

Questionnaire to the UN system and other intergovernmental organizations

The report of the 13th session of the UN Permanent Forum on Indigenous Issues provides a number of recommendations within its mandated areas, some of which are addressed to the UN system and other intergovernmental organizations.

The secretariat of the UN Permanent Forum on Indigenous Issues invites the UN system and other intergovernmental organizations to complete the attached questionnaire on any action taken or planned in response to the Permanent Forum's recommendations. All questionnaire responses will be placed on the Permanent Forum's website and also compiled into one report for the Forum's fourteenth session.

Please submit your completed questionnaire by **1 January 2015** to:

Secretariat of the Permanent Forum on Indigenous Issues
Division for Social Policy and Development
Department of Economic and Social Affairs
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The full questionnaire can be downloaded from this site :

<http://undesadspd.org/IndigenousPeoples/UNPFIISessions/Fourteenth/Questionnaire.aspx>

The provisional agenda for the Permanent Forum’s fourteenth session in 2015 includes:

1. Election of officers.
2. Adoption of the agenda and organization of work.
3. Follow-up on the recommendations of the Permanent Forum:
 - (a) Outcome of the high-level plenary meeting also known as the World Conference on Indigenous Peoples;
 - (b) Post-2015 development agenda;
 - (c) Youth, self-harm and suicide.
4. Half-day discussion on the Pacific region.
5. Half-day discussion on the expert group meeting on the theme “Dialogue on an optional protocol to the United Nations Declaration on the Rights of Indigenous People”.
6. Comprehensive dialogue with United Nations agencies and funds.
7. Human rights:
 - (a) Implementation of the United Nations Declaration on the Rights of Indigenous Peoples;
 - (b) Dialogue with the Special Rapporteur on the rights of indigenous peoples and the Chair of the Expert Mechanism on the Rights of Indigenous Peoples.
8. Future work of the Permanent Forum, including issues of the Economic and Social Council and emerging issues.
9. Draft agenda for the fifteenth session of the Permanent Forum.
10. Adoption of the report of the Permanent Forum on its fourteenth session.

Questionnaire

At its fourteenth session in 2015, the Permanent Forum will review the following: (a) Outcome of the high-level plenary also known as the World Conference on Indigenous Peoples; (b) Post-2015 Development Agenda; (c) Youth, self-harm and suicide.

1. Please provide information on how your agency is working with these important issues in the seven socio-cultural regions of the Permanent Forum¹. Where possible, please include information on the situation of indigenous women in your responses.

The overall objective of the Office of the Special Advisers on the Prevention of Genocide and on the Responsibility to Protect is to advance national and international efforts to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity (atrocity crimes), including their incitement. The office has two main priorities, namely: (a) strengthen the capacity of the United Nations to identify situations at risk of atrocity crimes and to take early action to prevent them and to improve the protection of populations; and (b) support the implementation of the responsibility to protect principle by Member States, regional organizations and civil society.

Linked to (a), the Office has developed a methodology to assess the risk of atrocity crimes in any country situation, the Analysis Framework for Atrocity Crimes, which sets out different risk factors associated with atrocity crimes. It is through this Framework that the Office monitors the situation of indigenous peoples.

Several of the risk factors are particularly relevant. They include:

- A country's human rights record, including past or ongoing serious violations of human rights or international humanitarian law, particularly where these assume a pattern, target particular population groups, and where there such violations have not been properly addressed;*
- A situation that places a State under stress and generates an environment conducive to atrocity crimes, including situations of armed conflict or political or economic instability;*
- Economic interests, including those linked to control of the use or distribution of resources;*
- A national legal framework that does not provide ample and effective protection.*

Linked to its second priority (b) and based on the Office's assessment of the vulnerability of different population groups, including indigenous peoples, the Special Advisers advocate and mobilize for appropriate remedial action to protect populations, both within and outside the United Nations system.

¹ UNPFII's seven socio-cultural regions are 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.

