IWGIA

Consolidating the rights of Indigenous Peoples in climate governance through the Local Communities and Indigenous Peoples Platform

Submission by International Work Group for Indigenous Affairs
on the review of the Facilitative Working Group

Submission by International Work Group for Indigenous Affairs

Issue: The Facilitative Working Group (FWG) of the Local Communities and Indigenous Peoples Platform (LCIPP) invites Parties, Indigenous Peoples and local communities, and other stakeholders to make submissions by the 10th meeting of the FWG (November-December 2023) on the review of the FWG to be held in 2024.
Title: Review of the Facilitative Working Group of the Local Communities and Indigenous Peoples Platform
Mandate: FCCC/SBSTA/2021/L.3

For this call for submissions, the International Work Group for Indigenous Affairs (IWGIA), in collaboration with a group of Indigenous Peoples' representatives, has conducted an analysis of the emergence of the LCIPP and its FWG based on 39 interviews with Indigenous representatives, Party representatives, UNFCCC officials, and other stakeholders engaged in the creation, operationalisation and implementation of the LCIPP. We have also conducted participant observation of negotiations, meetings and activities related to the LCIPP, and considered relevant existing literature.

The submission provides nine recommendations to Parties and the UNFCCC for the upcoming review of the FWG.

While this is a submission by IWGIA, the submission is also available in a report format with a list of authors and other contributors duly acknowledged:

English version
Spanish version

We extend our gratitude and appreciation to all who have dedicated their time and reflections to this endeavour. Their valuable input has enriched this analysis and the accompanying recommendations, ensuring a thorough review of a platform with the potential to consolidate the rights of Indigenous Peoples in climate governance. Without their contributions, this depth of insight would not have been possible.

Copenhagen, 22 November 2023

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Cover photograph: Indigenous representatives and the LCIPP team of the UNFCCC Secretariat wishing farewell to outgoing UNFCCC Executive Secretary Patricia Espinosa during SB 56 in June 2022 in Bonn, Germany. CREDIT: Stefan Thorsell / IWGIA

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Executive Summary

At all levels, in all regions of the world, Indigenous Peoples face systemic, colonial barriers to their right to self-determination. This injustice is also evident in the multilateral sphere, where decisions are taken almost exclusively by the governments of multilaterally recognised nation-states. Such is the case of the United Nations Framework Convention on Climate Change (UNFCCC), which does not even mention Indigenous Peoples in its convention text from 1992, thereby failing to consider the visions and participation of Indigenous Peoples. Despite these limitations, the agency and advocacy of the international Indigenous Peoples' movement, organised under the International Indigenous Peoples Forum on Climate Change (IIPFCC), has made it possible to shake the foundations of this status quo.

This report provides context to and analysis of the emergence of the Local Communities and Indigenous Peoples Platform (LCIPP) under the UNFCCC from the perspectives of Indigenous representatives, UNFCCC Party representatives, UNFCCC officials, and other stakeholders engaged in its creation and implementation. The LCIPP is a mechanism established by the Parties in 2015 that, as per Decision 2/CP.23 para. 5 of 2017 aims to 'strengthen the knowledge, technologies, practices and efforts of local communities and [I]ndigenous [P]eoples related to addressing and responding to climate change.'

This report first presents the initial motivations behind and longstanding demands for recognition and meaningful partnership that, at the 21st Conference of the Parties (COP 21) in Paris in 2015, were summarised into four objectives: respect for Indigenous Peoples' rights, full participation in leadership roles, recognition of Indigenous Peoples' knowledge, and direct access to climate finance. These demands led to a negotiation process that, despite initially excluding Indigenous Peoples, resulted in the creation of the LCIPP. Second, the report examines the operationalisation of the Platform, including key decisions at COP meetings and the establishment of the Facilitative Working Group (FWG) to implement the Platform's functions through workplans (to date, 2020-2021 and 2022-2024). Third, based on this examination, the report analyses the main contributions, limitations and expectations arising from the Platform's work. In doing so, the report also aims to contribute to the review of the FWG that will be held in 2024.

The Platform represents a significant step towards Indigenous Peoples' recognition within the UNFCCC. In particular, being the first body under the UNFCCC that allows for equal representation of Indigenous Peoples and Parties, the FWG has created new spaces for Indigenous Peoples to engage, advance international solidarity networks and participate in global climate discussions. While it is still early days, the report seeks to identify the emerging impact of the Platform. This impact includes increased awareness and visibility of Indigenous Peoples' climate leadership and crucial role in climate governance. Another evident impact is new partnerships at the international level, including collaboration with other bodies under and outside the UNFCCC. Yet another and perhaps most important impact is the slow yet gradual recognition of Indigenous Peoples in national climate plans, policies and mechanisms.

The report also identifies several ongoing barriers that limit the meaningful participation of Indigenous Peoples in the UNFCCC. These barriers include the reluctance of States to respect Indigenous Peoples' right to self-determination, and a consideration of Indigenous knowledge as *practices* rather than holistic knowledge systems of vital importance in times of climate crisis. Another barrier relates to Indigenous Peoples' participation, seen by States as a procedure rather than a right and resulting in persisting marginalisation from decision-making, lack of engagement by Parties, and procedural constraints within the UNFCCC. Additionally, there is a lack of capacity at the national level, hindering the effectiveness of Indigenous engagement in climate governance. As a result, the mandate given to the Platform has not fully captured the complexity and integrative nature of Indigenous knowledge systems and the Platform's potential to contribute to climate governance thus has yet to be fully realised.

Despite these limitations, the Platform represents an important step in settling the historic debt owed to Indigenous Peoples under the UNFCCC. It serves as an interface between Indigenous Peoples, Parties, and constituted bodies, paving the way for Indigenous recognition in climate governance. Furthermore, the spaces opened up by the advocacy of the IIPFCC offer new windows of opportunity and demonstrate the possibility of transforming institutions and climate policy. It is now imperative that States rise to the challenge of responding to the climate crisis through a just, effective, integrated, and rights-based approach.

To contribute to this process, the report provides nine recommendations for State Parties and other stakeholders alike:

1. Recognise Indigenous Peoples as right holders;
2. Respect the right to self-determination at all levels;
3. Operationalise the Platform as an enabler to strengthen climate action and governance that will pave the way for transformative structural change;
4. Engage with LCIPP workplans to strengthen climate policy coherence;
5. Increase support for Indigenous-led climate action through partnership with Indigenous Peoples that recognises contributions by Indigenous elders, women and youth;
6. Generate spaces for partnership in climate governance by creating regional, national and local platforms;
7. Build intercultural competencies within national governments through partnerships with Indigenous Peoples;
8. Strengthen climate policy coherence regarding Indigenous Peoples' recognition by aligning global and national agendas; and
9. Centre Indigenous Peoples in the discussions of all UNFCCC mechanisms and processes.

Youth demonstrating at the entrance of the SB 58 venue in June 2023 in Bonn, Germany. The speaker is Indigenous climate activist Xiye Bastida.
CREDIT: Stefan Thorsell / IWGIA

Chapter 1

Introduction

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) affirms that Indigenous Peoples hold an inherent collective right 'as peoples' to self-determination. Self-determination by definition extends to both national and international spheres. But although Indigenous Peoples have a right to freely determine 'their place in the international community based on the principle of equal rights' (UNHRC 2021: para. 17), global governance, including the United Nations (UN) system, continues to exclude them as result of what has been coined 'international distribution of sovereignty' (Khan 2020), i.e. recognition of the carving up of the world map into nation-states without reflecting the complex interplay of Indigenous Peoples' lands and territories. Indeed, Indigenous Peoples lack formal mechanisms that position them as 'peoples' in international law with equal rights. Their influence and say in multilateral spaces where issues directly affecting them, and their lands, territories and resources, are negotiated therefore remains constrained (Harada 2022). The UN Framework Convention on Climate Change (UNFCCC), which does not even mention Indigenous Peoples in its convention text from 1992, is one of the most concrete examples of this colonial status quo. Although Indigenous Peoples are among those most affected by climate change and also by the unintended effects, or 'externalities', of climate policies (Ford et al. 2016), they have provided unequivocal evidence of the contributions of their knowledge systems to climate action and biodiversity conservation (IPCC 2022). Nevertheless, the Parties to the Convention have only allowed them to participate as one of the nine 'major groups' of observers invited to give statements during meetings.

In trying to influence where possible, Indigenous Peoples have taken this opportunity and established a constituency organised as the International Indigenous Peoples Forum on Climate Change (IIPFCC, also known as the Indigenous Peoples' Caucus). The IIPFCC serves as a caucus/mechanism for developing Indigenous Peoples' common positions and statements, and for undertaking effective strategies, lobbying and advocacy work during and in between UNFCCC meetings and sessions (Reed et al. 2023).

In recent years, the status quo has been challenged. Indigenous Peoples' advocacy and diplomacy through the IIPFCC have resulted in the advancement of new spaces that challenge the rules and procedures of the UNFCCC, setting a new precedent. In 2015, the Parties decided at the 21st Conference of the Parties (COP 21) to recognise 'the need to strengthen knowledge, technologies, practices and efforts of local communities and indigenous peoples related to addressing and responding to climate change' and established 'a platform for the exchange of experiences and sharing of best practices on mitigation and adaptation in a holistic and integrated manner' (Decision 1/CP. 21 para. 135).

At first, this decision raised important questions: What would 'a platform' mean? Who would be in charge of operationalising it? Having been excluded from the negotiations that led to this decision and being adamant that no one should speak on their behalf, the IIPFCC took up the challenge of answering these questions and decided to proactively engage in the State-led process that would lead to operationalising the platform. Quickly, and bringing together diverse stakeholders through a process that set a precedent at the UNFCCC in terms of collaboration and participation, what came to be coined the 'Local Communities and Indigenous Peoples Platform' (LCIPP) came to life and, with it, the first UN mechanism with equal representation between Indigenous Peoples and States that allows Indigenous Peoples to self-select their representatives autonomously: the Facilitative Working Group (FWG).

After four years of negotiations and another four years of operation, the FWG is currently (at the time of writing this report) implementing its second workplan of activities. Nevertheless, the role of the Platform remains unclear to many Parties and, as a result, its full potential for collaboration has yet to be realised. Much remains to be done but, before moving forward, it is crucial to inquire as to how the process and outcomes achieved so far meet and respond to the initial demands that fostered the creation of this space. This inquiry, in the context of the growing recognition that Indigenous Peoples are receiving from the scientific world (IPCC 2022), the limited but progressive inclusion of Indigenous Peoples in States' nationally determined contributions (NDC) (Carmona et al. 2023), and the COP 26 request to review the FWG in 2024 (Decision 16/CP.26 para. 12), is even more relevant today.

This report, which has emerged as a result of a collaboration between various Indigenous and non-Indigenous contributors involved in the LCIPP process, seeks to respond to this objective. It also proposes a reflection on the role of Indigenous Peoples' knowledge systems in the UNFCCC. How do these knowledge systems promote reformulations of a mechanism that has excluded the plurality of worldviews and values that characterise our human species? The visions, voices and advocacy of the international Indigenous movement push us, as a global society, to look at how we are responding to the existential crisis faced by most living beings including the human species – a crisis resulting from having ignored the knowledge we all once honoured. Also, to once and for all radically address climate change from an integrated approach that questions the colonial principles, paradigms and dichotomies that caused the crisis in the first place.

Thanks to the collaboration of different stakeholders (see Box 1), we present a brief history of the LCIPP, taking as its starting point the motivations and demands of the IIPFCC, and its members representing the seven socio-cultural regions of the world, which were key for the decisions at COP 21 in 2015. We then focus on analysing the process that gave life to the Platform, the most relevant COP decisions and the meetings in which its objectives and functions were discussed. In focusing on its operationalisation, we pay attention to the lessons learned and reflections of current and former FWG members and discuss the main achievements and accomplishments of the Platform through the voices of key stakeholders and analysis of the implementation of its first two-year workplan. We also reflect on the main challenges the Platform faces, taking into consideration the structure and procedures of the UNFCCC and the views of Indigenous Peoples' representatives and of the other stakeholders that have contributed to the process, namely State Parties and the secretariat. Finally, we return to the motivations and aspirations of the international Indigenous movement, which allow us to reflect on the scope of the UNFCCC. These aspirations, and the consistent advocacy that supports them, underpin a set of recommendations that we provide at the end of this report.

We hope that these recommendations will contribute to reversing the historical exclusion Indigenous Peoples have suffered in climate governance at international, regional, national and sub-national levels, engage Parties effectively in the LCIPP process, and promote the structural transformations urgently needed to respond to the climate crisis through a just, inclusive and rights-based approach.

Box 1:
Methodology of this study

The study was structured based on a qualitative methodological approach. During 2022 and 2023, 39 semi-structured interviews were conducted with key stakeholders. These included 19 Indigenous members of the IIPFCC who have been involved in the LCIPP process since its inception, including six former and three current FWG members; 12 Party delegates including three former FWG members; 3 representatives of the UNFCCC secretariat – two consultants and one official; 3 representatives of engaged NGOs; and 2 persons who advocate for the representation of local communities. We also conducted participant observation of the negotiations, meetings and activities that have given life to the LCIPP, including the negotiations that defined its functions and the nine meetings of the FWG to date. Furthermore, we reviewed all COP decisions and the reports of the UNFCCC Subsidiary Body for Scientific and Technological Advice since 2015, as well as relevant documents and reports produced by the FWG and other entities in the context of the operationalisation of the platform. The contributions of IIPFCC members have been crucial to developing this document. We also acknowledge the role of the many Indigenous representatives whose engagement at the UNFCCC has enriched the operationalisation of the Platform. Views they have shared in interventions at meetings have also served as input to this report.

