

THE UNITED NATIONS PERMANENT FORUM ON INDIGENOUS ISSUES

TOGETHER WE ACHIEVE

International Day of the World's Indigenous Peoples Protecting the Rights of Indigenous Peoples in Voluntary Isolation and Initial Contact

Virtual commemoration on 9 August 2024
(09-10:30 am EST/New York Time)

Zoom link to register: <https://tinyurl.com/IndigenousDay24>

The International Day of the World's Indigenous Peoples is celebrated globally on 9 August. It marks the date of the inaugural session of the Working Group on Indigenous Populations in 1982.¹ The Department of Economic and Social Affairs (DESA) is organizing a virtual commemoration of the International Day on Friday, 9 August 2024, on the theme: *Protecting the Rights of Indigenous Peoples in Voluntary Isolation and Initial Contact*. Indigenous Peoples, Member States, UN entities, civil society, and the public are all invited.

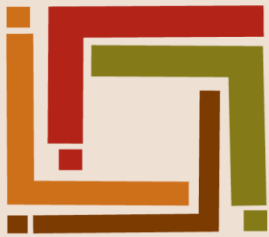
Protecting the Rights of Indigenous Peoples in Voluntary Isolation and Initial Contact

Around 200 groups of Indigenous Peoples currently live in voluntary isolation and initial contact. They reside in remote forests rich in natural resources in Bolivia, Brazil, Colombia, Ecuador, India, Indonesia, Papua New Guinea, Peru and Venezuela. They choose to live detached from the rest of the world and their mobility pattern allows them to engage in gathering and hunting, thereby preserving their cultures and languages. These peoples have a strict dependency on their ecological environment. Any changes to their natural habitat can harm both the survival of individual members and the group as a whole.

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) asserts the rights of Indigenous Peoples to self-determination. In practicing their rights, Indigenous Peoples, including those in voluntary isolation and initial contact, are free to determine their political status, pursue their economic, social and cultural development, and have the right to autonomy or self-government in their internal and local affairs (art.3,4). In addition, the UNDRIP enshrines the right to life, physical integrity, liberty and security of person, the collective right to live in freedom, peace and security (art.7), and the right not to be subjected to forced assimilation or destruction of their culture (art.8).²

¹ Resolution adopted by the General Assembly 49/214. International Decade of the World's Indigenous People

² [A/RES/49/214]. <http://www.un-documents.net/a49r214.htm>



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While ILO Convention No.169 does not refer specifically to Indigenous Peoples in voluntary isolation and initial contact, it nevertheless contains numerous relevant provisions. Special mention should be made of Article 14, which recognizes Indigenous Peoples' rights "of ownership and possession...over the lands which they traditionally occupy". In addition, it provides that "measures shall be taken in appropriate cases to safeguard the right of the peoples concerned to use lands not exclusively occupied by them, but to which they have traditionally had access for their subsistence and traditional activities." The Convention also states: "Governments shall take steps as necessary to identify the lands which the peoples concerned traditionally occupy, and to guarantee effective protection of their rights of ownership and possession." The Convention also outlines the right to prior consultation and prior consent (Articles 6 and 16), the right to maintain their own customs and institutions (Article 8), the right for representative organizations to advocate for the protection of their rights (Article 12); and the right not to be transferred from the lands they occupy (Article 16). In addition, as a general principle, the Convention provides that in its implementation, "the social, cultural, religious and spiritual values and practices of these [i.e., Indigenous and tribal] peoples shall be recognized and protected, and due account shall be taken of the nature of the problems which face them both as groups and as individuals" and "the integrity of the values, practices and institutions of these peoples shall be respected."³

