

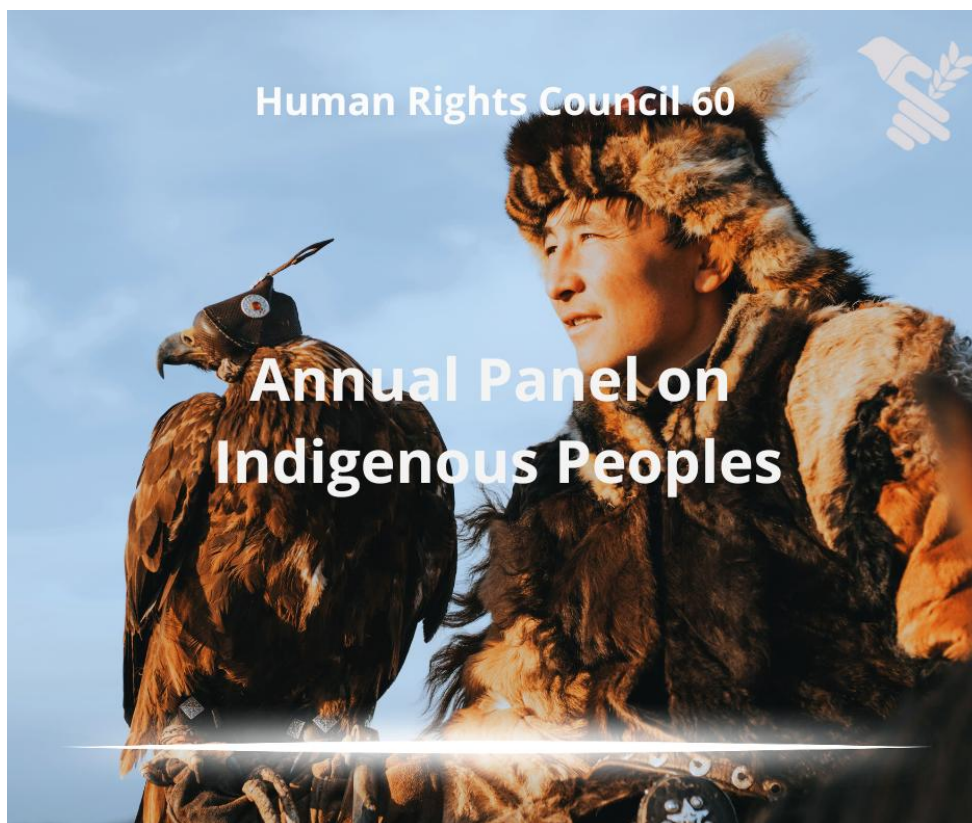


GENEVA CENTRE FOR HUMAN RIGHTS  
ADVANCEMENT AND GLOBAL DIALOGUE

## UNITED NATIONS HUMAN RIGHTS COUNCIL

### Annual Panel Discussion on the Rights of Indigenous Peoples

#HRC60 • 24 September 2025



## BACKGROUND

Pursuant to its resolution 18/8, the Human Rights Council decided to hold an annual half-day panel discussion on the rights of Indigenous peoples. In its resolution 57/15, the Council decided that the theme of the 2025 panel discussion would be ‘**the rights of Indigenous peoples in the context of a just transition to sustainable energy systems**, including in relation to critical minerals’. A just transition to sustainable energy systems is essential to meet the urgent challenges posed by the changing climate. However, it must be undertaken in a way that fully respects and protects human rights, including the rights of Indigenous peoples.

As the world increasingly shifts toward renewable energy and the extraction of critical minerals intensifies, **Indigenous peoples face mounting pressure** on their lands, territories and resources. This transition, if not guided by human rights obligations, risks deepening existing inequalities, marginalization and environmental injustices. This panel discussion is accessible to persons with disabilities through the provision of international sign interpretation and real-time captioning together with the other accessibility measures.



## OPENING REMARKS

### Ms. Nada AL-NASHIF, United Nations Deputy High Commissioner for Human Rights

This panel discussion on Indigenous peoples' rights in the context of a just energy transition is above all about opportunities. Opportunities to work together to ensure a fair and inclusive transition. Opportunities that, when paired with action based on human rights, can yield benefits across borders and generations. Indigenous peoples' knowledge, cultures, and practices have **enriched humanity for millennia**. Today, they can help us tackle humanity's most pressing crises. Indigenous peoples improve healthcare with traditional approaches, preserve biodiversity, lead reconciliation efforts, strengthen food security, and keep alive more than 4,000 languages.

Yet their **ancestral lands** are stolen and misused. Their languages and cultures are endangered, suppressed, or even criminalized. Many - especially women - often live in poverty and fear, deprived of education, healthcare, and justice. Violence against Indigenous rights defenders remains widespread. **Climate change** compounds these challenges. Indigenous peoples are already enduring the consequences of the unchecked extraction of fossil fuels. Now, they are at risk of further harm if they are sidelined during the transition to renewable energy. Although urgent and necessary, this transition cannot come at their expense. Instead, with more than half of critical minerals located on or near Indigenous territories, they should be at the centre of it. Ms. Nada AL-NASHIF illustrates three key areas of action that can help us **turn risks into opportunities**.

First, **human rights** must come before resources. In every extractive project and across the entire value chain, justice human rights must take precedence, with free, prior, and informed consent upheld, without exception. National policies must mandate human rights impact assessments, strict regulations, land protection, access to justice, and the meaningful participation of Indigenous peoples. Human rights defenders must be safe to raise concerns. Peoples in voluntary isolation must have their way of life respected. The UN Declaration on the Rights of Indigenous Peoples, the UN Guiding Principles on Business and Human Rights, and the recommendations of the UN Secretary-General's Panel on Critical Energy Transition Minerals all provide guardrails to ensure Indigenous peoples' rights.

OHCHR welcomes progress in Botswana, Colombia, Denmark, Finland, and Guatemala, among others. Governments are taking various steps to engage with Indigenous peoples - from recognizing their autonomy and protecting their lands to acknowledging past injustices. Australia, Canada, Chile, and New Zealand are embedding consultation and shared decision-making into energy projects. OHCHR advocates for a **rights-based transition**, supporting the participation of Indigenous peoples, building capacities through OHCHR's Indigenous Fellowship Programme, and working with Governments to design just energy transition policies.

Second, **Indigenous knowledge** can help restore balance between nature and people. From combatting deforestation in the Amazon and reducing wildfire risks in Australia to promoting renewable energy in the Arctic - Indigenous peoples have pioneered practices rooted in respect for nature and future generations. Indigenous women play a special role in preserving and transmitting this knowledge. International platforms such as the UN Climate, Biodiversity, and



Desertification Conferences and the Global Environment Facility have long supported the participation of Indigenous peoples and recognized their contributions.

Earlier this year, the Inter-American Court of Human Rights reaffirmed States' duty to respect Indigenous knowledge in protecting ecosystems. The UNHRC itself has a strong record of collaboration. OHCHR encourages all relevant stakeholders to follow these examples. OHCHR further calls for the upcoming **COP30 climate talks** in Brazil to pay due attention to the human rights dimension of a just transition, including through engagement with Indigenous peoples.

Third, **partnerships** are the way forward. Collective action is power. 'We must not only draw the path together - we must walk it together. We must actively seek partnerships between Indigenous peoples, Governments, business, civil society, and financial institutions. We must develop standards for benefit-sharing that are fair, concrete, and backed by robust monitoring.' Indigenous peoples must also share in the benefits of transition. This vision is already materializing in Canada, Colombia, New Zealand, and beyond. **Co-ownership and co-development models** are bringing gains that span across many areas.

The Deputy High Commissioner calls on States to establish open communication channels with Indigenous peoples. OHCHR further calls on corporations to put people and planet before profit. The Office stands ready to help facilitate this dialogue, as it was done recently in Asia-Pacific, where **OHCHR's Human Rights Dialogue on Climate and Just Transition** brought together human rights defenders, Indigenous peoples, UN representatives, regional organizations, and civil society.

A truly sustainable future can never be built on inequality. We cannot tackle the **triple planetary crisis** without Indigenous peoples. Now is the time to think and act long term, in collective self-interest, to consider diverse perspectives, and to meaningfully include Indigenous peoples when seeking solutions. 'By prioritizing Indigenous rights, harnessing their knowledge, and building partnerships, we can make the energy transition a just one. The opportunity is before us. We just have to seize it.'

