



GENEVA CENTRE FOR HUMAN RIGHTS  
ADVANCEMENT AND GLOBAL DIALOGUE

## UNITED NATIONS HUMAN RIGHTS COUNCIL

### Interactive Dialogue with the Special Rapporteur on the Rights of Indigenous Peoples

#HRC60 • 23-24 September 2025



#### PRESENTATION OF THE THEMATIC REPORT

##### Mr. Albert K. BARUME, Special Rapporteur (SR) on the Rights of Indigenous Peoples

The SR is honoured to introduce his first [thematic report](#) to the UNHRC dedicated to the recognition of Indigenous peoples. Since assuming the mandate of the SR on the rights of Indigenous peoples from January 2025, Mr. Albert K. BARUME has been actively engaged with various states and Indigenous peoples through bilateral meetings, academic visits and official communications to try and identify as addressing the main issue affecting Indigenous peoples across the globe.

This year marks the 18th anniversary of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) as a set of minimum standard for protecting Indigenous Peoples' rights. As a [remedial and reconciliation instrument](#), it has influenced laws, policies and practices in many countries where states and Indigenous peoples have established new partnerships based on rights, respect and trust. The Declaration has not, however, produced the same positive outcome across all regions. Many states, particularly in Africa and Asia, still [struggle to grasp the concept Indigenous peoples](#) and their internationally recognized rights. Some mistakenly think that recognizing Indigenous peoples' rights would divide nations or give



preferential treatment to certain groups within the national populations. These **misunderstandings** have hindered the states from fulfilling their international obligation to Indigenous peoples. After all, a state is unable to fulfil its obligation regarding rights if it does not clearly recognize and identify the beneficiary of such rights. For this reason, the SR dedicated his initial report to the recognition of Indigenous peoples in order to assist states and other stakeholders in understanding the concept of Indigenous peoples, particularly given the current global context in which the term Indigenous peoples and local communities are frequently **used interchangeably**. In his initial report, the SR highlights three essential steps that a state should take to recognize Indigenous peoples.

First, a state should acknowledge the specific characteristics of **historical injustices** experienced or still experienced by communities that self-identify as Indigenous peoples. To that end, in post-colonial Asian and African context, it is important to distinguish between the dictionary definition of Indigenous and the human rights concept Indigenous peoples as provided by the Declaration. Technically speaking, all native of a country can legitimately call themselves Indigenous to that country in accordance with the literal meaning of the word. But this is not the meaning referred to in the United Nations Declaration on the Rights of Indigenous Peoples.

The term Indigenous peoples as used in international law has become a contemporary **human rights concept**. When communities self-identify as Indigenous peoples, it is, in fact, a call for justice. It demands a redress for **particular historical injustices** that led to loss or existential threat to their ancestral land and distinct cultures. These particular injustices amount to high-grade racial discriminations that dehumanizes and demeans their victims as socially and culturally inferior and backward and therefore unable to govern themselves to bring up their own children or to enjoy property rights over their ancestral land, territory and resources.

These pernicious injustices and racial discrimination have led to acts of mass killing and displacement in many countries. They affect not only the bodies but also the mind of peoples through intergenerational trauma. They alter the victim's self-esteem, making them feel worthless and in many cases pushing them into mental illness, addiction, high rate of suicide, high rate of dropout for children and homelessness. Indigenous peoples should not be categorized as simple minorities, local communities or poor people because they experience something very particular.

In post-colonial Africa and Asia, some people remained attached to their ancestral land, way of life, livelihoods and cultures but given their political marginalization did not partake in the shaping of the modern states. Their traditional land use practices were **stereotyped as backward and uncivilized** and their customary rights over their ancestral land were not considered or protected in national legislations. Many post-colonial governments have attempted and some still attempt to force those people to abandon their traditional lifestyle, including by transforming ownership of ancestral lands, territory and resources to third parties.

However, those peoples and community have resisted and continue to do so, to preserve their cultural identity which are profoundly connected to their ancestral land. The human rights concept of 'Indigenous peoples', ensures equality, reinforces national unity and strengthen social cohesion within states. It is devised to address **historical wrong and reconcile states** with



Indigenous peoples. Refusal by states to recognize Indigenous peoples or denial by states of their existence does not take away this right, but does negatively affect states' ability to protect them.

Secondly, once a state has recognized the particular historical injustice suffered by Indigenous peoples, it should then **align its domestic legal and policy framework** with international standard as provided by numerous international instruments. Most countries achieve this through constitutional reform act of Parliament and as a relevant framework. States should recognize Indigenous peoples as **specific rights holders** under international law as clearly distinguished from other groups. The recent tendency of **conflating Indigenous peoples with local communities** has contributed to misunderstanding and poses serious risk to the rights of Indigenous peoples. The conflation could lead to misinterpretation that Indigenous peoples and local communities enjoy the same rights under international law or that Indigenous peoples' rights are reduced to the limited rights of local community under multilateral environmental agreement.

Third, a state should **identify communities that self-define as Indigenous peoples** on its territory. This would enable a state to deliver effectively targeted and tailored public services and comply with international obligations. In conclusion, the SR reiterates that recognizing Indigenous peoples' rights is an international obligation. It is a matter of justice and crucial for building cohesive nation. The SR has made several recommendations to address the challenges associated with recognizing Indigenous peoples as rights holders. The SR strongly urges states and the relevant stakeholders to consider the implementation of these recommendations. In closing, the SR reaffirms his intention to continue contributing to the easing of understanding of Indigenous peoples' rights by states.

### COUNTRY VISIT TO BOTSWANA

Drawing to a close, Mr. Albert K. BARUME has just concluded his first country visit as mandate holder to Botswana last week. The SR expresses his sincere appreciation to the Government of Botswana for their kind invitation and collaboration during his mission. Acknowledging that the new Government of Botswana is taking important steps, the SR calls on the international community to assist and accompany the Government.

### REPLIES AND CONCLUDING REMARKS

Mr. Albert K. BARUME explains that the objective of his thematic report was to show the shift into the understanding of the concept Indigenous peoples with the view to addressing the fears that many states continued to have because, at the beginning, the concept of Indigenous people or Indigenous did have **political connotations**. It was linked to claim of nations that were subjugated through mostly colonisations. But the concept has shifted since the adoption of the declarations. It has become a **human rights concept**. It has become a tool for states to have more cohesive nations, states, governments, and policies. There is no longer fear for nations being more divided. Colonization was the main factor in the past, but there are other contemporary factors. In closing, the SR announces he will be undertaking **regional webinars** with the view to providing space for questions which the SR could not address due to time constraints at the UNHRC; the possibility to engage with the mandate holder; and the opportunity explain further this important differentiation into the understanding of the concept.



## INTERACTIVE DIALOGUE

### Regional and Cross-Regional Groups

**Denmark together with Greenland on behalf of the Nordic-Baltic states<sup>1</sup>** welcomes the SR's report on the recognition of Indigenous peoples as fundamental rights holders. Legal recognition rooted in self-identification and respect for cultural uniqueness is vital for addressing historical injustices and advancing equality. The Nordic-Baltic states share the SR's concerns over the frequent conflation of Indigenous peoples with other groups, such as local communities. Unduly linking of Indigenous peoples with local communities and other terms contains the risk - intentionally or not - of diluting the specific rights and status of Indigenous peoples, as set out in the UN Declaration on the rights of Indigenous peoples and other international human rights instruments. The Nordic-Baltic states would like to know from the SR which are the main obstacles to overcoming this conflation, and how can states improve clarity to better uphold the distinct rights of Indigenous peoples.

The **European Union** appreciates the SR's report, which provides a thematic analysis of the recognition of Indigenous peoples worldwide, including also pertinent examples from the EU member states. The EU will continue promoting the rights of Indigenous peoples as set out in the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and international human rights law. Describing the work of the SR on the rights of Indigenous peoples as critical, the EU fully supports the renewal of the SR's mandate for three years. The SR's report importantly points out that state recognition neither creates Indigenous peoples nor grants them their rights. The SR affirms that while the rights of Indigenous peoples are guaranteed under international law, and they are binding on states regardless of recognition in domestic laws, while without recognition, States cannot fulfil their international obligation. The EU hopes that the report will help states to close the gap in recognition in order to ensure Indigenous peoples can enjoy their rights as set out in the UNDRIP and international human rights law. The EU also hopes that the report will contribute towards the full, effective and meaningful participation of Indigenous peoples in relevant UN bodies, including in UNHRC meetings, on all issues affecting them. Within the UNHRC, progress has been made to enhance the participation of Indigenous peoples, but challenges such as accreditation and language barriers still hinder their full participation. Stressing its active engagement in the discussions and its willingness to continue in this direction, the EU stresses that states must collaborate meaningfully with Indigenous peoples, who have the right, as set out in the UNDRIP, to be involved from the start in shaping policies that affect them, including affecting their rights, livelihoods and lands that they use. Referring to a report's recommendation, the EU requests the SR's guidance on how the international community could best ensure that engagement mechanisms reflect the distinct status and rights of Indigenous peoples, as set out in the UNDRIP and international human rights law.