At its fourth session (2005), the Permanent Forum on Indigenous Issues referred to Indigenous Peoples in voluntary isolation for the first time, recommending "that the situation of these peoples should be the subject of a special international meeting during the Second International Decade of the World's Indigenous People."⁴ As a result, the UN Secretary General presented a draft program of action for the Second International Decade of the World's Indigenous Peoples, which recommended establishing "a global mechanism...established to monitor the situation of indigenous peoples in voluntary isolation and in danger of extinction", and adopting "a special protection framework for indigenous peoples in voluntary isolation...and that Governments should establish special policies for ensuring the protection and rights of indigenous peoples with small populations and at risk of extinction".⁵ An immediate action was the organization of a seminar held in Bolivia in 2006 by OHCHR, aimed at promoting the application of public policies and international agreements that protect the rights of these Peoples. During this seminar, the Santa Cruz de la Sierra Appeal was adopted.

³ [Convention C169 - Indigenous and Tribal Peoples Convention, 1989 \(No. 169\) \(ilo.org\)](#)

⁴ E/C.19/2005/9, para 73

⁵ [\(A/60/270\)](#) paras 45, 51



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Recognizing the value of the Santa Cruz de la Sierra Appeal, in its sixth session the Forum recommended that the Office of the High Commissioner for Human Rights (OHCHR), “other international agencies and States, in partnership with indigenous peoples’ organizations and non-governmental organizations, further replicate and follow up similar initiatives in order to achieve and consolidate sustained long-term policies, mechanisms and procedures that can assure the security and self-determined livelihoods of these peoples, including the guarantee of the inviolability of their territories and natural resources” and recommended that OHCHR “conduct, in consultation with indigenous peoples’ organizations, non-governmental organizations, experts, States and multilateral and bilateral agencies, the formulation of guidelines directed to all actors, both governmental and non-governmental, dealing with the respect and protection of the rights of indigenous peoples in voluntary isolation and initial contact”.⁶

In May 2012, OHCHR released the “Guidelines for the protection of indigenous peoples in voluntary isolation and initial contact of the Amazon region, Gran Chaco and Eastern Paraguay.”⁷ The Guidelines constitute the first United Nations document focused specifically on Indigenous Peoples living in voluntary isolation and initial contact.

The Forum has continued to urge Member States to protect the rights of Indigenous Peoples in voluntary isolation and initial contact. Most recently in its 23rd session, the Forum stated, “the rights of Indigenous Peoples in voluntary isolation and initial contact continue to face grave threats of dispossession and destruction of their ancestral territories, as well as the risk of genocide, owing to the lack of recognition of their rights. These threats include encroachment by extractive industries and the rapid imposition of monocultures, deforestation, violence, and the present and proselytism of missionaries, including Mennonite groups. The Permanent Forum urges the application and observance of guidelines and recommendations by regional and international entities, including the Inter-American Commission on Human Rights, for the protection of the rights of Indigenous Peoples in voluntary isolation and in initial contact.”⁸

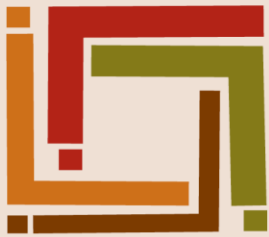
Threats to their survival

Despite their right to autonomy, Indigenous Peoples in voluntary isolation and initial contact face unique challenges often overlooked by the surrounding world. Globalization is driving significant economic growth and technological advancement, but it is also destabilizing environmental

⁶ E/2007/43 E/C.19/2007/12, paras 39, 40

⁷ A/HRC/EMRIP/2009/6

⁸ E/2024/43 <https://undocs.org/E/2024/43>



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sustainability and social equity. Developments for agriculture, mining, tourism and natural resources in their territories is resulting in the deforestation of swathes of Indigenous Peoples' forests, disrupting their way of life and destroying the natural environment that they have protected for generations.

The transition to a green economy is driving both legal and illegal activities in the extractive industry, increasing pressure on the territories of Indigenous Peoples in voluntary isolation and initial contact. For example, the growing demand for electric cars is fueling the mining of critical minerals. These mines are increasingly encroaching on the ancestral homelands of Indigenous Peoples in voluntary isolation and initial contact, forcing them out of the forest that sustains them and threatening their very existence.

