



Dialogue Meeting on Enhanced Indigenous Peoples' Participation at the UN

27-30 January 2020, Quito, Ecuador

A Introduction

1. Acknowledging the first dialogue meeting was held in Bangkok, Thailand 11-12 November 2016, the second dialogue meeting was held in Quito, Ecuador 27-30 January 2020, with the objective of providing Indigenous Peoples' representatives and experts the opportunity to consider and consolidate their positions and strategies on the current and future processes of enhanced participation, and to have a dialogue meeting with Member States on the topic.
2. The dialogue meeting in Quito was attended by representatives of 6 indigenous regions, organized and hosted by the Asia Indigenous Peoples Pact, COICA, International Indian Treaty Council, and The Sami Parliament in Finland, with the financial support of, Canada, Finland, and Norway.
3. In light of the numerous and diverse threats to Indigenous Peoples and humanity as a whole, there is an urgency to increase and enhance our efforts. Our future and the future of the world may well depend on our voices being heard at the international level. Towards this renewed effort, we set forth the following.

B General principles

The enhanced participation process must be guided by:

1. The right of self-determination of Peoples as enshrined in the Charter of the United Nations, The International Covenant on Civil and Political Rights, The International Covenant on Economic, Social and Cultural Rights, and the UN Declaration on the Rights of Indigenous Peoples¹ (Hereinafter the UN Declaration).
2. The UN Declaration, the Alta Outcome Document², and the World Conference on Indigenous Peoples Outcome Documents, as these documents are the foundation of our work in this process.
3. The provisions of the UN Declaration, including inter alia, Articles 3, 18 and 33 which affirm our rights to self-determination, to define our own identity, priorities and political status, and also our right to participate in decision-making in matters that affect us through representatives selected through our own internal processes.
4. The enhanced participation process, both under the UN General Assembly, and the UN Human Rights Council, must be fully consistent with the provisions of the UN Declaration as minimum standards.

C Key decisions related to the UN General Assembly

1. Future processes to enhance Indigenous Peoples' participation in the United Nations must be based on the achievements previously secured including, inter alia the Bangkok Outcome Document (attached in

1 (A/RES/61/295) accessible via <https://undocs.org/en/A/RES/61/295>

2 (A/67/994) accessible via <https://undocs.org/en/A/67/994>

3 (A/RES/69/2) accessible via <https://undocs.org/en/A/RES/69/2>

Annex A) and the compilation of views of States and Indigenous Peoples containing possible measures necessary to enhance the participation of Indigenous Peoples' representative institutions.

2. All formal and informal consultations and negotiations on enhanced participation of Indigenous Peoples in the General Assembly as well as the Human Rights Council must be conducted in an open, inclusive and transparent manner.
3. All informal and formal consultations and negotiations in the United Nations associated with enhancing Indigenous peoples' participation, including the Human Rights Council and General Assembly, must be conducted in an open, inclusive and transparent manner including Indigenous Peoples at every stage.
4. Where sought, States are encouraged to include Indigenous peoples' representatives in their delegations during the consultations and negotiations on enhanced Indigenous peoples' participation in the General Assembly and the Human Rights Council.

D Key decisions related to the UN Human Rights Council

1. Indigenous Peoples will take full advantage of the opportunities afforded in Human Rights Council Resolution A/HRC/42/L.24, e.g. to participate in the inter-sessional round table on enhanced participation with an indigenous co-chair, and the annual half-day discussion on the rights of Indigenous Peoples.
2. Request the President of the Human Rights Council to conduct timely, representative and transparent consultations and negotiations with Member States and representatives of Indigenous Peoples, on the possible measures necessary, including procedural and institutional steps and selection criteria, to enable the participation of Indigenous Peoples' representative institutions in meetings of the Human Rights Council on issues affecting them.
3. To encourage the President of the Human Rights Council to appoint co-facilitators, one nominated by Member States, one nominated by Indigenous Peoples, to conduct informal and formal consultations and negotiations in an open, inclusive and transparent manner.
4. We call on the Human Rights Council, on discussions of enhanced participation, to allow Indigenous Peoples organisations and representative institutions representatives to participate without requiring ECOSOC accreditation.

