

The Indigenous regions of the Arctic, Latin America and the Caribbean and the Pacific submit the following comments and proposals combined in this joint submission to the UNFCCC, with regard to the Purpose, Content and Structure for the Local Communities and Indigenous Peoples platform established by decision [1/CP.21 paragraph 135](#) of the Paris Agreement.

This submission is supported by The International Alliance of Indigenous and Tribal Peoples of the Tropical Forests, and Coordinadora de las Organizaciones Indígenas de la Cuenca Amazónica (COICA).

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We welcome the opportunity to submit our views in relation to 1/CP.21 para 135, and are pleased to advance the work on the Local Communities and Indigenous Peoples platform (hereinafter Indigenous platform) as it represents an opportunity for Indigenous Peoples and Parties to integrate traditional knowledge and knowledge of Indigenous Peoples into climate change policies. Fully realizing the potential of the platform will further promote the participation of Indigenous Peoples in all the relevant work of the UNFCCC. The platform should assist the UNFCCC to address and respond to climate change in a way that respects and complies with the basic standards under the UN Declaration on the Rights of Indigenous Peoples, and other relevant international human rights instruments.

We acknowledge the work of the International Indigenous Peoples' Forum on Climate Change (IIPFCC) and fully support its submission, it provides a solid foundation for the Indigenous platform reaffirming that traditional knowledge linked to conservation of biodiversity on of lands, territories, resources, air, ice, oceans and waters, mountains and forests, climate mitigation and adaptation, and traditional cultural expressions are integral parts of Indigenous Peoples' rights to cultures, livelihoods and identities, and contribute to the sustainable development of natural resources and cultures on Indigenous lands and territories.

We take this opportunity to complement the submission of the IIPFCC by outlining our priorities regarding the purpose, content, and structure of the Indigenous platform, and respectfully submit the following comments and proposals for consideration:

PURPOSE

1. The purpose of the Indigenous platform is to provide the UNFCCC with high-level advice on relevant issues through analysis and appropriate policy recommendations or options in order to enable those organisations to guide enhanced action on climate change to support the implementation of the Paris Agreement as reflected in the Preamble of the Agreement.

2. The Indigenous platform must play a strategic role in respecting traditional knowledge, and the knowledge of Indigenous Peoples. It must uphold the rights of Indigenous Peoples through improving the effectiveness and efficiency of the work of Parties including in implementing and monitoring of nationally determined contributions (NDC's), develop common policies and agree on appropriate actions.

CONTENT

We recommend the following key areas regarding climate change action:

1. Periodical review and assessment of progress at the international, regional and national levels, including:
 - a. the implementation of action lines;
 - b. the examination of science and technology and their relevance to the lands, territories, resources, air, ice, oceans and waters, mountains and forests of Indigenous Peoples and their livelihoods, and;
 - c. the highlighting of priority areas of work for Parties, the private sector and other relevant institutions;
2. Build upon the knowledge, science and technologies of Indigenous Peoples, particularly through:
 - a. Advancing the revitalization of Indigenous and traditional knowledge;
 - b. Strengthening Indigenous approaches to research, development, and demonstration;
 - c. Promoting culturally appropriate development;
 - d. Facilitating access to climate technology development and transfer with the requirement of free prior and informed consent from the holders of such knowledge, innovations and practices.
3. Promote best and effective practices and lessons learned and identify challenges and constraints encountered, actions and initiatives to overcome them and important measures for further implementation of the Paris Agreement;
4. Develop, a system of successful indigenous indicators on climate change, adaptation and mitigation, appropriate mechanisms, guidelines, legislation or other initiatives to foster and promote the effective participation of Indigenous Peoples in decision-making, policy planning and development and implementation of climate action at international, regional, and national levels;
5. In coordination with other appropriate United Nations funds, programmes and specialized agencies, promote dialogue to respect and uphold the rights of Indigenous Peoples when taking action to address climate change;

6. Formulate recommendations and guidelines on science and technology matters within the UNFCCC related to Indigenous rights and knowledge, including objectives and outcomes.
7. Develop protocols for the implementation of the Cancun safeguards regarding Indigenous Peoples.

STRUCTURE

Indigenous peoples have the right of self-determination and to engage with the UNFCCC on the basis of this fundamental right and other rights to Free, Prior and Informed Consent, as well as full and effective participation. We freely determine our political status and freely pursue our economic, social and cultural development. The Indigenous platform is envisioned as a mechanism to exercise these rights and its structure must therefore reflect this purpose.

Indigenous Peoples have a special relationship with the lands, oceans and waters, offering unique contributions to the protection of Mother Earth, yet bear much of the burden of environmental degradation, as a result of climate change. We therefore consider direct and effective participation imperative, and urge that Indigenous rights, perspectives, values and practices be fully protected and accommodated in climate change strategies and processes.

