



# Economic and Social Council

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## Permanent Forum on Indigenous Issues

Twenty-third session

New York, 15–26 April 2024

### Draft report

*Rapporteur:* Mr. Suleiman Mamutov

## 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

#### **Human rights dialogue with the Special Rapporteur on the rights of Indigenous Peoples and the Expert Mechanism on the Rights of Indigenous Peoples; annual review of progress on the implementation of general recommendation No. 39 (2022) (item 5 (d))**

1. The Permanent Forum welcomes the reports of the Special Rapporteur on the rights of Indigenous Peoples and the Expert Mechanism on the Rights of Indigenous Peoples, in which green financing and a just transition to protect the rights of Indigenous Peoples are explored and the impact of militarization on the rights of Indigenous Peoples is assessed.
2. Extractive industries and green energy projects often lead to the dispossession and militarization of Indigenous Peoples' lands, territories and resources. Indigenous leaders and human rights defenders opposing such initiatives become targets of reprisals, with Indigenous women at risk of sexual assault, gender-based killings and trafficking.
3. The Permanent Forum is extremely concerned about the harms and injustices caused by carbon markets on Indigenous Peoples' lands and territories. The Forum urges the secretariats of the United Nations Framework Convention on Climate Change and the Convention on Biological Diversity, and the International Monetary Fund and the World Bank, to impose an immediate moratorium on all carbon markets in line with the Paris Agreement, and to promote carbon dioxide removal techniques, such as carbon capture and storage; forest, soil and ocean offsets and credits; nature-



based solutions; biodiversity credits and offsets and other geoengineering technologies; and REDD-plus. The Forum invites the aforementioned entities to report on their actions at its session in 2025.

4. The Forum welcomes the presentation by the Office of the United Nations High Commissioner for Human Rights (OHCHR) on its joint work with the Assistant Secretary-General for Human Rights on intimidation and reprisals. It expresses concern over the intimidation of Indigenous leaders and human rights defenders for their participation in this year's session of the Forum. Intimidation, reprisals, arbitrary arrests, enforced disappearances, torture and killings of Indigenous Peoples must not be tolerated, and their right to freedom of expression and opinion must be upheld. The Forum will refine its procedures to monitor and redress instances of reprisals against participants.

5. Indigenous Peoples have a fundamental right to use their mother tongue to receive essential public services or to access appropriate interpreters as stipulated in article 13 of the United Nations Declaration on the Rights of Indigenous Peoples. Providing well-funded, skilled interpreters in Indigenous Peoples' languages enables Indigenous Peoples to make informed decisions regarding their health care and access to justice.

6. The Forum urges international bodies and national Governments to allocate funding and develop policies for training and certifying interpreters in Indigenous Peoples' languages, ensuring that they receive equitable compensation and support. These measures are vital for maintaining linguistic heritage and promoting inclusivity and equity in public services and judicial proceedings, thus upholding the human rights of Indigenous Peoples globally.

7. Emphasizing the importance of Indigenous Peoples' access to media as a collective right, the Permanent Forum endorses General Assembly resolution [78/189](#) and Human Rights Council resolution [54/12](#), including the call for the promotion of national policies, practices and funding programmes that enable capacity-building and content production in Indigenous languages, international cooperation among Indigenous media and other partners, including mainstream media and Governments.

8. The Forum commends the United Nations Educational, Scientific and Cultural Organization (UNESCO) on its progress in following up on the recommendation made by the Forum at its twenty-second session that UNESCO conduct a study on Indigenous media and invites UNESCO to present its findings at the twenty-fourth session of the Forum in 2025 and to take part in dialogue on implementing article 16 of the Declaration on Indigenous media.

9. The Permanent Forum urges the European Union to include the standards of the Declaration within its corporate sustainability due diligence regulations and rules, in particular in the context of implementing the Critical Raw Materials Act, including through balanced treatment and throughout the entirety of value chains without distinguishing as to whether the territories of Indigenous Peoples are located inside or outside the European Union.

10. The Permanent Forum recalls its recommendation to the Government of the United Republic of Tanzania to immediately cease efforts to evict the Maasai people from the Ngorongoro Conservation Area and allow for their peaceful return to their territories.

