



UNITED NATIONS  
**HUMAN RIGHTS**  
OFFICE OF THE HIGH COMMISSIONER

## **OHCHR's submission to the Secretariat of the Permanent Forum on Indigenous Issues' Questionnaire to the UN System**

**2018**

### ***Summary***

The present submission has been prepared in the context of the seventeenth session of the United Nations Permanent Forum on Indigenous Issues in response to the Permanent Forum Secretariat's questionnaire to the UN system. The questions relate to a number of recommendations addressed to UN system agencies, funds and programmes<sup>1</sup> including on the implementation of the System Wide Action Plan on Indigenous Peoples. The recent annual report of the United Nations High Commissioner for Human Rights (OHCHR) on the rights of indigenous peoples<sup>2</sup> equally provides an overview of relevant developments relating to human rights bodies and mechanisms as relevant to the rights of indigenous peoples and outlines activities undertaken by OHCHR which contributed to the promotion of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and to its effective implementation. The annual report of the Expert Mechanism on the Rights of Indigenous Peoples<sup>3</sup> provides information on its recent work, including the first two country engagement missions, and it also takes stock of good practices and lessons learned in relation to UNDRIP implementation. . In the same vein, the annual report of the Special Rapporteur on the Rights of Indigenous Peoples<sup>4</sup> may likewise be of interest to the members of the Permanent Forum on Indigenous Issues.

<sup>1</sup> [E/2018/43\\*-E/C.19/2018/11\\*](#), paras 14, 30, 31, 57, 62, 63 and 66.

<sup>2</sup> A/HRC/39/37. Available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G18/207/45/PDF/G1820745.pdf?OpenElement>

<sup>3</sup> A/HRC/39/68

<sup>4</sup> A/HRC/39/17

## **Contents**

### **I- Recommendations of the Permanent Forum on Indigenous Issues**

1. Conservation and the rights of indigenous peoples
2. Cultural heritage
3. Reprisals and indigenous human rights defenders
4. Collective rights of indigenous peoples to lands and
5. Situation in cross-border territories

### **II- System Wide Action Plan to achieve the ends of the UN Declaration on the Rights of Indigenous Peoples**

1. Raising awareness of the Declaration on the Rights of Indigenous Peoples
2. Supporting the implementation of the UN Declaration, particularly at the country level
3. Supporting indigenous peoples' rights in the implementation and review of the 2030 Agenda for Sustainable Development.
4. Advancing the participation of indigenous peoples in UN processes

## **I. Recommendations of the Permanent Forum on Indigenous Issues**

In its report on its seventeenth session, the Permanent Forum on Indigenous Issues made recommendations to the United Nations system, including to the Office of the United Nations High Commissioner for Human Rights (OHCHR) and human rights mechanisms. These include recommendations on conservation policies, cultural heritage, situation of indigenous human rights defenders, and rights of indigenous peoples residing in cross-border areas.

### **Conservation and the rights of indigenous peoples**

The recommendations addressed to UN human rights mechanisms included recommendations calling upon the Special Rapporteur on the Rights of Indigenous Peoples and the Expert Mechanism on the Rights of Indigenous Peoples to strengthen collaboration in charting ways forward in promoting conservation models that recognize and respect the rights of indigenous peoples (para. 30) and inviting EMRIP to examine opportunities for restitution in the context of historic conservation-related evictions and other harms (para. 31).

Both recommendations were discussed at EMRIP inter-sessional meeting in November 2018 and decision was made to take into account the recommendations made in the context of the preparation of their forthcoming reports, including the report on the implementation of the UNDIRP focusing on Recognition, Reparations, and Reconciliation for 2019; the study on Indigenous Peoples' Rights in the Context of Borders, Migration and Displacement for 2019 and the study on land which they intend to prepare for 2021.

In her thematic report to the Human Rights Council (A/HRC/39/17) which was submitted in September 2018, the Special Rapporteur on the Rights of Indigenous Peoples identified conservation policies, leading to the prohibition of indigenous traditional livelihoods and the arrest, detention, forced eviction and violations of other human rights of indigenous peoples, as one of the root causes and drivers behind attacks and criminalization of indigenous human rights defenders and made concrete recommendations to States.