Indigenous Peoples have been actively participating in international bodies and mechanisms to achieve greater protection of their rights. The Arctic Council, an intergovernmental organization where Arctic Indigenous Peoples and organizations have status as “Permanent Participants” is one example. The category of Permanent Participants provides for active participation and consultation with the indigenous representatives within the Arctic Council structure. In this regard we also highlight the participatory mechanisms for Indigenous Peoples under the Convention on Biological Diversity with measures that enhance and strengthen effective involvement in decision-making and reiterate that relevant United Nations agencies, treaty bodies and other international mechanisms have enabled direct participation of Indigenous Peoples, at the highest levels.

We therefore propose the following structure:

1. In order to achieve the full realization of the right to participate in decision-making, Indigenous Peoples must be bestowed with appropriate consultative and participatory status within UNFCCC;
2. The Indigenous platform will hold an annual session made up of Parties and a regional balanced number of Indigenous Peoples through their own institutions, with full, effective, direct and meaningful participation in all activities and stages of implementation, providing recommendations, advice and information directly to the UNFCCC Conference of Parties:

- a. State Parties together with Indigenous Peoples will have membership within the Indigenous platform. When joint recommendations are needed, the *working group* of the Indigenous platform will draft joint statements with an equal amount of representatives from both State Parties and Indigenous Peoples;
 - b. To reflect the diversity and challenges of the Indigenous Peoples around the globe, the Indigenous Peoples will have seven seats, representing the seven regions, at the UNFCCC negotiation table amongst the Parties and speak on behalf of the Indigenous Peoples of those regions. The Indigenous Peoples would not have voting status, but it would be the object of all to include their voice in the negotiations and consensus structure;
 - c. The Indigenous regions will have the opportunity to take the floor on the same conditions as State Parties of the UNFCCC;
 - d. Any outcomes of the platform should be communicated to the Conference of Parties through one of the seven Indigenous regions.
3. In order to strengthen the capacity of the UNFCCC to provide substantive assistance and support to the platform in carrying out its mandate, we recommend the establishment of a Secretariat of the Indigenous platform to prepare, advocate, facilitate and promote the coordination of work of the platform within the UNFCCC system. The Secretariat would support work related to adaptation, mitigation, technology and outreach (among other priority areas) and to promote awareness of traditional and indigenous knowledge within the UNFCCC system, governments, and the broader public.

FURTHER STEPS

The United Nations Expert Mechanism on the Rights of Indigenous Peoples' Final study on indigenous peoples and the right to participate in decision-making (A/HRC/EMRIP/2011/2) and its progress report of 2010 (A/HRC 15/35) offer a valuable overview regarding the full and effective participation of Indigenous Peoples at all stages of decision making. Particular attention should be given to the following recommendation:

The United Nations should, in accordance with the Declaration on the Rights of Indigenous Peoples, establish a permanent mechanism/system for consultations with indigenous peoples' governance bodies, including indigenous parliaments, assemblies, councils or other bodies representing the indigenous peoples concerned, to ensure that such bodies have a consultative status enabling them to participate effectively at all levels of the United Nations. (Annex Advice No. 2, paragraph 35, HRC/EMRIP/2011/2)

We therefore urge the UNFCCC to operationalize the Indigenous platform with the full and equal participation of Indigenous Peoples, and propose that the UNFCCC to be modernized and adapt

its criteria to provide Indigenous Peoples a consultative and participatory status. Indigenous peoples continue engagement with the United Nations in a spirit of good faith and expect enhanced procedures to enable their participation in all relevant work of the UNFCCC, this must be done in a way that realizes, respects, promotes and protects indigenous peoples rights under the United Nations Declaration on the Rights of Indigenous Peoples, and rights derived from treaties, agreements and other constructive arrangements with Indigenous Peoples and Member States.

We propose the continuation of co-moderators to serve as co-facilitators towards the operationalization at COP23 as a proper arrangement to conduct inclusive consultations, monitor progress, and share relevant information regarding the Indigenous Peoples platform with all relevant parties. As applied in the preparation of the *High-level Plenary of the United Nations General Assembly to be known as the World Conference on Indigenous Peoples* held in September 2014, the practice of co-facilitators is a crucially important component that would further strengthen the cooperation of Indigenous Peoples in this process as well as provide an example of good faith on the part of the UNFCCC to engage on an equal basis with Indigenous Peoples.

We are looking forward to collaborating with other Indigenous geo-political regions, organisations and Parties for the design of the purpose, content and structure of the Indigenous platform, and requests the UNFCCC to continue to conduct inclusive consultations through a partnership between Parties and Indigenous Peoples in order to determine the modalities for the Indigenous platform.