**51st session of the Human Rights Council**

**Annual half-day panel discussion on the rights of indigenous peoples**

***Theme: Impact of social and economic recovery plans in the COVID-19 context
on indigenous peoples, with a special focus on food security***

*Concept note (as of 27 September 2022)*

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| **Date and venue:** | **Wednesday, 28 September 2022, 10 a.m. to 12 p.m. (UTC+2)****Room XX, Palais des Nations, Geneva, and online platform (Zoom)** *(will be broadcast live and archived on* [*https://media.un.org/en/webtv*](https://media.un.org/en/webtv)*)* |
| **Objectives:** | The panel discussion aims: * To encourage a deeper understanding and identify and assess the impact of social and economic recovery plans in the COVID-19 context on indigenous peoples, with a special focus on food security;
* To identify good practices, lessons learned, and current challenges for indigenous Peoples in the development and implementation of COVID-19 recovery plans;
* To assess and promote Indigenous peoples’ right to food, which is intrinsically linked to Indigenous peoples’ rights to land and resources, and their right to pursue their self-determined development, including in the development and implementation of recovery plans during and in the aftermath of the pandemic.
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| **Chair:** | **H.E. Ms. Katharina Stasch**, Vice-President of the Human Rights Council |
| **Opening statement:** | **Ms. Ilze Brands Kehris**, Assistant Secretary-General for Human Rights |
| **Panellists:** | * **Mr. José Francisco Calí Tzay**, Special Rapporteur on the rights of indigenous peoples
* **Ms. Myrna Cunningham**, First Vice-President of the Fund for the Development of Indigenous Peoples of Latin America and the Caribbean (FILAC)
* **Mr. Binota Moy Dhamai**, Chair of the Expert Mechanism on the Rights of Indigenous Peoples
* **Mr. Yon Fernández-de-Larrinoa**, Head of the Indigenous Peoples Unit, Partnerships and United Nations Collaboration Division, Food and Agriculture Organization of the United Nations *(Zoom)*
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| **Outcome:** | A summary report of the discussion will be prepared by OHCHR and submitted to the Council prior to its 53rd session. |
| **Mandate:** | The Human Rights Council decided to hold an annual half-day panel discussion on the rights of Indigenous peoples in its resolution 18/8 of 29 September 2011. The theme of this year’s discussion is mandated by Council resolution [48/11](https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2FRES%2F48%2F11&Language=E&DeviceType=Desktop&LangRequested=False) of 8 October 2021.  |
| **Format:** | The panel discussion will be limited to two hours. The opening statement and initial presentations by the panellists will be followed by a two-part interactive discussion and conclusions from the panellists. A maximum of one hour will be set aside for the podium, which will cover the opening statement, panellists’ presentations and their responses to questions and concluding remarks. The remaining hour will be reserved for two segments of interventions from the floor, with each segment consisting of interventions from 12 States and observers, 1 national human rights institution and 2 non-governmental organizations. Each speaker will have two minutes to raise issues and to ask panellists questions. Panellists will respond to questions and comments during the remaining time available.The list of speakers for the discussion will be established through the online inscription system and, as per practice, statements by high-level dignitaries and groups of States will be moved to the beginning of the list. Delegates who have not been able to take the floor due to time constraints will be able to upload their statements on the online system to be posted on the HRC Extranet. Interpretation will be provided in the six United Nations official languages (Arabic, Chinese, English, French, Russian and Spanish). |
| **Accessibility:** | In an effort to render the Human Rights Council more accessible to persons with disabilities and to promote their full participation in the work of the Council on an equal basis with others, the panel will be made accessible. International sign interpretation and real-time captioning in English will be provided and webcast during the debate. During the event itself, participants can access live English captioning on the StreamText web page (<https://www.streamtext.net/player?event=CFI-UNOG>). Hearing loops are available for collection from the Secretariat desk. Oral statements may be embossed in Braille from any of the six official languages of the United Nations, upon request and following the procedure described in *The accessibility guide to the Human Rights Council for persons with disabilities* (available on <https://www.ohchr.org/EN/HRBodies/HRC/Pages/Accessibility.aspx>). |
| **Background:** | As highligted by the Special Rapporteur on the rights of IndigenousPeoples, pre-existing food insecurity in indigenous communities has been exacerbated by the pandemic lockdowns, and other containment methods used to tackle the virus, paired with the denial of Indigenous land rights, the lack of self-determination in relation to indigenous territories and the disruption of local and traditional economies, which resulted in indigenous communities being disproportionately struggling with the current health crisis and with access to food. The disproportionate impact of the COVID-19 health crisis exposed the pre-existing inequalities affecting Indigenous peoples around the world, almost always leaving them behind in national responses to the virus and often facing food insecurity, as evidenced by numerous reports, including the annual report of the Expert Mechanism on the Rights of Indigenous Peoples ([A/HRC/46/72](https://documents-dds-ny.un.org/doc/UNDOC/GEN/G21/018/55/PDF/G2101855.pdf?OpenElement)), the reports of the Special Rapporteur on the rights of indigenous peoples to the General Assembly ([A/75/185](https://www.undocs.org/en/A/75/185)) and to the Human Rights Council ([A/HRC/48/54](https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F48%2F54&Language=E&DeviceType=Desktop&LangRequested=False)), [reports](https://www.fao.org/documents/card/en/c/ca9106en) and [statements](https://www.fao.org/fileadmin/user_upload/faoweb/2020/Indigenous/Indigenous_Peoples_Unit_COVID-19_Statement_English.pdf) issued