### PANELLISTS

**Ms. Joenia WAPICHANA, President, National Indigenous Peoples Foundation of Brazil (FUNAI)**

The **Indigenous population of Brazil is around 1,700,000**, according to the 2022 IBGE Demographic Census. At least 51% are Indigenous women, and 56% are under the age of 30, which means that the majority of the population is composed of youth, children, and women. 51% live in the Brazilian Amazon, belong to 305 peoples, and speak more than 270 languages. These peoples occupy approximately 13.8% of the national territory, distributed across more than 730 Indigenous lands, present in all biomes. Many Indigenous lands are still awaiting the conclusion of the demarcation process. These data, in addition to showing ethnocultural diversity, highlight the need for a specific policy that considers geographic, linguistic, age, and gender challenges. Ms. Joenia WAPICHANA positively notes that, in recent years, there have been important **signs of strengthening Indigenous policy in Brazil**, such as:



- The reactivation of the National Council for Indigenous Policy as a space for Indigenous peoples to deliberate on the formulation and implementation of public policies regarding their rights.
- The reinstatement of the Steering Committee of the National Policy for Territorial and Environmental Management of Indigenous Lands (PNGATI), which had been paralyzed since 2018. This committee is the governance body of the PNGATI. This policy seeks to guarantee, promote, and ensure the protection, recovery, conservation, and sustainable use of natural resources in Indigenous lands and territories, while promoting sociocultural autonomy and the well-being of these communities.
- The participation of Indigenous leaders in high-level administrative management positions (Ministry of Indigenous Peoples – Sonia Guajajara; Funai – Joenia Wapichana; Sesai – Weibe Tapeba).

From this Indigenous leadership, there are already tangible positive results:

- The restructuring and institutional strengthening of the National Foundation of Indigenous Peoples (Funai), reinforcing its role in the defence and promotion of Indigenous rights.
- Progress in the demarcation of Indigenous Lands, with new administrative processes and recent homologations carried out by President Luiz Inácio Lula da Silva, in accordance with the Federal Constitution of 1988. Eleven lands have been declared and 16 demarcations homologated.
- The actions of ‘desintrusion’ (removal of invaders) in Indigenous lands gravely affected by illegal mining, with the expulsion of thousands of miners from the Yanomami Indigenous land — an operation that has saved lives amid the serious humanitarian crisis generated by invasion and mercury contamination. Similar processes are underway in territories such as those of the Munduruku and Kayapó peoples.

These achievements, although significant, still coexist **with threats of legislative changes and economic pressures** against Indigenous Lands that seek to relativize fundamental rights already enshrined for Indigenous peoples. If we do not continue acting, pressure may intensify, increasing conflicts and putting Indigenous peoples at risk, especially in areas with isolated groups and fronts of economic expansion. Brazil currently recognizes 114 records of isolated Indigenous peoples, 28 of them confirmed, the majority in the Amazon. Each improper advance of roads, logging fronts, mining, or land grabbing can mean the collapse of entire groups. **Protection policies** - monitoring, expeditions, restriction areas, and constant state presence - are not optional; they are a constitutional and humanitarian duty.

For Indigenous peoples, the relationship with the land and forest is inseparable. It is not only material, but spiritual, cultural, and intergenerational. The territory is sacred. Furthermore, it remains the central point of rights, and measures for the demarcation and protection of lands must be considered priorities not only for safeguarding Indigenous rights, but also as a strategy for biodiversity conservation and addressing the climate crisis. Therefore, it is of utmost importance to consider Indigenous peoples not merely as **guardians of the global climate**, but as rights-holders who must be part of decision-making processes, beneficiaries of fair and equitable benefit-sharing, and included in global policies.



The relationship of UN member states must be one of respect in building a just transition to sustainable energy systems, which bring opportunities but also substantial challenges. The benefits and costs of this transition must be equitably distributed, leaving no peoples or communities behind. The **exploitation of mineral and water resources** is not regulated in Brazil, but it is the subject of serious concerns for Indigenous peoples. First, because Brazil is a signatory to ILO Convention No. 169, which guarantees the right to free, prior, and informed consent. That is, before any administrative or legislative measure, the Convention must be applied. Many peoples already have their own consultation protocols, to show the correct way to be heard by the Government, companies, or non-Indigenous third parties.

However, given the ethnic, geographic, and linguistic diversity, many still do not have their **community protocols**. These Indigenous measures serve as preventive mechanisms to balance the inequality of representation in decision-making spaces. Mining, at all scales, large and small, is often linked to human rights abuses, environmental degradation, and conflicts. In 2023, President Lula decreed an emergency crisis for the situation of the Yanomami Indigenous Land. To this day, considerable efforts are being deployed to address the impacts that illegal mining has left there. A great challenge lies ahead - the growing global demand for rare minerals to be used in the energy transition to build renewable energy technologies necessary to achieve the goals of the Paris Agreement. However, if not managed responsibly, this could trigger or exacerbate violations and abuses of human rights, conflicts, violence, and damage to communities and individuals along the value chain.

In this regard, Ms. Joenia WAPICHANA highlights the role of **Indigenous Land demarcations** as a measure to protect the human rights of peoples and to ensure global climate balance. The regularization of these territories requires investments so that the peoples can exercise ownership and usufruct of their natural resources. Safeguarding human rights is therefore vital to ensure a just, equitable, and people-centered energy transition, with special attention to the protection of the rights of children, youth, women, workers, and local communities, and to recognizing the importance of a **clean, healthy, and sustainable environment** for the enjoyment of all human rights.

Indigenous peoples do not want to be merely providers of raw materials, as in the past. The challenge is to have safeguards respected and implemented with the participation of Indigenous peoples, especially land demarcation and protection rights as pillars. Investment is needed to guarantee that universal human rights are protected. Furthermore, Indigenous peoples must be included in development plans. Scientific evidence is clear on the **contributions of Indigenous peoples to socio-biodiversity**:

- Indigenous territories cover about 27.5% of the Amazon and act as effective barriers against deforestation and fire.
- Comparative studies show that lands under Indigenous management harbour biodiversity equivalent to or greater than that of fully protected areas and concentrate more threatened species.
- International studies, such as FAO and FILAC (2021), show that where territorial rights are recognized, deforestation rates are significantly lower and carbon stocks remain stable.





- The IPCC recognizes that Indigenous knowledge is essential for climate mitigation and adaptation policies.
- Public health data confirm that protecting Indigenous Lands prevents millions of cases of respiratory diseases caused by burning.

Ensuring Indigenous lands for their peoples also requires to implement **climate policies based on scientific evidence**. The demarcation and protection of Indigenous lands are a constitutional duty and the most effective way to curb deforestation. Proposals for setbacks threaten territorial rights and represent a form of violence against Indigenous peoples and forests, threatening Brazil's global climate commitments. The Federal Constitution of 1988, in Article 231, §3, provides that mining in Indigenous lands can only occur with authorization from the National Congress, following consultation with the affected peoples and ensuring their participation in the results of the exploitation.

In practice, however, this right has been constantly disrespected. The advance of **illegal mining** has already caused devastating impacts. Among the Yanomami, mercury use has contaminated rivers, fish, and people, being found in the blood of entire communities, with serious health consequences. The Mundurucu have suffered for decades from the invasion of miners and the destruction of their rivers. The Kayapó face accelerated deforestation, violence, and contamination of their waters. These examples show that mining without safeguards destroys lives, cultures, and compromises humanity's common future. The world recognizes the urgency of transitioning to sustainable energy systems.

But this transition cannot repeat **historical injustices**. The demand for critical minerals (lithium, cobalt, nickel) falls disproportionately on Indigenous territories. Projects move forward without consultation and without fair benefit-sharing, causing displacement, disease, and environmental degradation in various parts of the world. If not guided by human rights, the energy transition may deepen inequalities and aggravate environmental injustices. Indigenous peoples offer pathways, such as community solar energy projects in remote areas; traditional knowledge that inspires low-impact and resilient solutions; and the leadership of Indigenous women, who preserve and transmit essential technical and spiritual knowledge for sustainability.

These practices demonstrate that there is **no just transition without effective Indigenous participation**. Ms. Joenia WAPICHANA highlights four priorities which shall guide any discussion on the rights of Indigenous peoples in the context of a just transition to sustainable energy systems, including in relation to critical minerals:

- Create binding policies that guarantee Free, Prior and Informed Consent in all projects.
- Adopt new safeguards and accountability mechanisms, ensuring fair benefit-sharing.
- Assess the impacts of the energy transition, ensuring rights throughout the value chain of mining and renewable energy.
- Value positive partnerships between Indigenous peoples and renewable energy developers.

The energy transition is urgent and necessary. But it cannot take place at the cost of rights violations, cultural destruction, and the illness of the peoples who have protected the Earth for centuries. For a fair and sustainable climate future, we must **recognize and support Indigenous**



**peoples as protagonists of this transition**, respecting their self-determination and ensuring their original rights. Brazil is working to ensure that Indigenous peoples are guaranteed climate justice, not only in statements for COP30, but also through concrete actions already being developed across the country by the federal government.