Thematic workshop on *Enhancing the participation of local communities, in addition to indigenous peoples, in the LCIPP* during SB 50 in June 2019 in Bonn, Germany.
CREDIT: Rosario Carmona

Chapter 2

Negotiating the Platform: Indigenous Peoples' demands converge in Paris

A brief historical overview of Indigenous Peoples' advocacy and recognition in the UNFCCC is relevant to this review of the Platform, from the birth of the Convention in 1992 to the recognition of the Indigenous Peoples' constituency in 2001, the subsequent establishment of the International Indigenous Peoples Forum on Climate Change in 2008, the adoption of the Cancún Safeguards in 2010 and, lastly, the decision to establish a platform in 2015.

The battle for recognition

Indigenous Peoples' demands to engage in climate negotiations date back to the first World Climate Conference in 1979 when States began to address the issue through a multilateral approach (Sherpa 2019). Since then, and even though the Parties to the UNFCCC omitted them completely from implementing the Convention 13 years later, various Indigenous representatives from different regions have generated diverse strategies by which to access spaces for representation that can protect and strengthen their individual and collective rights in addressing climate change.

For many Indigenous activists and organisations, the multiple and intertwined impacts that climate change generates in their territories have been the trigger for action and motivation for engaging in the UNFCCC. This motivation is inextricably connected to the pursuit of climate justice. Despite having contributed the least to climate change, Indigenous Peoples living reciprocal lifeways with the rapidly changing natural world that surrounds them are among those most affected by its effects. Colonialism – and, by extension, nature commodification and capitalism – is not only a root cause of the climate crisis itself; its historical and contemporary ongoing impacts on Indigenous Peoples have also left them more vulnerable to its effects, as recognised by the UN's Intergovernmental Panel on Climate Change (IPCC) in its latest assessment report (IPCC 2022). This vulnerability is therefore not only due to the direct effects of climate change but also a result of climate change policies that prioritise technocratic approaches upholding the same hegemonic worldview that caused the climate crisis in the first place. Many mitigation strategies are implemented in Indigenous Peoples' territories, yet these measures do not allow them direct access to funding and rarely even consider their participation or inclusion in benefit sharing. In addition to restricting Indigenous Peoples' right to conduct their self-determined development strategies, these policies often have negative repercussions and even violate their rights through new colonial dynamics that reproduce the dispossession of their territories and criminalisation of their practices – thereby overriding international treaties and standards that protect their rights. Furthermore, these measures increase global inequalities by, among others, validating extractive projects and imposing new technologies on Indigenous Peoples' territories in the name of the 'green transition'. Although some measures recognise the value of Indigenous Peoples' protection of vital carbon sinks in their territories, top-down dictated funding is often made available primarily for tropical forest-dwelling communities – neglecting other ecosystems and peoples and their contributions to carbon sequestration.

The determination to influence and engage in climate governance should not be understood in isolation. Indigenous Peoples' advocacy in the UNFCCC is rooted in centuries of struggles and demands to assert their rights. The diverse claims that converge in the context of the Convention aim to strengthen this struggle through new spaces and leadership supported by international collaboration networks. Not without resistance, this coordination has expanded the institutional margins and pushed for the creation of new spaces and safeguards under the UNFCCC.

In 2001, Indigenous Peoples established a constituency that led to the creation of the IIPFCC in 2008. From this space, Indigenous Peoples have succeeded in securing certain rights standards in the UNFCCC. For example, in 2010, the COP decided (decision 1/CP.16 paras. 69-72) to create specific safeguards that, despite their limitations, attempt to ensure the participation of Indigenous communities and protect their rights during the implementation of projects aimed at reducing emissions from deforestation and forest degradation (i.e. REDD+ projects).

These safeguards – known as Cancún, or UNFCCC Safeguards – together with the growing evidence of the benefits associated with Indigenous Peoples' participation and knowledge in mitigation, adaptation and conservation policies, have led governments and development agencies to progressively involve Indigenous communities in the implementation of

their measures and report on such involvement during climate negotiations. However, in many cases, implementers see this engagement as a mere bureaucratic requirement to secure access to more funding. Indeed, Indigenous Peoples are, at best, included only in initiatives at the local level, without significant opportunity to influence climate governance nationally. Their knowledge systems, if considered at all, are misunderstood and addressed as local practices, thereby failing to grasp the holistic insights offered by such knowledge of how we have ended up in this planetary crisis and how profound systemic change is required to address this. As a result, the integration of Indigenous Peoples' rights into climate policy remains a challenge, and national measures that consider them do so in a primarily reactive manner – e.g. in response to concrete impacts or pressures.

These limitations have only strengthened the coordination of the international Indigenous Peoples' movement. Confident that no one other than themselves can speak for them, each year more Indigenous leaders – from and of diverse regions, orientations, genders, abilities and ages – overcome the barriers imposed on their participation and attend the UN climate change meetings and conferences. This includes sessions of the UNFCCC Subsidiary Body for Implementation (SBI) and Subsidiary Body for Scientific and Technological Advice (SBSTA) negotiations held twice a year, the COP held in conjunction with these once a year, and other meetings of the constituted bodies of the Convention. Gradually, these Indigenous representatives have established alliances with diverse stakeholders, strengthened their capacities for analysing the impacts of the climate negotiations on their territories, and generated better and greater channelling of information on the different issues addressed under the UNFCCC.

As a result, Indigenous Peoples are acquiring prominence in climate negotiations. In some cases, such as Norway and Canada, Indigenous representatives are even part of national delegations and have a space to deliver their opinions and report back to the governments.[1] However, these cases are the exception; many government delegations still refuse to offer accreditation to Indigenous representatives and those that do, do not involve them in the delegation's agenda.

Four demands in Paris

Despite the constraints, Indigenous Peoples have made their voices heard in key negotiations under the UNFCCC, including COP 21 of 2015, when Parties defined a new global agreement to replace the Kyoto Protocol initially set to expire in 2012 but extended until 2020. Although most people, disappointed that the Parties had been unable to reach such an agreement in Copenhagen in 2009, believed this goal was not possible, the urgency of the situation also raised high expectations. There was no alternative but to push for something better, and Indigenous Peoples knew this. They aimed for a space for representation that would allow them to negotiate directly with the Parties in accordance with their inherent right to self-determination as peoples – not as part of civil society – and right to autonomy and self-governance on their lands and territories.

Some years prior to Paris, a group of Indigenous representatives had, through the United Nations Permanent Forum on Indigenous Issues (UNPFII), requested that the UNFCCC create a space dedicated to Indigenous Peoples' participation. These representatives were referring to the Working Group on the implementation of Article 8(j) of the Convention on Biological Diversity (CBD), which aims to respect, preserve and maintain the knowledge, innovations and practices of Indigenous Peoples. Nevertheless, the UNFCCC responded negatively.

Despite the refusal, hundreds of Indigenous representatives came to Paris in 2015 to strengthen the advocacy of the IIPFCC. Thanks to their advocacy, together with various non-State actors and NGOs, the need to position human rights, and specifically Indigenous Peoples' rights, in the Paris Agreement, had gained momentum. The IIPFCC articulated their historic demands in four main points:

i. respect for their rights, specifically the inclusion of Indigenous Peoples' rights in Article 2 of the Paris Agreement that would set out its objectives;
ii. full and effective participation in leadership roles to influence climate policies and negotiations;
iii. recognition of Indigenous Peoples' knowledge to contribute to climate action;
iv. access to adequate and direct climate finance.

1. These countries have made efforts to include Indigenous Peoples in climate governance on a permanent basis through concrete mechanisms. Despite this, challenges remain in both countries with regard to the impacts of the green transition on Indigenous territories.

During COP 21, some Parties supported these four demands, and Indigenous Peoples achieved partial success. With regard to the first, the IIPFCC managed to ensure that the preamble to the Paris Agreement mentions the obligation of Parties to respect, promote and consider Indigenous Peoples' rights when taking action to address climate change. Nevertheless, the binding section of the agreement does not refer to the rights of Indigenous Peoples nor to human rights at large.

Concerning the second demand on full and effective participation, Parties proposed various alternatives. Some advocated the creation of a space with a binding role – something like an Indigenous expert group that could make recommendations to the Convention. Others proposed more moderate options. Although the positions and proposals were diverse, Indigenous Peoples were not allowed to participate in the dialogue to clarify their expectations. With the negotiations at an advanced stage, the Parties decided to create a 'platform' (decision 1/CP. 21 para. 135). They also agreed that this platform would also involve local communities,[2] despite Indigenous Peoples never suggesting this. According to some Party delegates present during this negotiation, delegations opposed to recognising Indigenous Peoples' rights, such as China and Indonesia, strongly supported this inclusion. The IIPFCC thus read the inclusion of local communities as a strategy to relativise and weaken their collective rights. We will come back to this issue further below.

With regard to the third demand – on recognition of Indigenous Peoples' knowledge – there were two main outcomes. First, Article 7 para. 5 of the Paris Agreement states that adaptation action by Parties 'should be based on and guided by (...) traditional knowledge, knowledge of indigenous peoples and local knowledge systems'. Second, Parties decided that the emphasis of the aforementioned platform should be on 'the exchange of experiences and sharing of best practices on mitigation and adaptation in a holistic and integrated manner'. This decision raised many questions among the IIPFCC because it appealed directly to their knowledge systems, which have historically been misinterpreted and misappropriated. Despite recognition of their knowledge also being one of their four defined demands, they perceived that the emphasis on knowledge sharing detracted from the discussion on two of the other demands i.e. respect for rights and effective participation. According to some Party delegates present during the negotiation, minimising the political scope of the mechanism was indeed a strategy to move the discussion forward and overcome the mistrust of certain States that see Indigenous Peoples' rights as a threat to national sovereignty.

The fourth demand – on direct access to climate finance – was not addressed during COP 21.

2. Decision 1/CP.21 para. 135 'Recognizes the need to strengthen knowledge, technologies, practices and efforts of local communities and indigenous peoples related to addressing and responding to climate change, and establishes a platform for the exchange of experiences and sharing of best practices on mitigation and adaptation in a holistic and integrated manner.'

Opening prayer by Sinéia do Vale during FWG 1 in 2019 in Bonn, Germany.
CREDIT: Rosario Carmona

Chapter 3

Operationalisation of the Platform

Following COP 21, Indigenous Peoples took stock and organised internally to coordinate their position on how the platform should be operationalised. The posture of the Caucus was strong. As a former IIPFCC co-chair recalls, their motto was 'they cannot talk about us without us'.

COP 22: Origins of the name 'Local Communities and Indigenous Peoples Platform'

The year after Paris, the UNFCCC secretariat approached the Caucus to consult on how to implement decision 1/CP.21 para. 135. To this end, a then co-chair of the IIPFCC travelled to Morocco, the country that would host COP 22 in 2016 – and requested the future COP president to create a negotiating item to define the implementation of the Platform. In subsequent dialogue with the government, the incoming COP president agreed and thus the first agenda item on the Platform was born. However, the Caucus still did not have a seat at the negotiation table, so Indigenous Peoples' participation in this issue depended on the goodwill of the Parties, who, following a request from the secretariat, agreed to let Indigenous representatives into the room. The support of allied Parties such as Ecuador was crucial, which gave up their seats so that the Caucus could have the floor and intervene during the negotiations – nonetheless without decision-making power. As a result, the first negotiation of the Platform began with a statement by an IIPFCC co-chair.

Defining the Platform was not an easy process; the decision that created it was broad and allowed multiple interpretations. Some Parties, such as Bolivia, advocated a space with negotiating power, while others, such as Australia, suggested that a platform could mean just a website. The delegates held multiple informal consultations, and COP 22 agreed to adopt an incremental approach to ensure its operationalisation. This approach emphasises the role of small steps and adjustments over time, promoting concrete actions and measures that involve multiple stakeholders with different capacities and interests.

It was understood that the Platform would provide input on how to address climate change and was included within SBSTA. At the end of the negotiations in Marrakech, some delegates suggested having a workshop to define the functions of the Platform in Bonn, Germany, the following year in 2017, and COP 22 requested an open multi-stakeholder dialogue in conjunction with SBSTA 46 and SBI 46. It also asked SBSTA to consider the report from the multi-stakeholder dialogue during SBSTA 47 and SBI 47 under the new agenda item 'Local communities and indigenous peoples platform'.[3] COP 22 also requested that developed countries provide financial resources to support the process.

COP 23: Three functions of the Platform

Following these recommendations and decisions, Belgium organised a dialogue to prepare for the workshop in Bonn. Most involved stakeholders were invited and the topic discussed was how to operationalise the Platform so that it could assert the rights of Indigenous Peoples. Canada, in line with its new reconciliation policy,[4] offered to organise another workshop in Ottawa. These events are remembered as unofficial 'friends of the Platform' meetings.

Following the request of COP 22, during the SBI 46 and SBSTA 46 sessions in May 2017, a multi-stakeholder dialogue was held and moderated by the SBSTA Chair and a representative of the IIPFCC. During this activity, three potential functions of the Platform were discussed: knowledge; capacity for engagement; and climate change policies and actions. The UNFCCC secretariat produced a report of the activity which, in addition to the interventions, also included the submissions made by Parties, Indigenous Peoples and other stakeholders before the workshop.[5]

COP 23 in 2017, which took place in Bonn but was presided over by Fiji, welcomed this report and decided that the overall purposes of the Platform would be:

3. See the COP 22 report, paras.165-169, available at https://unfccc.int/resource/docs/2016/cop22/eng/10.pdf.
4. The reconciliation policy of Canada with Indigenous Peoples is an ongoing process through which Indigenous Peoples and the Government of Canada are working cooperatively to establish and maintain a mutually respectful framework for living together with a view to fostering strong, healthy, and sustainable Indigenous nations. See, for example, https://www.justice.gc.ca/eng/csj-sjc/principles-princ ipes.html
5. See the FCCC/SBSTA/2017/6 report of the secretariat available at https://unfccc.int/resource/docs/2017/sbsta/eng/06.pdf

to strengthen the knowledge, technologies, practices and efforts of local communities and indigenous peoples related to addressing and responding to climate change, to facilitate the exchange of experience and the sharing of best practices and lessons learned related to mitigation and adaptation in a holistic and integrated manner and to enhance the engagement of local communities and indigenous peoples in the UNFCCC process (Decision 2/CP.23 para. 5).

