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INFORMING ABOUT THE RIGHTS OF INDIGENOUS PEOPLES

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Last summer news sharply reminded us the fragility of the global environmental balances. Forest fires in Amazonia, but also in other parts of the world, Central Africa, Indonesia or Siberia deeply impacted the world opinion.

While, the world was moved by the important loss of biodiversity and this large release of additional CO₂ in the atmosphere, a consequence was less told in the global news although it directly affects humanity. Most of the inhabitants of these forests are Indigenous Peoples who have been living on these territories for thousands of years. They are the main human beings affected, but they are the first keepers of these environmental jewels.

In 2017, the Conference of Parties (COP) recognized the major role of Indigenous Peoples not only in the forest's protection, but also as key stakeholders to impact positively the actions against climate change. Moreover, in its 2019 report, the IPCC (Intergovernmental Panel on Climate Change) mentioned for the first time that there was a clear link between securing the rights of Indigenous

Update

ESPAÑOL РУССКИЙ — FRANÇAIS — ENGLISH

Peoples and the efforts to fight the climate emergency.

However, the fight for these rights is hazardous and any gain must not be for granted, as it can be questioned and even canceled. These tragic events will be used by Indigenous Peoples to remind the world their central role and to support the recognition of their rights.

In this view, the Docip Foundation is making its best efforts to ensure that Indigenous Peoples representatives have the means to express themselves and be heard in the best conditions.

In order to ensure that its services are coherent with Indigenous People's needs, the Foundation has also launched a process to integrate

the evaluation of these needs in its processes and in its soon to come strategy for the coming years. As usual, some representatives will be then consulted to make sure Docip is following the right way to reach this goal.

Hoping that this 2019 edition will fulfill your expectations, we look forward to meeting you in our activities during the coming year and remember that Docip is YOUR tool, please use us!

Rémi Orsier
Docip Director



THE INTERNATIONAL YEAR OF INDIGENOUS LANGUAGES: A SUCCESS STORY

GENESIS OF THE PROCESS

The 2019 International Year of Indigenous Languages (IYIL) was declared by the United Nations General Assembly (UNGA) through a resolution adopted on 19th of December 2016¹:

“[the United Nations General Assembly] proclaims the year beginning on 1 January 2019 the International Year of Indigenous Languages, to draw attention to the critical loss of indigenous languages and the urgent need to preserve, revitalize and promote indigenous languages and to take further urgent steps at the national and international levels, and invites the United Nations Educational, Scientific and Cultural Organization (UNESCO) to serve as the lead agency for the Year, in collaboration with other relevant agencies, within existing resources”.

According to the data provided by UNESCO, there are five thousand different indigenous cultures in the world, and about 2680 indigenous languages are endangered. The revitalization and preservation of indigenous languages is not only an issue of recognition of indigenous cultures, but also relates to the importance of the recognition of indigenous peoples' rights.

A first expert group meeting was organized by the Secretariat of the United Nations Permanent Forum on Indigenous Issues (UNPFII) in 2008, with indigenous languages as a main focus. The report² of this meeting became a starting point for

the discussions and a stronger promotion of indigenous languages at the global level. It reminds all of the importance of the role of indigenous languages in the preservation of indigenous traditional knowledge, and the need for a more global recognition of indigenous peoples' rights.

Language rights are inherent to the right to indigenous peoples' self-determination, and include the right to maintain and to use indigenous languages; the right to have indigenous languages recognized in constitutions and laws; the right to maintain personal names, and the place names and proper names in their languages; the right to be educated in the mother tongue (either in State schools or in their own schools); the right to use indigenous languages in court and administrative proceedings; the right to non-discrimination on the grounds of language in such domains as work, social security, health, family life, education, cultural life and freedom of speech; the right to take part in public affairs and public service without discrimination on the grounds of language; the right to establish indigenous media in indigenous languages as well as to have access to mainstream media in indigenous languages. The tight link between languages rights and the right to self-determination is crucial while advocating for indigenous peoples' rights.

The 2012 Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) study on the role of languages and cultures in the promotion and protection of the rights of indigenous peoples³, recalls it very well, by stating the following:

“67. Where indigenous languages and cultures are under threat, indigenous peoples and States together in partnership have the primary responsibility for the revitalization of cultures and languages. In many cases, it is for indigenous peoples, as an expression of their right to cultural self-determination, to show the commitment and take the necessary action to implement practices in support of their cultures and languages. For example, mandatory immersion programmes should be established.

68. The role of States should be to support indigenous peoples in their endeavours to practise and express their cultures and languages. States should be careful not to intrude on indigenous peoples' self-determination in this respect by, for example, implementing cultural and language programmes without the free, prior and informed consent of indigenous peoples. Instead, States may be better placed to provide the requisite legislative and institutional framework necessary to protect and promote indigenous peoples' languages and cultures and, in addition, provide financial and technical support.”

The reactions by indigenous peoples' representatives⁴ to the study on indigenous cultures and languages at the EMRIP's 5th session underlined the lack of global recognition of indigenous cultures by the states, and consequently, the difficulty of preserving their own languages. In some countries, there is systemic cultural assimilation, with the education of children taking place only in the official language. Some efforts are being made by other countries to revitalize indigenous languages through the implementation of a national education plan or even the

establishment of a National Institute on Indigenous Languages. However, the challenges are still very consequent and there is a global concern for the slow disappearance of indigenous languages worldwide due to colonialism. The implementation and promotion of indigenous educational systems is a key element to making sure that indigenous traditional knowledge can be transmitted to future generations; but other interconnections between linguistic and other rights, such as the right to self-determination, must be taken into account while decolonizing indigenous languages and developing new policies.

The Office of the Navajo Nation Human Rights Commission summarized this crucial issue as follows in its statement, delivered by Mr. Leonard Gorman: “As a self-governing sovereign nation, the Commission strongly recommends first and foremost that we exercise the rights to language and culture in the promotion and protection of the rights and identity of indigenous peoples without undue burden from the States.”

1. Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.

2. States shall take effective measures to ensure that this right is protected and also to ensure that indigenous peoples can understand and be understood in political, legal and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means.

Peoples (UNDRIP), articles 13, 14 and 16. The report of this meeting⁵ stresses cultural loss and assimilation as the major causes of the disappearance of indigenous languages:

“Participants raised concerns about the policies and actions of colonialism; the dispossession of lands, territories and resources; and repression and forced assimilation to destroy their cultures, including indigenous languages, with the intention of depriving indigenous peoples of their integrity as distinct peoples and their dignity, security, well-being and human rights. There is a need to strengthen the willingness and ability of States to protect indigenous peoples’ rights through effective mechanisms for prevention and redress, in accordance to the United Nations Declaration on the Rights of Indigenous Peoples and other international human rights law.”

Also, the report notes the importance of data collection in relation to indigenous languages and deplores the lack of data that is currently available. There is no exact data

today regarding how many indigenous languages are spoken or used, due to the lack of data collection in the affected countries and the lack of cooperation of census offices with indigenous peoples. While these facts unfortunately take place, this is also true to say that there are efficient revitalization initiatives, introduced mostly by indigenous peoples themselves as the main bearers of the responsibility to preserve and maintain own native language. These initiatives include indigenous educational systems, partnerships with elders to pass on the knowledge to younger generations, use of new technologies in order to develop and strengthen the language on a larger

scale. The use of indigenous media is key to promoting indigenous languages. In the light of those elements, and recalling the previous expert group meeting that took place in 2008, the main recommendation of this report reads as follows:

“The General Assembly should proclaim an international year of indigenous languages. Alternative formulations, such as “an international year of endangered languages” or “indigenous and endangered languages”,

should also be considered. Such an international year should be proclaimed for 2018 or as soon as possible.

The General Assembly should also proclaim an international decade of indigenous languages, given that the revitalization of the world’s indigenous and other endangered languages would require a sustained effort by Member States and indigenous peoples over many years.”

The UNPFII 15th session in April 2016 also strongly recommended the adoption of an International Year of Indigenous Languages⁶. Those precedents led to the adoption by the UNGA as 2019 for the IYIL. UNESCO was requested to take the lead over the preparation process.

SUMMARIES OF DISCUSSIONS HELD AT THE INTERNATIONAL LEVEL IN 2018

During 2017 and 2018, there were preparatory events during both sessions of UNPFII and EMRIP. A Global Indigenous Language Caucus was established during UNPFII 16th session in 2017, and a first meeting took place in December 2017 at UNESCO headquarters in Paris, in order to discuss the draft Action Plan⁷ for the IYIL. The Draft Action Plan was presented by UNESCO at the 17th session of the UN Permanent Forum on Indigenous Issues in 2018. The Action Plan can be summarized as follows:

1 | [A/RES/71/178](#)

2 | [E/C.19/2008/3](#)

3 | [A/HRC/21/53](#)

4 | See the [statements made by the indigenous delegates](#) under Agenda item 5 at the 5th EMRIP session, 2012

5 | [E/C.19/2016/10](#)

6 | The recommendation can be read in the [report of the session](#) as follows: “The Permanent Forum recommends that the General Assembly, by 2020, proclaim an international year of indigenous languages and draw attention to the critical loss of indigenous languages and the urgent need to preserve, revitalize and promote indigenous languages and to take further urgent steps at the national and international levels”.

7 | [Draft Action Plan for the IYIL](#)

Following that discussion and realizing the crucial impact that indigenous languages have in the safeguarding of indigenous cultures, another expert group meeting was set up in January 2016 by the UNPFII Secretariat, which triggered the proclamation of the International Year of Indigenous Languages. This meeting dealt with the preservation and revitalization of indigenous peoples’ languages by creating a link with the United Nations Declaration on the Rights of Indigenous

KEY PRINCIPLES

- ▶ Centrality of indigenous peoples according to the principle of self-determination and the potential to develop, revitalize and transmit to future generations the languages that reflect the insights and values of indigenous peoples, as well as their knowledge systems and cultures.
- ▶ Compliance with international normative instruments and standards, in particular taking into consideration the provisions of the United Nations Declaration on the Rights of Indigenous Peoples, which constitute the minimum standards for the survival, dignity and well-being of indigenous peoples.
- ▶ Joint action “delivering as one” in the spirit of enhancing efficient and coherent delivery across the United Nations system, in partnership with the Permanent Forum, the Special Rapporteur on the rights of indigenous peoples, the Expert Mechanism on the Rights of Indigenous Peoples and other stakeholders, as well as integrating the United Nations normative and operational mandates on the rights of indigenous peoples, working in collaboration with United Nations country teams.
- ▶ Building on the strengths of multi-stakeholder partnerships at all levels in order to foster synergies, adequate responses and leadership.
- ▶ A holistic approach guided by the programming principles underlying United Nations project delivery, namely a human rights-based approach and an accompanying legal framework, and embracing cultural sensitivity, gender equality, disability-inclusiveness and a paradigm which encourages both capacity-building and environmental sustainability Synergy among different international development frameworks, as well as documents related to sustainable development, reconciliation and peacebuilding, other multilateral processes and implementation of other plans and strategies.

HOW-TO-PROCEED :

The multi-stakeholders’ partnership, which includes indigenous peoples’

representatives and organizations, Member States, UN entities, UNPFII, EMRIP, the Special Rapporteur on the Rights of Indigenous Peoples (SRRIP), the Academia, civil society organizations, the public and the private sector. The multi-stakeholders’ partnership includes :

- ▶ A Steering Committee to provide guidance and oversee overall implementation of the action plan.
- ▶ 18 members composed of interested States, representatives of indigenous peoples and their institutions, 1 indigenous member from the Permanent Forum, 1 indigenous member for the Special Rapporteur on the Rights of Indigenous Peoples, 1 member from EMRIP, 1 member from UNESCO and 1 member from the UNPFII Secretariat.
- ▶ The steering committee will provide guidance on the implementation of the Action Plan through its development, monitoring of the implementation, and support of indigenous peoples’ initiatives for their contributions for the IYIL.
- ▶ Ad hoc group(s) to provide advice on specific aspects of the action plan’s implementation.
- ▶ Partners to contribute to the implementation of the action plan.

