

The Nairobi Summit on ICPD+25: Accelerating the promise

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**INDIGENOUS PEOPLES, WOMEN, CHILDREN AND YOUTH
25 YEARS FROM CAIRO**

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The adoption of the Cairo Programme of Action 25 years ago was an important leap forward on **recognizing the individual and collective rights of indigenous peoples, women, children and youth in the international agenda regarding population and development** by committing States to acknowledge and support our identity, culture and interests and to allow our full participation in the economic, political and social life of our countries, especially in matters affecting our health, education and well-being¹. We highlight the objective "To ensure that indigenous people receive population- and development- related services that they deem socially, culturally and ecologically appropriate", as well as the measures related to eliminating human rights violations, improving demographic understanding, and protecting and restoring natural resources and ecosystems on which indigenous communities depend².

Since 1994, we have come to understand the complementarity and indivisibility of individual and collective rights in the indigenous women agenda and we have learned about our sexual and reproductive rights, and at the same time we have succeeded in gradually incorporating our rights, priorities and proposals as indigenous peoples and women in intergovernmental agendas, particularly within the United Nations system³. As a result from this process, in Latin America and the Caribbean, indigenous women were engaged in the process of the **Montevideo Consensus** (2013), which without a

¹ Principle 14 of the Programme of Action of the International Conference on Population and Development (1994).

² Measures 6.25, 6.26 y 6.27 of the ICPD Programme of Action (1994).

³ Within the United Nations system, we highlight the creation of the Permanent Forum on Indigenous Issues (2002), the adoption of the UN Declaration on the Rights of Indigenous Peoples (2007) and the Outcome Document of the World Conference on Indigenous Peoples (2014), as well as the resolutions of the Commission on the Status of Women specific to indigenous women: 49/7 "Indigenous women: beyond the ten-year review of the Beijing Declaration and Platform for Action" (2005) and 56/4 "Indigenous women: key actors in poverty and hunger eradication" (2012).

doubt is the most advanced and ambitious commitment in terms of population and development and should be used as reference by other regions of the world⁴.

Indigenous peoples, women, children and youth are increasingly aware that we are subjects of rights and social actors, instead of vulnerable groups and passive recipients of services, which also reflects in normative progress in the international arena. However, great barriers persist related to the lack of institutional capacity, specific budget allocations, disaggregated data available, accountability mechanisms and political will, as well as structural factors such as racism and patriarchy that prevent commitments made by States to materialize in real change that would improve our situation at the national and local levels. **We keep suffering from the worst forms of exclusion, inequality and violence in our ancestral territories and in the cities.**

Indeed, the Cairo Programme of Action is being implemented in an **adverse context** for indigenous peoples, women, children and youth defined by the expansion of extractive industries and agribusiness, the climate crisis, the pharmaceutical and food companies that make business and commercialize our health, the lack of regulation of business activities, the militarization of our territories, the lack of opportunities to get access to adequate education, capacity-building and jobs, the presence of fundamentalist and anti-rights groups, and the criminalization and murder of human rights and Mother Earth defenders. In this context, because we do not have the right conditions for our survival and comprehensive development, indigenous peoples are driven out of our territories and communities and we are forced to migrate to cities and abroad in the look for the right conditions to have a decent life.

It is important to remark that indigenous peoples that participated in the survey carried out previous to the Nairobi Summit perceive that their situation is still the same or has worsened since the adoption of the Programme of Action⁵.

Faced with this context and on the occasion of the Summit, we want to highlight a number of challenges and recommendations to promote the effective and adequate implementation of the Cairo Programme of Action:

1. The Programme of Action must be implemented **together with other instruments of development** such as the 2030 Agenda for Sustainable Development and the Beijing Platform for Action, in strict compliance with the instruments of rights such as the UN Declaration on the Rights of Indigenous Peoples, the ILO 169 Convention on indigenous and tribal peoples, the

⁴Chapter H of the Montevideo Consensus on Population and Development (2013) includes seven specific measures to indigenous peoples, and other relevant measures that engage governments on promoting and ensuring “gender mainstreaming and its intersection with perspectives on race, ethnicity, age, social class and disability status in all public policies” and promoting the articulation between the State and indigenous women organizations in order to ensure gender equality (Measure 50, chapter E). According to the operational guide for the implementation of the Programme of Action, the situation of indigenous peoples, “must be considered in a cross-cutting and comprehensive manner in all the measures established in the Consensus” (LC/L.4061(CRPD.2/3)/Rev.1).