The COP also approved the three functions of the Platform proposed at the Bonn workshop (Decision 2/CP.23 para. 6):

a. Knowledge: the platform should promote the exchange of experience and best practices with a view to applying, strengthening, protecting and preserving traditional knowledge, knowledge of indigenous peoples and local knowledge systems, as well as technologies, practices and efforts of local communities and indigenous peoples related to addressing and responding to climate change, taking into account the free, prior and informed consent of the holders of such knowledge, innovations and practices;

b. Capacity for engagement: the platform should build the capacity of indigenous peoples and local communities to enable their engagement in the UNFCCC process and the capacity of Parties and other relevant stakeholders to engage with the platform and with local communities and indigenous peoples, including in the context of the implementation of the Paris Agreement and other climate change-related processes;

c. Climate change policies and actions: the platform should facilitate the integration of diverse knowledge systems, practices and innovations in designing and implementing international and national actions, programmes and policies in a manner that respects and promotes the rights and interests of local communities and indigenous peoples. The platform should also facilitate the undertaking of stronger and more ambitious climate action by indigenous peoples and local communities that could contribute to the achievement of the nationally determined contributions of the Parties concerned.

These decisions, however, were not made without challenges. Despite all meetings and consultations being open, most participants remember the COP 23 negotiations as the most tense regarding the Platform. Conflicts arose over the structure of the Platform, mainly due to the debate around how much, indeed if any, decision-making power should be conceded to non-Party stakeholders at all. These doubts were added to the apprehensions of certain Parties, such as China, which might perceive the Platform as a threat to national sovereignty. The rights of Indigenous Peoples and, specifically, the role and influence of the body in charge of operationalising the LCIPP were debated. Crucial to overcoming these challenges was the support of certain Parties – such as Canada, Norway, Bolivia, Ecuador, USA, Costa Rica and the European Union – that gave up their seats and contributed to building trust among Parties throughout the negotiations.

The term 'facilitative working group' emerged as a compromise between a temporary 'ad hoc open-ended working group' that would lead the operationalisation of the Platform – like the Ad hoc Working Group on the Paris Agreement –, and a permanent 'facilitative group' that would set the guidelines – for example, through a workplan. The Party-driven dynamic prevailed: the COP 23 requested that SBSTA operationalise the Platform and decided that this process would be supported by a facilitative working group. Importantly, Parties emphasised that the facilitative working group 'would not be a negotiating body under the Convention' (Decision 2/CP.23 para. 10) which, according to a Party delegate, would have required the Parties to negotiate on a specific agenda. Nor would its formation mean a new status for Indigenous Peoples within the Convention, nor that the facilitative working group would have the capacity to create its own rules.

After COP 23, two other workshops were held in Helsinki, Finland, and Cochabamba, Bolivia, which focused on the format and functions of the Platform and discussed the possibilities of operationalising the functions through a constituted body.[6]

In May 2018 – in accordance with Decision 2/CP.23 para. 9 – the first official activity of the Platform took place during SBSTA 48 consisting of a multi-stake-

6. The report of the Helsinki workshop is available at https://static1.squarespace.com/static/5627862ce4b07be93cf/b9461/t/5ae7079288251bd2b303a1f5/1525090195641/Indigenous+peoples+and+friendly+states+meeting_Helsinki+%281%29.pdf. See also Riedel and Bodle (2018)

holder workshop on the implementation of its functions. During the workshop, the contributions of Indigenous knowledge systems to the understanding of climate change and the development of responses were discussed in depth. The importance of involving Indigenous Peoples was stressed – including an inclusive approach to gender, youth and knowledge holders – in climate policy in accordance with the promise of the 2030 Agenda for Sustainable Development to 'leave no one behind'. Thanks to this, the Platform was conceived as a participatory space in which all voices, including Party and non-Party stakeholders, were to be heard. The need for capacity building and financial resources to achieve this collaboration was also emphasised.

COP 24: Establishment of the Facilitative Working Group

The discussion around State sovereignty and Indigenous Peoples' rights extended to COP 24 in 2018 in Katowice, Poland. Decision 2/CP.24 states from the outset that none of the activities of the Platform should support any action that can dismember or impair the territorial integrity or political unity of sovereign and independent States. COP 24 also now decided to formally establish the FWG 'with the objective of further operationalizing the Local Communities and Indigenous Peoples Platform and facilitating the implementation of its functions' through the design and implementation of a workplan to be approved by SBSTA (Decision 2/CP.24 paras. 1-2, 18). The FWG would be composed of seven Indigenous Peoples' representatives, one from each UN Indigenous socio-cultural region – Africa; the Arctic; Asia; Central and South America and the Caribbean; Eastern Europe and Russian Federation, Central Asia and Transcaucasia; North America; and the Pacific – and seven representatives from the Parties – one representative of a Party from each of the five UN regional groups; one representative of a Party from a small island developing State; and one representative of a least developed country Party – (Decision 2/CP.24 para. 3). Each of the 14 members of the FWG would have an alternate who could sit in for them should they be unable to attend a session (Decision 2/CP.24 para. 7). In accordance with Article 18 of the UNDRIP, the Caucus advocated being able to appoint their representatives and, remarkably, this was agreed by the COP (Decision 2/CP.24 par. 6). This decision represents a victory that marked a milestone in the international advocacy of Indigenous Peoples in terms of securing their right to select their representatives. The FWG can also be seen as the first step towards giving Indigenous Peoples equal status with Parties and initiating a formal discussion on the role and contributions of Indigenous Peoples in climate action under the UNFCCC.

Further to the above, COP 24 decided that the FWG would facilitate an exchange among Indigenous Peoples, Parties and the UNFCCC – including its different bodies – and work on the basis of consensus (Decision 2/CP.24 para. 15). Its members should aim to bridge the gap between the international and local spheres; they would not only be in charge of disseminating the Platform's work in their regions but also of bringing greater insights and examples of how climate change affects different local realities to the negotiations. The COP required the FWG to report on its work in order to be able to decide whether to renew the mandate after three years (Decision 2/CP.24 para. 24-28). Further to this, the COP decided that representatives of the FWG should serve a term of three years without being able to serve two consecutive terms (Decision 2/CP.24 para. 8). According to former FWG members, while this decision allows for the inclusion of diverse voices, it also imposes certain limitations, as it weakens institutional memory and gives rather too much decision-making power to the secretariat.

Mandated event on *Advancing meaningful participation of Indigenous peoples and local communities in the UNFCCC process* during SB 58 in June 2023 in Bonn, Germany. The speaker is FWG member Tiana Carter representing the Western Europe and Others Group.
CREDIT: Rosario Carmona

Chapter 4

Implementing the Platform

The first meeting of the first FWG (FWG 1) was held in Bonn in 2019 in the context of SBSTA 50. The first cohort, headed by a co-chair of Indigenous Peoples and a co-chair of Parties, was appointed. During this meeting, in collaboration with different Party and non-Party delegates, the FWG reflected on the three functions of the Platform and discussed potential activities by which to design the first workplan. Other topics discussed included a dedicated LCIPP web portal, activities to be organised by the secretariat, and strategies to improve the coherence of actions under the Platform.[7] A thematic workshop on enhancing the participation of local communities in the Platform was also held during SBSTA 50 (see below), as were three informal dialogues related to the functions of the Platform, which complemented Caucus interventions on the relevance of knowledge co-production.[8]

Starting with FWG 1, the following three years of mandate resulted in the design and implementation of a workplan that we will now go on to discuss. During this process, the FWG collaborated with other UNFCCC and non-UNFCCC bodies in order to make the Platform activities coherent (following Decision 2/CP.24, para. 20).

COP 25: The first workplan (2020-2021)

As mentioned above, the implementation of the Platform is articulated through a workplan that is considered by SBSTA in a summary report prepared by the FWG (Decision 2/CP.24 paras. 18-19). The first workplan of the LCIPP was welcomed by SBSTA 50 during COP 25 in Madrid, Spain, presided over by Chile.[9] On this basis, the COP invited the FWG to co-organise different activities on Indigenous Peoples' leadership and knowledge and effective participation in climate policy consistent with this workplan for the following Subsidiary Body (SB) sessions (Decision 3/CP.25 annex).

The workplan covered the period 2020-2021 and comprised 12 activities co-led by respective FWG members.[10] These activities were organised under the three main functions of the Platform – i.e. knowledge, capacity for engagement, and climate change policies and actions (see Table 1).

7. The report of this meeting is available at https://lcipp.unfccc.int/1st-meeting-facilitative-working-group-lcipp.
8. See SBSTA 50 report
9. See FCCC/SBSTA/2019/5 para. 46 available at https://unfccc.int/event/sbsta-51#decisions_reports
10. For more information on the persons in charge of leading each activity see the report FCCC/SBSTA/2021/1 available at https://unfccc.int/sites/default/files/resource/sbsta2021_01S.pdf

Table 1: **Activities of the Initial two-year LCIPP workplan (2020-2021)**

Functions	Activities		
Knowledge	**1.** Annual meetings in conjunction with the COP [of knowledge holders from each socio-cultural region]	**2.** Regional Gatherings [involving Indigenous Peoples, Parties, and local communities, as relevant, with a focus on addressing climate change threats and impacts on particular ecosystems, as well as sustaining livelihoods]	**3.** Information about Indigenous Peoples' curricula and materials [integrated in formal and informal education system]
Capacity for Engagement	**4.** Annual thematic training workshops [to involve Indigenous Peoples and local communities in relevant efforts within and beyond the UNFCCC process]	**5.** Outreach/dissemination plan and thematic training materials [to raise awareness about the workplan]	**6.** Engagement and input (across the UNFCCC process) [through recommendations submitted to SBSTA]
Climate Change Policies and Actions	**7.** Existing policies and practices for participation (under and outside the UNFCCC) [mapped to identify opportunities, good practices, and gaps]	**8.** Multi-stakeholder in-session workshop [on enhancing synergy and interaction with climate change-related bodies and processes under and outside the Convention]	**9.** Existing policies, actions and communications under the Convention [mapped to assess whether and how they consider and engage Indigenous Peoples and local communities]
	10. Good practices for Indigenous Peoples' and local communities' participation in national climate policy. [Examples were requested of Parties, Indigenous Peoples' organisations and others, and discussed during an in-session dialogue]	**11.** Existing funding within the United Nations system, and additional funding opportunities, for participation [mapped and reported to enhance the participation of Indigenous Peoples and local communities from all regions]	12. Promotion of the LCIPP at the national and regional level [by compiling best practices for establishing national and regional platforms and creating a briefing note on the LCIPP. These resources will be distributed to Indigenous Peoples, local communities, Parties, and other relevant stakeholders]

One of the main factors to consider when evaluating the implementation of this workplan is the constraints imposed by the COVID-19 pandemic. Like most social activities during 2020 and 2021, the workplan activities were conducted online, including the biannual FWG meetings. While these restrictions did not impact on certain desk-based activities, they did create significant challenges for activities aimed at greater engagement, including the regional gatherings, which had to be postponed to 2022 and 2023.

Despite these limitations, the evaluation of the workplan implementation, among all the participants of this study, is largely positive. The most valued activities were:

Activity 1. Annual meetings in conjunction with the COP.

Conducted for the first time during COP 26 in Glasgow, Scotland / United Kingdom (UK), this meeting brought together Indigenous knowledge holders from all seven socio-cultural regions, never before done in the context of the UNFCCC. The meeting consisted of two parts. First, a day-long programme of round-tables with Indigenous Peoples' representatives only, on: i) the impacts of climate change; ii) Indigenous food systems and healing practices; iii) Indigenous biodiversity stewardship; and iv) Indigenous youth perspectives on knowledge systems. Second, a participatory dialogue between Indigenous Peoples' representatives and Party delegates on best practices and recognition of Indigenous knowledge in climate

policy and action. These activities are considered crucial by the interviewees to further advance Indigenous Peoples' advocacy in the negotiations as they strengthen international solidarity networks and allow Indigenous Peoples to collaborate among themselves, and with Parties, from a perspective aligned with their worldviews, knowledge, sciences, experiences, histories, and stories. The Indigenous Peoples' representatives interviewed hope that these meetings will build stronger bridges with the scientific community and governments in order to amplify the recognition and role of Indigenous Peoples' knowledge in climate governance and policies. Nevertheless, they also feel it necessary to reconsider how the outcomes of these gatherings are disseminated, as its first – and main – part is exclusively for Indigenous Peoples, and the engagement of Party delegates in the second part was limited.[11]

Activity 4. Annual thematic training workshops.
During 2020 and 2021, a series of four training webinars were held on ethical engagement:

1. Trust and respect: Contours of indigenous knowledge.[12]
2. What does ethical and equitable engagement of indigenous knowledge in the context of climate change look like?[13]
3. Utilization of indigenous knowledge in knowledge synthesis, and co-production of indigenous knowledge.[14]
4. Opportunities and moving forward: Substantive and procedural measures to ensure the ethical engagement of indigenous knowledge holders and the use of indigenous knowledge in the context of climate change policy and action.[15]

These webinars furthered the debate on the protection and recognition of Indigenous Peoples' rights in the context of the UNFCCC. They also promoted a better understanding of Indigenous Peoples' knowledge with which to facilitate equitable recognition in decision-making. From the key themes that emerged, the co-leads of this activity developed five recommendations, which can be summarised as follows: support for Indigenous Peoples starting their careers; increased financial resources for Indigenous Peoples' meetings; support for local and national workshops on the value and content of Indigenous Peoples' knowledge; genuine co-production of knowledge in compliance with the UNDRIP; and support for networks of Indigenous Peoples' knowledge holders.[16]

Activity 6. Engagement and input (across the UNFCCC process).
This activity consisted of developing recommendations for consideration at SBSTA 54 in conjunction with COP 26 on the engagement and input of Indigenous Peoples and local communities across the UNFCCC process (see Table 2). According to the interviewees, this was one of the most engaging activities and illustrates the interest of Indigenous Peoples in engaging in climate governance, both within UNFCCC and at the national level.