**Ukraine on behalf of the Lublin Triangle<sup>2</sup>** states that the recognition of Indigenous peoples as distinct rights-holders under international law is crucial. The refusal of States to acknowledge them or even to deny their very existence, cannot extinguish inherent rights. Yet such actions

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

<sup>2</sup> Lithuania, Poland, and Ukraine.





weaken the ability of States to fulfil their obligations of protection. It speaks volumes that today the Indigenous peoples of Ukraine must defend their existence in their ancestral homeland. The ongoing occupation of Crimea by the Russian Federation has resulted in grave violations, threatening their cultural identity, community life and survival. Since 2014, the Indigenous peoples of Ukraine have faced continuous abuses: the prohibition of Ukrainian-language education, forced conscription into the occupying army, and severe restrictions on cultural and religious expression. The militarization of Crimea has further devastated Indigenous communities, disproportionately harming women and children, while accelerating environmental degradation and the exploitation of natural resources. These actions violate international law and risk causing irreversible harm to future generations. It is imperative that the international community remain steadfast in upholding the rule of law and protecting the rights of Indigenous peoples. The Lublin Triangle calls upon all member states and relevant human rights mechanisms to ensure accountability for ongoing abuses in Crimea, safeguard the cultural identity of the Crimean Tatars, Karaims, and Krymchaks, and reaffirms that no occupation or denial can erase inherent rights.

#### State Delegations

**Algeria**, as an Indigenous nation marked by a complex historical cycle of colonisation, decolonisation and recolonisation spanning more than two millennia, considers its linguistic and cultural diversity not as a source of division, but as a powerful lever for strengthening social cohesion and a sense of national belonging. Under the Indigenous Code imposed by French colonisation, Algeria has worked since its independence in 1962 to restore full citizenship status to all its inhabitants. Algeria chose to embrace this diversity as the foundation of its identity, recognising Amazigh, Arab and Islamic cultures as essential pillars of a rich and shared common identity. None of these elements should be disregarded or downplayed; together, they form the bedrock of Algerian identity. Algeria has invested in identity security, understood as the ability to preserve and promote its cultural, linguistic and religious heritage in the face of the challenges of globalisation, social change and the political exploitation of diversity, which is often contrary to the spirit of the United Nations Declaration on the Rights of Indigenous Peoples. Finally, Algeria reiterates its full support for the SR's mandate and particularly welcomes his openness to dialogue.

**Armenia** attaches great importance to the promotion and protection of the rights of Indigenous peoples in line with UN Declaration on the Rights of Indigenous Peoples. Armenia emphasizes the importance of preserving and protecting the cultural heritage of Indigenous peoples including their language, traditions and cultural sites. The cultural heritage of Indigenous peoples constitutes a shared heritage worldwide which must be preserved for present and future generations. Its loss or destruction undermines the integrity of Indigenous communities and the global cultural diversity. Commending the work of the SR and underscoring the importance of its mandate in amplifying Indigenous voices, Armenia remains concerned by ongoing patterns of discrimination and marginalization of Indigenous communities. Armenia emphasizes that international cooperation is critical for safeguarding the rights of Indigenous peoples, and reiterates its commitment to constructive dialogue and multilateral engagement in support of Indigenous rights.



**Australia** pays its respects to Indigenous peoples who joined the UNHRC for this meeting, their elders, past, present and emerging. Australia welcomes the SR's report on recognition of Indigenous peoples worldwide and a proposed country visit by the SR to Australia in 2026. The Australian Government does not impose its own criteria for Indigenous status but instead relies on the three-part test which requires that a person is, one, of Aboriginal and/or Torres Strait Islander descent, two, identifies as Aboriginal and/or Torres Strait Islander, three, is recognized or accepted as an Aboriginal and/or Torres Strait Islander person by the community in which they live or have previously lived. Australia understands that recognition must be granted in the perspectives and practices of Indigenous Peoples themselves while respecting their cultural heritage, traditional knowledge and right to self-determination. Australia would like to know from the SR how can recognition of Indigenous peoples enhance their full and effective participation in decision-making.

**Bolivia** appreciates the presentation of the report on the recognition of Indigenous peoples, which provides a thematic analysis of the achievement of constitutional and legal recognition of Indigenous peoples. Bolivia fully agrees that the understanding of the term 'Indigenous peoples' does not seek to privilege certain groups over others. Nor does it represent a symbolic act, but rather the construction of a framework of international law through which states accept, validate and grant individual and collective legal effects that are both recommendatory and binding. Bolivia converges with the SR's statement that the term 'Indigenous peoples' is a human rights definition designed to remedy specific historical injustices with the aim of reconciling Indigenous peoples with states and forging new alliances between them based on trust and rights. Bolivia also takes into account the SR's recommendation that the term 'local communities' is not yet recognised as a human rights concept and remains a notion of domestic law distinct from the human rights framework applicable to Indigenous peoples. In closing, Bolivia reaffirms its commitment to Indigenous peoples and supports the SR.

**Botswana** extends its sincere appreciation to the Special Rapporteur for his informative report. Despite increased international recognition of their rights, Indigenous peoples across the globe continue to face persistent and pervasive discrimination, which manifests in many ways, including limited access to quality healthcare and education, economic exploitation of their ancestral land, and underrepresentation in decision-making bodies. Indigenous peoples continue to face systemic barriers that affect their development and perpetuates poverty through social exclusion, while their unique cultures, languages, and spiritual traditions are frequently undervalued. It is for that reason that Botswana concurs with the SR's statement that 'states have the obligation to recognize Indigenous peoples as particular subjects of international law and holders of specific rights under international law'. The recognition is essential to fulfilling international commitments and ensuring the protection and promotion of their rights. The human rights centric Government of Botswana has established an Inter-Ministerial Committee on Indigenous rights to comprehensively address challenges faced by Botswana's Indigenous peoples and to devise concrete and sustainable solutions. In closing, Botswana reaffirms its support for the work of mandate holders, including the valuable contributions of experts such as Dr Albert K. BARUME. The Government of Botswana remains committed to fostering constructive dialogue and collaboration with international human rights mechanisms to address the unique challenges faced by indigenous communities.



**Brazil** thanks the SR for the report on the recognition of Indigenous peoples, which makes reference to the 1988 Constitution of Brazil enshrining the recognition of Indigenous peoples' social organization, customs, languages, beliefs and traditions, and their original rights to the lands they traditionally occupy. This milestone broke with past assimilationist approaches. It affirms territorial rights beyond physical possession, encompassing historical, cultural and spiritual ties, consistent with ILO Convention 169 and later reflected in the United Nations Declaration on the Rights of Indigenous Peoples. Brazil advances a renewed commitment to the realization of Indigenous rights. The Ministry of Indigenous Peoples was created, and national bodies such as the Ministry itself, the National Foundation for Indigenous Peoples (FUNAI) and the Secretariat for Indigenous Health (SESAI) are under Indigenous leadership. Decisions that affect communities reflect their agendas, challenges and experience. Priorities include the regularization and protection of Indigenous lands, the removal of illegal invaders, and the implementation of territorial management plans. Since early 2023, more Indigenous lands have been demarcated than in the previous decade, underscoring Brazil's determination to advance in this crucial area.

**Burundi** explains that the rights of Indigenous peoples commonly known as 'Batwa' are recognised by the Constitution of the Republic of Burundi as an ethnic group and enjoy a policy of non-discrimination. The Batwa community is represented in all institutions, including the Government, Parliament and other state institutions, in accordance with the law. Without being exhaustive, various actions to promote the rights of Indigenous peoples are being carried out by the Government of Burundi, such as the operationalisation of the National Strategy for the Reintegration of Disaster Victims and the Socio-Economic Integration of the Batwa 2023-2027; the provision of health insurance cards and free healthcare for pregnant women and children under five; free schooling for Batwa children attending primary school and full coverage of their costs as a priority in secondary boarding schools, as well as the provision of academic fees for those attending university; promoting the registration of children with the civil registry and the celebration of legal marriages among Batwa families; and granting land and building decent houses to help them settle down. Finally, each year, the Government of Burundi organises and celebrates the International Day of the World's Indigenous Peoples, a special occasion to celebrate the Batwa community of Burundi.

