



**United Nations**

# **Permanent Forum on Indigenous Issues**

**Report on the twenty-first session  
(25 April–6 May 2022)**

**Economic and Social Council  
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*Note*

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## Chapter I

### **Matters calling for action by the Economic and Social Council or brought to its attention**

#### **A. Draft decisions recommended by the Permanent Forum for adoption by the Council**

1. The Permanent Forum on Indigenous Issues recommends to the Economic and Social Council the adoption of the following draft decisions:

##### **Draft decision I**

##### **International expert group meeting on the theme “Truth, transitional justice and reconciliation processes”**

The Economic and Social Council decides to authorize a three-day international expert group meeting on the theme “Truth, transitional justice and reconciliation processes”.

##### **Draft decision II**

##### **Venue and dates of the twenty-second session of the Permanent Forum on Indigenous Issues**

The Economic and Social Council decides that the twenty-second session of the Permanent Forum on Indigenous Issues shall be held at United Nations Headquarters from 17 to 28 April 2023.

##### **Draft decision III**

##### **Report of the Permanent Forum on Indigenous Issues on its twenty-first session and provisional agenda of its twenty-second session**

The Economic and Social Council:

(a) Takes note of the report of the Permanent Forum on Indigenous Issues on its twenty-first session;<sup>1</sup>

(b) Approves the provisional agenda of the twenty-second session of the Permanent Forum as set out below:

1. Election of officers.
2. Adoption of the agenda and organization of work.
3. Discussion on the theme “Indigenous peoples, human health, planetary and territorial health and climate change: a rights-based approach”.
4. 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 and the 2030 Agenda for Sustainable Development.
5. Dialogues:

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<sup>1</sup> *Official Records of the Economic and Social Council, 2022, Supplement No. 23 (E/2022/43).*

- (a) Dialogue with indigenous peoples;
  - (b) Dialogue with Member States;
  - (c) Dialogue with the United Nations agencies, funds and programmes;
  - (d) Human rights dialogue with the Special Rapporteur on the rights of indigenous peoples and the Expert Mechanism on the Rights of Indigenous Peoples;
  - (e) Regional dialogues;
  - (f) Dialogue on indigenous platforms established within United Nations entities;
  - (g) Thematic dialogues.
6. Future work of the Permanent Forum, including issues considered by the Economic and Social Council, the outcome document of the World Conference on Indigenous Peoples and emerging issues.
  7. Provisional agenda of the twenty-third session of the Permanent Forum.
  8. Adoption of the report of the Permanent Forum on its twenty-second session.

## **B. Matters brought to the attention of the Economic and Social Council**

### **Decision of the Permanent Forum**

2. The following decision adopted by the Permanent Forum at its 1st meeting, on 25 April, is brought to the attention of the Council:

The Permanent Forum decides to enlarge its Bureau to seven members, for its twenty-first session only, to better represent each of its seven regional groups.

### **Recommendations of the Permanent Forum**

3. The Permanent Forum has identified the proposals, objectives, recommendations and areas of possible future action set out below and, through the Council, recommends that States, entities of the United Nations system, intergovernmental organizations, indigenous peoples, the private sector and non-governmental organizations assist in their realization.

4. It is the understanding of the Permanent Forum that the proposals, objectives, recommendations and areas of possible future action to be carried out by the United Nations as set out below will be implemented to the extent possible within the context of the approved programme of work of the relevant entities.

### **Discussion on the theme “Indigenous peoples, business, autonomy and the human rights principles of due diligence, including free, prior and informed consent” (item 3)**

5. Indigenous peoples lack recognition, and face poor implementation of their rights and flagrant violations of their rights and their lands, while the need for their free, prior and informed consent and the right to autonomy of self-government is disregarded by local businesses and transnational corporations in mining, logging, and oil and gas extraction, among other sectors. The territories and resources of

indigenous peoples are seized and livelihoods are destroyed to the detriment of their knowledge, cultures and languages. In that respect, it is important to remind Member States of their duty to protect.

6. Moreover, the Guiding Principles on Business and Human Rights outline the rights of indigenous peoples. According to the Guiding Principles, businesses have a corporate responsibility to respect human rights.

7. Appropriate legislation, effective enforcement and participation by indigenous peoples are crucial to ensure that business activities that impact indigenous peoples' communities in any manner are guided by the obligation to respect human rights and the environment.

8. Businesses, in their human rights due diligence processes, should meaningfully engage with indigenous peoples as rights holders in business decisions and outcomes affecting them. In that regard, free, prior and informed consent should be understood as their right to give or withhold consent.

9. The Permanent Forum recommends that the International Labour Organization (ILO), the World Bank, the Food and Agriculture Organization of the United Nations (FAO) and other relevant United Nations system agencies, in cooperation with the Permanent Forum, study and summarize practices regarding the implementation of free, prior and informed consent globally, that they widely disseminate successful experiences and that they present their findings to the Permanent Forum at its twenty-fourth session, to be held in 2025.

10. Member States must take urgent measures to guarantee adequate and effective participation by indigenous peoples in the design and implementation of national plans for the transition to clean and green energy. Where States have already begun the development of such plans without the participation of indigenous peoples, they must take remedial action.

11. The Permanent Forum invites the World Trade Organization to prepare an analysis of the ways in which indigenous peoples are affected by and included in international trade agreements and treaties, and to present it to the Permanent Forum at its twenty-third session, to be held in 2024.

12. The Permanent Forum invites the Special Rapporteur of the Human Rights Council on the situation of human rights defenders to prepare a study on the drivers of attacks against indigenous human rights defenders in business contexts and invites the Special Rapporteur to share information on progress with the Permanent Forum at its twenty-second session, to be held in 2023.

13. The Permanent Forum underlines the crucial role of languages, traditional knowledge and cultural heritage in the economic development of indigenous peoples, as well as their entrepreneurship role for the enjoyment of their rights to culture, language and traditional knowledge.

14. The Permanent Forum regrets the lack of progress in enhancing participation by indigenous peoples at the World Intellectual Property Organization and reiterates previous requests that that Organization adopt a legally binding document to protect the traditional knowledge and intellectual property of indigenous peoples.

15. The Permanent Forum requests ILO, IFAD and the United Nations Development Programme to prepare a study, in collaboration with indigenous peoples, summarizing the experience of implementing programmes for indigenous peoples on socioeconomic development, focussing on best practices in entrepreneurship and creative industries, and to present it to the Permanent Forum at its twenty-third session, to be held in 2024.



16. Recognizing that the creative economy is among the most dynamically developing economic sectors, and noting its capacity for the sustainable development, the Permanent Forum recommends that the United Nations Industrial Development Organization develop, in cooperation with indigenous peoples and Member States, a comprehensive programme for the development of indigenous businesses and creative industries, including through capacity-building programmes on entrepreneurship for indigenous peoples and mechanisms for financial support to start-ups. In that regard, funding from Member States for the development of start-up incubators based on cultural heritage, traditional occupations, crafts and knowledge is encouraged.

