

Questionnaire to UN system

Questionnaire to the UN system agencies, funds and programmes and intergovernmental organizations

The United Nations Permanent Forum on Indigenous Issues (PFII) was established by the Economic and Social Council (ECOSOC) Resolution 2000/22. The Permanent Forum is mandated to provide expert advice and recommendations on Indigenous issues to the ECOSOC and through the Council to United Nations agencies, funds and programmes; to raise awareness and promote the integration and coordination of activities related to Indigenous issues within the UN system; prepare and disseminate information on Indigenous issues; and promote respect for and full application of the provisions of the UN Declaration on the Rights of Indigenous Peoples and follow up the effectiveness of the Declaration.

The Indigenous Peoples Development Branch/Secretariat of the Permanent Forum on Indigenous Issues invites UN system agencies, funds and programmes and other intergovernmental organizations to complete the attached questionnaire on any action taken or planned in response to the Permanent Forum's recommendations, the system-wide action plan on rights of indigenous peoples (SWAP) and the 2030 Agenda for Sustainable Development.

The responses will be compiled into a report for the 2024 session of the Permanent Forum. In your responses, please, include information on progress and challenges related to Indigenous women, Indigenous persons with disabilities, Indigenous older persons, and Indigenous children and youth.

All responses will be placed on the DESA/DISD website on Indigenous Peoples at: <https://www.un.org/development/desa/indigenouspeoples/>

Please note that the term “Indigenous Peoples” must be capitalized as per the UN Editorial Manual.

If you have any objections to your response being made available on our website, please inform our office accordingly.

Please submit your completed questionnaire by **15 November 2023** to:

Indigenous Peoples and Development Branch
Secretariat of the Permanent Forum on Indigenous Issues
Division for Inclusive Social Development
Department of Economic and Social Affairs
United Nations Headquarters
New York, USA 10017
Email: indigenous_un@un.org

Subject: Response to SWAP questionnaire

Questionnaire

Please provide information on the following:

A. Recommendations of the Permanent Forum on Indigenous Issues and input to the 2024 session

- i. Please provide information on measures taken since your last update to the Forum on the implementation or planned implementation of the recommendations of the PFII.

Following recommendation of the Forum that United Nations bodies and entities create an urgent response mechanism to acts of intimidation and reprisals against Indigenous human rights defenders cooperating with the United Nations -para. 89- OHCHR is working closely with UNDESA on practical steps to address allegations of intimidation and reprisals for cooperation with the Permanent Forum. Effective protection is also closely linked with the promotion of civic space. As part of the implementation of the Secretary-General's Call to Action for Human Rights and the [UN-wide Guidance Note on promoting and protecting civic space](#) (September 2020), OHCHR has led an inter-agency process to develop a Toolkit for the UN, particularly country teams, on UN Protection of civil society actors. The tool clarifies what protection work means within the context of the UN and provides step-by-step practical tips on the protection of civil society actors. The toolkit, issued in October 2023, helps UNCT colleagues to identify who civil society actors or human rights defenders are, as well as the challenges they face. This new product includes concise tools to build UNCT capacity in carrying out protection work: a risk assessment model, a checklist for identifying civic space issues and trends, an information sheet on protection networks, a list of protection networks to coordinate with, and a checklist to assess preparedness to protect.

Indigenous environmental human rights defenders (EHRDs) often experience reprisals or intimidation when carrying out their activities. The violence they face can also be experienced as a result of their cooperation with the UN, whether through sharing information, giving testimony, submitting complaints to UN bodies/mechanisms, attending UN meetings, events or training or by being a UN implementing partner or grant recipient. The [Guidance Note for UN Resident Coordinators and Country Teams: Supporting Governments to Better Protect Environmental Human Rights Defenders](#) (November 2023), offers advice on how the UN can improve the protection of EHRDs as part of efforts to support good environmental governance, prevent violence and human rights violations against EHRDs, promote the activities of EHRDs, contribute to peacebuilding and sustainable development, and expand civic space through measures that are designed and implemented with the effective and meaningful participation of EHRDs, including Indigenous Peoples who work to protect and promote the human right to a clean, healthy and sustainable environment, on which a vast range of other human rights depend, for present and future generations.