⁵ UNFPA Survey “Amplifying Voices” for Global Summit on the 25th Anniversary of the International Conference on Population and Development (forthcoming).

Convention on Biological Diversity, the Convention on the Elimination of Racial Discrimination, the Convention on the Elimination of Discrimination against Women, and the recommendations of their Committees. In that sense, it is necessary to **review existing national laws, policies and programs and align them to international normative frameworks**, through the elimination of discriminatory regulations, and the mainstreaming of core approaches, such as gender equality, individual and collective rights, cultural relevance and the intercultural and intergenerational approach.

Likewise, we call upon States and the United Nations system to disseminate, implement and follow up on the recommendations of the United Nations Permanent Forum on Indigenous Issues, which include measures related to population and development. For instance, the Forum recommendations on reproductive and sexual health⁶ and gender-based violence suggest actions such as carrying out a legal review of the conventions on chemical products that affect the reproductive health of indigenous women, including indigenous knowledge and practice in healthcare services, providing culturally appropriate services to combat gender and sexual violence, adapting sexual education to each cultural context, acknowledging the role of indigenous midwives and formulating intercultural norms and indicators for quality service, among others.

2. Despite the progress made, it is imperative that efforts are doubled to provide disaggregated data and indicators by ethnic self-identification and indigenous people, age, sex, gender identity, disability, economic status and migratory situation. In that sense, **the full participation of indigenous peoples, women and youth must be considered in the design and contextualization of indicators and the collection and interpretation of data to ensure that they reflect the complexity of our societies** and, thus, foster the understanding of the situation of multiple actors, for instance, displaced indigenous women in marginal urban areas⁷. Finally, the use of this data to guide the design, implementation, follow-up and review of normative frameworks and public policies and programs must be ensured.
3. In many countries and even within the United Nations system **there are still great difficulties and opposition to the acknowledgement and respect of our right to self-determination**, the right to decide and develop our priorities and strategies for the exercise of our right to development, especially, the right to

⁶ According to the recommendation browser, Yanapaq.info, while the Permanent Forum has issued 1539 recommendations, only 37 of them are related to sexual and reproductive health.

⁷ The full understanding of the complex nature of internal and migration dynamics is particularly important for effective implementation of global commitment such as the Sustainable Development Goal 11 “Sustainable Cities and Communities”.

keep our health practices⁸. This is apparent, for instance, in the violation of our right to free, prior and informed consent and the lack of recognition and even the criminalization of our knowledge and practices related to health.

It is important to take into account that indigenous health is determined by the balance we have with our physical and spiritual environment, which means that it also extends to our individual space, our internal territory⁹. Our right to self-determination must be applied indistinctly to all the decisions that affect our lives: not only to those on mining concessions in our territories, but also on decisions related to our bodies, especially on our reproductive and sexual rights.

Regarding free, prior and informed consent¹⁰, attempts to waive previous consultation on matters of public services have been recently reported¹¹. On the other hand, the processes of consultation do not often ensure the timely access to advice and relevant information about the consulted measures and they are carried out only to inform the decisions already taken, not allowing indigenous peoples to have a meaningful influence on them. We think that **the best and only way to ensure that State laws, policies, programs and services respond to our realities and aspirations is through comprehensive, direct, informed, representative and effective participation in decision-making that affects our lives**. To do that, besides strengthening normative frameworks, it is necessary to create specific state institutions that have the proper budget to achieve a real impact, and to create awareness among government officers. It is also crucial **to support capacity-building and strengthening of our organizations, focusing on indigenous women and youth**. In a context of double or triple discrimination associated to racism, “machismo” and adult-centrism, indigenous women, especially young women, often face greater barriers for our voices to be heard and taken into account, while most of the negative impacts of those decisions usually affect us in particular.