11. See the summary of this activity available at https://lcipp.unfccc.int/about-lcipp/workplan-activities
12. Recording available at https://www.youtube.com/watch?v=UrFEUZB3spE
13. Recording available at https://www.youtube.com/watch?v=SulcxEga9ok
14. Recording available at https://www.youtube.com/watch?v=6TlNMcBTB4o
15. Recording available at https://www.youtube.com/watch?v=GfRhmCaV2Mw&t=10s
16. For details, see the summary of this activity available at https://lcipp.unfccc.int/about-lcipp/workplan-activities

Table 2: **Recommendations under Activity 6**[17]

Functions	Activities
To Parties	a. Increase engagement and collaboration through formal, ongoing participation in the development and implementation of the NDCs, NAPS [National Adaptation Plans] and all types of climate actions, programs, and policies; b. Strengthen engagement in the design and implementation of climate policies, actions and communications under the Convention c. Identify and promote good practices for participation in national climate policy; d. Build capacity of Parties to strengthen effective, respectful, and consistent collaboration in national policies, programs, and climate actions; e. Include representatives of Indigenous Peoples and local community as members of Party delegations, enhancing their capacities
To relevant bodies and processes under the Convention	a. Consider how activities and decisions may affect the rights of indigenous peoples, knowledge systems, practices and ways of life of indigenous peoples and the practices and interests of local communities; b. Provide opportunities for consistent and ongoing participation by providing translation of materials and interpretation during meetings; c. Strengthen engagement with work under the LCIPP; d. Increase time allocation for the participation of Indigenous Peoples during UNFCCC sessions.
To all relevant bodies and processes under and outside of the Convention, and Parties	a. Respect, promote and consider human rights, the rights of indigenous peoples, and local communities, when implementing climate action; b. Uphold the principles of free, prior and informed consent when engaging with traditional knowledge, knowledge and values of Indigenous Peoples, and local knowledge systems.
To relevant bodies and processes outside of the Convention	a. Collaborate with the FWG to exchange experiences and good practices on the engagement and input of Indigenous Peoples and local communities in climate policies, actions and activities.
To relevant entities including financial entities	a. Enhance financial support for the participation of Indigenous Peoples and local communities in climate change related bodies and processes under and outside of the Convention; b. Provide support for projects led by Indigenous Peoples and local communities to protect the knowledge systems and cultural practices that contribute to climate mitigation and adaptation; c. Engage representatives of the FWG and Indigenous experts in their events and proceedings; d. Provide targeted training sessions to facilitate access to existing funding opportunities.

Activity 7. Existing policies and practices for participation (under and outside the UNFCCC).

This activity mapped existing mandates, policies, and practices regarding the participation, consideration, and respectful engagement of Indigenous Peoples and local communities in climate change-related bodies and processes across and outside the Convention. These measures were systematised in a technical paper with the aim of fostering collaboration and respectful engagement.[18]

Activity 12. Promotion of the LCIPP at the national and regional levels.

This activity was aimed at informing and inspiring the development of national and regional platforms. Through a survey and submissions from different stakeholders, the FWG compiled good practices and activities that follow principles promoted by Indigenous Peoples' organisations. Six countries – Canada, Colombia, Costa Rica, Mexico, Myanmar, and Peru – responded and shared their efforts to engage Indigenous Peoples in national climate governance, thus setting positive collaborative benchmarks for other Parties.[19] Among these, we can highlight the establishment of a national platform in Peru (presented below in section 6).

17. Recommendations are available at https://lcipp.unfccc.int/about-lcipp/workplan-activities
18. This technical paper is available at https://lcipp.unfccc.int/about-lcipp/workplan-activities
19. The report with the compilation is available at https://lcipp.unfccc.int/about-lcipp/workplan-activities

COP 26: The second workplan (2022-2024)

During COP 26 in 2021, the FWG reported on progress in the initial two-year workplan to the SBSTA. In this report, the FWG noted that, in future, workplan activities should include communication provisions to ensure better transmission of information. In the report, the FWG also included the recommendations developed in Activity 6 (summarised in Table 2 above). SBSTA and the COP welcomed this report, acknowledging the progress in implementation of the Platform (Decision 16/CP. 26 para. 3).[20] Furthermore, the COP invited relevant bodies under the Convention to take into account these recommendations and to take the necessary measures to implement them (Decision 16/CP.26 para. 2).

COP 26 also welcomed the second workplan (see Table 3) which, at that point, had been developed by the FWG for the following three-year period (Decision 16/CP.26 para. 6) and requested a draft of the third workplan for SBSTA 60 in June 2024 (Decision 16/CP.26 para. 11). This workplan is being implemented by the second cohort of the FWG, which renewed its membership in 2022 during SBSTA 56 in Bonn.

Table 3: **Activities of the LCIPP second three-year workplan (2022-2024)**

Functions	Activities		
Knowledge	**1.** Annual meetings in conjunction with the COP [of knowledge holders from each socio-cultural region]	**2.** Regional Gatherings [to involve Indigenous Peoples and their knowledge in order to address climate change, reduce greenhouse gas emissions, and enhance resilience while respecting human rights and cultural protocols]	**3.** Indigenous curricula and materials. [This activity identified an d shared climate change curricula and materials created by Indigenous communities, highlighting Indigenous knowledge in education. It also established ethical use guidelines and shared the outcomes on the LCIPP web portal]
Capacity for Engagement	**4.** Annual training workshops targeting Indigenous Peoples and local communities [to provide tools and to raise awareness of the UNFCCC process and Indigenous Peoples' role]	**5.** Annual training workshops targeting Parties, constituted bodies and other stakeholders [to enhance human rights-based participation of Indigenous Peoples and involve local communities in climate assessment and policymaking]	
Climate Change Policies and Actions	**6.** Contributions and participation in the work of constituted bodies [to enhance Indigenous Peoples' and local communities' involvement in Convention bodies to achieve the goals of the Paris Agreement]	**7.** In-session multi-stakeholder dialogues [to advance the participation of Indigenous Peoples and local communities in designing and implementing holistic climate change policies and actions at all levels]	
All Functions	**8.** Annual youth round table [to explore gender-responsive ways and means to strengthen the engagement of youth]	**9.** Communication to exchange experience and good practices [through the LCIPP web portal]	

While the approval of the second workplan is considered a positive achievement, and the contributions of the workplan are acknowledged by the different Indigenous Peoples' representatives interviewed for this study, there is also a recognition that more ambitious steps are needed. The following sections of this report will delve into an analysis based on the insights and perspectives of the interviewees.

20. See also the report FCCC/SBSTA/2021/3 available at https://unfccc.int/documents/460933

Intervention from Rayen Cariman Davis at FWG 2 in December 2019 in Madrid, Spain, during COP 25.
CREDIT: Rosario Carmona

Chapter 5

Evaluating the Platform

From the Caucus to the secretariat, all interviewees assess the Platform's incremental progress positively. Some Party delegates, who acknowledge that they did not initially have faith in the continuity of the Platform, note with admiration how it has managed to become operational within a short period of time and also bring together the perspectives of the various socio-cultural regions.

Nevertheless, most of the interviewees also agree that the Platform and Indigenous Peoples continue to face multiple barriers to meaningful engagement with the UNFCCC. These barriers relate mainly to how the Platform was conceived during COP 21 without Indigenous Peoples at the decision table, the limiting nature of UNFCCC procedures, and the lack of engagement of Parties. This section analyses these challenges.

The mandate

i. Limitations attributed to the UNFCCC structure and procedures

Due to the perceived lack of real action to address the ever more daunting prospects of irreversible climate collapse, the UNFCCC has become a highly delegitimised mechanism among non-State actors, despite the brief momentum of hope brought by the Paris Agreement in 2015. At the same time, the UNFCCC has been one of the most exclusionary bodies for Indigenous Peoples. Despite their unique status as 'peoples' and thereby collective rights holders, Indigenous Peoples have participated as mere observers, regarded as just another group within 'civil society'. This has inhibited their ability to influence crucial issues. As discussed in a previous section, during the negotiations on the Platform, Indigenous Peoples brought forward ambitious demands in the hope that their rights would finally be respected, and they would be given some level of decision-making power, or at least real influence, in the UNFCCC. As these demands were not reflected in the final mandate, the FWG – being a technical body – cannot directly influence the negotiations and, as such, Indigenous Peoples still today feel that the UNFCCC is an exclusionary space for them.

Another obstacle is that the UNFCCC system works in silos. The constituted bodies tend to focus on their own issues and not incorporate those of others. Many Parties avoid addressing cross-cutting issues under the argument that this may promote duplication. Moreover, the UNFCCC's bureaucratic procedures validate only non-Indigenous scientific knowledge and do not allow work based on Indigenous Peoples' methodologies, protocols and relational values. The secretariat tries to fit the knowledge and practices shared in the Platform into these pre-established procedures. Debates on Indigenous Peoples' issues thus tend to occur only beneath the LCIPP, and discussions on the LCIPP tend to be limited to its functioning. The reproduction of these silos constrains transformative practices and the integration of Indigenous issues into climate policy.

ii. A focus on knowledge over rights

The Platform was conceived with a strong and, many would argue misunderstood emphasis on strengthening and disseminating Indigenous Peoples' knowledge on climate change. However, as mentioned before, members of the Indigenous Peoples' Caucus viewed such focus with suspicion. They were concerned that the focus on knowledge sharing would divert attention away from Indigenous Peoples' rights and limit the discussion to the challenges affecting Indigenous Peoples at the national and international levels.

In particular, many Indigenous Peoples face multiple barriers to implementing and enacting their knowledge daily. A platform that seeks to share such knowledge without delving into the factors that limit its transmission on the ground may even be counterproductive as it can result in naturalising these challenges.

There is also another challenge with regard to the over-emphasis on knowledge at the cost of rights. There is a significant lack of understanding of what Indigenous Peoples' knowledge means and how it operates among many non-Indigenous stakeholders of the Platform. Practitioners generally understand Indigenous knowledge as a local practice isolated from the knowledge systems to which it belongs. Further, there is confusion as to whether or not *Indigenous knowledge* should include knowledge of non-Indigenous local communities. Hence, some Indigenous

Peoples' representatives prefer to use the terminology *Indigenous Peoples' knowledge* in order to leave no doubt.

Furthermore, there remains a gap in what is understood as Indigenous knowledge, including the perpetuation of malpractices that decontextualise or misappropriate it. As the Platform's focus on knowledge over rights was a decision made by State Parties and not what was envisioned by Indigenous Peoples, there is no clarity on how this knowledge should be approximated and what treatment it should receive for inclusion in the Platform's work. Particular misgivings have arisen around the web portal. Different Indigenous representatives participating in the Platform's activities have expressed fear and mistrust that Indigenous Peoples' knowledge will be extracted, misinterpreted and used in bad faith – as has happened many times throughout history.

One example of misunderstanding stems from the concept of 'good practices'. For Indigenous Peoples, good practices mean non-Indigenous or collaborative practices that contribute to climate action in compliance with the UNDRIP – including respecting Indigenous Peoples' free, prior and informed consent (FPIC) protocols and their rights to land, territories and resources, culture and self-determination, as well as the right to their own economic, social and cultural development. Many Party delegates and UNFCCC officials, on the other hand, understand good practices as actions at the local level that contribute to institutional climate action.[21]

Indigenous representatives interviewed also consider, however, that appropriate and rights-based knowledge sharing can lay the groundwork for more appropriate collaboration with States. Moreover, if this sharing is based on FPIC, it can promote discussions on the ground that strengthen Indigenous Peoples' agency at the local level.

