peoples in a major natural World Heritage site continues to be primarily regulated in accordance with international conservation objectives.

5.1.2.2 Tongariro National Park, New Zealand/Aotearoa (1990/1993): Renominating a World Heritage Site in Recognition of Living Indigenous Traditions

Tongariro National Park (see Figure 5.3) was the first property to be inscribed under the revised cultural landscape criteria in 1993, having previously been inscribed as a natural World Heritage site in 1990 (UNESCO World Heritage Centre n.d.). However, Tongariro's nomination dates back to 1986 and was only completed in 1993 with its cultural landscape designation, recognising intangible cultural values of the Māori iwi (tribe) known as Ngāti Tūwharetoa (Palmer & Feyerherm 2018).

The introduction of cultural landscapes as a new type of World Heritage site coincided with a broader effort to make the World Heritage List more representative (Labadi 2013, pp. 37–39). This endeavour took place in the context of a debate concerning the determination of OUV, which led to the *Global Study* by ICMOMOS. Several States Parties argued that this debate remained focused on an architectural and monumental conception of cultural heritage that was already over-represented on the World Heritage List, and the *Global Study* was ultimately dismissed within the World Heritage regime. In 1994, the *Global Strategy* was adopted by the World Heritage Committee as an alternative to address the regional imbalance on the World Heritage List (ibid. pp. 45–46). Given that Tongariro National Park had been nominated on two

occasions during this historical period of reform, it can be assumed that the material associated with this case can be expected to provide important insights into Indigenous rights and the World Heritage regime.

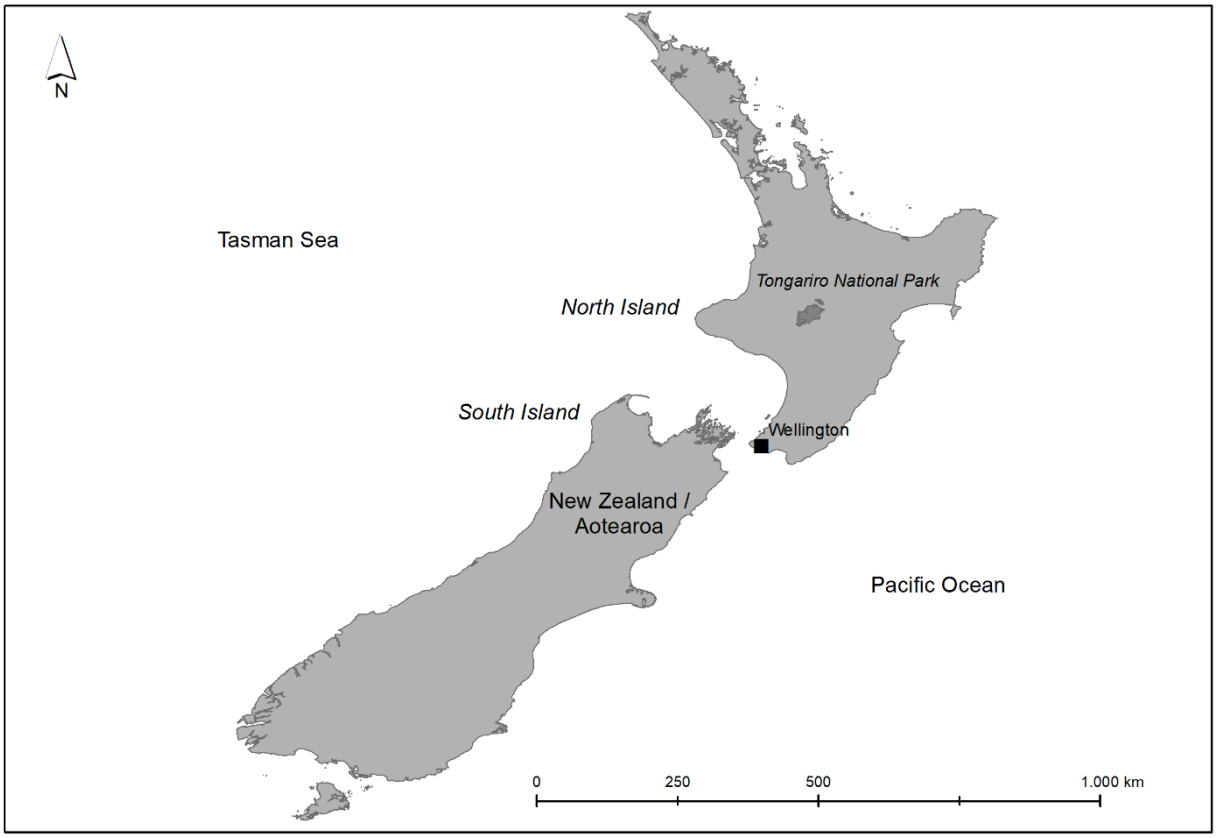

Figure 5.3: Location of Tongariro National Park

Moreover, one of the primary objectives of the *Global Strategy* is the strengthening of the credibility of the World Heritage List (UNESCO 1994). Initially, this process was mainly driven by cultural heritage experts who were already part of the World Heritage regime through the Advisory Bodies.[58] In the historical context of these discussions on a broader understanding of cultural heritage, cultural landscapes were introduced as a new type of World Heritage site, with implications for the involvement of Indigenous peoples within the World Heritage regime. In particular, associative cultural landscapes introduced new approaches to acknowledging the intangible values of Indigenous peoples within the World Heritage regime (Rössler 2006, p. 336). In light of these developments, Tongariro National Park was renominated, as it was now possible

[58] The *Global Strategy* must be understood as a continuous process. It is therefore not surprising that cultural heritage experts were initially the primary drivers of this process. Nevertheless, protected area conservation is becoming increasingly relevant. By 2020, IUCN conservation experts had carried out 20 thematic studies to identify ecosystems that are still underrepresented on the World Heritage List (Ishizawa & Westrik 2021, p. 12). Furthermore, the expert studies and progress reports are regularly discussed at the meetings of the World Heritage Committee.

to inscribe its status as a living sacred Māori site in conjunction with the natural features on the World Heritage List (Labadi 2013, p. 43). However, the renomination of natural heritage sites with cultural significance for Indigenous peoples, such as Tongariro National Park, constituted an exception. Labadi postulated that Indigenous peoples lacked the opportunities to participate in a meaningful way in these processes (ibid. p. 44). The failed attempt to establish WHIPCOE made this lack of opportunities quite apparent(cf. Meskell 2013a). Nevertheless, the debates concerning the representativeness and credibility of the World Heritage List ensured that Tongariro National Park was ultimately inscribed as cultural heritage due to its living Indigenous traditions associated with the natural features (Buckley 2023, p. 61).

In contrast, Asher (2014) posited that there has been no substantial contribution to the protection of the site's cultural values since its inscription as a cultural landscape. The majority of the protected area's physical features can be linked to cultural elements rooted in Māori traditions, beliefs, and spiritual-cultural worldviews. For instance, cultural significance can be identified in the names of the mountains Mount Tongariro, Mount Ngāuruhoe, and Mount Ruapehu, which symbolise the veneration of the central ancestor of the Ngāti Tūwharetoa (ibid. p. 381). Additionally, Māori cultural attributions extend to other physical features of the protected area, including seismic and geothermal activity, flora and fauna, and freshwater resources (ibid. pp. 383–384). Thus, the case of Tongariro National Park illustrates that the long-term preservation of Indigenous peoples' symbolic relationships with the ecological environment requires a redefined nature conservation. Asher highlighted that this question has remained unresolved since the establishment of Tongariro National Park in 1894 (ibid. p. 384). In the period prior to the establishment of the national park, the then paramount chief of the Ngāti Tūwharetoa, Horonuku, attempted to negotiate an agreement of joint trusteeship of the area with the Crown. Horonuku saw the area threatened by the ongoing colonisation of New Zealand. According to Asher, the role of the Ngāti Tūwharetoa chief is to safeguard the sacred cultural heritage, including the mountains (ibid. p. 386). Instead, the Crown (i.e., the monarchy of New Zealand) interpreted the chieftain's request as a gift. As a result, the national park was established, but the Ngāti Tūwharetoa were denied authority over their sacred sites (ibid. p. 387).

The World Heritage nomination process has gradually opened up a range of new opportunities for Ngāti Tūwharetoa. With the expectation that this measure would facilitate the protection of Māori cultural values, the Ngāti Tūwharetoa endorsed the nomination as a natural and cultural heritage site (ibid. p. 388). However, the nomination dossier was prepared with minimal involvement of the Ngāti Tūwharetoa. It was not until 1993 when case studies were to be presented at a World Heritage expert workshop on cultural landscapes, that the highest representatives of the Ngāti Tūwharetoa were able to report on their view of the importance of the

religious and cultural associations of Tongariro National Park (ibid. p. 389). At the subsequent meeting of the World Heritage Committee, Tongariro National Park became the first cultural landscape to be inscribed on the World Heritage List. Furthermore, the renomination of Uluṟu-Kata Tjuṯa National Park, which was originally inscribed in 1987, was also directly related to this decision (Buckley 2023, p. 63). Similarly, a new type of associative cultural landscape was employed in 1994 to reinscribe the natural site as a mixed site.

Moreover, Asher highlighted that the inscription of the park had set an important precedent for the recognition and conservation of Indigenous peoples' intangible cultural heritage under the World Heritage Convention (2014, p. 389). Asher's discussion of the processes acknowledges that the Ngāti Tūwharetoa welcomed the renomination since it respected the inseparability of the exceptional natural features and the intertwined intangible heritage of the Indigenous peoples (ibid. p. 399). Despite concerns raised by Indigenous communities about their involvement in decision-making processes[59], the renomination of Tongariro National Park set a precedent to inscribe mixed sites based on Indigenous cultural values alongside outstanding natural features. For instance, in their study on Indigenous-led conservation, Mason et al. (2022) underscored that the New Zealand government is currently revising its legislation to include the Māori peoples in the preservation of mountain parks such as Tongariro. In conclusion, Tongariro National Park represents an appropriate case study in light of the renomination process. In particular, recent research indicates that, since their introduction in 1992, cultural landscapes have been insufficiently employed to recognise living Indigenous conservation traditions on the World Heritage List (Koch & Gillespie 2024). Thus, this case study offers a valuable comparison point in this context and for the globalisation of Indigenous human rights since the inception of the cultural landscapes category.

[59] In his comparative study on the postcolonial representation of Uluṟu-Kata Tjuṯa and Tongariro National Park, Wallis (2014) posited that the two Indigenous cultural landscapes have undergone divergent developments. While Uluru-Kata Tjuta has increasingly been represented as an "Aboriginal landscape" (ibid. p. 290) in the context of the recognition of Indigenous land rights, in Tongariro, the Indigenous heritage has been subordinated to visual representation since the 2000s. Since the filming of the Lord of the Rings trilogy in New Zealand, which included Tongariro National Park, the New Zealand government has sought to benefit from the international attention generated by the film. According to Wallis, this shift has resulted in the emergence of the "Frodo economy" (ibid. p. 293), with a notable emphasis on tourism driven by the film industry in the area. Wallis examined the policies of the two States Parties, Australia and New Zealand. The comparison demonstrates that, despite the Māori demands that emerged from the Waitangi Tribunal, the State Party has limited itself to a model of co-management in the case of Tongariro. The Waitangi Tribunal serves as a permanent commission of inquiry in New Zealand on claims brought by Māori concerning violations of their customary rights (Asher 2014, p. 384 f. 12). Between 2005 and 2007, the Waitangi Tribunal addressed submissions from Indigenous peoples regarding the management of national parks, with a particular focus on Tongariro National Park (ibid. p. 395). After the examination of the claims presented, the Tribunal concluded that the management plan in place at the time did not adequately protect Indigenous cultural heritage. One example of this deficiency was the absence of agreements regarding the joint management of revenues.

5.1.2.3 Lake Bogoria, Kenya (2011): A World Heritage Designation Fuelling Indigenous Struggles for Self-Determination

Lake Bogoria is one of three lakes that collectively constitute the Kenya Lake System in the Great Rift Valley (see Figure 5.4), which was inscribed as a serial[60] natural World Heritage site in 2011. However, in contrast to Lake Nakuru and Lake Elementaita, Lake Bogoria's inscription has prompted international criticism regarding the violation of Indigenous human rights (Disko 2017, p. 71). This controversy arose during the nomination process due to its failure to adequately address the forced resettlement of the Endorois, the original inhabitants of Lake Bogoria (Abraham 2014). The Endorois are a semi-nomadic pastoralist community that were forcefully evicted from their lands after the creation of the Lake Bogoria Game Reserve in 1973 (ibid. p. 166; Sergon, Akoth & Dzinekou 2022, p. 38). Lake Bogoria has also been the subject of global conservation efforts since 2001, when it was recognised as a wetland of international importance under the Ramsar Convention (Convention on Wetlands Secretariat 2024). However, the historical context of the resettlement of the Endorois was not a consideration in the international nature conservation efforts before the designation as a World Heritage site. While the Endorois have been legally challenging their eviction since the 1990s, the dispute reached a culmination in 2009, when the African Commission on Human and Peoples' Rights (ACHPR) issued a paradigmatic decision that set a precedent for the defence of Indigenous peoples' land rights in Africa (Lynch 2012, p. 25). The ACHPR ruled in favour of the Endorois and acknowledged that "the community has faced systematic restrictions on access to sites, such as the banks of Lake Bogoria, which are of central significance for cultural rites and celebrations" (ACHPR 2009, art. 116).[61] Consequently, the ACHPR's ruling not only affirmed the Endorois' land rights and cultural rights but also exerted a lasting influence on the designation of Lake Bogoria as a World Heritage site.

[60] According to the Operational Guidelines, a serial World Heritage site is defined as a collection of interrelated sites that collectively reflect cultural or ecological linkages (UNESCO 2023, para. 137).

[61] At the ACHPR hearing, the human rights organisations WITNESS, the Centre for Minority Rights Development (CEMIRIDE) and the Minority Rights Group International (MRG) presented the documentary film *Rightful Place* (CEMIRIDE, WITNESS & Minority Rights Group 2007). The NGOs represented the EWC and, for the first time, personal accounts from various generations of the Endorois were presented to Africa's highest human rights body as evidence of the long-lasting consequences of the expulsion (Ohenjo 2022, p. 7). Moreover, the accounts of the Endorois illustrated that as pastoralists, they rely primarily on livestock and their by-products for sustenance and economic resources. The Endorois are unable to employ seasonal movement to regulate access to water and grazing areas without unrestricted access to pastures such as those around Lake Bogoria.

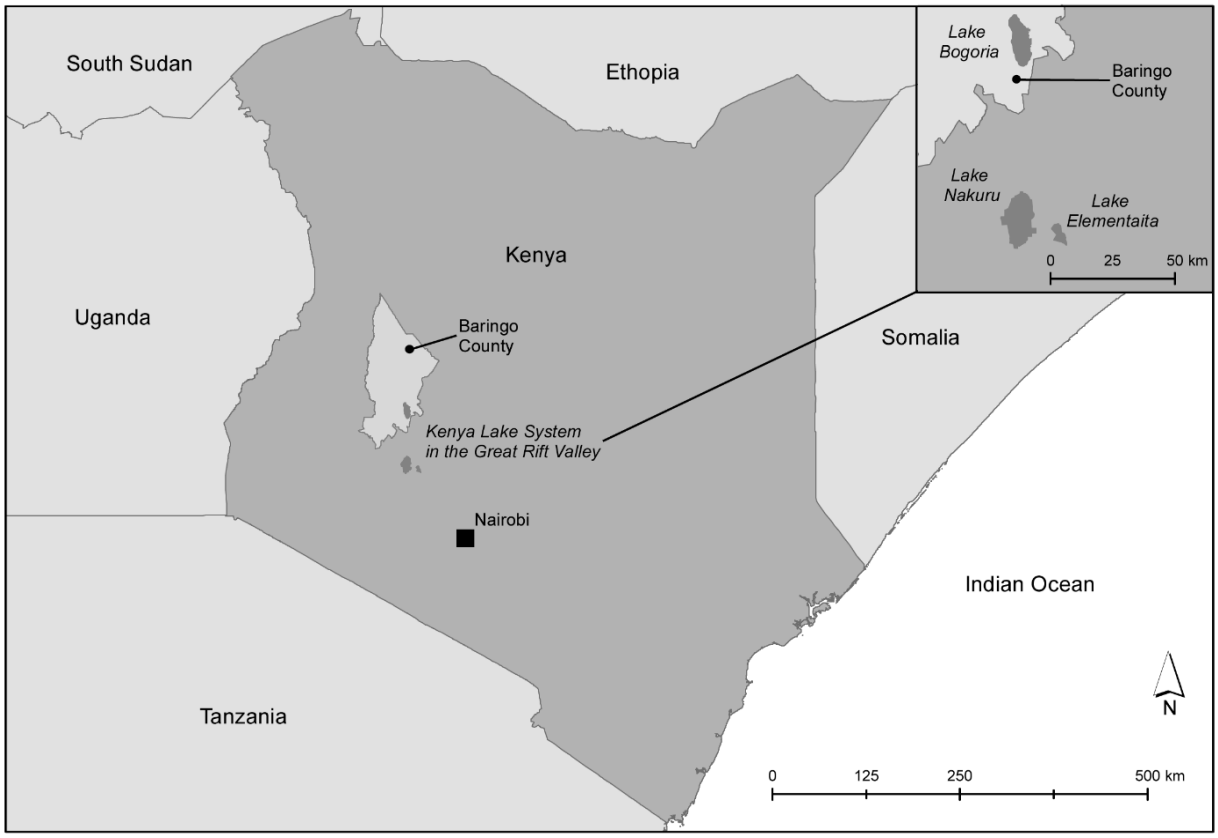

Figure 5.4: Location of Lake Bogoria

Despite objections from the Endorois Welfare Council (EWC) and numerous Indigenous organisations and NGOs, the World Heritage Committee inscribed Lake Bogoria on the World Heritage List shortly after the ruling. In a joint statement to the tenth session of the UNPFII, representatives of Indigenous peoples, including the EWC, denounced the continued violation of key principles set forth in the UNDRIP concerning the establishment of World Heritage sites such as Lake Bogoria (UNPFII 2011). In hindsight, however, Barreiro Carril (2014) observed that despite its efforts, IUCN was unable to ensure the participation of the Endorois during the nomination process. IUCN, responsible for evaluating the nomination of the natural site, consulted with representatives from Baringo County. Nevertheless, in accordance with the UNDRIP, consultations with the Endorois should have been conducted through their own institutions, such as the EWC (ibid. p. 45). Furthermore, the Lake Bogoria case was distinctive due to the international dispute over its World Heritage site registration. Subsequently, the ACHPR (2011) adopted a resolution in which it explicitly denounces the World Heritage designation of Lake Bogoria as a contravention of the rights of the Endorois. In his research on the Lake Bogoria case, Abraham found evidence that the ACHPR had filed a letter with the Director of the World Heritage Centre, requesting that the World Heritage Committee, IUCN, and the State Party ensure the effective participation of the Endorois through their institutions in all future decisions

(2014, pp. 180–181).[62] Moreover, these developments demonstrated the considerable importance of the ACHPR ruling with respect to the increased focus on exclusionary conservation practices within the World Heritage regime (cf. Disko & Tugendhat 2013, pp. 34–35).

Hence, the conflict surrounding the Endorois' rights at Lake Bogoria is a long-standing issue that concerns the legacies of exclusionary conservation. As Lynch (2012) emphasised, the dispute over Lake Bogoria represents a central element in the mobilisation of the Endorois as Indigenous people. More precisely, the ongoing conflict over the World Heritage status of Lake Bogoria and the hearings before the ACHPR represent further arenas in which the Indigenous struggle for self-determination is being played out (ibid. p. 31). Consequently, the demand for a fair distribution of revenues derived from tourism is not merely a claim for economic compensation. For example, the enhanced protection status of Lake Bogoria has implications for other forms of sustenance practised by the Endorois, linking their struggle for self-determination with their cultural preservation. As Lynch argued, these "feelings have prompted a sense of marginalization and common purpose, but also an idea of the Endorois as culturally distinct, vulnerable *and* threatened" (ibid. p. 32, emphasis in the original). In other words, the contested World Heritage status represents a powerful resource for the political mobilisation of Indigenous identity. In conclusion, the case study of Lake Bogoria is particularly suitable for examining the agency of the Endorois people within the World Heritage regime. Here, exclusionary practices of conservation, which were reproduced in the nomination as a World Heritage site, led to increased international attention to the conflict over the rights of the Endorois. Thus, it is evident that the global recognition of Indigenous human rights has already had an impact on the World Heritage regime in this case.

5.1.2.4 Pimachiowin Aki, Canada (2018): Indigenous-led Nomination of a Cultural Landscape

Pimachiowin Aki (see Figure 5.5) – which means "the land that gives life" (Fogarty 2022, p. 48) in the Ojibwe language – is the most recent case study to be considered in the comparative analysis. The protected area was inscribed on the World Heritage List as a cultural landscape in 2018, making it one of the latest examples of recognised Indigenous land-use practices by the World Heritage regime. In contrast to the case of Tongariro National Park, Pimachiowin Aki was inscribed under two and one natural criterion (see Table 5.1). Similar to Tongariro

[62] In addition, Abraham stated that the director of the World Heritage Centre had responded to the ACHPR and confirmed that the matter of participation would be addressed through the State of Conservation procedure with the State Party (2014, p. 181). It is important to note, however, that Abraham had these documents on file, but they were not published (ibid., f 65-66).

National Park, cultural criterion (vi) was used to acknowledge the spiritual beliefs and cultural traditions associated with the Indigenous peoples' connection to the protected area. Furthermore, Pimachiowin Aki was recognised under cultural criterion (iii) as an example of Indigenous land-use systems, embodied in the cultural tradition of Ji-ganawendamang Gidakiiminaan ("keeping the land") of the Anishinaabeg communities. Additionally, Pimachiowin Aki was nominated under the natural criterion (ix) for its significance as the largest representation of the North American boreal shield, encompassing its characteristic biodiversity. The nomination of Pimachiowin Aki resulted from a joint initiative between the Anishinaabeg First Nations communities and the governments of Manitoba and Ontario (Lemelin and Bennett 2010). However, the process also involved two unsuccessful attempts to inscribe it as a mixed site.

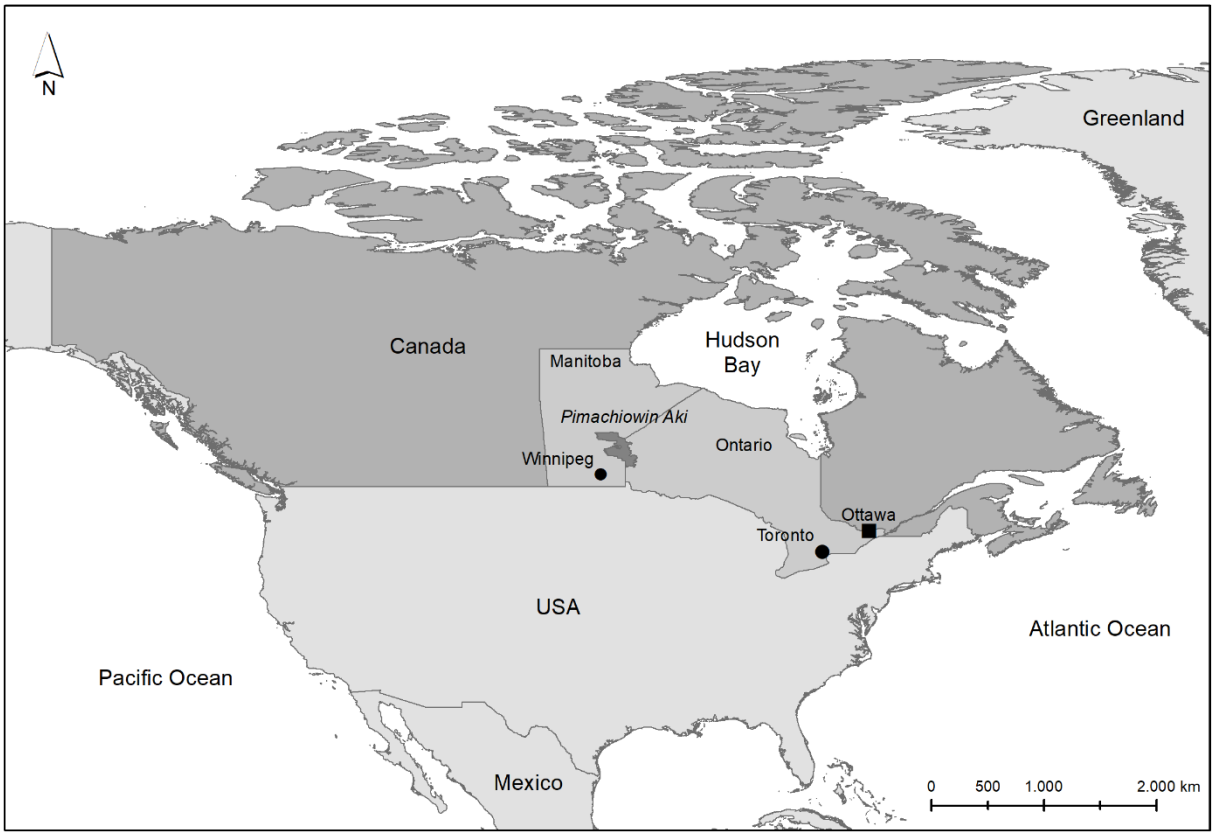

Figure 5.5: Location of Pimachiowin Aki

The initial nomination was submitted in 2012, but it was ultimately unsuccessful because both Advisory Bodies determined that the criteria for inscription were not met. Following their evaluation, both IUCN and ICOMOS recommended that the nomination be deferred based on both natural and cultural criteria.[63] As Disko (2017) observed, this case once again demonstrated the

[63] See Document 13/37.COM/INF.8B2 for the evaluation report by IUCN (2013, pp. 135–143) and Document WHC-13/37.COM/INF.8B1 for the evaluation report by ICOMOS (2013, pp. 35–46).

difficulties associated with nominating mixed sites. Although the ten criteria for cultural and natural heritage are presented as a unified list, the practical application of this framework requires the conduct of two separate evaluations by IUCN and ICOMOS (ibid. p. 50). Consequently, the nomination was deferred in 2013 in order to identify potential long-standing connections between the Anishinaabeg and Pimachiowin Aki, with a particular focus on the interrelationship between cultural practices and the landscape within Pimachiowin Aki and its relevance to the World Heritage Convention.[64] Meeting this requirement presented another obstacle from Disko's perspective, as the Anishinaabeg do not consider their connections to the protected area to be extraordinary, doing so would imply that other First Nations' connections to their own territories are somehow lesser (ibid. p. 60). Nevertheless, the Anishinaabeg were supportive of the nomination of Pimachiowin Aki from the outset, as evidenced by Jones's reference to the "Message from the First Nation Partners of Pimachiowin Aki" in the introduction of the nomination dossier (Jones 2014, pp. 443–444). Moreover, the existing literature on the case of the Pimachiowin Aki World Heritage nomination has confirmed the notion of an Indigenous-led effort that dates back to the Protected Areas and First Nation Stewardship Accord signed by five First Nations in 2002 (Lemelin & Bennett 2010, p. 175; Pawlowska-Mainville & Kulchyski 2015, p. 137).

In 2016, the Canadian government proposed a revised nomination, which the World Heritage Committee referred back[65] to the State Party requesting the implementation of a comprehensive management strategy in collaboration with the Pimachiowin Aki Corporation.[66] However, in the context of the 2016 session of the World Heritage Committee, the Advisory Bodies recommended in principle that Pimachiowin Aki be inscribed. In 2018, the inscription of Pimachiowin Aki as a mixed World Heritage site was approved after a re-evaluation of the third revision of the nomination was conducted by the Advisory Bodies. In terms of management, the Advisory Bodies advised that socio-economic development be given greater prominence in a future management plan.[67] Hence, the inscription on the World Heritage List signalled the finalisation of decades-long endeavours to establish an Indigenous cultural landscape. Additionally, Pawlowska-Mainville and Kulchyski observed that the protected area was never regarded as a "pristine wilderness" (ibid. p. 137) at any stage during the nomination process.

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[64] See Decision: 37 COM 8B.19 by the World Heritage Committee at its 37ths Session (UNESCO 2013b, pp. 175–176)

[65] Following the Operational Guidelines, it is necessary to differentiate between the concepts of *deferral* and *referral* (UNESCO 2023, paras 159–160). While *deferral* implies that a nomination must be revised substantially, *referral* indicates that additional information is required for inscription.

[66] See Decision 40 COM 8B.18 by the World Heritage Committee at its 40th Session (UNESCO 2016, p. 210)

[67] See Document WHC/16/40.COM/INF.8B2 for the evaluation report by IUCN (2016, pp. 135–147) and Document WHC/16/40.COM/INF.8B1 for the evaluation report by ICOMOS (ICOMOS 2016, pp. 61–75).

Rather, Pimachiowin Aki gained its political weight as an Indigenous landscape nomination due to its long-established land use and occupation by the First Nations (ibid. p. 135). Furthermore, Pawlowska-Mainville and Kulchyski recognised the implications of hunting practices for the preservation of the landscape (ibid. p. 124).

It is not surprising that the OUV statement acknowledged the Anishinaabeg's hunting and fishing practices as fundamental and deep-rooted features of the property (UNESCO World Heritage Centre n.d.). As Pawlowska-Mainville and Kulchyski noted, the significance of Indigenous traditional land-use practices in Pimachiowin Aki becomes particularly evident within the broader Canadian context (2015, p. 144). The Indigenous inhabitants of Pimachiowin Aki reside in a large nature reserve, which is home to a few First Nations communities, underscoring the importance of traditional land-use practices in maintaining the reserve. Consequently, hunting and fishing are integral components of a comprehensive stewardship system for the ecosystems within the World Heritage site (IUCN World Heritage Outlook 2020c). In contrast, in neighbouring regions such as Alberta, the extraction of raw materials or generation of hydroelectric energy has resulted in the destruction of former hunting grounds and the loss of Indigenous cultural traditions (Pawlowska-Mainville & Kulchyski 2015, p. 145).

To conclude, the case study of Pimachiowin Aki is particularly relevant for the comparative analysis as it demonstrates how an Indigenous cultural landscape was nominated from below (cf. Appadurai 2002). Within the theoretical framework of the World Heritage regime, the property can be regarded as a "[r]ecognition of worldviews outside the Western canon, [which] is pivotal for broadening understandings of World Heritage beyond Eurocentric confines" (Fogarty 2022, p. 50). However, during the nomination process, the First Nations encountered Eurocentric conceptions such as exceptionality, which effectively limited the evaluation procedure for Indigenous World Heritage sites (ibid. p. 49). Consequently, the case study helps to understand the influence of the globalisation of Indigenous human rights on the World Heritage regime.

5.1.2.5 Reflections on the Case Selection

The introductory part of this section already addressed the specific challenges of comparing case studies. It is nevertheless important to reiterate that the backgrounds of the four case studies are presented to demonstrate that they do not represent ideal types in terms of the rights of Indigenous peoples in the World Heritage regime The objective of this study was to use the selected case studies to compare diverse regional and historical experiences of Indigenous peoples within the regime.

While this section has outlined Indigenous experiences since the establishment of the World Heritage sites, it is also necessary to briefly reflect on the associated methodological challenges from a decolonial perspective. Due to its limitations, however, the present study cannot be considered a contribution to the broader debate on decolonising methodologies (cf. Tuhiwai Smith 2012). As a non-Indigenous researcher, the author acknowledges that engaging with the legacies of exclusionary conservation practices in the World Heritage regime raises important methodological questions from a decolonial perspective (Ali et al. 2022). As Swadener and Mutua noted, decolonising research "recognizes and works within the belief that non-Western knowledge forms are excluded from or marginalized in normative research paradigms" (2008, p. 33). Thus, omitting these considerations would risk overlooking the agency and epistemologies of Indigenous peoples in the World Heritage regime.

Grappling with the legacy of "green colonialism" is a salient challenge when conducting research on Indigenous rights within the context of the World Heritage regime (cf. Blanc 2020). In the context of the World Heritage regime, "green colonialism" rendered Indigenous peoples as a potential threat to global conservation goals through the lenses of authorised heritage discourses (cf. Smith 2006). As the World Heritage regime denied Indigenous peoples' agency in validating what constitutes legitimate knowledge about conservation, applying a decolonial viewpoint of the research methods can be useful. This requires a shift in perspective, moving away from a narrow practical focus on case study research and towards a recognition of the (non-)permeability between Western epistemological frameworks vis-à-vis non-Western and Indigenous epistemologies in the comparative analysis (Swadener & Mutua 2008, p. 34). Nevertheless, the present study cannot assume the role of "dismantling colonial research practices" (Ali et al. 2022, p. 201) in the field of Indigenous rights and World Heritage for two reasons.

Firstly, the study's methodological approach was based on an extensive document analysis (see section 5.2), which limits opportunities for inclusive forms of research that foster social change (cf. Hui 2023, p. 1076). Secondly, the comparative analysis must avoid misrepresenting Indigenous epistemologies or worldviews, since the cases are located in different historical and regional contexts (cf. Ali et al. 2022, p. 200). To conclude, this research is informed by decolonising research approaches, which enable an awareness of the potential and limitations of the comparative case study research.

5.2 Document Analysis in Qualitative Research

This section delineates the specific document analysis approach used, rooted in Prior's (2004) concept of documents as products and Atkinson and Coffey's (2004) analytical framework of documentary realities of specific organisational settings. The discussion navigates through the requirements of using documents as reliable sources of data and evidence, beginning with an overview of the methodological and analytical presuppositions inherent in document analysis in the social sciences (section 5.2.1). Furthermore, it discusses the debates about the use of document analysis as a stand-alone approach to qualitative social research, highlighting how documents are used, generated, and interpreted in different social settings (section 5.2.2). Finally, this section outlines how document analysis was combined with qualitative content analysis (section 5.2.3).

5.2.1 Documents as Products in the World Heritage Regime

In the context of the World Heritage regime, documents play a central role in recording the complex processes through which a protected area or cultural heritage site achieves the status of World Heritage property. In this regard, it becomes evident that the existence of a World Heritage site is inextricably linked to the act of documentation. Despite local layers of meaning ascribed to certain natural landscapes or cultural heritage sites, their recognition as properties within the World Heritage framework depends on documentation. This process ensures compliance with the regime's principles. Criticism of the authorised heritage discourse is thus valid, as the World Heritage regime determines which sites are worthy of protection exclusively within the framework of the World Heritage Convention. Integrating local meanings thus becomes secondary to inscribing a site as World Heritage. Therefore, the lack of systematic analysis of the material is surprising given that many studies on Indigenous human rights and World Heritage refer to various official documents (illustrated in this edited volume by Disko & Tugendhat 2014).

