



Economic and Social Council

Distr.: Limited
28 April 2025

Original: English

Permanent Forum on Indigenous Issues

Twenty-fourth session

New York, 21 April–2 May 2025

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

Thematic dialogue on the financing of Indigenous Peoples' work and participation across the multilateral and regional system (item 5 (g))

1. The extraction of critical minerals, which is essential for the global transition to renewable energy, has far-reaching implications for Indigenous Peoples, whose lands and territories are often rich in these vital resources. While crucial to addressing climate change, unregulated or exploitative extraction risks repeating historical injustices and endangering Indigenous Peoples' rights, ecosystems and ways of life. Indigenous Peoples must be recognized as rights holders and essential partners in building a just and sustainable future, and not as barriers to development.

2. Indigenous Peoples continue to face systemic obstacles to accessing financial resources that would enable them to participate fully in policy processes. Funding often bypasses Indigenous Peoples, undermining their governance and self-determination. Financial institutions and global actors must establish equitable, direct and accessible funding mechanisms aligned with the United Nations Declaration on the Rights of Indigenous Peoples. Indigenous leadership and participation are critical to advancing climate action, biodiversity protection and inclusive sustainable development.

Critical minerals

3. Existing mining standards and initiatives must never substitute legal obligations that ensure social and environmental safeguards. Extractive industries should be required to restore mining sites.



4. States should align legal frameworks with the United Nations Declaration on the Rights of Indigenous Peoples, the Guiding Principles on Business and Human Rights, the Indigenous Peoples Principles and Protocols for Just Transition¹ and the recommendations of the United Nations Secretary-General's Panel on Critical Energy Transition Minerals regarding extractive activities, environmental protection, human rights and Indigenous Peoples' collective and individual rights.
5. States, mining companies and financial institutions must uphold the right of Indigenous Peoples to free, prior and informed consent, including the option to reject proposed projects that would affect their lands and territories. The representation and participation of Indigenous Peoples must be gender-balanced; and their self-determination and self-governance structures must be respected. Special protection must be afforded to Indigenous Peoples in voluntary isolation and initial contact, in accordance with the United Nations Declaration on the Rights of Indigenous Peoples and existing human rights standards, including respect for precautionary and no-contact principles.
6. States, mining companies and financial institutions should ensure the establishment of accessible, independent and culturally appropriate grievance and redress mechanisms for Indigenous Peoples that should be available throughout the life cycle of the projects. These sectors should support sustainable development, track the origin and impacts of minerals throughout the supply chain and disclose human rights risks and environmental impacts.
7. States are urged to take necessary measures where appropriate to ensure the rights, protection and safety of Indigenous leaders and human rights defenders and to promote a safe and enabling environment in which human rights violations, killings, reprisals and abuses against or related to them are prevented and investigated, the perpetrators are held accountable and access to justice and remedy are ensured, in accordance with General Assembly resolution 79/159. The United Nations Office on Drugs and Crime and States should ensure the meaningful inclusion of Indigenous Peoples when developing strategies to prevent and combat environmental and other crimes. This includes supporting capacity-building for the documentation and reporting of alleged crimes, Indigenous-led monitoring, and accountability and reparations for environmental harm on Indigenous lands and territories. Indigenous Peoples are encouraged to participate in and contribute to the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice.
8. States should establish a buffer zone around Indigenous Peoples' lands and territories to protect their rights and resources from the impacts of extractive activities, including those involving critical minerals. This will protect the lives and ecosystems of Indigenous Peoples and is vital for biodiversity conservation and climate change mitigation.
9. States must immediately halt mining projects in Argentina, Bolivia (Plurinational State of), Brazil, the Democratic Republic of the Congo, the Russian Federation and Sweden and other projects violating the right of Indigenous Peoples to free, prior and informed consent. Furthermore, States should align their legislation with the United Nations Declaration on the Rights of Indigenous Peoples, ensuring that companies are liable for human rights violations committed overseas.
10. It is recommended that the secretariat of the Minamata Convention on Mercury conduct a comprehensive assessment of mercury emissions and releases in particular from gold mining and processing activities that use mercury. The report on the

¹ Available at www.indigenoussummit.org/summit-outcome.

assessment should contain a specific examination of the effects of such emissions on ecosystems, livelihoods, culture and the health of Indigenous Peoples.

11. The intergovernmental negotiating committee to develop an international legally binding instrument on plastic pollution, including in the marine environment, should guarantee the meaningful participation of Indigenous Peoples in all negotiations; their rights under the United Nations Declaration on the Rights of Indigenous Peoples should be respected, and their knowledge systems incorporated into the instrument.

Financing

12. To address global challenges, Indigenous Peoples must be urgently included in financial architecture reform. Multilateral development banks should develop policies that ensure direct access to financing for Indigenous Peoples, in particular for Indigenous women and young people.

13. All parties and stakeholders to the Rio conventions should implement the principles and guidelines for direct access funding for Indigenous Peoples' climate action, biodiversity conservation and fighting desertification for a sustainable planet.² The vision of the initiative that led to the drafting of the principles and guidelines is to establish a permanent, independent, Indigenous-led global fund to support coordination, knowledge-sharing and advocacy globally, advancing biodiversity conservation, climate action and the protection of life.

14. The Green Climate Fund, the Cali Fund for the Fair and Equitable Sharing of Benefits from the Use of Digital Sequence Information on Genetic Resources, the Tropical Forest Forever Facility and the Adaptation Fund should ensure direct access to finance in support of Indigenous-led mitigation and adaptation projects and ensure the representation and participation of Indigenous Peoples in their governing bodies.

15. Indigenous Peoples are encouraged to participate in the Fourth International Conference on Financing for Development. States should explicitly reference issues of relevance to Indigenous Peoples, including direct access to financing and partnership with Indigenous Peoples, in the outcome document of the Conference.

² Available at <https://bit.ly/3Gz5PCu>.