



Human Rights Council Background Guide 2025

Written by Kaylyn B. Atkins and Kaia Goodhope



NATIONAL MODEL UNITED NATIONS



Dear Delegates,

Welcome to the 2025 National Model United Nations Conference in Banff, Canada (NMUN • Canada)! We are pleased to introduce you to our committee, the Human Rights Council (HRC). This year's staff members are Director Kaylyn B. Atkins and Assistant Director Kaia Goodhope. Kaylyn holds a Bachelor of Arts in Political Science and International Studies from Manhattan University and currently works in the Division of State Counsel at the Office of the New York State Attorney General in NYC. Kaia holds a Master's Degree in Political Science from Carleton University, where she is currently in the Political Science Ph.D. program. She specializes in the post-Cold War behavior of small states and the effects that institutions, such as the UN, have on small state behavior.

The topics under discussion for HRC are:

1. The Rights of Indigenous Populations to Their Traditional Economies
2. UNDRIP and the Participation of Indigenous Populations in Governance

HRC is a specialized body whose mission is to promote and protect human rights around the world. The work of the committee is to assist governments in upholding the human rights commitments they have made by providing expertise, technical training, and assisting in the administration of justice. The sessions of HRC also serve as a platform for dialogue between Member States, United Nations actors, civil society, and other stakeholders. Although its decisions are not legally binding, they hold significant political relevance within the national, regional, and international human rights frameworks. To effectively simulate this committee, delegates should focus on consensus-building and providing policy recommendations and guidelines for improving the status of human rights globally.

This Background Guide serves as an introduction to the topics for this committee. However, it is not intended to replace individual research. We encourage you to conduct additional research, explore your Member State's policies in-depth, and examine the policies of other Member States to improve your ability to negotiate and reach consensus. In preparation for the conference, each delegation will use their research to draft and submit a [position paper](#). Guidelines are available in the [NMUN Position Paper Guide](#).

The [NMUN website](#) has many additional resources, including two that are essential both in preparation for the conference and as a resource during the conference. They are:

1. The [NMUN Delegate Preparation Guide](#), which explains each step in the delegate process, from pre-Conference research to the committee debate and resolution drafting processes. Please take note of the information on plagiarism, and the prohibition on pre-written working papers and resolutions. Delegates should not discuss the topics or agenda with other members of their committee until the first committee session.
2. The [NMUN Rules of Procedure](#), which includes the long and short form of the rules as well as an explanatory narrative and example script of the flow of procedure.

In addition, please review the mandatory [NMUN Conduct Expectations](#) on the NMUN website. They include the conference dress code and other expectations of all attendees. We want to emphasize that any instances of sexual harassment or discrimination based on race, gender, sexual orientation, national origin, religion, age, or disability will not be tolerated. If you have any questions concerning your preparation for the committee or the conference itself, please contact the Deputy Secretary-General Ana Williamson at dsg.canada@nmun.org.

We wish you all the best in your preparations and look forward to seeing you at the conference!

Sincerely,
Kaylyn B. Atkins, Director
Kaia Goodhope, Assistant Director



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Committee Overview

Introduction

The Human Rights Council (HRC) is the primary body responsible for addressing human rights issues in the United Nations system.¹ HRC seeks to promote universal respect for all human rights and fundamental freedoms, effective governance on human rights issues, and, as the need arises, also provides recommendations after human rights violations have occurred.²

Mandate, Functions, and Powers

Replacing the United Nations Commission on Human Rights, HRC was established in 2006 with General Assembly resolution 60/251, “Human Rights Council.”³ HRC’s operational structures were given further detail in 2007 by HRC resolution 5/1 on “Institution-building of the United Nations Human Rights Council,” which established the HRC Complaint Procedure for cases of consistent patterns of human rights violations.⁴ It is mandated to monitor, discuss, and make recommendations on human rights violations, establish international human rights standards, and promote human rights.⁵ The United Nations has two forms of human rights monitoring mechanisms: treaty-based bodies and charter-based bodies.⁶ While the ten treaty-based bodies assess the implementation of specific human rights treaties, HRC is the primary charter-based body and, although its resolutions are not legally binding, it can monitor human rights across all Member States rather than solely those which are party to specific treaties.⁷

HRC may mandate international commissions of inquiry or investigations into serious violations of human rights law.⁸ These non-judicial commissions allow violations to be recorded and reported and can help to ensure accountability in potential future judicial proceedings, including those held by the International Criminal Court (ICC).⁹ The commissions also review legislative and institutional mechanisms to protect human rights and propose recommendations on how they may be strengthened.¹⁰ Separate from these commissions, HRC and its subsidiaries can establish Special Procedures, which are mechanisms that enable independent parties to report, monitor, and advise on country-specific or thematic issues under HRC consideration.¹¹ Each investigation has a mandate and a mandate holder, typically a Special

¹ United Nations, General Assembly. *Human Rights Council (A/RES/60/251)*. 2006.

² Ibid.

³ Ibid.

⁴ Ibid; United Nations, Human Rights Council. *Institution-building of the United Nations Human Rights Council (5/1)*. 2007.

⁵ United Nations, General Assembly. *Human Rights Council (A/RES/60/251)*. 2006.; Permanent Mission of Switzerland to the United Nations. *The Human Rights Council: A practical guide*. 2015.

⁶ Office of the United Nations High Commissioner for Human Rights. *Instruments & Mechanisms*. 2024.

⁷ Ibid; Permanent Mission of Switzerland to the United Nations. *The Human Rights Council: A practical guide*. 2015.

⁸ Office of the United Nations High Commissioner for Human Rights. *International Commissions of Inquiry, Commissions on Human Rights, Fact-Finding missions and other Investigations*. 2024.

⁹ Office of the United Nations High Commissioner for Human Rights. *Commissions of inquiry and fact-finding missions on international human rights and humanitarian law: Guidance and practice*. 2015.

¹⁰ Ibid. p. 7.

¹¹ Office of the United Nations High Commissioner for Human Rights. *Special Procedures*. 2024.

Rapporteur, an independent expert, or a working group.¹² Special Procedures generally involve field visits, thematic studies, expert consultations, and regular reports to HRC and the General Assembly.¹³

The HRC also oversees the Universal Periodic Review (UPR), a process under which each Member State submits to an assessment of the fulfillment of its human rights obligations.¹⁴ The complete cycle of the UPR process takes around four years to complete and includes several steps.¹⁵ At the preparation stage, information is gathered that will form the basis of the review, including national reports, stakeholder submissions, and information prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR).¹⁶ At the review stage, documents are presented at the regular sessions of the working group on the UPR.¹⁷ At the adoption and consideration stage, each Member State provides comments and the Member State under review can offer reservations on specific issues.¹⁸ Finally, during the follow-up stage, each Member State under review presents an assessment of how effectively it has acted upon the recommendations.¹⁹

While the following list is not exhaustive, the mandate of HRC can be summarized as:

- **HRC will generally:** serve as a forum for dialogue on human rights; advance human rights policies and norms; mandate investigative commissions on severe violations of human rights law; initiate Special Procedures, which may encompass field visits, studies, and reports; manage the UPR processes; receive reports via the Complaint Procedure; coordinate with non-governmental and civil society actors; and make recommendations to Member States and United Nations bodies.²⁰
- **HRC will not generally:** adopt legally binding resolutions or decisions; intervene operationally in situations of human rights violations; or create new bodies or programs.²¹

Governance, Funding, and Structure

HRC is a subsidiary organ of the General Assembly and makes regular recommendations and reports, most often to the General Assembly's Third Committee.²² It works closely with OHCHR and receives an annual report from the commissioner on ongoing situations and topics.²³ It is served by several sub-

¹² Ibid.

¹³ Ibid.

¹⁴ Office of the United Nations High Commissioner for Human Rights. *Universal Periodic Review*. 2024.

¹⁵ Ibid; Office of the United Nations High Commissioner for Human Rights. *Working with the United Nations Human Rights Programme: A Handbook for Civil Society*. 2008. pp. 80-81.

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Office of the United Nations High Commissioner for Human Rights. *Special Procedures*. 2024; International Justice Resource Center. *UN Human Rights Council*. N.d.

²¹ Permanent Mission of Switzerland to the United Nations. *The Human Rights Council: A practical guide*. 2015. pp. 7, 18.

²² United Nations, General Assembly. *Human Rights Council (A/RES/60/251)*. 2006; Permanent Mission of Switzerland to the United Nations. *The Human Rights Council: A practical guide*. 2015. p. 18.

²³ Ibid. p. 7.

committees, including the Advisory Committee and various intergovernmental working groups on specific thematic areas.²⁴

The council consists of 47 Member States who are elected via a majority vote of the General Assembly through a direct and secret ballot.²⁵ Membership is based on equitable geographical distribution and a specific number of seats are designated to each geographic region.²⁶ During the first regular session of each year, HRC elects a President and four Vice-Presidents to serve on its Bureau, responsible for the organization and procedural functions of the committee.²⁷

²⁴ Office of the United Nations High Commissioner for Human Rights. *Advisory Committee*. 2024.

²⁵ Office of the United Nations High Commissioner for Human Rights. *Membership of the Human Rights Council*. 2024.