This lack of systematic analysis is peculiar, given that social scientists have access to a wealth of documentary material that is not as available or accessible in other fields. Moreover, document analysis is not only concerned with content but also with broader questions of the function and context of the material. Therefore, when considering their function and context, it is necessary to develop an appropriate research strategy for analysing the records. In this regard, Prior (2004) suggested that researchers should pay attention to the ways in which the readership of the documents shapes their production:

> "[W]e need to keep in mind that the content of a document is never fixed and static, not least because documents have always to be read, and reading implies that the content of a document will be situated rather than fixed." (ibid. p. 91)

Given the central role of producing records in the World Heritage regime, the idea of active readership is important to address how these records are produced. Prior identified two roles of documents: first, they contain information; second, they are instruments that shape and are shaped by their readership (ibid. p. 76). As Bertacchini et al. (2016) highlighted, UNESCO World Heritage decision-making processes rely on the nomination dossiers for specific sites provided by States Parties. These nomination dossiers are subject to evaluation by the Advisory Bodies to ensure compliance with the Operational Guidelines (ibid. p. 98). The evaluations of the nominations serve as the prerequisite for the decision-making process during the annual meetings of the World Heritage Committee. Bertacchini et al. (2016) also demonstrated that cases of negative evaluations by Advisory Bodies are increasingly influenced by cultural, political, or economic relations between the States Parties within the World Heritage regime (ibid. p. 124). From a politicisation perspective, documents' second role – as instruments – becomes crucial: they should be seen as active entities constantly susceptible to change or manipulation (2004, p. 76). Their content is not static; therefore, document analysis also needs to examine how they structure relations within the World Heritage regime.

Hence, using documents as data material is a promising research strategy in the present study, because they are integrated into the World Heritage regime's "field of social action" (Prior 2003, p. 16). The specific and local characteristics of World Heritage sites are translated into general and binding forms in the bureaucratic routines of UNESCO, primarily through documents. Under these conditions, it was necessary to use a classification system to determine how social relations between States Parties, international organisations, and Indigenous peoples are ordered in the relevant records. This classification system determined what information about social reality was included and excluded from these documents (Prior 2004, p. 78). Therefore, the analysis does not focus solely on the content of the documentary material but also considers ways in which knowledge about World Heritage is recorded or co-recorded at different institutional levels. Thus, the material considered in this study includes nomination files, management plans, regular state of conservation (SoC) reports, and relevant official statements by Indigenous representatives and international human rights bodies. Additionally, the World Heritage Convention and the revised Operational Guidelines were also considered when analysing the material.

Table 5.3: Documents of the World Heritage regime

Type of document	Description
Nomination files	States Parties select sites from a tentative list which serves as a register of important cultural and natural sites. With the assistance from the World Heritage Centre, a State Party presents a nomination file, which is a detailed dossier that provides information about the site and its significance based on the criteria for selection. The nomination file is submitted to the World Heritage Centre including a description of the site, its boundaries, a justification for its inclusion on the World Heritage List, and a management plan for the site. Nomination dossiers are not always available, but in many cases of inscribed sites they are published on the website of the World Heritage Centre.
World Heritage Committee decisions	The intergovernmental World Heritage Committee, which consists of 21 State Party representatives, will consider the nomination and make a final decision on whether to inscribe the site on the World Heritage List. This decision is typically made at the annual meeting of the World Heritage Committee. For each session of the Committee, draft decisions are made available through the website of the World Heritage Centre. After each session, an extensive report about the decisions adopted is published on the website of the Centre.
Evaluation reports	The Advisory Bodies are responsible for evaluating every nomination. ICOMOS and the IUCN are two of the three Advisory Bodies that possess statutory rights under the World Heritage Convention. ICOMOS reviews the cultural sites nominated, and IUCN reviews of the natural sites. They provide the World Heritage Committee with expert advice on whether the nomination meets the criteria for selection. The evaluation reports are made available through the website of the World Heritage Centre.
State of Conservation reports	SoC reports provide information on the state of a World Heritage site and the measures taken to protect and conserve it. These reports are prepared by the Secretariat and the Advisory Bodies and are submitted to the World Heritage Committee at regular intervals. The purpose of these reports is to help the World Heritage Committee monitor the state of World Heritage sites and identify any threats or challenges that may affect their conservation. These reports are considered as a fundamental tool for the implementation of the World Heritage Convention. They ensure that World Heritage sites are properly managed and protected. All reports are published on the website of the World Heritage Centre.
Periodic reporting	In addition to the SoC process, periodic reporting is another mechanism to ensure the application of the provisions of the World Heritage Convention. These reports are prepared by the States Parties and are also submitted to the World Heritage Committee. States Parties inform the Committee about their experiences in the field and may also request assistance in the preparation of the reports from the Advisory Bodies. These documents are relevant materials, as they serve to compile regional reports in regular cycles of reporting of six years. Based on the regional reports, the Committee devises recommendations to States Parties that are rendered as regional actions plans.

Source: (KMK 2017; UNESCO World Heritage Centre n.d.)

When analysing documents, the criteria that guide their selection must also be considered. Given that the material predominantly comprises knowledge generated by experts fulfilling various roles within the World Heritage regime, this aspect requires particular attention when selecting the material. For instance, Prior (2004) identified three quality criteria for systematically evaluating expert documentation. These criteria include the way the documentation was produced, who was responsible for its production, and how this process is embedded in a specific social context (ibid. p. 84). In the context of the World Heritage regime, document production processes unfold within a politically pre-structured space. These processes shape how experts provide commentary on inscriptions of World Heritage sites, engage in discussions and negotiations regarding nominations, and ultimately document their insights, advice, and judgments in the requisite supporting documents (cf. Bertacchini et al. 2016). Consequently, the criteria set out by Prior (2004, p. 84) were expanded to select the material analysed in this study. To do so, the following questions were answered: What type of document is it? How are the documents produced? Who is responsible for their production? How is their production process socially organised? What is the historical context of the document?

In the context of the present study, the data consists of standardised records required for the designation and monitoring of World Heritage sites. Table 5.3 contains the type of documents that were used to construct the "corpus" (Flick 2023, p. 348) of the data set. Furthermore, the document types are organised to clearly illustrate their relationship in the production process. The nomination files submitted by the States Parties to the World Heritage Centre present the case for the proposed site to meet the requirements for its inclusion on the World Heritage List. Nevertheless, the analysis focuses in most cases on World Heritage Committee decisions, evaluation, and SoC reports by the Advisory Bodies, as the nomination dossier could not be retrieved in every case from the website of the World Heritage Centre. In addition, Table 5.3 contains a summary of each type of document concerning the organisation of the production process in the World Heritage regime. These explanations represent the initial approach to the previously mentioned questions regarding the selection of materials. Based on the data material, more detailed responses to these questions are provided in the case studies.

In summary, these questions must be answered for the selected materials to analyse the ways in which documents influence social relations within the regime. Building on the theoretical framework established by Latour, namely action-at-a-distance (Latour 1987; in Prior 2004, p. 88), Prior posited that the influence of documents upon future actions is pervasive in organisational contexts. These records frequently contain specific instructions regarding the organisation's activities. Furthermore, the analysis had to assess the extent to which documents act as

a powerful resource within the pre-structured political space of the World Heritage regime. The latter aspect is particularly important in the context of this study, as it goes beyond the standardised actions and processes within the World Heritage regime that are recorded in and initiated through the documents. As previously stated, documents serve a dual function: they act as repositories of information and as agents that can be manipulated (ibid. p. 91). While the documents are de facto instruments for standardised actions such as nominating, inscribing, or reporting, they have also become resources to mobilise critique and resistance by Indigenous peoples against exclusionary practices of conservation within the World Heritage regime.

5.2.2 Document Analysis as a Stand-Alone Approach: The Documentary Reality of the World Heritage Regime

Having presented the criteria for material selection in the previous section, it is equally important to establish an analytical framework for qualitative document analysis, given its use as a stand-alone methodological approach. Such a framework enables the extraction of insights regarding the representation of cultural phenomena and social relationships in the World Heritage regime.

In this context, Atkinson and Coffey's (2004) approach appears promising, as it centres on the textual representation of reality in the context of organisations. In particular, they proposed document analysis as a viable approach to qualitative research in its own right, arguing that documentary records play an indispensable role in understanding contemporary societies (ibid. p. 57). Atkinson and Coffey observed that in qualitative research, documents are frequently relegated to the status of secondary data that corroborates the results of primary sources, such as interviews, thereby facilitating triangulation (ibid. p. 59).[68] They contend that triangulation impedes the ability to give documents the necessary weight in the analysis and that this strategy ultimately leads to inadequate analysis of the material (ibid.). In their view, the problem is even more severe when qualitative studies completely disregard the existing documentary material in their data collection (ibid.). In response to the tendency of triangulation, Atkinson and Coffey highlighted the value of analysing documentary realities in organisations as a promising research strategy in its own right (ibid.).

The concept of documentary realities refers to the systematic examination of the production processes and perception of documents in contemporary societies (ibid. p. 57). These

[68] This claim is congruent with Wolff's argument that "documents represent an *independent data level*" (2013, p. 511, author translated, emphasis in the original). From Wolff's perspective, it is problematic when qualitative research studies seek "to play off statements in documents against results that were obtained on other data levels (such as through interviews or observations)" (ibid., author translated).

organisational settings do more than position individuals as agents or actors; rather, they are engaged in writing and reading documents and are part of the routine tasks of recording, archiving, and information retrieval. In a similar vein, Wolff proposed investigating institutional communication contexts via document analysis (2013, p. 508). Drawing on Sacks's (1972) socio-linguistic approach to debates in ethnography, Wolff emphasised that document analysis must focus on the use of institutionalised rules of categorisation and interpretation (2013, p. 509). In the context of the documentary reality of the World Heritage regime, these rules serve as the primary sources of information about membership in the regime (Atkinson & Coffey 2004, p. 58). Furthermore, membership indicates that the documents were always produced with the recipient in mind (Wolff 2013, p. 509). Consequently, document analysis should consider the manner in which descriptions of facts and their interpretations give rise to conflicts between the producers and recipients (ibid. p. 510).

The institutional rules governing document production have important implications for the case studies. In analysing the selected World Heritage sites, documentary material is vital precisely because most actions within this organisational setting cannot occur without being recorded. As Atkinson and Coffey observed, "[s]uch political and organisational work is impossible without the construction of documentary facts and realities" (2004, p. 61). Hence, through standardisation and classification the documentary reality of the World Heritage regime is produced through nominations dossiers, decisions, and reports (see Table 5.3). As Atkinson and Coffey noted, documentary realities in organisational settings are usually closely linked to these specific classification systems (ibid.). Nevertheless, the specific classification system is not derived from the material itself, but rather is based to a considerable extent on the World Heritage Convention (UNESCO 1972) and the associated Operational Guidelines for its implementation (UNESCO 2023). In particular, the definitions of cultural and natural heritage set out in the World Heritage Convention serve as a basic classification system, as they determine what *is* and what *is not* a World Heritage site (UNESCO 1972, arts. 1–2).

In addition, the Operational Guidelines contain ten selection criteria that regulate actions to include specific sites on the World Heritage List (UNESCO 2023, para. 77). As a further precondition for the inscription, the Operational Guidelines stipulate that World Heritage sites must possess an OUV, which denotes the global importance of a cultural or natural location (UNESCO 2023, paras. 49–53). However, the implications of this classification system for the case studies do not permit a straightforward acceptance of the provisions of the World Heritage Convention and its Operational Guidelines. From the perspective of Smith's (2006, p. 13) critique of the authorised heritage discourse, the examination of the material must engage with the

manner in which the discourse of the World Heritage regime controls and constrains actions and agency.

However, it is necessary to consider the implications of the document analysis limitations for the case studies. According to Atkinson and Coffey, a fundamentally critical approach to the documentary reality of the World Heritage regime may lead to biases in the analysis of the material (2004, p. 60). For example, such bias could lead to an exclusive focus condemning the impenetrable and illegitimate concentrations of bureaucratic power in the World Heritage regime. To avoid any potential bias in the analysis of documents, it is necessary to consider three key aspects. Firstly, Prior's (2004, p. 84) criteria for regarding documents as products must be employed as a basis for selecting the material (see section 5.2.1). Secondly, the researcher must pay close attention to the manner in which the documents emerge as distinct products within their context (cf. Prior 2003, p. 19). Finally, as Atkinson and Coffey (2004) highlight, it is necessary to consider what the document material cannot achieve. In particular, they caution against equating it with the unambiguous representation of the workings of the organisational context:

> "Documents are 'social facts' [... and they] are not [...] transparent representations of organisational routines, decision-making processes or professional diagnoses. They construct particular kinds of representations using their own conventions." (Atkinson/Coffey 2011: 58)

Nevertheless, this limitation emphasises the value of documents as material for the qualitative analysis. The researcher could misinterpret the bureaucratic and technical language of the data material – what Atkinson and Coffey described as "officialese" (ibid. p. 60) – thereby potentially weakening its analytical value. For example, it is notable that the classification system of documentary reality within the World Heritage regime is concerned with the continuous structuring of the organisational context. Consequently, despite the extensive documentation required for nominating and monitoring World Heritage sites, this form of structuring the organisational context ensures maintaining standardisation and the establishment of predictability of expectations about actions. In this regard, the World Heritage regime is similar to other organisational settings, particularly in the context of the UN. Designating a World Heritage site must be formally clear and legally binding, and this process also delineates what is and what is not a World Heritage site. States Parties, UNESCO representatives, and experts require explicit and constant guidance on the expectations for protection and management. This process standardises the diverse local and regional conditions of individual sites into the uniform classification system and formal documentation – the documentary reality – of the World Heritage regime.

These continuous processes of structuring and classification within the domain of the World Heritage regime present additional benefits for the analysis of documentary sources. Proponents of using document analysis as a stand-alone approach include Bowen (2009), who identified several characteristics that make it suitable for qualitative research. First, constructing the "corpus" (Flick 2023, p. 348) entails selecting rather than collecting the data material (Bowen 2009, p. 31). This feature of document analysis allows for efficient comparison of cases from disparate regions of the world (see Table 5.4).). Second, the material is more easily accessible since the designation of World Heritage sites involves publicly accessible documents. As Schmitt highlights, all essential documents for every World Heritage site are now made available to the public in digital format by the World Heritage Centre, although these files were previously stored physically (2011, p. 99). Moreover, since the content of official records remains stable, the data material can be examined with respect to different temporal and geographic contexts (Bowen 2009, p. 31).

Nevertheless, an examination of individual documents in isolation needs to systematically capture the documentary reality in a given organisational setting. To this end, Atkinson and Coffey have proposed the idea of "intertextuality" (2004, p. 66). To illustrate this point, they drew upon contemporary literary criticism to demonstrate that literary texts do not exist in isolation but rather are embedded in a network of textual interrelatedness. According to this approach, individual documents are not simply a reflection of a single social reality. Rather, intertextuality requires understanding and explaining the internal relationships between documentary records. These internal relations create and develop the documentary reality of the World Heritage regime. In Atkinson and Coffey's terms, these internal relations can be analysed in terms of "sequence and hierarchy" (ibid. p. 67). Thus, it is possible to examine how documents in the data material are related to each other. Atkinson and Coffey outline the following steps for analysing intertextual relationships in specific organisational contexts:

> "We can examine how conventional formats are shared between texts, and thus how they construct a uniform, bureaucratic style. We can note how they are linked as series or sequences of documents. [...] [Documents] thus construct rational sequences of decisions and their consequences, distributed regularly over time, and reported in uniform formats. We can thus examine how documentary realities have *temporal* dimensions built into them. [...] In another sense, documentary sources *supress* time, by lifting events out of the flow of lived experience, and recording them in the decontextualised language and formats of official records. [...] One important analytic theme here is the observation that the systematic relationships between documents actively *construct* the rationality and organisation that they purport transparently to record. [...] Documentary realities, based on complex inter-linkages between documents, *create* their own versions of hierarchy and legitimate authority." (ibid. p. 68 ff, emphasis in the original)

The steps Atkinson and Coffey (2004) proposed for the investigation of intertextual relationships in documentary realities have three methodological consequences for the analytical scope of this study.

Firstly, the temporal dimensions built into the documentary reality of the World Heritage regime may be apparent, as Table 5.4 indicates. The cursory overview of the document material for the four case studies demonstrates a continuous expansion of their status as World Heritage sites within the institutionalised structures of the World Heritage regime. This observation is consistent with Meskell's assertion that the intergovernmental programme of the World Heritage Convention has institutionalised bureaucratic routines for the preservation of cultural and natural heritage of global importance (2018, p. 66).

Secondly, the document material consists of official records that are part of a broader system of connections and interactions between different elements within the World Heritage regime. For example, the creators of the records may collect contentious local experiences that accompany processes such as nominations or monitoring reports. Depending on specific roles attached to their authorship, however, lived experiences may also be incompatible for recording.

Table 5.4: Overview of case studies and document material (1980s – present)

World Heritage Site, Type, and Year of Inscription	1980s	1990s	2000s	2010 – present
Manú National Park, Peru *Natural site (1987)*	▪ IUCN evaluation nomination 1987 ▪ WHC Dec. inscription 1987		▪ SoC reports 2007 & 2008 ▪ IUCN evaluation 2009	▪ SoC reports 2010 & 2011
Tongariro National Park, New Zealand *Mixed site (1990/93)*	▪ IUCN evaluation nomination 1987 ▪ WHC Dec. deferred nomination 1987 ▪ IUCN evaluation nomination 1989 ▪ WHC Dec. deferred nomination 1989	▪ IUCN evaluation nomination 1990 ▪ IUCN & ICOMOS evaluation nomination 1993 ▪ WHC Dec. inscription 1990 ▪ WHC Dec. inscription 1993 ▪ SoC reports 1995, 1998, & 1999	▪ SoC reports 2001 & 2002	▪ Periodic reporting 2012
Lake Bogoria, Kenya *Natural site (2011)*				▪ IUCN evaluation nomination 2011 ▪ WHC Dec. inscription 2011 ▪ SoC reports 2014, 2015, 2017, 2019, 2021, & 2023
Pimachiowin Aki, Canada *Mixed site (2018)*				▪ IUCN & ICOMOS evaluation nomination 2016 ▪ WHC Dec. deferred nomination 2016 ▪ IUCN & ICOMOS evaluation nomination 2018 ▪ WHC Dec. inscription 2018

Nonetheless, the authorship includes distinct roles for "a vast bureaucratic machine that comprises a Secretariat for managerial matters, Advisory Bodies composed of technical experts, internal and external committees, auditors, independent evaluators, experts and consultants, States Parties and their national bureaucracies" (ibid.). Depending on the respective roles, lived experiences may be included or omitted in the document material differently. This question is a central aspect of the present study. In their examination of Indigenous peoples' involvement decision-making processes in the World Heritage regime, Disko and Dorough (2022) note that reporting of human rights abuses in the documents remains a contentious issue.[69]

Thirdly, the distinction between roles is important to discern how documents are exchanged and interrelated and how legitimate authority within the World Heritage regime is established. Thus, the document analysis had to decipher the ways in which the intertextual relationships of the records preserve and reshape authority within the documentary reality of the World Heritage regime.

In summary, analysing intertextual relationships reveals interconnections of exchange and interrelationships in the World Heritage regime. Whether the documentary reality generates agreement or contradiction on the cognitive level of individuals or groups is irrelevant. Conflicts and tensions are part of the documentary reality that can be observed in the World Heritage regime. The examination of the data concentrates on the power relations within the World Heritage regime and, specifically, the unequal distribution of resources for standardisation and the production of predictability. These power relations are neither static nor unambiguously distributed. Resistance and contradiction to established hierarchies and authorities also find their way back into the documentary reality of the World Heritage regime under certain conditions. In particular, conflicts arising from tensions between authorised and contentious World Heritage can only be observed when the document analysis focuses on the interrelationship between authorship and readership. As Atkinson and Coffey pointed out, documents are always "recipient designed" (2004, p. 69). Consequently, reading documents as an activity is not limited to merely receiving information (ibid. p. 70). As a stand-alone approach, document analysis must

[69] In order to illustrate this issue, Disko and Dorough (2022) used the nomination of the Kaeng Krachan Forest Complex in Thailand as an example. This complex, which has been inscribed as a natural heritage site in 2021, was previously nominated in 2015. At that time, the World Heritage Committee amended the Operational Guidelines, by including the recognition of Indigenous peoples' rights in accordance with the UNDRIP. Consequently, this session of the World Heritage Committee was an important step towards the recognition of indigenous human rights within the World Heritage regime. During the session, the nomination of the Kaeng Krachan Forest Complex was discussed based on the IUCN evaluation. The IUCN evaluation included a draft decision for the World Heritage Committee to request the State Party to involve the indigenous Karen people residing on the site in the decision-making process. Ultimately, the World Heritage Committee voted against this clause after the representative from Vietnam opposed it with the comment, "we are not in Geneva on the Human Rights Council" (ibid. emphasis in the original).

therefore comprehend the cultural knowledge that both the expected and the unexpected readers bring to the comprehension process. More precisely, this study postulates that, with regard to the exclusionary practices of conservation in the World Heritage regime, Indigenous peoples were initially excluded from the expected readership.

5.2.3 Combining Document Analysis and Qualitative Content Analysis

This section briefly introduces qualitative content analysis (QCA) as a text analysis procedure that forms the basis of the empirical work of this study. As an empirical technique, QCA was used to analyse the documentary reality of the World Heritage regime systematically. One of the main advantages of QCA is that it has evolved into a "standard method of text analysis" (Mayring 2010, p. 601) in contemporary social research. Moreover, QCA has been used in the social sciences since the 1950s. Initially developed in the communication sciences, researchers faced the challenges of examining large amounts of material with the rise of mass media. Consequently, researchers were concerned with developing efficient and appropriate methods for textual data analysis (ibid.). However, Kuckartz (2018) emphasised that classical content analysis dates back to the early twentieth century. He associates these origins with the first congress of the German Sociological Association in 1910, when Max Weber, in a lecture on newspapers, tried to convince the audience of the need for analytical approaches to conduct empirical research on emerging mass media such as daily newspapers or radio broadcasts (ibid. p. 13). Unlike in more hermeneutically oriented humanities, social scientists were concerned with developing the systematic analysis of textual material as a standardised method.

Furthermore, QCA focuses on understanding underlying levels of meaning that require interpretation of the textual material (ibid. p. 15). Although QCA was developed to systematically analyse textual material, Kuckartz proposed four hermeneutic insights for qualitative interpretation (ibid. p. 18 ff). First, the researcher must remain mindful of the conditions under which the textual material was created, as this contextual understanding can shape the analysis. Additionally, the hermeneutic circle concept calls[70] for the researchers to reflect on their prior understanding of the text. This process allows for a more nuanced understanding through a continuous interplay between prior knowledge and the textual material. The researchers must

[70] According to Martin (1972), the hermeneutic circle refers to the interpretive process where understanding the parts of a text relies on a preconceived understanding of the whole (e.g., the theme or overarching topic of the text), while the whole is constructed from interpretations of its parts or certain elements. This reciprocal relationship indicates that interpretation is inherently circular, starting from an assumption or intuition about the whole, which is then refined through analysis of the parts, and vice versa. This concept reflects a fundamental aspect of human understanding and perception, emphasising that interpreting textual material is an iterative process rather than a methodological constraint.

also critically engage with the hermeneutic difference arising from unfamiliarity with the language or the concepts within the document material. Such unfamiliarity requires the researcher to navigate the interpretive process carefully, acknowledging gaps in understanding before reaching more profound interpretations. Finally, to ensure the adequacy of interpretation, it is essential to accept that no methodology can guarantee a correct interpretation. Nonetheless, the interpretation must be intersubjectively valid, meaning that it must meet the requirements for shared understanding and be reflected in the procedures of document analysis.

However, QCA has significant differences compared to hermeneutic approaches in the humanities. Mayring and Fenzl highlight that QCA is "strictly rule-guided and thus strongly intersubjectively verifiable" (2019, p. 633, author translated). According to Mayring and Fenzl, QCA's rule-guided procedures require that text analysis categories must be either developed inductively based on the textual material or deductively derived from preliminary theoretical work (ibid.). The inductive and deductive category development can be understood as a "qualitatively oriented category-guided text analysis" (ibid. p. 634, author translated). In contrast to a hermeneutic-interpretative approach, which usually works with smaller amounts of text, QCA can be applied to large amounts of text due to its analytical rules (ibid. p. 635). Consequently, QCA is particularly suitable for interpreting the large volume of textual material identified on the selected World Heritage sites based on clear rules.

As specified in Figure 5.6, the strategy for developing the category system combined deductive or theory-driven and inductive codes. The first stage (Phase 1) involved reviewing the data set, using the research questions as a starting point. The textual material of the data set was organised consistently for each case study, i.e., structured by document type (see Table 5.4). After becoming more familiar with the data set, the theory-driven codes were developed based on the research questions (Phase 2). In the next stage (Phase 3), a part of the data set that included documents from all case studies was coded using theory-driven codes. This phase involved a reciprocal revision of the theory-driven codes based on the research questions (cf. Kuckartz 2018, pp. 102–105). These coded segments served as the starting point for the inductive code development in close examination of the textual material (Phase 4).

The first stages of the process (Phase 1-4) were designed to develop a set of theory-driven and inductive codes. This approach combined deductive and inductive code development following Kuckartz's model of structuring QCA (ibid. p. 97). The following stages can be defined as a second coding process (cf. ibid. p. 106) to refine the set of inductive codes based on the textual material (Phase 5-6). These steps follow the reiterative rationale of the hermeneutic circle discussed above, which requires revising the inductive codes (Phase 6) and return-

ing to the previous stage of inductive code development (Phase 4). The entire textual material was coded using a consolidated set of inductive codes during this reiterative process. The findings were analysed once this stage was completed (Phase 7). This stage involved defining the final inductive codes (see section 6.1.2)., and the results of each case study were summarised based on the theory-driven codes (see section 6.1.1). The entire code development process was completed using MAXQDA Analytics Pro 24 as a specific software tool for QCA. QDA software was used for the QCA structure because of its practical advantages over manually coding textual material (cf. ibid. p. 175), as it enables importing textual material, organising the data set consistently, and building both theory-driven and inductive codes. Furthermore, the researcher can include memos on codes, segments, and documents, which allows for effectively defining the final set of codes and analysing the findings.

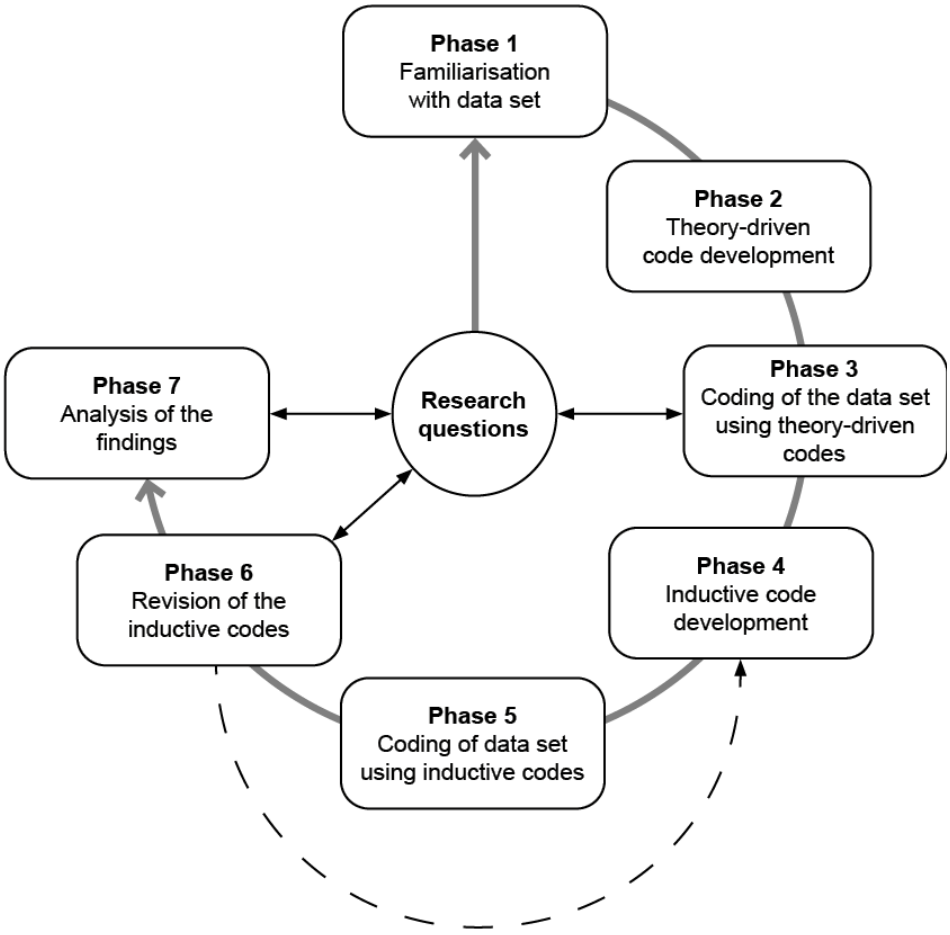

Figure 5.6: Overview of theory-driven and inductive code development (Author's illustration adapted from Kuckartz (ibid. p. 100))

In summary, QCA extends beyond merely analysing the immediate content of communication. This approach aligns seamlessly with exploring the documentary reality of the World Heritage regime, making it particularly suited for this study's objectives. In particular, it situates the

document material within this framework to enable richer interpretative possibilities, such as examining intertextual relationships. Moreover, QCA's emphasis on systematic, rule-guided procedures ensures intersubjective verifiability, offering a robust foundation for producing reliable and transparent results. Its versatility allows for examining distinctive document types, including nominations, decisions by the World Heritage Committee, evaluation reports by the Advisory Bodies, SoC reports, and management plans. This study employed the method to analyse records of selected World Heritage sites, providing a structured approach to uncovering underlying meanings and themes.

6 Findings of the Qualitative Content Analysis

Following the presentation of the research design and methodology in the previous chapter, this chapter turns to the findings from the QCA of the four case studies. The findings are presented in two main parts: the development of theory-driven and inductive codes, followed by a detailed presentation of the results for each case study. Section 6.1 outlines the process of code development, distinguishing between the theory-driven codes and those developed inductively from the document material. Section 6.2 presents the case study analysis, structured around the first and second research questions in turn. Each case study is examined with a particular focus on how the dynamics of the documentary reality of the World Heritage regime manifest within the context of the respective sites: Manú National Park, Tongariro National Park, Lake Bogoria, and Pimachiowin Aki. The presentation of key patterns and tendencies in the document material establishes the foundation for the discussion in the subsequent chapter.

6.1 Overview of the Code Development

6.1.1 Theory-Driven Code Development

The QCA involved multiple stages of coding UNESCO documents related to the four selected World Heritage on Indigenous territories. Initially, four theory-driven codes based on the two research questions were developed to capture patterns across the documents. These codes synthesised key themes identified in the literature review. This approach corresponds to a deductive category development, which Kuckartz (ibid. p. 64) also refers to as an a priori category development. The advantage of this approach was that the category system could then be further developed on the basis of the material, with the research questions guiding the direction (ibid. pp. 71–72). Consequently, two theory-driven codes were developed for each research question: **Indigenous rights** and **green colonialism** (RQ1), and **paradigm competition** and **power relations** (RQ2). As is evident from the theory-driven code development, the objective at this stage was to avoid the creation of highly specific codes. To ensure that no important area was omitted from the perspective of the research questions, the theory-based codes were developed based on the research gaps identified in the literature review (cf. ibid. p. 70). Additionally, summarising the fundamental premises underlying the research questions helps to clarify the rationale for the theory-driven code development.

To grasp the persistence of exclusionary conservation practices, the first research question explores how the globalisation of Indigenous human rights challenges the legacies of "green colonialism" in the World Heritage regime (see Table 6.1). The globalisation of Indigenous rights primarily refers to the implications of the adoption of the UNDRIP for the World Heritage regime. Through continuous interaction with the UN system, Indigenous activism has engendered substantial changes in the international human rights discourse (Morgan 2011; Dahl 2012; Bennani 2016). In contrast, the legacies of "green colonialism" represent persistent human rights violations in the World Heritage regime despite advances in the global recognition of Indigenous rights (Blanc 2020). Paradoxically, the growing resistance of Indigenous peoples to exclusionary conservation practices contributes to the consolidation of the World Heritage regime as a global model of protected area conservation (cf. Elliott & Schmutz 2012). However, this assumption is consistent with world polity theory, especially with regard to the diffusion of legal discourses in world society (Boyle & Meyer 2002). More specifically, resistance to the World Heritage regime's conservation paradigm empowers Indigenous peoples, who otherwise have limited power to mobilise action within the regime (cf. ibid. p. 89).

Based on these considerations, the second research question focuses on the competition between two distinct conservation paradigms and its consequences for the power dynamics in the World Heritage regime (see Table 6.1). Despite the persistence of the old state-centred paradigm in the designation and protection of World Heritage sites, previous research has demonstrated the emergence of a new paradigm. Regarding the emergence of this new paradigm, Stevens (2014c) highlight that Indigenous peoples proposed linking Indigenous rights with nature conservation on their territories at the Vth World Parks Congress in 2003. Moreover, the paradigm competition provides a compelling illustration of the contrasting characteristics of the World Heritage regime regarding conflicts about Indigenous rights in world society. From a neo-institutional perspective, paradigm competition can be understood as "cultural contradictions" (Meyer et al. 2010, p. 197), which are fundamental sources of conflict, resistance, and transformation of cultural models in world society.

Contradictory and competing conservation paradigms are increasingly being integrated both globally within the World Heritage regime and locally within protected areas. As pointed out by Meyer et al. (ibid. p. 196), world society comprises different levels of legitimate actors. Indigenous peoples may perceive the establishment of World Heritage sites on their lands as an infringement of their right to self-determination. Conversely, conservation organisations may view the presence of Indigenous peoples as a potential threat to biodiversity conservation efforts. At the same time, the global integration of the paradigm competition may lead to the

"diffusion of standardised conflict resolution strategies" (Dierkes & Koenig 2006, p. 127, author translated) in the World Heritage regime, especially since the adoption of the UNDRIP. Therefore, to understand the dissemination of resolution strategies, it is necessary to examine requires examining the dynamic nature of power relations among actors within the World Heritage regime.

Table 6.1: Overview of theory-driven (TD) and inductive code development (incl. no. of quotes)

Research Question 1: How does the globalisation of Indigenous human rights challenge the legacies of "green colonialism" in the World Heritage regime?			
Indigenous Rights (TD)		**Green Colonialism (TD)**	
Self-determination	17	*Wilderness preservation*	20
Participation	33	*Monitoring Indigenous communities*	35
Dialogue	9	*International organisations*	30
		Economic development activities	64
		Tourism	19
Research Question 2: How does the competition between old and new conservation paradigms transform power relations between the World Heritage regime and Indigenous peoples?			
Paradigm Competition (TD)		**Power Relations (TD)**	
WH & state-centred paradigm	52	*Acknowledging Indigenous values*	44
New paradigm	51	*Acknowledging Indigenous agency*	23
		Lack of ackn. Indigenous agency	12
		WH regime / Indigenous peoples	31
		WH regime / State Party	41
No. of documents analysed: 72			
No. of quotes: 481			

6.1.2 Inductive Code Development

Subsequently, iterative inductive coding was used to generate additional sub-codes, refining the analysis of the theory-driven codes. The sub-codes presented in this study correspond with Kuckartz's (2018, p. 34) definition of thematic codes, which are specific topics categorised under one of the theory-driven codes. Furthermore, the inductive code development involved multiple rounds to consolidate the codes and identify broader themes that addressed the research

questions. Table 6.1 provides an overview of the final "coding frame" (Schreier 2012, p. 58), including the theory-driven codes and the inductively developed sub-codes. Following the coding of **72 documents**, analysis using the four theory-driven codes yielded **481 quotes**. It is important to note that each quote corresponds to a "unit of coding" (ibid. p. 131), which is a textual segment from a document that is associated with a specific thematic code. Moreover, iterative coding ensured that the textual segments could be clearly linked to a specific thematic code. In other words, the inductive sub-codes indicate the specific textual segments that have been analysed and interpreted to answer the research questions. Below, each thematic code (in italics) is presented along with a description of its key characteristics based on the textual segments. Subsequently, section 6.2 provides a comprehensive comparison of the four case studies using the final coding frame.