OBJECTIVES OF THE ACTION PLAN

- ▶ Honour and respect with an official status linguistic diversity and indigenous languages on the ground, since they are essential for the enjoyment of human rights and individual freedoms, and for reconciliation and peacebuilding.
- ▶ Empower indigenous peoples to ensure better transmission of indigenous languages to future generations, while other actors will better appreciate and leverage the vital contribution of indigenous languages to improving and shaping key United Nations development outcomes.

- ▶ Create a more enabling environment at the national, regional and global levels, to adopt policy frameworks that reduce inequalities and at least mitigate discrimination against speakers of indigenous languages.

- ▶ Special attention will be paid to making available appropriate tools such as creative educational initiatives, traditional sports and games and other devices which help in the transmission of indigenous languages and in empowering indigenous children and their parents, youth leaders, girls and women, persons with disabilities and people in migrant situations.

MAIN AREAS OF INTERVENTION

- ▶ **Area 1:** increased understanding, reconciliation and international cooperation among different stakeholders by deploying necessary resources and robust data through national statistics institutions, in accordance with the United Nations Declaration on the Rights of Indigenous Peoples, and other relevant normative instruments and strategies.
- ▶ **Area 2:** creation of favourable conditions for knowledge-sharing and dissemination of good practices with regard to indigenous languages.
- ▶ **Area 3:** strengthened national and regional capacities to assess and mainstream indigenous languages and, as far as possible, to integrate them into national policies, strategic plans and regulatory frameworks.
- ▶ **Area 4:** delivery of educational capacity to provide more equitable and inclusive access to education in areas where indigenous languages and traditional knowledge feature prominently.
- ▶ **Area 5:** engage and encourage the global academic and scientific community to leverage the value residing in the intellectual assets and cultural and linguistic heritage of indigenous peoples both for their own benefit and for wider society on a national, regional and global scale.

During the 17th session of UNPFII, under the agenda item ‘Implementation of the six mandated areas of the Permanent Forum, discussion on the International Year of Indigenous Languages’, all stakeholders welcomed the Action Plan. There was a strong support expressed by states for the International Year on Indigenous Languages, and offered some reflections over current and future domestic policies and efforts. Indigenous peoples’ representatives also expressed strong support for the IYIL and shared their concerns and ideas on how linguistic communities can benefit from this global movement. The Inuit Circumpolar Council raised the issue

1. Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.

2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.

3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

Article 14
UNDRIP

of lack of schooling in Inuktituk. The Saami Parliament of Norway presented a common language project to establish a policy among the Saami people of Finland, Norway and Sweden and the need for continuous financial contributions to do so. The Association of Indigenous Peoples of the North, Siberia, and Far East of the Russian Federation recalled the importance for indigenous communities to speak their own language to their children. The Coordinadora de las Organizaciones Indígenas de la Cuenca Amazónica emphasized the need for less speeches and more concrete actions to be taken. Congrès Mondial Amazigh welcomed the international year of indigenous languages and stressed the lack of recognition of the Amazigh language. The Coordinating Committee of the Indigenous Peoples of Africa (IPACC) urged that there be special assistance to revitalize indigenous languages in Africa as they are disappearing.

The discussion held in the realm of the 11th session of the EMRIP in 2018 took the form of an interactive dialogue, focused

on the theme “cultural heritage, indigenous languages and traditional knowledge”. The panel expressed some interesting ideas, such as the importance of recognizing cultural rights to face climate change issues, which are link also to a recognition of indigenous peoples’ traditional knowledge. The World Intellectual Property Organization (WIPO), through its representative, presented the ongoing discussions in the realm of the Intergovernmental Committee on Traditional Knowledge, Genetic Resources and Traditional Cultural Expressions (IGC)⁸. The protection of traditional knowledge and traditional cultural expressions of indigenous

peoples is at stake in that process, and not necessarily an intellectual property, but a collective expression and identity. After a conference held at the University of Helsinki on indigenous peoples’ rights to culture, three key points emerged from the discussions: (1) indigenous understanding of what cultural heritage is, and the crucial role played by the environment in the creation of heritage; (2) special attention to recognizing cultural heritage is really needed as it is crucial for indigenous identity; (3) the vital role of indigenous peoples in protecting heritage – as it calls upon their rights to self-determination, to FPIC, to

recognition, reconciliation and reparation by providing space for dialogue among actors.

During the discussion that followed, a comment made from the floor underlined that indigenous languages have been disturbed by assimilation policies, and wondered what the role of indigenous women in the preservation of indigenous languages is. Another comment recalled that in the realm of the IYIL, it is important to stress that it is expressed through arts, music, dances, etc.

Those discussions clearly showed the crucial need for indigenous peoples worldwide to preserve and promote their cultures through the preservation and revitalization of their languages. Beyond the aspect of passing the language to younger generations, the revitalization of indigenous languages also means the preservation of a traditional knowledge that is many centuries old, which claims the ties to land, territories and natural resources.

INTERNATIONAL DISCUSSIONS IN 2019 AROUND THE IYIL

The IYIL has been firstly primarily launched with a special event held in UNESCO headquarters in Paris on January 28th. Several debates during the day addressed a wide range of subjects, such as: access to information in indigenous languages, the role and contribution of academia and public organizations in the preservation, access and support of indigenous languages, indigenous languages sustainable development and peace, celebrating indigenous languages through artistic expression and creativity. The several indigenous representatives present to the event underlined and insisted on the importance of preserving indigenous languages, not only through a folkloric approach as the ‘western world’ would like to do so, but in order to keep developing their own vision and cultures. There was also a High-Level event organized in the realm of UNGA 73rd session, marking the Official Launch for this International Year. Speakers addressed a wide range of pressing issues. Topics include the access to information in indigenous languages, the use of indigenous languages in job markets and health care, the role and contribution of academia and public organizations in the preservation, access and support of indigenous languages, and the United Nations system-wide action plan on the rights of indigenous peoples. President of Bolivia Evo Morales pointed out that indigenous languages are important for modern democracy. Among other relevant news, UNESCO announced that it will launch the new digital platform of the World Atlas of Languages to promote multilingualism in the press and internet content. The meetings of the World Heritage Committee and the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage will continue highlighting the protection of heritage and indigenous languages.

The 18th session of the Permanent Forum this year dedicated a plenary session to the International Year under the agenda item “Discussion on the 2019 International Year of Indigenous Languages”.

8 | For a summary of this year’s discussions, please see section Ongoing Processes

The panel discussed the implementation of the Action Plan for the IYIL during the year. This approach presupposes (1) the recognition of languages, including at legislative levels; (2) the implementation of an effective linguistic policy underpinned by financial resources; (3) the improvement of the observance of linguistic rights in closing the gap between law and practices. The Permanent Forum expressed a strong support for the declaration of an International Decade on Indigenous Languages, which can be found as one of the recommendations on indigenous languages of this year^{9,10}. Many states¹¹ expressed the current policies put in place to revitalize and promote indigenous languages. The statements realized by the different indigenous organizations¹²

1. Indigenous peoples have the right to establish their own media in their own languages and to have access to all forms of non-indigenous media without discrimination.

2. States shall take effective measures to ensure that State-owned media duly reflect indigenous cultural diversity. States, without prejudice to ensuring full freedom of expression, should encourage privately owned media to adequately reflect indigenous cultural diversity.

Article 16
UNDRIP

highlighted diverse points related to the use and promotion of their languages. Most of them called for a need to preserve and promote the cultural rights and the traditional languages through the implementation of national policies, which would also aim at protecting indigenous traditional knowledge. Others mainly addressed the crucial need to provide education to indigenous children in their native language, by providing to the communities' financial assistance to do so. Finally, some others stressed the opportunity provided by the new technologies and called for an International Decade on Indigenous Languages. To close the panel, those concrete recommendations made by an EMRIP member summarize globally in what the IYIL is an opportunity to indigenous communities:

1) the recognition of past injustices for moving forward and reconciling with linguistic communities;

2) the capacity for indigenous peoples to design education programs that are consistent with their needs;

3) that this year provides opportunities for states and civil society organizations to support the initiatives of indigenous linguistic communities;

4) that UN agencies and programs ensure that indigenous languages are fully reflected in projects, policies and field work.

The 12th session of the EMRIP dedicated its opening with a panel discussion on the IYIL. The panel underlined the importance of including this topic in the realm of the Human Rights Council's (HRC) discussions¹³ and supported the call of an International Decade on Indigenous Languages. The panel also spotted that the insufficient attention and support for indigenous languages and cultures has led to the discrimination and exclusion of indigenous peoples. In relation to the outcome document, it should (1) set up the case regarding why indigenous languages are important and why we need to step up efforts to protect, preserve and revitalize them, (2) set aspirational goals in order to show the path that all should follow individually, collectively, nationally and internationally, and (3) provide a set of recommendations in a substantive and meaningful way over the next decades. Another panelist insisted on the importance for indigenous peoples to speak in their mother tongues, as their lan-

guages are at the center of their culture, livelihood and homelands. The panel concluded by stating that indigenous languages as a source of solutions to contemporary challenges.

The theme of the 9th of August, Day of the World's Indigenous Peoples, was 'Indigenous Languages'. On that occasion, in a joint statement the Permanent Forum, the EMRIP, the Board of Trustees of the UN Voluntary Fund for Indigenous Peoples and the Special Rapporteur on the Rights of Indigenous Peoples supported the continuing efforts put in place during 2019:

"Indigenous languages are necessary for the enjoyment of human rights, as well as being a part of the rich linguistic and cultural heritage of indigenous peoples.

However, indigenous rights experts are concerned that of the 7,000 indigenous languages around the world, many are endangered. Forty per cent of them are in danger of disappearing altogether.

This situation reflects historic State policies and ongoing discrimination against speakers of indigenous languages, and towards the assimilation of minorities and nation building. Over time, such policies can undermine and effectively destroy a culture and even a people.

Indigenous languages allow for the freedom of expression and conscience critical to human dignity, as well as cultural and political self-determination. They are also critical for the survival of our global society. Containing the wisdom of traditional environmental knowledge and cross-cultural communication, indigenous languages hold the keys to combating climate change, and living in peace.

Language is a right not a privilege. The United Nations Declaration on the Rights of Indigenous Peoples recognizes the right of indigenous peoples to revitalize, use, develop and transmit their languages to future generations. Importantly this includes the right to establish and control institutions responsible for education, media, and governance.

We call on UN member States to recognize, protect and promote indigenous languages through legislation, policies and other strategies, in full cooperation with indigenous peoples, including adequate, sustained support for bilingual and mother tongue education.

We call on States to ensure access to health, employment, judicial and other public services in the languages of indigenous peoples, including through cyberspace and the internet.

We support the States that have encouraged the UN to declare a Decade of Indigenous Languages. Ten years would provide the time and resources necessary to reverse the historic destruction of indigenous languages and reclaim these languages for the future of indigenous peoples and the world community, alike."

EVENTS WORLDWIDE WHICH CELEBRATED THE INTERNATIONAL YEAR

The International Year of Indigenous Languages has been celebrated worldwide, through a very wide range of events.

Up to the present time¹⁴, about 490 events have been organized, according to the data provided by the UNESCO¹⁵, among which:

- ▶ 144 international events and conferences
- ▶ 108 capacity-building projects
- ▶ 196 cultural events; and
- ▶ 42 media events

The closure of the IYIL should be done by UNESCO through a Strategic Outcome document still being drafted, after a wide online consultation that was accessible through their website. Following the data collected by UNESCO during this IYIL, the organization is currently finalizing the new Atlas of the World’s Languages. Let’s hope that this new Atlas reminds everyone of the bright vivacity of indigenous languages worldwide, and provides more accurate data than previously addressed⁶.

