



MISSION REPORT

UNITED NATIONS PERMANENT FORUM ON INDIGENOUS ISSUES



NATIVE WOMEN'S ASSOCIATION OF CANADA

L'ASSOCIATION DES FEMMES AUTOCHTONES DU CANADA



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The Native Women's Association of Canada (NWAC) attended the twenty-second session of the UN Permanent Forum on Indigenous Issues (UNPFII) that took place at United Nations Headquarters, New York, from 16-21 April 2023.

NWACs delegation included:

OFFICIAL CANADIAN DELEGATION:

Eugenia Edwards

Melissa Critch

NGO'S DELEGATION:

CEO Lynne Groulx

Tania Molina

Judy Verna Sharon Hughes

Report of the International Expert Group Meeting on the Theme: "Indigenous Peoples, Human Health, Planetary and Territorial Health, and Climate Change: A Rights-Based Approach"

I. INTRODUCTION

Indigenous Peoples are often caught up in violent conflicts and militarization often related to economic interests, Indigenous Peoples' lands, territories, and resources. These conflicts directly affect their lives causing poverty, reverse development, and displacement of Indigenous Peoples to urban areas, where they are no longer under the protection of traditional justice systems and become particularly vulnerable



to discrimination and marginalization. Climate change is devastating their lands, destroying their way of life, and threatening their very survival as there continues to be an increased desire of states for more economic growth. Conflict prevention initiatives, peace processes and agreements have formed the basis of peaceful negotiations to address social unrest and conflicts. However, most peace accords remain unimplemented or partially implemented as they are not negotiated in good faith by Member States.

Every year, the Department of Economic and Social Affairs of the Secretariat organizes an international expert group meeting on a theme identified by the Permanent Forum on Indigenous Issues and endorsed by the Economic and Social Council. The present report is of the expert group on its 2023 meeting, which was on the theme of *"Indigenous Peoples, Human Health, Planetary and Territorial Health, and Climate Change: A Rights-Based Approach."* The meeting was held from 17-28 April 2023 at the United Nations Headquarters in New York. It was attended by members of the Permanent Forum and Indigenous and non-Indigenous experts. Participants included members of Indigenous Peoples' organizations, academia, civil society, national human rights institutions, and the United Nations system (UN, 2023)¹.

II. OVERVIEW OF THE DISCUSSIONS OF THE MEETING

At the opening of the expert group meeting, the Secretary-General of the United Nations, Antonio Guterres, delivered opening remarks, highlighting that the United Nations Declaration on the Rights of Indigenous Peoples was the key instrument for promoting and ultimately achieving a framework of justice, reconciliation, and respect for the human rights of all. Mr. Guterres explained that around the world millions of Indigenous Peoples are losing their lands, their rights, and their resources. Indigenous Peoples' relationship with their traditional lands and territories forms a core part of their identity and spirituality and is deeply rooted in their culture and history, he explained. However, with the increasing desire of states for more economic growth, the senseless exploitation of Indigenous Peoples' territories and



resources continues unabated. Indigenous Peoples hold many of the solutions to the climate crisis as they are the guardians of the world's biodiversity. For that reason, he stated, ***"The United Nations stand with you and is committed to keep promoting the rights of Indigenous Peoples in policies and programming at all levels including amplifying your voices."***

Also attending the opening of the UNPFII was the President of Colombia, Gustavo Petro, and the United States Secretary of the Interior, Deb Haaland. In his opening remarks, Petro said, ***"It is the Indigenous Peoples, with our support, who can contribute to the fight against the climate crisis, one of the main pillars of sustaining the balance of life throughout the planet."***

Representing her country, the United States Secretary of the Interior said, ***"In every corner of this planet, Indigenous communities exist despite the historic trauma that we have endured for centuries. If we are going to collectively heal from the wrongs of the past while building the world we all deserve – Indigenous Peoples everywhere must be brought into the fold."***

Following the opening, Rose Anne Archibald, Assembly of First Nations National Chief said at a press briefing, ***"We're taking the microphone to amplify our priorities of decolonizing, decarbonizing, and calling out the systems that undermine and harm Mother Earth and our mother tongue, and matriarchy."***

