

High-Level Political Forum on Sustainable Development:
"Empowering people and ensuring inclusiveness and equality"

July 9th to 18th of 2019, New York

**SUSTAINABLE DEVELOPMENT WITH FULL RESPECT FOR THE RIGHTS OF
INDIGENOUS PEOPLES, WOMEN, CHILDREN AND YOUTH**

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GENERAL CONTEXT

In 2014, five years ago, in the World Conference on Indigenous Peoples, States restated the right of indigenous peoples to determine and establish their priorities for exercising their right to development and they committed to **taking into account all the rights of indigenous peoples on the development agenda after 2015¹**.

Our collective and individual rights as indigenous peoples, women, children and youth are supported by a series of normative instruments, including **the United Nations Declaration on the Rights of Indigenous Peoples** and the ILO's Convention 169 on Indigenous and Tribal Peoples, as well as the recommendations from the Committee on the Elimination of Racial Discrimination (CERD), the Committee on the Elimination of All Forms of Discrimination against Women (CEDAW) and three instruments specific to indigenous peoples: the United Nations Permanent Forum on Indigenous Issues, the Expert Mechanism on the Rights of Indigenous Peoples and the Special Rapporteur on the Rights of Indigenous Peoples.

Now, 4 years after the adoption of the 2030 Agenda for Sustainable Development, 12 years after the UN Declaration on the Rights of Indigenous Peoples and 30 years after ILO's Convention 169, we state that there is **an ever greater gap between the growing acknowledgement of our rights in international normative frameworks and their implementation at the national and local levels** through policies and programs with an impact that is real and comprehensive. Oftentimes, indigenous peoples are perceived as backward and vulnerable populations or they are seen as a threat to economic development, the interests of mainstream society and national sovereignty. These perceptions translate into us being excluded from decision-making processes, the lack of recognition of our contributions to development, public services that do not

¹ Article 37 of the Outcome Document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples (A/RES/69/2).

match our reality and even infringe our rights, and even the criminalization, persecution, imprisonment and murder of those who defend our human rights and the rights of Mother Earth. Unfortunately, **we are still part of the pending agenda and we are seen as a burden to States.**

Under the promise of leaving no one behind, the 2030 Agenda is a challenge and an opportunity to make progress towards a more inclusive, egalitarian, comprehensive and sustainable development for our peoples, societies and planet. However, we have to be true and acknowledge that this international agreement **does not go beyond the realm of the United Nations system and international policy.** The Sustainable Development Goals do not reach our communities even though indigenous peoples and women are experts on implementing sustainable ways of life. Plain evidence of the lack of interest to disseminate the 2030 Agenda is that almost every document related to the High-Level Political Forum on Sustainable Development is only available in English.

PRINCIPLES FOR AN ADEQUATE IMPLEMENTATION OF THE SUSTAINABLE DEVELOPMENT GOALS

The 2030 Agenda lacks cultural sensitivity and does not openly acknowledge our rights as indigenous peoples, women, children and youth. Therefore, we need to care that the measures linked to the achievement of the Sustainable Development Goals' targets do not infringe our rights, cultures, knowledge, values and **notions of development**, which include a holistic relation among social, material, cultural, mental and spiritual welfare, based on equilibrium, reciprocity, solidarity and complementarity among human beings, the community, the territory and Mother Earth. This could happen especially if the targets are implemented in isolation, for instance, if economic growth is prioritized without taking into consideration the negative impact of the measures to achieve it.

In order to fill in the gaps of the 2030 Agenda and to ensure the responsible implementation of the goals, a series of crosscutting approaches, principles and indicators should be applied to the 169 targets. These would assure the **respect for our individual and collective rights, gender equality, cultural relevance and interculturality, and intergenerational dialogue.**

This can only be achieved if States consider us to be leading actors in the 2030 Agenda. For that purpose, they have to take measures to **eradicate barriers to our full participation in decision-making processes, promote horizontal dialogue based on mutual respect and really listen to what we have to say on sustainable development.** Participation is fundamental so that we can ensure respect for our rights and contribute to the global development agenda with our knowledge, solutions and innovations.

