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Permanent Forum on Indigenous Issues

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Draft report

Rapporteur: Ms. Tove Søvndahl Gant

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: thematic dialogues (item 5 (f))

Discussion on the International Decade of Indigenous Languages

1. The Permanent Forum ~~on Indigenous Issues~~ welcomes the proclamation by the General Assembly in its resolution [74/135](#) of the period 2022–2032 as the International Decade of Indigenous Languages, following the successful celebration in 2019 of the International Year of Indigenous Languages. The International Decade provides a unique opportunity for creating sustainable changes in complex social dynamics for the preservation, revitalization and promotion of indigenous languages.

[NEW PARAGRAPH] It is important to recognize that indigenous peoples themselves must claim ownership of their languages and direct the revitalization efforts of their languages, while States should support these efforts and facilitate the transmission of the languages by parents and grandparents to the younger generations.

2. The Permanent Forum welcomes the high-level event entitled “Making a Decade of Action for Indigenous Languages” held in Mexico City in February 2020 and its outcome document, the Los Pinos Declaration [Chapoltepek] – Making a Decade of Action for Indigenous Languages, which laid the foundations for the global action plan for the International Decade.



3. The Permanent Forum also welcomes the establishment of a global task force in 2021 that is tasked with preparing, planning, implementing and monitoring progress on the global action plan.

4. The Permanent Forum takes note of the evaluation report on action by the United Nations Educational, Scientific and Cultural Organization (UNESCO) to revitalize and promote indigenous languages, within the framework of the International Year of Indigenous Languages. According to the report, which was adopted by the Executive Board of UNESCO, UNESCO and the global task force should adopt lessons learned and the recommendations contained therein during the International Decade of Indigenous Languages, including by developing a road map with clear, measurable and time-bound activities and results. The Forum welcomes the inclusion of indigenous ~~representatives with expertise~~ **experts** in indigenous language revitalization in the coordinating team of UNESCO for the International Decade and stresses the continuing need for such ~~expertise~~ **experts** in the future. With a view to enhancing the global accessibility of all relevant information pertaining to the Decade, the use of the six official languages of the United Nations is crucial.

5. In order to achieve a successful International Decade, it is vital to ensure the worldwide engagement of indigenous peoples and States. The full and effective participation of indigenous peoples at all levels and the involvement of all relevant government ministries, such as those for education, ~~and culture,~~ **and finance** in the design, planning, **financing** and implementation of all activities is crucial. The private sector should also be invited to contribute since information and communications companies can play a unique role in the design, development and usage of contemporary language technologies.

6. The Permanent Forum urges Member States, the United Nations system and private philanthropic institutions to fund activities for the implementation of the global action plan and invites UNESCO, as the lead agency for the commemoration of the International Decade, ~~to~~ **prioritize support support for projects led by indigenous peoples' projects**. Languages on the brink of extinction must be afforded particular attention.

7. The Permanent Forum invites UNESCO to create, in cooperation with academic institutions and indigenous peoples' institutions, a universal digital platform in which digital resources for indigenous languages can be created, stored and made available to indigenous peoples and researchers in order to preserve linguistic diversity.

8. The Permanent Forum welcomes the recent ~~decision to establishment of the~~ **an** Ibero-American Institute of Indigenous Languages, with the support of the Fund for the Development of the Indigenous Peoples of Latin America and the Caribbean and member States of the region, within the framework of the XXVII Ibero-American Summit of Heads of State and Government held in Soldeu, Andorra, in April 2021, and encourages other regions to follow this initiative.

Discussion on the six mandated areas of the Permanent Forum (economic and social development, culture, environment, education, health and human rights), with reference to the United Nations Declaration on the Rights of Indigenous Peoples (item 4)

[NEW PARAGRAHP] Due to the COVID-19 pandemic preventing in-person meetings, the Permanent Forum held regional dialogues virtually with indigenous peoples from all seven socio-cultural regions of the world in preparation of its twentieth session. The dialogues highlighted cross-cutting

issues affecting indigenous peoples across the globe, including the adverse effects of the COVID-19 pandemic, discrimination, the need for disaggregated data and indigenous peoples rights to lands, territories and resources. A full summary of the regional dialogues is available at the Permanent Forum website¹. The Permanent Forum is committed to continue to organize virtual regional dialogues in the context of building back better and the recovery from the COVID-19 pandemic. The Permanent Forum invites the Secretariat of the Forum to continue to support these virtual regional dialogues.