²⁶ Ibid.

²⁷ Permanent Mission of Switzerland to the United Nations. *The Human Rights Council: A practical guide*. 2015. p. 6.

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Office of the United Nations High Commissioner for Human Rights. *Special Procedures*. 2024. Retrieved 27 October 2024 from: <https://www.ohchr.org/en/hr-bodies/hrc/special-procedures>

Office of the United Nations High Commissioner for Human Rights. *Universal Periodic Review*. 2024. Retrieved 27 October 2024 from: <https://www.ohchr.org/en/hr-bodies/upr/upr-main>

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United Nations, General Assembly. *Human Rights Council (A/RES/60/251)*. 2006. Retrieved 27 October 2024 from: <https://undocs.org/en/A/RES/60/251>

United Nations, Human Rights Council. *Institution-building of the United Nations Human Rights Council (5/1)*. 2007. Retrieved 27 October 2024 from: <https://undocs.org/en/A/C.3/62/L.32>

1. The Rights of Indigenous Populations to Their Traditional Economies

“Human rights saturate everything. We’re all human beings. And in the case of Indigenous Peoples, human rights attach to [their] collective relationships, including the right of self-determination and [their] rights to lands, territories, and resources.”²⁸

Introduction

Indigenous Peoples consist of 6.2% of the world’s population, with over 476 million individuals belonging to more than 5,000 distinct groups across 90 countries.²⁹ Although there is no universal definition of Indigenous Peoples, the United Nations Permanent Forum on Indigenous Issues (UNPFII) established a shared understanding with the following characteristics: they have a deep-rooted presence in territories before colonization, self-identify as Indigenous, which is recognized by their communities, and maintain strong relationships with the ecosystems surrounding their lands.³⁰ Indigenous Peoples also preserve their own social, economic, cultural, and political systems, and are committed to developing them further, often outside the dominant sectors of society.³¹ As inheritors of distinct cultures, systems, and lifestyles, Indigenous Peoples have developed locally-based economies that are guided by tradition, reciprocity, equality, sustainable land and water use, and resource protection.³² Many Indigenous economies are centered around subsistence practices, such as hunting, gathering, fishing, whaling, and pastoralism, all of which are essential for their livelihood and economic growth.³³ However, Indigenous Peoples encounter consistent and systemic violations of their rights, especially in relation to their traditional lands, territories, resources, and economic self-sufficiency.³⁴ The United Nations estimates that Indigenous Peoples are three times more likely to live in extreme poverty compared to non-Indigenous Peoples.³⁵

An essential principle in realizing the right of self-determination and protecting the rights of Indigenous Peoples is Free, Prior and Informed Consent (FPIC), which provides Indigenous communities with the right to decide whether and how projects that affect them proceed at any phase of the project.³⁶ FPIC allows Indigenous Peoples to exercise their right of self-determination, and provides a platform for them to express their views on matters that affect their lands, resources, systems, and economies.³⁷ In addition to legal challenges, Indigenous Peoples are also severely impacted by climate change due to the deep connection between the environment and subsistence practices, which undermines their economies and

²⁸ Office of the United Nations High Commissioner for Human Rights. *Participation of Indigenous Peoples at the UN is crucial for advancing their rights*. 2024.

²⁹ United Nations Exhibits. *Indigenous Peoples*. N.d.

³⁰ Drissi. United Nations Environment Programme. *Indigenous Peoples and the nature they protect*. 2020.

³¹ Ibid.

³² United Nations, Department of Economic and Social Affairs. *State of the World’s Indigenous Peoples, Volume VI, Climate Crisis*. 2025. p. 70.

³³ Sustainable Development Goals Knowledge Platform. *Major Group: Indigenous Peoples*. N.d.

³⁴ United Nations Exhibits. *Indigenous Peoples*. N.d.

³⁵ Ibid.

³⁶ Food and Agriculture Organization of the United Nations. *Free Prior and Informed Consent: An Indigenous Peoples’ right and a good practice for local communities*. 2017. p. 12.

³⁷ Food and Agriculture Organization of the United Nations. *Free Prior and Informed Consent: An Indigenous Peoples’ right and a good practice for local communities*. 2017. p. 13.

increases inequalities with non-Indigenous Peoples.³⁸ Recognizing the economic rights of Indigenous Peoples is crucial to achieving sustainable development, environmental benefits, and reducing societal disparities.³⁹ The Human Rights Council (HRC) and the Office of the United Nations High Commissioner for Human Rights (OHCHR) are committed to advancing the economic rights and traditional livelihoods of Indigenous communities.⁴⁰ Through research, providing expert advisory opinions, and fostering dialogue among Member States, Indigenous Peoples, and relevant stakeholders, their efforts work to ensure the respect of Indigenous cultural and economic interests.⁴¹

International and Regional Framework

The rights of Indigenous Peoples were first acknowledged in *International Labour Organization Convention No. 107* (No. 107) (1957), which recognized the distinct status of Indigenous and Tribal Peoples but negatively affected their right to self-determination and Indigenous land rights.⁴² In 1989, the International Labour Organization (ILO) adopted *International Labour Organization Convention No. 169* (No. 169) (1989), which replaced *Convention No. 107* and remains a critical international treaty that specifically focuses on Indigenous and Tribal Peoples.⁴³ Article 7 of *Convention No. 169* introduces the principle of FPIC, while Articles 23 and 32 emphasize the importance of protecting subsistence activities and economies, as well as promoting collaboration across borders.⁴⁴ Additionally, the *International Covenant on Civil and Political Rights* (ICCPR) (1966) and the *International Covenant on Economic, Social, and Cultural Rights* (ICESCR) (1976) both reinforce rights related to non-discrimination, self-determination, and economic participation, which recognize the economic and cultural well-being of Indigenous Peoples.⁴⁵ The *Vienna Declaration and Programme of Action* (1993) by the World Conference on Human Rights explicitly highlighted the international community's commitment to Indigenous Peoples' economic, social, and cultural well-being, and recommended the creation of a permanent forum, which ultimately resulted in establishing UNPFII.⁴⁶

On 13 September 2007, the United Nations General Assembly adopted the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP), the most comprehensive human rights instrument affirming Indigenous Peoples' rights to lands, resources, knowledge, and FPIC.⁴⁷ Article 3 of UNDRIP recognizes the right to self-determination, while Article 20 outlines the rights of Indigenous Peoples to develop and maintain their own political, economic, and social systems. Furthermore, Articles 10, 11, 19, 28, 29, and 32 all explicitly reference the principle of FPIC concerning relocation, cultural restitution, legislative

³⁸ United Nations, Department of Economic and Social Affairs. *State of the World's Indigenous Peoples, Volume VI, Climate Crisis*. 2025. p. 70.

³⁹ World Economic Forum. *Enabling Indigenous Trade: Actionable Guidance for Governments*. 2025. p. 4.

⁴⁰ Office of the United Nations High Commissioner for Human Rights. *OHCHR and Indigenous Peoples*. N.d.

⁴¹ Ibid.

⁴² International Labour Organization. *C107 - Indigenous and Tribal Populations Convention, 1957 (No. 107)*. 1957.

⁴³ International Labour Organization. *C169 - Indigenous and Tribal Peoples Convention, 1989 (No. 169)*. 1989.

⁴⁴ Ibid.

⁴⁵ United Nations, General Assembly. *International Covenant on Civil and Political Rights (A/RES/2200(XXI))*. 1966; United Nations, General Assembly. *International Covenant on Economic, Social and Cultural Rights (A/RES/2200 (XXI))*. 1966.

⁴⁶ United Nations, World Conference on Human Rights. *Vienna Declaration and Programme of Action*. 1993.

⁴⁷ United Nations, General Assembly. *United Nations Declaration on the Rights of Indigenous Peoples (A/RES/61/295)*. 2007.

actions, environmental protections, and project development.⁴⁸ In recent years, additional guidelines such as the *Voluntary Guidelines on the Responsible Governance of Tenure (VGGT) of Land, Fisheries and Forests in the Context of National Food Security* (2012) have supported Indigenous economies by promoting the recognition of customary land rights and that Indigenous Peoples should access and manage the lands, forests, and fisheries that are key to their livelihood.⁴⁹ Several of the Sustainable Development Goals (SDGs) in the *2030 Agenda for Sustainable Development (2030 Agenda)* (2015), such as SDGs 1 (no poverty), 8 (decent work and economic growth), and 10 (reduced inequalities), also advocate for the protection of Indigenous traditional economies.⁵⁰ For example, SDG indicators 1.4.2 and 5.a.1 promote the secure tenure rights to land, and SDG indicator 10.3.1 focuses on implementing non-discriminatory laws, policies, and practices, which are crucial in addressing systemic discrimination against Indigenous Peoples.⁵¹ On a regional level, Articles 3, 4, 25, and 29 of the Organization of American States' (OAS) *American Declaration on the Rights of Indigenous Peoples* (2016) reinforces many of the same principles found in UNDRIP.⁵² Lastly, HRC resolution 33/25 established the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) in 2016.⁵³ EMRIP is one of the three United Nations bodies mandated to address and promote the rights of Indigenous Peoples, in addition to the Special Rapporteur on the rights of Indigenous Peoples and UNPFII.⁵⁴

Role of the International System

HRC and OHCHR play an essential role in promoting the rights of Indigenous Peoples by providing secretariat support to two of the three United Nations mechanisms specifically dedicated for Indigenous rights.⁵⁵ EMRIP, established by HRC as a subsidiary body of the Council, provides guidance and expertise on the rights of Indigenous Peoples and helps Member States implement the goals of UNDRIP.⁵⁶ It advances this work through clarifying key principles related to Indigenous rights, such as self-determination and FPIC, analyzing best practices and challenges, and offering states and other actors with recommendations for legislation and programming.⁵⁷ Currently, EMRIP is preparing a report titled "The right of Indigenous Peoples to their traditional economies" to present in September 2025 at the 60th session of HRC.⁵⁸ This report seeks to strengthen Indigenous Peoples' traditional economies by

⁴⁸ United Nations, General Assembly. *United Nations Declaration on the Rights of Indigenous Peoples (A/RES/61/295)*. 2007.