Throughout the year, all different mechanisms on indigenous peoples’ rights agreed on calling for an International Decade on Indigenous Languages. The subject raised lots of interest and got to bring to light one of the most important aspects of indigenous cultures. In this spirit, the Human Rights Council in its 42nd session held an interactive panel discussion on indigenous languages, where council members and observers expressed their strong support for the continuation of international and national efforts to rescue indigenous languages in danger and apply human rights-based approach on indigenous languages. The Council adopted the included the following paragraph with regards to indigenous languages in its annual resolution on Human Rights and Indigenous Peoples:

“8. Acknowledges the progress and outcomes of and lessons learned from the International Year of Indigenous Languages in 2019 through the activities led by the United Nations Educational, Scientific and Cultural Organization, and in that regard supports the proclamation of an International Decade of Indigenous Languages.”

Furthermore, some regional meetings significantly contributed to the drafting of the strategic Outcome Document of the International Year of Indigenous Languages. A meeting held in Changsha, in September 2018 for the Asia region, entitled *“Role of linguistic diversity in building a global community with shared future: protection, access and promotion to global language resources”* discussed the broad areas of language-related issues, with special attention to the language protection, access to language resources and promotion of emerging initiatives in Asia-Pacific region.

It also aimed at contributing to the organization of the 2019 International Year of Indigenous Languages and further development of UNESCO’s World Atlas of Languages. The regional meeting for North America and the Arctic, held in Victoria, Canada, in June 2019 and the regional meeting for Africa, held in Addis Ababa in July 2019 had similar objectives: to establish a road map towards achieving strategic objectives for the elaboration of a Strategic Outcome Document for the IYIL.

This Strategic Document will focus on three key objectives: (i) acknowledge a critical status of Indigenous languages around the world; (ii) highlight the urgent need to further recognize the essential contributions of Indigenous languages to social, cultural, economic, environmental, technological and scientific domains; and, (iii) urge key stakeholders, including international organizations and specialized agencies of the UN, governments, Indigenous organizations, NGOs and civil society to continue taking concrete and sustainable measures at every level to support, access and promote Indigenous languages around the world. The regional meeting for Latin America, held in Cusco, Peru, in September 2019,

aimed mainly at implementing a regional action plan for the safeguard of indigenous languages in Latin America. More specifically, it aimed at generating a space for constructive debate in which new paradigms for access to knowledge and information on indigenous languages of Latin America and the Caribbean are addressed and commitments are made for their promotion, protection and development.

Numerous are the challenges to keep indigenous languages alive at the community level. Transmission to young generations and the use of new technologies are only a few examples of solutions that have been put in place. However, it is important to stress that the resilience of indigenous communities facing centuries of colonialism gives a strong hope that indigenous languages will keep their traditional knowledge alive for yet many years to come.

The international initiatives are good incentives in helping, but financial resources are lacking to put those great ideas in place.

9 | See infra, table ‘UNPFII recommendations on indigenous languages’
 10 | [E/2019/43-E/C.19/2019/10](#)
 11 | New Zealand, Canada, the European Union (UE), Namibia, Norway, Sweden, the Russian Federation, Australia, Nicaragua, Guatemala, Estonia, Finland, the Plurinational State of Bolivia, Ecuador, El Salvador, Bangladesh, Chile
 12 | For more precise information, please see [Docip Synthesis Note n°8](#)
 13 | A short summary of the panel discussion that took place during the 42nd session of the HRC this year on the IYIL is available in that article
 14 | This article is being drafted on October 11th, 2019
 15 | Data taken from [the official website of the International Year](#)
 16 | *Supra* page 1

TABLE OF UNPFII RECOMMENDATIONS ON INDIGENOUS LANGUAGES

7 th session, 2008	Recommendation	Addressee	Status of implementation
	The Permanent Forum welcomes the report of the international expert group meeting on indigenous languages, held in New York from 8 to 10 January 2008, and recommends that States and United Nations agencies engage with indigenous peoples to develop strategies to implement the recommendations of the report.	Member States, UN system/ UN agencies	Ongoing
	The Permanent Forum calls on States to immediately support indigenous peoples’ language revitalization efforts. This includes supporting the master apprentice programmes and assessment of language status, and the creation of increased links between formal schools and the family so that there is a continuous use of indigenous languages.	Member States	Ongoing

7 th session, 2008	Recommendation (resumed)	Addressee	Status of implementation
	The Permanent Forum invites UNESCO to call jointly for a world conference on linguistic diversity, indigenous languages, identity and education. The United Nations Member States are encouraged to provide political and financial support for such a conference.	UNESCO, Member States	
	The Permanent Forum notes that the draft Nordic Saami Convention stands out as an example of good practice in empowering indigenous peoples to preserve and revitalize their languages. The Forum therefore encourages the Nordic States to support the process of the Saami Convention with a view to their adoption of it in due course.	Nordic States	

15 th session, 2016	Recommendation	Addressee	Status of implementation
	The Permanent Forum recommends that States and the United Nations system, including United Nations country teams, provide support, including funding, for the efforts of indigenous peoples' institutions to preserve and revitalize their languages, with the particular goal of fluency. Such efforts may include the sharing of positive experiences and the establishment of informal networks or caucuses involved in the promotion and revitalization of indigenous languages, as well as the use of information and communications technology in indigenous languages. It is important that States provide adequate funding for language revitalization and the preservation of cultural heritage as it relates to indigenous languages. In addition, States should facilitate funding for indigenous language projects from external donors, including the private sector, in accordance with law.	Member States, UN system/ UN country teams	
	The Permanent Forum recommends that UNESCO, with the participation of indigenous peoples, urgently declare as the organization's priority the preservation, revitalization and promotion of indigenous languages. UNESCO is also urged to initiate international processes for the establishment of international standards on the preservation of indigenous languages. In particular, the Forum recommends that UNESCO collaborate with efforts led by indigenous peoples and others to map indigenous languages, such as the Endangered Languages Project.	UNESCO	
	The Permanent Forum recommends that the General Assembly, by 2020, proclaim an international year of indigenous languages and draw attention to the critical loss of indigenous languages and the urgent need to preserve, revitalize and promote indigenous languages and to take further urgent steps at the national and international levels.	UN General Assembly	Completed

16 th session, 2017	Recommendation	Addressee	Status of implementation
	In the light of the proclamation of the International Year, the Permanent Forum invites Member States, in close cooperation with indigenous peoples, UNESCO and other relevant agencies of the United Nations system, to participate actively in the planning of the Year, including by organizing national and international expert meetings to raise awareness of and plan specific activities for the Year, and securing additional and adequate funding for the successful preparation and implementation of the Year, including by providing support for the establishment of an indigenous-led fund dedicated to the preservation and revitalization of indigenous languages.	Member States, Indigenous Peoples, UNESCO, UN system	
	The Permanent Forum recommends that UNESCO, in cooperation with the Expert Mechanism on the Rights of Indigenous Peoples, the Forum and the Special Rapporteur on the rights of indigenous peoples, and with the direct participation of indigenous peoples, develop a comprehensive action plan for the International Year and invites UNESCO to submit the plan to the Forum at its seventeenth session.	UNESCO, EMRIP, UNPFII, Special Rapporteur on the rights of indigenous peoples	

17 th session, 2018	Recommendation	Addressee	Status of implementation
	<p>The Permanent Forum welcomes the work carried out by the UNESCO in preparation for the 2019 International Year of Indigenous Languages and welcomes and supports the action plan for the International Year that was developed in cooperation with Member States, the Forum, the Special Rapporteur on the rights of indigenous peoples and the EMRIP, as well as indigenous peoples and a range of different stakeholders. The Forum calls upon Member States to implement the action plan in partnership with indigenous peoples, respecting the principle of “nothing about us without us”, including the establishment of national steering committees and national action plans for the International Year. States should allocate adequate funding for the successful implementation of the International Year.</p>	Member States	
	<p>The Permanent Forum appeals to governments in the Arctic, Eastern Europe, the Russian Federation, Central Asia and Transcaucasia to give financial and political support to their indigenous peoples to play an active role in the implementation of the 2019 International Year of Indigenous Languages, including for indigenous peoples and experts to meet at conferences and other relevant regional meetings and events.</p>	Member States	
	<p>The Permanent Forum calls on Governments in the Arctic, Eastern Europe, the Russian Federation, Central Asia and Transcaucasia, along with academics, to take appropriate measures to introduce the endangered languages of their regions into educational practices and include the learning of those languages in curricula at all levels of educational system, when requested by indigenous people.</p>	Member States	
	<p>The Permanent Forum recommends that United Nations entities, including the Inter-Agency Support Group on Indigenous Peoples’ Issues (IASG), take effective measures to support the promotion of indigenous languages and the successful implementation of the goals and objectives of the International Year, including in activities related to the implementation of the 2030 Agenda for Sustainable Development, the systemwide action plan on the rights of indigenous peoples, the celebration of international days and other processes.</p>	UN agencies funds and programmes, IASG	
	<p>The Permanent Forum recommends that indigenous peoples, as the rightful owners and custodians of their own languages, initiate and develop their own action plans and appropriate measures for the International Year and awareness-raising campaigns to draw attention to the situation of indigenous languages.</p>	Indigenous peoples	
	<p>The Permanent Forum invites the General Assembly to request that UNESCO report on activities carried out during the International Year, and subsequent impacts and follow-up activities after 2019, at its seventy-fifth session.</p>	UN General Assembly	
	<p>The Permanent Forum recommends that UNESCO, in active collaboration with other relevant United Nations entities, organize as a major event of the International Year a world conference or high-level event on indigenous languages, which would be preceded by regional conferences, and encourages Member States to support its organization. The Forum emphasizes that all events organized to mark the International Year must include the full and effective participation of indigenous peoples.</p>	UNESCO, Member States	
	<p>The Permanent Forum urges the Secretary-General to appoint a special envoy on indigenous languages, in consultation with indigenous peoples.</p>	UN Secretary-General, UN funds, agencies and programmes	
	<p>The Permanent Forum urges Member States to establish permanent financing structures for ensuring the protection of the language initiatives of indigenous peoples, such as the Giellagáldu project in Finland, Norway and Sweden.</p>	Member States	

18 th session, 2019	Recommendation	Addressee	Status of implementation
	The Forum recommends the adoption of a rights-based approach towards indigenous language issues that considers the full spectrum of human rights and fundamental freedoms in accordance with the Declaration. The Forum also recommends that Member States, the United Nations system, indigenous peoples' organizations and other stakeholders share initiatives and strategies undertaken for, with and by indigenous peoples in order to recover, use and revitalize indigenous languages, including through the use of information and communication technologies.	Member States, UN system, indigenous peoples	
	The Forum recommends that UNESCO prepare a strategic outcome document of the 2019 International Year. The Forum invites Member States to consider discussing the outcome document at the General Assembly.	UNESCO	Ongoing
	The Permanent Forum requests that UNESCO present a report to the Forum by 2020 on the implementation of the International Year of Indigenous Languages, on the basis of the action plan for organizing it.	UNESCO	
	The Permanent Forum takes note of national, regional and international initiatives, including the establishment of an entity with the name "Ibero-American Institute of Indigenous Languages", requested at the twenty-sixth Ibero-American Summit of Heads of State and Government, to be implemented by the Ibero-American General Secretariat, the Organization of Ibero-American States for Education, Science and Culture and the Fund for the Development of the Indigenous Peoples of Latin America and the Caribbean. ² The Forum recommends that similar initiatives be implemented in other regions.	Member States	
	Considering the rapid rate of disappearance of indigenous languages and the fact that their reclamation and revitalization will require a sustained effort by indigenous peoples, Member States and the United Nations system, the Forum recommends that the General Assembly proclaim an "International Decade on Indigenous Languages", to begin in 2021 or as soon as possible.	UN General Assembly	
	The Permanent Forum recommends that Member States formulate evidence-based policies, long-term strategies and regulatory frameworks, in cooperation with indigenous peoples, to ensure their support and the protection and revitalization of indigenous languages, including adequate, sustained support for bilingual, mother-tongue education. The Forum also recommends that States facilitate the mainstreaming of indigenous languages. Allowing indigenous peoples to gain access to health care and other public services in their own languages will help to ensure their overall well-being.	Member States	
	The Permanent Forum urges UNESCO to develop an indigenous peoples' platform within the agency to ensure that UNESCO language programmes provide tangible benefits to indigenous communities and ensure that indigenous peoples are active in all aspects of the work of UNESCO.	UNESCO	