**Mr. Shankar LIMBU, Secretary, Lawyers' Association for Human Rights of Nepalese Indigenous Peoples and Representative, Indigenous Peoples' Rights International (IPRI)**

Mr. Shankar LIMBU was on a mission to observe a conflict between a community and a hydropower company in a isolated rural village threatened by floods on one side, massive landslides on the other, and ongoing landslide activity nearby, all triggered by the reckless construction of a so-called clean energy project. Why would anyone willingly endure such trauma, facing '**green colonialism**' in the name of a just transition? He spent one night in such conditions in the Yakthung village. For community members, this is their daily reality. They have nowhere else to go to escape this life-threatening situation.

As a practicing lawyer, he raises serious doubts about labelling hydropower projects as 'clean energy' in the context of justice and equity, and just transition in Nepal. **Gross human rights violations are all justified in the name of development**. Most hydropower projects are located on Indigenous peoples' territories, seem serving as both means and ends of colonization. Nepal's so-called just transition continues to undermine Indigenous peoples' sovereignty, self-determination, autonomy, and customary self-governance, while grabbing Indigenous lands, territories, and resources without their free, prior, and informed consent. Is this justice? Absolutely not.

Is there any space for justice when Indigenous peoples are forced to live at gunpoint? How can Indigenous communities survive when hydropower projects destroy their sacred mountains, rivers, forests, heritage, and entire civilizations? When communities raise the concerns, no one listens. When Indigenous peoples protest, they are criminalized, charged with offenses like 'criminal mischief' under Criminal Code Act 2017. Right now, nine Yakthung (Limbu) **youths are facing trial** in the District Court of Taplejung for organizing a peaceful protest to protect their sacred sites and collective rights at the Upper Tamor Hydro Project. The legal process is so costly that, sooner or later, they may be compelled to sell their land just to pay for their defence.

There has been some progress. In the case of **Dutta Sing Basnet vs. Government of Nepal**, et al. (074-WO-1031), the Supreme Court issued a Mandamus requiring the Government to implement UNDRIP, ILO Convention No.169, the Guiding Principles on Business and Human Rights, and the Declaration on the Right to Development. The **Supreme Court has interpreted free, prior and informed consent (FPIC)**, in line with UNDRIP, as legally binding for development projects, including so-called clean energy projects. Yet, it took seven years to reach this decision, and the environmental damage and injustices were never fully addressed. In such situation, the Indigenous justice system becomes more effective than the state system, offering a broader space for peaceful, just solutions and the real implementation of FPIC.

The **hydro projects** intensify the risk of violent confrontation between Indigenous peoples, government authorities, security forces, and business enterprises. Moreover, the influx of external actors and militarization around project sites often brings intimidation, surveillance, and



criminalization of Indigenous leaders and human rights defenders. Promises of benefit-sharing and local development are rarely fulfilled, leaving communities marginalized and excluded from decision-making processes that directly affect their futures. In many cases, these so-called 'green projects' replicate patterns of colonialism and exploitation, **prioritizing profit and national interests over the rights**, well-being, and survival of Indigenous peoples. They also a deepening of historical injustices and inequalities. International investment banks and development partners often support these harmful projects, ignoring Indigenous rights. As a result, there are almost no examples of successful partnerships between Indigenous peoples and renewable energy developers.

The path forward shall be moving **from principles to practice**. Mr. Shankar LIMBU presents some recommendations are deeply informed by, and firmly aligned with, the principles and outcomes of the International Summit of Indigenous Peoples and Just Transitions. The Summit brought together Indigenous leaders and communities from around the world to articulate a shared vision for a just transition - one that centres **Indigenous rights, knowledge, and leadership**. By grounding actions in these recommendations, we can move from principles to practice and ensure that the just transition is truly just for Indigenous peoples and for all.

- In the context of just transition, royalties from hydropower projects and climate funds are often misused by governments, leaving affected Indigenous Peoples excluded. There is a need to design separate mechanisms for royalties and benefit-sharing that directly reach Indigenous communities.
- Given the frequent involvement of police and armed forces in protecting hydropower projects, regular human rights audits of these security forces should be conducted. Restrictions on participation in UN Peacekeeping forces may be considered for countries violating Indigenous rights.
- UN agencies should carry out annual FPIC audits and provide recommendations to governments.
- UN relevant agencies should provide regular training to judges and lawyers to ensure recognition and respect for Indigenous Peoples' rights, including FPIC and land rights.
- Compliance by state actors should be motivated by genuine respect for rights, not fear. FPIC audits by OHCHR can help foster a culture of hope and accountability.
- UN agencies should regularly organize academic conferences on key themes such as FPIC, self-determination, and customary self-government systems to create an enabling environment for the meaningful implementation of rights enshrined in UNDRIP.
- It is essential to recognize Indigenous justice systems and stewardship, governed by customary traditions, practices, and laws, to combat climate disasters, ensure a just transition, and promote equity.

In closing, Mr. Shankar LIMBU proposes clear and actionable **measures to safeguard Indigenous peoples' rights** within the context of a just transition.

- Ensure rights to self-determination, autonomy, customary self-rule, FPIC, custodianship of lands, territories, and resources, and other rights in constitutions, laws, policies, plans, and programs at all levels.





- Ensure direct representation and participation of Indigenous peoples, including Indigenous women, in the formulation of policies, plans, programs, strategies, projects, budgets, research, monitoring, and evaluation of just transition initiatives.
- Promote solar and wind renewable energy projects that fully comply with UNDRIP.
- Return lands to Indigenous peoples that were taken by the government without obtaining FPIC.
- Establish mandatory FPIC protocols and mechanisms for all projects related to just transition, including those funded by international development partners.

**Ms. Sara OLSVIG, Chair, Inuit Circumpolar Council (2022-2026) and Member, UN Secretary-General's Panel on Critical Energy Transition Minerals (2024)**

The international community stands before a challenge that no country, no nation or people can solve alone. Climate change has resulted in **damages to our Earth and our human rights**, that will be difficult to reverse. Indigenous peoples are disproportionately affected by an intersection of pressures, of which climate change is just one. The human rights of Indigenous peoples, as enshrined in the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), must therefore be front and centre in any mitigation or adaptation measure.

Indigenous peoples hold knowledge, worldviews or *cosmovisions*, and approaches to solving some of these pressures and challenges. Last year, Indigenous peoples from all seven socio-cultural regions gathered for a summit, issuing the '**Indigenous Peoples Principles and Protocols for Just Transition**'. These important Protocols address some of the historic and continuing injustices and inequities resource extraction bring. As stated in the Protocols, the right of self-determination is the prerequisite for the enjoyment of all other rights, including the right to give free, prior and informed consent prior to the approval of any project.

The extractive industries bear with them an infamous track record of human rights violations. Exploration, mapping of resources, lands and territories, reporting back to colonial powers, arriving on Indigenous peoples' lands, extracting minerals, oil, gas - most often without the free, prior and informed consent of Indigenous peoples. The current system continues to contain systemic inequities. It fails to uphold the rights of Indigenous peoples to ensure benefit sharing, and full and effective participation. It often leaves environmental disasters in the hands of the peoples of the land. The history and the system are well known. More than half of the known deposits of so-called **critical energy transition minerals are on or near the lands of Indigenous peoples**. Therefore, we must be careful in choices of words and approaches. Justice – justice for whom? Transition – to and from what? So-called 'green' energy – that requires black extraction?

Last year, Ms. Sara OLSVIG served as one of two Indigenous members of the UN Secretary-General's Panel on Critical Energy Transition Minerals, delegated by the UN Permanent Forum on Indigenous Issues. The panel was fast-working, and included a diversity of members from producer states, industry, and NGOs. The panel's report include as a first principle, **that human rights must be at the core of all mineral value chains**. To implement this principle and the other principles agreed upon, a shift in paradigm is needed across the extractive and energy industries. We must ensure global standards for transparency, accountability and anti-corruption that specifically address the rights of Indigenous peoples. It can only be done through multilateral and

international collaboration. Extractive industries operate on a global scale and all value chains must be addressed and underpinned by good governance globally. This requires to change decision-making processes to fully uphold the rights of Indigenous peoples, and to implement the right of self-determination in benefit sharing, investment, finance and trade. It also requires to increase circularity and reuse of materials.

The panel put forward actionable recommendations to establish a High-Level Expert Advisory Group to accelerate implementation of the principles, a **global traceability, transparency and accountability framework**, as well as a Global Mining Legacy Fund. Ms. Sara OLSVIG calls on the UN to ensure that Indigenous peoples take direct full and effective part in establishing these initiatives. Failing to address, redress and repair the continued violations of the rights of Indigenous peoples from extractive industries will reproduce the systemic injustices. It is urgent to initiate a global and UN led process to further qualify and strengthen the focus specific to Indigenous peoples in addressing exactly a ‘just transition to sustainable energy systems, including in relation to critical minerals’.

