

The United Nations Permanent Forum on Indigenous Issues: What is it and how we can use it?



In 1977, the 1st UN Conference on Discrimination Against Indigenous Peoples of the Americas in Geneva proposed creating a UN body focused on Indigenous Peoples, developing a UN standard recognizing Indigenous Peoples' Collective Rights and revising ILO 107.



The UN Working Group on Indigenous Populations, 1982-2006

➤ First official body focusing on Indigenous Peoples in the UN system → UNPFII, UN Rapporteur on Indigenous Peoples, Expert Mechanism on the Rights of Indigenous Peoples

➤ Key Studies: Treaties, Lands and Resources, FPIC, Cultural Heritage,



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- An International Network of Indigenous Peoples
- Drafted the original text of the UN Declaration on the Rights of Indigenous Peoples

The Permanent Forum on Indigenous Issues established 2001

“The Permanent Forum on Indigenous Issues shall serve as an advisory body to the Council [ECOSOC] with a mandate to discuss indigenous issues within the mandate of the Council relating to economic and social development, culture, the environment, education, health and human rights;...”

**Chief Wilton Littlechild,
UNPFII Rapporteur, 2007**



In so doing the Permanent Forum shall:

- (a) **Provide expert advice and recommendations on indigenous issues to the Council**, as well as to programmes, funds and agencies of the United Nations, through the Council; (*underline added*);
- (b) **Raise awareness and promote the integration and coordination** of activities relating to indigenous issues within the United Nations system;
- (c) **Prepare and disseminate information** on indigenous

“issues;”

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**Western Shoshone Elder
Carrie Dann
UNPFII6, 2007**

Indigenous Peoples' PF Goals

- ✓ A higher-level Placement in the UN System than the WGIP: *It was placed directly under ECOSOC in NY*
- ✓ More Permanent than the Working Group: *the WGIP was dissolved, replaced in by EMRIP in 2006*
- ✓ X Half the experts be Indigenous Peoples, selected by IPs: 8 “independent experts” (not “representatives”) are nominated by IPs, 8 by States, however all 16 are selected by States
- X A Strong Mandate to intervene in urgent human rights crisis situations: *UNPFII is not a human rights complaint body. It is advisory, making recommendations to UN system via ECOSOC*
- X Be a “Forum on Indigenous Peoples”: *But we are still “Issues” !*



UNPFII's Central Role in Promoting & Applying the UN Declaration

“The United Nations, its bodies, including the Permanent Forum on Indigenous Issues, and specialized agencies, including at the country level, and States shall promote respect for and full application of the provisions of this Declaration and follow up the effectiveness of this Declaration.”
-- Article 42, UN Declaration on the Rights of Indigenous Peoples



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Important Areas for Participation:

You can impact the outcomes!

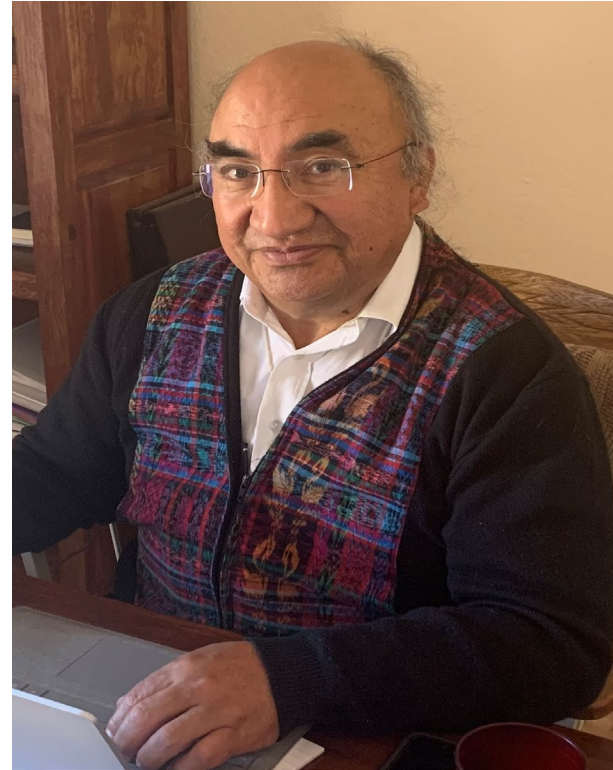
- **Make 2/3-minute interventions** and interactive dialogue statements on main theme and other agenda items; mention past recommendations and UN Declaration; **Prepare, Practice, time yourself** a medium pace.
- **Prioritize your key objectives** based on agenda/programme of work.
- **Meet with States, UN Agencies and UN Human Rights experts:** US, UNESCO, FAO, EMRIP, SR on Rights of Indigenous Peoples, etc.
- **Organize/participate in side events**, regional and thematic caucuses.
- **Submit** recommendations in writing to UNPFII members and Rapporteur.
- **Meet** with the PF member from your region and your **issue focal point**.
- **Review final report and commit to follow up!**



