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DEPARTMENT OF ECONOMIC AND SOCIAL AFFAIRS
Division for Inclusive Social Development
Indigenous Peoples and Development Branch - Secretariat of the Permanent Forum on
Indigenous Issues

International Expert Group Meeting on the theme

**“Recognition of Indigenous Peoples’ rights in the context of the climate crisis, biodiversity
governance and territorial integrity: focusing on nomadic and semi-nomadic peoples,
including pastoralists and shifting cultivators”**

Virtual format, 1-3 December 2025

Concept Note

Prepared by the Indigenous Peoples and Development Branch -
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Original: English

A. Background

Indigenous Peoples around the world continue to face systemic barriers to the full recognition and realization of their rights, despite the significant advancement of these rights internationally. This includes the adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), establishment of UN Mechanisms related to Indigenous Peoples, including the Permanent Forum on Indigenous Issues (UNPFII), the Expert Mechanisms on the Rights of Indigenous Peoples (EMRIP) and the Special Rapporteur on the Rights of Indigenous Peoples, and their longstanding recommendations. UNPFII recommendations on Indigenous Peoples' rights to land, resources, and environmental governance remain largely unimplemented at national and international levels.

The accelerating climate crisis and the growing focus on global biodiversity governance have far-reaching implications for Indigenous Peoples. Indigenous Peoples continue to be disproportionately impacted by climate change, despite contributing the least to greenhouse emissions. Indigenous Peoples face increasing marginalization in environmental decision-making processes despite their critical role in sustaining biodiversity and mitigating climate change.

Among the most affected are mobile Indigenous Peoples,¹ which includes nomadic and semi-nomadic Indigenous Peoples, such as pastoralists, shifting cultivators, hunter-gatherers, sea nomads and seafarers. It is also important to note the situation of Indigenous Peoples living in isolation and initial contact, whose circumstances are distinct and require special protection. The ways of life of these Indigenous Peoples are deeply rooted in ecological stewardship of their ancestral territories. Notably, Indigenous women bear a heavier burden, experiencing greater climate crisis-induced impacts on their livelihoods and health, due to their unique cultural roles and responsibilities.

Within this context, mobile Indigenous Peoples face distinct and often overlooked challenges to the recognition of their rights. They live in and manage fragile ecosystems of high biodiversity value and have cared for and sustained their lands and territories since time immemorial, practicing traditional methods rooted in Indigenous knowledge. Many Indigenous Peoples living in isolation and initial contact move seasonally for sustenance, resources and rituals, reflecting deep material, social, cultural and spiritual ties to their territories.² They live across the seven socio-cultural regions, living in harmony with and sustaining, their ancestral territories that include lands and waters. From the Maasai Indigenous Peoples who continue to practice their traditional pastoral lifestyle, to the Sámi Peoples who practice reindeer herding and the Bajau Peoples of south-east Asia who continue to be sustained by and care for, their oceans. Mobile Indigenous Peoples' cyclical

¹ Note: Consistent with the Report of the Special Rapporteur on the Rights of Indigenous Peoples on Mobile Indigenous People (A/79/160) this concept note adopts the terminology mobile Indigenous Peoples to collectively refer to nomadic and semi-nomadic peoples, which is inclusive of pastoralists, shifting cultivators, hunter-gatherers, sea faring peoples and Indigenous Peoples living in isolation and initial contact.

² See *Report of the Special Rapporteur on the Rights of Indigenous Peoples on Mobile Indigenous People (A/79/160)* para 7.

Original: English

patterns of strategic movement and subsistence practices, continue to contribute to ecological balance and conservation. Mobile Indigenous Peoples represent a distinct subset of Indigenous Peoples who self-identify under international law and rely on sustainable use of common resources.³ Given the historical and continued transboundary movement by mobile Indigenous Peoples, practices that predate national boundaries, their inherent right of mobility conflicts with State imposed fixed borders and restrictions.⁴

1. Indigenous Peoples and the climate crisis

Indigenous Peoples are among the first to face the direct impacts of global warming on the ecosystems or landscapes they inhabit, owing also to their dependence upon, and close relationship with the environment and its resources.⁵ Climate change is rapidly degrading ecosystems and biodiversity, driving desertification, premature melting of glaciers, rising sea levels, increasingly warmer temperatures and more frequent and severe extreme weather.