Numbers from UNCTAD are clear. As the need for **minerals critical to energy supplies** in the shift away from fossil fuels will increase, a focus on justice in this process as put forward by the UN Secretary-General is both correct and urgent. The obligation to obtain the free, prior and informed consent of Indigenous peoples is an obligation that all states, regional and local governments, and businesses must uphold. This is a right underpinning self-determination. How to implement the right of free, prior and informed consent of Indigenous peoples is unclear to many - and we must work collaboratively to further qualify how the rights of Indigenous peoples are implemented across all chains of extractive industries, trade and benefit sharing.

The actionable recommendations of the UNSG Panel include establishing equitable targets and timelines for the implementation of material efficiency and circularity approaches across the entire life cycle of critical energy transition minerals, as well as initiatives to empower artisanal and small-scale miners to steward the environment and human rights. Indigenous peoples around the world are already stewards of both the environment and human rights, and hold invaluable knowledge that must inform these processes. Implementing these actionable recommendations must therefore happen **with Indigenous peoples at the table**.

In conclusion, Ms. Sara OLSVIG highlights **traceability and accountability** as necessary measures to improve and underpin sustainability. Indigenous from Belize must know, where the components for solar panels they buy for their community are produced - by whom and with minerals extracted where. Were the rights of other Indigenous peoples violated in the chain of production of these panels? Sara’s own community in Kalaallit Nunaat (Greenland) must be sure that components for the hydropower plants are gathered from materials that emerged by fully upholding the rights of Indigenous peoples of the land they stem from.

Finally, Ms. Sara OLSVIG addresses the continued violations of the rights of Indigenous peoples, as certain project are repeating history - imposed in the name of ‘a greater good’. The Fosen case of the wind farm established without the free, prior and informed consent of Sámi in Norway is one example. **Sámi won the case before the Supreme Court**, and it is established that article 27 ICCPR was violated. Human rights instruments are clear, but the systems and decision-



making procedures continue to fail the individual and collective rights of Indigenous peoples. Ms. Sara OLSVIG invites all stakeholders to learn and act from history and current cases in reversing the injustices, and urges the adoption of globally agreed upon systems that put the rights of Indigenous peoples first.

**Ms. Anexa Alfred CUNNINGHAM, Chair, Expert Mechanism on the Rights of Indigenous Peoples (EMRIP)**

The global shift towards renewable energy is urgent and necessary to tackle the climate crisis and promote sustainable development. However, the supply of minerals critical to the energy transition, such as lithium, cobalt and rare earth elements, raises profound human rights concerns, particularly for Indigenous peoples. These minerals are essential for technologies such as batteries, wind turbines and solar panels, but their extraction often takes place on or near Indigenous lands. Historically, mining and resource extraction have been associated with serious human rights violations, such as forced displacement, environmental degradation and the denial of basic rights. These harms often stem from the failure to recognise and respect the rights of Indigenous peoples as enshrined in the UN Declaration on the Rights of Indigenous Peoples.

It should be noted that a **significant portion of the world's untapped mineral reserves** needed for the energy transition are located in Indigenous territories. The International Renewable Energy Agency has estimated that approximately 54% of these reserves are located in such territories. Despite this, Indigenous peoples are often excluded from decision-making processes regarding the use of their lands, territories and natural resources. This disconnect between the location of resources and their control has contributed to ongoing violations of Indigenous peoples' rights. Articles 25 to 30 of the Declaration affirm Indigenous Peoples' rights to their lands, territories and resources, as well as to the conservation and protection of the environment. These rights are not peripheral, but fundamental to the realisation of a just transition.

Furthermore, the **protection of biodiversity and cultural diversity** must be a priority throughout the energy transition value chain. Indigenous peoples are guardians of biodiversity and their contributions to environmental sustainability are irreplaceable. Their knowledge systems, practices and governance structures must be respected and integrated into all stages of energy transition planning and implementation. States have a duty to ensure that all actors involved in the energy transition, including private sector entities and financial institutions, respect the recognition and protection of Indigenous peoples. This obligation applies regardless of whether Indigenous peoples have been formally recognised in national laws or policies. The rights affirmed in the Declaration are universal and must be respected in all contexts.

The Expert Mechanism on the Rights of Indigenous Peoples, in its 2018 study on free, prior and informed consent (FPIC), recommended that **consent agreements** include detailed information on the project, its duration and its potential impacts on the lands, livelihoods, cultures and environment of Indigenous peoples. These agreements should also include provisions for mitigation, assessment and compensation for damage; mechanisms for dispute resolution; benefit-sharing agreements; and a clear timeline for results. Importantly, the process leading to consent must be transparent, inclusive and culturally appropriate.



When projects are implemented in accordance with Indigenous peoples' rights to self-determination and free, prior and informed consent, they can lead to positive outcomes. **Fair and equitable benefit-sharing agreements** must be established to ensure that Indigenous peoples receive a significant share of the benefits and resources extracted from their territories. These agreements must be negotiated in good faith and reflect their priorities and aspirations. Furthermore, mechanisms for redressing grievances must be established to address harm and ensure accountability. Transparent impact assessments must be carried out prior to any industrial activity on Indigenous lands, with the aim of avoiding, minimising, mitigating and compensating for adverse impacts. These assessments must be participatory and reflect Indigenous knowledge and perspectives.

In conclusion, the procurement of critical materials for the energy transition towards a just and sustainable future must not be at the expense of the rights of Indigenous peoples. A just and equitable approach requires full respect for their right to self-determination and the integration of free, prior and informed consent at all stages of decision-making. The energy transition must be inclusive, rights-based and grounded in the principles of justice and sustainability.

#### REPLIES AND CONCLUDING REMARKS

**Ms. Anexa Alfred-CUNNINGHAM, Chair of the EMRIP**, emphasizes it is essential to recognize the central role of Indigenous women and girls on the path towards a just energy transition. The latter will only be possible if their full and effective participation is guaranteed, and there will be space for their voices to guide decisions about critical materials and the sustainable systems of the future. Turning to **good practices in Canada**, the Talha Nation in northern British Columbia and western Canada developed its own protocol for free, prior, and informed consultation for mining on its territory, including young women and elders in the process. The nation subsequently signed binding agreements with the government on how mining will be carried out on its territory. They accept mining, but only when their rights are recognized and respected. A second case filed in 2025 before the Canadian *Kebaowek* First Nation Court regarding Canadian nuclear laboratories was ordered by federal judges to require Indigenous peoples and companies to resume negotiations to achieve free, prior, and informed consent. Indigenous peoples must develop their own protocol and meaningfully include young women and elders, so this has been a very good practice to build upon.

To conclude, the EMRIP reiterates that full respect for the rights of Indigenous peoples must be a guiding principle in all activities related to natural resource extraction and the energy transition. The UNDRIP offers a **clear and robust normative framework** that must be fully recognized and effectively implemented. Self-determination, identity, the right to territory, and the right to participate in decisions that affect them are not aspirations but fundamental rights that must be guaranteed by states and respected by all actors involved, including the private sector. The EMRIP has clearly stated that a just energy transition cannot be achieved without the active participation and free, prior, and informed consent of all Indigenous peoples. This **transition must be inclusive, equitable, and respectful of development models**, traditional knowledge, and ways of life. The EMRIP urges all states, businesses, and international organizations to responsibly assume this commitment, recognizing that climate and environmental justice cannot be separated from social justice and human rights. Only in this way can we move toward a truly



sustainable future in which the rights of Indigenous peoples are not only recognized but also actively protected and promoted.

**Ms. Sara OLSVIG** recalls CEDAW General Recommendation No. 39, which includes important recommendations specific to the rights of Indigenous women and girls also in terms of extractive industries. She further highlights that in many Indigenous peoples' communities, women are taking leadership and are taking also some of the Western scientific education applications to address extractive industries. In Denmark, the first mining engineer was an Indigenous woman. We must continue to address inequities and systemic discrimination of Indigenous women across different industries, especially in the extractive industries.

Turning to some examples, in Canada and also in Greenland, there are arrangements for **impact benefit agreements** in Canada specific to Indigenous peoples, Inuit impact benefit agreements. In Bangladesh, these agreements are trilateral agreements between the community through the municipal council, the government, and the business in the specific case of a possible extractive industry. These impact benefit agreements present some lacks in terms of follow-up and mechanisms to ensure that the benefits agreed upon are actually implemented. In addition to environmental impact assessments, **social impact assessments** are extremely important and shall be introduced.