One of the main difficulties for States is to implement our right to self-determination, including **free, prior and informed consent**. Even though some countries carry out consultations with indigenous peoples on policy, programs and projects that affect our lives, these processes do not ensure - maybe on purpose - adequate access to advice and information on the measures subject to a consultation that are pertinent, true, friendly and in our languages. These consultations are not usually representative nor have a meaningful influence on final decisions. Additionally, in a context of double or triple discrimination associated with racism, *machismo* and adult-centrism, indigenous women and youth often face greater barriers than men to make our voices heard and taken into account, while the negative effects of decision-making usually fall mainly on us.

CHALLENGES, OMISSIONS AND PRIORITIES IN GOALS 4, 8, 10, 13, 16

The Sustainable Development Goals that are reviewed this year by the High-Level Political Forum are very important for indigenous peoples, women, children and youth because we still face multiple forms of inequality and exclusion, the lack of access to quality education and economic opportunities, the negative impacts of the climate crisis and multiple forms of violence in our bodies and territories. At the same time, these goals make up a favorable context to bolster our agency and make visible our contributions to the global development agenda.

With the purpose of making contributions to the review of SDGs 4, 8, 10, 13 and 16, we will highlight challenges, omissions and priorities:

SDG 4: Quality Education

Education is the gateway to the exercise of other rights. Even though some regions such as Latin America show progress on educational coverage and development of policies of bilingual intercultural education, there are still **great ethnic, economic, geographic and gender gaps in access and, particularly, in continuance and timely graduation of indigenous girls and teenagers**. High drop-out rates are the consequence of a series of factors such as the lack of economic resources, racism, gender-based violence and teenage pregnancy which is, in many cases, a result of sexual violence, as well as the low quality of the educational system that does not respond to our realities.

While SDG 4 promotes inclusive, equitable and quality education, the main weakness in its targets is the lack of **sociocultural sensitivity and relevance**, as well as the lack of a direct connection to the international normative framework on indigenous peoples' rights. In that sense, it is key to define "quality education" and its indicators for each specific context with the full participation of indigenous peoples, women and youth.

As a starting point, we understand quality education as one 1) that has cultural and linguistic relevance which responds to the reality and aspirations of indigenous peoples, and that includes our histories, literature, philosophies, knowledge, technology, world

views, spiritual values and arts; 2) that strengthens self-esteem and helps us affirm our cultural identities; 3) that promotes a dialogue based on horizontality and complementarity among cultures, knowledge and systems of knowledge production; 4) that acknowledges the contribution of indigenous peoples, particularly, indigenous women, and of our knowledge and practices to building societies and sustainable development; 5) that respects and promotes the exercise and defense of individual and collective human rights; 6) that is free of all forms of racism, discrimination and violences, and that promotes gender equality; 7) that fosters intergenerational dialogue spaces with our peoples' elder women to value, convey and develop our knowledge; 8) that promotes sustainable and culturally pertinent economic opportunities for indigenous youth inside and outside our communities; 9) that considers us subjects of rights instead of "vulnerable people".

Finally, it is important to note that these principles should be applied not only to education for indigenous peoples but for the society in general. In that sense, we think it is crucial to **include indigenous peoples and our contributions at the moment of designing public education systems**, particularly when defining and implementing appropriate educational content that corresponds to the 2030 Agenda's target 4.7 of education that promotes sustainable development. Our full participation in this target is indispensable to **ensure that, through public education, the whole of society has access to appropriate information and dignified representation of indigenous peoples and cultures, and that, on the basis of knowledge and dialogue, learns to value our contributions to the build-up of societies and sustainable development**. In that sense, we are sure that the educational system is the key space to eradicate prejudice and structural racism towards indigenous peoples and develop intercultural relations based on horizontal dialogue and mutual respect with the purpose of getting access to the full exercise of our rights.

