

UNPFII 12th Session Recommendations for Member States

Recommendations	Addressee
<p>7. In sexual health and reproductive rights there is a need for HIV-sensitive, gender-sensitive and age-sensitive sexual health education that respects cultural sensitivities in pre-testing and post testing conditions and delivery of services. The Permanent Forum recommends:</p> <p>(b) That contributions be made to ministries of health and indigenous women's organizations to consolidate their work on intercultural standards for high-quality sexual health and reproductive rights and maternal health and to assess experiences of intercultural health models in other regions of the world in order to identify opportunities for South-South cooperation;</p> <p>(c) That efforts be made to ensure the integration of indigenous peoples' rights into national and subnational strategies on gender-based violence and to promote the delivery of culturally acceptable critical services to address gender-based violence and sexual violence, with a focus on adolescents, youth, migrants and indigenous women with disabilities;</p> <p>(e) That contributions be made to supporting work at the country level on the elimination of female genital mutilation/cutting among indigenous girls, including the elimination of other forms of harmful practices, for example early and forced marriage and early unwanted pregnancies;</p>	
<p>12. The Permanent Forum calls for heightened attention to be paid to diabetes and other non communicable diseases by WHO, PAHO and States, including at the World Conference on Indigenous Peoples, to be held in 2014, and calls upon these parties to discuss issues relating to indigenous health and formulate an action plan with particular focus on improving prevention and access to the care of diabetes and non-communicable diseases.</p>	All States
<p>14. The Permanent Forum affirms that articles 11 to 15 of the United Nations Declaration on the Rights of Indigenous Peoples provide a critical framework for ensuring the necessary transformative changes in indigenous education and the exercise of the</p>	

right to self-determination. Indigenous peoples have the right to be involved in defining and developing educational priorities and initiatives, including laws, regulations and policies, which have a direct impact upon them. Such educational systems should respect, recognize and include indigenous peoples' world views, cultures, languages and traditional knowledge, while ensuring gender equality and the recognition of traditional knowledge-keepers as pedagogical authorities	
15. The Permanent Forum encourages States and United Nations agencies and funds to implement, in cooperation with indigenous peoples, proactive and substantive measures to realize the full and effective implementation of the rights affirmed in the United Nations Declaration on the Rights of Indigenous Peoples. These measures must include greater accessibility for indigenous learners who live in remote areas or in nomadic communities. The Forum calls upon States to respect and implement article 19 of the Declaration by ensuring the free, prior and informed consent of indigenous peoples before adopting and implementing legislative or administrative measures that affect them.	States
16. Education in the mother tongue and bilingual education, foremost in primary and secondary schools, lead to effective and long-term successful educational outcomes. The Permanent Forum urges States to fund and implement the Programme of Action for the Second International Decade of the World's Indigenous Peoples, specifically in the following education-related objective. The Forum underlines the need for States to respect and promote indigenous peoples' definitions of learning and education, founded on the values and priorities of the relevant indigenous peoples. The right to education is independent of State borders and should be expressed by indigenous peoples' right to freely traverse borders, as supported by articles 9 and 36 of the United Nations Declaration on the Rights of Indigenous Peoples.	States
17. The Permanent Forum recommends, on the basis of articles 14 and 15 of the United Nations Declaration on the Rights of Indigenous Peoples, that States support indigenous peoples in establishing their own educational systems and institutions, including universities. Specific measures should be put in place to support indigenous, intercultural and	States

community higher education institutions and programmes in their academic, organizational, financial and accreditation processes. An excellent example of best practices in this regard is the inclusion of compulsory indigenous studies in the curricula of higher education institutions. The Forum urges States to recognize the importance of the Higher Education Sustainability Initiative, launched during the United Nations Conference on Sustainable Development of 2012, and to incorporate the knowledge, history and proposals of indigenous peoples into the activities to be undertaken.	
19. Indigenous persons with disabilities face exceptionally difficult barriers both because they are indigenous and because they are disabled. The Permanent Forum recommends that States develop and provide full access to educational opportunities on an equitable basis and without discrimination for indigenous persons, as recognized in the United Nations Declaration on the Rights of Indigenous Peoples and in the Convention on the Rights of Persons with Disabilities. In particular, the Forum recommends that sign language education curricula be developed, in consultation with deaf indigenous persons, which reflect their cultures, issues, needs and preferences. Where there is State or international cooperation on education, indigenous persons with disabilities should be included. The Forum recommends that countries that have not yet ratified the Convention on the Rights of Persons with Disabilities do so urgently.	States
20. The Permanent Forum recommends that States, in collaboration with indigenous peoples and United Nations agencies, including UNICEF and UNESCO, prepare a comprehensive report on the number of indigenous languages spoken in each State. It is important to identify the current numbers and ages of fluent speakers of each indigenous language, in addition to measures, including constitutional, legislative, regulatory and policy measures, as well as financial support, whether ongoing or project-based, by States, United Nations agencies and indigenous peoples, to ensure that indigenous languages continue to be used, survive and thrive and do not become extinct.	States
24. The Permanent Forum encourages all States to endorse the Convention for the Safeguarding of the Intangible Cultural	All States

