



Economic and Social Council

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Permanent Forum on Indigenous Issues

Twenty-first session

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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

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, the outcome document of the World Conference on Indigenous Peoples and the 2030 Agenda for Sustainable Development (Item 4)

1. The Forum expresses concern over the misappropriation and misuse of Indigenous Peoples' cultural heritage, traditional knowledge and traditional cultural expressions, and urges States and companies, in cooperation with Indigenous Peoples, to take effective measures to recognize and protect these rights, in accordance with Article 31 of the UNDRIP. In this regard, the Permanent Forum calls upon Member States to take measures to safeguard the rights to intellectual property of Indigenous Peoples by adopting laws and public policies, which recognize that Indigenous Peoples have the right over their creations, knowledge, discoveries, works, traditional cultural expressions and other elements.
2. The Permanent Forum notes that the Constitutional Court of Guatemala issued a ruling on Indigenous Peoples' intellectual collective property, No 2112-2016 of 24 October 2017. The Forum urges Guatemala to comply with the ruling and adopt laws and policies, respecting the free, prior and informed consent of Indigenous Peoples.
3. The Permanent Forum, in line with its recommendation from the twentieth session, is resolved to continue addressing all forms of discrimination against



- indigenous peoples including based on sexual orientation, gender identity, gender expression and sex characteristics, religion, disability, and age.
4. The Permanent Forum calls on affected Member States to implement rulings by their supreme courts on Indigenous Peoples' rights, such as the recent court decision in Norway on wind turbines in Fosen, in full cooperation with Indigenous Peoples.
 5. The Permanent Forum urges WIPO, UNESCO, CBD and other relevant UN entities to align their internal policies, within their respective mandates, to recognize and protect collective intellectual property rights in respect of their creations, discoveries, traditional knowledge and knowledge of biodiversity. The Forum invites the above-mentioned UN entities to report back in future sessions on the progress. The Permanent Forum, bearing in mind the contributions of indigenous traditional medicines for the recovery of the pandemic, invites the World Health Assembly to declare an International Year of Indigenous Peoples' traditional medicines by 2025.
 6. The Permanent Forum urges States to respect and support Indigenous Peoples' priorities, including the development and implementation of strategic plans for economic recovery to supporting and strengthening Indigenous Peoples' institutions, authorities and decision-making bodies in exercising their right to self-determination. Indigenous Peoples have the right to possess the means for financing their autonomous functions and priorities.
 7. Furthermore, the Permanent Forum urges UN Resident Coordinators to prepare their United Nations Sustainable Development Cooperation Frameworks to support strategic plans for the economic recovery of Indigenous Peoples with their full and effective participation. UN Resident Coordinators are invited to inform the Forum through the UN Development Coordination Office on how the strategic recovery plans were developed and implemented in future sessions of the Forum.
 8. The Forum urges States to support the economic activities of Indigenous Peoples, in particular indigenous women, by enhancing their equal access to productive resources and agricultural inputs, such as land, seeds, financial services, technology, transportation and information.
 9. The Forum encourages IFAD to continue its efforts in operationalizing free, prior and informed consent in its investments, including through the engagement of indigenous experts in project delivery teams.
 10. The Permanent Forum takes note of the sixth call for proposals of the IFAD Indigenous Peoples Assistance Facility (IPAF) with a focus on advancing Indigenous Peoples' biodiversity conservation and sustainable management for adaptation and resilience to climate change. The Forum urges IFAD to facilitate direct access to climate financing to indigenous peoples' communities and their organizations through the IPAF and the Adaptation for Smallholder Agriculture Programmes (ASAP) and encourages governments and donors to support the IPAF and the ASAP .
 11. The Forum recommends FAO and ILO, in the context of the International Year of Fisheries and Aquaculture, to conduct a dedicated study on human rights violations suffered by Indigenous Peoples in the fishing sector. The Forum invites FAO and ILO to present the findings of the report in the annual session of the Forum in 2024.
 12. The Permanent Forum underlines the need for the examination of national practices of preserving the sacred and burial sites of Indigenous Peoples, and

provide recommendations to States and UN entities on ensuring the prevention of the loss of sacred, religious, spiritual and burial sites.

13. The Permanent Forum welcomes the \$1.7 billion pledge in support of Indigenous peoples made by governments and private funders at COP 26 of the UNFCCC in Glasgow. However, the Permanent Forum is concerned that this pledge does not adequately address the effects of climate change. Effective response to the challenges presented by global climate change requires a concerted effort that encompasses all seven socio-cultural regions of the world. The Permanent Forum requests that the pledge-givers include Indigenous Peoples from all seven sociocultural regions as recipients, and redefine the scope of their commitment so that the funding is not only about forests and land tenure, but also reflects Indigenous Peoples' self-determination, building of alliances and the strengthening of Indigenous Peoples' local economies, governance systems and resource management strategies.
14. The Permanent Forum urges the World Food Programme (WFP) to respect the habitual diet of Indigenous Peoples and avoid foreign foods of low nutritional quality in Indigenous Peoples' communities. Further, the Forum urges that WFP's methods of interventions be sensitive to the social fabric and respectful of Indigenous Peoples' perceptions of the humanitarian-development nexus.
15. The Forum requests that FAO and UNEP, with the participation of Indigenous Peoples, develop a technical policy paper on Indigenous Peoples' collective rights to lands, territories, and natural resources in the context of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security for submission to the Committee on World Food Security.
16. The Forum recommends that the WHO incorporate Indigenous Peoples culture into the social determinants of health policy. The Forum urges the WHO to review, update and expand their Indigenous Peoples Health Policy. The Forum invites the WHO to contribute to the work of the Forum at its 22nd Session on the health of Indigenous Peoples.

Indigenous women and girls

17. The Permanent Forum heard from the Special Rapporteur of the United Nations Human Rights Council on Violence Against Women, its causes and consequences on her upcoming report on violence against Indigenous women and girls to be presented at the fiftieth session of the Human Rights Council. The Permanent Forum commends the work of the Special Rapporteur on the causes and consequences of violence against Indigenous women and girls and looks forward to studying her report. the findings.
18. The Permanent Forum reiterates its recommendation 45 of the 18th session inviting PAHO to prepare a study on the advancements in indigenous maternal health, including with the participation of Indigenous midwives. Furthermore, the Forum recommends the WHO prepare similar studies in other regions.
19. The Permanent Forum recommends UNFPA advance data and research on the challenges that Indigenous women and girls face in realizing their right to bodily autonomy, and the right to be free from violence, including reproductive coercion and birthing practices . Furthermore, the Forum invites UNFPA to

prepare a study on indigenous women's bodily autonomy with the participation of Indigenous women. The Forum invites UNFPA to present the findings of the report in the twenty-third session of the Forum in 2024.

20. The Forum calls on the FAO and WHO to amend its International Code of Conduct on Pesticide Management to FPIC for Indigenous Peoples.
21. The Forum calls on UN entities and the Special Rapporteur of the UN Human Rights Council on Toxics and Human Rights to urge Member States to guarantee Indigenous Peoples' rights to clean water.

The 2030 Agenda for Sustainable Development

22. The Forum is concerned about the lack of data on Indigenous Peoples across the UN System, especially in relation to target 17.18 of the 2030 Agenda concerning the development of inclusive policies that leave no one behind. The Forum recognizes the need for establishing standards on the collection, analysis and dissemination of statistical information related to Indigenous Peoples and will engage in efforts with relevant stakeholders to achieve these ends. As a first step, the Permanent Forum invites UN entities to make accessible their statistics on Indigenous Peoples.
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