



DEPARTMENT OF ECONOMIC AND SOCIAL AFFAIRS  
Division for Social Policy and Development  
Secretariat of the Permanent Forum on Indigenous Issues

**International Expert Group Meeting on the theme  
“Indigenous youth: identity, challenges and hope:  
articles 14, 17, 21 and 25 of the United Nations Declaration  
on the Rights of Indigenous Peoples”**

**29 to 31 January 2013, New York**

**Concept Note**

Prepared by the Secretariat of the United Nations Permanent Forum on Indigenous Issues  
Division for Social Policy and Development  
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United Nations

## A. INTRODUCTION

1. At its eleventh session in May 2012, the United Nations Permanent Forum on Indigenous Issues (UNPFII) recommended that the Economic and Social Council authorize a three-day international expert group meeting on the theme “**Indigenous youth: identity, challenges and hope: articles 14, 17, 21 and 25 of the United Nations Declaration on the Rights of Indigenous Peoples**”.
2. At its regular session on 26 July 2012, the Economic and Social Council approved the Permanent Forum’s recommendation in decision 2012/43.
3. The United Nations International Expert Group Meeting on Indigenous youth: identity, challenges and hope: articles 14, 17, 21 and 25 of the United Nations Declaration on the Rights of Indigenous Peoples hereinafter referred as the “Expert Group Meeting”, will be held at the United Nations Headquarters in New York from 29 to 31 January 2013. This is the first international expert group meeting on indigenous youth organized by the United Nations.
4. The Permanent Forum has, since its establishment made youth a priority. At its first session the Forum stated that it “...intends to make indigenous children and youth a focal point of its work in the years to come<sup>1</sup>.”
5. At its first eleven sessions the Permanent Forum has made of over sixty recommendations to UN entities, governments and indigenous peoples’ organizations that mention indigenous youth. Most of those recommendations refer to indigenous children and youth or women and youth and are not youth specific. Thirty of the recommendations address indigenous youth specifically.
6. Of the thirty recommendations, almost half of them deal with indigenous youth participation (in decision making, at Permanent Forum sessions and other meetings, the MDG, and other related activities), emphasizing the principle that indigenous youth should be participating in activities and decision-making processes that affect their well-being. Related to the theme of participation, the Forum has also made recommendations on the need to increase investment in capacity building for indigenous youth that would better prepare them for increase participation in activities that affect them. All of these recommendations are at various stages of implementation.
7. The Forum has repeatedly expressed its concern to the high rates of suicide among indigenous youth, having made five recommendations to the UN system calling for studies and dedicated workshops to address the issue. A dedicated UN workshop or study on indigenous youth suicide has yet to been undertaken, despite the Permanent Forum’s recommendations.
8. The Permanent Forum has also made repeated recommendations on the situation of indigenous youth and children in incarceration and in 2010 the First Nations Summit and the Interim First Nations Child and Family Wellness Council organized an Expert Group Meeting on indigenous children and youth in detention, custody, foster care and adoption. The report of the meeting can be found on the following

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<sup>1</sup> E/2002/43/Rev.1 para. 31.

website:

<http://www.un.org/esa/socdev/unpfii/documents/E%20C.19%202010%20CRP.2%20.doc>

9. The Permanent Forum has also called for a study on the situation of urban indigenous youth and a database on case studies showing the progress made regarding the rights of indigenous youth. These activities are yet to be undertaken.

10. It should be noted that the Permanent Forum has made five recommendations that have specifically referred to the Indigenous Youth Caucus. All five recommendations reflect an appreciation of the Youth Caucus and a willingness by the Permanent Forum to further engage the Youth Caucus more.

11. In 1995, on the tenth anniversary of the International Youth Year, the United Nations strengthened its commitment to young people by directing the international community's response to the challenges of youth into the next millennium. It did this by adopting an international strategy – the World Programme of Action for Youth to the Year 2000 and beyond (WPAY).

12. The WPAY provides a policy framework and practical guidelines for national action and international support to improve the situation of young people. It contains proposals for action, aimed at fostering conditions and mechanism to promote improved well-being and livelihoods among young people. The WPAY focuses in particular on measures to strengthen national capacities in the field of youth and to increase the quality and quantity of opportunities available to young people for full, effective and constructive participation in society. For more information on the WPAY please see:

<http://www.un.org/esa/socdev/unyin/documents/wpay2010.pdf>

13. The United Nations is also developing a System-Wide Action Plan on Youth. This Action Plan will affect the way the whole UN system will work with and for youth in the coming years. The Action Plan will focus on the five priority areas identified by the Secretary-General: employment, entrepreneurship, education, including education on sexual and reproductive health, citizenship and protection of rights and political inclusion. The Secretary-General will also appoint a Special Envoy on Youth.