[COMBINE PARAGRAPHS 9 AND 10 INTO ONE PARAGRAPH]

9. The Permanent Forum highlights the continued misappropriation and illicit use of indigenous peoples' intellectual property and cultural heritage by enterprises and individuals that use it for their own vested interests or benefits.

10. The Permanent Forum stresses that the intellectual property rights held by indigenous peoples, including with regard to data and knowledge, should not be exploited or be taken by private companies and individuals without the free, prior and informed consent of the indigenous peoples concerned. The principle of free, prior and informed consent and the stringent application of relevant safeguards and policies promulgated by United Nations system entities also applies to intellectual property rights in the context of industrial, forestry, mining and other projects conducted on indigenous peoples' lands and territories. **This also applies to relevant international instruments, such as the Nagoya Protocol on Access and Benefits Sharing of the Convention on Biological Diversity.**

11. Acknowledging the normative work of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore of the World Intellectual Property Organization (WIPO), the Permanent Forum recommends that Member States and WIPO ensure protection against the misappropriation of the intellectual property of indigenous peoples. Member States must also enact laws and adopt policies and mechanisms to protect indigenous peoples' intellectual property from misappropriation, including the wrongful use of their cultural heritage and traditional knowledge (including traditional knowledge of nature) and traditional cultural expressions (such as oral traditions, rites, literatures, graphic designs, textile designs, traditional sports and games, and visual and performing arts) and the manifestation of indigenous science and technology (including human and genetic resources, seeds and medicines).

12. The Permanent Forum is concerned that the ruling of the African Court on Human and Peoples' Rights on the Ogiek community in the Mau forest in Kenya has still not been implemented and calls on the Government of Kenya to urgently implement a sustainable system of equitable land tenure to prevent any further forced evictions; publish without delay the recommendations of the task force to advise the Government on the implementation of the decision of the African Court on Human and Peoples' Rights in respect of the rights of the Ogiek community of Mau; enhance the participation of indigenous communities in the sustainable management of forests; and comply with the decision of the Court.

13. The Permanent Forum notes with concern that the coronavirus disease (COVID-19) pandemic has increased sexual and reproductive health challenges worldwide and stresses that there is a need for Governments to implement the commitments they made during the summit held in Nairobi in 2019 to mark the

¹ https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2021/04/Regional-Dialogues_2020-21-Final.pdf

twenty-fifth anniversary of on the International Conference on Population and Development. ~~The Forum calls on States to eliminate barriers to education and sexual and reproductive health services and to education for indigenous women and girls. The design of such services must take into consideration an indigenous women's perspective, including with regard to customary and traditional medicine, as well as ensure the inclusion of indigenous women, youth and girls with disabilities.~~

14. Furthermore, States should strengthen measures, systems and resources to effectively address all forms of violence against indigenous women, such as female genital mutilation; child marriage; sexual abuse; forced labour; modern slavery; domestic, institutional and political violence, including in the context of forced displacement; sexual exploitation; trafficking; armed conflict; and the militarization of indigenous lands and territories.

15. The Permanent Forum urges States and bodies and organizations of the United Nations system, including the United Nations Environment Programme and the United Nations Environment Assembly, to include indigenous peoples in a fully meaningful and effective manner in decision-making processes in all areas aimed at tackling marine litter and plastic pollution, and landscape/ecosystem degradation, including in programmes and partnerships and in the future negotiations of international instruments. Such efforts should include recognition of the traditional knowledge, practices and innovations of indigenous peoples, in particular indigenous women, in plans and actions to restore landscapes and ecosystems and to address marine litter and plastic pollution.

[NEW PARAGRAPH] Considering the continued threats facing Indigenous Peoples Living in Voluntary Isolation and Initial Contact (PIACI), and due to their unique vulnerability in the time of COVID-19, the Forum recommends that COVID-19 vaccination plans prioritize the local populations located in the territories and adjacent areas of indigenous peoples living in voluntary isolation and initial contact. The Forum reminds the States that by virtue of their international obligations, specifically those contained in the American Convention on Human Rights, they must adopt measures to safeguard the life and integrity of their citizens, especially when it comes to those population groups that are highly vulnerable, as is the case of the PIACI.