- ii. The theme of the 2024 PFII session is “Enhancing Indigenous Peoples’ right to self-determination in the context of the United Nations Declaration on the Rights of Indigenous

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Peoples – emphasizing the voice of Indigenous Youth. Please include information on any publications, projects, reports, or activities relevant to this theme.

OHCHR continued to raise awareness about the right to self-determination of Indigenous Peoples in its capacity development activities towards national authorities, parliamentarians and civil society actors. The Office also disseminates the Study by the UN expert Mechanism on the Rights of Indigenous Peoples [Efforts to implement the United Nations Declaration on the Rights of Indigenous Peoples: Indigenous Peoples and the right to self-determination](#) (2021) in its outreach activities. In addition, both the UN Voluntary Fund for Indigenous Peoples and OHCHR Fellowship Programme for Indigenous Peoples contribute to meaningfully empower Indigenous youth to stand up for their rights.

iii. Please provide information on efforts to ensure the participation of Indigenous Peoples in the international decades declared by the General Assembly, such as the United Nations Decade on Ecosystem Restoration, the United Nations Decade of Ocean Science for Sustainable Development, the International Decade for Action, “Water for Sustainable Development,” the International Decade of Indigenous Languages and other relevant international decades and processes, including CEDAW General recommendation 39 on Indigenous women and girls.

As part of the Global Task Force for Making a Decade of Indigenous Languages lead by UNESCO, the Office together with expert members of the UN Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) provided comments to UNESCO draft guidelines for the development of national action plans, which provide for the need to ensure meaningful consultation with Indigenous Peoples. In addition, a Panel discussion on the International Decade of Indigenous Languages was held during the [sixteenth session of EMRIP](#) in July 2023. EMRIP’s proposals to the Human Rights Council benefited from contributions of Indigenous representatives who participated in the discussion. EMRIP will continue to have a specific item on the International Decade on Indigenous Languages at its forthcoming session in 2024.

OHCHR supported the translation of CEDAW General Recommendation 39 into Indigenous languages, including in [Aymara, Moxeño Trinitario, Guaraní, and Nahuatl](#) and participated in a [launch event](#) related to this initiative, which was organized by the National Commission for Human Rights in Mexico in December 2023.

iv. Has your entity responded to the 2022 UNPFII recommendation¹ paragraph 85... *The Permanent Forum urges all United Nations entities and States parties to treaties concerning the environment, biodiversity and the climate to eliminate the use of the term “local communities” in conjunction with indigenous peoples, so that the term “indigenous peoples and local communities” would be abolished.*

If yes, please explain your response in further detail.

In line with the Forum’s recommendation – para. 85- and the Joint statement of 18 September 2023 by the three UN Mechanisms devoted to Indigenous Peoples, OHCHR, including its Environment Team, has been differentiating between Indigenous Peoples, and local communities in its written outputs by always capitalising Indigenous Peoples; placing a comma between Indigenous Peoples, and local communities; and separating the two terms entirely when both are used as part of a longer list.

¹ E/2022/43-E/C.19/2022/11

B. System-Wide Action Plan to achieve the ends of the UN Declaration on the Rights of Indigenous Peoples

Background

As per the Outcome Document of the World Conference on Indigenous Peoples (A/RES/69/2), a [system-wide action plan to ensure a coherent approach to achieving the ends of the UN Declaration on the Rights of Indigenous Peoples](#) was adopted in November 2015 and launched by the Secretary-General at the UN Permanent Forum in May 2016.