Interactive Dialogues



**Sheryl Lightfoot, Chair, UN Expert
Mechanism on the Rights of
Indigenous Peoples**



**UN Special Rapporteur on the
Rights of Indigenous Peoples
Francisco Cali Tzay**



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Restitution of Cultural Property

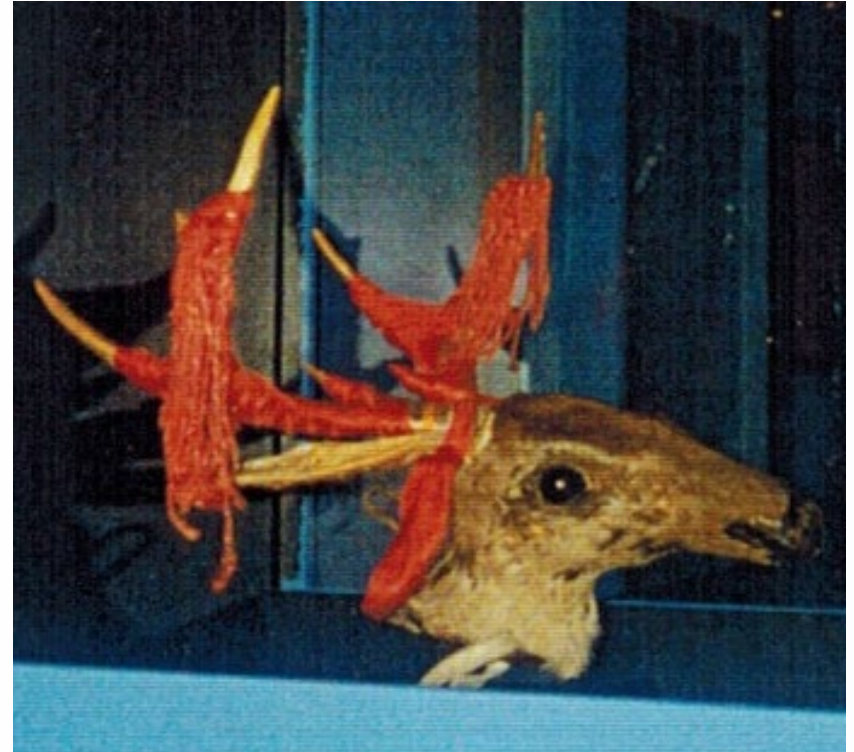
States shall provide redress through effective mechanisms, which may include restitution, developed in conjunction with indigenous peoples, with respect to their cultural, intellectual, religious and spiritual property taken without their free, prior and informed consent or in violation of their laws, traditions and customs.

-- *Article 11, para. 2*



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**Yaqui Sacred Maaso Cova still held
in the Swedish National Museum of
Ethnography in Stockholm**

Article 12, paragraph 2

“States shall seek to enable the access and/or repatriation of ceremonial objects and human remains in their possession through fair, transparent and effective mechanisms developed in conjunction with indigenous peoples concerned.”



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Aboriginal shield in the British Natural History Museum, obtained in the 1700's in "Botany Bay" Australia

The United Nations World Conference on Indigenous Peoples Outcome Document Adopted September 22, 2014

“We commit ourselves to developing, in conjunction with the indigenous peoples concerned, fair, transparent and effective mechanisms for access to and repatriation of ceremonial objects and human remains at the national and international levels.” -- Operative Paragraph 27

