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Permanent Forum on Indigenous Issues

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Draft report

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Chapter I Matters calling for action by the Economic and Social Council or brought to its attention

B. Matters brought to the attention of the Council

Recommendations of the Permanent Forum

Dialogues with indigenous peoples, Member States and the funds, programmes and specialized agencies of the United Nations system

1. The Permanent Forum conducted three focused, interactive dialogue sessions, with indigenous peoples, Member States and the funds, programmes and specialized agencies of the United Nations system. Such dialogues provide an opportunity to focus on specific issues and identify ways to increase the effectiveness of the work of the Forum. The Forum finds these dialogues to be of great value for achieving the ends of the United Nations Declaration on the Rights of Indigenous Peoples and will continue to conduct them at future sessions.
2. The year 2021 will mark the twentieth anniversary of the Permanent Forum on Indigenous Issues. The Permanent Forum creates a space to advance cooperation between indigenous peoples, Member States, the United Nations system, and other stakeholders by organizing regional and thematic dialogues and making comprehensive recommendations in all areas of its mandate. Since its establishment, the Forum has directed numerous recommendations to Member States, United Nations agencies, funds and programmes as well as indigenous peoples and civil society stakeholders. Members of the Forum have also been actively engaged in promoting and protecting the rights of indigenous peoples at the global, regional, country and community levels. Still, progress in realizing the rights of indigenous peoples is slow.
3. Additional avenues for advancing and strengthening the rights of indigenous peoples at intergovernmental platforms, such as the universal periodic review, the



Group of Seven Summit and the Group of 20 Summit on Financial Markets and the World Economy, should be explored.

Dialogue with indigenous peoples (item 6)

4. The Permanent Forum appreciates the frank and open dialogue with indigenous peoples. It takes notes of the concerns raised, regarding, among others, the exploitation of indigenous peoples' lands, territories and resources, allegations of human rights violations, violence against indigenous women and girls, and the implementation of large-scale development projects without their free, prior and informed consent. Further, the lack of constitutional recognition and specific laws and policies related to indigenous peoples is a serious challenge in achieving the ends of the United Nations Declaration on the Rights of Indigenous Peoples. The Permanent Forum wishes to draw attention to its recommendations as guidance in this regard.

5. The Permanent Forum recognizes the initiatives, efforts and achievements of indigenous peoples in securing their rights. The Permanent Forum is encouraged by these and will continue its efforts to promote respect for and full application of the provisions of the United Nations Declaration on the Rights of Indigenous Peoples and follow up on its effectiveness.

Dialogue with Member States (item 7)

6. According to article 42 of the United Nations Declaration on the Rights of Indigenous Peoples, Member States shall promote respect for and full application of the provisions of the Declaration and follow up its effectiveness.

7. The dialogue with Member States focused on the implementation of the Permanent Forum's recommendations, the ratification and implementation of the Indigenous and Tribal Peoples Convention, 1989 (No. 169), the implementation of the outcome document of the World Conference on Indigenous Peoples held in 2014, in particular the development of national action plans, and on addressing disputes between indigenous peoples and Member States at the local level.

8. In terms of the Indigenous and Tribal Peoples Convention, 1989 (No. 169), some States reported on their current efforts to ratify and implement the Convention, highlighting areas they consider problematic, including but not limited to the concept of indigenous peoples in regional and national contexts; legal interpretation of the right to self-determination and self-identification; as well as land and resource rights and provincial and federal jurisdictions. Positive steps towards the implementation of the Convention have led to regional consultations, the development of action plans specific to indigenous peoples and, in some countries, changes to national legislation and constitutions.

9. The Permanent Forum urges Member States that have been recommended by the universal periodic review to ratify the Indigenous and Tribal Peoples Convention, 1989 (No. 169), to do so.

10. The Permanent Forum invites Member States to fully implement recommendations made by the Special Rapporteur on the rights of indigenous peoples following his/her country visits.

11. With regard to the development of national action plans, as committed to by Member States at the World Conference on Indigenous Peoples of 2014, the Permanent Forum welcomes the adoption by the Government of El Salvador of a national action plan and encourages its full and effective implementation. The Forum strongly urges other Member States to follow this good practice and develop their own national action plans for the full implementation of the United Nations Declaration on the Rights of Indigenous Peoples. The Forum further encourages

Member States to review recommendations made at past sessions of the Permanent Forum, renew efforts at their implementation, and report on progress made by 2021. The Forum invites the United Nations system to support the efforts of Member States in this regard.