[NEW PARAGRAPH] The Forum urgently recommends that PAHO and WHO in cooperation with the Permanent Forum and other relevant entities, create a Permanent Working Group to evaluate the ongoing situation of PIACI, and to design, promote and discuss with governments and other institutions, the implementation of urgent measures for the protection of Indigenous Peoples Living in Voluntary Isolation and Initial Contact.

[NEW PARAGRAPH] The Permanent Forum welcomes the launch of online courses on Indigenous Peoples' rights by Columbia University, OHCHR, Tribal Link Foundation and Universidad Indígena Intercultural of FILAC and recommends to academia, Indigenous and other organizations and the UN system to seek ways to provide access to these courses to Indigenous Peoples living in remote areas without internet or digital devices. Special efforts should be made to make such courses available in various languages, including Indigenous languages, and to make them accessible to Indigenous youth. The Permanent Forum also recommends the incorporation of more Indigenous knowledge into universities, in consultation with the indigenous owners of the knowledge, designing online course content addressing specific local and national Indigenous issues in different countries, and the increased participation and voices of Indigenous Peoples in online courses.

[NEW PARAGRAPH] The Permanent Forum welcomes the establishment and development of Indigenous-led funds as a self-governance practice, which promote funding access to indigenous communities and shift power relations in donor and philanthropy processes. The Forum invites the broad donor and philanthropic community to support these initiatives.

**Dialogues: dialogue with United Nations agencies, funds and programmes
(item 5 (c))**

16. The Permanent Forum welcomes the endorsement by the United Nations System Chief Executives Board for Coordination in November 2020 of a call to action to revitalize the system-wide action plan on the rights of indigenous peoples, as set out in the report entitled “Building an inclusive, sustainable and resilient future with indigenous peoples: a call to action”. In the report, the Chief Executives Board called for ensuring the more systematic participation of indigenous peoples in United Nations country processes, such as the United Nations Sustainable Development Cooperation Frameworks, and in the implementation of socioeconomic response and recovery plans and the Sustainable Development Goals.

17. The Permanent Forum takes note of the progress made in including indigenous peoples in several of the newly developed United Nations Sustainable Development Cooperation Frameworks developed in 2020 and the COVID-19 socioeconomic response plans. However, the Forum also takes note of the uneven inclusion of indigenous peoples in United Nations country programming consultations and development, and the lack of disaggregated data, which perpetuates their invisibility. The Forum reiterates that indigenous peoples should participate in the preparation of common country assessments as well as the Sustainable Development Cooperation Frameworks and that United Nations country teams should work with Governments to foster effective consultation mechanisms for with indigenous peoples.

~~18. The Permanent Forum continues to be concerned about the lack of adequate mechanisms for the participation of indigenous peoples in United Nations entities. The Forum recalls the establishment of the Indigenous Peoples’ Forum by the International Fund for Agricultural Development, as well as the global task force tasked with preparing, planning, implementing and monitoring progress on the global action plan, and highlights them as examples of good practice that should be followed by other United Nations entities. A decade has passed since its establishment, and many United Nations entities have yet to operationalize adequate mechanisms for the participation of indigenous peoples. The Forum urges swift resolution of these inadequacies, while it also recognizes the local communities and indigenous peoples platform of the United Nations Framework Convention on Climate Change as another example of good practice.~~

[NEW PARAGRAPH] The Permanent Forum recalls that over 10 years ago, the International Fund for Agricultural Development established an Indigenous Forum, which the Permanent has repeatedly recognized as a good practice and recommended that other UN entities should follow. However, despite these recommendations, other UN entities have not done so, with the notable exception of the Local Communities and Indigenous Peoples Platform of the UNFCCC. The Permanent Forum reiterates its recommendation to United Nations entities to incorporate indigenous peoples-driven platforms in order 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.

[NEW PARAGRAPH] In the absence of in-person sessions of the Permanent Forum over two years, the Permanent Forum expresses its appreciation of the online dialogues with United Nations funds, programmes and specialized agencies and welcomes the continuation of this good practice in the coming years, beyond the effects of the pandemic. The Permanent Forum expresses its appreciation to Secretariat of the Permanent Forum for facilitating these dialogues and invites the Secretariat to continue doing so.