## **B. CONTEXT/BACKGROUND ON THE MEETING**

### **International Legal Context**

14. The UN Declaration was adopted by the United Nations General Assembly in 2007. The adoption of the UN Declaration in September 2007 was the culmination of over twenty years of intense efforts and negotiations. It is a standard of achievement, realized through the solidarity and close partnerships of indigenous peoples with governments, NGOs, academics, parliamentarians and others.

15. The UN Declaration is the most advanced and comprehensive international instrument on indigenous peoples' rights. It builds on existing human rights enshrined

in international human rights treaties and embodies global consensus on indigenous peoples' rights<sup>2</sup>.

16. The UN Declaration establishes specific rights for indigenous youth while other rights enshrined in the UN Declaration have a direct relation to them. The main articles of the UN Declaration that will be covered in the Expert Group Meeting are articles 14, 17, 21 and 25.

17. Article 14 of the UN Declaration establishes the right to education:

1. Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.

2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.

3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

18. Article 17 of the UN Declaration refers to labour rights:

1. Indigenous individuals and peoples have the right to enjoy fully all rights established under applicable international and domestic labour law.

2. States shall in consultation and cooperation with indigenous peoples take specific measures to protect indigenous children from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development, taking into account their special vulnerability and the importance of education for their empowerment.

3. Indigenous individuals have the right not to be subjected to any discriminatory conditions of labour and, inter alia, employment or salary.

19. Article 21 of the UN Declaration refers to the right of indigenous peoples to improve their economic and social conditions:

1. Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.

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<sup>2</sup> By December 2010, Australia, Canada, New Zealand and the United States who had earlier voted against the adoption, had reversed their positions and supported the UN Declaration. Of the nine abstentions, two (Colombia and Samoa) also reversed their positions.

2. States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.

20. Article 25 of the UN Declaration refers to indigenous people's spiritual relation with their lands:

Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.

21. Prior to the adoption of the UN Declaration, ILO Convention No. 169 on Indigenous and Tribal Peoples of 1989 recognized certain indigenous rights. The Convention encourages States to fund education programmes at all levels in order to teach indigenous languages to promote multiculturalism. It also refers to labour rights encouraging the prevention of discrimination against indigenous peoples. The improvement of the conditions of life and work and levels of health and education of indigenous peoples are also incorporated in the Convention. It encourages the establishment of special projects for the improvement of their development.

22. Many other international human rights instruments refer to themes that will be covered by the Expert Group Meeting, but not specifically to indigenous peoples. It is not the intention of this concept note to incorporate all the legal instruments on this matter.

### **C. Indigenous Youth: an overview**

23. There is no agreed definition of *youth* (any more than there is of *indigenous peoples*). The United Nations, for statistical purposes, defines 'youth', as those persons between the ages of 15 and 24 years. Many Member States as well as UN agencies have different definitions. Despite this lack of universal agreement, there is a general agreement on the fact that youth represent a transitional period between childhood and adulthood. It is typically a time when the person leaves education and enters the labour force. It is a period when people become sexually active, when they become parents and when they establish their identities (or create new ones). It is a time when people begin to question authority and become politically active. It is also a time of creativity, idealism and the sense that the world should be and can be a better place and that youth themselves can be a force for good.

24. Youth (15-24 year of age) accounts for approximately 18 per cent of the global population and with some 370 million indigenous people in the world, there are approximately 67 million indigenous youth globally. This number may well be higher, since indigenous peoples often have higher proportions of youth than non-indigenous peoples in the same countries.

## **1. Language culture and identity**

25. After centuries of colonization, forced relocation, assimilation, boarding schools and outright genocide, indigenous cultures, languages and identities are under continuous and evolving threat. Every two weeks a language disappears. Indigenous peoples are not only threatened by the local dominant culture, but also by a globalized homogenous culture dominated by consumerism and capitalism.

26. Indigenous cultures are not and have never been static or unchanging, and they will continue to change. By and large, it is indigenous youth who will decide what their indigenous identities will be, which elements they will adopt from the outside and which elements of their own cultures they will nurture.

## **2. Education and employment**

27. In many countries, indigenous youth have low school enrolment, high dropout rates and lag behind other groups in terms of academic achievement. Illiteracy, which tends to be higher among indigenous youth than non-indigenous youth is a direct result of educational exclusion in the form of poor access, low funding, culturally and linguistically inadequate education.

28. Most formal education systems do not employ community-based or indigenous approaches such as elders passing on traditional knowledge, or parents and other community members. In many cases national school curricula tend to have very little (if any) focus on indigenous peoples, their issues and histories. Some national curricula even reinforce negative stereotypes about indigenous peoples.

29. Indigenous youth tend to experience higher unemployment rates and lower incomes compared to non-indigenous youth workers. A range of factors contribute to this differential status, including geographic disadvantages, lower education and training levels, discrimination, and labour market discouragement. This situation contributes to the pressure that many indigenous youth feel to leave their communities in search of employment and education opportunities. At the same time indigenous youth feel a pressure and desire to stay in their communities, to maintain their relationships and to contribute to the maintenance, strengthening and revitalization of their communities.