**Canada** welcomes the SR's report addressing state denial of Indigenous people's rights and the manipulation of terms like local communities to maintain control. Appreciating the attention given to this issue in both the report and in this dialogue, Canada supports the SR's recommendations for a legal pathway to recognition grounded in self-determination and self-identification as affirmed in the UN Declaration on the Rights of Indigenous Peoples. Canada echoes the SR's over conflating 'Indigenous peoples' with other terms. This approach undermines their distinct rights and obscures the injustices they continue to face. Canada recognizes its own colonial past which continues to impact generations of Indigenous peoples today. While there is more work to be done, several provisions explicitly recognizing Indigenous peoples as rights holders have been passed under Canadian law. Canada calls on all states to join in affirming UNDRIP as a binding framework for justice, dignity and partnership with Indigenous peoples worldwide. In closing, Canada would appreciate the SR's advice on how the UN system could ensure not only recognition, restitution, remedy and reparation, but also



mobilize states to implement concrete actions to make their participation of Indigenous peoples effective in multilateral fora.

**Chile** thanks the SR for his report on the recognition of Indigenous peoples and acknowledges that their constitutional recognition has been pending for several decades in Chile, although the country has specific legislation addressing the rights of Indigenous peoples. Recent milestones give Chile greater hope that this will eventually be achieved. A few months ago, the Presidential Commission for Peace and Understanding, which advises the President of the Republic of Chile on establishing a new relationship between the state and the Mapuche Indigenous people, recommended moving forward with constitutional recognition. Following this recommendation, on 1 July 2025, a reform bill was presented recognising all Indigenous peoples within the national territory and their individual and collective rights, as well as enshrining interculturality as a principle. Based on a joint discussion on recommendations and other activities, Chile hopes to be able to count on the support and accompaniment of the international community to ensure that this measure of recognition becomes a policy of the Chilean state, regardless of the government in power.

**China** takes note of the report presented by the SR and recalls that the United Nations Declaration on the Rights of Indigenous Peoples marks a historic recognition of Indigenous peoples as subjects of international law, representing significant progress in advancing the protection of their rights. Grounded in acknowledgement of the historical injustices suffered by Indigenous peoples, the Declaration reaffirms the obligation of states to recognise Indigenous peoples as holders of multiple rights, including the right to self-determination. Historically, countries such as the United States have committed crimes against humanity, including genocide, against Indigenous peoples. At this year's United Nations Permanent Forum on Indigenous Issues, parties criticised the new US administration's policies on climate change and tariffs, as well as its unilateral measures, for having severe negative impacts on Indigenous peoples both domestically and globally. China believes that countries with Indigenous populations, particularly developed nations, should demonstrate political will and take concrete actions to ensure Indigenous peoples share in the fruits of economic and social development. This includes improving their employment, education, and healthcare, while safeguarding their human rights and fundamental freedoms, including the rights to survival and development.

**Colombia** welcomes the SR's report and urges the promotion and protection of the rights of Indigenous peoples, including those who are isolated or uncontacted, who are equally entitled to rights. They are guardians of ancient knowledge, biodiversity and the living memory of the nation. Their full and effective participation is essential to addressing climate change, achieving the Sustainable Development Goals and building more just and resilient societies. Colombia is promoting a protocol that guarantees such participation in the international agenda, with mechanisms for monitoring, sustainability and respect for the principle of self-determination, as well as protection for uncontacted peoples. Colombia advocates for a differentiated status for Indigenous peoples in multilateral forums, distinct from that of civil society organisations, which recognises their specific collective rights. During Colombia's Presidency of the Andean Community (2024–2025), Indigenous peoples have occupied a central place in the regional agenda for peace, biodiversity, cultural diversity and sustainability. In closing, Colombia calls on all stakeholders to renew the commitment to work together with Indigenous peoples to move



towards a more inclusive and fair international system that respects cultural diversity and human rights.

**Dominica** welcomes the SR's report, which underscores the importance of acknowledging Indigenous peoples as specific rights holders, and the need to translate this recognition into tangible measures for their protection, well-being and empowerment. As the home of the last remaining Kalinago people in the Caribbean, Dominica is deeply invested in the protection and promotion of the rights of Indigenous peoples. This commitment is reflected in national legislation such as the Kalinago Territory Act, alongside several ongoing programmes and initiatives, including the Strengthening Sustainable Livelihoods and Resilience in the Kalinago Territory (SSLR) project, that contribute to cultural preservation, economic opportunity, and resilience building. Dominica fully supports the SR's recommendations affirming the right of Indigenous peoples to participate in decisions affecting them, including through consultations and the exercise of free, prior, and informed consent (FPIC). In Dominica's view, this is especially important in the pursuit of climate resilience, where the traditional knowledge and perspectives of the Kalinago people are vital to ensuring sustainable and culturally appropriate outcomes. A concrete example is the Kalinago Multipurpose Centre and Emergency Shelter, currently under construction, which incorporates eco-friendly features and designs inspired by the Kalinago knowledge, practices and folklore, and will ultimately serve to promote long-term recovery from disasters, resilience and the preservation of cultural heritage. Dominica reaffirms its unwavering commitment to upholding the rights of Indigenous peoples, in accordance with the United Nations Declaration on the Rights of Indigenous Peoples (UNDIRP), and remains dedicated to engaging the Kalinago people meaningfully, as equal partners in shaping policies and programmes that impact their livelihoods and wellbeing.

**Ecuador** agrees with the SR on the importance of the United Nations system and the international community promoting meaningful participation by Indigenous peoples through mechanisms that advance their specific rights. Ecuador reaffirms its commitment to continue promoting the recognition of Indigenous peoples and facilitating their effective access to mechanisms that guarantee their participation within the framework of the United Nations and its subsidiary bodies. At the same time, Ecuador has taken significant steps in the recognition and participation of Indigenous peoples, based on the constitutional enshrinement of the existence of diverse nationalities and Indigenous peoples and the consolidation of a regulatory framework based on a plurinational and intercultural State. The country also has a Secretariat for the Management and Development of Peoples and Nationalities, which is responsible for promoting public policies with an intercultural approach, within the framework of a National Agenda that includes actions to guarantee access to health, intercultural education and political participation for Indigenous peoples. In terms of public policy, the REDD+ programme is particularly noteworthy. It supports agroforestry and forest conservation projects led by the Indigenous peoples themselves, thereby strengthening their role as key players in environmental protection.

**Egypt** takes note of the SR's report, which addresses developments related to the recognition of Indigenous peoples and the importance of taking into account the historical and cultural specificities of each region. In this respect, Egypt agrees with the report's assertion that the recognition of the rights of Indigenous peoples is an essential means of promoting effective equality and combating discrimination. This is a positive step towards enabling them to preserve



their rights and participate effectively in sustainable development efforts in a manner that enriches their national communities and promotes cultural diversity as a shared human value. In this regard, Egypt wishes to emphasise that the United Nations Declaration on the Rights of Indigenous Peoples is the fundamental reference in this matter, and recalls that article 46 clearly states that the exercise of the rights contained therein shall not be interpreted or used in a manner that affects the sovereignty, territorial integrity or political unity of states. Egypt also attaches particular importance to the report's reference to the need to avoid confusion between Indigenous peoples and other groups such as minorities or local communities, as clear boundaries between these concepts are essential to preserving the legal framework established by the United Nations Declaration on the Rights of Indigenous Peoples as a tool for addressing specific historical violations and ensuring that these concepts are not exploited in a manner that could undermine national cohesion or the unity of communities. In conclusion, Egypt stresses the importance of continuing collective efforts to promote a balanced understanding of Indigenous peoples' rights, based on respect for national and regional specificities, while ensuring the protection of the cultural, social and economic rights of all, in line with the common goal of building more just and cohesive societies.

**Guatemala** appreciates the SR's report on the recognition of Indigenous peoples and the clear approach he takes to addressing the challenges that remain in this area. As a co-sponsor jointly with Mexico of draft resolution aimed at renewing his mandate during #HRC60, Guatemala firmly believes that this mandate is a cornerstone of accountability, which it particularly values because, through his visits to countries and thematic reports, the SR helps states fulfil their international obligations, given the persistent inequalities and emerging risks faced by Indigenous peoples, which require precisely this type of regular and reliable monitoring. Furthermore, Guatemala reaffirms the importance of differentiating Indigenous peoples from so-called 'local communities'. This amalgamation introduces ambiguities and weakens the specific protection afforded to Indigenous peoples by the United Nations Declaration on the Rights of Indigenous Peoples and ILO Convention No. 169.