17. The Permanent Forum expresses its readiness to examine existing practices and ways of developing various forms of administrative and territorial autonomy for indigenous peoples' communities whose representatives lead a traditional, nomadic way of life, as part of the development of the guiding principles on indigenous peoples' autonomy and self-government as recommended in the study on indigenous peoples' autonomies: experiences and perspectives (E/C.19/2020/5). Such work will be conducted by an online working group of the Permanent Forum. Indigenous peoples' organizations, representative decision-making bodies and institutions, together with United Nations system entities, Member States and other stakeholders, are invited to contribute financially and practically and to take an active part in the work of the working group.

18. The Permanent Forum invites the African Development Bank to develop a policy of engagement with indigenous peoples that includes effective safeguards, and invites the African Development Bank to report to the Permanent Forum at its twenty-third session, to be held in 2024, on its progress.

19. The Permanent Forum is concerned by issues related to land tenure, the collective rights of indigenous peoples, customary rights, land-grabbing and the closure of transhumance corridors. The Permanent Forum therefore recommends that States of the Sahel and the Congo basin establish a legal framework to consolidate their national and local land tenure regimes with a view to resolving conflicts peacefully. In addition, those States should enhance access to justice for the affected indigenous pastoralists and provide training for judicial officials on those issues.

20. The Permanent Forum therefore requests the United Nations Office for West Africa and the Sahel to support Member States in the Sahel and the Congo basin in this work, in collaboration with indigenous peoples. In general, indigenous peoples should be invited to contribute to the implementation of the mandate of the Office. Other initiatives of importance to indigenous peoples are the Joint Force of the Group of Five for the Sahel and the Great Green Wall for the Sahara and the Sahel Initiative. The Permanent Forum invites the Office to attend its twenty-second session, to be held in 2023, to share information on progress in its work.

21. Decision-making bodies, including customary and traditional bodies of conflict-affected indigenous peoples, should be recognized as legitimate parties to conflict resolution efforts. Therefore, administrative and customary authorities and traditional leaders of indigenous peoples should receive training on peaceful dispute resolution. Relevant United Nations system entities, including the Office of the United Nations High Commissioner for Refugees, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the International Organization for Migration, should mobilize the financial and technical resources necessary for the worldwide use of peacebuilding tools that have been tested with success in the Sahel and of the Congo Basin.

22. The Permanent Forum recalls that, to ensure effective implementation, the Guiding Principles on Business and Human Rights must be aligned with the United Nations Declaration on the Rights of Indigenous Peoples, the Indigenous and Tribal

Peoples Convention, 1989 (No. 169), of ILO, the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean, known as the Escazú Agreement, and the jurisprudence of the human rights treaty bodies. Furthermore, the Permanent Forum recognizes the work of the Human Rights Council to develop an international legally binding instrument to regulate, in international human rights law, the activities of transnational corporations and other business enterprises. In that respect, the Permanent Forum stresses the need to ensure that the new instrument affirms indigenous peoples' rights, including with regard to free, prior and informed consent. The Permanent Forum recommends that this instrument explicitly define due diligence processes and their specific methods of implementation. Therefore, the Permanent Forum underlines the importance of full and effective participation by indigenous peoples throughout the development of the instrument.

23. The Permanent Forum invites the United Nations Global Compact to lead a study on how the human rights of indigenous peoples can be integrated into the model guidance for stock exchanges when reporting on environmental, social and governance information for their market, and report on its progress to the Permanent Forum at its twenty-second session, to be held in 2023.

#### **Dialogues: thematic dialogues (item 5 (f))**

##### *International Decade of Indigenous Languages 2022–2032*

24. The Permanent Forum welcomes the proclamation by the General Assembly in its resolution [74/135](#) of the period 2022–2032 as the International Decade of Indigenous Languages. The Permanent Forum also welcomes the global launch of the International Decade and commends the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the Global Task Force for Making a Decade of Action for Indigenous Languages for leading the consultations with States and indigenous peoples in all sociocultural regions, as well as for developing the Global Action Plan of the International Decade.

25. The Permanent Forum encourages the General Assembly and UNESCO, in collaboration with the Department of Economic and Social Affairs, to organize high-level launch events for the International Decade, in cooperation with, and with the full and effective participation of, indigenous peoples.

26. The Permanent Forum welcomes the establishment of the Ibero-American Institute of Indigenous Languages to promote the conservation, revitalization, promotion, use and development of indigenous languages.

27. The Permanent Forum urges Member States and all other relevant actors at all levels, in cooperation with indigenous peoples, to issue their action plans by the end of 2022, and that they subsequently monitor their implementation and update them with specific measurement indicators every three years during the International Decade.

28. The Permanent Forum supports the efforts of UNESCO to mobilize resources for the creation of a financial mechanism for the International Decade. The Permanent Forum encourages Member States and the private sector to contribute to this mechanism. Indigenous peoples' representatives should advise on the granting of funds to initiatives.

29. The Permanent Forum recognizes the important interconnections between the Sustainable Development Goals and indigenous languages, as well as the integration of gender equality principles, as described in the Global Action Plan, and proposes that such indicators be included in the post-2030 development agenda to ensure the sustainability of outcomes and the continuity of efforts established by the

International Decade. The Permanent Forum recommends that UNESCO and its member States initiate work, with the possible assistance of the Statistical Commission, on indigenous language-related data, with adequate funding to support the post-2030 priorities. The Permanent Forum invites the Indigenous Navigator to offer its tools and data for the global collection of data on indigenous languages.

30. The Permanent Forum recognizes the key role of indigenous peoples in launching initiatives and projects related to the International Decade, such as the Shawnee tribe's declaration of a decade of the Shawnee language and the establishment of a language immersion programme, as well as the initiative of the Cherokee Nation to establish a Cherokee language centre. Similarly, the Nganasan and Enets peoples in the Taimyr Peninsula have established "language nests" to support early immersion, based on the methodology used for the revitalization of Maori, Hawaiian, Karelian and Inari Sami languages. The Permanent Forum encourages indigenous peoples in other countries to follow their example.

31. The Permanent Forum recommends that UNESCO and other United Nations entities facilitate the work of language activists, including through methodological, educational, scientific, psychosocial and financial support, within the framework of the International Decade. The Permanent Forum invites UNESCO and its Forum of National Commissions, the United Nations Children's Fund and the United Nations Institute for Training and Research to develop, in cooperation with experts and representatives of indigenous peoples, an incubator of international methodologies in multilingual education, including studies of language revitalization best practices, teacher training and cross-cultural learning tools by 2025.

32. The Permanent Forum recognizes the crucial role of academia in researching, documenting and teaching indigenous languages. It encourages UNESCO to duly consider and accept UNESCO Chair applications by universities and research institutions with a view to establishing UNESCO Chairs on indigenous languages and other educational initiatives that support the goals of the International Decade.

33. The Permanent Forum encourages Member States and relevant subnational governmental bodies and agencies to ensure the allocation of funding for the establishment of appropriate institutions, including by establishing permanent linguist positions, to promote the conservation, revitalization, use and development of indigenous languages. Particular attention should be given to languages at risk of extinction.

