Roundtable conference on Indigenous Peoples and the new Post 2015 Development agenda

Copenhagen, Denmark
8-9 October 2015

Summary

Lessons learned from Indigenous Peoples' Engagement in the Post 2015 process

The Post 2015 process was open to indigenous peoples' participation from the beginning and indigenous peoples were engaged throughout the process as one of the Major Groups. Indigenous women also actively participated in the Women's Major Group and indigenous youth in the Children/Youth Major Group. However, indigenous peoples' participation at the UN level was somewhat limited (also in comparison with parallel processes such as the World Conference on Indigenous Peoples) due to a lack of financial resources. National dialogue on the Sustainable Development Goals (SDGs) between indigenous peoples and governments was also very limited in most countries.

• Participants stressed that a main lesson learned from indigenous peoples' engagement in the Post 2015 process is how important it is to be there and to generate enough resources to enable an effective and consistent participation. There was an overall agreement that indigenous peoples could have achieved better results in the process if more resources had been available. Continuous resources and long-term support are needed, inter alia, for: salaries for indigenous representatives who need to be present and engaged in the process (in New York, Geneva, etc); travel expenses; preparation of documents; and building capacity at all levels. Without long-term financial support, effective participation in such a process is very difficult. Resources are also necessary for indigenous peoples to participate in relevant activities at the national level, such as funding to attend civil society meetings and meetings with governments.
• The experiences with the Post 2015 process also underscore the importance of networking, communication and cooperation among indigenous peoples at the regional and global level in order to agree on a common agenda and develop position papers. Regional and global meetings of indigenous peoples are extremely important. The Global Indigenous Conference in Alta made a major contribution to the Post 2015 process because indigenous peoples agreed on some of the key priorities that needed to be addressed.
• Participants also highlighted the importance of capacity building at all levels (local, national, international) of indigenous communities and leaders, as well as other officials involved in indigenous processes. It is important to build indigenous peoples' capacity in terms of understanding the political processes and how instruments such as the UNDRIP, ILO Convention 169 and the outcome document of the WCIP relate to them, so that they are able to argue effectively in pushing their demands in global processes.
• Another key lesson learned is the importance of effective engagement with civil society and the private sector and of building alliances with civil society organizations (CSOs). Participants noted that the women's movement was an important ally during the negotiations on the 2030 Agenda and that relations were built

with the youth caucus, the international disability caucus and the LGBT community. Some participants stressed the need to build stronger relations with human rights organizations in the future. Participants also noted difficulties in working with some parts of civil society and the importance of educating CSOs on indigenous issues. Moving beyond our comfort zone to engage others unfamiliar with indigenous peoples' issues was highlighted.

• The need for active engagement with relevant government representatives was stressed, in particular supportive States. It is important to identify supportive States and continue to engage with them. While some States were supportive during the Post 2015 process (in particular those who were also supportive during the UNDRIP process - Denmark, Mexico, Bolivia, Guatemala Peru, Norway), several participants noted that few governments stood up for indigenous peoples and many were opposed to including references to indigenous peoples. A key problem was seen in States promoting individual rights at the expense of collective rights (France, UK). Participants also stressed the importance of making clear that indigenous rights are not special rights but universal human rights applied to the specific situation of indigenous peoples.

Assessment of the outcome document of the United Nations summit for the adoption of the Post-2015 development agenda: "*Transforming our World: the 2030 Agenda for Sustainable Development*"

Overall the SDGs were seen as an improvement from the Millennium Development Goals (MDGs) although it remains to be seen whether the universal agenda can encompass the cultural diversity of indigenous peoples. While indigenous peoples are mentioned only 6 times in the outcome document, this does not limit application of the broader goals and targets to their specific contexts. It was also acknowledged that a lot of the themes promoted and advocated by indigenous peoples in the last years have been included in the 2030 Agenda and that there may be an opportunity to use the SDGs to continue advances. Some of the objectives indigenous peoples have been advocating for years have become universal goals. However, the human rights-based approach and indigenous peoples' collective rights have not been given due recognition, as per the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Outcome Document of the World Conference on Indigenous Peoples (WCIP).

Problematic aspects

• The fact that indigenous peoples are explicitly mentioned only in two targets (2.3, 4.5) was seen as a major disappointment. Despite indigenous peoples' active engagement throughout the process, most of their concerns are not specifically reflected in the final document. Indigenous peoples' vision of development is not included and indigenous peoples' collective rights have not been given sufficient recognition to be consistent with the commitment in the WCIP outcome document to give "due consideration to all the rights of indigenous peoples in the elaboration of the post-2015 development agenda" (para. 37), as well as the provisions of the UNDRIP affirming indigenous peoples' right to self-determined development (Arts. 3, 23, 32). It was also seen as inconsistent with the "no one left behind" rhetoric of the 2030 Agenda for Sustainable Development and its supposed focus on the "needs of the most vulnerable" and those "furthest behind".