### **Cultural heritage**

The Forum also encouraged the Expert Mechanism on the Rights of Indigenous peoples, among others, to continue to engage in active dialogue aimed at achieving recognition of the rights of indigenous peoples to repatriation of their human remains and sacred items, in accordance with the outcome document of the World Conference on Indigenous Peoples and articles 11 and 12 of the United Nations Declaration on the Rights of Indigenous Peoples (para. 57). In the context of its expanded mandate, EMRIP will undertake a country engagement mission in Sweden in 2019 to provide assistance and advice on the repatriation of cultural/spiritual heritage.

## **Reprisals and indigenous human rights defenders**

The Permanent Forum made two recommendations specifically to the mandate of the Assistant Secretary-General for Human Rights, including to report to the Forum in 2019 on trends related to intimidation and reprisals against indigenous peoples who seek to engage with the United Nations (para. 14), and, with the support of the secretariat of the Forum, to expand and strengthen the United Nations response to reprisals and threats faced by indigenous human rights and environmental defenders by enhancing high-level engagement on reprisals, ensuring appropriate action on urgent cases when reprisals occur (para. 63).

On 18 April 2018, at the seventeenth session of the United Nations Permanent Forum on Indigenous Issues, the Assistant Secretary-General for Human Rights, emphasized the widespread intimidation of indigenous peoples, and reprisals taken against them and those who defend them by co-operating with the United Nations. In the 2018 annual report of the Secretary-General to the Human Rights Council entitled, “Cooperation with the United Nations, its representatives and mechanisms in the field of human rights” (A/HRC/39/41), several new cases of reprisals against indigenous peoples and those who defend them were reported from Honduras, India, the Philippines, Russia and Thailand. These cases continue to be monitored by the Assistant Secretary-General for Human Rights and if there are further developments they will be included in Annex II of the 2019 report.

A particularly disturbing trend is that serious allegations of intimidation and reprisals against indigenous peoples and those who defend them continue to be reported to the Assistant Secretary-General that are not included in the Secretary-General’s annual report, especially where the risk to the security and well-being of the individuals concerned, or their family members, was deemed too high. The Assistant Secretary-General continues to make efforts to engage with indigenous participants and members of civil society working on indigenous issues at headquarters and in the field to ensure that indigenous peoples’ right to cooperate with the UN is ensured.

In the report on the twenty-fourth annual meeting of special rapporteurs/ representatives, independent experts and chairs of working groups of the special procedures of the Human Rights Council, the special procedures mandate holders noted various measures taken to respond to intimidation and reprisals, which were observed to have become increasingly severe in nature. They also stressed the need for a trends analysis and comprehensive assessment, and for strengthened coordination with other parts of the United Nations system, including the Assistant Secretary-General (see A/HRC/37/37, paras. 66–67). To ensure the visibility and accessibility of the work on intimidation and reprisals and the activities of the United Nations human rights mechanisms, the website launched in June 2017 is being translated into the six official languages and informational materials, including

an animated video and a one-page document for civil society on how to submit information, are available online<sup>5</sup>.

The Forum also recommended that relevant special procedures of the Human Rights Council collaborate with each other and with other human rights bodies to address the situation of indigenous human rights defenders through monitoring, mediation, analysis and the provision of concrete recommendations for the effective protection of indigenous human rights defenders (para. 62). In a statement on 1 June 2018 to mark the twentieth anniversary of the Declaration on Human Rights Defenders, a group of Chairs, Vice-Chairs and members of the United Nations human rights Treaty Bodies and the UN Special Rapporteur on Human Rights Defenders reaffirmed that all individuals should be able to engage with the treaty bodies free from all forms of interference, intimidation, abuse, threat, violence, reprisal, or undue restriction. Experts underline that civil society constitutes a fundamental pillar of the international human rights system. It contributes to promoting and respecting human rights, sustainable development, maintaining peace and security, and acts in line with UN Charter goals<sup>6</sup>.

There were developments in the working methods and practices of the treaty bodies, including in the implementation of the Guidelines against Intimidation or Reprisals (the San José Guidelines, HRI/MC/2015/6) adopted at their meeting in 2015. During their thirtieth annual meeting, the Chairs of the treaty bodies encouraged rapporteurs or focal points of different committees to work together between sessions, as needed, to address cases, to make information available about reprisals on the website, and for the Secretariat to prepare a document for 2019 on the role of rapporteurs and focal points, including good practices (A/73/140).

