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Permanent Forum on Indigenous Issues

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Draft report

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Chapter I

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

B. Matters brought to the attention of the Council

Recommendations of the Permanent Forum

Discussion on the six mandated areas of the Permanent Forum (economic and social development, culture, environment, education, health and human rights), with reference to the United Nations Declaration on the Rights of Indigenous Peoples, the outcome document of the World Conference on Indigenous Peoples and the 2030 Agenda for Sustainable Development (item 4)

1. The Permanent Forum expresses concern over the misappropriation and misuse of indigenous peoples' cultural heritage, traditional knowledge and traditional cultural expressions, and urges States and companies, in cooperation with indigenous peoples, to take effective measures to recognize and protect their rights, in accordance with article 31 of the United Nations Declaration on the Rights of Indigenous Peoples. In this regard, the Permanent Forum calls upon Member States to take measures to safeguard indigenous peoples' rights to intellectual property by adopting laws and public policies, in which it is recognized that indigenous peoples have the right over their creations, knowledge, discoveries, works, traditional cultural expressions and other elements.

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



3. The Permanent Forum is concerned that digital sequence information on genetic resources has become a common practice in all fields of biological science. As a result, the free sharing of digital sequence information in online databases risks the inclusion of indigenous peoples' traditional knowledge unless appropriate safeguards are put in place, such as free, prior and informed consent. The Permanent Forum urges that any discussion on digital sequence information held in the framework of the Convention on Biological Diversity involve the full and effective participation of indigenous peoples
4. The Permanent Forum, in line with the report on its twentieth session (see [E/2021/43](#)), is resolved to continue to address all forms of discrimination against indigenous peoples, including discrimination based on sexual orientation, gender identity, gender expression and sex characteristics, religion, disability and age.
5. The Permanent Forum calls on affected Member States to implement the rulings of their supreme courts on indigenous peoples' rights.
6. The Permanent Forum urges the World Intellectual Property Organization, the United Nations Educational, Scientific and Cultural Organization, the secretariat of the Convention on Biological Diversity and other relevant United Nations entities to align their internal policies, within their respective mandates, so as to recognize and protect the collective intellectual property rights of indigenous peoples in respect of their creations, discoveries, traditional knowledge and knowledge of biodiversity. The Permanent Forum invites the above-mentioned United Nations entities to report back to future sessions on the progress made in that regard.
7. The Permanent Forum, bearing in mind the contributions of indigenous peoples' traditional medicines to the recovery from the pandemic, invites the World Health Assembly to declare an international year of indigenous peoples' traditional medicines by 2025.
8. The Permanent Forum urges States to respect and support indigenous peoples' priorities, including through the development and implementation of economic recovery strategic plans to support and strengthen indigenous peoples' institutions, authorities and decision-making bodies in the exercise of their right to self-determination. Indigenous peoples have the right to possess the means for financing their autonomous functions and priorities.
9. The Permanent Forum further urges resident coordinators to prepare their United Nations Sustainable Development Cooperation Frameworks to support the full and effective participation of indigenous peoples in strategic plans for their economic recovery. Resident coordinators are invited to provide an update to future sessions of the Permanent Forum on how the strategic recovery plans were developed and implemented.
10. The Permanent Forum urges States to support the economic activities of indigenous peoples, in particular indigenous women, by enhancing their equal access to productive resources and agricultural inputs, such as land, seeds, financial services, technology, transportation and information.
11. The Permanent Forum encourages the International Fund for Agricultural Development (IFAD) to continue its efforts in operationalizing the principle of free, prior and informed consent in its investments, including through the engagement of indigenous experts in project delivery teams.
12. The Permanent Forum takes note of the sixth call for proposals of the Indigenous Peoples Assistance Facility of IFAD, which is focused on advancing indigenous peoples' biodiversity conservation and sustainable management for adaptation and resilience to climate change. The Forum urges IFAD to facilitate direct access to

climate financing to indigenous peoples' communities and organizations through the Facility and the Adaptation for Smallholder Agriculture Programme, and encourages Governments and donors to support those initiatives.

13. The Permanent Forum recommends that, in the context of the International Year of Artisanal Fisheries and Aquaculture, the Food and Agriculture Organization of the United Nations and the International Labour Organization conduct a study on the human rights violations suffered by indigenous peoples in the fishing sector. The Forum invites those organizations to present their findings at the annual session of the Permanent Forum to be held in 2024.

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

15. The Permanent Forum welcomes the \$1.7 billion pledge in support of indigenous peoples made by Governments and private funders at the twenty-sixth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, held in Glasgow, United Kingdom of Great Britain and Northern Ireland. However, the Permanent Forum is concerned that this pledge does not adequately address the effects of climate change. An effective response to the challenges presented by global climate change requires a concerted effort that encompasses all seven sociocultural regions of the world. The Permanent Forum requests that the pledge-givers include indigenous peoples from all seven sociocultural regions and redefine the scope of their commitment so that the funding is not only about forests and land tenure, but also reflects indigenous peoples' self-determination, the building of alliances and the strengthening of indigenous peoples' local economies, governance systems and resource management strategies.

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

Indigenous women and girls

17. The Permanent Forum heard the Special Rapporteur on violence against women, its causes and consequences speak in the context of her upcoming report on violence against indigenous women and girls. The Permanent Forum commends the Special Rapporteur on her pertinent work focusing on indigenous women and girls and looks forward to studying in full her forthcoming report, to be submitted to the seventy-seventh session of the General Assembly.

18. The Permanent Forum reiterates its recommendation made at its eighteenth session for the Pan American Health Organization to prepare a study on the advancements in indigenous maternal health, including best practices used by indigenous midwives (E/2019/43, para. 45).

19. The Permanent Forum recommends that the United Nations Population Fund (UNFPA) advance data and research on the challenges that indigenous women and girls face in realizing their right to bodily autonomy, such as coercive contraceptive measures. Furthermore, the Permanent Forum invites UNFPA to prepare a study on indigenous women's bodily autonomy, with the participation of indigenous women, and to present its findings at the twenty-third session of the Forum, to be held in 2024.

2030 Agenda for Sustainable Development

20. The Permanent Forum recognizes the importance of data disaggregated by ethnicity, as noted in target 17.18 of the Sustainable Development Goals, in order to develop inclusive policies that leave no one behind. The Permanent Forum therefore recommends that the Statistical Commission strengthen the disaggregation of data on indigenous identity and ethnicity to ensure greater visibility of indigenous peoples and their situation, in line with the call to action on building an inclusive, sustainable and resilient future with indigenous peoples, adopted by the United Nations System Chief Executives Board for Coordination in 2021. The Permanent Forum invites United Nations entities to share their statistics on indigenous peoples with the Statistical Commission.

21. The Permanent Forum recommends that the United Nations World Data Forum redouble its efforts in 2023 to ensure data disaggregation on indigenous peoples and to promote the inclusion of complementary indicators on indigenous peoples' rights in the national reports of Governments on the Sustainable Development Goals. The Forum calls on all relevant United Nations agencies to support this initiative.