Aly Bear, Vice Chief of The Federation of Sovereign Indigenous Nations told the reporters, ***"This society right now is targeting our women and our girls and our two-spirited plus, and we need to be doing more to protect them. We need to make sure that these issues are at the forefront because they continue to get overlooked and we continue to see more women go missing and murdered. Everybody in society should be protecting one another and our future generations and our children."***

Judy Wilson former Neskonlith Band Chief and former Secretary-Treasurer of the Union of British Columbian Indian chiefs also spoke at the press briefing, ***"Canada continues to deny the existence of Indigenous inherent title and treaty rights which our nations have never ceded surrendered or sold, despite having been forcibly displaced from our homelands and regulated to reserves that total 0.02***



of the Canadian landmasses. When the title and rights of Indigenous People are perceived to conflict with the assumed national interest or the agenda or priorities of the Crown government, that all fell in line with corporate interests, the inherent title and rights of Indigenous Peoples are repeatedly infringed and violated."

Reg Niganobe Grand Council Chief of Anishinabek Nation told reporters, ***"At the United Nations we'll continue to seek clarity on the application of principles of free prior and informed consent when it comes to state actors and Indigenous Peoples that do not live within their domestic jurisdiction. We are worried that data priorities that weaponized data could create further dispossession at the expense of our inherent rights. With that, it is important to engage this on the international stage to monitor how State actors will use novel or complex jurisdictions like data governance or the implementation of FPIC (Free, Prior, and Informed Consent) to push through agendas that serve corporations and not people."*** (UN Audiovisual Library, 2023)².



*Opening Session UNPFII
- Judy Hughes, Special Advisor to the CEO*



*Lynne Groulx, Gena Edwards and Melissa Critch reception
with #UNPFII delegates*



III. NWAC'S DELEGATION AGENDA AT UNPFFI:

APRIL 17

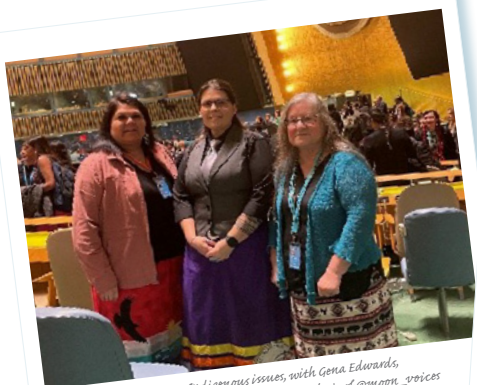
The UNPFFI Opening Ceremony had high-level speakers including, the President of Colombia, Gustavo Petro, the Secretary of the Interior of the United States Deb Haaland, and the UN President of the General Assembly.

"The Forum provides an opportunity to listen to the perspectives of those who have been marginalized but have always provided solutions to the enormous challenges facing humanity and our survival on the planet," explained UNPFFI Chair Dario Mejia.

"Speaking of the contributions of Indigenous Peoples without taking action to guarantee their rights to their lands, territories, and resources is nothing more than rhetoric," he said.

The same day NWAC'S official Canadian delegates attended Canada's side event: ***"New Pathways within Indigenous Climate Leadership."*** This side event, hosted by Canada and Finland, featured presentations by Indigenous youth about tools and approaches to address climate change.

At the end of the day, our CEO and NWACs members of the Canadian delegation attended the reception, in honour of the United Nations Permanent Forum on Indigenous Issues hosted by The Representative of the United States of America to the United Nations Ambassador, Linda Thomas-Greenfield, The Secretary of the Interior of the United States Secretary, Deb Haaland, and the Permanent Missions of Australia, Canada, Mexico, and New Zealand to the United Nations.



UN Permanent Forum on Indigenous issues, with Gena Edwards, president of @BCNWA and Melissa Critch, co-chair of @moon_voices



Meeting with Marlen Ortiz, a UNPFI delegate from Colombia & CEO of NWAC Lynne Groulx



Our NWAC special advisor Judy (middle) chatted with the President of Rapa Nui Indigenous Organization Valeria Pakarati (right) at the UN's Permanent Forum on Indigenous Issues



In the framework of UNPFII, the CEO had the following bilateral meetings:

- ECMIA representative, Tarcila Rivera Cea. ECMIA is The Continental Link of Indigenous Women of the Americas. At the meeting, The CEO discussed the possibilities to articulate some work between the organizations that generate actions for strengthening capacities, leadership, and empowerment of Indigenous women and youth, primarily in trade and social-economic innovation.
- Marlen Ortiz, a delegate from Colombia, to talk about our Social Innovation Center and Artisanelle and the possibility of doing business with Colombian women entrepreneurs that make unique art pieces.
- Magdalena Cholito from Guatemala. She is the National Coordinator of Nim Alaxik, an Elders Guatemalan Movement. Midwife grandmothers are born with a gift and a mission of life, which is inherited from generation to generation for the continuity of ancestral knowledge. The NIM ALAXIK Movement - ANCESTRAL WISDOM, is defined as an entity of Midwife Grandmothers from the linguistic communities of Guatemala, which arose in 2010 with the formation of the Municipal, Departmental, and National Councils of Midwives. They are united at the national level by the search for recognition and dignity of the health system of the native peoples of Guatemala.

APRIL 18

NWAC'S delegations attended the discussion on the theme **" Indigenous Peoples, Human Health, Planetary and Territorial Health and Climate Change: A Rights-Based Approach "** at the General Assembly.

The same day our members of the official Canadian delegation participated in the Canada side event with the Métis National Council: Indigenous Peoples and Legislation.



Margarita Vargas president of the Indigenous Community of Jotarkte in Chile (left) Ester Orellana Member of the community (right) NWAC's delegate Judy Hughes (Middle)



BACKGROUND

Indigenous Peoples around the world have long been marginalized and excluded from decision-making processes that directly impact their lives, cultures, and lands. One of the most fundamental ways in which Indigenous Peoples can have their voices heard is through legislative processes. However, Indigenous communities are often underrepresented in legislative bodies, and their perspectives and needs are often overlooked in policymaking. This has led to the perpetuation of colonial policies that have been harmful to Indigenous Peoples and their ways of life.

The United Nations has recognized the rights of Indigenous Peoples and has developed various mechanisms to support and promote their rights. The UN Declaration on the Rights of Indigenous Peoples (UNDRIP,) adopted in 2007, outlines the minimum standards for the protection and promotion of the rights of Indigenous Peoples worldwide. Ten years later, the General Assembly adopted Resolution A/RES/71/321 "Enhancing the Participation of Indigenous Peoples' Representatives and Institutions in Meetings of Relevant United Nations Bodies on Issues Affecting Them." Despite these efforts, Indigenous Peoples continue to face challenges in both national and international spaces in accessing and participating in decision-making processes that affect their lives and communities.



In the photo with our CEO Magdalena Cholito from Guatemala. She is the National Coordinator of Nim Alaxik an Elders Guatemalan Movement.



In the photo Judy with Comlee McGuire-Gyrette EXECUTIVE DIRECTOR of ONWA first on the right and her team.



A lack of political will, inadequate legal frameworks, and systemic discrimination and exclusion have prevented the advancement of official processes for legislating Indigenous voices. There is a need for increased awareness and understanding of the importance of legislating Indigenous voices in decision-making processes. This includes ensuring meaningful participation and consultation with Indigenous communities, recognizing, and protecting their traditional knowledge and practices, and providing adequate resources and support to enable their participation in decision-making processes.

To address these issues, the Métis National Council organized a side event for sharing best practices, identifying challenges, and exploring solutions to promote the participation of Indigenous Peoples in legislative processes. It also provided an opportunity to build partnerships and mobilize support for the implementation of UNDRIP and enhanced participation both nationally and internationally.



In the framework of UNPFII, NWAC delegates had the following bilateral meetings:

- The President of Rapa Nui Indigenous Organization, Valeria Pakarati. Rapa Nui is a unique island in the middle of the Pacific Ocean. Rapa Nui, the Indigenous name of Easter Island, bears witness to a unique cultural phenomenon. A society of Polynesian origin from c. A.D. 300 established a powerful, imaginative, and original tradition of monumental sculpture and architecture, free from any external influence.
- Margarita Vargas, President of the Indigenous Community of Jetarkte. NWAC had the opportunity to talk about our projects with Indigenous women entrepreneurs from Chile.