**Indonesia** underlines that the term Indigenous people cannot be applied in a one-size-fits-all manner. First, Indonesia is concerned by the report's attempt to decouple the term Indigenous people from its colonial context. Such an approach risks diluting the concept. If any community that has suffered human rights violations could claim the label, the meaning could be lost. The very recognition of Indigenous peoples' rights under international law was born from the realities of conquest, colonization and dispossession as reflected in UNDRIP. Ignoring this foundation erases the injustice the concept was created to address. Second, to overgeneralize the experiences of modern states in Asia and Africa is deeply misguided. For some, including Indonesia, statehood was forged through the struggle against colonization. All citizens of Indonesia suffer the consequences of that history. It is therefore in the national context the remedy for these historical injustices is rooted in Indonesia's Constitution which enshrines equality and justice for all. Indonesia's national motto, unity in diversity, reconciles the tribes in to one unified nation. Within this framework, Indonesia protects its distinct traditional communities through the framework of customary law communities. This system safeguards Indonesia's culture, its identity and its rights.



**Kenya** thanks the SR for the insightful report which provides a comprehensive overview and practical recommendations, drawing states' attention to the complex challenges surrounding the recognition and protection of Indigenous peoples. The SR's report highlights challenges states face in clarifying the concept of Indigenous peoples within national and regional contexts, as well as the critical human rights obligations of states under international law. Kenya's commitment to promoting and protecting the rights of Indigenous peoples is firmly anchored in the 2010 Constitution of Kenya, which recognizes the existence and rights of marginalized and Indigenous communities, both in its definitions and substantive provisions. Under article 260, 'marginalized community' includes Indigenous communities who have preserved a traditional lifestyle or livelihood and who, owing to their distinctive cultural identity, have been on the periphery of the nation's integrated social and economic life. As the report underscores, significant challenges remain, especially in harmonizing national laws with international frameworks. Kenya is actively engaged in dialogue and policy reforms to enhance Indigenous participation in decision-making and to uphold the principle of free, prior, and informed consent in all development initiatives affecting Indigenous territories. In light of Kenya's multifaceted experience balancing communal rights, environmental sustainability, and national development priorities, Kenya would appreciate the SR's guidance on practical measures to prioritize to reconcile Indigenous claims with broader socio-economic and environmental policy goals, so as to advance rights without fostering division or conflict.

**Malaysia** reaffirms that the recognition of Indigenous peoples should remain central in national development. In line with the UN Declaration on the Rights of Indigenous Peoples, their land, culture, and participation rights must be safeguarded. Malaysia's Federal Constitution and state laws provide special protection for the indigenous communities in Peninsular Malaysia and the natives of Sabah and Sarawak. To strengthen this, Malaysia is developing a new Indigenous Peoples Development Policy, which embraces Free, Prior and Informed Consent (FPIC). The policy also aims to enhance protections in land, education, health and livelihoods. Vigorous Indigenous participation is also reflected in Malaysia's executive, legislative and judiciary bodies, including at leadership levels. Indigenous peoples have long served as Ministers, State Assembly Speakers and Federal Court Judges; and their voices have helped shape national policies. Under the *Madani Vision* and the 13th Malaysia Plan, inclusive development for Indigenous communities remains a priority. Targeted funding and investments in infrastructure, digital connectivity and entrepreneurship continue to uplift Indigenous communities. Malaysia remains committed to ensuring Indigenous people are recognised as equal partners in all aspects of sustainable national development.

**Nepal** thanks the SR's for his report and stresses that the Constitution of Nepal recognizes the rights of Indigenous peoples and Indigenous nationalities guaranteeing their representation and participation in decision-making bodies. In Nepal, prevailing law provides for proportional representation of Indigenous peoples through reservation in political bodies, civilian administration, and armed forces. In addition, a dedicated constitutional body, the Indigenous Nationalities Commission, has been in operation with the mandate of protecting and promoting the rights and interests of Indigenous nationalities in the country. Likewise, the National Foundation for the Development of Indigenous Nationalities coordinates various programs aimed at empowering Indigenous nationalities. Nepal is a state party to the ILO Convention No. 169,

Indigenous and Tribal Peoples Convention of 1989. In closing, Nepal would appreciate the SR's guidance on how to promote recognition of the Indigenous peoples and create an environment for wider appreciation and respect for their rights.

**Paraguay** appreciates the SR's report highlighting the centrality of the principle of self-identification and the need to clearly distinguish between Indigenous peoples and local communities. In Paraguay, Indigenous peoples are constitutionally recognised as communities with cultures that predate the formation of the Paraguayan State, and they have guarantees to preserve and develop their ethnic identity in the habitat to which they belong. This recognition is not limited to identity, but includes the right to organise themselves politically, socially, economically, culturally and religiously, as well as to apply their customary norms, provided that they do not contravene fundamental constitutional rights. In the event of a conflict of jurisdictions, Indigenous customary law is taken into account as part of a system of legal pluralism. The Constitution itself recognises the right of Indigenous peoples to communal ownership of land, and the provision of land of adequate quality and size for the conservation and development of their ways of life. Paraguay converges with the SR on the concept that the recognition must be translated into concrete measures that guarantee land, territories, culture, participation and non-discrimination, avoiding setbacks in the rights already achieved. In this regard, Paraguay reaffirms its commitment to continue advancing in the protection and promotion of the rights of Indigenous peoples.

**Peru** welcomes the SR's report and reaffirms its firm commitment to promoting, protecting and guaranteeing the rights of Indigenous peoples, convinced that there can be no sustainable development or consolidated democracy without the full guarantee of those rights. In this context, the Peruvian State has officially identified 55 Indigenous peoples in the country, of which 51 belong to the Amazon region and 4 to the Andean region. Peru further informs that the Ministry of Culture is promoting a prior consultation process for the development of the national policy on Indigenous peoples, with the aim of ensuring that its formulation is based on informed consent. This policy is aimed at improving the quality of life of the nearly 6 million citizens who self-identify as part of the country's 55 Indigenous or native peoples. Recognizing the challenges that remain for Peru in this area, the country welcomes the presentation of the report, which will be shared with the relevant national entities.

The **Russian Federation** read the SR's report with interest and notes that, despite its generally balanced nature, the SR periodically makes sweeping accusations against all states of violating the rights of Indigenous peoples, victimising this category of the population. Russia has centuries of historical experience in recognising the rights of Indigenous peoples, which were first enshrined in law in the first third of the 19th century. Following this experience has made it possible to preserve to a large extent the population, way of life, settlement patterns, livelihoods and self-government of Indigenous small peoples, whose rights are guaranteed by the Russian Constitution. At the time of the adoption of the Declaration on the Rights of Indigenous Peoples by the UN General Assembly, national legal norms corresponding to its provisions were already in force in the country. Today, legislators are guided by the need to ensure the sustainable development of Indigenous peoples by strengthening their socio-economic potential while preserving their traditional environment, way of life and cultural values, as well as improving their adaptation to modern economic conditions. Law enforcement practices are improving and



prosecutorial oversight of the implementation of legislation is being strengthened. In May 2025, a new version of the concept of sustainable development of Indigenous peoples of the North, Siberia and the far East of the Russian Federation was approved. Russia stands ready to share its rich experience in this area with foreign partners.

**Sudan** takes note of the report on the recognition of Indigenous peoples and the observations and recommendations contained therein. Thanking the SR for his comments and observations, Sudan notes that the report raises a number of important questions and issues related to Indigenous peoples, including the legal definition of Indigenous peoples and the relationship between the concepts of local communities and Indigenous peoples. Sudan questions whether recognition of Indigenous peoples create a climate of social division and hierarchy among the components of the people in the state, or the protection of the rights of one group at the expense of another. These are all questions that arise in the context of the debate on the concept of Indigenous peoples as a human rights concept. Sudan believes that this debate must continue in order to address the confusion in understanding. The report also included examples of lessons learned and experiences of countries such as Sudan, which supported the United Nations Declaration on Indigenous Peoples in 2007. Sudanese legislation also recognises the country's cultural and ethnic diversity. The constitutional document stipulates the right of ethnic and cultural groups to express their own cultures and develop them, to practise their beliefs and customs, and to raise their children in those cultures and customs.

**Tanzania** takes note of the SR's report and his recommendations. The Constitution of 1977 of the United Republic of Tanzania recognizes that all human beings are born free, and are all equal. Among the rights and principles recognized in the Constitution are the principles of non-discrimination; the right to participate in government affairs; the duty to uphold the laws of the state; the obligation to respect the rights and dignities of others and to prevent the exploitation of one human being by another. According to its constitution and national laws, Tanzania does not have a specific category of Indigenous people. Any Tanzanian of African descent is by law an Indigenous. The people of Tanzania from over 120 ethnic groups are united by culture, common heritage, values, and customs as well as the globally celebrated Kiswahili language. The Government has already designated communities with specific and different needs and livelihoods and endeavours to ensure they benefit from their civil, political, economic, social and cultural lives. Tanzania has also established policies and programmes to assist these communities within the Tanzanian context, for example, the Tanzania Social Action Fund (TASAF). The Government will continue to promote and protect the human rights based on the fundamental human rights principles of equality and non-discrimination.