⁴⁹ Food and Agriculture Organization of the United Nations. *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security*. 2022.

⁵⁰ United Nations, General Assembly. *Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1)*. 2015.

⁵¹ United Nations, Department of Economic and Social Affairs. *The 17 Goals*. N.d.

⁵² Organization of American States. *American Declaration on the Rights of Indigenous Peoples (AG/RES. 2888 [XLVI-O/16])*. 2016.

⁵³ United Nations, General Assembly. *Expert Mechanism on the Rights of Indigenous Peoples (A/HRC/RES/33/25)*. 2016.

⁵⁴ United Nations News. *'Let us learn from indigenous peoples', UN chief declares*. 2023.

⁵⁵ Office of the United Nations High Commissioner for Human Rights. *OHCHR and Indigenous Peoples*. N.d.

⁵⁶ Office of the United Nations High Commissioner for Human Rights. *Expert Mechanism on the Rights of Indigenous Peoples*. N.d.

⁵⁷ Office of the United Nations High Commissioner for Human Rights. *Expert Mechanism on the Rights of Indigenous Peoples*. N.d.

⁵⁸ Office of the United Nations High Commissioner for Human Rights. *Call for Inputs: Report on "The right of Indigenous Peoples to their traditional economies"*. 2025.

enhancing their capacity to engage in decision-making processes that impact their environment and economies, through FPIC, in order to achieve sustainable development consistent with the 2030 Agenda.⁵⁹ The second mechanism under HRC that promotes Indigenous rights is the Special Rapporteur on the rights of Indigenous Peoples, who is responsible for annually reporting to HRC and the General Assembly on laws, agreements, and programs that promote Indigenous rights, proposing measures to prevent human rights violations against Indigenous Peoples, and addressing specific cases of such violations.⁶⁰ This work is carried out through conducting country visits, gathering testimonies, and issuing several reports on current issues Indigenous Peoples face, such as economic marginalization, land rights, and the effect of climate change on their traditional livelihoods.⁶¹ In addition to these mandates, OHCHR's Indigenous Peoples and Minorities Section supports the UN Voluntary Fund for Indigenous Peoples, which provides financial assistance to Indigenous community representatives through voluntary contributions by multiple stakeholders.⁶² This initiative ensures that these representatives can actively participate in United Nations mechanisms and processes.⁶³

UNPFII, the third UN body mandated to advance Indigenous Peoples' rights, is an advisory body to the Economic and Social Council (ECOSOC) and complements the work of EMRIP and the Special Rapporteur.⁶⁴ UNPFII convenes annually, providing expert advice on Indigenous issues to agencies, programmes, and funds through ECOSOC and supporting the implementation and effectiveness of UNDRIP, with one of its focus areas being economic and social development.⁶⁵ At its 24th session in 2025, UNPFII recommended that ECOSOC convene a three-day expert meeting focused on Indigenous rights in relation to the climate crisis, biodiversity governance, and territorial integrity.⁶⁶ Its work is supported by the Trust Fund on Indigenous Issues, managed by the United Nations Department of Economic and Social Affairs (UN DESA), which ensures follow-up on UNPFII's recommendations, outreach, and the participation of Permanent Forum members in international meetings.⁶⁷ Furthermore, the Inter-Agency Support Group on Indigenous Issues (IASG) was created to support UNPFII's mandate and works to enhance collaboration and information sharing on Indigenous issues within the United Nations system.⁶⁸

The Food and Agriculture Organization of the United Nations (FAO) also contributes to advancing Indigenous Peoples' rights through both policy and technical work, primarily through their Indigenous

⁵⁹ Office of the United Nations High Commissioner for Human Rights. *Call for Inputs: Report on "The right of Indigenous Peoples to their traditional economies"*. 2025.

⁶⁰ Office of the United Nations High Commissioner for Human Rights. *Special Rapporteur on the rights of Indigenous Peoples*. N.d.

⁶¹ Ibid.

⁶² Office of the United Nations High Commissioner for Human Rights. *UN Voluntary Fund for Indigenous Peoples*. N.d.

⁶³ Ibid.

⁶⁴ United Nations, Department of Economic and Social Affairs. *United Nations Permanent Forum On Indigenous Issues (UNPFII)*. N.d.

⁶⁵ Ibid.

⁶⁶ United Nations, Economic and Social Council. *Permanent Forum On Indigenous Issues - Report on the twenty-fourth session (21 April-2 May 2025) (E/2025/43-E/C.19/2025/8)*. 2025.

⁶⁷ United Nations, Department of Economic and Social Affairs. *United Nations Permanent Forum On Indigenous Issues (UNPFII)*. N.d.

⁶⁸ United Nations, Department of Economic and Social Affairs. *Inter-Agency Support Group (IASG)*. N.d.

Peoples Unit (PSUI), which helps implement FAO's Policy on Indigenous and Tribal Peoples in alignment with UNDRIP.⁶⁹ Through PSUI's pillars of work including FPIC, food systems, land tenure, and traditional knowledge, PSUI supports Indigenous Peoples' ability to preserve and maintain their traditional economies in ways that reflect their values.⁷⁰ Another initiative by FAO to advance Indigenous Peoples' rights includes their FPIC manual, which provides organizations with practical guidance on how to implement FPIC in the design and execution of projects and programs.⁷¹ Additionally, UN DESA publishes a series of reports titled the "State of the World's Indigenous Peoples (SOWIP)," with the two most recent volumes addressing land rights (Volume V) (2021) and the impact of the climate crisis on Indigenous economies (Volume VI) (2025).⁷² The latest volume of SOWIP explores how environmental change impacts traditional food, health, and economic systems, and highlights measures to ensure their sustainability.⁷³

Protecting Indigenous Land Rights through Free, Prior and Informed Consent (FPIC)

Indigenous Peoples' deep-rooted cultural, spiritual, and economic relationships with their lands and resources are central to their values, identity, and rights, but are often not recognized in large-scale commercial and industrial projects.⁷⁴ Activities such as dams, mining, logging, highways, and monocropping results in the displacement of Indigenous communities, decline of ecosystems, and disruption of subsistence practices rooted in Indigenous traditional culture.⁷⁵ In several cases, these projects are granted contracts and proceed without FPIC of Indigenous Peoples, violating their right to self-determination and the ability to participate in decision-making processes that affect them.⁷⁶ The failure to uphold the principle of FPIC can ultimately lead to damaging effects to Indigenous cultural survival, such as the loss of lands and resources critical to their traditional economies, forced displacement, human rights violations, and increased conflict.⁷⁷ Therefore, it is essential to uphold the principle of FPIC to ensure the full and effective participation of Indigenous Peoples in the development, execution, and management of policies and projects that affect them.⁷⁸

⁶⁹ Food and Agriculture Organization of the United Nations. *FAO Indigenous Peoples Unit (PSUI)*. N.d.

⁷⁰ Ibid.; Food and Agriculture Organization of the United Nations. *FAQ - Indigenous Peoples*. N.d.

⁷¹ Food and Agriculture Organization of the United Nations. *Free Prior and Informed Consent: An Indigenous Peoples' right and a good practice for local communities*. 2017. p. 11.

⁷² United Nations, Department of Economic and Social Affairs. *State of the World's Indigenous Peoples, Volume V, Rights to Lands, Territories and Resources*. 2021; United Nations Department of Economic and Social Affairs. *State of the World's Indigenous Peoples, Volume VI, Climate Crisis*. 2025.

⁷³ United Nations Department of Economic and Social Affairs. *State of the World's Indigenous Peoples, Volume VI, Climate Crisis*. 2025.

⁷⁴ The United Nations Permanent Forum on Indigenous Issues. *Indigenous peoples' collective rights to lands, territories and resources*. 2018.

⁷⁵ Office of the United Nations High Commissioner for Human Rights. *Land-grabbing in Asia displaces Indigenous Peoples and destroys environment, says UN rights expert*. 2020; United Nations, Department of Global Communications. *Extraction Operations on Indigenous Peoples' Land without Consent Cause Irreparable Harm, Speakers Stress, as Permanent Forum Begins Session*. 2022.