34. The Permanent Forum also calls upon Member States to expand indigenous language immersion methods and bilingual schools to support indigenous children and youth to reclaim their languages. The Permanent Forum recommends that Member States, where appropriate, incorporate intercultural and bilingual education in national school curricula, including through language immersion programmes, and ensure that the language of the subnational region or area in which the school is located is part of the curricula. In this regard, the Permanent Forum recommends that Member States, in close cooperation with indigenous peoples, establish educational programmes on indigenous languages for indigenous teachers, filmmakers, translators and interpreters, scientists, information technology specialists and other professionals. Such efforts would support the expansion of domains covered by indigenous languages and, consequently, contribute to language development and maintenance and the restoration of indigenous peoples' pride in their own languages.

35. Recognizing the central role of public and indigenous peoples' education systems, the Permanent Forum recommends that Member States collect disaggregated data, within the next two years, on the number of indigenous students who attend kindergartens, small ungraded schools, nomadic schools and boarding schools across the regions to secure opportunities for children to remain in their communities.

36. The Permanent Forum encourages Member States, local authorities and UNESCO to assist indigenous peoples in establishing working groups on language planning, development and modernization, with financial support. Furthermore, the Permanent Forum recommends that UNESCO undertake a study on best practices for language curriculum development and publicize its findings by 2024.

37. Given the unique role of information and communications technology companies in the design, development and use of contemporary language technologies, the Permanent Forum reiterates its invitation to the private sector to contribute to the International Decade. The Permanent Forum encourages these companies to continue to develop digital platforms, in cooperation with indigenous peoples and academic institutions, in order to compile information archives for the preservation and revitalization of indigenous languages, language corpora, speech recognition, machine translation and synthesis tools, digital dictionaries and online courses.

38. The Permanent Forum welcomes the importance that the Office of the United Nations High Commissioner for Refugees attaches to the use of indigenous languages when working with indigenous peoples in emergency situations. The Permanent Forum encourages other United Nations agencies, funds and programmes to follow that positive practice. For instance, the Permanent Forum recommends that the World Health Organization (WHO) prioritize indigenous languages as a determinant of health.

39. The Permanent Forum acknowledges the work of the International Telecommunication Union, in collaboration with indigenous peoples' organizations, on digital inclusion training programmes in the Americas region. The Permanent Forum recognizes the need to undertake additional efforts aimed at eliminating the existing digital inequality affecting indigenous peoples and invites the International Telecommunication Union to expand its programmes globally, with a special emphasis on nomadic and semi-nomadic indigenous peoples.

40. In accordance with article 16 of the United Nations Declaration on the Rights of Indigenous Peoples, indigenous peoples have the right to full freedom of expression, including the right to establish their own media in their own languages. The Permanent Forum is concerned that indigenous peoples of Latin America have been criminalized for the establishment of community radio stations and urges Member States to protect the rights of indigenous communicators.

41. The Permanent Forum calls upon UNESCO, in its coordination of the International Decade, to give attention to the role of indigenous languages in the preservation of traditional food and knowledge systems that are important to climate change adaptation strategies.

42. The Permanent Forum encourages the commencement of discussions among Member States and indigenous peoples during the International Decade on the implications of a possible UNESCO convention on the safeguarding and revitalization of endangered languages.

**Human rights dialogue with the Special Rapporteur on the rights of indigenous peoples and the Expert Mechanism on the Rights of Indigenous Peoples (item 5 (d))**

43. The Permanent Forum welcomes the progress made towards developing plans to realize the United Nations Declaration on the Rights of Indigenous Peoples in Canada and New Zealand. The Permanent Forum invites Canada and New Zealand to present their final plans on constructive cooperation at the twenty-second session of the Permanent Forum, to be held in 2023.

44. The Permanent Forum notes the formal acceptance by the Government of Australia of a country visit by the Expert Mechanism on the Rights of Indigenous Peoples under their country engagement mandate, as requested by the Noongar Family Safety and Wellbeing Council in Western Australia.

45. The Permanent Forum reiterates the importance of the legal recognition of indigenous peoples within national constitutions. The Permanent Forum takes note of the position expressed by the Government of Chile on the recognition of indigenous peoples. The Permanent Forum invites Chile to provide an update on progress at the twenty-second session of the Permanent Forum, to be held in 2023. Furthermore, the Permanent Forum supports the call from indigenous peoples of Australia at the meeting held in Uluru in 2017 for a process on the three core components of the Uluru Statement from the Heart – “Voice, Treaty and Truth” – and constitutional recognition of indigenous rights consistent with the United Nations Declaration on the Rights of Indigenous Peoples.

46. The Permanent Forum decided to create a virtual working group on truth, reconciliation and transitional justice, including in post-conflict areas, for lasting peace that respects the rights of indigenous peoples, promoting the full and effective inclusion of indigenous peoples, including indigenous women. The working group is comprised of members of three United Nations indigenous mechanisms, indigenous peoples, academia and civil society, as well as representatives of transitional justice and reconciliation mechanisms.

47. The Permanent Forum welcomes the first meeting of Escazú Agreement. The Escazú Agreement is the first instrument that includes provisions on the protection of human rights defenders in environmental matters. The Permanent Forum urges States parties to ensure implementation of the Agreement and invites them to establish mechanisms for the full and effective participation of indigenous peoples in the work thereof. The Permanent Forum reiterates its invitation to countries that have not yet signed or ratified the Agreement to do so.

48. The Permanent Forum regrets the continuous killings, violence and harassment targeted at indigenous human rights defenders, including indigenous women, in the context of resisting mining and infrastructure projects and other such developments. The Permanent Forum therefore invites Member States to honour their human rights obligations. In this regard, the Permanent Forum welcomes General Assembly resolution [76/148](#) on the rights of indigenous peoples, in which States are urged to take necessary measures to ensure the rights, protection and safety of indigenous peoples, including indigenous leaders and indigenous human rights defenders, and to ensure that perpetrators are held accountable and that access to justice and remedy is guaranteed.

49. The Permanent Forum regrets the very high incarceration rates of indigenous peoples globally, which contributes to poor health, poverty and untimely death, including in indigenous families and communities. States are reminded of their obligations under the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and should therefore address this issue urgently by reducing the incarceration and eliminating the cruel, inhuman and degrading treatment or punishment of indigenous peoples by justice systems.

50. The Permanent Forum recommends that the United States of America grant clemency to Leonard Peltier, who has been imprisoned since 1977 and is now an elderly person.

51. The Permanent Forum reiterates its position, as stated in the report on its twentieth session (E/2021/43, para. 10), urging Colombia to promote and guarantee the rights of indigenous peoples, in particular by achieving the goals and indicators set out in the “ethnic chapter” of the peace agreement. In this regard, the Permanent Forum wishes to offer its support, within the terms of its mandate, to facilitate dialogues between the Government of Colombia and indigenous peoples.

52. The Permanent Forum remains concerned about continuing human rights violations, including arbitrary killings and extrajudicial executions, throughout north-eastern India. It echoes the call of indigenous peoples (scheduled tribes) of the region and urges India to repeal the Armed Forces Special Powers Act of 1958, investigate alleged human rights abuses in the region and hold those responsible to account.