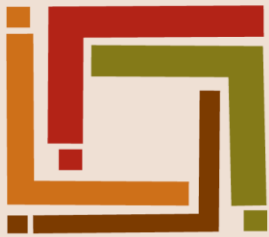
Indigenous Peoples across the world have suffered the disastrous impacts of diseases brought to their communities by outsiders. During the colonial era, epidemics served as a deadly tool of conquest, leading in some cases to the genocide of entire Indigenous populations.⁹ For Indigenous Peoples living in voluntary isolation and initial contact, the exposure to diseases is one of the most serious threats to their survival stemming from external contact. Due to their isolation from non-indigenous societies, they do not have the immunological defenses to relatively common diseases. Given the distinct experiences and vulnerabilities of Indigenous Peoples in voluntary isolation and initial contact in the face of foreign diseases, due consideration should be given to culturally-specific responses that take into account their unique ways of living and approaches to healthcare.

Advancements to recognize and protect the rights of Indigenous Peoples in voluntary isolation and initial contact

In some instances, the rights of Indigenous Peoples in voluntary isolation and initial contact have been acknowledged and enshrined into legislation. The OHCHR's guidelines for the protection of Indigenous Peoples living in voluntary isolation and initial contact in the Amazon Basin and El Chaco highlight the need to guarantee self-determination, the protection of lands, territories and resources, and the principles of free, prior and informed consent of the Peoples affected.¹⁰

⁹ <https://social.desa.un.org/issues/indigenous-peoples/events/expert-group-meeting-indigenous-peoples-and-pandemics>

¹⁰ Human Rights Council, Expert Mechanism on the Rights of Indigenous Peoples. Draft Guidelines on the Protection of Indigenous Peoples in Voluntary Isolation and in Initial Contact of the Amazon Basin and El Chaco. 2009. https://www2.ohchr.org/english/issues/indigenous/ExpertMechanism/2nd/docs/A_HRC_EMRIIP_2009_6.pdf



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The Amazon Cooperation Treaty Organization (ACTO) and the Inter-American Development Bank have developed a strategic framework to support Indigenous Peoples in voluntary isolation and initial contact, with recommendations to strengthen the presence of states in border areas, improve interagency coordination and efficiency, incorporate traditional knowledge into territorial management, and develop awareness raising and training programs for professionals in the fields of health and education.¹¹

In 2018, the Colombian Government approved a landmark national decree for the protection of isolated Indigenous Peoples. It states that the decision of these groups to remain in isolation must be respected and their territories protected. The legislation develops a national protection system that is unique in incorporating both Indigenous Peoples and government institutions in establishing mechanisms to ensure that the territories of isolated Indigenous Peoples remain free from incursions.¹²

In August 2023, the Ecuadorian electorate voted overwhelmingly in a referendum to prevent oil drilling in Yasuní National Park, one of the most biodiverse regions of the Amazon rainforest, and home to many Indigenous Peoples, including the Tagaeri and Taromenane Peoples who live in voluntary isolation. The landmark vote is the first of its kind to limit resource extraction by popular vote, and sets a positive precedent for the protection of the rights of Indigenous Peoples in voluntary isolation and initial contact.¹³

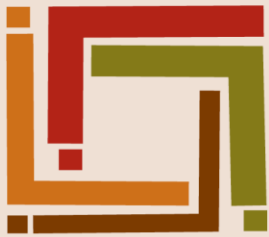
In 2023, following months of advocacy by Indigenous Peoples' organizations, the Government of Peru scrapped its so-called 'genocide bill', which would have reversed legal protections for over 7,500 Indigenous Peoples in isolation and left them exposed to illegal mining, logging and drug trafficking. Upholding the rights of Indigenous Peoples in voluntary isolation and initial contact in Peru means that their collective right to manage and use their lands and territories is protected, access for outsiders is restricted, and they are free to practice and enjoy their own cultures and languages.¹⁴