Permanent Forum's recommendations on education

In its 18th session, the Permanent Forum on Indigenous Issues has issued more than 80 recommendations² on education for indigenous peoples, including proposals on the respect to our definitions of knowledge and education, the funding for culturally appropriate educational programs led by indigenous peoples, the introduction of indigenous languages on the educational system and the support of bilingual education, the creation of permanent job posts for indigenous teachers in public education and the construction of indicators that address the particular circumstances of indigenous peoples regarding the targets of the 2030 Agenda on education. In that sense, the Forum has issued about 90 recommendations relevant to traditional knowledge and 80 recommendations related to indigenous languages. They encourage States to ensure the acknowledgement of indigenous traditional knowledge on

² The Permanent Forum recommendations are a valuable source for proposals, priorities and specific measures to advance towards achieving the Sustainable Development Goals building on the respect for indigenous peoples' rights. CHIRAPAQ, Center for Indigenous Cultures of Peru, is developing an IT tool called Yanapaq.info that allows to easily identify the recommendations relevant to each of the Goals.

biodiversity, health, climate change, food and other areas, to preserve their vitality and to protect them from illicit appropriation, as well as to respect the linguistic rights of indigenous peoples in the public space and to support our own initiatives to preserve and revitalize our languages.

SDG 8: Economic Growth and Decent Work from the Rights of Indigenous Peoples

The multiple violations of the rights of indigenous peoples, such as the dispossession of our lands, the pollution of our waters and the murder of human rights defenders, are most of the times a consequence of the economic model that prioritizes economic growth³ for a few and is based on the exploitation of resources which are usually located in indigenous land. Target 4 of the Sustainable Development Goal 8, which makes a call to “endeavour to decouple economic growth from environmental degradation” is not enough. Instead, it is necessary **to decouple economic growth from the violation of the collective and individual rights of indigenous peoples and Mother Earth**. It is important to note that we are not against economic development, but we think it is imperative to advance and promote alternatives to the current economic model based on principles of equality, reciprocity, respect and solidarity, that draw upon a horizontal intercultural exchange of knowledge and innovations.

Territorial insecurity, the climate crisis and the lack of economic opportunities speed up migration to the cities where indigenous women, youth and children are exposed to multiple forms of violence and inequality, including racism, discrimination and sexual abuse in the workplace, human trafficking and work in inhuman conditions without access to social protection. Therefore, **in the context of implementing SDG 8, it is important to create opportunities for culturally appropriate economic development for indigenous women and youth especially in our traditional communities and to ensure fair conditions to have access to markets**. On the other hand, to foster a harmonious articulation with the national and international markets, it is necessary to develop normative frameworks and protection mechanism for intellectual property that match the reality of indigenous peoples’ traditional knowledge and derived products to avoid illicit appropriation, as well as to strengthen the capacities of indigenous peoples to use these mechanisms.

On the other hand, it is still necessary to generate information on the situation of indigenous women regarding economic rights, including data about non-remunerated work, that would allow **to revalue and make visible our contributions to the family, community and national economy**.

Lastly, there is a challenge to reinterpret the targets of SDG 8 with cultural appropriateness. For example, taking into account the reality of our peoples, it is problematic to “put an end to child labour in all its forms” because work for indigenous children and youth, apart from being necessary because of poverty, is a part of the

³ Target 8.1: Sustain per capita economic growth in accordance with national circumstances and, in particular, at least 7 per cent gross domestic product growth per annum in the least developed countries

processes of cultural continuity and transmission of knowledge within families and communities. Therefore, completely banning child labor in all its forms should go together with measures to decrease inequalities and ensure quality free education with cultural pertinence.

Permanent Forum's recommendations on economic growth and decent work

The Permanent Forum has issued more than 50 recommendations linked to SDG 8 that include, for instance, proposals about carrying out studies on working conditions and the work of indigenous women in the informal sector, the creation of decent and culturally appropriate work for indigenous youth, the application of free, prior and informed consent and the Guiding Principles of Business and Human Rights, the acknowledgement of traditional livelihoods in the 2030 Agenda, the professionalization of traditional occupations and the protection of economic activities based on traditional knowledge.

