

## Questionnaire to UN system

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### **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 inter-governmental 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 2025 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.<sup>1</sup>

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

*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 2024** 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](mailto:indigenous_un@un.org)

Subject: Response to SWAP questionnaire

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<sup>1</sup> Indigenous should be capitalized when referring to cultures, communities, lands, languages, etc., of Indigenous Peoples, e.g.: Indigenous culture in Ecuador, Indigenous languages are dying out. If referring to flora or fauna, lower case should be used. See UN Editorial Manual for further guidance: <https://www.un.org/dgacm/en/content/editorial-manual/updates>

### Questionnaire

Please also include an **executive summary** of your inputs to the 3 main questions below (strict **500-word limit**) which will be used for our compilation report submitted to the 2025 session of the PFII.

ADB's engagement with Indigenous Peoples comes through the bank's safeguards policy – Safeguards Policy Statement (SPS 2009). The current policy, SPS 2009, is being updated. The update process clarifies and strengthens the existing requirements on Indigenous Peoples safeguards in ADB operations. The major changes made are – Indigenous Peoples identification is solely based on 'distinctiveness' criterion; introduction of provision for indigenous communities living in 'voluntary isolation' and; requirement to obtain free, prior and informed consent (FPIC) of Indigenous Peoples in three circumstances. ADB makes efforts to participate in various international and regional forums on Indigenous Peoples to enhance its knowledge on the ongoing issues related to Indigenous Peoples. ADB has ensured that Indigenous Peoples are treated as a separate, distinctive category and do not get collated with 'local communities'.

**Please provide information on the following:**

#### **A. Recommendations of the Permanent Forum on Indigenous Issues and input to the 2025 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.

The 23rd session of the permanent forum did not have any specific recommendation addressed to the Asian Development Bank (ADB). Information in our past reports to the Forum remain relevant, specifically those related to (i) recognition of Indigenous Peoples right to direct the course of their own development including recognition of customary rights to lands and ancestral domains; (ii) meaningful participation of Indigenous Peoples in ADB financed projects; (iii) undertaking project impact assessment in a gender-responsive manner to ensure inclusion of indigenous women in project design and implementation; and (iv) avoiding or minimizing project impacts on Indigenous Peoples and their ancestral domains and lands and related natural resources including watersheds and fragile ecosystems.

ADB's engagement with the Indigenous Peoples comes mainly through the bank's Safeguard Policy Statement (SPS, 2009) that consists of three safeguards – environment, involuntary resettlement and Indigenous Peoples. On Indigenous Peoples identification, ADB follows the consensus that has emerged in recent decades amongst the international institutions such as the United Nations, International Labor Organization and multilateral financing institutes (MFI) such as the World Bank. The objectives of ADB's Indigenous Peoples safeguards are to design and implement projects in a way that fosters full respect for Indigenous Peoples' identity, dignity, human rights, livelihood systems, and cultural uniqueness as defined by Indigenous Peoples themselves so that they receive culturally appropriate social and economic benefits, (ii) do not suffer adverse impacts as a result of project, and (iii) can participate actively in projects that affect them. These objectives are achieved by ensuring that the borrowers comply to Indigenous Peoples safeguards principles and safeguard requirements. Many aspects of the Indigenous Peoples safeguards policy principles and requirements are consistent with international standards and good practices.

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Indigenous Peoples safeguards processes require conducting social impact assessment, meaningful consultation, preparation of Indigenous Peoples Plan with mitigation measures for identified adverse impacts, setting up of grievance redress mechanism (GRM), supervision, monitoring and reporting. In three specific circumstances, the policy requires seeking broad community support from the affected indigenous communities. Timely information disclosure is another important requirement.

Involuntary Resettlement safeguards also require paying special considerations to Indigenous Peoples and requires the borrowers to explore to the maximum extent possible alternative project designs to avoid physical relocation of Indigenous Peoples that will result in adverse impacts on their identity, culture, and customary livelihoods.