At the same time, in order to make progress on the achievement of international commitments, such as the Cairo Programme of Action, respecting our right to self-determination and the preservation of our traditional practices, **States must acknowledge and support our own knowledge systems and practices related to health**, which turn out to be an effective and relevant solution to improve the well-being of our peoples in many cases, taking as an example the contribution of indigenous traditional midwifery to the reduction of maternal

⁸ Articles 3, 23 y 24 of the United Nations Declaration on the Rights of Indigenous Peoples.

⁹ ECMIA/CHIRAPAQ: POPULATION, DEVELOPMENT AND INDIGENOUS WOMEN: Perspective and Proposal 20 Years after the VI International Conference on Population and Development, Cairo+20 (2014).

¹⁰ Article 6 of the ILO 169 Convention on indigenous and tribal peoples and article 19 of the UNDRIP.

¹¹ <http://derechoshumanos.pe/2019/10/exoneracion-de-consulta-previa-de-los-servicios-publicos-vulnera-los-derechos-de-los-pueblos-indigenas/>

deaths¹² and unnecessary ci-sections. Actually, the Permanent Forum acknowledged the role of indigenous midwives in maternal and child health, called upon States to stop criminalizing them, recommended them to carry out necessary modifications in laws and regulations to legitimate the activity of those midwives acknowledged by their communities as healthcare providers, and to support capacity-building for novice indigenous midwives¹³. In that sense, complementary to all that, it is crucial to produce evidence on the contribution and validity of indigenous knowledge and practice, especially on health, in order to identify good practices and support public policies.

4. Taking into account the high levels of gender-based violence, including sexual violence, against indigenous women, youth and girls, especially in Latin America and the Caribbean, apart from collecting data on the specific causes and consequences that would contribute to give the issue a greater visibility, it is necessary to **identify culturally relevant good practices and effective measures on prevention, support, protection, reparations and healing from violence**. We acknowledge that there has been political will and good intentions and that, in the last few years, huge investment in State and multilateral programs have been made to eradicate gender-based violence. However, we do not have evidence of successful practices and experiences that have actually led to good results and contributed to solving the problem.

Even though significant progress is noticeable in terms of empowerment of women on rights, access of information, identification and visibility of the multiple forms of violences, as well as the increase in our ability to report, **barriers persist that prevent indigenous women, young women and girls from fully exercising our individual and collective rights to a life free from violence**. Access to justice is one of them.

Racism and discrimination in conjunction with “machismo” connect historical processes with the current situation and have to be considered as a whole, as analytical variables for the causes and consequences of the gender-based violence that we experiment. ¿How can we otherwise understand, for instance, sexual violence and human trafficking of indigenous girls and teenagers that take place or originate in indigenous territories as a consequence of conflict related to extractive industries, armed conflict and forced migration? ¿How about forced sterilization on indigenous women that remain unpunished until now?

Faced with a reality marked by high levels of child and teenage pregnancy, high rates of femicide and prevalence of harmful practices, it becomes imperative

¹² Target 1 of SDG 3, 2030 Agenda.

¹³ Recommendation 48 of the 5th Session, recommendations 50 and 51 of the 17th Session, and recommendations 43, 44 and 45 of the 18th Sessions of the UNPFII.

that States take innovative long-term measures that have adequate financing and are designed and implemented with the full participation of indigenous women and youth organizations. **There is a need for specific programs with a relevant scope that take into account our realities and specific contexts, and that begin from childhood, include men and use culture as a critical aiding tool** also to combat violence “in the name of tradition”.

Similarly, it is key to strengthen a network of indigenous lawyers with the ability to design, implement and support processes from the local to the international scene and that could help to regulate the way indigenous and conventional justice systems interact and complement each other in cases of gender-based violence against indigenous women, young women and girls.

5. Finally, to reduce the gap between new norms and their implementation at the national and local level, apart from having the political will to do so, States have to **allocate specific budget, build result indicators and establish follow-up and accountability mechanisms that are transparent, participative and accessible**. These must aim for compliance on commitments made, including those enshrined in instruments that are not legally binding, such as the Cairo Programme for Action and the recommendations of the Permanent Forum. In that sense, it is urgent to overcome political, sectoral, thematic and operational fragmentation within each State, as well as within the United Nations.

We want a population and development agenda that fully respects our individual and collective rights, acknowledges our knowledge, practices and innovation and ensures our full participation in decision-making at every level from the local scene to spaces of international policy.