



JOINT LETTER BY THE CHAIRPERSONS OF THE UNITED NATIONS PERMANENT FORUM  
ON INDIGENOUS ISSUES, THE EXPERT MECHANISM ON THE RIGHTS OF INDIGENOUS  
PEOPLES AND THE SPECIAL RAPPORTEUR ON THE RIGHTS OF INDIGENOUS PEOPLES,

Esteemed members of the Forest Tenure Funders Group,

Globally, Indigenous Peoples play a critical role in addressing the environmental crisis and implementing the Sustainable Development Goals adopted by the United Nations in 2015. Representing 5% of the world's population, Indigenous Peoples effectively protect biodiversity hotspots and carbon sinks across the globe, including forests, coral reefs, savannahs and glaciers. Indigenous Peoples have a “distinctive spiritual relationship” with the ecosystems that they depend upon. As such, Indigenous Peoples are directly impacted by the hastening degradation of the natural world.

In this context, the three Mechanisms on Indigenous Peoples established within the UN-system therefore welcomed the decision of the Forest Tenure Funders Group to collectively pledge 1.7 billion USD from 2021-2025 to support the advancement of forest tenure rights of Indigenous Peoples and local communities.

The latest annual report of the Funders Group indicate that you are on track to reach the overall financial target of the pledge by the end of this year. However, we are aware that the expectations of Indigenous Peoples for a significant increase in direct funding under the Pledge have not been met. While the percentage of direct funding increased from 2.1 % in the first years to 10.6% in 2023, the majority of funds are still channelled to government institutions, UN agencies, NGOs and other intermediaries.

We, the Chairpersons of the UNPFII and EMRIP as well as the Special Rapporteur, understand that the Forest Tenure Funders Group is currently designing a next phase of the Forest Tenure Pledge. We therefore take the opportunity to put forward the following recommendations for your consideration:

**Support grounded in rights with specific targets for direct funding:**

Access to funding is a key element for overcoming historical injustices and discrimination, and for Indigenous Peoples to exercise their right to self-determination. Therefore, the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) specifies that Indigenous Peoples have the right to ways and means for financing the autonomous functions of their self-government (article 4), and that Indigenous Peoples have the right to have access to financial and technical assistance from States and through international cooperation (Article 39). Yet, most funds are channelled to so-called intermediaries, and most Indigenous Peoples' organisations and communities remain critically underfunded. To ensure that funding effectively undergirds Indigenous Peoples' rights, there is a need to significantly increase direct financial support to Indigenous Peoples' organizations and funding mechanisms. This requires development of funding modalities that are directly accessible, flexible and genuinely responsive to Indigenous Peoples' self-determined priorities. Moreover, there is a need to set ambitious and clear targets for direct funding, to ensure the needed shift in funding modalities.

**Avoid the conflation of Indigenous Peoples with other groups:**

Indigenous Peoples constitute a distinct group of rightsholders, based upon their unique political and legal status, as affirmed and recognized under international law as well as numerous national laws and policies. The status as Indigenous Peoples entails legal obligations of States, including donor countries and tropical forest countries to uphold Indigenous Peoples' collective rights, including to lands, territories and resources and to be consulted, to participate in decision-making and to give or withhold our free, prior and informed consent to initiatives that may affect their rights. To ensure that funding policies and projects are in compliance with international human rights norms, it is imperative that Indigenous Peoples are not conflated with other groups and that operational procedures for dialogue, design, tracking and monitoring are aligned with the UNDRIP. This would be consistent with our joint statement in July 2023 urging "all UN entities in their methods of work to refrain from conflating, associating, combining, or equating Indigenous Peoples with non-indigenous entities, such as minorities, vulnerable groups, or "local communities."

**Broader and inclusive areas of coverage:**

Financial support needs to move beyond forests and also include other critical ecosystems, such as rangelands, savannas, mountains, forests, deserts, coastal areas and seas, among others. A broader and more inclusive coverage can encompass the diversity of Indigenous Peoples and their traditional occupations, including, but not limited to, pastoralism, hunter-gathering, rotational/shifting cultivation, fishing and dryland farming, across equally diverse ecosystems and landscapes. This is in line with the holistic perspective of Indigenous Peoples, which understand eco-systems as interconnected.

**Need for clear targets for direct funding:**

We recommend the Funders Group to comprehensively implement the recommendations regarding funding proposed by the Indigenous-specific mandates within the UN-system, and by Indigenous Peoples and networks. These include the need to set ambitious targets for direct funding, as well as the need for full transparency and accountability in the funding process. Moreover, we strongly recommend the Funders Group to redouble its efforts to undertake meaningful consultations with Indigenous Peoples regarding a forthcoming Pledge, recalling the fundamental right of Indigenous Peoples to free prior and informed consent and to participate in decision-making on matters that would affect their rights.

**Integrated Capacity Development:**

There is an urgent need to provide Indigenous Peoples with technical support and human resources, communications, information technology, financial management and accountability systems to support their institutional development for self-governance and self-determination. Indigenous Peoples can choose if they need any intermediary or decide to have their own mechanisms to receive and manage such funding directly.

**Reform administrative procedures to ensure flexibility and full transparency and accountability:**

Current funding procedures constitute a barrier for Indigenous Peoples to access funding and maintain a direct dialogue with funders. There is therefore a need for funders to review their principles, policies, procedures and guidelines, and align these with the UN Declaration on the Rights of Indigenous Peoples. This will also include the establishment of mechanisms for meaningful consultations, recalling the fundamental right of Indigenous Peoples to free prior and informed consent and to participate in decision-making on matters that would affect their rights. We believe that such an approach will strengthen transparency and accountability, and enhance the impact of funding.

**Need for greater transparency and accountability in the funding process:**

Given the pledge is to support Indigenous Peoples forest tenure rights, for which Indigenous Peoples have received less than 2.1%, then relying on article 27, 39 and 41, we call upon the Funders Group to

engage in an open and transparent process giving due recognition to Indigenous Peoples to ensure greater transparency and accountability is reached.

Finally, we want to draw your attention to the Principles and guidelines for direct access to funding by Indigenous Peoples' climate action, biodiversity conservation and fighting desertification for a sustainable planet, developed by Indigenous Peoples worldwide, and the 2023 report of the UN Special Rapporteur on the rights of Indigenous Peoples on Green financing – a just transition to protect the rights of Indigenous People. We believe that these resources, along with the recommendations put forward by Indigenous Peoples in the context of COP 16, can provide useful guidance for the further development of a new Pledge with significant and positive impact on the rights of Indigenous Peoples.

In conclusion, we reiterate our willingness to further collaborate with the Forest Tenure Funders Group towards the development of a new pledge that will effectively support Indigenous Peoples' tenure rights and sustainable management of lands, territories and resources.

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UN Special Rapporteur on the  
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