<p>Heritage, considering the need to protect and enhance indigenous peoples' distinct identities and cultural institutions, philosophies and world views, customary laws, indigenous political governance and justice systems, indigenous knowledge systems and sustainable traditional livelihoods and other economic systems, as well as to rebuild in urban centres the cultures and communities of indigenous peoples displaced from their traditional territories. The Forum calls upon States to build on good practices to ensure, safeguard and protect indigenous knowledge and intangible heritage and to promote indigenous peoples' cultural expressions.</p>	
<p>28. The continuing denial of indigenous peoples' rights to lands, territories and resources, based upon various racist doctrines, theories and policies, including on lands occupied or otherwise used, historically and currently, by them, has led, among others, to their eviction from their lands and the erosion of their hunting and other traditional occupations and lifestyles, thereby threatening their very survival and well-being as peoples. It is necessary to ensure that bans, such as on hunting and other traditional livelihoods, do not infringe upon the rights of indigenous peoples.</p>	
<p>29. The Permanent Forum recognizes that many positive developments regarding the recognition of indigenous peoples and the need to protect and promote their rights have occurred over the past years and welcomes the leading role of the African Commission on Human and Peoples' Rights and the Working Group on Indigenous Populations/Communities in Africa in recognizing indigenous peoples on the African continent and promoting their rights. Several African countries have also contributed to the development of the recognition of indigenous peoples. The Forum notes with appreciation the ratification in 2010 by the Central African Republic of the International Labour Organization (ILO) Convention concerning Indigenous and Tribal Peoples in Independent Countries (Convention No. 169); the passage by the Congo of Law No. 5-2011, on the promotion and protection of indigenous populations, and the establishment of a legal platform to address the situation of indigenous peoples in the country; the constitutional progress in Kenya in 2010; and the introduction of quotas for the Batwa indigenous people in Burundi and Rwanda.</p>	<p>African States</p>

<p>The practice by African States of supporting indigenous peoples' rights is developing and should be encouraged.</p>	
<p>30. While the concept of indigenous peoples in Africa has been conceptualized and adopted by African Union bodies, including at the Heads of State summits, there remains a need to raise awareness of indigenous peoples on the continent and for robust and effective measures, including legislative measures, to ensure recognition of and respect for their human rights. Likewise, while the rights of indigenous peoples have been supported in African courts and in decisions by the African Commission on Human and Peoples' Rights and the African Court on Human and Peoples' Rights, gaps in implementation remain widespread. The Permanent Forum urges the concerned States to implement the decision of the African Commission on Human and Peoples' Rights, including in the Endorois case; the order of provisional measures of the African Court on Human and Peoples' Rights in the Ogiek case; and the decision of the High Court of Botswana in the case concerning the Kalahari Game Reserve. These cases are important because they contribute to the development of jurisprudence on the implementation of the United Nations Declaration on the Rights of Indigenous Peoples.</p>	<p>Concerned States</p>
<p>31. The Permanent Forum encourages States, multilateral environmental agencies and other conservation agencies to adopt a rights-based approach to conservation and follow-up and to systematically evaluate how the rights are implemented</p>	<p>States</p>
<p>32. The Permanent Forum recognizes the particular concerns of African indigenous youth, who are striving against political, social and economic challenges, poverty, marginalization and a lack of capacity development and employment. The Permanent Forum calls upon, among others, the Economic Commission for Africa and the African Union, including the New Partnership for Africa's Development, to provide adequate capacity-building programmes and opportunities to enable African indigenous youth, women and persons with disabilities to engage meaningfully with States and other key development players, including by organizing and sponsoring attendance at training sessions, conferences and other forums on indigenous issues.</p>	<p>African Union Member States</p>