In August 2020, the United Nations Executive Committee agreed on the need for accelerated and collective action to strengthen the implementation of the SWAP on indigenous peoples. In November 2020, the United Nations Chief Executives Board for Coordination issued a [Call to Action: Building an Inclusive, Sustainable and Resilient Future with Indigenous Peoples](#). Its goal is to ensure collaborative and coherent UN system action to support the rights and well-being of indigenous peoples with a focus on furthering the implementation of the SWAP².

i. The Permanent Forum will follow up on progress made on the SWAP implementation as part of its discussion on the outcome document of the World Conference on Indigenous Peoples during its 2024 session. Please provide an analysis of actions taken by your agency, fund and/or programme on the six key elements of the SWAP, since your last update to the Forum³.

OHCHR continued to support implementation of the UN System-wide Action Plan on Indigenous Peoples, which was adopted in 2015 as a follow-up to the Outcome Document of the World Conference on Indigenous Peoples. As a member of the IASG on indigenous Issues, OHCHR contributed to further dissemination of the Call to Action on Building an Inclusive, Sustainable and Resilient Future with Indigenous Peoples, endorsed by the CEB in November 2020, to strengthen collective and coherent UN system efforts at country level.

OHCHR field presences carried out a number of activities to advance further the implementation of the UN Declaration on the Rights of Indigenous Peoples, ranging from awareness raising, to support to national dialogues, and promotion of Indigenous participation in decision-making processes. See [Rights of Indigenous Peoples - Report of the United Nations High Commissioner for Human Rights](#), which was submitted to the Human Rights Council at its 54th session. The High Commissioner and Deputy-High Commissioner regularly highlighted the concerns of Indigenous Peoples in their country visits, statements and other work, with particular focus on Indigenous human rights defenders, impact of climate change and access to

² Reporting on the activities to implement the CEB Call to Action is through task groups and should not be included in the responses to this questionnaire.

³ The six key elements of the SWAP are: 1) Raise awareness of the UNDRIP; 2) Support the implementation of the UNDRIP, particularly at the country level; 3) Support the realization of indigenous peoples' rights in the implementation and review of the 2030 Agenda for Sustainable Development; 4) Map existing standards and guidelines, capacity, training materials and resources within the UN system, international financial institutions and the members of the IASG for the effective implementation of the UNDRIP; 5) Develop the capacity of States, indigenous peoples, civil society and UN personnel; and 6) Advance the participation of indigenous peoples in UN processes.

justice. OHCHR also played an active role in efforts aimed at raising the profile of Indigenous Peoples in the context of the Human Rights Council, including through its support to the Expert Mechanism on the Rights of Indigenous Peoples and by organizing, during the fifty-fourth session of the Human Rights Council in September 2023, a [panel discussion on the rights of Indigenous Peoples](#), with a focus on “the impact of certain development projects on the rights of Indigenous Peoples, in particular the impact on indigenous women”.

In the lead up to the 28th Conference of the Parties to the United Nations Framework Convention on Climate Change, OHCHR advocated for a human right-based approach to guide global policies and measures designed to address climate change and consistently stressed the importance of ensuring meaningful and informed participation with affected groups. In his [open letter](#), he further stressed that human rights guardrails such as participation by rights-holders, the free, prior informed consent of Indigenous Peoples, and accessible independent grievance mechanisms for those negatively affected are critical to effective climate action. These need to be reflected in mechanisms for climate finance, such as the new loss and damage fund, and the operationalization of carbon markets under Article 6.4 of the Paris Agreement. OHCHR also participated in and / or co-organized a number of side events on human rights and climate change at COP 28, including as lead organizer for an event focusing on the role of the UN Voluntary Fund for Indigenous Peoples in strengthening the effective participation of Indigenous Peoples in the Climate Change processes.

The Office also marked the 75th anniversary of the Universal Declaration of Human Rights with year-long commemorative events from all over the world. The events raised awareness of many human rights issues including the rights of Indigenous Peoples. The [Human Rights 75 Wrap-up page](#) on the OHCHR website showcases a collection of stories, videos and others from the year-long commemoration of the 75th anniversary.