**Togo** thanks the SR for his report and expresses its gratitude for his in-depth analysis of the issues related to their recognition. On the occasion of the 20<sup>th</sup> anniversary of the United Nations Declaration on the Rights of Indigenous Peoples, Togo reaffirms the importance of this historic text, which provides an essential framework for the protection of fundamental rights, the promotion of justice and the strengthening of the partnership between Indigenous peoples and States. Togo notes with interest the SR's observations on the persistent misunderstandings that still hinder the full recognition of Indigenous peoples in certain regions. It is important to recall that this recognition should not be seen as a divisive factor, but rather as a human rights requirement and an indispensable condition for building inclusive and peaceful societies. Togo





further welcomes the decisive role played by the African Commission on Human and Peoples' Rights and the African Court, which have helped to clarify the African understanding of the concept of Indigenous peoples and to promote progressive jurisprudence in this area. Finally, Togo reaffirms its unwavering commitment to the principles of equality, non-discrimination and social justice.

**Venezuela** appreciates the SR's report and values its conclusions and recommendations. Article 119 of the Constitution of Venezuela recognises the existence of Indigenous peoples and communities, their social, political and economic organisation, their cultures, customs and traditions, languages and religions, as well as their habitat and original rights to the lands they ancestrally and traditionally occupy and which are necessary to guarantee their ways of life. This provision is complemented by the Organic Law of the Plan for the Homeland and the Organic Law of Indigenous Peoples and Communities. Precisely this Law, in its Chapter I, titled 'On the recognition of the rights of Indigenous peoples,' establishes a total of 10 articles that address, among other provisions, recognition, definitions, participation in the formulation of public policies, and the training of State officials. The imposition of unilateral coercive measures has a negative impact on the human rights of millions of people. In this regard, Venezuela asks whether the SR has considered this variable in his work, with a view to determining the adverse consequences of these illegal measures on Indigenous peoples.

**Zambia** thanks the SR for his important report and notes with concern that, nearly two decades after the adoption of the UN Declaration on the Rights of Indigenous Peoples, recognition remains inconsistent. Too often, Indigenous peoples are not distinguished from local communities, and their distinct rights are overlooked. Zambia believes that full recognition is not only a legal obligation but also a moral imperative. It is key to ensuring dignity, equality, and meaningful participation for Indigenous peoples everywhere. When recognition is absent, rights are weakened, identities are denied, and communities are left behind in development. Zambia calls on all states to take concrete steps to enshrine recognition in law and policy, in close consultation with Indigenous peoples themselves. This is essential for advancing inclusion, protecting cultural heritage, and achieving the Sustainable Development Goals. Lastly, Zambia stands ready to support collective efforts within the UNHRC to turn recognition into reality, so as to achieve full dignity and human rights for all.

### **UN Entities**

**UN Women** stands firm in advancing the rights and leadership of Indigenous women and girls. It pursues a dual approach - supporting states to fulfil human rights obligations through inclusive, gender-responsive policies and budgets, and empowering Indigenous women and girls to mobilize, advocate, and lead in decisions impacting their lives. In Brazil, UN Women's support for grassroots Indigenous women has led to increased political participation and representation. In Guatemala, the Indigenous Women's Platform backed by UN Women strengthens representation at all levels of government. CEDAW General Recommendation No. 39 affirms Indigenous women's right to self-identify, while warning of persistent structural racism and discrimination. On 22 September 2025, at the High-Level Meeting on Beijing+30 in New York, Member States made bold, actionable commitments to address intersectional discrimination and inequalities that can drive Indigenous women's leadership and rights. These promises are not just words. They



are measurable steps to dismantle intersectional discrimination and drive real change. UN Women would like to know from the SR what concrete steps may states take to guarantee effective governing and representative institutions for Indigenous peoples, and to ensure Indigenous women and girls have a real voice in decisions that affect them.

**UNICEF** welcomes the SR's report on the rights of Indigenous peoples and strongly supports its recommendations. UNICEF echoes the call to recognize Indigenous peoples, including Indigenous children, as rights holders with distinct rights under international human rights law, notably the Convention on the Rights of the Child (CRC) and the UN Declaration on the Rights of Indigenous Peoples (UNDRIP). UNICEF remains deeply committed to advancing the rights of Indigenous children through global programming. UNICEF recognizes the persistent violations of their rights and the systemic barriers they face, including racial discrimination, exclusion from quality education, limited access to health services, and disproportionate exposure to environmental harm. These overlapping barriers compound poverty and exclusion, undermining the full scope of their rights. Across the world, UNICEF works to advance these rights by addressing root causes of discrimination, promoting meaningful and safe participation, and empowering Indigenous children and their communities to claim and exercise their rights. UNICEF also supports states in upholding their obligations under international human rights frameworks. UNICEF urges all states to legally recognize Indigenous peoples as distinct rights holders, to explicitly protect their rights in legislation, and to incorporate UNDRIP into domestic legal and policy frameworks in full partnership with Indigenous peoples. UNICEF remains deeply committed to working with Indigenous children and communities as rights holders and partners and reiterates its readiness to support states in ensuring these rights are respected, protected and fulfilled.

### **National Human Rights Institutions**

The **National Human Rights Commission of Burundi** (NHRI of Burundi) notes that in the country, Indigenous peoples (the Batwa) are one of the components of the Burundian population. Like their fellow citizens, the Batwa enjoy the rights and duties provided for in articles 13 and 16 of the Burundian Constitution. In order to integrate the Batwa into national development projects and promote their economic, social, and cultural rights, the Burundian government has set up social safety net programmes called '*Nawe Nuze*.' In terms of education, the State applies the principle of positive discrimination in their favour. For this reason, during the 2025-2026 school year, the Ministry of Education promoted the right of access to boarding schools for Batwa students. However, the NHRI of Burundi notes that the Batwa face shortcomings in the enjoyment of certain rights, including the right of access to documentation, a prerequisite for the registration of civil status records, the enjoyment of political rights, and public services. Despite the State's efforts to promote the economic, social and cultural rights of the Batwa, the NHRI of Burundi observes that they still experience difficulties related to the individual right of access to land, access to decent housing, and the individual right of access to education, particularly as a result of early marriage, school dropouts, etc. The NHRI of Burundi encourages the State to mobilize funds for the effective implementation of the national strategy for the socioeconomic reintegration of vulnerable groups, in particular the Batwa. In addition, the NHRI of Burundi recommends that the State undertake awareness-raising and education programs for the Batwa in order to combat self-discrimination, a major obstacle to the enjoyment of fundamental rights and freedoms.



The **Defensoría del Pueblo de Colombia** (NHRI of Colombia) emphasizes that ‘counting poorly means excluding, while counting well means recognizing’. Figures are not neutral. When a State identifies Indigenous peoples rigorously and respectfully, it enables their rights. When it fails to do so, it reproduces inequality, racism, and historical discrimination. The right to recognition requires that censuses and registries be governed by self-identification, clear technical standards, and the effective participation of Indigenous authorities and organizational structures. Colombia offers a recent lesson - its last census sparked debates about the statistical decline of ethnic peoples. This ‘invisibility’ is not abstract: it affects the allocation of resources, the design of programs, institutional representation, and guarantees for self-determination. For this reason, the NHRI of Colombia proposes three commitments. First, intercultural and co-designed censuses and registries, with the participation of Indigenous authorities, women, and youth; instruments in Indigenous languages and territorialized. Second, immediate and transparent post-census adjustments when there is underreporting, with open, understandable methodologies and independent audits with Indigenous participation. Third, principles of governance and protection of Indigenous data, namely consent for use, legitimate purpose, return of benefits, and the use of categories that explicitly highlight the collective rights of ethnic peoples.

The **Ukrainian Parliament Commissioner for Human Rights** (NHRI of Ukraine) Since 2014, Russia has been violating the rights of Indigenous peoples and national minorities in Ukraine. These violations include the right to life, respect for dignity, freedom of speech, and freedom of religion. Russian forces illegally abduct and imprison representatives of Indigenous peoples and national minorities in Ukraine. More than 220 Ukrainians and Crimean Tatars are unlawfully detained in Crimea. The aggressor state also violates citizens’ religious rights, deliberately targeting religious sites. Over 660 such buildings have been destroyed or damaged. These figures are not exact, as the NHRI of Ukraine does not have access to the temporarily occupied territories. Just recently, on 31 July 2025, a Russian missile strike on Kyiv damaged the main mosque of the Spiritual Administration of Muslims of Ukraine ‘Umma’ and the building of the Islamic Cultural Center. The NHRI of Ukraine calls on the international community to firmly condemn the attacks on religious sites; to demand that Russia immediately stop the persecution of residents in the occupied territories based on their ethnicity and religion; and to unite efforts to end Russia’s aggression and bring those responsible to justice.