11. At its twentieth session, the Permanent Forum recommended that the Government of Kenya implement a sustainable system of equitable land tenure to prevent any further forced evictions of the Ogiek community in the Mau forest. The Forum deplores the continued evictions of the Ogiek community and calls upon the Government to enhance the participation of Indigenous Peoples in the sustainable

management of forests and to comply with the decision of the African Court on Human and Peoples' Rights.

12. The Permanent Forum welcomes the Community Land Act of Kenya, which represents a critical step towards securing the land rights of Indigenous Peoples. The Forum recommends that the Government of Kenya partner with Indigenous Peoples to include Indigenous youth in land registration processes and decisions, including through the promotion of educational and capacity-building programmes.

13. The Permanent Forum calls upon Member States to address conflicts on Indigenous land and territories in meetings of the Security Council under the peace and security agenda, with the full and effective participation of Indigenous women and youth in peace processes. The Forum also recommends that the Department of Political and Peacebuilding Affairs actively monitor the implementation of peace accords involving Indigenous Peoples globally.

14. The Permanent Forum is concerned about reports highlighting the devastating impacts of armed conflicts on Indigenous Peoples, including displacements and conscription, seen in Myanmar and the Russian Federation, and the territories the latter occupies.

15. The Permanent Forum reiterates the recommendation it made to the United States of America at its twenty-second session to grant clemency to Leonard Peltier.

16. The Permanent Forum acknowledges the existence of two-spirit, lesbian, gay, bisexual, transgender, questioning and intersex plus (2SLGBTQI+) Indigenous Peoples and the importance of their experiences and roles played in many parts of the world. The Forum welcomes the attention of the United Nations Voluntary Fund for Indigenous Peoples to ensure that 2SLGBTQI+ Indigenous Peoples have resources to actively participate in United Nations processes.

17. The Permanent Forum recommends that the Pan American Health Organization and all regional United Nations health entities ensure that their new strategic plans include rights-based mandates in line with the 2023 World Health Assembly resolution on improving the health of Indigenous Peoples and the Declaration.

18. The Permanent Forum appreciates the organization of a seminar on advances and challenges in the implementation of the Declaration, which was held in Mexico City and attended by Indigenous experts from Latin America, and which resulted in a series of recommendations included in the document "Mexico-Tenochtitlán Agreements on the Implementation of the United Nations Declaration on the Rights of Indigenous Peoples". The Forum supports the proposal to change the name of the "Permanent Forum on Indigenous Issues" to the "Permanent Forum of Indigenous Peoples."

19. The Permanent Forum recalls the recommendation it made at its eighteenth session, as well as the recommendations made by the Special Rapporteur in the study on the status of implementation of the Chittagong Hill Tracts Accord of 1997 (E/C.19/2011/6, sect. VIII), in particular the calls to set a time frame for the full implementation of the Accord, including devolution of authority to the Chittagong Hill Tracts Regional Council and three Hill District Councils; and to withdraw all temporary military camps. The Forum calls upon the Government of Bangladesh to prioritize resolving the Chittagong Hill Tracts crisis and to review and assess the Accord implementation process through the full, meaningful and effective participation of the Accord signatory party, the Parbatya Chattagram Jana Samhati Samiti, Chittagong Hill Tracts regional institutions and traditional governing bodies.

*Annual review of progress on the implementation of general recommendation  
No. 39 (2022)*

20. The Permanent Forum welcomes and endorses paragraph 34 of General Assembly resolution [78/189](#) and calls upon the Commission on the Status of Women to consider the issue of gender equality and the empowerment of Indigenous women and girls as a priority theme in its next multi-year programme of work in 2025.

21. The Permanent Forum welcomes the progress made by OHCHR in translating Committee on the Elimination of Discrimination against Women general recommendation No. 39 (2022) into Aymara, Nahuatl, Moxeño Trinitario, Q'eqchi, Kaqchikel and Guaraní, and calls upon OHCHR to continue and to expand its efforts to translate the recommendation into Indigenous languages throughout the International Decade on Indigenous Languages, before the end of 2032.

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