C. 2030 Agenda for Sustainable Development

i. Please describe any activities your entity has organized since the last reporting period to accelerate progress across a range of SDGs, demonstrating the interlinkages across goals and targets and if applicable, providing examples of translating global goals into local actions. In your response, please consider referring to SDGs relevant to the theme of the 2024 session of the Forum.

In supporting the implementation of the 2030 Agenda, OHCHR has been working to strengthen workstreams related to the [vision of the Office for reinforcing its work in promoting and protecting economic, social and cultural rights](#), which has implications for marginalized groups, including Indigenous Peoples. Furthermore, OHCHR has launched, in April 2023, a call for a “[human rights economy](#)”, that places people’s human rights at the center of all economic, social, and environmental policies, plans and programs. It aims at ensuring that development as well as business models are firmly guided by human rights norms and standards. It fosters active, free and meaningful participation and empowers groups subject to discrimination, which includes Indigenous Peoples. It further aims at eliminating discrimination and reducing inequalities by investing in economic, social, and other rights and dismantling structural barriers and other impediments to equality, justice, well-being, sustainable growth and shared prosperity at both national and international levels.

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To ensure human rights is at the core of sustainable development, the Office created the [Surge Initiative](#) in response to rising inequalities, the slow implementation of the SDGs and increasing social unrest. The mission of the Initiative is to step up engagement at the country and regional levels on economic, social, and cultural rights (ESCR) and strengthen the link between human rights and economics. One of the principal avenues for such engagement is through the provision of financial and technical support to in-country and regional through seeding-change projects. These projects are aimed at supporting system-wide efforts to place human rights at the centre of socio-economic recovery and building-back better, including by advocating for economic policy shifts that counter rising inequalities, putting a spotlight on disadvantaged groups, including Indigenous Peoples, and advancing investment in ESCR. For example, the Surge Initiative provided in 2023 financial and technical support to OHCHR presence in Peru to undertake an analysis of the challenges related to the lack of implementation of State agreements with Indigenous Peoples with a view to contributing to conflict resolution and strengthened economic, social and environmental rights, with a particular focus on women and girls.

For a detailed account of the most relevant activities that OHCHR has undertaken to support progress in the implementation of the 2030 Agenda, including on SDGs that will be reviewed in 2024, please refer to [OHCHR's submission](#) to the UN System Implementation Database.

ii. Please describe any activities your entity organized in support of the 2023 UN High-Level Political Forum on Sustainable Development and SDG Summit and/or reports and activities that supported SDG reporting and monitoring or a VNR process at the national, regional, or global level.

In the context of supporting the implementation of the central promise of the 2030 Agenda to leave no one behind, OHCHR has been consistently advocating, including at the [2023 SDG Summit](#), for systematic application of human rights principles such as meaningful participation, data disaggregation and human rights approach to data, as well as developing economies that help fulfil human rights and intentionally center people and the planet. See also [OHCHR key messages](#), and the [Joint Declaration on SDG Summit](#) by the Special Rapporteurs, Independent Experts and Chairpersons of Working Groups of the Special Procedures of the Human Rights Council, with both making explicit mentions of Indigenous Peoples. In addition, OHCHR organized, in January 2023, the 5th Human Rights Council intersessional meeting for dialogue and cooperation on human rights and the 2030 Agenda for Sustainable Development focusing on “[Overcoming multiple crises: realizing the SDGs through a human rights enhancing economy](#)”. See full report [here](#).

OHCHR also engaged with Regional Forums on sustainable development to discuss implementation of the 2030 Agenda:

- African regional forum on sustainable development: Multi-stakeholder dialogue on the Role of Partnerships in framing a new social contract to advance the right to social protection and LNOB principle in the implementation of Agenda 2063 and the 2030 Agenda – [side event](#) (Feb. 2023).