In recognition of the sensitivity and confusion over how to engage with Indigenous Peoples' knowledge, the FWG developed ethical guidelines that were disseminated through webinars (see Activity 4 above).

iii. The term 'local communities'

Indigenous Peoples' representatives did not advocate for a platform that would include local communities in the UNFCCC process. Nevertheless, Parties decided during COP 21 to include the term 'local communities' in the Platform's mandate. According to some Party delegates and the secretariat, merging 'local communities' with Indigenous Peoples replicates a trend consolidated through various UN conventions – such as the CBD, the Minamata Convention on Mercury and the Stockholm Convention on Persistent Organic Pollutants. Nevertheless, many Indigenous Peoples' representatives do not support this and different Indigenous Peoples' organisations have called for this combination to be avoided altogether.[22] The UN Permanent Forum on Indigenous Issues, which serves as a formal UN body mandated to provide advice to the entire UN system on Indigenous issues:

> *urges all United Nations entities and States parties to treaties concerning the environment, biodiversity and the climate to eliminate the use of the term "local communities" in conjunction with indigenous peoples, so that the term "indigenous peoples and local communities" would be abolished.*[23]

The inclusion of local communities in the mandate of the Platform has generated many tensions during its operationalisation and implementation. Moreover, the identification of local communities has proved to be a highly difficult process. There is no consensus on how they can be identified – or who has a legitimate mandate to identify them. Regarding Indigenous Peoples, there is some consensus within the UN system on their identification, with emphasis on self-identification. This does not exist for the term 'local communities' and so the scope for who falls under this category is unlimited. For instance, some could

21. An example of this is a web form launched by the Chilean government during its presidency called the 'First Registry of Good Practices in Climate Change of Local Communities and Indigenous Peoples of Chile', which asked communities to submit examples of practices that contribute to climate action. It is worth mentioning that, three years on, nothing has been published on progress in this registry so it is not possible to know if there have been submissions or if they have been taken into consideration. See https://cambioclimatico.mma.gob.cl/catastro-de-buenas-practicas/
22. See, for example, a policy paper of the Inuit Circumpolar Council: https://www.inuitcircumpolar.com/news/icc-policy-paper-on-local-communities-chronicles-opposition-to-the-undermining-and-erosion-of-inuit-rights/ and statement of the International Indian Treaty Council: https://www.iitc.org/iitc-statement-of-support-for-un-recommendations-addressing-the-matter-of-local-communities/
23. See the Permanent Forum on Indigenous Issues Report on the twenty-first session, E/2022/43 para. 85, available at https://undocs.org/Home/Mobile?FinalSymbol=E%2F2022%2F43&Language=E&DeviceType=Desktop&LangRequested=False

have traditional governance systems, while others do not. In some contexts, they are associated with 'vulnerable groups', which are very diverse. Local communities have also been associated with communities that share a common administration, as in the case of municipalities i.e. local government systems.

It is also the case that, in some contexts, certain non-Indigenous local communities are in contradiction with the livelihood projects of Indigenous communities; some local community projects sometimes even violate Indigenous Peoples' rights, as in the case of some productive associations, economic enterprises or local communities that base their livelihoods on extractivism on Indigenous Peoples' territories.

According to the participants of this study, the UN has tried to unify the criteria. Nonetheless, in doing so, local communities are failing to identify themselves autonomously, unlike the self-determined process the Indigenous Peoples' movement led during the UNDRIP negotiations. These discussions have opened the way for reflection on local communities of cities in the global north, such as San Francisco in the USA. In other countries, it has been pointed out that all communities are Indigenous, as in the case of Bolivia. Including local communities that are not commonly defined therefore risks diminishing the specific rights of Indigenous Peoples.

The identification of local communities has also been difficult in the context of the UNFCCC due to the low presence of individuals advocating for their representation[24] and the lack of mechanisms for their participation. As mentioned above, a workshop on enhancing the participation of local communities in the Platform was held in 2019.[25] This workshop discussed the concept of local communities and how their participation in the LCIPP could be made effective. While there was consensus on the contributions of local knowledge in providing responses to climate change, the positions of Parties and Indigenous organisations were different. While Party delegates insisted on compliance with the mandate – i.e. working towards including three representatives of 'local communities' in the FWG –, Indigenous representatives noted the challenges regarding the non-existing self-coordination, lack of common understanding, and lack of legal frameworks with special consideration of 'local communities'. Indigenous representatives were emphatic – during and after this workshop – in mentioning that they are not responsible for defining the priorities of local communities or promoting their coordination. 'Local communities', whoever they may be, have the right to determine their priorities and demand a dedicated mechanism under the UNFCCC. This is a process that they themselves must lead. Accordingly, the Indigenous representative of the FWG in charge of moderating the discussion, stressed the need for local communities to self-organise and claim their own constituency, which, as proposed by some participants during the meeting, could also include peasants.

Nevertheless, and despite the presence of a speaker from the Mesoamerican Alliance of Peoples and Forests – an organisation from Latin America – the workshop did not clarify how these communities can participate in the Platform. On the contrary, it raised different concerns regarding the treatment of Indigenous Peoples' rights. In 2020, the IIPFCC, worried about the homogenisation of Indigenous Peoples' rights with the supposed rights of local communities that is reflected in the report of this workshop, submitted a letter to the SBSTA Chair requesting that this issue be addressed and Indigenous Peoples' distinctive and inherent rights be recognised. Nevertheless, the IIPFCC never received an answer.

On occasion, some persons advocating for the representation of local communities under the UNFCCC have participated in FWG meetings and activities to demand compliance with the mandate. They have also claimed that some local communities have collective rights over their territories and have requested access to the resources that have been committed during the COPs – such as the pledge of US$1.7 billion towards 'IPLC [Indigenous Peoples' and local communities'] forest tenure' that some governments and private funders made in COP 26.[26] These advocates recognise that they have been insufficiently

24. Apart from a submission for a multi-stakeholder dialogue in 2017 by a Spanish local community organisation (available at https://unfccc.int/files/parties_observers/submissions_from_observers/application/pdf/790.pdf), delegates advocating for the representation of local communities were absent during the initial negotiations and workshops of the Platform.
25. The report of this workshop is available at https://unfccc.int/sites/default/files/resource/LCIPP%20workshop%20report_2019.pdf
26. See https://webarchive.nationalarchives.gov.uk/ukgwa/20230106145205/https://ukcop26.org/cop26-iplc-forest-tenure-joint-donor-statement/

coordinated to adequately influence this discussion and have taken it upon themselves to initiate the process in order to form their own constituency under the UNFCCC. In this context, Latin American organisations have taken a more active stance. At the FWG 7 in Bonn in 2022, the member of the aforementioned Mesoamerican Alliance of Peoples and Forests presented a list of four main attributes that should characterise local communities.[27] Nevertheless, these advocates perceive many barriers to their participation – despite perceiving support from Indigenous Peoples' communities at the local level. Because of this, they express much disillusionment with and distrust in the UNFCCC process, considering that the implementation of the LCIPP lacks coherence.

Despite the lack of representation from 'local communities' during the process, the Parties decided at COP 24 that SBSTA at COP 27 should consider the allocation of three seats for them (Decision 2/CP.24 para. 4) and that, at COP 26 in 2021, the request for local community seats should be considered during the review of the FWG to be held during COP 29 in 2024 (Decision 16/CP.26 para. 12). Since Parties should have the same representation in the FWG as Indigenous Peoples and local communities, the inclusion of these three seats would imply an increase for Parties, which would make Indigenous Peoples a minority within their own mechanism that they created. Indigenous representatives have stated during FWG meetings that this would be a red line. The discussion on including local communities has therefore been a sensitive, time- and energy-consuming issue with implications for the Platform's work.

The opinion of Party delegates is divided on this issue. Many of them perceive the FWG to be unwilling to solve this issue and expect it to fulfil the mandate. These delegates argue that local communities are included because many countries do not recognise the presence of Indigenous Peoples within their respective populations – especially in Africa. According to them, the debate on local communities is irrelevant from a climate policy perspective; local communities and Indigenous Peoples have more in common than they have differences. These delegates therefore see this inclusion as beneficial and an opportunity to strengthen the role of the LCIPP. However, this argument overlooks Indigenous Peoples' collective rights, reduces Indigenous Peoples' participation to a matter of addressing vulnerability and/or enhancing mitigation, and excludes any reflection on rights and recognition.

Indigenous Peoples' Caucus members emphasise that they are not against supporting communities at the local level. Many Indigenous Peoples collaborate with local non-Indigenous communities in their territories and express solidarity with the situation they face. However, Caucus members warn that the inclusion of local communities in the LCIPP may be a strategy on the part of States to relativise and weaken the distinct rights of Indigenous Peoples as recognised by the UN in the UNDRIP and ILO Convention 169 (See Box 2). The Platform is a product of Indigenous Peoples' demands for these collective rights to be respected and strengthened. Rather than lowering the standard of rights, the LCIPP is therefore expected to increase levels of recognition of Indigenous Peoples' rights in the context of the UNFCCC which, in turn, can have positive repercussions at the national and local levels. This argument is shared by other Party delegates, as well as those working in supportive organisations. These delegates understand the concerns of Indigenous Peoples and recognise that referring to local communities and Indigenous Peoples as a collective term can lead to the weakening of Indigenous Peoples' rights, competition for resources and internal conflicts.

During the opening of the SB 58, the Indigenous Peoples' Caucus expressed its concerns while emphasising that they did not oppose the participation of any entities that self-identify as 'local communities'. They called on Parties, the secretariat and UNFCCC Constituted Bodies to cease combining the terms 'Indigenous Peoples' and 'local communities' in their decisions, names of bodies, and programmes.

27. These attributes are: 1. local communities have a common history and a shared project; 2. The local community members ascribe themselves to the community, and the community recognises them as part of it; 3. local community members have a common territory, which they manage and administer. They have a project to maintain long-term control and administration of this territory; 4. local communities have a form of government or governance that includes access to the territory's resources and collective decision-making.

Box 2:
The inherent, collective rights of Indigenous Peoples as distinct peoples

Indigenous Peoples are identified as descendants of the original inhabitants of a particular geographic region, often settled there before the arrival of colonial or other external powers. Indigenous Peoples have a unique social, cultural, economic, and political status that is distinct from the dominant societies in which they live. Indigenous Peoples have developed their own languages, cultures, and ways of life, and have strong spiritual and historical connections to their ancestral lands. Indigenous Peoples often face ongoing challenges related to their rights, sovereignty, self-determination, and cultural preservation. There is no one-size-fits-all definition of Indigenous Peoples, as their diversity and distinctiveness vary widely across regions and cultures. Indigenous Peoples do, however, tend to have some key characteristics in common, including their collective identity, history of violent colonisation, and their ongoing struggles for recognition, respect, and justice.

Indigenous Peoples are the holders of unique languages, knowledge systems and beliefs and possess invaluable knowledge of practices for reciprocal living with the natural world. Indigenous Peoples have a special relationship with and use of their traditional land and territories. Their ancestral land is of fundamental importance to their collective physical and cultural survival as peoples. Indigenous Peoples hold their own diverse concepts of development, based on their traditional values, visions, needs and priorities.

Indigenous Peoples worldwide have united as a strong international movement, asserting and advocating for recognition of their individual and collective rights by the UN and regional human rights systems. This has resulted in an explicit recognition of Indigenous Peoples' rights by the international human rights system through ILO Convention 169, the UN Declaration on the Rights of Indigenous Peoples, and the American Declaration on the Rights of Indigenous Peoples, amongst others. While holding the same *individual* human rights as everybody else, they have therefore also been recognised a set of *collective rights as distinct Peoples* in International Human Rights Law. These include their inherent rights to their lands, territories and resources and their right to self-determination. By virtue of these rights, they are able to freely determine their political status and freely pursue their economic, social and cultural development. In exercising their right to self-determination, Indigenous Peoples have the right to autonomy or self-government in matters relating to their internal and local affairs. On the basis of their right to land, territories and resources, governments and other actors must obtain the free, prior and informed consent (FPIC) of Indigenous Peoples for any action that may affect them. Indigenous Peoples, as collective right holders, thereby have the right to give or withhold their consent.

State Party engagement

The Platform's potential for influence largely depends on the level of involvement of State Parties. The following analyses their engagement, starting with State Party FWG members and thereafter other State Parties. We also look at how the FWG has contributed to strengthening the support provided by COP presidencies to the Indigenous Peoples' Caucus.

i. State Party FWG members

While some members of the FWG have been supportive and actively involved – such as those of Canada, New Zealand and Bolivia – Indigenous representatives interviewed perceive the engagement of most FWG State Party members as largely passive, especially during the first mandate. Indeed, their silence has left the discussion primarily to the Indigenous

members, limiting the dialogue on how Parties can further support Indigenous Peoples' engagement at the UNFCCC and at the national level. Nor have most FWG Party members been able to support the discussions that the Caucus has attempted to bring to the table in the hope that the FWG can position itself and influence key negotiation tracks such as the rule book for Article 6 finalised at COP 26 in 2021. Their silence reinforces the unwillingness of States to address issues that motivate Indigenous Peoples' demands for participation, such as the discussion on their rights, including autonomy or land restitution, which are critical to addressing Indigenous Peoples' vulnerability to climate change.

Not all Party members engaged in a meaningful way during the first FWG mandate. Many limited their role to agreeing or disagreeing with Indigenous members' decisions – which is not what is expected of equitable participation. Due to this lack of commitment and prioritisation of issues important to Indigenous Peoples, the impact of the platform still falls far short of Indigenous Peoples' representatives' expectations.

Party delegates who participated in this study have taken up their responsibilities and recognise that much work remains to be done. Some Parties, such as New Zealand, have appointed Indigenous persons as their members of the FWG. While these still represent the Party, this is seen as an opportunity to address the gap.

ii. Non-member State Parties

Decision 2/CP.24 para. 16 from COP 24 in 2018 invited Parties to take into consideration the Platform and its functions at the local, national and regional levels. Unfortunately, the lack of response from Parties has been one of the Platform's weakest characteristics to date. Although a group of Parties initially supported the Platform, the presence of Party delegates at meetings of the FWG, and their engagement in LCIPP mandated activities, progressively decreased after its operationalisation. Few delegates have remained constant, and so the Indigenous representatives interviewed for this study perceive Parties' involvement as being marginal.

The absence of Parties is attributed to several barriers, among them the complexity of the UNFCCC. Parties have to follow and respond to many negotiation tracks and mechanisms. However, most State delegations do not have sufficient human resources to follow all items; delegates often face an overload of work. Parties with few financial resources and small delegations cannot respond – especially during the less attended SB sessions in June each year – even though LCIPP activities may be relevant to the national context.

