

**INTERNATIONAL INDIGENOUS PEOPLES' TECHNICAL WORKSHOP
WITH STATES ON THE UNITED NATIONS FRAMEWORK
CONVENTION ON CLIMATE CHANGE (UNFCCC) NEGOTIATIONS**

Lima, Peru, October 15, 2014

**[Proposed document by indigenous peoples' representatives from different
regions of the world]**

**I. INDIGENOUS PEOPLES' KEY PROPOSALS TO BE
CONSIDERED IN THE UNFCCC NEGOTIATION PROCESS.**

Preamble

There is no doubt that climate change is in a profound crisis and climatic aggression against the right [to life, the right to food, the right to health, in the end], to indigenous peoples individual and collective human rights and life ways that are also under threat. It is unacceptable that, without being at all responsible, indigenous peoples remain major victims of climate change and with climate change causing further imbalance and degradation to indigenous peoples multiple land use systems.

In the latest IPCC assessment report (AR5), on Impacts, Adaptation, and Vulnerability, the scientist acknowledged that "Indigenous, local, and traditional knowledge systems and practices, including indigenous peoples' holistic view of community and environment, are a major resource for adapting to climate change, but these have not been used consistently in existing adaptation efforts. "Integrating such forms of knowledge with existing practices increases the effectiveness of adaptation.

We therefore call upon State parties to the convention to consider, respect and promote the following:

1. Recognize the rights of indigenous peoples consistent with the United Nations Declaration on the Rights of Indigenous Peoples, including the right to self-determination; lands; territories and all resources; free, prior and informed consent; traditional knowledge and sustainable livelihoods; benefit-sharing, as well as other relevant international human rights norms and standards.
2. The setting up of an Indigenous Peoples' Experts Advisory body, which would act as a technical advisory body and a consultative resource that contributes to the design, implementation, monitoring and evaluation of all UNFCCC subsidiary bodies, activities, mechanisms and programmes especially with

respect to IPs' related issues. This will include representatives from existing UN Indigenous Peoples' Issues related mechanisms such as the UN Permanent Forum on Indigenous Issues (PFII), the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP), and the Special Rapporteur on the Rights of Indigenous Peoples (SRIP).

3. A technical support unit for Indigenous Peoples' issues and an indigenous focal point in the UNFCCC Secretariat should be established.
4. The UNFCCC should facilitate a dedicated fund mechanism for indigenous peoples' organizations participation in climate policy-making processes.
5. Ensure the full and effective participation of indigenous peoples in all mechanisms, bodies and procedures established under the UNFCCC, including, ADP, mitigation, adaptation, finance/ing, MRV and technology transfer and capacity building.
6. Recognize and protect indigenous knowledge and cultural heritage, innovations, technologies, cosmovision, values, practices, cultural identity, traditional cultural expressions, indigenous peoples' spiritual beliefs, which contributes to climate friendly livelihood system and biodiversity conservation.
7. Recognize and respect the special category of indigenous peoples under the UNFCCC to visualize the status of vulnerability of all indigenous peoples, including those in developing and developed countries, in all climate change-related issues.
8. Ensure the perspective of gender and inter-generational equity (children, women, youth and elderly) in all negotiation texts.
9. Parties shall commit to the global goal of preventing mean earth temperature from rising more than 1° Celsius.

II. SPECIFIC PROPOSALS THAT MUST BE TAKEN INTO ACCOUNT IN EACH OF THE BUILDING BLOCKS OF THE NEGOTIATION PROCESS

1. Ad-hoc Working Group on the Durban Platform for Enhanced Action (ADP)

We are particularly concerned by the fact that the greenhouse gases are over 400 ppm and we call the parties to take serious binding decisions to control/maintain in the levels acceptable for human beings to survive.

Parties shall pledge to respect international human rights norms and standards which establish moral and legal obligations to protect and promote the full enjoyment of indigenous peoples rights in all issues related to climate change, including rights to

lands, territories and resources, their traditional knowledge and their free, prior and informed consent, consistent with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

The outcome document of the Durban platform must operationalize the Cancun Agreement as it explicitly recognize that UNFCCC Parties have human rights obligations, and that they should fully respect human rights in all climate change-related decisions including the rights of indigenous peoples. It should guarantee full and effective participation of indigenous peoples in all processes, programs and actions at all levels, including inter alia access to funding mechanisms, financing, capacity building, MRV and guaranteed and enforceable safeguards and all other evolving climate change-related mechanisms.

Intended nationally determined contributions (INDCs/NDCs) should not be used by parties as a strategy to delay meaningful actions to reduce emissions nor escape from committing on a legally binding agreement post-2020

[[Target aggregate GHG emissions of developed country parties must be by 50% from 1990 by 2017, and at least 95% by 2050 from 1990.]]

2. CAPACITY-BUILDING

- i. Ensure the capacity-building of indigenous peoples based on the culture and priorities of indigenous peoples.
- ii. Ensure respect, protection and promotion of indigenous peoples' traditional knowledge and sustainable livelihoods.
- iii. Develop and implement policies and measures to ensure the sustainability and adaptation of traditional livelihood production system and traditional food systems.

3. TECHNOLOGY TRANSFER

- i. Indigenous traditional knowledge, technologies and innovations must be recognized and promoted, including the protection of heritage and intellectual property rights.
- ii. Technology transfer must be in harmony with Mother Earth, culture and practices of indigenous peoples.
- iii. Ensure direct and immediate access of indigenous peoples to appropriate technologies, defined and consistent with indigenous culture and cosmovision.
- iv. Technology transfer to indigenous peoples shall be subject to their free, prior and

informed consent, consistent with international human rights norms and standards.