Theory-Driven Code 1: Indigenous Rights

Self-Determination

The coded text segments emphasise the importance of recognising the right to self-determination of Indigenous peoples inhabiting World Heritage sites. They highlight the fundamental relationship between Indigenous communities and their territories, which is central to autonomous decision making. Although the globalisation of the right to self-determination following the adoption of the UNDRIP is taken into account, passages detailing developments prior to 2007 are also relevant. In addition, the governance structure and management framework are designed to ensure the long-term protection and conservation of the property in accordance with Indigenous peoples' right to self-determination.

Participation

The coded segments examine Indigenous peoples' participation in the designation processes of World Heritage sites. They highlight the need to ensure their free, prior, and informed consent, and advocate for collaborative and community-based approaches to nomination. They also outline concerns about the lack of participation of Indigenous peoples, as well as advances made by the World Heritage regime to address these issues through its decisions.

Dialogue

The coded segments illustrate the efforts and challenges in establishing meaningful dialogue with Indigenous groups living within World Heritage properties. They describe consultations

with Indigenous communities about managing the World Heritage sites, taking into account Indigenous concerns and cultural traditions of land use. Furthermore, they emphasise the relevance of cooperative engagement with Indigenous communities in formulating common interests that ensure the long-term conservation goals of the World Heritage regime.

Theory-Driven Code 2: Green Colonialism

Wilderness Conservation

The text segments illustrate the ongoing commitment to wilderness conservation within the World Heritage regime. They highlight, for example, that the selected World Heritage sites are internationally recognised biodiversity hotspots, often located in remote areas where preserving their pristine natural state is a priority. These sites showcase diverse geological and biological processes, including exceptional concentrations of certain species. While legal protection for the four World Heritage properties varies, comprehensive conservation efforts aim to ensure the long-term preservation of wilderness.

Monitoring Indigenous Communities

The coded segments highlight the presence of Indigenous communities within World Heritage sites. In particular, they discuss how Indigenous presence is addressed within the routines of the World Heritage regime. Concerns are raised about the growing population of certain Indigenous groups and potential conflicts with conservation objectives. They stress the importance of proactive monitoring, including programmes to study and observe the subsistence activities of the Indigenous peoples and their impact on the site's resources. Some segments express concern about the loosening of restrictions on the use of modern technology by Indigenous groups, which could increase pressure on the protected area. Overall, the segments advocate for increased attention to the diverse Indigenous groups and their evolving relationships with World Heritage sites.

International Organisations

The segments indicate the involvement of international support and cooperation in the management and conservation of World Heritage sites. These include European development agencies and conservation organisations such as the Frankfurt Zoological Society, the World Wildlife Fund for Nature (WWF), and UNESCO's Man and Biosphere (MAB) programme. These organisations often contribute financially and support activities such as staff training and educa-

tional programmes. In addition, international human rights organisations have raised concerns about the limited involvement of Indigenous peoples in World Heritage designation and decision-making processes. They have also reported cases of human rights violations against Indigenous groups in relation to the UNDRIP.

Economic Development Activities

The coded segments address various economic development activities taking place in and around World Heritage sites. They highlight concerns such as industrial, infrastructure, and agricultural development, which threaten the integrity of these properties. Issues include oil and gas exploration, agricultural encroachment, illegal logging, and road development. While some threats have diminished over time, new challenges have emerged that could further impact protected areas. The World Heritage regime is responding by recommending assessment measures, strengthening management capacity, and exploring funding opportunities from companies involved in regional economic activities. These segments underscore the World Heritage regime's dedication to mitigating potential impacts on the OUV of these properties. Moreover, some passages indicate that illegal activities are increasing in and around the World Heritage properties, which is concerning as it may lead to security issues and violence.

Tourism

The sections examine how the World Heritage regime manages the balance between tourism development and conservation of cultural and natural values. They focus on the regime's discourse promoting sustainable tourism to benefit local communities through income generation, employment opportunities, and financial resources for conservation efforts. However, they also recognise the potential negative impacts of tourism, including overexploitation of natural resources and economic imbalances. Consequently, the World Heritage regime recommends that socio-economic impacts be addressed through sustainable tourism practices and effective visitor management. Some passages suggest empowering local communities to maintain control over tourism activities.

Theory-Driven Code 3: Paradigm Competition

World Heritage and State-Centred Paradigm

The coded segments consider conservation efforts within a state-centred paradigm as prioritised by the World Heritage regime. This paradigm relies primarily on national legal frameworks or

the World Heritage Convention to designate and conserve protected areas. While the World Heritage regime occasionally incorporates the expertise of Advisory Bodies such as IUCN to engage communities, it predominantly reflects a state-centred approach. As States Parties are responsible for nominating World Heritage properties, this paradigm persists. However, the World Heritage regime differs somewhat from national conservation frameworks. It focuses on preserving the integrity and OUV of sites and addresses the complexities of evaluating nominations that combine cultural and natural heritage. Thus, some passages illustrate the challenges of recognising the intricate relationships between culture and nature within the World Heritage regime. Another aspect raised by the World Heritage regime is the prospect of extending World Heritage sites to include adjacent protected areas.

New Paradigm

The text segments highlight Indigenous-led nature preservation efforts that follow a new protected area conservation paradigm. Usually, these efforts include practices based on the strong cultural and spiritual connection between the Indigenous peoples and the protected area. These passages discuss the need to maintain the integrity of Indigenous peoples' customary governance to ensure the cultural and natural preservation of the World Heritage property. In some cases, the nomination process has been community-led, with Indigenous peoples playing a central role. In these cases, the governance arrangements are described as exemplary, with a participatory structure that allows for effective engagement with the Indigenous inhabitants.

Theory-Driven Code 4: Power Relations

Acknowledging Indigenous Values

The coded segments reflect a growing recognition of Indigenous cultural values in the designation and protection of World Heritage sites. These values are recognised for their profound cultural and spiritual meaning for the OUV of these sites. For example, certain sites are revered as sacred ancestral entities that are integral to the cultural identity and cosmology of Indigenous peoples. In addition, the segments discuss how Indigenous communities perceive the site as a living entity, closely linked to their oral traditions and seasonal practices. According to the World Heritage regime, these sites include both tangible and intangible cultural heritage. Preserving these Indigenous connections is considered essential to achieving the long-term conservation aims of the World Heritage regime.

Acknowledging Indigenous Agency

The text segments illustrate an increasing recognition of the agency of Indigenous peoples in the management and protection of World Heritage sites. In several cases, Indigenous peoples' continued involvement in site management is considered essential. In addition, Indigenous communities have asserted their agency through legal means. During the nomination process, some Indigenous groups took a leading role in shaping approaches to site protection and management. These examples highlight the evolving recognition of Indigenous agency within the World Heritage regime.

Lack of Acknowledging Indigenous Agency

In contrast to the previous coded segments, these passages identify instances where there is a notable absence or inadequate recognition of the agency of Indigenous peoples in the management and protection of World Heritage sites. This lack of recognition often manifests itself in decision-making processes that marginalise or exclude Indigenous perspectives and contributions. Although Indigenous communities have valuable traditional knowledge and practices, their agency in the designation and management is overlooked or minimised within the World Heritage regime.

Power Relations: World Heritage Regime / Indigenous Peoples

The segments examine the power relations within the World Heritage regime as they relate to Indigenous peoples. They identify instances where power relations are unequal and Indigenous interests are effectively marginalised. However, there are indications of an evolving dynamic in which Indigenous participation is increasingly accepted as integral to preserving the OUV of sites. Nevertheless, challenges remain in fully recognising and addressing Indigenous demands within the World Heritage regime. Continued efforts are needed to implement decisions that respect Indigenous rights.

Power Relations: World Heritage Regime / State Party

These text segments address the power relations within the World Heritage regime regarding States Parties. They highlight issues such as conservation threats, monitoring and reporting requirements, and the effective OUV protection. The segments illustrate that despite the framework provided by the World Heritage Convention, the power relations between the World Heritage regime and individual States Parties can be asymmetrical. While States Parties have the

authority to nominate World Heritage properties under their jurisdiction, the regime has mechanisms to enforce conservation measures related to these properties.

6.2 Results of the Case Studies Research

Drawing on the results of the QCA, this subchapter presents the findings of the document analysis of the four case studies. It offers an overview of the key themes and patterns that emerged from the inductive coding. These themes were derived from the official records, including the World Heritage Committee decisions and IUCN and ICOMOS SoC reports and evaluation documents. In line with the research questions and theory-driven codes, the findings for each case study are outlined in descriptive form. Section 6.2.1 addresses the *first research question* by examining the evolving recognition of Indigenous land rights and self-determination within the World Heritage regime. The theory-driven codes of "Indigenous rights" and "green colonialism" are employed to highlight the global shift towards engaging with historical injustices in global conservation. Subsequently, section 6.2.2 focuses on the *second research question*, examining the conflicts and negotiations between state-centred approaches and Indigenous rights-based conservation models. Here, the theory-driven codes of "paradigm competition" and "power relations" are used to detail how these dynamics shape ongoing tensions within the World Heritage regime. These findings are further discussed in the context of existing research and their theoretical implications in the subsequent chapter.

Before presenting the results of the document analysis, it is important to clarify the referencing system used for the documents analysed. In order to improve retrievability, each document was assigned a specific identifier (see Appendix). Each identifier begins with a case-specific acronym representing the corresponding World Heritage site: "MNP" for Manú National Park, "TNP" for Tongariro National Park, "LB" for Lake Bogoria, and "PA" for Pimachiowin Aki. Following the acronym, each identifier includes an abbreviation for the specific document type, consistent with the classification outlined in the methods chapter. Document types are abbreviated as follows: "Dec" for decisions of the World Heritage Committee, "SoC" for State of Conservation reports, "ABEval" for evaluations of the nominations by the Advisory Bodies, "MP" for management plans, and "PR" for periodic reporting on the application of the World Heritage Convention. Finally, each identifier ends with the year of publication.

6.2.1 Indigenous Rights and "Green Colonialism"

This subsection presents the document analysis results for the first research question: How does the globalisation of Indigenous human rights challenge the legacies of "green colonialism" in the World Heritage regime? The theory-driven codes of "Indigenous rights" and "green colonialism" are central to this analysis, providing a structured framework for examining the evolving relationship between conservation practices and Indigenous self-determination. Building on the "Indigenous rights" deductive code, inductive codes such as self-determination, participation, and dialogue were developed to capture the impacts of the globalisation of Indigenous rights on the nomination and management of World Heritage sites. Similarly, the "green colonialism" deductive code informed the creation of inductive codes reflecting the persistence of exclusionary conservation practices, the prioritisation of wilderness preservation, the involvement of international organisations, and the economic pressures of tourism. Through the systematic coding of the document material from the four case studies, the analysis reveals both gradual progress in addressing historical injustices and ongoing challenges in balancing the goals of World Heritage conservation with Indigenous rights and needs. These tensions are explored through an in-depth analysis of the World Heritage Committee decisions, SoC reports, and management plans.

6.2.1.1 Manú National Park

Indigenous Rights

The Manú National Park case study inductive coding, which falls under the main category of globalisation of Indigenous rights, yielded 15 distinct segments across five documents and three document types (decisions, SoC reports, and evaluations). More specifically, the coded segments demonstrate that Indigenous peoples' right to self-determination and participation in Manú National Park only became a concern in 2008 (cf. MNP_SoC_2008: pos. 23) and increasingly so since 2011 (cf. MNP_SoC_2011: pos. 52).

However, within the material, there is a particular focus on the Indigenous communities that live in voluntary self-isolation. For example, the World Heritage Committee acknowledged that these groups were particularly vulnerable at its 35th session in 2011 (MNP_Dec_2011: 82). Consequently, the Committee gives the isolated Indigenous communities a fundamental right to self-determination, encompassing active protection from external influences. The recent management plan also highlighted that the Mashco Piro, who reside in voluntary isolation, "subsist on hunting, fishing and gathering" (MNP_MP_2019: 26), characterising these prac-

tices as sustainable use of the protected area's resources. In this context, a section from the SoC report of 2008 is particularly noteworthy as it references one of the previous management plans.[71] More precisely, the report cited "a proposed contingency plan to deal with indigenous peoples who live in voluntary isolation" (MNP-SoC_2008: pos. 23). The purpose of this plan was likely to protect these Indigenous communities from the potential risks associated with unplanned contact with outsiders.

Moreover, the management plans more explicitly addressed the globalisation of Indigenous rights. For example, contrary to the UNESCO records, the management plans acknowledge the cultural diversity of the park's Indigenous inhabitants. In this context, it is notable that the recommendations for the implementation of the 2013–2018 management plan place the protection of cultural diversity on an equal level with the protection of biological diversity. For instance, the management plan stated that "[t]he objective is to develop actions that will safeguard the knowledge of the Indigenous peoples residing within the park and to ensure that their way of life, living conditions, practices, traditions and management of natural resources are in alignment with the park's overall conservation objectives" (MNP_MP_2013: 65, author translated).

In other sections of the document, it is made clear that the creation of the park is intended to "contribute to the recognition and protection of cultural diversity, as well as to the self-determination of the Indigenous peoples within the protected area" (MNP_MP_2013: 22, author translated) in line with the other conservation objectives. Nevertheless, this emphasis on the cultural diversity of the Indigenous inhabitants of Manú National Park, featured explicitly in this management plan, reflects the decisions of the World Heritage Committee in 2011. In light of the recommendations presented by a joint World Heritage Centre/IUCN reactive monitoring mission in December 2010, the Committee proposed that the following management plan should specify how to "engage with sedentary indigenous groups within the property in a more meaningful dialogue to define the future" (MNP-Dec_2011: 82).

In conclusion, while UNESCO's records indicate a predominant focus on the wellbeing of Indigenous communities in voluntary isolation, the management plans seek to address Indigenous rights more comprehensively.

Green Colonialism

The coding around the main category of the legacies of "green colonialism" produced 76 segments across 20 documents and four document types (decisions, SoC reports, evaluations, and

[71] It should be noted that the management plan mentioned here could not be obtained for the present study. The only management plans that could be retrieved were those covering the period 2013–2018 and 2019–2023.

management plans). Although the park's management has sought to balance conservation with Indigenous rights (MNP_ABEval_2009), the World Heritage regime is increasingly concerned about the impact of their increasing presence and changing land use in the protected area (MNP_SoC_2011).

The greater availability of information in the material, in turn, results from increased documentation of Indigenous inhabitants over time. For example, in the context of the inscription in 1987, the World Heritage Committee recommended that the State Party implement an "anthropology programme regarding the native population" MNP_Dec_1987: 7). How did the World Heritage Committee come to this recommendation? An explanation can be found in the evaluation of the nomination by IUCN (MNP_ABEval_1987). In its justification for the inscription on the World Heritage List, the State Party emphasised that the "Native populations living in the park are still largely unaffected by modern civilization and provide special opportunity for anthropological study" (MNP_ABEval_1987: 2). In this section of the evaluation, IUCN considered the State Party's justification for inscribing the property on the World Heritage List. Despite the State Party's focus on the remarkable relationship between the natural and cultural features of the park, the Indigenous peoples were relegated to an object of further study. This passage, therefore, illustrates how the World Heritage regime articulated the need to monitor the lifestyles of the park's Indigenous inhabitants at the time of inscription in 1987. Moreover, this reference to modern civilisation suggests that conservationists' ideas about Indigenous livelihoods were still rooted in colonial stereotypes.

In addition, the document analysis revealed a temporal gap between the designation in the late 1980s and the monitoring efforts between 2007 and 2011. While SoC reports were available for the first two years after inscription on the World Heritage List, it was not until 2007 that further reports on site monitoring were presented within the World Heritage regime. In this context, the impact of oil and gas exploration and infrastructure development on the integrity of the park is a major concern that has been raised repeatedly since the late 1980s (cf. MNP_SoC_1989 & MNP_SoC_2011). Recent SoC reports also highlight concerns about agricultural encroachment, deforestation, and illegal logging, which exemplify the prevailing attitude toward wilderness preservation within conservation efforts (cf. MNP_SoC_2010 & MNP_SoC_2011). In certain sections, the activities in question are attributed to the Indigenous peoples of the surrounding areas and of the park itself. For example, IUCN indicated that the "population growth of sedentary indigenous communities, as well as increasing migration into the agricultural community of Callanga, [..] are a concern that needs to be addressed" (MNP-

SoC_2011: pos. 28). Consequently, IUCN suggested monitoring Indigenous presence because it has led to an increase in agricultural use and livestock numbers in the park.

To summarise, these concerns reflect how nature is still perceived as untainted and devoid of human use, although various Indigenous peoples inhabit the protected area.

6.2.1.2 Tongariro National Park

Indigenous Rights

The Tongariro National Park case study inductive coding, which falls within the main category of globalisation of Indigenous rights, yielded seven distinct segments across seven documents and four document types. In general, the coded passages indicate a growing awareness of Indigenous rights and efforts to involve local Māori tribes in the decision-making and management processes associated with the Tongariro National Park World Heritage site.

The State Party, the World Heritage Committee, and the Advisory Bodies present the active involvement of Indigenous peoples as an undisputed consequence of the site being inscribed as the first cultural landscape on the World Heritage List in recognition of its intangible values to Māori. Specifically, the decisions of the World Heritage Committee in the early years following the inscription as a cultural landscape underscore the importance of engaging in dialogue with the Indigenous inhabitants of the World Heritage site. In this context, the World Heritage Committee's decision concerning the SoC report is particularly instructive. The report stated that the "Department of Conservation is committed to a consultation process that will support an exemplary code of ethical conduct and field conservation practice that emphasise social responsibility and cultural sensitivity" (TNP_Dec_1998_1: 107). In this respect, the importance of the World Heritage site as a potential model for exchange with the local Indigenous population is repeatedly stressed.

The periodic reporting on the application of the World Heritage Convention, in particular, expresses efforts to present the World Heritage site as a model. As the only case study for which periodic reporting has been completed, Tongariro National Park offers an illustrative example of this connection (cf. TNP_PR_2003). As a State Party from the Asia and Pacific region, New Zealand actively participated in the first regional periodic reporting cycle from 2001 to 2002, marking an important step in its commitment to the World Heritage Convention. Against this backdrop, it is particularly noteworthy that Tongariro National Park was selected for inclusion in the report. In the section on the management of the protected area, the report highlighted that the strategy's development "involved extensive public consultation and, in par-

ticular, discussion with Māori to reach agreement on how the principles of the Treaty of Waitangi would be applied to the management of the Tongariro Taupo Conservancy" (TNP_PR_2003: 12). The State Party referenced the Treaty of Waitangi, an agreement negotiated with the British colonial administration in the nineteenth century, to underscore the long-standing establishment of Māori land rights. Based on this agreement, the Māori have negotiated their historical claims with the government of New Zealand since the 1970s. Within the periodic reporting framework, the treaty is framed as an ongoing dialogue between the State Party and the Māori, which has become a fundamental element for the management of the World Heritage site.

In conclusion, the passages emphasise the dialogue processes with the Māori and provide an insight into their historical meaning.

Green Colonialism

The inductive coding of the main category the "green colonialism" legacies produced six segments identified across four distinct documents and three document types. While the establishment of the national park initially exhibited some exclusionary conservation tendencies, the material indicates that, over time, deliberate efforts have been made to more effectively acknowledge and integrate Māori interests into the park's management.

With regard to the development of tourism, a passage from the periodic reporting signals a shift from exclusionary conservation practices to more inclusive approaches that incorporate Māori perspectives. The report highlighted the unique historical background of Tongariro's establishment as the first national park, as described as "a gift from an indigenous people" (TNP_PR_2003: 8). Simultaneously, the report praised the park as New Zealand's "area most visited by international tourists" (ibid.). Consequently, Tongariro National Park has become a prominent "symbol used during the centenary celebrations of the national park system and for promoting national parks [..], [stressing] its importance as the beginning of the country's park network" (ibid.). While the periodic reporting sought to present the conservation efforts as a process to overcome the legacies of "green colonialism", passages in other documents suggest that notions of wilderness conservation persisted at the time of the designation as a World Heritage site. For example, ICOMOS observed in its assessment of the authenticity of the cultural landscape that "[s]ince its creation in 1887 the Tongariro National Park has been sympathetically managed, and as a result the natural landscape is largely untouched (TNP_ABEval_1993: 4). Therefore, the passages demonstrate that initiatives to integrate Māori cultural values into

park management more effectively have been gradual. Nevertheless, the notion of a pristine wilderness area continues to persist.

Moreover, the coded passages place considerable emphasis on the site's potential as a tourist destination. For instance, the World Heritage Committee's decision to defer the nomination illustrates how certain forms of tourism are questioned. In this context, the Committee recommended reconsidering "the extent of ski development on Mt. Ruapehu, the current plans for expansion and the impact of these developments on cultural values and 'image' of the park" (TNP_Dec_1989_1: 2). Although it remains unclear which cultural values are under consideration at this juncture, the subsequent designation as a cultural landscape implies that this reference pertains to Indigenous values. This connection is evident in periodic reporting in the section examining how tourism affects the protected area. More specifically, the report referred to the "[i]ncreased visitor impacts on Mount Tongariro [that] give rise to key environmental, social and cultural issues" (TNP_PR_2003: 13). In this context, the report highlighted that "[t]here is some tension between appropriate visitation to this spectacular volcanic area and protecting cultural values" (ibid.). Although it remains unclear which cultural values are affected by these tensions, in the same passage, the report mentioned the "view of iwi (Maori tribal) concerns at commercialisation" (ibid.) regarding permissions for commercial guiding in the national park.

In conclusion, the coded segments illustrate that Tongariro National Park is increasingly positioned as a model for conserving World Heritage sites, actively seeking a balance between protecting its natural features and recognising Indigenous cultural values. This development is particularly evident in the periodic reporting document, which is the most recent material available on the case study.

6.2.1.3 Lake Bogoria

Indigenous Rights

In the analysis of the Lake Bogoria case study, ten distinct segments specifically related to the globalisation of Indigenous rights were identified from seven documents and two document types (decisions and SoC reports). The results of the QCA are particularly significant in the case of Lake Bogoria, which was inscribed on the World Heritage List in 2011, four years after the adoption of the UNDRIP. Although the coded segments illustrate an increasing awareness of the historical injustices endured by the Endorois, such violations were only formally documented in the World Heritage regime from 2014 onwards (LB_SoC_2014: pos. 17).

In particular, the 2014 World Heritage Committee session marked the first documented instance that the World Heritage regime had acknowledged the Endorois exclusion from the nomination process for Lake Bogoria since its inscription (ibid.). It should be noted that the World Heritage regime refers to ACHPR resolutions in this context "about the lack of free, prior and informed consent from the Endorois community for the inscription of Lake Bogoria on the World Heritage List" (ibid.). More specifically, the World Heritage regime explicitly adopted the UNDRIP's terminology. Subsequently, the World Heritage Committee decisions were marked by requests for the State Party to report on the "effective participation of the Endorois in the management and decision-making of Lake Bogoria" (LB_Dec_2015: 68) and "[p]rogress made to implement the African Commission on Human and Peoples' Rights (ACHPR) Endorois ruling" (LB_Dec_2017: 98). The coded segments, therefore, reflect an increasing recognition of the role of the Endorois in the management of the World Heritage site.

Furthermore, the segments indicate that the EWC is accepted as the official representative of the Indigenous community of Lake Bogoria within the World Heritage regime. For instance, at its 39th session in 2015, the World Heritage Committee emphasised that it "[w]elcomes the adoption of the Kabarnet Declaration, which formally recognizes the Endorois as a community and the Endorois Welfare Council as their representative organization in the management of Lake Bogoria" (LB_Dec_2015: 67). The acknowledgement of the EWC exemplifies a discernible shift in the recognition of the Endorois as an Indigenous group with distinct rights. In addition, the heightened importance of Endorois' right to self-determination has become evident in developments related to the decisions of the ACHPR. For example, the SoC report from 2017 references that the Attorney General's office of Kenya "considered the African Court's judgment on the Endorois land, including restitution of Lake Bogoria to the community" (LB_SoC_2017: pos. 30). This segment suggests that the Endorois' legal successes in asserting their land rights are increasingly influencing the management of the World Heritage site. Furthermore, the completion of the Lake Bogoria National Reserve Management Plan for 2019–2029 suggests a transition towards a more collaborative approach to preserving the protected area. According to the 2021 SoC report, the management plan "was finalized in November 2020 through broad community participation, including with the Endorois Welfare Council, which led to their endorsement of the final Plan" (LB_SoC_2021: pos. 21).

In conclusion, the coded segments demonstrate a discernible shift towards a more discursive acknowledgement of the Endorois' rights. This shift is reflected by the calls for their involvement in management and decision-making processes and the impact of international

human rights mechanisms on bringing the Endorois' demands to the attention of the World Heritage regime.

Green Colonialism

Twenty-two segments representing various issues related to "green colonialism" were derived from eight documents and three document types. The coded passages illustrate the tensions between protecting Endorois' rights and preserving pristine wilderness in the Lake Bogoria region. This tension is particularly evident when comparing passages from documents dated before 2014 with those dated after.

As previously noted, the ACHPR resolutions and the related Endorois demands have been invoked in World Heritage Committee sessions since 2014. Prior to 2014, sessions primarily focused on the importance of the World Heritage site in protecting exceptional biodiversity. To illustrate, the adoption of the OUV statement in 2011 was accompanied by an introductory synthesis that highlighted the importance of the region's biodiversity, noting that "some of the world's greatest diversities and concentrations of bird species are recorded within these relatively small lake systems" (LB_Dec_2011: 175). However, before 2014, the two primary documents were the IUCN evaluation of the nomination (LB_ABEval_2011) and the World Heritage Committee decision to inscribe the property (LB_Dec_2011). Beyond global biodiversity conservation, these documents show that the IUCN and the World Heritage Committee placed considerable importance on the conservation status of the area and the potential threats it faced. For example, IUCN expressed regret that a "National Park designation for all three lakes would provide a more desirable level of protection" (LB_ABEval_2011: 5). While this type of elevated wilderness conservation would appear advantageous for the nomination, IUCN added that "the existing forms of protection are adapted to the ongoing use of land and conservation practices in each site [i.e., each lake]" (ibid.).

Regarding the residents, the decision report of the World Heritage Committee observed that the site is "[s]urrounded by an area of rapidly growing population" (LB_Dec_2011: 176). Moreover, the report advised that "the property is under considerable threat from surrounding pressures" (ibid.), such as "degradation of land, deforestation, growth in human settlements, overgrazing, wildlife management, tourism and pollution" (ibid.). Hence, the earlier documents omit the issue of Endorois' claims and a considerable concern for wilderness conservation.

As previously stated, the Endorois' claims were only acknowledged from 2014 onwards. International organisations, particularly the ACHPR, played a critical role in this development. Specifically, the ACHPR resolutions explicitly denounced the failure of the State Party to ade-

quately consult and engage the Endorois community in the decision to designate Lake Bogoria as a World Heritage site in 2011. In this respect, the 2011 SoC report provides evidence of a perception shift within the World Heritage regime. The report indicated that the "State Party did not provide comments on the concerns raised by the ACHPR in its report" (LB_SoC_2014: pos. 17). In response to concerns raised by the ACHPR, the report referenced previous rulings made before the site's inscription on the World Heritage List. These included a recommendation that the Kenyan government recognise and restore the Endorois' ownership rights to their ancestral lands, compensate them for losses incurred, and grant them unrestricted access to Lake Bogoria.

The report also provides insights into how the Endorois negotiate their demands with the assistance of international non-governmental organisations within the World Heritage regime. For example, in the subsequent year, the decision report on the 39th World Heritage Committee session referenced a "letter from Minority Rights Group International and the Endorois Welfare Council to the World Heritage Centre" (LB_Dec_2015: 68). The letter raised a "concern about the effectiveness of the implementation of the Endorois ruling and the level of transparency of decision-making processes" (ibid.). Consequently, the World Heritage Committee "strongly urge[d] the State Party to fully implement the African Commission on Human and Peoples' Rights (ACHPR) Endorois decision and Resolution 197 without delay" (ibid., emphasis in the original). While the State Party was repeatedly called upon to implement the ACHPR resolutions in the years following 2014, the later documents show a shift in focus regarding the issue's relevance. For example, in 2021, the conclusion of a management plan in collaboration with the Endorois was met with approval (LB_Dec_2021: 274). However, this section of the document illustrates increased concern with the potential risks of expanding infrastructure and tourism "in close proximity to fragile habitats and in the critical buffer zone to the property (ibid.).

In summary, while there has been progress in acknowledging Endorois' claims, a substantial gap remains between these advancements and the actual conservation objectives.

6.2.1.4 Pimachiowin Aki

Indigenous Rights

The inductive coding for the Pimachiowin Aki case study produced 19 unique segments linked to the globalisation of Indigenous rights, sourced from five documents and two document types. In general, the coded segments tend to emphasise the model-like aspects of the Pimachiowin Aki nomination.

For instance, in its 2013 report on the deferred nomination, IUCN "[c]ommends the State Party, the First Nations and other stakeholders for their exemplary efforts to develop a nomination" (PA_ABEval_2013_2: 131). Additionally, IUCN stressed that the property "will protect, maintain and restore the significant cultural and natural assets and values associated with Pimachiowin Aki" (ibid.). This nomination is distinguished by an Indigenous-led process, an explicit acknowledgement of ancestral lands and traditional practices, and the establishment of a collaborative governance and management framework. For example, the ICOMOS evaluation of the nomination highlighted that the "boundaries of the nominated area have been determined through a community-led land-use planning initiative between indigenous peoples and the Provincial authorities that had the aim of creating new livelihoods to help sustain aboriginal communities" (PA_ABEval_2018_1: 3).

Regarding the conception of the ancestral lands on the property, the IUCN evaluation report observed that the "landscape reflects a 6,000-year history of the relationship of people with the land […], [and] the Anishinaabe First Nations continue a tradition of living in, using and maintaining the landscape, and the nature" (PA_ABEval_2018_2: 3). Concerning the collaborative governance framework, the same report underlines the pivotal role of the Pimachiowin Aki Corporation, which "First Nations and provincial partners have created […] as a coordinating management body […] [that] enables the partners to work in an integrated manner across the property to ensure the protection and conservation of all natural values" (PA_ABEval_2018_2: 6). More specifically, the IUCN report provides an illustration of the Indigenous-led character of the nomination, with particular focus on the consensual and participatory governance structures, as well as the financial capacity of the Pimachiowin Aki Corporation. Considering the comprehensive preparations for the nomination and the increasing awareness of Indigenous rights within the World Heritage system, the inductive coding indicates a discernible trend towards the global recognition of Indigenous human rights. However, it is important to consider the nuances of the underlying processes behind efforts to realise the rights of the First Nations.

Although the designation process has been presented as an example of an Indigenous-led approach to nominating a World Heritage site, the segments reveal various limitations. One key limitation identified by the ICOMOS in their evaluation report on the deferred nomination in 2013 is that the "boundaries do not encompass all the Anishinaabeg ancestral lands, [as] some 8,900 square kilometres lie outside the boundaries and are in the buffer zone" (PA_ABEval_2013: 45). The Advisory Body also emphasised that the Anishinaabeg peoples occupy "an extensive area on both sides of the border between Canada and the United States of

America" (ibid.). However, the nominated area represents only a minor part of this total area, was submitted solely by one State Party, and the nomination documents make no reference to attempts to address the topic of the transnational settlement of the Anishinaabeg. For instance, the supplementary information provided by the State Party in the 2018 IUCN evaluation report, which refers to a general "openness to consider further expansion of the property" (PA_ABEval_2018_2: 4), does not specify whether such expansion would include areas in the USA. It is nevertheless worth noting that extensions of World Heritage sites at a later stage are a common procedure.

Regarding the evolution of land use, the same ICOMOS report discussed the ways the Anishinaabeg "now employ modern technology for moving along the waterways and for hunting and fishing" (ibid.: 45). Despite this allusion to technological changes in their land-use practices, the report underscored that the impact of these changes on the landscape is confined to specific areas within the nominated property. This passage suggests a dynamic view of Indigenous cultures but also raises concerns about whether the nomination adequately reflects the Anishinaabeg's contemporary realities and adaptations.

In summary, the coded segments suggest that the nomination of Pimachiowin Aki sought to establish a more Indigenous-led approach to World Heritage designation, particularly concerning the governance and management framework. The repeated nomination of the site suggests that the challenges previously identified by First Nations have been gradually resolved, thereby facilitating the designation process.

Green Colonialism

In examining the legacies of "green colonialism", 16 segments emerged from six documents and two document types in the Pimachiowin Aki case study. Although the World Heritage property is acclaimed for its explicit recognition of the First Nations' cultural and spiritual values, the passages reflect concerns regarding the impact of infrastructure development on cultural and natural values.

In this context, the First Nations are depicted as the principal custodians of these values. For example, in its decision concerning the adoption of the OUV statement, the World Heritage Committee requested that the State Party "[e]nsure the continued protection of the property, which is founded in an enduring tradition of First Nation stewardship, including protection from future developments associated with hydroelectric power" (PA_Dec_2018: 197). Other sections of the OUV statement also highlighted the "cultural and natural values of Pimachiowin Aki [that] are free from the adverse effects of development and neglect" (ibid.: 196) to empha-

sise their importance for the integrity of the property. In its first evaluation report of the nomination, ICOMOS advised that "[r]oad construction is necessary for the wellbeing of the communities [, and its] environmental impacts should be carefully assessed […] [by] minimising its disrupting effects to wildlife and traditional land uses" (PA_ABEval_2013__1: 50). However, ICOMOS also cautioned against the "sociocultural impacts of new roads [due to the] effects of increased accessibility on the communities" (ibid.). Consequently, the coded segments demonstrate a deliberate effort to frame the development of the infrastructure as beneficial for the First Nations by mitigating its adverse effects on their livelihoods.

Similarly, the economic impact and potential risks associated with increased tourism development on the World Heritage property were considered. While ICOMOS identified tourism as "a key factor in the alternative economic development of the nominated area" (PA_ABEval_2013_1: 51), the report also underlined the "risk that tourism development could fall into the hands of external operators, commercialising Anishinaabe heritage without respect for its original meaning and introducing incompatible elements from elsewhere" (ibid.). More specifically, the First Nations are presented in these segments in terms of protecting them from the adverse effects of tourist development. In this regard, the ICOMOS assessment of potential risks concluded that "[t]hreats may also come from the commercial heritage industry, 'disneyfication', or from substitution of genuine Anishinaabe traditions by a "pan-Indian" contemporary faith for therapeutic purposes" (ibid.).

The ICOMOS evaluation report of the first nomination is particularly insightful due to its focus on the cultural values of the property. Therefore, by highlighting the potential adverse impact of tourism development on the First Nations, the Advisory Body advised that the World Heritage site should also protect the Indigenous peoples' cultural integrity. The World Heritage Committee subsequently embraced this conviction in its decision to inscribe the site in 2018. To illustrate, it requested that the State Party "strengthen the overall management plan [by] [a]ddressing specific over-arching themes such as socio-economic development, diversification and support for local economies" (PA_Dec_2018: 197). In this regard, the Committee advised that tourism development and visitor management should "ensure it is sustainable in terms of the landscape and its spiritual associations" (ibid.). Furthermore, these activities should be "under the control of the communities, and [offer] benefits to them" (ibid.).