Urging to end the **conflation of Indigenous peoples with local communities**, she stresses that when it comes to extractive industries, Indigenous peoples are the ones who must take the decisions through free, prior, and informed consent or by exercising the right of self-determination to simply say no to a project, that is the core. It cannot be replaced by another local government that is not Indigenous and that needs to be implemented, especially in the extractive industries. The right to say no is a good example to look at. There are projects where Indigenous peoples have said no and that is a very fundamental issue when it comes to extractive industries. Lastly, Ms. Sara OLSVIG highlights the geopolitical tensions that today are putting extra pressure on those Indigenous peoples whose land hold the minerals.

**Mr. Shankar LIMBU** highlights one of the most important challenges - Government stays in the capital, while Indigenous peoples are staying in the rural area. Government does not go to the communities, and Indigenous peoples not always have the ways and means to come to the capital. But most of the decisions are taken in the capital – that's the problem. Every decision that affects Indigenous peoples has to be discussed in the community. On inclusive participation in the decision-making, the **Indigenous women** should be recognized legally in every decision-making policy and in practice as well. In addition, extractive industries and hydro projects are funded by **international financial institutions**. They do have a safeguard policy, but it is not being implemented. But they have a leverage, as they can help the Government ensure that Indigenous peoples' rights that are duly respected, and that UNDRIP and ILO Convention No. 169 are implemented. Lastly, Indigenous Peoples have their own justice system, their own decision-making process and own decision-making institution. This has to be recognized.

**Ms. Joenia WAPICHANA** recalls that if we want to guarantee the existence and well-being of Indigenous peoples, it is vital to protect their lands and support their rights. Strategies should be developed for Indigenous rights and policies, focusing on the demarcation and protection of





Indigenous territories. This includes supporting the development and implementation of Indigenous Environmental and Territorial Management Plans and enhancing the participation of Indigenous women in these processes. Furthermore, it is crucial to guarantee free, prior, and informed consent (FPIC) for Indigenous communities, allowing them to engage actively in discussions at the United Nations and other forums. **Full and effective participation** in these discussions is essential. In Brazil, while there are minimal regulatory activities currently, the historical context reveals violence and abuse against Indigenous peoples. Future regulations may be hindered by the national constitution, necessitating preparation for advocacy and presence in future debates. Empowering Indigenous peoples, particularly women, is a priority, as they possess unique insights and capacities crucial for leading these initiatives. Overall, it is important to learn from the colonial past to prevent the repetition of such injustices, ensuring that Indigenous voices are amplified and their rights are respected in policy-making processes that impact their lives and communities.

## INTERACTIVE DIALOGUE

### **Regional and Cross-Regional Groups**

The **European Union** stresses that bold decisions and changes to the global economy are needed to mitigate and adapt to climate change. The EU is at the forefront of the needed green transition. For the transition to be sustainable, it needs to be just and inclusive, undertaken in a way that fully respects and protects human rights, including the rights of Indigenous peoples, as set out in UNDRIP and international human rights law. Here particular attention must be paid to all women and girls, who are often subject to multiple and intersecting forms of discrimination. The EU is acutely aware of the risks of human rights abuses, including in extractive industries. That is why the EU's Critical Raw Materials Act pays particular attention to labour rights, human rights and environmental protection. For the selection of Strategic Projects under the Critical Raw Material Act, the EU takes into account compliance with human rights set out in international instruments, guidelines and principles, including UNDRIP. This is particularly important as mining projects are often near or on Indigenous peoples' land. The reports on the number of environmental and land human rights defenders (HRDs) that are killed every year are abhorrent. Many of those killed were defending Indigenous peoples' rights. The increased demand from environmental and land HRDs for support through the EU-funded Human Rights Defenders mechanism *ProtectDefenders*, which reflects a growing threat. In closing, the EU asks the panellists to share best practices of mining projects that did comply with human rights including the rights of Indigenous peoples in line with UNDRIP.

**Finland on behalf of the Nordic-Baltic countries<sup>1</sup>** extends the group's sincere thanks to all panellists for their insightful presentations, and stresses that discussing just transition in the context of Indigenous peoples could not be more topical, nor important. Climate change, biodiversity loss, food security as well as the increasing global need for critical minerals force us to find joint, just and sustainable solutions for these questions. This work cannot and should not happen without the vast knowledge, expertise and leadership of Indigenous peoples - in all corners of the globe - who have lived in close connection with land and waters for thousands of

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<sup>1</sup> Denmark, Estonia, Finland, Iceland, Latvia, Lithuania, Norway, and Sweden.

years. The Nordic-Baltic countries also emphasize the need to include a gender perspective in all environment and energy related actions. Indigenous women must be at the tables when decisions on their rights and futures are being made. In this regard, the Nordic-Baltic countries would appreciate the panellists' guidance on action to increase meaningful participation of Indigenous women in matters under discussion today.

### **State Delegations**

**Armenia** has been among the countries supporting UN Declaration on the Rights of Indigenous Peoples and remains committed to its principles. Armenia underlines the vital link between Indigenous Knowledge and biodiversity conservation. Indigenous peoples are stewards of ecosystems reaching biological and cultural diversity. Digital tools can support the mapping and protection of Traditional Knowledge, strengthen environmental monitoring and facilitate partnerships in addressing climate change and biodiversity laws. Armenia reiterates its support for the full realization of the rights of Indigenous peoples and encourages continued dialogue on harnessing technology in ways that centres Indigenous agency, safeguards cultural identity and promotes justice and inclusion for Indigenous peoples.

**Bolivia** agrees that the development of a just transition towards sustainable energy systems can represent progress in the fight against climate change, but that transition must be carried out with a human rights approach and sustainable financing, strengthening cooperation and the transfer of knowledge and technology. The high demand for critical minerals, including the geopolitical interests that underlie them, affects the entire value chain of extraction projects, altering ways of life within the territories where these minerals are found. Bolivia has natural resources for the development of renewable energies and reaffirms its commitment to the rights of Indigenous peoples and Mother Earth, which paves the way for overcoming the historical and current challenges posed by extractivism and the use of fossil fuels. Bolivia looks forward to the panel's report, which it believes will guide the strengthening of Bolivia's legislative frameworks and the development of policies aimed at effective mechanisms for free, prior and informed consultation that respect and promote the rights of Indigenous peoples and Mother Earth.

**Cameroon** recognises the importance of a just and inclusive transition that fully respects the rights of Indigenous peoples and guarantees their free, prior and informed consent to projects that may affect their lands and resources. On this premise, Cameroon is committed to reconciling the development of its natural resources with the protection of the communities concerned, ensuring that they benefit equitably from the dividends of development. At the national level, the Government has strengthened the role of the Intersectoral Committee for Monitoring Programmes in favour of Vulnerable Indigenous Peoples (CISPAV). At its 13th session in July 2025, the theme 'Indigenous peoples and artificial intelligence: defending rights, shaping the future' provided an opportunity to integrate issues related to new technologies into the protection of indigenous rights. More than 600 young Indigenous people have benefited from training in artificial intelligence, and the academic success of the first ever PhD holder from the Baka people illustrates Cameroon's commitment to promoting the emergence of an intellectual elite within these communities. Finally, Cameroon reaffirms its willingness to pursue international cooperation in order to share best practices, build capacity and forge inclusive

partnerships that ensure both environmental sustainability and the full enjoyment of the rights of Indigenous peoples.

**China** welcomes this thematic discussion focusing on renewable energy development and the protection of Indigenous peoples' rights. The United Nations Declaration on the Rights of Indigenous Peoples emphasises the need to respect and promote Indigenous peoples' rights to their lands, territories and resources, which have been affected by racism and colonialism. Indigenous peoples have long suffered structural discrimination and marginalisation in political, economic and social life. The international community must collectively oppose practices that plunder resources, damage the environment, and violate human rights in indigenous territories. It should implement inclusive, equitable, and non-discriminatory policies to safeguard the rights and freedoms of indigenous peoples and ensure their equitable participation in the fruits of economic and social development. China calls upon relevant countries to earnestly reflect upon their violations of Indigenous rights both domestically and abroad, address the legacy of colonialism, and genuinely shoulder their historical responsibilities.

**Colombia** reiterates its firm commitment to a just transition towards sustainable energy systems, guided by principles of equity, inclusion and respect for human rights, with a systemic approach that transcends the energy sector. Indigenous peoples occupy a central place in this transition. Their connection to the land, their traditional knowledge and their role as custodians of strategic ecosystems are fundamental to advancing towards sustainable energy models. However, they also face significant risks, especially in relation to the extraction of critical minerals in their territories. It is necessary to guarantee their free, prior and informed consent, their effective participation in decision-making processes, and the implementation of safeguards that protect their rights, cultures and livelihoods, including those of Indigenous peoples in isolation and initial contact. The just transition must also be an opportunity to correct structural inequalities between the Global North and South. Colombia advocates for international cooperation based on shared responsibility, equitable access to clean technologies, and the strengthening of local capacities, which will enable progress towards a sustainable, resilient, and people-centred economy. It is, quite simply, a vital ingredient for humanity.

