



THE UNITED NATIONS PERMANENT FORUM ON INDIGENOUS ISSUES

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Backgrounder

Conflict, Peace and Resolution

The fifteenth session of the United Nations Permanent Forum on Indigenous Issues, which is to take place at United Nations Headquarters in New York from 9 to 20 May 2016, is devoted to the theme “Indigenous peoples: conflict, peace and resolution.”

Since its establishment in the year 2000, the Permanent Forum has expressed major concern over the persistence of various conflict situations affecting indigenous peoples around the world, and has stated that:

- Indigenous peoples often find themselves involved in situations of conflict, mostly relating to their lands, territories and resources, or their civil, political, cultural, social, and economic rights.
- During violent conflict, indigenous peoples are often among the most vulnerable due to the situations of poverty, political marginalization and systemic discrimination that many still face.
- In nearly every region of the world, indigenous peoples are being displaced and severely impacted by violence on their lands and territories. In some countries, indigenous peoples are victims of massacres carried out by the army or paramilitary groups during conflicts. In many cases, indigenous women have been used as “spoils of war” and subjected to sexual violence and rape. Indigenous children are sometimes forcibly recruited to participate in armed conflicts, leaving behind their homes, and their childhood.
- Activities of extractive industries, including mining, oil palm plantations and the construction of dams, often take place without the free, prior and informed consent of indigenous peoples.. Indigenous women and children often suffer the greatest challenges related to the negative environmental and health impacts from contaminated soil, air, and water, and heightened levels of violence in the areas surrounding extractive activities.
- Most indigenous peoples are geographically and politically isolated, and in many countries still lack adequate recourse to meaningful judicial or other mechanisms for peaceful conflict resolution.
- Indigenous peoples, including indigenous women and youth, have much to contribute and should participate in all stages of peacebuilding and transitional justice processes to ensure sustainable peace

The UN Declaration on the Rights of Indigenous Peoples

To prevent and resolve such conflicts, and build lasting peace, the Permanent Forum has urged dialogue and consensus-building, guided by the principles of the UN Declaration on the Rights of Indigenous Peoples.

The Declaration, adopted by the United Nations General Assembly in 2007, makes direct reference to indigenous peoples’ rights to land and self-determination – the two issues at the heart of most conflicts affecting indigenous peoples – besides other articles related to violence and conflict resolution:





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- **Article 7** recognizes that indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.
- **Article 30** affirms that military activities shall not take place in the lands or territories of indigenous peoples, unless justified by a relevant public interest or otherwise freely agreed with or requested by the indigenous peoples concerned. It further asks States to undertake effective consultations with the indigenous peoples concerned, through appropriate procedures and in particular through their representative institutions, prior to using their lands or territories for military activities.
- **Article 32** states that indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources. It also declares that States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources. It furthermore asks States to provide effective mechanisms for just and fair redress for any such activities, and to take appropriate measures to mitigate adverse environmental, economic, social, cultural or spiritual impacts.
- **Article 40** states that indigenous peoples have the right to access to and prompt decision through just and fair procedures for the resolution of conflicts and disputes with States or other parties, as well as to effective remedies for all infringements of their individual and collective rights.

Recommendations and action

The Permanent Forum has called on States to collaborate with indigenous peoples in designing and implementing early warning systems to prevent conflict and ensure peace, security and good governance on indigenous peoples' lands and territories. The Forum has also urged States to actively support and promote processes of dialogue and consensus-building, guided by the principles of the UN Declaration on the Rights of Indigenous Peoples. It has further called on States to ensure that indigenous peoples can participate and provide first-hand information about abuses in conflict and post-conflict situations, including to ensure that they can freely document and report violations without risk of reprisal.

In some countries, UN agencies have supported early warning systems to monitor and prevent massive human rights violations on indigenous peoples' territories. They have supported dialogue mechanisms and mediation between indigenous peoples' organizations and Governments, have carried out investigations into some of the human rights violations committed and supported post-conflict efforts in indigenous regions.

Two interactive discussions on 17 May 2016, during the fifteenth session of the Permanent Forum, aim to identify strategies and concrete measures to help prevent conflict and secure lasting peace, with one panel focused on the role of indigenous women.

For more information on the UN and indigenous peoples, please see www.un.org/indigenous.