FOR MORE INFORMATION

The official [webpage](#) of the International Year of Indigenous Languages by UNESCO

The [website](#) for the International Day of the World's Indigenous Peoples 2019

UNPFII recommendations [database](#) (available only in English)

Ongoing processes

INDIGENOUS PEOPLES' PARTICIPATION IN OTHER AREAS OF THE INTERNATIONAL SYSTEM

WAYS TO ENHANCE INDIGENOUS PEOPLES' PARTICIPATION IN THE UN SYSTEM

BACKGROUND INFORMATION ON THE PROCESS

The process on 'ways to enable the participation of indigenous peoples' representatives and institutions in meetings of relevant UN bodies on issues affecting them' found ground in a Human Rights Council resolution at its 18th session¹⁷ in 2011:

"12. Also welcomes, in this regard, the preparatory process, and requests the Expert Mechanism, in accordance with General Assembly resolution 65/198, to discuss the upcoming World Conference and, together with other relevant mechanisms on indigenous peoples' issues, to contribute to the exploration of the modalities for the meeting, including indigenous peoples' participation in the World Conference and its preparatory process;

13. Requests the Secretary-General, in cooperation with the Office of the High Commissioner, the Office of Legal Affairs and other relevant parts of the Secretariat, to prepare a detailed document on ways and means of promoting participation at the United Nations of recognized indigenous peoples' representatives on issues affecting them, as they are not always organized as non-governmental organizations, and on how such participation might be structured, drawing from, inter alia, the rules governing the participation

in various United Nations bodies by non-governmental organizations (including Economic and Social Council resolution 1996/31) and by national human rights institutions (including Human Rights Council resolution 5/1 of 18 June 2007 and Commission on Human Rights resolution 2005/74 of 20 April 2005), and to present it to the Council at its twenty-first session".

In the realm of the preparations of the World Conference on Indigenous Peoples (WCIP), the discussions were already engaged in order to seek how indigenous peoples' participation should be considered. The report that has been requested by the Secretary-General on ways to promote indigenous peoples' participation on issues affecting them¹⁸ already stresses the main issues that indigenous peoples' organizations and institutions are facing as challenges when it comes to participating in UN meetings. However, the official global process has been really launched following both the Alta Conference Outcome Document¹⁹ and the WCIP Outcome Document²⁰. Paragraph 13 of the Alta Conference Outcome Document states as follows:

"13. We further recommend that, in keeping with our right of self-determination and free prior and informed consent, indigenous peoples participate fully and effectively in the negotiations of all relevant international agreements that may affect them, including multilateral and bilateral trade and investment agreements and organizations, including in the review of existing agreements;"

Indigenous peoples' organizations benefit from an easier accreditation system in order to be able to participate in the

mechanisms set up by the UN system to address their issues, mainly the Permanent Forum on Indigenous Issues and the Expert Mechanism on the Rights of Indigenous Peoples. However, they often face difficulties and challenges in accessing processes that are not qualified as indigenous issues but nevertheless directly affect their lives. In bodies such as the Human Rights Council and the ones related to the Economic and Social Council (ECOSOC), only indigenous organizations that enjoy the ECOSOC status²¹ have the right to participate. This limitation in the participation does not allow the global indigenous voice to be heard within the UN system, as indigenous peoples' rights are a cross-cutting issue often discussed without any indigenous delegate present at the discussions.

During the 70th session of the UN General Assembly (UNGA) in 2015, the Assembly adopted a resolution²² on the rights of indigenous peoples. It establishes a consultative process with indigenous organizations and institutions on how to enhance their participation in the UN system. Confirming this in the WCIP Outcome Document, paragraph 19 of this resolution states as follows:

¹⁷ | [A/HRC/18/L.23](#)

¹⁸ | [A/HRC/21/24](#)

¹⁹ | [A/67/994](#)

²⁰ | [A/RES/69/2, para 33](#)

²¹ | The ECOSOC status takes two years to obtain and requires a year of preparation. For more information, please [see here](#)

²² | [A/RES/70/232](#)

‘Requests the President of the General Assembly to conduct, within existing resources, timely, inclusive, representative and transparent consultations with Member States, indigenous peoples’ representatives and institutions from all regions of the world, and existing relevant mechanisms of the United Nations, on the possible measures necessary, including procedural and institutional steps and selection criteria, to enable the participation of indig-

“The organs and specialized agencies of the United Nations system and other intergovernmental organizations shall contribute to the full realization of the provisions of this Declaration through the mobilization, inter alia, of financial cooperation and technical assistance.

Ways and means of ensuring participation of indigenous peoples on issues affecting them shall be established.”

*United Nations Declaration on
the Rights of Indigenous Peoples
Article 41*

enous peoples’ representatives and institutions in meetings of relevant United Nations bodies on issues affecting them, and also requests the President to prepare a compilation of the views presented during the consultations, including good practices within the United Nations regarding indigenous peoples’ participation, which will form the basis for a draft text to be finalized and adopted by the Assembly during its seventy-first session.’

This resolution was the starting point for the consultative process and opened up negotiations with states on the possible solutions that would allow indigenous peoples’ organizations and institutions to more fully participate in the UN system. To do so, the President of the General Assembly (PGA) of the 70th session appointed four Advisors, two for Member States and two for indigenous peoples. They are:

- ▶ **Mr. Kai Sauer,**
Permanent Representative of Finland
- ▶ **Mrs. Martha Ama Akyaa Pobee,**
Permanent Representative of Ghana
- ▶ **Mrs. Claire Winfield Ngamihi Charters,**
of the Pacific Region
- ▶ **Mr. James Anaya,**
of the North America Region

The consultation process included informal meetings, several regional meetings, and an electronic consultation for indigenous organizations²³. The PGA launched the consultation process with the electronic consultation on 7 March 2016. The results of the first²⁴, the second²⁵ and the third consultation²⁶ already showed that the main concern for indigenous peoples is the lack of flexibility in the UN system to allow their participation in meetings that affect them. The recognition of the participation of indigenous organizations is too often submitted to the states while the main criteria should be self-identification as indigenous peoples. Also, a new category of observer should be created in order to preserve the rights guaranteed by UNDRIP, such as the right to self-determination by an enhanced participation of indigenous peoples in the UN system. It has also been underlined in this first round of consultation that many UN meetings

deal with related indigenous issues without providing any funding to indigenous representatives or facilitating their participation, which does not provide a true and meaningful legitimization to those processes. The final compilation of all those consultations can be found in the compilation of views. It was first introduced during the 9th session of the EMRIP in July 2016.

This document has been used a tool to compile everyone’s views and to establish a formal way of starting the intergovernmental process that followed, which discussed the Draft Resolution on ways to enhance indigenous peoples’ participation in the UN to be submitted to UNGA 71st session.

INTERGOVERNMENTAL PROCESS

During the presentation of the compilation of views²⁷ at EMRIP 9th session in 2016²⁸, the panelists introduced the history of indigenous peoples’ participation within the UN system, and how it is possible to reinforce this participation nowadays. They further questioned whether it would be possible to create a new category of indigenous participation, considering that the existing framework does not allow much flexibility in terms of creating an

enabling environment for more participation. The reactions from the states mainly encouraged the ongoing process, without, however, expressing a clear position. The reactions from indigenous peoples’ organizations insisted on the importance in having flexibility rules for the accreditation, and also a stronger recognition of the role held by indigenous institutions.

In a letter from the President to the General Assembly of the 18th of October 2016²⁹ to indigenous peoples’ representatives, there is an indicative roadmap on the process for the negotiations of the resolution that should be adopted by UNGA 71st session in 2017 (UNGA71). The round of negotiations around the draft text of the resolution would start in December 2016 and finish end of May 2017. The draft resolution³⁰ was released prior to the negotiations that took place during UNPFII 16th session and end of May 2017 in a letter from the PGA of April 2017³¹. The final resolution to be adopted by UNGA71 can be found in the following letter from the PGA to indigenous peoples’ representatives dated as 10th of August 2017³², which led to the adoption without a vote on 8th of September 2017 of resolution A/RES/71/321³³.

The comparative table that can be found as Annex of this article shows that the Zero Draft resolution contained solutions and real proposals on ways to enhance indigenous peoples’ participation in the UN system. However, the resolution adopted cannot be anything else than an obvious drawback from states and the UN system in that matter, as it does not offer anything other than postponing the real decision-making.

The resolution of UNGA71 states that a final report with solutions should be presented during UNGA 74th – in fact, the final report will be submitted during UNGA 75th in 2020. In the meanwhile, the process continues with a series of informal hearings to lead towards the report that should be issued for UNGA75.

INFORMAL HEARINGS SUMMARIES

The process of informal hearings started with the 17th session of the Permanent Forum, in April 2018. In a nutshell, the first informal hearing³⁴ underlined the need for a proper recognition of indigenous peoples’ governments and representative institutions. They are for now considered

as NGOs with ECOSOC status within the UN system but in reality, are governing bodies for indigenous peoples as such. This view has been shared by some states which were able to agree on the creation of a new category of participation. The main point for the participation is for indigenous peoples' organizations to be able to attend the General Assembly and its subsidiary organs, the Economic and Social Council and the Human Rights Council with its subsidiary bodies. The main claim for indigenous delegates in the hearings is to be able to make oral and written statements in the mechanisms previously mentioned. A stronger participation in the negotiation of resolutions on matters that affect them is also a key point that needs more attention. The selection of indigenous organizations that could benefit from this new category of participation should be composed of states and indigenous peoples' representatives from all regions with self-identification as the main selection criteria.

The second informal hearing³⁵ held during the 18th session of UNPFII stressed the importance of indigenous self-identification and self-determination as peoples for the determination of the selection criteria. The UN Voluntary Fund for Indigenous Peoples has been a core body for allowing participation of indigenous peoples in more spaces within the UN system. However, this informal hearing also underlined the lack of agreement over the term 'indigenous' and the lack of agreement with the definition 'indigenous peoples', crucial to defining the modalities of participation and selection criteria for an enhanced participation within the UN system. It has been mentioned that there should first be a national recognition of indigenous peoples, while the main criteria for selection that should be considered are self-determination and self-identification.

The creation of a mechanism to accredit indigenous peoples has been mentioned, and made clear that there is a need to create a new separate category for the participation of indigenous peoples at the UN. An overall recommendation is to appoint a UN Special Representatives on Indigenous Peoples, which would be appointed by the Secretary General. On the venues, it has been discussed that indigenous peoples should be able to represent themselves in foras other than UNPFII and EMRIP. The proposed venues so far are UN bodies as well as meetings of states parties to international treaties, UN General Assembly and its Second³⁶ and Third³⁷ Committees,

ECOSOC, the Human Rights Council and conflict resolution processes. On the modalities of indigenous participation, it has been proposed that indigenous peoples should be able to present oral and written statements, with a possibility of being granted an observer status.

The third informal hearing will be held during the 19th session of UNPFII in 2020, and will close the round of consultations before preparing the final report to be submitted to UNGA 75th session.