In conclusion, these passages reflect the aspiration of the World Heritage regime's aim to overcome the shortcomings of exclusionary conservation, and the designation of the property is persistently characterised by its advantages for the Indigenous peoples.

6.2.2 Paradigm Competition and Power Relations

This subsection addresses the second research question: How does the competition between old and new conservation paradigms transform power relations between the World Heritage regime and Indigenous peoples? The analysis is guided by the theory-driven codes of "paradigm competition" and "power relations", which provide distinct perspectives on the evolving dynamics of conservation governance. Inductive codes derived from the "paradigm competition" deductive code investigate tensions between state-centred conservation frameworks and emerging Indigenous-led approaches. Meanwhile, the "power relations" deductive code informed the identification of inductive codes, including the recognition of Indigenous values, agency, and the interplay between the World Heritage regime, States Parties, and Indigenous peoples.

By analysing documents from the four case studies, this section clarifies how these competing paradigms and shifting power dynamics shape nomination and decision-making processes, revealing moments of conflict, negotiation, and transformation. The findings provide insights into the gradual integration of Indigenous perspectives into conservation models, as reflected in the World Heritage Committee decisions, periodic reporting, and management plans.

6.2.2.1 Manú National Park

Paradigm Competition

In the Manú National Park case study, inductive coding produced 27 distinct segments on paradigm competition across 11 documents and four document types. The coded passages illustrate an evolving relationship between the state-centric World Heritage paradigm and the Indigenous-led approach to conservation.

In the initial stages of the nomination process, the state-centric paradigm appeared to be the prevalent conceptual framework. For instance, in its nomination evaluation, IUCN highlighted that Manú National Park was "[e]stablished by Decree No. 644-73-AG, 29 May 1973, and fully protected" (MNP-ABEval_1987: 1). Furthermore, the Advisory Body added that the national park was "[a]ccepted as part of a MAB Biosphere Reserve [in] March 1977" (ibid.). In other words, this observation by IUCN illustrates that shortly after being established, Manú National Park was integrated into global conservation efforts as one of the first biosphere reserves designated under UNESCO's MAB Programme, which was initiated in 1971.[72] Additionally, IUCN concluded in the same report that Manú National Park "is one of the world's

[72] For a detailed account of the MAB Programme's inception in the post-World War II era, see Reed (2019).

most important national parks and merits inscription under World Heritage criteria ii and iv" (ibid.: 5). These criteria indicate that the site was inscribed as a natural World Heritage property, which continues to be preserved to this day. In 2009, IUCN provided a similar evaluation of the extension, emphasising that the "proposed minor boundary modification would enhance the integrity of the property and add new values to the property that relate to the criteria under which the property is inscribed" (MNP-ABEval_2009: 2). Thus, these passages illustrate how the national park has been consolidated as a natural World Heritage property.

This distinction is further evident in the World Heritage Committee's retrospective adoption of the OUV statement in 2015. For example, the OUV statement's brief synthesis, which introduces the property's main features, notes that "[c]areful planning and management is needed to balance development needs with the integrity of a global conservation gem" (MNP-Dec_2015: 121). By this time, the property had evolved into a showcase of international nature conservation. Nevertheless, the brief synthesis also presents an account of the Indigenous inhabitants of Manú National Park. However, the OUV statement qualifies that "various indigenous peoples are the only permanent inhabitants" (ibid.), indicating their limited impact on the property. The statement also describes "[s]ome of [the Indigenous peoples as] sedentary and in regular contact with the "modern world", while others maintain a semi-nomadic lifestyle as hunter-gatherers in so-called "voluntary isolation" or "initial contact" (ibid.). In other words, the OUV statement omits any details on the history and livelihoods of these Indigenous peoples, who are only distinguished by their sedentary or mobile lifestyles and their degree of contact with outsiders. In contrast, the statement's final section on the protection and management criteria concludes that "[o]ne particularity of the property is that it protects indigenous residents from external pressures and undesired attempts to contact them" (MNP-Dec_2015: 122). Furthermore, the statement calls for defining "a clear policy for their future" (ibid.), which suggests that Indigenous peoples' needs have not been adequately addressed.

In summary, while these segments demonstrate a gradual shift toward recognising the needs of the Indigenous inhabitants of Manú National Park, the state-centred World Heritage paradigm remains prevalent. The natural World Heritage site is primarily viewed as a sanctuary for Indigenous inhabitants, with limited emphasis on strengthening their role in conservation.

Power Relations

In terms of power relations, 27 segments were identified across 13 documents and four document types in the Manú National Park case study. Regarding the impact on the Indigenous inhabitants of Manú National Park, the segments reflect some concern for their welfare. How-

ever, the analysis of the text passages illustrates that the dynamics between the World Heritage regime and the State Party primarily shape the development of power relations.

Notably, these text passages indicate that the World Heritage Committee asserted its authority to oversee the management of the property. For example, since 2007, the Committee has consistently requested that the State Party submit comprehensive SoC reports, including detailed information on the potential threats to the site. These requests were originally articulated within the 2007 SoC report, which initially focused on the expansion of the park's boundaries (cf. MNP_Dec_2007: 73; MNP_SoC_2007: pos. 16). In 2009, for instance, these requests expanded to include more fundamental concerns about the integrity of the World Heritage property. Consequently, the Committee requested "the State Party to submit to the World Heritage Centre, by **1 February 2010**, a report on the state of conservation of the property and the threats to its Outstanding Universal Value and integrity, for examination by the World Heritage Committee at its 34th Session in 2010" (MNP_Dec_2009: 219, emphasis in the original). More specifically, these concerns pertained to potential threats identified by IUCN, such as oil exploration, road construction, and agricultural encroachment (cf. MNP_Dec_2010: 91), and the text passages show that the Committee closely examined the State Party's efforts to address these threats.

Regarding the potential impact on the Indigenous inhabitants of Manú National Park, a limited number of coded segments suggest that the World Heritage Committee is aware of the issue. For instance, in 2011, the Committee requested that the State Party "conduct an Environmental and Social Impact Assessment (ESIA) of the planned road, in order to balance the associated risks and benefits and ensure that it does not negatively impact on the property's Outstanding Universal Value, nor on forest-dependent indigenous communities" (MNP_Dec_2011: 82). Thus, this passage underscores the Committee's concern regarding the impact of the planned road construction on the Indigenous communities in voluntary isolation. Nevertheless, these concerns were linked to the negative impact of the planned road construction on the OUV of the World Heritage property.

Another passage from the OUV statement, retrospectively adopted by the World Heritage Committee in 2015, recognised Indigenous values as they pertain to archaeological remains. For instance, the brief synthesis references a long history of Indigenous presence "[a]s evidenced by Incan and Pre-Incan ruins and petroglyphs" (MNP_Dec_2015: 121). Furthermore, the brief synthesis references "the local legend of Paititi, according to which the 'Lost City of the Incas' is located within what is today the property" (ibid.). The OUV statement concludes that this legend "has lured researchers and adventurers alike" (ibid.), drawing them to search for Paititi in Manú National Park. In other words, the OUV statement links Indigenous presence

to archaeological expeditions in the region aimed at uncovering traces of the Inca Empire. Regarding the contemporary Indigenous inhabitants, the OUV statement does not acknowledge their contribution to the values of the property.

In summary, the coded segments primarily illustrate the evolving power relations between the World Heritage Committee and the State Party. Moreover, they reveal a lack of awareness of the impact of potential risks on Indigenous inhabitants as a whole.

6.2.2.2 Tongariro National Park

Paradigm Competition

Within the Tongariro National Park case study, 13 unique segments were coded inductively under the main category of paradigm competition, drawn from ten documents and three document types. In general, the text passages indicate a rapid shift from focusing solely on natural values to a more inclusive approach that acknowledges the cultural and spiritual significance of the park's features for the Māori.

This development is not surprising, given that the park was reinscribed on the World Heritage List only a few years after its 1990 designation as a natural World Heritage site, making it the first cultural landscape to earn this recognition. For example, the ICOMOS renomination evaluation highlighted that "the associative cultural values for Ngati Tuwharetoa and Te Atihaunui a Paparangi are inseparable from the natural qualities" (TNP_ABEval_1993: 1). Thus, this passage exemplifies the key characteristics of the shift towards more inclusive approaches of nature conservation in Tongariro National Park. Furthermore, the ICOMOS evaluation report consistently emphasised the interdependence between culture and nature. For example, the report underscored that in "the case of Tongariro, the natural landscape plays a fundamental role through oral tradition in defining and confirming the cultural identity of the Māori people: the two are indissolubly linked" (ibid.: 4).

However, the favourable ICOMOS evaluation was also met with criticism, as some States Parties "expressed their concerns about the precedent that could be created by acceptance of this nomination exclusively under criterion (vi) and the need for regional comparative studies on associative landscapes" (TNP_Dec_1993_3: 8).[73] Nevertheless, the World Heritage Committee decided to inscribe the property following ICOMOS recommendation. While the renom-

[73] According to the Operational Guidelines, the "Committee considers that this criterion should preferably be used in conjunction with other criteria" (UNESCO 2023, para. 77). This recommendation is based on the rationale that criterion (vi) is the sole criterion that acknowledges intangible features of cultural heritage.

ination was praised "as a model for defining the category of associative cultural landscape" (TNP_ABEval_1993: 4), the World Heritage regime "commended the State Party for its recognition of the cultural and natural World Heritage values of Tongariro National Park" (TNP_SoC_1998: pos. 16). Therefore, a state-centric approach to conservation appears to have remained present throughout the renomination process.

In subsequent years, the response to a volcanic eruption in Tongariro National Park clearly illustrates the shift toward an Indigenous-led paradigm. The State Party held regular consultations with local Māori tribes to address the public safety risks posed by Mount Ruapehu's eruptions in 1995 and 1996 (cf. TNP_Dec_1998: 102). One of the primary concerns voiced by the two local Indigenous tribes was their opposition to a proposal to excavate a trench at the crater lake. Although concerned about the intervention's potential impact on the cultural integrity, the Indigenous tribes also highlighted associated "risks to public safety and infrastructure (e.g., bridges and roads)" (ibid.). Furthermore, the Paramount Chief of Ngāti Tūwharetoa suggested convening "a consultation group to work through the issues with Park management" (ibid.). Consequently, these passages indicate the growing engagement between conservation authorities and Māori representatives in ongoing consultations regarding the impact of conservation practices on the Indigenous values associated with the cultural landscape.

The 1999 SoC report further documented the ongoing transition to Indigenous-led conservation (cf. TNP_SoC_1999). Although the Advisory Bodies assumed the excavation would not affect the natural values of the World Heritage property, they acknowledged that "interference with the summit area has implications for the recognition and respect for the spiritual, traditional and cultural values to the Māori people which justified the site's inscription under cultural criterion (vi)" (ibid.: pos. 27). Additionally, the ICOMOS report highlighted "the relevance of the case […] to other cases where […] there would be an equal need to negotiate a management solution between two cultures [in the future]" (ibid.: pos. 29). Hence, this passage reflects the extent of the awareness concerning distinct Indigenous notions of conservation. However, these Indigenous perspectives are portrayed as distinct from established notions of protected area conservation.

Power Relations

In the Tongariro National Park case study, the coding related to power relations yielded 40 segments across 19 documents and four document types. Overall, the text passages indicate the Māori tribes' growing influence on World Heritage regime management decisions.

For instance, prior to Tongariro's designation as natural World Heritage site, the Committee deferred the nomination until the New Zealand authorities had completed "the new management plan which should give particular attention […] to better reflecting the Maori cultural values as part of the management concept of the site" (TNP_Dec_1987_2: 10). Although the World Heritage Committee initially recognised the site's importance under the natural criteria established by the Convention, early concerns emerged regarding the inclusion of Indigenous concepts associated with the property's value. However, the subsequent meetings of the Committee reflected a limited acknowledgement of the Māori agency in decision making. Reflecting this, the 1990 decision to inscribe Tongariro as a natural World Heritage site stated that the "Committee congratulated the New Zealand authorities for having improved the management and protection of this site, particularly by […] taking greater account of the cultural values of Tongariro" (TNP_Dec_1990_2: 6). However, this passage demonstrates that the Committee did not specify the cultural values' affiliation or whom they represented. This omission of Māori agency was evident at the 16th World Heritage Committee session in 1992. During the session, the Committee requested the "[World Heritage] Centre to contact the New Zealand authorities and request further supportive material on cultural aspects of this site in order to study the possibility [of also inscribing it] under cultural heritage criteria" (TNP_Dec_1992_1: 48). Although the initial acknowledgement of Tongariro National Park's cultural values is evident, the subsequent passages show that the World Heritage regime inadequately addressed the role of Indigenous agency.

Nevertheless, the designation of Tongariro National Park as an associative cultural landscape gradually increased awareness of Indigenous peoples' roles and cultural values. For example, the 1995 decision on the adoption of the State of Conservation report highlighted that the World Heritage Centre had "received information from a member of the local Maori community about the dropping of 1080 poison on Mount Tongariro to combat the possum browse which threatens indigenous flora" (TNP_Dec_1995: 23). Another example of the growing acknowledgement of Indigenous agency can be observed in a passage from the 22nd World Heritage Committee session regarding the adoption of the SoC report. As previously noted, the Māori tribes voiced their concerns regarding the possibility of an intervention at the crater lake of Mount Ruapehu following the eruptions of 1995 and 1996. Here, the decision report indicated that the "Ngati Rangi [Māori tribe] consider that the excavation at the crater 'challenges the indigenous integrity and strength of the cultural World Heritage status' of the Park" (TNP_Dec_1998_2: 106). This information was provided by the park management, which held

regular consultations with the Ngāti Rangi. Furthermore, it is apparent that the documents explicitly reference names of the Māori tribes to and that the views are attributed to them.

Regarding the shift towards increased recognition of Indigenous agency, the periodic reporting document contains passages that underline this development. In a section on property integrity, the report mentioned that "[t]here are now four Maori members of the Conservation Board" (TNP_PR_2003: 11). Moreover, the report highlighted that "[s]taff awareness of Maori issues and cultural values has increased markedly since cultural inscription in 1993 and staff have recently attended a cultural training programme" (ibid.).

In conclusion, the latter documents illustrate a rapidly evolving power dynamic between the World Heritage regime and the Māori of Tongariro National Park.

6.2.2.3 Lake Bogoria

Paradigm Competition

The analysis of the Lake Bogoria case study yielded 15 unique segments related to paradigm competition, derived from six documents and two document types. In general, the passages indicate that, at the outset, a nature-conservationist paradigm was predominant, overlooking the history of the Endorois in Lake Bogoria. In contrast, the publication of the 2019 to 2029 management plan marked a shift in perspective, whereby the interests of the Endorois were given greater consideration (cf. LB_MP_2019).

Against this backdrop, the nomination history of Lake Bogoria is noteworthy. At its 23rd session in 1999, the World Heritage Committee approved a grant of USD 30,000 to the State Party to support the nomination's preparation.[74] The Committee approved the amount on the condition that the State Party provide "a detailed explanation on the potential cultural heritage values of the area being considered for nomination, to be reviewed by ICOMOS" (LB_Dec_1999_1: 45). Although the documents do not specify which cultural values were taken into consideration in the final decision, the passage demonstrates that a natural World Heritage site was not the only option for inscription. However, the proposals in the 2011 nomination were characterised by a focus on the natural values of the property. Moreover, the World Heritage Committee suggested the possibility of a transboundary collaboration between Kenya and Tanzania "to consider further potential serial extensions as part of a potential transnational

[74] The World Heritage Committee provides financial assistance in accordance with Art. 15 of the World Heritage Convention. The World Heritage Fund, established in 1977 under Art. 15, receives its funding from contributions made by the States Parties. The fund provides financial resources for the preparation of nominations, the provision of technical assistance, and the delivery of emergency support.

serial World Heritage property" (LB_Dec_2011: 174). In particular, the Committee suggested "taking account of relevant recent thematic studies by Birdlife and IUCN" (LB_Dec_2014: 144), indicating the nature-conservationist paradigm's prevalence. Overall, these segments demonstrate that critical questions regarding Endorois integration were persistently overlooked over a prolonged period.

Conversely, a transition towards a more inclusive conceptualisation of nature conservation is evident in the management plan for the period 2019–2029 (cf. LB_MP_2019). The management plan was developed under a coordinating body that included representatives from the EWC (ibid.: iv). In contrast, the previous management plan submitted with the nomination notably omitted the Endorois (cf. LB_MP_2007). The current management plan includes specific objectives and measures to integrate the Endorois in protecting the property. For example, chapter six specifies action 1.3 to "[i]ncorporate indigenous knowledge in the LBNR [Lake Bogoria Nature Reserve] management" (LB_MP_2019: 48). The management plan also commends their "wealth of information on land use practices in and around the reserve" (ibid.) and suggests creating "awareness among the Endorois community to harness their conservation knowledge and thereby gain support for LBNR" (ibid.). Action 2.5 proposes the use of Indigenous knowledge "to understand and manage human-wildlife interactions" (ibid.: 50). The management plan also acknowledges that such "knowledge is unique across different landscapes and its usage […] is very important in understanding the relationships between people and natural systems" (ibid.). Furthermore, the management plan stipulates that "[e]ffective community governance structures will provide legal clarity and certainty that lead to clear procedures and decision-making process" (ibid.). According to the plan, the governance structure will be based on the "Endorois Bio-Cultural Community Protocol" (ibid.), which will serve as a formalised framework for community decision making. This protocol fosters a participatory, legally supported, community-focused approach that empowers the Endorois and ensures they gain tangible benefits from the LBNR.

In conclusion, compared to the nomination, the recent management plan represents a shift towards an inclusive approach to prioritise the interests of the Endorois.

Power Relations

In terms of power relations, 20 segments were identified across seven documents and four document types in the Lake Bogoria case study. Overall, the coded segments reflect a considerable shift towards acknowledging the agency of the Endorois.

This shift resulted from the increased attention to the problematic nomination process in the debate on the ACHPR resolutions within the World Heritage regime, discernible as early as the 2015 SoC report, which highlighted the establishment of "the Lake Bogoria National Reserve Management Committee, formally recognizing the Endorois as a community" (LB_SoC_2015: pos. 20). Furthermore, the report noted that "the Endorois Welfare Council [was recognised] as their representative organization in the management of Lake Bogoria" (ibid.). This shift contrasts sharply with the 2007 management plan, included in the 2011 nomination. This management plan made no reference to the Endorois, apart from the Endorois Community Cultural Centre located near the head office of the Reserve (LB_MP_2007: 19). In contrast, the documents from 2015 onwards exhibit a marked tendency to acknowledge a greater influence of the Endorois. For instance, the 2019 SoC report emphasised that the World Heritage Centre previously "requested the State Party's comments on the concerns expressed by a member of the Endorois Welfare Council over the state and governance of the property in relation to the Endorois community" (LB_SoC_2019: pos. 25). Hence, this passage illustrates how the Endorois now actively bring their concerns to the World Heritage regime's attention.

In addition, the shift towards Indigenous agency and the acknowledgement of Indigenous cultural values is evident in the recent management plan. As noted in the previous section, the management plan was developed in collaboration with the EWC. In chapter two, which summarises key features of the reserve, the Endorois are depicted as "a distinct, historically pastoralist community that is almost solely dependent on livestock" (LB_MP_2019: 10). Accordingly, the management plan recognises Indigenous livelihoods alongside the biodiversity and aesthetic values of Lake Bogoria. Furthermore, the plan highlighted the importance of Lake Bogoria as "the centre of the community's religious and traditional practices" (ibid.). Regarding the protection of the Indigenous sacred sites, the management plan observed that "[a]ccess to some of the sites is exclusive to a certain community social strata (gender and age) and there are those open to all community members" (ibid.: 51). Moreover, the plan demonstrated an increased awareness concerning the use of genetic resources and associated knowledge. In this context, the plan cites reports of researchers' activities within the reserve conducted without prior consent from either the county government or the Endorois community (cf. LB_MP_2019: 51). To avoid any objectionable use of genetic resources, the plan states that the "Endorois community through the LBNR management will develop guidelines that provide for controlled access to resources" (ibid.).

In conclusion, the analysis of Lake Bogoria revealed that the power dynamics between the World Heritage regime and the Endorois have transformed due to the impact of the ACHPR

resolutions. This development is particularly evident in the recent management plan, which demonstrated the effective participation of the Endorois in the management and decision-making processes concerning Lake Bogoria.

6.2.2.4 Pimachiowin Aki

Paradigm Competition

In the Pimachiowin Aki case study, 44 unique segments related to paradigm competition were identified based on nine documents and two document types. Overall, the passages reflect a strong focus on the Indigenous-led conservation paradigm.

This emphasis on First Nations' involvement likely stems from the prolonged nomination process, which included a deferral in 2013 "to allow the State Party to address […] the conceptual framing of the property's OUV" (PA_ABEval_2018_2: 67). Moreover, the property was inscribed as a cultural landscape based on two cultural criteria in recognition of the Indigenous peoples' cultural traditions of conservation. However, the initial nomination process was marked by discussions regarding the relationship between the natural and cultural values in relation to the OUV of the proposed World Heritage property. While an inclusive approach underpinned the nomination, the World Heritage Committee, at its 37th session in 2013, requested that the State Party "[e]xplore whether there is a way that the relationship with nature that has persisted for generations between the Anishinaabe First Nations and Pimachiowin Aki" (PA_Dec_2013_1: 175). The Committee placed particular significance on the question of how the nomination might "have the potential to satisfy one or more of the cultural criteria [of the World Heritage Convention]" (ibid.). Additionally, the Committee suggested that providing more insights from the State Party would "allow a fuller understanding of the inter-relationship between culture and nature within Pimachiowin Aki and how this could be related to the World Heritage Convention" (ibid.). As a result, the Committee recommended "that the State Party invite a joint ICOMOS and IUCN Advisory Mission, under the principles of the Upstream Processes, in order to address the above mentioned issues" (ibid.). Although the Committee positively received the joint effort of the State Party and the First Nations, the text passages indicate that the nomination of the mixed property encountered considerable obstacles, including deferral.

Subsequently, the deferred nomination prompted the World Heritage regime to consider the implications of nominating mixed properties. In this context, the discussion on the *Global Strategy for a representative, balanced and credible World Heritage List*, initiated by the Committee at its 38th session in 2014, illustrates this concern (cf. PA_Dec_2014). In particular, the

debate demonstrates that the deferred nomination of Pimachiowin Aki prompted a comprehensive examination of the difficulties inherent in the nomination process. In this respect, the Committee acknowledged that "the Decision processes for mixed nominations reveals that, in most cases, these appear to be more complex than those nominated for only cultural or natural values" (ibid.: 3). The primary rationale identified by the review was that "[m]ixed sites might require more time at the stage of the preparation of the nomination, as they involve different stakeholders at the national, regional and local levels" (ibid.). In this context, Pimachiowin Aki was considered a "symbiosis of culture and nature" (ibid.: 4). The Advisory Bodies also acknowledged the more demanding requirements because the cultural and natural criteria of a mixed nomination are evaluated separately, prompting an exceptional "advisory mission […] to assist the State Party and the First Nations to consider the nomination further" (ibid.). In the context of the 2018 designation, IUCN concluded that these efforts led to an "impressive [nomination], which [serves as] an excellent model for […] future nominations [aiming] to capture the indissoluble links between nature and culture, [particularly the connection] between cultural integrity and ecological integrity in large landscapes (PA_ABEval_2018_2: 70).

In conclusion, the designation of Pimachiowin Aki has resulted in a substantial revision of the nomination procedures for a mixed property. These revised procedures should uphold customary Indigenous governance and ensure effective stewardship by Indigenous communities.

Power Relations

In terms of power relations, 63 segments emerged from 11 documents and two document types in the Pimachiowin Aki case study. In general, the text passages indicate an evolving relationship, initially characterised by debates over reconciling Indigenous perspectives with the criteria of the nomination process. Nevertheless, the World Heritage regime increasingly portrayed the Anishinaabeg communities as active partners in the nomination and management of Pimachiowin Aki.

One of the most notable manifestations of this collaborative approach was the establishment of the Pimachiowin Aki Corporation by the First Nations and provincial partners, including the governments of Manitoba and Ontario. In its decision regarding the referred nomination in 2016, the World Heritage Committee welcomed the creation of the new management framework as "a consensual, participatory governance structure" (PA_Dec_2016_1: 21). Thus, the establishment of the management body ensured that the First Nations were recognised as active agents in the World Heritage regime. Another key aspect of the lengthy nomination process

was the recognition of the interaction between the natural features of the property and the Indigenous cultural conservation traditions. In its 2013 evaluation of the deferred nomination, IUCN conceded that the "application of only natural criteria would be inappropriate given the community-led nature of this nomination" (PA_ABEval_2013_2: 141). IUCN also noted that "the central premise that traditional use would be recognized as intrinsic to the values of the property, if inscribed" (ibid.). Consequently, the initial IUCN evaluation report revealed considerable limitations in the procedures of the World Heritage regime for holistically evaluating a mixed site.

In its 2016 evaluation of the referred nomination, IUCN maintained its reservation concerning the OUV of the natural values (cf. PA_ABEval_2016_2: 141). Nonetheless, the Advisory Body accepted that "the nomination is for a mixed site and that the evaluation needs to consider the interaction of nature and culture" (ibid.). Thus, it became evident that Indigenous peoples' agency successfully prompted efforts to integrate their cultural values into the World Heritage regime. However, in 2018, IUCN and ICOMOS separately evaluated the revised nomination. In this context, IUCN confirmed that the resubmitted nomination met criterion (ix) for inscription (cf. PA_ABEval_2018_2: 70). IUCN specifically noted "the initiation of [the] nomination by First Nations wishing to protect through the World Heritage Convention their cultural values and traditions, together with their ancestral homelands" (PA_ABEval_2018_2: 70). Additionally, IUCN emphasised the importance of Indigenous presence in Pimachiowin Aki for the "integrity of [the] site, [which] has been dependent on the management of First Nations people for millennia" (ibid.). IUCN concluded that the "management has proven resilient despite tremendous challenges" (ibid.). Although the specific nature of these challenges remained uncertain, the ICOMOS evaluation report provided a historically informed account of the importance of the living traditions of the First Nations (cf. PA_ABEval_2018_1: 22). With respect to Indigenous cultural heritage, ICOMOS highlighted that "[i]n spite of being subject to significant social disturbances as a result of European colonization, such as being placed on Reserves and children being separated from their families by residential schooling, the Anishinaabeg have been able to retain their traditional culture" (PA_ABEval_2018_1: 22).

In conclusion, the latter passages reflect a collaborative relationship between the World Heritage regime and the First Nations of Pimachiowin Aki that incorporates Indigenous agency and values.

7 Redefining Conservation in the World Heritage Regime

After presenting the findings of the document analysis in the previous chapter, this chapter discusses the complex interactions between conservation paradigms, Indigenous rights, and the World Heritage regime based on the comparative analysis of four case studies. With a focus on the *first research question*, section 7.1 begins by examining the challenges of overcoming the legacies of "green colonialism" and the globalisation of Indigenous rights in the World Heritage regime. This section discusses the impact of the globalisation of Indigenous rights in each case study drawing on prior research on the World Heritage sites. Furthermore, it explores how increasingly globalised norms of Indigenous rights have influenced organisational practices within the World Heritage regime. This discussion shifts to the theoretical and methodological implications of the findings, especially concerning the documentary reality of the World Heritage regime.

Section 7.2 then delves into the competition between the traditional, state-centred conservation model and emerging Indigenous-led approaches, focusing on answering the *second research question*. Regarding how these paradigm shifts reshape power relations within the World Heritage regime, this section examines each case study's transition from exclusionary practices to more collaborative and inclusive models. Moreover it also reflects on the theoretical and methodological implications concerning the development of the documentary reality of the World Heritage regime. Finally, section 7.3 considers the broader implications of institutionalising Indigenous rights within the World Heritage regime, considering how Indigenous rights-based conservation models challenge existing frameworks and offer potential pathways for more equitable conservation practices. Throughout the chapter, these discussions are situated within a more comprehensive reflection of the theoretical challenges from a decolonial perspective, providing a nuanced understanding of the tensions and opportunities that arise in the ongoing negotiation of conservation priorities in the World Heritage context.

7.1 The Limited Centrality of Indigenous Rights in Overcoming the Legacies of "Green Colonialism"

The *first research question* investigates how the globalisation of Indigenous human rights challenges the legacies of "green colonialism" within the World Heritage regime. The QCA focused on the interplay between the theory-driven codes of "Indigenous rights" and "green colonialism". In this section, the discussion of the findings draws on insights from neo-institutional theory to examine the global diffusion of Indigenous rights, especially in relation to the adoption of the UNDRIP. Methodologically, this section scrutinises the textual representations of "Indige-

nous rights" and "green colonialism" in UNESCO's official records and management plans, reflecting the World Heritage regime's evolving engagement with these issues. This section addresses the research question in two stages. First, the QCA findings for each case study are discussed by comparing them to prior research on these World Heritage sites: Manú National Park (7.1.1), Tongariro National Park (7.1.2), Lake Bogoria (7.1.3), and Pimachiowin Aki (7.1.4). Second, the theoretical and methodological implications of the findings are investigated through the lens of world society theory, focusing on the globalisation of Indigenous rights and its implications for the World Heritage regime (7.1.5).

The analysis of "Indigenous rights" revealed how the globalisation of Indigenous peoples' human rights increasingly influences the designation and management of World Heritage properties. This influence is evident in efforts to connect these designations to broader human rights frameworks, such as the UNDRIP, and in the use of rights-based approaches even before the adoption of the Declaration. However, natural World Heritage properties often remain sites of tension between conservation priorities and Indigenous self-determination, while cultural landscapes tend to reflect more collaborative approaches, explicitly recognising Indigenous rights. In contrast, the analysis of "green colonialism" demonstrated the persistence of exclusionary conservation practices that perpetuate historical injustices against Indigenous peoples. While some case studies show increasing Indigenous involvement in World Heritage processes, the extent to which "green colonialism" is addressed varies significantly.

7.1.1 Manú National Park: Enduring Patterns of "Green Colonialism" and Delayed Integration of Indigenous Rights

The analysis of "Indigenous rights" within the Manú National Park case study revealed a gradual shift in recognising Indigenous rights starting in 2008. The World Heritage regime initially prioritised the protection of Indigenous peoples in voluntary isolation, exemplified by the Mashco Piro. It underscored the need to shield these communities from external threats due to their precarious status. For other Indigenous groups within Manú National Park, UNESCO records indicate that their rights were not given the same priority as those of Indigenous peoples in voluntary isolation, such as the Mashco Piro. However, the 2010 UNESCO and IUCN mission recommendations called for a broader focus on Indigenous populations. In response to these recommendations, the World Heritage regime proposed a management plan to enhance engagement with sedentary Indigenous communities. Significantly, the 2013–2018 management plan expanded its focus, integrating Indigenous rights into the broader conservation framework. This plan specifically emphasised incorporating Indigenous rights to self-determination and resource management into conservation objectives.

In contrast, the examination of "green colonialism" showed persistent colonial perspectives in the World Heritage regime, specifically in relation to the presence and involvement of Indigenous communities in the protected area. Initially, the State Party and IUCN justified the park's inscription in 1987 as an opportunity to study the Indigenous inhabitants from an anthropological perspective. Instead of formulating a strategy for engaging the Indigenous peoples in the conservation of the park, the World Heritage regime reinforced colonial stereotypes that portrayed Indigenous lifestyles as static and pre-modern. Concerns about Indigenous land use intensified during later monitoring efforts, particularly between 2007 and 2011. The documents often flag the potential impacts of Indigenous agricultural practices, population growth, and deforestation on the park's natural environment. Further concerns about the impact of extractive industries in adjacent regions accompanied these perspectives. Thus, the document analysis demonstrated that conservation strategies prioritised wilderness preservation. In these strategies, the Indigenous inhabitants are often regarded as potential threats to conservation goals. Given these insights derived from the document analysis, it is important to draw comparisons with previous studies on Manú National Park. One of the main differences between previous research on the natural World Heritage site and the findings from the document analysis is the limited scope of awareness concerning the various Indigenous communities residing in the park.

While the document analysis showed growing concern for the livelihoods of Indigenous communities in voluntary isolation, Rodriguez and Feather (2014) highlighted the presence of various other Indigenous groups within the park. In addition to the highly vulnerable Mashco Piro, the study on the role of Manú National Park as a refuge for Indigenous peoples in southeastern Peru also considered the other Indigenous groups, such as the Matsigenka, Yine, Harakmbut, and Nahua (ibid. p. 460). In particular, the Matsigenka constitute the largest Indigenous group living within the park's boundaries, with an estimated total population ranging between 1,000 and 1,500 people (ibid. pp. 462–463). Moreover, Rodriguez and Feather underscored the ancestral occupation and the contemporary distribution of other smaller Indigenous communities within the park (ibid. p. 461). For example, the Yine people resided in the Manú River basin until the 1960s but ceased using the river for subsistence activities due to the restrictions imposed following the establishment of the national park (ibid. p. 462). Other ethnolinguistic subgroups of the Harakmbut occupy settlements in the buffer zone of Manú National Park (ibid.). The Nahua people migrated to the area in the nineteenth century to escape the impacts of the rubber industry and currently reside in a village outside the national park's boundaries. The Nahua access the park for hunting and fishing (ibid. pp. 463–464). The Mashco Piro are also not the only Indigenous community in Manú National Park living in voluntary isolation; other Indigenous groups including subgroups of the Harakmbut, also live in isolation.

Thus, the document analysis revealed a tendency within the World Heritage regime to overlook the unique circumstances of the different Indigenous groups living in Manú National Park, compared to previous research. This discrepancy may have resulted from the "nomination [which] devoted little attention to the resident population" (ibid. p. 467) and the long-term effects of this process. In particular, Manú National Park was designated a natural World Heritage site in 1987 without the participation of the Indigenous inhabitants. Nevertheless, recent calls for active Indigenous involvement, found in the document analysis, align with the existing research on the relationship between Indigenous peoples and biodiversity conservation in the park. In this context, Shepard et al. argued that the park "also benefits its human inhabitants by allowing them to avoid or to alleviate several socio-environmental conflicts observed in other regions of Peru" (2010, p. 290).

Regarding the Matsigenka settlements, the authors proposed a "tenure-for-defense" (ibid. p. 292) strategy to resolve conflicts between Indigenous hunting and fishing practices and conservation efforts in Manú National Park. Contrary to conservationists' assumptions regarding the Matsigenka, who were perceived as a potential threat to conservation objectives, the authors noted the presence of stable game animal populations in the vicinity of Matsigenka settlements (ibid. p. 294). Consequently, the authors called for active participation in the tenure-for-defence strategy, which involves monitoring their hunting activities (ibid.). The aim is to foster collaboration with the Matsigenka by clarifying their rights and responsibilities in the overall conservation strategy (ibid. p. 293). These efforts align with the recommendations by UNESCO and IUCN in 2010 and the objectives of the 2013–2018 management plan, emphasising the need to integrate Indigenous rights within the conservation framework.

7.1.2 Tongariro National Park: Renegotiating Historical Injustices Through a World Heritage Cultural Landscape

The Tongariro National Park case study illustrated the growing global recognition of Indigenous rights, particularly the Māori's cultural and spiritual connections to the land. Tongariro National Park was designated the first cultural landscape on the World Heritage List due to its intangible Indigenous values. Early decisions by the World Heritage Committee underscored the necessity of culturally sensitive conservation methodologies. The 1998 decision specifically called for active consultation and collaboration with Māori tribes in park management. Furthermore, New Zealand's inclusion of Tongariro in the first periodic reporting cycle for the Asia and Pacific region in 2002 demonstrated the State Party's intention to showcase Indigenous engagement in World Heritage nominations. By incorporating the Treaty of Waitangi in the

management strategy, New Zealand established Māori rights as essential to the governance of the World Heritage site.