⁷⁶ The United Nations Permanent Forum on Indigenous Issues. *Indigenous peoples' collective rights to lands, territories and resources*. 2018.

⁷⁷ Ibid.

⁷⁸ Ibid.

Although several articles in UNDRIP and *Convention No. 169* affirm Indigenous Peoples' access to their lands, territories, and resources, and that FPIC is a necessary condition for activities that affect Indigenous resources, the implementation of FPIC has been inconsistent among Member States at the national level.⁷⁹ To date, only 24 Member States have ratified *Convention No. 169*, which is the only legally binding international human rights treaty that recognizes FPIC and requires states to uphold this principle.⁸⁰ This lack of ratification contributes to further inconsistencies in implementation.⁸¹ Some Member States have ratified *Convention No. 169* and incorporated FPIC principles in their national laws, such as Bolivia and Peru.⁸² In the case of Bolivia, Article 352 of their Constitution states that any exploitation of natural resources in a territory requires free, prior, and informed consultation with the affected population, respecting the norms and procedures of Indigenous Peoples involved.⁸³ However, Amnesty International reports that the Bolivian government has not established effective measures for Indigenous Peoples to give FPIC on extractive projects impacting their land and territories, and has not honored their right to self-determination.⁸⁴ Bolivia's Constitution highlights two significant challenges of FPIC: consultation is not equivalent to full consent, and that the acknowledgment of FPIC does not guarantee effective implementation of the principle.⁸⁵

Multiple United Nations mechanisms and bodies have taken steps to clarify and provide education on how to operationalize Indigenous Peoples' right to FPIC.⁸⁶ The UN-REDD Programme established Guidelines on Free, Prior and Informed Consent in 2013 to highlight the collective rights of Indigenous Peoples regarding FPIC.⁸⁷ These guidelines provide a framework for UN-REDD partner countries on how to obtain consent from Indigenous communities when it comes to REDD+ activities on forest conservation.⁸⁸ In 2018, EMRIP released a report titled "Free, prior and informed consent: a human rights-based approach," emphasizing its role in promoting Indigenous collective rights and achieving sustainable development, and an annex that includes specific advice for states to fulfill FPIC.⁸⁹ Moreover, FAO created an online FPIC course in 2019 that aims to educate practitioners on how to operationalize Indigenous Peoples' right to FPIC.⁹⁰ This course provides a six-step process to be followed during any

⁷⁹ Food and Agriculture Organization of the United Nations. *Free Prior and Informed Consent: An Indigenous Peoples' right and a good practice for local communities*. 2017. pp. 4-5.

⁸⁰ International Labour Organization. *Ratifications of C169 - Indigenous and Tribal Peoples Convention, 1989 (No. 169)*. 1991.

⁸¹ Tagliarino et al. World Resources Institute. *Strengthening Indigenous Land Rights: 3 Challenges to "Free, Prior and Informed Consent"*. 2016.

⁸² Ibid.

⁸³ Constitute Project. *Bolivia (Plurinational State of) 2009*. 2009.

⁸⁴ Amnesty International. *Bolivia 2024*. N.d.

⁸⁵ Sustainability Directory. *What Are The Challenges Of Implementing FPIC Effectively?* 2025.

⁸⁶ Office of the United Nations High Commissioner for Human Rights. *Free, Prior and Informed Consent of Indigenous Peoples*. 2013.

⁸⁷ UN-REDD Programme. *Guidelines on Free, Prior and Informed Consent*. 2013.

⁸⁸ Ibid.

⁸⁹ United Nations, General Assembly. *Free, prior and informed consent: a human rights-based approach - Study of the Expert Mechanism on the Rights of Indigenous Peoples (A/HRC/39/62)*. 2018.

⁹⁰ Food and Agriculture Organization of the United Nations. *FAO eLearning Academy - Free, Prior and Informed Consent (FPIC) - An indigenous peoples' right and a good practice for local communities*. 2019.

new projects and is available on FAO's eLearning Academy website.⁹¹ Furthermore, LandMark is a group of local, regional, and international organizations working to promote Indigenous Peoples' land and resource rights through a mapping platform that includes both community-level and national-level data on Indigenous land globally.⁹² The goal of the LandMark mapping platform is to enhance awareness about the land rights of Indigenous and local communities, inform them about potential threats to their environment, empower them to conduct accessible impact analyses of their lands, and provide resources and guidance for protecting and advocating for better land rights.⁹³ Strengthening FPIC implementation through these tools is critical not only for safeguarding Indigenous land and resource rights, but also for maintaining the traditional economies that rely on secure access to these protected lands.⁹⁴

The Impact of Climate Change on Subsistence Practices

Indigenous Peoples are particularly vulnerable to climate change due to their reliance on and deep connection to the environment and its resources, which affects traditional subsistence practices rooted in intergenerational knowledge and culture.⁹⁵ Mainstream national economic and environmental policies frequently overlook Indigenous subsistence economies, viewing them as outdated, which undermines their cultural significance and environmentally sustainable practices crucial to Indigenous communities.⁹⁶ Subsistence practices such as hunting, fishing, and grazing are not only a means of survival for Indigenous Peoples, but core components of traditional economies, cultural identity, and well-being.⁹⁷ However, climate events such as rising sea levels and flooding, melting sea ice, increased drought, and increased weather volatility have begun to disrupt traditional subsistence systems.⁹⁸ As ecosystems continue to change, migratory patterns shift, natural resources become less accessible, and food sources critical to Indigenous communities become scarce, threatening their livelihoods, ways of life, and increasing socioeconomic inequalities.⁹⁹

For example, Indigenous Peoples across the Arctic rely on subsistence practices like hunting walrus, seals, and caribou, as well as herding reindeer, fishing, and gathering not just to support their local economy, but also as a foundation for their cultural identity.¹⁰⁰ For Sámi communities in Northern Finland, Norway, and Sweden, mild winter weather and rain hinder reindeer access to lichen, an essential food source, leading to significant herd losses that threaten their culture and economy.¹⁰¹ Additionally, global warming is thinning sea ice that Inuit communities in Greenland depend on for fishing and travel, forcing them to alter hunting schedules and navigate risky ice conditions for food.¹⁰² In the Canadian Arctic, the

⁹¹ Food and Agriculture Organization of the United Nations. *FAO elearning Academy - Free, Prior and Informed Consent (FPIC) - An indigenous peoples' right and a good practice for local communities*. 2019.

⁹² LandMark. *Data and methods - Learn more about LandMark's data*. N.d.

⁹³ LandMark. *What is LandMark? The global platform of Indigenous & Community lands*. N.d.

⁹⁴ Ibid.

⁹⁵ United Nations, Department of Economic and Social Affairs, Indigenous Peoples. *Climate Change*. N.d.

⁹⁶ United Nations Department of Economic and Social Affairs. *State of the World's Indigenous Peoples, Volume VI, Climate Crisis*. 2025. p. 73.

⁹⁷ Ibid. p. 51.

⁹⁸ Ibid. p. 65.

⁹⁹ Ibid. p. 31.

¹⁰⁰ United Nations, Department of Economic and Social Affairs, Indigenous Peoples. *Climate Change*. N.d.

¹⁰¹ Ibid.

¹⁰² Keyes. Pulitzer Center. *Surviving the Thaw: Greenland's Inuit Grapple With Their Melting World*. 2025.

Inuit population is also experiencing instability with melting sea ice, leading to dangerous hunting conditions, and decreased access to the polar bear and ringed seal population, increasing food insecurity.¹⁰³ The more challenging it is to sustain subsistence practices, the likelihood of poverty, displacement, and dependence on other economic systems increases, which further diminishes Indigenous autonomy and resilience.¹⁰⁴

In addition to the urgent need to address climate change, it is equally important to examine who is receiving the financial support and resources to combat it.¹⁰⁵ In this year's "State of the World's Indigenous Peoples" report, UN DESA states that although Indigenous Peoples comprise 6% of the global population, they protect 80% of the Earth's remaining biodiversity but receive less than 1% of global climate funding.¹⁰⁶ This disparity persists despite Article 29 of UNDRIP, which affirms Indigenous Peoples' rights to conserve and protect their environment, as well as their right to develop strategies for environmental protection and sustainable use of their lands.¹⁰⁷ At the same time, Indigenous communities contribute crucial knowledge for climate resilience.¹⁰⁸ For example, FAO published a policy brief in 2021 titled "Indigenous Peoples' food systems - Insights on sustainability and resilience from the front line of climate change."¹⁰⁹ This brief outlines how eight Indigenous Peoples' food systems have maintained sustainability and resilience despite the effects of climate change, while offering policy recommendations for Member States, the United Nations system, research and academic centers, and Indigenous Peoples themselves.¹¹⁰ Additionally, FAO created the Global-Hub on Indigenous Peoples' Food Systems, which serves as a knowledge platform for both Indigenous and non-Indigenous experts to share information about Indigenous food and knowledge systems.¹¹¹ This hub is organized into nine drafting committees that address topics such as ocean and freshwater-based food systems, hunter-gatherer food systems, and Indigenous Peoples' biodiversity and collective rights.¹¹² Building on these contributions, the 2025 SOWIP on the climate crisis recommends that the United Nations system collaborate with Indigenous Peoples' representatives to establish mechanisms that enforce UNDRIP and FPIC in all climate policies and projects, which ensures the protection of traditional subsistence practices that are essential to Indigenous economies.¹¹³ It also suggests that all climate finance mechanisms go through an independent

¹⁰³ United Nations Office for Disaster Risk Reduction. *Climate change policy and Canada's Inuit population: The importance of and opportunities for adaptation*. 2009.