53. The Permanent Forum welcomes the work of the Government of Bangladesh with United Nations country offices to support peace in the Chittagong Hill Tracts. The Permanent Forum further welcomes the ongoing study on the status of implementation of the Chittagong Hill Tracts Peace Accord of 1997 and invites the Government of Bangladesh, with the full and effective participation of indigenous peoples, to report on the results of the study at the twenty-second session of the Permanent Forum, setting a timeframe for its full implementation. The Permanent Forum also calls upon the Government of Bangladesh to continue to address all forms of violence, including enforced disappearances, and sexual violence against women in the Chittagong Hill Tracts committed by law enforcement agencies.

54. The Permanent Forum recommends that the Department of Economic and Social Affairs, in cooperation with the Office of the United Nations High Commissioner for Human Rights (OHCHR), facilitate a series of online regional meetings in 2023 to discuss the development of standards and redress mechanisms for conservation programmes that affect indigenous peoples’ lands, territories and waters. The dialogue should include the Special Rapporteur of the Human Rights Council on the rights of indigenous peoples, the Permanent Forum, indigenous peoples’ representatives, non-governmental organizations, the private sector and other stakeholders. The Permanent Forum would welcome a presentation of the outcomes of such a meeting at its twenty-third session, to be held in 2024.

55. The Permanent Forum continues to be deeply disturbed by the threats that the extractive industries, infrastructure megaprojects, such as roads and dams, legal and illegal logging, and the expansion of large-scale agriculture pose to the indigenous peoples living in voluntary isolation and initial contact. While recognizing the guidelines for the protection of indigenous peoples in voluntary isolation and initial contact in the Americas prepared by the Inter-American Commission on Human Rights and the corresponding guidelines elaborated by OHCHR, the Permanent Forum recommends that OHCHR, in cooperation with the Inter-American Commission on Human Rights and with the participation of indigenous peoples’ organizations, evaluate the progress made, identify implementation gaps and make recommendations to advance the protection of indigenous peoples living in voluntary isolation and initial contact and to guarantee their rights.

56. The Permanent Forum welcomes the adoption by the United Nations Environment Assembly of the United Nations Environment Programme of a resolution entitled “End plastic pollution: towards an international legally binding instrument” (document UNEP/EA.5/Res.14). The negotiation of a legally binding agreement should provide an opportunity to ensure that a human rights-based approach is applied to global plastics management, taking into account the most vulnerable ecosystems and the peoples who depend thereon, such as in the Arctic.

57. The year 2022 is the International Year of Artisanal Fisheries and Aquaculture. The Permanent Forum therefore recommends that FAO prepare a study on the impacts

of industrial fishing on the rights of indigenous peoples in regard to traditional fishing. The Permanent Forum invites the Organization to share the findings of said study at the twenty-third session of the Permanent Forum, to be held in 2024.

58. The Permanent Forum welcomes the draft general recommendation on the rights of indigenous women and girls of the Committee on the Elimination of Discrimination against Women. The Permanent Forum reiterates its recommendation, contained in the report on its twentieth session (E/2021/43, para. 32), that the general recommendation be adopted at the earliest opportunity. The Permanent Forum invites the Committee to share its plans for implementation of the general recommendation at the twenty-third session of the Permanent Forum, to be held in 2024.

59. The Permanent Forum is deeply concerned about the particular vulnerabilities of indigenous children. In this regard, it notes the study of the Expert Mechanism on the Rights of Indigenous Peoples on the rights of the indigenous child under the United Nations Declaration on the Rights of Indigenous Peoples (A/HRC/48/74) and the note by the Secretariat entitled “Update on the promotion and application of the United Nations Declaration on the Rights of Indigenous Peoples: violence against children” (E/C.19/2022/4), prepared in collaboration with the Special Representative of the Secretary-General on Violence against Children. The Permanent Forum calls upon Member States to prioritize the human rights of indigenous children and young people, in cooperation with indigenous peoples. The Permanent Forum further calls upon those States that have not yet ratified the Convention on the Rights of the Child, including its three Optional Protocols – on a communications procedure, on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflict, to do so as soon as possible.

60. The Permanent Forum urges the Government of Kenya to implement the recommendations of the African Commission on Human and Peoples’ Rights on the rights of Endorois to the ownership of their ancestral lands, to the restitution thereof and to compensation in that connection.

61. The Permanent Forum calls upon the Government of the United Republic of Tanzania to immediately cease efforts to evict the Maasai people from the Ngorongoro Conservation Area.

**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)**

62. The Permanent 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 their rights, in accordance with article 31 of the United Nations Declaration on the Rights of Indigenous Peoples. In this regard, the Permanent Forum calls upon Member States to take measures to safeguard indigenous peoples’ rights to intellectual property by adopting laws and public policies, in which it is recognized that indigenous peoples have the right over their creations, knowledge, discoveries, works, traditional cultural expressions and other elements.

63. The Permanent Forum notes that the Constitutional Court of Guatemala issued ruling No. 2112-2016 of 24 October 2017 on indigenous peoples’ intellectual collective property. The Permanent Forum urges Guatemala to comply with the ruling and to adopt laws and policies, respecting the free, prior and informed consent of indigenous peoples.



64. The Permanent Forum, in line with the report on its twentieth session (E/2021/43), is resolved to continue to address all forms of discrimination against indigenous peoples, including discrimination based on sexual orientation, gender identity, gender expression and sex characteristics, religion, disability and age.

65. The Permanent Forum calls on affected Member States to implement the rulings of 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.

66. The Permanent Forum urges the World Intellectual Property Organization, UNESCO, the secretariat of the Convention on Biological Diversity and other relevant United Nations entities to align their internal policies, within their respective mandates, so as to recognize and protect the collective intellectual property rights of indigenous peoples in respect of their creations, discoveries, traditional knowledge and knowledge of biodiversity. The Permanent Forum invites the above-mentioned United Nations entities to report back to future sessions on the progress made in that regard.

67. The Permanent Forum, bearing in mind the contributions of indigenous peoples' traditional medicines to the recovery from the pandemic, invites the World Health Assembly to declare an international year of indigenous peoples' traditional medicines by 2025.

68. The Permanent Forum urges States to respect and support indigenous peoples' priorities, including through the development and implementation of economic recovery strategic plans to support and strengthen indigenous peoples' institutions, authorities and decision-making bodies in the exercise of their right to self-determination. Indigenous peoples have the right to possess the means for financing their autonomous functions and priorities.

69. The Permanent Forum further urges resident coordinators to prepare their United Nations Sustainable Development Cooperation Frameworks to support the full and effective participation of indigenous peoples in strategic plans for their economic recovery. Resident coordinators are invited to provide an update to future sessions of the Permanent Forum through the Development Coordination Office on how the strategic recovery plans were developed and implemented.

70. The Permanent 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.

71. The Permanent Forum encourages the International Fund for Agricultural Development (IFAD) to continue its efforts in operationalizing the principle of free, prior and informed consent in its investments, including through the engagement of indigenous experts in project delivery teams.