HAPPENINGS AT THE HRC42 AND COMPARATIVE TABLE OF RESOLUTIONS

In addition, the HRC, in its 41st session, organized a panel discussion on ways to enhance indigenous peoples' participation in the UN system in the realm of the EMRIP 12th session earlier this year. The panellists underlined the importance indigenous peoples' participation and the efficiency of their dedicated mechanisms in the UN system to advocate for their rights. It has also been mentioned that the UN Voluntary Fund for Indigenous Peoples is a crucial tool that allows participation of indigenous representatives in the UN system, but there are still some improvements that need to be made, especially in terms of participation during the HRC sessions. The reactions of states³⁸ were supportive of the process, related mainly to an enhanced participation of indigenous peoples in the HRC. The reactions of indigenous organizations were quite different and expressed mainly frustration on the selection criteria to participate in UN conferences and mechanisms. They also underlined the importance for the UN system to differentiate between indigenous institutions and indigenous NGOs, as they do not have the same representative status among the communities.

Furthermore, the reactions from several indigenous representatives stressed the complex process of obtaining an ECOSOC status and the lack of translation of official UN documents, which are not easy to understand for indigenous organizations.

The accreditation process for participating in the HRC sessions remains a main issue that needs to be addressed as soon as possible, since for the time being it definitely does not enhance indigenous peoples' participation.

A good example remains the participation of indigenous peoples' representatives during the HRC 42nd session – called below HRC42. In order to obtain an accreditation to participate in the HRC, indigenous peoples' organizations need to have the ECOSOC status, otherwise they cannot get accredited to the session and deliver a statement. The rules of speaking during HRC are more severe than EMRIP and UNPFII: as a general rule, the speakers have 2 minutes to deliver their statement and get their microphones cut off if they spend a few seconds more. Also, it is important to stress that depending on the agenda or order of the day of the HRC session, not all subscribed speakers are called to deliver their statement. During HRC42, the panel on indigenous languages suffered a delay of more than four hours without any notice to the concerned delegates, and thus, by the time the panel ended, not all statements from indigenous peoples' organizations could be delivered. The agenda item resumed on the next morning but most of indigenous delegates had already left Geneva. On the 20 statements that indigenous peoples' organizations should have delivered, 3 remained without a voice due to lack of time.

This concrete example shows us that still, at the end of 2019, encouraging discussions with the PGA would be a good step towards more participation of indigenous peoples in the UN, but first and foremost the UN system itself needs to show more respect to the delegates it claims to be protecting.

23] Unfortunately, the accessible information is very limited

24] Results on the [first consultation](#)

25] Results on the [second consultation](#)

26] Results on the [third consultation](#)

27] [A/70/990](#)

28] The detailed reactions can be found in [Docip' Synthesis Note n°1](#)

29] [Letter from the PGA of 18th October 2016](#)

30] See below, Zero Draft resolution

31] [Letter from the PGA of 21st April, 2017](#)

32] [Letter to the PGA of 10th of August 2017](#)

33] [A/RES/71/321](#)

34] [Summary of the first informal hearing by the Advisors to the PGA](#)

35] [Summary of the second informal hearing by the Advisors to the PGA](#)

36] UNGA Second Committee is the Economic and Financial Committee

37] UNGA Third Committee is the Social, Humanitarian and Cultural Committee

38] The detailed reactions can be found in [Docip Synthesis n°9](#)

Instead of keep engaging with negotiations as it has been since the adoption of the WCIP Outcome Document, the lack of agreement and the push back of the resolution negotiated in 2017 by the states clearly shows that this process has been delayed for other reasons. Pushing for more inclusion of indigenous peoples' participation and their representatives' institutions in the UN system on matters that affect them means finally giving them the place they deserve in the international fora, with a voice as sovereign people. The machinery of states – and thus, the UN system, in all that depends on their contributions – by acting this way, are showing a lack of willingness to compromise and go forward with a crucial issue for the survival of indigenous peoples. The spaces of recognition and claims for indigenous peoples' rights have the right to exist – UNPFII, EMRIP, Special Rapporteur on the Rights of Indigenous Peoples – but their effectiveness has been criticized on many occasions.

Giving a stronger space to indigenous peoples in other spaces of the UN mechanisms, such as UNGA Third Committee or even the HRC would mean providing a formal recognition of indigenous peoples' rights that would go beyond the implementation of UNDRIP.

Comparative table of resolutions available in Annex I.

***“1. Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.*”**

2. In conjunction with indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights.”

*United Nations Declaration on
the Rights of Indigenous Peoples
Article 31*

ONGOING DISCUSSIONS AT THE WORLD INTELLECTUAL PROPERTY ORGANIZATION

In accordance with its mandate, the 40th session of the WIPO Intergovernmental Committee on Intellectual Property, Genetic Resources, Traditional Knowledge and Folklore (IGC) continued text-based negotiations with the objective of reaching an agreement on text(s) and legal instrument(s) to ensure the effective protection of Traditional Knowledge (TK), Traditional Cultural Expressions (TCEs) and Genetic Resources (GRs) for Indigenous Peoples.

This process is of crucial importance as it is the only process currently working to create a legally binding instrument(s) for the protection of Indigenous Peoples' rights. Indigenous participation at IGC 40 was much higher than during previous sessions, in part due to the Government of Canada's contribution to the Voluntary Fund for Accredited Indigenous and Local Communities (Voluntary Fund), which allowed a further 3 Indigenous delegates from Latin America, Africa and Asia to participate. WIPO IGC 40's negotiations focused primarily on the Scope of Protection and the Exception and Limitations articles of the TK and TCE texts, and the recommendations to the WIPO General Assembly on the renewal of the IGC's mandate for the 2020-2021 biennium. Issues under discussion included:

1. Funding of Indigenous representatives and the depletion of the Voluntary Fund.

During the end of the conference GRULAC (Group of Latin American and Caribbean Countries) and the African Group supported the idea of funding Indigenous representatives directly out of WIPO's Program 4 core budget.

The WIPO General Assembly was called upon to seek other means of financing Indigenous participation in the IGC, as the Voluntary Fund remains depleted and cannot currently fund a single representative to IGC 41. At the closing session the Indigenous Caucus read out their proposed text for funding indigenous participation from the Program 4 budget.

2. The Scope of Protection for TKs and TCEs under the proposed mechanism :

Discussions surrounding Article 5 of both the TK and TCEs text, concerned the tiered approach. There was discussion on whether different types of TK and TCEs should receive a different level of protection.

Previous versions of the texts had established the terms “narrow” and “wide diffusion,” whereby TK and TCEs determined to have been “widely diffused” received lesser protection and benefit-sharing. This language has been struck from the current texts. This has instead been replaced by two categories: the first, where the TK or TCEs in question are “secret or sacred” and the second, where the TK or TCEs are “no longer under the exclusive control of beneficiaries but are still distinctively associated with the beneficiaries' cultural identity.”

New language also provides for Indigenous Peoples' and local communities to appeal to their relevant national authorities for the protection of their TK or TCEs which are being utilized without the Prior Informed Consent or not in accord with the customary laws or traditions of Indigenous Peoples' or local communities.

3. Question of databases concerning GRs and disclosure requirements :

Many states brought up the question of where databases of traditional knowledge should be established. In the Chair's text on GRs the proposed disclosure is country of origin. Indigenous representatives pointed out that this was not enough of a disclosure requirement, since many indigenous communities are spread across several countries and the simple act of disclosing country of origin does not indicate if the GR comes from traditional knowledge. In regard to databases, the Indigenous Caucus raised concerns that large publicly available databases could lead to the misappropriation of traditional knowledge.

4. The use of the terms “secret and sacred” in regard to the protection of TK and TCEs :

Discussions took place concerning whether or not to maintain the use of the term “secret and sacred” in the scope of protection clauses of both the TK and TCE texts. A significant amount of Indigenous Peoples’ TK and TCEs are considered sacred and many are necessary for the traditional practices and spirituality of Indigenous Peoples. Some concerns were raised about the use of the term “secret and sacred,” particularly the concern that this phrasing could be used to exclude sacred knowledge that is not deemed to be secret, or that has been made public without the Free, Prior and Informed Consent of the relevant Indigenous Peoples or local communities.

5. Exception and Limitations to the protections supplied in the TK and TCEs documents :

Discussions also considered Article 7 of the TCEs text and Article 9 of the TK document, both concerning the Exceptions and Limitations of the proposed mechanisms. Particular concerns were raised by the Indigenous Caucus concerning text that rendered any traditional knowledge that is widely known, used outside of beneficiary communities, or published outside of the instruments’ protection, even if they were considered integral to the community in question.

6. Whether or not to accept a draft text on Genetic Resources and Associated Traditional Knowledge

was proposed by the Chair, Mr. Ian Goss, as one of the further working documents. States decided it provided a good foundation for further discussion.

7. Further work :

The draft mandate for the 2020-2021 biennium proposed 6 additional sessions of the IGC with the objective of finalizing an international legal instrument(s) to be sent to diplomatic conference for final negotiations. The draft mandate also called upon the WIPO General Assembly to seek other means of financing Indigenous participation in the IGC, as the Voluntary Fund remains depleted. The Committee also requested the WIPO Secretariat to organize an Indigenous Expert Workshop during the 2020-21 biennium, as well as to commission the updating of the technical review, which was undertaken in 2016 by Professor James Anaya (WIPO/GRTKF/IC/29/INF/10), in accordance with the UN’s Permanent Forum on Indigenous Issues’ recommendations.

The Indigenous caucus wrapped up the week with the following closing statement delivered by Ms. Lucy Mullenkei (Kenya) :

“Thank you, Mr. Chair, for this opportunity to address the Member States. We are mindful that due to the generous contribution of Canada to the Voluntary Fund, we had Indigenous participation from Africa, Asia, and Latin America at this session. Support for the Voluntary Fund by Member States makes it possible for Indigenous Peoples’ participation. In order for this process to have legitimacy there must be full and effective participation of Indigenous Peoples.

We thank the Chair for continuing to employ a methodology that enabled the Indigenous Caucus to share our views, including participation in the informals at this IGC session. We look forward to enhanced participation in future work of the IGC.

We appreciate the progress made on the TK and TCEs texts, in particular Articles 5 and 9, and thank the Chair and the facilitators for their efforts to help us to move forward. We support the use of the Chair’s GRs text as a basis for future negotiations. We will continue

to make specific recommendations on the text, and we appreciate the support of Member States for our proposals this week.

As you are aware, Indigenous Peoples’ innovations are being misappropriated. We recommend that at future IGCs Indigenous Peoples be provided more space to offer specific examples that demonstrate how proposed text could either benefit or harm their lives.

We appreciate the Chair’s urging to reach convergence on these issues, and in our deliberations as a Caucus we have agreed to consider the tiered approach as a potential way forward. However, any tiered approach must include effective and binding mechanisms to ensure that Indigenous Peoples can effectively protect their TK and TCEs based on certain criteria regardless of degree of control or degree of diffusion. This is an essential aspect of self-determination.

We must reiterate that we are here to work toward instruments that respect Indigenous Peoples’ rights and protect their GRs, TK and TCEs. Any exceptions and limitations must be narrow, and must conform to Indigenous Peoples’ customary laws and concerns.

We wish to express our deep appreciation for the IGC 40 decisions made regarding future work, in particular, that the Secretariat conduct an Indigenous Experts workshop during the biennium 2020/2021, and commission the updating of the technical review of key intellectual property issues of the WIPO draft instruments on GR, TK and TCEs.

The Indigenous Caucus remains open to constructive dialogue with member states. We are grateful to those member states who made the time to meet with the Indigenous Caucus at this session. Through this type of engagement, we believe we can mutually, respectfully, develop strong protections of TK, TCEs and GRs.

As always, we would like to thank the Secretariat for their hard work and their support for the Caucus.”

FOR MORE INFORMATION

[The webpage of UNDESA](#) with the timeline of negotiations on ways to enhance indigenous peoples’ participation in the UN.

[The webpage of OHCHR](#) dedicated to the process of indigenous participation to the HRC.

[The webpage](#) dedicated to the WIPO IGC process and related news.