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- UNECE Regional Forum: Intersectionality in policy and practice: A tool for operationalizing the Leave No One Behind principle – [side event](#) (March 2023).
- Asia Pacific regional forum on sustainable development: Access to Safe and Sufficient Water: A Right of Children and Future Generations – [side event](#) (March 2023).

In addition, OHCHR supported several activities of relevance to Indigenous Peoples in the context of the 2023 High-Level Political Forum:

- Side event on “An Urgent Case for Complementary Data: Indigenous, Land and Environmental Defenders in SDG 16.10.1”;
- Official launch of the [Global Progress Report on SDG 16 Indicators entitled “A Wake-Up Call for Action on Peace, Justice, and Inclusion”](#);
- Event focusing on [a human rights-centered, gender-transformative economy](#);
- Side event focusing on inclusive data collection and disaggregation by groups at risk of being left behind - [data solutions to LNOB dilemmas](#).

In relation to Voluntary National Reviews, OHCHR, alongside UNDP, contributed to the [Virtual Knowledge Exchange on Approached and Tools for the 2023 VNRs](#), to introduce the [Human Rights and Voluntary National Reviews - Operational Common Approach Guidance Note](#). The note aims to help Member States maximize synergies between human rights and 2030 Agenda follow-up and review processes. It presents a practical 8-step approach with editable checklists for each step outlining suggested actions to assist Member States in developing their VNRs in a way that integrates human rights throughout the process, while also ensuring inclusive and meaningful participation. Taking the 2030 Agenda article 74(e) as a starting point – follow up and review processes “will be people-centered, gender sensitive, respect human rights and have a particular focus on the poorest, most vulnerable and those furthest behind”, the guidance note demonstrates ways to use human rights-based approaches to strengthen VNRs and help accelerate SDG implementation that leaves no one behind. It provides links to numerous useful tools, further reference materials, and also highlights several specific country examples and good practices from previous VNRs. The guidance note is available in English, Spanish and French.

In addition, the VNR Lab on “[The Relevance of Human Rights Norms and Data to Ensuring the Effectiveness of VNRs](#)” provided an opportunity for Member States, the UN, civil society and other stakeholders to discuss the contribution of integrating human rights approaches and utilizing human rights norms and data for the 2030 Agenda follow up and review, particularly when it comes to Voluntary National Reviews. Participants noted that integrating human rights’ approaches into VNRs has the potential to forestall the marginalization of the most vulnerable segments of society and empower these groups to actively contribute to the identification of necessary political, legal, or other transformations essential for reversing unfavourable trends.

ANNEX 1

Agenda of the twenty-second session of the Permanent Forum on Indigenous Issues

The Twentieth-second session of the Permanent Forum on Indigenous Issues is scheduled to take place from **15 to 26 April 2024**

Provisional Agenda

1. Election of officers.
2. Adoption of the agenda and organization of work.
3. Discussion on the theme “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”.
4. 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 and the 2030 Agenda for Sustainable Development.
5. Dialogues:
 - (a) Dialogue with Indigenous Peoples; E/2023/43 E/C.19/2023/7 23-08492 5/24
 - (b) Dialogue with Member States;
 - (c) Dialogue with the United Nations agencies, funds and programmes;
 - (d) 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);
 - € Regional dialogues;
 - (f) Dialogue on Indigenous platforms established within United Nations entities;
 - (g) Thematic dialogues, including on the financing of Indigenous Peoples’ work and participation in the context of, inter alia, development, climate, environment and biodiversity.
6. Future work of the Permanent Forum, including issues considered by the Economic and Social Council, the outcome document of the World Conference on Indigenous Peoples and emerging issues.
7. Provisional agenda of the twenty-fourth session of the Permanent Forum.
8. Adoption of the report of the Permanent Forum on its twenty-third session. -