72. The Permanent Forum takes note of the sixth call for proposals of the Indigenous Peoples Assistance Facility of IFAD, which is focused on advancing indigenous peoples' biodiversity conservation and sustainable management for adaptation and resilience to climate change. The Permanent Forum urges IFAD to facilitate direct access to climate financing to indigenous peoples' communities and organizations through the Facility and the Adaptation for Smallholder Agriculture Programme, and encourages Governments and donors to support those initiatives.

73. The Permanent Forum recommends that, in the context of the International Year of Artisanal Fisheries and Aquaculture, FAO and ILO conduct a study on the human rights violations suffered by indigenous peoples in the fishing sector. The Permanent



Forum invites those organizations to present their findings at the annual session of the Permanent Forum to be held in 2024.

74. The Permanent Forum underlines the need for the examination of national practices for preserving the sacred and burial sites of indigenous peoples and for the provision of recommendations to States and United Nations entities on ways to prevent the loss of sacred, religious, spiritual and burial sites.

75. The Permanent Forum welcomes the \$1.7 billion pledge in support of indigenous peoples made by Governments and private funders at the twenty-sixth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, held in Glasgow, United Kingdom of Great Britain and Northern Ireland. However, the Permanent Forum is concerned that this pledge does not adequately address the effects of climate change. An effective response to the challenges presented by global climate change requires a concerted effort that encompasses all seven sociocultural 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, the building of alliances and the strengthening of indigenous peoples' local economies, governance systems and resource management strategies.

76. The Permanent Forum urges the World Food Programme to respect the habitual diet of indigenous peoples and to avoid the introduction of foreign foods of low nutritional quality in indigenous peoples' communities. Furthermore, the Permanent Forum urges the World Food Programme to ensure that its methods of intervention are sensitive to indigenous peoples' social fabric and respectful of their perceptions of the humanitarian-development nexus.

77. The Permanent Forum requests that FAO and the United Nations Environment Programme, 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.

78. The Permanent Forum recommends that the WHO incorporate indigenous peoples' cultures into the social determinants of health policies. The Permanent Forum urges WHO to review, update and expand its policy on indigenous peoples' health. The Permanent Forum invites WHO to contribute to the work of the Permanent Forum at its twenty-second session on the health of indigenous peoples.

### **Indigenous women and girls**

79. The Permanent Forum heard from the Special Rapporteur 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.

80. The Permanent Forum reiterates its recommendation made at its eighteenth session for the Pan American Health Organization to prepare a study on the advancements in indigenous maternal health, including with the participation of indigenous midwives (E/2019/43, para. 45). The Permanent Forum also recommends that WHO prepare similar studies in other regions.

81. The Permanent Forum recommends that the United Nations Population Fund (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 in birthing practices. Furthermore, the Permanent Forum invites UNFPA to prepare a study on indigenous women's bodily autonomy, with the participation of indigenous women, and to present its findings at the twenty-third session of the Permanent Forum, to be held in 2024.

82. The Permanent Forum calls on FAO and WHO to amend the International Code of Conduct on Pesticide Management to take into account the free, prior and informed consent of indigenous peoples.

83. The Permanent Forum appreciates the participation, at its twenty-first session, of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes and recommends that the Special Rapporteur urge Member States to guarantee indigenous peoples' rights to clean water. The Permanent Forum invites the Special Rapporteur to participate at its twenty-second session, in 2023.

### **2030 Agenda for Sustainable Development**

84. The Permanent Forum is concerned about the lack of data on indigenous peoples across the United Nations system, especially with regard to target 17.18 of the Sustainable Development Goals concerning the development of inclusive policies that leave no one behind. The Permanent 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 United Nations entities to make their statistics on indigenous peoples accessible.

### **Future work of the Permanent Forum, including issues considered by the Economic and Social Council and emerging issues (item 6)**

85. Indigenous peoples have been a distinct constituency at the United Nations since 1977 and, with the adoption of the United Nations Declaration on the Rights of Indigenous Peoples by the General Assembly in 2007, their inherent rights were affirmed as the international minimum standard. The Permanent Forum reiterates the position of the Special Rapporteur on the rights of indigenous peoples, namely that it is unacceptable to undermine the status and standing of indigenous peoples by combining or equating them with non-indigenous entities such as minorities, vulnerable groups or local communities. Such attempts, whether by States or United Nations entities, are not acceptable and will be challenged by indigenous peoples and those mandated to defend their rights. The Permanent Forum urges all United Nations entities and States parties to treaties concerning the environment, biodiversity and the climate to eliminate the use of the term "local communities" in conjunction with indigenous peoples, so that the term "indigenous peoples and local communities" would be abolished.

86. The Permanent Forum underlines the importance of the recognition by States of the indigenous peoples living on their territories – one of the key guarantees for the protection of indigenous peoples' rights and interests in line with relevant international norms and standards, in particular the Declaration.

87. Ensuring a human rights-based approach to indigenous peoples' rights to land, waters, territories and resources, governance and secure customary tenure is essential for their continued contribution and significant role in achieving the post-2020 global biodiversity framework. Indigenous lands, waters and territories need to be recognized directly and as a category separate from "protected areas" or "other

effective area-based conservation measures”, including when recognizing the land rights of indigenous women. A core element of the post-2020 global biodiversity framework should be the development of indicators reflecting indigenous peoples’ rights to facilitate monitoring and implementation. There is an urgent and continuing need for resource mobilization for indigenous peoples, including for indigenous women, to ensure their participation in shaping and implementing the post-2020 global biodiversity framework. In this regard, the Permanent Forum acknowledges the recommendation to organize an expert meeting to develop and study the options and mechanisms for direct access to funding, to be transmitted to the secretariat of the Convention on Biological Diversity. Furthermore, the Permanent Forum supports the continuation of the work of the Ad Hoc Open-ended Inter-sessional Working Group on Article 8(j) and related provisions of that Convention and urges States parties thereto to ensure adequate support to provide for a robust work programme.

88. The Permanent Forum recommends that United Nations entities review language and terminology on native breeds, local seed varieties and endemic varieties of plants and animals. The Permanent Forum recommends differentiating such terminology from indigenous peoples’ foods, seeds and breeds, by avoiding the use of the term “indigenous” to dispel confusion.

89. The Permanent Forum notes the importance of several concurrent United Nations Decades that are of importance to indigenous peoples. The Permanent Forum recommends that the United Nations entities responsible for the international decades declared by the General Assembly, such as the United Nations Decade on Ecosystem Restoration, the United Nations Decade of Ocean Science for Sustainable Development, the International Decade for Action, “Water for Sustainable Development”, 2018–2028, and the International Decade of Indigenous Languages, ensure good communication and coordinate efforts regarding the participation of indigenous peoples and their issues. In this regard, the Permanent Forum recommends that the relevant United Nations entities report to the Department of Economic and Social Affairs, which, in turn, is invited to prepare a study on the funding, modalities and scale of indigenous peoples’ participation in all four Decades. The Permanent Forum further invites Member States to support and fund cooperation during the four Decades to ensure the full and effective participation of indigenous peoples.