NEWS ABOUT THE LATEST EMRIP AND UNPFII SESSIONS, REGIONAL NEWS

EMRIP

This twelfth session of the EMRIP was the third to take place since the adoption of resolution 33/25³⁹ by the Human Rights Council that revised the mandate.

This new mandate provides the members of the EMRIP with new capacities, including the ability to engage with the private sector, to advise states on the implementation of the United Declaration on the Rights of Indigenous Peoples upon request, to engage with the Universal Periodic Review and the treaty bodies process and to establish an enhanced cooperation with the National Human Rights Institutions, to name a few.

The EMRIP is now composed of seven expert members that represent the seven socio-cultural regions, as decided by indigenous peoples:

"73. Indigenous peoples view recognition, reparation and reconciliation as a means of addressing colonization and its long-term effects and of overcoming challenges with deep historical roots. In this regard, recognition of the right of indigenous peoples to self-determination (including free, prior and informed consent), their rights to autonomy and political participation, their claims to their lands and the recognition of indigenous juridical systems and customary laws should be considered an essential part of recognition, reparation and reconciliation." ⁴⁰

- ▶ **Mr. Belkacem Lounes**
from Algeria for Africa (2021)
- ▶ **Mr. Edtami Mansayagan**
from the Philippines for Asia (2020)
– elected Vice Chair
- ▶ **Ms. Erika Yamada**
from Brazil for Latin America
and the Caribbean (2022)
- ▶ **Ms. Laila Vars**
from Norway for the Arctic (2020)
- ▶ **Mr. Rodion Sulyandziga**
from the Russian Federation for Russia,
Eastern Europe and Transcaucasus (2022)
- ▶ **Ms. Kristen Carpenter**
for North America (2021) – elected Chair
- ▶ **Ms. Megan Davis**
for the Pacific (2022) – elected Vice Chair

This 12th session of the EMRIP has been marked by a very good and wide participation of indigenous peoples' worldwide. A novelty was the implementation of regional Caucuses on the first day of discussions, with the correspondent expert member leading the round table, which brought together indigenous representatives from each region.

The discussions underlined mostly concerns for the respect of indigenous traditional ownership of their lands,

and the respect of their cultures, which each time seems more complicated to safeguard while losing their traditional lands.

In addition, the agenda item which gathered the most speakers has been the one concerning the report on 'recognition, reconciliation and reparation' along with the discussion around the study on indigenous migration. In a nutshell, with regard to the study on recognition, reconciliation and reparation, most of statements exposed that in some areas indigenous children are still being taken away from their families and that this process has too long way to go before reaching the point of reparation.

States should put more effort into the recognition of indigenous peoples' rights and previous violations in order to have a significant progress in that matter. With regard to the study on indigenous migration, the statements highlighted the enforced displacements, the enforced reservation livelihoods, bad treatment of indigenous migrants on the road and migration due to climate change impacts. The next EMRIP study will be dedicated to indigenous peoples' right to land.

The list of proposals adopted by the HRC are the following: ▶

³⁹| [HRC resolution 33/25](#)

⁴⁰| [A/HRC/EMRIP/2019/3](#), 2019 EMRIP study: efforts to implement UNDRIP: recognition, reparation and reconciliation

- | | | |
|---|--|---|
| <p>► Proposal 1:
Participation of indigenous peoples in the Human Rights Council.
The EMRIP proposes that the HRC hold a technical workshop on modalities for enhanced participation of indigenous peoples in the Council.</p> <hr/> | <p>► Proposal 5:
Protection of human rights defenders.</p> <hr/> | <p>► Proposal 9:
National action plans and legislation to achieve the ends of the Declaration.</p> <hr/> |
| <p>► Proposal 2:
International Decade on Indigenous Languages.</p> <hr/> | <p>► Proposal 6:
Reprisals against Human Rights Defenders, Mandate Holders, and Indigenous Leaders.</p> <hr/> | <p>► Proposal 10:
Contribution to the United Nations Voluntary Fund for Indigenous Peoples.</p> <hr/> |
| <p>► Proposal 3:
Increased engagement of Member States and Coordination among Indigenous Peoples Mechanisms and Treaty Bodies with Expert Mechanism.</p> <hr/> | <p>► Proposal 7:
Global Compact for Safe, Orderly and Regular Migration.</p> <hr/> | <p>► Proposal 11:
Collaboration with the universal periodic review processes.</p> <hr/> |
| <p>► Proposal 4:
Promotion of the Expert Mechanism's country engagement mandate.</p> | <p>► Proposal 8:
International repatriation of indigenous peoples' sacred items and human remains.</p> | <p>► Proposal 12:
Acknowledgement of the 30th anniversary of ILO Convention n° 169.</p> |

UNPFII

The 18th session of the United Nations Permanent Forum on Indigenous Issues (UNPFII) welcomed some changes in the format. During the previous years, the UNPFII was held over two weeks, mixed with closed meetings of Permanent Forum members, interactive hearings with United Nations (UN) agencies, plenary sessions and other events.

This year, the Permanent Forum decided to dedicate the first week to plenary sessions, including interactive dialogues, in order to provide more room for the delegates to discuss their situations on the ground. The aim is then for Permanent Forum members to draw on more specific and precise recommendations during the second week, during which Regional Dialogues were held – one dialogue per each indigenous region. The first week was, in general, well-attended and the second week was quite well attended, with an increased participation compared to last year. The discussion that raised the most interest was the one about agenda item 5 on “the 2019 International Year of Indigenous

Languages”. The statements pointed out the urgency to protect, promote and revitalize indigenous languages, as they are endangered and therefore rapidly disappearing. The dialogue over agenda item 9 on “traditional knowledge: generation, transmission and protection”, also raised a lot of interest. The interventions outlined the necessity for States to protect indigenous peoples' traditional knowledge systems as they directly contribute to sustaining biological diversity, food security, conflict resolution and cultural diversity, and are key in fighting the impacts of climate change.

After new elections, the list of members of UNPFII for the next session is the following for the members appointed by the President of ECOSOC for the term 2020-2022:

Nominations submitted by indigenous peoples' organizations

- **Ms. Hindou Oumarou Ibrahim**
from Chad for Africa
- **Ms. Anne Nuorgam**
from Finland for the Arctic

- **Mr. Phoolman Chaudhary**
from Nepal for Asia
- **Mr. Simon Freddy Condo Riveros**
from Bolivia and
Mr. Dario José Mejía Montalvo
from Colombia for Central and South America and the Caribbean
- **Mr. Aleksei Tsykarev**
from the Russian Federation for Eastern Europe, Russian Federation, Central Asia and Transcaucasia
- **Mr. Geoffrey Scott Roth**
from the US for North America
- **Ms. Hannah McGlade**
from Australia for the Pacific

Nominations submitted by governments

- **Mr. Vital Bamanze**
from Burundi and
Mr. Bornface Museke Mate
from Namibia for Africa
- **Ms. Zhang Xiaolan**
from China for Asia – Pacific

- ▶ **Mr. Grigory E. Lukiyantsev**
from the Russian Federation
for Eastern European States

- ▶ **Ms. Irma Pineda Santiago**
from Mexico and
Ms. Lourdes Licenia Tibán Guala
from Ecuador for American
and Caribbean States

- ▶ **Ms. Tove Søvndahl Gant**
from Denmark for Western
and other States

REGIONAL NEWS: LATIN AMERICA & THE CARIBBEAN, AND AFRICA

LATIN AMERICA & THE CARIBBEAN

Yanapaq.info platform will bring the Permanent Forum on Indigenous Issues closer to online users: Yanapaq.info is a browser that gathers all of the Permanent Forum's recommendations for dissemination and follow-up and prepared by the indigenous organization Chirapaq. The United Nations Permanent Forum on Indigenous Issues is the most important dialogue space at the international level where indigenous peoples' priorities are discussed. Each year the Forum convenes in New York and issues a series of recommendations that feed the international indigenous rights framework. However, there is a lack of awareness regarding the recommendations and the Forum itself. To achieve the full exercise of rights of indigenous peoples, it is important that indigenous organizations, States, the UN system, civil society and academia have access to this information and use it in connection to other international mechanisms. Yanapaq.info was launched as a digital initiative in response to this lack of awareness, promoted by the role of Permanent Forum expert member Tarcila Rivera Zea.

This is a browsing and follow-up platform on Permanent Forum recommendations. The word "yanapaq" means "helper" in the Quechua language and precisely the main goal of the platform is to make the information on Permanent Forum recommendations more accessible. Yanapaq.info hosts, classifies and facilitates access to

the more than 1500 recommendations in a friendly and simple way, in Spanish and in English.

The browser of Yanapaq.info is designed to search relevant recommendations based on keywords such as "migration", "climate change", "traditional knowledge" or "indigenous woman", among others. Additionally, it links the recommendations to relevant Sustainable Development Goals and articles of the United Nations Declaration on the Rights of Indigenous Peoples. This way, indigenous organizations, States, UN System organizations, academia and civil society are expected to have the Permanent Forum recommendations on hand, classified and connected to relevant international mechanisms, in order to make proposals, write programs, and perform research and analysis, among other things. Moreover, in the future, Yanapaq will also foster a more effective follow-up on the implementation of the recommendations through user contributions and the creation of unique analytical content.

Yanapaq.info was already launched at the First Indigenous Gathering of the Americas for the Permanent Forum in Lima in November of 2018 and at the 18th Session of the Permanent Forum in New York in April of 2019, with the participation of DOCIP. Its dissemination is planned to continue this and next year.

AFRICA

Thanks to the contributions of the Indigenous Peoples of Africa Coordinating Committee (IPACC), the following news with regard to the challenges faced by indigenous peoples in the African region can be shared.

On the one hand, in the North Africa region, there are the Amazigh peoples, the indigenous peoples of North Africa. In Morocco and Algeria, the Amazigh identity was recognized in the constitution, and the Amazigh language became the official language. As in other North African countries, demands are at the heart of political and cultural discourse. However, the Amazigh people, like all indigenous peoples in Africa, face several major challenges that manifest themselves on several levels:

1) at the level of indigenous identity, the official recognition of the state is not enough to preserve and maintain the identity; that

seems to depend on the economic weight which it has in the midst of the other identities of the country.

2) at the level of the indigenous language, it is found that the "officialness" of the indigenous language is not enough for it to be a competitive language in the midst of the symbolic field, which has become very complicated with globalization.

3) poverty is the scourge that threatens Indigenous Peoples in Africa throughout their lives. In the North Africa region, non-access remains relative; there are regions that are disadvantaged and there are others relatively well off; nevertheless, the lack of access remains a very great concern, despite the efforts made by the States of the region in the context of the Sustainable Development Goals (SDGs)

4) immigration and climate change are increasingly visible in all parts of Africa, and indigenous peoples are the most affected because of their vulnerability. The effects of this phenomenon are blatant: drought, floods, deforestation and the like push the population to immigrate. Climate migration is a serious challenge for the future of Indigenous Peoples. The solution remains to adapt to the effects of climate change via capacity building of indigenous women, so as to adapt to these effects through the strengthening of traditional knowledge.

On the other hand, in the West African region, awareness of environmental issues, including the protection, conservation and management of biodiversity, is a fact of life. The behavior of the inhabitants is generally characterized by the management of the scarcity of the natural resource. The resilience of people is reflected daily in a balanced relationship with ecosystems and the resources they derive for daily survival.

The Sahara and its Sahelian coast have been resilient to indigenous and local communities in rural areas. This rather generalized cultural reality has been reflected in the political thinking of the country and the state. Since Niger's independence, environmental issues have been a top priority for all governments, relying on community mechanisms based on the resilience culture mentioned above. It is in this state of mind that Niger ratified all the Rio conventions and set up an integrated National Council very early on, to manage all the national environmental policies and related processes. These processes have never excluded indigenous and local communities.