The document analysis of "green colonialism" demonstrated a gradual yet clear effort to integrate Māori perspectives into the park's management. For example, early evaluations, such as the 1993 ICOMOS report, acknowledged the park's landscape as untainted. However, later reports recognised that tourism requires balancing visitor access with protecting Māori cultural values. The 2003 periodic reporting cited Māori concerns regarding the commercialisation of traditional lands and the impact of visitor numbers on cultural and environmental values. Hence, tourism was identified as a source of tension between commercial interests and cultural preservation. Moreover, the document analysis revealed that Tongariro was increasingly portrayed as a model for a more inclusive conservation approach, focusing on integrating Indigenous cultural values into the World Heritage conservation objectives. It is also necessary to evaluate how these findings align with previous research on Tongariro National Park as a World Heritage cultural landscape. In particular, concerning the central role of Indigenous rights, Tongariro National Park was lauded as a model for resolving conflicts between Indigenous inhabitants and the designation of World Heritage properties.

The designation of Tongariro National Park as the first cultural landscape was a pivotal event in the evolution of the World Heritage Convention. Nevertheless, this recognition did not resolve tensions between the State Party and the local Māori tribes, and efforts to mitigate the tensions have evolved considerably over time. In her study on the relationship between the New Zealand Department of Conservation and the local Māori groups, Mills (2012) highlighted the contested nature of collaborative approaches in managing Tongariro National Park. While the World Heritage site was designated to recognise Māori spiritual and cultural values, Indigenous rights were constrained by different expectations. As Mills (ibid. p. 12) demonstrated, the State Party presented the property as the first national park in the country and as a gift from an Indigenous people. In contrast, the Māori were concerned about protecting their rights and values and questioned the notion of "gift" (ibid. p. 16). These disparate expectations originated in the establishment of the park and the Treaty of Waitangi in the nineteenth century. In this context, Mills illustrated how the Waitangi Tribunal shapes the relationship between the Māori and the State Party (ibid. p. 88). The commission is responsible for making recommendations on claims brought by Māori relating to the Treaty of Waitangi. In this context, the Ngāti Tūwharetoa stressed that the decisions of the World Heritage Committee constituted the "first realistic attempt […] made to incorporate Māori values and Treaty principles in the management of the National Park" (ibid. p. 186). Thus, it can be posited that Mills's study on the relationship be-

tween the New Zealand Department of Conservation and the local Māori tribes lends further support to the results of the document analysis.

Moreover, Tongariro National Park has been lauded as a model for resolving conflicts over Indigenous rights in the designation of World Heritage properties. In this regard, the results of the document analysis are in line with Asher's assertion that the designation as the first cultural landscape on the World Heritage List "was done in recognition of the outstanding significance of the living traditions, beliefs and artistic works of the Māori people associated with the site" (2014, p. 377). Nevertheless, Asher's study indicates that the Waitangi Tribunal provides a formalised forum for addressing historical injustices faced by Māori (ibid. p. 395). While the document analysis revealed increased awareness of Indigenous rights, challenges remain in fully realising these rights within the World Heritage property. Thus, one possible reason for the discrepancy between the results and the ongoing issues Asher highlighted may be found in the Waitangi Tribunal hearings. Between 2006 and 2007, the hearings focused specifically on the management of Tongariro National Park (ibid.). In relation to the management plan, the local Māori criticised ongoing issues, such as inadequate consultation, the prioritisation of natural over cultural values, and limited access to traditional resources (ibid.). While these factors continue to pose considerable obstacles, the hearings enable the Māori to make recommendations for substantial changes. These recommendations include recognising the Māori as guardians of their heritage and establishing a participatory management framework. In this context, Asher proposed revising the format of the periodic reporting to include submissions from Indigenous peoples (ibid. p. 400). Although the UNESCO records provide details on the Waitangi Tribunal hearings, prior research reveals shortcomings in the implementation of Indigenous rights.

7.1.3 Lake Bogoria: The International Human Rights Mechanisms of Addressing Exclusionary Conservation Practices

In the Lake Bogoria case, the analysis revealed a gradual recognition of the Endorois' rights within the World Heritage regime since 2014. Despite the property's 2011 inscription, the exclusion of the Endorois from the nomination process sparked an important controversy in 2014. Subsequent decisions by the World Heritage Committee have increasingly advocated for the realisation of the ACHPR ruling and the active participation of the Endorois. The 2015 recognition of the EWC as the community's official representative highlighted their position within the World Heritage framework. Furthermore, the completion of the 2019–2029 Management Plan, developed with Indigenous community engagement and EWC endorsement, marked a shift towards a more Indigenous rights-based conservation strategy. Consequently, Lake Bogo-

ria became an example of a natural World Heritage site influenced by the new international Indigenous peoples' human rights standards established by the UNDRIP.

Despite these changes in favour of the Endorois, the case study illustrated ongoing tensions between conserving the natural World Heritage site and respecting the land rights of Indigenous peoples. These tensions suggest that exclusionary nature conservation practices, which marginalise Indigenous communities, continue to persist in Lake Bogoria. Nevertheless, the document analysis demonstrated a gradual yet partial recognition of the Endorois' claims within the World Heritage regime. Initially, the documents focused on biodiversity preservation, framing Lake Bogoria's value in terms of its pristine natural environment and exceptional bird diversity. A turning point occurred in 2014 when the World Heritage Committee addressed the ACHPR ruling concerning the exclusion of the Endorois from the nomination process. Moreover, this external intervention prompted the World Heritage regime to recognise the Endorois' claims, encouraging the State Party to implement the ACHPR ruling. Subsequent documents, especially from 2015 onwards, indicate a shift toward addressing the Endorois' demands. Despite this shift, the analysis demonstrated that conservation priorities continue to prevail, as evidenced by renewed concerns about expanding tourism infrastructure near fragile ecosystems. However, the case study exemplifies the extent to which external human rights mechanisms have prompted the World Heritage regime to address Indigenous claims.

Comparing these findings with previous studies on the Lake Bogoria World Heritage site helps further illuminate the evolution of conservation practices. While the findings appear consistent with previous studies, external human rights mechanisms have only recently influenced the balance between conservation objectives and the Endorois' claims. In particular, Abraham (2014) highlighted the slow pace of the UNDRIP implementation in aligning the management of Lake Bogoria with international standards. Abraham argued that the State Party's initial focus was aligning biodiversity conservation and tourism with the World Heritage designation (ibid. p. 182). Abraham acknowledged that despite the potential implications of the inscription for the Endorois, there was a lack of consultation throughout the nomination process, ultimately resulting in their exclusion (ibid. pp. 163–169). Regarding the rights of the Endorois, Abraham highlighted that exclusionary practices persisted, such as the lack of recognition of Indigenous decision-making institutions, Indigenous land rights, and benefit-sharing (ibid. pp. 169–173). Similar to Abraham's critique, the document analysis results indicate that a pronounced form of exclusionary preservation initially characterised the designation. Another crucial point highlighted by Abraham was the limited initial impact of the ACHPR ruling on the State Party's position on the World Heritage inscription of Lake Bogoria (ibid. pp. 173–

175). This observation may explain why the World Heritage Committee's recognition of the ACHPR ruling represented a critical turning point.

Consequently, the results did not address the challenges of enforcing compliance with the ACHPR ruling. In this context, Lynch observed that the ACHPR lacks effective follow-up mechanisms, instead relying on states' inconsistent compliance (2012, pp. 35–36). Furthermore, the Kenyan government initially overlooked the distinct Indigenous identity of the Endorois (ibid. pp. 28–29). Regarding the Indigenous rights recognition, Lynch argued that the case of the Endorois exemplified "the legal process and judicial benefits of 'being indigenous'" (ibid. p. 42). Raising their concerns with the ACHPR prompted greater recognition of the Endorois as "a culturally distinct Indigenous community with internationally recognized ancestral lands" (ibid.). Over time, the ACHPR ruling gained momentum, with the UNDRIP providing a new international framework for Indigenous rights (ibid. pp. 38–39). While the background was not reflected in the official UNESCO records, the document analysis suggests that the adoption of the UNDRIP and the ACHPR ruling exerted additional legal and normative pressure. In the context of the nomination process of Lake Bogoria, the legacies of "green colonialism" persisted. Nevertheless, the legal and moral pressures of the ACHPR ruling and Endorois advocacy pushed the World Heritage regime toward more inclusive and collaborative approaches . The controversies surrounding the inscription process within the World Heritage regime further supported the Endorois' involvement in managing their ancestral lands in Lake Bogoria. This was illustrated in the 2019-2029 Management Plan.

7.1.4 Pimachiowin Aki: The Implications of an Indigenous Rights-Oriented Designation

The document analysis of the Pimachiowin Aki case highlighted the emergence of an Indigenous rights-oriented approach in the World Heritage nomination process. In particular, the State Party, the World Heritage Committee, and the Advisory Bodies consistently sought to present the site as a model for the integration of Indigenous rights into the designation process. This process was characterised by the active involvement of First Nations in defining site boundaries, planning land use, and co-managing the property with provincial authorities. Despite the apparent Indigenous-led approach, the nomination encountered several obstacles due to the complexities of the cultural landscape evaluation, which led to two resubmissions. Moreover, the designation process gave rise to questions about the extent to which the nomination could adequately capture contemporary adaptations in Anishinaabeg culture.

The document analysis also demonstrated a consistent effort to balance conservation objectives with First Nations' rights and needs. In particular, the analysis showed that the State

Party aimed to align the designation with an Indigenous-led approach to protecting their lands. Following the 2018 inscription decision, the World Heritage regime urged the State Party to ensure the long-term protection of the cultural landscape, which should be grounded in the enduring tradition of First Nations stewardship. Nevertheless, infrastructure and tourism development are viewed as sources of potential risks. For example, ICOMOS has cautioned that unregulated tourism could potentially commercialise Anishinaabe heritage, introducing elements that are regarded as incompatible with traditional values. Consequently, the Advisory Bodies recommended that tourism development remain under First Nations' control to guarantee that benefits go to the communities and to prevent any misrepresentation of their culture. Thus, the document analysis found a consistent approach to conservation that focused on Indigenous communities, while also considering the potential risks associated with development.

With these findings in mind, it is crucial to contextualise the results within the existing research on the Pimachiowin Aki World Heritage property. Regarding Indigenous rights in the context of the nomination process, the findings reflect prior research in several respects. Despite the challenges caused by the deferral, according to Jones (2014), the nomination process aligned collaborative management approaches with a rights-oriented framework. Jones highlighted how the nomination process became an opportunity to foreground Indigenous rights, with active First Nations involvement in defining site boundaries, land use, and governance structures (Jones 2014, pp. 447–449). Jones's study confirms the general collaborative attitude within the nomination process, establishing Pimachiowin Aki as a model for Indigenous rights-oriented cultural and natural heritage protection within the World Heritage framework. Jones also addressed the challenges faced in meeting the World Heritage Convention criteria, especially regarding the Anishinaabe's unique relationship with the land (ibid. pp. 454–457). However, the document analysis indicates that the Advisory Bodies recognised a broader issue within the World Heritage regime, particularly concerning the challenges of reconciling the Anishinaabeg's concerns with the evaluation process. Moreover, Jones emphasises that the Anishinaabeg expressed concerns about the notion of OUV, fearing it could imply that other Indigenous peoples' relationships with their ancestral lands are not as valuable (ibid. p. 455). The document analysis reveals that these concerns were not addressed during the nomination process, potentially because inscription as a cultural landscape was seen as sufficient recognition of the Anishinaabeg's relationship with their ancestral lands in Pimachiowin Aki.

It is possible that these concerns were disregarded due to a general tendency of the World Heritage Convention to follow rather Eurocentric views of exceptionality. As Fogarty (2022) argued, this view perpetuates the marginalisation of Indigenous perspectives in the des-

ignation of World Heritage properties. This marginalisation can be attributed to the coloniality of the World Heritage Convention, which is deeply embedded in Eurocentric ways of producing knowledge about culture and nature (ibid. pp. 44–45). Nevertheless, Fogarty noted that Pimachiowin Aki's nomination was intended to promote an Indigenous rights-based approach, grounded in a collaborative stewardship relationship (ibid. p. 48). The First Nations' successful advocacy in support of their cultural relationship with the landscape effectively challenged the Eurocentric perspectives of the World Heritage regime (ibid. p. 49) and, specifically, the evaluation process, as shown in the document analysis. While ICOMOS initially questioned the exceptionality of the Indigenous peoples' relationship with the landscape, IUCN recognised the centrality of the Indigenous rights-oriented nomination process. Finally, the separate evaluation reports revealed the shortcomings of the nomination process for mixed World Heritage properties on Indigenous territories. Consequently, the UN Special Rapporteur on the Rights of Indigenous Peoples raised concerns about respecting Indigenous rights in the designation of mixed World Heritage sites (ibid. p. 50). In light of Fogarty's findings, the document analysis demonstrated the extent to which Pimachiowin Aki's designation evolved beyond exclusionary conservation practices within the World Heritage regime. Although "green colonialism" continued to manifest itself in the nomination procedure, the equitable participation of Indigenous peoples in decision-making challenged these standards.

7.1.5 The Impact of Institutionalising Indigenous Rights in the World Heritage Regime

The previous sections compared the results of the QCA of the two main categories, "Indigenous rights" and "green colonialism". These were then contrasted with previous research on the case studies. This section shifts focus to the theoretical and methodological implications of these findings, particularly concerning the institutionalisation of Indigenous rights within the World Heritage regime. Drawing on world polity theory and sociological neo-institutionalism, the analysis explores how increasingly globalised norms of Indigenous rights have influenced organisational practices within the World Heritage regime, especially concerning the legacies of "green colonialism". In addition, the methodological reflection employs the concept of the documentary reality of the World Heritage regime to examine the documentary reconstructions of reality in UNESCO records and management plans. This dual perspective illuminates how institutional records construct and reinforce globalised norms while reflecting local contestation. A comparison of the four case studies illustrates regional and historical variations in the institutionalisation of Indigenous rights. These variations reveal tensions between global conserva-

tion frameworks and localised practices of Indigenous struggles for self-determination. From a world polity perspective, these comparisons allow a critical assessment of the extent to which international and transitional conflicts shape the World Heritage regime.

More precisely, this section considers how the globalisation of Indigenous rights challenges the legacies of "green colonialism" and the consequences for the structures of the World Heritage regime. Despite the dominance of individual rights in human rights discourses, previous research on the globalisation of Indigenous rights in world society demonstrates that Indigenous peoples define their rights as collective (Morgan 2011; Dahl 2012; Bennani 2016). According to Bennani (2015), it is necessary to distinguish between two processes to understand the globalisation of Indigenous rights. First, the institutionalisation of "being Indigenous" (Hodgson 2014, p. 56) as a distinct category within contemporary human rights discourses established a shared foundation for Indigenous peoples across diverse regions (Bennani 2015, p. 318). This process relied on the perception of shared characteristics, particularly experiences of historical injustice (ibid. p. 320), even though Indigenous cultural identities ultimately transcend this political and legal classification. Second, the institutionalisation of global Indigenous rights also involved Indigenous peoples articulating specific legal expectations (ibid. p. 319). Although Indigenous human rights remained relatively under-specified, the convergence of these processes solidified the UNDRIP's shared foundation. As Bennani observed, "Indigenous peoples are not only those who have been there first, those who are culturally distinct, those who are close to nature, and those who are marginalised, but those entitled to *certain rights*" (ibid. p. 341, emphasis in the original, author translated). In summary, these reflections on the historically contingent processes of institutionalising Indigenous rights provide the necessary analytical tools to discuss the results from a world society perspective.

A comparative analysis of the case studies revealed notable differences in the regional and historical institutionalisation of Indigenous rights within the World Heritage regime. From an intertextual perspective (cf. Atkinson & Coffey 2004, p. 68), the analysed documents varied in their articulations of political and legal expectations regarding the institutionalisation of Indigenous rights. For example, while Manú National Park initially focused on monitoring the impact of Indigenous livelihoods, sites such as Pimachiowin Aki adopted a rights-based approach, incorporating Indigenous rights into the nomination process. Similarly, the Tongariro National Park and Lake Bogoria case studies demonstrated how conflicts over the institutionalisation of Indigenous rights between the State Party and Indigenous communities have manifested themselves in distinct ways. In Lake Bogoria, the shift towards recognising the Endorois' legal expectations was primarily driven by the ACHPR intervention. In contrast, Tongariro National Park's renomination was comparatively less reliant on external pressure due to the in-

creased integration of Indigenous rights. In terms of the documentary reality of the World Heritage regime, an interesting explanation for the observed discrepancies between the case studies is the semantic evolution of Indigenous rights as a global cultural model. One of the fundamental characteristics of these cultural models is their extensive global prevalence, marked by a notable degree of assumed consensus on their fundamental essence and perceived value (Meyer et al. 2010, p. 176). Moreover, these models are based on the assertion of universal applicability, contrasting with the assumption that power hierarchies determine outcomes within the World Heritage regime (ibid. pp. 177–178). This tension is evident in Indigenous peoples' contestation of the legacies of "green colonialism", particularly as the regime has become increasingly dependent on its institutional environment in world society.

The findings suggest important theoretical implications for understanding the institutionalisation of Indigenous rights within the World Heritage regime. Prior studies on global cultural models assume that actors such as governments and international organisations adopt these models in order to gain legitimacy within their institutional environment .[75] Adopting cultural models influences actors' preferences and reinforces their authority within a particular field (cf. ibid. pp. 159–160). Incorporating the globalised model of Indigenous rights into the designation and management of World Heritage properties provides legitimacy for institutional actions. This process contributes to the documentary reality of the World Heritage regime (Meyer, Boli & Thomas 2010, pp. 73–76). However, the analysis of the case studies suggests that exclusionary conservation practices coexist with more rights-based approaches to World Heritage designation. For instance, Manú National Park and Lake Bogoria exhibit more obvious examples of exclusionary conservation practices compared to the two cases from Western regional contexts. These inconsistencies reflect a reluctance to fully adopt Indigenous rights, evident in an ongoing oscillation between their incorporation as a global model and the persistence of exclusionary conservation legacies. Nevertheless, the document analysis demonstrated that exclusionary practices have been questioned due to the constant reinterpretation of human rights regarding specific Indigenous rights (cf. Bennani 2016, p. 235). These processes of reinterpretation can be attributed to "identifiable relationships between documentary records" (Atkinson & Coffey 2004, p. 67). While the World Heritage regime produces and reproduces its documentary reality through standardised procedures of recording its decisions, the documentary records reflect intertextual relationships. These relationships become apparent when focusing on two criteria: "*sequence* and *hierarchy*" (ibid., emphasis in the original).

[75] For the adoption of models such as national science bureaucracies or the Geneva Conventions, see Finnemore (1996).

In terms of intertextual relationships, the records do not merely reflect what the World Heritage regime decided. Instead, the recorded decisions are subject to regular reviews by the actors within the World Heritage regime and, increasingly, by Indigenous representatives and external organisations. By examining the temporal dimension of the World Heritage regime's documentary reality, it is possible to understand the inconsistencies in incorporating Indigenous rights. For example, the sequence of decisions and reports on Manú National Park indicated a reluctance to incorporate the "legitimated vocabularies" (Meyer & Rowan 1977, p. 349) of Indigenous rights. Although the focus on the Indigenous inhabitants has evolved since 2008, the documents demonstrate a persistent tendency to overlook the specific circumstances of the various Indigenous communities. In contrast, the sequence of decisions and reports on Lake Bogoria emphasises the importance of hierarchy when examining the interconnections between the records. Initially, the World Heritage inscription did not acknowledge the pervading exclusionary conservation practices. Through the intervention of the Endorois, the World Heritage regime has incorporated the ACHPR ruling into its documentary reality since 2014. Consequently, the reference to the external documents questioned the subsequent actions and decisions of the World Heritage regime. The reference to the ACHPR ruling also introduced new hierarchical positions into the regime's documentary reality. By incorporating the ACHPR ruling, the regime adopted the prescriptions of external human rights mechanisms, integrating them into its institutional environment.

The intertextual connections between official UNESCO records and the ACHPR rulings point to the growing impact of the globalisation of Indigenous rights on the World Heritage regime. The external ACHPR intervention established a consequential precedent for the Endorois to challenge the legacies of "green colonialism" within the documentary reality of the World Heritage regime. In contrast to the documents submitted by the State Party for the World Heritage inscription, subsequent documents, such as the 2019–2029 Management Plan, must be oriented toward expanding the involvement of the Endorois. Thus, the intertextual relationships regarding sequence and hierarchy indicate that Lake Bogoria represents a process of inversion. Unlike Manú National Park, which has gradually included concerns for Indigenous communities in voluntary isolation, Lake Bogoria actively challenges "green colonialism" by integrating Indigenous rights. As a result, the Endorois are no longer seen as marginalised Indigenous communities of Lake Bogoria but as rightful claimants to Indigenous rights. Simultaneously, Lake Bogoria reinterpreted the global process of "Indigenisation" (Bennani 2016, p. 242, author translated) in the context of human rights, translating it into the practices for monitoring the site within the World Heritage regime. This process of inversion could plausibly be explained by the dynamics of world cultural models (Meyer et al. 2010, p. 193). Lake Bogoria's contested designa-

tion demonstrates that inherent inconsistencies and perceived incompatibilities can facilitate the inclusion of Indigenous peoples as legitimate stakeholders (ibid. p. 197). While comparing Manú National Park and Lake Bogoria, it is important to note that no hierarchy exists between the two cases. Nevertheless, since 2014, Lake Bogoria has shown a more consistent pattern of integrating Indigenous rights within the World Heritage regime.

The comparison of Manú National Park and Lake Bogoria showed the importance of identifying intertextuality in terms of sequence and hierarchy in the document material. In exploring the documentary reality of the World Heritage regime, Tongariro National Park and Pimachiowin Aki provide insights into authorship and readership as additional criteria for interpreting the findings (cf. Atkinson & Coffey 2004, p. 70). Since the production of documents within the World Heritage regime is "recipient designed" (ibid.), the criteria of authorship and readership may provide further insights into how Indigenous rights are incorporated. For instance, the renomination of Tongariro National Park can be viewed as an attempt that balances competing expectations, such as those related to conservation and Indigenous rights. While the property's renomination was primarily due to efforts to align nature conservation with cultural values in the World Heritage system, this designation facilitated Indigenous efforts to address historical injustices. The inscription as the first cultural landscape on the World Heritage List was consistently presented as an advancement in recognising the associated Indigenous cultural values. More precisely, the inclusion of cultural landscapes as an additional option for designating World Heritage properties can be viewed as the result of "institutional isomorphism" (DiMaggio & Powell 1983, p. 147), reflecting structural changes within the World Heritage regime that align it more closely with broader global societal norms. These changes were primarily shaped by "normative isomorphism" (ibid. p. 152) – the influence of widely accepted norms in shaping institutional behaviour – as an expert group played a central role in justifying the incorporation of cultural landscapes as a new designation category (Labadi 2013, p. 40). Moreover, the inclusion of associative cultural landscapes can be viewed as a response to pressures from professional communities to accept the "intangible links between specific communities and their natural environment, such as sacred landscapes for indigenous groups" (ibid. p. 41).[76]

The findings indicate that institutional isomorphism has considerably impacted the generation, distribution, and utilisation of official records within the World Heritage regime. In particular, the State Party's decision to include Tongariro National Park in the first periodic reporting cycle illustrates the relationship between authorship and readership. The report serves

[76] Against this backdrop, it is not surprising that the first three World Heritage sites inscribed under the new category were Indigenous cultural landscapes: Tongariro National Park (1993), Uluṟu-Kata Tjuṯa National Park (1994), and the Rice Terraces of the Philippine Cordilleras (1995).

to showcase the State Party's commitment to promoting Indigenous engagement in the World Heritage regime. From the perspective of institutional change, associative cultural landscapes offer a way to integrate the external legitimacy of Indigenous rights within the World Heritage regime (cf. Meyer & Rowan 1977, p. 349). Additionally, periodic reporting exemplifies a key aspect of how the World Heritage regime constructs its documentary reality – namely, that such documentation "involves implied readers" (Atkinson & Coffey 2004, p. 72, emphasis in the original). In particular, the report presented the inclusive approach to preserving Tongariro National Park in terms of representing the historical relationship between the State Party and the Māori. Consequently, the report serves to persuade readers of the importance of aligning World Heritage designations with Indigenous interests, emphasising the role of cultural landscapes. Therefore, the representation of Tongariro National Park illustrates how institutional isomorphism "promotes the success and survival" (Meyer & Rowan 1977, p. 349) of the World Heritage regime. While other documents demonstrated ongoing tensions between nature conservation and Indigenous rights, the periodic reporting document sought to position the park as an inclusive model that bridges these conflicts.

Compared to Tongariro National Park, Pimachiowin Aki's listing as a cultural landscape further adapted the institutional rules for Indigenous rights-oriented nominations of cultural landscapes. Methodologically, the findings provide a strong association between the criteria of sequence, authorship, and readership, which are key to understanding the nomination process. In particular, the repeated nomination of Pimachiowin Aki was presented with an emphasis on an Indigenous-led approach towards the designation of a World Heritage property. For example, the 2013 IUCN evaluation commended the efforts of the State Party, the First Nations, and other stakeholders in developing the nomination. The inscription of Pimachiowin Aki was also consistently framed in the context of the benefits it would confer upon Indigenous peoples, such as protecting them from the potentially adverse effects of tourism development. From a world society perspective, Pimachiowin Aki's designation demonstrates the influence of expert knowledge in the evaluation of the nomination (cf. Meyer et al. 2010, p. 191). Regarding the implied readers of the documents, the evaluation reports indicate how IUCN and ICOMOS seek to frame "their legitimated postures [in terms of their involvement as] disinterested rationalized others" (ibid. p. 165). Both Advisory Bodies derive their authority from their role in promoting meaningful Indigenous involvement through elaborated models. Therefore, the designation of Pimachiowin Aki demonstrates how highly elaborated forms of Indigenous-led governance were effectively integrated into the documentary reality of the World Heritage regime. While the comparison between Tongariro National Park and Pimachiowin Aki extends beyond their

status as cultural landscapes, both have played distinct roles in the institutionalisation of Indigenous rights. The Pimachiowin Aki case suggests that the World Heritage regime should promote world-cultural conceptions of Indigenous rights internally to improve its chances of institutional survival and success (cf. ibid. p. 160). However, the document analysis suggests that this process of internalisation simultaneously encourages the standardisation of engagement with Indigenous peoples in the designation of World Heritage sites.

In summary, the comparative analysis of the case studies highlighted the impact of Indigenous human rights on the World Heritage regime. To varying degrees, the expansion of Indigenous rights in world society has challenged the legacies of "green colonialism" within the World Heritage regime. More precisely, the comparison of the four case studies demonstrated the uneven institutionalisation of Indigenous rights as a global cultural model. In particular, cultural landscapes such as Tongariro National Park and Pimachiowin Aki exemplify a process of gradual internalisation of Indigenous rights through collaborative frameworks. In contrast, natural World Heritage sites such as Manú National Park and Lake Bogoria show the persistence of exclusionary practices. However, the Lake Bogoria case illustrates how an inversion of the exclusionary conservation approach occurred due to the engagement of external human rights mechanisms. Methodologically, the concept of documentary reality underscores how UNESCO's records incorporate and construct institutional norms. In particular, the analysis of intertextual relationships revealed how the documentary reality of the World Heritage regime shaped a dynamic yet incomplete internalisation of Indigenous rights. More specifically, the tensions identified in these documents suggest that the World Heritage regime is still navigating competing logics. On one hand, there is the normative pressure of global human rights standards; on the other, there are established conservation priorities originally rooted in colonial legacies. Despite the growing importance of Indigenous rights in the designation of World Heritage properties, their institutionalisation has emerged as a contested process shaped by temporal, regional, and hierarchical dynamics. In the bureaucratised setting of the World Heritage regime, these dynamics are evident through the examination of the intricate network of shared textual routines of the regime's documentary reality.

7.2 Negotiating a New Relationship: Conservation Paradigm Competition and Indigenous Peoples' Agency

The *second research question* investigates the competition between the old, state-centred, and the novel, Indigenous-led, paradigm of conservation within the World Heritage regime. The QCA focuses on the interplay between the theory-driven codes of "paradigm competition" and

"power relations". Drawing on world polity theory and the concept of social figurations, this section examines the transformation of power relations between Indigenous peoples and the World Heritage regime. The discussion expands on how the two conservation paradigms are represented in the document material, reflecting shifting power relations in the nomination and management of World Heritage sites. As in the previous section, the research question is addressed in two stages. First, the QCA findings for each case study are discussed by comparing them to prior research on these World Heritage sites: Manú National Park (7.2.1), Tongariro National Park (7.2.2), Lake Bogoria (7.1.3), and Pimachiowin Aki (7.2.4). Second, the theoretical and methodological implications of the findings are investigated through the lens of world society theory, exploring the impact of paradigm competition on power relations between Indigenous peoples and the World Heritage regime (7.2.5).

The discussion of "paradigm competition" and "power relations" highlights a gradual but uneven transition toward Indigenous-led conservation within the World Heritage regime. While some case studies, such as Tongariro National Park and Pimachiowin Aki, exemplify the incorporation of Indigenous agency into conservation paradigms, others, such as Manú National Park, reveal the persistence of state-centred approaches that marginalise Indigenous perspectives. The Lake Bogoria case illustrates a turning point, where external mechanisms fostered collaborative management frameworks, challenging the exclusionary conservation model. Across the case studies, the findings indicate that power asymmetries remain entrenched, reflecting the historical legacies of "green colonialism". However, incremental shifts in collaborative management structures, such as the inclusion of Indigenous knowledge systems, participatory frameworks, and legal mechanisms, suggest that the World Heritage regime is adapting to global normative pressures to integrate Indigenous rights. These developments reveal the interplay between the impact of historical injustices, Indigenous agency, and the World Heritage regime, where Indigenous peoples are asserting their roles as active agents in redefining conservation practices.

7.2.1 Manú National Park: The Persistent Gap Between Biodiversity Conservation and Indigenous Agency

Regarding "paradigm competition", the Manú National Park case study findings indicate that the state-centred conservation model is predominant. However, recent years have seen a gradual shift toward acknowledging Indigenous needs and rights within the park. Notably, the designation of the protected area as a UNESCO biosphere reserve and its inclusion on the World Heritage List initially focused on its biodiversity and ecological integrity. This designation reflects

a predominance of the World Heritage and state-centred model, prioritising global conservation frameworks over the property's Indigenous cultural values. Moreover, the IUCN and World Heritage Centre evaluations emphasised protecting the park's natural values, often portraying the Indigenous inhabitants as passive elements. This framing presents a state-centric view that values the Indigenous presence in the park for its pristine quality rather than acknowledging their active role in its management. Recent documents reveal a shift in the World Heritage regime toward recognising the importance of protecting Indigenous communities in voluntary isolation from external pressures. This recognition was reflected in calls for comprehensive measures to protect their future livelihoods, which suggests some acknowledgement of their specific needs. Nevertheless, this paradigm prioritises protecting these communities as an integral component of the World Heritage property, rather than facilitating Indigenous-led nature conservation initiatives.

Furthermore, the document analysis of "power relations" in the Manú National Park case study reflected a dynamic predominantly shaped by interactions between the World Heritage Committee and the State Party. Notably, since 2007, the World Heritage Committee has regularly asserted its authority by requesting detailed SoC reports from Peru to monitor and manage potential threats to the property's OUV. These decisions underscore the tendency to hold the State Party accountable for conservation efforts. Although there is some acknowledgement of the Indigenous presence within the park, concerns about Indigenous communities are primarily framed regarding their potential impact on the OUV. Rather than being recognised as active agents in protecting the World Heritage property, the Indigenous inhabitants are relegated to the park's cultural features. While the World Heritage regime expressed concern for the impact of infrastructure development on Indigenous communities in voluntary isolation, it largely overlooked the need to protect other communities. For instance, the 2015 OUV statement mentioned Indigenous historical presence, associating it with archaeological interest. Thus, the document analysis indicates that asymmetrical power relations persist, restricting Indigenous agency in the ongoing conservation efforts.

Considering these insights, the next step is to examine how they align with or differ from prior research on Manú National Park. Regarding the paradigm competition in Manú National Park, previous research confirms the ongoing dominance of a biodiversity-centred model of protected area conservation. Given the historical context surrounding the park's establishment, it is not surprising that this paradigm persists. Rodriguez and Feather (2014) emphasise that despite the enactment of legal land rights for Indigenous communities in Peru, the Indigenous inhabitants of the park were not consulted at any stage. Moreover, the first management

plan "considered […] only two acceptable options for its inhabitants: either to conserve their 'traditional lifestyles' and remain in the Park; or to opt for further integration into national society and leave" (ibid. p. 466). These paternalistic views have persisted despite the area's designation as a World Heritage site, which did not anticipate the Indigenous population's effective participation in the management of the property. According to Rodriguez and Feather, "it appears that at the start the only role of the Park's indigenous inhabitants was as an object of study with no active role in the management of the Park" (ibid. p. 468). The document analysis also revealed a lack of response from the World Heritage regime to the advocacy initiatives of Indigenous organisations, such as Federación Nativa del Río Madre de Dios y Afluentes (FENAMAD).[77] In this context, Rodriguez and Feather observe that the joint mission from the World Heritage Centre and the IUCN, which visited the park in 2010, failed to engage with any Indigenous organisations or representatives (ibid. p. 480).

Although Indigenous agency has often been sidelined, the World Heritage regime has responded to calls for enhanced protection of Indigenous communities in voluntary isolation, particularly through policy shifts and conservation measures. In line with the document analysis findings, Rodriguez and Feather establish a link between the 2010 joint reactive monitoring mission of the World Heritage Centre and IUCN and the decisions of the World Heritage Committee (ibid. p. 469). Their study further supports the observation that the World Heritage regime appears primarily concerned about the potential threats that gas and oil exploration in adjacent regions pose to these Indigenous communities (ibid.). However, Rodriguez and Feather find that, despite the State Party's increasing efforts to engage with Indigenous communities, Indigenous participation remains consistently hindered (ibid.). As the example of the Manú Management Committee demonstrated, "long-standing demands of the Indigenous representatives remain unaddressed" (ibid. p. 468), despite their regular participation. While the SoC reports did not provide information regarding these demands, Rodriguez and Feather highlight that the park regulations impose restrictions on income generation and access to health services (ibid. pp. 470–474). This finding confirms Shepard et al.'s (2010, p. 276) observation regarding the lack of effective long-term policies to address the needs of Indigenous peoples residing in Manú National Park. In light of previous studies, the document analysis confirmed a persistent power imbalance between global conservation objectives and Indigenous peoples, who remain subordinate despite some efforts to protect their livelihoods.

[77] The Native Federation of the Madre de Dios River and Affluents is one of the main Indigenous human rights organisations of the region (Rodriguez & Feather 2014, p. 460, name of the organisation author translated).