34. The Permanent Forum calls upon States to ensure that national policies regarding indigenous pastoralism and hunter-gatherers comply with the United Nations Declaration on the Rights of Indigenous Peoples.	States
37. The high rate of indigenous children who are out of school requires urgent attention, in particular in respect of securing access by girls to high-quality and relevant education that respects the cultures and traditions of the communities and that is responsive to their needs. Given that many indigenous peoples live in regions that have been defined as geographically remote or inaccessible, and many services do not reach such indigenous and/or nomadic communities, there are also serious challenges regarding the long distances required to reach hospitals and health-care centres, which lead to higher maternal and infant mortality rates in indigenous communities. The Permanent Forum urges States to ensure that health and education services reach remote areas and meet the needs of nomadic peoples.	States
38. The Permanent Forum notes the increasing operational activity of extractive industries and other large-scale development projects, including land grabbing, which is taking place on or near the territories of indigenous peoples in many African States, often without the involvement of indigenous peoples and without their free, prior and informed consent. The Forum recommends that African States must respect the United Nations Declaration on the Rights of Indigenous Peoples, in particular the right of indigenous peoples to free, prior and informed consent.	African States
41. The Permanent Forum is alarmed by the continuing acts of violence being perpetrated against indigenous peoples by Member States and others. The Forum therefore acknowledges the need for States to establish a monitoring mechanism to address violence against indigenous peoples, including assassinations, assassination attempts and rapes, and intimidation of indigenous peoples in their attempts to safeguard and use their homelands and territories that transcend national borders, including the non recognition of their membership identification and documents and the criminalization of their related activities. Specific attention must be paid to such actions being perpetrated by State and local police, the military, law enforcement institutions, the judiciary and other State-	States

controlled institutions against indigenous peoples.	
45. The Permanent Forum requests Member States to establish specific mechanisms at the national level in order to open and sustain dialogue between indigenous peoples and Governments to review the implementation of the recommendations of the Special Rapporteur on the rights of indigenous peoples, the work of the Expert Mechanism on the Rights of Indigenous Peoples and the recommendations of the Forum. The Forum requests United Nations agencies at the national level to facilitate such dialogue and that corresponding national mechanisms be established.	Member States
46. The Permanent Forum welcomes the recent entry into force of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. The Forum encourages Member States to accede to the Optional Protocol and requests the Committee on Economic, Social and Cultural Rights to consider the preparation of a general comment on the economic, social and cultural rights of indigenous peoples.	Member States
47. The Permanent Forum takes notes of the recent publication of the adolescent-friendly version of the United Nations Declaration on the Rights of Indigenous Peoples by UNICEF, the Forum and the Global Indigenous Youth Caucus. The Forum recommends that UNICEF, Member States and indigenous peoples translate this publication into all languages, in particular indigenous languages. The Forum also recommends that Member States, indigenous peoples and others use this publication in the curricula of studies of indigenous and non-indigenous youth.	Member States
48. The Permanent Forum reiterates its recommendation to ILO to accommodate and guarantee the direct participation of indigenous peoples' organizations in ILO procedures, in particular those relating to compliance with the ILO Convention concerning the Protection and Integration of Indigenous and Other Tribal and Semi-Tribal Populations in Independent Countries (Convention No. 107) and the ILO Convention concerning Indigenous and Tribal Peoples in Independent Countries (Convention No. 169) and their corresponding supervisory mechanisms. The Forum reiterates its call upon Member States to accede to the ILO	Member States

Convention concerning Indigenous and Tribal Peoples in Independent Countries (Convention No. 169).	
<p>49. Recalling the recommendations made in paragraphs 4 to 11 of the report on its tenth session (E/2011/43-E/C.19/2011/14 and Corr.1) and the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, the Permanent Forum expresses alarm regarding the contemporary application of the erroneous and discredited “doctrine of discovery” and its underlying assumptions, which promote the purported inferiority of indigenous peoples. This doctrine was applied in June 2012 by the British Columbia Court of Appeal to deny the land rights and title of the Tsilhqot’in to their traditional lands and territories by stating that “European explorers considered that by virtue of the ‘principle of discovery’ they were at liberty to claim territory in North America on behalf of their sovereigns”. The Forum strongly recommends that States, human rights bodies and judiciaries denounce the “doctrine of discovery” and discontinue its use and application.</p>	States
<p>50. The Permanent Forum requests that Member States and other potential donors increase their contributions to the United Nations Voluntary Fund for Indigenous Populations, the United Nations Indigenous Peoples’ Partnership and the Trust Fund on Indigenous Issues in order to guarantee the exercise of the right of indigenous peoples to participate in United Nations meetings of specific concern to them.</p>	Member States
<p>51. The Permanent Forum recommends that all Governments, including the Government of Canada, and the bodies established under the United Nations Convention on the Law of the Sea ensure respect for and recognition of the provisions of the United Nations Declaration on the Rights of Indigenous Peoples and that they follow up on the full and effective implementation of the Declaration, in particular in the context of Arctic indigenous peoples. In this regard, these parties must pay immediate and special attention to the right of indigenous peoples to participate in decision-making in all matters that affect their rights; the right of indigenous peoples to their lands, territories and resources; and the right of indigenous peoples to free, prior and informed consent.</p>	Governments