Simultaneously, conservation and climate change mitigation strategies such as the establishment of protected areas and the expansion of renewable energy infrastructure often result in land dispossession and forced displacement of Indigenous Peoples. The transition to green energy purportedly requires an unprecedented demand for critical minerals and subjecting Indigenous Peoples to further destruction of their lands and waters.

These interventions, while framed as environmental solutions, paradoxically threaten Indigenous Peoples who have historically safeguarded these territories. Indigenous Peoples' languages, cultures and respective knowledges must also be recognized and centered in the development of climate solutions.⁶ Mobile Indigenous Peoples inherently embody climate resilient land management strategies, applying their Indigenous knowledges through their ancestral practices of rotational grazing, hunting, gathering, fishing and shifting cultivation. However, the use of Indigenous Peoples' knowledge must be with their free, prior and informed consent, to ensure that such knowledge is used appropriately and not exploited, as seen in the practice of biopiracy particularly of plants and natural resources.

2. Indigenous Peoples and biodiversity and climate governance

The global effort to address and mitigate climate change has culminated in a growing emphasis on international biodiversity governance. Fora such as the Convention on Biological Diversity (CBD),⁷ the UN Framework Convention on Climate Change

³ See *Report of the Special Rapporteur on the Rights of Indigenous Peoples on Mobile Indigenous People* A/79/160 para 4.

⁴ See *Report of the Special Rapporteur on the Rights of Indigenous Peoples on Mobile Indigenous People* A/79/160 para 60.

⁵ United Nations, "UNDESA Policy Brief #101: Challenges and Opportunities for Indigenous Peoples' Sustainability", (See <https://desapublications.un.org/policy-briefs/undesa-policy-brief-101-challenges-and-opportunities-indigenous-peoples>).

⁶ *State of the World Indigenous Peoples Vol VI: Climate Crisis* (United Nations publication, 2025) p 25.

⁷ Subsidiary Body on Article 8(j) and Other Provisions of the Convention on Biological Diversity Related to Indigenous Peoples and Local Communities (SB8J), decision CBD/COP/DEC/16/5.

Original: English

(UNFCCC)⁸ and the UN Convention to Combat Desertification (UNCCD),⁹ while attempting to find ways to include Indigenous Peoples, continue to remain fundamentally intergovernmental. However, despite continued advocacy, Indigenous Peoples lack formal representation and are often treated as other stakeholders rather than as rights-holders, with their participation frequently limited, undermining their recognition as rights-holders and diluting their distinct rights.

This exclusion challenges the legitimacy and effectiveness of environmental and climate change mitigation policies, particularly those that directly affect Indigenous Peoples' territories and livelihoods. When Indigenous Peoples are not meaningfully engaged in climate change mitigation dialogue, even well-intentioned policies, can result in solutions that are harmful to their rights. At the national level, the establishment of protected areas in some countries has led to the forcible eviction of Indigenous Peoples, in the name of conservation. Similarly, the World Heritage Committee previously designated sites without obtaining the free, prior, and informed consent (FPIC) of Indigenous Peoples. Recent initiatives, including UNESCO-led efforts in 2025, signal progress toward recognizing Indigenous Peoples as rights-holders in World Heritage processes.¹⁰ Despite these advancements, ensuring meaningful participation remains essential, particularly for mobile Indigenous Peoples, who rely on unimpeded access to their lands, to sustain their rotational and seasonal-based traditional practices.

Recognition of the rights of Indigenous Peoples must be central to climate and biodiversity governance, with Indigenous Peoples directly at the table of discussions and decision-making. Their ecological knowledge and adaptive strategies offer invaluable insights into sustainable resilience.

To address these gaps, Indigenous Peoples have consistently advocated for their meaningful and direct participation in biodiversity and climate governance mechanisms, ensuring that their voices are not conflated with other groups.¹¹ The inclusion and centering of Indigenous Peoples' knowledges alongside conservation science and policy has also been a key recommendation of Indigenous Peoples.¹² Further, formally recognizing mobile lifeways as ecologically beneficial and protecting mobility as a cultural and ecological right are essential elements of effective governance.