**Guatemala** particularly values the panel's focus on the need to safeguard their rights in relation to the exploitation of critical minerals and the development of renewable energies. The Government of President Bernardo Arévalo recognises that a just transition cannot be achieved without guaranteeing the free, prior and informed consent of Indigenous peoples in all projects that affect their lands and territories. In Guatemala, the rulings of the Constitutional Court have set important precedents and led to the creation of an Operational Guide for the Implementation of Consultation with Indigenous Peoples, as well as the formulation of an Energy Policy 2019–2050, which have been shared at the territorial level with the affected indigenous communities. Although challenges remain in ensuring that consultations are genuine processes of dialogue, Guatemala has made progress in creating legal and institutional tools that lay a solid foundation for strengthening the participation of Indigenous peoples. In this context, the High-Level Roundtable stands out as the main forum for direct dialogue between the President of the Republic and Indigenous authorities. Its regular sessions allow for joint discussion of priority issues such as infrastructure, health, education, the economy, and environmental protection. Vocally stressing that Indigenous peoples are essential allies in the fight against climate change



and in the energy transition, thanks to their traditional knowledge and sustainable ancestral practices, Guatemala reaffirms its firm commitment is to work together with them, with the UNHRC and with the international community to ensure that the just transition is also a transition with justice for Indigenous peoples.

**Indonesia** shares the view that a just and inclusive transition to sustainable energy is essential. This goal is central to Indonesia's national development strategy. As a global supplier of critical minerals with fast renewable energy potential, Indonesia is committed to a transition that ensures social justice and protects the environment. The rights of Indonesia's traditional communities or customary laws, communities are guaranteed in Indonesia's constitution and various laws. These laws protect customary forests and ensure prior constitution on development projects that affect them. Registration of customary forests continues to expand and Indonesia has established benefit sharing mechanisms from natural resource projects. The Government's priority is that development improves the lives of these communities consistent with the SDGs. Indonesia asks the panellists to offer good practices exist for fair benefit sharing from renewable energy and critical mineral projects, particularly for local and traditional communities.

**Lesotho** welcomes the opportunity to reflect on the insightful thoughts of the panellists. The country agrees with the panellists that renewable energy efforts need to be guided by human rights obligations and must extend to concrete protection of Indigenous cultural heritage and resources, to avoid the risks of deepening the existing inequalities, marginalization and environmental injustices alluded to by panellists. Renewable energy in Lesotho offers significant positive impacts for Indigenous people, such as improved electricity access in rural areas leading to economic development and better living conditions. Additionally, the recent inclusion of Indigenous languages as official in the constitution, shows a commitment to human rights for all, which the Government acknowledges must extend to concrete protection of Indigenous cultural heritage and resources. In conclusion, Lesotho welcomes the call to create policies and laws that would safeguard the rights of Indigenous people in the country in line with international instruments which affirm the right to self-determination and the principles of free, prior and informed consent, especially in mining and other extractive activities.

**Malaysia's** Federal Constitution and state laws provide special protection for the Indigenous Peoples in Peninsular Malaysia and the natives of Sabah and Sarawak. A new Indigenous Peoples Development Policy, to be tabled next year, will further strengthen rights to land, health, education and livelihoods, while fully embracing free, prior and informed consent. Under the *Madani Vision* and the 13th Malaysia Plan, Malaysia is prioritising inclusive development, with support for rural infrastructure, entrepreneurship and digital connectivity. Agencies such as *Teraju* are funding Indigenous innovation and community-led projects. At the same time, Indigenous communities themselves are advancing sustainable energy. In Sabah, solar-hybrid and micro-hydro projects run by local communities are delivering clean electricity while safeguarding forests and livelihoods. Malaysia reaffirms its commitment to protecting the rights of Indigenous people and that they are further recognised as equal partners in sustainable development and global energy transition. In closing, Malaysia would like to know from the panellists how to facilitate collaboration among member states and corporations in safeguarding

the rights of the Indigenous people in these current times, where critical minerals are intensely being sought after.

The **Marshall Islands** knows very well how energy systems can threaten the rights of Indigenous peoples, and exacerbate injustice. Indigenous Marshallese communities are responsible for a tiny fraction of greenhouse gas emissions, but are being hit first, and hardest, by the impacts of climate change caused by the continued use of fossil fuels. Indeed, Indigenous peoples are often among the first to face the direct consequences of climate change, biodiversity loss and environmental pollution. A rapid transition of energy system away from fossil fuels is imperative to protect their rights. It is vital, however, that this transition avoids replicating past injustices - and in particular that it is carried out in a way that safeguards Indigenous peoples' rights to self-determination, sovereignty over natural resources and free, prior and informed consent. This month, the Republic of the Marshall Islands welcomed the UN Secretary-General's Synthesis Report on a Just Transition and fully supports its conclusion that if designed equitably, clean energy transitions can create decent jobs and reduce energy insecurity, local air pollution and environmental injustice. To conclude, the Marshall Islands urges all countries to move rapidly forward with this energy transition, taking a human-rights centred approach that prioritizes planetary and human well-being in doing so.

**Mexico** emphasizes that the fight against climate change and energy transformation cannot be separated from the rights of Indigenous peoples, who have historically been guardians of biodiversity. The energy transition must be fair not only environmentally and economically, but also socially and culturally. Indigenous peoples are key players in finding solutions to climate change. Mexico has made progress with a constitutional reform of great significance, which recognises Indigenous peoples as subjects of public law, with legal personality and their own heritage. Thanks to the principles of prior, free and informed consultation; respect for self-determination; and the construction of development models that strengthen community life, Mexico places Indigenous peoples at the centre of energy transition policies. The country is committed to a model that combines science and technology with the wisdom of Indigenous peoples, who must be part of the design, planning and management of energy projects. Stressing that Mexico's President declared 2025 as the Year of Indigenous Women, Mexico asks the panellists to elaborate on the role played by Indigenous women and girls in the energy transition.

**Nepal** recognizes the rights of Indigenous peoples through a number of legal, institutional, and programmatic arrangements. The diverse Indigenous nationalities of Nepal are a repository of traditional knowledge, Indigenous technologies, and sustainable local practices. The country is committed to protecting and promoting the traditional knowledge, skills, culture, social practices of Indigenous peoples. Climate change has become a pressing challenge for humankind. Nepal's mountains are being adversely affected, making the country one of the most climate-vulnerable countries in the world. Therefore, a just and sustainable transition to a low carbon economy is Nepal's top priority. In this regard, Nepal would like to hear from the panellists about innovative and sustainable approaches that are appropriate to better recognize the rights of Indigenous peoples while promoting a just transition.

The **Russian Federation**'s leadership pays great attention to the issue of protecting the rights of Indigenous peoples in the context of a just transition to sustainable energy systems. As part of its



efforts in this area, Russia has approved the foundations of state policy in the Arctic, developed a package of draft laws on entrepreneurial activity, and adopted a Standard of Business Responsibility in Relations with Indigenous Peoples. The latter focuses on expanding corporate responsibility in relations with Indigenous peoples as one of the conditions for state support for industrial projects. Compliance with the Standard is reinforced by an agreement stipulating that companies must adhere to a number of principles when interacting with indigenous peoples in their traditional habitats and carrying out economic activities. These include promoting the sustainable development of this population group, improving their quality of life and preserving their traditional habitat, and respecting the interests of all stakeholders. In May 2025, a new version of the Concept for the Sustainable Development of Indigenous Small Peoples of the North, Siberia and the Far East of the Russian Federation was approved, aimed, among other things, at preserving their traditional territories, supporting traditional economic activities and crafts, preserving their ethnocultural heritage, ensuring access to education, and creating a comfortable and safe living environment.

**Spain** appreciates the panellists for their presentations, which illustrate the challenges faced by Indigenous peoples in the current climate crisis as their existence on their ancestral lands is threatened, if not directly attacked, due to the pressures exerted by aggressive extractive practices. At the same time, the international community recognises the significant contribution that Indigenous peoples make to caring for the environment through their ways of life and use of their lands, which contribute to low pollution and the preservation and maintenance of forests and resources, and which also represent a fundamental basis of their worldview and identity. For this reason, Spanish Cooperation has been supporting and promoting the rights of Indigenous peoples for three decades through a specific programme called the Indigenous Programme. The defence of the right of Indigenous peoples to be able to decide on measures that affect them, such as those relating to their ancestral lands, through mechanisms of free, prior and informed consent, is one of Spain's main lines of work in this area. Other actions are aimed at strengthening capacities to address climate challenges, as well as specific actions dedicated to the care and promotion of their traditional agricultural and medicinal practices. Spain notes with concern the highly vulnerable situation faced by environmental defenders, many of whom representing Indigenous communities, in the face of increasing aggression, attacks, or threats for defending their territories. Lastly, Spain would appreciate guidance from the panellists on how to strengthen alliances with Indigenous peoples to contribute to environmental protection as a human right.