• Despite the reaffirmation of human rights commitments in the Agenda's Preamble and Declaration, the human rights-based approach to development (HRBA) is not applied consistently in the 2030 Agenda. In particular, the necessity under a HRBA to focus on empowering marginalized, disadvantaged, and excluded groups is not well reflected.

• A major problem was seen in the fact that the SDGs do not affirm the collective rights of indigenous peoples to their lands, territories and resources, and that there is no specific target relating to indigenous peoples' security of lands, territories and resources.

• Another key weakness was seen in the lack of language on free, prior and informed consent.

• Several participants highlighted that the definition of extreme poverty as "people living on less than $1.25 a day" (target 1.1) does not reflect the situation of indigenous peoples and could be highly problematic for them.
• Other weaknesses include the lack of commitments on the private sector, and insufficient attention on access to information and public participation in decision-making.
• Several participants pointed to the potential conflicts between the economic growth goals of the agenda and the environmental and social goals. Growth goals could undermine other goals if implemented badly and there is a lack of appropriate safeguards in that regard.

Positive aspects

• There was agreement that the SDGs are an improvement from the Millennium Development Goals (MDGs) and offer a lot of potential for indigenous peoples. The 2030 Agenda mentions indigenous peoples in 6 places, and many of the goals do reflect indigenous peoples' aspirations even if the targets do not specifically mention indigenous peoples.
• It was also seen as positive that the SDGs are truly global (whereas the MDGs were targeted at developing countries). This makes them relevant for indigenous peoples in developed countries.
• Participants acknowledged that the Agenda's references to human rights, human dignity, the rule of law, justice, equality and non-discrimination, respect for ethnicity and cultural diversity, access to justice, and participatory decision-making are positive.
• Among the provisions that were highlighted as potentially very useful for indigenous peoples in ensuring that they are not left behind in the implementation of the Agenda are paragraph 4 (pledge that no one will be left behind; goals and targets to be met for all peoples and all segments of society; endeavour to reach the furthest behind first), paragraph 23 (indigenous peoples mentioned among those who are vulnerable and must be empowered), paragraph 35 (need to build peaceful, just and inclusive societies based on respect for human rights; reference to the right of self-determination); and paragraph 79 (progress reviews on the implementation of the Agenda to draw on contributions from indigenous peoples).
• Also highlighted as important for ensuring that indigenous peoples are included in the implementation of the Agenda were Goal 10 (on reducing inequalities within countries) and Goal 16 (on promoting peaceful and inclusive societies).
• Several participants stressed the importance of framing indigenous peoples' demands regarding the implementation of the Agenda in the language of the mentioned provisions.

The way forward: how to ensure the respect and protection of indigenous peoples' rights in the implementation of the 2030 Development Agenda

Discussions on this issue focused on two main areas: the ongoing work at the UN level on the global indicators for monitoring the implementation of the SDGs; and the future implementation and monitoring of the 2030 Agenda. Another part of the discussion focused on current challenges for indigenous peoples in the context of development financing.

Ongoing UN work on indicators

• The indicators for the 2030 development goals and targets have not been finalized, and are being negotiated under the guidance of the UN Statistical Commission until March 2016. An Inter-agency and Expert Group on SDG Indicators (IAEG-SDGs) has been established under UNDESA to develop a proposed set of indicators. The next meeting of the IAEG-SDGs will take place from 26-28 October in Bangkok.
• There was agreement that the indicators as currently drafted do not reflect the priorities of indigenous peoples, and that indigenous peoples urgently need to heighten advocacy related to the indicators.

Advocacy efforts should focus on specific indicators to address collective land rights and data disaggregation, including for indigenous peoples under the goals and targets relevant for indigenous peoples.

• Participants agreed that there is an urgent need to strongly advocate for the collective land rights indicator that has been proposed by UNEP, CBD, ILC, FPP, IWGIA, OXFAM and others for target 1.4 and endorsed by the Indigenous Peoples Major Group.[1] It was seen as crucial to get endorsement for the land rights indicator from the Inter-Agency Support Group on Indigenous Issues (IASG) at the upcoming UNDESA meeting on the SDGs and indigenous peoples in New York (22-23 October 2015), and then to lobby for it at the Bangkok meeting of the IAEG-SDGs. It was suggested, that the Indigenous Peoples Major Group (IPMG) should lead the advocacy effort and UNPFII should play a key role in connecting with other UN agencies and working with UNDESA, the ECOSOC President, etc.