### **Collective rights of indigenous peoples to lands**

The Forum made a recommendation calling upon the Committee on Economic, Social and Cultural Rights to initiate a general comment on the collective rights of indigenous peoples to lands, territories and natural resources (para. 66). The Committee is currently working on general comment on land in the context of the ICESCR and the question of collective rights of indigenous people will be given due consideration during the drafting process. The Committee would also like to draw the attention of the Forum to the General comment No. 24 (2017) on State obligations under the International Covenant on Economic, Social and Cultural Rights in the context of business activities which underlines the obligation of States parties and businesses in relation to indigenous peoples' right to

---

<sup>5</sup> <https://www.ohchr.org/EN/Issues/Reprisals/Pages/ReprisalsIndex.aspx>

<sup>6</sup> [www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23154&LangID=E](http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23154&LangID=E)

lands including the need for appropriate regulatory and policy frameworks to ensure accountability and access to remedies<sup>7</sup>.

### **Situation in cross-border territories**

Regarding the situation of indigenous peoples residing in cross-border areas, the Forum urged the Governments of Colombia and Ecuador to take immediate action to protect the indigenous peoples whose territories are in the border area between the two countries, and encouraged OHCHR and the Special Rapporteur on the rights of indigenous peoples to work with the two Governments to address this situation in close cooperation with the indigenous communities concerned (para. 67). During the country visit of the Special Rapporteur on the rights of indigenous peoples to Ecuador from 19 to 29 November 2018, the situation in the border region to Colombia was considered as a separate theme. To inform her conclusions, the Special Rapporteur met with representatives from the Northern part of Ecuador, including binational indigenous peoples. The preliminary findings at the end of the visit concluded that the situation of these nationalities is aggravated by the insecurity and pressings problems in the border region, including the impacts of aerial fumigations, the presence of the military, illegal armed actors and drug traffickers as well as incidents of sexual abuse, trafficking and forced recruitment of children and youth. The absence and discontinuation of social service provision due to the security situation was reported as a structural problem for indigenous peoples in this region<sup>8</sup>. The final report from the country visit will be presented to the Human Rights Council in September 2019 with additional information and recommendations on topics covered during the mission.

OHCHR in Colombia also continued to engage in active dialogue with the Government to monitor the situation of indigenous peoples residing in cross-borders areas of the country, in particular in the Putumayo region (border with Ecuador and Peru) to protect the rights of the 15 indigenous communities residing in the region. Putumayo has for years been used as a key coca trafficking route and indigenous peoples have suffered from violations of their human rights due to the interventions of armed groups operating within their lands, resulting in forced displacement from their ancestral territories, with a specific focus on the heightened risk brought by the presence of extractive industry which also impacted indigenous food security. Alarming, most of the indigenous communities are at risk of physical and cultural extinction<sup>9</sup>. During 2018, the Office continued to facilitate a process for dialogues between the indigenous political and traditional authorities concerned and government authorities to address issues ranging from collective land titling, to protocols for prior consultation,

---

<sup>7</sup>[https://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=E/C.12/GC/24&Lang=en](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E/C.12/GC/24&Lang=en)

<sup>8</sup> <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23864&LangID=E>

<sup>9</sup> See Decision 004 of the Constitution Court of Colombia, 2009.

and agreement on the mining and oil policy. On 13 December 2018, OHCHR-Colombia and indigenous and Afro-descendant representatives briefed the Constitutional Court on territorial and collective protection plans for endangered communities - Pueblo Arhuaco Sierra Nevada Santa Marta, Community Councils Alto Mira and Frontera in Nariño, Cocomopoca and Cocomacia in Chocó and 15 indigenous peoples of Putumayo- in Sierra Nevada, Nariño, Choco and Putumayo. This was done as a follow up to the landmark ruling T-25, and to accelerate effective implementation of protection measures to safeguard the collective rights of these communities. The briefing and related recommendations were well received by the Court's magistrates, whom are expected to request prompt action by relevant state authorities.

## **II. System Wide Action Plan to achieve the ends of the UN Declaration on the Rights of Indigenous Peoples**

The Office, including its field presences, carried out a number of activities to implement the System-Wide Action Plan on the Rights of Rights of Indigenous Peoples, ranging from awareness raising to support to national dialogues and promotion of indigenous participation in UN processes.