7.2.2 Tongariro National Park: Ambiguous Recognition of Māori Cultural Values and Agency

The analysis of the Tongariro National Park case study indicated a transition from a state-centred conservation model, focused on government control, to one that embraces an Indigenous-led approach. This transition is consistent with the park's renomination as the first World Heritage cultural landscape to formally acknowledge the inseparable relationship between Māori cultural values and the natural features. In particular, the renomination process in the early 1990s, with the support of ICOMOS, demonstrated the interdependence of cultural and natural elements for the local Māori tribes. However, the renomination of Tongariro National Park as a model for associative cultural landscapes faced opposition from States Parties, who expressed concerns about the potential precedent it might create for future nominations. Furthermore, the response to the volcanic eruptions of Mount Ruapehu in the mid-1990s further exemplifies the shift toward an Indigenous-led paradigm. The local Māori tribes, consulted by the State Party, expressed cultural concerns about the potential impacts of excavation proposals on sacred sites and traditions. In other instances, such as the 1999 response to potential summit impacts, ICOMOS and other bodies recognised that alterations to natural features could undermine the park's spiritual and cultural values as a cultural landscape. These decisions reflect an evolving model in which Indigenous-led conservation is gradually integrated into management practices within the World Heritage regime.

The Tongariro National Park case study findings indicated a notable increase in the recognition of Māori agency. Although the initial decisions acknowledged the property's cultural values, the early documents lacked adequate detail about the Māori connection to these values. Consequently, the early documents show that Indigenous agency was overlooked when defining the property's features in the context of its first nomination. This tendency changed considerably following the property's 1993 designation as an associative cultural landscape. The renomination elevated awareness of Māori perspectives and their centrality to protecting the property's cultural heritage values. For instance, following the response to Mount Ruapehu's eruptions in the mid-1990s, the World Heritage regime engaged directly with Māori representatives. The documents mentioned their concerns about the potential impact of interventions on the property's cultural integrity. Further indications of evolving power dynamics can be found in subsequent documents, such as the 2003 periodic reporting, which identified institutional changes that strengthened Indigenous agency. This development suggests that Māori contributions to park management have become more formally acknowledged, thereby integrating Indigenous perspectives into the overarching conservation strategies.

With the document analysis findings in mind, a comparison with earlier research on Tongariro National Park offers further context. Previous research on Tongariro National Park confirms the document analysis results regarding the transition to more Indigenous-led approaches to conservation. In this context, Asher (2014, p. 391) highlighted the importance of the Māori claims filed to the Waitangi Tribunal in 1994. The primary concern of the Ngāti Tūwharetoa was that the Department of Conservation did not recognise their rights to oversee the management of Tongariro National Park. Subsequently, the Department of Conservation adopted nine principles in its management strategy aligned with the Treaty of Waitangi. These principles called on the New Zealand government to recognise Indigenous rights, engage in meaningful consultation, and address historical injustices in the management of the park (ibid. p. 392). According to Asher, the "adoption of these Treaty-based principles within the Park's Conservation Management Strategy represents a significant conceptual step toward recognizing and embodying *iwi* values in Tongariro National Park" (ibid., emphasis in the original). While the adoption of these principles suggests a transition toward an Indigenous-led approach to conservation, Asher noted that, despite the pressure from the local Māori tribes, "systemic inconsistencies" (ibid. p. 399) persist. The main factor behind these discrepancies is the inadequate implementation of the principles, as the imperative to protect the natural environment has consistently overshadowed efforts to preserve Indigenous cultural heritage in the park. Moreover, Asher stressed that "these issues have never been the subject of any formal report to UNESCO or the World Heritage Committee" (ibid.).

Asher's critique indicates that, despite the park's World Heritage status recognising Māori cultural values, the transition to substantive Indigenous-led conservation has been contradictory. While the document analysis showed instances of consultation with Indigenous tribes in the management of the World Heritage property, Asher's study demonstrated the limited decision-making power of the Māori. For example, Asher emphasised that the local Māori have raised concerns regarding their access to natural resources, the proliferation of accommodation facilities for tourists and visitors, and the protection of sacred sites (ibid. p. 394). However, these concerns have only been addressed through their claims to the Waitangi Tribunal (ibid.). The difference between the document analysis results and Asher's findings may be linked to the park's status as the first cultural landscape inscribed on the World Heritage List. While the concerns of the World Heritage regime sometimes align with those of the local Māori, as seen in the response to Mount Ruapehu's eruptions, Indigenous values remain ambiguously acknowledged. In this context, Wallis argued that Tongariro's representation is ahistorical, diminishing Māori cultural associations while increasing its appeal for tourism and film produc-

tions (2014, p. 293). Furthermore, the New Zealand State Party seeks to represent Tongariro National Park in terms of a "noble gift" (Asher 2014, p. 384). Consequently, "Tongariro [National Park] […] remains a paradox, simultaneously acclaimed as a World Heritage cultural landscape yet represented as an 'ahistorical' landscape to be shared by all New Zealanders" (Walliss 2014, p. 294). While the document analysis indicates that the renomination as a cultural landscape has enhanced Indigenous agency, Walliss's findings point out that the acknowledgement of Indigenous values remains ambiguous.

7.2.3 Lake Bogoria: From Exclusion to Collaborative Management

The analysis of the Lake Bogoria case study demonstrated a gradual shift from a state-centred conservation model to a more collaborative approach that reflects the interests of the Endorois. Initially, the nomination process and early management plans disregarded Lake Bogoria's historical and cultural importance to the Endorois community. In particular, the 2011 inscription focused exclusively on the property's natural heritage criteria, with recommendations for its expansion based on these criteria. These documents suggest that the prevailing conservation paradigm largely overlooked the Endorois' rights and historical experiences of exclusion. In contrast, the 2019–2029 management plan marked a notable shift toward more inclusive governance of Lake Bogoria. For the first time, the EWC participated as a representative body in the management structure, and Indigenous knowledge was formally integrated into conservation strategies. Additionally, the management plan established the "Endorois Bio-Cultural Community Protocol" as a framework for community-based governance, which legally empowers the Endorois to participate directly in decision-making processes. Consequently, the management plan aims to foster a participatory and legally supported governance model that aligns conservation efforts with an Indigenous-led paradigm.

In terms of "power relations", the document analysis indicated a consequential shift in perspective within the World Heritage regime concerning the role of the Endorois community. While the 2011 nomination decision and earlier documents largely overlooked the Endorois' historical and cultural ties to Lake Bogoria, subsequent years marked a turning point. More precisely, since 2015, the discussions prompted by the ACHPR resolutions raised awareness of the Endorois' claims regarding their presence and interests in Lake Bogoria. In particular, the 2015 SoC report was instrumental in formalising this shift, as it recognised the EWC as the official Indigenous representative organisation. Subsequent documents demonstrate an enhanced awareness of the Endorois' concerns, with the 2019 SoC report explicitly referencing the World Heritage Centre's engagement with the EWC's feedback on governance and conservation issues.

Furthermore, the 2019–2029 management plan underscored the cultural and religious importance of Lake Bogoria for the Endorois. This plan integrated Indigenous knowledge into conservation efforts, respecting the Endorois community's pastoral practices and sacred sites while regulating access to genetic resources to prevent exploitation without their consent. Thus, the ACHPR resolutions led to a collaborative governance model that seeks to acknowledge the cultural values of the Endorois and ensure their participation in decision making.

Examining these results in relation to the existing research on the Lake Bogoria World Heritage property reveals further insights. Previous research on Lake Bogoria's nomination as a World Heritage site confirms a dominant state-centred paradigm. Similar to the findings from the document analysis, Abraham notes that the nomination of Lake Bogoria prioritised natural heritage and biodiversity but overlooked the cultural and historical significance to the Endorois (2014, pp. 167–169). Furthermore, the 2011 designation of Lake Bogoria as a natural World Heritage property reinforced the World Heritage regime's inclination towards preserving pristine natural environments. Despite the ACHPR ruling, Abraham highlighted that the "nomination process was a unilateral one that excluded rights holders such as the indigenous communities who reside within the area or who have been displaced from it" (ibid. p. 176). The discussion on the globalisation of Indigenous rights at Lake Bogoria in the previous section confirmed the Endorois' exclusion from the nomination process, and Abraham's study further confirms the lack of consultation. Although the ACHPR ruling had a limited impact on the nomination, the document analysis indicates a gradual but noticeable transition toward a collaborative model that increasingly aligns with an Indigenous-led conservation paradigm. However, Abraham's study was published as the World Heritage regime were addressing the implications of the ACHPR ruling and, thus, could not examine the transition towards a more inclusive paradigm, which the document analysis demonstrated. In particular, the management plan for 2019–2029 illustrates this transition, driven by pressure from the World Heritage regime.

Abraham's study on Lake Bogoria as a World Heritage property does not account for the consequential shift in terms of power relations. Abraham observed the lack of institutional mechanisms in the World Heritage regime to address the marginalisation of the Endorois in the designation process (ibid. p. 171). Nevertheless, the document analysis highlighted key changes, such as the 2015 recognition of the EWC as official Indigenous representatives. The analysis also demonstrated that subsequent SoC reports reflect the World Heritage regime's increasing responsiveness to the ACHPR ruling and the Endorois claims.

Similar to Abraham, Lynch (2012) focused on the early struggles of the Endorois to assert their claims. In this context, Lynch highlighted the slow progress in implementing the

ACHPR ruling, despite it being the human rights body's most comprehensive decision regarding Indigenous rights (ibid. p. 25). Lynch offered an important explanation for the political implications of the ruling within the World Heritage regime. In this sense, the Lake Bogoria designation has "prompted a sense of marginalization and common purpose, but also an idea of the Endorois as culturally distinct, vulnerable *and* threatened" (ibid. p. 32, emphasis in the original). Additionally, the document analysis suggests that sustained advocacy and international pressure may have altered the power dynamics within the World Heritage regime. For instance, the Endorois community recently created a protocol outlining their values and responsibilities for protecting their cultural, spiritual, and ecological assets (Sergon, Akoth & Dzinekou 2022, p. 38). This protocol was included in the 2019–2029 management plan. Thus, recognising Indigenous claims may have led to re-evaluating the implications of exclusionary conservation practices within the World Heritage regime.

7.2.4 Pimachiowin Aki: The Impact of a Deferred World Heritage Nomination

The analysis of the Pimachiowin Aki case study showcased a clear transition toward an Indigenous-led conservation paradigm. While the nomination exemplified the complexities of a mixed property nomination in terms of competing criteria for cultural and natural values, it resulted in the recognition of the Anishinaabeg's conservation traditions. The initial deferral by the World Heritage Committee questioned whether the OUV fully captures the Anishinaabeg's long-standing relationship with the landscape. However, the deferral also prompted in a joint ICOMOS and IUCN advisory that helped refine the collaboration mechanisms for nominating cultural landscapes. This mission prompted broader discussions within the World Heritage regime regarding the challenges of mixed nominations, as illustrated by the 2014 debate on the *Global Strategy for a Representative, Balanced and Credible World Heritage List*. Although the nomination exemplified these challenges, it ultimately established a precedent, underscoring the inseparable link between Indigenous conservation practices and ecological integrity. Thus, the World Heritage Committee and the Advisory Bodies commended the 2018 designation of Pimachiowin Aki as a model for future mixed nominations, demonstrating how Indigenous-led stewardship of a cultural landscape can be represented on the World Heritage List.

Furthermore, the document analysis of the "power relations" illustrated a distinctive collaborative relationship between the World Heritage regime and the Anishinaabeg First Nations. An increasing recognition of Indigenous agency and cultural values consistently informed the decisions and evaluations. More specifically, the nomination process evolved from aligning Anishinaabeg cultural traditions with World Heritage criteria to a more participatory approach.

In this context, the establishment of the Pimachiowin Aki Corporation, formed by the First Nations and the provincial governments of Manitoba and Ontario, constituted a major development. This joint management body established an organised, consensus-oriented framework that enabled First Nations to participate as active partners. In particular, the World Heritage Committee's response to the deferred nomination in 2013 highlighted these increased collaboration efforts. In this context, the Advisory Bodies recognised that a nomination process based solely on natural criteria would be inadequate. Consequently, the deferred nomination led to procedural changes in the World Heritage regime to improve the evaluation of mixed sites reflecting Indigenous conservation values. In particular, the 2018 evaluations by both Advisory Bodies highlighted the resilience of Indigenous stewardship, underscoring the inseparable connections between ecological features and Anishinaabeg cultural traditions of conservation. Thus, the reflections on the deferred nomination transformed power relations, offering an entry point for Indigenous agency within the World Heritage regime.

To better understand these findings, it is necessary to examine them alongside prior research on the Pimachiowin Aki World Heritage site. Regarding the implications of Pimachiowin Aki for Indigenous-led conservation, previous research confirms the importance of the mixed nomination. In this context, Jones (2014) highlighted that other potential World Heritage designations that seek to engage with Indigenous peoples could learn from the Pimachiowin Aki experience. For instance, Jones argued in favour of "early and active engagement with the Advisory Bodies during the preparation of World Heritage nominations regarding cultural landscapes and mixed sites" (ibid. p. 456). Despite the persistent challenges to integrating Indigenous conservation practices into the global framework of the World Heritage regime, the deferral of the nomination has prompted procedural changes. In this sense, Jones notes the importance of the 38th session of the World Heritage Committee in 2014, which aligns with the findings from the document analysis (ibid.). Notably, despite the distinct assessments already conducted by IUCN and ICOMOS, the joint effort between First Nations and Canadian provinces facilitated an additional comprehensive examination of the nomination process. Furthermore, the document analysis and Jones' study demonstrate that the recognition of Anishinaabeg conservation traditions may have established a precedent for Indigenous-led stewardship within the World Heritage regime. Nevertheless, Jones' study emphasised the historical and cultural context of the nomination, highlighting its influence on procedural adaptations during the process (ibid. pp. 448–450). In contrast, the document analysis results showed that the iterative nomination process raised specific concerns about more participatory and collaborative mechanisms within the World Heritage regime.

However, previous research claims that the nomination process illustrates the enduring influence of Eurocentric knowledge systems in the World Heritage regime. In this regard, Fogarty highlighted the doubts the First Nations raised regarding the Advisory Bodies' comparative analysis (2022, p. 49). One of the main factors contributing to the tension between Indigenous perspectives and Eurocentric views was the idea of identifying the property's uniqueness. As previously discussed, ICOMOS questioned the uniqueness of the relationship between the Anishinaabeg's traditions and the landscape. Fogarty argued that these "value judgments were based on a Eurocentric conceptualisation of exceptionality that involved the positioning of Indigenous peoples against one another" (ibid.). Fogarty's study illuminates the enduring impact of Eurocentric knowledge systems embedded within the World Heritage regime. Nevertheless, the procedural changes reflected in the document analysis suggest that the nomination of Pimachiowin Aki has not fully addressed the structural flaws of the World Heritage regime. Therefore, power imbalances and the marginalisation of Indigenous peoples' worldviews, as evidenced by the challenges faced during the Pimachiowin Aki nomination process, are likely to persist. In sum, the designation of Pimachiowin Aki illustrates how a cultural landscape may support Indigenous rights and their cultural continuity linked to land stewardship within the context of the World Heritage regime.

7.2.5 The Cultural Construction of Indigenous Agency in the World Heritage Regime

The preceding sections presented the findings of the QCA, focusing on the main categories of "paradigm competition" and "power relations" within the context of previous investigations on the four case studies. This section explores the theoretical and methodological implications of the findings, examining how these dynamics align within the World Heritage regime. Building on the previous discussion of the globalisation of Indigenous rights and the legacies of "green colonialism", the discussion incorporates world polity theory and sociological neo-institutionalism. More precisely, the analysis investigates how the competition between the older exclusionary conservation paradigm and the relatively newer more inclusive paradigm transforms power relations between the World Heritage regime and Indigenous peoples. In particular, the discussion reflects on how the shift toward collaborative and rights-based conservation models gradually moves away from exclusionary practices. Methodologically, this section applies the same criteria as the previous discussion for analysing the documentary reality of the World Heritage regime. Specifically, this methodological reflection revisits the representations of power and collaboration in UNESCO records and management plans. This comparative analysis of four case studies highlights how paradigm competition and power relations shaped the

cultural construction of Indigenous agency within the World Heritage regime, spanning various historical and regional contexts. Moreover, the analysis also examines the evolving power dynamics within the World Heritage regime, where Indigenous-led conservation increasingly exerts influence on the nature conservation model.

Despite the gradual shift toward collaborative and Indigenous-led conservation models, this section does not suggest that these processes have been devoid of conflicts. On the contrary, the case studies suggest that the dominant approach to designating World Heritage properties often overlooked underlying tensions and potential conflicts due to the legacies of "green colonialism". These seemingly hidden conflicts can be examined through a world polity perspective, offering insights into the underlying cultural dynamics that led to conflict. In this context, Koenig and Dierkes (2011) argued that the world polity contributes to both the emergence of new grounds for conflict and the diffusion of established conflict resolution models in world society. Koenig and Dierkes offered a plausible explanation for the conflictive dimensions of institutional processes within the World Heritage regime. From a world polity perspective, the institutionalised and universalistic conservation practices constantly oscillate between latent conflicts and open clashes with alternative Indigenous interpretations (cf. ibid. pp. 6–7). Furthermore, the world polity legitimises a "multiplicity" (ibid. p. 14) of actors, including nation-states, international organisations, NGOs, and Indigenous peoples. As Indigenous rights have globalised, Indigenous communities assert their agency through the "global human rights regime" (ibid. p. 12). These processes can lead to divisive dynamics, as the shared principles of the World Heritage Convention compete with "legitimized sub-national collective categories, such as […] indigenous communities whose rights have been prominently codified in recent international human rights law" (ibid.). The world polity perspective highlights how globally institutionalised cultural models can influence conflicts, providing a theoretical framework to compare the paradigm competition evident in the analysed case studies.

The historical and regional comparative analysis of the case studies revealed notable evidence of diverse levels of paradigm competition within the World Heritage regime. Methodologically, the intertextual analysis illustrated that the contentious dynamics of paradigm competition differed in terms of visibility and emphasis, as evidenced in the case-specific documentation (cf. Atkinson & Coffey 2011, p. 68). For example, the framing of Indigenous communities in Manú National Park reflects the unresolved tension between biodiversity-focused conservation approaches and the emerging norms advocating collaborative conservation frameworks. The documents failed to acknowledge the active role of Indigenous communities in conservation, reflecting a broader marginalisation that undermines their potential contributions to

sustainable practices. In contrast, from a world polity perspective, the Lake Bogoria case study illustrates the Endorois' emerging role as legitimate actors within the World Heritage regime (cf. Meyer & Jepperson 2000, p. 101). It is important to clarify that comparing the findings does not imply any evaluative judgment of the roles of Indigenous inhabitants in Manú National Park and Lake Bogoria. However, the noticeable paradigm shift in Lake Bogoria from a state-centred nomination to an inclusive approach in the recent management plan provides a lens to understand the historical and cultural construction of Indigenous agency. The legitimacy of Indigenous agency is rooted in the global recognition and expansion of Indigenous rights, as demonstrated in the Lake Bogoria case. From a world polity perspective, the Endorois were acknowledged as an "agentic actor" (ibid. p. 106), signifying their ability to represent their interests independently. Through the use of international human rights frameworks, the Endorois' representative organisation formalised its role as an agent in the shift toward inclusive conservation governance.

Concerning the documentary reality of the World Heritage regime, the intertextual relationships reflect a discernible shift in recording the decisions pertaining to the Endorois. Although the Endorois were marginalised in the nomination process, the decisions made since 2014 have redefined their role, positioning them as recognised actors empowered to claim authority in the future management of the World Heritage property. In contrast, the Manú National Park case study exemplifies a symbolic inclusion of the Indigenous communities residing within the protected area. In particular, the document analysis of the OUV statement showed that the World Heritage regime often projects concern for the Indigenous inhabitants, without substantial action to address their needs. However, the decisions urging the State Party to improve protection for the Indigenous communities in voluntary isolation indicate the regime's awareness of their particular vulnerability. Despite the brief acknowledgement of the Indigenous inhabitants in the OUV statement, the call for a clear policy for their future suggests that meaningful inclusion of Indigenous peoples is absent.

In comparison, the gradual recognition of Indigenous needs in the Manú National Park case study can be understood through the concept of decoupling, where the regime's expressed values are not fully aligned with its actions (cf. Meyer & Rowan 1977, p. 356). Decoupling manifests in two related dimensions. The first dimension concerns the formalised adoption of concern for Indigenous inhabitants by the World Heritage regime, driven by normative pressures in its institutional environment and the globalisation of Indigenous rights (cf. Bennani 2015). The second concerns the World Heritage regime's failure to effectively implement Indigenous rights on the ground, for example, by ensuring the meaningful involvement of the

different Indigenous communities (cf. Meyer & Rowan 1977, p. 357). In the Manú National Park case, decoupling enables the World Heritage regime to maintain a formal commitment to Indigenous rights without responding to the needs of a heterogeneous Indigenous population residing in the protected area.

While the case of Manú National Park indicates that mechanisms for the meaningful participation of Indigenous peoples have not been implemented, the analysis of the two other cultural landscapes shows a gradual shift toward Indigenous-led conservation. In particular, the introduction of the cultural landscape category and the renomination of Tongariro National Park can be seen as result of institutional isomorphism (cf. ibid. p. 348). The designation of Tongariro National Park as a cultural landscape demonstrated how the World Heritage regime incorporated new notions of conservation that were externally legitimised. In particular, the Māori notion of the interdependence of cultural and natural features of Tongariro National Park was incorporated into the prevalent state-centric approach to conservation within the World Heritage regime. Although the renomination was not solely driven by a "legitimacy-seeking behaviour" (Boxenbaum & Jonsson 2008, p. 89) of the regime, it demonstrated that the initial designation of Tongariro National Park as a natural World Heritage site was questioned. Moreover, the intertextual relationships concerning sequence and hierarchy suggest that the renomination further consolidated the shift toward Indigenous-led conservation. For example, efforts to gather feedback from the local Māori tribes regarding the potential adverse effects of an intervention following Mount Ruapehu's eruptions consolidated the gradual paradigm shift. Consequently, the intertextual relationships indicate the presence of Indigenous conservation ideas within the World Heritage regime, giving rise to an initial form of paradigmatic isomorphism. However, the adoption of Indigenous notions by the World Heritage regime does not mean there is a complete shift toward Indigenous-led conservation practices.

In contrast, the recurring nomination of Pimachiowin Aki illustrated how Indigenous perspectives on preservation have evolved within world society. In particular, the evaluation reports show that ICOMOS and IUCN have substantially revised their professionalised conceptions of Indigenous peoples' involvement in the designation of mixed sites. For example, the Advisory Bodies identified the disproportionate challenges of nominating mixed World Heritage properties due to the separate evaluations by ICOMOS and IUCN. The need for distinct evaluations arises from the problematic division between natural and cultural heritage criteria set forth in the World Heritage Convention (Disko 2017, p. 43). Consequently, revised professionalised conceptions emerged in the Advisory Bodies' recommendation to view Pimachiowin Aki as a model for future nominations, emphasising the connections between Indigenous con-

servation practices and ecological integrity. The recurring nominations illustrate how the World Heritage regime is becoming increasingly reliant on Advisory Body expertise to navigate the "expanding uncertainties" (Bromley & Meyer 2015, p. 94) related to the implementation of Indigenous human rights principles. As experts, the Advisory Bodies "play active roles in constructing the problems they supposedly solve" (ibid. p. 95). Such insights include recognising elevated requirements for nominating a mixed World Heritage site on Indigenous territories. Simultaneously, the Advisory Bodies suggested a field mission to assist the State Party and the First Nations in aligning the nomination with these requirements. Consequently, the Advisory Bodies assumed the role of "disinterested carriers" (Koenig & Dierkes 2011, p. 15) of globalised concerns for the meaningful involvement of Indigenous peoples in the designation of World Heritage properties.

From a world polity perspective, Pimachiowin Aki's nomination exemplifies the increased "internalized interdependence" (Bromley & Meyer 2015, p. 153) between the World Heritage regime and the wider social, cultural, and ecological context in which it operates. To maintain the cultural legitimacy of its conservation paradigm within world society, the regime internalised some aspects of traditional Anishinaabeg approaches to preserving the landscape. For instance, the depiction of Indigenous cultural traditions, such as Ji-ganawendamang Gidakiiminaan ("keeping the land"), within the documentary reality of the World Heritage regime suggests a degree of equity with the conventional paradigm of protected areas conservation. While the Advisory Bodies initially noted inconsistencies in the regime's paradigm that maintains a separation between natural and cultural criteria, the revised professionalised conceptions fostered alignment with Indigenous-led conservation approaches. As professionals, the Advisory Bodies facilitated the internalisation of Indigenous perspectives into the nomination process, ensuring the proper functioning of the regime's paradigm (cf. ibid. p. 157). Given the importance of Pimachiowin Aki as a contemporary Indigenous cultural landscape inscribed on the World Heritage List, the case study illustrates the development of the paradigm competition following the designation of Tongariro National Park. Although comparing these sites does not suggest a ranked order, the Pimachiowin Aki case illustrates how successive designations mirror and reinforce one another – an "isomorphic trend" (Kim, Jang & Hwang 2002, p. 486) that influences the paradigm competition.

While exclusionary conservation practices persist, as seen at Lake Bogoria, the World Heritage regime faces increasing normative pressures to conform to globalised models favouring the meaningful involvement of Indigenous peoples (cf. Meyer, Boli, et al. 1997, p. 161; Kim, Jang & Hwang 2002, p. 487). Pimachiowin Aki's nomination marked a notable shift toward

Indigenous-led conservation within the World Heritage regime. Nevertheless, the relationship between the World Heritage regime's response and normative pressures in its institutional environment is complex and multifaceted. The case study comparison demonstrated that the World Heritage regime responded inconsistently to the globalisation of Indigenous rights, particularly in how it recognised or integrated Indigenous perspectives. Presumably, paradigm competition can be understood as an incessant process that constantly oscillates between decoupling and gradual institutional isomorphism. Consequently, comparing the case study findings raises "the question of how isomorphism relates to decoupling" (Boxenbaum & Jonsson 2008, p. 86). These inconsistencies may stem from the World Heritage regime's need to constantly balance contradictory demands. In the case of Manú National Park, the World Heritage regime sought to meet these demands by symbolically acknowledging Indigenous presence, without ensuring meaningful involvement of the diverse Indigenous communities. In contrast, in the case of Lake Bogoria, Indigenous advocacy compelled the regime to urge the State Party to implement the ACHPR ruling. In the case of Tongariro National Park and Pimachiowin Aki, the World Heritage regime's responses reflect a compromise between a state-centred paradigm and an Indigenous-led conservation approach. Due to the collaborative structure of the Pimachiowin Aki Corporation and the involvement of the Advisory Bodies, this case demonstrates a higher level of alignment between the state-centred and Indigenous-led conservation paradigms.

Many of the inconsistencies in the World Heritage regime's responses to normative pressures in its institutional environment can be attributed to "legitimacy-seeking behaviour" (ibid. p. 89). For instance, by acknowledging the deep connection between Indigenous cultural values and ecological integrity, the renomination of Tongariro National Park as a cultural landscape enhanced the regime's legitimacy. The regime's responses to normative pressures reflect the shifting power dynamics between the World Heritage regime and Indigenous peoples. From a theoretical perspective, the main objective is not solely to examine power disparities between the World Heritage regime and Indigenous peoples, but to understand the implications of increased interdependence. In addition to the world polity perspective, the uneven power relations can be understood as a "structural characteristic" (Elias 2012a, p. 70) of the World Heritage regime as a social figuration. Power asymmetries persist due to the influential roles of States Parties and the World Heritage Committee in establishing World Heritage properties located on Indigenous territories. Moreover, due to the statutory character of the World Heritage Convention and the Operational Guidelines, the States Parties, the Committee, the Advisory Bodies, and the World Heritage Centre can operate with greater cohesion than Indigenous groups. As a historical comparison of the findings indicates, Indigenous advocacy has gradually been inte-

grated into the established procedures of the documentary reality of the World Heritage regime. In Manú National Park's case, Indigenous advocacy appears to be absent in the official documents associated with the park's World Heritage designation. In the case of Tongariro National Park, a notable shift was observed after the renomination, as the World Heritage regime included reactions from the local Māori tribes. The Endorois were empowered to challenge the inscription of Lake Bogoria following the World Heritage regime's recognition of the ACHPR's intervention. Additionally, the designation of Pimachiowin Aki would not have been achievable without the active involvement of the First Nations.

Against this backdrop, the development of power dynamics between the World Heritage regime and Indigenous peoples can be explored in terms of the "*relational* character of power" (Dunning & Hughes 2012, p. 66, emphasis in the original). The findings suggest that the World Heritage regime depends on collaboration with Indigenous peoples in the designation and management of properties. From a historical perspective, the case studies indicate that the regime's legitimacy-seeking behaviour led to a more "reciprocal dependency" (ibid. p. 67). This led to a closer relationship between Indigenous peoples, States Parties, the World Heritage Committee, the Advisory Bodies, and the World Heritage Centre. While the comparison of the case studies does not imply that Indigenous peoples have formally obtained equal rights within the World Heritage regime, the findings showed that inequalities are now addressed more openly in the document material. Additionally, the regime's increasing disposition to incorporate elements of Indigenous-led conservation into its conservation paradigm engenders "functional democratisation" (Elias 2012a, p. 63) processes. Due to growing reciprocal dependency, the Indigenous inhabitants of Tongariro National Park, Lake Bogoria, and Pimachiowin Aki have gradually achieved specialised roles in the nomination and management processes of the World Heritage sites. These specialised roles fostered the construction of Indigenous agency. Consequently, processes of functional democratisation have increased the impact of Indigenous agency within the World Heritage regime. Despite this, it should not be assumed that these processes have resulted in an egalitarian relationship, nor that inequalities and marginalisation have been eliminated. However, the findings suggest that, due to their specialised roles, Indigenous peoples exert greater control over certain processes within the World Heritage regime.

It is also important to note that Indigenous peoples appear to influence these processes mainly within the boundaries of functional democratisation. The case studies indicate that their influence spans a wide range of processes within the World Heritage regime, from nomination to management. However, the degree of functional democratisation varies considerably across cases. From a world polity perspective, one possible explanation for this variation is the con-

structed agency of Indigenous peoples, which differs depending on historical and local conditions (cf. Meyer & Jepperson 2000, p. 102). The comparison of the case studies showed that Indigenous peoples, as "*authorized agent[s]*" (ibid. p. 101, emphasis in the original), possess different capacities to act in defence of their right to self-determination. For instance, the cultural construction of Indigenous agency in Manú National Park appears to be shaped by the legacies of exclusionary conservation practices. In the official document related to the park, for example, Indigenous cultural values were consistently overlooked. In contrast, the Endorois' agency was reconstructed "with great legitimacy, validated […] collective purposes and responsibilities" (ibid. p. 105) once the World Heritage regime recognised the implications of the ACHPR ruling. Furthermore, Tongariro National Park and Pimachiowin Aki demonstrated how acknowledging Indigenous values of the cultural landscapes related to the construction of Indigenous agency. In the first case, the cultural construction of Māori agency gradually evolved since the renomination in the document material. In particular, uncertainties about the implications of volcanic activity for both the natural values and the Indigenous associations with the landscapes enhanced the capacity of the local Māori tribes to act with a relative degree of authority. In contrast, throughout the nomination of Pimachiowin Aki, the construction of Indigenous agency became more encompassing due to strong cultural conservation linkages (cf. ibid. p. 111).

In summary, the comparative analysis of the case studies highlighted the impact of paradigm competition on the World Heritage regime and the construction of Indigenous agency. The expansion of authoritative Indigenous claims in world society has reshaped the competition between traditional and Indigenous-led conservation paradigms, gradually transforming power relations within the World Heritage regime. In cases such as Pimachiowin Aki and Lake Bogoria, the institutionalisation of collaborative frameworks has enhanced Indigenous agency, fostering reciprocal dependency and functional democratisation within governance structures. In contrast, in Manú National Park, the persistent dominance of a biodiversity-centred model reflects a symbolic rather than substantive recognition of Indigenous rights, highlighting the disconnect between institutional values and practices. Tongariro National Park exemplifies an intermediate stage, where paradigmatic isomorphism has integrated Māori cultural values into conservation governance, yet systemic inconsistencies persist. The methodological focus on documentary reality revealed how the World Heritage regime constructs Indigenous agency through textual representations, often shaped by external normative pressures. Although power asymmetries persist, the gradual shift toward Indigenous-led conservation reflects the relational nature of power dynamics within the World Heritage regime. These findings underscore the ambiguous character of the World Heritage regime concerning Indigenous rights. On one hand,

it has been conducive to new conflict dynamics concerning Indigenous rights in global conservation efforts (cf. Koenig & Dierkes 2011, p. 11). At the same time, through the category of cultural landscapes, the World Heritage regime internalised elements of Indigenous-led conservation practices.

7.3 Indigenous Rights-Based Conservation in the World Heritage Regime

In the preceding sections, this study argued that the increasing concern over exclusionary conservation practices within the World Heritage regime stems from the global diffusion of Indigenous rights. More specifically, this variation suggests that while global norms increasingly emphasise Indigenous rights, their institutionalisation within the World Heritage regime varies considerably. The pervasive legacy of "green colonialism" within the World Heritage regime's conservation priorities suggests that the Indigenous peoples' rights are marginalised. For instance, the Manú National Park case study illustrated the regime's hesitancy to integrate Indigenous rights and question exclusionary conservation practices. In contrast, Lake Bogoria demonstrated the extent to which external human rights mechanisms transformed the approach from excluding to recognising the Endorois' legal rights. Moreover, Tongariro National Park and Pimachiowin Aki exemplified the gradual internalisation of Indigenous rights through collaborative frameworks that integrate Indigenous perspectives via cultural landscapes. Consequently, the institutionalisation of Indigenous rights within the World Heritage regime remains uneven. Regarding the documentary reality of the World Heritage regime, the historical and regional comparison demonstrated how its bureaucratic routines fluctuate between aligning conservation practices with Indigenous rights and obstructing their realisation.

Despite the varied levels of Indigenous agency across different regions and historical contexts, its gradual incorporation reveals underlying power dynamics within the regime. These dynamics result from the ongoing competition between a state-centred model of protected areas conservation and an Indigenous-led paradigm. In Manú National Park, state-centred conservation persists, with only symbolic recognition of Indigenous presence. Nonetheless, the World Heritage regime fails to substantively engage with Indigenous communities, reflecting a disconnect between biodiversity conservation objectives and Indigenous agency. Tongariro National Park partially integrated Māori cultural values through its renomination as a cultural landscape, although systemic inconsistencies and ambiguous recognition of Māori agency remain. Lake Bogoria exemplifies a more profound shift towards integrating Indigenous rights and participation. In this context, Indigenous advocacy and the ACHPR ruling prompted the State Party to establish a collaborative management framework, formally incorporating En-

dorois participation and knowledge. Additionally, Pimachiowin Aki illustrates how the World Heritage regime presented the deferred nomination as a model for Indigenous-led conservation. The repeated evaluation of the nomination by the Advisory Bodies deliberately aligned Anishinaabeg traditions with World Heritage criteria. Despite the evident limitations on the involvement of Indigenous peoples, a regional and historical comparison revealed that the World Heritage regime has become increasingly reliant on a reciprocal relationship with Indigenous actors for property designation management.