by the Food and Agriculture Organization (FAO), and the [report on the impact of COVID-19](https://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/publication/wcms_757475.pdf) on indigenous communities, published jointly by the International Labour Organization (ILO) and the International Work Group for Indigenous Affairs (IWGIA). In many cases, States responses to and recovery from the COVID-19 pandemic, including the adoption of measures, policies and recovery plans had an impact on the lives of Indigenous peoples, including on their rights to self-determination, to food and to health.In its draft general comment on land and economic, social and cultural rights, the Committee on Economic, Social and Cultural Rights (CESCR) notes that indigenous and other traditional communities rely on the natural resources on their lands for subsistence and the conduct of traditional cultural practices. The Special Rapporteur and the Expert Mechanism, in their respective reports, inter alia, cited good practices by indigenous communities, including relying on food security networks and traditional food systems to guarantee their food security. However, the Expert Mechanism also noted that there is a rise in food insecurity related to loss of livelihoods and lack of access to land and natural resources.In its draft general recommendation on the rights of indigenous women and girls, the Committee on the Elimination of Discrimination against Women (CEDAW) stresses that indigenous women and girls play a key role in their communities as custodians, food producers and guardians of native seeds, and workers involved in food and water security. The CEDAW also notes that barriers to access land can disproportionately impact indigenous women resulting in the loss of their livelihoods, threatening their culture and intrinsic link to their environment, food and water security and health.As [noted by the Secretary General](https://www.un.org/en/food-systems-summit/news/making-food-systems-work-people-planet-and-prosperity) of the United Nations, in the wake of the impacts of the COVID-19 pandemic, transformative action through food systems can play an essential role in driving the global recovery. Responses to the pandemic should respond to country demands, and should have strong stakeholder representation, particularly Indigenous peoples, women and youth. In addition, as part of their right to pursue their self-determined development, indigenous peoples should be able to develop and implement their own recovery plans during and in the aftermath of the pandemic. Apart from article 12 of the International Covenant on Economic, Social and Cultural Rights which recognizes to all, including indigenous peoples, the right to the enjoyment of the highest attainable standard of physical and mental health without discrimination, the United Nations Declaration on the Rights of Indigenous Peoples specifically provides for the right of indigenous peoples to be actively involved in developing, determining and administering health programmes through their own institutions (article 23) and the right to their traditional medicines and health practices (article 24).  |
| **Background documents:** | Human Rights Council resolutions [18/8](https://undocs.org/A/HRC/RES/18/8) of 29 September 2011 and [48/11](http://undocs.org/A/HRC/RES/48/11) of 15 October 2021 on human rights and indigenous peoplesReport of the Office of the United Nations High Commissioner for Human Rights on the panel discussion on the rights of indigenous peoples (theme: situation of human rights of indigenous peoples facing the coronavirus disease (COVID-19) pandemic, with a special focus on the right to participation), 31 March 2022 ([A/HRC/50/48](http://undocs.org/A/HRC/50/48))Annual report of the Expert Mechanism on the Rights of Indigenous Peoples, 26 January 2021 ([A/HRC/46/72](https://undocs.org/A/HRC/46/72))Report of the Special Rapporteur on the rights of indigenous peoples on indigenous peoples and coronavirus disease (COVID-19) recovery, 6 August 2021 ([A/HRC/48/54](https://undocs.org/A/HRC/48/54))Report of the Special Rapporteur on the rights of indigenous peoples to the General Assembly, 20 July 2020 ([A/75/185](https://www.undocs.org/A/75/185))[United Nations Declaration on the Rights of Indigenous Peoples](http://www.ohchr.org/EN/Issues/IPeoples/Pages/Declaration.aspx), annex to General Assembly resolution [61/295](https://undocs.org/A/RES/61/295) of 13 September 2007[Committee on Economic, Social and Cultural Rights](https://www.ohchr.org/en/treaty-bodies/cescr), draft general comment No. 26 (2021) on land and economic, social and cultural rights, 3 May 2021 ([E/C.12/69/R.2](https://www.ohchr.org/en/documents/general-comments-and-recommendations/ec1269r2-draft-general-comment-no-26-2021-land-and)) Committee on the Elimination of Discrimination against Women, [draft general recommendation No. 39 (2022) on the rights of indigenous women and girls](https://www.ohchr.org/en/calls-for-input/2022/draft-general-recommendation-rights-indigenous-women-and-girls)Food and Agriculture Organization (FAO) statement: [Indigenous peoples' health and safety at risk due to Coronavirus (COVID-19)](https://www.fao.org/fileadmin/user_upload/faoweb/2020/Indigenous/Indigenous_Peoples_Unit_COVID-19_Statement_English.pdf)FAO Policy Brief, [COVID-19 and indigenous peoples](https://doi.org/10.4060/ca9106en), 2020ILO and IWGIA: [The impact of COVID-19 on indigenous communities](https://www.ilo.org/gender/Informationresources/Publications/WCMS_757475/lang--en/index.htm): Insights from the Indigenous Navigator, (2020) |

**Suggested guiding questions:**

1. *Were indigenous peoples consulted, their free, prior and informed consent obtained, and their participation ensured in the development of COVID-19 recovery plans?*
2. *How were indigenous peoples’ rights to food and health guaranteed in the development, adoption and implementation of recovery plans?*
3. *What are the main impacts of COVID-19 social and economic recovery plans on indigenous peoples rights, particularly in relation to food security?*
4. *Share examples of good practices, lessons learned and current challenges for indigenous peoples in the development and implementation of COVID-19 recovery plans, particularly in relation to food security.*
5. *How were indigenous peoples’ rights to land, natural resources and livelihoods addressed and/or impacted in the development, adoption and implementation of recovery plans?*