### **Indigenous Peoples**

**Confederación Indígena Bolivariana de Amazonas (COIBA)** speaks through Olnar Ortiz, an Indigenous Bare and a defender of human and territorial rights in the Venezuelan Amazon. The SR’s report highlights an essential point - the full recognition of Indigenous peoples as subjects of rights, which is an indispensable condition for guaranteeing their existence and dignity. However, in Venezuela, Indigenous peoples are experiencing the opposite reality. Although the Constitution recognizes Indigenous rights, the State has systematically and differentially failed to comply, resulting in serious and ongoing violations. Today, Indigenous territories are occupied by illegal mining activities, many of which are promoted or tolerated by the government itself. This causes displacement of communities, environmental devastation, loss of livelihoods, violence, and repression. The report also warns about the criminalization of Indigenous leaders. Those Indigenous who defend Indigenous territories and raise Indigenous voices are subject to threats,



harassment, and arbitrary detentions, especially in border areas where state interests and irregular armed groups converge. COIBA urges the SR and the UNHRC to maintain their attention on Venezuela and to rigorously monitor these violations. Impunity and invisibilization also constitute violations, as they seek to erase the living memory of Indigenous peoples and their very existence.

The **Union of Indigenous Peoples ‘SOYUZ’** recalls that at its 17th session, the UN Expert Mechanism on the Rights of Indigenous Peoples recommended that the UNHRC work to eliminate, minimise and mitigate the impact of unilateral coercive measures (UCMs) on the rights of Indigenous peoples to health, a clean environment, international cooperation and sustainable development. Concerns have been raised about the difficulty of accessing medicines and medical equipment, as well as modern environmentally friendly technologies in mineral extraction and green energy. This creates humanitarian risks, risks to biodiversity and traditional lands. Excessive compliance with UCMs prevents Indigenous peoples from applying industry standards in dialogue with business. International cooperation among Indigenous peoples is also under attack. Visa, logistical and financial barriers prevent the effective participation of legitimate Indigenous peoples’ organisations in the work of the UNHRC, the International Decade of Indigenous Languages and the Rio Conventions. A recent example is Germany’s violation of its obligations by not allowing a representative of Russia’s Indigenous peoples to participate in a meeting of the Governing Council of the Cali Biodiversity Fund. In this way, UCMs are used to deprive entire countries of their Indigenous peoples of their right to vote. The Union of Indigenous Peoples ‘SOYUZ’ requests that the SR conduct a study on the impact of UCMs on the realisation of the rights of Indigenous peoples, and that the UNHRC devote a separate discussion to this topic.

The **Ontario Native Women’s Association** is amplifying the collective voices of over 35 Indigenous Women’s agencies. Thanking the SR for his commitment to ensuring that Indigenous rights are upheld, the Association urges the UNHRC and UN member states to take two actions. First, ensure Indigenous Women’s enhanced participation and leadership in all decision-making at all levels. Indigenous women have always been leaders in families, communities and nations. While colonization disrupted Indigenous women’s leadership, their right to leadership is inherent and must be upheld. This is affirmed by article 18 and CEDAW General Recommendation No. 39. Yet states and systems often revert back to colonial approaches that only recognize structures they create. Secondly, ensure that Indigenous spaces and the mandate of the special rapporteur are maintained and resourced. Globally, Indigenous anti-rights rhetoric is unfolding. Indigenous peoples’ voices, solutions and leadership are needed now more than ever. The Association urges states to be leaders in resourcing the United Nations, upholding their obligations and prioritizing Indigenous women’s leadership and safety. The UN liquidity crisis must not be used as an excuse to reduce or combine the mandates of the Expert Mechanism, the Special Rapporteur, the Permanent Forum or the Voluntary Fund. These mandates are integral to the continued participation, leadership and safety of Indigenous peoples and must be maintained.

The **Bukidnon Tagoloanon Tribe** thanks the UN Voluntary Fund for Indigenous Peoples for the support for participating in the UNHRC. Article 21 of the UNDRIP declares that Indigenous Peoples have the right without discrimination to economic and social conditions. It further lays out that states shall take effective measures and where appropriate special measures to ensure



continuing improvement of their economic and social conditions. In the Philippines, the Constitution mandates that states shall protect the rights of Indigenous Cultural Communities (ICCs) their ancestral lands to ensure the economic, social and cultural well-being. The Indigenous Peoples Rights Act of 1997 provides that the state shall ensure that members of the Indigenous peoples and ICCs benefit on equal footing from the rights and opportunities which national laws and regulations grant to their members of the population. In order to actualize the avowed guarantee of equal footing in benefiting from rights and opportunities which national laws and regulations grant, it has been deemed necessary to create the so-called interfacing capability of Indigenous cultural communities with the present mainstream legal systems. Under domestic laws, ICCs are not considered as juridical persons, hence the need for ICCs to have its Indigenous political structures and Indigenous Peoples organization confirmed and registered with the state in order to acquire judicial or juridical personality. The UNHRC resolution 57/15 highlights its mindfulness that Indigenous peoples have faced significant barriers to the enjoyment of the rights and improvement of their economic and social conditions.

**Project Sepik Inc. Papua New Guinea** explains that across Melanesia, the Pacific and Papua New Guinea, the rights as Indigenous peoples have been violated on many occasions from destructive and exploitative development. Their forests stripped, oceans and rivers poisoned and cultures threatened as corporations and other countries meddle with trade rules and laws given to us by the colonizers. Of all these struggles, it is the call to save the Sepik River. The speaker is an Indigenous representative of Papua New Guinea and the Sepik River, here supported by the UN Voluntary Fund for Indigenous Peoples. Indigenous speaker stands with *Sukundimi*, the spirit of their river, carrying the voices of the speaker's ancestors, their unborn children and more than 400,000 Sepik people who depend and on the river for life itself. The Sepik is not just water. It is their mother, their soul and their lifeline. Yet, the proposed Frieda River Gold and Copper mine threatens with plans to build one of the world's largest tailings dams in one of the world's seismically active rainforest. A collapse would poison their water, destroy their food systems and erase their culture; their memory. This is not just an environmental threat; it is a human rights crisis. The Sepik people refuse to become victims, they are in solidarity and they have rejected this mine openly, boldly and are persistent with their resistance. This proposed mine will never get a social license, no Free, Prior and Informed Consent (FPIC), no legitimacy. The Sepik people demands justice and asks to condemn the Frieda River Mine as a violation of human rights; recognize the Sepik River as a living entity and urge UNESCO to protect it as a World Heritage Site; mandate Special Rapporteurs on environment, Indigenous peoples and toxics to monitor the situation and report back to the Council, and support Indigenous-led stewardship ensuring FPIC is respected under UNDRIP. The Sepik is a sacred being, a living spirit. To destroy it is to commit genocide. To protect it is to safeguard humanity, culture, climate and justice.

**Association Dewran** thanks the SR for his report on the recognition of Indigenous peoples, and echoes the call that recognition must be rooted in self-identification and must guarantee access to land, justice, and customary governance. Dewran draws urgent attention to the pastoralist nomadic Fulani in Burkina Faso, who remain unrecognized and are facing grave human rights violations under the guise of counterterrorism, including arbitrary detention, enforced disappearances, extrajudicial killings, cattle seizure, and land dispossession. On 11 March 2025, more than 130 Fulani civilians were killed by government forces and allied militias near Solenzo,





as documented by Human Rights Watch. The criminalization of Indigenous identity fuels discrimination, impunity, and further violence. Dewran asks the SR how can recognition frameworks be strengthened to protect Indigenous communities targeted under national security pretexts. The Association urges states to recognize and protect nomadic and pastoralist Indigenous peoples, including the Fulani, and to ensure accountability for violations committed in the name of counterterrorism.

The **Winnemem Wintu Tribe** is a non-federal recognized Indigenous people in the United States still living on traditional land and practicing traditional spiritual, matriarchal and matrilineal leadership working to bring back the sacred salmon. State recognition systems do not always cover the scope of all Indigenous peoples. In the United States, there are over 400 Indigenous peoples currently not federally recognized and over 500 that are. At the same time, while recognition is pivotal in many circumstances to the survival of an Indigenous people in matters of total genocide or ongoing genocide, recognition systems often come with strings attached that further cultural genocide and loss of traditional ways, leaderships and systems. The Tribe invites the SR to observe and engage in the work of the developing of the enhanced participation of Indigenous peoples at the United Nations and specifically in the context of recognition. The outcome shall be an increased access and self-determination of Indigenous peoples as own governments each with own diverse customs, appointed representatives, leaderships and systems as full and legal and political entities in the UN multilateralism. It further asks the SR to assist in the task of preventing and addressing reprisals.