¹⁰⁴ United Nations Department of Economic and Social Affairs. *State of the World's Indigenous Peoples, Volume VI, Climate Crisis*. 2025. pp. 37-38.

¹⁰⁵ United Nations, Department of Economic and Social Affairs, Social Inclusion. *Indigenous Peoples Sidelined in Global Climate Fight, UN Warns*. 2025.

¹⁰⁶ Ibid.

¹⁰⁷ United Nations, General Assembly. *United Nations Declaration on the Rights of Indigenous Peoples (A/RES/61/295)*. 2007.

¹⁰⁸ Food and Agriculture Organization of the United Nations. *Indigenous Peoples' food systems: Insights on sustainability and resilience from the front line of climate change*. 2021.

¹⁰⁹ Ibid.

¹¹⁰ Ibid.

¹¹¹ Food and Agriculture Organization of the United Nations. *The Global-Hub on Indigenous Peoples' Food Systems*. N.d.

¹¹² Ibid.

¹¹³ United Nations Department of Economic and Social Affairs. *State of the World's Indigenous Peoples, Volume VI, Climate Crisis*. 2025.

review to assess their impact on Indigenous rights and livelihoods, with opportunities to reform through consultations with Indigenous experts and representatives.¹¹⁴

Conclusion

Protecting Indigenous Peoples' rights to their traditional economies is essential for their self-determination, culture, and knowledge systems, and for efforts to promote biodiversity and sustainable development.¹¹⁵ However, continuous violations of land rights, inconsistent implementation of FPIC in laws and policies, and the disproportionate effects of climate change continue to compromise these economies and further exacerbate socioeconomic disparities.¹¹⁶ In order to address these challenges, Member States, international organizations, and private corporations are recommended to recognize Indigenous rights as outlined in UNDRIP, integrate FPIC in development and climate-related projects, and ensure equitable access to climate finance and resources.¹¹⁷ Supporting Indigenous Peoples in maintaining their lands, decision-making autonomy, and traditional economic systems can ultimately contribute to achieving inclusive, sustainable, and equitable development.¹¹⁸

Further Research

As delegates conduct further research and consider how to address this topic, they should consider: Does your Member State recognize the rights of Indigenous Peoples to manage their traditional economies and subsistence practices? What are the key barriers preventing the full recognition of Indigenous Peoples' rights to their traditional economies at international, regional, and local levels? Are there laws, policies, or mechanisms that your Member State has established to uphold the principle of FPIC? How can international climate finance be more inclusive of Indigenous Peoples and their institutions and systems? How can Indigenous Peoples be fully included in policy and project decision-making processes at all levels of governance?

¹¹⁴ Ibid.

¹¹⁵ Ibid.

¹¹⁶ Sustainability Directory. *What Are The Challenges Of Implementing FPIC Effectively?* 2025.

¹¹⁷ United Nations, Department of Economic and Social Affairs. *State of the World's Indigenous Peoples, Volume VI, Climate Crisis*. 2025.

¹¹⁸ Notess et al. World Resources Institute. *The Scramble for Land Rights - Reducing Inequity between Communities and Companies*. 2018.

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[effectively/#:~:text=Implementing%20FPIC%20faces%20challenges%20including,%2C%20and%20long%2Dterm%20monitoring.](https://sustainability-directory.com/question/what-are-the-challenges-of-implementing-fpic-effectively/#:~:text=Implementing%20FPIC%20faces%20challenges%20including,%2C%20and%20long%2Dterm%20monitoring.)

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2. UNDRIP and the Participation of Indigenous Populations in Governance

“[UNDRIP] establishes a universal framework of minimum standards for the survival, dignity and well-being of Indigenous Peoples of the world and it elaborates on existing human rights standards and fundamental freedoms as they apply to the specific situation of Indigenous Peoples.”¹¹⁹

Introduction

Adopted in 2007, the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) builds upon the framework of international human rights and emphasizes the unique experiences Indigenous Peoples face in governance systems.¹²⁰ Overseen by the Sub-Commission on the Promotion and Protection of Human Rights, the Working Group on Indigenous Populations established itself in 1982 and worked to deepen the understanding of the systematic oppression, marginalization, and exploitation often experienced by Indigenous Peoples.¹²¹ Over the years, this effort led to more visibility and a collective effort to define and make relevant terms accessible clearly.¹²² By focusing on the specific experiences of Indigenous Peoples, UNDRIP begins to internationalize the intentional use of terms within a human rights framework.¹²³ The Human Rights Council (HRC) aims to facilitate Indigenous Peoples’ fundamental right to self-determination by refraining from providing a universal definition of Indigenous Peoples within UNDRIP.¹²⁴

The idea of governance is broad and encompasses a range of overlapping concepts.¹²⁵ The United Nations Development Programme (UNDP) defines governance as, “the exercise of political and administrative authority at all levels to manage a country’s affairs.”¹²⁶ Good governance is characterized by the integration and prioritization of human rights within the governance processes.¹²⁷ It emphasizes civil, cultural, economic, political, and social rights when evaluating the effectiveness and processes of public institutions.¹²⁸ According to the Office of the High Commissioner for Human Rights (OHCHR), good governance is primarily linked to human rights in four key ways: democratic institutions; public service delivery; rule of law; and anti-corruption.¹²⁹ This connection is reflected in substantive work developing legal frameworks, working with institutions to ensure consistent transparency, and ensuring accountability for political and societal actors.¹³⁰ Political and societal actors include individuals in a decision-making capacity or those impacted by those decisions.¹³¹ Self-governance refers to the ability of a person or group to sustain a form of regulation without external intervention, as supported by Article 4 of

¹¹⁹ United Nations, Department of Economic and Social Affairs. *United Nations Declaration On the Rights Of Indigenous Peoples*. N.d.

¹²⁰ United Nations, General Assembly. *United Nations Declaration on the Rights of Indigenous Peoples (A/RES/61/295 (2007))*. 2007.

¹²¹ United Nations, Department of Economic and Social Affairs. *Historical Overview*. N.d.

¹²² United Nations, General Assembly. *United Nations Declaration on the Rights of Indigenous Peoples (A/RES/61/295 (2007))*. 2007.

¹²³ Ibid.

¹²⁴ United Nations, Office of the High Commissioner for Human Rights. *About Indigenous Peoples and human rights*. N.d.

¹²⁵ United Nations, UNDESA, UNDP, UNESCO. *Governance and development*. 2012.

¹²⁶ Ibid.

¹²⁷ Office of the United Nations High Commissioner for Human Rights. *OHCHR and good governance*. N.d.

¹²⁸ Ibid.

¹²⁹ United Nations, Office of the High Commissioner for Human Rights. *About good governance*. N.d.

¹³⁰ United Nations, Office of the High Commissioner for Human Rights. *OHCHR and good governance*. N.d.

¹³¹ Ibid.

UNDRIP.¹³² Applying self governance to Indigenous Peoples aligns with the concept of self-determination.¹³³ By linking these concepts, it increases the applicability and relevance of existing terms.¹³⁴ UNDRIP emphasizes the growing relationship between self-determination and self-governance in the context of Indigenous Peoples and Indigenous issues.¹³⁵

Self-determination is a term introduced in UNDRIP, and it refers to the inherent ability of Indigenous Peoples to freely determine individual affairs as it relates to their political status and economic, social, and cultural development.¹³⁶ This understanding of participation and inclusion of Indigenous Peoples operating within governance highlights the cultural impacts that self-determination can have on Indigenous and non-Indigenous communities.¹³⁷ Indigenous Peoples contribute to culture in various ways, and the United Nations Educational, Scientific and Cultural Organization (UNESCO) emphasizes the significant impact that local and Indigenous knowledge can provide.¹³⁸ One of the ways states have implemented inclusive practices is by recognizing Indigenous Peoples' lands, territories, and resources, as guided by Article 26.3 of UNDRIP.¹³⁹ Likewise, states implementing self-determination aspects into domestic policy do so with the concept of Free, Prior, and Informed Consent (FPIC).¹⁴⁰ This concept prioritizes respect and consideration in any discussions, agreements, and decisions impacting Indigenous Peoples.¹⁴¹ Similarly, the *United Nations Permanent Forum on Indigenous Issues* (UNPFII) uses the Sustainable Development Goals (SDGs) to continually work on and expand the application to Indigenous Peoples.¹⁴² One of the ways in which UNDRIP builds upon existing frameworks and ideas is by applying self-determination to areas where it was not previously thought to apply.¹⁴³ A significant application of self-determination is the concept of multi-level governance, which increasingly emphasizes the inclusion of Indigenous Peoples in decision-making processes.¹⁴⁴

International and Regional Framework

The *Universal Declaration of Human Rights* (UDHR) (1948) is a fundamental document that represents an international call for change and establishes a strong foundation for ongoing discussions about human rights.¹⁴⁵ The General Assembly recognized in Article 21.1 the right to take part in government either by voting directly or through free and fair elections.¹⁴⁶ In 1966, the *International Covenant on Civil and*

¹³² United Nations, General Assembly. *United Nations Declaration on the Rights of Indigenous Peoples* (A/RES/61/295 (2007)). 2007.