**First Consultation on International
Repatriation, UNPFII 15th Session**

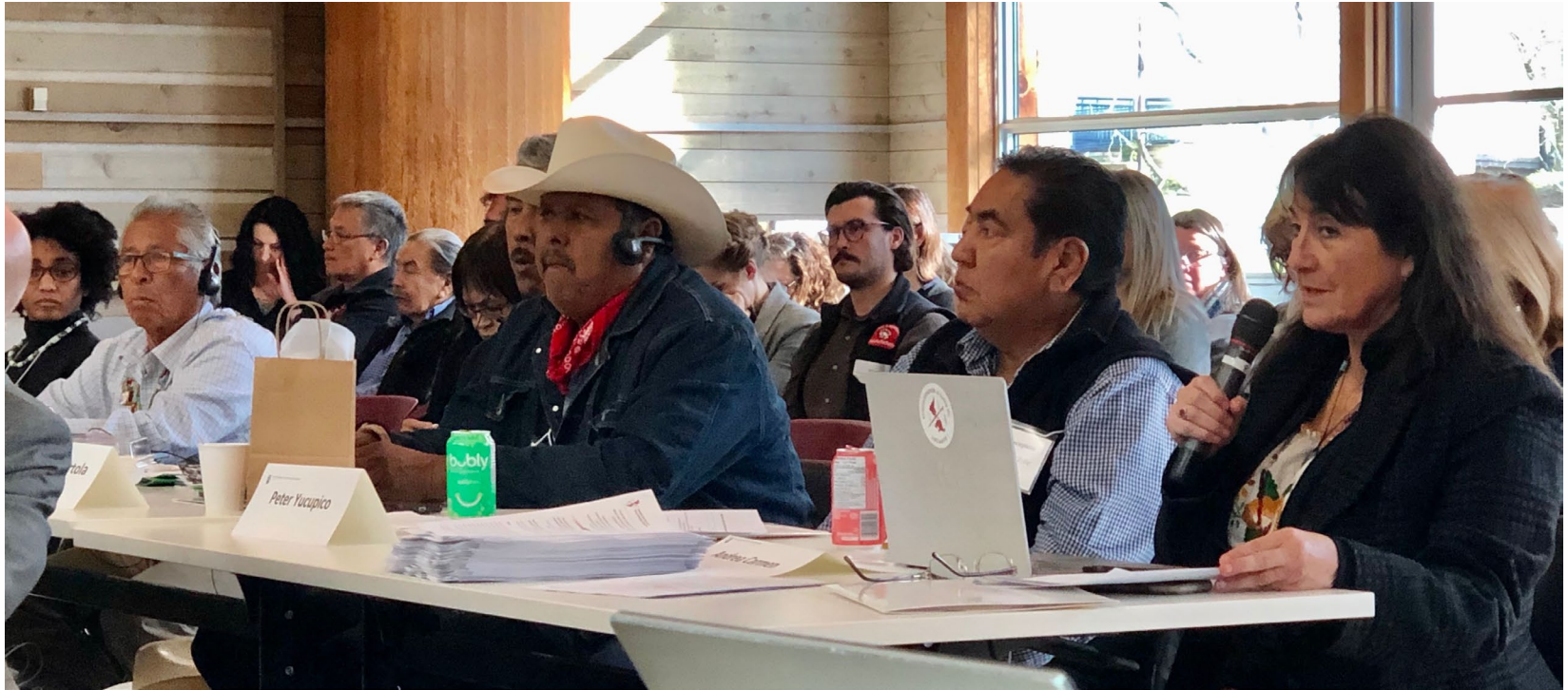


EMRIP's Country Engagement with Sweden and the Yaquis called for Repatriation of the Maaso Kova and for equal recognition of Yaqui laws



EMRIP members meet with the Yaquis, Mexican government and IITC to discuss the country engagement during UNPFII 18, April 23, 2019

UN Expert Seminar on International Repatriation, Vancouver Canada



**Yaqui and IITC Delegation, Expert Seminar on
International Repatriation, March 4th, 2020**

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Transfer document signed by Sweden, Mexico, the Yaqui Nation, IITC and the SRRIP June 3, 2022, Stockholm Sweden



Keeping the pressure on UN Agencies via the UNPFII

“The Permanent Forum recalls the request it made at its fifteenth session ([E/2016/43](#), para. 47) for UNESCO to host a joint seminar with the Expert Mechanism on the Rights of Indigenous Peoples and other relevant United Nations mechanisms for the purpose of exploring the development of a new international mechanism on the repatriation of ceremonial objects and human remains... The Permanent Forum recommends the leadership, involvement and cooperation of UNESCO in efforts to implement the recommendations arising from that meeting, as well as the previous recommendation of the Permanent Forum related to the repatriation of ceremonial objects and human remains...” -- UNPFII 21st session report, 2022



The UN Declaration on the Rights of Indigenous Peoples, Article 29

2. States shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of indigenous peoples without their free, prior and informed consent.



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New lithium mine now underway in Nevada



Active lithium mine, Sonora Mexico



Violence Against Indigenous Women and Children, Article 22



2. States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.



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Indigenous Women introduced “Environmental Violence” to the UNPFII as a new HR concept, 2014

2nd INTERNATIONAL INDIGENOUS WOMEN'S ENVIRONMENTAL AND REPRODUCTIVE HEALTH SYMPOSIUM, ALASKA 2012



“Environmental Violence” was recognized by the UNPFII in 2012

26. Environmental violence and the lack of accountability of corporations and States on indigenous lands have resulted in devastating health and reproductive impacts, including toxins that are released into the environment and which cause severe and ongoing harm to indigenous women, girls and unborn generations. – *report of the UNPFII international expert group meeting, “Combating violence against indigenous women and girls”, February 28, 2012*



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United Nations Permanent Forum on Indigenous Issues Report on the 21st session (25 April- 6 May 2022)

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



Dario Mejía Montalvo, UNPFII President



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**UN FAO Headquarters
November 18, 2022**

CEDAW General Recommendation on Rights of Indigenous Women and Girls



*“The failure of States to take adequate action to prevent, adapt to and remediate these **serious instances of environmental harm constitutes a form of discrimination and violence against Indigenous women and girls that needs to be promptly addressed...** States should also act promptly to support the work of Indigenous women and girls who are environmental human rights defenders and ensure their protection and security.”*



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**Theme for UNPFII 23, April 10-26, 2024:
"Enhancing Indigenous Peoples' right to
self-determination in the context of the
United Nations Declaration on the Rights
of Indigenous Peoples: emphasizing the
voices of Indigenous youth"**