### **Raising awareness of the UN Declaration on the Rights of Indigenous Peoples**

The Office continued to work for the promotion and the full application of the UN Declaration on the Rights of Indigenous Peoples in intergovernmental and other processes. The High Commissioner and Deputy-High Commissioner regularly highlighted the concerns of indigenous peoples in their country visits, statements and other work, with particular focus on indigenous human rights defenders including women. OHCHR played an active role in efforts aimed at raising the profile of indigenous peoples in the context of the Human Rights Council, including through its support to the Expert Mechanism on the Rights of Indigenous Peoples and by organizing, during the thirty-ninth session of the Human Rights Council in September 2018, a panel discussion on the rights of indigenous peoples, focusing on the participation and inclusion of indigenous peoples in the development and implementation of strategies and projects in the context of the 2030 Agenda for Sustainable Development. The discussion was opened by Deputy High Commissioner and moderated by Erika Yamada, Chair-Rapporteur of the Expert Mechanism with the following panellists participating: Joan Carling, Co-Convenor of the Indigenous Peoples Major Group for Sustainable Development; Q' apaj Conde, Co-Chair of the Global Indigenous Youth Caucus and youth focal point of the Indigenous Peoples Major Group for Sustainable Development; and Maria Luisa Silva, Director of the UNDP Office in Geneva.

In the lead up to the 2018 United Nations Climate Change Conference COP 24, OHCHR advocated for a human right-based approach to guide global policies and measures designed to address climate change and consistently stressed the importance of ensuring meaningful and informed participation

with affected groups, including indigenous peoples<sup>10</sup>. OHCHR also participated in and / or co-organized a number of side events on human rights and climate change at COP 24, including as lead organizer for an event focusing on the importance of climate actions and policies that respect, promote and protect the human rights of persons, groups and peoples disproportionately affected by climate change, particularly their right to participate, for transformative climate action and the eradication of all forms of poverty.

At the same time, lack of implementation and enforcement continue to hamper the full realization of the rights of indigenous peoples. Shrinking democratic spaces and a development agenda pushed through without consideration for indigenous peoples' right to consultation have often been a source of conflict during the reporting period. Systematic discrimination, lack of indigenous peoples' participation in decision-making, in particular in the context of large-scale projects, extractive industries and legislative processes, the lack of land demarcation and titling, challenges to indigenous peoples in voluntary isolation or in initial contact and increasing violence against indigenous human rights defenders are among the challenges faced by indigenous peoples worldwide. The following section focuses on some illustrative examples of OHCHR activities and initiatives undertaken at country level to address these challenges and contribute to the implementation of the UN Declaration on the Rights of Indigenous Peoples.

### **Supporting the implementation of the UNDRIP, particularly at country level**

In 2018, the OHCHR Indigenous Peoples and Minorities Section carried out a number of training and briefing sessions for key stakeholders that included United Nations country teams, OHCHR staff, members of human rights treaty bodies, indigenous peoples' organizations, government officials, parliamentarians and staff of national human rights institutions, in an effort to promote the full application of the Declaration.

In Cambodia, OHCHR continued to work on the protection of the collective rights to land of indigenous peoples. The Office shared with the Ministry of Rural Development, the Ministry of Interior and the Ministry of Land Management, Urban Planning and Construction a draft discussion paper on potential reform of the communal land titling process for indigenous peoples. OHCHR has prepared the document in the context of the possible revision of the 2001 Land Law. The paper includes an analysis of the current national standards and procedures and contains suggestions for simplifying the process to make it faster and more affordable for indigenous peoples. The draft was

---

<sup>10</sup> Open-letter from the United Nations High Commissioner for Human Rights on integrating human rights in climate action, 21 November 2018.

<https://www.ohchr.org/Documents/Issues/ClimateChange/OpenLetterHC21Nov2018.pdf>



discussed with the relevant ministries at the technical level as well as with relevant NGOs in 2018 before its finalization and formal presentation to the Government of Cambodia in 2019.