On the contrary, they are at the center. That's why their contribution to achieving the Aichi targets is easily measurable.

IPLC members of IPACC's West Africa network are concentrated in Niger, Burkina Faso, Mali and Nigeria. For the most part, they are nomadic pastoral peoples, namely the Tuaregs, Peulhs and Toubous. In Nigeria it is the Ogoni communities of the Niger Delta, who became members of the network to preserve their persecuted identity in Nigeria. The characteristics described above to Niger also apply to Burkina Faso and Mali. These three countries are all part of the western part of the Greater Sahel. Two main challenges must be observed:

1) Challenges related to instability arising from armed conflict and emerging threats such as international terrorism:

For several decades now, in the Sahelo-Saharan belt, which comprises half of West Africa is of interest; there is a structural political instability that impacts the life of indigenous peoples. This geostrategic insta-

bility directly threatens the physical existence of pastoral communities in Mali, Niger and Burkina Faso and the Ogoni community of the Niger Delta. The question of including the identity of these nations in the national novel underway in these countries is a top priority.

The implementation of the UNDRIP will solve this challenge if the countries concerned are put under pressure by the international community. Armed conflicts related to this issue have been partially resolved through peace and reconciliation agreements. Unfortunately, the phenomenon of international terrorism complicates the implementation of the various agreements. The approach put forward by the major geostrategic agendas to combat the phenomenon of terrorism unfortunately causes inter and intra-community conflicts of great magnitude. For almost two decades now, the massacres and genocides that mainly affect indigenous peoples have been perpetuated in the Sahelo-Saharan space.

The recommendation regarding this main challenge therefore remains the pursuit of peace and stability based on respect

for indigenous peoples' rights as enshrined in international instruments and the cessation of massive human rights violations, as well as punishment of their authors at all levels.

2) Challenges related to climate change

All the studies and observations made on the life of indigenous peoples have concluded that their livelihoods are strongly impacted by climate change. The practice of breeding has become increasingly difficult. The pasture areas are shrinking at a high speed due to mismanagement by the states of the land in pastoral environments. In public policies, there is a clear preference for agricultural activities. Government behavior amplifies conflicts over access to natural resources. Indigenous peoples are the victims of a screaming discrimination on the part of the public authorities and this applies to all the countries of which the indigenous peoples of West Africa are nationals. The recommendation for this challenge is the inclusion of indigenous peoples in the decision-making circle that plans and manages the rural world.

FOR MORE INFORMATION

[Website of the EMRIP](#)

[Website of the UNPFII](#)

Yanapaq.info

[Website of the IPACC](#)

DOCIP'S ACTIVITIES

CAPACITY-BUILDING PROJECTS

Docip is offering different capacity-building projects :

1 – the *Update*:

it exists in electronic and printed version in our four working languages. It contains the latest discussions held during the year regarding indigenous peoples' rights, either during the different UN mechanisms on indigenous peoples' rights, or by making reference to other processes that concern indigenous peoples. The Update provides new and updated information on what is happening at the global level, such as the forthcoming agenda for the following year, Regional News on processes regarding indigenous peoples in the various indigenous regions – two per issue are dealt with – and a new section on the activities provided by Docip.

2 – Docip Training-of-Trainers (ToT) session :

once a year, Docip organizes a Training of Trainers on indigenous peoples' rights at the international level; and in collaboration with our partner HURIDOCS, for a workshop on how to document human rights violations. At the end of the training, the trainees participate in an international conference.

3 – Trainings in the field:

as a direct outcome of the ToT, Docip conducts a close follow-up of the trainings that the trainee organized once they returned home, in order to achieve more advancement of indigenous peoples' rights in their region.

4 – Coordination of volunteers :

volunteers are a crucial to Docip's work during an international conference. The services that require volunteers are technical secretariat, publications and documentation.

In 2019, thanks to the Canton of Geneva, which renewed its trust in Docip with a funding of one year, 8 delegates from the Pacific region benefited from one-week training prior to the 12th EMRIP session and then participated in that conference – some of them delivered statements for the first time. A close partnership has also been put in place with the OHCHR Indigenous Fellowship program to enhance both of our capacities and benefit from each other's programs. The next step is to organize a workshop in the field in Bangladesh which is foreseen to happen in December 2019, in order to conduct the follow-up of the ToT that took place in 2016 with participants from this country. Furthermore, in 2019, Docip has collaborated with 34 volunteers : 19 helped us during UNPFII, 12 during EMRIP and 3 during HRC42

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TECHNICAL SECRETARIAT

The aim of Docip Technical Secretariats is to bring technical assistance and to support the work of indigenous delegates during various UN conferences and international meetings on issues affecting them. During these meetings, the Docip Technical Secretariat assists the Indigenous delegates by: giving them access to a back office where they can seek assistance and have access to computers, printers and photocopiers; producing and distributing detailed informative documents on the international mechanisms as a support of orientation; providing interpretation services in the four working languages – English, Spanish, French and Russian – for side-events, bilateral and informal meetings, as well as translation services for statements or other documents and assisting them with the organization of a preparatory Indigenous Caucus meeting.

Since January 2019, the Docip Technical Secretariat has supported indigenous delegates during the following UN conferences:

- The 39th and 40th session of WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (WIPO IGC).
- The 18th session of the Permanent Forum on Indigenous Issues (UNPFII),
- The 12th session of the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP)
- The annual Meeting of the Inter-Agency Support Group on Indigenous Issues
- The 42th session of the Human Rights Council (HRC)

Thanks to the support of 47 interpreters, Docip has been able to provide interpretation services during 80 side-events, 35 Indigenous Caucus meetings and 7 Youth Indigenous Caucus meetings. Thanks to the devotion of 72 volunteer translators, Docip has been able to translate a total of 165,502 words, which corresponds to approximately 300 pages, on the request of Indigenous delegates.

The year 2019 has not yet ended and the Docip Technical Secretariat will also become involved during the 8th session of the Forum on Business and Human Rights and the international Congress organized by IKAPALA on "Traditional Knowledge, protection, transmission and development".

Contact: *Johanna Massa – johanna.massa@docip.org*

DOCUMENTATION

The main duty of Docip's Documentation Centre is to make its documents available through its platform, Greenstone. The central core of the database is its extensive collection of statements made by Indigenous Representatives, as well as NGO's, States and International Organizations at the UN or during other meetings. This year during UN Conferences, Docip has collected 486 statements presented by all of the various stakeholders mentioned and has posted them online, where they can be downloaded. The Documentation Centre also contains 1,492 monographs in hard-copy that can be consulted at our headquarters in Geneva.

Docip is looking at ways of making its online and hard-copy documentation more accessible to non-sighted persons in particular, as the rights of disabled Indigenous Peoples are now a key focus for us. In addition, the Documentation Center also does documentary research when asked by Indigenous Representatives or Docip partners. Finally, since September 2018, the Summary Notes have been the responsibility of the Documentation Coordinator. Therefore, a report on the Permanent Forum on Indigenous Issues and one on the Expert Mechanism on the Rights of Indigenous Peoples were issued in our four working languages.

Contact: *Priscilla Saillen – priscilla.saillen@docip.org*

DOCIP'S INFORMATION SERVICE

Docip's timely information service aims to inform Indigenous Peoples around the world about important international and regional meetings and events, and to support their active participation in those events. To achieve this goal, we maintain an extensive network of sources from Indigenous Peoples' organizations, NGOs, UN agencies, and the academic community.

We constantly monitor our own email and social media accounts, as well as our network's mailing lists for important news, and we disseminate relevant information in our four working languages via our information channels:

Mailing lists: <http://bit.ly/docip-subscription>

Website Newsfeed: <http://bit.ly/docip-news>

On-line agenda:

<http://bit.ly/docip-agenda-en>

Social media channels:

• **Facebook:** <http://bit.ly/docip-fb>

• **Twitter:** <http://bit.ly/docip-tw>

• **LinkedIn:** <http://bit.ly/docip-li>

Every Friday, we publish a weekly newsletter to our mailing lists and on our website announcing meetings and events, deadlines and other selected information for Indigenous Peoples. For the UNPFII and EMRIP meetings we publish a daily programme on our website with the agenda of the day, side-events, documentation and other information. We also keep you informed on secretariat announcements and last minute changes to the programme through our social media accounts.

To maintain and improve our information service, we depend on you: please include our address docip@docip.org in your distribution lists, and send us feedback on your information needs.

Contact: *Pascal Angst* – pascal.angst@docip.org

DOCIP OFFICE IN BRUSSELS

In order to strengthen the collaboration between indigenous peoples and the European Union (EU), Docip, with the support of the European institutions, has established an office in Brussels. The Docip Office in Brussels aims mainly at supporting indigenous peoples' advocacy to the EU.

We support indigenous peoples who wish to inform the EU about human rights violations faced by their communities; we also inform them about relevant and current EU processes. The Docip Office in Brussels focuses mainly on the following processes:

- 1 – **Information:** we work in Brussels to inform indigenous peoples (through Docip's communication channels) about (a) the EU system of human rights, (b) the EU agenda, and (c) the possibilities of action for indigenous peoples to address human rights violations.
- 2 – **Connecting link:** we relay information between indigenous peoples and EU decision-makers (when a region or an indigenous community faces serious difficulties, whether in regard to human rights abuses or issues related to development, environment, economic or social situations, etc.)
- 3 – **Support in advocacy:** we assist and support indigenous peoples who wish to raise awareness of indigenous peoples' issues on the ground, to advocate for the promotion and protection of their human rights, and/or to contribute with the EU in making indigenous peoples an EU priority.

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Mathias Wuidar – mathias.wuidar@docip.org

STRATEGIC AND LEGAL SUPPORT

From 2016 to June 2018, Josée Daris was in charge of providing strategic services during the sessions the UN Expert Mechanism on the Rights of Indigenous Peoples, as well as the UN Permanent Forum on Indigenous Issues. As of July, 2018, Andrés Del Castillo, Senior Legal Advisor, is taking control of the legal advice and coaching during those conferences, as well continuing the support of Indigenous organizations when participating at the country review sessions of the UN Treaty bodies (TB), the Universal Periodic Review (UPR) and UN special procedures.

During the second semester of 2018 and the first six months of 2019, Docip has been working with indigenous peoples' organizations from the Democratic Republic of Congo, Norway, France, Guatemala and Tchad, that came to Geneva for TB and/or UPR sessions of China.

Our approach is based on tailored support with a strong involvement of other organizations working with the specific human rights mechanisms. This year Docip wishes to thank the Rainforest Foundation Norway, International Women's Rights Action Watch Asia Pacific, the International Service for Human Rights, the International Movement against All Forms of Discrimination and Racism, amongst other organizations, for their engagement.

Recently, in July 2019, for the first time at the UN, Docip, Rainforest Foundation and IPACC gathered and held expert meetings with the UN Special Rapporteur on indigenous Peoples, the African Expert from EMRIP, three Permanent Missions from Burundi, Democratic Republic of Congo and Rwanda as well as three indigenous representatives from those countries.

Contacts :

Andrés del Castillo – andres.delcastillo@docip.org

ORAL HISTORY AND MEMORY PROJECT

In 2013 and 2015, two four-day Symposiums organized by Docip brought together some of the First Indigenous delegates who came before the UN in 1977/1981 and Indigenous youth from the Americas, Asia, Africa, the Arctic and the Pacific. They are laying the groundwork for a review of 36 years of the promotion of Indigenous Peoples' rights through intergenerational and interactive dialogue. The Elders hoped to pass on a message to indigenous youth, who represent the next generation of indigenous rights defenders, so they can continue the tradition of oral transmission, to relate not only the experience of those who first came to the UN, but also the struggles of their local communities.

A more extensive research project was launched on the transmission of oral memory among Indigenous Peoples by developing additional training workshops at the local/community level. So far, three regional workshops have been organized, each assembling 10-12 Indigenous Youth from different communities and 5-6 Elders during 5 days. The first workshop was held in South Dakota (USA) in July 2015. The second was held in Buenos Aires (Argentina) in September 2016 and the third was held in Narok (Kenya) in December 2017.

