



Indigeneity
and the
**Local Communities & Indigenous
Peoples Platform**
Pacific Regional Gathering



Concept of Indigeneity

Indigenous peoples:

- Have an ongoing ancestral connections to the lands and waterways on which they live and bring their own distinct values and cultures.
- Have a responsibility to future generations
- Respect and live sustainably within the environment
- Consider themselves custodians of country rather than a taking an exploitative approach.



Indigeneity and International Law

Indigenous Peoples are now recognized in international law

Indigenous peoples may or may not have experiences of colonialism.

Indigenous peoples are not determined by a history of colonialism but by our distinct cultures and values.

The concept of 'Indigeneity' also applies to many peoples of the Pacific region and can be a useful concept to draw on.



Local Communities and Indigenous Peoples Platform

- Indigenous peoples are custodians of 80% of the world biodiversity while making up 4% of the global population.
- Indigenous peoples are a critical part of the solution to the global climate threat.
- The LCIPP specifically addresses Indigenous peoples, as do other mechanisms in international law.



The Declaration on the Rights of Indigenous Peoples

The Declaration affirms minimum standards
Adopted by the General Assembly of the United Nations
in 2007.

Following more than 20 years of negotiations

The Declaration covers four key principles:

- **self-determination**
- **participation in decision making**
- **Respect for and protection of culture**
- **equality and non-discrimination**



The Declaration has 46 articles for the recognition, protection and promotion of Indigenous rights.

These include:

- Individual and collective rights;
- cultural rights, rights to identity, education, health, employment, language, land and waterways, and self-governance.
- Out-laws discrimination
- Promotes the full and effective participation in all matters concerning them.
- Rights to remain distinct and pursue our own economic, social and cultural development.



Explicitly encourages harmonious and cooperative relations between States and Indigenous peoples

The Declaration also affirms the principle of Free Prior and Informed Consent.

It has been argued the Declaration has developed into customary international law given its broad endorsement.

With expectations for its full implementation.



Free, Prior and Informed Consent (FPIC)

FPIC establishes standards for the involvement of Indigenous Peoples in decision-making on issues impacting them.

This includes issues related to their ancestral lands and waterways.

FPIC requires indigenous peoples are engaged in decision making related to mining, logging, dams, palm oil and other large projects on their lands.

This includes opportunity to approve or reject projects
Involvement in setting the terms that address the economic, social and environmental impacts



International mechanisms to support the Declaration.

- The United Nations Permanent Forum on Indigenous Issues (UNPFII) held in New York.
- The Expert Mechanism on the Rights of Indigenous Peoples or (EMRIP) held in Geneva.
- Special Rapporteur on Indigenous Peoples, Mr Francisco Cali Tzay.



Indigenous rights frameworks can be useful when engaging in international mechanisms related to addressing climate change.

The Global Biodiversity Framework Fund establishes that 20% of the fund be allocated to Indigenous peoples.

These frameworks may be leveraged for the benefit of Peoples of the Pacific region.