A better understanding of processes leading to protocols for consultation with indigenous peoples is another priority area of the work of OHCHR at country level. On 30 October 2018, OHCHR convened a strategic meeting with key trade unions in Colombia and various leading indigenous and Afro-Colombian organizations to develop a shared viewpoint on Free prior and informed consent and consultation (FPIC) for strengthened advocacy and to support the use of the autonomous protocols. They are seen as a resourceful tool for indigenous communities' engagement with third party stakeholders, such as government or private entities and could help promoting enhanced understanding and dialogue. This forms part of the overall regional strategy currently being developed by field offices in the Americas in close collaboration with HQ (IPMS). From 3 to 5 December, OHCHR hosted a regional event on autonomous protocols in Cartagena that brought together indigenous representatives from Mexico, Brazil, Colombia, Honduras, Costa Rica and Bolivia. Participants included ILO regional representatives, an IP expert of the IACHR, as well as state authorities from Colombia, Mexico and Brazil, OHCHR-Colombia Deputy Representative and OHCHR thematic focal points from LAC field offices and HQ (IPMS). Best practice on how to overcome challenges on the ground and the use of autonomous protocols from various countries was exchanged among participants. The need to move beyond the notion of the business sector as the "usual suspect" and start identifying those companies that are genuinely interested to engage in line with international standards and norms was highlighted. This was an important kick-off that will help strengthen South to South cooperation, boost advocacy - including the use of the autonomous protocols- and serve to enhance a regional strategy through a multi-sectoral network on a complex human rights issue.

In Mexico, in collaboration with UN Information Centres (UNIC) Mexico, at the Memory and Tolerance Museum of Mexico City, OHCHR-Mexico held a dialogue that brought together 7 human rights defenders who shared their experiences as human rights defenders on 6 December 2018. The dialogue was organised in three thematic blocks: grave human rights violations, SCR and indigenous peoples, democracy, rule of law and impunity. Around 200 people attended the dialogue.

In Guatemala, OHCHR facilitated a meeting in November 2018 with the former Special Rapporteur on the Rights of Indigenous Peoples, James Anaya, and the Xinca Parliament regarding the process of consultation to be carried out in accordance with the September 2018 decision of the Constitutional Court regarding the San Rafael Mine.

OHCHR-Honduras has continued to work in the development of the digital atlas of mining projects with civil society organizations and a national university. The recent approval of the Ministerial agreement No. 1402-2018 has established that the information included in the Environmental

Licenses, including the location of the projects, would have a reserved/confidential nature. The agreement and the current Government's proposal on Free, Prior and informed Consent of indigenous peoples (FPIC) were the subject of recent meetings of OHCHR-Honduras and civil society organizations in the context of the preparation to the State's initiative of a National Action Plan of Business and Human Rights. OHCHR has continued advocacy, workshops, capacity building and meetings on the current draft FPIC law and lack of compliance with international standards and the recommendations of the Special Rapporteur on Indigenous Peoples.

The Secretary-General's Special Adviser on the Prevention of Genocide, visited Bogota, Colombia on 6 and 7 September 2018. OHCHR-Colombia organized a set of meetings with the heads of the Truth Commission, the Search Unit for Missing Persons and a magistrate from the Special Jurisdiction for Peace, human rights platforms as well as indigenous organizations and Roma representatives. They briefed him on challenges of the implementation of the peace accords, the critical situation of human rights defenders, and informed that more than 30 indigenous peoples in Colombia were at risk of cultural extinction. The Special Adviser highlighted the "right to peace" enshrined in the African Charter (article 23) as a recommendation for the Colombian setting. In his meeting with the Ministry of Foreign Affairs he advocated for the need to ensure adequate funding and to protect the institutional mandates of the Truth Commission, the Search Unit for Missing Persons and the Special Jurisdiction for Peace. A possible follow up visit by his technical team was proposed for early 2019, to provide hands-on advice to civil society actors on the use of the "Framework of Analysis for Atrocity Crimes- a tool for prevention. During this visit the Special Adviser participated in the Inter-Agency Support Group meeting on Indigenous issues hosted in Cartagena.

OHCHR-Guatemala continued to support initiatives in the area of transitional justice. The Office developed a course on the transitional justice for its inclusion into the curricula of national judges and organized training workshops in November 2018 for prosecutors dealing with transitional justice cases, focusing on international standards and incorporating a gender and indigenous peoples focus. From 16 to 19 October, OHCHR joined the UNCTs to provide a human rights training for 30 indigenous peoples representatives. The activity was organized in partnership with main organizations of indigenous peoples in Brazil. This initiative, launched on the occasion of the 10th anniversary of UNDRIP, is now on its 2nd edition.