E Formation of an indigenous coordinating body

1. A temporary committee consisting of Mr. Kenneth Deer, Mr. Binota Moy Dhamai, Mr. Estebancio Castro-Diaz, Ms. Daria Egereva, Mr. Tuomas Aslak Juuso, Mr. Ghazali Ohorella, and Mr. Gam Shimray is created to operate until a Coordinating Body is established. The temporary committee shall:
 - a. Make arrangements for the next meeting to be held in New York during the weekend of April 11-12 2020, prior to the 19th Session of the Permanent Forum on Indigenous Issues and ensure communication with all seven regions.
 - b. Prior to the next meeting, develop and distribute a draft mandate and terms of reference for the Coordinating Body for consideration at the next meeting.
 - c. Disseminate agreed positions.
2. A coordinating body will be established with two members from all seven indigenous regions for consultation and coordination to facilitate cooperation amongst Indigenous Peoples with regard to the enhanced participation process.

F Next steps of Indigenous Peoples in the enhanced participation process related to the UN General Assembly

1. Make recommendations for the four Advisers to be appointed by the President of the General Assembly, two nominated by Member States, and two nominated by Indigenous Peoples.
2. Calling for meetings in the margins of the Permanent Forum on Indigenous Issues with the UN Secretary General, the President of the General Assembly and the Head of DESA to discuss matters related to enhanced participation.
3. Pursuant to A/RES/71/321 paragraph 5, Indigenous Peoples should take the opportunity to state their views on Indigenous Peoples' enhanced participation in every relevant fora, and that the Secretary-General's report must reflect Indigenous Peoples' views.
4. Indigenous Peoples in collaboration with States should organise regional consultations on Indigenous Peoples' enhanced participation in the United Nations in the margins of the 19th session of the Permanent Forum on Indigenous Issues.
5. Indigenous Peoples should host side events related to Indigenous Peoples' enhanced participation in the United Nations during the 19th and 20th session of the Permanent Forum on Indigenous Issues with the objective of raising awareness and building capacity amongst Indigenous Peoples and States.
6. Indigenous Peoples engaged in the General Assembly processes to enhance Indigenous Peoples' participation in the United Nations should seek to engage in bilaterals with States to find common ground outside of informal and formal consultations and negotiations.
7. Indigenous Peoples should seek to positively engage state capitals on the issue of enhanced participation in the United Nations.

G Next steps of Indigenous Peoples in the enhanced participation process related to the Human Rights Council

1. Nominate a co-chair of the informal roundtable called for by paragraph 13 of A/HRC/42/L.24.
2. Indigenous Peoples should host side events related to Indigenous Peoples' enhanced participation in the United Nations during the 45th session of the Human Rights Council and the 13th session of the Expert Mechanism on the Rights of Indigenous Peoples with the objective of raising awareness and building capacity amongst Indigenous Peoples and States.
3. Indigenous Peoples engaged in the Human Rights Council processes to enhance Indigenous Peoples' participation in the United Nations should seek to engage in bilaterals with States to find common ground outside of informal and formal consultations and negotiations.

H Recommendations for States

1. We recommend States supportive of Indigenous Peoples' views should call a meeting with: the Secretary General to express their views for inclusion in the Secretary General's report⁴; the President of the General Assembly to outline their views on the appropriate processes for the General Assembly's consideration of Indigenous peoples' enhanced participation in the United Nations as well as substance.

⁴ (A/RES/71/321) accessible via http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/71/321

2. We recommend States to support Indigenous Peoples' inclusion in all consultations and negotiations on enhanced participation by Indigenous Peoples in the United Nations including their appointment of two of the four advisors to the President of the General Assembly.
3. We recommend States to request the President of the General Assembly to hold a series of informal but high-level meetings with States on Indigenous Peoples' enhanced participation in the United Nations.
4. We recommend States to work with Indigenous Peoples to seek common positions on the ways and means to achieve enhanced participation for Indigenous peoples in the United Nations.

Conclusion

We are dedicated to seeing this process reach a successful conclusion - creating enhanced participation for Indigenous Peoples through our own governments, parliaments and assemblies, which include inter alia our traditional councils and authorities. We have committed our resources both human and financial to this effort. We call on the world to support us in whatever way they are able.

ANNEX A

Dialogue Meeting on Enhanced Indigenous Peoples' Participation at the UN

11-12 November 2016, Bangkok, Thailand

The purpose of the Dialogue Meeting was to provide Indigenous participants from all seven socioeconomic regions the opportunity to consider and consolidate their positions and strategies with respect to the specific issues raised in the PGA's final compilation report (A/70/990).