- v. Ensure full and effective participation of indigenous peoples in the developing of technology mechanisms, including opportunities to participate in the Technology Executive Committee and Climate Technology Centre and Network.
- vi. Refuse geo-engineering technologies as it constitutes false solutions to climate mitigation

4. FINANCE

- i. Ensure direct and immediate access of indigenous peoples to finance through the establishment of a fund dedicated to address the priority needs of indigenous peoples.
- ii. Finance shall be based on public funds with new resources and be additional to development cooperation aid.
- iii. Disbursement of Climate change interventions funding for projects within IPs territories should be pegged on the extent to which cultural, social and environmental safeguards are respected, monitored and reported
- iv. Finance shall reach not only the hands of national governments, but also indigenous peoples, local communities and other vulnerable groups.
- v. Climate change Funds, governance mechanisms must be directly under the guidance of the COP with transparency and accountability.
- vi. We are **encouraged** by the inclusion of REDD in the Green Climate Fund, and the commitment to balance funds allocation between adaptation and mitigation on a 50-50 ratio. We also note the presence of provisions for Safeguard and Grievance Mechanisms in the Governing Instrument of the GCF. We call on the parties to support our call for the representation of Indigenous Peoples' Organizations (IPOs) as active observers to the Board of Green Climate Fund and our direct access to the fund.

5. MONITORING, REPORTING and VERIFICATION (MRV)

- i. Ensure capacity-building and the full and effective participation of indigenous peoples in MRV, including on scientific technologies, techniques and methodologies
- ii. MRV implementation should include cultural, social and environmental safeguards, including human rights, benefit-sharing, technology transfer and

development, finance and REDD+

- iii. Indigenous peoples shall have the opportunity to develop and present their own parallel reports on REDD+ and other climate change-related activities.
- iv. Recognition, respect and promotion of Community Based Monitoring Information Systems (CBMIS) within the framework of MRVs
- v. Ensure measures to address and redress damages in MRV.

6. MITIGATION

- i. Recognize the crucial role of indigenous peoples for/in the maintenance and adaptation of ecosystems.
- ii. All mitigation actions shall ensure the recognition and protection of the intrinsic rights of indigenous peoples to lands, territories and resources.
- iii. Ensure the right to benefit-sharing., taking into account other internationally agreed outcomes/instruments on ABS including the Nagoya protocol
- iv. Take into account food security and sovereignty.
- v. Any further consideration of forest and land use related matters within the ADP must be based on a robust human rights - approach in compliance with international human rights standards such as UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and ILO Convention no.169

7. ADAPTATION

- i. Respect the free, prior and informed consent of IPs [and local communities] in all adaptation measures and actions, consistent with the United Nations Declaration on the Rights of Indigenous Peoples.
- ii. We are in the frontline of climate change impacts therefore we should be part of the observers in the loss and damage Executive Committee to be set up soon.
- iii. Ensure access and full and effective participation in the Adaptation Fund and Advisory Board.
- iv. Ensure direct access to funds and to all forms of support to address the impacts of disasters and the adaptation to them.
- v. Ensure the respect and promotion of Indigenous Peoples adaptation strategies

8. REDD+

- i. Ensure the recognition of rights to self-determination, lands, territories and resources and free, prior and informed consent, consistent with the United Nations Declaration on the Rights of Indigenous Peoples, including traditional livelihoods, forest customary governance, demarcation, titling and land tenure of indigenous peoples' lands.
- ii. The methodological guidance on non carbon benefits and Safeguard Information Systems (SIS) must respect, recognize and promote the community based participatory monitoring and information systems, including traditional knowledge, customary laws, forest management systems and practices of indigenous peoples. Technical assistance and capacity building must be prioritized and supported for indigenous peoples.
- iii. Human-rights criteria and indicators should be developed and given due consideration when assessing results of REDD-plus activities and accessing results-based payments. These indicators should include the recognition of, and respect for, rights to our land, territories and resources, indigenous knowledge, customary laws and governance, traditional livelihoods, and our forest management practices. All results-based payments must be conditioned upon the robust implementation of, and strict compliance with, rigorous safeguards that should be effectively reported and verified including through community based participatory monitoring and information system.
- iv. Positive Incentive tools for forest actions (REDD) shall not be financed by market-based mechanisms or subject to be used in carbon offsetting in order to guarantee the full enjoyment of indigenous rights and the effectiveness of complementary mitigation actions in forests.

9. KYOTO PROTOCOL

- a) Target aggregate GHG emissions of developed country parties must be by 50% from 1990 by 2017, and at least 95% by 2050 from 1990.*
- b) Support alternatives to carbon market-based mechanisms for mitigation and adaptation. Any binding agreement must support a fund-based approach.*
- c) All outcomes of the Kyoto Protocol second commitment period must recognize the rights of indigenous peoples, consistent with the United Nations Declaration on the Rights of Indigenous Peoples.*
- d) Request the establishment of an Indigenous Peoples Expert Group on the Kyoto Protocol, second commitment period.*

- e) The principles and criteria of LULUCF must recognize the traditional knowledge of indigenous peoples and their rights over their forests in developed countries and developing countries.*
- f) Solve the concerns on the loopholes in Land Use, Land Use Change and Forestry (LULUCF), such as the non-accounting of emissions.*

10. AGRICULTURE

- i. The indigenous peoples' traditional forest conservation and management practices have contributed both to adaptation and mitigation of climate change. Our livelihoods need to be acknowledged as part of the solution, not part of the problem. Therefore, we would like to request the parties to make it clear that forest-related traditional livelihoods of indigenous peoples do not cause deforestation.

11. MARKETS

- i. Non-carbon benefits should be valued properly and should be defined within a human rights framework including respect and recognition of the rights of indigenous peoples to lands, territories and natural resources. It must also take into account our unique world-views, traditional knowledge, customary governance systems and our immeasurable cultural and spiritual values.