¹³³ Ibid.

¹³⁴ Ibid.

¹³⁵ Ibid.

¹³⁶ Ibid.

¹³⁷ Ibid.

¹³⁸ Nakashima et al. United Nations Educational, Scientific and Cultural Organization. *Local and Indigenous Knowledge Systems*. 2017.

¹³⁹ United Nations, General Assembly. *United Nations Declaration on the Rights of Indigenous Peoples* (A/RES/61/295 (2007)). 2007.

¹⁴⁰ International Work Group for Indigenous Affairs. *Territorial Governance*. N.d.

¹⁴¹ Ibid.

¹⁴² United Nations, General Assembly. *Transforming our world: the 2030 Agenda for Sustainable Development* (A/RES/70/1). 2015.

¹⁴³ United Nations, General Assembly. *United Nations Declaration on the Rights of Indigenous Peoples* (A/RES/61/295 (2007)). 2007.

¹⁴⁴ United Nations, Department of Economic and Social Affairs. *United Nations Declaration On the Rights Of Indigenous Peoples*. N.d.

¹⁴⁵ United Nations, General Assembly. *Universal Declaration of Human Rights* (A/RES/217(III)). 1948.

¹⁴⁶ United Nations, Peace, dignity and equality on a healthy planet. *Universal Declaration of Human Rights*. 1948.

Political Rights (ICCPR) furthered the discussion by highlighting the right to self-determination and the rights of national, ethnic, and linguistic minorities.¹⁴⁷ In the same session, the *International Covenant on Economic Social and Cultural Rights* (ICESCR) highlighted that specific conditions must be met for humans to be free from fear and want.¹⁴⁸ Therefore, all humans should be able to freely participate in their respective economic, social, cultural, civil, and political rights.¹⁴⁹ Following this, the 1989 General Conference of the International Labour Convention (ILO) adopted the *Indigenous And Tribal Peoples Convention (No. 169)* to update the 1957 (No. 107) international standards and perceptions of Indigenous Peoples.¹⁵⁰ The updates focused on treating Indigenous Peoples as equals existing alongside other humans, further fostering integration.¹⁵¹ In 2000, Economic and Social Council (ECOSOC) resolution E/2000/22 established the mandate for the UNPFII.¹⁵² In the same year, the Millenium Development Goals (MDGs) highlighted the overlap with Indigenous Peoples' rights, leading to the fourth session of the UNPFII focusing on MDG 1: "eradicating extreme poverty and hunger" and MDG 2: "achieving universal primary education."¹⁵³ The General Assembly adoption of the *United Nations Convention Against Corruption* (UNCAC) (2003) created the first universal anti-corruption instrument with legally-binding power, thereby introducing an enforcement mechanism.¹⁵⁴

The 2007 adoption of UNDRIP prioritizes collaboration and emphasizes a holistic approach to addressing Indigenous issues.¹⁵⁵ UNDRIP promotes the participation and cooperation of United Nations organs and specialized agencies within a human rights framework, reflecting the extensive activism that contributed to the Declaration's development.¹⁵⁶ It also expands the existing frameworks, systems, and discussions of Indigenous Peoples in governance, focusing on both participatory and inclusive elements.¹⁵⁷ Additionally, UNDRIP calls for the continuation of the efforts that contributed to its development, emphasizing the collective ability for action as individuals and communities.¹⁵⁸ In 2015, the United Nations turned towards the adoption of the *2030 Agenda for Sustainable Development* (2030 Agenda).¹⁵⁹ The 2030 Agenda draws from General Assembly resolution 70/1 titled "Transforming Our World: the 2030 Agenda for Sustainable Development" and the 2016 resolution 70/299 on "Follow-up and review of the 2030 Agenda for Sustainable Development at the global level."¹⁶⁰ It does so in order to highlight elements of good governance found in SDGs 2 (zero hunger), 4 (quality education), and 16 (peace, justice and strong

¹⁴⁷ United Nations, General Assembly. *International Covenant on Civil and Political Rights (A/RES/2200 (XXI))*. 1966.

¹⁴⁸ United Nations, General Assembly. *International Covenant on Economic, Social and Cultural Rights (A/RES/2200 (XXI))*. 1966.

¹⁴⁹ United Nations, General Assembly. *International Covenant on Economic, Social and Cultural Rights (A/RES/2200 (XXI))*. 1966.

¹⁵⁰ United Nations, General Conference of the International Labour Association at its seventy-sixth session. *Indigenous and Tribal Peoples Convention, 1989 (No. 169)*. 1989.

¹⁵¹ Ibid.

¹⁵² United Nations, Department of Economic and Social Affairs. *United Nations Permanent Forum on Indigenous Issues (UNPFII)*. 2000.

¹⁵³ United Nations, Department of Economic and Social Affairs. *Indigenous Peoples And The MDGs*. N.d.

¹⁵⁴ United Nations Office on Drugs and Crime, Corruption and Economic Crime Branch. *Learn about UNCAC*. N.d.

¹⁵⁵ United Nations, General Assembly. *United Nations Declaration on the Rights of Indigenous Peoples (A/RES/61/295 (2007))*. 2007.

¹⁵⁶ Ibid.

¹⁵⁷ Ibid.

¹⁵⁸ Ibid.

¹⁵⁹ United Nations, General Assembly. *Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1)*. 2015.

¹⁶⁰ United Nations, Department of Economic and Social Affairs, Social Inclusion. *2030 Agenda And Indigenous Peoples*. N.d.

institutions).¹⁶¹ In 2024, UNPFII (ECOSOC)'s 23rd session included *Indigenous Peoples and the 2030 Agenda for Sustainable Development and implementation of the system-wide action plan for ensuring a coherent approach to achieving the ends of the United Nations Declaration on the Rights of Indigenous Peoples* as one of the most recent developments.¹⁶² This session focused on the responses received from United Nations entities and other intergovernmental bodies to address challenges in implementing the system-wide plan.¹⁶³

Role of the International System

HRC serves as the foundation for discussions and actions related to Indigenous Peoples, playing a crucial role in establishing standards for states.¹⁶⁴ HRC remains a designated space for states and non-governmental organizations (NGOs), along with other human rights advocates, to engage in discussions.¹⁶⁵ One of HRC's initial initiatives was the appointment of a Special Rapporteur on the rights of Indigenous Peoples.¹⁶⁶ As part of HRC's Special Procedures, independent human rights experts engage with the mandate to bridge the gap between information and action.¹⁶⁷ The mandate requires renewal, in alignment with the current HRC, last renewed in 2022 in the HRC resolution 51/16 on "Human rights and Indigenous Peoples: mandate of the Special Rapporteur on the rights of Indigenous Peoples."¹⁶⁸ The precedent for renewal is every three years in order to assess the continued efficacy of the mandate.¹⁶⁹ The Special Rapporteur on the rights of Indigenous Peoples utilizes UNDRIP and the No. 169 convention as specific instruments to help guide the work of the mandate.¹⁷⁰ As existing resources, the specific and other relevant instruments provide the Special Rapporteur a precedent for current and future developments.¹⁷¹ The United Nations Forum on Minority Issues, established by HRC in 2007, facilitates yearly dialogue and cooperation specifically for the evolution and implementation of the *Declaration on the Rights of Persons Belonging to National or Ethnic, Religious, and Linguistic Minorities* (1992).¹⁷² Originally established with HRC resolution 6/36 on "Expert mechanism on the rights of indigenous peoples" (EMRIP) in 2007, the mandate was later amended by HRC resolution 33/25 to the "Expert Mechanism on the Rights of Indigenous Peoples" in 2016.¹⁷³ A yearly five-day session hosted by the Expert Mechanism hosts State representatives and Indigenous Peoples, though various organizations and members of academia contribute their expertise as well.¹⁷⁴ Since 2015, the United Nations Forum on

¹⁶¹ United Nations, Department of Economic and Social Affairs, Sustainable Development. *Goals*. N.d.

¹⁶² United Nations, Economic and Social Council. *Indigenous Peoples and the 2030 Agenda for Sustainable Development and implementation of the system-wide action plan for ensuring a coherent approach to achieving the ends of the United Nations Declaration on the Rights of Indigenous Peoples* (E/C.19/2024/2). 2024.

¹⁶³ Ibid.

¹⁶⁴ United Nations, Human Rights Council. *Introduction*. N.d.

¹⁶⁵ Ibid.

¹⁶⁶ United Nations, Office of the High Commissioner for Human Rights. *Special Rapporteur on the rights of Indigenous Peoples*. N.d.

¹⁶⁷ Ibid.

¹⁶⁸ Ibid.