APRIL 19

On this day, NWAC hosted a side event with the theme, ***“Igniting Our Future-Grassroots Indigenous Women’s Perspectives on the Burning Issues of Climate Change.”***

That same day, NWAC’s official Canadian delegation members participated in the ***“Gathering of Indigenous Women Leaders: A Trilateral Working Group Planning Meeting.”***

This gathering enabled Indigenous leaders to reflect on the outcomes of the fourth convening and discuss the proposed themes.

- **THEME I:** Human Trafficking (including root causes and early intervention/prevention strategies.)
- **THEME II:** Leadership Development of Indigenous Women, Young Women, Girls, and Two-Spirit and Gender-Diverse People.
- **THEME III:** Data Collection – data tracking and the need for the development of a tool/mechanism for missing and murdered Indigenous women, girls, and 2SLGBTQI+ People (MMIWG2S+) and human trafficking of Indigenous women and girls.
- **THEME IV:** Access to Justice (including cultural respective practices.)



APRIL 20

On this day, NWAC's delegates joined the side event on the question: "Can Human Rights Protect Indigenous Peoples from Climate Harm?" The event began with a presentation from the Norwegian National Human Rights Institution on States' human rights obligations regarding climate change and Indigenous peoples and how these apply in a Sámi and other Indigenous Peoples context. A panel discussion with Indigenous representatives and experts from Norway, Australia, and the Philippines followed. Francisco Calí Tzay, Special Rapporteur on the rights of Indigenous Peoples was part of the panel discussion and NWAC's delegate Judy Hughes had the opportunity to speak and talk about MMIWG.

On the same day, our NWAC delegates participated and gave a statement on the Third Informal Interactive Hearing with Indigenous Peoples convened by the President of the 77th session of the General Assembly, H.E. Csaba Kőrösi at the United Nations Headquarters. NWAC spoke after the Canadian government, our statement was recorded. Our department of communication has the video.

IV. NWAC'S DELEGATION TO UNPFII SIDE EVENT

Several side events also occurred throughout the United Nations Permanent Forum on Indigenous Issues. This year's session provided a timely opportunity to amplify the voices of Indigenous youth and climate leaders while highlighting climate action rooted in Indigenous knowledge, rights, customs, and legal traditions. To emphasize the importance of our contribution, we hosted a side event.

TITLE OF EVENT:

IGNITING OUR FUTURE: Grassroots Indigenous Women's Perspectives on the Burning Issues of Climate Change.

PANELISTS:

GENA EDWARDS: the first Vice President of NWAC and an elected leader in her community. She holds a bachelor's and master's degree in social work and is





currently a PhD student in Global Governance. She is a passionate researcher on Indigenous Child Welfare and the effects of climate change on Indigenous women, girls, and gender-diverse people.

MEL CRITCH: Mel is a displaced gender diverse Mi'kmaw person living in Winnipeg, Canada. They are a co-chair of Manitoba Moon Voices and a provincial-territorial member of NWAC.

JUDY WILSON: Judy served as Chief of Neskonlith for almost 9 years, as a Council member for 8 years, an Executive Member to the Union of British Columbia Indian Chiefs (UBCIC) for 3 terms, including First Nations Leadership Council (FNLC) and currently to many Assembly of First Nations (AFN) working groups. Judy continues to advocate on many First Nations issues including MMIWG2S and is also a Family Survivor.

MODERATOR: Tania Molina, Director International NWAC.

"Nothing less than our future and the fate of humankind depends on how we rise to the climate challenge," Antonio Guterres, UN Secretary-General.

The future of our planet and our health are at great risk, now more than ever. The negative impact of climate change on Indigenous Peoples, in particular, has never been more significant. Yet our voices continue to be stifled.

Indigenous Peoples are among the first to face the direct consequences of climate change, due to their dependence upon, and close relationship, with the environment and its resources. Climate change exacerbates the difficulties already faced by Indigenous communities including political and economic marginalization, loss of land and resources, human rights violations, discrimination, and unemployment. And climate change directly – and adversely – impacts our health.

During this session, we put a human face on this issue as we heard stories of lived experience on the impacts of climate change told by Indigenous women from various regions across Canada. We heard how climate change poses threats to our survival – to ourselves, our families, and our communities. And, most importantly, we heard, first-hand, about some innovative, Indigenous-led solutions.