It is also vital to ensure the meaningful participation of Indigenous women and youth in climate change discussions and decision-making processes. The knowledge of Indigenous women is unique to their relationship with their respective lands, and they possess specialized knowledge that contributes to sustainable climate change solutions.¹³ Indigenous youth, as current and next generation custodians of their lands and waters, are critical for climate governance. Their involvement should go beyond capacity-building initiatives and must include direct engagement in policy development and implementation,

⁸ Local Communities and Indigenous Peoples Platform (LCIPP), decision 2/CP.23

⁹ Caucus on Indigenous Peoples, decision 5/COP.16

¹⁰ See <https://whc.unesco.org/en/news/2774>

¹¹ E/2022/43, para rec 85.

¹² *State of the World Indigenous Peoples Vol VI: Climate Crisis* (United Nations publication, 2025).

¹³ *State of the Worlds Indigenous Peoples Vol VI: Climate Crisis* (United Nations publication, 2005) p 24.

Original: English

as well as participation in biodiversity and climate dialogues. This approach supports intergenerational knowledge transfer, while recognizing the innovative contributions Indigenous youth bring to these processes.

3. Indigenous Peoples and territorial integrity

For Indigenous Peoples, “territory” is more than land or physical space; it embodies their cosmogony, their relationship with Mother Earth, and their ways of life. Harm to territory, whether through mobility restrictions, armed forces, or external interventions imposing rules alien to the communities, has exacerbated human rights violations, particularly for mobile peoples whose cultural and ecological practices depend on unimpeded access to their lands.¹⁴

The expert group meeting will analyze Indigenous Peoples’ right to self-determination and its intersection with territorial integrity. The principle of territorial integrity is enshrined in the UN Charter and reflected in Article 46 of the UNDRIP, which was included during negotiations as a legal safeguard for States, through Indigenous Peoples primarily seek recognition and the ability to exercise self-determination.

Indigenous Peoples’ lands and territories, predate the formation of modern States, making it essential to reconsider internal administrative boundaries that divide their territories and to guarantee the respect of their territorial integrity. Territorial integrity should not be invoked to restrict Indigenous Peoples’ rights. On the contrary, Indigenous Peoples’ rights to their ancestral lands and waters, and self-determination strengthen sovereignty, territorial integrity and international security.¹⁵

The expert group meeting will explore how legal frameworks can ensure the recognition of mobile and stateless Indigenous Peoples, ensuring protection of their lands, waters and mobility. Some States have established avenues to accommodate Indigenous Peoples traversing between and beyond, national boundaries. For example, the Torres Strait Treaty allows for freedom of movement without passport or visa requirements for Indigenous Peoples between Australia and Papua New Guinea,¹⁶ facilitating the continuation of ‘traditional activities’.¹⁷

Article 26 of the UNDRIP affirms Indigenous Peoples’ rights to lands, territories and resources, requiring States to respect customs, traditions, land tenure systems and

¹⁴ See *Note by the Secretariat: Study on the rights of indigenous peoples in Latin America and the Caribbean in the context of the exceptional measures adopted during the pandemic*. E/C.19/2021/9 para. 49.

¹⁵ Report of the Special Rapporteur on the Rights of Indigenous Peoples: Identification, demarcation, registration and titling of Indigenous Peoples’ lands: practices and lessons. A/80/181

¹⁶ A/HRC/EMRIP/2019/2/Rev.1 Study of the EMRIP: Indigenous Peoples’ rights in the context of borders, migration and displacement.

¹⁷ Article 1K of the Treaty between Australia and the Independent State of Papua New Guinea concerning Sovereignty and Maritime Boundaries in the area between the two Countries, including the area known as Torres Strait, and Related Matters [1985].

Original: English

governance. Failure to recognize mobile Indigenous Peoples' identities and practices restricts their mobility and access to basic services, further marginalizing them.

Conclusion

The expert group meeting seeks to critically examine the intersecting dynamics of climate change and biodiversity governance, and territorial integrity as they affect Indigenous Peoples, including mobile Indigenous Peoples. The goal is to articulate pathways for the recognition and protection of their rights within international legal frameworks and biodiversity and climate change governance, ensuring that Indigenous Peoples' voices, knowledge, and lifeways are respected and actively integrated into global solutions. Recognition of Indigenous Peoples' rights, particularly mobile Indigenous Peoples' territorial rights, is still uneven in domestic law.