In their bilateral meetings with government officials, the Special Advisers have stressed the importance of the protection of indigenous peoples' rights and related issues, such as the elimination of discrimination and horizontal inequality, as key to building State resilience to atrocity crimes. For example, the Special Advisers have encouraged the 18 State Members of the Latin American Network for the Prevention of Genocide and Mass Atrocities to integrate monitoring of the situation of indigenous peoples in their early warning methodologies, and to ensure the participation of representatives of indigenous peoples in national mechanisms on genocide prevention, when/where they are established.

2. With respect to the implementation of the recommendations of the Permanent Forum addressed specifically to your agency:

- (i) What are some of the obstacles your agency has encountered in implementing the recommendations of the Permanent Forum, including those addressed specifically to your agency?

In the report of its 2010 mission to Colombia, which was conducted jointly by the Permanent Forum on Indigenous Issues and the Office of the Special Adviser on the Prevention of Genocide, the Forum requested of its Secretariat and the Office of the Special Adviser 'the establishment of a mechanism to comprehensively and periodically monitor the situation of the indigenous peoples in Colombia with the goal of preventing a genocide which could be committed through the concurrent and cumulative action by all agents in the armed conflict.' Our Office has been unable to ensure periodic monitoring of the situation of the 36 groups for which the Constitutional Court of Colombia has requested the establishment of 'planes de salvaguarda' (safeguard plans), mainly as a result of its limited operational capacity and lack of presence in the country. The Office has also been unable to date to establish an operational partnership with the UN presence in Colombia to carry out this task. The Office recommends that periodic monitoring, as requested by the Permanent Forum, should be conducted on the basis of the risk factors included in our Office's Framework of Analysis for Atrocity Crimes.

- (ii) What are some of the factors that facilitate your agency's implementation of the recommendations of the Permanent Forum, including those addressed specifically to your agency?

Implementation of the recommendation above would be facilitated by the establishment of an operational partnership with United Nations colleagues in Colombia which could ensure periodic monitoring of the situation of those groups on the basis of the risk factors included in our Office's Framework of Analysis. The Office has been working with the national focal point appointed by Colombia, in the context of its membership of the Latin American Network for the Prevention of Genocide and Mass Atrocities. However, the focal point does not have a monitoring mandate.

3. Given the Forum's recommendation for the adoption of policies on indigenous peoples' issues, please specify whether your agency has:

- (i) A policy or other similar tool on indigenous peoples' issues; [Please refer to response to (ii)]
- (ii) Recent programmes on indigenous peoples' issues;

Our Office encourages consideration of issues relating to the protection of indigenous peoples when it engages States that are members of the Latin American Network for the Prevention of Genocide and Mass Atrocities. The Office has offered its Framework of Analysis for Atrocity Crimes to Network members as monitoring tool.

In 2014, the Office commissioned research into the nexus between the rights and protection of indigenous peoples and the prevention of atrocity crimes, with the view to generating specific policy recommendations which could serve to guide the Office's engagement with Member States, particularly those in the Latin American Network for the Prevention of Genocide and Mass Atrocities, as well as other stakeholders.

- (ii) Budgetary allocations for indigenous peoples' issues;
No specific allocation.
- (iv) Projects/activities on indigenous peoples' issues,
See point (ii) above.

In order to facilitate the quantification of data by the Forum, please indicate the number of programmes and projects/activities devoted to indigenous peoples issues in the past year.
Please refer to response to 3(i) and (ii)

4. Does your agency have regular or ad hoc capacity-building programmes on indigenous peoples' issues for staff, or a plan for capacity-building activities in this area, at headquarters or in the field? *No*

5. Does your agency have a focal point on indigenous peoples' issues? If so, please provide the name and contact information of this person.

Yes. Mario Buil-Merce / 7-5001 / buil-merce@un.org and Davide Zaru / 3-3573 / zaru@un.org

6. Please provide a list of conferences and other meetings organized or supported by your agency on indigenous peoples' issues for 2014 and 2015.

In spring 2015, the Office may convene an informal, internal, UN meeting in New York to present the results of the study mentioned under 3 (ii).