90. The Permanent Forum welcomes Human Rights Council resolution [48/13](#) on the human right to a clean, healthy and sustainable environment and calls upon the General Assembly to reaffirm and reinforce the human right to a safe, clean, healthy and sustainable environment, and calls upon the organizations of the United Nations system to take action in this regard.

91. The Permanent Forum applauds the creation of the Coalition on Indigenous Peoples’ Food Systems and will contribute to its efforts. Furthermore, the Permanent Forum will invite discussions on indigenous peoples’ preparations for the high-level political forum on sustainable development.

92. The Permanent Forum recognizes the importance of exploring possibilities for strengthening cooperation with the human rights treaty bodies on issues of relevance to its mandate. The Permanent Forum therefore invites the Chairs of the human rights treaty bodies each to designate a representative to participate in the twenty-second session of the Permanent Forum, to be held in 2023.

93. The Permanent Forum recalls the request it made at its fifteenth session ([E/2016/43](#), para. 47) for UNESCO to host a joint seminar with the Expert Mechanism on the Rights of Indigenous Peoples and other relevant United Nations mechanisms for the purpose of exploring the development of a new international mechanism on the repatriation of ceremonial objects and human remains. In this regard, the Permanent Forum deeply regrets the absence of UNESCO from the expert group

meeting organized by the Expert Mechanism in March 2020 in Vancouver, Canada, to discuss steps for the implementation of such a mechanism. The Permanent Forum recommends the leadership, involvement and cooperation of UNESCO in efforts to implement the recommendations arising from that meeting, as well as the previous recommendation of the Permanent Forum related to the repatriation of ceremonial objects and human remains, including through the creation of an international database and inventory of such items accessible to indigenous peoples as a basis for initiating dialogue. The Permanent Forum wishes to remind UNESCO and other United Nations entities that the repatriation of ceremonial objects and human remains is enshrined in articles 11 and 12 of the Declaration.

94. In September 2024, 10 years will have passed since the adoption by the General Assembly of the outcome document of the high-level plenary meeting of the Assembly known as the World Conference on Indigenous Peoples, and of its annex, the Alta outcome document. The Permanent Forum calls upon the Secretary-General and the President of the General Assembly to hold a “World Conference on Indigenous Peoples Plus 10” in August 2024 to allow Member States, United Nations entities and indigenous peoples to report on implementation of the outcome document, with the full participation of indigenous peoples.

95. The Permanent Forum recommends that the Secretary-General actively support the enhanced participation of indigenous peoples by participating in the General Assembly process, associated regional dialogues and meetings with the Temporary Committee for the Indigenous Coordinating Body for Enhanced Participation in the United Nations. Furthermore, the Permanent Forum urges Member States to consult with indigenous peoples nationally, regionally and internationally on enhanced participation and to provide financial support for related activities so as to ensure the full, effective, direct and meaningful participation of indigenous peoples in that process.

96. The Permanent Forum decides to appoint members to conduct studies at a later date to present to the Permanent Forum at its twenty-second session, in 2023.

#### **Dialogue with United Nations agencies, funds and programmes (item 5 (c))**

97. The Permanent Forum welcomes the work of the Inter-Agency Support Group on Indigenous Peoples’ Issues regarding the implementation of the call to action on the theme “Building an inclusive, sustainable, and resilient future with Indigenous peoples”, in an effort to revitalize the system-wide action plan on the rights of indigenous peoples. In particular, the Permanent Forum also notes the work being carried out with and by resident coordinators to raise awareness among United Nations country teams. It encourages the Inter-Agency Support Group to continue its work on strengthening the implementation of indigenous peoples’ rights frameworks at the national level and on guaranteeing the full and effective participation of indigenous peoples at the country level.

98. The Permanent Forum calls on United Nations entities to elevate the discussion on indigenous peoples to the highest possible governance level of their entities in order to ensure system-wide ownership and support for indigenous peoples’ rights. It encourages the focal points of United Nations entities to facilitate the commencement of dialogues between the Permanent Forum and the heads of the entities. The objective of such dialogues could include reviews of the entities’ internal policies and safeguards guaranteeing the right to self-determination of indigenous peoples, respect for their free, prior and informed consent and due diligence in accordance with the United Nations Declaration on the Rights of Indigenous Peoples and other relevant international standards by the end of 2022.

99. The Permanent Forum requests United Nations entities, in particular those working on land tenure and changes in land use, to advance the research on securing the land and territorial rights of indigenous peoples, taking into account the negative impacts of, inter alia, the coronavirus disease (COVID-19) global pandemic and regional conflicts.

100. The Permanent Forum recalls its recommendation at the twentieth session, in which it emphasized that existing mechanisms to support the participation of indigenous peoples in processes that affect them must adapt to the new environment caused by the COVID-19 pandemic and support the online participation of indigenous peoples. Such support includes purchasing data packages and facilitating access to electricity and necessary hardware and in-country travel to gain access to stable Internet connections. The Permanent Forum recommends that the existing mandate of the United Nations Voluntary Fund for Indigenous Peoples, as reflected in General Assembly resolution [70/232](#), be expanded to that effect and calls on Member States to ensure that the proposal for the expansion of their mandate is introduced at the seventy-seventh session of the General Assembly in the annual resolution on the rights of indigenous peoples.

101. The Permanent Forum acknowledges the important work of the Fund for the Development of Indigenous Peoples of Latin America and the Caribbean on its thirtieth anniversary. The Permanent Forum encourages Member States, United Nations entities and indigenous peoples to support strengthening the work of the Fund.

102. The Permanent Forum invites the European Commission, through its Directorate-General for International Partnerships and European Civil Protection and Humanitarian Aid Operations to follow and engage in the work of the Permanent Forum, including by the designation of focal points.

103. The Permanent Forum highlights the need to protect indigenous children as defenders of human rights. The Permanent Forum recognizes the right of the indigenous child to express freely their views in all matters affecting them at the local, regional and global levels. The Permanent Forum further underlines the importance of human rights education for the indigenous child, including on the Convention of the Rights of the Child and United Nations Declaration on the Rights of Indigenous Peoples.

#### **Dialogue with Member States (item 5b )**

104. The Permanent Forum highlights the importance of implementing the United Nations Declaration on the Rights of Indigenous Peoples and the outcome document of the World Conference on Indigenous Peoples worldwide, and commends the developments in some Member States, particularly the development of action and implementation plans.

105. The Permanent Forum heard suggestions on exploring existing opportunities for enhanced participation formats and modalities of the General Assembly, the Economic and Social Council, the Human Rights Council, and United Nations entities in conjunction with the process mandated by the Assembly in resolution [71/321](#) entitled “Enhancing the participation of indigenous peoples’ representatives and institutions in meetings of relevant United Nations bodies on issues affecting them”.

106. The Permanent Forum notes that the hybrid format has contributed to the wider participation of indigenous peoples and will consider organizing future sessions in a hybrid format, taking time zones into consideration.