In Kenya, OHCHR attended in December 2018 the launch of the government task force established to implement the African Court on Human and Peoples' Rights decision on the Ogiek indigenous peoples. The launch was chaired by the Environment Minister, Kariako Tobiko, who made important commitments towards protecting indigenous' rights and ensuring that the Task Force works in an inclusive and transparent way. The launch was followed by consultations with some of the indigenous groups of Kenya. Over the last few years, OHCHR has advised the Kenyan National Human Rights

Commission (KNHRC) and other parts of Government on several situations of concern involving indigenous groups in Kenya and will closely follow this process.

In the DRC, the Office organized a two-day national dialogue on the participation of indigenous Pygmy peoples in the ongoing land reform process. The event was organized jointly with the WB and UN-Habitat in close consultation with the largest platform of indigenous associations: the Network of Indigenous and Local Populations for the Sustainable Management of Forest Ecosystems (REPALEF). The event, held in Kinshasa from 17 to 18 December 2018, brought together around 60 participants including representatives from the Ministry on Land Affairs, Ministry on Customary Affairs and Ministry on Territory Management as well as indigenous representatives from several provinces. The meeting built upon the outcome document of an inter-provincial conference organized in November 2018 in Bukavu by the National Commission on the Land Reform, that promote the integration of the needs and rights of indigenous peoples in the current land policy reform. The national dialogue resulted in further commitments to include special measures to protect the collective right to lands of indigenous peoples and recognition of indigenous peoples as distinct from the so-called “local communities”.

### **Supporting indigenous peoples’ rights in the implementation and review of the 2030 Agenda for Sustainable Development**

OHCHR is consistently advocating, at all levels, for the integration of human rights in the implementation of the 2030 Agenda and for meaningful participation of stakeholders, including indigenous peoples, in related implementation, monitoring and reporting processes. At the regional level, the Office has worked to strengthen partnerships with the UN Regional Commissions, including through participation at the Regional Fora on sustainable development. In 2018, OHCHR in partnership with national and regional actors organised side events at the Regional Fora organized by ESCWA, ECLAC and ECA specifically focusing on meaningful participation and partnerships in the promotion of human rights and the implementation of the Sustainable Development Goals (SDGs). Events organized in Chile and Thailand included presentations by indigenous leaders who highlighted the challenges and opportunities faced by indigenous peoples in their respective regions in ensuring their voices are heard in SDG implementation. Some of the issues raised were participation in the adoption of national development plans and policies, in the national mechanisms established to monitor SDG implementation, and in the accountability processes such as the preparation of the Voluntary National Reviews.

As part of its dialogue series on human rights and SDGs, OHCHR in partnership with UNESCO, UNICEF and Member States<sup>11</sup> organized a dialogue on the human right to education in the context of the implementation of SDG 4, which sets out a commitment to ensure inclusive and equitable quality education and promote lifelong learning opportunities for all. The event brought together several high-level speakers, including a representative of the UN Permanent Forum on Indigenous Issues, Tarcila Rivera Zea. UNPFII representative stressed that educational systems should be based on human rights, gender equality, intergenerational exchange, and interculturality. She further highlighted the need for specific interventions designed to assist indigenous girls and underscored the need for indigenous communities to be allowed to manage their own educational systems.

OHCHR supported the participation of the UN Special Rapporteur on the rights of indigenous peoples, Victoria Tauli Corpuz, in several events during the 2018 High-level Political Forum on sustainable development (HLPF) focusing on gender-responsive, people-centered land governance and just land reform, green economy, and natural resource management. Notably, the Special Rapporteur was also a lead discussant in the HLPF plenary session focusing on progress made in upholding the pledge of the 2030 Agenda to leave no one behind, a session in which she was able to raise several concerns, including that indigenous peoples remain among the world's most vulnerable and disadvantaged. In her intervention, she underscored the need to obtain indigenous peoples' free, prior, and informed consent and ensure indigenous peoples are included during data collection and disaggregation.<sup>12</sup> During the 2018 HLPF, the Special Rapporteur also moderated a discussion on indigenous rights and the 2030 Agenda.<sup>13</sup>

During the 2018 HLPF, OHCHR also co-organized, together with the Danish Institute for Human Rights, Plan International, Global Platform for the Right to the City, and Indigenous Peoples Major Group for sustainable Development, a learning event focusing on major groups and other stakeholders' good practices related to human rights-based approaches to SDG planning, implementation, and monitoring processes aiming to ensure no one is left behind. One of the facilitators of the event was Joan Carling in her function as the co-convener of the Indigenous Peoples Major Group. Participants at the session were introduced to the [Indigenous Navigator](#), the [Universal Human Rights Index](#) and the [UPR-SDG Data Explorer](#) databases. Among issues raised at the event were the use of human rights mechanisms to advance SDG implementation at the national level and the lack of national plans for UNDRIP implementation (as per the 2014 World Conference recommendation).