¹¹ ACTO, IDB. Strategic Framework for Protecting Indigenous Peoples in Voluntary Isolation and Initial Contact. 2018. <https://otca.org/en/wp-content/uploads/2021/01/STRATEGIC-FRAMEWORK-FOR-PROTECTING-INDIGENOUS-PEOPLES-IN-VOLUNTARY-ISOLATION-AND-INITIAL-CONTACT.pdf>

¹² <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=87539>

¹³ <https://rainforestfoundation.org/yes-to-yasuni/>

¹⁴ <https://www.survivalinternational.org/news/13706>



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The European Union (EU) has taken positive steps towards protecting the rights of Indigenous Peoples in its environmental policies. Both the European Critical Raw Materials Act¹⁵ and the EU Regulation on Deforestation¹⁶ recognize the need to comply with international human rights law relating to Indigenous Peoples, including the UNDRIP, and ensure that business activities undertake comprehensive and meaningful consultations with Indigenous Peoples in affected areas.

Protecting Indigenous Peoples in Isolation means Protecting the Planet

The remaining Indigenous Peoples in voluntary isolation and initial contact are among the few Indigenous Peoples in the world to have been spared the devastating effects of colonialism and market forces. Given the existential threats they are currently facing from external interference, ensuring special protection for their collective rights and ensuring clear territorial demarcations is essential to maintain their way of life and to allow them to continue living undisturbed by the destructive harms of contemporary society.

As the world transitions towards a green economy, ensuring corporate social responsibility (CSR) within Indigenous Peoples' lands and territories, especially those in voluntary isolation and initial contact, is essential. In its 2023 Sustainability Report, Tesla committed to respecting the principle of Free, Prior and Informed Consent (FPIC) of Indigenous Peoples, and proposed the establishment of mining no-go zones to protect Indigenous Peoples in voluntary isolation and initial contact.¹⁷ As consumers with purchasing power, it is important to understand how our financial decisions and actions have a direct impact on Indigenous Peoples in voluntary isolation and initial contact. By making informed decisions, we can transform state and corporate behavior for the better, hold them accountable in their actions, and enable Indigenous Peoples in voluntary isolation and initial contact to have the agency to choose to remain uncontacted and pursue their ways of living.

Indigenous Peoples in voluntary isolation and initial contact are the best protectors of the forest. Where their collective rights to lands and territories are protected, the forests thrive, alongside their societies. And not only is their survival crucial to the protection of our planet, but it is crucial

¹⁵ European Commission. European Critical Raw Materials Act. 2023. https://single-market-economy.ec.europa.eu/publications/european-critical-raw-materials-act_en

¹⁶ European Commission. Regulation (EU) 2023/1115 of the European Parliament and of the Council of 31 May 2023 on the making available on the Union market and the export from the Union of certain commodities and products associated with deforestation and forest degradation and repealing Regulation (EU) No 995/2010. 2023

¹⁷ https://www.tesla.com/ns_videos/2023-tesla-impact-report.pdf p.121



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to the protection of cultural and linguistic diversity. In today's hyper-connected world, the existence of Indigenous Peoples in voluntary isolation and initial contact is a testament to the rich and complex tapestry of humanity, and it is a huge loss to our world if they cease to exist.

Format and invited speakers

The virtual commemoration will include an opening segment with a traditional ceremony, followed by a virtual statement from the Chair of the Permanent Forum on Indigenous Issues.

A moderated panel with invited speakers will consider who Indigenous Peoples in voluntary isolation and initial contact are, and the pressing challenges that they face for their survival. This will be followed by a discussion with invited speakers to share advancements on how their rights can be effectively recognized and protected. Indigenous Peoples, Member States, UN entities, civil society, and the public are all invited to participate.

Interpretation will be available in English, Spanish and Portuguese, kindly provided by Land is Life.