107. The Permanent Forum invites Member States to participate in informal discussions on the effective and efficient impacts of the Permanent Forum on the

achievement of the Sustainable Development Goals, including in the contexts of biodiversity, climate change, desertification and the enjoyment of human rights by indigenous peoples, in particular efforts to combat violence against indigenous women and children. The Permanent Forum also invites Member States to enhance the effective participation of indigenous peoples in the design and implementation of efforts in the context the United Nations Decade of Ocean Science for Sustainable Development; the International Decade for Action, “Water for Sustainable Development”, 2018–2028; the United Nations Decade on Ecosystem Restoration; and the International Decade of Indigenous Languages.

108. The Permanent Forum welcomes the call of the Group of Friends of Indigenous Peoples and other Member States to include indigenous peoples in the preparation of voluntary national reviews presented at the high-level political forum on sustainable development.

109. The Permanent Forum invites Member States to organize intersessional meetings to discuss cooperation on pertinent topics with the Permanent Forum.

110. The Permanent Forum encourages Member States to ensure a stronger presence and stronger participation during all meetings organized by the Permanent Forum and the Secretariat.

#### **Regional dialogues: indigenous peoples and post-pandemic recovery (item 5 (e))**

111. The Permanent Forum held seven dialogues aimed at engaging participants in deeper dialogue on relevant issues and on challenges faced by indigenous peoples in the various regions, including in the context of recovery from the COVID-19 pandemic.

#### *Africa*

112. The Permanent Forum continues to be concerned by the lack of participation of African indigenous peoples. The Permanent Forum recommends that the General Assembly encourage relevant United Nations entities to make the necessary financial and administrative arrangements that allow for the participation of indigenous peoples at relevant United Nations meetings, including online.

113. The COVID-19 pandemic has had a devastating impact on the livelihoods of indigenous peoples, including nomadic peoples. Furthermore, the pandemic has exacerbated the plight of young women with regard to forced early marriage, female genital mutilation and lack of access to health care. The Permanent Forum calls on Member States to implement effective measures to address these challenges in their post-pandemic recovery efforts.

114. The Permanent Forum welcomes the decision by the African Commission on Human and Peoples’ Rights to promote and protect the rights of non-dominant minorities in Africa, who are distinct from indigenous populations and/or communities. While recognizing the importance of the rights of persons belonging to minorities, the Permanent Forum is concerned that the expanded mandate could compromise the current Commission standards for promoting the rights of indigenous peoples. The Permanent Forum therefore urges the Commission to establish a separate working group on minority rights. The Permanent Forum calls on the Commission to work closely with it, indigenous peoples representatives from Africa, and United Nations entities to highlight and advance the recognition, rights and participation of indigenous peoples at the regional and national levels. Furthermore, the Permanent Forum recommends that the Commission designate a focal point on indigenous peoples.

*Arctic*

115. The COVID-19 pandemic has exposed existing inequalities and challenges that indigenous peoples across the Arctic region face. These include an infrastructure deficit that contributes overall to a higher prevalence of infectious diseases, poverty rates and other factors affecting the well-being of indigenous peoples. The pandemic and related border closures have also had a negative impact on indigenous peoples and their livelihoods.

116. The Permanent Forum welcomes recent proposals made by the Sami to address cross-border collaboration and urges the States involved to work constructively with the affected indigenous peoples in these matters. The Permanent Forum also welcomes the Inuit Nunangat Policy of Canada, by which Inuit Nunangat is recognized as a distinct geographic, cultural and political region that encompasses the Inuvialuit Settlement Region, Nunavut, Nunavik, and Nunatsiavut. The Permanent Forum invites other Member States to develop, in close cooperation with indigenous peoples, similar arrangements that recognize indigenous peoples' ancestral territories.

*Asia*

117. Recognition of Asia's indigenous peoples by Governments is key to achieving effective implementation of the United Nations Declaration on the Rights of Indigenous Peoples and the Indigenous and Tribal Peoples Convention, 1989 (No. 169). Without such recognition, indigenous peoples are subject to marginalization, assimilation and violent attacks.

118. Post-pandemic recovery efforts have exacerbated human rights violations against indigenous peoples across Asia. Governments have used economic recovery plans as a justification to seize indigenous lands for the purposes of resource extraction, and indigenous environmental defenders are often threatened and arrested. The Permanent Forum calls on Member States to guarantee the principles of free, prior and informed consent throughout its post-pandemic recovery efforts to ensure that the socioeconomic development of indigenous territories is implemented in full cooperation with indigenous peoples.

*Central and South America and the Caribbean*

119. The topics highlighted at the Central and South America and the Caribbean dialogue included collective intellectual property rights, indigenous migrants, traditional medicine, land rights, territorial exploitation and displacement, indigenous human rights defenders, criminalization and persecution.

120. The Permanent Forum urges Member States to implement the United Nations Declaration on the Rights of Indigenous Peoples, the Indigenous and Tribal Peoples Convention, 1989 (No. 169) and the Escazú Agreement.

121. The Permanent Forum recommends that United Nations entities establish programmes and working groups to facilitate the recruitment of indigenous professionals. United Nations entities are invited to report on the advancement of such recruitment endeavours at future sessions of the Permanent Forum.

*North America*

122. Important issues raised during the North America dialogue included the intergenerational trauma and continued mental health impact of boarding schools, access to mental health and health in the post-pandemic recovery period, the participation of indigenous peoples and violence against indigenous women and girls, including missing and murdered women and girls.

123. Participants highlighted that the establishment of transitional justice mechanisms, such as truth and reconciliation commissions, can play an important role in uncovering the truth and achieving a certain level of reconciliation, including the tragic legacy of boarding and residential schools.

124. The Permanent Forum calls on the Government of Canada to fully implement the recommendations emanating from its Truth and Reconciliation Commission. The Permanent Forum calls on the United States of America to formalize the establishment of a truth and reconciliation mechanism on the boarding school crisis.

125. The Permanent Forum calls on Canada and the United States of America to develop national action plans to realize the aims of the United Nations Declaration on the Rights of Indigenous Peoples and appoint an ambassador or special envoy on global indigenous affairs to promote the rights of indigenous peoples globally, including on participation.

*Eastern Europe, the Russian Federation, Central Asia and Transcaucasia*

126. The Permanent Forum heard accounts from indigenous peoples on how the use of traditional knowledge, medicine and food and the continuation of their traditional livelihoods had helped them in their efforts to overcome the COVID-19 pandemic. Residence in remote areas and the restrictions on mobility posed by the authorities had protected indigenous communities from the virus. However, these conditions also signified limited access to public services, including emergency health care. In some instances, indigenous peoples' participation in decision-making had not returned to the pre-pandemic level.

127. The Permanent Forum calls for the respect of the rights of indigenous peoples at all times.

*Pacific*

128. The Pacific regional dialogue included such issues as violence by States against indigenous peoples, criminalization, damage to and the destruction of indigenous lands and risks posed by mining and land development, and constitutional recognition of indigenous peoples in the Pacific region. The Hawaiian people's resistance to the annexation of Hawaii by the United States was highlighted, as was the West Papuan peoples' assertion of their rights to decolonization and independence.

129. Indigenous peoples are using other United Nations mechanisms, such as the complaint referred to the Committee on the Elimination of Racial Discrimination by Aboriginal people concerning heritage protection.