Regardless of the specifics of each case study, document analysis showed that the globalisation of Indigenous rights has prompted political mobilisation to address the legacies of "green colonialism" in the World Heritage regime. Although the World Heritage regime lags behind the overall UN Indigenous peoples' human rights discourse, the findings suggest that the regime constitutes an important arena for redefining conservation in world society. Against this backdrop, this section examines the broader theoretical implications of investigating the World Heritage regime. First, it explores whether the World Heritage regime is coming to terms with exclusionary conservation practices (7.3.1) , revisiting theoretical insights regarding Indigenous involvement in the World Heritage regime from a decolonial perspective. In particular, the discussion concentrates on the three theoretical dimensions delineated previously. Specifically, it focuses on understanding the impact of "green colonialism" on World Heritage, negotiating historical injustices, and reshaping power and knowledge hierarchies in the designation and management of World Heritage properties on Indigenous lands. This section concludes with a reflection on Indigenous rights discourses in the World Heritage regime (7.3.2). From a world society perspective, this reflection investigates the profound gap between globally institutionalised expectations and actual social conservation practices.

7.3.1 Coming to Terms with Exclusionary Conservation? A Decolonial Interrogation of World Society Theory

The preceding discussion of the findings was primarily rooted in well-established epistemologies within Western sociology. In particular, the theoretical foundations of world polity theory prioritise inherently European-Western assumptions about globalisation. However, world polity theory distinguishes itself from other globalisation theories through its clear articulation of underlying principles informed by the Weberian concept of rationalisation, which refers to "the structuring of everyday life within standardized impersonal rules that constitute social organization as a means to collective purposes" (Meyer, Boli & Thomas 2010, p. 76). In this sense, the establishment of the world polity is regarded as a rational endeavour to promote universally

applicable notions of progress and justice. As previously discussed, these underlying notions guide the institutionalisation of global norms. World polity theory posits that these notions derive from a universalistic cultural ideology rooted in Western religion (ibid. p. 79). Although the contemporary world polity is secular, it derives from the transnational spread of Christianity, through which "it became […] natural to develop theories and ideologies of sweeping, all-encompassing scope" (ibid.). Moreover, Meyer et al. argue that while justice and progress are presented as secular concepts of contemporary world society, their content "is no less religious than that of the Christian church" (ibid. p. 80).[78] However, it is important to note that the connection between the normative isomorphism of Indigenous rights, their institutionalisation within the World Heritage regime, and conservation practices remains fragile.

Additionally, the concept of "decoupling" presents a compelling explanation for the persistent discrepancies observed between globalised norms and their inadequate implementation. However, by examining these theoretical insights through decolonial and Indigenous perspectives, it is possible to address their Eurocentric blind spots critically. Nonetheless, the objective is to retain the analytical strengths of world polity theory and sociological neo-institutionalism while critically questioning some of the European-Western assumptions. In this sense, the advantage of these theoretical conversations is that they focus on the transhistorical claims of Indigenous peoples in the context of the legacies of "green colonialism" within the World Heritage regime. The findings of this study suggest that the designation of protected areas as World Heritage sites continues to encroach upon Indigenous territories, thereby inflicting considerable harm upon their communities. Moreover, the World Heritage regime incorporated Indigenous perspectives and rights rather selectively and symbolically, as in cases such as Manú National Park. Hence, the exclusionary conservation practices within the World Heritage regime indicate that "green colonialism" remains a contemporary issue affecting the livelihoods of formerly colonised communities. For example, in the context of Africa's national parks, Blanc questions, "which world is protected, and from whom?" (2022, p. 176). He concluded that this world represents an "Eden, as in the colonial era" (ibid.), perpetuated by UNESCO, governments, and experts to cater for Western tourists. In this context, the "UNESCO world heritage list is perhaps the most striking example of this naturalized vision of the continent"

[78] In this context, it is notable that Joas (2011) described the process of value generalisation following the adoption of the UN Universal Declaration of Human Rights in 1948 as the "sacralisation of the person". Due to their historical genealogy, human rights cannot be justified merely on philosophical grounds or notions of rationality. According to Joas (ibid. p. 93), human rights are indicative of collective experiences that have fundamentally transformed how individuals are perceived. These transformations resulted in a process of re-conceptualising the individual in terms of its "sacredness". Consequently, although the notion of human dignity, as established in the 1948 UN Declaration, is essentially secular, the language and conceptual framework of human dignity demonstrate a notable degree of proximity to religious convictions concerning the "sacredness" of the individual.

(ibid.). Consequently, Blanc noted that the ecological policies of international institutions perpetuate the ongoing encroachments on residents of African national parks (ibid. p. 180).

The World Heritage Convention promotes heritage concepts that were initially intended to protect properties from decay and degradation for future generations. In discussing the specific appeal of the Convention, Meskell argued that its "ratification benefits nations as they participate in an international community of concern for global sites that embody cultural diversity and natural wealth" (2013b, p. 483). Further, in "doing so, these nations are expressing a shared commitment to preserve that legacy for present and future generations" (ibid.). However, the institutional framework of the World Heritage regime increasingly prioritises national agendas, as "World Cultural and Natural Heritage is not so much about protection anymore, but instead about branding, marketing" (Meskell 2018, p. 107). While Meskell provides persuasive evidence concerning the general obstacles faced by the Convention today, the consequences of designating World Heritage sites should not be reduced to mere governments' ambitions for international recognition of their national heritage. Meskell also highlighted that, under the current institutional framework of the Convention, Indigenous peoples continue to demand "corrective measures for the future of World Heritage [such as] inclusion, human rights, benefits, and the right of veto" (ibid. p. 222). At this point, it is appropriate to ask whether the World Heritage regime is finally addressing the colonial legacy of exclusionary conservation practices. Although the findings point to incremental shifts toward recognising Indigenous agency and worldviews, tensions persist between state-centred and Indigenous-led conservation approaches, especially in the designation of natural World Heritage properties and cultural landscapes that encompass expansive protected areas. In the context of the Amazon, Hupke laments that Western leaders seem more concerned about preserving the region's flora and fauna than implementing large-scale measures wildlife and biodiversity protection measures in their own countries (2015, p. 286). Consequently, the legacies of "green colonialism" appear rooted in these contrasting principles (cf. ibid. p. 288).

Nevertheless, it should not be assumed that Indigenous challenges to the legacies of "green colonialism" are fuelling conflicts in the World Heritage regime. Tensions between state-centred conservation and Indigenous-led approaches emanate primarily from the incomplete integration of Indigenous perspectives and knowledge systems. Elaborating on the importance of these ways of knowing is therefore crucial, particularly given that studies of this kind are often conducted by non-Indigenous researchers, as is the case here. As Tuhiwai Smith notes, referencing de Sousa Santos (2018), Indigenous knowledge represents alternative ways of knowing and aligns with the project of "global cognitive justice" (2012, p. 214). This project

encompasses "questions about power relations, about agency and structure, ethics and methodologies" (ibid.). Tuhiwai Smith highlighted the need to consider the interrelationship between Indigenous research and activism, driven by "shared discourses, visions and aspirations [such as] cultural and linguistic survival, self-determination and the right to remain indigenous" (ibid. p. 218). Tuhiwai Smith's argument supports de Sousa Santos's (2018, p. 199) notion of global cognitive justice as a necessary foundation for achieving global social justice. De Sousa Santos argued that "hegemonic globalization [was driven primarily by] western science […] and by the disqualification of alternative knowledges […], [resulting in] epistemicides" (Dalea & Robertson 2004, p. 158). In the context of the World Heritage regime, Tuhiwai Smith and de Sousa Santos emphasise the political implications of recognising and valuing Indigenous knowledge production, including its role in achieving equity and justice. In this regard, it is worth questioning whether the establishment of World Heritage sites on Indigenous territories supports or suppresses Indigenous activism for "cultural sustainability and social, economic, and political well-being" (Tuhiwai Smith 2012, p. 218).

In contrast, the legacies of "green colonialism", as exemplified in the case of Manú National Park, epitomise the broader implications of the Western epistemologies that dominate the World Heritage regime. In the context of the World Heritage regime, Western knowledge about how to preserve Manú National Park is prioritised over Indigenous forms of knowledge. The case study illustrates how Western conservation practices were imposed on the Indigenous inhabitants of Manú National Park, which can lead to epistemicide as a form of eradication of Indigenous knowledge about the area. While concern for the property's biodiversity dominates the document analysis, it would be misleading to interpret the results only in terms of potential risks to Indigenous knowledge in Manú National Park. As previous research makes clear, the park's Indigenous inhabitants belong to diverse linguistic communities with distinct histories, cultures, and knowledge systems. Nevertheless, the Manú National Park case study stands for two key reasons. First, it reflects a delayed and incomplete integration of Indigenous rights into the conservation efforts of the World Heritage regime. For instance, the official records do not mention the different Indigenous groups residing in the protected area. Second, the document analysis revealed that Indigenous agency and concerns have often been deprioritised to focus on other potential threats to the property, such as oil and gas exploitation. From a world polity perspective, which examines the influence of global frameworks on local practices, the large-scale conservation effort in Manú National Park indicate the expansion of a global environmen-

tal regime (Meyer, Frank, et al. 1997).[79] The global environmental regime, as a transnational cultural model, has been fundamentally shaped by the "expansion of the world science system" (ibid. p. 635).

This expansion is characterised by "rationalized and authoritative scientific interpretation[s]" (ibid. p. 623) of environmental problems. Furthermore, these scientific interpretations shaped a "universalized conception of [the] interdependence" (ibid. p. 630) of ecosystems worldwide. The prevalence of this scientific view has established a considerably more robust framework for global discourses and collective mobilisation on the environment than emotional or resource-oriented perspectives. Regarding Manú National Park, the designation as a natural World Heritage property was primarily driven by an authoritative scientific conceptualisation of the protected area as a "global conservation gem." Concerning the prevalence of scientific knowledge systems, the case study suggests a striking similarity between world polity theory and a critical perspective on the dominance of Western epistemologies, as exemplified by de Sousa Santos's concept of "epistemicide". However, world polity theory does not aim to advance political claims intended to liberate Indigenous peoples from the harmful effects of hegemonic globalisation, as exemplified by "green colonialism". In contrast, the critique of "epistemicide" is deeply connected to the broader framework of decolonial theory (Mignolo, W. 2021). Decolonial thought responds to the hegemonic globalisation of the World Heritage regime by advocating for dismantling colonial control over knowledge production and promoting a "pluriversal" approach. Challenging the analytical foundation of world polity theory, a pluriversal approach raises doubts about universalistic, Western-centred frameworks for perceiving existence in contemporary world society (Escobar 2018, p. 6). For Escobar, this "imperialistic notion supposes the West's ability to arrogate for itself the right to be 'the world,' and to subject all other worlds to its rules, to diminish them to secondary status or to nonexistence" (ibid. p. 86).

As the Manú National Park case study illustrated, the delayed integration of concerns for the Indigenous inhabitants suggests the persistence of the long-term effects of exclusionary conservation practices. Moreover, the designation of the park as a large-scale natural World Heritage property was based on assumptions of an "ontological dualism" (ibid. p. 81) between culture and nature, which separated the property's natural values from Indigenous livelihoods. From a pluriversal perspective, moving beyond dualistic culture/nature conservation principles requires embracing relational perceptions of existence (cf. ibid. p. 132). For instance, the State

[79] World polity theory provides a broad conceptualisation of the term "regime". From this perspective, the world environmental regime is defined "as a partially integrated collection of world-level organizations, understandings, and assumptions that specify the relationship of human society to nature" (Meyer, Frank, Hironaka, Schofer & Tuma 1997, p. 623).

Party has attempted to develop actions that safeguard the knowledge of the Indigenous residents. Although this view reflects an initial attempt to integrate Indigenous knowledge, the document analysis highlighted that there has been a lack effort to understand how the diverse Indigenous communities relate to their local livelihoods. In contrast, the renomination of Tongariro National Park indicates a departure from the "problematic separation of natural and cultural heritage" (Disko 2017, p. 43) of the World Heritage Convention. The introduction of cultural landscapes and the State Party's efforts to address historical injustices likely contributed to the renomination of Tongariro National Park, highlighting the World Heritage regime's effort to recognise Indigenous safeguarding practices. The renomination acknowledged Indigenous cultural and spiritual values associated with the cultural landscape but also contributed to political mythmaking in New Zealand, often portraying the national park as a "noble gift" (Asher 2014, p. 384). Despite this, the document analysis also demonstrated the World Heritage regime has become receptive to toa Māori cosmovision that puts the ancestral relationships with the landscape at the centre. Similar to Indigenous environmentalist Ailton Krenak's (2024) non-anthropocentric understandings, Tongariro National Park status as a World cultural landscape acknowledges the Māori affective spatial relationship.

Drawing on Krenak's critique of Western thought that prioritises human activity , the Tongariro National Park case study illustrates a progressive movement toward alternative conservation rationales that de-emphasise anthropocentrism (cf. ibid. p. 14 ff.). While anthropocentric perspectives view nature conservation as a measure to mitigate the adverse effects of human activity on biodiversity, Indigenous perspectives embody a deep sense of belonging to a place, rooted in reciprocal relationships with the environment (cf. ibid. p. 44 ff.). Through a sense of belonging, Indigenous peoples often adhere to a cosmovision that can be described as an ancestral way of life. As illustrated in the case of Tongariro National Park, landscape features such as the mountains and rivers are conceived as spiritual entities symbolising ancestral relationships to the land and territory. Thus, the World Heritage designation of Tongariro National Park represents a form of "border thinking" (Mignolo, W. 2012, p. 18), fostering restoration and transmission of Māori approaches to safeguarding cultural heritage. In the case of Tongariro National Park, border thinking has enabled the incorporation of Māori cultural and spiritual values within the World Heritage regime. While this study does not imply that the legacies of "green colonialism" have been fully resolved, the regime's acknowledgement of Māori agency suggests that the move away from exclusionary conservation practices can be framed through the lens of border thinking. Moreover, the repeated nomination of Pimachiowin Aki highlights a shift toward a pluriversal approach within the institutional framework of the World Heritage

regime. For instance, the Advisory Bodies acknowledged the challenges posed by mixed nomination, such as Pimachiowin Aki, which required two distinct evaluations. The Pimachiowin Aki Corporation also ensured that Anishinaabeg voices were brought to the attention of the World Heritage regime.

Although the discussion of the Pimachiowin Aki case study does not advocate for fully dismantling the legacies of "green colonialism" within the World Heritage regime, it underscores the indispensable contributions of the First Nations to the nomination. The prolonged nomination process demonstrates that overcoming the marginalisation of Indigenous knowledge systems requires establishing inclusive structures, such as the Pimachiowin Aki Corporation. Consequently, such structures emerge as essential prerequisites for fostering a more equitable and inclusive approach to World Heritage designations. In comparison, the Lake Bogoria case study demonstrates how interventions by external human rights mechanisms, such as the ACHPR ruling, reinforce normative frameworks within the World Heritage regime. While the ACHPR ruling empowered the Endorois to challenge exclusionary conservation practices within the regime, the recent management plan indicates a growing openness to recognising Indigenous knowledge systems. The acknowledgement of Endorois' rights to protect their cultural heritage reflects the increased impact of the UNDRIP on the World Heritage regime. For example, the management plan specifies that the Endorois community will collaborate in developing guidelines to regulate access to and use of genetic resources. This objective aligns with the provisions of Article 31 of the UNDRIP, which affirms the rights of Indigenous peoples to protect manifestations of their traditional knowledge, "including human and genetic resources" (United Nations 2007, art. 31). Additionally, Pimachiowin Aki and Lake Bogoria exemplify different levels of Indigenous agency emerging from the growing normative expectations within the institutional framework of the World Heritage regime.

In the Lake Bogoria case, normative pressures materialised through the World Heritage regime's responses to the ACHPR ruling. In contrast, the Pimachiowin Aki nomination fostered a collaborative approach, contributing to the adoption of an Indigenous-led conservation model. Both nominations developed critical perspectives on the role of Indigenous peoples' agency within the procedures of the World Heritage regime. From a decolonial perspective, the two cases reflect the "process of developing knowledge from the borders, or frontiers, of the world system" (Meghji 2021, p. 52). These cases show early signs of a broader shift toward more inclusive practices in World Heritage nomination and management, moving away from "methodologically Eurocentric" (Bhambra 2014, p. 71) approaches. In contrast, the Manú National Park case study illustrated how the World Heritage regime perpetuates problematic "ideas about

the non-Western world as backward" (Meghji 2021, p. 30), as reflected in the exclusionary framing of Indigenous livelihoods. More specifically, the discourse regarding the Indigenous residents constantly contrasted their livelihoods with conservation goals, such as the impact of logging, subsistence farming, or hunting. Conversely, the findings suggest that the nominations of Lake Bogoria and Pimachiowin Aki facilitated the recognition of distinct Indigenous perspectives within the official narratives and frameworks of the World Heritage regime (cf. ibid. p. 53). By recognising the agency of the Endorois and Anishinaabeg and their historical connections to their lands, the negative aspects of establishing World Heritage sites on Indigenous territories have become apparent. Lake Bogoria exemplifies efforts to redress historical injustices, such as the exclusion of the Endorois from the nomination process, through mechanisms like collaborative management plans and human rights advocacy. In contrast, Pimachiowin Aki exemplifies a general trend of increasing "receptiveness to indigenous concerns" (Brumann 2015, p. 281) on the UN level, enhancing the World Heritage regime's commitment to rights-based nomination approaches.

Discussing the case study findings from a decolonial perspective reveals that the World Heritage regime has selectively addressed exclusionary conservation practices, often failing to embrace a comprehensive shift. Efforts to position Indigenous epistemologies as equal to the universalistic notion of World Heritage coexist with practices that treat Indigenous contributions as merely complementary to conservation goals. From a decolonial perspective, this raises questions about the limits of world polity theory in explaining these dynamics, and whether such a framework can fully account for the tensions observed in this study. World polity theory, despite acknowledging its Western foundations, frames globalisation in a way that "consistently [erases] the interlinkages between the West and the rest, forged through empires, enslavement, and colonialism" (Meghji 2021, p. 42). Although world polity theory's empirical and theoretical insights cannot be considered incorrect, they reflect a notable "*incompleteness*" (ibid. p. 43, emphasis in the original), particularly in addressing non-Western contributions. Similar to other theories of globalisation (for instance, world risk society by Beck 2009), world polity theory neglects the intertwined dynamics of modernity and coloniality in shaping world society. Instead of recognising the contributions of non-Western epistemologies to global interconnectedness, globalisation theories associated with "methodological Eurocentrism" prioritise concepts of modernisation and Westernisation in world society. Despite their differing foundations, world polity theory and a decolonial perspective converge in their assessment of the limited progress toward addressing exclusionary conservation practices in the World Heritage regime.

In particular, the integration of Indigenous epistemologies within the World Heritage regime remains selective and symbolic. This selective integration legitimises the World Heritage regime without fundamentally altering the nomination and management of World Heritage sites. However, Indigenous-led conservation approaches cannot be regarded in terms of their opposition to a state-centred model of protected areas conservation. As the Pimachiowin Aki case study has demonstrated, Indigenous peoples are not propagating their own universalistic model. Instead, the repeated nomination enhanced normative pressure on the World Heritage regime to acknowledge the limitations of its nomination procedure, particularly the application of the notion of OUV to the Indigenous landscape. Although efforts have been made to ensure Indigenous participation, the Pimachiowin Aki case study highlights persistent tensions between the regime's universalistic model and Indigenous knowledge systems. Nevertheless, this observation speaks for a central assumption of world polity theory, which considers world society a "factory of social problems" (Meyer, Boli, et al. 1997, p. 170). The World Heritage regime serves as a platform for addressing overlooked dimensions of global nature conservation, particularly in relation to Indigenous peoples' right to self-determination. As demonstrated by the case studies, Indigenous advocacy has expanded the range of actors influencing the World Heritage regime. In particular, since the adoption of the UNDRIP, Indigenous rights have been invoked "in terms of general cultural principles" (ibid.), which originated through a dynamic reinterpretation of human rights at the UN level (cf. Bennani 2016). Despite the continuing legacies of "green colonialism", the globalisation of Indigenous rights discourses has intensified interactions between Indigenous peoples and the World Heritage regime.

7.3.2 Indigenous Rights Discourses in the World Heritage Regime: Redefining Conservation?

This study explored the paradox that the legacies of "green colonialism" in international conservation efforts offer opportunities for intensified interaction between Indigenous peoples and the World Heritage regime. Although the regime prioritises biodiversity conservation in cases such as Manú National Park, the other case studies demonstrate how World Heritage designations can partially align with Indigenous rights and forms of environmental stewardship. Therefore, this study goes beyond merely critiquing the persistent patterns of exclusionary conservation within the World Heritage regime. Although the case study research affirmed the continued influence of "green colonialism", this study challenges Blanc's assertion that "the global conservation model is by its very nature doomed to failure" (2022, p. 183), instead highlighting opportunities for reform. In the English edition of his influential work *The Invention of Green*

Colonialism (2022), Blanc included an afterword addressing the criticism he received after the French edition was published two years earlier (2020). Blanc reported facing accusations from UNESCO and IUCN representatives, who depicted him "as an author who [sought] to discredit international cooperation" (2022, p. 181). Nevertheless, one of the central themes of his study is the use of different standards in Africa and Europe by experts from UNESCO and IUCN. For instance, he highlighted that agro-pastoralism is regarded as "maintaining biodiversity" (ibid. p. 179) as in the case of the World Heritage cultural landscape Cévennes National Park in southern France. In contrast, these same experts "continue to stigmatize the agro-pastoralists" (ibid. p. 180) in the Simien National Park in northern Ethiopia. With respect to Indigenous rights, the World Heritage regime has demonstrated a limited but notable openness to addressing their concerns.

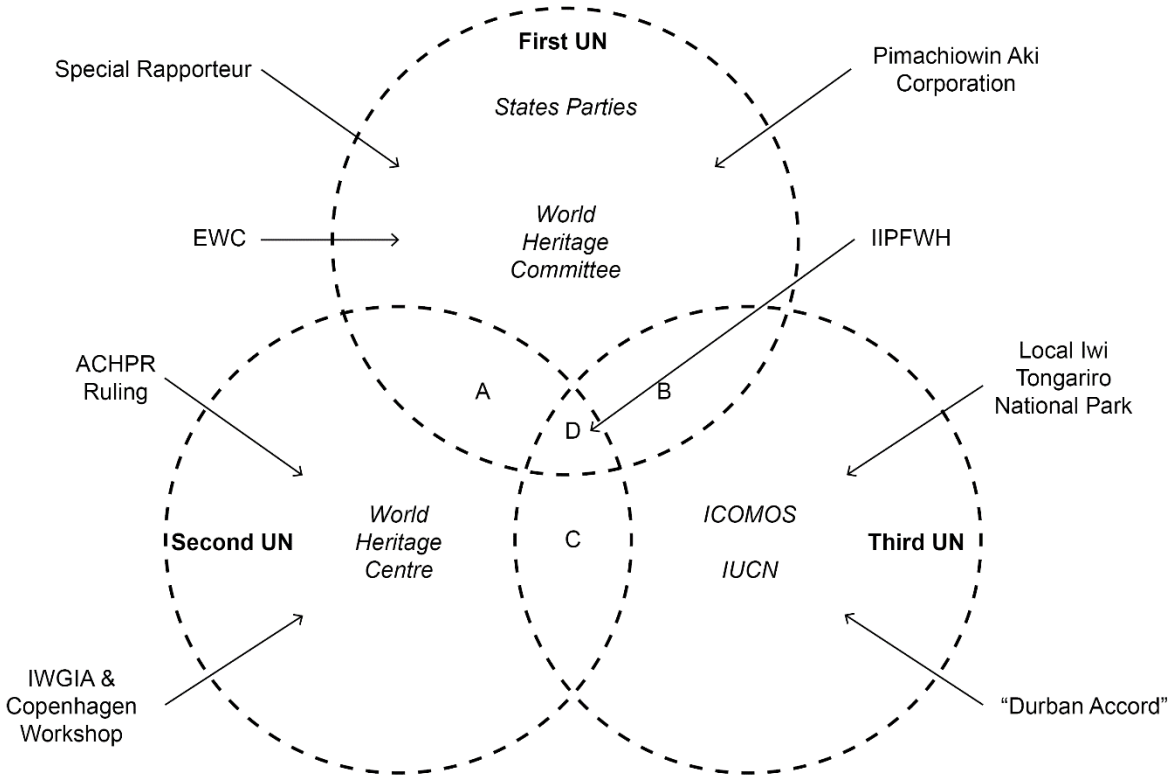

Figure 7.1: Impact of the institutional environment on the World Heritage regime (Author's illustration adapted from Weiss et al. (2009, p. 135))

The objective of this research was not to engage in a debate over whether the recognition of Indigenous rights in the World Heritage context is insufficient or adequate. More precisely, the purpose of this study was to examine the intersection of global conservation and Indigenous human rights in the World Heritage regime. The intersection of global conservation and Indigenous human rights became evident as the World Heritage regime evolved into a global social

arena for addressing the legacies of "green colonialism". The globalised model of the World Heritage regime has become increasingly embedded in a global institutional environment that generates normative pressures for inclusive approaches. Figure 7.1 depicts how the World Heritage regime functions within a multi-layered institutional framework, incorporating various entities, from international human rights bodies such as the ACHPR to Indigenous representative organisations such as the EWR.

While Weiss et al.'s (2009) original three UNs model clearly distinguished between "insiders" and "outsiders" of the UN system, the findings suggest that the boundaries between the three UNs have become increasingly permeable within the context of the World Heritage regime. In the original model, the first UN is regarded as the sphere of the member states or World Heritage Committee in the case of the World Heritage regime. The second UN represents the international civil servants working within the World Heritage Centre. The third UN comprises INGOs, such as ICOMOS and IUCN, which, though not part of the UN system, leverage their expertise to advocate for the protection of humanity's natural and cultural World Heritage. Zones A, B, C, and D illustrate the interactions and practical intersections between the three spheres of the World Heritage regime, such as the annual sessions of the World Heritage Committee. Weiss et al. emphasised the unique contributions of the third UN in serving as a network that encourages mobilisation for UN processes beyond state-led agendas (ibid. p. 135).

A recent study by Carayannis and Weiss (2021) supports the argument that the third UN's impact is growing; however, their model examines the three UNs in isolation from the broader institutional context of world society. It is also important to note that Carayannis and Weiss focused on the UN as a whole. Figure 7.1 shows how this model can be applied to the World Heritage regime, representing one of the UN's specific programmes. From this perspective, the three UNs of the World Heritage regime evolved into permeable domains, interacting with actors on issues related to the establishment of World Heritage properties on Indigenous territories. Through this emerging permeability, the normative pressures emanating from the institutional environment prompted attempts to redefine and rethink the designation and management of natural and mixed World Heritage sites. Instead of viewing the World Heritage regime as a set of "rigid formal structures" (ibid. p. 19), this study highlighted the importance of the specific temporal structures of Indigenous rights discourses entering the different domains of the regime. In this respect, the introduction of cultural landscapes as a new category of World Heritage properties in 1992 allowed the local Māori iwi of Tongariro National Park to bring their concerns to the regime's attention through the Advisory Bodies' reports. Furthermore, the adoption of the Durban Accord at the Vth IUCN World Parks Congress in 2003 re-

inforced a revised perspective on Indigenous-led conservation. Although the efficacy of the Durban Accord cannot be measured in terms of its immediate impact on the regime, it is significant that it emerged from "discursive activism" (Morgan 2011, p. 118) by Indigenous groups at the World Parks Congress. The congresses serve as a central global forum to address prominent issues regarding the conservation of protected areas worldwide.

Moreover, the World Heritage Centre's interactions with NGOs and international human rights bodies demonstrate the increased permeability of the second UN. In 2012, the International Expert Workshop on the World Heritage Convention and Indigenous Peoples (Disko & Tugendhat 2013) was hosted by IWGIA, bringing together Indigenous representatives and experts from the World Heritage Centre. The workshop aimed to facilitate critical dialogue on how to align the World Heritage Convention implementation with the UNDRIP. Additionally, in a letter to the World Heritage Centre in 2013, the ACHPR urged the international Secretariat of the World Heritage Convention to ensure the effective participation of the Endorois in decision making regarding the Lake Bogoria World Heritage sites (Abraham 2014, pp. 178–179). On this occasion, the African Commission reminded the World Heritage Centre of the ACHPR ruling, which criticised the site's inscription due to the lack of consultation with the Endorois. The interactions with the IWGIA and the ACHPR indicate a shift towards incorporating key provisions of the UNDRIP, such as the free, prior, and informed consent (FPIC) principle. The interactions of the World Heritage Committee and the States Parties with Indigenous representatives also illustrate the increased permeability of the first UN domain. In 2013, former Special Rapporteur on the Rights of Indigenous Peoples, James Anaya, sent a letter to the World Heritage Committee highlighting "concerns raised by Indigenous peoples regarding respect for their rights and worldviews in the nomination and management of World Heritage sites, as well as the overall implementation of the Convention" (Disko, Tugendhat & Gracía-Alix 2014, p. 27). The World Heritage Committee also recognised the EWC as the official representative organisation of the Endorois in 2015. Although the Special Rapporteur holds a mandate from the UN Human Rights Council, they report independently on the implementation of the UNDRIP. Most mandate holders are Indigenous experts with extensive field experience. These interactions indicate that relations between the Committee and Indigenous representatives have been improving.

Furthermore, Indigenous representative organisations engage directly with States Parties that wish to inscribe World Heritage properties on their lands and territories. The Pimachiowin Aki Corporation was established in 2006 and oversaw the multiple nominations of the property, ultimately leading to its inscription in 2018 (cf. Jones 2014). The case demonstrates the pivotal

role of the Pimachiowin Aki Corporation in bridging the cultural and operational gaps between the local realities of the First Nations and the global conservation standards of the World Heritage Convention. While this study cannot confirm the extent of First Nations' control over the World Heritage property, the findings suggest some recognition of the legitimacy of Indigenous cultural perspectives in its management. Consequently, Pimachiowin Aki reflects ongoing negotiations that extend beyond the designation of protected areas as World Heritage properties. These negotiations highlight efforts to secure political recognition of Indigenous rights and knowledge within the World Heritage regime (cf. Smith 2006, p. 296). The establishment of the IIPFWH at the 41st session of the World Heritage Committee in 2017 marked another shift toward the involvement of Indigenous peoples in the World Heritage regime. Although the IIPFWH was not established as an "independent consultative body along the lines of WHIPCOE" (Brumann 2015, p. 282), it provides a platform for Indigenous representatives to engage directly with the World Heritage Committee, the World Heritage Centre, Advisory Bodies, and States Parties during the annual sessions. The establishment of the forum is presumably the most visible element of Indigenous advocacy that entered the networked space D (see Figure 7.1) between the three UNs of the World Heritage regime. In addition, the forum points to processes fostering institutional isomorphism, as similar structures have been established in other UN areas, such as the CBD and the UNFCCC. Although the role of the IIPFWH is still not sufficiently understood, its consultative status indicates the state-centred nature of the World Heritage Convention. More specifically, strengthening Indigenous peoples' role in the World Heritage regime through the forum will depend on the composition of the World Heritage Committee at any given time (cf. Fogarty 2022, p. 51).

A recent study by Disko and Sambo Dorough (2022) highlighted the need to overcome the discrepancies between the UNDRIP and the implementation of the World Heritage Convention. In particular, Disko and Sambo Dorough described the contentious 44th session, chaired by China in 2021, where significant debates arose. They note that the intervention by Special Rapporteur Calí Tzay regarding the rights of the Indigenous Karen communities in the context of the Kaeng Krachan Forest Complex inscriptions in Thailand was sidelined during the session (ibid. p. 516). The nomination was previously referred back to the State Party as UN human rights mechanisms raised concerns regarding the meaningful involvement of the Karen communities. However, Disko and Sambo Dorough emphasised that the Committee removed a clause calling for ensuring the principle of FPIC in the nomination at the request of Vietnam (ibid. p. 511). Paradoxically, at the same session, the World Heritage Committee adopted a revision of the Operational Guidelines, calling on States Parties to ensure the "Effec-

tive and inclusive participation in the nomination process of […] indigenous peoples [demonstrating] that the free, prior and informed consent of indigenous peoples has been obtained" (UNESCO 2023, para. 123). Furthermore, "the provision on FPIC was couched in non-obligatory language" (Disko & Sambo Dorough 2022, p. 512), thwarting the purpose of empowering Indigenous peoples in the World Heritage regime. Consequently, the inherent state-centric nature of the World Heritage Convention limits the opportunities for Indigenous advocacy within the World Heritage regime.

In summary, these insights into Indigenous peoples' human rights discourses suggest that there are multiple, distinct approaches for aligning World Heritage designations with the UNDRIP's "remedial purpose" (Echo-Hawk 2013, p. 40), rooted in different historical experiences within the World Heritage regime. For instance, the state-centred nature of the World Heritage Convention limits the extent to which States Parties support Indigenous-led conservation approaches in nominating properties, such as Pimachiowin Aki. Simultaneously, Indigenous peoples have consistently challenged the obstacles to their meaningful involvement in the nomination and management of World Heritage properties (cf. Brumann 2015, p. 280). The World Heritage Convention and Indigenous rights represent globalised cultural rules that can promote shared principles and latent conflicts due to their non-simultaneous institutionalisation in world society (cf. Koenig & Dierkes 2011). The case study research and other examples discussed also demonstrated that some States Parties from the global South embraced notions of twentieth-century nationalism (cf. Patel 2014, p. 608). Paradoxically, these tendencies perpetuated unequal knowledge hierarchies by prioritising state-centric and Euro-American conservation ideals over Indigenous agency (cf. ibid. p. 607). Thus, ensuring an enhanced degree of epistemic justice in conservation involves understanding how Indigenous communities are often relegated to peripheral roles in decision-making processes for World Heritage sites. As the case study research demonstrated, Indigenous rights discourses within the World Heritage regime could redefine nature conservation as more pluralistic and inclusive practice. By validating local, context-specific Indigenous practices, and ecological knowledge, these processes can contribute to undermining the prevalence of the "vertical hierarchical linkages" (ibid. p. 610) between the World Heritage regime's elements and Indigenous peoples.

8 Conclusion

This study investigated challenges faced by Indigenous peoples due to exclusionary nature conservation practices within the framework of the UNESCO World Heritage regime. The study's central premise is that the establishment of World Heritage sites on Indigenous lands and territories often perpetuates the legacies of a conservation paradigm rooted in "green colonialism" (Stevens 2014b; Blanc 2022). However, since the adoption of the UNDRIP in 2007, the exclusion of Indigenous peoples in the nomination and management of World Heritage sites has been increasingly criticised by Indigenous peoples, international human rights mechanisms, and experts within the regime (Disko, Tugendhat & Gracía-Alix 2014).

The role of Indigenous peoples as active agents in protecting World Heritage sites has also evolved significantly since the introduction of the category of associative cultural landscapes (cf. Rössler 2006b, p. 336). While World Heritage properties on Indigenous territories were often inscribed as natural sites that marginalised Indigenous peoples, cultural landscapes have introduced more collaborative approaches to the nomination and management (as illustrated in the Pimachiowin Aki case study, see sections 7.1.4 and 7.2.4). In addition, the growing global recognition of Indigenous peoples' rights, particularly through the adoption of the UNDRIP, has enabled Indigenous peoples to challenge the exclusionary conservation model of natural World Heritage sites (cf. Brumann 2015, pp. 280–282). Despite these important advances, the case of the Maasai residents of the NCA demonstrates that violations of Indigenous peoples' rights and values persist in the World Heritage regime (cf. Maasai Indigenous Residents of Ngorongoro Conservation Area 2022). Thus, this study focused on the ongoing debates about the need to balance biodiversity conservation with equity and justice in relation to Indigenous peoples. It examined how Indigenous critiques of "green colonialism" within the World Heritage regime contribute to redefining global nature conservation agendas.