V. A POSSIBLE WAY FORWARD

In 2022, The United Nations Educational, Scientific and Cultural Organization (UNESCO) through its multi-sectoral and transdisciplinary mandate, and in accordance with the newly adopted 8-year Medium-Term Strategy (41 C/4,) increased the institutional attention to the status of Indigenous Peoples' knowledge, languages, and cultures. This includes reporting against the implementation of the UN Declaration on the Rights of Indigenous Peoples, alignment with the UNESCO Policy on engaging with Indigenous Peoples, advancing the UN Systems Wide Action Plan on Indigenous Peoples, and the new Intersectoral Program 3 on Indigenous Knowledge, Languages, and Culture as a Pathway to Inclusion. UNESCO is the lead agency for the UN Decade of Ocean Science for Sustainable Development (2021-2030) and the International Decade of Indigenous Languages (IDIL, 2022-2032.) The 21st session of the UNPFII directed several recommendations and matters to the attention of UNESCO regarding IDIL. The PFII recommendations have also been addressed by UNESCO in the framework of the IDIL 2022-2032, as the lead agency (UNESCO, 2022)3.

The United Nations Children's Fund's (UNICEF) regional office for Latin America and the Caribbean (UNICEF LACRO) has also been working together with the Indigenous Peoples Development Fund (FILAC) in the promotion and development of activities of the recently created Ibero-American Institute of Indigenous Languages. The work includes disseminating information on the critical situation of Indigenous languages in the Latin American and Caribbean region and promoting various actions being developed in the countries for their protection, conservation, use and development. Significant support has also been provided for the development of materials and other educational resources in Indigenous languages, with the participation of bilingual teachers and in many cases of Indigenous community members, guaranteeing the cultural and linguistic relevance of these materials, as well as an innovative and intercultural pedagogical approach. In 2023, UNICEF will issue public guidance on policing of peaceful assemblies, which will also be of relevance to Indigenous children who are at the forefront of movements to claim and exercise their individual and collective rights (UNICEF, 2022)4.



VI. RECOMMENDATIONS

The discussions during the expert group meeting pointed to the urgent need for actions to ensure the promotion and protection of the rights of Indigenous Peoples at all levels. The Committee on the Elimination of All Forms of Discrimination against Women (CEDAW) recognized the critical need to promote and protect the rights of Indigenous women and girls. They sought to reflect the voices of Indigenous women in General Recommendation 39 (GR39) as driving actors and leaders in and outside of their communities, and at the UN level. The GR39 underlines the importance of both individual and collective rights of Indigenous Peoples such as the right to self-determination and autonomy; the right to free, prior, and informed consent; the right to access and control over land and natural resources; and the right to cultural and spiritual practices as essential to protect and fulfill the rights of Indigenous women and girls. This means that Indigenous women should NOT be criminalized or subjected to any form of violence when they practice their livelihood activities as part of their access and control over their lands and resources (IPRI, 2023)⁵. Experts at the meeting made various recommendations to that end, including the following key recommendations:

- 1) Address **multiple and intersectional discrimination** in their legislation, including based on gender, disability, Indigenous background, and age, and recognize the specificities and the aggravating circumstances in the determination of liability and ineffective remedies, as well as the duty to contemplate the gender, disability, and Indigenous perspective in the adoption of relevant public policies.
- 2) Closely **consult and ensure the full and effective participation of Indigenous women**, including through Indigenous institutions, in decision-making, implementation, evaluation and monitoring of legislation and policies related to their rights under the CEDAW convention. To do so, interpretation in different languages, reasonable accommodation and disability and age-appropriate assistance should be provided.



- 3) Adopt awareness-raising measures for the promotion of the rights of Indigenous women and girls and to combat stigma, stereotyping, invisibility, and discrimination.
- 4) Undertake and promote the **collection of statistical data and research** focusing on Indigenous women human rights' defenders that are killed, targeted, criminalized or face violence, and through the promotion of quantitative and qualitative research.
- 5) Facilitate access to justice for Indigenous women victims of violence and harmful practices, including through restorative justice and reconciliation for violence and harm perpetrated against communities, including with rights-based and intercultural and gender-sensitive approaches, provided in consultation with Indigenous women.