130. The Permanent Forum is concerned about the contemporary removal of children in Australia and New Zealand. High removal rates of indigenous children pose serious risk to their safety, wellbeing and cultural identity.

131. The Permanent Forum is concerned about damage to Mauna Kea in Hawaii and wider risks to clean and safe drinking water.



## Chapter II

### Venue, dates and proceedings of the session

132. By its decision 2021/236, the Economic and Social Council decided that the twenty-first session of the Permanent Forum would be held at United Nations Headquarters from 25 April to 6 May 2022.

133. At its 3rd and 4th meetings, on 26 April, the Permanent Forum considered agenda item 3, entitled “Discussion on the theme ‘Indigenous peoples, business, autonomy and the human rights principles of due diligence, including free, prior and informed consent’”. For its consideration of the item, the Permanent Forum had before it three notes by the Secretariat transmitting the report of the international expert group meeting on the theme “Indigenous peoples, business, autonomy and the human rights principles of due diligence, including free, prior and informed consent” (E/C.19/2022/6); a study on indigenous peoples and resource conflicts in the Sahel and in the Congo Basin (E/C.19/2022/7); and a study on the rights of indigenous peoples in relation to the global energy mix (E/C.19/2022/9). At its 12th meeting, on 6 May, the Permanent Forum considered and adopted its recommendations submitted under that item (see chap. I, sect. B).

134. At its 7th meeting and 9th meetings, on 28 and 29 April, the Permanent Forum considered agenda item 4, entitled “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”. For its consideration of the item, the Permanent Forum had before it a note by the Secretariat entitled “Collective intellectual property and the appropriation of the ideas and creations of indigenous peoples” (E/C.19/2022/8). At its 12th meeting, the Permanent Forum considered and adopted its recommendations submitted under that item (see chap. I, sect. B).

135. At its 8th meeting, on 29 April, the Permanent Forum considered agenda item 5 (a), entitled “Dialogue with indigenous peoples”.

136. At its 11th meeting, on 5 May, the Permanent Forum considered agenda item 5 (b), entitled “Dialogue with Member States”. At its 12th meeting, the Permanent Forum considered and adopted its recommendations submitted under that item (see chap. I, sect. B).

137. At its 10th meeting, on 3 May, the Permanent Forum considered agenda item 5 (c), entitled “Dialogue with United Nations agencies, funds and programmes”. For its consideration of the item, the Permanent Forum had before it a note by the Secretariat entitled “System-wide action plan for ensuring a coherent approach to achieving the ends of the United Nations Declaration on the Rights of Indigenous Peoples: implementation by the United Nations system” (E/C.19/2022/3). At its 12th meeting, the Permanent Forum considered and adopted its recommendations submitted under that item (see chap. I, sect. B).

138. At its 5th and 6th meetings, on 27 and 28 April, the Permanent Forum considered agenda item 5 (d), entitled “Human rights dialogue with the Special Rapporteur on the rights of indigenous peoples and the Expert Mechanism on the Rights of Indigenous Peoples”. At its 12th meeting, the Permanent Forum considered and adopted its recommendations submitted under that item (see chap. I, sect. B).

139. At seven informal meetings, including two sets of two meetings held in parallel, from 3 to 5 May, the Permanent Forum considered agenda item 5 (e), entitled

“Regional dialogues”. At its 12th meeting, the Permanent Forum considered and adopted its recommendations submitted under that item (see chap. I, sect. B).

140. At its 2nd meeting, on 25 April, the Permanent Forum considered agenda item 5 (f), entitled “Thematic dialogues”. For its consideration of the item, the Permanent Forum had before it two notes by the Secretariat entitled “International Decade of Indigenous Languages, 2022–2032: Global Action Plan” (E/C.19/2022/5), and “Use of indigenous languages in formal education systems in Latin America, Southern Africa and Northern Eurasia” (E/C.19/2022/10). At its 12th meeting, the Permanent Forum considered and adopted its recommendations submitted under that item (see chap. I, sect. B).

141. At its 6th meeting, the Permanent Forum considered agenda item 6, entitled “Future work of the Permanent Forum, including issues considered by the Economic and Social Council and emerging issues”. At its 12th meeting, the Permanent Forum considered and adopted its recommendations submitted under that item (see chap. I, sect. B).

142. At its 12th meeting, the Permanent Forum considered agenda item 7, entitled “Provisional agenda of the twenty-second session”, and agenda item 8, entitled “Adoption of the report”. At the same meeting, the Permanent Forum considered and adopted a draft decision submitted under that item (see chap. I, sect. A).

143. At two informal closed meetings, on 27 April and 6 May, the Permanent Forum met to hold discussions.

## **Chapter III**

### **Adoption of the report of the Permanent Forum on its twenty-first session**

144. At the 12th meeting, on 6 May, the Rapporteur introduced the draft decisions and recommendations and the draft report of the Permanent Forum on its twenty-first session.

145. At the same meeting, the Permanent Forum adopted its draft report.

## Chapter IV

### Organization of the session

#### A. Opening and duration of the session

146. The Permanent Forum held its twenty-first session at United Nations Headquarters from 25 April to 6 May 2022. It held 12 formal meetings, including 3 closed meetings, and 9 informal meetings, including 2 closed meetings and, twice, 2 meetings in parallel, to consider the items on its agenda.

147. At the 1st meeting, on 25 April, the session was opened by the temporary Chair, the Assistant Secretary-General for Policy Coordination and Inter-Agency Affairs. At the opening ceremony, a representative of the Bear Clan, Mohawk of the Haudenosaunee Confederacy, Katsenhaiénton Lazare, delivered a welcome address.

148. At the same meeting, the Permanent Forum adopted a draft decision (see chap. I, sect. B).

149. Also at the same meeting, statements were made by the President of the General Assembly, the President of the Economic and Social Council, the Chair of the Permanent Forum on Indigenous Issues and the Assistant Secretary-General for Policy Coordination and Inter-Agency Affairs and Acting Secretary-General's Envoy on Technology (on behalf of the Under-Secretary-General for Economic and Social Affairs).

#### B. Attendance

150. Members of the Permanent Forum and representatives of Governments, intergovernmental organizations and bodies, United Nations entities and non-governmental and indigenous organizations attended the session. The list of participants will be published at a later date.

#### C. Election of officers

151. At its 1st meeting, the Permanent Forum elected the following members of the Bureau by acclamation:

*Chair:*

Darío José Mejía Montalvo

*Vice-Chairs:*

Geoffrey Scott Roth  
Alekssei Tsykarev  
Oumarou Ibrahim Hindou  
Anne Nuorgam  
Phoolman Chaudhary

*Rapporteur:*

Tove Søvndahl Gant

#### D. Agenda

152. At its 1st meeting, the Permanent Forum adopted the provisional agenda contained in document [E/C.19/2022/1](#).

153. At the same meeting, the Permanent Forum approved its organization of work, as contained in document [E/C.19/2022/L.1/Rev.1](#).

## **E. Documentation**

154. The list of the documents before the Permanent Forum at its twenty-first session will be published at a later date.

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