The way UNFCCC conferences are organised also plays a role as this tends to favour negotiations to the detriment of implementation. Delegates do not have the space to attend mandated events such as those organised under the Platform. Another barrier has to do with a lack of understanding of the process. Many Party delegates do not even know the difference between the LCIPP, the FWG, and the Indigenous Peoples' Caucus (IIPFCC). Nor are they aware of the distinct and internationally recognised rights of Indigenous Peoples, despite the UNDRIP being nearly universally adopted. Some delegates confess that the debate focuses on structural issues they are unable to address and they prefer not to expose themselves to criticism.

The limited engagement of Parties can be attributed to a lack of national capacities and to the limited spaces for Indigenous Peoples' participation in the national sphere. Many ingrained prejudices in the State administration see the Indigenous population as conflictive or incapable of proposing solutions. Activity 7 of the first workplan revealed that Indigenous Peoples' participation has not been a priority in national climate governance (FWG 2021). Most of the governments of the people interviewed have not engaged with the process or sent submissions to contribute to implementing the LCIPP. Participants perceive that Parties do not see Indigenous Peoples as allies or the Platform as relevant for achieving the Paris Agreement goals. On the contrary, Indigenous Peoples are unrecognised or seen as a constraint to development or State sovereignty in many countries. In others, there seems to be a lack of interest. As a result, reflection on the process is marginal, and the Platform's impact at regional and national levels is still minimal and uneven.

In the case of most of those countries that have promoted Indigenous Peoples' participation in national climate governance, there is no coordinated or sustained support. Seldom do the spaces for participa-

tion created by governments at the national level relate with what is happening with climate negotiations at the international level. These negotiations are usually led by ministries of foreign affairs, which ignore Indigenous Peoples' issues. Due to these shortcomings, the transmission of information down to local spheres is restricted and, with it, the involvement of local actors. Dissemination of information depends largely on Indigenous Peoples' capacities.

Furthermore, support for the LCIPP depends primarily on the political projects of governments, i.e. the political will of national authorities. Given that most governments are unable to correctly establish relations with Indigenous Peoples, and few legislations respect their right to participation, the Platform's reach at national level has been limited. The time the FWG has spent explaining the importance of the LCIPP and the need for rights-based approaches to national delegates has therefore been detrimental to the implementation of activities. These efforts are reduced further when officials and national delegates move on – a common situation as many have a diplomatic career. The lack of capacity at the structural level makes collaboration with Indigenous Peoples very unstable in the long term, as Indigenous representatives have to explain time and time again why their right to participation must be respected.

In the same way, FWG members struggle to advance Indigenous Peoples' participation in contexts where such participation is omitted or promoted in bad faith. Although safeguards protecting Indigenous Peoples' right to participation in climate policy have led to increased levels of involvement, this participation is often approached as a mere technical requirement. Indigenous communities feel instrumentalised and distrustful of State action.

Many of the barriers described above relate to an ontological gap. Climate change is understood differently by Parties and Indigenous Peoples. Indigenous Peoples do not differentiate between the various challenges they and all of us face and climate change. Their demands for climate justice are intertwined with centuries of defending their right to self-determination. In contrast, States tend to compartmentalise the problem and prioritise technical 'solutions'. Indigenous Peoples' participation is accordingly seen as a tool for, at best, optimising institutional climate action. Such participation is not incidental but reproduces the top-down approach that suppresses alternatives. There is no awareness at the national level of shared responsibilities for the reproduction of colonial structures. That is why there are no spaces in which to discuss the causes that Indigenous Peoples attribute to climate change, such as the mindset that legitimises colonialism and the exploitation of nature.

Despite the general lack of change at national and local levels, there are some examples of good intentions, among these the establishment of national Indigenous climate platforms. These are discussed in the next section.

iii. COP presidencies

During the first four years of implementation, the LCIPP has been supported by three COP presidencies: Chile (2019-2021), the UK (2021-2022) and Egypt (2022-2023), which have devised different strategies to contribute to its mandate. The momentum built by the mandated activities and the workplan of the LCIPP during the conferences has played a role in increasing the support of the COP presidencies for the Indigenous Peoples' Caucus.

Chile tried to strengthen the Platform's role by assigning a dedicated delegate, supporting the Indigenous Peoples' Pavilion at the publicly-accessible Green Zone of COP 25 and creating a national Indigenous Peoples' group known as the 'Chilean Indigenous Peoples' Caucus', some of the members of which participated in COP 25. However, this invitation did not go hand in hand with capacity building. Neither did the presidency allow Indigenous Peoples to engage with its work. After COP 25, support for the Indigenous representatives and the dedicated delegate was discontinued.

The UK aimed to comply with COP decisions and promoted greater collaboration between Parties and Indigenous Peoples during its mandate. The presidency also assigned a delegate and resources to strengthen the presence of Indigenous Peoples at COP 26. The UK supported and funded the Indigenous Peoples' Pavilion in the Blue Zone, which is where the negotiations take place. This allowed for greater visibility of Indigenous Peoples than had it been in the Green Zone and facilitated the coordination of the Caucus during the negotiations. The UK presidency

also organised a high-level event with Indigenous representatives during COP 26 on the milestones and achievements of the first workplan of the Platform. The delegate continued attending the sessions following COP 26 – at least until 2022.

The Egyptian presidency also offered a space in the Blue Zone for the Indigenous Peoples' Pavilion - the construction of which was self-financed by the Indigenous Peoples' Caucus with the support of NDN Collective, an Indigenous Peoples' organisation from the United States. Although the presidency did not hold a high-level event, it did hold an open dialogue with the Indigenous Peoples' Caucus. In addition, with the collaboration of the secretariat, a ceremonial space was created at the venue.

Limitations

The fact that the FWG is a relatively new constituted body also imposes certain barriers. The first of these relates to the different understandings and expectations around the Platform and the role of the FWG. It has taken a lot of work and time to figure out how the LCIPP should be implemented. For example, what the working procedures look like, how decisions are made, how information is shared and the roles of different stakeholders. Time spent on explaining the procedures is to the detriment of time that could be spent on implementation.

In addition to the structural and institutional barriers mentioned above, global inequalities and difficulties in coordination at the regional level also hinder the work of the platform. Although the implementation of online activities has allowed for greater involvement of participants, the LCIPP still has to deal with two main challenges. The first and most significant is related to the diversity of languages. Most activities are conducted in English. While the inclusion of interpreters has expanded the Platform's reach, many Indigenous groups who do not speak the official UN languages – not to mention the thousands of Indigenous languages spoken locally – continue to be excluded. The case of the Indigenous Peoples of Brazil is emblematic: their presence during the negotiations is quite significant but, as Portuguese is not a UN official language, they are not offered interpretation by the secretariat.

The second barrier concerns the lack of internet access for many rural communities, especially in developing countries. This constrains the equal involvement of all regions and makes it hard to find a consensus.

The workplan model also presents challenges. Activities are perceived as isolated, i.e. lacking the holistic nature that characterises Indigenous knowledge systems. The Indigenous Caucus members interviewed think that the activities do not yet significantly capture what Indigenous knowledge systems can contribute to climate governance.

The progress of the LCIPP in the context of the UNFCCC is furthermore subject to the priorities and timelines established for each COP, which in turn depend on the political will of the presidency. As FWG members work on a voluntary basis –i.e. in addition to their responsibilities to the Platform, they have to meet their various professional, community and family commitments – they often struggle to meet these timelines. These dynamics do not allow for a thorough assessment of the most relevant needs addressed by the workplan. Furthermore, while they were implementing the workplan they also had to focus on designing the next one. In trying to remedy this situation and move forward with the schedule, the secretariat often takes on many tasks. It thus overlooks the role of the FWG and takes ownership of the work – translating what was initially planned and not always resulting in what Indigenous Peoples wanted.

The role of the UNFCCC secretariat

In addition to the Indigenous Peoples and the Parties, the secretariat is a third actor that has influenced the LCIPP process. The role of the secretariat is to support the decisions agreed by the main bodies of the UNFCCC. Accordingly, it supported all negotiations on the Platform from the beginning by facilitating the dialogue between different stakeholders and coordinating a call for submissions. Decision 2/CP.24 paras. 21 and 23 of 2018 requested that the secretariat make the work of the Platform widely accessible and develop activities related to the implementation of its three functions at each SBSTA session until the workplan was adopted.

Since the approval of the first workplan, the secretariat has supported the organisation of the mandated events and coordination of the workplan activities during sessional and inter-sessional periods. It also contributes to the drafting of technical papers, concept notes and reports by the FWG. In addition, the secretariat, with the support of the FWG that safeguards Indigenous Peoples' right to FPIC, manages a dedicated web portal (https://lcipp.unfccc.int/), uploading information relevant to the LCIPP process and external resources on Indigenous Peoples' knowledge systems, events, and mechanisms relevant to the three LCIPP functions. This web portal is considered to be the first experience of Indigenous knowledge holders collaborating with Parties to design an online space. However, it is not yet clear to what level the web portal is being used and to this date, it only exists in English.

In accordance with decision 2/CP. 24 para. 20 of 2018, the secretariat supports the Platform by raising awareness among other UNFCCC bodies. It encourages collaboration between the FWG and other bodies within and outside the Convention, and coordinates activities and meetings with bodies interested in engaging with the Platform. This serves as two-way capacity building and strengthens awareness among Indigenous Peoples on how to engage with the other constituted bodies as discussed in the next section.

Indigenous representatives interviewed acknowledge the role of the secretariat in providing valuable information on the development of the negotiations and clarification of the process. However, as Indigenous representatives try to tear down institutional boundaries by advocating for new negotiation spaces and procedures on the one hand, and the secretariat looks after the institutional frameworks to ensure that all activities are in line with UNFCCC procedures on the other, tensions have arisen. In doing so, the Platform's procedures sometimes become so technical that they are inaccessible to some Indigenous representatives and organisations.

As can be observed, the Platform while having been operationalised, faces a number of barriers including those related to limitations of the mandate and lack of State Party engagement, among others. Below we will present some of the more positive impacts related to its incremental approach.

An FWG 8 session in November 2022 in Sharm El-Sheikh, Egypt during COP 28. The speaker is the Indigenous FWG representative from the North America region, Graeme Reed. Note the circular chair set-up, which is characteristic of FWG meetings.
CREDIT: Stefan Thorsell / IWGIA

Chapter 6

Impact of the Platform

Despite the barriers identified in the previous section, all interviewees for this study have something positive to say about the Platform. It is seen as a relevant space within the Convention, which sets an important precedent for Indigenous Peoples' participation and engagement under the UN system. However, as discussed above, the Platform also presents a series of limitations, mainly attributable to the persistent marginalisation of Indigenous Peoples from decision-making, and historic and ongoing territorial conflicts at the national and local level. In the following, we will present an assessment of the impact of the Platform through the voices of those of its stakeholders interviewed for this study. We will begin by analysing the main outcomes at the UNFCCC level after which we look at emerging impact at the national and local levels.

UNFCCC level

At the UNFCCC level, the Platform has proven to have a number of expected and perhaps non-expected outcomes, the most important presented here.

i. A precedent challenging the State / non-State dichotomy of the multilateral system

The Platform sets a precedent in the UN and the UNFCCC. It constitutes the first formal space that recognises Indigenous Peoples' membership within the UNFCCC – an institution that has been accused of being one of the most exclusionary spaces in the UN (Ford et al. 2016). Responding to a demand from Indigenous Peoples for more than twenty-five years, the Platform represents one of the strongest decisions within the UNFCCC recognising the Indigenous Peoples' leadership and a step in the right direction with regards to implementing their right to participation in decision-making of Indigenous Peoples and it demonstrates their ability to overcome barriers and prejudices.

The FWG is also highly valued for being a body that complies with Article 18 of the UNDRIP by allowing Indigenous Peoples to select their own representatives. As such, the Platform strengthens coherence in implementing Indigenous Peoples' rights and sets a precedent for international collaboration and negotiation. It demonstrates how Parties and Indigenous Peoples can work together to address global challenges with local impacts. In addition to building trust between Parties and Indigenous Peoples, the LCIPP sends an important political message about how decisions can be made in a less centralised manner. Illustrative of this are the FWG meetings, which involve a wide range of actors and include prayer, spirituality and circle conversations as central elements.

ii. Raising the visibility of Indigenous Peoples' situation

The Platform has also facilitated a global exchange between Indigenous Peoples from different regions and thereby supported their solidarity networks. This contributes to bringing local realities, contributions and actions closer to the international discussions. The Platform facilitates more significant discussion around the impacts of climate policies on Indigenous territories, raising the visibility of national debates around land jurisdiction and all the related conflicts triggered by mitigation initiatives such as REDD+. According to some Party delegates, these discussions make concerns on the ground visible, so they are able to indirectly influence State procedures, e.g. through a more meaningful implementation of the Cancún Safeguards. At the same time, the Platform opens up the possibility of bringing UNFCCC processes closer to the local level.

In addition to raising the visibility of the particular situations of Indigenous Peoples, the Platform has contributed to strengthening the recognition of Indigenous Peoples' knowledge and Indigenous Peoples'-led climate action. As such, the LCIPP reinforces a rights-based approach and challenges the established discourse that positions Indigenous Peoples as vulnerable.

iii. Increasing engagement with other constituted bodies under the UNFCCC and beyond

Being a constituted body under the UNFCCC, the FWG has given visibility to the Indigenous Peoples' Caucus and generated a legitimate basis for demanding greater commitment from Parties, particularly COP presidencies, to discuss the role of Indigenous Peoples. It has also raised awareness of Indigenous pro-

posals on how to address the climate crisis, including by addressing the structural root causes.