In 2018 and 2019 Docip followed up with the Youth in order to select, edit, archive and document all the video material recorded by them during the Symposiums and the workshops and also (later/ afterwards) in their communities. An Internet platform is about to be launched aiming to share and narrate all this curated digital heritage in culturally relevant and ethically-minded ways. Docip will also continue to seek additional funding to organize workshops in the Arctic, Asia and Pacific regions over the next three years.

Contact:

Fabrice Perrin – fabrice.perrin@docip.org

AGENDA FOR 2020

CONFERENCES

► UNPFII 19th session

The United Nations Permanent Forum on Indigenous Issues

Location: United Nations Headquarters, New York, USA.

Date: 13 - 24 April 2020

Theme: Peace, justice and strong institutions: the role of indigenous peoples in implementing Sustainable Development Goal 16.

► EMRIP 13th session

The Expert Mechanism of the Rights of Indigenous Peoples

Location: Palais des Nations, Geneva, Switzerland.

Date: 08 - 13 June 2020

Theme of the next study: Indigenous peoples' rights to lands, territories and resources.

► Forum Business and Human Rights, 9th session

Location: Palais des Nations, Geneva, Switzerland.

Date: 23 - 25 November 2020 (*tentative*)

► 45th session of the Human Rights Council (September session)

Location: Palais des Nations, Geneva, Switzerland.

Date: 07 - 25 September 2020

(second week with the annual half-day discussion on the rights of indigenous peoples, *tentative*).

► Working Group on the issue of human rights and transnational corporations and other business enterprises.

Location: Geneva.

Date: 14 - 18 May 2020 (*tentative*)

► COP25

Location: Madrid, Spain.

Date: 2 - 13 December 2019

WIPO IGC

Location: WIPO Assembly Hall, Geneva, Switzerland.

► 41st session

Dates: February/March 2020

► 42nd session

Dates: May/June 2020

▶ **43rd session**

Dates: September 2020

▶ **44th session**

Dates: November/December 2020

TREATY BODIES

▶ **UPR sessions**

Location: Palais des Nations, Geneva, Switzerland.

▶ **35th session**

Dates: 22 - 31 January 2020

Review of Kyrgyzstan, Kiribati, Guinea Lao People's Democratic Republic, Spain, Lesotho, Kenya, Armenia, Guinea-Bissau, Turkey, Sweden, Grenada, Guyana, Kuwait.

▶ **36th session**

Dates: 4 - 15 May 2020

Review of Belarus, Liberia, Malawi, Mongolia, Panama, Maldives, Andorra, Bulgaria, Honduras, United States of America, Croatia, Jamaica, Libya.

▶ **37th session**

Dates: 2 - 13 November 2020

Review of Federated States of Micronesia, Lebanon, Mauritania, Nauru, Rwanda, Nepal, Saint Lucia, Oman, Austria, Myanmar, Australia, Georgia, Saint Kitts and Nevis, Sao Tome and Principe.

▶ **Committee on the Rights of the Child (CRC)**Location: Palais Wilson, Geneva, Switzerland. (*tentative*)▶ **83th session**

Dates: 13 - 31 January 2020

States Parties reports: Austria, Belarus, Cook Islands, Costa Rica, Hungary, Micronesia (Federated states of), Rwanda, State of Palestine, Tuvalu.

▶ **84th session**

Dates: 11 - 29 May 2020

States Parties reports: Cuba, Greece, Madagascar, Poland, Ukraine.
List of Issues Prior To Reporting: Chile, Gambia, Zambia.

▶ **85th session**

Dates: 07 - 25 September 2020

States Parties reports: Cuba, Greece, Kuwait, Ukraine.▶ **Committee on the Elimination of Discrimination against Women (CEDAW)**

Location: Palais des Nations, Geneva, Switzerland.

▶ **75th session**

Dates: 10 - 28 February 2020

States Parties reports: Afghanistan, Bulgaria, Eritrea, Kiribati, Latvia, Pakistan, Republic of Moldova, Zimbabwe.

▶ **Committee on the Elimination against all forms of Discrimination (CERD)**

Location: Palais Wilson, Geneva, Switzerland.

▶ **100th session**

Dates: 25 November - 13 December 2020

States Parties reports: Cambodia, Chile, Colombia, Ireland, Israel, Uzbekistan.

▶ **101th session**

Dates: 20 April - 8 May 2020

States Parties reports: Denmark, Italy, Lebanon, Netherlands, Singapore, Switzerland.

▶ **102th session**

Dates: 05 - 27 August 2020

States Parties reports: Bahrain, Belgium, Bolivia (Plurinational State of), France, Jamaica, Niger, Thailand.

▶ **International Covenant on Civil and Political Rights (CCPR)**Location: Palais Wilson, Geneva, Switzerland. (*tentative*)▶ **128th session**

Dates: 02 - 27 March 2020

States Parties reports: Japan, Portugal, Togo, Tunisia, Uzbekistan.

Non-Reporting State: Dominica.*List of Issues:* Haiti, Kenya, Philippines, Sri Lanka.

Lists of issues Prior to Reporting: Burkina Faso, Montenegro, United Kingdom of Great Britain, Northern Ireland.

▶ **129th session**

Dates: 29 June - 24 July 2020

States Parties reports: Bolivia (Plurinational State of), Botswana, Chad, Germany, Nicaragua, Peru, Ukraine, Uruguay.

▶ **130th session**

Dates: 12 October - 6 November 2020

States Parties reports: Finland, Haiti, Israel, Kenya, Philippines, Sri Lanka, Trinidad and Tobago.

▶ **Committee on Economic, Social and Cultural Rights (CESCR)**

Location: Palais Wilson, Geneva, Switzerland. *(tentative)*

▶ **67th session**

Dates: 17 February - 06 March 2020

States Parties reports: Belarus, Belgium, Benin, Guinea, Norway, Ukraine.

▶ **68th session**

Dates: 28 September - 16 October 2020

States Parties reports: Austria, Azerbaijan, Bolivia (plurinational State of), Bosnia and Herzegovina, Finland, Kuwait, Latvia.

▶ **Call for applications from the United Nations Voluntary Fund for Indigenous Peoples**

- ▶ Applications for the HRC and the Treaty Body sessions taking place between July and September 2020 are accepted from 1 March to 10 April 2020 *(tentative)*

Deadline for the call of applications: April 2020

- ▶ Applications for sessions taking place between October and December 2020 are accepted between June to July 2020 *(tentative)*

Deadline for the call of applications occurred from May to June 2020

- ▶ Applications for sessions taking place between January and March 2020 are accepted from 1 September to 25 October 2019 *(initial)*

New proposed deadline: applications are accepted from 01 October to 15 November 2019 (tentative)

- ▶ Applications for sessions taking place between April and June 2020 are accepted from 1 December 2019 to 10 January 2020 *(tentative)*

- ▶ Applications to attend the 19th session of the PFII (2020) and the 13th session of the EMRIP (2020) are accepted from 15 September to 30 November 2019

In the Docip website
(www.docip.org)

you can find an exhaustive agenda
of the conferences throughout the year,
updated every week.

A weekly mail is sent to the people
who subscribed on the welcome page
of our website to receive the news
related to the agenda.

LIST OF ABBREVIATIONS

<u>CBD</u>	<i>Convention on Biological Diversity</i>	<u>PAHO</u>	<i>Pan-American Health Organization</i>
<u>CRC</u>	<i>Committee on the Rights of the Child</i>	<u>PGA</u>	<i>President of the General Assembly</i>
<u>CEDAW</u>	<i>Committee on the Elimination of Discrimination Against Women</i>	<u>PP</u>	<i>Preambular Paragraphs</i>
<u>CERD</u>	<i>Committee on the Elimination of Racial Discrimination</i>	<u>TB</u>	<i>Treaty Bodies</i>
<u>ECOSOC</u>	<i>Economic and Social Council of the United Nations</i>	<u>TCE</u>	<i>Traditional Cultural Expressions</i>
<u>EMRIP</u>	<i>Expert Mechanism on the Rights of Indigenous Peoples</i>	<u>TK</u>	<i>Traditional Knowledge</i>
<u>FBHR</u>	<i>Forum Business and Human Rights</i>	<u>UN</u>	<i>United Nations</i>
<u>GRs</u>	<i>Genetic Resources</i>	<u>UNDESA</u>	<i>United Nations Department of Economic and Social Affairs</i>
<u>GRULAC</u>	<i>Group of Latin American and Caribbean Countries</i>	<u>UNDRIP</u>	<i>United Nations Declaration on the Rights of Indigenous Peoples</i>
<u>HRC</u>	<i>Human Rights Council</i>	<u>UNESCO</u>	<i>United Nations Organization for Education, Science and Culture</i>
<u>IASG</u>	<i>Inter-Agency Support Group on Indigenous Issues</i>	<u>UNFPA</u>	<i>United Nations Populations Fund</i>
<u>IGC</u>	<i>Intergovernmental Committee on Intellectual Property, Genetic Resources, and Folklore</i>	<u>UNGA</u>	<i>United Nations General Assembly</i>
<u>IYIL</u>	<i>International Year on Indigenous Languages</i>	<u>UNPFII</u>	<i>United Nations Permanent Forum on Indigenous Issues</i>
<u>IPACC</u>	<i>Coordinating Committee of the Indigenous Peoples of Africa</i>	<u>UNVFIP</u>	<i>United Nations Voluntary Fund for Indigenous Peoples</i>
<u>IPCC</u>	<i>Intergovernmental Panel on Climate Change</i>	<u>UPR</u>	<i>Universal Periodic Review</i>
<u>NGO</u>	<i>Non-Governmental Organization</i>	<u>WCIP</u>	<i>World Conference on Indigenous Peoples</i>
<u>NHRIs</u>	<i>National Human Rights Institutions</i>	<u>WIPO</u>	<i>World Intellectual Property Organization</i>
<u>OP</u>	<i>Operative Paragraphs</i>		

SUMMARY OF THIS EDITION

As another year of international negotiations comes to an end, another Docip Update is published to inform you about what has been discussed in the international space this year with regards to indigenous peoples' rights.

The space for indigenous participation, instead of opening up, is shrinking. Most of the statements desperately proclaim for a greater recognition of the specificity and the great advantage that indigenous cultures represent to the world. Resistance of indigenous peoples is legendary, and well beyond the assimilation policies and criminal acts committed against indigenous communities and their homelands; indigenous peoples always find a way to resist in a pacifist way by revitalizing their languages, safeguarding their traditional knowledge and maintaining their presence at the highest level for important negotiations on resolutions.

This issue presents in its Focus section the context and consequences of the discussions around 2019 as International Year of Indigenous Languages. In the Ongoing Processes section, you will find a first article on the process of ways to enhance indigenous peoples' participation in the UN, and a second article that summarizes the discussions that are currently happening at the WIPO IGC process on indigenous traditional knowledge, traditional cultural expressions and genetic resources. Comprehensive summaries have been also made on the UNPFII 18th session and EMRIP 12th session. The Regional news section presents news from Africa and South America. Finally, the Docip team is being held accountable to our network by presenting the services provided to indigenous peoples this year.

I sincerely hope that you will enjoy reading this edition, and stay at your entire disposal for any further comment.

Yours sincerely,

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Disclaimer :

Please be advised that the opinions and positions expressed herein do not necessarily reflect the views of Docip, which is an organization committed to the principle of neutrality and impartiality.

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This issue, originally prepared and edited in English, is also available in Spanish, French and Russian. Online versions in all languages may be found on Docip's website. Additionally, Docip sends printed copies to indigenous organizations and to academic institutions, and copies are made available at the Docip documentation centre in Geneva and at the UN conferences that Docip attends.

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