30. Life away from the community is far from easy and far too often dreams of a university education and a life of affluence are never realized and indigenous youth find themselves vulnerable to abusive labour practices. In many countries, young indigenous women living in urban areas make a living by undertaking domestic work in the unregulated informal economy, where wages are low, hours are long and where risk of injury and abuse are high.

31. Those who do leave, run a risk of losing connections to their culture, heritage and way of life. Moving away from home can also lead to loss of language skills. Those who stay run the risk of losing out on educational opportunities, getting a good job or making a better living. They also run the risk of a feeling of despair and hopelessness, of being stuck in the same place that a sense of lost opportunities often brings.

## **3. Health**

32. Geographic and cultural isolation limit many indigenous youth's access to health and prevention services, including those concerned with reproductive health.

Indigenous youth are less likely to receive curative care for sexually transmitted infections, including HIV and conditions that can affect the outcomes of pregnancy and delivery.

33. Historical trauma that indigenous peoples have suffered and continue to suffer has not been resolved. Where data is available, it has been demonstrated that indigenous youth suicide rates are significantly higher than among their non-indigenous peers. It is a priority for healers, tribal leaders, educators, religious leaders, and most importantly, youth and their families themselves to work towards mental health care.

#### **4. Participation in decision-making**

34. Indigenous youth have a right to participate in decision-making that affects their well-being. This right is often not respected, although it is well established in international law. There is no one size fits all model that promotes indigenous youth participation. Not only is the situations of indigenous youth across the world different one from another, but so are their expectations. Some youth have ambitions to run for office in their national parliaments, while others do not even recognize the legitimacy of the government that claims sovereignty over their traditional territory and whom they see as a colonial occupier that should be resisted at all times.

35. When discussing indigenous youth participation, it is important to distinguish between indigenous institutions, non-indigenous (including national level) institutions and the international level. It is also particularly important to distinguish between indigenous youth who live within their indigenous communities and those who live among the non-indigenous population and are less likely to know their rights as indigenous peoples or to participate in decision making as indigenous youth.

#### **D. Objectives and Outcomes of the Meeting:**

36. The Expert Group Meeting is intended to:

- Analyze enshrined human rights within international standards and policies and how these could be more responsive to advancing the rights of indigenous youth;
- Promote an opportunity to exchange information and analysis on the examples of social and economic conditions of indigenous youth, including in the areas of education, employment, vocational training and retraining, housing, sanitation, health, social security, among others;
- Identify options and further plans to build the necessary conditions for developing strategies to protect economic and social rights of indigenous youth including empowering, strengthening indigenous youth organizations and other capacity enhancement programs for indigenous youth.

37. The final report and recommendations of the Expert Group Meeting will be submitted to the twelfth session of the UNPFII.

#### **E. Proposed Themes for discussions:**

##### **Identity**

- What is identity in the indigenous context and how is it portrayed by indigenous youth?
- What are some of the negative factors that impact on the identity of indigenous youth?
- What factors contribute to the development of positive identity by indigenous youth?
- To what extent does positive identity vary with context?
- Does positive identity in young indigenous people vary in relation to geographical or other factors?

### Challenges

- What are some of the larger issues as well as common concerns affecting indigenous youth?
- Provide examples where indigenous youth could be more involved in addressing social and economic challenges in the community such as education, employment, health, violence, racism, gang activities, substance abuse, suicide, urban and migration issues)

### Hopes

- How are indigenous youth making a difference?
- How can indigenous peoples' organizations, indigenous and tribal governments and indigenous youth work together to address issues that youth are currently facing?
- What role can the UN Permanent Forum and the UN System and other stakeholders play in addressing the concerns of indigenous youth?
- Highlight examples of good practices that can help safeguard the rights of indigenous youth.

### F. Participant Contributions:

38. The Expert Group Meeting seeks to draw on the expertise of indigenous youth; United Nations Permanent Forum members; relevant United Nations and other intergovernmental agencies; national and local governments; indigenous peoples' organizations and other groups that are active in the area of indigenous youth.
39. International indigenous experts will represent each of the seven UNPFII regions.<sup>3</sup> They will be required to prepare a paper to present at the meeting **on one or more of the themes listed above.**
40. Experts are requested to submit their papers (8 to 10 pages maximum) to the organizers by 7 January 2013 so that the papers can be distributed before the meeting.
41. Each expert will make a 15 to 20 minute presentation, followed by discussions. Experts will also be informed in due course of the Program of Work for the Expert Group Meeting and the appropriate time to present their papers during the meeting.

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<sup>3</sup> Africa; Asia; Central and South America and the Caribbean; the Arctic; Central and Eastern Europe, Russian Federation, Central Asia and Transcaucasia; North America; and the Pacific



**G. Working Language:**

42. The working languages will be the UN working languages<sup>4</sup>.

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<sup>4</sup> English, Spanish, French, Chinese, Arabic and Russian.