The **United Republic of Tanzania** as a sovereign state exercises full authority over its natural resources, a principle enshrined under international law. International instruments, including article 1 (2) of the UN Charter, the Convention on Biological Diversity (CBD, 1992) and the FAO Voluntary Guidelines on the Responsible Governance of Tenure (VGGT, 2012), further reinforce Tanzania's right and responsibility to ensure sustainable use of natural resources while protecting the right and livelihoods of rural communities. Article 24 (2) of the Constitution of the United Republic of Tanzania of 1977, expressly prohibit displacement/deprivation of persons property without lawful procedures, safeguards, and adequate compensation. Moreover, Section 81 of the Environmental Management Act, Cap 191 (RE 2023) read together with Regulation 25 (1) of the Carbon Trading Regulations and the Environmental Impact Assessment (EIA) and Audit Regulations, 2005 (as amended) requires all project proponents to conduct an EIA before project

approval. This process provides communities with opportunities to participate in decision-making, identifies and mitigates potential risks, including land and livelihood impacts and prevents unlawful or unjust displacement. The Government will continue to address the challenges facing its people bearing in mind their socio-economic development, dignity, livelihood, and values and traditions are protected.

### **UN Entities**

**UN Women** welcomes today's discussion on the vital contributions of Indigenous peoples to sustainable development and sustainable energy governance. UN Women especially recognizes the leadership of Indigenous women in preserving ecosystems, managing natural resources, and transmitting intergenerational knowledge. For millennia, Indigenous women have sustained their lands through deep-rooted traditions, advanced ecological understanding, and resilient stewardship. Their knowledge offers valuable insights for mitigating climate change and ensuring a just transition to sustainable energy systems. Yet, despite their essential role, Indigenous women often face systemic barriers to participating in decision-making processes, and to accessing, controlling, and benefiting equally from natural resources. Upholding the principle of free, prior, and informed consent, and ensuring equitable benefit-sharing in all resource-related activities on Indigenous territories, is critical. As reaffirmed in the Lima Declaration of the World Conference of Indigenous Women, Indigenous lands are not only physical spaces - but imbued with spiritual, cultural, and ancestral significance. 'Nothing about us, without us' is not merely a slogan. It is a demand for dignity, justice, and inclusion. To conclude, UN Women would appreciate insights from the panellists on concrete measures that states could take to strengthen the meaningful participation of Indigenous women in the governance of sustainable energy systems.

### **National Human Rights Institutions**

The **National Human Rights Commission of Cameroon** stresses the country considers energy to be a lever for growth and is committed to diversifying its sources, particularly renewable energies. Deposits of critical minerals such as lithium, bauxite, cobalt, nickel and manganese are being exploited, often in areas inhabited by Indigenous peoples. This exploitation presents both opportunities and risks. Examples of exemplary projects include the Minim-Martap bauxite project, which plans to build a secondary school and a market, and the cobalt project in Kongo, which has created hundreds of jobs and infrastructure. However, risks remain. This is the case with the environmental and social impact assessment of the Martap site, which has been contested by Indigenous peoples who denounce their exclusion from negotiations and which has revealed five main areas of impact. To address the challenges faced by these communities, the Government has cancelled certain abusive land transfers, strengthened the participation of traditional leaders, created a National Mining Control Brigade, launched the 'Zero Children in Mines' campaign and set up land consultation platforms. The National Human Rights Commission of Cameroon, for its part, has conducted awareness campaigns, dealt with expropriation complaints and made recommendations, particularly with regard to securing ancestral lands, protecting sacred sites and ensuring the equitable sharing of benefits.

### Non-Governmental Organizations

The **International Federations for Human Rights Leagues (FIDH)** states that critical minerals, such as lithium, are essential for the energy transition. They enable batteries, electric mobility and the storage necessary for decarbonisation. But the climate emergency cannot justify irreversible social, cultural and environmental impacts. In the high Andean salt flats, brine extraction is mining for water - an element sacred to Indigenous peoples - which reduces water tables, damages wells and wetlands, degrades the habitats of flamingos, amphibians and native flora, and increases the risks of salinisation and contamination. Socially and culturally, it jeopardises camelid livestock farming, high-altitude agriculture, ancestral knowledge and community cohesion; it also affects health through dust and socio-environmental stress. Economically and in terms of governance, the benefits are concentrated outside the territory, with little transparency and insufficient oversight, reproducing inequalities similar to those found in metal mining. The FIDH demands that the transition incorporate environmental justice and human rights, with independent and participatory assessments, free and informed prior consultation, precautionary measures to protect water and biodiversity, effective oversight, and clear mechanisms for redress for those who are sacrificed in the name of the transition. We must promote community-led governance and circular economy policies that reduce primary extraction. Only with transparency, accountability, joint planning, and genuine consent will the transition be just, respecting the lives, territories, and self-determination of peoples.

**International Service for Human Rights (ISHR)** speak from the heart of the *Porgera Red Wara (River)* Women's Association, from the remote gold mining-affected local communities in the Porgera District of Enga Province in Papua New Guinea. The Association from the South Pacific region has a simple message for the panellists. A 'just transition' to sustainable energy must not become a new form of green colonialism on their lands. For decades, Indigenous peoples from the region have lived with the devastating impacts of mining. They have watched their sacred river turn red with toxic waste, their people kill each other fighting over land, and their communities suffer. This experience has taught us that any development, including for critical minerals, is only just if it is led by Indigenous peoples. Indigenous customary land rights are their lifeblood. They demand that any new project - from renewable energy to mineral extraction - be subject to their free, prior, and informed consent. This means genuine partnership, co-ownership and benefit sharing, not just consultation. Indigenous traditional knowledge is essential for protecting Indigenous land and biodiversity, and it must be at the core of all planning. A truly just transition will recognize Indigenous peoples as equal partners and leaders in the fight for a sustainable future, not as victims of past and future exploitation. ISHR would like to know from the panellists which measures should be taken to protect Indigenous peoples and defenders who are at the forefront in the context of the just transition.

**Associazione Comunità Papa Giovanni XXIII (APG23)** thanks the panellists for their contributions to this crucial discussion. In realising a just transition to sustainable energy systems, it is imperative to avoid repeating the abuses and injustices perpetrated for decades by the energy sector through extractive practices. Thanks to its frontline work, APG23 witnesses the suffering of several communities negatively impacted by unfair dominant development models which, in the name of a needed transition, destroy the environment, harm biodiversity and entrench inequalities. Among them, the Mapuche people in Chile struggle to protect their lands



from harmful business ventures and large-scale hydropower projects that threaten the environment and disrupt their connection to nature. Mapuche communities do not benefit from the exploitation of their land and natural resources but only suffer the consequences of such unfair development models based on large energy infrastructural projects, often realised without any community participation and engagement in decision-making processes with unsustainable social and environmental costs. The production of renewable energy through dams and hydro plants has directly and irreparably impacted different Mapuche communities, threatening their ecosystems and endangering ancestral lands, culture, and spirituality. Several Mapuche leaders and activists are criminalised for defending their territories, livelihoods and traditional ways of living. Realising a just energy transition means stopping the imposition of disproportionate costs on Indigenous peoples who have already suffered from decades of abuses without any remedy or benefit-sharing. In this regard, fully implementing the right to development and its principles of meaningful participation and sovereignty over natural resources could pave the way to preventing further abuses and realising a more equitable benefit-sharing.

The **International Foundation for the Protection of Human Rights (Frontline Defenders)** appreciates this panel and the emphasis on the impacts on the rights of Indigenous peoples and their territories. As a woman and representative of the Maya Q'eqchi' people, Ms. Maria Caal Xol has seen how the Q'eqchi' people's collective right to autonomy and self-determination, as recognized by international instruments, including ILO Convention No. 169, is not respected, particularly in the imposition of projects that fall under the so-called clean, renewable, or just transition energy. An example of this is the operation of the OXEC hydroelectric plant in Cahabón, Alta Verapaz, Guatemala. Despite the fact that the communities said NO in the good-faith community consultation, the project was imposed by the government without the Q'eqchi' people's free, prior, and informed consent. This project is destroying Mother Earth, polluting and depriving the sacred Cahabón River, and threatening Indigenous spirituality, because for them everything around us is sacred - the water, the land, the forest, and life itself. Many of these projects are being carried out in the context of forced evictions from the Q'eqchi' people's ancestral lands, inherited from their grandparents, and under a context of criminalization and arbitrary detentions against defenders of river territories and life. Self-determination is not a favour. It is a right. the Q'eqchi' people will not stop raising their voices until it is respected. Never again will a project be carried out without consultation or consent. No more evictions.