B. Objectives of the Meeting:

- Examine the structural barriers to legal recognition and access to rights for Indigenous Peoples, including mobile Indigenous Peoples.
- Analyze the impact of climate change, conservation policies, and extractive industries on Indigenous Peoples' territories and livelihoods.
- Explore the participation of Indigenous Peoples, especially mobile peoples, in international climate and biodiversity governance.
- Explore the implications of Article 46 of UNDRIP and the principle of territorial integrity in relation to Indigenous Peoples' self-determination, including mobile Indigenous Peoples.
- Develop actionable recommendations to strengthen the protection of Indigenous Peoples, with particular attention to the mobility and territorial needs of nomadic and semi-nomadic Peoples.

The final report and recommendations of the expert group meeting will be submitted to the Permanent Forum on Indigenous Issues at its 2026 session.

C. Proposed Themes for discussions:

Theme 1: Territorial integrity, statelessness and the right to self-determination: Examining the use of Article 46 of UNDRIP by States to limit Indigenous Peoples' autonomy and rights and exploring holistic interpretations grounded in international law.

- How does the recognition and support of the self-determination of Indigenous Peoples contribute to the protection of lands and territories, traditional knowledge, and cultural continuity, reinforcing coexistence with the State rather than conflicting with it?
- How can Indigenous Peoples exercise their right to self-determination within the framework of national constitutions and laws?
- What legal, administrative, and participatory mechanisms should States establish to ensure Indigenous Peoples can exercise self-determination over their lands, territories and resources, and cultural practices while respecting national laws?

Original: English

- How can UN entities, academia and others, support States in recognizing and protecting the self-determination, mobility, and seasonal land-use of mobile Indigenous Peoples, while maintaining national integrity?

Theme 2: Climate Change, Biodiversity Governance, and the Displacement of Indigenous Peoples: Ensuring the full, effective and meaningful participation of Indigenous Peoples in governance and policy frameworks, conservation and climate mitigation projects.

- How can the international community safeguard the distinct status of Indigenous Peoples in global negotiations, preventing the conflation of “Indigenous Peoples and local communities” that some States use to weaken or sidestep Indigenous Peoples’ rights and free, prior and informed consent?
- What legal and policy reforms—at national, regional, and UN levels—are needed to protect the rights of Indigenous Peoples facing climate-driven displacement, ensuring their participation in the design of relocation, adaptation, and mitigation strategies?
- How can global climate and biodiversity frameworks recognize and protect the mobility, cross-border movements, and seasonal land use of mobile Indigenous Peoples, while guaranteeing their direct participation in negotiations that affect their territories and livelihoods?

Theme 3: Challenges and transformations of mobile Indigenous Peoples’ lifeways: Exploring the challenges faced and adaptations made by mobile Indigenous Peoples in the context of climate crisis, economic pressures, and evolving aspirations, and their implications for livelihoods, ecological stewardship and cultural continuity.

Guiding questions

- What are the most pressing challenges currently faced by mobile Indigenous Peoples in sustaining their traditional lifeways?
- How is climate change currently affecting mobility, seasonal migration, and traditional livelihoods? How are mobile Indigenous Peoples adapting to these changes?
- How are new economic pressures, education, and shifting aspirations among younger generations influencing traditional practices? What strategies are mobile Indigenous Peoples adopting to balance tradition with these changing contexts?
- What opportunities are emerging from new technologies, partnerships, or evolving conditions that could support the continuity or transformation of mobile Indigenous lifeways?
- What lessons can be drawn from these adaptative strategies to inform policy, conservation, and climate adaptation efforts?
- What support do mobile Indigenous Peoples need to sustain their practices and adapt successfully?

Original: English

- How can governance frameworks better incorporate the perspectives and needs of mobile Indigenous Peoples in addressing climate and economic pressures?

D. Participant Contributions:

The Expert Group Meeting will include Indigenous Peoples, United Nations entities, Member States, non-governmental organizations and academia.

International experts will prepare papers to present at the meeting on one or more of the themes listed above.

Experts are requested to submit their papers (5-8 pages maximum) to the organizers by **Friday 14 November 2025**, so that the papers can be distributed before the meeting. Experts will also be informed in due course of the Programme of Work for the Expert Group Meeting and the appropriate time to present their papers during the meeting.

E. Organization of the meeting

The international Expert Group Meeting will take place virtually from 1-3 December 2025.

The meeting will consist of multiple online sessions over 3 days.

Interpretation in English, Spanish and French will be available.

F. Contact Information:

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