In this way, the Platform has also awakened the interest of other bodies of the Convention, fostering new avenues of collaboration. Among these we can mention: the Adaptation Committee has invited the FWG to its meetings and has established cooperation with the Platform in its latest workplan; the Executive Committee of the Warsaw International Mechanism for Loss and Damage (WIM Excom) has appointed an Indigenous member as part of its expert group on non-economic losses; the Nairobi work programme on impacts, vulnerability, and adaptation to climate change (NWP) has a thematic expert group on biodiversity and ecosystems that has engaged two Indigenous experts; the Koronivia joint work on agriculture involves Indigenous experts every time it holds a workshop; a representative of Indigenous Peoples' organisations has been included on the advisory board of the Climate Technology Centre and Network; and the advisory board of the newly-created Loss and Damage Fund has reserved a seat for Indigenous Peoples; organisations (Decision 11/CP.27 Annex 1 para. 9).

The Platform has also strengthened collaboration with other UN bodies that are directly addressing climate change, such as the IPCC, Food and Agricultural Organization (FAO), UN Educational, Scientific and Cultural Organization (UNESCO), International Fund for Agricultural Development (IFAD) and the CBD. Representatives of these organisations regularly attend FWG meetings and report on progress in this collaboration.

The LCIPP has contributed to advancing the IIPFCC demands for direct access to climate finance by increasing awareness of Party delegates. Thanks to the advocacy of the IIPFCC, COP decisions have advised the Green Climate Fund (GCF) to pay attention to Indigenous knowledge and practices (Decision 6/CP.26 para. 7). Furthermore, an Indigenous Peoples' Advisory Group (IPAG) has been formally established within the GCF, whose members have independently observed the process for years. The IPAG's role is to improve coordination between the GCF, accredited and implementing entities, States and Indigenous Peoples on issues of concern to Indigenous Peoples.[28] The Platform provided a space for GCF to report on IPAG progress during the UN climate change conferences, both at FWG meetings and at mandated events.

National and local level

At the national and sub-national levels, there are likewise early indications of the impact of the Platform

i. Expectations raised at the local level

UNFCCC procedures are difficult to understand for those new to the negotiations. Indigenous Peoples' representatives who have not been involved in the negotiations see the process as confusing, secretive and even inaccessible, whereby access to information is restricted. As a multilateral body, the UNFCCC is not intended to address the local sphere and the capacity of the Platform to meet the demands of Indigenous Peoples at the local level is therefore limited. This restriction generates a great deal of disillusionment among Indigenous participants, especially those not directly involved in the process. A former Indigenous member of the FWG explains how communities on the ground ask her if the Platform could support their self-determination or provide them with access to funding, questions to which she – frustrated – has no response. As a result, some Indigenous voices at the local level are highly sceptical of the Platform and perceive bringing in new perspectives or alternative procedures to be very difficult. The lack of clarity undermines the legitimacy of the process.

ii. National and local initiatives

Despite the above, the LCIPP has facilitated emerging and new initiatives driven by Indigenous leaders' demands. Decision 2/CP.24 para. 16 – which invites Parties, local communities and Indigenous Peoples to consider the LCIPP at the local, national and regional level – has set a precedent for Indigenous organisations to demand national platforms. Worth highlighting are:

1. **Tanzania.** Motivated to take the work of the Platform to the national level, Indigenous Peoples' organisations have led a process to establish a

28. See https://www.greenclimate.fund/document/notification-indigenous-peoples-advisory-group-green-climate-fund

national platform that brings together knowledge holders, including women and youth. They have carried out some activities involving government officials;

2. **Peru.** Indigenous organisations in Peru successfully advocated for the establishment of a national platform during the consultation on regulations for the national Framework Law on Climate Change (See Box 3).
3. **Amazonas.** Building on the experience of the national Platform from Peru, and with the support of governments that constitute the Amazon region, the Amazon Cooperation Treaty Organisation (ACTO) has created a regional platform;
4. **Nepal.** The LCIPP has engendered greater interest from the State, which has approached Indigenous organisations to discuss the situation. While a formal platform has not been established as such, this has given Indigenous Peoples more influence;
5. **Canada.** The Government of Canada has articulated its efforts to include Indigenous Peoples in national climate governance by consistently participating in the LCIPP process and promoting the engagement of Indigenous Peoples at the national level (See Box 4).
6. **Russia.** Indigenous Peoples' organisations have created the Indigenous Peoples' Platform on Traditional Knowledge and Climate Change Adaptation. Although this platform has thus far not involved State officials, it does collaborate with experts and scientists who work closely with the government.

Even more intangible outcomes worth mentioning are the discussions that the LCIPP has facilitated among the Parties. It has promoted reflection by governments on the unrecognised domestic Indigenous population, including in overseas territories, under the UNFCCC. In this way, countries that historically have not recognised the presence of Indigenous Peoples in their national territory have been confronted with the need to consider their situation.

Box 3:
The Indigenous Peoples' Platform to Address Climate Change in Peru

The Indigenous Peoples' Platform to Address Climate Change emerged as a response to the demands of Indigenous Peoples' organisations during a consultation process for the proposed Regulations for the Framework Law on Climate Change in 2018. In 2019, this platform was established by a ministerial resolution within the regulation and became operational in 2020.

The platform forms part of the Ministry of the Environment's General Directorate for Climate Change and Desertification. It has become a space where Indigenous organisations can make proposals and recommendations on climate change mitigation and adaptation actions. The Platform contributes to managing, disseminating, and implementing all Indigenous-led mitigation and adaptation proposals.

It is implemented by a group composed of seven representatives of Indigenous Peoples – who work horizontally and ensure gender parity – and two State representatives. The former are elected by regional organisations that the government has first appointed. These members select one of their number to represent them in the National Climate Change Commission. To strengthen the work of the Indigenous representatives, each organisation can elect an advisor – who the government hires. These advisors strengthen Indigenous leaders' legal and technical capacities on climate change, support the mobilisation of technical knowledge and facilitate Indigenous Peoples' access to Peru's climate agenda.

The participation of Indigenous Peoples has facilitated the inclusion of their voices in climate governance and, with it, greater levels of transparency. It has also encouraged the pursuit of territory-based climate action. At the same time, the platform has become a space where Indigenous organisations can share concerns about the impacts of climate change and channel diverse demands. To respond to these concerns, the platform has convened other agencies in charge of Indigenous Peoples' policy, incorporating climate change into their functions.

In 2022/2023, despite political instability, the National Organisation of Indigenous Women (ONAMIAP) managed to successfully sensitise and lobby local authorities in the regions of Ayacucho and Junín to establish regional Indigenous climate platforms. In Ayacucho, the platform has already been established whereas in Junín the process was ongoing at the time of writing.

While the national platform is greatly appreciated by participating Indigenous organisations, several limitations exist. Firstly, the lack of intercultural capacities within the State apparatus hinders effective alignment with other policies tailored to Indigenous Peoples. According to Indigenous interviewees from Peru, the platform tends to reproduce colonialist dynamics, such as undervaluing Indigenous representatives' opinions. Officials try to 'fit' Indigenous procedures into the State agenda or are reluctant to address long-standing conflicts and structural inequalities. Secondly, as it depends on the Ministry of Environment, its influence with regard to providing Indigenous Peoples with access to climate finance – which is controlled by the Ministry of Economy and Finance – is limited. In addition, the platform does not have a defined budget; it depends on projects. This creates difficulties for long-term work and hinders dialogue with the LCIPP, as its representatives do not have the funding to attend international meetings. Finally, its progress is measured through indicators established a *priori* by the State. This outcome-focused work contradicts Indigenous Peoples' process-focused approaches.

Despite the institutional limitations and the political context in Peru, the platform has created momentum and initiated joint work between Indigenous organisations and officials on climate change, setting a benchmark in the region.

Box 4:
Engaging Indigenous Peoples in National Climate Governance. The case of Canada

The Government of Canada has implemented three distinctions-based, senior, bilateral roundtables, in 'accordance with joint commitments made by the Prime Minister and National Leaders of the Assembly of First Nations, Inuit Tapiriit Kanatami and the Métis National Council. The person in charge of this process in the government was at the same time a Party representative in the FWG during its first mandate. These bilateral tables seek to ensure First Nations, Inuit and Métis are full and effective partners in advancing clean growth and addressing climate change based on the recognition of rights, respect, cooperation and partnership, and consistent with the UNDRIP.'[29] All the members together define a workplan and periodically discuss specific issues that are negotiated in the Convention.

29. See Canada's 8th National Communication and 5th Biennial Report available at https://unfccc.int/NC8

The government has also held meetings in Canada with Indigenous Peoples' representatives and national and regional policymakers to discuss experiences related to climate change. The government has supported projects aimed at preserving Indigenous Peoples' knowledge. Indigenous representatives have been supported to participate in meetings and discussions on climate change, as well as in relevant policymaking processes. The government has organised consultative meetings with Indigenous Peoples to gather their concerns on climate change, and these have been integrated into the climate change agenda. The government also invited these three national Indigenous organisations to contribute to the Canadian First NDC (updated submission). Each of them wrote an annex that was included in the official submission to the UNFCCC.[30]

While all these steps are important, these measures are not yet perceived to have had a significant impact in terms of the distribution of decision-making power or to have promoted a real transformation of the institutional sphere. As a result of a lack of intercultural competencies at the State level, Indigenous Peoples continue to face barriers that prevent them from challenging the colonial dynamics that reinforce their political marginalisation.

Nevertheless, programmes and projects have been created and implemented among Indigenous Peoples affected by climate change, taking into account their knowledge, practices, and participation at all levels, making this experience one of the most relevant in terms of collaboration between Indigenous Peoples and States at the global level.

30. See Canada's First NDC (Updated submission) available at https://unfccc.int/NDCREG

Joint dialogue LCIPP/GAP [Gender Action Plan]: Enhancing indigenous women climate leadership in the UNFCCC process during COP 28 in November 2022 in Sharm El-Sheikh, Egypt. The speaker is the Indigenous FWG representative from the Central and Eastern Europe, Russian Federation, Central Asia and Transcaucasia region, Daria Egereva.
CREDIT: Stefan Thorsell / IWGIA

Chapter 7

Expectations for the Future

Different expectations have had to adjust to varying understandings of the Platform and UNFCCC proceedings. In many instances, the aspirations of Indigenous Peoples do not correlate with the interpretations of the Party delegates and the secretariat, especially as regards the status of Indigenous Peoples as collective rights holders recognised by the UNDRIP. Broadly speaking, Indigenous Peoples advocated for a space that gives them decision-making power, as their right to self-determination establishes. The Parties, however, in trying to respond to this demand, envisioned a space that would contribute to their – institutionalised – understanding of climate action.

However, some commonalities exist between the understandings of Indigenous Peoples and those of the non-Indigenous actors involved in the process. For all of them, the Platform offers a space for reflection on an urgent challenge: how to strike a balance between addressing global commitments and local needs. It builds a bridge between the UNFCCC and Indigenous Peoples, especially by aiming to bring the local level and different knowledge systems to the process – although the effects of this have yet to be reflected in tangible results with regard to decisions at UNFCCC and national level.

Despite the barriers and low involvement of the Parties, the LCIPP has proved successful in terms of UNFCCC parameters. It demonstrates the capacities of Indigenous Peoples to engage horizontally with all stakeholders under the Convention, providing a strong incentive for Parties to increase their commitments to engage with them. Although not a perfect mechanism, it is nonetheless a significant step forward in settling a debt owed to Indigenous Peoples, as autonomous nations, in the context of the UNFCCC. It still requires much work and commitment from all stakeholders. This work must be directed towards strengthening Indigenous Peoples' rights, leadership, and international solidarity networks.

Indigenous representatives have an aspiration that the LCIPP will contribute to the decolonisation of climate policy. According to them, decolonisation involves critically analysing the factors that determine the marginalisation of Indigenous Peoples in order to give space to more Indigenous Peoples' representatives in decision-making and make visible and legitimate other ways of transmitting information about the climate crisis. This process has the potential to transform climate action based on greater collaboration and dialogue between Indigenous Peoples, States and non-Indigenous scientists.

Achieving this goal requires work centred on Indigenous knowledge, the creation of new spaces that Indigenous Peoples can manage autonomously, and outcomes presented from Indigenous Peoples' perspectives. In this regard, it is essential to vindicate the importance of Indigenous practices, integrate Indigenous histories and storytelling into the discussions, and enhance the value of knowledge holders, always bearing in mind that Indigenous knowledge systems are both territorially rooted and dynamic. With regard to knowledge sharing, it is hoped that this can move towards collaborative learning and co-production of new knowledge. This will demand greater clarity on the functioning of the LCIPP and the roles of the FWG vis-à-vis the Parties.

To strengthen the agency of Indigenous Peoples, it is also necessary to bring the UNFCCC processes, specifically the LCIPP, closer to the local sphere, Indigenous organisations and communities, as well as bringing local actors, and especially youth, closer to the international sphere. This goal can be achieved by promoting more actions at the regional and local level – which have been more integrated into the second workplan and are now possible thanks to the dropping of COVID-19 restrictions – always taking into account the diversities that characterise Indigenous Peoples, their territories, cultures, and demands. The inclusion of new actors must go hand in hand with capacity building and critical analysis of climate policy, multilateral decision-making processes, and their impacts at the local level.

Indigenous Peoples are willing to contribute at all stages of climate action, from discussions and planning to monitoring, reporting and verifying climate policy, as long as their rights are respected and FPIC is implemented in full. However, incrementalism on the LCIPP depends to a large extent on the political will of the Parties and the various COP presidencies. Party delegates must therefore engage more actively and, above all, more honestly in the process. In this way, the barriers that limit collaboration can be addressed collectively.