**Crimean Tatar Youth Center** states that the report highlights global challenges for Indigenous peoples, but concerns remain. Too often, the language used risks putting Indigenous peoples on the same level as 'local communities'. This is not just terminology - it weakens Indigenous distinct rights under international law. Recognition must rest on self-identification as Indigenous. State recognition may matter politically, but it cannot determine existence. Without this clarity, rights risk becoming conditional and uncertain. It is especially worrying that Ukraine was excluded from the paragraph on recognition of Indigenous peoples in the region, despite the detailed submission by the Crimean Tatar Resource Center. This omission is not technical - it undermines both the credibility and inclusiveness of the report. As this Council and the United Nations move forward with enmeshing Indigenous participation, the path must be clear - recognition should be principled, grounded in self-identification, and applied consistently across all regions. To truly strengthen the international human rights system, no Indigenous peoples should remain invisible, no matter how politically sensitive their situation may be.

The **Malaita Provincial Youth Council** represented through an Indigenous youth from Malaita Province of the Solomon Islands, explains that for them, land and ocean are not just resources, they are life, identity, and governance. Indigenous practices such as storytelling, hunting, cooking, and traditional justice guide their conflict resolution, leadership, and values. Protecting these practices means protecting their dignity and survival. This is in line with the Human Rights Council's reaffirmation that Indigenous peoples' institutions, customs, and legal systems are essential for conflict resolution and peacebuilding. Malaita, the province with the largest ocean area in Solomon Islands, faces urgent threats from seabed mining and illegal fishing, which endanger both ecosystems and cultural survival. At the same time, Indigenous youth face growing economic marginalization as foreign interests dominate local economies. If unchecked,



by 2050 Indigenous youth may no longer control their own economic future. The Malaita Provincial Youth Council recalls that the UNHRC has urged states to recognize and promote Indigenous peoples' traditional economies and approaches to ecosystem management. Indigenous education is essential. The MalaiTolo program, which integrates Indigenous learning into high schools, and the Tea Room project, which empowers youth through access to knowledge and dialogue, show the strength of Indigenous-led solutions. This reflects the Council's emphasis on intercultural and multilingual education, youth empowerment, and the preservation of Indigenous languages during the International Decade of Indigenous Languages. The Malaita Council also wishes to echo the voices of Indigenous peoples across the Pacific who are victims of nuclear testing, from Kiribati to the Marshall Islands. Their suffering must not be forgotten. The Treaty on the Prohibition of Nuclear Weapons (TPNW) is vital for justice, and the Malaita Council call for sustained support to affected communities. Noting that the Council has condemned violence and systemic discrimination against Indigenous peoples, the Malaita Council stresses that nuclear testing remains one of the clearest examples of such injustices. Both Reverse the Trend (RTT) Pacific and the Nuclear Age Peace Foundation are committed to amplifying the voices of young people in the Pacific who continue to live with this nuclear legacy. The UNHRC must stand with Pacific peoples impacted by nuclear testing, ensuring their rights and protection under the TPNW, while addressing the disproportionate harms faced by Indigenous communities.

The **Wandara Collective** takes the floor through Shawna Pope, a Wakka Wakka and Wulli Wulli person, Indigenous Australian. Since the Royal Commission into Aboriginal Deaths in Custody in 1991, over 500 Indigenous Australians have died in custody. These are lives lost, families devastated, and communities traumatized. These tragedies are deeply linked to systemic failures in the justice system and broader human rights concerns, including the protection of land and cultural heritage. Indigenous peoples worldwide face similar structural injustices, demanding urgent action. Indigenous Australians are significantly overrepresented in custody, and systemic bias, inadequate oversight, and lack of culturally safe practices persist. The age of criminal responsibility is just 10 years old, yet children cannot legally manage social media until 16. This contradiction illustrates a system that punishes children too early while denying autonomy in other areas. Early criminalization increases vulnerability to trauma, incarceration, and preventable deaths in custody. These injustices are compounded by threats to land rights and cultural heritage, which undermine community resilience and wellbeing. The Wandara Collective recommends the following: raise the age of criminal responsibility in line with developmental science; implement independent monitoring and culturally safe custodial practices; develop community-led diversion programs and restorative justice initiatives that respect land rights and cultural heritage; and promote international cooperation and accountability to prevent deaths in custody globally. Deaths in custody are preventable. Indigenous youth deserve protection, justice, and recognition of their cultural rights. The Wandara Collective urges the SR to continue monitoring these issues, advocate for systemic reform, and ensure Indigenous communities' voices, lands, and heritage are respected. Justice must be a reality, not just a promise.

### **Non-Governmental Organizations**

The **Law Council of Australia** thanks the SR for his report on the recognition of Indigenous Peoples worldwide. As noted in the report, the United Nations Declaration on the Rights of



Indigenous Peoples provides a framework to recognise Indigenous peoples and their rights domestically. The Law Council advocates for a National Action Plan to formally and comprehensively implement the Declaration in Australia. The report also notes the failure of the 2023 referendum to enshrine a First Nations Voice in Australia's Constitution. Civics education, including about Australia's legal system and First Nations peoples' history, is necessary to combat misinformation and disinformation, and to support the effective implementation and protection of First Nations peoples' rights in Australia. Australia's First Nations peoples face inequality and injustices that deny their human rights. They are overrepresented in criminal justice and child protection systems, and this is worsening nationally. National targets towards healthy birthweights, education, employment, housing and life expectancy are not on track to be met. The Law Council welcomes recent steps by the Australian Government to address these issues, but transformative change is needed to meaningfully realise First Nations rights in Australia. In closing, the Law Council invites the SR to please affirm the importance of a holistic approach to recognise and protect the rights of Indigenous peoples.

**Conselho Indigenista Missionário (CIMI)** takes the floor through Ivanildo, an Indigenous person from the Pankararu people of the State of Minas Gerais in the Jequitinhonha Valley, Brazil. Indigenous peoples have been feeling the impacts of lithium mining for many years. In Brazil, 85% of lithium reserves are located in the Jequitinhonha Valley. In Brazil, the state of Minas Gerais has conducted the most studies on mineral issues. And 188 processes are related to lithium. Mineral exploitation affects the fundamental and sacred right to water. This is evident in the Jequitinhonha Valley, where there are water shortages due to the semi-arid climate. It is necessary to notify - the Brazilian State, the mining companies in the Jequitinhonha Valley and the Government of the state of Minas Gerais to implement the following recommendations:

- Recognise the autonomy of Indigenous peoples in their territories and respect their decision-making. Guarantee sufficient financial resources for the acquisition, regularisation and protection of territories according to the needs of the Indigenous peoples of the Jequitinhonha Valley.
- Carry out free, prior and informed consent on mining projects that affect Indigenous territories.
- Suspend and control environmental licences that do not comply with free, prior and informed consent.
- Create effective mechanisms for fair redress and measures to mitigate the consequences on the environment.

The **Cairo Institute for Human Rights Studies (CIHRS)** gives the floor to one of the Indigenous people of the Sinai Peninsula in Egypt, who recalls that the genocide rages in Gaza, children starved and bombed, families massacred, and Palestinians pushed toward Sinai through mass killings, ethnic cleansing and forced displacement. The Indigenous people of Sinai, know this pain. Over 150,000 of them have been uprooted under Egypt's so-called counterterrorism campaigns, and still they are denied the right to return. Investigations by the Sinai Foundation for Human Rights, corroborated by independent analysis from Forensic Architecture, has uncovered, for the first time, a mass grave in the Sinai containing over 300 bodies, along with new incidents of extrajudicial executions of civilians, during the nearly decade-long armed conflict



between 2013 and 2022. These incidents constitute war crimes, and possible crimes against humanity. The evidence is overwhelming. Satellite imagery, on-site footage, field visits, excavations, and eyewitness testimonies - including from individuals who worked alongside security forces - reveal a pattern of enforced disappearance, arbitrary detention, torture, and execution. The Egyptian authorities live in a parallel world of denial. Just as they refuse to acknowledge mass displacement and the thousands of political prisoners, they also deny extrajudicial killings, despite leaked videos showing Egyptian army soldiers executing handcuffed detainees. CIHRS calls on the SR on the rights of Indigenous peoples and other mandate holders to immediately take up this issue. In addition, the UNHRC should take urgent action to establish an independent international fact-finding mission to investigate these violations, pursue accountability, and seek reparations for victims' families. The Egyptian authorities must finally acknowledge and begin a national process of accountability for atrocities committed in Sinai and elsewhere in the country.