Key Issue A: Venue for Enhanced Indigenous Peoples' Participation

Key issue A addresses the question of where in the UN Indigenous Peoples' participation should be enhanced. Key issue A is elaborated upon in paragraphs 9 - 24 of the PGA's final compilation report.

Relevant questions to consider are: Should this include all General Assembly meetings or specific meetings of it and its subsidiary bodies? How might the General Assembly positively influence the Human Rights Council and the Economic and Social Council to enhance participation of Indigenous Peoples? Might the General Assembly also encourage enhancing participation for Indigenous Peoples in conferences convened by the General Assembly and/or UN programmes, funds and specialized agencies?

Possible issues for further consideration conveyed to the indigenous advisers:

Indigenous Peoples should be able to participate at the UN at all levels including the General Assembly, its subsidiary bodies and conferences convened by the GA. Understanding that other UN fora are independent and that the GA can encourage or invite them to enhance the participation of Indigenous Peoples entities including the Human Rights Council, ECOSOC, UN programmes, funds and specialised agencies and Treaty monitoring bodies.

Key Issue B: Modalities for Participation

Key issue B addresses the question of what enhanced participation would look like. Key issue B is elaborated upon in paragraphs 25 - 30 of the PGA's final compilation report.

Relevant questions to consider are: Should a set number of speaking/participation spots be allocated to accredited Indigenous Peoples' organizations? Should Indigenous Peoples' entities have specific modalities regulating their participation in the General Assembly? What might be the modalities for Indigenous participation in the Human Rights Council and the Economic and Social Council?

Possible issues for further consideration conveyed to the indigenous advisers:

Attendance and right to speak at all formal meetings of the GA, closed meetings of the GA effecting Indigenous Peoples, conferences convened by the GA and GA subsidiary bodies. Ability to make written submissions and representations in all these fora.

The same level of participation should extend to all UN fora including the Human Rights Council, ECOSOC, UN programmes, funds and specialised agencies and Treaty monitoring bodies.

Key Issue C: Recognition/Selection Mechanism

Key issue C addresses the question of who will decide which indigenous entities are eligible for this enhanced participation status. Key issue C is elaborated upon in paragraphs 31 - 36 of the PGA's final compilation report.

Relevant questions to consider are: Should a new body be established to determine those Indigenous entities that

are eligible to participate? If yes, what might be the make-up of that body? Might an existing institution, for example the Permanent Forum on Indigenous Issues, play the role of the selection mechanism? Should the General Assembly have the authority to approve the selection of Indigenous Peoples' entities identified by the selection body?

Possible issues for further consideration conveyed to the indigenous advisers:

The ECOSOC NGO committee is not considered the appropriate body to accredit Indigenous Peoples entities. The following options were discussed: a new independent body comprised of equal numbers of representatives of Indigenous Peoples and States; a new body comprised of independent experts; the PF members determining accreditation. Broadest support was for the establishment of a new body composed of equal numbers of representatives of Indigenous Peoples and States. The process concludes with a decision by the accreditation body.

Key Issue D: Criteria for Accreditation

Key issue D addresses the question as to which indigenous entities will be eligible for this enhanced participation. Key issue D is elaborated upon in paragraphs 37 - 46 of the PGA's final compilation report.

Relevant questions to consider are: What are the appropriate criteria to determine whether an entity is genuinely representative of one or more Indigenous Peoples, tribe, community or nation? How much discretion should the selection body have in making such a determination? To what extent should self-identification be relevant? To what extent should state recognition as an Indigenous organization be a determining factor, if at all? What other factors might be taken into account? Indigenous Peoples' entities, once selected, should have full authority to determine the individuals who are to represent them.

Two further relevant questions that also need to be considered during discussion of Key issue D are whether it is appropriate to develop a definition of Indigenous Peoples in order to assist in determining which indigenous entities are eligible for this enhanced status and, whether States in determining the eligibility of indigenous entities should be able to exercise a 'no objection' clause which would enable them to prevent the recognition of certain indigenous entities. Both these questions are topical but have been raised by States therefore it is important that the meeting consider them.

Possible issues for further consideration conveyed to the indigenous advisers:

Establish permanent observer status within the UN system enabling Indigenous Peoples and nations direct participation through their representative institutions, including their governments, parliaments, traditional councils and other authorities, recognising that the situation varies from region to region and taking into account various historical and cultural backgrounds.

A definition of Indigenous Peoples and a 'no objection' clause were considered not appropriate nor necessary.