19. The Permanent Forum recognizes that as the global economy promises to “build back better” from the economic crisis caused by the COVID-19 pandemic, it is imperative that international financial institutions, including the World Bank, work in close consultation with indigenous peoples and invest in their communities. Indigenous peoples are partners in restarting the global economy while also maintaining their position given to them by birth as stewards of Mother Earth.

20. The Permanent Forum welcomes indigenous peoples’ contributions to the implementation of the Convention on Biological Diversity and the development of the post-2020 global biodiversity framework. The Forum underlines the need to develop a new programme of work and institutional arrangements on article 8(j) and other provisions of the Convention with the full and effective participation of indigenous peoples. It recommends that the secretariat of the Convention facilitate a capacity-building process for indigenous peoples to enable them to prepare themselves for the development of new programmes of work and institutional arrangements.

21. The Permanent Forum welcomes the launching by the Food and Agriculture Organization of the United Nations (FAO), during the twenty-seventh session of its Technical Committee on Agriculture, in 2020, of the global hub on indigenous peoples’ food systems. It recommends that FAO continue to **facilitate the work of lead efforts with regard to the global hub, with a view to providing, at the Food Systems Summit to be held in 2021, evidence based contributions from indigenous peoples about their food systems and to ensuring that indigenous peoples are effectively included in the discussions before and after the Summit.**

22. The Permanent Forum welcomes the White/Whipala paper on indigenous peoples’ food systems, which was drafted under the coordination of the global hub, and which has been accepted as one of the scientific papers that will serve to inform constituents at the Summit. **[COMBINE 21 AND 22 INTO ONE PARAGRAPH]**

~~23. The Permanent Forum recommends that FAO organize dialogues for indigenous peoples in such areas as the Arctic, North America, Eastern Europe, the Russian Federation, Central Asia and Transcaucasia, and the Pacific region to support indigenous peoples’ in preparing for the Summit.~~

[NEW PARAGRAPH] The Permanent Forum welcomes the dialogues to support indigenous peoples’ preparations for the Food Systems Summit. The Permanent Forum requests Member States and the secretariat of the UNFSS to guarantee the participation of indigenous peoples at the Summit and with a view to ensure due reflection of indigenous peoples’ rights and issues in the relevant outcome documents.

24. The Permanent Forum recommends that FAO develop an action plan to identify priorities with indigenous peoples to support their participation in the 2022 International Year of Artisanal Fisheries and Aquaculture.

[NEW PARAGRAPH] The Permanent Forum welcomes the decision by the FAO to observe an International Year of Rangelands and Pastoralists in 2026 and encourages Member States to support the participation of Indigenous Peoples in events leading up to the year.

[NEW PARAGRAPH] The Forum recommends UN Women to conduct a study on Violence against Indigenous Women and Access to Justice, especially in cross-border situations in cooperation with Indigenous Women.

[NEW PARAGRAPH] The Permanent Forum calls on the organizers of the forthcoming Conference of the Parties to the UNFCCC, CBD and UNCCD to ensure the full and effective participation of indigenous peoples, virtually or in person, that are to be organized later this year. The Permanent Forum encourages donors and civil society organizations to support indigenous peoples' participation in these events.

[NEW PARAGRAPH] The Permanent Forum welcomes the establishment of the Steering Committee on Indigenous Peoples of Africa that consists of the African Commission's Working Group on Indigenous Populations/Communities and Minorities in Africa as well as interested members of the Inter-Agency Support Group on Indigenous Issues. The Permanent Forum invites the Steering Committee to work in cooperation with the members of the Permanent Forum to support the implementation of the System-Wide Action Plan on Indigenous Issues as well as the Declaration on the Rights of Indigenous Peoples on the African continent. The Permanent Forum also encourages United Nations agencies, funds and programmes to establish a similar inter-agency group in Asia.

[NEW PARAGRAPH] The Permanent Forum is concerned about reports of UNDP entering into a strategic partnership with the oil company GeoPark, a private entity that has been accused by indigenous communities of disregarding their rights, to carry out economic development activities in Colombia without the free, prior and informed consent of the indigenous communities that will be impacted. This contradicts UNDP's own Social and Environmental Standard 6, and the Forum urges UNDP to suspend all related partnership activities until a proper FPIC process can be carried out.