The **Shaanxi Patriotic Volunteer Association** believes that patriotism cannot harm the interests of other countries, and that the rights of Indigenous peoples should be given the utmost protection. However, in Palestine, the Indigenous Palestinian people have long suffered persecution. Israel, with unconditional support from the United States, has implemented military strategies, built settlements, and continuously encroached on their land. Since 1948, millions of Palestinians have been displaced and become refugees, depriving them of their livelihood and the right to development. This is a serious violation of human rights. Israel's blockades and restrictions, bombings of schools and hospitals, and destruction of cultural venues are gradually fading traditional Palestinian art, depriving them of the right to express their cultural identity, and putting their culture at risk of extinction. The United States has long provided Israel with massive military and financial support, and has repeatedly exercised its veto power in the Security Council, obstructing the Israeli-Palestinian peace process, interfering in its internal affairs, and



depriving it of its right to self-determination. While the United States claims to defend Palestinian rights, its actions have become an accomplice to those who violate them. The Association strongly condemns the vile actions of the United States and call on it to stop supporting Israel and promote the peace process between Palestine and Israel. The Association also hopes that the international community will pay attention to Palestine and provide assistance and support to help it rebuild its homeland and restore its culture. Lastly, it calls on the international community to take the protection of Indigenous rights as an opportunity to resist US hegemony.

**Rajasthan Samgrah Kalyan Sansthan (RSKS India)** stresses that the voices of Indigenous peoples must be at the heart of any just transition to sustainable energy. The world urgently needs clean and renewable energy. The rush for critical minerals for renewables is driving massive extraction projects onto Indigenous lands without their free, prior, and informed consent. This violates their rights, destroys sacred sites, and poisons their water. It is a profound injustice. Communities least responsible for the climate crisis are being sacrificed for its solution. A future built on the violation of rights is not sustainable. True sustainability harmonizes clean energy with the rights of those who have been the custodians of our Earth. RSKS India calls on states to:

- Guarantee consent. FPIC is not a checkbox. It is a fundamental right. No project should proceed without it.
- Share Benefits Fairly. Indigenous communities must be equity partners, not just stakeholders, sharing in the prosperity generated from their territories.
- Respect Indigenous knowledge. Their wisdom as guardians of nature is invaluable. They must be leaders in designing and governing sustainable energy systems.

The **International Committee for the Indigenous Peoples of the Americas** represents on this occasion Tonatierra - Indigenous peoples that operate within Turtle Island. The United States often speaks of its commitment to Indigenous and human rights, yet it bring to the UNHRC urgent testimonies of systematic human rights violations and abuses against Indigenous peoples, that starkly contradict this principle. The Committee has documented multiple cases of arbitrary detention of Individuals, based solely on skin color, accent or attire, which are clear violations articles 3,7 and 9 of the Universal Declaration of Human Rights and articles 17 and 36 of UNDRIP. The Committee takes note of the numerous cases where Indigenous individuals seeking refuge from their home countries have been illegally detained and subsequently deported. This is a direct violation of the 1967 Refugee Protocol, which the US is a signatory to. These violations, have resulted in death and continues to endanger the lives of those who should be protected under international law. Indigenous Mothers and children, have been separated and detained in deplorable conditions, held in cages with little to no access to water, medical attention, or legal counsel, subjecting them to inhumane treatment violating articles 3, 9 and 37 of the Convention on the Rights of the Child and articles 8, 21 and 22 of the UNDRIP. The Committee calls upon the Council to urgently question the United States on these practices, demand an end to racialized Immigration enforcement, uphold the right to due process and comply with its obligations under international human rights law.

**Conselho Indigenista Missionário (CIMI)** takes the floor through Mr. Ivan Pankararu, who believes that the transition to a sustainable economy will only be just if Indigenous peoples are at the center of it. Indigenous peoples are the guardians of vast forests, but the rush to 'green'





projects often excludes Indigenous peoples. They see the injustice when hydroelectric dams or lithium mining invade Indigenous lands without consultation, threatening their culture and their rivers. Indigenous peoples do not want to be victims of the transition, but rather partners and leaders. Their millennia-old experience teaches us to care for the land, but to do so, they need their land rights guaranteed. The demarcation of Indigenous lands is the most powerful tool against deforestation. For them, a truly just transition is one that recognizes and values Indigenous ancestral knowledge. Indigenous peoples want to lead sustainable initiatives, such as forest management and ecotourism, generating autonomy for their communities. The just transition must be built with Indigenous peoples, respecting their voice and their right to decide about the future of their territories.

**China Ethnic Minorities Association for External Exchanges** states that over the 18 years since the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, the international community has actively implemented the Declaration and achieved positive outcomes. Due to different national contexts, China does not have Indigenous peoples, but it strongly supports the promotion and protection of the fundamental human rights and freedoms of Indigenous peoples. The Association shares China's approaches and experiences in safeguarding human rights through the concept of sustainable development. China is a unified multi-ethnic country with 55 ethnic minorities in addition to the Han majority. Ethnic minority areas in China are rich in natural resources and cultural heritage, as well as abundant in green energy resources. This year marks the 60th anniversary of the establishment of the Xizang Autonomous Region. Over the past six decades, power supply in Xizang has transitioned from relying on 'butter lamps' to achieving 'well-lit urban and rural areas powered by clean energy', thanks to the initial construction of geothermal power stations and the development of hydropower. Household appliances such as televisions, refrigerators, and washing machines have become commonplace, significantly reducing the domestic burdens of farmers and herders. Internet access has enabled children in remote areas to share high-quality educational resources. Electric blenders have replaced traditional manual methods of churning butter tea, not only liberating labor but also freeing women from repetitive physical work. In 2024, clean energy accounted for over 99% of Xizang's electricity generation, making it the place with the highest proportion of clean energy power generation in the country, essentially achieving a fully clean power supply. Xizang strictly implements ecological and environmental zoning control measures, firmly prohibiting projects with polluting characteristics from being established on the plateau. Additionally, it promotes ecological benefits for the people, continuously establishing, optimizing, and improving ecological compensation systems across various sectors. While adhering to green and low-carbon development, Xizang ensures the fundamental rights of all ethnic groups.

**Geneva for Human Rights – Global Training** recalls the individual and collective dimensions of self-determination, which generate derived rights such as participation, equality, non-discrimination, and resource sovereignty. Yet, experts encounter structural and political resistance when defending these principles. Studies demonstrate: without Indigenous-led data, they remain invisible; without protection of their economies, they lose food sovereignty, biodiversity, and climate resilience. Criminalization and dispossession directly undermine their rights. An approach based on care and support must guide responses. Self-determination:



enabling communities to define their own systems of solidarity and governance; Gender-responsive approach: recognizing and strengthening Indigenous women's leadership; Environmental management: affirming custodianship of lands and ecosystems. Geneva for Human Rights recommends strengthening the diplomatic participation of Indigenous peoples and unrepresented nations; ensuring the systematic inclusion of Indigenous women and youth; ending the confusion with 'local communities'; and cooperating with local and regional authorities to develop and disseminate rights-based approaches, from the local to the global. Development without self-determination, and care and support without rights, remain empty. The UNHRC must act to make dignity a reality. Indigenous peoples are not asking for charity. They demand recognition, justice, and dignity for their ancestors, their children, and future generations.

**Images for Inclusion (IFI)** gives the floor to a Mapuche woman who expresses deep concern over the violation of the human rights of Indigenous peoples in Chile, especially in the context of extractive industries. It is imperative that Chile guarantee Indigenous peoples' right to free, prior, and informed consent (FPIC), a fundamental pillar for a just and sustainable transition. Supreme Decree No. 66 of 2013, while recognizing consultation, suffers from flaws that render the right to participation meaningless and violate good faith. As has been reported, this decree establishes that consultation is considered complete even if no agreement or consent is reached, a point that undermines the principle of FPIC. This mechanism is particularly concerning in the context of critical minerals such as lithium, which are essential for the energy transition. The consultations in the *Salar de Atacama* have been denounced for their unilateral and discriminatory nature. Essential matters have been excluded from the negotiation, and communities have been denied key information, depriving them of the ability to influence decisions that directly affect their territories and resources. IFI calls on the UNHRC to urge Chile to amend Supreme Decree No. 66 of 2013 and to address consultation as an imperative, legal, and moral obligation. Respect for the FPIC is not an obstacle, but the only way to guarantee a just and equitable transition where the rights to self-determination and territorial protection of Indigenous peoples are the basis for equitable development in harmony with nature.

## FACTS & FIGURES ON ID PARTICIPATION

**2** Regional and Cross-Regional Groups

**15** State Delegations

**1** UN Entities

**1** National Human Rights Institution

**11** Non-Governmental Organizations