52. The Permanent Forum recommends that States take steps to establish truth commissions in situations of reported gross violations of the human rights of indigenous peoples. The Forum underlines that the full and effective participation of affected indigenous peoples is a precondition for the establishment and work of truth commissions.	States
89. The Permanent Forum calls upon Member States, guided by the spirit of solidarity with indigenous peoples and consistent with their capabilities, to provide support for the effective implementation of the outcomes of the World Conference in mutually agreed areas of cooperation within the framework of the United Nations Declaration on the Rights of Indigenous Peoples.	Member States
91. The Permanent Forum recommends that, in view of the 2015 deadline for the attainment of the Millennium Development Goals, Member States and the United Nations system make use of the experiences and lessons learned and capture the priorities for development and well-being of indigenous peoples and include indigenous peoples in the implementation, monitoring and evaluation of the Goals.	Member States
95. The Permanent Forum welcomes the outcome of the consultation entitled “Realizing the future we want in Latin America and the Caribbean: towards a post-2015 development agenda”, held in Guadalajara, Mexico, in April 2013 at the initiative of the Government of Mexico, and values the good practice of exchange with other stakeholders, including civil society, the private sector and businesses. The Forum recommends that other Member States follow the same good practice.	Member States
96. The Permanent Forum recommends to Member States that the development agenda beyond 2015 adopt a human rights-based approach to development that takes into account issues of equity and sustainability and that incorporates an indigenous holistic concept of development with culture and identity. The Forum also recommends that the United Nations Declaration on the Rights of Indigenous Peoples constitute the normative framework of this work.	Member States
97. The Permanent Forum recommends to Member States that the development agenda	Member States

<p>beyond 2015 recognize indigenous peoples' right to self-determination, autonomy and self-governance, together with their right to determine their own priorities for their development, to participate in governance and policy decision-making processes at the local, national, regional and international levels and to develop mechanisms for consultation and participation of indigenous peoples, building on the fundamental right to free, prior and informed consent and full participation in the development process. The role of the United Nations country teams in that respect is crucial.</p>	
<p>98. The Permanent Forum also recommends to Member States that the development agenda beyond 2015 recognize, protect and strengthen indigenous peoples' collective rights, in particular the right to land, territories and natural resources.</p>	Member States
<p>100. The Permanent Forum recommends that Member States and the United Nations system involved in the processes leading to the development agenda beyond 2015 make concerted and targeted efforts to reach out to, and engage in a truly inclusive process with, indigenous peoples, including indigenous women, youth and persons with disabilities, to ensure that their rights and priorities are included in all processes relating to the definition of the themes and priorities for the post-2015 development agenda and of the sustainable development goals.</p>	Member States
<p>102. The Permanent Forum recommends that Member States, the Open Working Group on Sustainable Development Goals and the United Nations system ensure that the processes relating to the definition of the development agenda beyond 2015 are formulated in accordance with the objectives of sustainable development, as defined in the Indigenous Peoples' International Declaration on Sustainable Development and Self-Determination, adopted by the Indigenous Peoples' International Conference on Sustainable Development and Self-Determination, held in Rio de Janeiro, Brazil, in 2012, and also recommends that culture be affirmed as the fourth pillar of sustainable development.</p>	Member States
<p>103. In this regard, the Permanent Forum recommends that Member States and the United Nations system take due account of the</p>	Member States

outcome document and the conclusions of the World Conference on Indigenous Peoples, to be held in September 2014, given that this process is deeply interrelated with the post-2015 process and will set the context for future work on indigenous peoples' issues.	
112. The Permanent Forum urges increased dialogue among Governments, institutions and indigenous peoples concerning the identification, incorporation and value of indigenous knowledge in all disaster risk reduction projects and programmes at the national and regional levels. The Forum recommends that the United Nations Office for Disaster Risk Reduction take into consideration the study on engaging indigenous peoples more inclusively in the disaster risk reduction process (E/C.19/2013/14) as part of the official documentation of the third World Conference on Disaster Reduction, to be held in 2015.	Governments
115. The Permanent Forum recommends that all Member States and intergovernmental agencies ensure that efficient programming is developed in order for the positive transformation of social problems stemming from the weak and inadequate implementation of articles 7, 17, 21 and 22 of the United Nations Declaration on the Rights of Indigenous Peoples. This programming has to be targeted at indigenous youth for fundamental change.	Member States
118. The Permanent Forum recommends that Governments and United Nations agencies assign resources for communication activities, strengthen access to information and draw greater attention to the issues of indigenous peoples in the media, using various forms of media outreach, in order to complement the activities of the Department of Public Information.	Governments
120. The Permanent Forum urges UN-Women, UNDP, other relevant United Nations agencies and Governments to support the political participation of indigenous women by assigning resources to training and exchange programmes and strengthening organization and networks of indigenous women.	Governments
122. During the United Nations Conference on Sustainable Development, the members of the Permanent Forum were not able to register as United Nations experts. Forum members attend many United Nations	Member States

meetings where their specific status is not recognized. The Forum therefore recommends that Member States include Forum members as United Nations experts, not as part of major groups, in United Nations accreditation processes.