The main objective of this study was to identify and trace the legacies of exclusionary practices within World Heritage sites established on Indigenous territories. Additionally, this study explored how Indigenous peoples have questioned practices of protected area conservation within the World Heritage regime. By analysing the intersections of the World Heritage Convention, human rights standards, and Indigenous agencies, this study illustrated Indigenous peoples' various approaches to challenging and reshaping exclusionary paradigms. Previous research on World Heritage and Indigenous peoples has primarily addressed the Convention's shortcomings, particularly in relation to recent developments in human rights standards. The vast majority of these studies have centred on the implementation of the Convention and how

it should ensure respect for Indigenous peoples' rights to self-determination, culture, and values, especially with regard to the implications of the UNDRIP (Meskell 2013a; Disko & Sambo Dorough 2022). These studies identified several shortcomings that disproportionally affect Indigenous people, such as the insufficient involvement in decision making, the divide between cultural and natural sites, and the marginalisation of Indigenous values in identifying a site's OUV, which is the precondition for a World Heritage listing (Disko 2017).

While these studies address the Convention's principal shortcomings regarding human rights, they fail to place them within the broader spectrum of global agendas concerning protected areas conservation and Indigenous rights (Brockington, Duffy & Igoe 2008; Stevens 2014c). More precisely, previous research has largely overlooked this connection due to the emphasis on the Convention's role in *cultural* heritage protection (Meskell 2018). Moreover, previous research on World Heritage and the rights of Indigenous peoples has not explored these issues within the context of the globalisation of Indigenous rights (Morgan 2011; Dahl 2012; Bennani 2016). Although several studies have examined the Convention's role in transmitting universal ideas, meanings, and values (cf. Elliott & Schmutz 2012), research on Indigenous peoples and World Heritage has largely overlooked their contributions. These theoretically informed studies, especially concerning the social consequences of World Heritage preservation, offer valuable insights into the power dynamics and historical legacies embedded within the World Heritage regime (cf. Elliott & Schmutz 2016). With regard to the global expansion of World Heritage designations, little attention has been paid to how Indigenous critiques have confronted the epistemic origins of the Convention's conservation paradigm (cf. Porsanger & Virtanen 2020). The exclusionary conservation practices that continue to affect Indigenous peoples in World Heritage embody these epistemic origins, resulting in the marginalisation of Indigenous perspectives (cf. Dowie 2010, chap. 2). Although some studies have attempted to address this issue, crucial questions regarding the emergence of Indigenous-led conservation approaches in the designation and management of World Heritage sites remain unresolved.

Through the *first research question* (see Table 8.1), this study investigated the consequences of the globalisation of Indigenous rights on the World Heritage regime. While the World Heritage regime has perpetuated the global diffusion of "green colonialism", it has incorporated Indigenous rights into its practices of protected areas conservation due to their increased recognition within the global institutional environment in world society. Most notably, the comparative analysis of the case studies showed the variation in how Indigenous rights are institutionalised in the World Heritage regime. While Pimachiowin Aki exemplifies Indige-

nous-led approaches to the nomination of a cultural landscape, Lake Bogoria highlighted delayed recognition of Indigenous claims, despite advocacy through human rights mechanisms such as the ACHPR. In contrast, Manú National Park demonstrates a persistent resistance to involving the Indigenous inhabitants in the protection of a natural World Heritage property. Nevertheless, the qualitative document analysis underscored how the World Heritage regime's institutional records create a documentary reality that reflects how globalised norms of Indigenous rights are constantly contested and adapted. This process is characterised by simultaneous internal advancements through Indigenous-led nomination of cultural landscapes and effects of external human rights mechanisms. Moreover, the findings regarding the discrepancies between the institutionalisation of Indigenous rights and the persistent legacies of "green colonialism" indicate the advantages of using world polity theory as a lens (see section 7.1.5). As exemplified in the case of Manú National Park, this uneven institutionalisation within the World Heritage regime reflects the limitations of normative isomorphism in world society. Consequently, the findings suggest that the theoretical approach helps understand how global norms are formally adopted but not effectively implemented. Within the World Heritage regime, this is evident in the persistent challenges of decoupling between formal adoption and effective implementation of global norms.

Furthermore, this study contributed to a fuller understanding of decoupling within the context of the World Heritage Convention. While world polity research quantitatively analyses the structural isomorphism of organisations as a result of the diffusion of global models (for instance, the globalisation of the environmental regime, see Meyer, Frank, et al. 1997), the qualitative comparison of the case studies helped examine the various forms of decoupling (cf. Boxenbaum & Jonsson 2008). The extent to which conformity with Indigenous rights and practices is decoupled varies based on the regional and historical context of the World Heritage sites. The case of Manú National Park suggests that acknowledging the particular vulnerability of Indigenous communities in voluntary isolation is considered sufficient to protect Indigenous livelihoods. Conversely, the World Heritage regime conformed to the demands of the Endorois and ACHPR to prevent further questioning the listing of Lake Bogoria as a natural World Heritage property. This study investigates the transformation of power relations within the World Heritage regime, due to the increased competition between a state-centred and an Indigenous-led conservation paradigm. In particular, the comparison of the Tongariro National Park and Pimachiowin Aki case studies showed a gradual shift toward recognising Indigenous agency in the nomination of cultural landscapes. This shift is evidenced by collaborative management frameworks, which are increasingly becoming a prerequisite for the World Heritage listing, as

exemplified in the case of Pimachiowin Aki. Additionally, the effects of the ACHPR ruling have elevated the recognition of the agency of the Endorois. Despite the initial exclusion of the Endorois, external human rights advocacy has set a precedent that challenges decision making in the World Heritage system.

Guided by the *second research question* (see Table 8.1), the case study comparison highlights an evolving dynamic where Indigenous communities gain influence over conservation practices in the World Heritage regime. Nevertheless, the remnants of exclusionary conservation suggest that the marginalisation of Indigenous agency can result in potential risks to their knowledge systems. The case studies revealed transformative power dynamics, with Indigenous people making more visible contributions to preserving the World Heritage property (see section 7.2.5). These transformative dynamics remain incomplete, mainly when the protection of the World Heritage site reflects a lack of effort to understand how Indigenous peoples relate to their local livelihoods, as in the case of Manú National Park. Methodologically, ongoing tensions between the normative pressure of international human rights standards and the institutionalisation of Indigenous-led conservation approaches in the World Heritage regime were revealed through the document analysis. This study demonstrates document analysis as a viable stand-alone method in qualitative research, particularly given the variety and quantity of records analysed. For instance, the intertextual relationships within documented realities illustrated how diverse forms of Indigenous agency emerge as products of normative pressures, which are re-negotiated in specific historical situations.

Table 8.1: Summary of the findings of the case studies research

Case Studies	Research Question 1 How does the globalisation of Indigenous human rights challenge the legacies of "green colonialism" in the World Heritage regime?	Research Question 2 How does the competition between old and new conservation paradigms transform power relations between the World Heritage regime and Indigenous peoples?
Manú National Park	*Indigenous Rights* ▪ Delayed and incomplete integration of Indigenous rights	*Paradigm Competition* ▪ Dominance of biodiversity preservation
	Green Colonialism ▪ Enduring patterns of exclusionary practices of conservation	*Power Relations* ▪ Lack of recognition of Indigenous agency
Tongariro National Park	*Indigenous Rights* ▪ Renegotiating historical injustices through a World Heritage renomination	*Paradigm Competition* ▪ Ambiguous recognition of Indigenous agency
	Green Colonialism ▪ Shift from exclusionary conservation practices to more inclusive approaches	*Power Relations* ▪ Direct interactions between Māori and World Heritage regime
Lake Bogoria	*Indigenous Rights* ▪ Strong impact of international human rights mechanisms	*Paradigm Competition* ▪ Contestation of an exclusionary nomination of a natural World Heritage site
	Green Colonialism ▪ Shift from human rights violations to recognition of Indigenous rights holders	*Power Relations* ▪ Indigenous agency in the management and recognition of Indigenous knowledge
Pimachiowin Aki	*Indigenous Rights* ▪ Institutionalisation of Indigenous rights in the World Heritage regime	*Paradigm Competition* ▪ Gradual incorporation of Indigenous-led approaches through repeated nomination
	Green Colonialism ▪ Reflection on procedures concerning the nomination of an Indigenous cultural landscape	*Power Relations* ▪ Strong interactions between Advisory Bodies and Indigenous communities

The World Heritage regime functions both as a driver of conflict and a platform for addressing and negotiating historical injustices (see section 7.3). With its increasing permeability, the World Heritage regime has evolved into a global forum in which Indigenous peoples are increasingly accepted as a distinct and important human rights group. Within this domain, Indigenous peoples' expectations align with global cultural discourses on biological diversity, thereby redefining nature conservation across various geographical and political scales. Table 8.1 summarises the key findings related to the two research questions and the four theory-driven codes explored in the case study research. The case studies collectively demonstrate that incremental shifts toward participatory and rights-based conservation approaches are evident. Despite continued ambiguities regarding recognising Indigenous agency in institutional responses to Indigenous normative demands, the World Heritage regime enables interactions between Indigenous peoples and international conservation organisations. This development has been particularly evident since the adoption of the UNDRIP. The Declaration has redefined the World Heritage regime as a distinct platform where historical injustices stemming from "green colonialism" are contested and, at times, re-negotiated. Concerning the broader implications, the findings suggest that redefining global conservation models involves embracing "pluriversal" frameworks, which acknowledge and integrate local Indigenous knowledge as equally valuable.

Before suggesting potential directions for future research, it is necessary to elaborate on the limitations of this study. First, the scope of the empirical analysis was based on only four World Heritage sites. Focusing on a limited number of case studies allowed for an in-depth comparative analysis of the document material. At the same time, this narrow scope may limit the generalisability of the findings, particularly for World Heritage sites in regions or contexts not examined in this study. For instance, case studies from Asia or Scandinavia may have yielded additional insights. It would also be questionable to generalise the findings across all World Heritage sites, given the diversity of Indigenous relationships with their livelihoods. Moreover, the reliance on UNESCO records and management plans may not adequately capture the on-the-ground experiences of Indigenous communities, leading to an incomplete understanding of their interactions with the World Heritage regime. However, the document analysis incorporated comparisons with previous studies on the selected case studies and other documents containing Indigenous perspectives, including reports from Indigenous advocacy organisations and NGOs. Nonetheless, it is important to note that the reliance on secondary sources might not fully reflect Indigenous communities' lived experiences or their interpretations of conservation conflicts.

Furthermore, the study often focused on the interplay between the World Heritage regime and States Parties. The focus on these dynamics may overlook regional variations that influence these interactions. Nevertheless, the comparative case study research design explored the variety of interactions between the World Heritage Committee, the Advisory Bodies, the World Heritage Centre, States Parties, and Indigenous peoples. Additionally, the comparative research design captured the important temporal dimension of World Heritage properties inscribed prior to and after the adoption of the UNDRIP. Finally, although effective in examining normative isomorphism (the alignment of global norms) and degrees of decoupling (discrepancies between policy and practice), the theoretical world polity approach may miss alternative perspectives. Greater attention to the coloniality of knowledge (cf. Mignolo, W. D. & Bussmann 2023) or feminist decolonial approaches (cf. Ramirez, Vélez-Zapata & Maher 2024) could provide additional depth in critiquing the legacies of "green colonialism" by addressing overlooked dimensions such as power dynamics and gendered marginalisation. Although the theoretical approach was interrogated through the lens of Indigenous and decolonial perspectives, alternative approaches could have addressed gender-based or race-based marginalisation of Indigenous peoples in protected areas conservation. However, these Indigenous peoples' experiences are unique to each selected World Heritage site. As such, they could not be fully explored due to the broader analytical focus on the globalisation of Indigenous rights and the legacies of "green colonialism" within the World Heritage regime.

The findings open new avenues for research on global conservation and Indigenous rights. By using this study's theoretical approach, future studies can examine the global-local nexus of the World Heritage regime through an in-depth investigation of a single case study. The situation of the Maasai residents of NCA illustrates how Indigenous peoples, supported by human rights organisations, challenge the relocation plans proposed by the Tanzanian government – plans partially endorsed by the World Heritage Committee and its Advisory Bodies. Ethnographic methods can effectively capture contemporary Indigenous experiences of conservation conflict within the World Heritage regime (on using ethnographic methods at Committee sessions, see Brumann 2021). Future studies should investigate how political bargaining affects decisions on contentious cases such as the NCA. Such studies could employ ethnographic methods to observe interactions during World Heritage Committee sessions, examining how the politicisation of decision making unfolds and how Indigenous concerns, such as those of the Maasai, are represented or marginalised. Concerning processes of institutional isomorphism, future studies can also focus on how the World Heritage regime adopts accountability mechanisms similar to other international regimes, (for instance, the ILO Indigenous and Tribal Peoples

Convention No. 169, see Xanthaki 2007, pp. 49–101). These studies can evaluate the extent to which the World Heritage regime can implement reforms that hold States Parties, the World Heritage Committee, the World Heritage Centre, and the Advisory Bodies accountable for actions that negatively impact Indigenous communities. This research may involve analysing the legal and normative parallels between the obligations of the World Heritage regime and other global conservation frameworks, such as the CBD, to protect cultural and natural heritage while ensuring compliance with Indigenous peoples' human rights. Additionally, this research can examine how human rights mechanisms within the UN system, such as the Special Rapporteur, EMRIP, and UNPFII, monitor, advise, and report on the World Heritage Convention.

In conclusion, this study addressed a critical issue facing global efforts to conserve protected areas amid the alarming decline of biodiversity worldwide: The establishment of World Heritage sites on Indigenous lands, while often framed as essential for protecting biodiversity, frequently perpetuates exclusionary conservation practices and the marginalisation of Indigenous communities. Such practices undermine UNESCO's obligations under the UNDRIP and violate Indigenous peoples' rights to self-determination in the name of the World Heritage Convention. While the Convention has demonstrated potential for fostering socially just conservation, particularly through initiatives such as cultural landscapes that aim to bridge the culture-nature divide, this study highlights that exclusionary practices remain deeply entrenched within the regime. Moving forward, experts, researchers, and policymakers must critically assess how World Heritage nominations can be conducted in a manner that upholds equity and justice. This process may include rethinking designations that risk harming Indigenous communities and developing mechanisms to ensure conservation aligns with the rights and knowledge systems of those who have sustainably protected these lands for generations.

9 Appendix

Manú National Park (MNP)

Identifier	Document
Decisions of the World Heritage Committee (Dec) – 8 Documents	
MNP_Dec_1987	UNESCO (1987): Report of the Rapporteur, World Heritage Committee, Eleventh Session (UNESCO Headquarters, 7 – 11 December 1987). UNESCO Doc. SC-87/CONF.005/9 (20 January 1988), [online] <https://whc.unesco.org/archive/repcom87.htm#402> (retrieved: 15 September 2024)
MNP_Dec_1988	UNESCO (1988): Report of the Rapporteur, Bureau of the World Heritage Committee, Twelfth Session (UNESCO Headquarters, 14-17 June 1988). UNESCO Doc. SC-88/CONF.007 /13 (10 August 1988), [online] <https://whc.unesco.org/document/1147> (retrieved: 15 September 2024)
MNP_Dec_2007	UNESCO (2007): Report of the Decisions Adopted, World Heritage Committee, Thirty-first Session (Christchurch/NZ, 23 June – 2 July 2007). UNESCO Doc. WHC-07/31.COM/24 (31 July 2007), [online] <https://whc.unesco.org/en/decisions/1422> (retrieved: 15 September 2024)
MNP_Dec_2008	UNESCO (2008): Report of the Decisions Adopted, World Heritage Committee, Thirty-second Session (Quebec City/Canada, 2 – 8 July 2008). UNESCO Doc. WHC-08/32.COM/24Rev (31 March 2009), [online] <https://whc.unesco.org/en/decisions/1645> (retrieved: 15 September 2024)
MNP_Dec_2009	UNESCO (2009): Report of the Decisions Adopted, World Heritage Committee, Thirty-third Session (Seville/Spain, 22 – 30 June 2009). UNESCO Doc. WHC-09/33.COM/20 (20 July 2009), [online] <https://whc.unesco.org/en/decisions/2230> (retrieved: 15 September 2024)
MNP_Dec_2010	UNESCO (2010): Report of the Decisions Adopted, World Heritage Committee, Thirty-fourth Session (Brasilia/BR, 25 July – 3 August 2010). UNESCO Doc. WHC-10/34.COM/20 (3 September 2010), [online] <https://whc.unesco.org/en/decisions/4144> (retrieved: 15 September 2024)
MNP_Dec_2011	UNESCO (2011): Report of the Decisions Adopted, World Heritage Committee, Thirty-fifth Session (UNESCO Headquarters, 19 – 29 June 2011). UNESCO Doc. WHC-11/35.COM/20 (3 September 2010), [online] <https://whc.unesco.org/en/decisions/4442> (retrieved: 15 September 2024)
MNP_Dec_2015	UNESCO (2015): Adoption Retrospective Statements of Outstanding Universal Value, World Heritage Committee, Thirty-ninth Session (Bonn/Germany, 28 June – 8 July 2015). UNESCO Doc. WHC-15/39.COM/8E.Rev (22 June 2015), [online] <https://whc.unesco.org/en/decisions/6407> (retrieved: 15 September 2024)

Identifier	Document
State of Conservation Reports (SoC) – 6 Documents	
MNP_SoC_1988	UNESCO (1988): World Heritage Convention, State of Conservation Report, Manú National Park (Peru), [online] <https://whc.unesco.org/en/soc/1580> (retrieved: 15 September 2024)
MNP_SoC_1989	UNESCO (1989): World Heritage Convention, State of Conservation Report, Manú National Park (Peru), [online] <https://whc.unesco.org/en/soc/1597> (retrieved: 15 September 2024)
MNP_SoC_2007	UNESCO (2007): World Heritage Convention, State of Conservation Report, Manú National Park (Peru), [online] <https://whc.unesco.org/en/soc/999> (retrieved: 15 September 2024)
MNP_SoC_2008	UNESCO (2008): World Heritage Convention, State of Conservation Report, Manú National Park (Peru), [online] <https://whc.unesco.org/en/soc/903> (retrieved: 15 September 2024)
MNP_SoC_2010	UNESCO (2010): World Heritage Convention, State of Conservation Report, Manú National Park (Peru), [online] <https://whc.unesco.org/en/soc/495> (retrieved: 15 September 2024)
MNP_SoC_2011	UNESCO (2011): World Heritage Convention, State of Conservation Report, Manú National Park (Peru), [online] <https://whc.unesco.org/en/soc/334> (retrieved: 15 September 2024)
Advisory Bodies Evaluations (ABEval) – 2 Documents	
MNP_ABEval_1987	IUCN (1987): World Heritage Nomination – Advisory Body Evaluation. Manú National Park (Peru), [online] <https://whc.unesco.org/document/153387> (retrieved: 15 September 2024)
MNP_ABEval_2009	IUCN (2009): Proposed Minor Boundary Modification – Advisory Body Evaluation. Manú National Park (Peru), [online] <https://whc.unesco.org/document/153389> (retrieved: 15 September 2024)
Management Plans (MP) – 2 Documents	
MNP_MP_2013	SERNAP Perú (2014): Parque Nacional del Manu, Plan Maestro 2013-2018, [online] <http://mddconsortium.org/wp-content/uploads/2014/11/MINAM-SERNANP-2014-Parque-Manu-Plan-Maestro-Diagnostico-2013-2018.pdf> (retrieved: 15 September 2024)
MNP_MP_2019	SERNAP Perú (2014): Parque Nacional del Manu, Plan Maestro 2019-2023, [online] <https://peru.fzs.org/wp-content/uploads/2021/08/plan_maestro_pnmanu2019.pdf> (retrieved: 15 September 2024)

Tongariro National Park (TNP)

Identifier	Document
Decisions of the World Heritage Committee (Dec) – 16 Documents	
TNP_Dec_1987_1	UNESCO (1987): Nominations of Natural Sites to the World Heritage List and to the List of World Heritage in Danger, World Heritage Committee, Eleventh Session (UNESCO Headquarters, 7 – 11 December 1987). UNESCO Doc. SC-87/CONF.005/3 (5 November 1987), [online] <https://whc.unesco.org/en/decisions/3756> (retrieved: 15 September 2024)
TNP_Dec_1987_2	UNESCO (1987): Report of the Rapporteur, World Heritage Committee, Eleventh Session (UNESCO Headquarters, 7 – 11 December 1987). UNESCO Doc. SC-87/CONF.005/9 (20 January 1988), [online] <https://whc.unesco.org/archive/repcom87.htm#402> (retrieved: 15 September 2024)
TNP_Dec_1989_1	UNESCO (1989): Nominations of Natural Properties to the World Heritage List and to the List of World Heritage in Danger, World Heritage Committee, Thirteenth Session (UNESCO Headquarters, 11 – 15 December 1989). UNESCO Doc. SC-89/CONF.004/11 (17 October 1988), [online] <https://whc.unesco.org/document/574> (retrieved: 15 September 2024)
TNP_Dec_1989_2	UNESCO (1989): Report of the Rapporteur, World Heritage Committee, Thirteenth Session (UNESCO Headquarters, 11 – 15 December 1989). UNESCO Doc. SC-89/CONF.004/12 (20 January 1988), [online] <https://whc.unesco.org/document/912> (retrieved: 15 September 2024)
TNP_Dec_1990_1	UNESCO (1990): Nominations of Natural Properties to the World Heritage List, World Heritage Committee, Fourteenth Session (Banff/Canada, 7 – 12 December 1990). UNESCO Doc. CC-90/CONF.004/10 (29 October 1990), [online] <https://whc.unesco.org/document/596> (retrieved: 15 September 2024)
TNP_Dec_1990_2	UNESCO (1990): Report of the Rapporteur, World Heritage Committee, Fourteenth Session (Banff/Canada, 7 – 12 December 1990). UNESCO Doc. CLT-90/CONF.004/13 (12 December 1990), [online] <https://whc.unesco.org/archive/repcom90.htm#421> (retrieved: 15 September 2024)
TNP_Dec_1992_1	UNESCO (1992): Report of the Rapporteur, World Heritage Committee, Sixteenth Session (Santa Fe/United States of America, 7 – 14 December 1992). UNESCO Doc. WHC-92/CONF.002/12 (14 December 1992), [online] <https://whc.unesco.org/document/940> (retrieved: 15 September 2024)
TNP_Dec_1992_2	UNESCO (1992): Nominations of Cultural and Natural Properties to the World Heritage List and the List of World Heritage in Danger, World Heritage Committee, Sixteenth Session (Santa Fe/United States of America, 7 – 14 December 1992). UNESCO Doc. WHC-92/CONF.002/7Rev (18 November 1992), [online] <https://whc.unesco.org/document/647> (retrieved: 15 September 2024)
TNP_Dec_1993_1	UNESCO (1993): Report of the Rapporteur, World Heritage Committee, Seventeenth Session (Cartagena/Colombia, 6 – 11 December 1993). UNESCO Doc. WHC-93/CONF.002/14 (4 December 1994), [online] <https://whc.unesco.org/archive/1993/whc-93-conf002-14e.pdf> (retrieved: 15 September 2024)

Identifier	Document
TNP_Dec_1993_2	UNESCO (1993): Nominations of Cultural and Natural Properties to the World Heritage List and the List of World Heritage in Danger, World Heritage Committee, Seventeenth Session (Cartagena/Colombia, 6 – 11 December 1993). UNESCO Doc. WHC-93/CONF.002/7 (25 October 1993), [online] <https://whc.unesco.org/document/669> (retrieved: 15 September 2024)
TNP_Dec_1993_3	UNESCO (1993): Nominations of Cultural and Natural Properties to the World Heritage List and the List of World Heritage in Danger, World Heritage Committee, Seventeenth Session (Cartagena/Colombia, 6 – 11 December 1993). UNESCO Doc. WHC-93/CONF.002/7bis (4 December 1994), [online] <https://whc.unesco.org/document/923> (retrieved: 15 September 2024)
TNP_Dec_1995	UNESCO (1995): Report of the Rapporteur, World Heritage Committee, Nineteenth Session (Berlin/Germany, 4 – 9 December 1995). UNESCO Doc. WHC-95/CONF.203/16 (31 January 1996), [online] <https://whc.unesco.org/document/799> (retrieved: 15 September 2024)
TNP_Dec_1998_1	UNESCO (1998): Report of the Rapporteur, World Heritage Committee, Twenty-second Session (UNESCO Headquarters, 22 – 27 June 1998). UNESCO Doc. WHC-98/CONF.201/9 (11 August 1998), [online] <https://whc.unesco.org/document/135> (retrieved: 15 September 2024)
TNP_Dec_1998_2	UNESCO (1998): Report of the Rapporteur, World Heritage Committee, Twenty-second Session (UNESCO Headquarters, 22 – 27 June 1998). UNESCO Doc. WHC-98/CONF.203/18 (29 January 1999), [online] <https://whc.unesco.org/document/183> (retrieved: 15 September 2024)
TNP_Dec_1999	UNESCO (1999): Report of the Rapporteur, World Heritage Committee, Twenty-third Session (UNESCO Headquarters, 22 – 27 June 1998). UNESCO Doc. WHC-99/CONF.204/15 (16 September 1999), [online] <https://whc.unesco.org/document/238> (retrieved: 15 September 2024)
TNP_Dec_2002	UNESCO (1999): Report of the Rapporteur, World Heritage Committee, Twenty-sixth Session (UNESCO Headquarters, 8 – 13 April 2002). UNESCO Doc. WHC-02/CONF.201/15 (27 May 2002), [online] <https://whc.unesco.org/document/1320> (retrieved: 15 September 2024)
State of Conservation Reports (SoC) – 5 Documents	
TNP_SoC_1995	UNESCO (1995): World Heritage Convention, State of Conservation Report, Tongariro National Park (New Zealand), [online] <https://whc.unesco.org/en/soc/2011> (retrieved: 15 September 2024)
TNP_SoC_1998	UNESCO (1998): World Heritage Convention, State of Conservation Report, Tongariro National Park (New Zealand), [online] <https://whc.unesco.org/en/soc/2233> (retrieved: 15 September 2024)
TNP_SoC_1999	UNESCO (1999): World Heritage Convention, State of Conservation Report, Tongariro National Park (New Zealand), [online] <https://whc.unesco.org/en/soc/3051> (retrieved: 15 September 2024)
TNP_SoC_2001	UNESCO (2001): World Heritage Convention, State of Conservation Report, Tongariro National Park (New Zealand), [online] <https://whc.unesco.org/en/soc/2529> (retrieved: 15 September 2024)
TNP_SoC_2002	UNESCO (2002): World Heritage Convention, State of Conservation Report, Tongariro National Park (New Zealand), [online] <https://whc.unesco.org/en/soc/2601> (retrieved: 15 September 2024)

Identifier	Document
Advisory Bodies Evaluations (ABEval) – 2 Documents	
TNP_ABEval_1990	IUCN (1990): World Heritage Nomination – Advisory Body Evaluation. Tongariro National Park (New Zealand), [online] <https://whc.unesco.org/document/153430> (retrieved: 15 September 2024)
TNP_ABEval_1993	ICOMOS (1993): World Heritage Nomination – Advisory Body Evaluation. Tongariro National Park (New Zealand), [online] <https://whc.unesco.org/document/153428> (retrieved: 15 September 2024)
Periodic Reporting on the Application of the World Heritage Convention (PR) – 1 Document	
TNP_PR_2003	UNESCO (2003): Periodic Reporting on the Application of the World Heritage Convention. Tongariro National Park (New Zealand), [online] <https://whc.unesco.org/document/163090> (retrieved: 15 September 2024)

Lake Bogoria (LB)

Identifier	Document
Decisions of the World Heritage Committee (Dec) – 9 Documents	
LB_Dec_1999_1	UNESCO (1999): Report of the Rapporteur, World Heritage Committee, Twenty-third Session (Marrakesh/Morocco, 29 November – 4 December 1999). UNESCO Doc. WHC-99/CONF.209/22 (2 March 2000), [online] <https://whc.unesco.org/document/256> (retrieved: 15 September 2024)
LB_Dec_1999_2	UNESCO (1999): Report on International Assistance for Natural Heritage approved by the Bureau, World Heritage Committee, Twenty-third Session (Marrakesh/Morocco, 29 November – 4 December 1999). UNESCO Doc. WHC-99/CONF.209/19 (15 November 1999), [online] <https://whc.unesco.org/document/255> (retrieved: 15 September 2024)
LB_Dec_2011	UNESCO (2011): Report of the Decisions Adopted, World Heritage Committee, Thirty-fifth Session (UNESCO Headquarters, 19 – 29 June 2011). UNESCO Doc. WHC-11/35.COM/20 (7 July 2011), [online] <https://whc.unesco.org/document/107150> (retrieved: 15 September 2024)
LB_Dec_2014	UNESCO (2014): Report of the Decisions Adopted, World Heritage Committee, Thirty-eighth Session (Doha/Qatar, 15 – 25 June 2014). UNESCO Doc. WHC-14/38.COM/16 (7 July 2014), [online] <https://whc.unesco.org/document/131277> (retrieved: 15 September 2024)
LB_Dec_2015	UNESCO (2015): Report of the Decisions Adopted, World Heritage Committee, Thirty-ninth Session (Bonn/Germany, 28 June – 8 July 2015). UNESCO Doc. WHC-15/39.COM/19 (8 July 2015), [online] <https://whc.unesco.org/document/137710> (retrieved: 15 September 2024)
LB_Dec_2017	UNESCO (2017): Report of the Decisions Adopted, World Heritage Committee, Forty-first Session (Krakow/Poland, 2 – 12 July 2017). UNESCO Doc. WHC-17/41.COM/19 (12 July 2017), [online] <https://whc.unesco.org/document/159798> (retrieved: 15 September 2024)
LB_Dec_2019	UNESCO (2019): Report of the Decisions Adopted, World Heritage Committee, Forty-third Session (Baku/Republic of Azerbaijan, 30 June – 10 July 2019). UNESCO Doc. WHC-19/43.COM/18 (23 July 2019), [online] <https://whc.unesco.org/document/176361> (retrieved: 15 September 2024)
LB_Dec_2021	UNESCO (2021): Report of the Decisions Adopted, World Heritage Committee, Forty-fourth Session (Online Meeting, 16 – 31 July 2021). UNESCO Doc. WHC-21/44.COM/18 (31 July 2021), [online] <https://whc.unesco.org/document/188949> (retrieved: 15 September 2024)
LB_Dec_2023	UNESCO (2023): Report of the Decisions Adopted, World Heritage Committee, Forty-fifth Session (Riyadh/Kingdom of Saudi Arabia, 10 – 25 September 2023). UNESCO Doc. WHC-23/45.COM/19 (6 October 2023), [online] <https://whc.unesco.org/en/documents/199706> (retrieved: 15 September 2024)
State of Conservation Reports (SoC) – 6 Documents	
LB_SoC_2014	UNESCO (2014): World Heritage Convention, State of Conservation Report, Kenya Lake System in the Great Rift Valley (Kenya), [online] <https://whc.unesco.org/en/soc/2895> (retrieved: 15 September 2024)
LB_SoC_2015	UNESCO (2015): World Heritage Convention, State of Conservation Report, Kenya Lake System in the Great Rift Valley (Kenya), [online] <https://whc.unesco.org/en/soc/3231> (retrieved: 15 September 2024)

Identifier	Document
LB_SoC_2017	UNESCO (2017): World Heritage Convention, State of Conservation Report, Kenya Lake System in the Great Rift Valley (Kenya), [online] <https://whc.unesco.org/en/soc/3626> (retrieved: 15 September 2024)
LB_SoC_2019	UNESCO (2019): World Heritage Convention, State of Conservation Report, Kenya Lake System in the Great Rift Valley (Kenya), [online] <https://whc.unesco.org/en/soc/3922> (retrieved: 15 September 2024)
LB_SoC_2021	UNESCO (2021): World Heritage Convention, State of Conservation Report, Kenya Lake System in the Great Rift Valley (Kenya), [online] <https://whc.unesco.org/en/soc/4206> (retrieved: 15 September 2024)
LB_SoC_2023	UNESCO (2021): World Heritage Convention, State of Conservation Report, Kenya Lake System in the Great Rift Valley (Kenya), [online] <https://whc.unesco.org/en/soc/4325> (retrieved: 15 September 2024)
Advisory Bodies Evaluations (ABEval) – 1 Document	
LB_ABEval_2011	IUCN (2011): World Heritage Nomination – Advisory Body Evaluation. Kenya Lake System in the Great Rift Valley (Kenya), [online] <https://whc.unesco.org/document/151646> (retrieved: 15 September 2024)
Management Plans (MP) – 2 Documents	
LB_MP_2007	WWF-EARPO (2007): Lake Bogoria National Reserve. World Ramsar Site (No.1057). Integrated Management Plan 2007-2012, [online]<https://wwfeu.awsassets.panda.org/downloads/lake_bogoria_management_plan.pdf> (retrieved: 21 January 2025)
LB_MP_2019	KWS (2020): Lake Bogoria National Reserve. Management Plan 2019-2029, [online]<https://baringo.go.ke/assets/file/LBNR-Mngt-Plan-2021-min.pdf> (retrieved: 21 January 2025)

Pimachiowin Aki (PA)

Identifier	Document
Decisions of the World Heritage Committee (Dec) – 6 Documents	
PA_Dec_2013_1	UNESCO (2013): Report of the Decisions Adopted, World Heritage Committee, Thirty-seventh Session (Phnom Penh/Cambodia, 16 – 27 June 2013). UNESCO Doc. WHC-13/37.COM/20 (5 July 2013), [online] <https://whc.unesco.org/document/123631> (retrieved: 15 September 2024)
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11 Illustration Credits

The maps of the four World Heritage properties included in this thesis were produced by the author using ArcMap 10.8.2. ArcMap is a component of ArcGIS, a geographic information system (GIS) software used to present and analyse geodata. The cartographic work has been undertaken to enable the reader to locate and contextualise the properties discussed. The list of figures below illustrates the credits. Spatial data for these maps were obtained from the GADM database, the Database of Global Administrative Areas, and the World Database on Protected Areas (WDPA). The GADM database allows free use of its data for academic and non-commercial purposes, accessed through https://gadm.org. Similarly, the WDPA materials, managed by UNEP-WCMC, permit publication in academic works. Both sources have been appropriately cited and acknowledged under their respective licence terms.

Figure 5.2: Location of Manú National Park (p. 91)

Adapted from UNEP-WCMC (2025). Protected Area Profile for Manú National Park from the World Database on Protected Areas, January 2025. Available at: www.protectedplanet.net. Cartography by Robert Rode

Figure 5.3: Location of Tongariro National Park (p. 94)

Adapted from UNEP-WCMC (2025). Protected Area Profile for Tongariro National Park from the World Database on Protected Areas, January 2025. Available at: www.protectedplanet.net. Cartography by Robert Rode

Figure 5.4: Location of Lake Bogoria (p. 98)

Adapted from UNEP-WCMC (2025). Protected Area Profile for Kenya Lake System in the Great Rift Valley from the World Database on Protected Areas, January 2025. Available at: www.protectedplanet.net. Cartography by Robert Rode

Figure 5.5: Location of Pimachiowin Aki (p. 100)

Adapted from UNEP-WCMC (2025). Protected Area Profile for Pimachiowin Aki from the World Database on Protected Areas, January 2025. Available at: www.protectedplanet.net. Cartography by Robert Rode