• A problem was seen in the alternative indicator on land rights that has been put forward by the FAO, as it is only disaggregated by gender, measures individual ownership and could displace an indicator on indigenous peoples' collective rights. It was seen as urgent to advocate for FAO to support the land rights indicator proposed by indigenous peoples. IFAD should advocate with the FAO based on the recommendation of the Indigenous Peoples Forum at IFAD to partner on the post-2015 development agenda. It was also suggested that a letter of concern should be sent to the highest level at FAO at the earliest time possible by the Indigenous Peoples Major Group organizing partners, to be signed and endorsed by other indigenous peoples and others.

• There was agreement that there is a clear need to disaggregate data on key indicators of the SDGs to overcome indigenous peoples' disadvantage, and that this should be strongly raised at the upcoming IAEG-SDGs meeting in Bangkok. If the focus is on national averages, indigenous peoples fall between the cracks. Data on national averages may gloss over the disadvantages and inequalities faced by indigenous peoples.

• Indigenous peoples from Latin America will present an advocacy paper to the upcoming UNDESA meeting in New York (22-23 October) identifying 5 specific indicators for indigenous peoples that they believe should be included at the global level (related to land rights, FPIC, access to justice and remedy, and participation in decision-making) and an additional 5 complementary indicators on cross-cutting issues (existence of disaggregated data on indigenous peoples, health, education, language, and employment).[2] It was suggested to advocate for more than one indicator based on this position paper on the SDG indicators prepared by Fondo Indígena in collaboration with the Latin American and Caribbean Demographic Centre of ECLAC.

• It was recommended that existing indicators initiatives need to be closely coordinated and that a group of indigenous experts could be established to guide the work on the indicators and identify a timeline for the work. The group should start working as soon as possible.

• Also highlighted during the discussions was the importance of looking carefully at the draft indicators to identify indicators that may be harmful for indigenous peoples.

• There is a clear need to work with supportive governments during the development of the indicators and it is important to identify the people at the national level dealing with the indicators. A key challenge was seen in the fact that governments and their statisticians, as well as the UN Statistical Division, are conservative and not in favour of many indicators.

Future implementation and monitoring of the 2030 Agenda

[1] Proposed land rights indicator:

Percentage of women, men, indigenous peoples, and local communities (IPLCs) with secure rights to land, property, and
Percentage of women, men, indigenous peoples, and local communities (IPLCs) with secure rights to land, property, and natural resources, measured by
a. percentage with legally documented or recognized evidence of tenure, and
b. percentage who perceive their rights are recognized and protected

[2] See the attached document "Pueblos indígenas y ODS: Propuesta de indicadores prioritarios – Documento para incidencia" (only available in Spanish).

• Participants stressed that the SDGs need to be implemented in accordance with the HRBA, the UNDRIP and the outcome document of the WCIP, and that these instruments provide a basis for dialogue with States regarding the implementation of the SDGs. It was considered essential to continue to emphasize that the UNDRIP is the main framework that needs to be implemented in the context of development activities affecting indigenous peoples.
• Many speakers underlined the importance of developing interpretative tools, materials and guides on the SDGs and targets to help explain what they mean in the context of indigenous peoples and how they link to the UNDRIP and the WCIP outcome document. There was agreement on the need for a global guide on the SDGs to be developed. This will be important for indigenous peoples themselves as well as for influencing governments, UN agencies, development banks, donors, etc. These efforts can build on existing materials such as the UNDG Guidelines on Indigenous Peoples' Issues and the human rights guide on the SDGs prepared by the Danish Institute for Human Rights (DIHR). It was also noted that the DIHR is currently working with Tebtebba on a scan of how the SDGs link to the UNDRIP. Another suggestion was that guidance could potentially be adopted by the UNPFII, which could be used as an authoritative document by development agencies, donor organizations, etc.
• Interpretative guidance materials (including regional and/or national guidance) were seen as essential for putting 'ownership' of the SDGs into the hands of the communities. In order to use the SDGs to advance their self-determined development and be able to hold governments accountable to their commitments under the 2030 Agenda, communities need to be aware of the commitments and understand them. Several speakers underlined the need for capacity building and training in order for indigenous peoples and institutions to understand the SDGs and the global process and be able to play an effective role in the implementation of the Agenda.
• There was agreement on the importance of community-based monitoring and the necessity of developing monitoring mechanisms that go from the local to the national and global level. It will be important for indigenous peoples to continue to develop their own capacity to monitor indicators at the local level, in order to be able to do 'shadow reporting' at the national and global level. They can build on various experiences, systems and initiatives on monitoring indicators at the community level that have been developed over the past 15 years (Indigenous Navigator, existing monitoring processes under the CBD, IPBES, ECLAC, the Arctic Social Indicators, Redd+ indicators, etc).
• It was also suggested that SDG monitoring could be linked up with and feed into existing and on-going human rights monitoring mechanisms and initiatives, such as the reporting to the human rights treaty bodies or the UPR reporting under the auspices of the Human Rights Council. It could also be linked up with national action plans for the implementation of the UNDRIP as envisioned by the WCIP outcome document. The UNPFII can play an important role in following-up progress on the SDGs for indigenous peoples under paragraph 85 of the 2030 Agenda.
• It was emphasized that national indicators will be necessary to make the global indicators implementable at the national level and meaningful in a local context. It will also be important to ensure that the reviews at the national level are participatory and open to the public.
• There was agreement that it was important to ensure that indigenous peoples effectively participate in the systematic follow-up review of the implementation of the 2030 Agenda, with particular attention to indigenous women and youth.
• Participants agreed on the importance of building and expanding alliances and solidarity with civil society and other strategic partners. Speakers highlighted in particular the importance of strengthening collaboration with human rights organizations. The large alliance around the land rights indicator was mentioned as an illustrative example of the importance of such alliances. There is a need to ensure, however, that advocacy on indigenous peoples' issues is led by indigenous peoples themselves.