---

<sup>11</sup> The event, organized on 16 April 2018, was co-sponsored by the Permanent Missions of Bulgaria, Ecuador, Mongolia, Norway, and Portugal.

<sup>12</sup> Photo taken during the SR's HLPF plenary intervention: [http://enb.iisd.org/hlpf/2018/images/13jul/ENB\\_HLPF\\_13July18\\_KiaraWorth-74.jpg](http://enb.iisd.org/hlpf/2018/images/13jul/ENB_HLPF_13July18_KiaraWorth-74.jpg)

<sup>13</sup> Link to the SDG Media Zone discussion: <http://webtv.un.org/The/watch/indigenous-rights-and-agenda-2030-sdg-media-zone-at-the-2018-high-level-political-forum-2018-hlpf/5810371214001/?term=&sort=date>

OHCHR is actively participating in the operationalization of the [Shared United Nations System Framework for Action on Leaving No One Behind](#), notably in the inter-agency work conducted under the UN Sustainable Development Group working to produce specific guidance on the overarching pledge of the 2030 Agenda by the end of 2018. This guidance, with its strong focus on inequalities and discrimination, will serve as a tool for UN Country Teams and experts across the UN system for assisting Member States in reaching groups (at risk of) being left behind, which can include indigenous peoples.

### **Advancing the participation of indigenous peoples in UN processes**

The Assistant Secretary-General for Human Rights participated in the opening of the President of the General Assembly Informal Interactive Hearing with Indigenous Peoples on the enhanced participation of indigenous peoples at the United Nations which took place in NY on 17 April 2018 to reflect on possible further measures necessary to enhance the participation of indigenous peoples' representatives and institutions in relevant United Nations meetings on issues affecting them. In his statement, he welcomed the call for regional consultations by the General Assembly as an important opportunity to ensure that the views of as many indigenous communities as possible, including women and youth groups, are fully considered to advance this agenda. He further emphasized that the UN system over the last years has sought to create a space so that the expertise of indigenous peoples can play its proper part in our work. This effort is about making the UN inclusive of indigenous peoples' representative institutions.

Participation of indigenous peoples in human rights mechanisms has been significant over the reporting period, and OHCHR has supported this goal notably through its fellowship programme and the UN Voluntary Fund on Indigenous Peoples. In 2018, the Fund, managed by OHCHR and assisted by a board of trustees, continued to support the participation of indigenous peoples' representatives in the sessions of the Permanent Forum on Indigenous Issues (30 indigenous grantees), the Expert Mechanism on the Rights of Indigenous Peoples (25 indigenous grantees), the Human Rights Council, including its universal periodic review mechanism, and the treaty bodies (29 indigenous grantees who participated in the sessions of the Human Rights Council, CEDAW, CAT, CED, CERD and CESCR). The Fund also supported the participation of 10 indigenous representatives in the President of the General Assembly Informal Interactive Hearing with Indigenous Peoples which took place in New York on 17 April 2018.

Through the Indigenous Fellowship Programme, an annual programme which provides intensive training in human rights to indigenous peoples, OHCHR continued to build the capacity and expertise of indigenous men and women, to enable them to use international human rights instruments and mechanisms more effectively. A total of 35 indigenous fellows, including 19 women, participated in

the training programme in Geneva from 18 June to 13 July 2018. The fellows received theoretical and practical training on how to use international human rights instruments and mechanisms to promote and protect the rights of their indigenous communities. The fellows were also offered the opportunity to have briefings from several UN agencies including ILO, UNESCO, UNITAR, UNICEF, UNHCR, FAO and WIPO. OHCHR in Geneva also hosted a “senior” indigenous fellow from Mexico for a four-month on-the-job training in its Indigenous Peoples and Minorities Section.