The updated standard will further strengthened the existing Indigenous Peoples safeguards. The major changes include – IP identification process that is based on the four characteristics of distinctiveness ; strengthened the processes of meaningful consultation ; requirement to obtain free, prior and informed consent of project affected Indigenous Peoples in three circumstances ; requirements in cases where Indigneous Peoples are living in voluntary isolation and ; provisions for inclusion of Indigenous Peoples traditional dispute resolution mechanism in the grievance redress mechanism set up for ADB financed projects.

ii. The theme of the 2025 PFII session is "Implementing the United Nations Declaration on the Rights of Indigenous Peoples within United Nations Member States and the United Nations system, including identifying good practices and addressing challenges." Please include information on any publications, projects, reports, or activities relevant to this theme.

ADB's inputs for 2025 Session will be based on the bank's ongoing review and update of its existing safeguards policy, SPS 2009. The policy update will result in its harmonization with the policies of comparator MFI. Acknowledging that UNDRIP is the most comprehensive international instrument on the rights of Indigenous Peoples, the updated standard on Indigenous Peoples introduces requirement of obtaining free, prior and informed consent (FPIC) of a project affected Indigenous Peoples under three specific circumstances. ADB has set up two Indigenous Peoples Advisory Groups (IPAG) respectively for the Asia and the Pacific regions. Apart from providing ADB guidance on IP related issues and international good practices, these advisory groups also help strengthen ADB's engagement with the IP communities. ADB regularly observes International Day for World's Indigenous Peoples. As part of capacity building efforts, ADB engages with IP civil society organizations and academics on specific aras such as FPIC.

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 (2021-2030), the United Nations Decade of Ocean Science for Sustainable Development (2021-2030), the International Decade for Action, "Water for Sustainable Development" (2018-2028), the International Decade of Indigenous Languages (2022 - 2032) and other relevant international decades and processes, including CEDAW General recommendation 39 on Indigenous women and girls.

Not Applicable

iv. Has your entity responded to the 2022 UNPFII recommendation<sup>2</sup> 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*

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<sup>2</sup> E/2022/43-E/C.19/2022/11

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*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.

ADB engages with Indigenous Peoples through its safeguards as part of the SPS 2009 that exclusively uses the term Indigenous Peoples without any reference to local communities. The updated Indigenous Peoples standard will also exclusively use the term ‘Indigenous Peoples’.

### **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 SWAP<sup>3</sup>.

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 2025 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 Forum<sup>4</sup>.

### **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 2025 session of the Forum, including SDGs 5, 7, 10, 13 and 16.

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<sup>3</sup> 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.

<sup>4</sup> 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.

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ii. Please describe any activities your entity organized in support of the 2024 UN High-Level Political Forum on Sustainable Development and/or reports and activities that supported SDG reporting and monitoring or a VNR process at the national, regional, or global level.

**Reminder:** Please also include an [executive summary](#) of your inputs to the 3 main questions above (strict [500-word limit](#)) which will be used for our compilation report submitted to the 2025 session of the PFII.

### ANNEX 1

#### **Agenda of the twenty-fourth session of the Permanent Forum on Indigenous Issues**

The Twentieth-fourth session of the Permanent Forum on Indigenous Issues is scheduled to take place from **21 April – 2 May 2025**.

#### **Provisional Agenda**

1. Election of officers.
2. Adoption of the agenda and organization of work.
3. Discussion on the theme “Implementing the United Nations Declaration on the Rights of Indigenous Peoples within United Nations Member States and the United Nations system, including identifying good practices and addressing challenges”.
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;
  - (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);
  - (e) Interregional, intergenerational and global dialogue;
  - (f) Dialogue on Indigenous platforms established within United Nations entities;

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(g) Thematic dialogue on the financing of Indigenous Peoples' work and participation across the multilateral and regional system.

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-fifth session of the Permanent Forum.

8. Adoption of the report of the Permanent Forum on its twenty-fourth session.