SDG 10: Reducing Inequalities

In order to achieve the Sustainable Development Goal 10 which promotes the reduction of inequality, we think it is a priority to generate **disaggregated data and indicators** by indigenous people, gender and age, as well as other relevant variables such as economic situation, migration status, linguistic knowledge and different ability, **that would allow knowing the situation of inequality that indigenous peoples, women, children and youth experiment, and understanding its causes**. However, we have to note that, in order to respond to this reality with laws, policies, programs and public services, it is not enough to have data but to interpret it and use it as a base for decision-making with the full participation of the stakeholders that experiment inequality.

Indigenous peoples, women, children and youth face great barriers to have access to basic public services like health and education, due to the absence of the State in our communities, the lack of economic resources to have access to them, the lack of identity documents, as well as a limited knowledge of our languages and cultures, and racism and discrimination from service providers. **While States fail to reduce inequalities through culturally appropriate public services in our communities, we do not usually receive support to develop our own initiatives**. Instead, our knowledge and practices are often made invisible and, in the worst-case scenario, criminalized by discriminatory laws, such as the case of indigenous midwifery in many countries.

Target 10.4 advances that social protection policies should be adopted to achieve greater equality. Nevertheless, **social protection measures, including conditional transfer programs, usually show a lack of awareness about our own definitions of well-being and an impact in the disarticulation of our social tissue**. Oftentimes, these programs impose forms of organization that neglect our own organizational structures and promote a notion of individualist development which creates cleavages within our communities. Additionally, access to social protection systems, especially to conditional transfer programs, usually depends on using services that do not value the knowledge and practices of indigenous peoples and carrying out multiples tasks that

lead to work overload for indigenous women. In order to design services that are more appropriate to indigenous peoples, **we think it is crucial to carry out participatory assessments with indigenous organizations about the social, economic and cultural impact of all the proposed measures to decrease inequalities** and to always respect the principle of free, prior and informed consent.

Finally, in the context of Target 10.7, where States commit to facilitating safe and responsible migration, the main challenge is to ensure the **full respect for the collective and individual rights of indigenous peoples in a migration context**, including access to culturally pertinent services. On the other hand, the first step should be to adopt policies and programs that ensure territorial security and the conditions for a dignified life and well-being in our lands and communities with the purpose of preventing forced migration.

Permanent Forum's recommendations to reduce inequalities

The Permanent Forum has issued close to 150 recommendations that directly contribute to achieving SDG 10. These include measures such as creating dialogue and consultation mechanisms and processes with indigenous peoples, eliminating legal barriers that prevent full and effective participation in conditions of equality for women, children and youth, elderly people and people with a disability, attuning laws and policies with the Declaration and the International Convention on the Elimination of All Forms of Racial Discrimination and generating disaggregated statistics.

SDG 13: Climate Change

Sustainable Development Goal 13 engages the States to adopt urgent measures to combat climate change and its effects. This goal is particularly important for indigenous peoples because we **receive the greatest impact from the climate crisis and, at the same time, we are the owners of knowledge that contributes to the mitigation and adaptation to climate change**. This includes, for instance, specific knowledge on sustainable forest management, sowing and harvesting of water, biodiversity, crops that are resistant to plagues and the conservation of seeds that are resilient to climate change.

Therefore, as a starting point to combat climate change, indigenous peoples and women's contribution should be acknowledged not only in speech but in practice. To this effect, it is crucial to **prioritize economic and technical support to our own initiatives related to climate change**, including spaces for recording traditional knowledge and for its transmission to the coming generations. Nowadays, there are copious funds for climate action, but they are inaccessible to our communities; namely, the Green Climate Fund.

On the other hand, to **ensure the full participation of indigenous peoples in spaces of climate change negotiation and policy follow-up**, it is necessary to strengthen our capacities and technical knowledge about climate change, including the understanding international instruments and mechanisms. Moreover, language, economic and

political barriers that prevent our participation in these spaces should be eliminated. We want to be present in fora such as the Climate Action Summit that will take place in September this year.