¹⁶⁹ United Nations, Human Rights Council. *Human rights and indigenous peoples: mandate of the Special Rapporteur on the rights of indigenous peoples* (A/HRC/RES/42/20). 2019.

¹⁷⁰ United Nations, Office of the High Commissioner for Human Rights. *International standards, Special Rapporteur on the rights of Indigenous Peoples*. N.d.

¹⁷¹ Ibid.

¹⁷² United Nations, Office of the High Commissioner for Human Rights. *United Nations Forum on Minority Issues*. N.d.

¹⁷³ Ibid.

¹⁷⁴ United Nations, Office of the High Commissioner for Human Rights. *Expert Mechanism on the Rights of Indigenous Peoples*. N.d.

Human Rights, Democracy and the Rule of Law meets on a biennial basis, focusing on promoting an environment for states to prioritize the development and protection of individuals facing discrimination.¹⁷⁵ Therefore, this effort aims to ensure justice and equality for all.¹⁷⁶ HRC resolution 51/16 on “Human rights and Indigenous Peoples: mandate of Special Rapporteur on the rights of Indigenous Peoples” works to further the development and implementation of international instruments as an additional support mechanism for the recognition and protection of the rights of Indigenous Peoples.¹⁷⁷

ECOSOC also facilitates coordination and collaboration among states specifically regarding Indigenous Peoples, amongst its other areas of work, in order to support other existing bodies and frameworks.¹⁷⁸ Both the ILO and UNESCO are specialized agencies under ECOSOC’s purview.¹⁷⁹ ILO and OHCHR lead the development of the Inter-Agency Support Group (IASG) on Indigenous Issues.¹⁸⁰ The IASG organizes informal meetings to foster information sharing between the United Nations’ various agencies, funds, and programmes involved with the Working Group on Indigenous Populations in Geneva.¹⁸¹ The IASG specifically works to promote the mandate of the UNPFII.¹⁸² ECOSOC resolution 2000/22 on “Racism, discrimination, xenophobia and related intolerance” specifies UNPFII’s yearly sessions seek to tackle issues thematically across six mandated areas: economic and social development; culture; the environment; education; health; and human rights.¹⁸³ Utilizing UNPFII’s framework, the World Conference on Indigenous Peoples first occurred in 2014 after the General Assembly adoption of resolution 65/198 on “Indigenous issues.”¹⁸⁴

Furthermore, UNDP aims to advance the work of Indigenous Peoples and their knowledge within governance.¹⁸⁵ Notably, UNDP initiated the first United Nations program to fully incorporate Indigenous Peoples without limiting decision-making power in governance discussions and decisions.¹⁸⁶ This initiative led to the United Nations Collaborative Partnership on Reducing Emissions from Deforestation and Forest Degradation (UN-REDD), recognizing Indigenous Peoples for their unique and valuable contributions in the collective fight against climate change.¹⁸⁷ Likewise, the United Nations Secretariat Department of Economic and Social Affairs (UN DESA) provides intergovernmental support, analysis, and capacity-building for other bodies and frameworks in the United Nations.¹⁸⁸ This includes organizing regional dialogues in North America on Indigenous Peoples’ autonomy and self-governance, which coordinates its

¹⁷⁵ United Nations, Office of the High Commissioner for Human Rights. *United Nations Forum on Human Rights, Democracy and the Rule of law*. N.d.

¹⁷⁶ Ibid.

¹⁷⁷ Ibid.

¹⁷⁸ United Nations, Economic and Social Council. *What does ECOSOC do?* N.d.

¹⁷⁹ Ibid.

¹⁸⁰ United Nations, Department of Economic and Social Affairs Social Inclusion. *Inter-Agency Support Group (IASG)*. N.d.

¹⁸¹ Ibid.

¹⁸² Ibid.

¹⁸³ United Nations, Department of Economic and Social Affairs. *United Nations Permanent Forum on Indigenous Issues (UNPFII)*. 2000.

¹⁸⁴ United Nations, Department of Economic and Social Affairs Social Inclusion. *World Conference on Indigenous Peoples*. N.d.

¹⁸⁵ United Nations Development Programme. *Indigenous Knowledge is crucial in the fight against climate change - here’s why*. 2024.

¹⁸⁶ Ibid.

¹⁸⁷ Ibid.

¹⁸⁸ United Nations, Department of Economic and Social Affairs. *What does UN DESA do?* N.d.

efforts with UNPFII.¹⁸⁹ In 2022, the regional dialogue highlighted various impacts of UNDRIP on the international stage, particularly due to Articles 3 and 4 that stipulate the right to self-determination, the right to autonomy, and the right to self-governance.¹⁹⁰ Within the Division for Public Institutions and Digital Government (DPIDG) overseen by DESA, is the United Nations Project Office on Governance (UNPOG).¹⁹¹ Although UNPOG does not specifically apply to Indigenous issues, UNPOG nevertheless promotes governance highlighting efficiency and transparency in its processes alongside the core value of participatory governance.¹⁹² Thereby, offering another tool in analyzing the participation of Indigenous Peoples in governance.¹⁹³ The Department of Political and Peacebuilding Affairs (DPPA) works in conjunction with UNPFII to develop a clearer approach on political rights and electoral assistance by highlighting political participation of Indigenous Peoples in governance.¹⁹⁴ Furthermore, the International Work Group for Indigenous Affairs (IWGIA) works in territorial global governance prioritizing documentation advocacy, and supporting the empowerment of Indigenous Peoples.¹⁹⁵ IWGIA's work in territorial governance reflects substantial effort towards the creation and consolidation of Indigenous self-governance and autonomy.¹⁹⁶ On the other hand, IWGIA's global governance program seeks to strengthen existing ties between national and international processes, ranging across current thematic programs.¹⁹⁷

UNPFII and UNDRIP Beyond the 2030 Agenda

As the year 2030 approaches, the 2030 Agenda and the SDGs have shown substantial applicability to Indigenous issues.¹⁹⁸ This is partly due to the development, integration, and deepening of both UNPFII and UNDRIP within the international system and among Member States.¹⁹⁹ UNPFII has focused on SDG indicators 2.3.2 directly, and indicators 1.4.2 and 5.a.1 on land rights.²⁰⁰ Indicator 2.3.2 details the average income of small-scale food producers by sex and Indigenous status, thereby leveraging the capacity of the UNPFII and UNDRIP's frameworks of Indigenous knowledge in this specific area.²⁰¹ Indicator 1.4.2 refers to the amount of people who perceive their land rights as secure, such as with legally recognized documentation; as such, any overt gaps between Indigenous Peoples and non-Indigenous Peoples may be highlighted.²⁰² Indicator 5.a.1 details the total agricultural population with ownership or perceived secured land rights; as such, it is informative in the distinction of different types of land that Indigenous Peoples and non-Indigenous peoples may have and any possible trends to

¹⁸⁹ United Nations, Department of Economic and Social Affairs Indigenous Peoples. *Indigenous Peoples' autonomy and self-governance: regional dialogue on North America*. 2022.

¹⁹⁰ United Nations, Indigenous Peoples and Development Branch, DISD/DESA. *Indigenous People's Autonomy and Self-Governance*. 2022.

¹⁹¹ United Nations, Department of Economic and Social Affairs Division for Public Institutions and Digital Government. *About UNPOG*. N.d.

¹⁹² Ibid.

¹⁹³ Ibid.

¹⁹⁴ United Nations, Department of Political and Peacebuilding Affairs. *Questionnaire to DPPA-DPO-PBSO on Indigenous Issues 2023*. 2023.

¹⁹⁵ International Work Group for Indigenous Affairs. *Territorial Governance*. N.d.

¹⁹⁶ International Work Group for Indigenous Affairs. *Focus Areas*. N.d.

¹⁹⁷ Ibid.

¹⁹⁸ United Nations, General Assembly. *Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1)*. 2015.

¹⁹⁹ United Nations, Department of Economic and Social Affairs. *Historical Overview*. N.d.

²⁰⁰ United Nations, Secretariat of the Permanent Forum on Indigenous Issues. *Indigenous Peoples & the 2030 Agenda*. N.d.

²⁰¹ United Nations, UN Statistics Division. *SDG indicator metadata 2.3.2*. 2024.