Current challenges for indigenous peoples in the context of development financing

• A significant part of the discussion on the second day focused on the huge challenges that currently exist for indigenous peoples in terms of accessing development financing. A main problem was seen in the fact that the concentration of funders is more and more on large projects and large sums of money, whereas indigenous peoples' projects are normally small community-based projects that are more in need of long term security than large sums of money. Donors are looking for partners who can help disperse huge funds and several speakers noted the increasing need for indigenous peoples to either organize themselves to receive large sums of money, or to partner with organizations who have this capacity. It was pointed out that ongoing mapping of funds for indigenous peoples was being done by UNDP. FIMI has also carried out mapping of private foundations in the USA that could be used as a tool to find financial resources for capacity building.

List of Participants

Ms Victoria Tauli Corpuz, UN Special Rapporteur on the Rights of Indigenous Peoples
Mr Albert Barume, Member of the UN Expert Mechanism on the Rights of Indigenous Peoples
Ms Chandra Roy-Henriksen, Head of the UN Permanent Forum on Indigenous Issues secretariat
Mr Joseph Ole Simel, Director, MPIDO
Ms Joji Cariño, Director, Forest Peoples Programme
Mr Rodion Sulyandziga, Director, Centre for Support of Indigenous Peoples of the North
Ms Myrna Cunningham, CADPI
Mr Hjalmar Dahl, President, Inuit Circumpolar Council, Greenland
Ms Laila Susanne Vars, Director, Gáldu
Ms Galina Angarova, Indigenous Peoples Major Group
Mr Allan Lerberg Jørgensen, Co-ordinator, Danish Institute for Human Rights
Ms Tarcila Rivera, Executive Director, CHIRAPAC/Enlace Intercontinental de Mujeres Indígenas
Ms Sidsel Saugestad, Professor, University of Tromsø
Ms Dali Angel, Co-Presidenta del Caucus Global de Jóvenes Indígenas
Ms Antonella Cordone, Senior Technical Specialist, IFAD
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Ms Jennifer Hays, Forum for Development Cooperation, UiT
Ms Rachel Issa Djesa, Forum for Development Cooperation, UiT
Mr Tore Johnsen, Forum for Development Cooperation/Saami Church Council
Mr Ronny Hansen, Forum for Development Cooperation/Rainforest Foundation Norway
Mr Jens Dahl, Forum for Development Cooperation/IWGIA
Mr Knud Vilby, Board member, IWGIA
Ms Rie Odgaard, Board member, IWGIA
Ms Marianne Wiben Jensen, Director, IWGIA
Ms Ditte Appelt, IWGIA Secretariat
Mr Stefan Disko, IWGIA Secretariat

Annexes:

- ***Talking points for Roundtable Conference on Indigenous Peoples and the new Post 2015 Development Agenda 8 and 9 October 2015*** by Ms Chandra Roy-Henriksen, Head of the UN Permanent Forum on Indigenous Issues Secretariat.

- ***Pueblos indígenas y Objetivos de Desarrollo Sostenible: Propuesta de indicadores prioritarios – Documento para incidencia*** (only available in Spanish). This document has been prepared by " El Fondo Indígena para el Desarrollo de los Pueblos Indígenas de America Latina y el Caribe (Fondo Indígena) in collaboration with the Latin American and Caribbean Demographic Centre of ECLAC.

- ***Presentation on Global Change Agenda, National Implementation and Community-Based Monitoring*** by Ms Joji Cariño, Director of Forest Peoples Program.