The impacts of the climate crisis, such as food insecurity and forced migration, affect indigenous women disproportionately, because they have fewer resources to face these hardships. Thus, we invite States and other actors to pay attention to the **inclusion and effective participation of indigenous women at the moment of implementing the Gender Action Plan on climate change, approved at COP23⁴, as well as operationalizing the Local Communities and Indigenous Peoples Platform (LCIPP) of the Framework Convention on Climate Change.**

Finally, as a measure to mitigate climate change, there must be support and the right conditions for the development of indigenous peoples' own conservation initiatives, with special attention on taking urgent measures to **recognize, protect and demarcate indigenous lands**, in order to put an end to the illegal logging of our forests and the expansion of extractive industries and agribusiness. Moreover, laws that prevent the introduction of transgenic seeds that would jeopardize the food security of our peoples should be encouraged.

Permanent Forum's recommendations on climate change

The nearly 70 recommendations of the Permanent Forum on climate change include measures such as applying the Declaration to the design and implementation of policies and programs on climate change and developing mechanisms that allow for the participation of indigenous people in international discussions on climate change. They also include incorporating indigenous knowledge in projects and programs to reduce disaster risk, carrying out studies and evaluations on the economic, social and cultural consequences of climate change for indigenous peoples, and assessing, in a participatory way, the opportunities and risks of different strategies to address greenhouse emissions.

SDG 16: Just, peaceful and inclusive societies

The Permanent Forum will devote its next session to the theme "Peace, justice and strong institutions: the role of indigenous peoples in implementing Sustainable Development Goal 16". Meeting this goal is crucial to achieving the other goals. We cannot achieve food security if we are in the middle of armed conflict and it would not make sense to foster official development assistance without eliminating corruption in government institutions. On the other hand, meeting this goal is directly related to achieving all of the other goals. Ensuring quality education that promotes intercultural dialogue, achieving the exercise of human rights and gender equality in the whole of society, creating sustainable economic opportunities and strengthening climate

⁴ The Plan on Gender and Climate change is available at:
https://unfccc.int/sites/default/files/cp23_auv_gender.pdf

resilience are only some of the measures needed to build peaceful and inclusive societies.

For indigenous peoples, **peace does not only mean the lack of wars or physical violence but a comprehensive condition of harmony among human beings and Mother Earth**. Indigenous women of the Continental Network of Indigenous Women of the Americas⁵ talk about violences in plural because we face multiple forms of **political, social, economic, spiritual, physical, sexual, psychological and environmental violence** that manifests in armed conflicts and the militarization of our lands; forced migration and displacement; the expansion of extractive industries; harmful environmental practices; criminalization of indigenous women and our knowledge and practices (defenders, midwives, healers); excluding policies and poverty; as well as violations, forced labor, prostitution, human trafficking and femicide. These violences get worse as a consequence of the multiple barriers that prevent access to justice. Therefore, in order to decrease all forms of violence (Target 16.1), we cannot think of media campaigns and other one-off measures. We need to design and implement, with the full participation of indigenous peoples and women long-term, comprehensive and intercultural measures that respond to the multiple causes of violences and change mentalities that sustain them in our societies.

Targets 16.5 and 16.6 prompt to reduce corruption and create effective and transparent institutions that can be held accountable. The **poor implementation of international norms supporting the exercise of our rights is mostly due to States not having specific institutions with the obligation, power, budget allocation and technical capacity needed to translate these norms into policies, programs and actual results at the national and local levels**. Additionally, States do not usually disseminate information on the commitments and agreements they have undertaken and there are no effective accountability mechanisms aiming at compliance with the recommendations of international mechanism such as the Permanent Forum. On the contrary, we face a situation where the **corruption permeating state institutions at every level translates into mining concessions given without our free, prior and informed consent, a lack of regulations to business activity and impunity on the murder of the defenders of our land rights**.