Engagement with Parties can influence COP decisions. While the FWG does not have negotiating

power, Indigenous Peoples' representatives hope that the LCIPP will be able to increase the willingness of States and their commitment to including Indigenous Peoples in climate governance.

Collaboration between the LCIPP and other UN and UNFCCC bodies is welcomed and expected to increase, as it promotes synergies that will strengthen Indigenous Peoples' participation and the inclusion of their knowledge systems throughout the Convention.

In addition to increasing awareness, this collaboration will lay the foundation for Indigenous Peoples to achieve one of their main demands: direct access to climate finance. This access is seen as an opportunity to strengthen the resilience of Indigenous Peoples' communities and minimise the negative impacts of certain measures that continue to violate their rights. The secretariat has expressed its willingness in this regard to continue supporting this collaboration and highlighting the role of Indigenous Peoples.

Event organised by Minga Indígena at the Indigenous Peoples' Pavilion at COP 26 in November 2021 in Glasgow, Scotland (United Kingdom).
CREDIT: Rosario Carmona

Chapter 8

Conclusions

The Platform demonstrates how Indigenous Peoples' advocacy at the international level leads to new multilateral processes which, driven by Indigenous Peoples themselves, open up spaces previously denied to them (Anaya 2009). The coordination of the IIPFCC has enabled Indigenous Peoples to overcome multiple barriers and advance the operationalisation of the Platform in an effective and coherent manner. As a result, the Platform has positioned itself as an interface between Indigenous Peoples and Parties and between Indigenous Peoples and the Convention, gradually bringing the local sphere closer to the UNFCCC. In this way, the Platform has set a precedent in the UNFCCC regarding Indigenous Peoples' participation and collaboration between Parties and non-State actors. The implementation of its workplans, as well as the gradual increase in the presence of Indigenous Peoples in the other bodies of the Convention and national pledges, testifies to the capacity of Indigenous Peoples to contribute to climate action through responses based on their ways of doing and knowing.

However, the Platform cannot secure Indigenous Peoples' right to participation in the UNFCCC. Its main limitations are attributable to gaps in international relations regarding the implementation of the UNDRIP (Harada 2022). The limitations are also due to the reluctance of Parties to respect Indigenous Peoples' right to self-determination and thus assume their responsibility to negotiate with them on issues that affect them, especially in the international context (Khan 2020). States mostly understand Indigenous Peoples' participation as a tool to reduce vulnerability and, in the best case scenarios, to integrate their knowledge. In other words, participation is not assumed to be a right that Indigenous Peoples, as equal members among other nations in the international sphere, enjoy. The FWG has accordingly not been empowered as a negotiating body, and Indigenous Peoples continue to participate as observers, included within a larger group of *non-State actors*.

Moreover, the functions of the Platform, and its potential to reduce vulnerability and strengthen Indigenous Peoples' engagement in climate governance, are constrained by a lack of capacity at the national level. Frustratingly, Indigenous Peoples and individuals worldwide are repeatedly confronted by officials who do not understand the relevance of their demands and proposals, despite their governments' commitment to consider and include them, even through their national climate commitments. This lack of coherence between what is committed to in the UNFCCC and what is actually implemented undermines climate policy effectiveness (Gustafsson and Schilling-Vacaflor 2022).

The emergence of the climate crisis, coupled with the polycentric model of climate governance promoted by the Paris Agreement, requires States to improve their policy implementation patterns more than ever (Righettini and Lizzi 2022). In turn, this process requires greater State capacity to integrate the various challenges we face into climate policy, including the historical debt governments owe Indigenous Peoples (Carmona 2023). This means awareness-raising, reflexivity and humility when addressing difficult, uncomfortable, and complex issues, such as land jurisdiction and criminalisation of Indigenous environmental defenders. Only from this space will we be able to question the assumptions that underpin the crisis we face, including the illusion of separation from nature that justifies the hierarchisation of some lives over others.

The horizontal treatment of Indigenous Peoples also extends to their knowledge systems. Such systems should not be approached as a set of practices that legitimise or strengthen non-Indigenous institutional knowledge and agendas but rather through partnership and co-production processes which, in addition to helping to identify actionable and legitimate responses to the climate crisis, allow us to reverse the colonial legacies and power dynamics that position certain knowledge systems over others (Chambers et al. 2022). With the IPCC Sixth Assessment Report, it has become clear that the knowledge and responses that have been legitimised to date are not enough. In many cases, these measures have even led to maladapted practices that reinforce the problem (IPCC 2022). To a large extent, these shortcomings can be attributed to the Party-driven structure of the UNFCCC, which, by excluding the plurality of Indigenous views, has ruled out contextualised and justice-based alternatives.

Limitations are also attributable to the inability of most non-Indigenous stakeholders to recognise the responsibilities entailed in engaging in dialogue with Indigenous knowledge systems. The pressures established by the COP through its proceedings and mandates impose methodologies that do not always

coincide with Indigenous Peoples' ways of doing. To a large extent, Indigenous delegates have to adjust to the procedures and language of the UNFCCC and compromise their aspirations, risking being absorbed into the very system they aspire to transform (Harada 2022). All these limitations raise the question of the possibilities Indigenous Peoples have to advance their rights in a mechanism such as the UNFCCC, which many think is impossible to change.

Similarly, workplan activities – however successful under institutional criteria – continue to be implemented in a compartmentalised manner and not through the integrative and holistic approaches that characterise Indigenous knowledge systems, which are diverse and dynamic. Nor have they been able to truly engage with the complexity of diverse Indigenous knowledge systems; certain components of such systems, such as customary law, traditional institutions, and Indigenous worldviews have not been given the space necessary to position alternative responses. To overcome this, more reflection is needed on how the workplan's activities contribute to the Platform's collective work and enable it to fulfil its functions and thus strengthen Indigenous Peoples' influence in the UNFCCC.

Despite these challenges, we should not forget that all institutional boundaries are also defined by the actors and spaces that have been pushed to the margins (Migdal 2001). The IIPFCC has decided to position its claims in the UNFCCC because, when they are ignored, the negotiations generally result in conflicting policy preferences and power asymmetries that produce detrimental repercussions in their territories (Gustafsson and Schilling-Vacaflor 2022). But also because it is committed to contributing to a fairer multilateral process, which we deserve as a global society. A process made by and for the people and, therefore, responsive to the different needs, visions and capacities that all peoples can exercise. The perseverance of the Indigenous Caucus and the spaces it has opened up testify to the capacity of the UNFCCC – as an institution created by people – to transform itself.

As the participants in this study point out, the Platform is not a perfect mechanism. However, can any mechanism claim to be so? While it is still too early to assess its outcomes, it is important to remember that, more critical than its results is the process that gives life to the Platform and the means by which it is implemented, which have been as participatory, inclusive and reflexive as the UNFCCC proceedings – and the resistance of the Parties – have allowed. By pushing institutional boundaries, the Indigenous movement has shown itself capable of transforming the norms of the very Convention that omitted them from the outset. With this, the Indigenous representatives who have operationalised the Platform share a great lesson: th e transformative change we aspire to is a step-by-step process. The onus is now on States to rise to the challenge and respond, once and for all, to the necessary conversation which, for decades, Indigenous Peoples have been inviting them to join.

Recommendations

Based on the analysis above, the following recommendations are made to the Parties and the UNFCCC.

1. Recognise Indigenous Peoples as right holders

Indigenous Peoples should be recognised as right holders, and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), including effective compliance with Article 19 on Free, Prior and Informed Consent (FPIC), must be properly implemented at the international, national and local levels. The recognition of Indigenous Peoples' collective rights, as distinct and additional to individual human rights, requires that States recognise them as Peoples with the right to self-determination and not categorise them with other sectors of society. It also demands that States implement concrete actions and strategies to suppress criminalisation and political pressure on environmental defenders. Parties should take a rights-based approach that strengthens the Platform's positive impact on climate actions at all levels.

2. Respect the right to self-determination at all levels

The right to self-determination entitles Indigenous Peoples to access to, and representation in, governance spaces and to elect their own representatives, both at the local, national and international levels – including in all UN bodies. Besides securing different levels of participation and a redistribution of decision-making power under the UNFCCC, such

engagement implies the recognition of Indigenous Peoples' demands, visions and proposals in all negotiation agendas. It also requires securing Indigenous communities' direct access to climate finance.

3. **Operationalise the Platform as an enabler to strengthen climate action and governance that will pave the way for transformative structural change**

State Parties are accordingly encouraged to assign delegates to follow and actively engage in the LCIPP meetings, activities, submissions and mandated events during sessions and inter-sessional periods. These delegates must practise honest and respectful listening and be open to understanding Indigenous Peoples' diverse expectations, perspectives, worldviews and relationships with nature. At the same time, States should commit themselves politically and financially to disseminating these activities at the national and local levels. Governments can build on existing mechanisms or/and appoint Indigenous focal points to channel information and align their work with the Platform's decisions at the different levels. Governments of the Global North ought to support governments of the Global South to finance these Indigenous-led and national initiatives.

4. **Engage with LCIPP workplans to strengthen climate policy coherence**

The LCIPP workplans are expected to promote more coherence between international pledges and their implementation at national and local levels. It is crucial that Parties recognise Indigenous Peoples in their NDCs and provide consistent information on Indigenous Peoples' contributions in their biennial technical review and transparency reports, in compliance with the Paris Agreement, as set out in the Paris Rulebook.

5. **Increase support for Indigenous-led climate action through partnership with Indigenous Peoples that recognises contributions by Indigenous elders, women and youth**

The Platform can help to identify, give visibility to, and support adaptation and mitigation initiatives that, based on Indigenous knowledge systems and customary lifeways, contribute to a more just, integrative, and effective response to climate change. This support requires a sufficient budget at the national level and demands greater willingness and ambition with regard to Indigenous Peoples' participation and recognition in NDC implementation. It also demands enhancing Indigenous-led research and documentation on the crucial role and contributions of Indigenous customary institutions and self-governance systems as a basis for the protection, promotion and recognition of Indigenous knowledge, socio-cultural values and practices for building climate resilience.

6. **Generate spaces for partnership in climate governance by creating regional, national and local platforms**

Engagement should not be limited to UNFCCC processes; the LCIPP should be leveraged as a mechanism to engage Indigenous Peoples and Parties at the regional and local levels and facilitate dialogue on environmental governance. Regional, national and sub-national platforms led by Indigenous Peoples' representatives can contribute to transposing international mandates into domestic laws and policies by taking into account national and local realities and incorporating other issues relevant to Indigenous Peoples – e.g. land conflicts and recognition – into climate policy as well as integrating the dimension of climate change into other policies that affect Indigenous Peoples' territories.

7. **Build intercultural competencies within national governments through partnerships with Indigenous Peoples**

Governments should commit to appointing officials and creating mechanisms and legislation that enable the effective participation of Indigenous Peoples, while at the same time strengthening intercultural competencies at the State level to make Indigenous Peoples' recognition enforceable. Raising the awareness of government officials and delegates to Indigenous Peoples' rights and knowledge systems must be mainstreamed at the State level, and capacity-building must be conducted in collaboration with Indigenous Peoples' representatives and organisations. The dedicated mechanisms must be perma-

nent – i.e. not subject to the will or changing political orientations of governments – and include evaluation processes, systematisation of learning, and promotion of good practices.

8. **Strengthen climate policy coherence regarding Indigenous Peoples' recognition by aligning global and national agendas**

For this, it is crucial that more Indigenous representatives engage effectively in national delegations so that they have a voice in the agenda-setting before, during and after climate change conferences and negotiations. This engagement requires building trust between all stakeholders – Indigenous Peoples' representatives, government officials and Party delegates. There is also a need to increase Indigenous Peoples' engagement in climate governance, as well as transparency on how this process is developed – e.g., through national communications and NDC reporting.

9. **Centre Indigenous Peoples in the discussions of all UNFCCC mechanisms and processes**

This can only be possible through the appointment of Indigenous Peoples' representatives and meaningful participation of Indigenous Peoples in the various constituted bodies of the Convention.

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At all levels, in all regions of the world, Indigenous Peoples face systemic, colonial barriers to their right to self-determination. This injustice is also evident in the multilateral sphere, where decisions are taken almost exclusively by the governments of multilaterally recognised nation-states. Such is the case of the United Nations Framework Convention on Climate Change (UNFCCC), which does not even mention Indigenous Peoples in its convention text from 1992, thereby failing to consider the visions and participation of Indigenous Peoples. Despite these limitations, the agency and advocacy of the international Indigenous Peoples' movement, organised under the International Indigenous Peoples Forum on Climate Change (IIPFCC), has made it possible to shake the foundations of this status quo.

This report provides context to and analysis of the emergence of the Local Communities and Indigenous Peoples Platform (LCIPP) under the UNFCCC from the perspectives of Indigenous representatives, UNFCCC Party representatives, UNFCCC officials, and other stakeholders engaged in its creation and implementation. The LCIPP is a mechanism established by the Parties in 2015 that, as per Decision 2/CP.23 para. 5 of 2017 aims to 'strengthen the knowledge, technologies, practices and efforts of local communities and [I]ndigenous [P]eoples related to addressing and responding to climate change.'

This report analyses the main contributions, limitations, and expectations arising from the LCIPP's work from the perspectives of Indigenous representatives involved. The aim is to inform the review of the Facilitative Working Group (FWG) to be held in 2024 and provide recommendations to strengthen the role of the Platform and the climate leadership of Indigenous Peoples.

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