12. As consistently suggested during the dialogue with Member States, the Permanent Forum invites Member States to consider ways of addressing disputes between them and indigenous peoples. Suggestions included, among others, setting up independent conflict resolution mechanisms to resolve disputes between States and indigenous peoples in accordance with article 27 of the United Nations Declaration on the Rights of Indigenous Peoples and paragraph 21 of the outcome document of the World Conference on Indigenous Peoples; implementing the Permanent Forum's recommendations for better addressing such disputes; and increasing the involvement of indigenous peoples in decision-making processes.

Dialogue with the funds, programmes and specialized agencies of the United Nations system (item 8)

13. The Forum welcomes progress made by the funds, programmes and specialized agencies of the United Nations system in continuing to implement the system-wide action plan on the rights of indigenous peoples, and recommends the continuation and expansion of this work by conducting an analysis, led by the Inter-Agency Support Group on Indigenous Peoples' Issues, of the Forum's recommendations, with the aim of identifying best practices, gaps and challenges, and exploring ways to implement outstanding recommendations by 2021.

14. Considering that some indigenous peoples are living in countries that do not have United Nations country offices, and lack opportunities to cooperate and coordinate with the United Nations agencies in advancing their rights and well-being, the Permanent Forum invites the United Nations system to cooperate with indigenous peoples in those regions.

15. The Permanent Forum recommends that United Nations funds, programmes and agencies that have not done so incorporate indigenous-driven platforms to give advice on and to promote indigenous peoples' issues, as well as consider the participation of the Permanent Forum together with indigenous peoples in such platforms.

16. The Permanent Forum invites the newly established Facilitative Working Group of the Local Communities and Indigenous Peoples Platform to collaborate closely with bodies outside the United Nations Framework Convention on Climate Change on matters relating to climate change and indigenous peoples, in accordance with its mandate (Conference of the Parties decision 2/CP.24, para. 20).

17. The Permanent Forum encourages the United Nations Population Fund to organize, in full cooperation with indigenous peoples, a global symposium on indigenous youth and women during the Nairobi Summit to advance the implementation of the Programme of Action of the International Conference on Population and Development, to be held in November 2019, so that their key concerns are incorporated in the review and appraisal of the Programme of Action.

18. The Permanent Forum expresses concern regarding indigenous young people in situations where they are increasingly migrating from their communities because of poverty, lack of economic opportunities, and climate change. With a focus on Sustainable Development Goal 8, the Forum encourages the International Labour Organization and the International Organization for Migration, in cooperation with indigenous peoples, to conduct a study, by 2021, on good practices, opportunities and challenges for generating culturally appropriate, decent work for indigenous youth. The study should inform the development of programmes and initiatives for

indigenous youth employment, in their communities as well as in the context of migration.

19. The Permanent Forum welcomes the results of the High-level Expert Seminar on Indigenous Food Systems, held in November 2018, in particular the creation of a global Hub on Indigenous Food Systems, and would like to recommend the Food and Agriculture Organization of the United Nations (FAO):

(a) To continue work on indigenous youth towards the creation of a forum on indigenous youth in the coming years;

(b) To continue work on indigenous food systems, in particular in relation to the linkages with traditional knowledge, climate change and the respect of indigenous peoples' rights to their land, natural resources and territories;

(c) To continue work on indigenous women, in particular the global campaign on indigenous women and the leadership and food security schools for indigenous women.

20. The Permanent Forum appreciates the work of FAO, in collaboration with the Forum's experts, on including the issues and discussions of indigenous peoples in the Committee on World Food Security, and recommends FAO to continue collaborating with the Forum to open up spaces for dialogue and participation in other technical committees such as those on forestry, fisheries and agriculture.

21. With a view to assessing the effectiveness of the implementation of indigenous peoples policies, the Permanent Forum recommends to the funds, programmes and specialized agencies of the United Nations system which carry out free, prior and informed consent processes to develop a system for comprehensively documenting the full free, prior and informed consent processes.