²⁰² United Nations, UN Statistics Division. *SDG indicator metadata 1.4.2*. 2024.

analyze.²⁰³ By prioritizing these indicators, UNPFII was able to use generalized data collected to specifically highlight issues related to Indigenous Peoples right to self-determination and governance.²⁰⁴ As such, further research and work undertaken in this area has the potential to build and draw other insights for further growth.²⁰⁵ Moving beyond the 2030 Agenda requires a detailed understanding of initiatives and realistic assessment of future goals, especially any movement towards strengthening Indigenous governance.²⁰⁶

UNDRIP's contribution also centers on specific terminology, including self-determination and good governance.²⁰⁷ Initiatives such as the United Nations Voluntary Fund for Indigenous Peoples act as a launching point for future projects aiding representatives of Indigenous Peoples and communities to be included in UN mechanisms and processes touching on Indigenous issues.²⁰⁸ Similarly, the Indigenous Navigator is established as a comprehensive framework, set of tools, and resources for and by Indigenous Peoples for the purposes of measuring the level of recognition and implementation of their rights.²⁰⁹ The Indigenous Navigator's primary use is monitoring the implementation of UNDRIP, core human rights conventions for Indigenous Peoples, the SDGs, and the purviews established by the World Conference on Indigenous Peoples.²¹⁰ As such, the United Nations High-Level Political Forum on Sustainable Development (HLPF) recommends the Indigenous Navigator as one of the tools supporting voluntary national review processes of Member States.²¹¹ These tools help bridge the gap in implementation, as UNPFII and UNDRIP are non-binding resolutions, but give individuals and communities the ability to impact their community in actionable ways.²¹² Progress beyond the 2030 Agenda depends on the effectiveness of these resources and understanding their impact, and might include establishing new goals and pathways.²¹³ Furthermore, the contributions of UNPFII and UNDRIP highlight potential gaps and existing limitations, encouraging future development and more inclusive approaches.²¹⁴ In particular, UNDRIP's framework hints towards the growing ties of Indigenous Peoples and governance, their respective participation, inclusion, and growing universalization of terminology.²¹⁵ The existing frameworks utilize the 2030 Agenda in practical and aspirational ways.²¹⁶ Just as the 2030 Agenda built on the MDGs, it can serve as a foundation for strengthening collective efforts in the years ahead.²¹⁷

²⁰³ United Nations, UN Statistics Division. *SDG indicator metadata 5.a.1*. 2024.

²⁰⁴ United Nations, Secretariat of the Permanent Forum on Indigenous Issues. *Indigenous Peoples & the 2030 Agenda*. N.d.

²⁰⁵ Ibid.

²⁰⁶ Ibid.

²⁰⁷ United Nations, General Assembly. *United Nations Declaration on the Rights of Indigenous Peoples (A/RES/61/295 (2007))*. 2007.

²⁰⁸ United Nations, Office of the High Commissioner for Human Rights. *UN Voluntary Fund for Indigenous Peoples*. N.d.

²⁰⁹ Indigenous Navigator, Data by and for Indigenous Peoples. *What is the Indigenous Navigator?* N.d.

²¹⁰ Ibid.

²¹¹ United Nations, High-Level Political Forum on Sustainable Development. *Indigenous Navigator*. N.d.

²¹² Indigenous Navigator, Data by and for Indigenous Peoples. *What is the Indigenous Navigator?* N.d.

²¹³ United Nations, Secretariat of the Permanent Forum on Indigenous Issues. *Indigenous Peoples & the 2030 Agenda*. N.d.

²¹⁴ Ibid.

²¹⁵ United Nations, General Assembly. *United Nations Declaration on the Rights of Indigenous Peoples (A/RES/61/295 (2007))*. 2007.

²¹⁶ United Nations, General Assembly. *Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1)*. 2015.

²¹⁷ Ibid.

Self-determination and Multi-Level Governance

Article 3 of UNDRIP sets out clear guidelines when introducing the concept of self-determination.²¹⁸ However, the integration of self-determination in governments is unclear.²¹⁹ Multi-level governance refers to a classification of government jurisdictions in order to tackle issues at the appropriate level.²²⁰ For example, neighborhoods and zoning issues would be dealt with at the municipal level rather than at the international or national level.²²¹ For some Member States, strong concepts or other inclusions may have resulted in abstentions or voting against General Assembly resolution 61/295 on “United Nations Declaration on the Rights of Indigenous Peoples.”²²² After UNDRIP was initially adopted, the four states that voted against the original resolution eventually reversed their positions to now support the Declaration.²²³ While General Assembly resolutions are not legally binding for Member States, the reversal of position nevertheless suggests a commitment towards the shared values and ideals laid out in UNDRIP.²²⁴ A preambular clause in UNDRIP acknowledges a fundamental aim that states support the right to self-determination.²²⁵ In which, self-determination addresses the importance of freely determining each person’s own areas of political status and economic, social, and cultural development.²²⁶ Another preambular clause highlights relevant use of international law for UNDRIP for states to follow the spirit of the Declaration rather than allowing anything in the Declaration to limit the right to self-determination.²²⁷ Both of these preambular clauses provide the necessary context for the application of self-determination to Indigenous Peoples.²²⁸ While being an expansive concept, inclusive to all, it likewise reinforces the specific right for Indigenous Peoples to freely determine both a political status and their own development with regard to economic, social, and cultural applications.²²⁹ Furthermore, both preambular clauses reinforce and highlight the relevance of Indigenous self-determination when considering governance systems, captured in part by the emphasis of autonomy in Article 4 of UNDRIP.²³⁰

The application of Indigenous issues to governance is a recurring theme throughout UNDRIP, despite only being mentioned explicitly in Article 46.3.²³¹ Governance is universal, by virtue of existing in a Member State within the United Nations system aiming to create collective ease in managing the economic, political, and social affairs.²³² UNDRIP’s framework is intentionally inclusive, striving for the self-governance of Indigenous Peoples within existing international frameworks.²³³ Self-determination and

²¹⁸ United Nations, General Assembly. *United Nations Declaration on the Rights of Indigenous Peoples (A/RES/61/295 (2007))*. 2007.

²¹⁹ Ibid.

²²⁰ United Nations, Department of Economic and Social Affairs Policy Briefs. *UN DESA Policy Brief No. 162: Multilevel Governance for Climate Change Mitigation and Adaptation*. 2024.

²²¹ Ibid.

²²² United Nations, Department of Economic and Social Affairs Social Inclusion. *United Nations Declaration On The Rights of Indigenous Peoples*. N.d.

²²³ Ibid.

²²⁴ Ibid.

²²⁵ Ibid.

²²⁶ Ibid.

²²⁷ Ibid.

²²⁸ Ibid.

²²⁹ Ibid.

²³⁰ Ibid.

²³¹ Ibid.

²³² United Nations, United Nations Development Programme. *Our focus is Governance*. N.d.

²³³ United Nations, Department of Economic and Social Affairs. *United Nations Declaration On the Rights Of Indigenous Peoples*. N.d.

self-governance are interwoven in UNDRIP, affirming these as universalized concepts.²³⁴ However, there is an inherent disconnect between what is established at the United Nations system-level, and what each Member State can ultimately do as sovereign states under the *Charter of the United Nations*.²³⁵ Article 2.7 of the *Charter of the United Nations* states that interference of domestic affairs is not authorized.²³⁶ This limitation makes bridging the gap between principles and implementation challenging; however, some precedents have been set by involving civil society.²³⁷ Regional dialogues hosted by UN DESA is one of the existing practices to foster discussions and participation of Indigenous Peoples in governance, without compromising the guarantees of a state's sovereignty.²³⁸ These dialogues aim to include Indigenous citizens' experiences to help guide the work on addressing autonomy and self-determination issues.²³⁹ The challenge for Member States is in their own domestic affairs, utilizing the existing frameworks of UNPFII and UNDRIP specifically to foster consideration, discussion, and action.²⁴⁰

Conclusion

UNDRIP remains a landmark document transforming the international system's framework and ways of approaching Indigenous Peoples' inclusion in local, national, and international governance levels.²⁴¹ Similarly, UNPFII demonstrates the international community's commitment to awareness, inclusion, and integration of Indigenous Peoples with regard to economic and social development, culture, the environment, education, health, and human rights.²⁴² As the international community approaches 2030, Member States are encouraged to think about evolution of definitions and international policy.²⁴³ Likewise, how these evolutions are applied to other Member States' domestic policy in the immediate and far future.²⁴⁴

Further Research

As delegates conduct further research and consider how to address Indigenous Peoples within the framework of UNDRIP and governance, they should consider: Have their Member State had a history with Indigenous Peoples? What is the relationship like between their Member State and Indigenous Peoples, either within their Member State or outside their Member State? Does their Member State belong to any regional or international frameworks that consider Indigenous issues? If so, in what capacity and to what extent? Are there any limitations for your Member State in how they relate, respond, and/or respect Indigenous Peoples? What other frameworks or international precedents are applicable in considering

²³⁴ United Nations, Department of Economic and Social Affairs. *United Nations Declaration On the Rights Of Indigenous Peoples*. N.d.

²³⁵ United Nations Conference on International Organization. *Charter of the United Nations*. 1945.

²³⁶ Ibid.

²³⁷ United Nations, Department of Economic and Social Affairs Indigenous Peoples. *Indigenous Peoples' autonomy and self-governance: regional dialogue on North America*. 2022.

²³⁸ Ibid.

²³⁹ Ibid.

²⁴⁰ United Nations, General Assembly. *Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1)*. 2015.

²⁴¹ United Nations, General Assembly. *United Nations Declaration on the Rights of Indigenous Peoples (A/RES/61/295 (2007))*. 2007.

²⁴² United Nations, Department of Economic and Social Affairs. *United Nations Permanent Forum on Indigenous Issues (UNPFII)*. 2000.

²⁴³ United Nations, General Assembly. *Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1)*. 2015.

²⁴⁴ Ibid.

UNDRIP in this context? What level does self-determination fit into a multi-level governance framework for your Member State? How does the specific terminology found in UNPFII projects and the UNDRIP framework hold up over the last couple of decades and is there any room for further considerations?

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