**Centro de Estudios Legales y Sociales (CELS) Asociación Civil** states that in Argentina, there is a racist policy that denies the rights of Indigenous peoples and sometimes even their existence, contrary to what is stated in the National Constitution. The Argentine legal framework recognizes the pre-existence of Indigenous peoples. Various declarations and agreements signed by the country also recognize basic rights, such as prior consultation. However, these rights have never been realized. Structural racism on the part of the government and the judiciary, and economic interests in Indigenous territories, are the main obstacles to the effective recognition of Indigenous rights. The lack of a law on Indigenous communal property and a policy of territorial restitution leaves us in a precarious situation in every conflict. Indigenous peoples are up against the government, extractive companies, the judiciary, and the police. The current government incites racial hatred by repeatedly hailing the military and politicians responsible for the Indigenous genocide as national heroes. It has also transformed the Institute for Indigenous Affairs into an office that works in favour of private interests and against communities. The extreme of this situation of denial is found in the province of Mendoza, where last year the local legislature voted on a declaration denying that there were Mapuche communities in that province, when in fact there are dozens of them. The first step for Argentina to recognize the rights of Indigenous peoples is very simple. The State must comply with the Constitution, laws, and international treaties that it has committed to respect.

The **Colombian Commission of Jurists** explains that the Indigenous governor, Reinaldo Quebrada Quilcué, was accused by the Colombian State of kidnapping and deforestation while exercising his role as a traditional authority mediating in a conflict that arose during a raid by the security forces as part of a military operation (Operation Artemisa) characterised by persecution and violence against communities settled in environmentally protected areas. Reinaldo was deprived of his liberty for more than three years and was denied the possibility of having his case heard by the special Indigenous jurisdiction. After a thousand days in detention and four requests for revocation, in March 2025 his immediate release was ordered, although the trial against him continues. The Public Prosecutor's Office has offered him access to the principle of opportunity, whereby in exchange for acknowledging his responsibility for crimes he did not commit, criminal proceedings would be suspended. As a condition for granting this benefit, Reinaldo must comply with alleged reparative measures, such as the development of an internal code for the proper use



of natural resources by the Indigenous community or a code on the proper application of Indigenous justice, which would imply that there were faults in both areas in this case. This proposal, while guaranteeing Reinaldo's freedom, violates his dignity and the autonomy of his community. It forces him to admit responsibility for crimes he did not commit, questions his legitimacy as a traditional authority, and sets a serious precedent for other Indigenous leaders. The Colombian Commission of Jurists requests the SR to monitor the progress of the case and ask the Prosecutor to close the investigation against Reinaldo.

**Edmund Rice International** affirms that the ongoing impacts and inter-generational trauma as a result of colonisation continues to be felt deeply in Australia. Social and Racial inequality is mirrored within the education system. There remains a significant disparity between the literacy and numeracy standards between Aboriginal and Torres Strait Islander children and their non-Indigenous classmates (SNAICC). 2024 National Assessment data shows that Aboriginal and Torres Strait Islander children are failing at four times the rate of non-Indigenous classmates and that up to 90 per cent of students in remote communities are failing to reach minimum standards of literacy and numeracy (SNAICC). Despite the introduction of the Closing the Gap Targets in 2008 and the 2019 Alice Springs (*Mparntwe*) Education Declaration, the learning outcomes of young Indigenous Australians continue to fall short of their non-Indigenous counterparts and this is unacceptable. Further to this, Australia's failure to take meaningful action to legislate their obligations defined in the UN Declaration on the Rights of Indigenous Peoples only perpetuates ongoing inequality. Edmund Rice International recommends the government remove barriers by implementing sustained funding to early intervention programs such as the Early Years Support for Aboriginal and Torres Strait Islander Community Controlled Organisations; and that specific funding be allocated for the professional development of current teachers to support them to meaningfully embed the specific existing cross-curricular priority of Aboriginal and Torres Strait Islander Histories and Cultures.

**International Indian Treaty Council** appreciates the report by the SR titled 'Recognition of Indigenous Peoples,' which supports several issues to strengthen the implementation of the UN Declaration on the Rights of Indigenous Peoples. It is essential to note that the commitments made by States in adopting the Declaration must be implemented in each country and harmonised with domestic law and international law in order to 'do justice', as the SR points out. It is also necessary to reaffirm that Indigenous peoples have collective and individual rights recognised by the Declaration, on an equal footing with other Nations and Peoples, which were debated during the process of adopting this instrument. It is urgent and necessary that the SR's recommendations be complied with, so that states continue to recognise Indigenous peoples as rights holders and differentiated rights holders in national and international law, avoiding any conflation between Indigenous peoples and local communities, as this undermines and distorts the principles of the Declaration and violates the rights of Indigenous peoples. The Indian Treaty Council asks the SR how to legally ensure that the Convention on Biological Diversity stops mixing and undermining the principles and statements of the United Nations Declaration on the Rights of Indigenous Peoples.

**Frontline Defenders** gives the floor to Casselle Jannica Ton, an Igorot Indigenous youth from the Kankanaey tribe in the Cordillera region of the Philippines. While some countries have enacted laws to recognise Indigenous Peoples, such as the Philippines enacting the Indigenous Peoples'





Rights Act of 1997, subsequent legislation undermines Igorot Indigenous rights to self-determination, land, and life. Recognition of Indigenous peoples must go beyond symbolic legislation; it must be upheld in practice. For example, Republic Act No. 11252, recently signed, permits foreign entities to lease land for up to 99 years, violating constitutional safeguards and enabling Indigenous land dispossession. The Philippine Mining Act of 1995 remains a tool of plunder, displacing Indigenous communities and destroying ecosystems. Moreover, the Anti-Terrorism Act of 2020 and the Terrorism Financing Prevention and Suppression Act of 2012 are weaponised against Indigenous human rights defenders. Those who oppose destructive projects are arbitrarily labelled as terrorists and criminalised. Frontline Defenders urges the Council and the SR to call for genuine recognition of Indigenous Peoples; a recognition that protects ancestral lands, respects free, prior, and informed consent, and ensures that defenders are not punished for safeguarding their communities. Frontline Defenders urges states to repeal laws that endanger Indigenous peoples, criminalise defenders, and facilitate land dispossession. Land, life, and resources must be defended.

The **International Network for the Prevention of Elder Abuse (INPEA)** draws attention to the fact that to date, older Indigenous women remain largely invisible in human rights documents. The SR on Indigenous peoples addressed the important issue of differentiating Indigenous communities from those that are ethnic. However, the report is silent on the distinction of older women within these Indigenous communities. The Convention for the Elimination of all kinds of Discrimination against Women (CEDAW) General Recommendation No. 39 on the rights of Indigenous women and girls is also silent on violence against older Indigenous women. It states that gender-based violence disproportionately affects Indigenous women and girls, and an estimated one in three indigenous women is raped in her lifetime. This means that many older Indigenous women enter old age with cumulative gender-based traumas to compound elder abuse. Lack of gender differentiation in Indigenous communities leads to concealed data that are relevant to understanding and addressing gender-based elder abuse in these communities. In closing, INPEA asks the SR how to ensure the inclusion of violence against older Indigenous women in the forthcoming treaty on the human rights of older persons as well as the active participation of older Indigenous women in the negotiations. INPEA looks forward to the mandate's active contributions to the process.

**Peace Brigades International (PBI)** stresses that in Guatemala, the rights of Indigenous peoples recognised in the 1996 Peace Accords remain unfulfilled. The failure to implement the right to territory and prior consent generates conflict and serious violations. PBI warns of the imminent reopening of the nickel mine in El Estor, without compensation for previous damage or consultation in accordance with local customs, in a context of intimidation and threats against Q'eqchi' authorities. There is also concern about the criminalisation of ten defenders from the Chortí Maya Indigenous Council of Olopa for opposing a mining project that violates their rights and the environment. PBI has documented multiple court hearings where Indigenous people lacked translation and legal advice in their language and faced degrading treatment. In Nicaragua, violence in Indigenous territories puts lives, cultures and rights at risk. Territorial invasions, lack of prior consent and persecution of leaders through arbitrary detentions and enforced disappearances continue, as in the case of the imprisonment of eight Mayagna forest rangers. The imposition of communal authorities by the state undermines traditional systems of



government. The forced internal and cross-border displacement of Indigenous communities exacerbates their vulnerability, breaks community cohesion and exposes families to multiple forms of violence.

### **FACTS & FIGURES ON ID PARTICIPATION**

**3** Regional and Cross-Regional Groups

**27** State Delegations

**2** UN Entities

**3** National Human Rights Institutions

**10** Indigenous Peoples

**10** Non-Governmental Organizations