Government institutions should be strengthened to effectively answer to the actual situation of indigenous peoples, women, children and youth. Also, States should raise awareness and build capacity among officials and decision-makers on our situation and rights, and strengthen their ability to engage with us in an intercultural dialogue based on a horizontal relation of mutual respect. It is equally important to strengthen indigenous organizations so that they can participate in an informed, effective and propositional way in decision-making spaces from the local to the international arena. It becomes necessary **to allocate resources to the development of political capacity-**

⁵ The work "Violence and Indigenous Women" (2013) by CHIRAPAQ, Center for Indigenous Cultures of Peru, and the Continental Network of Indigenous Women of the Americas (ECMIA) is available in English at <http://chirapaq.org.pe/en/violence-and-indigenous-women>

building programs that would promote understanding on how the structures of governments, parties and international human rights, with an emphasis on indigenous peoples' rights, work and to strengthen capacities for negotiation and public policy design. At the same time, internal processes that **allow greater political representation of indigenous women and youth in decision-making spaces within the communities should be promoted, especially in the prior consultation processes.**

Lastly, aiming at Target 16.9 that engages the States to give access to legal identity, we are deeply concerned about the **cases of state violence where babies are denied birth registration because they have been attended by indigenous midwives or when the public registration offices do not recognize names in indigenous languages.** Also, we are worried about the situation of indigenous elderly people that do not have identity documents and, therefore, do not have access to public services and social protection systems. In order to respond to these violations of the rights of indigenous peoples, we need to promote non-discriminatory policies and laws and also raise awareness among public officials that are in charge of implementing them.

Permanent Forum's recommendations on peace, justice and effective institutions

Due to the crosscutting nature of SDG16, near half of the Permanent Forum's recommendations are directly related to it. These recommendations include a series of topics regarding violence, armed conflicts, access to justice, political participation, among others. Some of the specific measures are creating indicators and methodologies for risk assessment and early warning mechanisms and the improvement of laws so that the perpetrators of war crimes are held accountable; creating monitoring mechanisms, and multisector and comprehensive approaches to combat violence against indigenous peoples, women and children; incorporating the rights of indigenous peoples in national and subnational strategies to combat gender-based violence; setting up emergency shelters for displaced indigenous women, refugees and migrant workers, as well as women and girls who are victims of human trafficking for prostitution. In addition, there are recommendations on giving access, especially to indigenous women, to legal procedures, so that they can benefit from available normative instruments; appointing qualified indigenous women to decision-making jobs in public administration; adopting a zero-tolerance approach on violence against human rights defenders; and effectively and fully including indigenous peoples and indigenous women in any initiative related to peace and reconciliation.

FINAL CONSIDERATIONS ON THE INCLUSION OF INDIGENOUS PEOPLES IN VOLUNTARY NATIONAL REVIEWS (VNRs)

In its 18th session, the Permanent Forum expressed concern on indigenous peoples not being included in the voluntary national reviews (VNRs) and, in general, on the lack of information regarding the achievement of the SDGs at the national level. In my role as independent expert member, I congratulate all of the 47 States who have taken responsibility and assumed the commitment to present their VNRs this year. However, at the same time, **I ask them to be true and honest and to have a self-critical and constructive view of the progress they show.**

First, States should report how indigenous peoples, women and youth, and their organizations have participated in the design and implementation of their national development plans and if, in order to prepare the VNRs, they have carried out representative consultations with indigenous organizations. Also, they should mention if the perspective of indigenous peoples, including critical points of view, have been taken into account for the final document.

Achieving the Sustainable Development Goals and seeking a joint solution is only possible if we build upon a transparent dialogue where difficulties, barriers and gaps are openly exposed. In that sense, States should not feel pushed to present specific actions as great progress towards the achievement of results, especially if said initiatives and experiences have not been recognized and validated as good practices by indigenous organizations and communities. Likewise, States should report on the measures they are taking to ensure the economic and political sustainability of the implementation of the 2030 Agenda so that an economic or political crisis would not mean setbacks.

Lastly, despite the great challenges of implementing the Sustainable Development Goals, **we still hope that States will show their commitment with indigenous peoples, women, children and youth, and speed up measures so that the 2030 Agenda goes beyond words and becomes real in our communities.** We want a development agenda that fully respects our individual and collective rights, recognizes the contribution of our knowledge, practices and innovations, and, from the principle of free, prior and informed consent, ensures our full participation in decision-making processes from the local level to spaces of international policy.